United States Environmental Protection Agency
Region 8, Air Program
1595 Wynkoop Street
Denver, Colorado 80202

Air Pollution Control Permit to Operate
Title V Operating Permit Program at 40 CFR Part 71

In accordance with the provisions of Title V of the Clean Air Act (CAA) and the Title V Operating Permit Program at 40 CFR part 71 (Part 71) and applicable rules and regulations,

Dominion Energy Questar Pipeline, LLC
Fidlar Compressor Station

is authorized to operate air emission units and to conduct other air pollutant emitting activities in accordance with the permit conditions listed in this permit.

This source is authorized to operate at the following location:

Uintah and Ouray Indian Reservation
SW ¼, NW ¼, Section 16, T9S, R22E, Uintah County, Utah

Terms not otherwise defined in this permit have the meaning assigned to them in the referenced regulations. All terms and conditions of the permit are enforceable by the EPA and citizens under the CAA.

Monica S. Morales
Director, Air Program
Office of Partnerships & Regulatory Assistance

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Air Pollution Control Permit to Operate
Title V Operating Permit Program at 40 CFR Part 71

Dominion Energy Questar Pipeline, LLC
Fidlar Compressor Station

Permit Number: V-UO-000002-2013.00
Replaces Permit No.: V-UO-0002-05.01

Issue Date: January 8, 2018
Effective Date: February 7, 2018
Expiration Date: February 7, 2023

The permit number cited above should be referenced in future correspondence regarding this facility.

Table 1. Part 71 Permitting History

Date of Action	Permit Number	Type of Action	Description of Action
October 20, 2000	V-UO-0002-00.00	Initial Permit	N/A
July 3, 2008	V-UO-0002-05.00	1st Permit Renewal	N/A
July 15, 2011	V-UO-0002-05.01	Significant Modification	Added new sections for NSPS JJJJ and MACT ZZZZ requirements. Added new sections for applicant-requested enforceable restrictions to engine FS07. Created and renumbered sections that followed.
February 7, 2018	V-UO-000002-2013.00	2nd Permit Renewal	N/A

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I. Facility Information and Emission Unit Identification[TC "I. Facility Information and Emission Unit Identification" \f C \l "1"]

A. Facility Information[TC "A. Facility Information" \f C \l "2"]

Operator Name:	Dominion Energy Questar Pipeline, LLC
Plant Name:	Fidlar Compressor Station
Plant Location:	SW ¼, NW ¼, Section 16, T9S, R22E Latitude 40.039722 N, Longitude -109.456944 W
Region:	8
State:	Utah
County:	Uintah
Reservation:	Uintah & Ouray
Tribe:	Ute
Responsible Official:	Vice President, Western Pipeline Operations
SIC Code:	4922

Description:

The Fidlar Compressor Station (Fidlar) is an integral part of Dominion Energy Questar Pipeline, LLC (Dominion) interstate-pipeline transmission system. The facility provides critical transportation compression needs of the natural gas shippers on Dominion's southern transmission system. Fidlar receives natural gas from and delivers it to any one of Dominion's main lines that transport natural gas east, west and north to existing markets and interconnecting points with other interstate pipelines.

There are currently four compressors operating at Fidlar. Natural gas-fired turbines drive three compressors, and a natural gas-fired internal combustion engine drives the other compressor. The facility is also equipped with a natural gas-fired reciprocating internal combustion engine used to drive a standby emergency generator. The generator provides electric power to the compressor station during power outages only. All equipment at the Fidlar burns pipeline quality natural gas as its only fuel source.

Natural gas enters the station then passes through separator tanks. The tanks allow any entrained liquids to drop out of the natural gas. Liquids and sludge are temporarily stored on-site and then removed by truck. The natural gas then passes through scrubbers consisting of cloth type filters to remove impurities. Impurities are occasionally blown to the pressurized storage vessel or sludge tank. Natural gas pressure is then boosted by the compressor units. After compression, the natural gas is cooled by cooling fans which draw ambient air over the pipes to cool the natural gas. There is no contact between the cooling air and natural gas. There are numerous shutdown and relief valves associated with the facility. A

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natural gas-fired boiler provides heat to the buildings. A natural gas-fired line heater is used to prevent the station fuel gas line from freezing.

B. Facility Emission Points[TC "B. Facility Emission Points" \f C \l "2"]

Table 2 – Emission Units and Emission Generating Activities

Emission Unit ID	Description	Control Equipment
FS01 FS03	11.16 MMBtu/hr (1,019 hp), natural gas-fired turbines for natural gas compression. Solar Saturn T-1001S-205: Serial Number: 21035 Installed: 6/20/2016 Serial Number: 20950 Installed: 3/20/2016	None
FS05	37.05 MMBtu/hr (4,028 hp), natural gas-fired turbine for natural gas compression. Solar Centaur T4700S: Serial Number: OHA16-CO314 Installed: 3/28/2016	None
FS02	10.79 MMBtu/hr (1,061 hp) natural gas-fired internal combustion engine for natural gas compression. White Superior 12G-825, 4 stroke rich burn: Serial Number: 299499 Installed: 12/3/1983	AFR (Air-Fuel Ratio) & NSCR (Non-Selective Catalytic Reduction installed 9/1995
FS07	6.54 MMBtu/hr (643 hp), natural gas-fired stand by internal combustion engine for emergency power generator. Cummins GTA28 CC, rich burn: Serial Number: 25352466 Installed: 11/18/2010	AFR & NSCR
QPC Tank	400 bbl condensate sludge storage tank, 42,000 gal/year throughput: Serial Number: unknown Installed: pre-1991	None
QPC Truck Loadout	42,000 gal/year tank truck loading unit: Serial Number: unknown Installed: pre-1991	None
FS08	Fugitive emissions from valves, seals, pumps, etc.	None

*hp = horsepower; MMBtu/hr = million British thermal units per hour; bbl = barrel.

II. Requirements for Engine Unit FS02[TC "II. Requirements for Engine Unit FS02 " \f C \l "1"]

A. Synthetic Minor New Source Review Permit Requirements[TC "A. Synthetic Minor New Source Review Permit Requirements" \f C \l "2"]

This source is subject to the requirements of the synthetic Minor New Source Review (MNSR) permit SMNSR-UO-000002-2013.001, issued by the EPA on November 1, 2016, in accordance with the requirements at 40 CFR 49.158. The MNSR permit requirements established enforceable restrictions on the emissions of nitrogen oxides (NO_X) from engine FS02. Notwithstanding conditions in this permit, the permittee shall comply with all applicable requirements of the MNSR permit.

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B. Requirements for Engine Unit FS02[TC "B. Requirements for Engine Unit FS02" \f C \l "2"]

1. Construction and Operational Limits

(a) The Permittee shall install, operate and maintain emission controls as specified in the MNSR permit on one (1) reciprocating internal combustion engine used for compression, meeting the following specifications:

(i) Operated as a 4-stroke rich-burn (4SRB) engine;
(ii) Fired with natural gas; and
(iii) Limited to a maximum site rating of 1,061 site rated (hp).

(b) Only the engine that is operated and controlled as specified in the MNSR permit is approved for installation under the MNSR permit.

