

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

NRG ROCKFORD LLC and NRG ROCKFORD)	
II LLC,)	
)	
Petitioners,)	
)	
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 **APPEARANCE OF STEPHEN J. BONEBRAKE, APPEARANCE OF ANDREW N. SAWULA, APPEARANCE OF RAGHAV MURALI, PETITION FOR REVIEW OF CAAPP PERMIT FOR NRG ROCKFORD ENERGY CENTER, and MOTION FOR STAY OF EFFECTIVENESS OF CONTESTED CONDITIONS OF CAAPP PERMIT FOR NRG ROCKFORD ENERGY CENTER**, copies of which are herewith served upon you.

Respectfully submitted,

NRG ROCKFORD LLC and NRG ROCKFORD
II LLC



Raghav Murali

Dated October 29, 2014

Stephen J. Bonebrake
Raghav Murali
SCHIFF HARDIN LLP
233 South Wacker Drive
Suite 6600
Chicago, IL 60606
(312) 258-5500
Fax: 312-258-5600
sbonebrake@schiffhardin.com
rmurali@schiffhardin.com

Andrew N. Sawula
SCHIFF HARDIN LLP
One Westminster Place
Lake Forest, IL 60045
(847) 295-4336
Fax: 847-295-4336
asawula@schiffhardin.com

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

NRG ROCKFORD LLC and NRG)
ROCKFORD II LLC,)

Petitioners,)

v.)

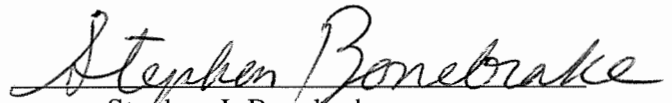
ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)

Respondent.)

PCB 14-_____
(Permit Appeal – Air)

APPEARANCE

I, Stephen J. Bonebrake, hereby file my appearance in this proceeding on behalf of NRG Rockford LLC and NRG Rockford II LLC.



Stephen J. Bonebrake
 SCHIFF HARDIN LLP
 233 South Wacker Drive, Suite 6600
 Chicago, Illinois 60606
 312-258-5500
 Fax: 312-258-5600
 sbonebrake@schiffhardin.com

Dated: October 29, 2014

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

**NRG ROCKFORD LLC and NRG
ROCKFORD II LLC,**)

Petitioners,)

v.)

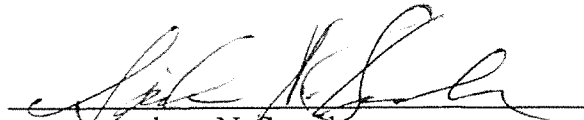
**ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY,**)

Respondent.)

PCB 14-_____
(Permit Appeal – Air)

APPEARANCE

I, Andrew N. Sawula, hereby file my appearance in this proceeding on behalf of NRG Rockford LLC and NRG Rockford II LLC.



Andrew N. Sawula
SCHIFF HARDIN LLP
One Westminster Place
Lake Forest, IL 60045
847-295-4336
Fax: 847-295-7810
asawula@schiffhardin.com

Dated: October 29, 2014

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

NRG ROCKFORD LLC and NRG)
ROCKFORD II LLC,)

Petitioners,)

v.)

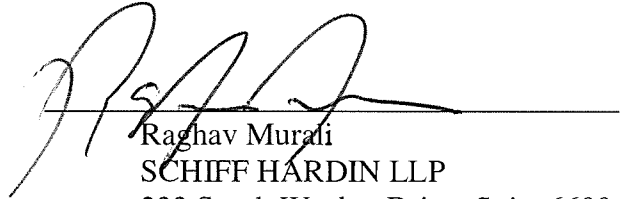
ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)

Respondent.)

PCB 14-_____
(Permit Appeal – Air)

APPEARANCE

I, Raghav Murali, hereby file my appearance in this proceeding on behalf of NRG Rockford LLC and NRG Rockford II LLC.



Raghav Murali
 SCHIFF HARDIN LLP
 233 South Wacker Drive, Suite 6600
 Chicago, Illinois 60606
 312-258-5500
 Fax: 312-258-5600
 sbonebrake@schiffhardin.com

Dated: October 29, 2014

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

NRG ROCKFORD LLC and NRG ROCKFORD II LLC,)	
)	
Petitioners,)	
)	
v.)	PCB 14-_____
)	(Permit Appeal – Air)
ILLINOIS ENVIRONMENTAL PROTECTION AGENCY,)	
)	
Respondent.)	

PETITION FOR REVIEW OF CAAPP PERMIT FOR NRG ROCKFORD ENERGY CENTER

NOW COME Petitioners, NRG ROCKFORD LLC and NRG ROCKFORD II LLC (“Petitioners”), by and through their 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 request a hearing before the Illinois Pollution Control Board (the “Board”) to contest the permit issued on September 25, 2014, for the operation of NRG Rockford Energy Center (the “Source”) 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). Petitioners also request a stay of certain contested permit conditions, as set forth in more detail in their Motion for Stay, which is filed together with this Petition. In support of this Petition, Petitioners state as follows:

I. BACKGROUND
(§ 105.304(a)(1))

1. The Source is owned by NRG Rockford LLC and NRG Rockford II LLC, and it is operated by Indeck Operations, Inc. (“Indeck”) pursuant to an agreement between Petitioners and Indeck. The Source is located at 136 Harrison Avenue, Rockford, Illinois, and it includes three natural gas-fired turbines, which generate electricity.

2. The turbines identified as emission units 11 and 12 (“Units 11 and 12”) were constructed pursuant to a construction permit (I.D. No. 201030BCG) that the Illinois Environmental Protection Agency (“Illinois EPA”) issued on February 16, 2000 (the “2000 Construction Permit”).¹ The turbine identified as emission unit 21 (“Unit 21”) was constructed pursuant to a construction permit (I.D. No. 201030BCO) that Illinois EPA issued on May 17, 2002 (the “2002 Construction Permit”).

3. Illinois EPA issued the initial CAAPP permit (Application No. 01060062; I.D. No. 201030BCG) for the Source on November 17, 2003, with a stated expiration date of November 17, 2008 (the “Initial CAAPP Permit”). Then, pursuant to a March 2008 renewal application, Illinois EPA issued a renewal CAAPP permit on March 19, 2009, with a stated expiration date of March 19, 2014 (the “2009 Renewal Permit”).

4. On June 11, 2013, Petitioners timely submitted a renewal application and requested a permit shield pursuant to Section 39.5(5)(p) of the Act and Form 200-CAAPP. Illinois EPA provided Petitioners a draft renewal permit on June 3, 2014, and invited Petitioners to submit comments by June 16, 2014. Petitioners submitted comments on June 16, 2014. Illinois EPA then issued a proposed permit for public comment on July 25, 2014, together with a statement of basis. Petitioners timely submitted their comments on the proposed permit and statement of basis on August 14, 2014. Petitioners also submitted an Application for Significant Modification to the CAAPP permit for the Source 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”).²

¹ This Petition sets forth certain key actions from the permitting history for the Source.

² Petitioners have attached the appealed permit as Exhibit 1 to this Petition. The other documents referenced in this background, such as the draft and proposed permits, Petitioners’

5. As of the date of filing this Petition, Petitioners have not received and are 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.

6. As described in the following section of this Petition, Petitioners are contesting certain conditions in the 2014 Renewal Permit. For all of the reasons set forth below, as well as the deficiencies identified in paragraph 8, above, 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, Petitioners seek review and revision of the 2014 Renewal Permit. This appeal is timely submitted within 35 days following issuance of the 2014 Renewal Permit. Petitioners request 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 the issues raised in this Petition.

7. Contemporaneously with this Petition, Petitioners are 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 they request 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. Units 11 and 12 Startup Authorization for Hourly Limits.

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, Petitioners are not attaching such other documents to this Petition.

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

9. No condition of the 2014 Renewal Permit explicitly authorizes Petitioners to exceed the hourly emission limits set forth at Condition 7.1.6(a) for any period of time. Petitioners requested such authorization for a period lasting up to a minimum of 30 minutes following initial firing of fuel during each startup. Condition 7.1.3(f) of the Initial Permit provided such authorization. Illinois EPA arbitrarily and capriciously refused to grant that authorization when it issued the 2014 Renewal Permit.

10. Accordingly, Petitioners contest Conditions 7.1.3(f) and 7.1.6(a) to the extent that neither condition authorizes operation of the turbines in excess of the hourly limits set forth in Condition 7.1.6(a) for a period lasting up to a minimum of 30 minutes following initial firing of fuel during each startup of an affected turbine. Petitioners request that the Board order Illinois EPA to revise the 2014 Renewal Permit to provide for such authorization, whether in Condition 7.1.3(f), 7.1.6(a), or another appropriate condition of the permit.

