BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

NRG WHOLESALE GENERATION LP,	)	
	)	
Petitioner,	)	
	)	
v.	)	**PCB 14-**
	)	**(Permit Appeal - Air)**
ILLINOIS ENVIRONMENTAL PROTECTION AGENCY ,	)	
	)	
Respondent.	)	

NOTICE OF ELECTRONIC FILING

TO: Individuals listed on the Attached Certificate of Service

PLEASE TAKE NOTICE that on October 29, 2014, I filed with the Pollution Control Board of the State of Illinois, the attached **APPEARANCE OF STEPHEN J. BONEBRAKE, APPEARANCE OF ANDREW N. SAWULA, APPEARANCE OF RAGHAV MURALI, PETITION FOR REVIEW OF CAAPP PERMIT FOR AURORA GENERATING STATION,** and **MOTION FOR STAY OF EFFECTIVENESS OF CONTESTED CONDITIONS OF CAAPP PERMIT FOR AURORA GENERATING STATION**, copies of which are herewith served upon you.

Respectfully submitted,

NRG WHOLESALE GENERATION LP

Raghav Murali

Dated: October 29, 2014

Stephen J. Bonebrake
Raghav Murali
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Andrew N. Sawula
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847-295-4336
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asawula@schiffhardin.com

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

NRG WHOLESALE GENERATION LP,	)	
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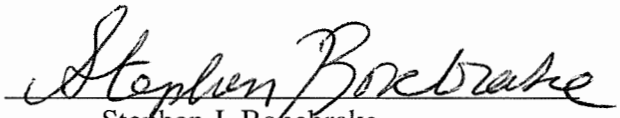
v.	)	**PCB 14-_____**
	)	**(Permit Appeal – Air)**
ILLINOIS ENVIRONMENTAL PROTECTION AGENCY,	)	
	)	
Respondent.	)	

APPEARANCE

I, Stephen J. Bonebrake, hereby file my appearance in this proceeding on behalf of NRG Wholesale Generation LP.



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ILLINOIS ENVIRONMENTAL PROTECTION AGENCY,	)	
	)	
Respondent.	)	

APPEARANCE

I, Andrew N. Sawula, hereby file my appearance in this proceeding on behalf of NRG Wholesale Generation LP.

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asawula@schiffhardin.com

Dated: October 29, 2014

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	)	**(Permit Appeal – Air)**
ILLINOIS ENVIRONMENTAL PROTECTION AGENCY,	)	
	)	
Respondent.	)	

APPEARANCE

I, Raghav Murali, hereby file my appearance in this proceeding on behalf of NRG Wholesale Generation LP.

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rmurali@schiffhardin.com

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ILLINOIS ENVIRONMENTAL PROTECTION AGENCY,	)	
	)	
Respondent.	)	

PETITION FOR REVIEW OF
CAAPP PERMIT FOR AURORA GENERATING STATION

NOW COMES Petitioner, NRG WHOLESALE GENERATION LP ("NRG" or "Petitioner"), by and through its attorneys, SCHIFF HARDIN LLP, pursuant to Section 40.2 of the Illinois Environmental Protection Act ("Act") (415 ILCS 5/40.2) and 35 Ill. Adm. Code § 105.300 *et seq.*, and requests a hearing before the Illinois Pollution Control Board (the "Board") to contest the permit issued to NRG on September 25, 2014, for the operation of its Aurora Generating Station ("Aurora Station") under the Clean Air Act Permit Program ("CAAPP" or "Title V") set forth at Section 39.5 of the Act (415 ILCS 5/39.5). NRG also requests a stay of certain contested permit conditions, as set forth in more detail in its Motion for Stay, which is filed together with this Petition. In support of this Petition, NRG states as follows:

I. BACKGROUND
(§ 105.304(a)(1))

1. Petitioner owns and operates Aurora Station, located at 2909 North Eola Road, Aurora, Illinois. Aurora Station is a "major source" for purposes of Title V of the Clean Air Act ("CAA") and Section 39.5 of the Act. Aurora Station includes 12 significant emission units. Ten of the units are natural gas-fired turbines, which generate electricity; one is a natural gas-

fired heater, which supports the operation of the turbines; and one is an emergency diesel electric generator ("diesel engine"), which provides "black start" capability to the source.[1]

2. The ten turbines and original ancillary operations, including the heater, at Aurora Station were constructed pursuant to a construction permit (I.D. No. 043407AAF) that the Illinois Environmental Protection Agency ("Illinois EPA") issued on May 9, 2000 (the "Construction Permit").[2]

3. Illinois EPA issued the initial CAAPP permit (Application No. 02030076; I.D. No. 043407AAF) for Aurora Station on November 25, 2003, with a stated expiration date of November 25, 2008.

4. Petitioner submitted an Insignificant Source Notification to Illinois EPA in December 2004, notifying Illinois EPA of the installation of the diesel engine. Petitioner stated that it would take a fuel limitation for the diesel engine based on hours of operation at full load for 90 hours per year.

5. Illinois EPA issued a revised CAAPP permit on May 16, 2006, with a stated expiration date of November 25, 2008 (the "Revised 2003 Permit"). Petitioner timely submitted a renewal application in February 2008. Illinois EPA issued a renewal CAAPP permit on March 19, 2009, with a stated expiration date of March 19, 2014 (the "2009 Renewal Permit"). Petitioner submitted a Request for Administrative Permit Amendments to the 2009 Renewal

[1] NRG Wholesale Generation LP has undergone several corporate changes and name changes over the years. For simplicity, this background simply uses the term Petitioner.

[2] This Petition sets forth certain key actions from the permitting history for Aurora Station.

Permit on May 14, 2009. Illinois EPA issued a revised Title V CAAPP permit on March 3, 2010, with a stated expiration date of March 19, 2014 (the "Revised 2009 Renewal Permit").

6. On March 19, 2013, Petitioner timely submitted a renewal application and requested a permit shield pursuant to Section 39.5(5)(p) of the Act and Form 200-CAAPP. On that same date, Petitioner also submitted an Application for Significant Modification to increase the maximum allowable operating hours for the diesel engine from 90 per year to 200 per year and increase its limits on annual emissions from the source to account for emissions that could occur during the additional hours of operation (the "2013 Significant Modification Application").

7. Illinois EPA provided Petitioner a draft renewal permit on June 3, 2014, and invited NRG to submit comments by June 16, 2014. Petitioner submitted comments on June 16, 2014. Illinois EPA then issued a proposed permit for public comment on July 18, 2014, together with a statement of basis. Petitioner timely submitted its comments on the proposed permit and statement of basis on August 14, 2014. Petitioner also submitted an Application for Significant Modification to the CAAPP permit for Aurora Station on September 2, 2014, as a follow-up to its comments on the proposed permit. Illinois EPA issued a renewal permit on September 25, 2014 (the "2014 Renewal Permit").[3]

8. As of the date of filing this Petition, Petitioner has not received and is not aware of Illinois EPA having prepared (a) an appropriate written response to comments that were submitted on the proposed permit or (b) a statement of basis or technical support document for the as-issued 2014 Renewal Permit.

---

[3] Petitioner has attached the appealed permit as Exhibit 1 to this Petition. The other documents referenced in this background, such as the draft and proposed permits, Petitioner's comments and applications, and the earlier-issued permits, should be included in the administrative record that Illinois EPA will file in this appeal. In the interest of economy, Petitioner is not attaching such other documents to this Petition.

9. As described in the following section of this Petition, Petitioner is contesting certain conditions in the 2014 Renewal Permit. Illinois EPA's final action with regard to the contested conditions was arbitrary, capricious, and inconsistent with applicable law, including the Act and Board regulations. Accordingly, Petitioner seeks review and revision of the 2014 Renewal Permit. This appeal is timely submitted within 35 days following issuance of the 2014 Renewal Permit. Petitioner requests that the Board review the 2014 Renewal Permit, conduct any required hearing, remand the permit to Illinois EPA, and order Illinois EPA on remand to correct and reissue the 2014 Renewal Permit to address issues raised in this Petition.

10. Contemporaneously with this Petition, Petitioner is also filing a Motion to Stay the Contested Conditions of the 2014 Renewal Permit pursuant to Section 40.2(f) of the Act, through which it requests a stay of the contested conditions during the pendency of the review process.

II. ISSUES ON APPEAL
(§§105.304(A)(2), (3), AND (4))

A. Turbine Hourly Emission Limits.

11. Condition 7.1.6(a)(i) of the 2014 Renewal Permit sets forth hourly emission limits for four of the turbines, which were established in the Construction Permit; however, the 2014 Renewal Permit does not accurately reflect all of those limits. Four of the limits are more stringent as listed in the 2014 Renewal Permit than in the Construction Permit. Specifically, the limits for nitrogen oxides ("NO_x"), carbon monoxide ("CO"), volatile organic material ("VOM"), and particulate matter ("PM") are listed as 105.0, 31.0, 3.0, and 9.0, respectively, in the 2014 Renewal Permit, but are listed as 105, 31, 3, and 9, respectively, in Condition 4(b)(i) of the Construction Permit. Similarly, Condition 7.1.6(a)(ii) of the 2014 Renewal Permit sets forth hourly emission limits for the other six turbines, which were established in the Construction

Permit; however, four of the limits are more stringent as listed in the 2014 Renewal Permit than the Construction Permit. Specifically, the limits for NO_x, CO, VOM, and PM are listed as 41.0, 45.0 (at certain temperatures), 4.0, and 3.0, respectively, in the 2014 Renewal Permit, but are listed as 41, 45 (at certain temperatures), 4, and 3, respectively, in Condition 4(b)(i) of the Construction Permit. By adding a significant figure (*i.e.*, a ".0") to those limits, Illinois EPA impermissibly increased their stringency through the Title V permitting process.[4]

12. Accordingly, NRG contests the NO_x, CO, VOM, and PM limits in Conditions 7.1.6(a)(i) and (ii). NRG requests that the Board order Illinois EPA to revise those limits to conform to the limits established by Condition 4(b)(i) of the Construction Permit.

B. Turbine Startup Authorization.

13. The 2014 Renewal Permit fails to include necessary and appropriate authorization to exceed the hourly emission limits set forth in Conditions 7.1.6(a)(i) and (ii) for a period lasting up to a minimum of 30 minutes following initial firing of fuel during each startup.

14. The Revised 2009 Renewal Permit provided adequate authorization by including the following text in Conditions 7.1.6(a)(i) and (ii): "The Permittee is authorized to operate a turbine in excess of the above limits during startup provided that all reasonable efforts are made to minimize startup emissions. This authorization only extends for a period of up to 30 minutes following initial firing of fuel during each startup event." That authorization was included in the June 3, 2014, draft of the permit, but was reduced to 20 minutes in the proposed permit and the final 2014 Renewal Permit.

[4] As the Seventh Circuit has explained, "Title V does not impose additional requirements on sources but rather consolidates all applicable requirements in a single document to facilitate compliance." Citizens Against Ruining the Env't v. EPA, 535 F.3d 670, 672 (7th Cir. July 28, 2008).

15. Condition 7.1.3(g) of the 2014 Renewal Permit provides adequate authorization to exceed the opacity standard during startup, but fails to authorize exceedances of the hourly standard. Condition 7.1.3(g) provides: "[T]he Permittee is authorized to operate the affected turbines in violation of the applicable standards in Condition 7.1.3(b) during startup. This authorization is provided pursuant to 35 IAC 201.149, 201.161 and 201.262, as the Permittee has applied for such authorization in its application...." Unlike the authorization in Conditions 7.1.6(a)(i) and (ii), the authorization in Condition 7.1.3(g) lasts the full duration of startup, subject to certain requirements that are set forth at Conditions 7.1.3(g)(i) – (iv), such as taking all reasonable efforts to minimize startup emissions, duration of individual startups, and frequency of startups. The 2014 Renewal Permit does not set a specific time limit for how long a startup could permissibly last. It does, however, impose certain additional recordkeeping requirements for startups lasting more than 30 minutes. *See* Conditions 7.1.9(l)(ii) and (m)(i).

16. Accordingly, NRG contests Conditions 7.1.3(g) and 7.1.6(a)(i) and (ii) to the extent that neither Condition 7.1.3(g) nor Conditions 7.1.6(a)(i) and (ii) authorize operation of the turbines in excess of the hourly limits set forth in Conditions 7.1.6(a)(i) and (ii) for a period lasting up to a minimum of 30 minutes following initial firing of fuel during each startup of an affected turbine. The Revised 2009 Renewal Permit provided such authorization in Condition 7.1.6(a)(i) and (ii). NRG repeatedly requested in its application and subsequent comments that such authorization carry forward to the 2014 Renewal Permit. Illinois EPA arbitrarily and capriciously refused to grant that authorization when it issued the 2014 Renewal Permit. NRG requests that the Board order Illinois EPA to revise the 2014 Renewal Permit to provide for such authorization, whether in Condition 7.1.3(g), 7.1.6(a), or another appropriate condition of the permit.

C. Turbine Malfunction and Breakdown Authorization.

17. The 2014 Renewal Permit fails to include necessary and appropriate authorization to exceed the hourly emission limits set forth in Conditions 7.1.6(a)(i) and (ii) in the event of malfunction or breakdown of the affected turbines.

18. Condition 7.1.3(h) of the 2014 Renewal Permit provides appropriate authorization to exceed the opacity standard in the event of malfunction or breakdown of the affected turbines, subject to terms and conditions that are enumerated in Conditions 7.1.3(h)(i) – (v). NRG requested that the same authorization be provided to exceed the hourly emissions limits set forth in Condition 7.1.6(a)(i) and (ii) through its Form 204 Request to Continue to Operate During Malfunction or Breakdown, which it submitted to Illinois EPA together with its August 14th Comments. Illinois EPA arbitrarily and capriciously denied that request when it issued the 2014 Renewal Permit.

19. Accordingly, NRG contests Conditions 7.1.3(h) and 7.1.6(a) to the extent that neither condition provides such authorization. NRG requests that the Board order Illinois EPA to revise the 2014 Renewal Permit to provide for such authorization, whether in Condition 7.1.3(h), 7.1.6(a), or another appropriate condition of the permit.

D. Turbine Annual Emission Limits.

20. Condition 7.1.6(b)(i) of the 2014 Renewal Permit states that compliance with annual limitations set forth in that condition "shall be determined from a running total of 365 days of data." NRG requested in its August 14, 2014, comments that the 2014 Renewal Permit require compliance with the annual limitations on a running total of 12 months of data rather than 365 days of data. Illinois EPA arbitrarily and capriciously denied NRG's request when it issued the 2014 Renewal Permit.

21. Accordingly, NRG contests Condition 7.1.6(b)(i) to the extent it requires that compliance with the annual limitations set forth in that condition "shall be determined from a running total of 365 days of data." NRG requests that the Board order Illinois EPA to revise Condition 7.1.6(b)(i) to require that compliance be determined from a running total of 12 months of data.

E. Work Practices.

22. In its comments on the proposed permit, NRG proposed to revise Condition 7.1.5(a)(iii)(A) as follows: "Unless specified on a more frequent basis by manufacturer's written instructions, an inspection of emissions-related components shall be completed annually ~~quarterly~~. Inspections shall be conducted in accordance with manufacturer's written instructions or other written procedures developed and maintained by the source owner or operator."

23. Illinois EPA arbitrarily and capriciously failed to include these revisions in Condition 7.1.5(a)(iii)(A) of the 2014 Renewal Permit or to otherwise address the issues raised in NRG's comments related to this condition. Requiring quarterly inspections is unnecessary because, among other reasons, emissions are monitored by continuous emission monitoring systems. In addition, requiring that all inspections be conducted in accordance with manufacturer's written instructions may conflict with Condition 7.1.5(a)(iv), which requires the Permittee to review the "above procedures" (presumably including those set forth in Condition 7.1.5(a)(iii)) "at least every two years and ... revise or enhance them if necessary to be consistent with good air pollution control practice based on the actual operating experience and performance of the source." While Condition 7.1.5(a)(iv) would appear to govern to the extent (a)(iii) and (a)(iv) conflict, the 2014 Renewal Permit fails to clearly state this.

24. Accordingly, NRG contests Condition 7.1.5(a)(iii) to the extent it (1) requires quarterly inspections as the default inspection frequency, and (2) fails to clearly state that

inspections should be conducted either in accordance with manufacturer's written instructions or other good air pollution control practices, as addressed in Condition 7.1.5(a)(iv). NRG requests that the Board order Illinois EPA to revise Condition 7.1.5(a)(iii)(A) to appropriately address both issues.

F. Diesel Engine Hours of Operation and Annual Emission Limits.

25. In its 2013 Significant Modification Application, NRG requested to increase its maximum allowable operating hours for the diesel engine from 90 per year to 200 per year in Condition 7.3.5(e). It also requested an increase in the permitted annual emissions from the diesel engines and the source in Conditions 7.3.6 and 5.6.1, respectively. Illinois EPA arbitrarily and capriciously denied this request when it issued the 2014 Renewal Permit.

26. Accordingly, NRG contests the limit on hours of operation set forth in Condition 7.3.5(e), the annual emission limits set forth in Conditions 5.6.1 and 7.3.6(a). NRG requests that the Board order Illinois EPA to revise these conditions as requested in the 2013 Significant Modification Application.

G. Diesel Engine Recordkeeping.

27. In its comments, NRG requested that Illinois EPA revise Condition 7.3.9(g) to replace "does not" with "is not required to," as follows: "Pursuant to 40 CFR 63.6655(f), the Permittee, who owns or operates an existing emergency stationary RICE located at an area source of HAP emissions that ~~does not~~ is not required to meet the standards applicable to non-emergency engines, must keep records …." NRG is not required to meet the standards applicable to non-emergency use engines. To the extent that Condition 7.3.9(g) requires NRG to make a determination as to whether it meets those (inapplicable) standards, it is impermissibly creating an obligation. To the extent that Condition 7.3.9(g) is stating that NRG does not meet those standards, it raises the incorrect inference that those standards might possibly apply. NRG

recognizes that some of the language in this condition is found at 40 C.F.R. § 63.6655(f); however, as reflected in this condition, it does not accurately quote or contextualize § 63.6655(f). Illinois EPA arbitrarily and capriciously denied NRG's request to revise the condition.

28. Accordingly, NRG contests Condition 7.3.9(g) to the extent that it does not accurately reflect the requirements of 40 C.F.R. § 63.6655(f). NRG requests that the Board order Illinois EPA to revise the condition to address the concerns NRG raised in its comments, or as otherwise may be appropriate to accurately reflect the requirements of 40 C.F.R. § 63.6655(f).

H. Incorrect Cross-Reference.

29. Condition 5.3.6(v) contains a cross-reference to Condition 3.2(c); specifically, requiring that "the Permittee shall keep a copy of the Episode Action Plan, any amendments or revisions to the Episode Action Plan (as required by Condition 3.2(c)) . . . ." The 2014 Renewal does not contain a Condition 3.2(c). In its August 14th comments, NRG noted the error and requested that Illinois EPA correct the cross-reference from Condition 3.2(c) to Condition 5.3.6(iii). Illinois EPA arbitrarily and capriciously denied NRG's request when it issued the 2014 Renewal Permit.

30. Accordingly, NRG contests the inclusion of the clause "(as required by Condition 3.2(c))" in Condition 5.3.6(v). NRG requests that the Board order Illinois EPA to delete the clause or otherwise correct the cross-reference.

I. Miscellaneous Clerical Errors.

31. NRG contests the 2014 Renewal Permit to the extent it contains additional clerical errors. NRG specifically notes that Attachment 2 to that permit, which purports to set forth the text of 35 Ill. Adm. Code §§ 212.321 and 212.322, includes numerous clerical errors, such as the omission of substantive text and changes in the stringency of limitations. Inclusion of such errors could lead to confusion. NRG requests that the Board order Illinois EPA to revise the

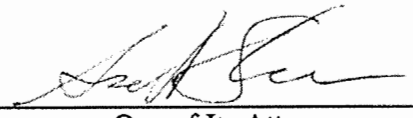
2014 Renewal Permit to conform Attachment 2 to the true text of 35 Ill. Adm. Code §§ 212.321 and 212.322, and to correct any other clerical errors.

WHEREFORE, Petitioner, NRG Wholesale Generation LP, petitions the Board for a hearing on Illinois EPA's final action on the 2014 Renewal Permit with respect to the permit conditions and issues referenced in this Petition, a determination that the Illinois EPA's related actions were arbitrary, capricious and inconsistent with applicable law, including the Act and Board regulations, and such other action as may be necessary or appropriate, including a remand of the permit to Illinois EPA with directions to make appropriate changes to the permit. In addition, as set forth in the accompanying motion, NRG requests that the Board stay certain contested conditions of the 2014 Renewal Permit during the pendency of the review process. NRG reserves the right to amend this Petition as necessary in order to raise newly discovered issues arising from the 2014 Renewal Permit or, if requested by the Board, to provide additional specificity regarding the issues identified in this Petition.

Respectfully submitted,

NRG WHOLESALE GENERATION LP

by:



One of Its Attorneys

Dated: October 29, 2014

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EXHIBIT 1

CAAPP PERMIT ISSUED

(September 25, 2014)

Electronic Filing - Received, Clerk's Office : 10/29/2014 - * * * PCB 2015-085 * * *

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19506, SPRINGFIELD, ILLINOIS 62794-9506 - (217) 782-2113

PAT QUINN, GOVERNOR LISA BONNETT, DIRECTOR

217/785-1705

"RENEWAL"
TITLE V - CLEAN AIR ACT PERMIT PROGRAM (CAAPP) PERMIT

PERMITTEE

NRG Wholesale Generation LP
Aurora Generating Station
Attn: John P Shimshock
121 Champion Way
Canonsburg, Pennsylvania 15317

I.D. No.: 043407AAF
Application No.: 02030076

Date Received: March 25, 2013
Date Issued: September 25, 2014
Expiration Date[1]: September 25, 2019

Operation of: NRG Wholesale Generation LP - Aurora Generating Station
Source Location: 2909 Eola Road, Aurora, DuPage County, 60504
Responsible Official: James D. Brown, Plant Manager
Alternate Responsible Official: Donald D. Claybaugh, Vice President

This permit is hereby granted to the above-designated Permittee to operate an electric utility, pursuant to the above referenced permit application. This permit is subject to the conditions contained herein.

If you have any questions concerning this permit, please contact Lisa Tossi at 217/785-1705.

Raymond E. Pilapil

Raymond E. Pilapil
Acting Manager, Permit Section
Division of Air Pollution Control

REP:LT:jws

cc: Illinois EPA, FOS Region 1
CES
Lotus Notes

[1] Except as provided in Conditions 1.5 and 8.7 of this permit.

PRINTED ON RECYCLED PAPER

TABLE OF CONTENTS

1.0 INTRODUCTION

1.1 Source Identification

1.1 Source Identification

NRG Wholesale Generation LP - Aurora Generating Station
2909 Eola Road
Aurora, Illinois 60504
630/820-9634

I.D. No.: 043407AAF
County: DuPage
Standard Industrial Classification: 4911, Electric Power Generation

1.2 Owner/Parent Company

NRG Wholesale Generation LP - Aurora Generating Station
121 Champion Way
Canonsburg, Pennsylvania 15317

1.3 Operator

NRG Wholesale Generation LP - Aurora Generating Station
121 Champion Way
Canonsburg, Pennsylvania 15317

John P. Shimshock
724/597-8405

1.4 Source Description

NRG Wholesale Generation LP - Aurora Generating Station operates combustion turbines for the purpose of generating electricity. The source operates support equipment for the turbines, including indirect-fired fuel gas preheaters, inlet air water heaters, and an emergency diesel engine-generator.

Note: This narrative description is for informational purposes only and is not enforceable.

1.5 Title I Conditions

As generally identified below, this CAAPP permit contains certain conditions for emission units at this source that address the applicability of permitting programs for the construction and modification of sources, which programs were established pursuant to Title I of the Clean Air Act (CAA) and regulations thereunder. These programs include PSD and MSSCAM, and are implemented by the Illinois EPA pursuant to Sections 9, 9.1, 39(a) and 39.5(7)(a) of the Illinois Environmental Protection Act (Act). These conditions continue in effect, notwithstanding the expiration date specified on the first page of this permit, as their authority derives from Titles I and V of the CAA, as well as Titles II and X of the Act. (See also Condition 8.7.)

a. This permit contains Title I conditions that reflect Title I requirements established in permits previously issued for this source, which conditions are specifically designated as "T1".

2.0 LIST OF ABBREVIATIONS AND ACRONYMS COMMONLY USED

ACMA	Alternative Compliance Market Account
Act	Illinois Environmental Protection Act [415 ILCS 5/1 et seq.]
AP-42	Compilation of Air Pollutant Emission Factors, Volume 1, Stationary Point and Other Sources (and Supplements A through F), USEPA, Office of Air Quality Planning and Standards, Research Triangle Park, NC 27711
ATU	Allotment Trading Unit
BACT	Best Available Control Technology
BAT	Best Available Technology
CAA	Clean Air Act [42 U.S.C. Section 7401 et seq.]
CAAPP	Clean Air Act Permit Program
CAM	Compliance Assurance Monitoring
CEMS	Continuous Emission Monitoring System
CFR	Code of Federal Regulations
CO	Carbon Monoxide
ERMS	Emissions Reduction Market System
HAP	Hazardous Air Pollutant
IAC	Illinois Administrative Code
I.D. No.	Identification Number of Source, assigned by Illinois EPA
ILCS	Illinois Compiled Statutes
Illinois EPA	Illinois Environmental Protection Agency
LAER	Lowest Achievable Emission Rate
MACT	Maximum Achievable Control Technology
MSSCAM	Major Stationary Sources Construction and Modification (35 IAC 203, New Source Review for non-attainment areas)
NESHAP	National Emission Standards for Hazardous Air Pollutants
NO_x	Nitrogen Oxides
NSPS	New Source Performance Standards
PM	Particulate Matter
PM_{10}	Particulate matter with an aerodynamic diameter less than or equal to a nominal 10 microns as measured by applicable test or monitoring methods
$PM_{2.5}$	Particulate matter with an aerodynamic diameter less than or equal to a nominal 2.5 microns as measured by applicable test or monitoring methods
PSD	Prevention of Significant Deterioration (40 CFR 52.21, New Source Review for attainment areas)
RMP	Risk Management Plan
SO_2	Sulfur Dioxide
T1	Title I - identifies Title I conditions that have been carried over from an existing permit
T1N	Title I New - identifies Title I conditions that are being established in this permit
T1R	Title I Revised - identifies Title I conditions that have been carried over from an existing permit and subsequently revised in this permit
USEPA	United States Environmental Protection Agency
VOM	Volatile Organic Material

3.0 CONDITIONS FOR INSIGNIFICANT ACTIVITIES

3.1 Identification of Insignificant Activities

The following activities at the source constitute insignificant activities as specified in 35 IAC 201.210:

3.1.1 Activities determined by the Illinois EPA to be insignificant activities, pursuant to 35 IAC 201.210(a)(1) and 201.211, as follows:

None

3.1.2 Activities that are insignificant activities based upon maximum emissions, pursuant to 35 IAC 201.210(a)(2) or (a)(3), as follows:

None

3.1.3 Activities that are insignificant activities based upon their type or character, pursuant to 35 IAC 201.210(a)(4) through (18), as follows:

Direct combustion units designed and used for comfort heating purposes and fuel combustion emission units as follows: (A) Units with a rated heat input capacity of less than 2.5 mmBtu/hr that fire only natural gas, propane, or liquefied petroleum gas; (B) Units with a rated heat input capacity of less than 1.0 mmBtu/hr that fire only oil or oil in combination with only natural gas, propane, or liquefied petroleum gas; and (C) Units with a rated heat input capacity of less than 200,000 Btu/hr which never burn refuse, or treated or chemically contaminated wood [35 IAC 201.210(a)(4)]. (EHT-1 and IAT - 5A/B through 8A/B).