2. Emission Limits

(a) NO_X emissions from the 1,061 hp 4SRB engine shall not exceed:

(i) 4.68 pounds per hour (lb/hr); and
(ii) 2.0 grams per horsepower-hour (g/hp-hr).

(b) Emission limits specified in the MNSR permit shall apply at all times unless otherwise specified in the MNSR permit.

3. Control and Operational Requirements

(a) The Permittee shall ensure that the 1,061 hp 4SRB engine is equipped with an air-to-fuel ratio (AFR) control system and a non-selective catalytic reduction (NSCR) system capable of reducing uncontrolled NO_X emissions to meet the emission limits specified in the MNSR permit.

(b) The Permittee shall replace the oxygen (O_2) sensor on the AFR controller on the 1,061 hp 4SRB engine within every 2,190 hours of engine run time.

(c) The Permittee shall install, operate and maintain a temperature-sensing device (i.e., thermocouple or resistance temperature detectors) before the NSCR control system to continuously monitor the exhaust temperature at the inlet of the NSCR control system. The temperature-sensing device shall be calibrated and operated by the Permittee according to manufacturer specifications or equivalent specifications developed by the Permittee or vendor. The temperature-sensing device shall be accurate to within 0.75% of span.

(d) Except during startups, which shall not exceed 30 minutes, the engine exhaust

temperature at the inlet to the NSCR control system shall be maintained and at all times the engine operated in accordance with the NSCR manufacturer's specifications for optimum performance.

(e) During operation, the pressure drop across the NSCR control system on the engine shall be maintained to within ±2 inches of water from the baseline pressure drop measured during the most recent performance test. The baseline pressure drop across the NSCR control system shall be determined at 100% ± 10% of the engine load measured during the most recent performance test.

(f) The Permittee shall only fire the engine with natural gas. The natural gas shall be pipeline quality in all respects except that the carbon dioxide (CO_2) concentration in the gas is not required to be within pipeline quality.

(g) The Permittee shall follow, for the engine and respective NSCR control system, the manufacturer recommended maintenance schedule and procedures, or equivalent maintenance schedule and procedures developed by the Permittee or vendor, to ensure optimum performance of the engine and its respective catalytic control system.

(h) The Permittee may rebuild or replace an existing permitted engine with an engine of the same horsepower rating, and configured to operate in the same manner as the engine being rebuilt or replaced. Any emission limits, requirements, control technologies, testing or other provisions that apply to the permitted engine that are replaced shall also apply to the rebuilt or replacement engine.

(i) The Permittee may resume operation without the NSCR control system during an engine break-in period, not to exceed 200 operating hours, for rebuilt and replacement engines.

4. Performance Testing Requirements

(a) Performance tests shall be conducted on the 1,061 hp 4SRB engine for measuring NO_X emissions to demonstrate compliance with each emission limitation in the MNSR permit. The performance tests shall be conducted in accordance with appropriate reference methods specified in 40 CFR part 60, appendix A and 40 CFR part 63, appendix A or an EPA-approved American Society for Testing and Materials (ASTM) method. The Permittee may submit to the EPA a written request for approval of an alternate test method, but shall only use that alternate test method after obtaining approval from the EPA.

(i) An initial performance test shall be conducted within 45 calendar days of the effective date of the MNSR permit.
(ii) Subsequent performance tests shall be conducted within 12 consecutive months after the most recent performance test.
(iii) Performance tests shall be conducted within 45 calendar days of startup of the engine after cleaning or replacement of the NSCR control system catalyst.
(iv) Performance tests shall be conducted within 45 calendar days of startup of each rebuilt or replaced engine.

(b) The Permittee shall not perform engine tuning or make any adjustments to engine settings, NSCR control system settings, processes or operational parameters the day of or during the engine testing. Any such tuning or adjustments may result in a determination by the EPA that the test is invalid. Artificially increasing an engine load to meet test requirements is not considered engine tuning or adjustments.

(c) The Permittee shall not abort any engine tests that demonstrate non-compliance with any NO_X emission limits in the MNSR permit.

(d) Performance tests conducted on the 1,061 hp 4SRB engine for measuring NO_X emissions shall meet the following requirements:

(i) The pressure drop across the NSCR control system and the inlet temperature to the NSCR control system shall be measured and recorded at least once per test during all performance tests.

(ii) The Permittee shall measure carbon monoxide (CO) emissions from the 1,061 hp 4SRB engine simultaneously with all performance tests for NO_X emissions. CO emissions shall be measured using a portable analyzer and protocol approved in writing by the EPA. *[Note to Permittee: Although the MNSR permit does not contain CO emission limits for this engine, CO measurement requirements have been included as an indicator to ensure compliance with Condition C.4(b) of the MNSR permit (Section II.B in this permit). Questar has received approval from the EPA to use CEMs equipment to measure CO emissions.]*

(iii) All performance tests shall be conducted at maximum operating rate (90% to 110% of the maximum achievable load available at the time of the test). The Permittee may submit to the EPA a written request for approval of an alternate load level for testing, but shall only test at that alternate load level after obtaining written approval from the EPA.

(iv) During each test run, data shall be collected on all parameters necessary to document how emissions were measured and calculated (such as test run length, minimum sample volume, volumetric flow rate, moisture and oxygen corrections, etc.).

(v) Each test shall consist of at least three 1-hour or longer valid test runs. Emission results shall be reported as the arithmetic average of all valid test runs and shall be in terms of the emission limits in the MNSR permit.

(vi) A performance test plan shall be submitted to the EPA for approval within 30 calendar days of the effective date of the MNSR permit.

(vii) Performance test plans that have already been approved by the EPA for the emission unit approved in the MNSR permit may be used in lieu of new test plans unless the EPA requires the submittal and approval of new test plans. The

Permittee may submit new plans for EPA approval at any time.

(viii) The test plans shall include and address the following elements:

(A) Purpose of the test;
(B) Engine and NSCR control system to be tested;
(C) Expected engine operating rate during the test;
(D) Sampling and analysis procedures (sampling locations, test methods, laboratory identification);
(E) Quality assurance plan (calibration procedures and frequency, sample recovery and field documentation, chain of custody procedures); and
(F) Data processing and reporting (description of data handling and quality control procedures, report content).

(e) The Permittee shall notify the EPA at least 30 calendar days prior to a scheduled performance testing. The Permittee shall notify the EPA at least 1 week prior to a scheduled performance testing if the testing cannot be performed.

(f) If the results of a complete and valid performance test of the emissions from the permitted engine demonstrate noncompliance with the emission limits in the MNSR permit, the engine shall be shut down as soon as safely possible and appropriate corrective action shall be taken (e.g., repairs, catalyst cleaning, catalyst replacement). The Permittee shall notify the EPA in writing within 24 hours of each such shut down. The engine must be retested within 7 days of being restarted and the emissions must meet the applicable limits in the MNSR permit. If the retest shows that the emissions continue to exceed the limits in the MNSR permit, the engine shall again be shut down as soon as safely possible, and the engine may not operate, except for purposes of startup and testing, until the Permittee demonstrates through testing that the emissions do not exceed the emission limits in the MNSR permit.

(g) If a permitted engine is not operating, the Permittee does not need to start up the engine solely to conduct a performance test. The performance test requirements apply when the facility begins operating again.