B. Units 11 and 12 Opacity Standards.

11. The 2014 Renewal Permit contains duplicative and potentially inconsistent opacity requirements.

12. Condition 7.1.6(d) of the 2014 Renewal Permit, which did not exist in the 2009 Renewal Permit, sets forth the opacity standard that applies “pursuant to 35 IAC 212.123(a).” That standard is already set forth at Condition 7.1.3(b) and should not be separately and duplicatively identified as a Title 1 applicable requirement. Doing so is inconsistent with law.

13. Moreover, Condition 7.1.6(d)(i) fails to include necessary and appropriate authorization to exceed the opacity standard for a period lasting up to a minimum of 30 minutes

following initial firing of fuel during each startup; instead, it is limited to “a period of up to 20 minutes following initial firing of fuel during each startup event.” This stands in contrast to Condition 7.1.3(f), which authorizes operations in excess of the opacity standard in Condition 7.1.3(b) “during startup” and does not limit such authorization to just the first 20 minutes of startup. Both Condition 7.1.3(f) and Condition 7.1.6(d)(i) cite to 35 IAC 201.262 in explaining the basis for the authorization. Providing only 20 minutes pursuant to Condition 7.1.6(d)(i) is, therefore, arbitrary and capricious.

14. Accordingly, Petitioners contest Condition 7.1.6(d). Petitioners request that the Board order Illinois EPA to revise the 2014 Renewal Permit to delete this condition or otherwise appropriately address the issues identified in Paragraphs 13 and 14 of this Petition.

C. Units 11 and 12 Malfunction and Breakdown Authorization.

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

16. Condition 7.1.3(g) 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(g)(i) – (v). Petitioners requested that the same authorization be provided to exceed the hourly emissions limits set forth in Condition 7.1.6(a). Illinois EPA arbitrarily and capriciously denied that request when it issued the 2014 Renewal Permit.

17. Accordingly, Petitioners contest Conditions 7.1.3(g) and 7.1.6(a) to the extent that neither condition provides such authorization. Petitioners request 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.

D. Annual Emission Limits.

18. Condition 7.1.6(c) of the 2014 Renewal Permit states that “compliance with annual limits shall be determined on a daily basis from the sum of the data for the current day plus the preceding 364 days (running 365 day total).” In their comments, Petitioners requested that compliance with annual limits be determined on a rolling 12-month basis. Illinois EPA arbitrarily and capriciously denied that request when it issued the 2014 Renewal Permit.

19. Accordingly, Petitioners contest Condition 7.1.6(c). Petitioners request that the Board order Illinois EPA to revise Condition 7.1.6(c) to require that compliance be determined from a running total of 12 months of data. If the Board denies that request, then Petitioners, in the alternative, request that the Board order Illinois EPA to revise Condition 7.1.6(c) to more clearly and explicitly state that the “annual limits” referenced in Condition 7.1.6(c) are only those annual limits set forth in Condition 7.1.6(b).

E. Unit 21 Startup Authorization.

20. The 2014 Renewal Permit fails to include necessary and appropriate authorization to exceed the hourly emission limits set forth in Condition 7.2.6(a) for a period lasting up to a minimum of 30 minutes following initial firing of fuel during each startup.

21. Condition 4(c)(i) of the 2002 Construction Permit explicitly authorized operation in excess of the hourly limits “except during startup as addressed by Condition 4(c)(iii)(B).” The requirements of Condition 4(c)(iii)(B) of that permit are incorporated in Condition 7.2.6(c) of the 2014 Renewal Permit; thus, the intent of the 2014 Renewal Permit appears to be to provide such authorization. However, the 2014 Renewal Permit fails to include the above-quoted language from Condition 4(c)(i), clearly and explicitly setting forth the exception. Notably, the authorization provided by the 2002 Construction Permit did not include a specific limit on either

the duration of the startup or the portion of time during the startup during which operation in excess of the hourly limits was authorized.

22. Petitioners requested that the 2014 Renewal Permit clearly and explicitly provide authorization to exceed the hourly emission limits set forth in Condition 7.2.6(a) for a period lasting up to a minimum of 30 minutes following initial firing of fuel during each startup. Illinois EPA arbitrarily and capriciously refused to grant that authorization when it issued the 2014 Renewal Permit.

23. Accordingly, Petitioners contest Conditions 7.2.3(f) (Startup Provisions) and 7.2.6(a) to the extent that neither condition authorizes operation of the turbine in excess of the hourly limits set forth in Condition 7.2.6(a) for a period lasting up to a minimum of 30 minutes following initial firing of fuel during each startup of the affected turbine. Petitioners request that the Board order Illinois EPA to revise the 2014 Renewal Permit to provide for such authorization, whether in Condition 7.2.3(f), 7.2.6(a), or another appropriate condition of the permit.

F. Work Practices.

24. In their comments on the proposed permit, Petitioners 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.”

25. 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 Petitioners’ 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.

26. Accordingly, Petitioners contest 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). Petitioners request that the Board order Illinois EPA to revise Condition 7.1.5(a)(iii)(A) to appropriately address both issues.

G. Incorrect Cross-References.

27. Condition 7.2.3(g)(iii) of the 2014 Renewal Permit cross-references recordkeeping and reporting requirements of Conditions 7.1.9(n) and 7.1.10(f). The proposed permit cross-referenced Conditions 7.1.9(m) and 7.1.10(e). In their comments, Petitioners asked Illinois EPA to revise this condition to, instead, cross-reference Conditions 7.2.9(n) and 7.2.10(f). Illinois EPA changed the letters in the cross-references, but it failed to change the "1" to "2." The cross-references are clearly incorrect because Condition 7.2.3(g)(iii) applies to Unit 21, while Conditions 7.1.9 and 7.1.10 apply to Units 11 and 12 (and not to Unit 21). In addition, with these cross-references, Condition 7.2.3(g)(iii) is duplicative of Condition 7.1.3(g)(iii).

28. Conditions 7.2.10(f)(ii)(B) and (C) of the 2014 Renewal Permit cross-reference condition 7.1.10(f)(i). In their comments, Petitioners asked Illinois EPA to revise these conditions to, instead, cross-reference Condition 7.2.10(f)(i). The cross-reference in both conditions is clearly incorrect because Condition 7.2.10(f)(ii) applies to Unit 21, while Condition 7.1.10(f)(i) applies to Units 11 and 12 (and not to Unit 21).

29. Illinois EPA arbitrarily and capriciously denied Petitioners' request to correct these cross-references when it issued the 2014 Renewal Permit. Accordingly, Petitioners contest Conditions 7.2.3(g)(iii) and 7.2.10(f)(ii)(B) and (C). Petitioners request that the Board order Illinois EPA to correct the cross-references in these conditions.

H. Permit Shield.

30. Condition 8.1 of the 2014 Renewal Permit states that the permit shield "does not extend to applicable requirements which are promulgated after July 18, 2014 (the date of issuance of the proposed permit)." This condition incorrectly identifies the date of issuance of the proposed permit. The correct date is July 25, 2014.

31. In the proposed permit, the date was listed as "TBD (the date of issuance of the proposed permit)." Consequently, Petitioners were not afforded the opportunity to review or comment on the specific date.

32. Accordingly, Petitioners contest the second paragraph of Condition 8.1. Petitioners request that the Board order Illinois EPA to correct the date (July 18, 2014) listed in that paragraph.

I. Additional Clerical Errors.

33. Petitioners contest the 2014 Renewal Permit to the extent it contains additional clerical errors. Petitioners specifically note 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

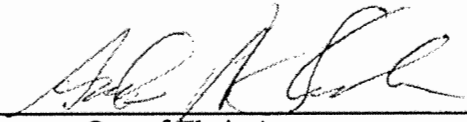
errors, such as the omission of substantive text and changes in the stringency of limitations. Inclusion of such errors could lead to confusion. Petitioners request that the Board order Illinois EPA to revise the 2014 Renewal Permit to conform Attachment 2 to the true text of 35 Ill. Adm. Code §§ 212.321 and 212.322 and to correct any other clerical errors.