Storage tanks of any size containing virgin or re-refined distillate oil, hydrocarbon condensate from natural gas pipeline or storage systems, lubricating oil, or residual fuel oils [35 IAC 201.210(a)(11)].

Storage tanks of any size containing exclusively soaps, detergents, surfactants, glycerin, waxes, vegetable oils, greases, animal fats, sweeteners, corn syrup, aqueous salt solutions, or aqueous caustic solutions, provided an organic solvent has not been mixed with such materials [35 IAC 201.210(a)(17)].

3.1.4 Activities that are considered insignificant activities pursuant to 35 IAC 201.210(b). Note: These activities are not required to be individually listed.

3.2 Compliance with Applicable Requirements

Insignificant activities are subject to applicable requirements notwithstanding status as insignificant activities. In particular, in addition to regulations of general applicability, such as 35 IAC 212.301 and 212.123 (Condition 5.3.2), the Permittee shall comply with the following requirements, as applicable:

3.2.1 For each particulate matter process emission unit, the Permittee shall comply with the applicable particulate matter emission limit of 35 IAC 212.321 or 212.322 (see Attachment 2) and 35 IAC Part 266. For example, the particulate matter emissions from a process emission unit shall not exceed 0.55 pounds per hour if the emission unit's process weight rate is 100 pounds per hour or less, pursuant to 35 IAC 266.110.

3.2.2 For each organic material emission unit that uses organic material, e.g., a mixer or printing line, the Permittee shall comply with the applicable VOM emission limit of 35 IAC 218.301, which requires that organic material emissions not exceed 8.0 pounds per hour or, if no odor nuisance exists, do not qualify as photochemically reactive material as defined in 35 IAC 211.4690.

3.2.3 For each open burning activity, the Permittee shall comply with 35 IAC Part 237, including the requirement to obtain a permit for open burning in accordance with 35 IAC 237.201, if necessary.

3.2.4 For each cold cleaning degreaser, the Permittee shall comply with the applicable equipment and operating requirements of 35 IAC 218.182.

3.2.5 For each storage tank that has a storage capacity greater than 946 liters (250 gallons) and, if no odor nuisance exists, that stores a volatile organic liquid with a vapor pressure exceeding 2.5 psia at 70°F, the Permittee shall comply with the applicable requirements of 35 IAC 218.122, which requires use of a permanent submerged loading pipe, submerged fill, or a vapor recovery system.

3.3 Addition of Insignificant Activities

3.3.1 The Permittee is not required to notify the Illinois EPA of additional insignificant activities present at the source of a type that is identified in Condition 3.1, until the renewal application for this permit is submitted, pursuant to 35 IAC 201.212(a).

3.3.2 The Permittee must notify the Illinois EPA of any proposed addition of a new insignificant activity of a type addressed by 35 IAC 201.210(a) and 201.211 other than those identified in Condition 3.1, pursuant to Section 39.5(12)(b) of the Act.

3.3.3 The Permittee is not required to notify the Illinois EPA of additional insignificant activities present at the source of a type identified in 35 IAC 201.210(b).

3.4 Production and Emission Limitations

a. i. Affected heaters EHT-1 and IAT- 5A/B through 8A/B shall each be equipped with burners designed to emit emissions no more than 0.1, 0.083 and 0.02 lb/mmBtu for NO_x, CO, and VOM, respectively [T1].

ii. Emissions from affected heaters EHT-1 and IAT- 5A/B through 8A/B, in total, shall not exceed the following limitations [T1]:

Pollutant	Ton/Yr
NO_x	0.1
CO	0.1
VOM	0.02

Note: The T1 limits above were established in the previously issued Title V permit.

4.0 SIGNIFICANT EMISSION UNITS AT THIS SOURCE

Emission Unit	Description	Date Constructed	Emission Control Equipment
CTG01	170 MW Natural Gas Fired Turbine (1,885 mmBtu/hr)	June 2000	Dry Low NO_x Burners
CTG02	170 MW Natural Gas Fired Turbine (1,885 mmBtu/hr)	June 2000	Dry Low NO_x Burners
CTG03	170 MW Natural Gas Fired Turbine (1,885 mmBtu/hr)	June 2000	Dry Low NO_x Burners
CTG04	170 MW Natural Gas Fired Turbine (1,885 mmBtu/hr)	June 2000	Dry Low NO_x Burners
CTG05	45 MW Natural Gas Fired Turbine (444 mmBtu/hr)	June 2000	Water Injection System
CTG06	45 MW Natural Gas Fired Turbine (444 mmBtu/hr)	June 2000	Water Injection System
CTG07	45 MW Natural Gas Fired Turbine (444 mmBtu/hr)	June 2000	Water Injection System
CTG08	45 MW Natural Gas Fired Turbine (444 mmBtu/hr)	June 2000	Water Injection System
CTG09	45 MW Natural Gas Fired Turbine (444 mmBtu/hr)	June 2000	Water Injection System
CTG10	45 MW Natural Gas Fired Turbine (444 mmBtu/hr)	June 2000	Water Injection System
HTR-1	Natural gas heater (12 mmBtu/hr)	June 2000	None
EDG-1	Emergency diesel engine generator (Nominal 1100 KW)	September 2004	None

5.0 OVERALL SOURCE CONDITIONS

5.1 Applicability of Clean Air Act Permit Program (CAAPP)

5.1.1 This permit is issued based on the source requiring a CAAPP permit as a major source of NO_x and CO, greenhouse gas (GHG) emissions.

5.1.2 This permit is issued based on the source requiring a CAAPP permit as an "affected source" for the purposes of Acid Deposition Control, Title IV of the Clean Air Act, pursuant to 40 CFR 70.3(a)(4).

5.2 Area Designation

This permit is issued based on the source being located in an area that, as of the date of permit issuance, is designated nonattainment for the National Ambient Air Quality Standards for ozone (marginal nonattainment) and attainment, better than National Standards for SO_2 or unclassifiable for all other criteria pollutants (CO, lead, NO_2, $PM_{2.5}$, and PM_{10}).

5.3 Source-Wide Applicable Provisions and Regulations

5.3.1 Specific emission units at this source are subject to particular regulations as set forth in Section 7 (Unit-Specific Conditions for Specific Emission Units) of this permit.

5.3.2 In addition, emission units at this source are subject to the following regulations of general applicability:

a. No person shall cause or allow the emission of fugitive particulate matter from any process, including any material handling or storage activity, that is visible by an observer looking generally overhead at a point beyond the property line of the source unless the wind speed is greater than 40.2 kilometers per hour (25 miles per hour), pursuant to 35 IAC 212.301 and 212.314.

b. Pursuant to 35 IAC 212.123(a), no person shall cause or allow the emission of smoke or other particulate matter, with an opacity greater than 30 percent, into the atmosphere from any emission unit other than those emission units subject to the requirements of 35 IAC 212.122, except as allowed by 35 IAC 212.123(b) and 212.124.

5.3.3 Ozone Depleting Substances

The Permittee shall comply with the standards for recycling and emissions reduction of ozone depleting substances pursuant to 40 CFR Part 82, Subpart F, except as provided for motor vehicle air conditioners in Subpart B of 40 CFR Part 82:

a. Persons opening appliances for maintenance, service, repair, or disposal must comply with the required practices pursuant to 40 CFR 82.156.

b. Equipment used during the maintenance, service, repair, or disposal of appliances must comply with the standards for recycling and recovery equipment pursuant to 40 CFR 82.158.

c. Persons performing maintenance, service, repair, or disposal of appliances must be certified by an approved technician certification program pursuant to 40 CFR 82.161.

5.3.4 Risk Management Plan (RMP)

Should this stationary source, as defined in 40 CFR 68.3, become subject to the federal regulations for Chemical Accident Prevention in 40 CFR Part 68, then the owner or operator shall submit the items below. This condition is imposed in this permit pursuant to 40 CFR 68.215(a)(2)(i) and (ii).

a. A compliance schedule for meeting the requirements of 40 CFR Part 68 by the date provided in 40 CFR 68.10(a); or

b. A certification statement that the source is in compliance with all requirements of 40 CFR Part 68, including the registration and submission of the RMP, as part of the annual compliance certification required by Condition 9.8.

5.3.5 Future Emission Standards

a. Should this stationary source become subject to a new or revised regulation under 40 CFR Parts 60, 61, 62, or 63, or 35 IAC Subtitle B after the date issued of this permit, then the owner or operator shall, in accordance with the applicable regulation(s), comply with the applicable requirements by the date(s) specified and shall certify compliance with the applicable requirements of such regulation(s) as part of the annual compliance certification, as required by Condition 9.8. This permit may also have to be revised or reopened to address such new or revised regulations (see Condition 9.12.2).

b. This permit and the terms and conditions herein do not affect the Permittee's past and/or continuing obligation with respect to statutory or regulatory requirements governing major source construction or modification under Title I of the CAA. Further, neither the issuance of this permit nor any of the terms or conditions of the permit shall alter or affect the liability of the Permittee for any violation of applicable requirements prior to or at the time of permit issuance.

5.3.6. Episode Action Plan

i. Pursuant to 35 IAC 244.141, the Permittee shall have on file with the IEPA an Episode Action Plan for reducing the levels of emissions during yellow alerts, red alerts, and emergencies, consistent with safe operating procedures. The Episode Action Plan shall contain the information specified in 35 IAC 244.144.

ii. The Permittee shall immediately implement the appropriate steps described in the Episode Action Plan should an air pollution alert or emergency be declared, as required by 35 IAC 244.169, or as may otherwise be required under 35 IAC 244, Appendix D.

iii. Pursuant to 35 IAC 244.143(d), if an operational change occurs at the source which invalidates the Episode Action Plan, a revised Episode Action Plan shall be submitted to the IEPA for review within 30 days of the change and is automatically incorporated by reference provided the revision is not expressly disapproved, in writing, by the IEPA within 30 days of receipt of the revision. In the event that the IEPA notifies the Permittee of a deficiency with any revision to the Episode Action Plan, the Permittee shall be required to revise and resubmit the Episode Action Plan within 30 days of receipt of notification to address the deficiency pursuant to Section 39.5(7)(a) of the Act.

iv. The Episode Action Plan, as submitted by the Permittee on March 6, 2013, is incorporated herein by reference. The document constitutes the formal Episode Action Plan required by 35 IAC 244.142, addressing the actions that will be implemented to reduce SO_2, PM_{10}, NO_2, CO and VOM emissions from various emissions units in the event of a yellow alert, red alert or emergency issued under 35 IAC 244.161 through 244.165.

v. Pursuant to Section 39.5(7)(b) of the Act, the Permittee shall keep a copy of the Episode Action Plan, any amendments or revisions to the Episode Action Plan (as required by Condition 3.2(c)), and the Permittee shall also keep a record of activities completed according to the Episode Action Plan.

5.4 Source-Wide Non-Applicability of Regulations of Concern

Source-wide non-applicability of regulations of concern is not set for this source. However, there are terms for unit specific non-applicability of regulations of concern set forth in Section 7 of this permit.

5.5 Source-Wide Control Requirements and Work Practices

Source-wide control requirements and work practices are not set for this source. However, there are requirements for unit specific control requirements and work practices set forth in Section 7 of this permit.

5.6 Source-Wide Production and Emission Limitations

5.6.1 Permitted Emissions for Fees

The annual emissions from the source, not considering insignificant activities as addressed by Section 3.0 of this permit, shall not exceed the following limitations. The overall source emissions shall be determined by adding emissions from all emission units. Compliance with these limits shall be determined on a calendar year basis. These limitations (Condition 5.6.1) are set for the purpose of establishing fees and are not federally enforceable (see Section 39.5(18) of the Act).

Permitted Emissions of Regulated Pollutants

Pollutant	Tons/Year
Volatile Organic Material (VOM)	9.27
Sulfur Dioxide (SO_2)	3.00
Particulate Matter (PM)	28.50
Nitrogen Oxides (NO_x)	247.50
HAP, not included in VOM or PM	-----
Total	288.27

5.6.2 Emissions of Hazardous Air Pollutants

Pursuant to Section 39.5(7)(a) of the Act, the emissions of HAPs from the source shall be less than 10 tons/year for each individual HAP and 25 tons/year for all HAPs combined. Compliance with annual limits shall be determined on a monthly basis from the sum of the data for the current month plus the preceding 11 months (running 12 month total). This condition is being imposed so that the source is not a major source of HAP emissions. The Permittee shall fulfill the applicable testing, recordkeeping, and reporting requirements of Conditions 5.7.2, 5.9.2, and 5.10.2.

5.6.3 Other Source-Wide Production and Emission Limitations

Other source-wide emission limitations are not set for this source pursuant to the federal rules for PSD, state rules for MSSCAM, or Section 502(b)(10) of the CAA. However, there may be unit specific emission limitations set forth in Section 7 of this permit pursuant to these rules.

5.7 Source-Wide Testing Requirements

5.7.1 Pursuant to 35 IAC 201.282 and Section 4(b) of the Act, every emission source or air pollution control equipment shall be subject to the following testing requirements for the purpose of determining the nature and quantities of specified air contaminant emissions and for the purpose of determining ground level and ambient air concentrations of such air contaminants:

a. Testing by Owner or Operator: The Illinois EPA may require the owner or operator of the emission source or air pollution control equipment to conduct such tests in accordance with procedures adopted by the Illinois EPA, at

such reasonable times as may be specified by the Illinois EPA and at the expense of the owner or operator of the emission source or air pollution control equipment. All such tests shall be made by or under the direction of a person qualified by training and/or experience in the field of air pollution testing. The Illinois EPA shall have the right to observe all aspects of such tests [35 IAC 201.282(a)].

b. Testing by the Illinois EPA: The Illinois EPA shall have the right to conduct such tests at any time at its own expense. Upon request of the Illinois EPA, the owner or operator of the emission source or air pollution control equipment shall provide, without charge to the Illinois EPA, necessary holes in stacks or ducts and other safe and proper testing facilities, including scaffolding, but excluding instruments and sensing devices, as may be necessary [35 IAC 201.282(b)].

c. Any such tests are also subject to the Testing Procedures of Condition 8.5 set forth in the General Permit Conditions of Section 8.

5.7.2 HAP Testing to Verify Minor Source Status

Pursuant to Condition 5.7.1 and to verify compliance with the requirements of Condition 5.6.2, that is that this source is not a major source of HAPs, the following testing requirements are established:

a. If in the previous calendar year, emissions of HAPs exceeded 80% of major source threshold for individual or total HAPs (greater than 8 tons of a single HAP or greater than 20 tons of total HAPs), then testing for HAPs shall be conducted as follows:

   i. Testing shall be conducted using methods that would be acceptable under the federal National Emissions Standards for Hazardous Air Pollutants for Stationary Combustion Turbines, 40 CFR 63 Subpart YYYY. Specifically, the testing procedures detailed at 40 CFR 63.6120 of the performance tests section shall be used. For multiple turbines, the source owner or operator shall test largest turbine which makes the largest contributions to individual and total HAP emissions.

b. The calculation as to whether the 80% of major source threshold was exceeded shall be based on records and procedures in Condition 5.9.2 and shall be completed by January 31 for the previous calendar year. If testing is required it shall be completed by September 30.

c. Any such tests are also subject to the Testing Procedures of Condition 8.5 set forth in the General Permit Conditions of Section 8.

5.8 Source-Wide Monitoring Requirements

Source-wide monitoring requirements are not set for this source. However, there are provisions for unit specific monitoring set forth in Section 7 of this permit.

5.9 Source-Wide Recordkeeping Requirements

5.9.1 Annual Emission Records

The Permittee shall maintain records of total annual emissions on a calendar year basis for the emission units covered by Section 7 (Unit Specific Conditions for Specific Emission Units) of this permit to demonstrate compliance with Condition 5.6.1, pursuant to Section 39.5(7)(b) of the Act.

5.9.2 Records for HAP Emissions

The Permittee shall maintain records of HAP emissions on a calendar year basis for the emission units covered by Section 7 (Unit Specific Conditions for Specific Emission Units) of this permit, pursuant to Section 39.5(7)(b) of the Act.

a. The Permittee shall maintain records of individual and combined HAP emissions on a monthly and annual basis for the emission units covered by Section 7 (Unit Specific Conditions for Specific Emission Units) of this permit to demonstrate compliance with Condition 5.6.2, pursuant to Section 39.5(7)(b) of the Act.

b. If testing is required by Condition 5.7.2, the Permittee shall keep records of the testing, including the test date, conditions, methodologies, calculations, test results, and any discrepancies between the test results and formulation specifications of Condition 5.9.2(c) below.

c. The Permittee shall keep a record of the applicability determination for 40 CFR 63, Subpart YYYY, National Emission Standards for Hazardous Air Pollutants for Stationary Combustion Turbines, at the source for a period of five years after the determination. This determination shall include a detailed analysis that demonstrates why the Permittee believes the source is not subject to 40 CFR 63, Subpart YYYY.

5.9.3 Retention and Availability of Records

a. All records and logs required by this permit shall be retained for at least five years from the date of entry (unless a longer retention period is specified by the

particular recordkeeping provision herein), shall be kept at a location at the source that is readily accessible to the Illinois EPA or USEPA, and shall be made available for inspection and copying by the Illinois EPA or USEPA upon request.

b. The Permittee shall retrieve and print, on paper during normal source office hours, any records retained in an electronic format (e.g., computer) in response to an Illinois EPA or USEPA request for records during the course of a source inspection.

5.10 Source-Wide Reporting Requirements

5.10.1 General Source-Wide Reporting Requirements

The Permittee shall promptly notify the Illinois EPA, Air Compliance Unit, of deviations of the source with the permit requirements within 30 days, pursuant to Section 39.5(7)(f)(ii) of the Act. Reports shall describe the probable cause of such deviations, and any corrective actions or preventive measures taken. There are also reporting requirements for unit specific emission units set forth in Section 7 of this permit.

5.10.2 Annual Emissions Report

The annual emissions report required pursuant to Condition 9.7 shall contain emissions information for the previous calendar year.

5.11 Source-Wide Operational Flexibility/Anticipated Operating Scenarios

Source-wide operational flexibility is not set for this source.

5.12 Source-Wide Compliance Procedures

5.12.1 Procedures for Calculating Emissions

Except as provided in Condition 9.1.3, compliance with the source-wide emission limits specified in Condition 5.6 shall be addressed by the recordkeeping and reporting requirements of Conditions 5.9 and 5.10, and compliance procedures in Section 7 (Unit Specific Conditions for Specific Emission Units) of this permit.

6.0 CONDITIONS FOR EMISSIONS CONTROL PROGRAMS

6.1 Clean Air Interstate Rule (CAIR) Program

6.1.1 Applicability

This source is an affected source for purposes of the Clean Air Interstate Rule ("CAIR") Program and the following emission units at the source are affected CAIR units:

10 Turbines - CTG01, CTG02, CTG03, CTG04, CTG05, CTG06, CTG07, CTG08, CTG09 and CTG010

Note: Under Section 110 of the Clean Air Act (CAA), the USEPA adopted the Clean Air Interstate Rule or CAIR, 40 CFR Part 96, to reduce and permanently cap emissions of sulfur dioxide (SO_2), and nitrogen oxides (NO_x) from electric power plants that significantly contribute to fine particulate and ozone in the ambient air in the Eastern United States. To implement CAIR in Illinois, the Illinois EPA adopted 35 IAC Part 225 Subparts A, C, D and E. For purposes of this permit, these requirements are referred to as CAIR provisions.

6.1.2 Applicable CAIR Requirements for SO_2 Emissions

The owners and operators of this source shall not violate applicable CAIR provisions, in 35 IAC Part 225, Subpart C. SO_2 emissions from the affected CAIR units shall not exceed the equivalent number of allowances that the source lawfully holds under these CAIR provisions.

Note: CAIR affected sources must hold CAIR SO_2 allowances to account for the emissions from the affected CAIR units. Each CAIR SO_2 allowance is a limited authorization to emit during the respective CAIR SO_2 annual period or subsequent period. The possession of SO_2 allowances does not authorize exceedances of applicable emission standards or violations of ambient air quality standards.

6.1.3 Applicable CAIR Requirements for NO_x Emissions

The owners and operators of this source shall not violate applicable CAIR provisions, in 35 IAC Part 225, Subpart D. NO_x emissions from the affected CAIR units shall not exceed the equivalent number of allowances that the source lawfully holds under these CAIR provisions.

Note: CAIR affected sources must hold CAIR NO_x allowances to account for the emissions from the affected CAIR units. Each CAIR NO_x allowance is a limited authorization to emit during the respective CAIR NO_x annual period or subsequent period. The possession of NO_x allowances does not authorize exceedances of applicable emission standards or violations of ambient air quality standards.

6.1.4 Applicable CAIR Requirements for NO_x Ozone Season Emissions

The owners and operators of this source shall not violate applicable CAIR provisions, in 35 IAC Part 225, Subpart E. Seasonal NO_x emissions from the affected CAIR units shall not exceed the equivalent number of allowances that the source lawfully holds under these CAIR provisions.

Note: CAIR affected sources must hold CAIR NO_x ozone season allowances to account for the emissions from the affected CAIR units. Each CAIR NO_x ozone season allowance is a limited authorization to emit during the respective CAIR NO_x ozone season or subsequent season. The possession of NO_x allowances does not authorize exceedances of applicable emission standards or violations of ambient air quality standards.

6.1.5 Monitoring, Recordkeeping and Reporting

The owners and operators of the source and, to the extent applicable, their designated representative, shall comply with applicable requirements for monitoring, recordkeeping and reporting specified by 35 IAC Part 225 Subparts C, D and E.

6.1.6 CAIR Permit

The owners and operators of the source shall comply with the terms and conditions of the source's CAIR permit (attached).

Note: This source is subject to a CAIR permit, which was issued pursuant to 35 IAC Part 225.320, 225.420 and 225.520. CAIR sources must be operated in compliance with their CAIR permits. This source's CAIR permit is incorporated into this CAAPP permit with a copy of the current CAIR permit included as an attachment to this permit. Revisions and modifications to the CAIR permit are governed by Section 39.5 of the Act. Accordingly, revision or renewal of the CAIR permit may be handled separately from this CAAPP permit and a copy of the new CAIR permit may be included in this permit by Administrative Amendment.

6.1.7 Coordination with other Requirements

a. This permit does not contain any conditions that are intended to interfere with or modify the requirements of 35 IAC Part 225 C, D, and E, 40 CFR Part 96; or Title IV of the CAA. In particular, this permit does not restrict the flexibility of the owners and operators of this source to comply with CAIR provisions, including the ability to obtain CAIR NO_x allowances from Illinois' Clean Air Set Aside (CASA) for qualifying projects.

b. Where another applicable requirement of the CAA is more stringent than an applicable requirement of 35 IAC Part 225, Subparts C, D, or E; 40 CFR Part 96; or Title IV of

the CAA, all requirements are incorporated into this permit and are enforceable and the owners and operators of the source shall comply with both requirements.

6.2 Acid Rain

6.2.1 Applicability

Under Title IV of the CAA, Acid Deposition Control, this source is an affected source and the following emission units at the source are affected units for acid deposition:

10 Turbines - CTG01, CTG02, CTG03, CTG04, CTG05, CTG06, CTG07, CTG08, CTG09 and CTG010

Note: Title IV of the CAA, and other laws and regulations promulgated thereunder, establish requirements for affected sources related to control of emissions of pollutants that contribute to acid rain. For purposes of this permit, these requirements are referred to as Title IV provisions.

6.2.2 Applicable Emission Requirements

The owners and operators of the source shall not violate applicable Title IV provisions. SO_2 emissions of the affected units shall not exceed any allowances that the source lawfully holds under Title IV provisions [Section 39.5(7)(g) and (17)(l) of the Act].

Note: Affected sources must hold SO_2 allowances to account for the SO_2 emissions from affected units at the source that are subject to Title IV provisions. Each allowance is a limited authorization to emit up to one ton of SO_2 emissions during or after a specified calendar year. The possession of allowances does not authorize exceedances of applicable emission standards or violations of ambient air quality standards.

6.2.3 Monitoring, Recordkeeping and Reporting

The owners and operators of the source and, to the extent applicable, their designated representative, shall comply with applicable requirements for monitoring, recordkeeping and reporting specified by Title IV provisions, including 40 CFR Part 75 [Section 39.5(7)(b) and 17(m) of the Act].

6.2.4 Acid Rain Permit

The owners and operators of the source shall comply with the terms and conditions of the source's Acid Rain permit [Section 39.5(17)(l) of the Act].

Note: The source is subject to an Acid Rain permit, which was issued pursuant to Title IV provisions, including Section 39.5(17) of the Act. Affected sources must be operated in compliance with their Acid Rain permits. This source's Acid Rain permit is incorporated by reference into this permit and a copy of the current Acid Rain permit is included as Attachment 6 of this permit. Revisions and modifications of this Acid Rain

permit, including administrative amendments and automatic amendments (pursuant to Sections 408(b) and 403(d) of the CAA or regulations thereunder) are governed by Title IV provisions, as provided by Section 39.5(13)(e) of the Act. Accordingly, revision or renewal of the Acid Rain permit may be handled separately from this CAAPP permit and a copy of the new Acid Rain permit may be included in this permit by administrative amendment.

6.2.5 Coordination with Other Requirements

a. This permit does not contain any conditions that are intended to interfere with or modify the requirements of Title IV provisions. In particular, this permit does not restrict the flexibility under Title IV provisions of the owners and operators of this source to amend their Acid Rain compliance plan [Section 39.5(17)(h) of the Act].

b. Where another applicable requirement of the CAA is more stringent than an applicable requirement of Title IV provisions, both requirements are incorporated into this permit and are enforceable and the owners and operators of the source shall comply with both requirements [Section 39.5(7)(h) of the Act].

6.3 Emissions Reduction Market System (ERMS)

6.3.1 Description of ERMS

The ERMS is a "cap and trade" market system for major stationary sources located in the Chicago ozone nonattainment area. It is designed to reduce VOM emissions from stationary sources to contribute to reasonable further progress toward attainment, as required by Section 182(c) of the CAA.

The ERMS addresses VOM emissions during a seasonal allotment period from May 1 through September 30. Participating sources must hold "allotment trading units" (ATUs) for their actual seasonal VOM emissions. Each year participating sources are issued ATUs based on allotments set in the sources' CAAPP permits. These allotments are established from historical VOM emissions or "baseline emissions" lowered to provide the emissions reductions from stationary sources required for reasonable further progress.

By December 31 of each year, the end of the reconciliation period following the seasonal allotment period, each source shall have sufficient ATUs in its transaction account to cover its actual VOM emissions during the preceding season. A transaction account's balance as of December 31 will include any valid ATU transfer agreements entered into as of December 31 of the given year, provided such agreements are promptly submitted to the Illinois EPA for entry into the transaction account database. The Illinois EPA will then retire ATUs in sources' transaction accounts in amounts equivalent to their seasonal emissions. When a source does not appear to have sufficient ATUs in its transaction account, the Illinois EPA will issue a notice to the source to begin the process for Emissions Excursion Compensation.

