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BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

DEC 31 2003

STATE OF ILLINOIS
Pollution Control Board

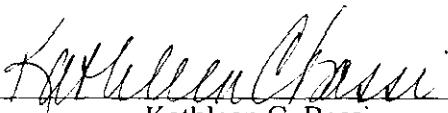
MIDWEST GENERATION, LLC –)
COLLINS GENERATING STATION,)
)
Petitioner,)
)
v.)
)
ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
)
Respondent.)

PCB ²⁴ 3-108
(Permit Appeal – Air)

NOTICE OF FILING

To: Illinois Environmental Protection Agency

PLEASE TAKE NOTICE that I have today filed with the Office of the clerk of the Pollution Control Board the Appeal of CAAPP Permit of MIDWEST GENERATION, LLC – COLLINS GENERATING STATION, a copy of which is herewith served upon you.


Kathleen C. Bassi
One of the Attorneys for Petitioner

DATE: December 31, 2003

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BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

STATE OF ILLINOIS
Pollution Control Board

MIDWEST GENERATION, LLC –
COLLINS GENERATING STATION,

Petitioner,

v.

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY,

Respondent.

04-108
PCB 02-
(Permit Appeal – Air)

APPEAL OF CAAPP PERMIT

NOW COMES Petitioner, MIDWEST GENERATION, LLC – COLLINS GENERATING STATION (“Petitioner” or “Collins”), pursuant to Section 40.2 of the Illinois Environmental Protection Act (“Act”) (415 ILCS 5/40.2) and 35 Ill.Adm.Code § 105.300 *et seq.*, and requests a hearing before the Board to contest the decisions contained in the permit issued to Petitioner on November 25, 2003, 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). Petitioner requests that the Board stay the effect of the entire permit, pursuant to 35 Ill.Adm.Code § 105.304(b) during the pendency of this permit appeal. In support of this Petition, Petitioner states as follows:

Background

1. On November 15, 1990, Congress amended the Clean Air Act (42 U.S.C. §§ 7401-7671q) and included in the amendments at Title V a requirement for a national operating permit program. The Title V program was to be implemented by states with approved programs. Illinois’ Title V program, the CAAPP, was fully and finally approved by the U.S. Environmental Protection Agency (“USEPA”) on December 4, 2001 (66 Fed.Reg. 62946). The Illinois

Environmental Protection Agency (“Agency”) has had the authority to issue Title V permits since at least March 7, 1995, when the state was granted interim approval of its CAAPP (60 Fed.Reg. 12478). Illinois’ Title V program is set forth at Section 39.5 of the Act, 35 Ill.Adm.Code 201.Subpart F, and 35 Ill.Adm.Code Part 270.

2. The Collins Generating Station, Agency I.D. No. 063806AAF, is an electric generating station owned by Collins Trust I, Collins Trust II, Collins Trust III, and Collins Trust IV and operated by Midwest Generation, LLC – Collins Generating Station. The Collins electrical generating units (“EGUs”) went online between 1977 and 1979. The Collins Generating Station is located at 4200 Pine Bluff Road, Morris, Grundy County, Illinois 60450-9558, within the Chicago ozone nonattainment area. Collins can generate approximately 2790 megawatts, largely distributed in the Chicago area. The electricity peak demand in the Chicago area is approximately 23,000 megawatts, which usually occurs on the hottest summer days. Collins can provide 10% of this peak load demand. Collins employs approximately 100 people.

3. Collins operates five natural gas- and/or oil-fired boilers to generate electricity (the electrical generating units) and two natural gas-fired boilers rated at less than 250 mmBtu/hr. to provide low pressure steam for heating and auxiliary steam needs at the station (“non-EGUs”). Also identified as a significant emission unit at the site is a 1,000-gallon underground storage tank used to store gasoline used by plant vehicles, largely on site. The gasoline is dispensed from this tank.

4. Collins is a major source subject to Title V. Its average emissions for 2001 and 2002 were approximately 25 tons of volatile organic compounds (“VOC”) (less than 15 tons during the ozone season), 1,584 tons of nitrogen oxides (“NOx”), 3,007 tons of sulfur dioxide (“SO₂”), and 325 tons of particulate matter (“PM”), as well as other pollutants in less significant

amounts. Collins is subject to the Emissions Reduction Market System (ERMS) but has limited its emissions of VOC to less than 15 tons per ozone season and so is not required to hold and surrender allotment trading units (ATUs). The EGUs at Collins are subject to both of the NO_x reduction programs at 35 Ill.Adm.Code 217.Subparts V and W ("0.25 averaging program" and "NO_x trading program," respectively). Collins is subject to the federal Acid Rain program at Title IV of the Clean Air Act and was issued a Phase II Acid Rain Permit on December 5, 1997. The Collins Station is also subject to the New Source Performance Standards ("NSPS") found at 40 CFR 60.Subpart D.

5. NO_x emissions from both the EGUs and the non-EGUs at the Collins Station are controlled by low NO_x burners. Emissions of SO₂ from the EGUs are controlled by limiting the sulfur content of the fuel used for these boilers. VOC emissions from the gasoline storage tank are controlled by use of a submerged loading pipe. Additionally, bulk distributors of the gasoline stored in the tank are required by rule (35 Ill.Adm.Code § 218.584) to employ Stage I vapor recovery.

6. On September 7, 1995, the Agency received the original application from Petitioner for a Title V permit for the Collins Generating Station, assigned Application No. 95090079. Petitioner updated this application in early 2003. The Title V application was timely submitted and updated, and Petitioner requested and was granted an application shield, pursuant to Section 39.5(5)(h). Petitioner has paid fees as set forth at Section 39.5(18) of the Act since submitting the application for a Title V permit for the Collins Generating Station. Collins' state operating permit has continued in full force and effect since submittal of the Title V application, pursuant to Section 9.1(f) of the Act.

7. The Agency issued a draft/proposed permit for both the public's and USEPA's review on October 8, 2003. That review ended November 22, 2003. Petitioner submitted comments to the Agency on November 4, 2003, that certain terms and conditions included in the draft/proposed permit were not acceptable to Petitioner. Petitioner's comments are included herewith at Attachment A. The subject Title V permit was issued to Petitioner on November 25, 2003.¹ Although many of Petitioner's comments were addressed by the Agency in the final permit, it still contains terms and conditions that are not acceptable to the Petitioner, including provisions that are contrary to applicable law. It is for this reason that Petitioner hereby appeals the permit and requests that the Board review the permit and order the Agency to correct and reissue the permit as appropriate.

Issues on Appeal

8. While both the Agency and Petitioner agree that diesel fuel unloading at the Collins Station is an insignificant activity, it is included in the permit at Condition 3.1.1, indicating that it was identified as an insignificant activity determined by the Agency. Actually, Petitioner determined that diesel fuel unloading is an insignificant activity, made the requisite demonstration, and requested that it be treated as such in its permit application. Therefore, it should be included at Condition 3.1.2, rather than 3.1.1.

9. Condition 4 identifies the pollution control device for the 1,000-gallon gasoline storage tank as a low NOx burner. It should be a submerged loading pipe, as requested by Petitioner. A low NOx burner is not an appropriate control device for an underground tank used to store gasoline.

¹ (See USEPA/Region 5's Permits website at <http://www.epa.gov/region5/air/permits/ilonline.htm> → "Title V Permit Records" → "Midwest Generation EME, LLC" for the source located at 4200 Pine Bluff for the complete "trail" of the milestone action dates for this permit.)

10. Conditions 5.2.2(b), 7.1.4(b)(i), 7.2.3(b), and 7.2.4(b) address the opacity limitation applicable to the boilers at Collins. These conditions require compliance with 35 Ill. Adm. Code § 212.123², "Visible Emissions Limitations for All Other Emission Units." This section imposes an opacity limitation of 30%. As an NSPS source, the applicable regulation is § 212.122, "Visible Emissions Limitations for Certain Emission Units for Which Construction or Modification Commenced on or After April 14, 1972." The opacity limitation for such sources is 20%. References to compliance with § 212.123 should be changed to § 212.122 throughout the permit.

11. The Agency has required Petitioner to provide an Episode Action Plan at Condition 5.2.6. In its comments to the Agency, Petitioner requested the addition of a "Note" saying, "The Agency has determined that an Episode Action Plan is not required for the Collins Generating Station (reference June 23, 1988, letter from Terry A. Sweitzer of the Illinois EPA to C.L. McDonough of Commonwealth Edison, the previous owner)." A copy of this letter is included herewith as Attachment 3 to Attachment A. Part 244 of the Board's Air Pollution Control regulations were last amended in 1992 (R91-35). The most recent action prior to those amendments was in 1982 (45 PCB 577), six years before the Agency's letter to the previous owner of the Collins Station. Section 244.142, the applicability section, was not included in either the 1992 or 1982 amendments to Part 244. Therefore, the letter exempting the Collins Station from the applicability of Part 244 has not been affected by any regulatory changes and is still valid for this site. Further, Petitioner has received no notice from the Agency indicating that it has reconsidered the exemption and that the 1988 letter has been rescinded as a result. Mere inclusion of a requirement for an Episode Action Plan in Overall Permit Conditions that are

² Hereinafter, citations to 35 Ill. Adm. Code will be made by section number only.

standard at least for this industry is insufficient notice. The proposed “Note” should be added to the condition, clarifying that the Collins Station is not required to develop or implement an Episode Action Plan pursuant to Part 244 of the Board’s regulations.

12. Petitioner commented that a statement limiting the applicability of provisions not included in the permit be added to Condition 5.3. The statement requested by Petitioner was, “Except as provided herein, this permit presents the entirety of requirements applicable to this source as of the date of issuance.” All applicable requirements are to be included in a Title V permit. Petitioner’s requested statement reflects this goal of the Title V program. Petitioner also requested a “Note” indicating that specific nonapplicability provisions are included in Section 7. Condition 5.3 is part of the Overall Source Conditions and would be superseded by specifics included for units in subsequent conditions tailored to each unit. Petitioner’s requested “Note” clarifies this circumstance. Petitioner requests that the Board order these changes to Condition 5.3.

13. Condition 5.8, titled “General Operational Flexibility/Anticipated Operating Scenarios,” says, “N/A.” Petitioner, however, can operate under several different scenarios, although they are apparently not categorized as “general” operating scenarios by the Agency. To ensure that the Agency and public recognize that the Collins Generating Station may operate under different scenarios, Petitioner requests the addition of the statement, “Operational flexibility is provided in Section 7.” Petitioner’s purpose in requesting the addition of the language was to ensure that anyone who reads the permit understands that there are alternative operating scenarios but that they are addressed on a unit-specific basis rather than in the Overall Permit Conditions.

14. Illinois participates in the interstate NOx trading program administered by USEPA in order to comply with a finding of a deficiency in Illinois' state implementation plan ("SIP") for NOx.³ Participation in this program is authorized by Section 9.9 of the Act, and the specifics of the program applicable in Illinois to EGUs are set forth in the Board's regulations at Part 217.Subpart W. The parameters of the federal program, with which states must comply in order to participate in the program, are set forth at 40 CFR Part 96.⁴ The Agency describes the NOx trading program at Section 6.1 of the permit. Petitioner requests that 40 CFR Part 96 be added as an authority or source of the requirement for the NOx reduction to be obtained through participation in the trading program. Reference to Section 110(a)(2)(D) is not enough, as it addresses only the necessity for reductions but not the specific means employed here to obtain those reductions. In other words, Section 110(a)(2)(D) of the Clean Air Act accounts for the requirement that Illinois obtain NOx reductions, but 40 CFR Part 96 accounts for the manner in which Illinois will obtain the NOx reductions. It is the manner by which the reductions will be obtained that is the subject of Section 6.1 of the permit.

15. Although Condition 6.1.1 concludes with the statement, "Note: This narrative description of the NOx Trading Program is for informational purposes only and is not enforceable," it is the only condition in the permit that appears to imply that EGUs may trade with other participants in the interstate program. Petitioner requested in its comments and repeats that request in this Petition that a clear statement authorizing it to participate in a multi-state NOx emissions trading program be included in the third paragraph of Condition 6.1.1 and

³ This is euphemistically referred to as the NOx SIP call. *See* 63 Fed.Reg. 57355 (October 27, 1998). The actual finding of deficiency in Illinois and requirement that the SIP be revised are at 40 CFR §§ 51.121(b)(1) and (c) (63 Fed.Reg. 57491-92 (October 27, 1998)).

⁴ 40 CFR Part 97 is the program that USEPA would apply directly to states under certain circumstances not applicable here.

suggested that the following language be inserted after the third sentence (counting the sentence in parentheses as a sentence): “In addition to receiving allowances allocated by USEPA pursuant to direction from the Illinois EPA, budget EGUs may also obtain allowances through the open market trading system established in 40 CFR Part 96.” To ensure that the Collins Station is authorized to participate in a multi-state trading program and to inform anyone reading the permit that the NOx trading program referred to in Section 6.1 is a multi-state trading program, Petitioner suggested in its comments and repeats its request in this Petition that “participating in the multi-state trading system” be added to the first sentence in the fourth paragraph of Condition 6.1.1, following “The number of NOx allowances available for budget sources.”

16. Petitioner commented that Condition 6.1.8(a)(vi) be revised as follows:

“In 2011 and annually thereafter, as provided by 35 IAC 217.764(e), an allocation of NOx allowances based on the prior operation of the EGU during previous control periods, as described in Condition 6.1.8(b), and a pro-rata share of any surplus NOx allowances in the NSSA following the allocation of NOx allowances to new budget EGU.”

Condition 6.1.8(b) describes how the number of allowances to be allocated for a given year, beginning in 2011, is to be determined. Petitioner requests the additional language to provide clarity to the Condition.

17. Condition 6.1.9 states that Petitioner is not eligible to obtain NOx allowances from the New Source Set Aside (“NSSA”) for the budget EGU identified in Condition 6.1.2(a). While this is a true statement, Petitioner requests that it be made clear that it would be eligible to obtain allowances from the NSSA for any “new” units. Petitioner suggests the following language: “New budget EGU that the Permittee may add to the source would be eligible to obtain NOx allowances from the NSSA, as provided by 35 IAC 217.768.” Petitioner notes that

an increase in the megawatt capacity of an EGU would also be eligible for additional allowances from the NSSA.

18. Condition 7.1.4(f) requires the EGUs to comply with the 0.25 NOx averaging program. The 0.25 averaging program requires that an EGU emit no more than 0.25 lb NOx/mmBtu during the ozone season (§ 217.706(a)). This is provided at Condition 7.1.4(f)(i)(A). However, the regulations then provide that “[n]otwithstanding Section 217.706(a) of this Subpart, the owners or operators of EGUs listed in Appendix F of this Part . . . may elect to demonstrate compliance with this Subpart by averaging for the ozone control period the NOx emission rates with any EGU listed in Appendix F. . . .” (§ 217.708(a)). Condition 7.1.4(f)(i)(B) provides for averaging; however, it omits the concept of “notwithstanding” that is an integral and important part of § 217.708(a). If an EGU participates in an averaging program with other EGUs, it is not, by itself, required to meet the 0.25 lb NOx/mmBtu.⁵ Addition of the word *or* at the end of Condition 7.1.4(f)(i)(A) would address this deficiency in the permit and would correctly reflect the requirements of the Board’s rules. Petitioner requests that the Board order this amendment.

19. Condition 7.1.4(f)(i)(B), in providing for averaging, is stated somewhat awkwardly. The Agency wrote the condition to provide that Collins could average with other boilers, other EGUs owned or operated by Midwest Generation, LLC, and authorized by the Collins permit to participate in a NOx averaging program, including Collins itself, or other EGUs authorized to participate in a NOx averaging program. The boilers at Collins are not restricted by the regulations to averaging only with boilers; they may average with any EGU. The

⁵ The exception to this statement is that each EGU participating in an averaging plan must demonstrate individual compliance if the overall plan fails, *i.e.*, cannot demonstrate an average of 0.25 lb NOx/mmBtu for the ozone season. This is addressed in the regulations at § 217.708(f) and in the permit at Condition 7.1.4(f)(ii)(C) (*See* ¶ 21, below).

Agency's provision is that Collins boilers may average with EGUs at other plants owned or operated by Midwest Generation, LLC, including Collins. The Agency's language is awkward and unclear. Finally, the Agency does not distinguish that the "other affected EGU" can be owned and operated by companies other than Midwest Generation, LLC, which is a necessary element of the program. Petitioner requests that the language be revised as follows:

"... (1) other affected ~~boilers~~ EGU at the Collins Generating Station, (2) other EGU owned and operated by the Permittee at its ~~plants in Collins~~, Fisk, Crawford, Waukegan, Powerton, Joliet, and/or Will County stations (ID ~~063806AAF~~, 031600AMI, 031600AIN, 097190AAC, 179801AAA, 197809AA0, and 197810AAK, respectively), which are also authorized by this permit to participate in a NOx averaging demonstration, and (3) other EGU not owned and operated by the Permittee that are authorized to participate in a NOx averaging plan by a CAAPP permit or other federally enforceable permit issued to the owner or operator of those EGU."

20. In Condition 7.1.4(f)(i)(B), the Agency authorizes the other generating stations owned or operated by Midwest Generation, LLC, to participate in a NOx averaging plan with the EGUs at the Collins Generating Station. *See* the language quoted above following the parentheses: "which are also authorized by this permit to participate in a NOx averaging demonstration." A permit issued to the Collins Generating Station can apply only to the Collins Generating Station. The Collins permit cannot be used to authorize activities at another plant. Rather, permits issued to the other plants must be used to authorize activities at those plants, including participation in a NOx averaging program that includes the Collins Generating Station. Petitioner requests that the clause be revised as follows: "which are also authorized by ~~this~~ their respective permits to participate in a NOx averaging demonstration."

21. Condition 7.1.4(f)(ii)(C) requires each EGU participating in a NOx averaging plan to comply with the 0.25 lb NOx/mmBtu seasonal average if the averaging plan fails, *i.e.*,

does not demonstrate an overall average of 0.25 lb NO_x/mmBtu. In including this condition in the permit, the Agency cites to § 217.708(g). However, § 217.708(g) addresses recordkeeping requirements for participants in a NO_x averaging plan. The correct citation is § 217.708(f), which says, "If averaging is used to demonstrate compliance with this Subpart, the effect of a failure to demonstrate such compliance shall be that the compliance status of each EGU shall be determined pursuant to Section 217.706(a) as if the NO_x emission rates of such EGUs were not averaged." Petitioner requests that the Board order this amendment to the permit.

22. The parenthetical phrase "(low pressure)" should be added after "auxiliary boiler mode" in Conditions 7.1.6(d)(iii) and 7.1.9(a)(vii)(A). The description is necessary to identify an alternative operating scenario applicable to the EGUs. It appears that the Agency did not transfer complete information from the Title I permit applicable to the EGUs. Petitioner requests that the Board order this amendment to the permit.

23. There are a number of conditions in which the cross-references are incorrect. Petitioner requests that they be corrected as follows:

- a. Condition 7.1.9(b)(iii)(B): reference should be to Condition 7.1.4(a)(i) rather than to 7.1.4(a)(ii);
- b. Condition 7.1.12(a): reference should be to Condition 7.1.4(a)(ii) rather than to 7.1.4(a)(iii); and
- c. Conditions 7.2.3(b), 7.2.3(c), and 7.2.10(c)(iii): reference should be to Condition 7.2.4(a) rather than to 7.2.4(d).

24. In Conditions 7.1.9(c)(ii)(B), 7.1.9(d)(iii)(B), 7.1.10(c)(iii)(*), and 7.1.10(d)(iii)(*), the Agency refers to 3-hour block averages for monitoring, recordkeeping, and

reporting. However, the EGUs at the Collins Station are subject to the NSPS, as discussed above. Therefore, the monitoring timeframes should be 3-hour rolling averages.

25. From review of other permits issued by the Agency, it appears that the Agency relied upon some formulaic approach to determining how quickly an EGU should be able to return to normal operation after startup, based upon the type of boiler and/or fuel used. It appears that the Agency did not rely upon the number of hours included in the permit application, which, for Petitioner, is based upon its actual experience and good operating practices. In Condition 7.1.9(f)(ii)(C), the Agency allowed only 12 hours for the EGU to return to normal operation following startup; Petitioner demonstrated in its application that the appropriate length of time for these EGUs is 18 hours. Petitioner requests that it be granted 18 hours to return to normal operation in Condition 7.1.9(f)(ii)(C).

26. Conditions 7.1.10(a)(ii) and 7.2.10(a)(ii) contain the dates by which quarterly reports are to be submitted to the Agency. The quarterly reports are due a month following the end of the previous quarter. Condition 8.6.1, part of the General Permit Conditions, allows two months following the end of the reporting period for semi-annual report submittals.⁶ One month is insufficient time for Petitioner to submit its reports. The new reporting requirements are quite burdensome, and as much time as possible is necessary for Petitioner to develop, quality assure, and submit the reports. The two-month period allowed at Condition 8.6.1 is a more reasonable timeframe, and Petitioner requests that the Submittal Deadlines in Conditions 7.1.10(a)(ii) and 7.2.10(a)(ii) be changed from April 30 to June 1, from July 30 to September 1, from October 30 to December 1, and from January 30 to March 1.