WHEREFORE, Petitioners, NRG Rockford LLC and NRG Rockford II LLC, petition 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, Petitioners request that the Board stay certain contested conditions of the 2014 Renewal Permit during the pendency of the review process. Petitioners reserve the right to amend this Petition as necessary 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 ROCKFORD LLC and NRG ROCKFORD
II LLC

by:



One of Their Attorneys

Dated: October 29, 2014

Stephen J. Bonebrake
Raghav Murali
SCHIFF HARDIN LLP
233 South Wacker Drive, Suite 6600
Chicago, IL 60606
312-258-5500
Fax: 312-258-5600
sbonebrake@schiffhardin.com
rmurali@schiffhardin.com

Andrew N. Sawula
SCHIFF HARDIN LLP
One Westminster Place
Lake Forest, IL 60045
847-295-4336
Fax: 847-295-7810
asawula@schiffhardin.com

EXHIBIT 1

CAAPP PERMIT ISSUED

(September 25, 2014)



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"
CLEAN AIR ACT PERMIT PROGRAM (CAAPP) PERMIT

PERMITTEE

NRG Rockford Energy Center
Attn: John P. Shimshock
121 Champion Way
Canonsburg, PA 15317

I.D. No.: 201030BCG
Application No.: 01060062

Date Received: June 12, 2013
Date Issued: September 25, 2014
Expiration Date¹: September 25, 2019

Operation of: NRG Rockford Energy Center
Source Location: 136 Harrison Avenue, Rockford, Winnebago County, 61104
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 Melissa Caby at 217/785-1705.

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

REP:MKC:jws
MKC

cc: Illinois EPA, FOS, Region 2
CES
Lotus Notes

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

TABLE OF CONTENTS

	<u>Page</u>
1.0 INTRODUCTION	4
1.1 Source Identification	
1.2 Owner/Parent Company	
1.3 Operator	
1.4 Source Description	
1.5 Title I Conditions	
2.0 LIST OF ABBREVIATIONS AND ACRONYMS COMMONLY USED	6
3.0 CONDITIONS FOR INSIGNIFICANT ACTIVITIES	7
3.1 Identification of Insignificant Activities	
3.2 Compliance with Applicable Requirements	
3.3 Addition of Insignificant Activities	
4.0 SIGNIFICANT EMISSION UNITS AT THIS SOURCE	9
5.0 OVERALL SOURCE CONDITIONS	10
5.1 Applicability of Clean Air Act Permit Program (CAAPP)	
5.2 Area Designation	
5.3 Source-Wide Applicable Provisions and Regulations	
5.4 Source-Wide Non-Applicability of Regulations of Concern	
5.5 Source-Wide Control Requirements and Work Practices	
5.6 Source-Wide Production and Emission Limitations	
5.7 Source-Wide Testing Requirements	
5.8 Source-Wide Monitoring Requirements	
5.9 Source-Wide Recordkeeping Requirements	
5.10 Source-Wide Reporting Requirements	
5.11 Source-Wide Operational Flexibility/Anticipated Operating Scenarios	
5.12 Source-Wide Compliance Procedures	
6.0 CONDITIONS FOR EMISSIONS CONTROL PROGRAMS	17
6.1 Clean Air Interstate Rule (CAIR) Program	
6.2 Acid Rain	
7.0 UNIT SPECIFIC CONDITIONS FOR SPECIFIC EMISSION UNITS	22
7.1 Turbines 11 and 12 (Subject to NSPS - 40 CFR Subpart GG)	
7.2 Turbine 21 (Subject to NSPS - 40 CFR Subpart GG)	
8.0 GENERAL PERMIT CONDITIONS	75
8.1 Permit Shield	

	<u>Page</u>	
8.2	Applicability of Title IV Requirements	
8.3	Emissions Trading Programs	
8.4	Operational Flexibility/Anticipated Operating Scenarios	
8.5	Testing Procedures	
8.6	Reporting Requirements	
8.7	Title I Conditions	
9.0	STANDARD PERMIT CONDITIONS	80
9.1	Effect of Permit	
9.2	General Obligations of Permittee	
9.3	Obligation to Allow Illinois EPA Surveillance	
9.4	Obligation to Comply with Other Requirements	
9.5	Liability	
9.6	Recordkeeping	
9.7	Annual Emissions Report	
9.8	Requirements for Compliance Certification	
9.9	Certification	
9.10	Defense to Enforcement Actions	
9.11	Permanent Shutdown	
9.12	Reopening and Reissuing Permit for Cause	
9.13	Severability Clause	
9.14	Permit Expiration and Renewal	
9.15	General Authority for the Terms and Conditions of this Permit	
10.0	ATTACHMENTS	
1	Example Certification by a Responsible Official	1-1
2	Emissions of Particulate Matter from Process Emission Units	2-1
3	Compliance Assurance Monitoring (CAM) Plan	3-1
4	Guidance	4-1
5	CAIR Permit	5-1
6	Acid Rain Permit	6-1

1.0 INTRODUCTION

1.1 Source Identification

NRG Rockford Energy Center
136 Harrison Avenue
Rockford, Illinois 61104
815/968-4421

I.D. No.: 201030BCG
County: Winnebago
Standard Industrial Classification: 4911, Electric Services

1.2 Owner/Parent Company

NRG Rockford LLC/NRG Rockford II LLC
NRG Energy, Inc.
121 Champion Way
Canonburg, PA 15317

1.3 Operator

Indeck Operations, Inc
600 North Buffalo Grove Road, Suite 300
Buffalo Grove, Illinois 60089

John P. Shimshock
724/597-8405

1.4 Source Description

NRG Rockford Energy Center is located at 136 Harrison Avenue in Rockford, Illinois. The source operates simple cycle turbines to provide peaking power into the electric grid.

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:

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)]

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 215.301, 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 215.182.
- 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 an organic material with a vapor pressure exceeding 2.5 psia at 70°F, the Permittee shall comply with the applicable requirements of 35 IAC 215.122, 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).

4.0 SIGNIFICANT EMISSION UNITS AT THIS SOURCE

Emission Unit	Description	Date Constructed	Emission Control Equipment
11	150 MW Natural Gas Fired Turbine (1,563.8 mmBtu/hr)	Feb 2000	Dry Low NO _x Burners
12	150 MW Natural Gas Fired Turbine (1,563.8 mmBtu/hr)	Feb 2000	Dry Low NO _x Burners
21	166 MW Natural Gas Fired Turbine (1,715 mmBtu/hr)	Sept 2001	Dry Low NO _x Burners

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, greenhouse gas (GHG), and CO 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 attainment or unclassifiable for the National Ambient Air Quality Standards for all criteria pollutants (CO, lead, NO₂, Ozone, PM_{2.5}, PM₁₀, SO₂).

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 June 12, 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 SO₂, PM₁₀, NO₂, 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 5.3.6), 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 are 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)	26.4
Sulfur Dioxide (SO ₂)	2.9
Particulate Matter (PM)	46.5
Nitrogen Oxides (NO _x)	296.0
HAP, not included in VOM or PM	----
Total	371.8

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

- 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:

Turbines 11, 12, and 21

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 (SO₂), 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 SO₂ Emissions

The owners and operators of this source shall not violate applicable CAIR provisions, in 35 IAC Part 225, Subpart C. SO₂ 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 SO₂ allowances to account for the emissions from the affected CAIR units. Each CAIR SO₂ allowance is a limited authorization to emit during the respective CAIR SO₂ annual period or subsequent period. The possession of SO₂ 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:

Turbines 11, 12, and 21

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. SO₂ 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)(1) of the Act]

Note: Affected sources must hold SO₂ allowances to account for the SO₂ 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 SO₂ 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)(1) 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]

7.0 UNIT SPECIFIC CONDITIONS FOR SPECIFIC EMISSION UNITS

7.1 Turbines 11 and 12 (Subject to NSPS - 40 CFR Subpart GG)

7.1.1 Description

The turbines are process emission units used to generate electricity. The turbines are powered by natural gas. NO_x emissions are controlled with dry low NO_x burners.

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
11	150 MW Natural Gas Fired Turbine (1,563.8 mmBtu/hr)	Feb 2000	Dry Low NO _x Burners
12	150 MW Natural Gas Fired Turbine (1,563.8 mmBtu/hr)	Feb 2000	Dry Low NO _x Burners

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 accordance 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. 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.

g. 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) and the emission limit in Condition 7.1.6(d) 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(n) and 7.1.10(f). 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 can not be set so that such rules can not 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 40 CFR Part 64, Compliance Assurance Monitoring (CAM) for Major Stationary Sources:
 - i. For NO_x and SO₂, because:
 - A. The affected turbines are subject to a NSPS proposed after November 15, 1990, pursuant to 40 CFR 64.2(b)(1)(i).
 - B. The affected turbines are subject to Acid Rain Program requirements, pursuant to 40 CFR 64.2(b)(1)(iii).
 - C. The affected turbines are subject to an emission limitation or standard for which this CAAPP permit specifies a continuous compliance determination method, pursuant to 40 CFR 64.2(b)(1)(vi).
 - ii. For PM, VOM, and CO because the affected turbines do not use an add-on control device to achieve compliance with an emission limitation or standard.
- f. The affected turbines are not subject to 35 IAC 217 Subpart Q: Stationary Reciprocating Internal Combustion Engines And Turbines, because the affected turbines are not located at sources located in areas identified in 35 IAC 217.386(a)(2).