In addition to receiving ATUs pursuant to their allotments, participating sources may also obtain ATUs from the market, including ATUs bought from other participating sources and general participants in the ERMS that hold ATUs (35 IAC 205.630) and ATUs issued by the Illinois EPA as a consequence of VOM emissions reductions from an Emissions Reduction Generator or an Intersector Transaction (35 IAC 205.500 and 35 IAC 205.510). During the reconciliation period, sources may also buy ATUs from a secondary reserve of ATUs managed by the Illinois EPA, the "Alternative Compliance Market Account" (ACMA) (35 IAC 205.710). Sources may also transfer or sell the ATUs that they hold to other sources or participants (35 IAC 205.630).

6.3.2 Applicability

This permit is issued based on this source not being a participating source in the Emissions Reduction Market System (ERMS), 35 IAC Part 205, pursuant to 35 IAC 205.200. This is based on the source's actual VOM emissions during the seasonal

allotment period from May 1 through September 30 of each year being less than 10 tons and the source's baseline emissions also being less than 10 tons.

6.3.3 Recordkeeping and Reporting

a. The Permittee shall maintain the following records to allow the confirmation of actual VOM emissions during the seasonal allotment period:

i. Records of operating data and other information for each individual emission unit or group of related emission units at the source, as specified in Sections 5 and 7 of this permit, as appropriate, to determine actual VOM emissions during the seasonal allotment period;

ii. Records of the VOM emissions, in tons, during the seasonal allotment period, with supporting calculations, for each individual emission unit or group of related emission units at the source, determined in accordance with the procedures specified in Sections 5 and 7 of this permit; and

iii. Total VOM emissions from the source, in tons, during each seasonal allotment period, which shall be compiled by November 30 of each year.

b. In the event that the source's VOM emissions during the seasonal allotment period equal or exceed 10 tons, the source shall become a participating source in the ERMS and beginning with the following seasonal allotment period, shall comply with 35 IAC Part 205, by holding allotment trading units (ATUs) for its VOM emissions during each seasonal allotment period, unless the source obtains exemption from the ERMS by operating with seasonal VOM emissions of no more than 15 tons pursuant to a limitation applied for and established in its CAAPP permit.

7.0 UNIT SPECIFIC CONDITIONS FOR SPECIFIC EMISSION UNITS

7.1 Turbines (Subject to NSPS - 40 CFR Subpart GG)

7.1.1 Description

The turbines are used to generate electricity. The turbines are fired with natural gas. The NO_x emissions of the four larger turbines are controlled with dry low NO_x burners. The NO_x emissions of the six smaller turbines are controlled with low NO_x burners that use water injection.

Note: This narrative description is for informational purposes only and is not enforceable.

7.1.2 List of Emission Units and Air Pollution Control Equipment

Emission Unit	Description	Date Constructed	Emission Control Equipment
CTG01	170 MW Natural Gas Fired Turbine (1,885 mmBtu/hr)	June 2000	Dry Low NO_x Burners
CTG02	170 MW Natural Gas Fired Turbine (1,885 mmBtu/hr)	June 2000	Dry Low NO_x Burners
CTG03	170 MW Natural Gas Fired Turbine (1,885 mmBtu/hr)	June 2000	Dry Low NO_x Burners
CTG04	170 MW Natural Gas Fired Turbine (1,885 mmBtu/hr)	June 2000	Dry Low NO_x Burners
CTG05	45 MW Natural Gas Fired Turbine (444 mmBtu/hr)	June 2000	Water Injection System
CTG06	45 MW Natural Gas Fired Turbine (444 mmBtu/hr)	June 2000	Water Injection System
CTG07	45 MW Natural Gas Fired Turbine (444 mmBtu/hr)	June 2000	Water Injection System
CTG08	45 MW Natural Gas Fired Turbine (444 mmBtu/hr)	June 2000	Water Injection System
CTG09	45 MW Natural Gas Fired Turbine (444 mmBtu/hr)	June 2000	Water Injection System
CTG10	45 MW Natural Gas Fired Turbine (444 mmBtu/hr)	June 2000	Water Injection System

7.1.3 Applicable Provisions and Regulations

a. The "affected turbines" for the purpose of these unit-specific conditions, are turbines described in Conditions 7.1.1 and 7.1.2.

b. Pursuant to 35 IAC 212.123,

i. No person shall cause or allow the emission of smoke or other particulate matter, with an opacity greater than 30 percent, into the atmosphere from any emission unit.

ii. The emission of smoke or other particulate matter from any such emission unit may have an opacity greater than 30 percent but not greater than 60 percent for a period or periods aggregating 8 minutes in any 60 minute period provided that such opaque emissions permitted during any 60 minute period shall occur from only one such emission unit located within a 1000 ft radius from the center point of any other such emission unit owned or operated by such person, and provided further that such opaque emissions permitted from each such emission unit shall be limited to 3 times in any 24 hour period.

c. Pursuant to 35 IAC 214.301, no person shall cause or allow the emission of sulfur dioxide into the atmosphere from any process emission source to exceed 2000 ppm.

d. The affected turbine is subject to the NSPS for Stationary Gas Turbines, 40 CFR 60 Subparts A and GG, because the heat input at peak load is equal to or greater than 10.7 gigajoules per hour (10 mmBtu/hr), based on the lower heating value of the fuel fired and the affected turbine commenced construction, modification, or reconstruction after October 3, 1977. The Illinois EPA administers the NSPS for subject sources in Illinois pursuant to a delegation agreement with the USEPA.

i. Standard for Nitrogen Oxides:

Pursuant to 40 CFR 60.332(b), electric utility stationary gas turbines with a heat input at peak load greater than 107.2 gigajoules per hour (100 million Btu/hour) based on the lower heating value of the fuel fired shall comply with the provisions of 40 CFR 60.332(a)(1). Pursuant to 40 CFR 60.332(a)(1), no owner or operator of an affected turbine shall cause to be discharged into the atmosphere from such gas turbine, any gases which contain nitrogen oxides in excess of:

$$STD = 0.0075 \frac{(14.4)}{Y} + F$$

Where:

STD = Allowable NO_x emissions (percent by volume at 15 percent oxygen and on a dry basis).

Y = Manufacturer's rated heat rate at manufacturer's rated load (kilojoules per watt hour) or, actual measured heat rate based on lower heating value of fuel as measured at actual peak load for the facility. The value of Y shall not exceed 14.4 kilojoules per watt hour.

F= NO_x emission allowance for fuel-bound nitrogen calculated from the nitrogen content of the fuel as follows:

Fuel-bound nitrogen (percent by weight)	F (NO_x percent by volume)
$N \leq 0.015$	0
$0.015 < N \leq 0.1$	0.04 (N)
$0.1 < N \leq 0.25$	0.004 + 0.0067(N - 0.1)
$N > 0.25$	0.005

Where:

N= The nitrogen content of the fuel (percent by weight) determined in according with Condition 7.1.8(b).

ii. Standard for Sulfur Dioxide:

Pursuant to 40 CFR 60.333, on and after the date on which the performance test required to be conducted by 40 CFR 60.8 is completed, every owner or operator subject to the provision of 40 CFR 60 Subpart GG shall comply with one or the other of the following conditions:

No owner or operator subject to the provisions of this Subpart shall cause to be discharged into the atmosphere from any stationary gas turbine any gases which contain sulfur dioxide in excess of 0.015 percent by volume at 15 percent oxygen and on a dry basis, pursuant to 40 CFR 60.333(a).

No owner or operator subject to the provisions of this Subpart shall burn in any stationary gas turbine any fuel which contains total sulfur in excess of 0.8 percent by weight (8000 ppmw), pursuant to 40 CFR 60.333(b).

e. i. No owner or operator shall cause or allow the emissions of NO_x into the atmosphere from the affected turbine to exceed 0.25 lbs/mmBtu of actual heat input during each ozone control period from May 1 through September 30, based on a ozone control period average, for that unit [35 IAC 217.706(a)].

ii. Notwithstanding the above emission limitation of 35 IAC 217.706(a), the affected turbine subject to a more stringent NO_x emission limitation pursuant to any State or federal statute, including the Act, the Clean Air Act, or any regulations promulgated thereunder, shall comply with both the requirements of 35 IAC 217 Subpart V and that more stringent emission limitation [35 IAC 217.706(b)].

f. Pursuant to 35 IAC 217.388(a)(1), on and after the applicable compliance date in 35 IAC 217.392, the Permittee must inspect and maintain the affected turbines as required by 35 IAC 217.388(a)(4) and limit the discharge from an affected turbine into the atmosphere any gases that contain NO_x to no more than:

i. 42 ppmv (corrected to 15 percent O_2 on a dry basis) for gaseous fuel-fired turbines.

g. Startup Provisions

Subject to the following terms and conditions, the Permittee is authorized to operate the affected turbines in violation of the applicable standards in Condition 7.1.3(b) during startup. This authorization is provided pursuant to 35 IAC 201.149, 201.161 and 201.262, as the Permittee has applied for such authorization in its application, generally describing the efforts that will be used "…to minimize startup emissions, duration of individual starts, and frequency of startups."

i. This authorization does not relieve the Permittee from the continuing obligation to demonstrate that all reasonable efforts are made to minimize startup emissions, duration of individual startups and frequency of startups.

ii. The Permittee shall conduct startup of the each affected turbine(s) in accordance with written procedures prepared by the Permittee and maintained at the facility, in the control room for the each affected turbine(s), that are specifically developed to minimize emissions from startups and that include, at a minimum, the following measures:

A. The Permittee shall conduct startup of an affected turbine in accordance with the manufacturer's written instructions or other written instructions prepared by the source owner or operator and maintained on site.

B. The Permittee shall take the following measures to minimize emissions resulting from startups, the duration of startups, and minimize the frequency of startups:

I. Operating in accordance with the manufacturer's written operating and startup procedures, including a pre-check of the unit, or other written procedures developed and maintained by the source owner or operator so as to minimize the duration of startups and the emissions associated with startups. These procedures should allow for review of operating parameters of the unit during startup, or shutdown as necessary to make adjustments to reduce or eliminate excess emissions.

II. Maintaining units in accordance with written procedures developed and maintained by the source owner or operator so as to minimize the duration of startups and the frequency of startups. These maintenance practices shall include maintenance activities before the unit is started up, when the unit is in operation, and when the unit is shut down.

III. The procedures described above shall be reviewed at least annually to make necessary adjustments and shall be made available to the Illinois EPA upon request.

iii. The Permittee shall fulfill applicable recordkeeping and reporting requirements of Condition 7.1.9(m) and 7.1.10(e).

iv.. As provided by 35 IAC 201.265, an authorization in a permit for excess emissions during startup does not shield a Permittee from enforcement for any violation of applicable emission standard(s) that occurs during startup and only constitutes a prima facie defense to such an enforcement action provided that the Permittee has fully complied with all terms and conditions connected with such authorization.

h. Malfunction and Breakdown Provisions

Subject to the following terms and conditions, the Permittee is authorized to continue operation of an affected turbine in violation of the applicable standards in Condition 7.1.3(b) in the event of a malfunction or breakdown of the affected turbines. This authorization is provided pursuant to 35 IAC 201.149, 201.161 and 201.262, as the Permittee has applied for such authorization in its application, generally explaining why such continued operation would be required to provide essential service or to prevent risk of injury to personnel or severe damage to equipment, and describing the measures that will be taken to minimize emissions from any malfunctions and breakdowns. This authorization supersedes the general prohibition in Condition 9.2.3 against continued operation in such circumstances.

i. This authorization only allows such continued operation as necessary to provide essential service or prevent risk of injury to personnel or severe damage to equipment and does not extend to continued operation solely for the economic benefit of the Permittee.

ii. Upon occurrence of excess emissions due to malfunction or breakdown, the Permittee shall as soon as practical repair the turbine, remove the affected turbine from service, or undertake other action so that excess emissions cease.

iii. The Permittee shall fulfill the applicable recordkeeping and reporting requirements of Conditions 7.1.9(o) and 7.1.10(h). For these purposes, time shall be measured from the start of a particular incident. The absence of excess emissions for a short period shall not be considered to end the incident if excess emissions resume. In such circumstances, the incident shall be considered to continue until corrective actions are taken so that excess emissions cease or the Permittee takes the affected turbines out of service.

iv. Following notification to the Illinois EPA of a malfunction or breakdown with excess emissions, the Permittee shall comply with all reasonable directives of the Illinois EPA with respect to such incident, pursuant to 35 IAC 201.263.

v. This authorization does not relieve the Permittee from the continuing obligation to minimize excess emissions during malfunction or breakdown. As provided by 35 IAC 201.265, an authorization in a permit for continued operation with excess emissions

during malfunction and breakdown does not shield the Permittee from enforcement for any such violation and only constitutes a prima facie defense to such an enforcement action provided that the Permittee has fully complied with all terms and conditions connected with such authorization.

7.1.4 Non-Applicability of Regulations of Concern

a. The affected turbines are not subject to the New Source Performance Standards (NSPS) for Stationary Combustion Turbines, 40 CFR Part 60, Subpart KKKK, because the affected turbines did not commence construction, modification, or reconstruction after February 18, 2005 pursuant to 40 CFR 60.4305(a), and are therefore subject to 40 CFR Part 60, Subpart GG for Stationary Gas Turbines.

Note: To qualify for this non-applicability, the Permittee has certified that the turbines have not been modified or reconstructed after February 18, 2005.

b. The affected turbines are not subject to the National Emissions Standards for Hazardous Air Pollutants for Stationary Combustion Turbines, 40 CFR Part 63, Subpart YYYY, because the affected turbines are not located at a major source of HAP emissions, pursuant to 40 CFR 63.6085.

c. The affected turbines are not subject to 35 IAC 212.321 or 212.322, due to the unique nature of such units, a process weight rate cannot be set so that such rules cannot reasonably be applied, pursuant to 35 IAC 212.323.

d. The affected turbines are not subject to 35 IAC 217.141 or 35 IAC 216.121 because the affected turbines are not fuel combustion units, as defined by 35 IAC 211.2470.

e. The affected turbines are not subject to the National Emission Standards for Hazardous Air Pollution (NESHAP) for Coal- and Oil-Fired Electric Utility Steam Generating Units, 40 CFR Part 63 Subpart UUUUU, because the turbines are not electric utility steam generating units by definition, pursuant to 40 CFR 63.10042.

Furthermore, pursuant to 40 CFR 63.9983(c), heat input means heat derived from combustion of fuel in an EGU and does not include the heat derived from preheated combustion air, recirculated flue gases or exhaust gases from other sources (such as stationary gas turbines, internal combustion engines, and industrial boilers).

f. This permit is issued based on the affected turbines not being subject to 40 CFR Part 64, Compliance Assurance Monitoring (CAM) for Major Stationary Sources:

i. For affected turbines CTG01 through CTG04, this is because these turbines do not use add-on control devices to achieve compliance with an emission limitation or standard.

ii. For affected turbines CTG05 through CTG10 (which are equipped with water injection control for NO_x emissions), this is because these turbines are not large pollutant-specific emission units, i.e., the potential to emit of each turbine for NO_x is less than the applicable major source threshold (100 tons/year), pursuant to 40 CFR 64.5(a). (See also Condition 7.1.5(e).)

7.1.5 Control Requirements and Work Practices

a. i. At all times, including periods of startup, shutdown, and malfunction, the source owner or operator shall, to the extent practicable, maintain and operate any affected turbine in a manner consistent with good air pollution control practice for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the Illinois EPA or the USEPA which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source [40 CFR 60.11(d)].

ii. The source owner or operator shall operate the affected turbines in accordance with written operating procedures that shall include at a minimum the following measures:

A. Review of operating parameters of the unit during startup or shutdown as necessary for the proper operation of the affected turbine with appropriate adjustments to reduce emissions.

B. Implementation of inspection and repair procedures for a affected turbine prior to attempting startup following repeated trips.

iii. The source owner or operator shall maintain the affected turbines in accordance with written procedures that shall include at a minimum the following measures:

A. Unless specified on a more frequent basis by manufacturer's written instructions, an inspection of emissions-related components shall be completed quarterly. Inspections shall be conducted in accordance with manufacturer's written instructions.

B. Repair and routine replacement of emissions-related components.

iv. The above procedures may incorporate the manufacturer's written instruction for operation and maintenance of the affected turbines and associated control systems. The source owner or operator shall review these procedures at least every two years and shall revise or enhance them if necessary to be consistent with good air pollution control practice based on the actual operating experience and performance of the source.

b. The only fuel fired in the turbines shall be natural gas. [T1].

c. The turbines, in total, shall not fire more than 9,878 million ft^3 of natural gas per year. Compliance with this limit shall be determined from a running total of 12 months of data. [T1].

d. i. Affected turbines CTG01, CTG02, CTG03 and CTG04 shall be equipped, operated, and maintained with low NO_x combustors to control NO_x emissions [T1].

ii. Affected turbines CTG05, CTG06, CTG07, CTG08, CTG09 and CTG10 shall be equipped, operated, and maintained with water injection to control NO_x emissions [T1].

Note: The above limitations in Conditions 7.1.5(a)(ii), (b), (c), and (d) were established in Permit 99110018.

e. i. The NO_x emissions of affected turbines CTG05 through CTG10 shall each not exceed 99 tons/year.

ii. Affected turbines CTG05 through CTG10 shall each not operate for more than 4,800 hours per year.

Note: The above limitations are established in this CAAPP permit for affected turbines CTG05 through CTG10 so that each turbine is not a large pollutant-specific emission unit for purposes of CAM, as CAM Plans would otherwise be required for each turbine in conjunction with the issuance of this modified CAAPP permit, pursuant to 40 CFR 64.5(a).

f. Pursuant to 35 IAC 217.388(a)(4), the Permittee must inspect and perform periodic maintenance on the affected turbines, in accordance with a Maintenance Plan that documents:

i. For a unit not located at natural gas transmission compressor station or storage facility, either:

A. The manufacturer's recommended inspection and maintenance of the applicable air pollution control equipment, monitoring device, and affected turbines; or

B. If the original equipment manual is not available or substantial modifications have been made that require an alternative procedure for the applicable air pollution control device, monitoring device, or affected turbines, the owner or operator must establish a plan for inspection and maintenance in accordance with what is customary for the type of air pollution control equipment, monitoring device, and affected turbines.

7.1.6 Production and Emission Limitations

In addition to Condition 5.3.2 and the source-wide emission limitations in Condition 5.6, the affected turbines are subject to the following:

a. i. Emissions from affected turbines CTG01, CTG02, CTG03, and CTG04 each shall not exceed the following limits except, when ice fog for smaller turbines with water injection is deemed a traffic hazard by the Permittee and as allowed during startup [T1].

Pollutant	(Lb/Hour)
NO_x	105.0
CO	31.0
SO_2	1.1
VOM	3.0
PM	9.0

The Permittee is authorized to operate a turbine in excess of the above limits during startup provided that all reasonable efforts are made to minimize startup emissions. This authorization only extends for a period of up to 20 minutes following initial firing of fuel during each startup event. [T1]

ii. Emissions from affected turbines CTG05, CTG06, CTG07, CTG08, CTG09, and CTG10 each shall not exceed the following limits, except when ice fog is deemed a traffic hazard by the Permittee and during startup as addressed below [T1].

Pollutant	(Lb/Hour)
NO_x	41.0
CO	45.0*
SO_2	0.27
VOM	4.0
PM	3.0

The Permittee is authorized to operate a turbine in excess of the above limits during startup provided that all reasonable efforts are made to minimize startup emissions. This authorization only extends for a period of up to 20 minutes following initial firing of fuel during each startup event. [T1]

* Notwithstanding the above, when ambient temperature is less than 59°F, hourly carbon monoxide emissions from the smaller turbines (CTG05 - CTG10)shall not exceed 192.0 lb each and 1,152.0 lb total.

iii. For the shutdown of the affected turbines, if NO_x emissions are monitored by Low Mass Emissions (LME) Methodology as provided under 40 CFR 75.19 (see Condition 7.1.8(d)(i), then the NO_x emissions during each shutdown hour need not be determined using this methodology but may be determined using an appropriate factor developed from the historic NO_x CEMs emissions data or from future emission monitoring.

b. i. Emissions from the affected turbines total shall not exceed the following limitations. Compliance with annual limits shall be determined from a running total of 365 days of data, i.e., from the sum of the data for the current day plus the preceding 364 days [T1].

Pollutant	(ton/year)
NO_x	244.5
CO	210.0
SO_2	3.0
VOM	9.1
PM	28.5

Note: These T1 limits originated in Construction Permit 99110018, and they were revised in the previously issued Title V permit.

ii. A. For purposes of complying with these annual limits, emissions of CO and VOM shall be determined using other appropriate factor, if standard factors do not adequately account for emissions during startup.

B. NO_x emissions shall be determined using the data from the monitoring performed in accordance with Condition 7.1.8.

Note: The above limitations were originally established in Permit 99110018, pursuant to PSD and subsequently included in the source's initial CAAPP permit. The NO_x emission limit has been lowered from 247.0 to 244.5 tons/year to accommodate emissions from additional support equipment to the source as identified in Section 7.2 and 7.3 of this permit. These limits ensure that the source does not constitute a major source pursuant to Title I of the CAA, specifically the PSD rules, with the additional support equipment.

7.1.7 Testing Requirements

a. The nitrogen oxides (NO_x) emissions, and the oxygen (O_2) concentration and opacity of exhaust shall be measured for the affected turbines at the source owner or operator's expense by an independent testing service approved by the Illinois EPA as follows to determine compliance with applicable emission limits:

i. Within 120 days after a written request from the Illinois EPA, for such pollutants listed above as specified by the request.

ii. Any extension to these time periods that may be provided at its discretion by the Illinois EPA shall not alter the source owner or operator's obligation to perform emission testing for purposes of the NSPS in a timely manner as specified by 40 CFR 60.8.

b. The following methods and procedures shall be used for testing of emissions:

i. The USEPA Reference Test Methods shall be used including the following:

Opacity	USEPA Method 9
Nitrogen Oxides	USEPA Method 20

ii. A. Pursuant to 40 CFR 60.335(b), the owner or operator shall determine compliance with the applicable nitrogen oxides emission limitation in 40 CFR 60.332 and shall meet the performance test requirements of 40 CFR 60.8 as follows:

For each run of the performance test, the mean nitrogen oxides emission concentration (NO_{xo}) corrected to 15 percent O_2 shall be corrected to ISO standard conditions using the following

equation. Notwithstanding this requirement, use of the ISO correction equation is optional for: Lean premix stationary combustion turbines; units used in association with heat recovery steam generators (HRSG) equipped with duct burners; and units equipped with add-on emission control devices, pursuant to 40 CFR 60.335(b)(1):

$NO_x = (NO_{Xo})(P_r/P_o)0.5\ e19(H_o-0.00633)(288°K/Ta)1.53$

Where:

NO_x= Emission concentration of NO_x at 15 percent O_2 and ISO standard ambient conditions, ppm by volume, dry basis

NO_{Xo}= Mean observed NO_x concentration, ppm by volume, dry basis, at 15 percent O_2

P_r = Reference combustor inlet absolute pressure at 101.3 kilopascals ambient pressure, mm Hg

P_o= Observed combustor inlet absolute pressure at test, mm Hg

H_o= Observed humidity of ambient air, g H_2O/g air

e = Transcendental constant, 2.718

T_a= Ambient temperature, °K

The 3-run performance test required by 40 CFR 60.8 must be performed within ± 5 percent at 30, 50, 75, and 90-to-100 percent of peak load or at four evenly-spaced load points in the normal operating range of the gas turbine, including the minimum point in the operating range and 90-to-100 percent of peak load, or at the highest achievable load point if 90-to-100 percent of peak load cannot be physically achieved in practice. If the turbine combusts both oil and gas as primary or backup fuels, separate performance testing is required for each fuel. Notwithstanding these requirements, performance testing is not required for any emergency fuel (as defined in 40 CFR 60.331), pursuant to 40 CFR 60.335(b)(2).

If water or steam injection is used to control NO_x with no additional post-combustion NO_x

control and the owner or operator chooses to monitor the steam or water to fuel ratio in accordance with 40 CFR 60.334(a), then that monitoring system must be operated concurrently with each EPA Method 20, ASTM D6522-00 (incorporated by reference, see 40 CFR 60.17), or EPA Method 7E run and shall be used to determine the fuel consumption and the steam or water to fuel ratio necessary to comply with the applicable 40 CFR 60.332 NO_x emission limit, pursuant to 40 CFR 60.335(b)(4).

If the owner or operator elects to install a CEMS, the performance evaluation of the CEMS may either be conducted separately (as described in 40 CFR 60.335(b)(7)) or as part of the initial performance test of the affected unit, pursuant to 40 CFR 60.335(b)(6).

Pursuant to 40 CFR 60.335(b)(7), if the owner or operator elects to install and certify a NO_x CEMS under 40 CFR 60.334(e), then the initial performance test required under 40 CFR 60.8 may be done in the following alternative manner:

Perform a minimum of 9 reference method runs, with a minimum time per run of 21 minutes, at a single load level, between 90 and 100 percent of peak (or the highest physically achievable) load, pursuant to 40 CFR 60.335(b)(7)(i).

Use the test data both to demonstrate compliance with the applicable NO_x emission limit under 40 CFR 60.332 and to provide the required reference method data for the RATA of the CEMS described under 40 CFR 60.334(b) , pursuant to 40 CFR 60.335(b)(7)(ii).

The requirement to test at three additional load levels is waived, pursuant to 40 CFR 60.335(b)(7)(iii).

If the owner or operator elects under 40 CFR 60.334(f) to monitor combustion parameters or parameters indicative of proper operation of NO_x emission controls, the appropriate parameters shall be continuously monitored and recorded during each run of the initial performance test, to establish acceptable operating ranges, for purposes of the parameter monitoring plan for the affected unit, as specified in 40 CFR 60.334(g), pursuant to 40 CFR 60.335(b)(8).

Pursuant to 40 CFR 60.335(b)(10), if the owner or operator is required under 40 CFR 60.334(i)(1) or (3) to periodically determine the sulfur content of the fuel combusted in the turbine, a minimum of three fuel samples shall be collected during the performance test. Analyze the samples for the total sulfur content of the fuel using:

For gaseous fuels, ASTM D1072-80, 90 (Reapproved 1994); D3246-81, 92, 96; D4468-85 (Reapproved 2000); or D6667-01 (all of which are incorporated by reference, see 40 CFR 60.17). The applicable ranges of some ASTM methods mentioned above are not adequate to measure the levels of sulfur in some fuel gases. Dilution of samples before analysis (with verification of the dilution ratio) may be used, subject to the prior approval of the Administrator, pursuant to 40 CFR 60.335(b)(10)(ii).

The fuel analyses required under 40 CFR 60.335(b)(9) and (b)(10) may be performed by the owner or operator, a service contractor retained by the owner or operator, the fuel vendor, or any other qualified agency, pursuant to 40 CFR 60.335(b)(11).

