



# GEORGIA

DEPARTMENT OF NATURAL RESOURCES

## ENVIRONMENTAL PROTECTION DIVISION

### Air Quality - Part 70 Operating Permit

**Facility Name:** Hawk Road Energy Facility  
**Facility Address:** 624 Hawk Road  
Franklin, Georgia 30217, Heard County  
**Mailing Address:** 2100 East Exchange Place  
Tucker, Georgia 30084  
**Parent/Holding Company:** Oglethorpe Power Corporation  
**Facility AIRS Number:** 04-13-149-00005

In accordance with the provisions of the Georgia Air Quality Act, O.C.G.A. Section 12-9-1, et seq and the Georgia Rules for Air Quality Control, Chapter 391-3-1, adopted pursuant to and in effect under the Act, the Permittee described above is issued a Part 70 Permit for:

**The operation of three simple-cycle combustion turbines for the production of electricity. Combustion turbines CT1 and CT2 have a maximum power output rating of 179 MW, each, and CT3 has a maximum power output rating of 208 MW. The combustion turbines are fired with natural gas, and utilize Dry Low NOx burner technology and water injection for NOx emission reduction.**

This Permit is conditioned upon compliance with all provisions of The Georgia Air Quality Act, O.C.G.A. Section 12-9-1, et seq, the Rules, Chapter 391-3-1, adopted and in effect under that Act, or any other condition of this Permit. Unless modified or revoked, this Permit expires five years after the issuance date indicated above.

This Permit may be subject to revocation, suspension, modification or amendment by the Director for cause including evidence of noncompliance with any of the above, for any misrepresentation made in Title V Application TV-250420 signed on November 19, 2018, any other applications upon which this Permit is based, supporting data entered therein or attached thereto, or any subsequent submittal of supporting data, or for any alterations affecting the emissions from this source.

This Permit is further subject to and conditioned upon the terms, conditions, limitations, standards, or schedules contained in or specified on the attached **38** pages.



DRAFT

Richard E. Dunn, Director  
Environmental Protection Division

## Table of Contents

<b>PART 1.0</b>	<b>FACILITY DESCRIPTION .....</b>	<b>1</b>
1.1	Site Determination .....	1
1.2	Previous and/or Other Names .....	1
1.3	Overall Facility Process Description.....	1
<b>PART 2.0</b>	<b>REQUIREMENTS PERTAINING TO THE ENTIRE FACILITY .....</b>	<b>2</b>
2.1	Facility Wide Emission Caps and Operating Limits .....	2
2.2	Facility Wide Federal Rule Standards.....	2
2.3	Facility Wide SIP Rule Standards.....	2
2.4	Facility Wide Standards Not Covered by a Federal or SIP Rule and Not Instituted as an Emission Cap or Operating Limit .....	2
<b>PART 3.0</b>	<b>REQUIREMENTS FOR EMISSION UNITS .....</b>	<b>3</b>
3.1	Emission Units .....	3
3.2	Equipment Emission Caps and Operating Limits .....	3
3.3	Equipment Federal Rule Standards .....	3
3.4	Equipment SIP Rule Standards .....	4
3.5	Equipment Standards Not Covered by a Federal or SIP Rule and Not Instituted as an Emission Cap or Operating Limit .....	4
<b>PART 4.0</b>	<b>REQUIREMENTS FOR TESTING.....</b>	<b>5</b>
4.1	General Testing Requirements .....	5
4.2	Specific Testing Requirements .....	6
<b>PART 5.0</b>	<b>REQUIREMENTS FOR MONITORING (Related to Data Collection) .....</b>	<b>7</b>
5.1	General Monitoring Requirements.....	7
5.2	Specific Monitoring Requirements .....	7
<b>PART 6.0</b>	<b>RECORD KEEPING AND REPORTING REQUIREMENTS .....</b>	<b>10</b>
6.1	General Record Keeping and Reporting Requirements .....	10
6.2	Specific Record Keeping and Reporting Requirements.....	12
<b>PART 7.0</b>	<b>OTHER SPECIFIC REQUIREMENTS.....</b>	<b>16</b>
7.1	Operational Flexibility .....	16
7.2	Off-Permit Changes .....	16
7.3	Alternative Requirements.....	17
7.4	Insignificant Activities .....	17
7.5	Temporary Sources .....	17
7.6	Short-term Activities .....	17
7.7	Compliance Schedule/Progress Reports .....	17
7.8	Emissions Trading.....	17
7.9	Acid Rain Requirements .....	17
7.10	Prevention of Accidental Releases (Section 112(r) of the 1990 CAAA).....	19
7.11	Stratospheric Ozone Protection Requirements (Title VI of the CAAA of 1990) .....	21
7.12	Revocation of Existing Permits and Amendments.....	21
7.13	Pollution Prevention.....	22
7.14	Specific Conditions .....	22
7.15	Cross State Air Pollution Rule (CSAPR) Allowance Trading Program Requirements.....	22
<b>PART 8.0</b>	<b>GENERAL PROVISIONS.....</b>	<b>23</b>
8.1	Terms and References .....	23
8.2	EPA Authorities .....	23
8.3	Duty to Comply.....	23