Note: 35 IAC 217.386(a)(2) requires that affected sources are located in either one of the following areas and that emit or have the potential to emit NO_x in an amount equal to or greater than 100 tons per year:

- i) The area composed of the Chicago area counties of Cook, DuPage, Kane, Lake, McHenry, and Will, the Townships of Aux Sable and Goose Lake in Grundy County, and the Township of Oswego in Kendall County; or
 - ii) The area composed of the Metro East area counties of Jersey, Madison, Monroe, and St. Clair, and the Township of Baldwin in Randolph County.
- g. 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).

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 an 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. Pursuant to Construction Permit #99110088, natural gas shall be the only fuel in the affected turbines. [T1]
- c. Pursuant to Construction Permit #99110088, the affected turbines shall be equipped, operated, and maintained with low NO_x burners to control NO_x emissions. [T1]
- d. Pursuant to Construction Permit #99110088, the affected turbines shall be equipped, operated, and maintained with a system to measure and record their fuel consumption. [T1]
- e. Combined operation of the affected turbines shall not exceed more than 4,600 hours per year. The above limitation was established in Construction Permit #99110088. [T1]

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. Pursuant to Construction Permit #99110088, hourly emissions from each affected turbine shall not exceed the following limits, except when the ambient temperature is less than 59°F, hourly emissions from each affected turbine shall not exceed 99.6 lb/hr for NO_x and 60.4 lb/hr for CO: [T1]

Pollutant	(Lb/Hour)
NO _x	86.5
CO	52.7
SO ₂	1.0
VOM	8.0
PM	10.0

- b. Annual emissions from the facility shall not exceed the following limits: [T1]

Pollutant	(Ton/Year)
NO _x	199.0
CO	121.2
SO ₂	2.0
VOM	18.4
PM	23.0

The above limitations were established in Construction Permit #99110088, pursuant to 40 CFR 52.21, Prevention of Significant Deterioration (PSD). These limits ensure that the construction

and/or modification addressed in the aforementioned permit does not constitute a new major source or major modification pursuant to Title I of the CAA, specifically the federal rules for Prevention of Significant Deterioration (PSD), 40 CFR 52.21. [T1]

- c. Compliance with annual limits shall be determined on a daily basis from the sum of the data for the current day plus the preceding 364 days (running 365 day total). [T1]
- d. The emission of smoke or other particulate matter from each turbine shall not have an opacity greater than 30 percent, pursuant to 35 IAC 212.123(a), except as allowed below (35 IAC 201.149, 212.123(b) or 212.124). [T1]
 - i. The Permittee is authorized to operate the turbines in excess of 30 percent opacity during startup pursuant to 35 IAC 201.262, 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]

7.1.7 Testing Requirements

- a. The nitrogen oxides (NO_x) emissions, and the oxygen (O₂) 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_{x0}) 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):

$$NO_x = (NO_{x0}) (P_r/P_o) 0.5 e^{19(H_o - 0.00633)} (288^\circ K/T_a)^{1.53}$$

Where:

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

NO_{x0} = 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 $H_2 O$ /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 63.335(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 ft³).
 - 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.

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 63.335(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 paragraph 40 CFR 63.334(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. Should the operation of the affected turbine exceed the limitations of 7.1.6(a) relating to the definition of a gas-fired peaking unit in 40 CFR 75, the source owner or

operator shall install the appropriate Continuous Monitoring System(s) on the affected turbine by December 31 of the following calendar year, as defined in 40 CFR 75, in order to remain in compliance with the provisions of the Acid Rain Program.

- 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)]
- 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.

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.
 - A. The three year rolling average annual capacity factor and the highest annual capacity factor in any one of the three averaging years to determine the status of the affected turbine as a "gas-fired peaking unit" as detailed in Condition 7.1.6(a).
 - B. A record documenting whether the capacity factors exceeded the limitations of Condition 7.1.6(a) and whether Acid Rain Program Continuous Monitoring System(s) will be required.
 - ii. The sulfur content of the natural gas used to fire the turbines as determined in accordance with Condition 7.1.8(b).
 - iii. A copy of the Final Report(s) for emission testing conducted pursuant to Condition 7.1.7.
 - iv. Copies of opacity determinations taken for the source by qualified observer(s) using USEPA Method 9.
 - v. Records documenting its periodic review of its operating procedures as required by Condition 7.1.5(a).

- vi. 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. The sulfur content of the fuels fired in the affected turbine.
- e. Fuel consumption for the affected turbine, scf/month and scf/year.
- f. Intentionally left blank.
- 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. Intentionally left blank.
 - 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. 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(g) 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, and the records necessary from Condition 7.1.9(b)(i) which demonstrate the Acid Rain Program status of the affected turbine as a "gas-fired peaking unit."

c. 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. For such periods, the report shall include the actual water to fuel ratio, average fuel consumption, ambient conditions and turbine load.

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. 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(g) 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(f)(i).
- C. Any supplement information the Permittee wishes to provide to the notices and reports of Conditions 7.1.10(f)(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 SO₂ 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 SO₂ 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 5.5 and 7.1.6 shall be determined by using published emission factors, Illinois EPA approved stack test data, Illinois

EPA approved measured emission factors, or approved manufacturer's data and the recordkeeping requirements in Condition 7.1.9.

7.2 Turbine 21 (Subject to NSPS - 40 CFR Subpart GG)

7.2.1 Description

The turbine is a process emission unit used to generate electricity. The turbine is powered by natural gas. NO_x emissions are controlled with a dry low NO_x burners.

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
21	166 MW Natural Gas Fired Turbine (1,715 mmBtu/hr)	Sept 2001	Dry Low NO _x Burners

7.2.3 Applicable Provisions and Regulations

- a. The "affected turbine" for the purpose of these unit-specific conditions, is the turbine 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. 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 accordance with Condition 7.2.8(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. 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 7.2.3(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 7.2.9(m) and 7.2.10(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.

g. 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 7.2.3(b) and the emission limits in Condition 7.2.6 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(n) and 7.1.10(f). 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.

7.2.4 Non-Applicability of Regulations of Concern

- a. The affected turbine is 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 turbine is 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 turbine is not subject to 35 IAC 212.321 or 212.322, due to the unique nature of such units, a process weight rate can not be set so that such rules can not reasonably be applied, pursuant to 35 IAC 212.323.
- d. The affected turbine is 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 turbine is not subject to 40 CFR Part 64, Compliance Assurance Monitoring (CAM) for Major Stationary Sources:
 - i. For NO_x and SO₂, because:

- A. The affected turbine is subject to a NSPS proposed after November 15, 1990, pursuant to 40 CFR 64.2(b)(1)(i).
 - B. The affected turbine is subject to Acid Rain Program requirements, pursuant to 40 CFR 64.2(b)(1)(iii).
 - C. The affected turbine is subject to an emission limitation or standard for which this CAAPP permit specifies a continuous compliance determination method, pursuant to 40 CFR 64.2(b)(1)(vi).
- ii. For PM, VOM, and CO because the affected turbines do not use an add-on control device to achieve compliance with an emission limitation or standard.
- f. The affected turbine is not subject to 35 IAC 217 Subpart Q: Stationary Reciprocating Internal Combustion Engines And Turbines, because the affected turbine is not located at sources located in areas identified in 35 IAC 217.386(a)(2).

Note: 35 IAC 217.386(a)(2) requires that affected sources are located in either one of the following areas and that emit or have the potential to emit NO_x in an amount equal to or greater than 100 tons per year:

- i) The area composed of the Chicago area counties of Cook, DuPage, Kane, Lake, McHenry, and Will, the Townships of Aux Sable and Goose Lake in Grundy County, and the Township of Oswego in Kendall County; or
 - ii) The area composed of the Metro East area counties of Jersey, Madison, Monroe, and St. Clair, and the Township of Baldwin in Randolph County.
- g. The affected turbine is 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 turbine are not electric utility steam generating unit 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).