B. Pursuant to 40 CFR 60.335(c), the owner or operator may use the following as alternatives to the reference methods and procedures specified in this section:

Instead of using the equation in 40 CFR 60.335(b)(1), manufacturers may develop ambient condition correction factors to adjust the nitrogen oxides emission level measured by the performance test as provided in 40 CFR 60.8 to ISO standard day conditions, pursuant to 40 CFR 60.335(c)(1).

c. At least 60 days prior to the actual date of testing, a written test plan shall be submitted to the Illinois EPA for review. This plan shall describe the specific procedures for testing and shall include as a minimum:

i. The person(s) who will be performing sampling and analysis and their experience with similar tests.

ii. The specific conditions under which testing shall be performed including a discussion of why these conditions will be representative of maximum emissions and the means by which the operating

parameters for the turbine will be tracked and recorded.

iii. The specific determinations of emissions that are intended to be made, including sampling and monitoring locations; the test method(s) that will be used, with the specific analysis method, if the method can be used with different analysis methods. The source owner or operator may also propose a plan for testing across the normal operating range of the affected turbines.

d. The Illinois EPA shall be notified prior to these tests to enable the Illinois EPA to observe these tests. Notification of the expected date of testing shall be submitted a minimum of thirty (30) days prior to the expected date. Notification of the actual date and expected time of testing shall be submitted a minimum of five (5) working days prior to the actual date of the test. The Illinois EPA may, at its discretion, accept notifications with shorter advance notice provided that the Illinois EPA will not accept such notifications if it interferes with the Illinois EPA's ability to observe the testing.

e. The Final Report for these tests shall be submitted to the Illinois EPA within 60 days after the date of the tests. The Final Report shall include as a minimum:

i. A summary of results.

ii. General information.

iii. Description of test method(s), including description of sampling points, sampling train, analysis equipment and test schedule.

iv. Detailed description of test conditions, including:

A. Fuel consumption (standard ft^3).

B. Firing rate (million Btu/hr).

C. Turbine/Generator output rate (MW).

v. Data and calculations, including copies of all raw data sheets and records of laboratory analyses, sample calculations, and data on equipment calibration.

f. i. Upon written request by the Illinois EPA, the source owner or operator shall have the opacity of the exhaust from the affected turbine(s) tested during representative operating conditions as determined by

a qualified observer in accordance with USEPA Test Method 9, as further specified below, pursuant to Section 39.5(7)(d) of the Act.

ii. Such testing shall be conducted for specific turbine(s) within 90 calendar days of the request, or on the date turbine(s) next operates, or on the date agreed upon by the Illinois EPA, whichever is later.

iii. The duration of opacity observations for each test shall be at least 30 minutes (five 6-minute averages) unless the average opacities for the first 12 minutes of observations (two six-minute averages) are both less than 10.0 percent.

iv. The source owner or operator shall notify the Illinois EPA at least 7 days in advance of the date and time of these tests, in order to allow the Illinois EPA to witness testing. This notification shall include the name and employer of the qualified observer(s).

v. The source owner or operator shall promptly notify the Illinois EPA of any changes in the time or date for testing.

vi. The source owner or operator shall provide a copy of its observer's readings to the Illinois EPA at the time of testing, if Illinois EPA personnel are present.

vii. The source owner or operator shall submit a written report for this testing within 30 days of the date of testing. This report shall include:

A. Date and time of testing.

B. Name and employer of qualified observer.

C. Copy of current certification.

D. Description of observation conditions.

E. Description of turbine operating conditions.

F. Raw data.

G. Opacity determinations.

H. Conclusions.

g. i. Pursuant to 35 IAC 217.394(a):

A. The Permittee must conduct an initial performance test pursuant to 35 IAC 217.394(c)(2) as follows:

i. By the applicable compliance date set forth in 35 IAC 217.392, or within the first 876 hours of operation per calendar year, whichever is later for affected turbines not listed in Appendix G that operate more than 876 hours per calendar year.

ii. Once within the five-year period after the applicable compliance date as set forth in 35 IAC 217.392 for affected turbines that operate fewer than 876 hours per calendar year.

ii. Pursuant to 35 IAC 217.394(b):

A. An owner or operator of an affected turbine must conduct subsequent performance tests pursuant to 35 IAC 217.394(b)(2) as follows:

2) If the monitored data shows that the affected turbine is not in compliance with the applicable emissions concentration, the Permittee must report the deviation to the Agency in writing within 30 days and conduct a performance test pursuant to 35 IAC 217.394(c) within 90 days of the determination of noncompliance.

iii. Pursuant to 35 IAC 217.394(c)(2), for an affected turbine: The owner or operator must conduct a performance test using the applicable procedures and methods in 40 CFR 60.4400, as incorporated by reference in 35 IAC 217.104.

7.1.8 Monitoring Requirements

a. i. If an affected turbine is routinely operated or exercised to confirm that the turbine will operate when needed, the operation and opacity of the affected turbine shall be formally observed by operating personnel for the affected turbine or a member of source owner or operator's environmental staff on a regular basis to assure that the affected turbine is operating properly, which observations shall be made at least every six months.

ii. If an affected turbine is not routinely operated or exercised, i.e., the time interval between operation

of an affected turbine is typically greater than six months, the operation and opacity of the affected turbine shall be formally observed as provided above each time the source owner or operator carries out a scheduled exercise of the affected turbine.

iii. The source owner or operator shall also conduct formal observations of operation and opacity of an affected turbine upon written request by the Illinois EPA. With the agreement of the Illinois EPA, the source owner or operator may schedule these observations to take place during periods when it would otherwise be operating the affected turbine.

Note: The formal observation required above is not intended to be a USEPA Test Method 9 opacity test, nor does the observation require a USEPA Test Method 9 certified observer. It is intended to be performed by personnel familiar with the operation of the affected turbine who would be able to make a determination based from the observed opacity as to whether or not the affected turbine was running properly, and subsequently initiate a corrective action if necessary.

b. The affected turbine shall comply with the applicable monitoring requirements of 40 CFR 60.334(h), below. Monitoring of fuel nitrogen content shall not be required while the facility does not claim an allowance for fuel-bound nitrogen. Monitoring for sulfur content in fuel is not required while natural gas is the only fuel fired in the affected turbine and the requirements of 40 CFR 60.334(h)3(i) or (ii) are met.

Pursuant to 40 CFR 60.334(h), the owner or operator of any stationary gas turbine subject to the provisions of this Subpart:

Shall monitor the total sulfur content of the fuel being fired in the turbine, except as provided in 40 CFR 60.334(h)(3). The sulfur content of the fuel must be determined using total sulfur methods described in 40 CFR 60.335(b)(10). Alternatively, if the total sulfur content of the gaseous fuel during the most recent performance test was less than 0.4 weight percent (4000 ppmw), ASTM D4084-82, 94, D5504-01, D6228-98, or Gas Processors Association Standard 2377-86 (all of which are incorporated by reference-see 40 CFR 60.17), which measure the major sulfur compounds may be used, pursuant to 40 CFR 60.334(h)(1); and

Shall monitor the nitrogen content of the fuel combusted in the turbine, if the owner or operator claims an allowance for fuel bound nitrogen (i.e., if an F-value greater than zero is being or will be used by the owner or operator to calculate STD in 40 CFR 60.332). The nitrogen content of

the fuel shall be determined using methods described in 40 CFR 60.335(b)(9) or an approved alternative, pursuant to 40 CFR 60.334(h)(2).

Pursuant to 40 CFR 60.334(h)(3), notwithstanding the provisions of 40 CFR 60.334(h)(1), the owner or operator may elect not to monitor the total sulfur content of the gaseous fuel combusted in the turbine, if the gaseous fuel is demonstrated to meet the definition of natural gas in 40 CFR 60.331(u), regardless of whether an existing custom schedule approved by the administrator for Subpart GG requires such monitoring. The owner or operator shall use one of the following sources of information to make the required demonstration:

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, pursuant to 40 CFR 60.334(3)(i); or

Representative fuel sampling data which show that the sulfur content of the gaseous fuel does not exceed 20 grains/100 scf. At a minimum, the amount of fuel sampling data specified in section 2.3.1.4 or 2.3.2.4 of Appendix D to part 75 of this chapter is required, pursuant to 40 CFR 60.334(h)(3)(ii).

c. Reserved for Future Use

d. i. The owner or operator of an affected turbine subject to 35 IAC 217 Subpart V (Condition 7.1.3(e)) shall install, calibrate, maintain and operate continuous emissions monitoring systems (CEMS) for NO_x that meet the requirements of 40 CFR 75, Subpart B [35 IAC 217.710(a)]. The monitoring of NO_x emissions using the optional Low Mass Emissions (LME) Methodology under 40 CFR 75.19 also satisfies the requirements of 35 IAC 217 Subpart V.

ii. Notwithstanding 35 IAC 217.710(a) above, the owner or operator of a gas-fired peaking unit or oil-fired peaking unit as defined in 40 CFR 72.2 may determine NO_x emissions in accordance with the emissions estimation protocol of 40 CFR 75, Subpart E [35 IAC 217.710(b)].

iii. Notwithstanding 35 IAC 217.710(a) above, the owner or operator of a combustion turbine that operates less than 350 hour per ozone control period may determine the heat input and NO_x emissions of the turbine as follows [35 IAC 217.710(c)]:

A. Heat input shall be determined from the metered fuel usage to the turbine or the calculated heat input determined as the product of the turbine's maximum hourly heat input and hours of operation as recorded by operating instrumentation on the turbine [35 IAC 217.710(c)(1)].

B. NO_x emissions shall be determined as the product of the heat input, as determined above, and the appropriate default NO_x emission factors below [35 IAC 217.710(c)(2)]:

0.7 lbs/mmBtu - Natural gas
1.2 lbs/mmBtu - Fuel oil

e. i. The affected turbine shall be equipped, operated, and maintained with a continuous monitoring system to monitor and record the fuel consumption being fired.

ii. The affected turbines CTG05, CTG06, CTG07, CTG08, CTG09 and CTG10 shall be equipped, operated, and maintained with a continuous monitoring system to monitor and record the ratio of water to fuel being fired, pursuant to 40 CFR 60.334(a). Unless, the owner or operator of any stationary gas turbine that commenced construction, reconstruction or modification after October 3, 1977, but before July 8, 2004, and which uses water or steam injection to control NO_x emissions may, as an alternative to operating the continuous monitoring system described in 40 CFR 60.334(a), install, certify, maintain, operate and quality-assure a continuous emissions monitoring system (CEMs) consisting of NO_x and O_2 monitors, pursuant to 40 CFR 60.334(b).

f. i. Pursuant to 35 IAC 217.394(d), except for those years in which a performance test is conducted pursuant to 35 IAC 217.394(a) or (b), the Permittee of an affected turbine must monitor NO_x concentrations annually, once between January 1 and May 1 or within the first 876 hours of operation per calendar year, whichever is later. If annual operation is less than 876 hours per calendar year, each affected turbine must be monitored at least once every five years. Monitoring must be performed as follows:

A. A portable NO_x monitor utilizing method ASTM D6522-00, as incorporated by reference in 35 IAC 217.104, or a method approved by the Agency must be used. If the engine or turbine combusts both liquid and gaseous fuels as primary or backup fuels, separate monitoring is required for each fuel.

B. NO_x and O_2 concentrations measurements must be taken three times for a duration of at least 20 minutes. Monitoring must be done at highest achievable load. The concentrations from the three monitoring runs must be averaged to determine whether the affected unit is in compliance with the applicable emissions concentration or emissions averaging plan, as specified in 35 IAC 217.388.

ii. Pursuant to 35 IAC 217.394(e), instead of complying with the requirements of 35 IAC 217.394(a), (b), (c) and (d), (See Conditions 7.1.7(g) and 7.1.8(f)(i)) a Permittee may install and operate a CEMS on an affected turbine that meets the applicable requirements of 40 CFR 60, Subpart A and Appendix B, or 40 CFR 75, incorporated by reference in 35 IAC 217.104, and complies with the quality assurance procedures specified in 40 CFR 60, Appendix F or 40 CFR 75, as incorporated by reference in 35 IAC 217.104, or an alternate procedure as approved by the Agency or USEPA in a federally enforceable permit. The CEMS must be used to demonstrate compliance with the applicable emissions concentration or emissions averaging plan only on an ozone season and annual basis.

7.1.9 Recordkeeping Requirements

In addition to the records required by Condition 5.9, the source owner or operator shall maintain records of the following items for the affected turbine(s) to demonstrate compliance with Conditions 5.6.1, 7.1.3, 7.1.5, and 7.1.6, pursuant to Section 39.5(7)(b) of the Act:

a. The owner or operator of an affected turbine subject to the requirements of 35 IAC 217 Subpart V (Condition 7.1.3(e)) shall:

i. Comply with the recordkeeping and reporting requirements of 40 CFR 75 applicable to NO_x emissions during the ozone control period, including, but not limited to, 40 CFR 75.54(b) and (d) [35 IAC 217.712(a)].

ii. Notwithstanding 35 IAC 217.712(a) above, the owner or operator of a combustion turbine for which heat input and NO_x emissions are determined pursuant to 35 IAC 217.710(c) (Condition 7.1.8(d)(iii)) shall comply with the following recordkeeping and reporting requirements [35 IAC 217.712(b)]:

A. Maintain records of the heat input and NO_x emissions of the turbine as determined in accordance with 35 IAC 217.710(c), and records of metered fuel use or operating hours used to determine heat input [35 IAC 217.712(b)(1)].

b. The source owner or operator shall maintain records of the following items:

i. The sulfur content of the natural gas used to fire the turbines as determined in accordance with Condition 7.1.8(b).

ii. A copy of the Final Report(s) for emission testing conducted pursuant to Condition 7.1.7.

iii. Copies of opacity determinations taken for the source by qualified observer(s) using USEPA Method 9.

iv. Records documenting its periodic review of its operating procedures as required by Condition 7.1.5(a).

v. Information for the formal observations of opacity conducted pursuant to Condition 7.1.8(a). For each occasion on which observations are made, these records shall include the date, time, identity of the observer, a description of the various observations that were made, whether or not the affected engine was running properly, and whether or not corrective action is necessary and was subsequently initiated.

c. A maintenance and repair log for the affected turbine, listing each activity performed with date.

d. Reserved for Future Use

e. Fuel consumption for the affected turbine, scf/month and scf/year.

f. Ratio of water to fuel being fired in the affected turbines CTG05, CTG06, CTG07, CTG08, CTG09 and CTG10. Unless, the owner or operator of any stationary gas turbine that commenced construction, reconstruction or modification after October 3, 1977, but before July 8, 2004, and which uses water or steam injection to control NO_x emissions may, as an alternative to operating the continuous monitoring system described in 40 CFR 60.334(a), install, certify, maintain, operate and quality-assure a continuous emissions monitoring system (CEMs) consisting of NO_x and O_2 monitors, pursuant to 40 CFR 60.334(b).

g. Operating hours for the affected turbine, hr/month and hr/year.

h. Heat content of the fuel being fired in the affected turbine.

i. Emissions of each pollutant from the affected turbine, including emissions from startups, with supporting calculations including documentation on the validity of the emission factors used, ton/month and ton/year.

j. The source owner or operator shall maintain records that identify:

   i. Any periods during which a continuous monitoring system was not operational, with explanation.

   ii. Any 1-hour period during which the average water to fuel ratio, as measured by the continuous monitoring system, falls below the water-to-fuel ratio determined by test to be necessary to comply with requirements for NO_x emissions, with the average water-to-fuel ratio, average fuel consumption, ambient conditions and turbine load.

   iii. Any period when the affected turbine was in operation during which ice fog was deemed to be a traffic hazard, the ambient conditions existing during the periods, the date and time the water injection system was deactivated, and the date and time the system was reactivated.

   iv. Any day in which emission and/or opacity exceeded an applicable standard or limit.

k. The source owner or operator shall keep records of good operating practices for each turbine.

l. The source owner or operator shall maintain the following records related to each shutdown of the turbines:

   i. The following information for each shutdown of a turbine:

      A. Date and time of shutdown.

      B. A description of the shutdown, if written operating procedures are not followed during the shutdown or significant problems occur during the shutdown, including detailed explanation.

   ii. The following information for the turbines when above normal opacity has been observed by source personnel:

A. Name of observer, position and reason for being at site.

B. Date and duration of above normal opacity, including affected turbine, start time and time normal operation was achieved.

C. If normal operation was not achieved within 30 minutes, an explanation why startup could not be achieved within this time.

D. A detailed description of the startup, including reason for operation.

E. An explanation why established startup procedures could not be performed, if not performed.

F. The nature of opacity following the end of startup or 30 minutes of operation, whichever occurs first, and duration of operation until achievement of normal opacity or shutdown.

G. Whether an exceedance of Condition 7.1.3(b), i.e., 30 percent opacity, may have occurred during startup, with explanation if qualified observer was on site.

m. Records for Startup

The Permittee shall maintain the following records, pursuant to Section 39.5(7)(b) of the Act, for each affected turbine subject to Condition 7.1.3(b), which at a minimum shall include:

i. The following information for each startup of the affected turbine(s):

A. Date and duration of the startup, i.e., start time and time normal operation achieved.

B. If normal operation was not achieved within 30 minutes, an explanation why startup could not be achieved within this time.

C. A detailed description of the startup, including reason for operation and whether the procedures 7.1.3(f) were performed.

D. An explanation why the procedures of 7.1.3(f) and other established startup procedures could not be performed, if not performed.

E. Whether exceedance of Condition 5.3.2 and 7.1.3(b) may have occurred during startup. If an exceedance may have occurred, an explanation of the nature of opacity, i.e., severity and duration, during the startup and the nature of opacity at the conclusion of startup.

F. Whether operating personnel for the turbines or air environmental staff are on site during startup.

ii. A maintenance and repair log for each affected turbine, listing each activity performed with date.

n. Pursuant to 35 IAC 217.396(a), the Permittee of any affected turbine that is not exempt pursuant to 35 IAC 217.386(b) must maintain records that demonstrate compliance with the requirements of this 35 IAC 217 Subpart Q, which include, but are not limited to:

i. Identification, type (e.g., lean-burn, gas-fired), and location of each affected turbine.

ii. Calendar date of the record.

iii. The number of hours the unit operated on a monthly basis and during each ozone season.

iv. Type and quantity of the fuel used on a daily basis.

v. The results of all monitoring performed on the affected turbine and reported deviations.

vi. The results of all tests performed on the unit.

vii. The plan for performing inspection and maintenance of the affected turbines, air pollution control equipment, and the applicable monitoring device pursuant to 35 IAC 217.388(a)(4).

viii. A log of inspections and maintenance performed on the affected turbine's air emissions, monitoring device, and air pollution control device. These records must include, at a minimum, date, load levels and any manual adjustments, along with the reason for the adjustment (e.g., air to fuel ratio, timing or other settings).

ix. Identification of time periods for which operating conditions and pollutant data were not obtained by either the CEMS or alternate monitoring procedures, including the reasons for not obtaining sufficient data and a description of corrective actions taken.

x. Any NO_x allowance reconciliation reports submitted pursuant to 35 IAC 217.392(c)(3).

b) The Permittee of an affected turbine must maintain the records required by 35 IAC 217(a) or (d), as applicable, for a period of five years at the source at which the unit is located. The records must be made available to the Agency and USEPA upon request.

o. Records for Malfunctions and Breakdowns

The Permittee shall maintain records, pursuant to 35 IAC 201.263, of continued operation of an affected turbine subject to Condition 7.1.3(h) during malfunctions and breakdown, which as a minimum, shall include:

i. Date and duration of malfunction or breakdown.

ii. A detailed explanation of the malfunction or breakdown.

iii. An explanation why the affected turbine continued to operate in accordance with Condition 7.1.3(g).

iv. The measures used to reduce the quantity of emissions and the duration of the event.

v. The steps taken to prevent similar malfunctions or breakdowns or reduce their frequency and severity.

vi. The amount of release above typical emissions during malfunction/breakdown.

7.1.10 Reporting Requirements

a. Reporting of Deviations

The source owner or operator shall promptly notify the Illinois EPA, Air Compliance Unit, of deviations of the affected turbine with the permit requirements as follows, pursuant to Section 39.5(7)(f)(ii) of the Act. Reports shall describe the probable cause of such deviations, and any corrective actions or preventive measures taken:

i. Emissions from the affected turbine in excess of the limits specified in Conditions 7.1.3 and 7.1.6 within 30 days of such occurrence.

ii. Operation of the affected turbine in excess of the limits specified in Conditions 7.1.5 and 7.1.6 within 30 days of such occurrence.

b. In conjunction with the Annual Emission Report required by 35 IAC Part 254, the source owner or operator shall provide

the operating hours for each affected turbine, the total number of startups, the total fuel consumption during the preceding calendar year.

c. i. Pursuant to 40 CFR 60.7(c) and 40 CFR 60.334(j), a report shall be submitted on a semi-annual basis, postmarked by the 30th day following the end of each six-month period. This report shall contain information on any one-hour period when the average water to fuel ratio falls below the ratio needed to show compliance with the NO_x emission limit under Condition 7.1.3(d) (excess emissions under 40 CFR 60 Subpart GG are calculated as a four hour rolling unit operating hour average). For such periods, the report shall include the actual water to fuel ratio, average fuel consumption, ambient conditions and turbine load.

ii. Pursuant to 40 CFR 60.7(c) and 40 CFR 60.334(j), a report shall be submitted on a semi-annual basis. This report shall contain information on excess emissions and monitoring system downtime reports in accordance with 40 CFR 60.7(c) and 40 CFR 60.334(j).

d. i. Annually report the heat input and NO_x emissions of the turbine as determined in accordance with 35 IAC 217.710(c) (Condition 7.1.8(c)(iii)), for each ozone control period, by November 30 of each year [35 IAC 217.712(b)(2)].

ii. Pursuant to 35 IAC 217.712(c) and (d), no later than November 30 of each year, the source owner or operator shall submit a report to the Illinois EPA that demonstrates that the affected turbine has complied with Condition 7.1.3(e). These reports shall be accompanied by a certification statement signed by a responsible official for the source owner or operator as specified by 35 IAC 217.712(c).

e. Reporting of Startups

The source owner or operator shall submit semi-annual startup reports to the Illinois EPA pursuant to Sections 39.5(7)(a) and (f) of the Act. These reports shall be submitted along with the semi-annual reports required by Condition 7.1.10(c) and shall include the following information for startups of the affected turbine during the reporting period:

i. A list of the startups of the affected turbine, including the date, duration and description of each startup, accompanied by a copy of the records pursuant to Condition 7.1.9(m)(i) for each startup for which such records were required.

ii. If there have been no startups of an affected turbine during the reporting period, this shall be stated in the report.

f. Pursuant to 35 IAC 217.396(c):

i. The Permittee must notify the Agency in writing 30 days and five days prior to testing, pursuant to 35 IAC 217.394(a) and (b) and:

A. If, after the 30-days' notice for an initially scheduled test is sent, there is a delay (e.g., due to operational problems) in conducting the performance test as scheduled, the owner or operator of the unit must notify the Agency as soon as possible of the delay in the original test date, either by providing at least seven days prior notice of the rescheduled date of the performance test or by arranging a new test date with the Agency by mutual agreement;

B. Provide a testing protocol to the Agency 60 days prior to testing; and

C. Not later than 30 days after the completion of the test, submit the results of the test to the Agency.

ii. Pursuant to the requirements for monitoring in 35 IAC 217.394(d), the owner or operator of the unit must report to the Agency any monitored exceedances of the applicable NO_x concentration from 35 IAC 217.388(a)(1) within 30 days after performing the monitoring.

iii. Within 90 days after permanently shutting down an affected unit or a unit included in an emissions averaging plan, the owner or operator of the unit must withdraw or amend the applicable permit to reflect that the unit is no longer in service.

iv. If operating a CEMS, the owner or operator must submit an excess emissions and monitoring systems performance report in accordance with the requirements of 40 CFR 60.7(c) and 60.13 or 40 CFR 75, incorporated by reference in 35 IAC 217.104, or an alternate procedure approved by the Agency or USEPA and included in a federally enforceable permit.

v. If using NO_x allowances to comply with the requirements of 35 IAC 217.388, reconciliation reports as required by 35 IAC 217.392(c)(3).

g. Pursuant to 35 IAC 217 396(e), instead of complying with the requirements of 35 IAC 217.396(a), 35 IAC 217.396(b), 35 IAC 217.396(c)(1) through (c)(4), and 35 IAC 217.396(d), an owner or operator of an affected unit complying with the requirements of 35 IAC 217.388(a)(1) and operating a CEMS on that unit may meet the applicable testing, monitoring, reporting and recordkeeping requirements for that CEMS of 40 CFR 75, as incorporated by reference in 35 IAC 217.107.

h. Reporting of Malfunctions and Breakdowns

The Permittee shall provide the following notification and reports to the Illinois EPA, Air Compliance Unit and Regional Field Office, pursuant to 35 IAC 201.263, concerning continued operation of an affected turbine subject to Condition 7.1.3(h) during malfunction or breakdown:

i. A. The Permittee shall notify the Illinois EPA's regional office by telephone as soon as possible during normal working hours, but no later than three (3) days, upon the occurrence of noncompliance due to malfunction or breakdown.

B. Upon achievement of compliance, the Permittee shall give a written follow-up notice within 15 days to the Illinois EPA, Air Compliance Unit and Regional Field Office, providing a detailed explanation of the event, an explanation why continued operation of the affected turbines was necessary, the length of time during which operation continued under such conditions, the measures taken by the Permittee to minimize and correct deficiencies with chronology, and when the repairs were completed or when the affected turbine was taken out of service.

C. If compliance is not achieved within 5 working days of the occurrence, the Permittee shall submit interim status reports to the Illinois EPA, Air Compliance Unit and Regional Field Office, within 5 days of the occurrence and every 14 days thereafter, until compliance is achieved. These interim reports shall provide a brief explanation of the nature of the malfunction or breakdown, corrective actions accomplished to date, actions anticipated to occur with schedule, and the expected date on which repairs will be complete or the affected turbine will be taken out of service.

ii. In accordance with the due dates in Condition 8.6.1, the Permittee shall submit semi-annual malfunction

and breakdown reports to the Illinois EPA pursuant to Sections 39.5(7)(a) and (f) of the Act. These reports may be submitted along with other semi-annual reports and shall include the following information for malfunctions and breakdowns of the affected turbine during the reporting period:

A. A listing of malfunctions and breakdowns, in chronological order, that includes:

I. The date, time, and duration of each incident.

II. The identity of the affected operation(s) involved in the incident.

B. Dates of the notices and reports of Conditions 7.1.10(h)(i).

C. Any supplement information the Permittee wishes to provide to the notices and reports of Conditions 7.1.10(h)(i).

D. The aggregate duration of all incidents during the reporting period.

E. If there have been no such incidents during the reporting period, this shall be stated in the report.

7.1.11 Operational Flexibility/Anticipated Operating Scenarios

Operational flexibility is not set for the affected turbines.

7.1.12 Compliance Procedures

a. Compliance with the PM emission limitations of Conditions 7.1.3(b) is addressed by the requirements of Condition 7.1.5, and the records required in Condition 7.1.9, and the reports required in Condition 7.1.10.

b. Compliance with the SO_2 emission limitations of Conditions 7.1.3(c) is addressed by the requirements of Condition 7.1.5, and the records required in Condition 7.1.9, and the reports required in Condition 7.1.10.

c. i. Compliance with the NO_x emission limitations of Conditions 7.1.3(d)(i) is addressed by the requirements of Condition 7.1.5, the testing requirements of 7.1.7, the monitoring requirements of 7.1.8, and the records required in Condition 7.1.9, and the reports required in Condition 7.1.10(a).

ii. Compliance with the SO_2 emission limitations of Conditions 7.1.3(d)(ii) is addressed by the requirements of Condition 7.1.5, the records required in Condition 7.1.9, and the reports required in Condition 7.1.10(a).

d. i. Compliance with the NO_x emission limitations of Conditions 7.1.3(e) is addressed by the requirements of Condition 7.1.5, the testing requirements of 7.1.7, the monitoring requirements of 7.1.8, the records required in Condition 7.1.9, and the reports required in Condition 7.1.10(a).

ii. Notwithstanding 35 IAC 217.710(a), Condition 7.1.8(d), the owner or operator of a gas-fired peaking unit or oil-fired peaking unit as defined in 40 CFR 72.2 may determine NO_x emissions in accordance with the emissions estimation protocol of 40 CFR 75, Subpart E [35 IAC 217.710(b)].

iii. Notwithstanding 35 IAC 217.710(a), Condition 7.1.8(d), the owner or operator of a combustion turbine that operates less than 350 hour per ozone control period may determine the heat input and NO_x emissions of the turbine as follows [35 IAC 217.710(c)]:

A. Heat input shall be determined from the metered fuel usage to the turbine or the calculated heat input determined as the product of the turbine's maximum hourly heat input and hours of operation as recorded by operating instrumentation on the turbine [35 IAC 217.710(c)(1)].