5. Monitoring Requirements

(a) The Permittee shall continuously measure the engine exhaust temperature at the inlet to the NSCR control system at all times the engine operates.

(b) Except during startups, which shall not exceed 30 minutes, if the engine's exhaust temperature at the inlet to the NSCR control system deviates from the acceptable range specified by the manufacturer then the following actions shall be taken. The Permittee's completion of any or all of these actions shall not constitute, nor qualify as, an exemption from the NO_X emission limits in the MNSR permit.

(i) Within 24 hours of determining a deviation of the engine exhaust temperature at the inlet to the NSCR control system, the Permittee shall investigate. The

investigation shall include testing the temperature sensing device, inspecting the engine for performance problems and assessing the NSCR control system for possible damage that could affect NSCR control system effectiveness (including, but not limited to, catalyst housing damage and fouled, destroyed or poisoned catalyst).

(ii) If the engine exhaust temperature at the inlet to the NSCR control system can be corrected by following the engine manufacturer recommended procedures or equivalent procedures developed by the Permittee or vendor and the NSCR control system has not been damaged, then the Permittee shall correct the engine exhaust temperature at the inlet to the NSCR control system within 24 hours of inspecting the engine and NSCR control system.

(iii) If the engine exhaust temperature at the inlet to the NSCR control system cannot be corrected using the engine manufacturer recommended procedures or equivalent procedures developed by the Permittee or vendor, or the NSCR control system has been damaged, then the affected engine shall cease operating immediately and shall not be returned to routine service until the following has been met:

(A) The engine exhaust temperature at the inlet to the NSCR control system is measured and found to be within the acceptable temperature range for that engine; and

(B) The NSCR control system has been repaired or replaced, if necessary.

(c) The Permittee shall monitor the pressure drop across the NSCR control system on the engine at least once every hour that the engine operates, beginning with the effective date of the MNSR permit, using pressure sensing devices before and after the NSCR control system to obtain a direct reading of the pressure drop (also referred to as the differential pressure). *[Note to Permittee: Differential pressure measurements, in general, are used to show the pressure across the filter elements. This information will determine when the elements in the NSCR control system are fouling, blocked or blown out and thus require cleaning or replacement.]*

(d) If the pressure drop reading exceeds ± 2 inches of water from the baseline pressure drop reading taken during the most recent performance test, then the following actions shall be taken. The Permittee's completion of any or all of these actions shall not constitute, nor qualify as, an exemption from any other emission limits in the MNSR permit:

(i) Within 24 hours of determining a deviation of the pressure drop across the NSCR control system, the Permittee shall investigate. The investigation shall include testing the pressure transducers and assessing the NSCR control system for possible damage that could affect catalytic system effectiveness (including, but not limited to, catalyst housing damage and plugged, fouled, destroyed or poisoned catalyst).

(ii) If the pressure drop across the NSCR control system can be corrected by following the NSCR control system manufacturer recommended procedures or equivalent procedures developed by the Permittee or vendor, and the NSCR control system has not been damaged, then the Permittee shall correct the problem

within 24 hours of inspecting the NSCR control system.

(iii) If the pressure drop across the NSCR control system cannot be corrected using the NSCR control system manufacturer recommended procedures or equivalent procedures developed by the Permittee or vendor, or the NSCR control system is damaged, then the Permittee shall do one of the following:

(A) Conduct a performance test within 45 calendar days, as specified in the MNSR permit, to ensure that the emission limits are being met and to re-establish the pressure drop across the NSCR control system. The Permittee shall perform a portable analyzer test for CO and NO_X to establish a new temporary pressure drop baseline until a performance test can be scheduled and completed; or

(B) Cease operating the affected engine immediately. The engine shall not be returned to routine service until the pressure drop is measured and found to be within the acceptable pressure range for that engine as determined from the most recent performance test. Corrective action may include removal and cleaning of the catalyst or replacement of the catalyst.

(e) The Permittee shall monitor NO_X and CO emissions from the exhaust of the NSCR control system on the engine at least quarterly to demonstrate compliance with the engines NO_X emission limits in the MNSR permit. To meet this requirement, the Permittee shall:

(i) Measure NO_X and CO emissions at the normal operating load using a portable analyzer and a monitoring protocol approved by the EPA or conduct a performance test as specified in the MNSR permit;

(ii) Measure the NO_X and CO emissions simultaneously; and

(iii) Commence monitoring for NO_X and CO emissions within 45 calendar days of the Permittee's submittal of the initial performance test results for NO_X emissions, as appropriate, to the EPA.

(f) The Permittee shall not perform engine tuning or make any adjustments to engine settings, NSCR control system settings, processes or operational parameters the day of or during measurements. Any such tuning or adjustments may result in a determination by the EPA that the result is invalid. Artificially increasing an engine load to meet monitoring requirements is not considered engine tuning or adjustments.

(g) If the results of 2 consecutive quarterly portable analyzer measurements demonstrate compliance with NO_X emission limits, the required monitoring frequency may change from quarterly to semi-annually.

(h) [SEQ CHAPTER \h \r 1][SEQ CHAPTER \h \r 1]If the results of any semi-annual portable analyzer measurement demonstrates non-compliance with the NO_X emission limits, the required test frequency shall revert back to quarterly.

(i) The Permittee shall submit portable analyzer specifications and NO_X and CO monitoring protocols to the EPA at the following address for approval at least 45 calendar days prior

to the date of initial portable analyzer monitoring:

U.S. Environmental Protection Agency, Region 8
Office of Enforcement, Compliance & Environmental Justice
Air Toxics and Technical Enforcement Program, 8ENF-AT
1595 Wynkoop Street
Denver, Colorado 80202

(j) Portable analyzer specifications and monitoring protocols that have already been approved by the EPA for the emission units approved in the MNSR permit may be used in lieu of new protocols unless the EPA determines it is necessary to require the submittal and approval of a new protocol. The Permittee may submit a new protocol for EPA approval at any time.

(k) The Permittee is not required to conduct emissions monitoring and parametric monitoring of exhaust temperature and NSCR control system differential pressure on the engine if it has not operated during the monitoring period. The Permittee shall certify that the engine did not operate during the monitoring period in the annual report specified in Condition I.E.1 of the MNSR permit.

6. Recordkeeping Requirements

(a) Records shall be kept of manufacturer and/or vendor specifications and maintenance requirements developed by the manufacturer, vendor or Permittee for the engine, AFR control system, NSCR control system, temperature-sensing device and pressure-measuring devices.

(b) Records shall be kept of all calibration and maintenance conducted for the engine, catalytic control system, temperature-sensing device and pressure-measuring device.

(c) Records shall be kept that are sufficient to demonstrate that the fuel for the engine is pipeline quality natural gas in all respects, with the exception of CO_2 concentrations.

(d) Records shall be kept of all temperature measurements required in the MNSR permit, as well as a description of any corrective actions taken pursuant to the MNSR permit.

(e) Records shall be kept of all pressure drop measurements required in the MNSR permit, as well as a description of any corrective actions taken pursuant to the MNSR permit.

(f) Records shall be kept of all required testing and monitoring in the MNSR permit. The records shall include the following:

(i) The date, place, and time of sampling or measurements;
(ii) The dates analyses were performed;
(iii) The company or entity that performed the analyses;

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(iv) The analytical techniques or methods used;
(v) The results of such analyses or measurements; and
(vi) The operating conditions as existing at the time of sampling or measurement.