7.2.5 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. Pursuant to Construction Permit #00100077, natural gas shall be the only fuel in the affected turbine. [T1]
- c. Pursuant to Construction Permit #00100077, the affected turbine shall be equipped, operated, and maintained with low NO_x burners to control NO_x emissions. [T1]
- d. Pursuant to Construction Permit #00100077, the affected turbine shall be equipped, operated, and maintained with a system to measure and record their fuel consumption. [T1]
- e. Pursuant to Construction Permit #00100077, the affected turbine shall not operate more than 2,000 hours per year or fire more than 3,240 mmscf of natural gas per year. [T1]

7.2.6 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. Hourly emissions from the affected turbine shall not exceed the following limits, except when the ambient temperature is less than 49°F, hourly emissions from each affected turbine shall not exceed 109.0 lb/hr for NO_x and 21.5 lb/hr for CO:

Pollutant	(Lb/Hour)
NO _x	96.0
CO	18.9
SO ₂	0.92
VOM	8.0
PM	23.5

- b. Annual emissions from the affected turbines total shall not exceed the following limits:

Pollutant	(Ton/Year)
NO _x	97.0
CO	22.7
SO ₂	0.9
VOM	8.0
PM	23.5

- c. Unless an alternative factor is established for the pollutant or emissions monitoring is performed for the pollutant, in simple cycle turbine configuration, emissions of NO_x and CO during an hour that includes a startup shall be presumed to be 110 and 350 percent respectively of the above limits in Condition 7.2.6(a), i.e. NO_x and CO emissions during an hour with a startup, when ambient temperature is 49°F or above, shall be presumed to be 105.6 lb/hr and 66.15 lb/hr, respectively. NO_x and CO emissions

during an hour with a startup, when ambient temperature is less than 49°F, shall be presumed to be 119.9 lb/hr and 75.25 lb/hr, respectively. Any alternative factor for emissions during startup of a turbine shall be based on representative emission testing conducted with USEPA Reference Test Methods. [T1]

- d. 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). [T1]

The above limitations were established in Permit 00100077, pursuant to 40 CFR 52.21, Prevention of Significant Deterioration (PSD). These limits ensure that the construction and/or modification addressed in the aforementioned permit does not constitute a new major source or major modification pursuant to Title I of the CAA, specifically the federal rules for Prevention of Significant Deterioration (PSD), 40 CFR 52.21. [T1]

7.2.7 Testing Requirements

- a. The nitrogen oxides (NO_x) emissions, and the oxygen (O₂) 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_{x0}) 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):

$$NO_x = (NO_{x0}) (P_r/P_0)^{0.5} e^{19(H_0 - 0.00633)} (288^\circ K/T_a)^{1.53}$$

Where:

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

NO_{x0} = 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_0 = Observed combustor inlet absolute pressure at test, mm Hg

H_0 = Observed humidity of ambient air, g H_2O /g air

e = Transcendental constant, 2.718

T_a = Ambient temperature, $^\circ K$

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 paragraphs 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 ft³).
 - 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.

7.2.8 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

63.334(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 63.334(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. Should the operation of the affected turbine exceed the limitations of 7.2.6(a) relating to the definition of a gas-fired peaking unit in 40 CFR 75, the source owner or operator shall install the appropriate Continuous Monitoring System(s) on the affected turbine by December 31 of the following calendar year, as defined in 40 CFR 75, in order to remain in compliance with the provisions of the Acid Rain Program.
- d. i. The owner or operator of an affected turbine subject to 35 IAC 217 Subpart V (Condition 7.2.3(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)]

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.

7.2.9 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, 7.2.3, 7.2.5, and 7.2.6, 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 7.2.3(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 7.2.8(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. A. The three year rolling average annual capacity factor and the highest annual capacity factor in any one of the three averaging years to determine the status of the affected turbine as a "gas-fired peaking unit" as detailed in Condition 7.2.6(a).

B. A record documenting whether the capacity factors exceeded the limitations of Condition 7.2.6(a) and whether Acid Rain Program Continuous Monitoring System(s) will be required.

ii. The sulfur content of the natural gas used to fire the turbines as determined in accordance with Condition 7.2.8(b).

iii. A copy of the Final Report(s) for emission testing conducted pursuant to Condition 7.2.7.

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

v. Records documenting its periodic review of its operating procedures as required by Condition 7.2.5(a).

vi. Information for the formal observations of opacity conducted pursuant to Condition 7.2.8(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. The sulfur content of the fuels fired in the affected turbine.
- e. Fuel consumption for the affected turbine, scf/month and scf/year.
- f. Intentionally left blank.
- 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. Intentionally left blank.
 - 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 7.2.3(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 7.2.3(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 7.2.3(f) were performed.
 - D. An explanation why the procedures of 7.2.3(f) and other established startup procedures could not be performed, if not performed.
 - E. Whether exceedance of Condition 5.3.2 and 7.2.3(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. 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(g) 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.

7.2.10 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 7.2.3 and 7.2.6 within 30 days of such occurrence.
 - ii. Operation of the affected turbine in excess of the limits specified in Conditions 7.2.5 and 7.2.6 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, and the records necessary from Condition 7.2.9(b)(i) which demonstrate the Acid Rain Program status of the affected turbine as a "gas-fired peaking unit".
- 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. 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 7.2.8(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 7.2.3(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 7.2.10(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 7.2.9(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. 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(g) 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(f)(i).
- C. Any supplement information the Permittee wishes to provide to the notices and reports of Conditions 7.1.10(f)(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.

7.2.11 Operational Flexibility/Anticipated Operating Scenarios

Operational flexibility is not set for the affected turbines.

7.2.12 Compliance Procedures

- a. Compliance with the PM emission limitations of Conditions 7.2.3(b) is addressed by the requirements of Condition 7.2.5, and the records required in Condition 7.2.9, and the reports required in Condition 7.2.10.
- b. Compliance with the SO₂ emission limitations of Conditions 7.2.3(c) is addressed by the requirements of Condition 7.2.5, and the records required in Condition 7.2.9, and the reports required in Condition 7.2.10.

- c. i. Compliance with the NO_x emission limitations of Conditions 7.2.3(d)(i) is addressed by the requirements of Condition 7.2.5, the testing requirements of 7.2.7, the monitoring requirements of 7.2.8, and the records required in Condition 7.2.9, and the reports required in Condition 7.2.10(a).
- ii. Compliance with the SO₂ emission limitations of Conditions 7.2.3(d)(ii) is addressed by the requirements of Condition 7.2.5, the records required in Condition 7.2.9, and the reports required in Condition 7.2.10(a).
- d. i. Compliance with the NO_x emission limitations of Conditions 7.2.3(e) is addressed by the requirements of Condition 7.2.5, the testing requirements of 7.2.7, the monitoring requirements of 7.2.8, the records required in Condition 7.2.9, and the reports required in Condition 7.2.10(a).
- ii. Notwithstanding 35 IAC 217.710(a), Condition 7.2.8(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 7.2.8(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 7.2.6 is addressed by the records and reports required in Conditions 7.2.9 and 7.2.10, the continuous NO_x monitoring requirements in

Condition 7.2.8 or from emission factors developed from the most recent approved stack test in accordance with Condition 7.2.7 (NO_x), standard emission factors (CO, VOM and PM/PM₁₀) and analysis of fuel sulfur content or standard factors (SO₂).

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]:

<u>Monitoring Period</u>	<u>Report Due Date</u>
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
412 SW Washington Street, Suite D
Peoria, Illinois 61602

Phone No.: 309/671-3022

iv. USEPA Region 5 - Air Branch

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

Phone No.: 312/353-2000

- 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

Phone No.: 217/785-1705

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 statements 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 5.1 Clean Air Interstate Rule (CAIR) Permit

217-785-1705

CAIR PERMIT

NRG Rockford Energy Center
 Attn: John P. Shimshock
 121 Champion Way
 Canonsburg, PA 15317

Oris No.: 55936
IEPA I.D. No.: 201030BCG
Source/Unit: NRG Rockford II LLC - Unit 21 (U1)

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 Rockford II LLC for the affected units at its electric power generation plant i.e., Turbine 21 (U1).

ALLOCATION OF SULFUR DIOXIDE (SO₂) 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 SO₂ 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 SO₂ emissions and NO_x emissions and requires the owners and operators to hold CAIR SO₂ allowances to account for SO₂ 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 SO₂ 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 Melissa Caby at 217-785-1705.