⁶ Condition 8.6.1 does not apply to Permittee, because the semi-annual reporting frequency provided in this condition is superseded by the quarterly reporting frequency of Conditions 7.1.10(a)(ii) and 7.2.10(a)(ii).

27. Paragraph (c) should be added to Condition 7.1.11, stating, “Pursuant to 40 CFR 266.108, this source qualifies for a small quantity burner exemption.” This is a statement of the requirements applicable to the EGUs and is properly contained in the condition addressing “Operational Flexibility/Anticipated Operating Scenarios.” Petitioner had requested, in its comments, that this language be added as a “Note” to the condition. It was not added at all, and Petitioner has since determined that inclusion of the language as a paragraph would be more appropriate than as a “Note.” Therefore, Petitioner requests that the new condition be added to the permit.

28. The boilers addressed in Section 7.2 of the permit are smaller boilers not used for generating electricity. They are used to generate low pressure steam for station heating and auxiliary steam needs. Petitioner requested in its comments and repeats in this Petition that the Agency add the sentence “The boilers are not used to generate electricity” to the condition, following the first sentence, to make it clear that these are not EGUs and so are not subject to any requirements that are exclusive to EGUs.

29. In Condition 7.2.4(a), the year included in the date determining the applicability of 40 CFR 60.Subpart Db should be 1984 rather than 1971.

30. Petitioner requests that the submerged loading pipe should be added as the emission control equipment in Condition 7.3.2.

31. Petitioner requests that the cross-references in Condition 8.5 be more refined to reflect the actual conditions in 8.6, rather than the general cross reference, to clarify what is applicable. Petitioner requests that they be 8.6.3 and 8.6.4.

32. Condition 9.2.3 precludes operation during malfunction and breakdown unless the permit specifically provides to the contrary. The permit does, and so the Condition is

superfluous and potentially confusing. Petitioner requests that a statement recognizing the authorization to operate during malfunction and breakdown that is included in the body of the permit be added to the end of this condition: "Such operation during malfunction or breakdown is allowed by this permit."

33. USEPA states in its regulations or policies that its contractors are bound to the same requirements as its "regular" employees with respect to the protection of confidential business information and conduct at a plant site. However, it is not clear that the Agency has that same policy or requirement. Therefore, Petitioner requests that the phrase "subject to applicable Confidential Business Information claims and limitations and facility health and safety rules," be inserted following "Upon presentation of proper credentials and other documents," in Condition 9.3.

34. The Agency uses two citation formats in Condition 9.3: "Section 39.5(7)(a) and (p)(ii) of the Act and 415 ILCS 5/4." The citation should be to "Sections 4 and 39.5(7)(a). . . ."

35. Condition 9.10.2 addresses emergencies at the plant and operations during the continuation of the emergency. Condition 9.10.2(a)(ii) specifically addresses how the plant should be operated – "properly" – during the emergency, in order for the Permittee to successfully avail itself of the affirmative defense provided by Condition 9.10.2. Emergency conditions are abnormal. "Proper" operation of the station occurs during normal conditions. That the conditions are an emergency and therefore abnormal suggests that "proper" operation, *i.e.*, how the plant is operated under normal conditions, is not possible during the emergency. The phrase in the condition "at the time" is vague and requires qualification. Petitioner requests that the condition be revised as follows: "The permitted source was, at the time the emergency commenced, being properly operated."

36. Technically, the Agency can open and correct a permit that is based on misinformation, be it willful or inadvertent. Revocation, without including the concept of reissuance, of a permit suggests that the permittee will not have a permit at all. As stated currently, Condition 9.12.3 allows the Agency to revoke – the word *reissue* is omitted – and effectively terminate the permit for any submission of misinformation. Where revocation of the permit, thus effectively the shutting down the facility, is the only action that the Agency allows itself, the submission of misinformation should have to be at a higher level than just any misinformation, which could be as innocent and accidental as transposing numbers of placing a decimal incorrectly. This is a very serious provision of the permit, with substantial implications to the Petitioner and to society. Submission of misinformation should have to be willful in order for the permit to be revoked and not reissued.

37. The citation for Condition 9.12.3 should be Section 39.5(5)(i) of the Act.

38. In Condition 9.14, the Agency provides that the Permittee may submit its Title V renewal application no sooner than 12 months prior to expiration of the current permit. Petitioner finds no support for this limitation. For various reasons, a Permittee may wish to seek renewal of a permit sooner than the expiration date, for example to stagger the expiration dates where the Permittee has more than one source with separate CAAPP permits. Petitioner requests that this phrase, “and no sooner than 12 months prior,” be deleted from Condition 9.14.

39. As points of clarification, Petitioner requests that “on the renewal permit” be added to Condition 9.14 following “The equipment may continue to operate during the renewal period until final action is taken” and that an *s* be added to “Section” in the citation.

40. Section 10 of the permit contains material that is informational in nature. It appears that this information does not comprise conditions of the permit and is not otherwise

enforceable. Therefore, Petitioner requests that the following statement be inserted at the beginning of the section: "The provisions of Section 10 constitute information only and are not enforceable as conditions of this permit."

Request for Stay of the Effectiveness of the Permit

41. Petitioner requests that the Board stay the effectiveness of the entire permit during the pendency of this matter. The issues raised in this Petition are scattered throughout the permit. To stay the effectiveness of only those conditions identified in the appeal would leave the permit virtually meaningless. To not stay the effectiveness of the conditions identified in this Petition would subject Petitioner to having to comply with provisions that are incorrect applications of legal requirements.

42. Petitioner further requests that, at the conclusion of this appeal, consistent with this request for stay of the effectiveness of the permit, the Board order the Agency to issue a new, revised permit consistent with the Board's findings and containing as an issuance date the date upon which the revised permit is issued.

43. Petitioner has operated the Collins Generating Station pursuant to its state operating permit since it submitted its application for its CAAPP permit in September 1995. That permit will continue to be the valid and applicable permit during the pendency of this appeal, maintaining the *status quo ante*.

WHEREFORE, for the reasons set forth above, Petitioner requests that the Board

(1) Consider the issues raised in this appeal of the final CAAPP permit issued to Midwest Generation, LLC – Collins Generating Station and order the Agency to amend the permit as requested in this Petition, and

(2) Stay the effectiveness of the permit during the pendency of this matter, ordering that the effective issuance date of the permit be the date of issuance of the amended permit.

Respectfully submitted,

**MIDWEST GENERATION, LLC –
COLLINS GENERATING STATION**

December 31, 2003 by: Kathleen C. Bassi
Date Kathleen C. Bassi
One of Its Attorneys

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DEC 31 2003

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

STATE OF ILLINOIS
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v.

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY,

Respondent.

04-108
PCB ~~08~~-108
(Permit Appeal – Air)

PETITION TO FILE REDUCED NUMBER OF COPIES OF ATTACHMENTS

NOW COMES Petitioner, MIDWEST GENERATION, LLC – COLLINS GENERATING STATION, by its attorney KATHLEEN C. BASSI of SONNENSCHNEIN NATH & ROSENTHAL LLP, and petitions the Board to allow it to submit the original and four copies of the attachments to its Appeal of CAAPP Permit. In support of this Petition, Petitioner states as follows:

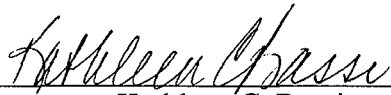
1. In its Appeal of CAAPP Permit, Petitioner refers to the comments it submitted to the Illinois Environmental Protection Agency (“Agency”) on November 4, 2003. Because Petitioner referred to the comments, it attached them to the Appeal of CAAPP Permit.
2. A part of the comments submitted to the Agency was a redlined copy of the draft/proposed permit indicating various amendments to the permit consistent with Petitioner’s narrative comments. The redlined draft/proposed permit is over 95 pages in length.
3. Petitioner’s comments will be included in the Agency’s record, which it is required to submit to the Board within 30 days after the filing of the Appeal of CAAPP Permit.

WHEREFORE, because of the volume of the attachment to the Appeal of CAAPP Permit and because the Agency is required to submit the attachment, which is comprised of Petitioner's comments submitted to the Agency on November 4, 2003, Petitioner requests that the Board grant this Petition to file the original and four copies of the attachment rather than the required original and nine copies.

Respectfully submitted,

**MIDWEST GENERATION, LLC –
COLLINS GENERATING STATION**

by: _____



Kathleen C. Bassi
One of Its Attorneys

DATE: December 31, 2003

SONNENSCHN NATH & ROSENTHAL, LLP
Kathleen C. Bassi
Mary A. Gade
Attorneys for Petitioner
8000 Sears Tower
233 South Wacker Drive
Chicago, Illinois 60606
312-876-7403

DEC 31 2003

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD STATE OF ILLINOIS
Pollution Control Board

MIDWEST GENERATION, LLC –
COLLINS GENERATING STATION,

Petitioner,

v.

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY,

Respondent.

04-108
PCB
(Permit Appeal – Air)

APPEARANCE

I, KATHLEEN C. BASSI of SONNENSCHN NATH & ROSENTHAL LLP, hereby
file my appearance in this proceeding, on behalf of MIDWEST GENERATION, LLC –
COLLINS GENERATING STATION.


Kathleen C. Bassi

DATE: December 31, 2003

Kathleen C. Bassi
SONNENSCHN NATH & ROSENTHAL LLP
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DEC 31 2003

STATE OF ILLINOIS
Pollution Control Board

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

MIDWEST GENERATION, LLC –
COLLINS GENERATING STATION,

Petitioner,

v.

ILLINOIS ENVIRONMENTAL
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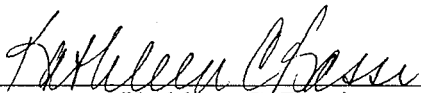
Respondent.

04-108
PCB ~~02~~-
(Permit Appeal – Air)

CERTIFICATE OF SERVICE

I, the undersigned, certify that I have served the attached Appeal of CAAPP Permit,
Appearance of Kathleen C. Bassi, and Petition to File Reduced Number of Copies of
Attachments upon the following person, by Federal Express:

Illinois Environmental Protection Agency, Division of Legal Counsel


Kathleen C. Bassi

One of the Attorneys for Petitioner

DATE: December 31, 2003

SONNENSCHN NATH & ROSENTHAL LLP

Kathleen C. Bassi

Mary A. Gade

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Attachment A



**MIDWEST
GENERATION EME, LLC**

An EDISON INTERNATIONALTM Company

Fred W. McCluskey
Vice President
Technical Services and
Partnership Management

November 4, 2003

Mr. Brad Frost
Division of Air Pollution Control
Bureau of Air
Illinois Environmental Protection Agency
1021 North Grand Avenue, East
P.O. Box 19506
Springfield, IL 62794-9506

CERTIFIED MAIL

Re: Comments on the Draft Title V Permit for the Collins Generating Station
(ID No. 063806AAF), Midwest Generation, LLC

Dear Mr. Frost:

Midwest Generation LLC, is pleased to provide you with its comments on the draft permit for the Collins Generating Station. Midwest Generation's comments comprise this letter and the three attachments enclosed herewith.

Attachment 1 is a narration of Midwest Generation's technical comments on the permit. The proposed amendments to the permit that correlate with the comments in Attachment 1 are included in a marked-up version of the permit at Attachment 2. Please note that Midwest Generation is providing an electronic version of Attachments 1 and 2 to the Permits Section. Attachment 3 is related to special condition 5.2.6 on the draft permit, whereby per letter dated June 23, 1988 Collins Station is exempt from submitting an Episode Action Plan.

Midwest Generation appreciates the cooperation the Agency has demonstrated through the development of this Title V permit. We look forward to continuing to work with the Agency through finalization of the permit.

If you have questions regarding any of these comments, please contact Bill Constantelos (312/583-6029) or Scott Miller (312/583-6059).

Sincerely,

Fred W. McCluskey
Vice President of Technical Services and Partnership Management

Encl.

cc: Jim Ross, without enclosures
Chris Romaine, without enclosures
John Cashman (via electronic mail)

One Financial Place
440 South LaSalle Street
Suite 3500
Chicago, IL 60605
Tel: 312 583 6097
Fax: 312 788 5453
Cell: 312 925 3882
Email: fmccluskey@mwgen.com

bcc: Roxanne Richards/George Weaver (Hard Copy)
Fred McCluskey (Electronic)
Becky Lauer (Electronic)
Doug McFarlan (Electronic)
Guy Gorney (Electronic)
Karen House (Electronic)
Kathleen Bassi (Electronic)
Bill Constantelos (Electronic)
Scott Miller (Hard Copy)
File: A-COL-PER-B

*Attachment 1***Attachment 2****Technical Comments of Midwest Generation, LLC****Proposed Title V Permit for the Collins Generating Station**

ID No. 063806AAF

October 31, 2003

Proposed language changes are included in the text of the proposed permit. Narration or explanation, identified by condition number, follows.

<u>Condition</u>	<u>Comment</u>
Cover Letter	
	Corrected the name of the Permittee.
	Corrected the spelling of the name of the contact person.
Source Identification	
1.2	Changed the name of the Owner.
1.3	Added the name of the Owner to the name of the Operator.
Insignificant Activities	
3.1.1 and 3.1.2	Moved the Diesel Fuel Unloading Facility from the list of Insignificant Activities determined by the Agency in Condition 3.1.1 to the list based upon maximum emissions in Condition 3.1.2.
Significant Emission Units	
4.0	Added to list of pollution control equipment as appropriate.
Overall Source Conditions	
5.2.2(b)	Corrected the applicable requirements.
5.2.6	Added a note that the requirement for an Episode Action Plan does not apply to the Collins Generating Station.
5.3.2 [new condition]	Midwest Generation specifically requests the proposed additional language to ensure that only the conditions included in the permit are the requirements applicable to this source as of the date the permit is issued. Midwest generation recognizes that should new requirements become

Attachment 2 /
 Technical Comments of Midwest Generation, LLC
 Proposed Title V Permit for the Collins Generating Station (ID No. 063806AAF)
 October 31, 2003

<u>Condition</u>	<u>Comment</u>
	applicable in the future, Midwest Generation would be subject to them as provided at § 39.5(15)(a) of the Act.
5.3 Note [new note]	Midwest Generation suggests that the Agency include the proposed language to ensure that there is no confusion regarding the non-applicability of certain provisions to specific emission units, as provided in Section 7 at Condition 7.X.5.
5.6.1(b)	Corrected the requirement to reflect that oil, not coal, is burned at the Collins Generating Station.
5.8	Operational flexibility <u>is</u> provided in this permit. Therefore, "N/A" is not the proper language for this Condition. To say "N/A" suggests that there is no operational flexibility allowed for this source.
Emissions Control Programs	
6.1.1	¶ 1: To reference merely § 110(a)(2)(D) of the Clean Air Act as the requirement for the so-called NOx trading program is insufficient. The <u>requirement</u> is that states reduce NOx emissions, thus the reference to § 110(a)(2)(D). The <u>option</u> is that states participate in the trading program in order to accomplish that reduction, thus the necessity for the references to 40 CFR Part 96 and 35 IAC 217.Subpart W. ¶ 3: The language added makes it clear that budget EGUs in Illinois may obtain allowances through the NOx trading system administered by USEPA. ¶ 4: Clarifying language was added to the first sentence. Additionally, that the NOx Trading System will only <u>help</u> meet air quality goals is an important concept to include at this point so that there is no anticipation that participants in the trading system are the only sources required to reduce emissions in order for nonattainment areas to attain the ozone standards.
6.1.2(a)	Removed Boilers 6 and 7 from the list of units to which the NOx Trading Program is applicable, as Boilers 6 and 7 are not included (< 25 MW).
6.1.8(a)(vi)	Necessary cross-reference to provide clarity.
6.1.9	The proposed additional language clarifies that should new units be added at the Collins Generating Station, Midwest Generation may obtain allowances for them from the NSSA just as any other new EGU may

Attachment 2 /
 Technical Comments of Midwest Generation, LLC
 Proposed Title V Permit for the Collins Generating Station (ID No. 063806AAF)
 October 31, 2003

<u>Condition</u>	<u>Comment</u>
	obtain allowances from the NSSA.
6.2.3(c)	This additional language is consistent with the provisions of ERMS and serves the purpose of eliminating uncertainty with respect to any enforcement activity that might be considered, should the situation arise.
6.3.1	Deleted Boilers 6 and 7 from the list of boilers to which the Acid Rain Program is applicable, as appropriate.
6.3.2	Corrected the applicable requirements. There is not a Part 76 standard for the boilers.
6.3.3	Corrected the applicable requirements.
Boilers (Subject to NSPS - 40 CFR Subpart D)	
7.1.3(c)(ii)*	In the "*" portion of Condition 7.1.3(c)(ii), the suggested language change reflects the fact that not all incidents are related, and the Agency should not assume that they are, particularly in a permit condition. Midwest Generation's procedures and protocols require immediate attention to incidents of excess emissions. A subsequent incident of excess emissions following closely upon a previous incident may be totally unrelated and should not be conflated into the previous incident in such a case. At the least, the Agency should use the permissive "may" rather than "shall" in order to preserve enforcement interpretation and discretion.
7.1.4(b)(i)	Corrected the applicable requirements.
7.1.4(e)	Corrected the applicable requirements.
7.1.4(f)(i)(A)	Compliance with the 0.25 lb/mmBtu requirement for NOx emissions can be demonstrated through <u>either</u> condition (A) or (B). An individual EGU is not required to comply with the 0.25 lb/mmBtu limitation if it is participating in an averaging program. Addition of the conjunction "or" is necessary to clarify this point.
7.1.4(f)(i)(B)	The language additions clarify the applicable requirements with respect to the EGUs at the Collins Station and deletes the Collins Generating Station from the list of Midwest Generation stations included in the 0.25 rule with which Collins can trade, as this is the permit for Collins. We note that the Agency cannot authorize activities at other generating stations through the permit issued for the Collins Generating Station. The permit issued to the Collins Generating Station may acknowledge the authorization to average

Attachment ~~Z~~ /
 Technical Comments of Midwest Generation, LLC
 Proposed Title V Permit for the Collins Generating Station (ID No. 063806AAF)
 October 31, 2003

<u>Condition</u>	<u>Comment</u>
	included in the other permits and may grant Midwest Generation the authority to include Collins in an averaging plan to demonstrate compliance. However, actual authority for the other plants must be in their permits and cannot be granted through the permit for Collins. Additionally, it is important to distinguish between generating stations owned by Midwest Generation from those owned by other companies and to make it clear that averaging, to demonstrate compliance with the 0.25 NOx rule, can be accomplished through inter-company averaging as well as intra-company averaging. Finally, averaging is not limited to like emission units. That is, boilers are not restricted to averaging with other boilers. Therefore, we suggest that "boilers" be changed to "EGU."
7.1.4(f)(ii)(C)	The very last cross-reference in this Condition is to 35 IAC 217.708(g). This is an incorrect reference. The reference should be to § 217.708(f) in order to reflect the premise stated in the Condition.
7.1.5(b) [new numbering]	The Agency had included at Condition 7.1.4(e) that the boilers are subject to more stringent NOx limitations pursuant to Section 407 of the Clean Air Act. This is not the case. Since the Agency included this provision at Condition 7.1.4(e), Midwest Generation believes that it is necessary not only to delete the provision from Condition 7.1.4(e), but also to add specific non-applicability in Condition 7.1.5(b).
7.1.6(a)	Corrected the reference to affected boilers rather than affected turbines. There are no turbines at the Collins Generating Station.
7.1.7(b)(ii)	More correctly described the testing conditions for the boilers at the Collins Generating Station.
7.1.8(a)	Described the configuration of the boilers and stack.
7.1.8(b)	Described the configuration of the boilers and stack.
7.1.8(c)	Added reference to the federal rules and described the configuration of the boilers and stack.
7.1.8(d)	There is no § 821 of the Clean Air Act. Rather, § 821 is a section of the bill that amended the Clean Air Act. This section does not contain any language that specifically amends the Clean Air Act but does direct USEPA to adopt regulations to require monitoring of CO ₂ for purposes of information gathering. At least for sources subject to the Acid Rain Program, the authoritative provision appears to be 40 CFR 72.9(b).