(g) Records shall be kept of all NSCR control system catalyst replacements or repairs, AFR control system replacements, engine rebuilds and replacements.

(h) Records shall be kept of each rebuilt or replacement engine break-in period, pursuant to the requirements of the MNSR permit, where an existing engine that has been rebuilt or replaced resumes operation without the NSCR control system, for a period not to exceed 200 hours.

(i) Records shall be kept of each time the engine is shut down due to a deviation in the inlet temperature to the NSCR control system or pressure drop across a NSCR control system. The Permittee shall include in the record the cause of the problem, the corrective action taken and the timeframe for bringing the pressure drop and inlet temperature range into compliance.

C. Requirements for Records Retention[TC "C. Requirements for Records Retention" \f C \l "2"]

1. The Permittee shall retain all records required by the MNSR permit for a period of at least 5 years from the date the record was created.

2. Records shall be kept in the vicinity of the facility, such as at the facility, the location that has day-to-day operational control over the facility or the location that has day-to-day responsibility for compliance of the facility.

D. Requirements for Reporting[TC "D. Requirements for Reporting" \f C \l "2"]

1. Annual Emission Reports

(a) The Permittee shall submit a written annual report of the actual annual emissions from the 1,061 hp 4SRB engine each year no later than April 1st. The annual report shall cover the period for the previous calendar year. All reports shall be certified to truth and accuracy by the responsible official.

(b) The report shall include NO_X emissions.

(c) The report shall be submitted to:

U.S. Environmental Protection Agency, Region 8
Office of Partnerships & Regulatory Assistance
Tribal Air Permitting Program, 8P-AR
1595 Wynkoop Street
Denver, Colorado 80202

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The report may be submitted via electronic mail to [HYPERLINK "mailto:R8AirPermitting@epa.gov"].

2. All other documents required to be submitted under the MNSR permit, with the exception of the Annual Emission Reports, shall be submitted to:

   U.S. Environmental Protection Agency, Region 8
   Office of Enforcement, Compliance & Environmental Justice
   Air Toxics and Technical Enforcement Program, 8ENF-AT
   1595 Wynkoop Street
   Denver, Colorado 80202

   Documents may be submitted via electronic mail to [HYPERLINK "mailto:R8AirReportEnforcement@epa.gov"].

3. The Permittee shall promptly submit to the EPA a written report of any deviations of emission or operational limits specified in the MNSR permit and a description of any corrective actions or preventative measures taken. A "prompt" deviation report is one that is post marked or submitted via electronic mail to [HYPERLINK "mailto:r8airreportenforcement@epa.gov"] as follows:

   (a) Within 30 days from the discovery of a deviation that would cause the Permittee to exceed the emission limits or operational limits if left uncorrected for more than 5 days after discovering the deviation; and

   (b) By April 1st for the discovery of a deviation of recordkeeping or other permit conditions during the preceding calendar year that do not affect the Permittee's ability to meet the emission limits.

4. The Permittee shall submit a written report for any required performance tests to the EPA Regional Office within 60 days after completing the tests.

5. The Permittee shall submit any record or report required by the MNSR permit upon EPA request.

III. Standards of Performance for Stationary Gas Turbines - 40 CFR Part 60, Subpart GG [TC "III. Standards of Performance for Stationary Gas Turbines - 40 CFR Part 60, Subpart GG" \f C \l "1"]

A. Applicability[TC "A. Applicability" \f C \l "2"]

40 CFR part 60, subpart GG applies to the following emission units:

1. Solar Saturn T-1001S-205 engine identified as FS01 in Table 2 of this permit;

2. Solar Saturn T-1001S-205 engine identified as FS03 in Table 2 of this permit;

3. Solar Centaur T4700S engine identified as FS05 in Table 2 of this permit.

B. Requirements for Engines FS01, FS03 and FS05[TC "B. Requirements for Engines FS01, FS03, and FS05" \f C \l "2"]

1. The Permittee must meet the requirements for 40 CFR part 60, subpart GG by meeting the following requirements for all applicable emission units:

   (a) Follow nitrogen oxides fuel emissions standards listed as specified in §60.332(a)(2);

   (b) Follow sulfur dioxide fuel emission standards as specified in §60.333(a) and §60.333(b). However, the permittee can and has opted to demonstrate compliance with the sulfur dioxide limit specified in §60.333 by continually verifying that the fuel used meets the definition of natural gas to avoid sulfur monitoring. Should the permittee use fuel that does not meet the definition of natural gas, the operator will revert immediately back to applicable requirements listed in §60.333(b).

[40 CFR 60.332, 40 CFR 60.333]

2. Emission units FS01, FS03, and FS05 shall be exempt from the NO_X emission standard when being fired with an emergency fuel. For the purpose of this requirement, the term "emergency fuel" means "a fuel fired by a gas turbine only during circumstances, such as natural gas curtailment or breakdown of delivery system, that makes it impossible to fire natural gas in the gas turbine."

[40 CFR 60.331(r), 40 CFR 60.332(k)]

C. Testing and Initial Compliance Requirements[TC "C. Testing and Initial Compliance Requirements " \f C \l "2"]

1. Initial performance testing is required for off permit replacement units for affected turbines. The permittee shall comply with the initial performance test requirements of 40 CFR 60.8(a)-(f) for measuring NO_X emissions from replaced units FS01, FS03, and FS05 within 60 days after achieving the maximum production rate at which the turbines will be operated, but not later than 180 days after the initial startup of the turbines.

2. The permittee shall comply with the test methods and procedures of 40 CFR 60.335(a), (b) and (c) when conducting the initial performance test for NO_X for affected emission units.

D. Monitoring Requirements[TC "D. Monitoring Requirements " \f C \l "2"]

1. The permittee shall comply with the requirements of 40 CFR 60.334(h) for monitoring of sulfur content and nitrogen content of the fuel being burned in the affected emission units.

2. The permittee shall demonstrate that gaseous fuel burned in the affected turbine engines meets the definition of natural gas pursuant to §60.331(u).

3. The permittee shall demonstrate the gas quality characteristics in a current, valid purchase contract, tariff sheet, or transportation contract for the gaseous fuel, specifying that the maximum total sulfur content of the fuel is 20.0 grains/100 scf or less.

4. The permittee shall measure NO_X from the affected emission units at least once every quarter to show compliance with the requirements of 40 CFR 60.332(a)(2). To meet this requirement, the permittee shall measure NO_X emission from each turbine using a portable analyzer and the monitoring protocol approved by the EPA, or by using a Mobile Test Van (MTV) and the monitoring protocols approved by the EPA.

5. Monitoring shall begin in the first calendar quarter following the EPA notification to the applicant of the approval of the monitoring protocol.

6. If an emission unit is inoperable for 1,500 hours or more in any calendar quarter, the permittee is exempt from conducting NO_X monitoring for the emissions unit for that quarter only.