B. NO_x emissions shall be determined as the product of the heat input, as determined above, and the appropriate default NO_x emission factors below [35 IAC 217.710(c)(2)]:

0.7 lbs/mmBtu - Natural gas
1.2 lbs/mmBtu - Fuel oil

e. Compliance with the emission limits in Conditions 5.6 and 7.1.6 is addressed by the records and reports required in Conditions 7.1.9 and 7.1.10, the continuous NO_x monitoring requirements in Condition 7.1.8 or from emission factors developed from the most recent approved stack test in accordance with Condition 7.1.7 (NO_x), standard emission factors (CO, VOM and PM/PM_{10}) and analysis of fuel sulfur content or standard factors (SO_2).

f. Compliance with the NO_x emission limitations of Conditions 7.1.3(f) is addressed by the requirements of Condition 7.1.5(f), the testing requirements of 7.1.7(g), the monitoring requirements of 7.1.8(f), the records required in Condition 7.1.9(n), and the reports required in Condition 7.1.10(f).

7.2 Heater (Subject to NSPS - 40 CFR 60 Subpart Dc)

7.2.1 Description

The Permittee operates a natural gas fired water heater to support the operation of the turbines.

The natural gas heater is used to heat natural gas fuel prior to combustion in the turbines.
Note: This narrative description is for informational purposes only and is not enforceable.

7.2.2 List of Emission Units and Air Pollution Control Equipment

Emission Unit	Description	Date Constructed	Emission Control Equipment
HTR-1	Natural gas heater (12 mmBtu/hr)	June 2000	None

7.2.3 Applicable Provisions and Regulations

a. The "affected heater" for the purpose of these unit-specific conditions, is the heater described in Conditions 7.2.1 and 7.2.2.

b. Pursuant to 35 IAC 212.123,

i. No person shall cause or allow the emission of smoke or other particulate matter, with an opacity greater than 30 percent, into the atmosphere from any emission unit.

ii. The emission of smoke or other particulate matter from any such emission unit may have an opacity greater than 30 percent but not greater than 60 percent for a period or periods aggregating 8 minutes in any 60 minute period provided that such opaque emissions permitted during any 60 minute period shall occur from only one such emission unit located within a 1000 ft radius from the center point of any other such emission unit owned or operated by such person, and provided further that such opaque emissions permitted from each such emission unit shall be limited to 3 times in any 24 hour period.

c. The affected heater HTR-1 is subject to the NSPS for Small Industrial-Commercial Institutional Steam Generating Units, 40 CFR 60 Subparts Dc, because construction commenced after June 9, 1989 and the heater has a maximum design heat input capacity between 29 megawatts (MW) (100 million Btu per hour (Btu/hr)) and 2.9 MW (10 million Btu/hr). The Permittee must comply with 40 CFR 60.48c(g), which is addressed in Condition 7.2.9(a).

d. The emissions of CO from the affected heater HTR-1 shall not exceed 200 ppm, corrected to 50 percent excess air, pursuant to 35 IAC 216.121.

7.2.4 Non-Applicability of Regulations of Concern

a. The provisions of 35 IAC 218.301 and 302, Use of Organic Material, do not apply to fuel combustion emission sources [35 IAC 218.303].

b. Intentionally left blank.

c. The affected heater is not subject to the National Emission Standards for Hazardous Air Pollution (NESHAP) for Major Sources: Industrial, Commercial, and Institutional Boilers and Process Heaters, 40 CFR Part 63 Subpart DDDDD, because the affected heater is not industrial, commercial, or institutional boiler or process heaters as defined in 40 CFR 63.7575 that is located at, or is part of, a major source of HAP, pursuant to 40 CFR 63.7485.

d. i. The affected heater is not subject to 35 IAC 217.141, because the affected heater does not have an actual heat input equal to or greater than 250 mmBtu/hr.

ii. The affected heater is not subject to 35 IAC 217 Subpart F: Process Heaters, because the affected heater, while located in an affected area pursuant to 35 IAC 217.150(a)(1)(a), does not emit NO_x in an amount equal to or greater than 15 tons per year and equal to or greater than five tons per ozone season, pursuant to 35 IAC 217.150(a)(1)(B).

e. The affected heater is not subject to 40 CFR Part 64, Compliance Assurance Monitoring (CAM) for Major Stationary Sources:

i. For NO_x, PM, VOM, CO, and SO_2 because the affected heater does not use an add-on control device to achieve compliance with an emission limitation or standard.

f. The affected heater is not subject to 35 IAC 212.321 or 212.322, due to the unique nature of such units, a process weight rate cannot be set so that such rules cannot reasonably be applied, pursuant to 35 IAC 212.323.

g. The affected heater is not subject to the National Emission Standards for Hazardous Air Pollution (NESHAP) for Industrial, Commercial, and Institutional Boilers Area Sources, 40 CFR Part 63 Subpart JJJJJJ, because the

affected boiler is gas-fired boiler as defined in 40 CFR 63.11237, pursuant to 40 CFR 63.11195.

h. The affected heater is not subject to the Acid Rain Program, 40 CFR 72, because the affected heater is a non-utility unit, as defined by 40 CFR 72.6(b)(8). Pursuant to 40 CFR 72.2, "utility unit" is defined as a unit owned or operated by a utility that serves a generator in any State that produces electricity for sale.

7.2.5 Control Requirements and Work Practices

a. Natural gas shall be the only fuel fired in the affected heaters [T1].

Note: This T1 condition was established in the previously issued Title V permit.

b. i. At all times, including periods of startup, shutdown, and malfunction, the Permittee shall, to the extent practicable, maintain and operate affected heater HTR-1 in a manner consistent with good air pollution control practice for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the Illinois EPA or the USEPA which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source [40 CFR 60.11(d)].

ii. As part of its operation and maintenance of affected heater HTR-1, the Permittee shall perform formal "combustion evaluation" on the heater each year in which the heater operates for at least 75 hours*, pursuant to Section 39.5(7)(d) of the Act. These evaluations shall consist of diagnostic measurements of the concentration of CO in the flue gas of the affected heater, with adjustments and preventative and corrective measures for the heater's combustion systems to maintain efficient combustion.

* If the affected heater does not operate for 75 hours in a calendar year, the interval between combustion evaluations shall be no greater than 75 hours of heater operation.

7.2.6 Production and Emission Limitations

In addition to the source wide emission limitations in Condition 5.5, the affected heaters are subject to the following limitations:

a. i. The affected heater HTR-1 shall be equipped with burners designed to emit emissions no more than 0.1, 0.083 and 0.02 lb/mmBtu for NO_x, CO, and VOM, respectively.

ii. Emissions from the affected heater HTR-1 shall not exceed the following limitations [T1]:

Pollutant	Ton/Yr
NO_x	1.1
CO	0.9
VOM	0.1

Note: These T1 limits originated in Construction Permit 99110018, and they were revised in the previously issued Title V permit.

b. Compliance with annual limitations shall be determined from a running total of 12 months of data, i.e., from the sum of the data for the current month plus the preceding 11 months.

7.2.7 Testing Requirements

a. i. Upon written request by the Illinois EPA, the Permittee shall have the opacity of the exhaust from the affected heater(s) tested during representative operating conditions as determined by a qualified observer in accordance with USEPA Test Method 9, as further specified below, pursuant to Section 39.5(7)(d) of the Act.

ii. Such testing shall be conducted for specific heaters(s) within 70 calendar days of the request, or on the date heaters(s) next operates, or on the date agreed upon by the Illinois EPA, whichever is later.

iii. The duration of opacity observations for each test shall be at least 30 minutes (five 6-minute averages) unless the average opacities for the first 12 minutes of observations (two six-minute averages) are both less than 10.0 percent.

iv. The Permittee shall notify the Illinois EPA at least 7 days in advance of the date and time of these tests, in order to allow the Illinois EPA to witness testing. This notification shall include the name and employer of the qualified observer(s).

v. The Permittee shall promptly notify the Illinois EPA of any changes in the time or date for testing.

vi. The Permittee shall provide a copy of its observer's readings to the Illinois EPA at the time of testing, if Illinois EPA personnel are present.

vii. The Permittee shall submit a written report for this testing within 15 days of the date of testing. This report shall include:

A. Date and time of testing.

B. Name and employer of qualified observer.

C. Copy of current certification.

D. Description of observation conditions.

E. Description of diesel engine operating conditions.

F. Raw data.

G. Opacity determinations.

H. Conclusions.

7.2.8 Monitoring Requirements

a. .i. If an affected heater is routinely operated or exercised to confirm that the affected will operate when needed, the operation and opacity of the affected heater shall be formally observed by operating personnel for the affected heater or a member of Permittee's environmental staff on a regular basis to assure that the affected heater is operating properly, which observations shall be made at least every six months.

ii. If an affected heater is not routinely operated or exercised, i.e., the time interval between operation of an affected heater is typically greater than six months, the operation and opacity of the affected heater shall be formally observed as provided above each time the Permittee carries out a scheduled exercise of the affected heater.

iii. The Permittee shall also conduct formal observations of operation and opacity of an affected heater upon written request by the Illinois EPA. With the agreement of the Illinois EPA, the Permittee may schedule these observations to take place during periods when it would otherwise be operating the affected heater.

Note: The "formally observation" required above is not intended to be a USEPA Test Method 9 opacity test, nor does the observation require a USEPA Test Method 9 certified observer. It is intended to be performed by personnel familiar with the operation of the affected heater who would be able to make a determination based from the affected heater who would be able to make a determination based from the observed opacity as to whether or not the affected heater was running properly, and subsequently initiate a corrective action if necessary.

7.2.9 Recordkeeping Requirements

The Permittee shall maintain records of the following items for the affected heaters, pursuant to Section 39.5(7)(b) of the Act:

a. Records of natural gas fuel usage, with supporting information (scf/month and scf/year).

b. Records of operating hours of each affected heater, (hours/month and hours/year).

c. Records of emissions (ton/month and ton/yr) of NO_x, CO, and VOM from affected heater HTR-1 and from other affected heaters, as shown with supporting calculations including documentation for the emission factors used.

d. Records for all opacity measurements made in accordance with USEPA Method 9 for an affected heater it conducts or that are conducted on its behest by individuals who are qualified to make such observations. For each occasion on which such observations are made, these records shall include the identity of the observer, a description of the various observations that were made, the observed opacity, and copies of the raw data sheets for the observations.

e. Records for inspection and maintenance of each affected heater, including the combustion evaluation performed for the affected heater HTR-1 as required by Condition 7.2.5(b)(ii).

7.2.10 Reporting Requirements

a. The Permittee shall promptly notify the Illinois EPA, of deviations of the affected heaters with the permit requirements as follows, pursuant to Section 39.5(7)(f)(ii) of the Act. Reports shall describe the probable cause of such deviations, and any corrective actions or preventive measures taken:

   i. Emissions from or operation of an affected heater or heaters in excess of the limits specified in Condition 7.2.3, 7.2.5(a) and 7.2.6 within 30 days of such occurrence.

ii. Notification with the semi-annual reports required for the turbines by Condition 7.1.10(c) for deviations not addressed above by Condition 7.2.10(a)(i), including deviations from other applicable requirements, e.g., other applicable emission standards, work practice requirements, and recordkeeping requirements.

7.2.11 Operational Flexibility/Anticipated Operating Scenarios

Operational flexibility is not set for the affected heaters.

7.2.12 Compliance Procedures

a. Compliance with the opacity standard of Condition 7.2.3(b) is addressed by the testing and recordkeeping requirements of Conditions 7.2.7 and 7.2.9, respectively.

b. Compliance with the CO emission standard of Condition 7.2.3(d) for the affected heater HTR-1 is addressed by the work practices and recordkeeping required by Conditions 7.2.5(a) and 7.2.9, respectively.

c. Compliance with the emission limits in Conditions 5.6 and 7.2.6 shall be determined by using appropriate emission factors, (which in order of preference are emission factors based on manufacturers data, and published USEPA emission factors) and the recordkeeping requirements in Condition 7.2.9.

7.3 Engines (Subject to NESHAP - 40 CFR 63 Subpart ZZZZ)

7.3.1 Description

The Permittee has one distillate fuel oil fired internal combustion engine. The engine provides "Black Start" capability to the source allowing it to start the turbines in the event of a blackout and outage of the surrounding power grid. In such an event, this capability would assist in restoring power to the grid, since the source is not dependent on an external supply of power for startup. In addition to operating during emergency conditions, the engine is also operated periodically to confirm availability for emergency service.

Note: This narrative description is for informational purposes only and is not enforceable.

7.3.2 List of Emission Units and Air Pollution Control Equipment

Emission Unit	Description	Date Constructed	Emission Control Equipment
EDG-1	Emergency diesel engine generator (Nominal 1100 KW)	September 2004	None

7.3.3 Applicable Provisions and Regulations

a. The "affected diesel engines" for the purpose of these unit-specific conditions, are diesel engines described in Conditions 7.3.1 and 7.3.2.

b. Pursuant to 35 IAC 212.123,

i. No person shall cause or allow the emission of smoke or other particulate matter, with an opacity greater than 30 percent, into the atmosphere from any emission unit.

ii. The emission of smoke or other particulate matter from any such emission unit may have an opacity greater than 30 percent but not greater than 60 percent for a period or periods aggregating 8 minutes in any 60 minute period provided that such opaque emissions permitted during any 60 minute period shall occur from only one such emission unit located within a 1000 ft radius from the center point of any other such emission unit owned or operated by such person, and provided further that such opaque emissions permitted from each such emission unit shall be limited to 3 times in any 24 hour period.

c. i. Pursuant to 35 IAC 214.301, no person shall cause or allow the emission of sulfur dioxide into the

atmosphere from any process emission source to excess 2000 ppm.

d. Pursuant to 40 CFR 63.6585, the Permittee is subject to 40 CFR 63 Subpart ZZZZ – Stationary Reciprocating Internal Combustion Engines as an owner or operate a stationary RICE at a major or area source of HAP emissions.

i. For stationary RICE located at an area source of HAP emissions, a stationary RICE is existing if you commenced construction or reconstruction of the stationary RICE before June 12, 2006, pursuant to 40 CFR 63.6590(a)(1)(iii).

ii. Pursuant to 40 CFR 63.6605(a), the Permittee must be in compliance with the emission limitations, operating limitations, and other requirements in this Subpart that apply to you at all times.

iii. Pursuant to 40 CFR 63.6605(b), at all times the Permittee must operate and maintain any affected source, including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions. The general duty to minimize emissions does not require you to make any further efforts to reduce emissions if levels required by this standard have been achieved. Determination of whether such operation and maintenance procedures are being used will be based on information available to the Administrator which may include, but is not limited to, monitoring results, review of operation and maintenance procedures, review of operation and maintenance records, and inspection of the source.

7.3.4 Non-Applicability of Regulations of Concern

a. The affected diesel engines are not subject to the New Source Performance Standards (NSPS) for Compression Ignition Internal Combustion Engines, 40 CFR Part 60, Subpart IIII, because the Permittee did not commence construction (date that construction commences is the date the engine is ordered by the Permittee) of the affected diesel engines after July 11, 2005 where the affected diesel engines are:

i. Manufactured after April 1, 2006 and are not fire pump engines, pursuant to 40 CFR 60.4200(a)(2)(i).

ii. Manufactured as a certified National Fire Protection Association (NFPA) fire pump engine after July 1, 2006, pursuant to 40 CFR 60.4200(a)(2)(ii).

Note: To qualify for this non-applicability, the Permittee has certified that the diesel engines have not modified or reconstructed their diesel engines after July 11, 2005.

b. Intentionally left blank.

c. The affected diesel engines (used as diesel generators) are not subject to the Acid Rain Program, 40 CFR 72, because the affected diesel engines are non-utility units, as defined by 40 CFR 72.6(b)(8). Pursuant to 40 CFR 72.2, "utility unit" is defined as a unit owned or operated by a utility that serves a generator in any State that produces electricity for sale.

d. The affected diesel engines are not subject to 35 IAC 212.321 or 212.322, due to the unique nature of such units, a process weight rate cannot be set so that such rules cannot reasonably be applied, pursuant to 35 IAC 212.323.

e. The affected diesel engines are not subject to 35 IAC 216.121 because the affected diesel engines are not fuel combustion units, as defined by 35 IAC 211.2470.

f. i. The affected diesel engines are not subject to 35 IAC Part 217, Subpart Q: Stationary Reciprocating Internal Combustion Engines and Turbines, because the affected diesel engines are used as emergency or standby units as defined by 35 IAC 211.1920, pursuant to 35 IAC 217.386(b)(1).

ii. The affected diesel engines are not subject to 35 IAC 217.141 because the affected diesel engines are not fuel combustion units, as defined by 35 IAC 211.2470.

g. The affected diesel engine are not subject to 40 CFR Part 64, Compliance Assurance Monitoring (CAM) for Major Stationary Sources, because the affected diesel engines does not use an add-on control device to achieve compliance with an emission limitation or standard.

7.3.5 Control Requirements and Work Practices

a. The Permittee shall follow good operating practices for the affected engines, including periodic inspection, routine maintenance and prompt repair of defects.

b. Distillate fuel oil shall be the only fuel fired in the affected diesel engines.

c. RESERVED

d. The Illinois EPA shall be allowed to sample all fuels stored at the source.

e. The affected engine shall not operate for more than 90 hours per year [T1].

Note: The operational T1 limit was established in the previously issued Title V permit.

f. Pursuant to 40 CFR 63.6585, the Permittee is subject to 40 CFR 63 Subpart ZZZZ – Stationary Reciprocating Internal Combustion Engines as an owner or operate a stationary RICE at a major or area source of HAP emissions.

i. For stationary RICE located at an area source of HAP emissions, a stationary RICE is existing if you commenced construction or reconstruction of the stationary RICE before June 12, 2006, pursuant to 40 CFR 63.6590(iii).

ii. Pursuant to 40 CFR 63.6605(a), the Permittee must be in compliance with the emission limitations, operating limitations, and other requirements in this Subpart that apply to you at all times.

iii. Pursuant to 40 CFR 63.6605(b), at all times the Permittee must operate and maintain any affected source, including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions. The general duty to minimize emissions does not require you to make any further efforts to reduce emissions if levels required by this standard have been achieved. Determination of whether such operation and maintenance procedures are being used will be based on information available to the Administrator which may include, but is not limited to, monitoring results, review of operation and maintenance procedures, review of operation and maintenance records, and inspection of the source.

g. Intentionally left blank.

h. Pursuant 40 CFR 63.6625(e)(3), the Permittee, who owns and operates an existing emergency or black start stationary RICE located at an area source of HAP emissions, must operate and maintain the stationary RICE and after-treatment control device (if any) according to the manufacturer's emission-related written instructions or develop your own maintenance plan which must provide to the extent practicable for the maintenance and operation of the engine in a manner consistent with good air pollution control practice for minimizing emissions.

i. Pursuant 40 CFR 63.6625(h), the Permittee who owns and operates an existing stationary engine, must minimize the engine's time spent at idle during startup and minimize the

engine's startup time to a period needed for appropriate and safe loading of the engine, not to exceed 30 minutes, after which time the emission standards applicable to all times other than startup in Tables 1a, 2a, 2c, and 2d to this Subpart apply.

7.3.6 Production and Emission Limitations

In addition to Condition 5.3.2 and the source-wide emission limitations in Condition 5.6, the affected engine is subject to the following:

a. Emissions from the affected engine shall not exceed the following limitations. Compliance with these limitations shall be determined from a running total of 12 months of data [T1].

Pollutant	lb/Hr	Ton/Yr
NO_x	40	1.8
CO	6.7	0.3
VOM	1.0	0.05

Note: The above limitations are being established in this permit pursuant to Title I of the CAA, specifically MSSCAM and PSD. The source has requested that the Illinois EPA establish emission limitations and other appropriate terms and conditions in this permit that limit the emissions from the affected engine below the levels at which this engine would trigger the applicability of the substantive requirements of these rules, consistent with the information provided in the CAAPP application.

b. Pursuant to 40 CFR 63.6640(f):

The Permittee, who owns or operates an emergency stationary RICE, must operate the emergency stationary RICE according to the requirements in paragraphs (f)(1) through (4) 40 CFR 63.6640. In order for the engine to be considered an emergency stationary RICE under 40 CFR 63 Subpart ZZZZ, any operation other than emergency operation, maintenance and testing, emergency demand response, and operation in non-emergency situations for 50 hours per year, as described in paragraphs (f)(1) through (4) of 40 CFR 63.6640, is prohibited. If you do not operate the engine according to the requirements in paragraphs (f)(1) through (4) of 40 CFR 63.6440, the engine will not be considered an emergency engine under this Subpart and must meet all requirements for non-emergency engines.

i. There is no time limit on the use of emergency stationary RICE in emergency situations.

ii. You may operate your emergency stationary RICE for any combination of the purposes specified in paragraphs

(f)(2)(i) through (iii) of 40 CFR 63.6640 for a maximum of 100 hours per calendar year. Any operation for non-emergency situations as allowed by paragraphs (f)(3) and (4) of 40 CFR 63.6640 counts as part of the 100 hours per calendar year allowed by paragraph 40 CFR 63.6640(f)(2).

A. Emergency stationary RICE may be operated for maintenance checks and readiness testing, provided that the tests are recommended by federal, state or local government, the manufacturer, the vendor, the regional transmission organization or equivalent balancing authority and transmission operator, or the insurance company associated with the engine. The owner or operator may petition the Administrator for approval of additional hours to be used for maintenance checks and readiness testing, but a petition is not required if the owner or operator maintains records indicating that federal, state, or local standards require maintenance and testing of emergency RICE beyond 100 hours per calendar year.

B. Emergency stationary RICE may be operated for emergency demand response for periods in which the Reliability Coordinator under the North American Electric Reliability Corporation (NERC) Reliability Standard EOP-002-3, Capacity and Energy Emergencies (incorporated by reference, see 40 CFR 63.14), or other authorized entity as determined by the Reliability Coordinator, has declared an Energy Emergency Alert Level 2 as defined in the NERC Reliability Standard EOP-002-3.

C. Emergency stationary RICE may be operated for periods where there is a deviation of voltage or frequency of 5 percent or greater below standard voltage or frequency.

iii. Intentionally left blank.

iv. Emergency stationary RICE located at area sources of HAP may be operated for up to 50 hours per calendar year in non-emergency situations. The 50 hours of operation in non-emergency situations are counted as part of the 100 hours per calendar year for maintenance and testing and emergency demand response provided in paragraph (f)(2) of 40 CFR 63.6640. Except as provided in paragraphs (f)(4)(i) and (ii) of 40 CFR 63.6640, the 50 hours per year for non-emergency situations cannot be used for peak shaving or non-emergency demand response, or to generate income for a facility to an electric grid or

otherwise supply power as part of a financial arrangement with another entity.

A. The 50 hours per year for non-emergency situations can be used to supply power as part of a financial arrangement with another entity if all of the following conditions are met:

I. The engine is dispatched by the local balancing authority or local transmission and distribution system operator.

II. The dispatch is intended to mitigate local transmission and/or distribution limitations so as to avert potential voltage collapse or line overloads that could lead to the interruption of power supply in a local area or region.

III. The dispatch follows reliability, emergency operation or similar protocols that follow specific NERC, regional, state, public utility commission or local standards or guidelines.

IV. The power is provided only to the facility itself or to support the local transmission and distribution system.

V. The owner or operator identifies and records the entity that dispatches the engine and the specific NERC, regional, state, public utility commission or local standards or guidelines that are being followed for dispatching the engine. The local balancing authority or local transmission and distribution system operator may keep these records on behalf of the engine owner or operator.

7.3.7 Testing Requirements

a. i. Upon written request by the Illinois EPA, the Permittee shall have the opacity of the exhaust from the affected diesel engine(s) tested during representative operating conditions as determined by a qualified observer in accordance with USEPA Test Method 9, as further specified below, pursuant to Section 39.5(7)(d) of the Act.

ii. Such testing shall be conducted for specific diesel engine(s) within 70 calendar days of the request, or on the date diesel engine(s) next operates, or on the

date agreed upon by the Illinois EPA, whichever is later.

iii. The duration of opacity observations for each test shall be at least 30 minutes (five 6-minute averages) unless the average opacities for the first 12 minutes of observations (two six-minute averages) are both less than 10.0 percent.

iv. The Permittee shall notify the Illinois EPA at least 7 days in advance of the date and time of these tests, in order to allow the Illinois EPA to witness testing. This notification shall include the name and employer of the qualified observer(s).

v. The Permittee shall promptly notify the Illinois EPA of any changes in the time or date for testing.

vi. The Permittee shall provide a copy of its observer's readings to the Illinois EPA at the time of testing, if Illinois EPA personnel are present.

vii. The Permittee shall submit a written report for this testing within 15 days of the date of testing. This report shall include:

A. Date and time of testing.

B. Name and employer of qualified observer.

C. Copy of current certification.

D. Description of observation conditions.

E. Description of diesel engine operating conditions.

F. Raw data.

G. Opacity determinations.

H. Conclusions.

b. i. In the event that the fuel oil supplier is unable to provide the sulfur content of the fuel oil supply for the affected diesel engines, the Permittee shall have the sulfur content of the oil supply to the affected diesel engines, in lbs/mmBtu, determined from an analysis of representative sample of the oil supply, as follows, pursuant to Section 39.5(7)(d) of the Act:

A. From a sample taken no later than 90 days after first operating the affected diesel engines

pursuant to this permit, provided, however, that if such sample is taken following operation of the affected diesel engines, the sample shall be taken prior to adding more oil to the storage tank.

B. From a sample taken no later than 30 days after acceptance of a shipment of fuel whose sulfur content would not meet Condition 7.3.3(c) based upon supplier data, provided however, that if the affected diesel engines are operated following acceptance of such a shipment, the sample shall be taken prior to adding a subsequent shipment of oil to the relevant storage tank.

C. From a sample taken no later than 30 days after a request for such a sample is made by the Illinois EPA, provided, however, that such sample shall be taken prior to adding more oil to the relevant storage tank.

ii. Sampling and analysis, including that which forms the basis for the suppliers' data, shall be conducted using methods that would be acceptable under the federal New Source Performance Standards for Stationary Gas Turbines, 40 CFR 60.335(b)(2) and (c) or the federal Acid Rain Program, 40 CFR 75, Appendix D, Optional SO_2 Emissions Data Protocol for Gas-Fired and Oil-Fired Units e.g., ASTM D4057-88 and ASTM D129-91.

Note: Condition 7.3.7(b)(ii) is for fuel testing methodology only, and is in no way intended to subject the source to those provisions.