## Title V Permit

Hawk Road Energy Facility

Permit No.: 4911-149-0005-V-08-0

8.4	Fee Assessment and Payment .....	24
8.5	Permit Renewal and Expiration .....	24
8.6	Transfer of Ownership or Operation .....	24
8.7	Property Rights.....	24
8.8	Submissions.....	25
8.9	Duty to Provide Information .....	25
8.10	Modifications .....	26
8.11	Permit Revision, Revocation, Reopening and Termination.....	26
8.12	Severability .....	27
8.13	Excess Emissions Due to an Emergency .....	27
8.14	Compliance Requirements .....	28
8.15	Circumvention.....	30
8.16	Permit Shield.....	30
8.17	Operational Practices .....	31
8.18	Visible Emissions.....	31
8.19	Fuel-burning Equipment .....	31
8.20	Sulfur Dioxide.....	32
8.21	Particulate Emissions .....	32
8.22	Fugitive Dust.....	32
8.23	Solvent Metal Cleaning.....	33
8.24	Incinerators.....	34
8.25	Volatile Organic Liquid Handling and Storage .....	34
8.26	Use of Any Credible Evidence or Information .....	35
8.27	Internal Combustion Engines.....	35
8.28	Boilers and Process Heaters .....	36
<b>Attachments .....</b>		<b>38</b>
A. List of Standard Abbreviations and List of Permit Specific Abbreviations		
B. Insignificant Activities Checklist, Insignificant Activities Based on Emission Levels and Generic Emission Groups		
C. List of References		
D. U.S. EPA Acid Rain Program Permit Application for Phase II NO <sub>x</sub> Averaging Plan		

**PART 1.0 FACILITY DESCRIPTION**

**1.1 Site Determination**

There are no other facilities adjacent and under common control to the Title V site. However, the electric power generating facility, Tenaska Georgia Partners, L.P., AIRS No. 149-00004, is located less than a mile away from the Title V site, but it has no affiliation with Oglethorpe Power Corporation.

**1.2 Previous and/or Other Names**

Heard County Power, LLC

**1.3 Overall Facility Process Description**

The facility consists of three Siemens Westinghouse 501F simple cycle combustion turbines (CT1, CT2, and CT3). Combustion turbines, CT1, CT2, and CT3, have a design power output of 179 megawatts (MW), 179 MW, and 208 MW, respectively. Each combustion turbine has a maximum heat input of 1,820 million Btu/hr. All three units fire natural gas exclusively, and each unit exhausts through its own stack. The facility receives natural gas from the Transco Natural Gas Pipeline, which is then heated by hot compressed air from the combustion turbine compressors. The combustion turbines use Dry Low NOx burner systems to minimize the nitrogen oxide emissions. Water, injected into the pilot nozzle of the combustion basket, may be added to further reduce the NOx emissions.

**PART 2.0 REQUIREMENTS PERTAINING TO THE ENTIRE FACILITY**

**2.1 Facility Wide Emission Caps and Operating Limits**

None applicable.