[40 CFR 60.331, 60.332, 60.334]

E. Notifications, Reports and Records[TC "E. Notifications, Reports, and Records " \f C \l "2"]

1. The permittee must maintain records as specified in §60.7 and §71.6.

2. The permittee must follow the recordkeeping requirements when firing an emergency fuel as specified in 60.331.

3. The permittee must monitor operations as specified in §60.334.

4. The permittee must submit reports as specified in §60.7, §60.8 and §71.6.

[40 CFR 60.331, 60.334]

IV. Standards of Performance for Stationary Spark Ignition Internal Combustion Engines - 40 CFR Part 60, Subpart JJJJ[TC "IV. Standards of Performance for Stationary Spark Ignition Internal Combustion Engines - 40 CFR Part 60, Subpart JJJJ" \f C \l "1"]

A. Applicability[TC "A. Applicability" \f C \l "2"]

CFR part 60, subpart JJJJ applies to the following engine:

1. Cummins GTA28 CC engine identified as FS07 in Table 2 of this permit.

[40 CFR 60.4230]

B. Emission Standards for Owners and Operators[TC "B. Emission Standards for Owners and Operators" \f C \l "2"]

The Permittee, as an owner or operator of a 2010 model year non-emergency SI ICE must comply with the emission standards set in 40 CFR part 60, subpart JJJJ Table 1.

[40 CFR 60.4233(e)]

C. Compliance Requirements for Owners and Operators[TC "C. Compliance Requirements for Owners and Operators" \f C \l "2"]

The Permittee, as the owner or operator of the SI ICE, must:

1. Comply with the emission standards;

2. Operate and maintain the stationary SI ICE and control device according to the manufacturer's emission-related written instructions;

3. Only change those settings that are permitted by the manufacturer;

4. Meet the requirements of 40 CFR parts 90 or 1054, as they apply; and

5. Install a non-resettable hour meter as required in §60.4237(a).

[40 CFR 60.4243, 60.4237]

D. Testing Requirements for Owners and Operators
[TC "D. Testing Requirements for Owners and Operators" \f C \l "2"]

1. Follow procedures outlined in §60.4244(a)-(f) for conducting performance tests;

2. Reference method performance tests shall be conducted, according to 40 CFR 60.4244, upon startup and for all replacement engines for FS07 that are non-certified to measure NO_X, CO and VOC emissions to demonstrate compliance with the emission limits. In addition, the permittee must conduct subsequent performance tests on non-certified engines every 8,760 hours of operation or 3 years, whichever comes first as specified in §60.4243(b)(2)(ii); and

3. The performance tests for NO_X, CO and VOC shall be conducted in accordance with the test methods specified in Table 2 of 40 CFR 60, subpart JJJJ.

[40 CFR 60.4244, 60.4243]

E. Recordkeeping Requirements[TC "E. Recordkeeping Requirements " \f C \l "2"]

The Permittee, as the owner or operator of the SI ICE, must:

1. Comply with this subpart and all documentation supporting any notification;

2. Maintain records describing any maintenance conducted on the engine;

3. Maintain records of whether FS07 is a certified engine or non-certified engine and follow applicable certifications, documentation, and emission standards; and

4. Keep and maintain records of the hours of operation if FS07 does not meet the standards applicable to non-emergency through the non-resettable hour meter.

[40 CFR 60.4245(a)-(b)]

F. Notifications and Reporting Requirements

[TC "F. Notifications and Reporting Requirements" \f C \l "2"]1. The permittee must, for engines that have not been certified by an engine manufacturer to meet the emissions standards in §60.4231, submit an initial notification as required in §60.7(a)(1). The notification must include all information as specified in §60.4245(c).

2. The permittee must submit a copy of each performance test as required by §60.4244 and this section within 60 days after the test has been completed.

[40 CFR 60.4244, 60.4245]

V. National Emission Standards for Hazardous Air Pollutants for Reciprocating Internal Combustion Engines - 40 CFR Part 63, Subpart ZZZZ[TC "V. National Emission Standards for Hazardous Air Pollutants for Reciprocating Internal Combustion Engines - 40 CFR Part 63, Subpart ZZZZ" \f C \l "1"]

A. Applicability[TC "A. Applicability" \f C \l "2"]

40 CFR part 63, subpart ZZZZ applies to the following emission unit(s):

1. Cummins GTA28 CC engine identified as FS07 in Table 2 of this permit.

[40 CFR 63.6585]

This engine is an affected source that meets a criteria in §63.6590(c)(1)-(7) and must meet the requirements of 40 CFR part 63, subpart ZZZZ by meeting the requirements of 40 CFR part 60, subpart JJJJ, for spark ignition engines. No further requirements apply for this engine under 40 CFR part 63.

[40 CFR 63.6590(c)]

VI. Facility-Wide Requirements[TC "VI. Facility Wide Requirements" \f C \l "1"] [40 CFR 71.6(a)(1)]

Conditions in this section of this permit apply to all emissions units located at the source, including any units not specifically listed in Table 2 of the Facility Emission Points section of this permit.

A. Recordkeeping Requirements[TC "A. Recordkeeping Requirements" \f C \l "2"] [40 CFR 71.6(a)(3)(ii)]

The Permittee shall comply with the following generally applicable recordkeeping requirements:

1. If the Permittee determines that his or her stationary source that emits (or has the potential to emit, without considering controls) one or more hazardous air pollutants (HAPs) is not subject to a relevant standard or other requirement established under 40 CFR Part 63, the Permittee shall keep a record of the applicability determination on site at the source for a period of 5 years after the determination, or until the source changes its operations to become an affected source, whichever comes first. The record of the applicability determination shall include an analysis (or other information) that demonstrates why the Permittee believes the source is unaffected (e.g., because the source is an area source).

[40 CFR 63.10(b)(3)]

2. Records shall be kept of off permit changes, as required by the Off Permit Changes section of this permit.

B. Reporting Requirements[TC "B. Reporting Requirements" \f C \l "2"] [40 CFR 71.6(a)(3)(iii)]

1. The Permittee shall submit to the EPA all reports of any required monitoring under this permit semiannually. The first report shall cover the period from the effective date of this permit through December 31, 2018 Thereafter, the report shall be submitted semi-annually, by April 1st and October 1st of each year. The report due on April 1st shall cover the 6 month period ending on the last day of December before the report is due. The report due on October 1st shall cover the 6-month period ending on the last day of June before the report is due. All instances of deviations from permit requirements shall be clearly identified in such reports. All required reports shall be certified by a responsible official consistent with the Submissions section of this permit.

To help Part 71 Permittees meet reporting responsibilities, the EPA has developed a form "SIXMON" for 6 month monitoring reports. The form may be found on the EPA's website at: [HYPERLINK "https://www.epa.gov/title-v-operating-permits/epa-issued-operating-permits"]*]*

2. "Deviation" means any situation in which an emissions unit fails to meet a permit term or condition. A deviation is not always a violation. A deviation can be determined by observation or through review of data obtained from any testing, monitoring, or recordkeeping established in accordance with §71.6(a)(3)(i) and (a)(3)(ii). For a situation lasting more than 24 hours which constitutes a deviation, each 24 hour period is considered a separate deviation. Included in the meaning of deviation are any of the following:

   (a) A situation where emissions exceed an emission limitation or standard;

   (b) A situation where process or emissions control device parameter values indicate that an emission limitation or standard has not been met; or

(c) A situation in which observations or data collected demonstrate noncompliance with an emission limitation or standard or any work practice or operating condition required by the permit.