Attachment 2 /
 Technical Comments of Midwest Generation, LLC
 Proposed Title V Permit for the Collins Generating Station (ID No. 063306AAAF)
 October 31, 2003

<u>Condition</u>	<u>Comment</u>
	Added reference to the common stack, as appropriate.
7.1.9(a)	Added new (ii) to provide for records for natural gas and oil usage. Renumbered subsequent subparagraphs. We note that the numbering of the subsequent subparagraphs was not sequential in any event.
7.1.9(a)(vi)	Corrected cross-references.
7.1.9(b)	Added reference to the common stacks for Boilers 1, 2, and 3 and for Boilers 4 and 5.
7.1.9(b)(ii)	Corrected cross-references.
7.1.9(b)(iii)	Corrected cross-references.
7.1.9(b)(iii)(A) and (B)	Corrected cross-references.
7.1.9(c)	Added appropriate references to the common stacks for the boilers.
7.1.9(c)(ii)	Corrected the emissions rate.
7.1.9(d)	Added appropriate reference to the common stacks for the boilers.
7.1.9(e)	Corrected the cross-reference from Condition 6.2.3 to Condition 6.3.3, which addresses the Acid Rain Program.
7.1.9(f)(ii)(C)	Corrected the number of hours allowed for startup consistent with the permit application.
7.1.9(f)(ii)(C)(III)	Corrected the numbering of the subparagraph.
7.1.10(a)(ii)	One of the streamlining provisions of Title V that is/was supposed to be implemented was with respect to reporting. Reporting dates were supposed to be consolidated, with reductions in the redundancy of the information required to be submitted. Therefore, reporting dates for different requirements should be consistent with each other to the extent possible. Rather than contradict a later condition of the permit, we suggest that the later condition be amended so that the permit reads correctly. For that reason, Midwest Generation suggests language regarding quarterly reporting and reference to Condition 8.6.1 at this point of the permit and later provides suggested amendments for Condition 8.6.1. We also note

Attachment 2 /
 Technical Comments of Midwest Generation, LLC
 Proposed Title V Permit for the Collins Generating Station (ID No. 063806AAF)
 October 31, 2003

<u>Condition</u>	<u>Comment</u>
	that while the requested date changes inserted here are approximately a month in extent, they are only approximately two weeks longer than the reporting dates that the Agency included for other Midwest Generation stations (c.f. the draft and proposed permits for the Fisk Generating Station).
	At the hearing for the Crawford Generating Station, Mr. Chris Romaine of the Agency responded to a question regarding the frequency of reporting in a manner that suggests that there is some semi-annual reporting required of the Collins Generating Station. Midwest Generation understands from the original language in Condition 7.1.10(a) that this is not the case. However, if it is truly the case, then Midwest Generation withdraws this comment.
7.1.10(e)(iii)	Corrected a cross-reference.
7.1.10(e)(iv)	Corrected a cross-reference.
7.1.10(h)	There is no § 821 of the Clean Air Act. Rather, § 821 is a section of the bill that amended the Clean Air Act. This section does not contain any language that specifically amends the Clean Air Act but does direct USEPA to adopt regulations to require monitoring of CO ₂ for purposes of information gathering. At least for sources subject to the Acid Rain Program, the authoritative provision appears to be 40 CFR 72.9(b).
7.1.11(Note) [new, additional note]	Added reference to 40 CFR § 266.108, which reflects that the source qualifies for a small quantity burner exemption.
7.1.11(b)	The permit needs to reflect at this point that the boilers can fire natural gas.
7.1.12(a)	Corrected cross-references.
7.1.12(b)	Corrected cross-reference.
7.1.12(c)	Added cross-reference.
Boilers (Subject to NSPS – 40 CFR Subpart Db)	
7.2.1	Added that these boilers are not used to generate electricity.
7.2.2	Added low NOx burners to the list of control equipment.

Attachment 2 /
 Technical Comments of Midwest Generation, LLC
 Proposed Title V Permit for the Collins Generating Station (ID No. 063806AAF)
 October 31, 2003

<u>Condition</u>	<u>Comment</u>
7.2.3(a)	Corrected the date after which construction occurred.
7.2.3(b)	Corrected the reference to the applicable section (35 IAC 212.122 rather than 212.123) and the cross-reference.
7.2.3(c)	Corrected the cross-reference.
7.2.3(c)(ii)*	In the "*" portion of Condition 7.1.3(c)(ii), the suggested language change reflects the fact that not all incidents are related, and the Agency should not assume that they are, particularly in a permit condition. Midwest Generation's procedures and protocols require immediate attention to incidents of excess emissions. A subsequent incident of excess emissions following closely upon a previous incident may be totally unrelated and should not be conflated into the previous incident in such a case. At the least, the Agency should use the permissive "may" rather than "shall" in order to preserve enforcement interpretation and discretion.
7.2.4(a)	Corrected the year after which construction occurred.
7.2.4(b)	Corrected the reference to the applicable provision.
7.2.4(d)	Deleted the Condition because Boilers 6 and 7, each less than 250 mmBtu, are not subject to 35 IAC 217.Subpart W.
7.2.4(e)	Deleted the Condition because Boilers 6 and 7, less than 250 mmBtu, are not subject to Illinois 0.25 NOx rule.
7.2.5(c) [new number]	Added Condition 7.2.5(c) to establish that 35 IAC 217.121 does not apply to Boilers 6 and 7.
7.2.5(d) [new number]	Added Condition 7.2.5(d) to establish that neither the NOx trading program (Condition 6.1 and 35 IAC 217.Subpart W) nor the 0.25 NOx averaging program applies to Boilers 6 and 7 (35 IAC 217.Subpart V), because these boilers are each less than 250 mmBtu/hr. Additionally, Boilers 6 and 7 are not used for the purpose of generating electricity and so are not EGUs as defined by the applicability sections of 35 IAC 217.Subparts V and W.
7.2.6(a)	Corrected the reference to boilers (rather than turbines).
7.2.6(d)	Typographical error: corrected the steam production to be consistent with the underlying construction/operating permit.

Attachment 2 /
 Technical Comments of Midwest Generation, LLC
 Proposed Title V Permit for the Collins Generating Station (ID No. 063/06AAJ)
 October 31, 2003

<u>Condition</u>	<u>Comment</u>
7.2.7	Deleted PM from the Condition, as the fuel is natural gas and PM is not a controlled pollutant from these boilers.
7.2.7(a)	Deleted PM from the Condition, as the fuel is natural gas and PM is not a controlled pollutant from these boilers.
7.2.7(b)(ii)	Amended the provision for where measurements can be taken for these boilers and the conditions under which additional measurements may be required by the Agency.
7.2.7(b)(iii)	Deleted the reference to PM.
7.2.7(e)(v)	Deleted the provision, as PM monitoring is not required for these boilers.
7.2.8(a)	Added reference to the common stack for the two boilers.
7.2.9(a)(i)	Corrected the citations to the CFR. Added reference to the common stack for the two boilers.
7.2.9(a)(iii)	Added reference to the common stack for the two boilers.
7.2.9(b)(ii)	Deleted reference to PM, as it is not a controlled pollutant from these boilers.
7.2.10(a)(i)(B)	This Condition should be deleted, as it is not applicable to these boilers. The boilers fire only natural gas, and there are not other fuel materials that can be added or that are permitted to be added.
7.2.10(a)(ii)	One of the streamlining provisions of Title V that is/was supposed to be implemented was with respect to reporting. Reporting dates were supposed to be consolidated, with reductions in the redundancy of the information required to be submitted. Therefore, reporting dates for different requirements should be consistent with each other to the extent possible. Rather than contradict a later condition of the permit, we suggest that the later condition be amended so that the permit reads correctly. For that reason, Midwest Generation suggests language regarding quarterly reporting and reference to Condition 8.6.1 at this point of the permit and later provides suggested amendments for Condition 8.6.1. We also note that while the requested date changes inserted here are approximately a month in extent, they are only approximately two weeks longer than the

Attachment 2 /
 Technical Comments of Midwest Generation, LLC
 Proposed Title V Permit for the Collins Generating Station (ID No. 063806AAF)
 October 31, 2003

<u>Condition</u>	<u>Comment</u>
	reporting dates that the Agency included for other Midwest Generation stations (c.f. the draft and proposed permits for the Fisk Generating Station). At the hearing for the Crawford Generating Station, Mr. Chris Romaine of the Agency responded to a question regarding the frequency of reporting in a manner that suggests that there is some semi-annual reporting required of the Collins Generating Station. Midwest Generation understands from the original language in Condition 7.1.10(a) that this is not the case. However, if it is truly the case, then Midwest Generation withdraws this comment.
7.2.10(b)(i)	The Auxiliary Boiler does not have continuous opacity monitors. Therefore, 6-minute average readings cannot be obtained. However, Midwest Generation will perform visual readings for one-half hour.
7.2.10(c)	Added reference to the common stack for these boilers.
7.2.10(c)(iii)	Corrected the cross-reference.
7.2.10(c)(iii)(C)	Corrected the cross-reference.
7.2.10(c)(Note)	Deleted the Note, which provides for the NOx averaging under 35 IAC 217.Subpart W, which does not apply to these boilers.
7.2.10(d)	Deleted the Condition as the Illinois 0.25 NOx averaging requirements do not apply to Boilers 6 and 7.
7.2.12(c)	Corrected the cross-reference.
Storage Tanks	
7.3.4(c)	Midwest Generation has no control over the Reid vapor pressure of the gasoline stored in its tank. This provision should not be applicable to Midwest Generation.
7.3.5(f)	Added that Midwest Generation is not subject to the Reid vapor pressure requirement.
7.3.10(a)	Conditions 7.3.4(a) and (b) are about transfer, not storage.
General Permit Conditions	

Attachment 2 /
 Technical Comments of Midwest Generation, LLC
 Proposed Title V Permit for the Collins Generating Station (ID No. 063806AAF)
 October 31, 2003

<u>Condition</u>	<u>Comment</u>
8.5	Corrected cross-reference.
Standard Permit Conditions	
9.2.3	For purposes of internal consistency and to avoid confusion, Midwest Generation requests that this sentence be added to Condition 9.2.3.
9.3	Midwest Generation is concerned with the scope of the term "authorized representative." At times, the Agency or USEPA may employ contractors, who would be their authorized representatives, to perform tasks that could require them to enter Midwest Generation's property. Such representatives, whether they are the Agency's or USEPA's employees or contractors, must be subject to the limitations imposed by applicable Confidential Business Information claims and by the Collins Generating Station's health and safety rules. Additionally, Midwest Generation suggests a change to the citation to the Environmental Protection Act to provide for internal consistency. As presented in the draft permit, the Agency is citing to the same Act but in two different formats within the same phrase.
9.10.2(a)(ii)	Language clarification.
9.12.3	Midwest Generation agrees with the Agency that a permit can be reopened and corrected if Midwest Generation or the Agency discovers that inaccurate information was included in the application. Every effort has been made to ensure that the information is accurate, and Midwest Generation has certified to the accuracy of the application. A mere, inadvertent inaccuracy should not be grounds for revocation of the permit, merely for correction of the permit. Revocation of the permit should be for not less than willful misrepresentation of information in the application. Also, Midwest Generation added the citation to § 39.5(5)(i), the section of the Act that addresses misinformation included in an application. However, it is not exactly on point as to the Agency's purpose in Condition 9.12.3.
9.14	Midwest Generation finds no statutory basis for limiting the submission of a renewal application of "no sooner than 12 months prior to expiration" of the current permit. Also, Midwest Generation inserted language that clarifies what final action the Agency must take, in the context of continuing to operate equipment

Attachment 2 /
Technical Comments of Midwest Generation, LLC
Proposed Title V Permit for the Collins Generating Station (ID No. 063006AAAF)
October 31, 2003

<u>Condition</u>	<u>Comment</u>
	prior to issuance of the renewal permit.
Attachments	
10.0	Midwest Generation requests that the Agency add the language suggested in the attached copy of the permit regarding the scope of the authority of Section 10 of the permit. The attachments included in Section 10 are informational and not enforceable as conditions of the permit.

Attachment 2

FINAL DRAFT/PROPOSED CAAPP PERMIT
Midwest Generation EME, LLC
I.D. No.: 063806AAF
Application No.: 95090079
September 15, 2003

217/782-2113

TITLE V - CLEAN AIR ACT PERMIT PROGRAM (CAAPP) PERMIT
and
TITLE I PERMIT¹

PERMITTEE

Midwest Generation-EME, LLC
Attn: Scott B. Miller
440 S. LaSalle Street, Suite 3500
Chicago, IL 60605

Application No.: 95090079 I.D. No.: 063806AAF
Applicant's Designation: Collins Date Received: September 7, 1995
Operation of: Electric Power Generation
Date Issued: TO BE DETERMINED Expiration Date²: DATE
Source Location: Collins Generating Station, 4200 Pine Bluff Road, Morris,
Grundy County, IL 60450-9558
Responsible Official: Roxanne Richards/Station Director

This permit is hereby granted to the above-designated Permittee to operate a power generation facility, pursuant to the above referenced permit application. This permit is subject to the conditions contained herein.

The current federal Phase II Acid Rain Permit issued to Midwest Generation by the Illinois EPA is incorporated into this CAAPP permit (See Attachment 5).

If you have any questions concerning this permit, please contact John Cashman at 217/782-2113.

Donald E. Sutton, P.E.
Manager, Permit Section
Division of Air Pollution Control

DES:JRC

cc: Illinois EPA, FOS, Region 1
USEPA

¹This permit contains terms and conditions which address the applicability, and compliance if determined applicable, of Title I of the CAA and regulations promulgated thereunder, including 40 CFR 52.21 - federal PSD and 35 IAC Part 203 - Major Stationary Sources Construction and Modification. Any such terms and conditions are identified within this permit.

²Except as provided in Condition 8.7 of this permit.

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1.0 SOURCE IDENTIFICATION

1.1 Source

Collins Generating Station
4200 Pine Bluff Road
Morris, IL 60450-9558
815/942-4500 ext. 2289

I.D. No.: 063806AAF
Acid Rain Permit ORIS Code No.: 6025

Standard Industrial Classification: 4911, Electric Services

1.2 Owner/Parent Company

~~Collins Generating Station~~
~~4200 Pine Bluff Road~~
~~Morris, IL 60450-9558~~
Collins Trust I, Collins Trust II, Collins Trust III and Collins
Trust IV.
Midwest Generation, LLC
440 South LaSalle Street, Suite 3500
Chicago, IL 60605

1.3 Operator

Midwest Generation, LLC - Collins Generating Station
4200 Pine Bluff Road
Morris, IL 60450-9558

George Weaver
815/942-4500 ext. 2289

1.4 General Source Description

Midwest Generation Collins Generating Station is located at 4200 Pine Bluff Road. The source operates five natural gas and/or oil fired boilers.

2.0 LIST OF ABBREVIATIONS/ACRONYMS USED IN THIS PERMIT

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
BAT	Best Available Technology
Btu	British thermal unit
CAA	Clean Air Act [42 U.S.C. Section 7401 et seq.]
CAAPP	Clean Air Act Permit Program
CAM	Compliance Assurance Monitoring
CFR	Code of Federal Regulations
EGU	electrical generating unit(s)
ERMS	Emissions Reduction Market System (35 IAC Part 205)
HAP	Hazardous Air Pollutant
Hr	Hour
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
Kw	Kilowatts
LAER	Lowest Achievable Emission Rate
Lb	Pound
MACT	Maximum Achievable Control Technology
mmBtu	Million British thermal units
Mg	megagram or metric ton
MW	Megawatts
NESHAP	National Emission Standards for Hazardous Air Pollutants
NO _x	Nitrogen Oxides
NSPS	New Source Performance Standards
NSSA	new source set-aside
ORIS	Office of Regulatory Information System
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
ppm	parts per million
PSD	Prevention of Significant Deterioration (40 CFR 52.21)
RMP	Risk Management Plan
SO ₂	Sulfur Dioxide
T	ton (2000 pounds)
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 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:

~~Diesel Fuel Unloading Facility~~
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:

Sulfuric Acid Collector Tank
Sodium Hypochlorite Tank
Aqueous Ammonia Storage Tank
Diesel Fuel Unloading Facility

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

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

Equipment used for filling drums, pails, or other packaging containers, excluding aerosol cans, with soaps, detergents, surfactants, lubricating oils, waxes, vegetable oils, greases, animal fats, glycerin, sweeteners, corn syrup, aqueous salt solutions, or aqueous caustic solutions [35 IAC 201.210(a)(8)].

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)].

Gas turbines and stationary reciprocating internal combustion engines of between 112 kW and 1,118 kW (150 and 1,500 horsepower) power output that are emergency or standby units [35 IAC 201.210(a)(16)].

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

Loading and unloading systems for railcars, tank trucks, or watercraft that handle only the following liquid materials, provided an organic solvent has not been mixed with such materials: soaps, detergents, surfactants, lubricating oils, waxes, glycerin, vegetable oils, greases, animal fats, sweetener, corn syrup, aqueous salt solutions, or aqueous caustic solutions [35 IAC 201.210(a)(18)].

- 3.1.4 Activities that are considered insignificant activities pursuant to 35 IAC 201.210(b).

Note: The heating of a boiler with auxiliary fuel burners during maintenance and repair of the boiler is addressed as an insignificant activity under 35 IAC 201.210(b)(xxix) and accordingly is not addressed in the unit-specific conditions of this permit for boilers.

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 5.2.2), the Permittee shall comply with the following requirements, as applicable:

- 3.2.1 For each cold cleaning degreaser, the Permittee shall comply with the applicable equipment and operating requirements of 35 IAC 218.182.
- 3.2.2 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. 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.
- 3.2.3 For each organic material emission unit that uses organic material, e.g., a mixer or printing line, the Permittee shall comply with the applicable VOM emission limit of 35 IAC 218.301, which requires that organic material emissions not exceed 8.0 pounds per hour or do not qualify as photochemically reactive material as defined in 35 IAC 211.4690.

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
BLR1	Babcock and Wilcox Natural Gas and/or Oil Fired Boiler (5,237 Nominal mmBtu/hr)	May 1978 (Modified: July 1993)	Low NOx Burners
BLR2	Babcock and Wilcox Natural Gas and/or Oil Fired Boiler (5,237 Nominal mmBtu/hr)	April 1978 (Modified: Dec 1993)	Low NOx Burners
BLR3	Babcock and Wilcox Natural Gas and/or Oil Fired Boiler (5,237 Nominal mmBtu/hr)	Aug 1977 (Modified: May 1993)	Low NOx Burners
BLR4	Babcock and Wilcox Natural Gas and/or Oil Fired Boiler (5,187 Nominal mmBtu/hr)	Aug 1977 (Modified: March 1997)	Low NOx Burners
BLR5	Babcock and Wilcox Natural Gas and/or Oil Fired Boiler (5,187 Nominal mmBtu/hr)	May 1978 (Modified: March 1997)	Low NOx Burners
BLR6	ABB C-E Services Natural Gas Fired Boiler (242 Nominal mmBtu/hr)	June 1998	None <u>Low NOx Burners</u>
BLR7	ABB C-E Services Natural Gas Fired Boiler (242 Nominal mmBtu/hr)	June 1998	None <u>Low NOx Burners</u>
TK21	1,000 Gasoline Storage Tank	June 1994	None <u>Submerged Loading Pipe</u>

Note: Modification of Boilers 1 through 5 was to accommodate the use of natural gas and maintain the use of oil.

5.0 OVERALL SOURCE CONDITIONS

5.1 Source Description

- 5.1.1 This permit is issued based on the source requiring a CAAPP permit as a major source of CO, NOx, SO2, PM, VOM, and HAP 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.

5.2 Applicable Regulations

- 5.2.1 Specific emission units at this source are subject to particular regulations as set forth in Section 7 (Unit-Specific Conditions) of this permit.
- 5.2.2 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.

Compliance with this requirement is considered to be assured by the inherent nature of operations at this source, as demonstrated by historical operation.

- b. No person shall cause or allow the emission of smoke or other particulate matter, with an opacity greater than ~~30-20~~ percent, into the atmosphere from any emission unit ~~other than those emission units subject to the requirements of 35 IAC 212.122~~, pursuant to 35 IAC ~~212.122~~ 212.122(a), except as allowed by 35 IAC ~~212.122~~ 212.122(b) and 212.124.

5.2.3 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.

5.2.4 Risk Management Plan (RMP)

Should this stationary source pursuant to 40 CFR 68.215(a)(2)(i) and (ii), as defined in 40 CFR 68.3, become subject to the federal rules for Chemical Accident Prevention in 40 CFR Part 68, then the owner or operator shall submit:

- 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 applicable 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.

5.2.5 Future Emission Standards

- a. Should this source become subject to a regulation under 40 CFR Parts 60, 61, 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.

Note: This permit may also have to be revised or reopened to address such new regulations. (See Condition 9.12.2.)

- b. No later than upon the submittal for renewal of this permit, the owner or operator shall submit, as part of an application, the necessary information to address either the non-applicability of, or demonstrate compliance with all applicable regulations under 40 CFR Parts 60, 61, or 63, or 35 IAC Subtitle B that were promulgated after the date issued of this permit.

5.2.6 Episode Action Plan

- a. Pursuant to 35 IAC 244.142, the Permittee shall maintain at the source and have on file with the Illinois EPA a written episode action plan (plan) for reducing the levels of emissions during yellow alerts, red alerts, and emergencies, consistent with safe operating procedures. The plan shall contain the information specified in 35 IAC 244.144.

- b. The Permittee shall immediately implement the appropriate steps described in this plan should an air pollution alert or emergency be declared.
- c. If an operational change occurs at the source that invalidates the plan, a revised plan shall be submitted to the Illinois EPA for review within 30 days of the change, pursuant to 35 IAC 244.143(d). Such plans shall be further revised if disapproved by the Illinois EPA.
- d. For sources required to have a plan pursuant to 35 IAC 244.142, a copy of the original plan and any subsequent revisions shall be sent to:
 - i. Illinois EPA, Compliance Section.

Note: The Agency has determined that an Episode Action Plan is not required for the Collins Generating Station (reference June 23, 1988, letter from Terry A. Sweitzer of the Illinois EPA to C.L. McDonough of Commonwealth Edison, the previous owner).

5.3 Non-Applicability of Regulations of Concern

- 5.3.1 This permit is issued based on the source not being subject to 40 CFR Part 64, Compliance Assurance Monitoring (CAM) for Major Stationary Sources, because the source does not have a pollutant-specific emissions unit that uses an add-on control device to achieve compliance with an emission limitation or standard.