7.3.8 Monitoring Requirements

a. i. If an affected diesel engine is routinely operated or exercised to confirm that the affected diesel engine will operate when needed, the operation and opacity of the affected diesel engine shall be formally observed by operating personnel for the affected diesel engine or a member of Permittee's environmental staff on a regular basis to assure that the affected diesel engine is operating properly, which observations shall be made at least every six months.

ii. If an affected diesel engine is not routinely operated or exercised, i.e., the time interval between operation of an affected diesel engine is typically greater than six months, the operation and opacity of the affected diesel engine shall be

formally observed as provided above each time the Permittee carries out a scheduled exercise of the affected diesel engine.

iii. The Permittee shall also conduct formal observations of operation and opacity of an affected diesel engine upon written request by the Illinois EPA. With the agreement of the Illinois EPA, the Permittee may schedule these observations to take place during periods when it would otherwise be operating the affected diesel engine.

Note: The "formally observation" required above is not intended to be a USEPA Test Method 9 opacity test, nor does the observation require a USEPA Test Method 9 certified observer. It is intended to be performed by personnel familiar with the operation of the affected diesel engines who would be able to make a determination based from the affected diesel engines who would be able to make a determination based from the observed opacity as to whether or not the affected diesel engine was running properly, and subsequently initiate a corrective action if necessary.

b. Pursuant to 40 CFR 63.6625(f), the Permittee, who owns and operates an existing emergency stationary RICE located at an area source of HAP emissions, must install a non-resettable hour meter if one is not already installed.

7.3.9 Recordkeeping Requirements

In addition to the records required by Condition 5.9, the Permittee shall maintain records of the following items for each affected diesel engine to demonstrate compliance with Conditions 5.6.1 and 7.3.3, pursuant to Section 39.5(7)(b) of the Act:

a. i. An operating log for each affected diesel engine, which shall include the following information:

A. Information for each time the affected diesel engine is operated, with date, time, duration, and purpose (i.e., exercise or power service). Monthly and annual records of hours of operation of each engine and total hours of operation.

B. Information for the observations conducted pursuant to Condition 7.3.8(a) or 7.3.7(a), with date, time, personnel, and findings.

I. The Permittee shall keep records for all opacity measurements made in accordance with USEPA Method 9 for an affected diesel engine that it conducts or that are conducted on its behalf by

individuals who are qualified to make such observations for Condition 7.3.7(a). For each occasion on which such observations are made, these records shall include the identity of the observer, a description of the various observations that were made, the observed opacity, and copies of the raw data sheets for the observations.

II. The Permittee shall keep records for all formal observations of opacity conducted pursuant to Condition 7.3.8(a). For each occasion on which observations are made, these records shall include the date, time, identity of the observer, a description of the various observations that were made, whether or not the affected diesel engine was running properly, and whether or not corrective action is necessary and was subsequently initiated.

C. Information identifying any deviation from Condition 7.3.5(b).

ii. A maintenance and repair log for each affected diesel engine and associated equipment, listing activities performed with date.

iii. The Permittee shall keep records of good operating practices for each affected diesel engine, as defined in Condition 7.3.5(a).

b. Fuel usage for the affected diesel engines:

i. Total usage of fuel oil for the affected diesel engines, gallons/month and gallons/year.

c. The following records related to the sulfur content of the oil fuel supply and SO_2 emissions of the affected diesel engines:

i. Records for each shipment of fuel for the affected diesel engines, including date, supplier, quantity (in gallons), sulfur content, and whether the SO_2 emissions from the burning of such fuel would meet the standard in Condition 7.3.3(c).

ii. The Permittee shall maintain records of the sulfur content of the fuel oil supply to the affected diesel engines, based on the weighted average of material in the storage tank, or the sulfur content of the supply

shall be assumed to be the highest sulfur content in any shipment in the tank.

d. Emissions from each affected diesel engine (i.e., NO_x, CO, SO_2, VOM, and PM) in tons/month and tons/year with supporting calculations and data as required by Condition 7.3.9.

e. Pursuant to 40 CFR 63.6655(d), the Permittee must keep the records required in Table 6 of 40 CFR 63 Subpart ZZZZ to show continuous compliance with each emission or operating limitation that applies to you.

i. Table 6 has the following applicable requirements when complying with the requirement for Work or Management practices for existing emergency and black start stationary RICE located at an area source of HAP (option #9):

A. Operating and maintaining the stationary RICE according to the manufacturer's emission-related operation and maintenance instructions; or

B. Develop and follow your own maintenance plan which must provide to the extent practicable for the maintenance and operation of the engine in a manner consistent with good air pollution control practice for minimizing emissions

f. Pursuant to 40 CFR 63.6655(e), the Permittee must keep records of the maintenance conducted on the stationary RICE in order to demonstrate that you operated and maintained the stationary RICE and after-treatment control device (if any) according to your own maintenance plan if you own or operate any of the following stationary RICE.

g. Pursuant to 40 CFR 63.6655(f), the Permittee, who owns or operates an existing emergency stationary RICE located at an area source of HAP emissions that does not meet the standards applicable to non-emergency engines, must keep records of the hours of operation of the engine that is recorded through the non-resettable hour meter. The owner or operator must document how many hours are spent for emergency operation, including what classified the operation as emergency and how many hours are spent for non-emergency operation. If the engine is used for the purposes specified in 40 CFR 63.6640(f)(2)(ii) or (iii) or 40 CFR 63.6640(f)(4)(ii), the owner or operator must keep records of the notification of the emergency situation, and the date, start time, and end time of engine operation for these purposes.

7.3.10 Reporting Requirements

a. Reporting of Deviations

The Permittee shall promptly notify the Illinois EPA, Air Compliance Unit, of deviations of an affected diesel engine with the permit requirements as follows, pursuant to Section 39.5(7)(f)(ii) of the Act. Reports shall describe the probable cause of such deviations, and any corrective actions or preventive measures taken:

i. Emissions of opacity, SO_2, from the affected diesel engines in excess of the limits specified in Conditions 7.3.3 within 30 days of such occurrence.

ii. Operation of the affected diesel engines in noncompliance with the requirements specified in Condition 7.3.5 within 30 days of such occurrence.

iii. Operation of the affected diesel engines in excess of the limits specified in Conditions 7.3.5 and 7.3.6 within 30 days of such occurrence.

b. Pursuant to 40 CFR 63.6645(a)(2), the Permittee must submit all of the notifications in 40 CFR 63.7(b) and (c), 63.8(e), (f)(4) and (f)(6), 63.9(b) through (e), and (g) and (h) that apply to you by the dates specified if you own or operate an existing stationary RICE located at an area source of HAP emissions.

i. Pursuant to 40 CFR 63.6645(a)(5), 40 CFR 63.6645(a)(2) does not apply if you own or operate an existing stationary emergency RICE.

c. The Permittee shall submit reports for 40 CFR 63 ZZZZ in accordance with the requirements of 40 CFR 63.6650.

7.3.11 Operational Flexibility/Anticipated Operating Scenarios

Operational flexibility is not set for the affected diesel engines.

7.3.12 Compliance Procedures

a. Compliance with the opacity limits specified in Condition 7.3.3(b) is addressed by the testing and recordkeeping requirements of Conditions 7.3.7 and 7.3.9, respectively.

b. Compliance with Condition 7.3.3(c) is addressed by records required by Condition 7.3.9. For this purpose, complete conversion of sulfur to SO_2 shall be assumed, e.g., SO_2 emissions in lb/mmBtu are twice the sulfur content of the fuel supply, in lb/mmBtu.

c. Compliance with the emission limits in Conditions 5.5 and 7.3.6 shall be determined by using appropriate emission

factors, (which in order of preference are emission factors based on manufacturers data and published USEPA emission factors) and the recordkeeping requirements in Condition 7.3.9.

8.0 GENERAL PERMIT CONDITIONS

8.1 Permit Shield

Pursuant to Section 39.5(7)(j) of the Act, the Permittee has requested and has been granted a permit shield. This permit shield provides that compliance with the conditions of this permit shall be deemed compliance with applicable requirements which were applicable as of the date the proposed permit for this source was issued, provided that either the applicable requirements are specifically identified within this permit, or the Illinois EPA, in acting on this permit application, has determined that other requirements specifically identified are not applicable to this source and this determination (or a concise summary thereof) is included in this permit.

This permit shield does not extend to applicable requirements which are promulgated after July 18, 2014 (the date of issuance of the proposed permit) unless this permit has been modified to reflect such new requirements.

8.2 Applicability of Title IV Requirements (Acid Deposition Control)

This source is an affected source under Title IV of the CAA and is subject to requirements pursuant to Title IV of the CAA as specified in Section 6.2. To the extent that the federal regulations promulgated under Title IV of the CAA, are inconsistent with the requirements of this permit, the federal regulations promulgated under Title IV of the CAA shall take precedence pursuant to Section 39.5(17)(j) of the Act.

8.3 Emissions Trading Programs

No permit revision shall be required for increases in emissions allowed under any USEPA approved economic incentives, marketable permits, emissions trading, and other similar programs or processes for changes that are provided for elsewhere in this permit and that are authorized by the applicable requirement [Section 39.5(7)(o)(vii) of the Act].

8.4 Operational Flexibility/Anticipated Operating Scenarios

8.4.1 Changes Specifically Addressed by Permit

Physical or operational changes specifically addressed by the Conditions of this permit that have been identified as not requiring Illinois EPA notification may be implemented without prior notice to the Illinois EPA.

8.4.2 Changes Requiring Prior Notification

The Permittee is authorized to make physical or operational changes that contravene express permit terms without applying for or obtaining an amendment to this permit, provided that [Section 39.5(12)(a)(i) of the Act]:

a. The changes do not violate applicable requirements;

b. The changes do not contravene federally enforceable permit terms or conditions that are monitoring (including test methods), recordkeeping, reporting, or compliance certification requirements;

c. The changes do not constitute a modification under Title I of the CAA;

d. Emissions will not exceed the emissions allowed under this permit following implementation of the physical or operational change; and

e. The Permittee provides written notice to the Illinois EPA, Division of Air Pollution Control, Permit Section, at least 7 days before commencement of the change. This notice shall:

i. Describe the physical or operational change;

ii. Identify the schedule for implementing the physical or operational change;

iii. Provide a statement of whether or not any New Source Performance Standard (NSPS) is applicable to the physical or operational change and the reason why the NSPS does or does not apply;

iv. Provide emission calculations which demonstrate that the physical or operational change will not result in a modification; and

v. Provide a certification that the physical or operational change will not result in emissions greater than authorized under the Conditions of this permit.

8.5 Testing Procedures

Tests conducted to measure composition of materials, efficiency of pollution control devices, emissions from process or control equipment, or other parameters shall be conducted using standard test methods if applicable test methods are not specified by the applicable regulations or otherwise identified in the conditions of this permit. Documentation of the test date, conditions, methodologies, calculations, and test results shall be retained pursuant to the recordkeeping procedures of this permit. Reports of any tests conducted as required by this permit or as the result of a request by the Illinois EPA shall be submitted as specified in Conditions 8.6.3 and 8.6.4.

8.6 Reporting Requirements

8.6.1 Monitoring Reports

Reports summarizing required monitoring as specified in the conditions of this permit shall be submitted to the Illinois EPA every six months as follows, unless more frequent submittal of such reports is required in Sections 5 or 7 of this permit [Section 39.5(7)(f) of the Act]:

Monitoring Period	Report Due Date
January - June	September 1
July - December	March 1

All instances of deviations from permit requirements must be clearly identified in such reports. All such reports shall be certified in accordance with Condition 9.9.

8.6.2 Test Notifications

Unless otherwise specified elsewhere in this permit, a written test plan for any test required by this permit shall be submitted to the Illinois EPA for review at least 60 days prior to the testing pursuant to Section 39.5(7)(a) of the Act. The notification shall include at a minimum:

a. The name and identification of the affected unit(s);

b. The person(s) who will be performing sampling and analysis and their experience with similar tests;

c. The specific conditions under which testing will be performed, including a discussion of why these conditions will be representative of maximum emissions and the means by which the operating parameters for the source and any control equipment will be determined;

d. The specific determinations of emissions and operation that are intended to be made, including sampling and monitoring locations;

e. The test method(s) that will be used, with the specific analysis method, if the method can be used with different analysis methods;

f. Any minor changes in standard methodology proposed to accommodate the specific circumstances of testing, with justification; and

g. Any proposed use of an alternative test method, with detailed justification.

8.6.3 Test Reports

Unless otherwise specified elsewhere in this permit, the results of any test required by this permit shall be submitted to the Illinois EPA within 60 days of completion of the testing. The test report shall include at a minimum [Section 39.5(7)(e)(i) of the Act]:

a. The name and identification of the affected unit(s);

b. The date and time of the sampling or measurements;

c. The date any analyses were performed;

d. The name of the company that performed the tests and/or analyses;

e. The test and analytical methodologies used;

f. The results of the tests including raw data, and/or analyses including sample calculations;

g. The operating conditions at the time of the sampling or measurements; and

h. The name of any relevant observers present including the testing company's representatives, any Illinois EPA or USEPA representatives, and the representatives of the source.

8.6.4 Reporting Addresses

a. Unless otherwise specified in the particular provision of this permit or in the written instructions distributed by the Illinois EPA for particular reports, reports and notifications shall be sent to the Illinois EPA - Air Compliance Unit with a copy sent to the Illinois EPA - Air Regional Field Office.

b. As of the date of issuance of this permit, the addresses of the offices that should generally be utilized for the submittal of reports and notifications are as follows:

i. Illinois EPA - Air Compliance Unit

Illinois Environmental Protection Agency
Bureau of Air
Compliance & Enforcement Section (MC 40)
P.O. Box 19276
Springfield, Illinois 62794-9276

Phone No.: 217/782-2113

ii. Illinois EPA - Air Quality Planning Section

Illinois Environmental Protection Agency
Bureau of Air
Air Quality Planning Section (MC 39)
P.O. Box 19276
Springfield, Illinois 62794-9276

Phone No.: 217/782-2113

iii. Illinois EPA - Air Regional Field Office

Illinois Environmental Protection Agency
Division of Air Pollution Control
9511 West Harrison
Des Plaines, Illinois 60016

Phone No.: 847/294-4000

iv. USEPA Region 5 - Air Branch

USEPA (AR - 17J)
Air & Radiation Division
77 West Jackson Boulevard
Chicago, Illinois 60604

c. Permit applications should be addressed to the Air Permit Section. As of the date of issuance of this permit, the address of the Air Permit Section is as follows:

Illinois Environmental Protection Agency
Division of Air Pollution Control
Permit Section (MC 11)
P.O. Box 19506
Springfield, Illinois 62794-9506

8.7 Title I Conditions

Notwithstanding the expiration date on the first page of this CAAPP permit, Title I conditions in this permit, which are identified by a T1, T1N, or T1R designation, remain in effect until such time as the Illinois EPA takes action to revise or terminate them in accordance with applicable procedures for action on Title I conditions. This is because these conditions either: (a) incorporate conditions of earlier permits that were issued by the Illinois EPA pursuant to authority that includes authority found in Title I of the CAA (T1 conditions), (b) were newly established in this CAAPP permit pursuant to authority that includes such Title I authority (T1N conditions), or (c) reflect a revision or combination of conditions established in this CAAPP permit (T1R conditions). (See also Condition 1.5.)

9.0 STANDARD PERMIT CONDITIONS

9.1 Effect of Permit

9.1.1 The issuance of this permit does not release the Permittee from compliance with State and Federal regulations which are part of the Illinois State Implementation Plan, as well as with other applicable statutes and regulations of the United States or the State of Illinois or applicable ordinances, except as specifically stated in this permit and as allowed by law and rule.

9.1.2 In particular, this permit does not alter or affect the following [Section 39.5(7)(j)(iv) of the Act]:

a. The provisions of Section 303 (emergency powers) of the CAA, including USEPA's authority under that Section;

b. The liability of an owner or operator of a source for any violation of applicable requirements prior to or at the time of permit issuance;

c. The applicable requirements of the acid rain program consistent with Section 408(a) of the CAA; and

d. The ability of USEPA to obtain information from a source pursuant to Section 114 (inspections, monitoring, and entry) of the CAA.

9.1.3 Notwithstanding the conditions of this permit specifying compliance practices for applicable requirements, pursuant to Section 39.5(7)(j) and (p) of the Act, any person (including the Permittee) may also use other credible evidence to establish compliance or noncompliance with applicable requirements.

9.2 General Obligations of Permittee

9.2.1 Duty to Comply

The Permittee must comply with all terms and conditions of this permit. Any permit noncompliance constitutes a violation of the CAA and the Act, and is grounds for any or all of the following: enforcement action; permit termination, revocation and reissuance, or modification; or denial of a permit renewal application [Section 39.5(7)(o)(i) of the Act].

The Permittee shall meet applicable requirements that become effective during the permit term in a timely manner unless an alternate schedule for compliance with the applicable requirement is established.

9.2.2 Duty to Maintain Equipment

The Permittee shall maintain all equipment covered under this permit in such a manner that the performance or operation of such equipment shall not cause a violation of applicable requirements.

9.2.3 Duty to Cease Operation

No person shall cause, threaten or allow the continued operation of any emission unit during malfunction or breakdown of the emission unit or related air pollution control equipment if such operation would cause a violation of an applicable emission standard, regulatory requirement, ambient air quality standard or permit limitation unless this permit provides for such continued operation consistent with the Act and applicable Illinois Pollution Control Board regulations [Section 39.5(6)(c) of the Act].

9.2.4 Disposal Operations

The source shall be operated in such a manner that the disposal of air contaminants collected by the equipment operations, or activities shall not cause a violation of the Act or regulations promulgated there under.

9.2.5 Duty to Pay Fees

The Permittee must pay fees to the Illinois EPA consistent with the fee schedule approved pursuant to Section 39.5(18) of the Act, and submit any information relevant thereto [Section 39.5(7)(o)(vi) of the Act]. The check should be payable to "Treasurer, State of Illinois" and sent to: Fiscal Services Section, Illinois Environmental Protection Agency, P.O. Box 19276, Springfield, Illinois 62794-9276.

9.3 Obligation to Allow Illinois EPA Surveillance

Upon presentation of proper credentials and other documents as may be required by law and in accordance with constitutional limitations, the Permittee shall allow the Illinois EPA, or an authorized representative to perform the following [Sections 4 and 39.5(7)(a) and (p)(ii) of the Act]:

a. Enter upon the Permittee's premises where an actual or potential emission unit is located; where any regulated equipment, operation, or activity is located or where records must be kept under the conditions of this permit;

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

c. Inspect during hours of operation any sources, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under this permit;

d. Sample or monitor any substances or parameters at any location:

i. At reasonable times, for the purposes of assuring permit compliance or applicable requirements; or

ii. As otherwise authorized by the CAA, or the Act.

e. Obtain and remove samples of any discharge or emission of pollutants authorized by this permit; and

f. Enter and utilize any photographic, recording, testing, monitoring, or other equipment for the purposes of preserving, testing, monitoring, or recording any regulated activity, discharge or emission at the source authorized by this permit.

9.4 Obligation to Comply with Other Requirements

The issuance of this permit does not release the Permittee from applicable State and Federal laws and regulations, and applicable local ordinances addressing subjects other than air pollution control.

9.5 Liability

9.5.1 Title

This permit shall not be considered as in any manner affecting the title of the premises upon which the permitted source is located.

9.5.2 Liability of Permittee

This permit does not release the Permittee from any liability for damage to person or property caused by or resulting from the construction, maintenance, or operation of the sources.

9.5.3 Structural Stability

This permit does not take into consideration or attest to the structural stability of any unit or part of the source.

9.5.4 Illinois EPA Liability

This permit in no manner implies or suggests that the Illinois EPA (or its officers, agents or employees) assumes any liability, directly or indirectly, for any loss due to damage, installation, maintenance, or operation of the source.

9.5.5 Property Rights

This permit does not convey any property rights of any sort, or any exclusive privilege [Section 39.5(7)(o)(iv) of the Act].

9.6 Recordkeeping

9.6.1 Control Equipment Maintenance Records

A maintenance record shall be kept on the premises for each item of air pollution control equipment. At a minimum, this record shall show the dates of performance and nature of preventative maintenance activities.

9.6.2 Records of Changes in Operation

A record shall be kept describing changes made at the source that result in emissions of a regulated air pollutant subject to an applicable requirement, but not otherwise regulated under this permit, and the emissions resulting from those changes [Section 39.5(12)(b)(iv) of the Act].

9.6.3 Retention of Records

a. Records of all monitoring data and support information shall be retained for a period of at least 5 years from the date of the monitoring sample, measurement, report, or application. Support information includes all calibration and maintenance records, original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by this permit [Section 39.5(7)(e)(ii) of the Act].

b. Other records required by this permit including any logs, plans, procedures, or instructions required to be kept by this permit shall be retained for a period of at least 5 years from the date of entry unless a longer period is specified by a particular permit provision.

9.7 Annual Emissions Report

The Permittee shall submit an annual emissions report to the Illinois EPA, Air Quality Planning Section no later than May 1 of the following year, as required by 35 IAC Part 254.

9.8 Requirements for Compliance Certification

Pursuant to Section 39.5(7)(p)(v) of the Act, the Permittee shall submit annual compliance certifications. The compliance certifications shall be submitted no later than May 1 or more frequently as specified in the applicable requirements or by permit condition. The compliance certifications shall be submitted to the Air Compliance Unit, Air Regional Field Office, and USEPA Region 5 - Air Branch. The addresses for the submittal of the compliance certifications are provided in Condition 8.6.4 of this permit.

a. The certification shall include the identification of each term or condition of this permit that is the basis of the certification; the compliance status; whether compliance was

continuous or intermittent; the method(s) used for determining the compliance status of the source, both currently and over the reporting period consistent with the conditions of this permit.

b. All compliance certifications shall be submitted to USEPA Region 5 in Chicago as well as to the Illinois EPA.

c. All compliance reports required to be submitted shall include a certification in accordance with Condition 9.9.

9.9 Certification

Any document (including reports) required to be submitted by this permit shall contain a certification by a responsible official of the Permittee that meets the requirements of Section 39.5(5) of the Act and applicable regulations [Section 39.5(7)(p)(i) of the Act]. An example Certification by a Responsible Official is included as Attachment 1 to this permit.

9.10 Defense to Enforcement Actions

9.10.1 Need to Halt or Reduce Activity Not a Defense

It shall not be a defense for the Permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit [Section 39.5(7)(o)(ii) of the Act].

9.10.2 Emergency Provision

a. An emergency shall be an affirmative defense to an action brought for noncompliance with the technology-based emission limitations under this permit if the following conditions are met through properly signed, contemporaneous operating logs, or other relevant evidence [Section 39.5(7)(k) of the Act]:

i. An emergency occurred as provided in Section 39.5(7)(k) of the Act and the Permittee can identify the cause(s) of the emergency.

Note: For this purpose, emergency means a situation arising from sudden and reasonably unforeseeable events beyond the control of the source, as further defined by Section 39.5(7)(k)(iv) of the Act.

ii. The permitted source was at the time being properly operated;

iii. The Permittee submitted notice of the emergency to the Illinois EPA within two working days of the time when emission limitations were exceeded due to the emergency. This notice must contain a detailed

description of the emergency, any steps taken to mitigate emissions, and corrective actions taken; and

iv. During the period of the emergency the Permittee took all reasonable steps to minimize levels of emissions that exceeded the emission limitations, standards, or regulations in this permit.

b. This provision is in addition to any emergency or upset provision contained in any applicable requirement. This provision does not relieve a Permittee of any reporting obligations under existing federal or state laws or regulations [Section 39.5(7)(k)(iv) of the Act].

9.11 Permanent Shutdown

This permit only covers emission units and control equipment while physically present at the indicated source location(s). Unless this permit specifically provides for equipment relocation, this permit is void for the operation or activity of any item of equipment on the date it is removed from the permitted location(s) or permanently shut down. This permit expires if all equipment is removed from the permitted location(s), notwithstanding the expiration date specified on this permit.

9.12 Reopening and Reissuing Permit for Cause

9.12.1 Permit Actions

This permit may be modified, revoked, reopened and reissued, or terminated for cause in accordance with applicable provisions of Section 39.5 of the Act. 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 [Section 39.5(7)(o)(iii) of the Act].

9.12.2 Reopening and Revision

This permit must be reopened and revised if any of the following occur [Section 39.5(15)(a) of the Act]:

a. Additional requirements become applicable to the equipment covered by this permit and three or more years remain before expiration of this permit.

b. Additional requirements become applicable to an affected source for acid deposition under the acid rain program.

c. The Illinois EPA or USEPA determines that this permit contains a material mistake or that inaccurate statement were made in establishing the emission standards or limitations, or other terms or conditions of this permit.

d. The Illinois EPA or USEPA determines that this permit must be revised or revoked to ensure compliance with the applicable requirements.

9.12.3 Inaccurate Application

The Illinois EPA has issued this permit based upon the information submitted by the Permittee in the permit application. Any misinformation, false statement or misrepresentation in the application shall be grounds for revocation and reissuance under Section 39.5(15) of the Act, pursuant to Sections 39.5(5)(e) and (i) of the Act.

9.12.4 Duty to Provide Information

The Permittee shall furnish to the Illinois EPA, within a reasonable time specified by the Illinois EPA any information that the Illinois EPA may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with this permit. Upon request, the Permittee shall also furnish to the Illinois EPA copies of records required to be kept by this permit, or for information claimed to be confidential, the Permittee may furnish such records directly to USEPA along with a claim of confidentiality [Section 39.5(7)(o)(v) of the Act].

9.13 Severability Clause

The provisions of this permit are severable. In the event of a challenge to any portion of the permit, other portions of the permit may continue to be in effect. Should any portion of this permit be determined to be illegal or unenforceable, the validity of the other provisions shall not be affected and the rights and obligations of the Permittee shall be construed and enforced as if this permit did not contain the particular provisions held to be invalid and the applicable requirements underlying these provisions shall remain in force [Section 39.5(7)(i) of the Act].

9.14 Permit Expiration and Renewal

Upon the expiration of this permit, if the source is operated, it shall be deemed to be operating without a permit unless a timely and complete CAAPP application has been submitted for renewal of this permit. However, if a timely and complete application to renew this CAAPP permit has been submitted, the terms and all conditions of this CAAPP permit will remain in effect until the issuance of a renewal permit [Section 39.5(5)(l) and (o) of the Act].

Note: Pursuant to Sections 39.5(5)(h) and (n) of the Act, upon submittal of a timely and complete renewal application, the permitted source may continue to operate until final action is taken by the Illinois EPA on the renewal application, provided, however, that this protection shall cease if the applicant fails to submit any additional information necessary to evaluate or take final action on the renewal

application as requested by the Illinois EPA in writing. For a renewal application to be timely, it must be submitted no later than 9 months prior to the date of permit expiration.

9.15 General Authority for the Terms and Conditions of this Permit

The authority for terms and conditions of this permit that do not include a citation for their authority is Section 39.5(7)(a) of the Act, which provides that the Illinois EPA shall include such provisions in a CAAPP permit as are necessary to accomplish the purposes of the Act and to assure compliance with all applicable requirements. Section 39.5(7)(a) of the Act is also another basis of authority for terms and conditions of this permit that do include a specific citation for their authority.

Note: This condition is included in this permit pursuant to Section 39.5(7)(n) of the Act.