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

Date Issued: _____

REP:MKC: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: 06 / 03 / 2013	
Page 1 of 8	

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 SO₂ trading program, CAIR NO_x annual trading program, CAIR NO_x 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: NRG Rockford II LLC		
2) PLANT OR FACILITY NAME: NRG Rockford Energy Center		
3) SOURCE ID NO.: 201030BCG	4) ORIS FACILITY CODE: 55936	
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)
U1	166 MW Natural Gas-Fired Combustion Turbine	<input checked="" type="checkbox"/> Existing EGU <input type="checkbox"/> New EGU <input checked="" type="checkbox"/> CAIR SO ₂ trading program <input checked="" type="checkbox"/> CAIR NO _x annual trading program <input checked="" type="checkbox"/> CAIR NO _x ozone season trading program
		<input type="checkbox"/> Existing EGU <input type="checkbox"/> New EGU <input type="checkbox"/> CAIR SO ₂ trading program <input type="checkbox"/> CAIR NO _x annual trading program <input type="checkbox"/> CAIR NO _x ozone season trading program
		<input type="checkbox"/> Existing EGU <input type="checkbox"/> New EGU <input type="checkbox"/> CAIR SO ₂ trading program <input type="checkbox"/> CAIR NO _x annual trading program <input type="checkbox"/> CAIR NO _x ozone season trading program
		<input type="checkbox"/> Existing EGU <input type="checkbox"/> New EGU <input type="checkbox"/> CAIR SO ₂ trading program <input type="checkbox"/> CAIR NO _x annual trading program <input type="checkbox"/> CAIR NO _x ozone season trading program
		<input type="checkbox"/> Existing EGU <input type="checkbox"/> New EGU <input type="checkbox"/> CAIR SO ₂ trading program <input type="checkbox"/> CAIR NO _x annual trading program <input type="checkbox"/> CAIR NO _x ozone season trading program
		<input type="checkbox"/> Existing EGU <input type="checkbox"/> New EGU <input type="checkbox"/> CAIR SO ₂ trading program <input type="checkbox"/> CAIR NO _x annual trading program <input type="checkbox"/> CAIR NO _x ozone season trading program
		<input type="checkbox"/> Existing EGU <input type="checkbox"/> New EGU <input type="checkbox"/> CAIR SO ₂ trading program <input type="checkbox"/> CAIR NO _x annual trading program <input type="checkbox"/> CAIR NO _x ozone season trading program
		<input type="checkbox"/> Existing EGU <input type="checkbox"/> New EGU <input type="checkbox"/> CAIR SO ₂ trading program <input type="checkbox"/> CAIR NO _x annual trading program <input type="checkbox"/> CAIR NO _x ozone season trading program
		<input type="checkbox"/> Existing EGU <input type="checkbox"/> New EGU <input type="checkbox"/> CAIR SO ₂ trading program <input type="checkbox"/> CAIR NO _x annual trading program <input type="checkbox"/> CAIR NO _x ozone season trading program

**RECEIVED
STATE OF ILLINOIS**

JUN 12 2013

Environmental Protection Agency
BUREAU OF AIR

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 Permit Management Center.

APPLICATION PAGE 1 of 8

FOR APPLICANT'S USE
NRG Rockford II LLC

Printed on Recycled Paper
670-CAAPP

Page 1 of 8

9) DETERMINATION OF SO₂ EMISSIONS:
 List each EGU that is not currently equipped with a "Part 75 Approved" continuous emissions monitoring system (CEMS) for SO₂

(a) EGUs for which SO₂ CEMS installed but not certified:

1. _____	4. _____	7. _____
2. _____	5. _____	8. _____
3. _____	6. _____	9. _____

(b) EGUs for which SO₂ CEMS yet to be installed:

1. _____	4. _____	7. _____
2. _____	5. _____	8. _____
3. _____	6. _____	9. _____

(c) EGUs for which SO₂ 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): Bill Ellis

SIGNATURE (Designated Representative): *Bill Ellis* DATE: 06-10-2013

**SECTION 2: CAIR SO₂ 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 SO₂ 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 SO₂ Trading Program ("CAIR permit") that complies with the requirements of 35 IAC 225.320.
- 2) The owner or operator of each CAIR SO₂ source and each CAIR SO₂ unit at the source subject to 35 IAC Part 225, Subpart C must operate the CAIR SO₂ unit in compliance with such CAIR permit.

(c) **MONITORING REQUIREMENTS:**

- 1) The owner or operator of each CAIR SO₂ source and each CAIR SO₂ 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 SO₂ source and each CAIR SO₂ unit at the CAIR SO₂ 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 SO₂ 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 SO₂ source and each CAIR SO₂ unit at the source must hold a tonnage equivalent in CAIR SO₂ allowances available for compliance deductions pursuant to 40 CFR 96.254(a) and (b) in the CAIR SO₂ source's CAIR SO₂ 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 SO₂ emissions for the control period from all CAIR SO₂ units at the CAIR SO₂ source, as determined in accordance with 40 CFR 96, subpart HHH.
- 2) Each ton of excess emissions of SO₂ emitted by a CAIR SO₂ 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 SO₂ 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 SO₂ 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 SO₂ 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 SO₂ allowance is a limited authorization to emit SO₂ in accordance with the CAIR SO₂ Trading Program. No provision of the CAIR SO₂ 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 SO₂ 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 SO₂ allowance to or from a CAIR SO₂ source's compliance account is deemed to amend automatically, and become a part of, any CAIR permit of the CAIR SO₂ source. This automatic amendment of the CAIR permit will be deemed an operation of law and will not require any further review.

o) RECORDKEEPING AND REPORTING REQUIREMENTS:

- 1) Unless otherwise provided, the owner or operator of the CAIR SO₂ source and each CAIR SO₂ 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 SO₂ 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 SO₂ Trading Program or documents necessary to demonstrate compliance with the requirements of the CAIR SO₂ 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 SO₂ Trading Program.
- 2) The CAIR designated representative of a CAIR SO₂ source and each CAIR SO₂ unit at the source must submit to the Agency and USEPA the reports and compliance certifications required pursuant to the CAIR SO₂ Trading Program, including those pursuant to 40 CFR 96, subpart HHH.

f) LIABILITY:

- 1) No revision of a permit for a CAIR SO₂ unit may excuse any violation of the requirements of 35 IAC Part 225, Subpart C or the requirements of the CAIR SO₂ Trading Program.
- 2) Each CAIR SO₂ source and each CAIR SO₂ unit must meet the requirements of the CAIR SO₂ Trading Program.
- 3) Any provision of the CAIR SO₂ Trading Program that applies to a CAIR SO₂ source (including any provision applicable to the CAIR designated representative of a CAIR SO₂ source) will also apply to the owner and operator of the CAIR SO₂ source and to the owner and operator of each CAIR SO₂ unit at the source.
- 4) Any provision of the CAIR SO₂ Trading Program that applies to a CAIR SO₂ unit (including any provision applicable to the CAIR designated representative of a CAIR SO₂ unit) will also apply to the owner and operator of the CAIR SO₂ unit.
- 5) The CAIR designated representative of a CAIR SO₂ unit that has excess SO₂ 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 SO₂ unit that has excess SO₂ 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 SO₂ 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 SO₂ source or a CAIR SO₂ 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 98, 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 98, 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 98, 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 98, 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 98.113, changing the CAIR designated representative.
 - B) All emissions monitoring information, in accordance with 40 CFR 98, 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 98, 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 98.154(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 98.154(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 98.105 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.
- 9) **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 (a)(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.
- 10) **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).
- 11) **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 5.2 Clean Air Interstate Rule (CAIR) Permit

217-785-1705

CAIR PERMIT

NRG Rockford Energy Center
 Attn: John P. Shimshock
 121 Champion Way
 Canonsburg, PA 15317

Oris No.: 55238
IEPA I.D. No.: 201030BCG
Source/Unit: NRG Rockford LLC - Units 11 and 12 (0001&0002)

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 Rockford LLC for the affected units at its electric power generation plant i.e., Units 11 and 12 (0001 & 0002).

ALLOCATION OF SULFUR DIOXIDE (SO₂) 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 SO₂ 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 SO₂ emissions and NO_x emissions and requires the owners and operators to hold CAIR SO₂ allowances to account for SO₂ 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 SO₂ 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 Melissa Caby at 217-785-1705.