- 5.3.2 Except as provided herein, this permit presents the entirety of requirements applicable to this source as of the date of issuance.

Note: Other regulations that do not apply to specific emission units are identified in Section 7 as appropriate.

5.4 Source-Wide Operational and Production Limits and Work Practices

In addition to the source-wide requirements in the Standard Permit Conditions in Section 9, the Permittee shall fulfill the following source-wide operational and production limitations and/or work practice requirements:

None

5.5 Source-Wide Emission Limitations

5.5.1 Permitted Emissions for Fees

Emission limitations are not set for this source for the purpose of permit fees. The Permittee shall be required to pay the maximum fee required pursuant to Section 39.5(18)(a)(ii)(A) of the Act, which is currently \$250,000.00 per year.

5.5.2 Emissions of Hazardous Air Pollutants (HAPs)

Source-wide emission limitations for HAPs as listed in Section 112(b) of the CAA are not set. This source is considered to be a major source of HAPs.

5.5.3 Other Source-Wide Emission Limitations

Other source-wide emission limitations are not set for this source pursuant to either the federal rules for Prevention of Significant Deterioration (PSD), 40 CFR 52.21, state rules for Major Stationary Sources Construction and Modification, 35 IAC Part 203, 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.

5.6 General Recordkeeping Requirements

5.6.1 Records for Emissions

The Permittee shall maintain records for the source to prepare its Annual Emission Report including the following items, pursuant to Section 39.5(7)(b) of the Act:

- a. Records of annual emissions from the emission units that are covered by Section 7 (Unit Specific Conditions) of this permit, including emissions of mercury, hydrogen chloride, and hydrogen fluoride.
- b. ~~i. For purposes of estimating mercury emissions from the source, the mercury content of coal burned in boilers shall be based on the data collected by USEPA in its Information Collection Request (ICR) pursuant to Section 112 of the Clean Air Act.~~

~~ii. If such data above is not available for a coal that is burned in a boiler, the Permittee shall collect representative data on the elemental composition of the coal, including mercury, similar to the ICR data collected by USEPA.~~

5.6.2 Records for Operating Scenarios

N/A

5.6.3 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.

5.7 General Reporting Requirements

5.7.1 General Source-Wide Reporting Requirements

The Permittee shall promptly notify the Illinois EPA of deviations of the source 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. For emissions units that are addressed by the unit-specific conditions of this permit, the timing for reporting of deviations shall be in accordance with such conditions.
- ii. A. For other emissions units and activities at the source, the timing for reporting of deviations shall be in accordance with the provisions of relevant regulations if such provisions address timing of deviation reports.

B. Otherwise, if the relevant regulations do not address timing of deviation reports, deviation reports shall be submitted within 30 days.

5.7.2 Annual Emissions Report

The annual emissions report required pursuant to Condition 9.7 shall contain emissions information for the previous calendar year including information for emissions of mercury, hydrogen chloride, hydrogen fluoride, and other hazardous air pollutants, as specified by 35 IAC Part 254 (see also Condition 9.7).

5.8 General Operational Flexibility/Anticipated Operating Scenarios

N/A Operational flexibility is provided in Section 7.

5.9 General Compliance Procedures

5.9.1 General Procedures for Calculating Emissions

None

6.0 EMISSIONS CONTROL PROGRAMS

6.1 NO_x Trading Program

6.1.1 Description of NO_x Trading Program

The NO_x Trading Program is a regional "cap and trade" market system for large sources of NO_x emissions in the eastern United States, including Illinois. It is designed to reduce and maintain NO_x emissions from the emission units covered by the program within a budget to help contribute to attainment and maintenance of the ozone ambient air quality standard in the multi-state region covered by the program, as required by Section 110(a)(2)(D) of the CAA, 40 CFR Part 96, and 35 IAC 217. Subpart W. The NO_x Trading Program applies in addition to other applicable requirements for NO_x emissions and in no way relaxes these other requirements.

Electrical generating units (EGU) that are subject to the NO_x Trading Program are referred to as "budget EGU." Sources that have one or more EGU or other units subject to the NO_x Trading Program are referred to as budget sources.

The NO_x Trading Program controls NO_x emissions from budget EGU and other budget units during a seasonal control period from May 1 through September 30 of each year, when weather conditions are conducive to formation of ozone in the ambient air. (In 2004, the first year that the NO_x Trading Program is in effect, the control period will be May 31 through September 30.) By November 30 of each year, the allowance transfer deadline, each budget source must hold "NO_x allowances" for the actual NO_x emissions of its budget units during the preceding control period. In addition to receiving allowances allocated by USEPA pursuant to direction from the Illinois EPA, budget EGUs may also obtain allowances through the open market trading system established in 40 CFR Part 96. The USEPA will then retire NO_x allowances in the source's accounts in amounts equivalent to its seasonal emissions. If a source does not have sufficient allowances in its accounts, USEPA would subtract allowances from the source's future allocation for the next control period and impose other penalties as appropriate. Stringent monitoring procedures developed by USEPA apply to budget units to assure that actual emissions of NO_x emissions are accurately determined.

The number of NO_x allowances available for budget sources participating in the multi-state trading system is set by the overall budget for NO_x emissions established by USEPA. This budget requires a substantial reduction in NO_x emissions from historical levels as necessary to meet air quality goals. In Illinois, existing budget sources initially receive their allocation or share of the NO_x allowances budgeted for EGU in an amount determined by rule [35 IAC Part 217, Appendix F]. Between 2007 and

2011, the allocation mechanism for existing EGU gradually shifts to one based on the actual operation of EGU in preceding control periods. New budget EGU, for which limited operating data may be available, may obtain NO_x allowances from the new source set-aside (NSSA), a portion of the overall budget reserved for new EGU.

In addition to directly receiving or purchasing NO_x allowances as described above, budget sources may transfer NO_x allowances from one of their units to another. They may also purchase allowances in the marketplace from other sources that are willing to sell some of the allowances that they have received. Each budget source must designate an account representative to handle all its allowance transactions. The USEPA, in a central national system, will maintain allowance accounts and record transfer of allowances among accounts.

The ability of sources to transfer allowances will serve to minimize the costs of reducing NO_x emissions from budget units to comply with the overall NO_x budget. In particular, the NO_x emissions of budget units that may be most economically controlled will be targeted by sources for further control of emissions. This will result in a surplus of NO_x allowances from those units that can be transferred to other units at which it is more difficult to control NO_x emissions. Experience with reduction of sulfur dioxide emissions under the federal Acid Rain program has shown that this type of trading program not only achieves regional emission reductions in a more cost-effective manner but also results in greater overall reductions than application of traditional emission standards to individual emission units.

The USEPA developed the plan for the NO_x Trading Program with assistance from affected states. Illinois' rules for the NO_x Trading Program for EGU are located at 35 IAC Part 217, Subpart W, and have been approved by the USEPA. These rules provide for interstate trading, as mandated by Section 9.9 of the Act. Accordingly, these rules refer to and rely upon federal rules at 40 CFR Part 96, which have been developed by USEPA for certain aspects of the NO_x Trading Program, and which an individual state must follow to allow for interstate trading of allowances.

Note: This narrative description of the NO_x Trading Program is for informational purposes only and is not enforceable.

6.1.2 Applicability

- a. The following emission units at this source are budget EGU for purposes of the NO_x Trading Program. Accordingly, this source is a budget source and the Permittee is the owner or operator of a budget source and budget EGU. In this section of this permit, these emission units are addressed as budget EGU.

Boilers 1, 2, 3, 4, and 5, ~~6, and 7~~

- b. This permit does not provide "low-emitter status" for the above emission units pursuant to 35 IAC 217.754(c).

6.1.3 General Provisions of the NO_x Trading Program

- a. This source and the budget EGU at this source shall comply with all applicable requirements of Illinois' NO_x Trading Program, i.e., 35 IAC Part 217, Subpart W, and 40 CFR Part 96 (excluding 40 CFR 96.4(b) and 96.55(c), and excluding 40 CFR 96, Subparts C, E, and I), pursuant to 35 IAC 217.756(a) and 217.756(f)(2).
- b. Any provision of the NO_x Trading Program that applies to a budget source (including any provision applicable to the account representative of a budget source) shall also apply to the owner and operator of such budget source and to the owner and operator of each budget EGU at the source, pursuant to 35 IAC 217.756(f)(3).
- c. Any provision of the NO_x Trading Program that applies to a budget EGU (including any provision applicable to the account representative of a budget EGU) shall also apply to the owner and operator of such budget EGU. Except with regard to requirements applicable to budget EGUs with a common stack under 40 CFR 96, Subpart H, the owner and operator and the account representative of one budget EGU shall not be liable for any violation by any other budget EGU of which they are not an owner or operator or the account representative, pursuant to 35 IAC 217.756(f)(4).

6.1.4 Requirements for NO_x Allowances

- a. Beginning in 2004, by November 30 of each year, the allowance transfer deadline, the account representative of each budget EGU at this source shall hold allowances available for compliance deduction under 40 CFR 96.54 in the budget EGU's compliance account or the source's overdraft account in an amount that shall not be less than the budget EGU's total tons of NO_x emissions for the preceding control period, rounded to the nearest whole ton, as determined in accordance with 40 CFR 96, Subpart H, plus any number necessary to account for actual utilization (e.g., for testing, start-up, malfunction, and shut down) under 40 CFR 96.42(e) for the control period, pursuant to 35 IAC 217.756(d)(1). For purposes of this requirement, an allowance may not be utilized for a control period in a year prior to the year for which the allowance is allocated, pursuant to 35 IAC 217.756(d)(5).

- b. The account representative of a budget EGU that has excess emissions in any control period, i.e., NO_x emissions in excess of the number of NO_x allowances held as provided above, shall surrender allowances as required for deduction under 40 CFR 96.54(d)(1), pursuant to 35 IAC 217.756(f)(5). In addition, the owner or operator of a budget EGU that has excess emissions shall pay any fine, penalty, or assessment, or comply with any other remedy imposed under 40 CFR 96.54(d)(3) and the Act, pursuant to 35 IAC 217.756(f)(6). Each ton of NO_x emitted in excess of the number of NO_x allowances held as provided above for each budget EGU for each control period shall constitute a separate violation of 35 IAC Part 217 and the Act, pursuant to 35 IAC 217.756(d)(2).
- c. An allowance allocated by the Illinois EPA or USEPA under the NO_x Trading Program is a limited authorization to emit one ton of NO_x in accordance with the NO_x Trading Program. As explained by 35 IAC 217.756(d)(6), no provisions of the NO_x Trading Program, the budget permit application, the budget permit, or a retired unit exemption under 40 CFR 96.5 and no provision of law shall be construed to limit the authority of the United States or the State of Illinois to terminate or limit this authorization. As further explained by 35 IAC 217.756(d)(7), an allowance allocated by the Illinois EPA or USEPA under the NO_x Trading Program does not constitute a property right. As provided by 35 IAC 217.756(d)(4), allowances shall be held in, deducted from, or transferred among allowances accounts in accordance with 35 IAC Part 217, Subpart W, and 40 CFR 96, Subparts F and G.

6.1.5 Monitoring Requirements for Budget EGU

- a. The Permittee shall comply with the monitoring requirements of 40 CFR Part 96, Subpart H, for each budget EGU and the compliance of each budget EGU with the emission limitation under Condition 6.1.4(a) shall be determined by the emission measurements recorded and reported in accordance with 40 CFR 96, Subpart H, pursuant to 35 IAC 217.756(c)(1), (c)(2) and (d)(3).
- b. The account representative for the source and each budget EGU at the source shall comply with those sections of the monitoring requirements of 40 CFR 96, Subpart H, applicable to an account representative, pursuant to 35 IAC 217.756(c)(1) and (d)(3).

Note: Pursuant to 40 CFR 96.70(b), existing budget EGU were to begin complying with applicable monitoring requirements of 40 CFR Part 96 at least one year in advance of the start of the first control period governed by the NO_x Trading Program.

6.1.6 Recordkeeping Requirements for Budget EGU

Unless otherwise provided below, the Permittee 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 5-year period may be extended for cause at any time prior to the end of the 5 years, in writing by the Illinois EPA or the USEPA.

- a. The account certificate of representation of the account representative for the source and each budget EGU at the source and all documents that demonstrate the truth of the statements in the account certificate of representation, in accordance with 40 CFR 96.13, as provided by 35 IAC 217.756(e)(1)(A). These certificates and documents must be retained on site at the source for at least 5-years after they are superseded because of the submission of a new account certificate of representation changing the account representative.
- b. All emissions monitoring information, in accordance with 40 CFR 96, Subpart H, (provided that to the extent that 40 CFR 96, Subpart H, provides for a 3-year period for retaining records, the 3-year period shall apply), pursuant to 35 IAC 217.756(e)(1)(B).
- c. Copies of all reports, compliance certifications, and other submissions and all records made or required under the NO_x Trading Program or documents necessary to demonstrate compliance with requirements of the NO_x Trading Program, pursuant to 35 IAC 217.756(e)(1)(C).
- d. Copies of all documents used to complete a budget permit application and any other submission under the NO_x Trading Program, pursuant to 35 IAC 217.756(e)(1)(D).

6.1.7 Reporting Requirements for Budget EGU

- a. The account representative for this source and each budget EGU at this source shall submit to the Illinois EPA and USEPA the reports and compliance certifications required under the NO_x Trading Program, including those under 40 CFR 96, Subparts D and H, and 35 IAC 217.774, pursuant to 35 IAC 217.756(e)(2).
- b. Notwithstanding the provisions in Conditions 9.8 and 9.9 of this CAAPP permit, these submittals need only be signed by the designated representative, who may serve in place of the responsible official for this purpose, as provided by Section 39.5(1) of the Act, and submittals to the Illinois EPA need only be made to the Illinois EPA, Air Compliance Section.

6.1.8 Allocation of NO_x Allowances to Budget EGU

- a. As the budget EGU identified in Condition 6.1.2(a) are "existing" EGU listed in 35 IAC Part 217, Appendix F, these EGU are entitled to NO_x allowances as follows. (The portion of Appendix F that applies to the Permittee is provided in Condition 6.1.12.) The number of NO_x allowances actually allocated for the budget EGU shall be the number of NO_x allowances issued by USEPA pursuant to the allocation information reported to it by the Illinois EPA, which information may reflect adjustments to the overall allocations to budget EGU as provided for by 35 IAC 217.760(b) and (c):
- i. In 2004 through 2006 (the first three years of the NO_x Trading Program), an annual allocation of NO_x allowances as specified by 35 IAC 217.764(a)(1), i.e., the number of NO_x allowances listed in Appendix F, Column 7, and as provided by 35 IAC 217.768(j), a pro-rata share of any NO_x allowances remaining in the new source set-aside (NSSA) following the allocation of allowances to new budget EGU.
 - ii. In 2007, as provided by 35 IAC 217.764(b), an allocation of NO_x allowances as specified by 35 IAC 217.764(b)(1), i.e., the number of NO_x allowances listed in Appendix F, Column 8, and as provided by 35 IAC 217.764(b)(4), a pro-rata share of any NO_x allowances remaining after the allocation of allowances pursuant to 35 IAC 217.764(b)(2) to budget EGU that commence operation between January 1, 1995 and April 30, 2003.
 - iii. In 2008, as provided by 35 IAC 217.764(c), a specified allocation of NO_x allowances, i.e., the number of NO_x allowances listed in Appendix F, Column 8, and a pro-rata share of any NO_x allowances remaining after the allocation of allowances to budget EGU that commence operation between January 1, 1995 and April 30, 2004.
 - iv. In 2009, as provided by 35 IAC 217.764(d), a specified allocation of NO_x allowances, i.e., the number of NO_x allowances listed in Appendix F, Column 9, and a pro-rata share of any NO_x allowances remaining after the allocation of NO_x allowances to budget EGU that commence operation between January 1, 1995 and April 30, 2005, and as provided by 35 IAC 217.764(d)(6), a pro-rata share of any surplus of NO_x allowances in the NSSA after the allocation of NO_x allowances to new budget EGU pursuant to 35 IAC 217.764(d)(5).

- v. In 2010, as provided by 35 IAC 217.764(e), a specified allocation of NO_x allowances, i.e., the number of NO_x allowances listed in Appendix F, Column 9, and a pro-rata share of any NO_x allowances remaining after the allocation of NO_x allowances to budget EGU that commence operation between January 1, 1995 and April 30, 2006, and a pro-rata share of any surplus of NO_x allowances in the NSSA following the allocation of NO_x allowances to new budget EGU.
- vi. In 2011 and annually thereafter, as provided by 35 IAC 217.764(e), an allocation of NO_x allowances based on the prior operation of the EGU during previous control periods, as described in Condition 6.1.8(b), and a pro-rata share of any surplus of NO_x allowances in the NSSA following the allocation of NO_x allowances to new budget EGU.

Note: If the start of the NO_x Trading program is shifted because of a Court Decision, the years defining the different control periods would be considered to be adjusted accordingly, as provided by the Board note following 35 IAC 217.764.

- b. In accordance with 35 IAC 217.762, the theoretical number of NO_x allowances for the budget EGU listed in Condition 6.1.2(a), calculated as the product of the applicable NO_x emissions rate and heat input as follows, shall be the basis for determining the pro-rata share of NO_x allowances for the budget EGU and the allocation of NO_x allowances to the budget EGU based on their prior operation:
 - i. The applicable NO_x emission rate for the budget EGU shall be 0.15 lb/mmBtu, as specified by 35 IAC 217.762(a)(1).
 - ii. The applicable heat input (mmBtu/control period) shall be the average of the two highest heat inputs from the control periods four to six years prior to the year for which the allocation is being made, as provided by 35 IAC 217.762(b)(1).

6.1.9 Eligibility for NO_x Allowances from the New Source Set-Aside (NSSA)

The Permittee is not eligible to obtain NO_x allowances for the budget EGU identified in Condition 6.1.2(a) from the NSSA, as provided by 35 IAC 217.768, because the budget EGU are "existing" budget EGU.. New budget EGU that the Permittee may add to the source would be eligible to obtain NO_x allowances from the NSSA, as provided by 35 IAC 217.768.

6.1.10 Eligibility for Early Reduction Credits (ERC)

- a. The Permittee did not request NO_x allowances for the budget EGU identified in Condition 6.1.2(a) for early reductions in its NO_x emissions in the 2001 control period in accordance with 35 IAC 217.770.
- b.
 - i. The Permittee may pursue NO_x allowances for early reductions in NO_x emissions, i.e., reductions made during the 2002 and 2003 control period, as provided by 35 IAC 217.770.
 - ii. For the purpose of any such request, the NO_x emissions must have been reduced by at least 30 percent less than the permitted emission rate of these EGU as specified in Condition 6.1.8(b)(ii), pursuant to 35 IAC 217.770(c)(1).

6.1.11 Budget Permit Required by the NO_x Trading Program

- a. For this source, this segment of the CAAPP Permit, i.e., Section 6.1, is the Budget Permit required by the NO_x Trading Program and is intended to contain federally enforceable conditions addressing all applicable NO_x Trading Program requirements. This Budget Permit shall be treated as a complete and segregable portion of the source's entire CAAPP permit, as provided by 35 IAC 217.758(a)(2).
- b. The Permittee and any other owner or operator of this source and each budget EGU at the source shall operate the budget EGU in compliance with this Budget Permit, pursuant to 35 IAC 217.756(b)(2).
- c. No provision of this Budget Permit or the associated application shall be construed as exempting or excluding the Permittee, or other owner or operator and, to the extent applicable, the account representative of a budget source or budget EGU from compliance with any other regulation or requirement promulgated under the CAA, the Act, the approved State Implementation Plan, or other federally enforceable permit, pursuant to 35 IAC 217.756(g).
- d. Upon recordation by USEPA under 40 CFR 96, Subpart F or G, or 35 IAC 217.782, every allocation, transfer, or deduction of an allowance to or from the budget units' compliance accounts or to or from the overdraft account for the budget source is deemed to amend automatically, and become part of, this budget permit, pursuant to 35 IAC 217.756(d)(8). This automatic amendment of this budget permit shall be deemed an operation of law and will not require any further review.
- e. No revision of this Budget Permit shall excuse any violation of the requirements of the NO_x Trading

Program that occurs prior to the date that the revisions to this permit takes effect, pursuant to 35 IAC 217.756(f)(1).

- f. The Permittee, or other owner or operator of the source, shall reapply for a Budget Permit for the source as required by 35 IAC Part 217, Subpart W and Section 39.5 of the Act. For purposes of the NO_x Trading Program, the application shall contain the information specified by 35 IAC 217.758(b)(2).