3. The Permittee shall promptly report to the EPA deviations from permit requirements, including those attributable to upset conditions as defined in this permit, the probable cause of such deviations, and any corrective actions or preventive measures taken. "Prompt" is defined as follows:

(a) Any definition of "prompt" or a specific time frame for reporting deviations provided in an underlying applicable requirement as identified in this permit.

(b) Where the underlying applicable requirement fails to address the time frame for reporting deviations, reports of deviations will be submitted based on the following schedule:

(i) For emissions of a HAP or a toxic air pollutant (as identified in the applicable regulation) that continue for more than an hour in excess of permit requirements, the report must be made within 24 hours of the occurrence.
(ii) For emissions of any regulated air pollutant, excluding a HAP or a toxic air pollutant that continues for more than two (2) hours in excess of permit requirements, the report must be made within 48 hours.
(iii) For all other deviations from permit requirements, the report shall be submitted with the semi-annual monitoring report.

(c) If any of the conditions in (i) or (ii) of paragraph (b) above are met, the Permittee must notify the EPA by telephone (1-800-227-6312), facsimile (303-312-6409), or by email to [HYPERLINK "mailto:r8airreportenforcement@epa.gov"] based on the timetables listed above. *[Notification must specify that this notification is a deviation report for a Part 71 permit].* A written notice, certified consistent with the Submissions section of this permit must be submitted within ten working days of the occurrence. All deviations reported under this section must also be identified in the 6-month report required under Condition 1. in this section of this permit.

[Explanatory note: To help Part 71 Permittees meet reporting responsibilities, the EPA has developed a form "PDR" for prompt deviation reporting. The form may be found on the EPA's website at: [HYPERLINK "https://www.epa.gov/title-v-operating-permits/epa-issued-operating-permits"]*]*

VII. General Provisions[TC "VII. General Provisions" \f C \l "1"]

A. Annual Fee Payment[TC "A. Annual Fee Payment" \f C \l "2"] [40 CFR 71.9]

1. The Permittee shall pay an annual permit fee in accordance with the procedures outlined below.

2. The Permittee shall pay the annual permit fee each year no later than April 1st. The fee shall cover the previous calendar year.

3. The fee payment shall be in United States currency and shall be paid by money order, bank draft, certified check, corporate check, or electronic funds transfer payable to the order of the U.S. Environmental Protection Agency.

4. The Permittee shall send fee payment and a completed fee filing form to:

For regular U.S. Postal Service mail (FedEx, Airborne, DHL, and UPS)	**For non-U.S. Postal Service express mail**
U.S. Environmental Protection Agency FOIA and Miscellaneous Payments Cincinnati Finance Center P.O. Box 979078 St. Louis, MO 63197-9000	U.S. Bank Government Lockbox 979078 U.S. EPA FOIA & Misc. Payments 1005 Convention Plaza SL-MO-C2-GL St. Louis, MO 63101

5. The Permittee shall send an updated fee calculation worksheet form and a photocopy of each fee payment check (or other confirmation of actual fee paid) submitted annually by the same deadline as required for fee payment to the address listed in the Submissions section of this permit.

[Explanatory note: The fee filing form "FF" and the fee calculation worksheet form "FEE" may be found on the EPA's website at: https://www.epa.gov/title-v-operating-permits/epa-issued-operating-permits*]*

6. Basis for calculating annual fee:

   (a) The annual emissions fee shall be calculated by multiplying the total tons of actual emissions of all "regulated pollutants (for fee calculation)" emitted from the source by the presumptive emissions fee (in dollars per ton) in effect at the time of calculation.

      (i) "Actual emissions" means the actual rate of emissions in tpy of any regulated pollutant (for fee calculation) emitted from a Part 71 source over the preceding calendar year. Actual emissions shall be calculated using each emissions unit's actual operating hours, production rates, in-place control equipment, and types of materials processed, stored, or combusted during the preceding calendar year.
      (ii) Actual emissions shall be computed using methods required by the permit for determining compliance, such as monitoring or source testing data.
      (iii) If actual emissions cannot be determined using the compliance methods in the permit, the Permittee shall use other federally recognized procedures.

   [Explanatory note: The presumptive fee amount is revised each calendar year to account for inflation, and it is available from the EPA prior to the start of each calendar year.]

(b) The annual emissions fee shall be increased by a GHG fee adjustment for any source that has initiated an activity listed in table at §71.9(c)(8) since the fee was last paid. The GHG fee adjustment shall be equal to the set fee provided in the table at §71.9(c)(8) for each activity that has been initiated since the fee was last paid.

(c) The Permittee shall exclude the following emissions from the calculation of fees:

(i) The amount of actual emissions of each regulated pollutant (for fee calculation) that the source emits in excess of 4,000 tpy;
(ii) Actual emissions of any regulated pollutant (for fee calculation) already included in the fee calculation; and
(iii) The quantity of actual emissions (for fee calculation) of insignificant activities [defined in 40 CFR 71.5(c)(11)(i)] or of insignificant emissions levels from emissions at the source identified in the Permittee's application pursuant to 40 CFR 71.5(c)(11)(ii).

7. Fee calculation worksheets shall be certified as to truth, accuracy, and completeness by a responsible official.

[Explanatory note: The fee calculation worksheet form already incorporates a section to help you meet this responsibility.]

8. The Permittee shall retain fee calculation worksheets and other emissions-related data used to determine fee payment for 5 years following submittal of fee payment. [Emission-related data include, for example, emissions-related forms provided by the EPA and used by the Permittee for fee calculation purposes, emissions-related spreadsheets, and emissions-related data, such as records of emissions monitoring data and related support information required to be kept in accordance with 40 CFR 71.6(a)(3)(ii).]

9. Failure of the Permittee to pay fees in a timely manner shall subject the Permittee to assessment of penalties and interest in accordance with 40 CFR 71.9(l).

10. When notified by the EPA of underpayment of fees, the Permittee shall remit full payment within 30 days of receipt of notification.

11. A Permittee who thinks an EPA-assessed fee is in error and who wishes to challenge such fee, shall provide a written explanation of the alleged error to the EPA along with full payment of the EPA assessed fee.

B. Annual Emissions Inventory[TC "B. Annual Emissions Inventory" \f C \l "2"] [40 CFR 71.9(h)(1) and (2)]

1. The Permittee shall submit an annual emissions report of its actual emissions for both criteria pollutants and regulated HAPs for this source for the preceding calendar year for fee assessment purposes. The annual emissions report shall be certified by a responsible official and shall be submitted each year to the EPA by April 1st.

2. The annual emissions report shall be submitted to the EPA at the address listed in the Submissions section of this permit.

[Explanatory note: An annual emissions report, required at the same time as the fee calculation worksheet by 40 CFR 71.9(h), has been incorporated into the fee calculation worksheet form as a convenience.]

C. Compliance Requirements[TC "C. Compliance Requirements" \f C \l "2"] [40 CFR 71.6(a)(6), Section 113(a) and 113(e)(1) of the CAA, and 40 CFR 51.212, 52.12, 52.33, 60.11(g), 61.12]

1. Compliance with the Permit

   (a) The Permittee must comply with all conditions of this Part 71 permit. Any permit noncompliance constitutes a violation of the CAA and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application.

   (b) It shall not be a defense for a 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 conditions of this permit.