10.0 ATTACHMENTS

Attachment 1 Example Certification by a Responsible Official

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Signature: _____

Name: _____

Official Title: _____

Telephone No.: _____

Date Signed: _____

Attachment 2 Emissions of Particulate Matter from Process Emission Units

a. New Process Emission Units for Which Construction or Modification Commenced On or After April 14, 1972 [35 IAC 212.321].

i. No person shall cause or allow the emission of particulate matter into the atmosphere in any one hour period from any new process emission unit which, either alone or in combination with the emission of particulate matter from all other similar process emission units for which construction or modification commenced on or after April 14, 1972, at a source or premises, exceeds the allowable emission rates specified in subsection (c) of 35 IAC 212.321 [35 IAC 212.321(a)].

ii. Interpolated and extrapolated values of the data in subsection (c) of 35 IAC 212.321 shall be determined by using the equation [35 IAC 212.321(b)]:

$$E = A(P)^B$$

where:

P = Process weight rate; and
E = Allowable emission rate; and,

A. Up to process weight rates of 408 Mg/hr (450 T/hr):

	Metric	English
P	Mg/hr	T/hr
E	kg/hr	lb/hr
A	1.214	2.54
B	0.534	0.534

B. For process weight rate greater than or equal to 408 Mg/hr (450 T/hr):

	Metric	English
P	Mg/hr	T/hr
E	kg/hr	lb/hr
A	11.42	24.8
B	0.16	0.16

iii. Limits for Process Emission Units For Which Construction or Modification Commenced On or After April 19, 1972 [35 IAC 212.321(c)]:

Metric		English	
P	E	P	E
Mg/hr	kg/hr	T/hr	lb/hr
0.05	0.25	0.05	0.55
0.1	0.29	0.10	0.77
0.2	0.42	0.2	1.10
0.3	0.64	0.30	1.35
0.4	0.74	0.40	1.58
0.5	0.84	0.50	1.75
0.7	1.00	0.75	2.40
0.9	1.15	1.00	2.60
1.8	1.66	2.00	3.70
2.7	2.1	3.00	4.60
3.6	2.4	4.00	5.35
4.5	2.7	5.00	6.00
9.0	3.9	10.00	8.70
13.0	4.8	15.00	10.80
18.0	5.7	20.00	12.50
23.0	6.5	25.00	14.00
27.0	7.1	30.00	15.60
32.0	7.7	35.00	17.00
36.0	8.2	40.00	18.20
41.0	8.8	45.00	19.20
45.0	9.3	50.00	20.50
90.0	13.4	100.00	29.50
140.0	17.0	150.00	37.00
180.0	19.4	200.00	43.00
230.0	22.0	250.00	48.50
270.0	24.0	300.00	53.00
320.0	26.0	350.00	58.00
360.0	28.0	400.00	62.00
408.0	30.1	450.00	66.00
454.0	30.4	500.00	67.00

iv. For process weight rates of less than 100 pounds per hour, the allowable rate is 0.5 pounds per hour [35 IAC 266.110].

b. Existing Process Emission Units for Which Construction or Modification Prior to April 14, 1972 [35 IAC 212.322].

i. No person shall cause or allow the emission of particulate matter into the atmosphere in any one hour period from any process emission unit for which construction or modification commenced prior to April 14, 1972, which, either alone or in combination with the emission of particulate matter from all other similar process emission units at a source or premises, exceeds the allowable emission rates specified in subsection (c) of 35 IAC 212.322 [35 IAC 212.322(a)].

ii. Interpolated and extrapolated values of the data in subsection (c) of 35 IAC 212.321 shall be determined by using the equation [35 IAC 212.322(b)]:

$$E = C + A(P)^B$$

where:

P = Process weight rate; and
E = Allowable emission rate; and,

A. Up to process weight rates up to 27.2 Mg/hr (30 T/hr):

	Metric	English
P	Mg/hr	T/hr
E	kg/hr	lb/hr
A	1.985	4.10
B	0.67	0.67
C	0	0

B. For process weight rate in excess of 27.2 Mg/hr (30 T/hr):

	Metric	English
P	Mg/hr	T/hr
E	kg/hr	lb/hr
A	25.21	55.0
B	0.11	0.11
C	- 18.4	- 40.0

iii. Limits for Process Emission Units For Which Construction or Modification Commenced Prior to April 14, 1972 [35 IAC 212.322(c)]:

Metric		English	
P	E	P	E
Mg/hr	kg/hr	T/hr	lb/hr
0.05	0.27	0.05	0.55
0.1	0.42	0.10	0.87
0.2	0.68	0.2	1.40
0.3	0.89	0.30	1.83
0.4	1.07	0.40	2.22
0.5	1.25	0.50	2.58
0.7	1.56	0.75	3.38
0.9	1.85	1.00	4.10
1.8	2.9	2.00	6.52
2.7	3.9	3.00	8.56
3.6	4.7	4.00	10.40
4.5	5.4	5.00	12.00
9.0	8.7	10.00	19.20
13.0	11.1	15.00	25.20
18.0	13.8	20.00	30.50
23.0	16.2	25.00	35.40
27.2	18.15	30.00	40.00
32.0	18.8	35.00	41.30
36.0	19.3	40.00	42.50
41.0	19.8	45.00	43.60
45.0	20.2	50.00	44.60
90.0	23.2	100.00	51.20
140.0	25.3	150.00	55.40
180.0	26.5	200.00	58.60
230.0	27.7	250.00	61.00
270.0	28.5	300.00	63.10
320.0	29.4	350.00	64.90
360.0	30.0	400.00	66.20
400.0	30.6	450.00	67.70
454.0	31.3	500.00	69.00

iv. For process weight rates of less than 100 pounds per hour, the allowable rate is 0.5 pounds per hour [35 IAC 266.110].

Attachment 3 Compliance Assurance Monitoring (CAM) Plan

There are no specific emission units that require a CAM plan as identified in the Monitoring Requirements of Subsection 8 for each Section 7, Unit Specific Conditions for Specific Emission Units.

Attachment 4 Guidance

The Illinois has prepared guidance for sources on the Clean Air Act Permit Program (CAAPP) that is available on the Internet site maintained by the Illinois EPA, www.epa.state.il.us. This guidance includes instructions on applying for a revision or renewal of the CAAPP permit.

Guidance On Revising A CAAPP Permit:

www.epa.state.il.us/air/caapp/caapp-revising.pdf

Guidance On Renewing A CAAPP Permit:

www.epa.state.il.us/air/caapp/caapp-renewing.pdf

The application forms prepared by the Illinois EPA for the CAAPP are also available from the Illinois EPA's Internet site:

www.epa.state.il.us/air/caapp/index.html

These CAAPP application forms should also be used by a CAAPP source when it applies for a construction permit. For this purpose, the appropriate CAAPP application forms and other supporting information should be accompanied by a completed Application For A Construction Permit form (199-CAAPP) and Fee Determination for Construction Permit Application form (197-FEE):

www.epa.state.il.us/air/caapp/199-caapp.pdf
www.epa.state.il.us/air/permits/197-fee.pdf

Attachment 5 Clean Air Interstate Rule (CAIR) Permit

217-785-1705

CAIR PERMIT

NRG Wholesale Generation LP
Aurora Generating Station
Attn: John P Shimshock
121 Champion Way
Canonsburg, Pennsylvania 15317

Oris No.: 55279
IEPA I.D. No.: 043407AAF
Source/Unit: NRG Wholesale Generation LP - Aurora Generating Station/Turbines CTG01-CTG10

STATEMENT OF BASIS:

In accordance with the Clean Air Act Interstate Rule (CAIR) SO2 Trading Program, the CAIR NO_x Annual Trading Program and the CAIR NO_x Ozone Season Trading Program, and 35 IAC Part 225, Subparts C, D, and E, respectively, the Illinois Environmental Protection Agency is issuing this CAIR permit to NRG Wholesale Generation LP for the affected units at its NRG Wholesale Generation LP - Aurora Generating Station, i.e., Turbines CTG01-CTG10.

ALLOCATION OF SULFUR DIOXIDE (SO_2) ALLOWANCES, NITROGEN OXIDE (NO_x) ALLOWANCES, AND NO_x OZONE SEASON ALLOWANCES FOR THE AFFECTED UNITS:

Program	Allocation of Allowances
CAIR SO_2 Allowances	These units are not entitled to an allocation of CAIR SO_2 allowances pursuant to 40 CFR Part 96.
CAIR NO_x Annual Allowances	These units are eligible to an allocation of CAIR NO_x Annual Allowances pursuant to 35 IAC 225.430, 225.435 and 225.440.
CAIR NO_x Ozone Season Allowances	These units are eligible to an allocation of CAIR NO_x Ozone Season Allowances pursuant to 35 IAC 225.530, 225.535 and 225.540.

PERMIT APPLICATION: The permit application, which includes CAIR SO_2 Trading Program requirements, CAIR NO_x Annual Trading Program requirements, CAIR NO_x Ozone Season Trading Program requirements, and other standard requirements, is attached and incorporated as part of this permit. The owners and operators, and designated representative of this source must comply with the standard requirements and special provisions set forth in the application.

COMMENTS, NOTES AND JUSTIFICATIONS: This permit contains provisions related to SO_2 emissions and NO_x emissions and requires the owners and operators to hold CAIR SO_2 allowances to account for SO_2 emissions, CAIR NO_x annual allowances to account for annual NO_x emissions, and CAIR NO_x ozone season allowances to account for ozone season NO_x emissions from the CAIR units. An allowance is a limited authorization to emit SO_2 or NO_x emissions during or after a specified control period. The transfer of allowances to and from the applicable compliance or general account does not necessitate a revision to this permit.

This CAIR permit does not affect the source's responsibility to meet all other applicable local, state and federal requirements.

If you have any questions regarding this permit, please contact Lisa Tossi at 217-785-1705.

Raymond E. Pilapil
Acting Manager, Permit Section
Division of Air Pollution Control

Date Issued: _____

REP:LT:jws

cc: Beth Valenziano, USEPA Region V
FOS - Region 2, Illinois EPA

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY
DIVISION OF AIR POLLUTION CONTROL – PERMIT SECTION
P.O. BOX 19506
SPRINGFIELD, ILLINOIS 62794-9506

FOR APPLICANT'S USE
Revision #: 0
Date: 03 / 06 / 2013
Page 1 of 9

Renewal application - current CAIR permit effective March 19, 2009, expires March 19, 2014

Application For CAIR Permit For Electrical Generating Units (EGU)

FOR AGENCY USE ONLY
ID NUMBER:
PERMIT No.:
DATE:

This application form is to be used to request the Clean Air Act Interstate Rule (CAIR) permit required by the CAIR SO_2 trading program, CAIR NOx annual trading program, CAIR NOx ozone season trading program for EGU subject to the provisions of 35 IAC Part 225, Subpart C, D, and E, respectively.

RECEIVED
STATE OF ILLINOIS
MAR 5 2 2013
Environmental Protection Agency
BUREAU OF AIR

SECTION 1: SOURCE AND EGU INFORMATION

1) COMPANY NAME: GenOn Wholesale Generation, LP		
2) PLANT OR FACILITY NAME: Aurora Generating Station		
3) SOURCE ID NO.: 043407AAF	4) ORIS FACILITY CODE: 55279	
5) CONTACT NAME: John P. Shimshock	6) PHONE NO.: (724) 597-8405	7) E-MAIL ADDRESS: john.shimshock@nrgenergy.com

8) ELECTRICAL GENERATING UNITS:

GENERATING UNIT / EGU DESIGNATION	EGU DESCRIPTION	APPLICABILITY (Mark all applicable boxes)	
CTG01	170 MW Natural Gas-Fired Combustion Turbine	☒ Existing EGU ☐ New EGU	☒ CAIR SO_2 trading program ☒ CAIR NOx annual trading program ☒ CAIR NOx ozone season trading program
CTG02	170 MW Natural Gas-Fired Combustion Turbine	☒ Existing EGU ☐ New EGU	☒ CAIR SO_2 trading program ☒ CAIR NOx annual trading program ☒ CAIR NOx ozone season trading program
CGT03	170 MW Natural Gas-Fired Combustion Turbine	☒ Existing EGU ☐ New EGU	☒ CAIR SO_2 trading program ☒ CAIR NOx annual trading program ☒ CAIR NOx ozone season trading program
CTG04	170 MW Natural Gas-Fired Combustion Turbine	☒ Existing EGU ☐ New EGU	☒ CAIR SO_2 trading program ☒ CAIR NOx annual trading program ☒ CAIR NOx ozone season trading program
CTG05	45 MW Natural Gas-Fired Combustion Turbine	☒ Existing EGU ☐ New EGU	☒ CAIR SO_2 trading program ☒ CAIR NOx annual trading program ☒ CAIR NOx ozone season trading program
CTG06	45 MW Natural Gas-Fired Combustion Turbine	☒ Existing EGU ☐ New EGU	☒ CAIR SO_2 trading program ☒ CAIR NOx annual trading program ☒ CAIR NOx ozone season trading program
CTG07	45 MW Natural Gas-Fired Combustion Turbine	☒ Existing EGU ☐ New EGU	☒ CAIR SO_2 trading program ☒ CAIR NOx annual trading program ☒ CAIR NOx ozone season trading program
CTG08	45 MW Natural Gas-Fired Combustion Turbine	☒ Existing EGU ☐ New EGU	☒ CAIR SO_2 trading program ☒ CAIR NOx annual trading program ☒ CAIR NOx ozone season trading program
CTG09	45 MW Natural Gas-Fired Combustion Turbine	☒ Existing EGU ☐ New EGU	☒ CAIR SO_2 trading program ☒ CAIR NOx annual trading program ☒ CAIR NOx ozone season trading program

The Illinois EPA is authorized to require, and you must disclose, the requested information on this form pursuant to Section 39.5 of the Environmental Protection Act ("Act") 415 ILCS 5/39.5. This information shall be provided using either this form or in an alternative manner at your discretion. Failure to disclose the information may result in your application being denied and/or penalties as provided for in the Act, 415 ILCS 5/42-45. This form has been approved by the Forms Management Center.

APPLICATION PAGE 1 of 9

FOR APPLICANT'S USE
GenOn Aurora

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY
DIVISION OF AIR POLLUTION CONTROL -- PERMIT SECTION
P.O. BOX 19506
SPRINGFIELD, ILLINOIS 62794-9506

FOR APPLICANT'S USE
Revision #: 0
Date: 03 / 06 / 2013
Page 2 of 9

Renewal application - current CAIR permit effective March 19, 2009, expires March 19, 2014

Application For CAIR Permit For Electrical Generating Units (EGU)

FOR AGENCY USE ONLY
ID NUMBER:
PERMIT No.:
DATE:

This application form is to be used to request the Clean Air Act Interstate Rule (CAIR) permit required by the CAIR SO_2 trading program, CAIR NOx annual trading program, CAIR NOx ozone season trading program for EGU subject to the provisions of 35 IAC Part 225, Subpart C, D, and E, respectively.

SECTION 1: SOURCE AND EGU INFORMATION		
1) COMPANY NAME: GenOn Wholesale Generation, LP		
2) PLANT OR FACILITY NAME: Aurora Generating Station		
3) SOURCE ID NO.: 043407AAF	4) ORIS FACILITY CODE: 55279	
5) CONTACT NAME: John P. Shimshock	6) PHONE NO.: (724) 597-8405	7) E-MAIL ADDRESS: john.shimshock@nrgenergy.com

8) ELECTRICAL GENERATING UNITS:

GENERATING UNIT / EGU DESIGNATION	EGU DESCRIPTION	APPLICABILITY (Mark all applicable boxes)	
CTG10	45 MW Natural Gas-Fired Combustion Turbine	☒ Existing EGU ☐ New EGU	☒ CAIR SO_2 trading program ☒ CAIR NOx annual trading program ☒ CAIR NOx ozone season trading program
		☐ Existing EGU ☐ New EGU	☐ CAIR SO_2 trading program ☐ CAIR NOx annual trading program ☐ CAIR NOx ozone season trading program
		☐ Existing EGU ☐ New EGU	☐ CAIR SO_2 trading program ☐ CAIR NOx annual trading program ☐ CAIR NOx ozone season trading program
		☐ Existing EGU ☐ New EGU	☐ CAIR SO_2 trading program ☐ CAIR NOx annual trading program ☐ CAIR NOx ozone season trading program
		☐ Existing EGU ☐ New EGU	☐ CAIR SO_2 trading program ☐ CAIR NOx annual trading program ☐ CAIR NOx ozone season trading program
		☐ Existing EGU ☐ New EGU	☐ CAIR SO_2 trading program ☐ CAIR NOx annual trading program ☐ CAIR NOx ozone season trading program
		☐ Existing EGU ☐ New EGU	☐ CAIR SO_2 trading program ☐ CAIR NOx annual trading program ☐ CAIR NOx ozone season trading program
		☐ Existing EGU ☐ New EGU	☐ CAIR SO_2 trading program ☐ CAIR NOx annual trading program ☐ CAIR NOx ozone season trading program
		☐ Existing EGU ☐ New EGU	☐ CAIR SO_2 trading program ☐ CAIR NOx annual trading program ☐ CAIR NOx ozone season trading program

The Illinois EPA is authorized to require, and you must disclose, the requested information on this form pursuant to Section 39.5 of the Environmental Protection Act ("Act") 415 ILCS 5/39.5. This information shall be provided using either this form or in an alternative manner at your discretion. Failure to disclose the information may result in your application being denied and/or penalties as provided for in the Act, 415 ILCS 5/42-45. This form has been approved by the Forms Management Center.

9) DETERMINATION OF SO_2 EMISSIONS:		
List each EGU that is not currently equipped with a "Part 75 Approved" continuous emissions monitoring system (CEMS) for SO_2		
(a) EGUs for which SO_2 CEMS installed but not certified:		
1.	4.	7.
2.	5.	8.
3.	6.	9.
(b)) EGUs for which SO_2 CEMS yet to be installed:		
1.	4.	7.
2.	5.	8.
3.	6.	9.
(c)) EGUs for which SO_2 emissions to be determined by the alternative protocol for peaker units:		
1.	4.	7.
2.	5.	8.
3.	6.	9.

10) DETERMINATION OF NO_x EMISSIONS:		
List each EGU that is not currently equipped with a "Part 75 Approved" continuous emissions monitoring system (CEMS) for NO_x		
(a) EGUs for which NO_x CEMS installed but not certified:		
1.	4.	7.
2.	5.	8.
3.	6.	9.
(b) EGUs for which NO_x CEMS yet to be installed:		
1.	4.	7.
2.	5.	8.
3.	6.	9.
(c) EGUs for which NO_x emissions to be determined by the alternative protocol for peaker units:		
1.	4.	7.
2.	5.	8.
3.	6.	9.

11) CERTIFICATION:	
(a) Has a complete Certificate of Representation for the designated representatives for the source been submitted to USEPA, with a copy provided to the Illinois EPA? ■ Yes ☐ No	
(b) I am authorized to make this submission on behalf of the owners and operators of the source or 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 (Designated Representative): James D. Brown	
SIGNATURE (Designated Representative): James D. Brown	DATE: 3/6/13

APPLICATION PAGE 3 of 9

FOR APPLICANT'S USE
GenOn Aurora

SECTION 2: CAIR SO_2 TRADING PROGRAM
COMPLIANCE REQUIREMENTS AS SET FORTH IN 35 IAC 225.310

(a) APPLICABLE REGULATIONS:

The requirements of 35 IAC Part 225, Subpart C and 40 CFR 96, subpart AAA (excluding 40 CFR 96.204, and 96.206), subpart BBB, subpart FFF, subpart GGG and subpart HHH as incorporated by reference in 35 IAC 225.140.

(b) CAIR PERMIT REQUIREMENTS:

1) The owner or operator of each source with one or more CAIR SO_2 units at the source subject to 35 IAC Part 225, Subpart C must apply for a permit issued by the Agency with federally enforceable conditions covering the CAIR SO_2 Trading Program ("CAIR permit") that complies with the requirements of 35 IAC 225.320.

2) The owner or operator of each CAIR SO_2 source and each CAIR SO_2 unit at the source subject to 35 IAC Part 225, Subpart C must operate the CAIR SO_2 unit in compliance with such CAIR permit.

(c) MONITORING REQUIREMENTS:

1) The owner or operator of each CAIR SO_2 source and each CAIR SO_2 unit at the source must comply with the monitoring, reporting and recordkeeping requirements of 40 CFR 96, Subpart HHH. The CAIR designated representative of each CAIR SO_2 source and each CAIR SO_2 unit at the CAIR SO_2 source must comply with those sections of the monitoring, reporting and recordkeeping requirements of 40 CFR 96, Subpart HHH, applicable to the CAIR designated representative.

2) The compliance of each CAIR SO_2 source with the emissions limitation pursuant to 35 IAC 225.310(d) will be determined by the emissions measurements recorded and reported in accordance with 40 CFR 96, subpart HHH and 40 CFR 75.

(d) EMISSION REQUIREMENTS:

1) By the allowance transfer deadline, midnight of March 1, 2011, and by midnight of March 1 of each subsequent year if March 1 is a business day, the owner or operator of each CAIR SO_2 source and each CAIR SO_2 unit at the source must hold a tonnage equivalent in CAIR SO_2 allowances available for compliance deductions pursuant to 40 CFR 96.254(a) and (b) in the CAIR SO_2 source's CAIR SO_2 compliance account. If March 1 is not a business day, the allowance transfer deadline means by midnight of the first business day thereafter. The number of allowances held on the allowance transfer deadline may not be less than the total tonnage equivalent of the tons of SO_2 emissions for the control period from all CAIR SO_2 units at the CAIR SO_2 source, as determined in accordance with 40 CFR 96, subpart HHH.

2) Each ton of excess emissions of SO_2 emitted by a CAIR SO_2 source for each day of control period, starting in 2010 will constitute a separate violation of 35 IAC Part 225, Subpart C, the Clean Air Act, and the Act.

3) Each CAIR SO_2 unit will be subject to the requirements of 35 IAC 225.310(d)(1) for the control period starting on the later of January 1, 2010 or the deadline for meeting the unit's monitoring certification requirements pursuant to 40 CFR 96.270(b)(1) or (2) and for each control period thereafter.

4) CAIR SO_2 allowances must be held in, deducted from, or transferred into or among allowance accounts in accordance with 35 IAC Part 225, Subpart C, and 40 CFR 96, subparts FFF and GGG.

5) In order to comply with the requirements of 35 IAC 225.310(d)(1), a CAIR SO_2 allowance may not be deducted for compliance according to 35 IAC 225.310(d)(1) for a control period in a calendar year before the year for which the allowance is allocated.

6) A CAIR SO_2 allowance is a limited authorization to emit SO_2 in accordance with the CAIR SO_2 Trading Program. No provision of the CAIR SO_2 Trading Program, the CAIR permit application, the CAIR permit, or a retired unit exemption pursuant to 40 CFR 96.205, and no provision of law, will be construed to limit the authority of the United States or the State to terminate or limit this authorization.

7) A CAIR SO_2 allowance does not constitute a property right.

8) Upon recordation by USEPA pursuant to 40 CFR 96, subpart FFF or subpart GGG, every allocation, transfer, or deduction of a CAIR SO_2 allowance to or from a CAIR SO_2 source's compliance account is deemed to amend automatically, and become a part of, any CAIR permit of the CAIR SO_2 source. This automatic amendment of the CAIR permit will be deemed an operation of law and will not require any further review.

e) RECORDKEEPING AND REPORTING REQUIREMENTS:

1) Unless otherwise provided, the owner or operator of the CAIR SO_2 source and each CAIR SO_2 unit at the source must keep on site at the source each of the documents listed in subsections (e)(1)(A) through (e)(1)(D) of 35 IAC 225.310 for a period of five years from the date the document is created. This period may be extended for cause, at any time prior to the end of five years in writing by the Agency or USEPA.

A) The certificate of representation for the CAIR designated representative for the source and each CAIR SO_2 unit at the source, all documents that demonstrate the truth of the statements in the certificate of representation, provided that the certificate and documents must be retained on site at the source beyond such five-year period until the documents are superseded because of the submission of a new certificate of representation, pursuant to 40 CFR 96.213, changing the CAIR designated representative.

B) All emissions monitoring information, in accordance with 40 CFR 96, subpart HHH.

C) Copies of all reports, compliance certifications, and other submissions and all records made or required pursuant to the CAIR SO_2 Trading Program or documents necessary to demonstrate compliance with the requirements of the CAIR SO_2 Trading Program or with the requirements of 35 IAC Part 225, Subpart C.

D) Copies of all documents used to complete a CAIR permit application and any other submission or documents used to demonstrate compliance pursuant to the CAIR SO_2 Trading Program.

2) The CAIR designated representative of a CAIR SO_2 source and each CAIR SO_2 unit at the source must submit to the Agency and USEPA the reports and compliance certifications required pursuant to the CAIR SO_2 Trading Program, including those pursuant to 40 CFR 96, subpart HHH.

f) LIABILITY:

1) No revision of a permit for a CAIR SO_2 unit may excuse any violation of the requirements of 35 IAC Part 225, Subpart C or the requirements of the CAIR SO_2 Trading Program.

2) Each CAIR SO_2 source and each CAIR SO_2 unit must meet the requirements of the CAIR SO_2 Trading Program.

3) Any provision of the CAIR SO_2 Trading Program that applies to a CAIR SO_2 source (including any provision applicable to the CAIR designated representative of a CAIR SO_2 source) will also apply to the owner and operator of the CAIR SO_2 source and to the owner and operator of each CAIR SO_2 unit at the source.

4) Any provision of the CAIR SO_2 Trading Program that applies to a CAIR SO_2 unit (including any provision applicable to the CAIR designated representative of a CAIR SO_2 unit) will also apply to the owner and operator of the CAIR SO_2 unit.

5) The CAIR designated representative of a CAIR SO_2 unit that has excess SO_2 emissions in any control period must surrender the allowances as required for deduction pursuant to 40 CFR 96.254(d)(1).

6) The owner or operator of a CAIR SO_2 unit that has excess SO_2 emissions in any control period must pay any fine, penalty, or assessment or comply with any other remedy imposed pursuant to the Act and 40 CFR 96.254(d)(2).

g) EFFECT ON OTHER AUTHORITIES:

No provision of the CAIR SO_2 Trading Program, a CAIR permit application, a CAIR permit, or a retired unit exemption pursuant to 40 CFR 96.205 will be construed as exempting or excluding the owner and operator and, to the extent applicable, the CAIR designated representative of a CAIR SO_2 source or a CAIR SO_2 unit from compliance with any other regulation promulgated pursuant to the CAA, the Act, any State regulation or permit, or a federally enforceable permit.

SECTION 3: CAIR NO_x ANNUAL TRADING PROGRAM
COMPLIANCE REQUIREMENTS AS SET FORTH IN 35 IAC 225.410

(a) APPLICABLE REGULATIONS:

The requirements of 35 IAC Part 225, Subpart D and 40 CFR 96, subpart AA (excluding 40 CFR 96.104, 96.105(b)(2), and 96.106), subpart BB, subpart FF, subpart GG and subpart HH as incorporated by reference in 35 IAC 225.140.

(b) CAIR PERMIT REQUIREMENTS:

1) The designated representative of each source with one or more CAIR NO_x units at the source subject to 35 IAC Part 225, Subpart D must apply for a permit issued by the Agency with federally enforceable conditions covering the CAIR NO_x Annual Trading Program ("CAIR permit") that complies with the requirements of 35 IAC 225.420.

2) The owner or operator of each CAIR NO_x source and each CAIR NO_x unit at the source must operate the CAIR NO_x unit in compliance with its CAIR permit.