**2.2 Facility Wide Federal Rule Standards**

None applicable.

**2.3 Facility Wide SIP Rule Standards**

None applicable.

**2.4 Facility Wide Standards Not Covered by a Federal or SIP Rule and Not Instituted as an Emission Cap or Operating Limit**

None applicable.

## Title V Permit

Hawk Road Energy Facility

Permit No.: 4911-149-0005-V-08-0

### PART 3.0 REQUIREMENTS FOR EMISSION UNITS

Note: Except where an applicable requirement specifically states otherwise, the averaging times of any of the Emissions Limitations or Standards included in this permit are tied to or based on the run time(s) specified for the applicable reference test method(s) or procedures required for demonstrating compliance.

#### 3.1 Emission Units

Emission Units		Specific Limitations/Requirements		Air Pollution Control Devices	
ID No.	Description	Applicable Requirements/Standards	Corresponding Permit Conditions	ID No.	Description
CT1	Siemens Westinghouse 501F Combustion Turbine	391-3-1-.02(2)(b) 391-3-1-.02(2)(g) 391-3-1-.02(2)(nnn) 40 CFR 52.21(j) 40 CFR 60, Subpart GG 40 CFR 64 Acid Rain Regulations CSAPR Regulations	3.3.1, 3.3.2, 3.3.3, 3.3.4, 3.3.5, 3.4.1, 5.2.1, 5.2.2, 5.2.3, 5.2.4, 5.2.5, 6.2.1, 6.2.2, 6.2.3, 6.2.6, 6.2.7, 6.2.8, 6.2.9, 6.2.10	DLN WI	Dry Low NOx Combustor Water Injection
CT2	Siemens Westinghouse 501F Combustion Turbine	391-3-1-.02(2)(b) 391-3-1-.02(2)(g) 391-3-1-.02(2)(nnn) 40 CFR 52.21(j) 40 CFR 60, Subpart GG 40 CFR 64 Acid Rain Regulations CSAPR Regulations	3.3.1, 3.3.2, 3.3.3, 3.3.4, 3.3.5, 3.4.1, 5.2.1, 5.2.2, 5.2.3, 5.2.4, 5.2.5, 6.2.1, 6.2.2, 6.2.3, 6.2.6, 6.2.7, 6.2.8, 6.2.9, 6.2.10	DLN WI	Dry Low NOx Combustor Water Injection
CT3	Siemens Westinghouse 501F Combustion Turbine	391-3-1-.02(2)(b) 391-3-1-.02(2)(g) 391-3-1-.02(2)(nnn) 40 CFR 52.21(j) 40 CFR 60, Subpart GG 40 CFR 64 Acid Rain Regulations CSAPR Regulations	3.3.1, 3.3.2, 3.3.3, 3.3.4, 3.3.5, 3.4.1, 5.2.1, 5.2.2, 5.2.3, 5.2.4, 5.2.5, 6.2.1, 6.2.2, 6.2.3, 6.2.6, 6.2.7, 6.2.8, 6.2.9, 6.2.10	DLN WI	Dry Low NOx Combustor Water Injection

\* Generally applicable requirements contained in this permit may also apply to emission units listed above. The lists of applicable requirements/standards and corresponding permit conditions are intended as a compliance tool and may not be definitive.

#### 3.2 Equipment Emission Caps and Operating Limits

None Applicable.

#### 3.3 Equipment Federal Rule Standards

- 3.3.1 The Permittee shall limit the operation for combustion turbine, CT1, CT2, and CT3, each, so that the hours of operation in any twelve consecutive months period does not exceed 4,000 hours per year.  
[40 CFR 52.21(j)(2)]
- 3.3.2 The Permittee shall only fire pipe-line quality natural gas in combustion turbines CT1, CT2, and CT3.  
[40 CFR 52.21(j)(2), 40 CFR 60.333(b)(subsumed) and 391-3-1-.02(2)(g)(subsumed)]