6.1.12 References

35 IAC Part 217 Appendix F - (provisions applicable to the Permittee)

Company Name/ I.D. No.	Generating Unit	EGU	NOx Budget Allowances	80% of NOx Budget Allowances	50% of NOx Budget Allowances	2004, 2005, 2006 Allowances	2007, 2008 Allowances	2009, 2010 Allowances
063806AAF	Collins 1	Collins 1	302	242	151	287	237	148
063806AAF	Collins 2	Collins 2	305	244	153	290	239	150
063806AAF	Collins 3	Collins 3	469	375	235	446	368	230
063806AAF	Collins 4	Collins 4	290	232	145	275	227	142
063806AAF	Collins 5	Collins 5	458	366	229	435	359	224

6.2 Emissions Reduction Market System (ERMS)

6.2.1 Description of ERMS

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

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

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

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

6.2.2 Applicability

Emissions of VOM from the source during the seasonal allotment period from May 1 through September 30 of each

year shall not exceed 15 tons, not including VOM emissions from insignificant emission units and activities as identified in Section 3 of this permit. This limitation is established at the request of the source to exempt it from the requirements of 35 IAC Part 205, Emissions Reduction Market System (ERMS), pursuant to 35 IAC 205.205.

6.2.3 Recordkeeping and Reporting

- a. The Permittee shall maintain the following records to determine compliance with the above limitation:
 - i. Records of operating data and other information for each individual emission unit or group of related emission units at the source, as specified in Sections 5 and 7 of this permit, as appropriate, to determine actual VOM emissions during the seasonal allotment period;
 - ii. Records of the VOM emissions, in tons, during the seasonal allotment period, with supporting calculations, for each individual emission unit or group of related emission units at the source, determined in accordance with the procedures specified in Sections 5 and 7 of this permit; and
 - iii. Total VOM emissions from the source, in tons, during each seasonal allotment period.
- b. The Permittee shall submit the seasonal emissions component of the Annual Emissions Report by October 31 of each year, reporting actual emissions of VOM during the seasonal allotment period, in accordance with 35 IAC 205.205(b) and 35 IAC 205.300.
- c. In the event that the source's VOM emissions during the seasonal allotment period exceed 15 tons, the source shall no longer be exempt from the ERMS and beginning with the following seasonal allotment period, shall comply with 35 IAC Part 205, by holding allotment trading units (ATUs) for its VOM emissions during each seasonal allotment period.. Exceedance of the 15 ton limit is not a violation of this permit or of 35 IAC 205 for the season in which the source exceeded 15 tons.

6.3 Acid Rain Program

6.3.1 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:

Boilers 1, 2, 3, 4, and 5, 6, and 7

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.

6.3.2 Applicable Emission Requirements

The owners and operators of the source shall not violate applicable Title IV provisions. ~~in particular, NO_x emissions of affected units shall not exceed the limit set by 40 CFR Part 76 as allowed by an Acid Rain Permit (See also Section 10).~~ 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.

6.3.3 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]

Note: As further addressed by Section 7 of this permit, the following emission determination methods are currently being used for the affected units at this source.

NO _x :	Continuous Emissions Monitoring (40 CFR 75.12)
SO ₂ :	Continuous Emissions Monitoring (40 CFR 75.11)
Opacity:	Continuous Emissions Monitoring (40 CFR 75.14)
CO ₂ :	Continuous Monitoring for carbon dioxide (40 CFR Part 75.13)

6.3.4 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 5 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.

6.3.5 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

7.1 Boilers (Subject to NSPS - 40 CFR Subpart D)

7.1.1 Description

The Permittee operates natural gas and/or oil fired boilers for electric generation. The boilers, which were built in 1977 and 1978, have nominal capacities of 5,187 or 5,237 mmBtu/hour each.

7.1.2 List of Emission Units and Air Pollution Control Equipment

Boiler ID	Description	Emission Control Equipment
BLR1	Babcock and Wilcox Natural Gas and/or Oil Fired Boiler (5,237 Nominal mmBtu/hr)	Low NOx Burners
BLR2	Babcock and Wilcox Natural Gas and/or Oil Fired Boiler (5,237 Nominal mmBtu/hr)	Low NOx Burners
BLR3	Babcock and Wilcox Natural Gas and/or Oil Fired Boiler (5,237 Nominal mmBtu/hr)	Low NOx Burners
BLR4	Babcock and Wilcox Natural Gas and/or Oil Fired Boiler (5,187 Nominal mmBtu/hr)	Low NOx Burners
BLR5	Babcock and Wilcox Natural Gas and/or Oil Fired Boiler (5,187 Nominal mmBtu/hr)	Low NOx Burners

7.1.3 Applicability Provisions

- a. An "affected boiler" for the purpose of these unit-specific conditions, is an individual boiler that has a capacity in excess of 250 mmBtu/hr that has the capability of firing natural gas and/or oil for which construction or modification commenced after August 17, 1971, as described in Conditions 7.1.1 and 7.1.2.

b. Startup Provisions

The Permittee is authorized to operate an affected boiler in violation of the applicable standards in Conditions 5.2.2(b) and 7.1.4(b)(i) (35 IAC 212.123), Condition 7.1.4(b)(ii) (35 IAC 212.206), Condition 7.1.4(c) (35 IAC 214.121(b)(1) and (2)), Condition 7.1.4(d) (35 IAC 216.121), and Condition 7.1.4(e) (35 IAC 217.121(a) and (b)) during startup subject to the following provisions. This authorization is provided pursuant to 35 IAC 201.262, as the Permittee "... has affirmatively demonstrated that all reasonable efforts have been made to minimize startup emissions, duration of individual startups and frequency of startups."

- i. This authorization only extends for a period of up to 18 hours following initial firing of fuel for each startup event.

- ii. The Permittee shall conduct startup of an affected boiler in accordance with the manufacturers' written instructions or other written instructions maintained on site that are specifically developed to minimize excess emissions from startups and that include, at a minimum, the following measures:
 - A. Review of the operational condition of an affected boiler prior to initiating startup of the boiler.
 - B. Review of the operating parameters of an affected boiler during each startup as necessary to make appropriate adjustments to the startup to reduce or eliminate excess emissions.
- iii. The Permittee shall fulfill applicable recordkeeping requirements of Condition 7.1.9(f).

c. Malfunction and Breakdown Provisions

The Permittee is authorized to continue operation of an affected boiler in violation of the applicable requirements of Conditions 5.2.2(b) and 7.1.4(b)(i) (35 IAC 212.123), Condition 7.1.4(b)(ii) (35 IAC 212.206), Condition 7.1.4(c) (35 IAC 214.121(b)(1) and (2)), Condition 7.1.4(d) (35 IAC 216.121), and Condition 7.1.4(e) (35 IAC 217.121(a) and (b)) in the event of a malfunction or breakdown of an affected boiler subject to the following provisions. This authorization is provided pursuant to 35 IAC 201.262 as the Permittee has submitted "... proof that continued operation is required to provide essential service, prevent risk of injury to personnel or severe damage to equipment.":

- 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 practicable reduce boiler load, repair the affected boiler, or remove the affected boiler from service so that excess emissions cease. Unless the Permittee obtains an extension from the Illinois EPA, this shall be accomplished within 12 hours* or noon of the Illinois EPA's next business day*, whichever is later. The Permittee may obtain an extension for up to a total of 18 hours* from the Illinois

EPA, Air Regional Office unless extraordinary circumstances exist. The Illinois EPA, Air Compliance Section, in Springfield, may grant a longer extension if the Permittee demonstrates that unusual circumstances exist, the affected boiler can not reasonably be repaired or removed from service within the allowed time, it will repair the affected boiler or remove the boiler from service as soon as practicable; and it is taking reasonable steps to minimize excess emissions, based on the actions that have been and will be taken.

* For this purpose and other related provisions, time shall be measured from the start of a particular incident. Should excess emissions resume following a short period of compliant emissions but before any corrective actions have been taken, these additional excess emissions may be considered as part of the same incident, and 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 may be considered to continue until corrective actions are taken so that excess emissions cease or the Permittee takes the boiler out of service.~~

- iii. The Permittee shall fulfill applicable recordkeeping and reporting requirements of Condition 7.1.9(g) and 7.1.10(b).
- 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.

7.1.4 Applicable Emission Standards

- a. The affected boilers are subject to the NSPS for Fossil Fuel Fired Steam Generators, 40 CFR 60 Subparts A and D, because the affected boilers commenced construction or modification after August 17, 1971 and has heat input of more than 250 mmBtu/hr. The Illinois EPA administers the NSPS for subject sources in Illinois pursuant to a delegation agreement with the USEPA.
 - i. The emissions of PM from each affected boiler shall not exceed 0.10 lb/mmBtu derived from fossil fuel (natural gas and/or oil), pursuant to 40 CFR 60.42(a)(1).
 - ii. The opacity from each affected boiler shall not exhibit greater than 20 percent except for one six-minute period per hour of not more than 27 percent, pursuant to 40 CFR 60.42(a)(2).

- iii. The emissions of SO₂ from each affected boiler shall not exceed 0.80 lb per mmBtu derived from liquid fossil fuel (oil; or oil and natural gas), pursuant to 40 CFR 60.43(a)(1).
 - iv. The emissions of NO_x, expressed as NO₂, from each affected boiler shall not exceed 0.20 lb per mmBtu derived from gaseous fossil fuel (natural gas) and 0.30 lb per mmBtu derived from liquid fossil fuel (oil; or oil and natural gas), pursuant to 40 CFR 60.44(a)(1) and (2).
- b.
 - i. The affected boilers shall comply with the standard in Condition 5.2.2(b) [35 IAC ~~212.123~~212.122], which addresses the opacity of the emission of smoke or other particulate matter from the affected boilers.
 - ii. The emissions of PM from each affected boiler shall not exceed 0.1 lb/mmBtu of actual heat input when using liquid exclusively (oil; or oil and natural gas), pursuant to 35 IAC 212.206.
- c. The emissions of SO₂ from each affected boiler shall not exceed 0.8 lb/mmBtu of actual heat input when residual fuel oil is used (residual fuel oil; or residual fuel oil and natural gas) and 0.3 lb/mmBtu of actual heat input when distillate fuel oil is used (distillate fuel oil; or distillate fuel oil and natural gas), pursuant to 35 IAC 214.121(b)(1) and (2).
- d. The affected boilers are subject to 35 IAC 216.121 which provides that no person shall cause or allow the emission of CO into the atmosphere from any fuel combustion emission source with actual heat input greater than 2.9 MW (10 mmBtu/hr) to exceed 200 ppm, corrected to 50 percent excess air.
- e. The emissions of NO_x from each affected boiler shall not exceed 0.20 lb/mmBtu of actual heat input when gaseous fossil fuel is used (natural gas) and 0.30 lb/mmBtu of actual heat input when liquid fossil fuel is used (oil; or oil and natural gas), pursuant to 35 IAC 217.121(a) and (b). ~~The affected boilers are subject to a more stringent NO_x emission standard pursuant to Section 407 of the Clean Air Act and 40 CFR Part 76, as addressed in Condition 6.3.2 and Attachment 5 of this permit.~~
- f.
 - i. During each ozone control period (May 1 through September 30):
 - A. The emissions of NO_x from an affected boiler shall not exceed 0.25 lb/mmBtu of actual heat input based on a ozone control

period average, for that unit, pursuant to 35 IAC 217.706(a~~+~~); or

- B. The emissions of NO_x from an affected boiler and other eligible EGU that are participating in a NO_x averaging demonstration with an affected boiler as provided for by 35 IAC 217.708, shall not exceed 0.25 lbs/mmBtu of actual heat input, as averaged for the ozone control period for these EGU, pursuant to 35 IAC 217.708(a) and (b). For this purpose, other eligible EGU include: (1) other affected ~~boilers~~ EGU at the Collins Generating Station, (2) other EGU owned and operated by the Permittee at its plants in ~~Collins~~, Fisk, Crawford, Waukegan, Powerton, Joliet, and Will County (~~ID 063806AAE, 031600AMI, 031600AIN, 097190AAC, 179801AAA, 197809AAC, and 197810AAK, respectively~~), which are also authorized by ~~this~~ their respective permits to participate in a NO_x averaging demonstration, and (3) other EGU not owned and operated by the Permittee that are authorized to participate in a NO_x averaging plan by a CAAPP permit or other federally enforceable permit issued to the owner or operator of those EGU.

- ii. If the Permittee elects to have an affected boiler comply by participation in a NO_x averaging demonstration as provided for and authorized above:
- A. The affected boiler shall be included in only one NO_x averaging demonstration during an ozone control period, pursuant to 35 IAC 217.708(d).
- B. The NO_x averaging demonstration shall only include other EGU that are authorized through a federally enforceable permit to participate in a NO_x averaging demonstration and for which the owner or operator of the EGU maintains the required records, data and reports and submits copies of such records, data, and reports to the Illinois EPA upon request, pursuant to 35 IAC 217.708(c) and (g).
- C. The effect of failure of the NO_x averaging demonstration to show compliance shall be that the compliance status of the affected boiler shall be determined pursuant to Condition 7.1.4(f)(i)(A) as if the NO_x emission rates of the affected boiler were

not averaged with other EGU, pursuant to 35 IAC 217.708(gf).

Note: Given the emission determination methods specified by 35 IAC 217.710, the emissions of NOx for purposes of these standards are generally calculated in accordance with the federal Acid Rain Program and are different from the emissions determined for purposes of the NOx Trading Program.

7.1.5 Non-Applicability of Regulations of Concern

- a. This permit is issued based on the affected boilers not being subject to 40 CFR Part 64, Compliance Assurance Monitoring (CAM) for Major Stationary Sources, because the affected boilers do not use an add-on control device to achieve compliance with an emission limitation or standard.
- b. The affected boilers are not subject to a more stringent NOx emission standard pursuant to Section 407 of the Clean Air Act and 40 CFR Part 76, as addressed in Condition 6.3.2 and Attachment 5 of this permit.

7.1.6 Work Practices, Operational and Production Limits, and Emission Limitations

- a. At all times, including periods of startup, shutdown, and malfunction, the Permittee shall, to the extent practicable, maintain and operate any affected ~~turbine~~ boiler 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)].
- b. Only natural gas and/or oil shall be burned in the affected boilers.
- c. The affected boilers shall be equipped, operated, and maintained with low NOx burners to control NOx emissions.
- d. i. One of the affected boilers operating at a heat input not to exceed 235 mmBtu/hr may be used for auxiliary steam production when the boilers identified in Condition 7.2 cannot meet these needs, e.g. one of boilers identified in Condition 7.2 is unavailable due to maintenance or during very cold weather.

- ii. The emission from the affected boilers in auxiliary mode shall not exceed the following limits:

Pollutant	Emissions	
	(Lb)/(mmBtu)	(Tons)/(Year)
NOx	0.30	70.5
CO	0.026	6.11
PM	0.0076	1.79

- iii. The duration of operation of the affected boilers in auxiliary mode shall not exceed one month total (744 hours total per year).
- iv. The above limitations were established in Permit 97100036, pursuant to PSD, 40 CFR 52.21. These limitations ensure that the construction and/or modification addressed in these permit(s) does not constitute a major modification pursuant to Title I of the CAA, specifically the federal PSD rules. Specifically, the affected boilers represent a net decrease of emissions from the boilers identified in Condition 7.2 [T1].

7.1.7 Testing Requirements

Pursuant to Section 39.5(7)(d)(ii) of the Act, the Permittee shall measure the PM and CO emissions of each affected boiler as specified below:

- a. Measurements of PM and CO emissions shall be made within 90 days (or such later date set by the Illinois EPA) following a reasonable request by the Illinois EPA for such measurements.
- b. i. These measurements shall be performed at the maximum operating loads of the affected boilers and other operating conditions that are representative of normal operation. In addition, the Permittee may perform measurements at other operating conditions to evaluate variation in emissions.
- ii. Measurements shall be taken at an appropriate location in the ductwork or stack associated with the affected boiler or another location in the exhaust ductwork of an individual boiler as approved by the Illinois EPA. If all boilers are operating, the boilers and their associated controls shall be operated in a similar manner while measurements are being performed, so that the results typify all boilers. If the operation of the affected boilers differs significantly, the Permittee may have to perform further measurements or separate measurements for each boiler at the request of the Illinois EPA, in accordance with Condition 7.1.7(a).

- iii. The following test methods and procedures shall be used for these measurements. Refer to 40 CFR 60, Appendix A for USEPA Methods.

Location of Sample Points	USEPA Method 1
Gas Flow and Velocity	USEPA Method 2
Flue Gas Weight	USEPA Method 3
Moisture	USEPA Method 4
Particulate Matter (PM)	USEPA Method 5
Carbon Monoxide (CO)	USEPA Method 10

Other test methods adopted by USEPA may be used in place of the above methods with the approval of the Illinois EPA

- c. Except for minor deviations in test methods, as defined by 35 IAC 283.130, emission testing shall be conducted in accordance with a test plan prepared by the Permittee and submitted to the Illinois EPA for review prior to emission testing, and the conditions, if any, imposed by the Illinois EPA as part of its review and approval of the test plan, pursuant to 35 IAC 283.230.
- i. The Permittee shall submit this test plan at least 60 days prior to the actual date of testing and the test plan shall include the information specified by Condition 8.6.2.
- ii. Notwithstanding the above, as provided by 35 IAC 283.220(d), the Permittee need not submit a test plan for emission testing that will be conducted in accordance with the procedures used for previous tests accepted by the Illinois EPA or the previous test plan submitted to and approved by the Illinois EPA, provided that the Permittee's notification for testing, as required below, contains the information specified by 35 IAC 283.220(d)(1)(A), (B) and (C).
- d. The Permittee shall notify the Illinois EPA prior to conducting emission tests to enable the Illinois EPA to observe testing. Notification for the expected test date shall be submitted a minimum of 30 days prior to the expected date of testing. Notification of the actual date and expected time of testing shall be submitted a minimum of 5 working days prior to the actual test date. The Illinois EPA may on a case-by-case basis accept shorter advance notice if it would not interfere with the Illinois EPA's ability to observe testing.
- e. The Permittee shall submit the Final Report(s) for any required emission testing to the Illinois EPA within 45 days after the tests results are compiled and finalized but no later than 120 days after the date of testing. The Final Report shall include the

information specified in Condition 8.6.3 and the following information:

- i. Description of test method(s), including description of sampling points, sampling train, analysis equipment, and test schedule.
- ii. A description of any minor deviations from the test plan, as provided by 35 IAC 283.230(a).
- iii. Detailed description of operating conditions during testing, including:
 - A. Source(s) of fuel and specifications (ash, sulfur and heat content).
 - B. Boiler information, i.e., firing rate of the affected boiler(s) (mmBtu/hr), composition of fuel as burned (ash, sulfur and heat content), and fuel blending ratio (%), if a blend of fuels is burned.
 - C. Control equipment information, i.e., equipment condition and operating parameters during testing.
 - D. Load during testing (gross megawatt output and steam flow).
- iv. Data and calculations, including copies of all raw data sheets and records of laboratory analyses, sample calculations, and data on equipment calibration.
- v. The opacity data (6-minute averages) measured during testing.

7.1.8 Monitoring Requirements

- a. Pursuant to NSPS, 40 CFR 60.45 and 35 IAC 201.401(a)(1)(A), the Permittee shall install, operate, calibrate and maintain continuous monitoring equipment for the measurement of opacity from the common stack of the affected boilers.
 - i. This monitoring equipment shall be operated pursuant to written monitoring procedures that include a quality assurance/control plan, which procedures shall reflect the manufacturer's instructions as adapted by the Permittee based on its experience.
 - ii. This monitoring equipment shall meet the performance specifications and operating requirements in Sections 3.1 through 3.8 of 40 CFR 51, Appendix P (1987), pursuant to 35 IAC 201.401(b).

iii. These monitors shall be the primary basis for quarterly reporting of exceedances of Conditions 7.1.4(a)(i), 7.1.4(a)(ii), and 7.1.4(b), in accordance with 40 CFR 60.7(c) and 60.45(g) and 35 IAC 201.405 (See Condition 7.1.10(a)).

iv. Notwithstanding the above, monitoring pursuant to 35 IAC 201.401 is not applicable during any period of a monitoring system or device malfunction if the Permittee demonstrates that the malfunction was unavoidable and is being repaired as expeditiously as practicable, pursuant to 35 IAC 201.404.

- b. Pursuant to Section 39.5(7)(d)(iii) of the Act and the NSPS, 40 CFR 60.45, the Permittee shall install, operate, calibrate and maintain continuous monitoring equipment for the measurement of SO₂ from the common stack of the affected boilers which shall be used to demonstrate compliance with the limits in Conditions 7.1.4(a)(iii) and (c) based on the average hourly SO₂ emission rate determined from monitored data from three-hour block averaging periods. This monitoring equipment shall be operated pursuant to written monitoring procedures that include a quality assurance/control plan, which procedures address the requirements in 40 CFR Part 75.

Note: This permit is issued based on the Permittee performing continuous emission monitoring for SO₂ rather than fuel sampling and analysis for sulfur content as allowed by 40 CFR 60.45(b)(2). In addition, the permit allows the use of an "Acid Rain Monitoring System", operated to comply with 40 CFR Part 75, in lieu of an "NSPS Monitoring System", as authorized by USEPA guidance from the Stationary Source Compliance Division of the Office of Air Quality Planning and Standards, as such monitoring is equivalent or more stringent.