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

Date Issued: _____

REP:MKC: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: 06 / 03 / 2013	
Page 1 of 8	

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 SO₂ trading program, CAIR NO_x annual trading program, CAIR NO_x 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: NRG Rockford LLC		
2) PLANT OR FACILITY NAME: NRG Rockford Energy Center		
3) SOURCE ID NO.:	4) ORIS FACILITY CODE:	
201030BCG	55238	
5) CONTACT NAME:	6) PHONE NO.:	7) E-MAIL ADDRESS:
John P. Shimshock	(724) 597-8405	john.shimshock@nrgenergy.com

8) ELECTRICAL GENERATING UNITS:		
GENERATING UNIT / EGU DESIGNATION	EGU DESCRIPTION	APPLICABILITY (Mark all applicable boxes)
0001	150 MW Natural Gas-Fired Combustion Turbine	<input checked="" type="checkbox"/> Existing EGU <input type="checkbox"/> New EGU <input checked="" type="checkbox"/> CAIR SO ₂ trading program <input checked="" type="checkbox"/> CAIR NO _x annual trading program <input checked="" type="checkbox"/> CAIR NO _x ozone season trading program
0002	150 MW Natural Gas-Fired Combustion Turbine	<input checked="" type="checkbox"/> Existing EGU <input type="checkbox"/> New EGU <input checked="" type="checkbox"/> CAIR SO ₂ trading program <input checked="" type="checkbox"/> CAIR NO _x annual trading program <input checked="" type="checkbox"/> CAIR NO _x ozone season trading program
		<input type="checkbox"/> Existing EGU <input type="checkbox"/> New EGU <input type="checkbox"/> CAIR SO ₂ trading program <input type="checkbox"/> CAIR NO _x annual trading program <input type="checkbox"/> CAIR NO _x ozone season trading program
		<input type="checkbox"/> Existing EGU <input type="checkbox"/> New EGU <input type="checkbox"/> CAIR SO ₂ trading program <input type="checkbox"/> CAIR NO _x annual trading program <input type="checkbox"/> CAIR NO _x ozone season trading program
RECEIVED		<input type="checkbox"/> Existing EGU <input type="checkbox"/> New EGU <input type="checkbox"/> CAIR SO ₂ trading program <input type="checkbox"/> CAIR NO _x annual trading program <input type="checkbox"/> CAIR NO _x ozone season trading program
JUN 12 2013		<input type="checkbox"/> Existing EGU <input type="checkbox"/> New EGU <input type="checkbox"/> CAIR SO ₂ trading program <input type="checkbox"/> CAIR NO _x annual trading program <input type="checkbox"/> CAIR NO _x ozone season trading program
Environmental Protection Agency BUREAU OF AIR		<input type="checkbox"/> Existing EGU <input type="checkbox"/> New EGU <input type="checkbox"/> CAIR SO ₂ trading program <input type="checkbox"/> CAIR NO _x annual trading program <input type="checkbox"/> CAIR NO _x ozone season trading program
		<input type="checkbox"/> Existing EGU <input type="checkbox"/> New EGU <input type="checkbox"/> CAIR SO ₂ trading program <input type="checkbox"/> CAIR NO _x annual trading program <input type="checkbox"/> CAIR NO _x ozone season trading program
		<input type="checkbox"/> Existing EGU <input type="checkbox"/> New EGU <input type="checkbox"/> CAIR SO ₂ trading program <input type="checkbox"/> CAIR NO _x annual trading program <input type="checkbox"/> CAIR NO _x ozone season trading program

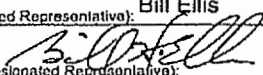
The Illinois EPA is authorized to require, and you must disclose, the requested information on this form pursuant to Section 39.5 of the Environmental Protection Act ("Act") 415 ILCS 5/39.5. This information shall be provided using either this form or in an alternative manner at your discretion. Failure 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 8

FOR APPLICANT'S USE
NRG Rockford LLC

Printed on Recycled Paper
670-CAAPP

Page 1 of 8

9) DETERMINATION OF SO₂ 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 SO₂ CEMS installed but not certified:		
1. _____	4. _____	7. _____
2. _____	5. _____	8. _____
3. _____	6. _____	9. _____
(b) EGUs for which SO₂ CEMS yet to be installed:		
1. _____	4. _____	7. _____
2. _____	5. _____	8. _____
3. _____	6. _____	9. _____
(c) EGUs for which SO₂ 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? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> 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): <u>Bill Ellis</u>		
SIGNATURE (Designated Representative): 		DATE: <u>06-10-2013</u>

**SECTION 2: CAIR SO₂ 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 98, subpart AAA (excluding 40 CFR 98.204, and 98.205), 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 SO₂ 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 SO₂ Trading Program ("CAIR permit") that complies with the requirements of 35 IAC 225.320.
- 2) The owner or operator of each CAIR SO₂ source and each CAIR SO₂ unit at the source subject to 35 IAC Part 225, Subpart C must operate the CAIR SO₂ unit in compliance with such CAIR permit.

(c) **MONITORING REQUIREMENTS:**

- 1) The owner or operator of each CAIR SO₂ source and each CAIR SO₂ unit at the source must comply with the monitoring, reporting and recordkeeping requirements of 40 CFR 98, Subpart HHH. The CAIR designated representative of each CAIR SO₂ source and each CAIR SO₂ unit at the CAIR SO₂ source must comply with those sections of the monitoring, reporting and recordkeeping requirements of 40 CFR 98, Subpart HHH, applicable to the CAIR designated representative.
- 2) The compliance of each CAIR SO₂ 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 98, 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 SO₂ source and each CAIR SO₂ unit at the source must hold a tonnage equivalent in CAIR SO₂ allowances available for compliance deductions pursuant to 40 CFR 98.254(a) and (b) in the CAIR SO₂ source's CAIR SO₂ 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 SO₂ emissions for the control period from all CAIR SO₂ units at the CAIR SO₂ source, as determined in accordance with 40 CFR 98, subpart HHH.
- 2) Each ton of excess emissions of SO₂ emitted by a CAIR SO₂ 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 SO₂ 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 98.270(b)(1) or (2) and for each control period thereafter.
- 4) CAIR SO₂ 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 98, subparts FFF and GGG.
- 5) In order to comply with the requirements of 35 IAC 225.310(d)(1), a CAIR SO₂ 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 SO₂ allowance is a limited authorization to emit SO₂ in accordance with the CAIR SO₂ Trading Program. No provision of the CAIR SO₂ Trading Program, the CAIR permit application, the CAIR permit, or a retired unit exemption pursuant to 40 CFR 98.205, 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 SO₂ allowance does not constitute a property right.
- 8) Upon recordation by USEPA pursuant to 40 CFR 98, subpart FFF or subpart GGG, every allocation, transfer, or deduction of a CAIR SO₂ allowance to or from a CAIR SO₂ source's compliance account is deemed to amend automatically, and become a part of, any CAIR permit of the CAIR SO₂ 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 SO₂ source and each CAIR SO₂ unit at the source must keep on site at the source each of the documents listed in subsections (a)(1)(A) through (a)(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 SO₂ 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 SO₂ Trading Program or documents necessary to demonstrate compliance with the requirements of the CAIR SO₂ 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 SO₂ Trading Program.
- 2) The CAIR designated representative of a CAIR SO₂ source and each CAIR SO₂ unit at the source must submit to the Agency and USEPA the reports and compliance certifications required pursuant to the CAIR SO₂ Trading Program, including those pursuant to 40 CFR 96, subpart HHH.

f) LIABILITY:

- 1) No revision of a permit for a CAIR SO₂ unit may excuse any violation of the requirements of 35 IAC Part 225, Subpart C or the requirements of the CAIR SO₂ Trading Program.
- 2) Each CAIR SO₂ source and each CAIR SO₂ unit must meet the requirements of the CAIR SO₂ Trading Program.
- 3) Any provision of the CAIR SO₂ Trading Program that applies to a CAIR SO₂ source (including any provision applicable to the CAIR designated representative of a CAIR SO₂ source) will also apply to the owner and operator of the CAIR SO₂ source and to the owner and operator of each CAIR SO₂ unit at the source.
- 4) Any provision of the CAIR SO₂ Trading Program that applies to a CAIR SO₂ unit (including any provision applicable to the CAIR designated representative of a CAIR SO₂ unit) will also apply to the owner and operator of the CAIR SO₂ unit.
- 5) The CAIR designated representative of a CAIR SO₂ unit that has excess SO₂ 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 SO₂ unit that has excess SO₂ 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 SO₂ 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 SO₂ source or a CAIR SO₂ 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 recodation 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.

APPLICATION PAGE 5 of 8

Printed on Recycled Paper
670-CAAPP

FOR APPLICANT'S USE
NRG Rockford II LLC

Page 5 of 8

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 GAA.
- 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 railroad 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.

APPLICATION PAGE 7 of 8

Printed on Recycled Paper
670-CAAPP

FOR APPLICANT'S USE
NRG Rockford II LLC

Page 7 of 8

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.

a) 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 (a)(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 6.1 Acid Rain Permit

ACID RAIN PROGRAM
PERMIT

217-785-1705

NRG Rockford Energy Center
Attn: John P. Shimshock
121 Champion Way
Canonsburg, PA 15317

Oris No.: 55238
IEPA I.D. No.: 201030BCG
Source/Unit: NRG Rockford LLC - Units 11 and 12 (0001 & 0002)
Date Received: June 12, 2013
Date Issued: TBD
Effective Date: TBD
Expiration Date: TBD

STATEMENT OF BASIS:

In accordance with Section 39.5(17)(b) of Illinois Environmental Protection Act and Titles IV and V of the Clean Air Act, the Illinois Environmental Protection Agency is issuing this Acid Rain Program permit to NRG Rockford LLC.