   (c) For the purpose of submitting compliance certifications in accordance with §71.6(c)(5), or establishing whether or not a person has violated or is in violation of any requirement of this permit, nothing shall preclude the use, including the exclusive use, of any credible evidence or information, relevant to whether a source would have been in compliance with applicable requirements if the appropriate performance or compliance test or procedure had been performed.

2. Compliance Schedule [40 CFR 71.5(c)(8)(iii)]

   (a) For applicable requirements with which the source is in compliance, the source will continue to comply with such requirements.

   (b) For applicable requirements that will become effective during the permit term, the source shall meet such requirements on a timely basis.

3. Compliance Certifications [40 CFR 71.6(c)(5)]

   (a) The Permittee shall submit to the EPA a certification of compliance with permit terms and conditions, including emission limitations, standards, or work practices annually by April 1st, and shall cover the same 12-month period as the two consecutive semi-annual monitoring reports.

[Explanatory note: To help Part 71 Permittees meet reporting responsibilities, the EPA has developed a reporting form for annual compliance certifications. The form may be found on the EPA's website at:[

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HYPERLINK "http://www3.epa.gov/airquality/permits/p71forms.html"]/

(b) The compliance certification shall be certified as to truth, accuracy, and completeness by a responsible official consistent with 40 CFR 71.5(d).

(c) The certification shall include the following:

(i) Identification of each permit term or condition that is the basis of the certification;
(ii) The identification of the method(s) or other means used for determining the compliance status of each term and condition during the certification period, and whether such methods or other means provide continuous or intermittent data. Such methods and other means shall include, at a minimum, the methods and means required in this permit. If necessary, the Permittee also shall identify any other material information that must be included in the certification to comply with Section 113(c)(2) of the CAA, which prohibits knowingly making a false certification or omitting material information;
(iii) The status of compliance with each term and condition of the permit for the period covered by the certification based on the method or means designated in (ii) above. The certification shall identify each deviation and take it into account in the compliance certification;

(iv) Such other facts as the EPA may require to determine the compliance status of the source; and
(v) Whether compliance with each permit term was continuous or intermittent.

D. Duty to Provide and Supplement Information[TC "D. Duty to Provide and Supplement Information" \f C \l "2"] [40 CFR 71.6(a)(6)(v), 71.5(a)(3), and 71.5(b)]

1. The Permittee shall furnish to the EPA, within a reasonable time, any information that the EPA may request in writing to determine whether cause exists for modifying, revoking, and reissuing, or terminating the permit, or to determine compliance with the permit. Upon request, the Permittee shall also furnish to the EPA copies of records that are required to be kept pursuant to the terms of the permit, including information claimed to be confidential. Information claimed to be confidential must be accompanied by a claim of confidentiality according to the provisions of 40 CFR part 2, subpart B.

2. The Permittee, upon becoming aware that any relevant facts were omitted or incorrect information was submitted in the permit application, shall promptly submit such supplementary facts or corrected information. In addition, a Permittee shall provide additional information as necessary to address any requirements that become applicable after the date a complete application is filed, but prior to release of a draft permit.

E. Submissions[TC "E. Submissions" \f C \l "2"] [40 CFR 71.5(d), 71.6(c)(1) and 71.9(h)(2)]

1. Any document (application form, report, compliance certification, etc.) required to be submitted under this permit shall be certified by a responsible official as to truth, accuracy, and

completeness. Such certifications shall state that based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.

[Explanatory note: the EPA has developed a reporting form "CTAC" for certifying truth, accuracy and completeness of Part 71 submissions. The form may be found on the EPA's website at: https://www.epa.gov/title-v-operating-permits/epa-issued-operating-permits*]*

All fee calculation worksheets and applications for renewals and permit modifications shall be submitted to:

Part 71 Permit Contact, Air Program, 8P-AR
U.S. Environmental Protection Agency,
1595 Wynkoop Street
Denver, Colorado 80202

2. Except where otherwise specified, all reports, test data, monitoring data, notifications, and compliance certifications shall be submitted to:

Director, Air Toxics and Technical Enforcement Program, 8ENF-AT
U.S. Environmental Protection Agency,
1595 Wynkoop Street
Denver, Colorado 80202

F. Severability Clause[TC "F. Severability Clause" \f C \l "2"] [40 CFR 71.6(a)(5)]

The provisions of this permit are severable, and in the event of any challenge to any portion of this permit, or if any portion is held invalid, the remaining permit conditions shall remain valid and in force.

G. Permit Actions[TC "G. Permit Actions" \f C \l "2"] [40 CFR 71.6(a)(6)(iii)]

This permit may be modified, revoked, reopened, and reissued, or terminated for cause. The filing of a request by the Permittee for a permit modification, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any permit condition.

H. Administrative Permit Amendments[TC "H. Administrative Permit Amendments" \f C \l "2"] [40 CFR 71.7(d)]

The Permittee may request the use of administrative permit amendment procedures for a permit revision that:

1. Corrects typographical errors;

2. Identifies a change in the name, address, or phone number of any person identified in the permit, or provides a similar minor administrative change at the source;

3. Requires more frequent monitoring or reporting by the Permittee;

4. Allows for a change in ownership or operational control of a source where the EPA determines that no other change in the permit is necessary, provided that a written agreement containing a specific date for transfer of permit responsibility, coverage, and liability between the current and new Permittee has been submitted to the EPA;

5. Incorporates into the Part 71 permit the requirements from preconstruction review permits authorized under an EPA-approved program, provided that such a program meets procedural requirements substantially equivalent to the requirements of 40 CFR 71.7 and 71.8 that would be applicable to the change if it were subject to review as a permit modification, and compliance requirements substantially equivalent to those contained in 40 CFR 71.6; or

6. Incorporates any other type of change which the EPA has determined to be similar to those listed in (1) through (5) above.

[Note to Permittee: If 1 through 5 above do not apply, please contact the EPA for a determination of similarity prior to submitting your request for an administrative permit amendment under this provision.]

I. Minor Permit Modifications[TC "I. Minor Permit Modifications" \f C \l "2"] [40 CFR 71.7(e)(1)]

1. The Permittee may request the use of minor permit modification procedures only for those modifications that:

   (a) Do not violate any applicable requirement;

   (b) Do not involve significant changes to existing monitoring, reporting, or recordkeeping requirements in the permit;

   (c) Do not require or change a case-by-case determination of an emission limitation or other standard, or a source-specific determination for temporary sources of ambient impacts, or a visibility or increment analysis;

   (d) Do not seek to establish or change a permit term or condition for which there is no corresponding underlying applicable requirement and that the source has assumed to avoid an applicable requirement to which the source would otherwise be subject. Such terms and conditions include:

      (i) A federally enforceable emissions cap assumed to avoid classification as a modification under any provision of Title I; and
      (ii) An alternative emissions limit approved pursuant to regulations promulgated under Section 112(i)(5) of the CAA;

   (e) Are not modifications under any provision of Title I of the CAA; and

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(f) Are not required to be processed as a significant modification.

2. Notwithstanding the list of changes ineligible for minor permit modification procedures in 1 above, minor permit modification procedures may be used for permit modifications involving the use of economic incentives, marketable permits, emissions trading, and other similar approaches, to the extent that such minor permit modification procedures are explicitly provided for in an applicable implementation plan or in applicable requirements promulgated by the EPA.