- c. Pursuant to 35 IAC 217.710(a) and 40 CFR 60.45(a), the Permittee, shall install, calibrate, maintain and operate continuous emissions monitoring systems (CEMS) for the measurements of NO_x from the common stack of the affected boilers, in accordance with the requirements of 40 CFR 75 Subpart B.
- d. Pursuant to Sections 412 and ~~821~~ of the Clean Air Act, 40 CFR 72.9(b), and 40 CFR Part 75, the source is required to operate continuous monitors at the common stack for the affected boilers for various parameters, including SO₂, NO_x, volumetric flow and opacity, along with a computerized data acquisition and handling system for collected data. (See also Condition 6.3.3) To the extent that applicable performance specifications and operating requirements for monitoring under 40 CFR Part 75 are inconsistent with the above requirements for monitoring, the procedures

of 40 CFR Part 75 shall take precedence. (See also Condition 8.2)

7.1.9 Recordkeeping Requirements

a. Records for Boiler Operation

Pursuant to Section 39.5(7)(b) of the Act, the Permittee shall maintain the following operating records for the affected boilers:

- i. Load (in terms of either gross megawatts output or steam flow) on an hourly basis for each affected boiler.
- ii. Records for each quarter of natural gas and oil usage.
- iii. Records for each day when a fuel material other than natural gas or oil was burned, including the estimated amount of each such material burned and the affected boiler(s) in which it was burned.
- ~~iiiv.~~ Total operating hours (hours/quarter) for each affected boiler (hours when fuel is burned in one or both boilers).
- v. Amount of each other fuel material consumed (tons, gallons, cubic feet per quarter, as appropriate).
- vi. If the Permittee is relying on data for heat input for purposes of compliance with Conditions 7.1.4(a)(i) and 7.1.4(b)(ii) (35 IAC Part 212 Subpart E) that is different from that recorded pursuant to the federal Acid Rain Program, heat input (mmBtu, on an hourly basis) or the conversion factors that the Permittee relies upon to convert from boiler load as recorded pursuant to Condition 7.1.9(a)(i) to hourly heat input.
- vii. A. Identification of each period of time when an affected boiler operated in auxiliary mode, including unit, date, and times.
B. Explanation why operation in auxiliary mode was required.
C. Boiler firing rate, in mmBtu/hr.
D. Boiler NOx emissions in lb/hr.
E. Total duration of operation (hr/month and hr/yr).

b. Records for Continuous Opacity Monitoring Systems

Pursuant to 35 IAC 201.407, Section 39.5(7)(b) of the Act, and the NSPS, 40 CFR 60.45, the Permittee shall maintain records for the opacity monitoring system ~~on each of the common stacks for Boilers 1, 2, and 3 and for Boilers 4 and 5~~ affected boiler required by Condition 7.1.8(a) that as a minimum shall include:

- i. Operating records for each opacity monitoring system, including:
 - A. Opacity measurements.
 - B. Continuous monitoring system performance testing measurements.
 - C. Performance evaluations and other quality assurance/control activities.
 - D. Calibration checks.
 - E. Maintenance and adjustment performed.
 - F. Periods other than performance of quality assurance, calibration, and maintenance, as addressed above, when the monitor was inoperative, with reason.
 - G. Quarterly reports submitted in accordance with NSPS, 40 CFR 60.7(c) and Condition 7.1.10(a) and (e).
- ii. Records for each affected boiler that identify the upper bound of the normal range of opacity measurements from the boilers, considering an hour of operation, within which compliance with Conditions 7.1.4(a)(i) and 7.1.4(b)(ii) is assured, with supporting explanation and documentation. At a minimum, these records shall be reviewed and revised as necessary following performance of additional PM emission tests on an affected boiler.
- iii. Records to indicate compliance with Conditions 7.1.4(a)(ii), ~~7.1.4(a)(iii)~~, and 7.1.4(b)(i), including:
 - A. Each 6-minute period when the opacity was above the limitation of Conditions 7.1.4(a)(ii) and 7.1.4(b)(i) (20 percent opacity) with date, time, whether it occurred during startup, malfunction/breakdown, or shutdown, and further explanation of the incident.
 - B. Each hour when the measured opacity of an affected boiler was above the normal range, as specified above in Condition

7.1.9(b)(ii), with date, time, operating condition if startup, malfunction/breakdown, or shutdown, further explanation of the incident, and whether particulate matter emissions may have exceeded the limit of Conditions 7.1.4(a)(i) and 7.1.4(b)(ii), with explanation.

c. Records for Continuous SO₂ Monitoring Systems

Pursuant to Section 39.5(7)(b) of the Act and the NSPS, 40 CFR 60.45, the Permittee shall maintain records for the SO₂ monitoring system at the common stacks of all the ~~on each~~ affected boilers (Boilers 1, 2, and 3 or Boilers 4 and 5) required by Condition 7.1.8(b) that as a minimum shall include:

- i. Operating records for each SO₂ monitoring system, including:
 - A. SO₂ emission data into units of the applicable standards (lb/mmBtu) calculated in accordance with NSPS, 40 CFR 60.45(e).
 - B. Continuous monitoring system performance testing measurements.
 - C. Performance evaluations and other quality assurance /control activities.
 - D. Calibration checks.
 - E. Maintenance and adjustments performed.
 - F. Periods when an SO₂ monitor for a stack was inoperative, with date, time and reason.
 - G. Data reduction information used pursuant to Condition 7.1.12(c).
 - H. Quarterly reports submitted in accordance with NSPS, 40 CFR 60.7(c) and Condition 7.1.10(a)(i)(F).
- ii. Records to verify compliance with the limitation of Condition 7.1.4(c), including:
 - A. SO₂ emissions in lb/mmBtu from the affected boilers on an hourly basis, as derived from the data obtained by the SO₂ monitoring equipment.
 - B. The date and time of any three-hour block averaging period when the total SO₂ emission rate, as recorded above, exceeded ~~4~~20.80 lb/mmBtu as allowed by Condition

7.1.4(a)(iii) and 7.1.4(c), with the calculated SO₂ emission rate. These records shall be prepared from the above records at least quarterly as needed to verify compliance with the limitation of Condition 7.1.4(a)(iii) and 7.1.4(c).

d. Records for Continuous NOx Monitoring

Pursuant to 35 IAC 217.712(a), Section 39.5(7)(b) of the Act and the NSPS, 40 CFR 60.45, the Permittee shall maintain records for the NOx monitoring system at the common stacks of all the ~~on each~~ affected boilers (Boilers 1, 2, and 3 or Boilers 4 and 5) required by Condition 7.1.8(c) in accordance with the applicable recordkeeping requirements of 40 CFR 75, that as a minimum shall include:

- i. Operating records for each NOx monitoring system, including:
 - A. NOx emission data into units of the applicable standards (lb/mmBtu) calculated in accordance with NSPS, 40 CFR 60.45(e).
 - B. Continuous monitoring system performance testing measurements.
 - C. Performance evaluations and other quality assurance /control activities.
 - D. Calibration checks.
 - E. Maintenance and adjustments performed.
 - F. Periods when the NOx monitor was inoperative, with date, time and reason.
 - G. Data reduction information used pursuant to Condition 7.1.12(e).
 - H. Quarterly reports submitted in accordance with Condition 7.1.10(a)(i)(F).
- ii. The Permittee shall maintain records for the NOx monitoring system on each affected boiler required by Condition 7.1.8(c) in accordance with the applicable recordkeeping requirements of 40 CFR 75, pursuant to 35 IAC 217.712(a).
- iii. Records to verify compliance with the limitation of Condition 7.1.4(e) including:
 - A. NOx emissions in lb/mmBtu from the affected boilers on an hourly basis, as derived from the data obtained by the NOx monitoring equipment.

- B. The date and time of any three-hour block averaging period when the total NOx emission rate, as recorded above, exceeded the limit as allowed by Condition 7.1.4(a)(iv) and 7.1.4(e), with the calculated NOx emission rate. These records shall be prepared from the above records at least quarterly as needed to verify compliance with the limitation of Condition 7.1.4(a)(iv) and 7.1.4(e).

e. Acid Rain Program

Records for the continuous emission monitoring required for the Acid Rain Program should be kept by the source in accordance with 40 CFR Part 75, including the General Recordkeeping Provisions; the General Recordkeeping Provisions for Specific Situations, if applicable; and Certification, Quality Assurance and Quality Control Record Provisions. [See Condition ~~6.2-26.3.3~~]

f. Records for Startups

Pursuant to Section 39.5(7)(b) of the Act, the Permittee shall maintain records, related to startup of each affected boiler that at a minimum shall include the following:

- i. Records of the source's established startup procedures for each affected boiler (as summarized in the CAAPP application).
- ii. Records for each startup of an affected boiler that may result in excess opacity or PM emissions, including:
 - A. Date and description of startup, e.g., startup following scheduled maintenance outage.
 - B. Duration of the startup, from initial firing of fuel to achievement of normal operation, i.e., stable operation firing the principal fuel with control equipment operating to enable compliance.
 - C. If normal operation is not achieved within ~~12-18~~ hours or if established startup procedures are not followed:
 - I. An explanation why startup could not be completed sooner or established procedures could not be followed.
 - II. Documentation for the established startup procedures that were followed.

VIII. Estimates of magnitude of emissions emitted in excess of the applicable standard during startup.

g. Records for Continued Operation During Malfunctions And Breakdowns

Pursuant to 35 IAC 201.263, the Permittee shall maintain records, related to malfunction and breakdown for each affected boiler that as a minimum, shall include:

- i. A maintenance and repair log for each affected boiler and associated equipment, listing activities performed with date.
- ii. Records for each incident when operation of an affected boiler continued during malfunction or breakdown with excess emissions, as provided by Condition 7.1.3(c), including the following information:
 - A. Date and duration of malfunction or breakdown.
 - B. A description of the malfunction or breakdown.
 - C. The corrective actions used to reduce the quantity of emissions and the duration of the incident.
 - D. Confirmation of fulfillment of the requirements of Condition 7.1.10(b), as applicable, including copies of follow-up reports submitted pursuant to Condition 7.1.10(b)(ii).
 - E. If excess emissions occurred for two or more hours:
 - I. An explanation why continued operation of the affected boiler was necessary.
 - II. The preventative measures planned or taken to prevent similar malfunctions or breakdowns or reduce their frequency and severity.
 - III. An estimate of the magnitude of excess emissions occurring during the incident.

7.1.10 Reporting Requirements

a. Quarterly Operating Report

In place of the semi-annual reports required by General Permit Condition 8.6.1, the Permittee shall provide a quarterly operating report to the Illinois EPA pursuant to Section 39.5(7)(b) of the Act.

- i. This report shall include the following information for operation during the quarter:
 - A. The total operating hours for each affected boiler, as also reported in accordance with 40 CFR Part 75.
 - B. The greatest load achieved by each affected boiler (steam flow or gross megawatts).
 - C. A discussion of significant changes in the fuel supply to the affected boilers, if any, the introduction of new fuel materials other than natural gas and oil, and changes in the source of such other fuel materials or the maximum rate at which they will be fired.
 - D. The number of startups for each affected boiler.
 - E. A summary of the records required by Condition 7.1.9(g)(ii) for incidents when operation of an affected boiler continued during malfunction or breakdown with excess emissions that are not addressed by individual reports submitted pursuant to Condition 7.1.10(b)(ii). (See also notification and reporting requirements for individual incidents in Condition 7.1.10(b).)
 - F. The information related to SO₂ and NO_x emissions during the quarter specified by Condition 7.1.10(c) and 7.1.10(d).
 - G. The information related to opacity and particulate matter emissions during the quarter specified by Condition 7.1.10(e).
 - H. A summary of other noncompliance as separately reported pursuant to Condition 7.1.10(g)(ii).

- ii. This report shall be submitted promptly after the end of every calendar quarter as follows:

Monitoring Period	Submittal Deadline
January - March	~~April 30~~ June 1
April - June	~~July 30~~ September 1

July - September
October - December

~~October - 30~~ December 1
~~January - 30~~ March 1

b. Reporting of Continued Operation During Malfunctions And Breakdowns

Pursuant to 35 IAC 201.263, the Permittee shall provide the following notifications and reports to the Illinois EPA, Compliance Section and Regional Office, concerning incidents when operation of an affected boiler continued during malfunction or breakdown with excess emissions as addressed by Condition 7.1.3(c). These requirements do not apply to such excess emissions, if any, that occur during shutdown of the affected boiler.

- i. The Permittee shall notify the Illinois EPA's Regional Office, by telephone (voice, facsimile or electronic) as soon as possible during normal working hours for each incident in which the opacity from an affected boiler exceeds 30 percent for more than five consecutive 6-minute averaging periods unless the Permittee has begun the shutdown of the affected boiler by such time. (Otherwise, if opacity during a malfunction or breakdown incident only exceeds 30 percent for less than six 6-minute averaging periods in a row, the Permittee need only report the incident in the quarterly report, in accordance with Condition 7.1.10(a)(i)(E).)
- ii. Upon conclusion of each incident that is two hours or more in duration, the Permittee shall submit a written follow-up notice to the Illinois EPA, Compliance Section and Regional Office, within 15 days providing a detailed explanation of the event, an explanation why continued operation of an affected boiler 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 boiler was taken out of service.

c. Reporting of SO₂ Emissions

Pursuant to Sections 39.5(7)(f) of the Act and the NSPS 40 CFR 60.45(g), the Permittee shall report the following information to the Illinois EPA in accordance with 40 CFR 60.7(c) for the affected boilers with its quarterly operating reports pursuant to Condition 7.1.10(a):

- i. Summary information on the performance of each SO₂ monitoring system, including the information for a "Summary Report" specified by 40 CFR 60.7(d). When the continuous SO₂ monitoring

system was not inoperative, repaired or adjusted except for zero and span checks, this shall be stated in the report.

- ii. If specifically requested by the Illinois EPA or the monitoring system downtime was more than 5 percent of the total operating time for the affected boiler, the date and time identifying each period during which the monitoring system was inoperative except for zero and span checks, and the nature of system repairs or adjustments and a summary of quality assurance data consistent with 40 CFR Part 75, i.e., the dates and results of the Linearity Test(s) and any Relative Accuracy Test Audit(s) during the quarter, a listing of any days when a required daily calibration was not performed, and the date and duration of any periods when the system was out-of-control as addressed by 40 CFR 75.24.
- iii. The following information for each period when SO₂ emissions were in excess of the applicable standards specified in Condition 7.1.4(a)(iii) and 7.1.4(c)*. When there were no such exceedances, this shall be stated in the report.
 - A. The starting date and time of the SO₂ excess emissions.
 - B. The duration of the excess emissions.
 - C. A copy of the records for the excess emissions, as maintained pursuant to Condition 7.1.9(c)(ii).
 - D. The cause of the excess emissions, if known.
 - E. Corrective actions and actions taken to lessen the emissions.

* - For SO₂ emissions, the averaging period is a three-hour block average, as used to determine compliance with the limitations of Condition 7.1.4(c). The records for excess emissions shall consist of a three-hour block emission averages during which the limitation was exceeded.

d. Reporting of NO_x Emissions

Pursuant to Sections 39.5(7)(f) of the Act and the NSPS 40 CFR 60.45(g), the Permittee shall report the following information for the affected boilers to the Illinois EPA in accordance with 40 CFR 60.7(c) with its quarterly operating reports pursuant to Condition 7.1.10(a):

- i. Summary information on the performance of each NOx monitoring system, including the information for a "Summary Report" specified by 40 CFR 60.7(d). When the continuous NOx monitoring system was not inoperative, repaired or adjusted except for zero and span checks, this shall be stated in the report.
- ii. If specifically requested by the Illinois EPA or the monitoring system downtime was more than 5 percent of the total operating time for the affected boiler, the date and time identifying each period during which the monitoring system was inoperative except for zero and span checks, and the nature of system repairs or adjustments and a summary of quality assurance data consistent with 40 CFR Part 75, i.e., the dates and results of the Linearity Test(s) and any Relative Accuracy Test Audit(s) during the quarter, a listing of any days when a required daily calibration was not performed, and the date and duration of any periods when the system was out-of-control as addressed by 40 CFR 75.24.
- iii. The following information for each period when NOx emissions were in excess of the limitation in Condition 7.1.4(e)*. When there were no such exceedances, this shall be stated in the report:
 - A. The starting date and time of the NOx excess emissions.
 - B. The duration of the excess emissions.
 - C. A copy of the records for the excess emissions, as maintained pursuant to Condition 7.1.9(d)(ii).
 - D. The cause of the excess emissions, if known.
 - E. Corrective actions and actions taken to lessen the emissions.

* - For NOx emissions, the averaging period is a three-hour block average, as used to determine compliance with the limitations of Condition 7.1.4(e). The records for excess emissions shall consist of a three-hour block emission averages during which the limitation was exceeded.

e. Reporting of Opacity and Particulate Matter Emissions

Pursuant to 35 IAC 201.405, Sections 39.5(7)(b) and (f) of the Act and the NSPS, 40 CFR 60.45(g), the Permittee shall report the following information for each affected boiler to the Illinois EPA with its

quarterly operating report pursuant to Condition 7.1.10(a):

- i. Summary information on the performance of the opacity monitoring system and excess emissions, as required for a "Summary Report" in accordance with 40 CFR 60.7(d). When no excess opacity occurred or the continuous opacity monitoring system was not inoperative, repaired or adjusted except for zero and span checks, this shall be stated in the report.
- ii. The operating status of the opacity monitoring system, including the dates and times of any periods during which it was inoperative, if requested by the Illinois EPA or the opacity monitoring system downtime was more than 5 percent of the total operating time for an affected boiler during the quarter.
- iii. The following information for each period when opacity was in excess of the applicable standards specified in Conditions 7.1.4(a)(ii) and 7.1.4(b)(i), for any six-minute period during which the average opacity of emissions exceeds 20 percent opacity, except that one six-minute average per hour of up to 27 percent opacity need not to be reported as defined under 40 CFR 60.45(g)(1). When there were no such exceedances, this shall be stated in the report.
 - A. The starting dates and time of the excess opacity.
 - B. The duration of the excess opacity.
 - C. The magnitude of excess opacity, based on six minute average opacity, including:
 - I. The percent opacity for each 6 minute increment.
 - II. The start and stop time of each six minute increment in excess of the limitation.
 - D. The cause of the excess opacity, if known, including which boiler(s) were contributing to excess opacity and whether such excess emissions occurred during startup or malfunction/breakdown of the boiler.
 - E. Corrective actions and actions taken to lessen the emissions.
- iv. The following information for each period when particulate matter emissions were in excess of

the limitation in Conditions 7.1.4(a)(i) and 7.1.4(b)(ii). If there were no such exceedances during the reporting period, the quarterly report shall so state.

- A. The starting dates and time of the excess emissions.
 - B. The duration of the excess emissions.
 - C. The magnitude of excess emissions.
 - D. The information or means by which excess emissions were indicated or identified.
 - E. The cause of the excess emissions, if known, including which affected boiler(s) were contributing to excess emissions and whether such excess emissions occurred during startup or malfunction/breakdown of the affected boiler(s).
 - F. Corrective actions and actions taken to lessen the emissions.
- f. The Permittee shall submit a report by November 30 of each year, to the Illinois EPA that demonstrates that each affected boiler has complied with Condition 7.1.4(f). These reports shall be accompanied by a certification statement signed by a responsible official for the Permittee as specified by 35 IAC 217.712(c), pursuant to 35 IAC 217.712(c), (d), and (e).
- i. If the Permittee is demonstrating compliance on a unit-specific basis with Condition 7.1.4(f)(i)(A), this report shall contain the information specified by 35 IAC 217.712(d) including the heat input and NOx emissions of the unit for the ozone control period.
 - ii. If the Permittee is demonstrating compliance by means of "NOx averaging" as authorized by Condition 7.1.4(f)(ii)(B), this report shall contain the information specified by 35 IAC 217.712(e) and other related information as follows:
 - A. In all cases, for each affected boiler or unit covered by this permit that is participating in the NOx averaging demonstration, the Permittee shall report the following:
 - I. Identification of the other EGU that are participating in the demonstration, including identification of the source that is

the lead party for the demonstration and that is also taking responsibility for submitting the information required by Condition 7.1.10(f)(ii)(B) below.

II. A statement confirming that the unit is eligible to participate in an averaging demonstration, i.e., the unit is included in only one demonstration [35 IAC 217.708(d)] and the Permittee is complying with applicable recordkeeping and reporting requirements for the unit, pursuant to 35 IAC 217.708(c) and (g).

III. The average NOx emission rate for the unit, with calculations and supporting information, as required by 35 IAC 217.712(e)(2) and (3), including the heat input and NOx emissions of the unit for the ozone control period.

IV. A statement whether the unit would show compliance on its own in the absence of averaging.

B. If the Permittee is the lead party for a NOx averaging demonstration, the Permittee shall report the following:

I. Copies of the information submitted by other parties for the EGU participating in the demonstration, which include all material required by Condition 7.1.10(f)(ii)(A) above (unless or except as this information is provided with the submittal by a person who is a responsible official for the EGU participating in the demonstration).

II. The averaged NOx emission rate for all EGU participating in the demonstration, with complete supporting calculations, as required by 35 IAC 217.712(e)(1).