SULFUR DIOXIDE (SO₂) ALLOCATIONS AND NITROGEN OXIDE (NO_x) REQUIREMENTS FOR EACH AFFECTED UNIT:

EU001 and EU002	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 SO₂ 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 SO₂ emissions and requires the owners and operators to hold SO₂ allowances to account for SO₂ emissions from the affected units. An allowance is a limited authorization to emit up to one ton of SO₂ 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 SO₂ 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 SO₂ 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 Melissa Caby at 217-785-1705.

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

REP:MKC:jws

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

NRG Rockford II LLC
Facility (Source) Name (from STEP 1)

Acid Rain - Page 2

STEP 3

Read the standard requirements.

Permit Requirements

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

Monitoring Requirements

- (1) The owners and operators and, to the extent applicable, designated representative of each affected source and each affected unit at the source shall comply with the monitoring requirements as provided in 40 CFR part 75.
- (2) The emissions measurements recorded and reported in accordance with 40 CFR part 75 shall be used to determine compliance by the 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).

NRG Rockford II LLC
Facility (Source) Name (from STEP 1)

Acid Rain - Page 3

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;

NRG Rockford II LLC
Facility (Source) Name (from STEP 1)

Acid Rain - Page 4

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

NRG Rockford II LLC
Facility (Source) Name (from STEP 1)

Acid Rain - Page 5

STEP 3, Cont'd.

Effect on Other Authorities, 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.

STEP 4
Read the certification statement, sign, and date.

Certification

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

Name Bill Ellis	
Signature <i>Bill Ellis</i>	Date 06-10-2013

Attachment 6.2 Acid Rain Permit

ACID RAIN PROGRAM
PERMIT

217-785-1705

NRG Rockford Energy Center
Attn: John P. Shimshock
121 Champion Way
Canonsburg, PA 15317

Oris No.: 55936
IEPA I.D. No.: 201030BCG
Source/Unit: NRG Rockford II LLC - Unit 21 (U1)
Date Received: June 12, 2013
Date Issued: TBD
Effective Date: TBD
Expiration Date: TBD

STATEMENT OF BASIS:

In accordance with Section 39.5(17)(b) of Illinois Environmental Protection Act and Titles IV and V of the Clean Air Act, the Illinois Environmental Protection Agency is issuing this Acid Rain Program permit to NRG Rockford II LLC.

SULFUR DIOXIDE (SO₂) ALLOCATIONS AND NITROGEN OXIDE (NO_x) REQUIREMENTS FOR EACH AFFECTED UNIT:

U1	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 SO₂ 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 SO₂ emissions and requires the owners and operators to hold SO₂ allowances to account for SO₂ emissions from the affected units. An allowance is a limited authorization to emit up to one ton of SO₂ 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 SO₂ 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 SO₂ 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 Melissa Caby at 217-785-1705.

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

REP:MKC: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.

NRG Rockford LLC Facility (Source) Name	IL State	55238 Plant Code
--	-------------	---------------------

NRG Rockford Energy Center
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)
0001	Yes
0002	Yes
	Yes
	Yes
	Yes
	Yes
	Yes
	Yes
	Yes
	Yes
	Yes
	Yes
	Yes
	Yes
	Yes
	Yes
	Yes
	Yes
	Yes
	Yes
	Yes
	Yes

RECEIVED
STATE OF ILLINOIS
JUN 12 2013
Environmental Protection Agency
BUREAU OF AIR

NRG Rockford LLC
Facility (Source) Name (from STEP 1)

Acid Rain - Page 2

STEP 3

Read the standard requirements.

Permit Requirements

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

Monitoring Requirements

- (1) The owners and operators and, to the extent applicable, designated representative of each affected source and each affected unit at the source shall comply with the monitoring requirements as provided in 40 CFR part 75.
- (2) The emissions measurements recorded and reported in accordance with 40 CFR part 75 shall be used to determine compliance by the 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).

NRG Rockford LLC

Facility (Source) Name (from STEP 1)

Acid Rain - Page 3

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;

NRG Rockford LLC

Facility (Source) Name (from STEP 1)

Acid Rain - Page 4

STEP 3, Cont'd.

Recordkeeping and Reporting Requirements, 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

NRG Rockford LLC
 Facility (Source) Name (from STEP 1)

Acid Rain - Page 5

STEP 3, Cont'd.

Effect on Other Authorities, 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.

STEP 4
 Read the certification statement, sign, and date.

Certification

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

Name Bill Ellis	
Signature <i>Bill Ellis</i>	Date 06-10-2013

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

NRG ROCKFORD LLC and NRG ROCKFORD)	
II LLC,)	
)	
Petitioners,)	
)	
v.)	PCB 14-_____
)	(Permit Appeal – Air)
ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Respondent.)	

**MOTION FOR STAY OF EFFECTIVENESS
OF CONTESTED CONDITIONS OF
CAAPP PERMIT FOR NRG ROCKFORD ENERGY CENTER**

NOW COME Petitioners, NRG ROCKFORD LLC and NRG ROCKFORD II LLC (“Petitioners”), 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 for the operation of NRG Rockford Energy Center (the “Source”) 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 for the operation of the Source.
2. Petitioners are contemporaneously filing a Petition for Review (“Petition”) of the 2014 Renewal Permit. Petitioners hereby request a stay of the following contested conditions:

- Conditions 7.1.3(f) and 7.1.6(a) to the extent that neither condition authorizes operation of the turbines in excess of the hourly limits set forth in Condition 7.1.6(a) for a period lasting up to a minimum of 30 minutes following initial firing of fuel during each startup of an affected turbine;
 - Condition 7.1.6(d);
 - Conditions 7.1.3(g) 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) in the event of malfunction or breakdown of the affected turbines. Please note that Petitioners are not contesting or seeking to stay Condition 7.1.3(g) as it relates to the standards set forth in Conditions 7.1.3(b) and 7.1.6(d);
 - Condition 7.1.6(c);
 - Conditions 7.2.3(f) and 7.2.6(a) to the extent that neither condition authorizes operation of the turbine in excess of the hourly limits set forth in Condition 7.2.6(a) for a period lasting up to a minimum of 30 minutes following initial firing of fuel during each startup of the affected turbine;
 - 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);
 - Condition 7.2.3(g)(iii); and
 - Conditions 7.2.10(f)(ii)(B) and (C).
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. If requested by the applicant, the Board shall stay the effectiveness of all the contested conditions of a CAAPP permit. The Board may stay the effectiveness of any or all uncontested conditions 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) (emphasis added). Accordingly, Petitioners are 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 Petitioners and to protect their right to meaningfully appeal permit conditions.

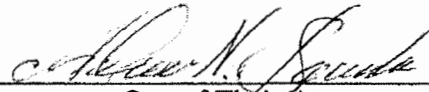
6. During the pendency of the stay, Petitioners note that they will comply with related permit conditions from the renewal Title V CAAPP permit that Illinois EPA issued on March 19, 2009, with a stated expiration date of March 19, 2014 (the “2009 Renewal Permit”). This means that Petitioners will comply with the permit conditions, if any, that are identified by the same condition number in the Revised 2009 Renewal.

WHEREFORE, Petitioners, NRG Rockford LLC and NRG Rockford II LLC request 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 ROCKFORD LLC and NRG ROCKFORD
II LLC

by:



One of Their Attorneys

Dated: October 29, 2014

Stephen J. Bonebrake
Raghav Murali
SCHIFF HARDIN LLP
233 South Wacker Drive, Suite 6600
Chicago, IL 60606
312-258-5500
Fax: 312-258-5600
sbonebrake@schiffhardin.com
rmurali@schiffhardin.com

Andrew N. Sawula
SCHIFF HARDIN LLP
One Westminster Place
Lake Forest, IL 60045
847-295-4336
Fax: 847-295-7810
asawula@schiffhardin.com

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 NRG ROCKFORD ENERGY CENTER, and MOTION FOR STAY OF EFFECTIVENESS OF CONTESTED CONDITIONS OF CAAPP PERMIT FOR NRG ROCKFORD ENERGY CENTER, 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

A handwritten signature in black ink, appearing to be 'Raghav Murali', is written over a horizontal line. The signature is stylized with large loops and a long horizontal stroke at the end.

Raghav Murali
SCHIFF HARDIN LLP
233 South Wacker Drive, Suite 6600
Chicago, Illinois 60606
312-258-5500
Fax: 312-258-5600

Dated: October 29, 2014