3. An application requesting the use of minor permit modification procedures shall meet the requirements of 40 CFR 71.5(c) and shall include the following:

(a) A description of the change, the emissions resulting from the change, and any new applicable requirements that will apply if the change occurs;

(b) The source's suggested draft permit;

(c) Certification by a responsible official, consistent with 40 CFR 71.5(d), that the proposed modification meets the criteria for use of minor permit modification procedures and a request that such procedures be used; and

(d) Completed forms for the permitting authority to use to notify affected states as required under 40 CFR 71.8.

4. The source may make the change proposed in its minor permit modification application immediately after it files such application. After the source makes the change allowed by the preceding sentence, and until the permitting authority takes any of the actions authorized by 40 CFR 71.7(e)(1)(iv)(A) through (C), the source must comply with both the applicable requirements governing the change and the proposed permit terms and conditions. During this time period, the source need not comply with the existing permit terms and conditions it seeks to modify. However, if the source fails to comply with its proposed permit terms and conditions during this time period, the existing permit terms and conditions it seeks to modify may be enforced against it.

5. The permit shield under 40 CFR 71.6(f) may not extend to minor permit modifications.

J. Significant Permit Modifications[TC "J. Significant Permit Modifications" \f C \l "2"] [40 CFR 71.7(e)(3), 71.8(d), and 71.5(a)(2)]

1. The Permittee must request the use of significant permit modification procedures for those modifications that:

(a) Do not qualify as minor permit modifications or as administrative amendments;

(b) Are significant changes in existing monitoring permit terms or conditions; or

(c) Are relaxations of reporting or recordkeeping permit terms or conditions.

2. Nothing herein shall be construed to preclude the Permittee from making changes consistent with Part 71 that would render existing permit compliance terms and conditions irrelevant.

3. Permittees must meet all requirements of Part 71 for applications, public participation, and review by affected states and tribes for significant permit modifications. For the application to be determined complete, the Permittee must supply all information that is required by 40 CFR 71.5(c) for permit issuance and renewal, but only that information that is related to the proposed change.

K. Reopening for Cause[TC "K. Reopening for Cause" \f C \l "2"] [40 CFR 71.7(f)]

The permit may be reopened and revised prior to expiration under any of the following circumstances:

1. Additional applicable requirements under the CAA become applicable to a major Part 71 source with a remaining permit term of three or more years. Such a reopening shall be completed no later than 18 months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the date on which the permit is due to expire, unless the original permit or any of its terms and conditions have been extended pursuant to 40 CFR 71.7(c)(3);

2. Additional requirements (including excess emissions requirements) become applicable to an affected source under the acid rain program. Upon approval by the Administrator, excess emissions offset plans shall be deemed to be incorporated into the permit;

3. The EPA determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit; or

4. The EPA determines that the permit must be revised or revoked to assure compliance with the applicable requirements.

L. Property Rights[TC "L. Property Rights" \f C \l "2"] [40 CFR 71.6(a)(6)(iv)]

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

M. Inspection and Entry[TC "M. Inspection and Entry" \f C \l "2"] [40 CFR 71.6(c)(2)]

1. Upon presentation of credentials and other documents as may be required by law, the Permittee shall allow the EPA or an authorized representative to perform the following:

2. Enter upon the Permittee's premises where a Part 71 source is located or emissions-related activity is conducted, or where records must be kept under the conditions of the permit;

3. Have access to and copy, at reasonable times, any records that must be kept under the conditions of the permit;

4. Inspect at reasonable times any facilities, equipment (including monitoring and air pollution

control equipment), practices, or operations regulated or required under the permit; and

5. As authorized by the CAA, sample or monitor at reasonable times substances or parameters for the purpose of assuring compliance with the permit or applicable requirements.

N. Transfer of Ownership or Operation[TC "N. Transfer of Ownership or Operation" \f C \l "2"] [40 CFR 71.7(d)(1)(iv)]

A change in ownership or operational control of this source may be treated as an administrative permit amendment if the EPA determines no other change in this permit is necessary and provided that a written agreement containing a specific date for transfer of permit responsibility, coverage, and liability between the current and new Permittee has been submitted to the EPA.

O. Off Permit Changes[TC "O. Off Permit Changes" \f C \l "2"] [40 CFR 71.6(a)(12) and 40 CFR 71.6(a)(3)(ii)]

The Permittee is allowed to make certain changes without a permit revision, provided that the following requirements are met, and that all records required by this section are kept for a period of 5 years:

1. Each change is not addressed or prohibited by this permit;

2. Each change shall meet with all applicable requirements and shall not violate any existing permit term or condition;

3. Changes under this provision may not include changes subject to any requirement of 40 CFR parts 72 through 78 or modifications under any provision of Title I of the CAA;

4. The Permittee must provide contemporaneous written notice to the EPA of each change, except for changes that qualify as insignificant activities under 40 CFR 71.5(c)(11). The written notice must describe each change, the date of the change, any change in emissions, pollutants emitted, and any applicable requirements that would apply as a result of the change;

5. The permit shield does not apply to changes made under this provision;

6. The Permittee must keep a record describing all changes that result in emissions of any regulated air pollutant subject to any applicable requirement not otherwise regulated under this permit, and the emissions resulting from those changes;

7. The notice shall be kept on site and made available to the EPA on request, in accordance with the general recordkeeping provision of this permit; and

8. Submittal of the written notice required above shall not constitute a waiver, exemption, or shield from applicability of any applicable standard or PSD permitting requirements under 40 CFR 52.21 that would be triggered by the change.

P. Permit Expiration and Renewal[TC "P. Permit Expiration and Renewal" \f C \l "2"] [40

CFR 71.5(a)(1)(iii), 71.5(a)(2), 71.5(c)(5), 71.6(a)(11), 71.7(b), 71.7(c)(1), and 71.7(c)(3)]

1. This permit shall expire upon the earlier occurrence of the following events:

   (a) Five (5) years elapse from the date of issuance; or

   (b) The source is issued a Part 70 or Part 71 permit under an EPA-approved or delegated permit program.

2. Expiration of this permit terminates the Permittee's right to operate unless a timely and complete permit renewal application has been submitted at least 6 months but not more than 18 months prior to the date of expiration of this permit.

3. If the Permittee submits a timely and complete permit application for renewal, consistent with 40 CFR 71.5(a)(2), but the EPA has failed to issue or deny the renewal permit, then all the terms and conditions of the permit, including any permit shield granted pursuant to 40 CFR 71.6(f) shall remain in effect until the renewal permit has been issued or denied.

4. The Permittee's failure to have a Part 71 permit is not a violation of this part until the EPA takes final action on the permit renewal application. This protection shall cease to apply if, subsequent to the completeness determination, the Permittee fails to submit any additional information identified as being needed to process the application by the deadline specified in writing by the EPA.

5. Renewal of this permit is subject to the same procedural requirements that apply to initial permit issuance, including those for public participation, affected state, and tribal review.

6. The application for renewal shall include the current permit number, description of permit revisions and off permit changes that occurred during the permit term, any applicable requirements that were promulgated and not incorporated into the permit during the permit term, and other information required by the application form.

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