III. A statement whether the demonstration shows compliance.

g. Prompt Reporting of Deviations

For the affected boilers, the Permittee shall promptly notify the Illinois EPA of deviations from permit requirements as follows. Such notifications shall

include a description of each incident and a discussion of the probable cause of deviation, any corrective actions taken and any preventative measures taken, pursuant to Section 39.5(7)(f)(ii) of the Act:

- i. Reporting as specified above in Conditions 7.1.10(b), (c), (d), and (e) for deviations from Condition 7.1.4.
- ii. Notification within 30 days for a deviation from Condition 7.1.6, if any, with a copy of applicable records for such incident or description of the incident and a discussion of the probable cause of such deviation, the corrective actions taken, and the preventative measures taken.
- iii. Reporting of deviations with the quarterly reports required by Condition 7.1.10(a) for deviations from other applicable requirements, e.g., monitoring and recordkeeping requirements. For this purpose, these reports shall include a description of each incident, a discussion of the probable cause of the deviation, the corrective actions taken, and the preventative measures taken.

h. Acid Rain Program Reporting

Pursuant to Sections 412 ~~and 821~~ of the Clean Air Act and 40 CFR Part 75, the source is subject to the reporting requirements of 40 CFR Part 75, which includes General Provisions; Notifications; Initial Certification or Recertification Application; Quarterly Reports; and Opacity Reports. [See Condition 6.3.3] Pursuant to Section 39.5(17)(m) of the Act, the designated representative of the source must concurrently submit to the Illinois EPA in the same electronic format specified by the USEPA, the data and information submitted to USEPA on a quarterly basis pursuant to 40 CFR 75.64.

7.1.11 Operational Flexibility/Anticipated Operating Scenarios

The Permittee is authorized to make the following physical or operational change with respect to each affected boiler without prior notification to the Illinois EPA or revision of this permit. This condition does not affect the Permittee's obligation to continue to comply with applicable requirements or to properly obtain a construction permit in a timely manner for any activity constituting a modification as defined by 40 CFR 52.21 or for an activity for which a permit is required pursuant to 35 IAC 201.142.

- a. Operation of additional air pollution control equipment, which is addressed by a separate construction permit.

b. Firing of the following:

- i. Used oil, boiler cleaning residue, and other liquid wastes generated at the source, not including refuse waste, in conjunction with firing of oil. (Note: Other requirements may also apply to such materials as they constitute waste.)-

- ii. Natural gas.

Note: Other requirements unrelated to air pollution control may apply to firing of wastes and waste material, including prior approval of the firing of such waste from the local government, pursuant to Section 39.2 of the Act, as the source would then be considered a pollution control facility.

Note: Pursuant to 40 CFR 266.108, this source qualifies for a small quantity burner exemption.

7.1.12 Compliance Procedures

- a. Compliance with the opacity limitation of Conditions 7.1.4(a)(iii) and 7.1.4(b)(i) (20 percent opacity) is addressed by the average opacity calculated from 6-minute periods of opacity measurements from the continuous opacity monitoring system operated in accordance with the requirements of Condition 7.1.8(a) and the recordkeeping requirements of Conditions 7.1.9(b).
- b. Compliance with PM emission limitation of Conditions 7.1.4(a)(i) and 7.1.4(b)(ii) is addressed by continuous opacity monitoring in accordance with Condition 7.1.8(a), PM testing in accordance with Condition 7.1.7, and the recordkeeping required by Conditions 7.1.9(b).
- c. Compliance with the SO₂ emission limitation of Condition 7.1.4(a)(iii) and 7.1.4(c) is addressed by continuous emission monitoring in accordance with Condition 7.1.8(b) and the recordkeeping required by Condition 7.1.9(c).
- d. Compliance with the CO emission limitation of Condition 7.1.4(d) is addressed by emission testing in accordance with Condition 7.1.7. Further compliance procedures are not set by this permit as compliance is assumed to be inherent in operation of an affected boiler under operating conditions other than startup or shutdown.
- e. Compliance with NO_x emission limitations of Conditions 7.1.4(a)(iv), 7.1.4(e) and 7.1.4(f) is addressed by the recordkeeping required by Conditions 7.1.8(c) and 7.1.9(d).

7.2 Boilers (Subject to NSPS - 40 CFR Subpart Db)

7.2.1 Description

The Permittee operates natural gas fired boilers for production of steam for station heating and auxiliary steam needs. The boilers are not used to generate electricity. The boilers, which were built in 1998, have nominal capacities of 242 mmBtu/hour each.

7.2.2 List of Emission Units and Air Pollution Control Equipment

Boiler ID	Description	Emission Control Equipment
BLR6	ABB C-E Services Natural Gas Fired Boiler (242 Nominal mmBtu/hr)	~~None~~ <u>Low NOx Burners</u>
BLR7	ABB C-E Services Natural Gas Fired Boiler (242 Nominal mmBtu/hr)	~~None~~ <u>Low NOx Burners</u>

7.2.3 Applicability Provisions

- a. An "affected boiler" for the purpose of these unit-specific conditions, is an individual boiler that has a capacity in excess of 100 mmBtu/hr and less than 250 mmBtu/hr that has the capability of firing natural gas for which construction, modification, or reconstruction after June 19, ~~1971~~1984, as described in Conditions 7.2.1 and 7.2.2.

b. Startup Provisions

The Permittee is authorized to operate an affected boiler in violation of the applicable standards in Conditions 5.2.2(b) and 7.2.4(b) (35 IAC ~~212.123212.122~~), Condition 7.2.4(c) (35 IAC 216.121), and Condition 7.2.4(da) ~~(35 IAC 217.121(a))~~ during startup subject to the following provisions. This authorization is provided pursuant to 35 IAC 201.262, as the Permittee "... has affirmatively demonstrated that all reasonable efforts have been made to minimize startup emissions, duration of individual startups and frequency of startups.":

- i. This authorization only extends for a period of up to 6 hours following initial firing of fuel for each startup event.
- ii. The Permittee shall conduct startup of an affected boiler in accordance with the manufacturers' written instructions or other written instructions maintained on site that are specifically developed to minimize excess emissions from startups and that include, at a minimum, the following measures:

- A. Review of the operational condition of an affected boiler prior to initiating startup of the boiler.
 - B. Review of the operating parameters of an affected boiler during each startup as necessary to make appropriate adjustments to the startup to reduce or eliminate excess emissions.
- iii. The Permittee shall fulfill applicable recordkeeping requirements of Condition 7.2.9(b).
- c. Malfunction and Breakdown Provisions
- The Permittee is authorized to continue operation of an affected boiler in violation of the applicable requirements of Conditions 5.2.2(b) and 7.2.4(b) (35 IAC 212.123), Condition 7.2.4(c) (35 IAC 216.121), and Condition 7.2.4(d) ~~(35 IAC 217.121(a))~~ in the event of a malfunction or breakdown of an affected boiler subject to the following provisions. This authorization is provided pursuant to 35 IAC 201.262 as the Permittee has submitted "... proof that continued operation is required to provide essential service, prevent risk of injury to personnel or severe damage to equipment.":
- 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 practicable reduce boiler load, repair the affected boiler, or remove the affected boiler from service so that excess emissions cease. Unless the Permittee obtains an extension from the Illinois EPA, this shall be accomplished within 12 hours* or noon of the Illinois EPA's next business day*, whichever is later. The Permittee may obtain an extension for up to a total of 18 hours* from the Illinois EPA, Air Regional Office unless extraordinary circumstances exist. The Illinois EPA, Air Compliance Section, in Springfield, may grant a longer extension if the Permittee demonstrates that unusual circumstances exist, the affected boiler can not reasonably be repaired or removed from service within the allowed time, it will repair the affected boiler or remove the boiler from service as soon as practicable; and it is taking reasonable steps to minimize excess

emissions, based on the actions that have been and will be taken.

* For this purpose and other related provisions, 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, should excess emissions resume following a period of compliant emissions before corrective actions have been taken, these additional excess emissions may be considered as part of the same incident, and the incident shall may be~~ considered to continue until corrective actions are taken so that excess emissions cease or the Permittee takes the boiler out of service.

- iii. The Permittee shall fulfill applicable recordkeeping and reporting requirements of Condition 7.2.9(c) and 7.2.10(b).
- 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.

7.2.4 Applicable Emission Standards

- a. The affected boilers are subject to the NSPS for Industrial-Commercial-Institutional Steam Generating Units, 40 CFR 60 Subparts A and D, because the affected boilers commenced construction, modification, or reconstruction after June 19, 1974-1984 and has heat input of more than 100 mmBtu/hr. The Illinois EPA administers the NSPS for subject sources in Illinois pursuant to a delegation agreement with the USEPA.
 - i. The emissions of NO_x from each affected boiler shall not exceed 0.2 lb/mmBtu of actual heat input, including periods of startup, shutdown, or malfunction, pursuant to 40 CFR 60.44b(a)(1)(ii) and (h).
- b. The affected boilers shall comply with the standard in Condition 5.2.2(b) [35 IAC 212.122], which addresses the opacity of the emission of smoke or other particulate matter from the affected boilers.
- c. The affected boilers are subject to 35 IAC 216.121 which provides that no person shall cause or allow the emission of CO into the atmosphere from any fuel combustion emission source with actual heat input greater than 2.9 MW (10 mmBtu/hr) to exceed 200 ppm, corrected to 50 percent excess air.

d. ~~The emissions of NO_x from each affected boiler shall not exceed 0.20 lb/MMBtu of actual heat input when gaseous fossil fuel is used (natural gas), pursuant to 35 IAC 217.121(a). The affected boilers are subject to a more stringent NO_x emission standard pursuant to Section 407 of the Clean Air Act and 40 CFR Part 76, as addressed in Condition 6.3.2 and Attachment 5 of this permit.~~

e. i. ~~During each ozone control period (May 1 through September 30):~~

A. ~~The emissions of NO_x from an affected boiler shall not exceed 0.25 lb/MMBtu of actual heat input based on a ozone control period average, for that unit, pursuant to 35 IAC 217.706(a).~~

B. ~~The emissions of NO_x from an affected boiler and other eligible EGU that are participating in a NO_x averaging demonstration with an affected boiler as provided for by 35 IAC 217.708, shall not exceed 0.25 lbs/MMBtu of actual heat input, as averaged for the ozone control period for these EGU, pursuant to 35 IAC 217.708(a) and (b). For this purpose, other eligible EGU include: (1) other affected boilers, (2) other EGU owned and operated by the Permittee at its plants in Collins, Fisk, Crawford, Waukegan, Powerton, Joliet, and Will County (ID 063906AAF, 031600AMT, 031600AIN, 097190AAG, 179801AAA, 197809AAO, and 197810AAK, respectively), which are also authorized by this permit to participate in a NO_x averaging demonstration, and (3) other EGU that are authorized to participate in a NO_x averaging plan by a GAAPP permit or other federally enforceable permit issued to the owner or operator of those EGU.~~

ii. ~~If the Permittee elects to have an affected boiler comply by participation in a NO_x averaging demonstration as provided for and authorized above:~~

A. ~~The affected boiler shall be included in only one NO_x averaging demonstration during an ozone control period, pursuant to 35 IAC 217.708(d).~~

B. ~~The NO_x averaging demonstration shall only include other EGU that are authorized through a federally enforceable permit to participate in a NO_x averaging demonstration and for which the owner or~~

~~operator of the EGU maintains the required records, data and reports and submits copies of such records, data, and reports to the Illinois EPA upon request, pursuant to 35 IAC 217.708(e) and (g).~~

~~C. The effect of failure of the NO_x averaging demonstration to show compliance shall be that the compliance status of the affected boiler shall be determined pursuant to Condition 7.2.4(e)(i)(A) as if the NO_x emission rates of the affected boiler were not averaged with other EGU, pursuant to 35 IAC 217.708(g).~~

~~Note: Given the emission determination methods specified by 35 IAC 217.710, the emissions of NO_x for purposes of these standards are generally calculated in accordance with the federal Acid Rain Program and are different from the emissions determined for purposes of the NO_x Trading Program.~~

7.2.5 Non-Applicability of Regulations of Concern

- a. This permit is issued based on the affected boilers not being subject to 40 CFR Part 64, Compliance Assurance Monitoring (CAM) for Major Stationary Sources, because the affected boilers do not use an add-on control device to achieve compliance with an emission limitation or standard.
- b. This permit is issued based on the affected boilers not being subject to the federal Acid Rain program because it is not a utility unit as it does not supply steam to an electric generator (Refer to 40 CFR 72.2 and 72.6).
- c. The affected boilers are not subject to 35 IAC 217.121, because the maximum design heat input capacity of each boiler (Boilers 6 and 7) is less than 250 mmBtu/hr.
- d. The affected boilers are not subject to 35 IAC 217.Subparts V and W because the affected maximum design heat input of each boiler (Boilers 6 and 7) is less than 250 mmBtu/hr. Boilers 6 and 7 are not considered EGUs under the federal NO_x trading program [See Condition 6.1 and 35 IAC 217.Subpart W].

7.2.6 Work Practices, Operational and Production Limits, and Emission Limitations

- a. At all times, including periods of startup, shutdown, and malfunction, the Permittee shall, to the extent practicable, maintain and operate any affected ~~turbine~~ boiler 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)].

- b. Only natural gas shall be burned in the affected boilers.
- c. i. Emissions from each affected boiler shall not exceed the following limits:

Pollutant	Emissions	
	(Lb)/(Hr)	(Tons)/(Year)
NOx	36.3	159.0
CO	14.8	64.8
PM	1.8	8.1

- ii. Compliance with annual limitations 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].
- iii. The above limitations were established in Permit 97100036, pursuant to PSD, 40 CFR 52.21. These limitations ensure that the construction and/or modification addressed in these permit(s) does not constitute a major modification pursuant to Title I of the CAA, specifically the federal PSD rules. Specifically, the affected boilers represent a net decrease of emissions as established in Permit 97100036 [T1].
- d. The total steam production rate for the affected boilers and any boiler identified in Condition 7.1 operating in "auxiliary mode" shall not exceed ~~50,000~~500,000 lbs per hour [T1].

7.2.7 Testing Requirements

Pursuant to Section 39.5(7)(d)(ii) of the Act, the Permittee shall measure the ~~PM and~~ CO emissions of each affected boiler as specified below:

- a. Measurements of ~~PM and~~ CO emissions shall be made within 90 days (or such later date set by the Illinois EPA) following a reasonable request by the Illinois EPA for such measurements.
- b. i. These measurements shall be performed at the maximum operating loads of the affected boilers and other operating conditions that are representative of normal operation. In addition, the Permittee may perform measurements

at other operating conditions to evaluate variation in emissions.

- ii. Measurements shall be taken at an appropriate location in the ductwork or stack associated with the affected boiler or another location in the exhaust ductwork of an individual boiler as approved by the Illinois EPA. If both boilers are operating, the boilers and their associated controls shall be operated in a similar manner while measurements are being performed, so that the results typify both boilers. If the operation of the affected boilers differs significantly, the Permittee may be required to perform further measurements or separate measurements for each boiler at the request of the Illinois EPA, in accordance with Condition 7.1.7(a).

- iii. The following test methods and procedures shall be used for these measurements. Refer to 40 CFR 60, Appendix A for USEPA Methods.

Location of Sample Points	USEPA Method 1
Gas Flow and Velocity	USEPA Method 2
Flue Gas Weight	USEPA Method 3
Moisture	USEPA Method 4
~~Particulate Matter (PM)~~	~~USEPA Method 5~~
Carbon Monoxide (CO)	USEPA Method 10
Other test methods adopted by USEPA may be used in place of the above methods with the approval of the Illinois EPA	

- c. Except for minor deviations in test methods, as defined by 35 IAC 283.130, emission testing shall be conducted in accordance with a test plan prepared by the Permittee and submitted to the Illinois EPA for review prior to emission testing, and the conditions, if any, imposed by the Illinois EPA as part of its review and approval of the test plan, pursuant to 35 IAC 283.230.
 - i. The Permittee shall submit this test plan at least 60 days prior to the actual date of testing and the test plan shall include the information specified by Condition 8.6.2.
 - ii. Notwithstanding the above, as provided by 35 IAC 283.220(d), the Permittee need not submit a test plan for emission testing that will be conducted in accordance with the procedures used for previous tests accepted by the Illinois EPA or the previous test plan submitted to and approved by the Illinois EPA, provided that the Permittee's notification for testing, as required below, contains the information specified by 35 IAC 283.220(d)(1)(A), (B) and (C).

- d. The Permittee shall notify the Illinois EPA prior to conducting emission tests to enable the Illinois EPA to observe testing. Notification for the expected test date shall be submitted a minimum of 30 days prior to the expected date of testing. Notification of the actual date and expected time of testing shall be submitted a minimum of 5 working days prior to the actual test date. The Illinois EPA may on a case-by-case basis accept shorter advance notice if it would not interfere with the Illinois EPA's ability to observe testing.
- e. The Permittee shall submit the Final Report(s) for any required emission testing to the Illinois EPA within 45 days after the tests results are compiled and finalized but no later than 120 days after the date of testing. The Final Report shall include the information specified in Condition 8.6.3 and the following information:
 - i. Description of test method(s), including description of sampling points, sampling train, analysis equipment, and test schedule.
 - ii. A description of any minor deviations from the test plan, as provided by 35 IAC 283.230(a).
 - iii. Detailed description of operating conditions during testing, including:
 - A. Source(s) of fuel and specifications (ash, sulfur and heat content).
 - B. Boiler information, i.e., firing rate of the affected boiler(s) (mmBtu/hr), composition of fuel as burned (ash, sulfur and heat content), and fuel blending ratio (%), if a blend of fuels is burned.
 - C. Control equipment information, i.e., equipment condition and operating parameters during testing.
 - D. Load during testing (gross megawatt output and steam flow).
 - iv. Data and calculations, including copies of all raw data sheets and records of laboratory analyses, sample calculations, and data on equipment calibration.
 - v. ~~The opacity data (6 minute averages) measured during testing.~~

7.2.8 Monitoring Requirements

- a. The Permittee shall operate a continuous monitoring system for the measurements of NOx discharged from the common stack of the each affected boilers, in accordance with the provisions of 40 CFR 60.13, 40 CFR 60.48b, and the applicable procedures of 40 CFR Appendix B as established in Permit 97100036.
- b. The Permittee shall operate meters to measure and record fuel consumption by each affected boiler.

7.2.9 Recordkeeping Requirements

a. Records for Boiler Operation

Pursuant to Section 39.5(7)(b) of the Act, the Permittee shall maintain the following operating records for the affected boilers:

- i. The Permittee shall fulfill applicable recordkeeping requirements of the NSPS, 40 CFR ~~49b~~60.49b, for the affected boilers at the common stack, including, records of NOx emissions and operation of the affected boilers as related to NOx, as specified by the 40 CFR 60.49b(g).
- ii. The operating parameters of each affected boiler including steam load and hours of operation, as related to emissions.
- iii. The NOx emissions in lb/mmBtu on an hourly basis and on a rolling average for 30 steam generating unit operating days at the common stack.
- iv. The NOx emissions in lb/hr.
- v. Hourly records of steam generation from the plant shall be maintained for all periods when the affected boilers are operated.

b. Records for Startups

Pursuant to Section 39.5(7)(b) of the Act, the Permittee shall maintain records, related to startup of each affected boiler that at a minimum shall include the following:

- i. Records of the source's established startup procedures for each affected boiler (as summarized in the CAAPP application).
- ii. Records for each startup of an affected boiler that may result in excess opacity ~~or PM emissions~~, including:
 - A. Date and description of startup, e.g., startup following scheduled maintenance outage.

- B. Duration of the startup, from initial firing of fuel to achievement of normal operation, i.e., stable operation firing the principal fuel with control equipment operating to enable compliance.
- C. If normal operation is not achieved within 12 hours or if established startup procedures are not followed:
 - I. An explanation why startup could not be completed sooner or established procedures could not be followed.
 - II. Documentation for the established startup procedures that were followed.
 - V. Estimates of magnitude of emissions emitted in excess of the applicable standard during startup.
- c. Records for Continued Operation During Malfunctions And Breakdowns

Pursuant to 35 IAC 201.263, the Permittee shall maintain records, related to malfunction and breakdown for each affected boiler that as a minimum, shall include:

 - i. A maintenance and repair log for each affected boiler and associated equipment, listing activities performed with date.
 - ii. Records for each incident when operation of an affected boiler continued during malfunction or breakdown with excess emissions, as provided by Condition 7.2.3(c), including the following information:
 - A. Date and duration of malfunction or breakdown.
 - B. A description of the malfunction or breakdown.
 - C. The corrective actions used to reduce the quantity of emissions and the duration of the incident.
 - D. Confirmation of fulfillment of the requirements of Condition 7.2.10(b), as applicable, including copies of follow-up reports submitted pursuant to Condition 7.2.10(b)(ii).

- E. If excess emissions occurred for two or more hours:
 - I. An explanation why continued operation of the affected boiler was necessary.
 - II. The preventative measures planned or taken to prevent similar malfunctions or breakdowns or reduce their frequency and severity.
 - III. An estimate of the magnitude of excess emissions occurring during the incident.

7.2.10 Reporting Requirements

a. Quarterly Operating Report

In place of the semi-annual reports required by General Permit Condition 8.6.1, the Permittee shall provide a quarterly operating report to the Illinois EPA pursuant to Section 39.5(7)(b) of the Act.