(c) MONITORING REQUIREMENTS:

1) The owner or operator of each CAIR NO_x source and each CAIR NO_x unit at the source must comply with the monitoring, reporting and recordkeeping requirements of 40 CFR 96, Subpart HH and 35 IAC 225.450. The CAIR designated representative of each CAIR NO_x source and each CAIR NO_x unit at the CAIR NO_x source must comply with those sections of the monitoring, reporting and recordkeeping requirements of 40 CFR 96, Subpart HH, applicable to a CAIR designated representative.

2) The compliance of each CAIR NO_x source with the emissions limitation pursuant to 35 IAC 225.410(d) will be determined by the emissions measurements recorded and reported in accordance with 40 CFR 96, subpart HH.

(d) EMISSION REQUIREMENTS:

1) By the allowance transfer deadline, midnight of March 1, 2010, and by midnight of March 1 of each subsequent year if March 1 is a business day, the owner or operator of each CAIR NO_x source and each CAIR NO_x unit at the source must hold CAIR NO_x allowances available for compliance deductions pursuant to 40 CFR 96.154(a) in the CAIR NO_x source's CAIR NO_x compliance account. If March 1 is not a business day, the allowance transfer deadline means by midnight of the first business day thereafter. The number of allowances held on the allowance transfer deadline may not be less than the tons of NO_x emissions for the control period from all CAIR NO_x units at the source, as determined in accordance with 40 CFR 96, subpart HH.

2) Each ton of excess emissions of a CAIR NO_x source for each day in a control period, starting in 2009 will constitute a separate violation of 35 IAC Part 225, Subpart D, the Act, and the CAA.

3) Each CAIR NO_x unit will be subject to the requirements 35 IAC 225.410(d)(1) for the control period starting on the later of January 1, 2009 or the deadline for meeting the unit's monitoring certification requirements pursuant to 40 CFR 96.170(b)(1) or (b)(2) and for each control period thereafter.

4) CAIR NO_x allowances must be held in, deducted from, or transferred into or among allowance accounts in accordance with 35 IAC Part 225, Subpart D, and 40 CFR 96, subparts FF and GG.

5) In order to comply with the requirements of 35 IAC 225.410(d)(1), a CAIR NO_x allowance may not be deducted for compliance according to 35 IAC 225.410(d)(1) for a control period in a year before the calendar year for which the allowance is allocated.

6) A CAIR NO_x allowance is a limited authorization to emit one ton of NO_x in accordance with the CAIR NO_x Trading Program. No provision of the CAIR NO_x Trading Program, the CAIR NO_x permit application, the CAIR permit, or a retired unit exemption pursuant to 40 CFR 96.105, and no provision of law, will be construed to limit the authority of the United States or the State to terminate or limit this authorization.

7) A CAIR NO_x allowance does not constitute a property right.

8) Upon recordation by USEPA pursuant to 40 CFR 96, subpart FF or subpart GG, every allocation, transfer, or deduction of a CAIR NO_x allowance to or from a CAIR NO_x source's compliance account is deemed to amend automatically, and become a part of, any CAIR NO_x permit of the CAIR NO_x source. This automatic amendment of the CAIR permit will be deemed an operation of law and will not require any further review.

e) RECORDKEEPING AND REPORTING REQUIREMENTS:

1) Unless otherwise provided, the owner or operator of the CAIR NO_x source and each CAIR NO_x unit at the source must keep on site at the source each of the documents listed in subsections (e)(1)(A) through (e)(1)(E) of 35 IAC 225.410 for a period of five years from the date the document is created. This period may be extended for cause, at any time prior to the end of five years in writing by the Agency or USEPA.

A) The certificate of representation for the CAIR designated representative for the source and each CAIR NO_x unit at the source, all documents that demonstrate the truth of the statements in the certificate of representation, provided that the certificate and documents must be retained on site at the source beyond such five-year period until the documents are superseded because of the submission of a new certificate of representation, pursuant to 40 CFR 96.113, changing the CAIR designated representative.

B) All emissions monitoring information, in accordance with 40 CFR 96, subpart HH.

C) Copies of all reports, compliance certifications, and other submissions and all records made or required pursuant to the CAIR NO_x Annual Trading Program or documents necessary to demonstrate compliance with the requirements of the CAIR NO_x Annual Trading Program or with the requirements of 35 IAC Part 225, Subpart D.

D) Copies of all documents used to complete a CAIR NO_x permit application and any other submission or documents used to demonstrate compliance pursuant to the CAIR NO_x Annual Trading Program.

E) Copies of all records and logs for gross electrical output and useful thermal energy required by 35 IAC 225.450.

2) The CAIR designated representative of a CAIR NO_x source and each CAIR NO_x unit at the source must submit to the Agency and USEPA the reports and compliance certifications required pursuant to the CAIR NO_x Annual Trading Program, including those pursuant to 40 CFR 96, subpart HH.

f) LIABILITY:

1) No revision of a permit for a CAIR NO_x unit may excuse any violation of the requirements of 35 IAC Part 225, Subpart D or the requirements of the CAIR NO_x Annual Trading Program.

2) Each CAIR NO_x source and each CAIR NO_x unit must meet the requirements of the CAIR NO_x Annual Trading Program.

3) Any provision of the CAIR NO_x Annual Trading Program that applies to a CAIR NO_x source (including any provision applicable to the CAIR designated representative of a CAIR NO_x source) will also apply to the owner and operator of the CAIR NO_x source and to the owner and operator of each CAIR NO_x unit at the source.

4) Any provision of the CAIR NO_x Annual Trading Program that applies to a CAIR NO_x unit (including any provision applicable to the CAIR designated representative of a CAIR NO_x unit) will also apply to the owner and operator of the CAIR NO_x unit.

5) The CAIR designated representative of a CAIR NO_x unit that has excess NO_x emissions in any control period must surrender the allowances as required for deduction pursuant to 40 CFR 96.154(d)(1).

6) The owner or operator of a CAIR NO_x unit that has excess NO_x emissions in any control period must pay any fine, penalty, or assessment or comply with any other remedy imposed pursuant to the Act and 40 CFR 96.154(d)(2).

g) EFFECT ON OTHER AUTHORITIES:

No provision of the CAIR NO_x Annual Trading Program, a CAIR permit application, a CAIR permit, or a retired unit exemption pursuant to 40 CFR 96.105 will be construed as exempting or excluding the owner and operator and, to the extent applicable, the CAIR designated representative of a CAIR NO_x source or a CAIR NO_x unit from compliance with any other regulation promulgated pursuant to the CAA, the Act, any State regulation or permit, or a federally enforceable permit.

SECTION 4: CAIR NO_x OZONE SEASON TRADING PROGRAM COMPLIANCE REQUIREMENTS AS SET FORTH IN 35 IAC 225.510

(a) APPLICABLE REGULATIONS:

The requirements of 35 IAC Part 225, Subpart E and 40 CFR 96, subpart AAAA (excluding 40 CFR 96.304, 96.305(b)(2), and 96.306), subpart BBBB, subpart FFFF, subpart GGGG and subpart HHHH as incorporated by reference in 35 IAC 225.140.

(b) CAIR PERMIT REQUIREMENTS:

1) The designated representative of each source with one or more CAIR NO_x Ozone Season units at the source subject to 35 IAC Part 225, Subpart E must apply for a permit issued by the Agency with federally enforceable conditions covering the CAIR NO_x Ozone Season Trading Program ("CAIR permit") that complies with the requirements of 35 IAC 225.520.

2) The owner or operator of each CAIR NO_x Ozone Season source and each CAIR NO_x Ozone Season unit at the source must operate the CAIR NO_x Ozone Season unit in compliance with its CAIR permit.

(c) MONITORING REQUIREMENTS:

1) The owner or operator of each CAIR NO_x Ozone Season source and each CAIR NO_x Ozone Season unit at the source must comply with the monitoring, reporting and recordkeeping requirements of 40 CFR 96, Subpart HHHH, 40 CFR 75 and 35 IAC 225.550. The CAIR designated representative of each CAIR NO_x Ozone Season source and each CAIR NO_x Ozone Season unit at the source must comply with those sections of the monitoring, reporting and recordkeeping requirements of 40 CFR 96, Subpart HHHH, applicable to a CAIR designated representative.

2) The compliance of each CAIR NO_x Ozone Season source with the CAIR NO_x Ozone Season emissions limitation pursuant to 35 IAC 225.510(d) will be determined by the emissions measurements recorded and reported in accordance with 40 CFR 96, subpart HHHH.

(d) EMISSION REQUIREMENTS:

1) By the allowance transfer deadline, midnight of November 30, 2009, and by midnight of November 30 of each subsequent year if November 30 is a business day, the owner or operator of each CAIR NO_x Ozone Season source and each CAIR NO_x Ozone Season unit at the source must hold CAIR NO_x allowances available for compliance deductions pursuant to 40 CFR 96.354(a) in the CAIR NO_x Ozone Season source's compliance account. If November 30 is not a business day, the allowance transfer deadline means by midnight of the first business day thereafter. The number of allowances held may not be less than the tons of NO_x emissions for the control period from all CAIR NO_x Ozone Season units at the CAIR NO_x Ozone Season source, as determined in accordance with 40 CFR 96, subpart HHHH.

2) Each ton of excess emissions of a CAIR NO_x Ozone Season source for each day in a control period, starting in 2009 will constitute a separate violation of 35 IAC Part 225, Subpart E, the Act, and the CAA.

3) Each CAIR NO_x Ozone Season unit will be subject to the requirements 35 IAC 225.510(d)(1) for the control period starting on the later of May 1, 2009 or the deadline for meeting the unit's monitoring certification requirements pursuant to 40 CFR 96.370(b)(1), (b)(2) or (b)(3) and for each control period thereafter.

4) CAIR NO_x Ozone Season allowances must be held in, deducted from, or transferred into or among allowance accounts in accordance with 35 IAC Part 225, Subpart E, and 40 CFR 96, subparts FFFF and GGGG.

5) In order to comply with the requirements of 35 IAC 225.510(d)(1), a CAIR NO_x Ozone Season allowance may not be deducted for compliance according to 35 IAC 225.510(d)(1) for a control period in a calendar year before the year for which the CAIR NO_x Ozone Season allowance is allocated.

6) A CAIR NO_x Ozone Season allowance is a limited authorization to emit one ton of NO_x in accordance with the CAIR NO_x Ozone Season Trading Program. No provision of the CAIR NO_x Ozone Season Trading Program, the CAIR permit application, the CAIR permit, or a retired unit exemption pursuant to 40 CFR 96.305, and no provision of law, will be construed to limit the authority of the United States or the State to terminate or limit this authorization.

7) A CAIR NO_x Ozone Season allowance does not constitute a property right.

8) Upon recordation by USEPA pursuant to 40 CFR 96, subpart FFFF or GGGG, every allocation, transfer, or deduction of a CAIR NO_x Ozone Season allowance to or from a CAIR NO_x Ozone Season source compliance account is deemed to amend automatically, and become a part of, any CAIR permit of the CAIR NO_x Ozone Season source. This automatic amendment of the CAIR permit will be deemed an operation of law and will not require any further review.

e) RECORDKEEPING AND REPORTING REQUIREMENTS:

1) Unless otherwise provided, the owner or operator of the CAIR NO_x Ozone Season source and each CAIR NO_x Ozone Season unit at the source must keep on site at the source each of the documents listed in subsections (e)(1)(A) through (e)(1)(E) of 35 IAC 225.510 for a period of five years from the date the document is created. This period may be extended for cause, at any time prior to the end of five years in writing by the Agency or USEPA.

A) The certificate of representation for the CAIR designated representative for the source and each CAIR NO_x Ozone Season unit at the source, all documents that demonstrate the truth of the statements in the certificate of representation, provided that the certificate and documents must be retained on site at the source beyond such five-year period until the documents are superseded because of the submission of a new certificate of representation, pursuant to 40 CFR 96.313, changing the CAIR designated representative.

B) All emissions monitoring information, in accordance with 40 CFR 96, subpart HHHH.

C) Copies of all reports, compliance certifications, and other submissions and all records made or required pursuant to the CAIR NO_x Ozone Season Trading Program or documents necessary to demonstrate compliance with the requirements of the CAIR NO_x Ozone Season Trading Program or with the requirements of 35 IAC Part 225, Subpart E.

D) Copies of all documents used to complete a CAIR permit application and any other submission or documents used to demonstrate compliance pursuant to the CAIR NO_x Ozone Season Trading Program.

E) Copies of all records and logs for gross electrical output and useful thermal energy required by 35 IAC 225.550.

2) The CAIR designated representative of a CAIR NO_x Ozone Season source and each CAIR NO_x Ozone Season unit at the source must submit to the Agency and USEPA the reports and compliance certifications required pursuant to the CAIR NO_x Ozone Season Trading Program, including those pursuant to 40 CFR 96, subpart HHHH and 35 IAC 225.550.

f) LIABILITY:

1) No revision of a permit for a CAIR NO_x Ozone Season unit may excuse any violation of the requirements of 35 IAC Part 225, Subpart E or the requirements of the CAIR NO_x Ozone Season Trading Program.

2) Each CAIR NO_x Ozone Season source and each CAIR NO_x Ozone Season unit must meet the requirements of the CAIR NO_x Ozone Season Trading Program.

3) Any provision of the CAIR NO_x Ozone Season Trading Program that applies to a CAIR NO_x Ozone Season source (including any provision applicable to the CAIR designated representative of a CAIR NO_x Ozone Season source) will also apply to the owner and operator of the CAIR NO_x Ozone Season source and to the owner and operator of each CAIR NO_x Ozone Season unit at the source.

4) Any provision of the CAIR NO_x Ozone Season Trading Program that applies to a CAIR NO_x Ozone Season unit (including any provision applicable to the CAIR designated representative of a CAIR NO_x Ozone Season unit) will also apply to the owner and operator of the CAIR NO_x Ozone Season unit.

5) The CAIR designated representative of a CAIR NO_x Ozone Season unit that has excess emissions in any control period must surrender the allowances as required for deduction pursuant to 40 CFR 96.354(d)(1).

6) The owner or operator of a CAIR NO_x Ozone Season unit that has excess NO_x emissions in any control period must pay any fine, penalty, or assessment or comply with any other remedy imposed pursuant to the Act and 40 CFR 96.354(d)(2).

g) EFFECT ON OTHER AUTHORITIES:

No provision of the CAIR NO_x Ozone Season Trading Program, a CAIR permit application, a CAIR permit, or a retired unit exemption pursuant to 40 CFR 96.305 will be construed as exempting or excluding the owner and operator and, to the extent applicable, the CAIR designated representative of a CAIR NO_x Ozone Season source or a CAIR NO_x Ozone Season unit from compliance with any other regulation promulgated pursuant to the CAA, the Act, any State regulation or permit, or a federally enforceable permit.

Attachment 6 Acid Rain Permit

ACID RAIN PROGRAM
PERMIT

217-785-1705

NRG Wholesale Generation LP
Aurora Generating Station
Attn: John P Shimshock
121 Champion Way
Canonsburg, Pennsylvania 15317

Oris No.: 55279
IEPA I.D. No.: 043407AAF
Source/Unit: NRG Wholesale Generation LP - Aurora Generating Station
Turbines CTG01-CTG10

SULFUR DIOXIDE (SO_2) ALLOCATIONS AND NITROGEN OXIDE (NO_x) REQUIREMENTS FOR EACH AFFECTED UNIT:

EU01 and EU02	SO_2 Allowances	These units are not entitled to an allocation of SO_2 allowances pursuant to 40 CFR Part 73.
	NO_x limit	These units are not subject to a NO_x emissions limitation pursuant to 40 CFR Part 76.

PERMIT APPLICATION: The permit application, which includes SO_2 allowance requirements and other standard requirements, is attached and incorporated as part of this permit. The owners and operators of this source must comply with the standard requirements and special provisions set forth in the application

COMMENTS, NOTES AND JUSTIFICATIONS: This permit contains provisions related to SO_2 emissions and requires the owners and operators to hold SO_2 allowances to account for SO_2 emissions from the affected units. An allowance is a limited authorization to emit up to one ton of SO_2 during or after a specified calendar year. Although this plant is not eligible for an allowance allocated by USEPA, the owners or operators may obtain SO_2 allowances to cover emissions from other sources under a marketable allowance program. The transfer of allowances to and from a unit account does not necessitate a revision to the unit SO_2 allocations denoted in this permit (See 40 CFR 72.84).

This permit contains provisions related to NO_x emissions and requires the owners and operators to monitor NO_x emissions from affected units in accordance with applicable provisions of 40 CFR Part 75. These units are not subject to a NO_x emission limitation because USEPA has not adopted such limitation for combined cycle turbines.

This Acid Rain Program permit does not authorize the construction and operation of the affected units as such matters are addressed by Titles I and

V of the Clean Air Act. This permit also does not affect the source's responsibility to meet all other applicable local, state and federal requirements, including 35 IAC Part 225, Subparts C, D, and E.

If you have any questions regarding this permit, please contact Lisa Tossi at 217-785-1705.

Raymond E. Pilapil
Acting Manager, Permit Section
Division of Air Pollution Control

REP:LT:jws

cc: Beth Valenziano, USEPA Region V
Illinois EPA Region 2

United States
Environmental Protection Agency
Acid Rain Program

OMB No. 2060-0258
Approval expires 11/30/2012

Acid Rain Permit Application

For more information, see instructions and 40 CFR 72.30 and 72.31.

This submission is: ☐ new ☐ revised ☑ for Acid Rain permit renewal

For the period January 1, 2015 through December 31, 2019

STEP 1

Identify the facility name, State, and plant (ORIS) code.

GenOn - Aurora Generating Station Facility (Source) Name	State IL	Plant Code 55279

GenOn Wholesale Generation, LP - Aurora Generating Station

Current Acid Rain Program Permit effective January 1, 2010, expires December 31, 2014

STEP 2

Enter the unit ID# for every affected unit at the affected source in column "a."

a	b
Unit ID#	Unit Will Hold Allowances in Accordance with 40 CFR 72.9(c)(1)
CTG01	Yes
CTG02	Yes
CTG03	Yes
CTG04	Yes
CTG05	Yes
CTG06	Yes
CTG07	Yes
CTG08	Yes
CTG09	Yes
CTG10	Yes
	Yes
	Yes
	Yes
	Yes
	Yes
	Yes
	Yes
	Yes

RECEIVED
STATE OF ILLINOIS
MAR 5 2 2013
Environmental Protection Agency
BUREAU OF AIR

EPA Form 7610-16 (Revised 12-2009)

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Permit Requirements

STEP 3

Read the standard requirements.

(1) The designated representative of each affected source and each affected unit at the source shall:

(i) Submit a complete Acid Rain permit application (including a compliance plan) under 40 CFR part 72 in accordance with the deadlines specified in 40 CFR 72.30; and

(ii) Submit in a timely manner any supplemental information that the permitting authority determines is necessary in order to review an Acid Rain permit application and issue or deny an Acid Rain permit;

(2) The owners and operators of each affected source and each affected unit at the source shall:

(i) Operate the unit in compliance with a complete Acid Rain permit application or a superseding Acid Rain permit issued by the permitting authority; and

(ii) Have an Acid Rain Permit.

Monitoring Requirements

(1) The owners and operators and, to the extent applicable, designated representative of each affected source and each affected unit at the source shall comply with the monitoring requirements as provided in 40 CFR part 75.

(2) The emissions measurements recorded and reported in accordance with 40 CFR part 75 shall be used to determine compliance by the source or unit, as appropriate, 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 source's compliance account (after deductions under 40 CFR 73.34(c)), not less than the total annual emissions of sulfur dioxide for the previous calendar year from the affected units at the source; 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).

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Sulfur Dioxide Requirements, Cont'd.

STEP 3, Cont'd.

(4) Allowances shall be held in, deducted from, or transferred among Allowance Tracking System accounts in accordance with the Acid Rain Program.
(5) An allowance shall not be deducted in order to comply with the requirements under paragraph (1) of the sulfur dioxide requirements prior to the calendar year for which the allowance was allocated.
(6) An allowance allocated by the Administrator under the Acid Rain Program is a limited authorization to emit sulfur dioxide in accordance with the Acid Rain Program. No provision of the Acid Rain Program, the Acid Rain permit application, the Acid Rain permit, or an exemption under 40 CFR 72.7 or 72.8 and no provision of law shall be construed to limit the authority of the United States to terminate or limit such authorization.
(7) An allowance allocated by the Administrator under the Acid Rain Program does not constitute a property right.

Nitrogen Oxides Requirements

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

Excess Emissions Requirements

(1) The designated representative of an affected source 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 source 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;

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Recordkeeping and Reporting Requirements, Cont'd.

STEP 3, Cont'd.

(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.
(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.
(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

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Effect on Other Authorities, Cont'd.

STEP 3, Cont'd.

to applicable National Ambient Air Quality Standards or State Implementation Plans;
(2) Limiting the number of allowances a source can hold; *provided,* that the number of allowances held by the source 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.

Certification

STEP 4
Read the certification statement, sign, and date.

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 James D. Brown	
Signature	Date 3/6/13

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

NRG WHOLESALE GENERATION LP,	)	
	)	
Petitioner,	)	
	)	
v.	)	**PCB 14-_____**
	)	**(Permit Appeal – Air)**
ILLINOIS ENVIRONMENTAL PROTECTION AGENCY,	)	
	)	
Respondent.	)	

MOTION FOR STAY OF EFFECTIVENESS OF CONTESTED CONDITIONS OF CAAPP PERMIT FOR AURORA GENERATING STATION

NOW COMES Petitioner, NRG WHOLESALE GENERATION LP ("NRG"), by and through its attorneys, SCHIFF HARDIN LLP, pursuant to Section 40.2(f) of the Illinois Environmental Protection Act ("Act") (415 ILCS 5/40.2(f)) and requests that the Illinois Pollution Control Board (the "Board") grant a stay of effectiveness with regard to certain contested conditions within the permit issued to NRG for the operation of Aurora Generating Station ("Aurora Station") under the Clean Air Act Permit Program ("CAAPP" or "Title V") set forth at Section 39.5 of the Act (415 ILCS 5/39.5) on September 25, 2014 (the "2014 Renewal Permit"). In support of this Motion, NRG states as follows:

1. On September 25, 2014, the Illinois Environmental Protection Agency ("Illinois EPA") issued the 2014 Renewal Permit to NRG for the operation of Aurora Station.

2. NRG is contemporaneously filing a Petition for Review ("Petition") of the 2014 Renewal Permit. NRG hereby requests a stay of the following contested conditions:

- The NO_x, CO, VOM, and PM limits in Conditions 7.1.6(a)(i) and (ii);

- Conditions 7.1.3(g) and 7.1.6(a)(i) and (ii) to the extent that neither Condition 7.1.3(g) nor Conditions 7.1.6(a)(i) and (ii) authorize operation of the turbines in excess of the hourly limits set forth in Conditions 7.1.6(a)(i) and (ii) for a period lasting up to a minimum of 30 minutes following initial firing of fuel during each startup of an affected turbine;

- Conditions 7.1.3(h) and 7.1.6(a) to the extent that neither provides authorization to exceed the hourly limits set forth in Condition 7.1.6(a)(i) and (ii) in the event of malfunction or breakdown of the affected turbines. Please note that NRG is not contesting or seeking to stay Condition 7.1.3(h) as it relates to the standards set forth in Condition 7.1.3(b);

- Condition 7.1.6(b)(i) to the extent it requires that compliance with the annual limitations set forth in that condition "shall be determined from a running total of 365 days of data";

- Condition 7.1.5(a)(iii) to the extent it (1) requires quarterly inspections as the default inspection frequency, and (2) fails to clearly state that inspections should be conducted either in accordance with manufacturer's written instructions or other good air pollution control practices, as addressed in Condition 7.1.5(a)(iv);

- The limits on hours of operation set forth in Condition 7.3.5(e);

- The annual emission limits set forth in Conditions 5.6.1 and 7.3.6(a);

- Condition 7.3.9(g) to the extent that it does not accurately reflect the requirements of 40 C.F.R. § 63.6655(f); and

- The inclusion of the clause "(as required by Condition 3.2(c))" in Condition 5.3.6(v).

3. Section 40.2(f) of the Act states:

> If requested by the applicant, the Board may stay the effectiveness of any final Agency action identified in subsection (a) of this Section during the pendency of the review process. <u>If requested by the applicant, the Board shall stay the effectiveness of all the contested conditions of a CAAPP permit.</u> The Board <u>may</u> stay the effectiveness of any or all <u>uncontested conditions</u> if the Board determines that the uncontested conditions would be affected by its review of contested conditions. If the Board stays any, but not all, conditions, then the applicant shall continue to operate in accordance with any related terms and conditions of any other applicable permits until final Board action in the review process. If the Board stays all conditions, then the applicant shall continue to operate in accordance with all related terms and conditions of any other applicable permits until final Board action in the review process. Any stays granted by the Board shall be deemed effective upon the date of final Agency action appealed

> by the applicant under this subsection (f). Subsection (b) of Section 10-65 of the Illinois Administrative Procedure Act shall not apply to actions under this subsection. (emphasis added)

4. Consistent with the plain language of the Act, the Board has held that "Section 40.2(f) of the Act makes clear that contested conditions of a CAAPP permit shall be stayed at the request of the applicant." United States Steel Corp. v. Illinois EPA, PCB 13-53, slip op. at 2 (May 2, 2013). Accordingly, NRG is entitled to a stay of the contested conditions identified in Paragraph 2 of this Motion.

5. Further, a stay of those contested conditions is necessary to prevent irreparable harm to NRG and to protect its right to meaningfully appeal permit conditions.

6. During the pendency of the stay, NRG notes that it will comply with related permit conditions from the Revised Title V CAAPP Permit that Illinois EPA issued on March 3, 2010, with a stated expiration date of March 19, 2014 (the "Revised 2009 Renewal Permit"). With the exception of the following, this means that NRG will comply with the permit conditions, if any, that are identified by the same condition number in the Revised 2009 Renewal:

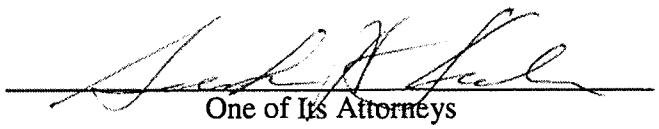
- NRG will comply with Condition 7.1.3(f) of the Revised 2009 Permit while Condition 7.1.3(g) of the 2014 Renewal is stayed.

WHEREFORE, Petitioner, NRG Wholesale Generation LP, requests that the Board grant a stay of effectiveness with regard to the contested conditions of the 2014 Renewal Permit identified in Paragraph 2 of this Motion during the pendency of the review process.

Respectfully submitted,

NRG WHOLESALE GENERATION LP

by:



One of Its Attorneys

Dated: October 29, 2014

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CERTIFICATE OF SERVICE

I hereby certify that on October 29, 2014, I caused to be served a true and correct copy of the APPEARANCE OF STEPHEN J. BONEBRAKE, APPEARANCE OF ANDREW N. SAWULA, APPEARANCE OF RAGHAV MURALI, PETITION FOR REVIEW OF CAAPP PERMIT FOR AURORA GENERATING STATION, and MOTION FOR STAY OF EFFECTIVENESS OF CONTESTED CONDITIONS OF CAAPP PERMIT FOR AURORA GENERATING STATION, upon the persons listed below electronically:

Mr. John Therriault, Clerk
Illinois Pollution Control Board
James R. Thompson Center
100 West Randolph Street, Suite 11-500
Chicago, IL 60601

and upon the persons listed below via U.S. Mail:

Division of Legal Counsel
Illinois Environmental Protection Agency
1021 North Grand Avenue, East
P.O. Box 19276
Springfield, IL 62794-9276

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Date: October 29, 2014