- i. This report shall include the following information for operation during the quarter:
 - A. The total operating hours for each affected boiler.
 - B. ~~A discussion of significant changes in the fuel supply to the affected boilers, if any, the introduction of new fuel materials other than natural gas and oil, and changes in the source of such other fuel materials or the maximum rate at which they will be fired.~~
 - ~~C.~~ The number of startups for each affected boiler.
 - ~~BC.~~ A summary of the records required by Condition 7.2.9(c)(ii) for incidents when operation of an affected boiler continued during malfunction or breakdown with excess emissions that are not addressed by individual reports submitted pursuant to Condition 7.2.10(b)(ii). (See also notification and reporting requirements for individual incidents in Condition 7.2.10(b).)
 - ~~BD.~~ A summary of other noncompliance as separately reported pursuant to Condition 7.2.10(e)(ii).

- ii. This report shall be submitted promptly after the end of every calendar quarter as follows:

Monitoring Period	Submittal Deadline
January - March	~~April 30~~ June 1
April - June	~~July 30~~ September 1
July - September	~~October 30~~ December 1
October - December	~~January 30~~ March 1

b. Reporting of Continued Operation During Malfunctions And Breakdowns

Pursuant to 35 IAC 201.263, the Permittee shall provide the following notifications and reports to the Illinois EPA, Compliance Section and Regional Office, concerning incidents when operation of an affected boiler continued during malfunction or breakdown with excess emissions as addressed by Condition 7.2.3(c). These requirements do not apply to such excess emissions, if any, that occur during shutdown of the affected boiler.

- i. The Permittee shall notify the Illinois EPA's Regional Office, by telephone (voice, facsimile or electronic) as soon as possible during normal working hours for each incident in which the opacity from an affected boiler exceeds 30 percent for more than ~~five consecutive 6 minute averaging periods~~ one half hour unless the Permittee has begun the shutdown of the affected boiler by such time. (Otherwise, if opacity during a malfunction or breakdown incident ~~only~~ exceeds 30 percent for less than ~~six 6 minute averaging periods in a row~~ one half hour, the Permittee need ~~only~~ report the incident in only the quarterly report, in accordance with Condition 7.2.10(a)(i)(E).)
- ii. Upon conclusion of each incident that is two hours or more in duration, the Permittee shall submit a written follow-up notice to the Illinois EPA, Compliance Section and Regional Office, within 15 days providing a detailed explanation of the event, an explanation why continued operation of an affected boiler 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 boiler was taken out of service.

c. Reporting of NOx Emissions

Pursuant to Sections 39.5(7)(f) of the Act and the NSPS 40 CFR 60.49b, the Permittee shall report the following information for the affected boilers, as

measured at the common stack, to the Illinois EPA in accordance with 40 CFR 60.7(c) with its quarterly operating reports pursuant to Condition 7.2.10(a):

- i. Summary information on the performance of each NOx monitoring system, including the information for a "Summary Report" specified by 40 CFR 60.7(d). When the continuous NOx monitoring system was not inoperative, repaired or adjusted except for zero and span checks, this shall be stated in the report.
- ii. If specifically requested by the Illinois EPA or the monitoring system downtime was more than 5 percent of the total operating time for the affected boiler, the date and time identifying each period during which the monitoring system was inoperative except for zero and span checks, and the nature of system repairs or adjustments and a summary of quality assurance data.
- iii. The following information for each period when NOx emissions were in excess of the limitation in Condition 7.2.4(a)*. When there were no such exceedances, this shall be stated in the report:
 - A. The starting date and time of the NOx excess emissions.
 - B. The duration of the excess emissions.
 - C. A copy of the records for the excess emissions, as maintained pursuant to Condition 7.2.9(d)(ii)(a).
 - D. The cause of the excess emissions, if known.
 - E. Corrective actions and actions taken to lessen the emissions.

~~* For NOx emissions, the averaging period is a three hour block average, as used to determine compliance with the limitations of Condition 7.2.4(d). The records for excess emissions shall consist of a three hour block emission averages during which the limitation was exceeded.~~

~~d. The Permittee shall submit a report by November 30 of each year, to the Illinois EPA that demonstrates that each affected boiler has complied with Condition 7.2.4(e). These reports shall be accompanied by a certification statement signed by a responsible official for the Permittee as specified by 35 IAC 217.712(e), pursuant to 35 IAC 217.712(e), (d), and (e).~~

- ~~i. If the Permittee is demonstrating compliance on a unit specific basis with Condition 7.2.4(e)(i)(A), this report shall contain the information specified by 35 IAC 217.712(d) including the heat input and NOx emissions of the unit for the ozone control period.~~
- ~~ii. If the Permittee is demonstrating compliance by means of "NOx averaging" as authorized by Condition 7.2.4(e)(ii)(B), this report shall contain the information specified by 35 IAC 217.712(e) and other related information as follows:~~
- ~~A. In all cases, for each affected boiler or unit covered by this permit that is participating in the NOx averaging demonstration, the Permittee shall report the following:~~
- ~~I. Identification of the other EGU that are participating in the demonstration, including identification of the source that is the lead party for the demonstration and that is also taking responsibility for submitting the information required by Condition 7.2.10(d)(ii)(B) below.~~
- ~~II. A statement confirming that the unit is eligible to participate in an averaging demonstration, i.e., the unit is included in only one demonstration (35 IAC 217.708(d)) and the Permittee is complying with applicable recordkeeping and reporting requirements for the unit, pursuant to 35 IAC 217.708(e) and (g).~~
- ~~III. The average NOx emission rate for the unit, with calculations and supporting information, as required by 35 IAC 217.712(e)(2) and (3), including the heat input and NOx emissions of the unit for the ozone control period.~~
- ~~IV. A statement whether the unit would show compliance on its own in the absence of averaging.~~
- ~~B. If the Permittee is the lead party for a NOx averaging demonstration, the Permittee shall report the following:~~

~~I. Copies of the information submitted by other parties for the EGU participating in the demonstration, which include all material required by Condition 7.2.10(d)(ii)(A) above (unless or except as this information is provided with the submittal by a person who is a responsible official for the EGU participating in the demonstration).~~

~~II. The averaged NOx emission rate for all EGU participating in the demonstration, with complete supporting calculations, as required by 35 IAC 217.712(e)(1).~~

~~III. A statement whether the demonstration shows compliance.~~

e. Prompt Reporting of Deviations

For the affected boilers, the Permittee shall promptly notify the Illinois EPA of deviations from permit requirements as follows. Such notifications shall include a description of each incident and a discussion of the probable cause of deviation, any corrective actions taken and any preventative measures taken, pursuant to Section 39.5(7)(f)(ii) of the Act:

- i. Reporting as specified above in Conditions 7.2.10(b), (c), (d), and (e) for deviations from Condition 7.2.4.
- ii. Notification within 30 days for a deviation from Condition 7.2.6, if any, with a copy of applicable records for such incident or description of the incident and a discussion of the probable cause of such deviation, the corrective actions taken, and the preventative measures taken.
- iii. Reporting of deviations with the quarterly reports required by Condition 7.2.10(a) for deviations from other applicable requirements, e.g., monitoring and recordkeeping requirements. For this purpose, these reports shall include a description of each incident, a discussion of the probable cause of the deviation, the corrective actions taken, and the preventative measures taken.

7.2.11 Operational Flexibility/Anticipated Operating Scenarios

The Permittee is authorized to make the following physical or operational change with respect to each affected boiler without prior notification to the Illinois EPA or revision of this permit. This condition does not affect the

Permittee's obligation to continue to comply with applicable requirements or to properly obtain a construction permit in a timely manner for any activity constituting a modification as defined by 40 CFR 52.21 or for an activity for which a permit is required pursuant to 35 IAC 201.142.

- a. Operation of additional air pollution control equipment, which is addressed by a separate construction permit.

7.2.12 Compliance Procedures

- a. Compliance with the opacity limitation of Condition 7.2.4(b) (20 percent opacity) is assumed to be inherent in operation of an affected boiler under operating conditions other than startup or shutdown.
- b. Compliance with the CO emission limitation of Condition 7.2.4(c) is assumed to be inherent in operation of an affected boiler under operating conditions other than startup or shutdown.
- c. Compliance with NOx emission limitations of Conditions 7.2.4(ea) and ~~7.2.4(f)~~ is addressed by the recordkeeping required by Condition 7.2.9(a).

7.3 Storage Tanks

7.3.1 Description

The Permittee stores gasoline used for onsite use. The storage tank is 1,000 gallons.

7.3.2 List of Emission Units and Air Pollution Control Equipment

Emission Unit	Description	Emission Control Equipment
TK21	1,000 Gasoline Storage Tank	None

7.3.3 Applicability Provisions

An "affected storage tank" for the purpose of these unit-specific conditions, is the storage tank described in Conditions 7.3.1 and 7.3.2.

7.3.4 Applicable Emission Standards

- a.
 - i. No person shall cause or allow the loading of any organic material into any stationary tank having a storage capacity of greater than 946 l (250 gal), unless such tank is equipped with a permanent submerged loading pipe or an equivalent device approved by the Illinois EPA according to the provisions of 35 IAC 201, and further processed consistent with 35 IAC 218.108 [35 IAC 218.122(b)].
 - ii. Exception: If no odor nuisance exists the limitations of Condition 7.3.4(a) shall only apply to the loading of volatile organic liquid with a vapor pressure of 17.24 kPa (2.5 psia) or greater at 294.3°K (70°F) [35 IAC 218.122(c)].
- b. No person shall cause or allow the transfer of gasoline from any delivery vessel into any stationary storage tank at a gasoline dispensing facility unless the tank is equipped with a submerged loading pipe [35 IAC 218.583(a)(1)].
- ~~c. The affected tank is subject to 35 IAC 218.585, which provides that:~~
 - ~~i. No person shall sell, offer for sale, dispense, supply, offer for supply, or transport for use in Illinois gasoline whose Reid vapor pressure exceeds the applicable limitations set forth in Conditions 7.3.4(c)(ii) and (c)(iii) (see also 35 IAC 218.585(b) and (c)) during the regulatory control periods, which shall be May 1 to September 15 for retail outlets, wholesale purchaser-consumer, operations, and all other operations [35 IAC 218.585(a)].~~

- ~~ii. The Reid vapor pressure of gasoline, a measure of its volatility, shall not exceed 9.0 psi (62.07 kPa) during the regulatory control period in 1990 and each year thereafter (35 IAC 218.585(b)).~~
- ~~iii. The Reid vapor pressure of ethanol blend gasolines shall not exceed the limitations for gasoline set forth in Condition 7.3.4(c)(ii) (see also 35 IAC 218.585(b)) by more than 1.0 psi (6.9 kPa). Notwithstanding this limitation, blenders of ethanol blend gasolines whose Reid vapor pressure is less than 1.0 psi above the base stock gasoline immediately after blending with ethanol are prohibited from adding butane or any product that will increase the Reid vapor pressure of the blended gasoline (35 IAC 218.585(c)).~~

7.3.5 Non-Applicability of Regulations of Concern

- a. This permit is issued based on the affected storage tank not being subject to the New Source Performance Standards (NSPS) for Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels), 40 CFR Part 60, Subpart Kb, because the affected storage tank is less than 40 cubic meters (10,566 gallons).
- b. The affected tank is not subject to the limitations of 35 IAC 218.120, Control Requirements for Storage Containers of VOL, pursuant to 35 IAC 218.119, because the affected tank is used to store a petroleum liquid and the capacity is less than 151 m3 (40,000 gal).
- c. The affected tank is not subject to the requirements of 35 IAC 218.121, Storage Containers of VPL, pursuant to 35 IAC 218.123(a)(2), which exempts storage tanks with a capacity less than 151.42 m3 (40,000 gal).
- d. The affected tank is not subject to the requirements of 35 IAC 218.586, Gasoline Dispensing Operations - Motor Vehicle Fueling Operations, pursuant to 35 IAC 218.586(b), which exempts any gasoline dispensing operation which dispenses an average monthly volume of less than 10,000 gallons of motor vehicle fuel per month. Pursuant to 35 IAC 218.586(a)(1), average monthly volume means the amount of motor vehicle fuel dispensed per month from a gasoline dispensing operation based upon a monthly average for the 2-year period of November, 1990 through October, 1992 or, if not available, the monthly average for the most recent twelve calendar months. Monthly averages are to include only those months when the operation was operating.
- e. This permit is issued based on the affected storage tank not being subject to 40 CFR Part 64, Compliance

Assurance Monitoring (CAM) for Major Stationary Sources, because the affected storage tank does not use an add-on control device to achieve compliance with an emission limitation or standard.

- f. The provisions of 35 IAC 218.585 regarding Reid vapor pressure do not apply to the Collins Generating Station.

7.3.6 Work Practices, Operational and Production Limits, and Emission Limitations

- a. The affected storage tank subject to the applicable provisions of Condition 7.3.4(a) (loading of volatile organic liquid with a vapor pressure of 17.24 kPa (2.5 psia) or greater at 294.3°K (70°F)) or Condition 7.3.4(b) (loading of gasoline) shall be equipped and operated with a submerged loading pipe, submerged fill, or an equivalent device approved by the Illinois EPA, pursuant to 35 IAC 218.122(b) and 218.583(a). (The Illinois EPA has not approved use of other equivalent equipment in lieu of a submerged loading pipe or submerged loading fill.)

7.3.7 Testing Requirements

None

7.3.8 Inspection Requirements

None

7.3.9 Recordkeeping Requirements

In addition to the records required by Condition 5.6, the Permittee shall maintain records of the following items for the affected storage tank, pursuant to Section 39.5(7)(b) of the Act:

- a. Design information for the affected storage tank showing the presence of permanent submerged loading pipe or the use of submerged loading fill when loading of volatile organic liquid with a vapor pressure of 17.24 kPa (2.5 psia) or greater at 294.3°K (70°F) or loading of gasoline.
- b. Maintenance and repair records for the affected storage tank, as related to the repair or replacement of the loading pipe.
- c. Identification and throughput of each material stored in the affected storage tank, gal/mo and gal/yr.
- d. Reid vapor pressure of each material stored in the affected storage tank during regulatory control period, psi.

7.3.10 Reporting Requirements

For the affected storage tank, the Permittee shall promptly notify the Illinois EPA of deviations from permit requirements as follows. Such notifications shall include a description of each incident and a discussion of the probable cause of deviation, any corrective actions taken and any preventative measures taken, pursuant to Section 39.5(7)(f)(ii) of the Act:

- a. Any ~~storage-transfer~~ of VOL in the affected storage tank that is not in compliance with the requirements of Conditions 7.3.4(a) or 7.3.4(b) within 30 days of becoming aware of the non-compliance status. This notification shall include a description of the event, the cause for the non-compliance, actions taken to correct the non-compliance, and the steps taken to avoid future non-compliance.

7.3.11 Operational Flexibility/Anticipated Operating Scenarios

The Permittee is authorized to make the following physical or operational change with respect to the affected storage tank without prior notification to the Illinois EPA or revision of this permit. This condition does not affect the Permittee's obligation to continue to comply with applicable requirements or to properly obtain a construction permit in a timely manner for any activity constituting a modification as defined by 40 CFR 52.21 or for an activity for which a permit is required pursuant to 35 IAC 201.142.

- a. Changes to components related to either the submerged loading pipe or submerged fill, including addition of new components and repair and replacement of components.
- b. Changes in the material stored in the affected storage tank, provided the affected storage tank continue to comply with the Conditions of Section 7.3 of this permit.

7.3.12 Compliance Procedures

- a. Compliance with Conditions 7.3.4(a) and 7.3.4(b) is considered to be assured by the use of submerged loading pipe or submerged fill as required in Condition 7.3.6(a) and by the recordkeeping requirement of Condition 7.3.9.

8.0 GENERAL PERMIT CONDITIONS

8.1 Permit Shield

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

This permit shield does not extend to applicable requirements which are promulgated after _____ **{insert public notice start date}** (the date of issuance of the draft 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 6.3. 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 condition 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 Condition 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 Section 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 determination of emissions and operation which are intended to be made, including sampling and monitoring locations;
- e. The test method(s) which 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 Section 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 Section
 Illinois Environmental Protection Agency (MC 40)
 Bureau of Air
 Compliance & Enforcement Section (MC 40)
 1021 North Grand Avenue East
 P.O. Box 19276
 Springfield, Illinois 62794-9276
 - ii. Illinois EPA - Air Regional Field Office
 Illinois Environmental Protection Agency
 Division of Air Pollution Control
 9511 West Harrison
 Des Plaines, Illinois 60016
 - iii. USEPA Region 5 - Air Branch
 USEPA (AR 17J)
 Air & Radiation Division
 77 West Jackson Boulevard
 Chicago, Illinois 60604

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

Illinois Environmental Protection Agency
Division of Air Pollution Control
Permit Section (MC 11)
1021 North Grand Avenue East
P.O. Box 19506
Springfield, Illinois 62794-9506

8.7 Obligation to Comply with Title I Requirements

Any term, condition, or requirement identified in this permit by T1, T1R, or T1N is established or revised pursuant to 35 IAC Part 203 or 40 CFR 52.21 ("Title I provisions") and incorporated into this permit pursuant to both Section 39.5 and Title I provisions. Notwithstanding the expiration date on the first page of this permit, the Title I conditions remain in effect pursuant to Title I provisions until the Illinois EPA deletes or revises them in accordance with Title I procedures.

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 [Section 39.5(7)(j)(iv) of the Act].
- 9.1.2 In particular, this permit does not alter or affect the following:
- 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, 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, 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 Board regulations [Section 39.5(6)(c) of the Act]. Such operation during malfunction or breakdown is allowed by this permit.

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 thereunder.

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, subject to applicable Confidential Business Information claims and limitations and facility health and safety rules, 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 and 415 ILCS 5/4]:

- 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
 - 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 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. As 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 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, Compliance 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 Section, 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 [Section 39.5(7)(p)(i) of the Act]. An example Certification by a Responsible Official is included as an attachment 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:
 - 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 the emergency commenced, 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.

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, reopened, and reissued, for cause pursuant to Section 39.5(15) of the Act. The filing of a request by the Permittee for a permit modification, revocation and reissuance, termination, or of a notification of planned changes or anticipated noncompliance does not stay any permit condition [Section 39.5(7)(c)(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 inaccurate statement when establishing the emission standards or limitations, or other terms or conditions of this permit; and
- d. The Illinois EPA or USEPA determines that this permit must be revised to ensure compliance with the applicable requirements of the Act.

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 willful submission of misinformation, false statement or misrepresentation in the application shall be grounds for revocation under Section 39.5(15)(b) of the Act. [Section 39.5(5)(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, and should any one or more be determined to be illegal or unenforceable, the validity of the other provisions shall not be affected. 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

The right to operate terminates on the expiration date unless the Permittee has submitted a timely and complete renewal application. For a renewal to be timely it must be submitted no later than 9 and no sooner than 12 months prior to expiration. The equipment may continue to operate during the renewal period until final action is taken on the renewal permit by the Illinois EPA, in accordance with the original permit conditions [Sections 39.5(5)(1), (n), and (o) of the Act].

10.0 ATTACHMENTS

The provisions of Section 10 constitute information only and are not enforceable as conditions of this permit.

10.1 Attachment 1 Emissions of Particulate Matter from New Process Emission Units

35 IAC 212.321 - Process Emission Units for Which Construction or Modification Commenced On or After April 14, 1972

- a. 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, 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)].
- b. 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,

- i. 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

- ii. 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

- c. 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

10.2 Attachment 2 Emissions of Particulate Matter from Existing Process Emission Units

35 IAC 212.322 - Process Emission Units for Which Construction or Modification Commenced Prior to April 14, 1972

- a. 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 at a source or premises, exceeds the allowable emission rates specified in subsection (c) of 35 IAC 212.322 [35 IAC 212.322(a)].
- b. 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,

- i. 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

- ii. 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

- c. 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

10.3 Attachment 3 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: _____

10.4 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 (CAAPP Form-199).

Application For A Construction Permit Form (CAAPP Form-199):

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



10.5 Attachment 5 Acid Rain Program Permit



State of Illinois

ENVIRONMENTAL PROTECTION AGENCY

Mary A. Gade, Director

217-783-2113

P.O. Box 19000, Springfield, IL 62764-0000

CERTIFIED MAIL
P 344 386 701ACID RAIN PROGRAM
PHASE II PERMIT

Commonwealth Edison Company
Attention: Ms. Mary F. O'Toole, Alternate Designated Representative
One First National Plaza
P.O. Box 767
Chicago, IL 60680-0767

Oris No.: 6025
EPA ID No.: 063606AAF
Source/Unit: Collins / 1-5
Date Received: December 15, 1995
Date Issued: December 5, 1997
Effective Date: January 1, 2000
Expiration Date: December 31, 2004

STATEMENT OF BASIS:

In accordance with Section 38.6(17)(b), Title IV, Acid Rain Provisions, of the Illinois Environmental Protection Act [415 ILCS 5/1 et Seq.] and Titles IV and V of the Clean Air Act, the Illinois Environmental Protection Agency is issuing this Acid Rain Program Phase II permit for the Commonwealth Edison Company Collins plant.

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

		2000	2001	2002	2003	2004
UNIT 1	SO ₂ Allowances, under Tables 2.3, or 4 of 40 CFR Part 73	1,315	1,315	1,315	1,315	1,315

		2000	2001	2002	2003	2004
UNIT 2	SO ₂ Allowances, under Tables 2.3, or 4 of 40 CFR Part 73	1,123	1,123	1,123	1,123	1,123

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