- 3.3.3 The Permittee shall not discharge or cause the discharge into the atmosphere from any combustion turbine, CT1, CT2, and CT3, when burning natural gas in the turbine, excluding startup and shutdown periods, any gases which:
- a. Contain nitrogen oxides in excess of 15 ppmvd, corrected to 15 percent oxygen.  
[40 CFR 52.21(j)(2)]
  - b. Contain carbon monoxide in excess of 25 ppmvd, corrected to 15 percent oxygen.  
[40 CFR 52.21(j)(2)]
  - c. Contain particulate matter in excess of 0.005 pounds per million Btu heat input, higher heating value, HHV.  
[40 CFR 52.21(j)(2)]
  - d. Exhibit greater than 10 percent opacity.  
[40 CFR 52.21(j)(2)]
- 3.3.4 The Permittee shall not discharge or cause the discharge into the atmosphere from any combustion turbine, CT1, CT2, and CT3, nitrogen oxide emissions, including emissions occurring during startup and shutdown, in excess of 210 tons during any twelve consecutive months.  
[40 CFR 52.21(j)(2)]
- 3.3.5 The Permittee shall not discharge or cause the discharge into the atmosphere from any combustion turbine, CT1, CT2, and CT3, when burning natural gas in the turbine, excluding startup and shutdown periods, any gases which:
- a. Contain nitrogen oxides in excess of the value as calculated in the equation below, corrected to 15 percent oxygen.  
[40 CFR 60.332(a)(1)]

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

### 3.4 Equipment SIP Rule Standards

- 3.4.1 The Permittee shall not discharge, or cause the discharge, into the atmosphere, from each combustion turbine, CT1, CT2, and CT3, emissions of nitrogen oxides (NO<sub>x</sub>) in excess of 30 ppmvd at 15% oxygen over a three-hour average. This condition shall apply during the period of May 1 through September 30 of each year.  
[391-3-1-.02(2)(nnn)1(i)]

### 3.5 Equipment Standards Not Covered by a Federal or SIP Rule and Not Instituted as an Emission Cap or Operating Limit

None Applicable.

**PART 4.0 REQUIREMENTS FOR TESTING****4.1 General Testing Requirements**

- 4.1.1 The Permittee shall cause to be conducted a performance test at any specified emission unit when so directed by the Environmental Protection Division (“Division”). The test results shall be submitted to the Division within 60 days of the completion of the testing. Any tests shall be performed and conducted using methods and procedures that have been previously specified or approved by the Division.  
[391-3-1-.02(6)(b)1(i)]
- 4.1.2 The Permittee shall provide the Division thirty (30) days (or sixty (60) days for tests required by 40 CFR Part 63) prior written notice of the date of any performance test(s) to afford the Division the opportunity to witness and/or audit the test, and shall provide with the notification a test plan in accordance with Division guidelines.  
[391-3-1-.02(3)(a) and 40 CFR 63.7(b)(1)]
- 4.1.3 Performance and compliance tests shall be conducted and data reduced in accordance with applicable procedures and methods specified in the Division’s Procedures for Testing and Monitoring Sources of Air Pollutants. The methods for the determination of compliance with emission limits listed under Sections 3.2, 3.3, 3.4 and 3.5 are as follows:
- a. Method 1 shall be used for the determination of sample point locations,
  - b. Method 2 shall be used for the determination of stack gas flow rate,
  - c. Method 3 or 3A shall be used for the determination of stack gas molecular weight,
  - d. Method 3B shall be used for the determination of the emissions rate correction factor or excess air. Method 3A may be used as an alternative to Method 3B,
  - e. Method 4 shall be used for the determination of stack gas moisture,
  - f. Method 5 shall be used for the determination of particulate matter concentration. The minimum sampling time for each run shall be one hour.
  - g. Method 7E shall be used for the determination of nitrogen oxides concentration from the combustion sources for purposes of verifying compliance with the emissions limitations. The sampling time for each test run shall be at least 60 minutes.
  - h. Method 9 and the procedures contained in Section 1.3 of the above reference document shall be used for the determination of opacity,
  - i. Method 10 shall be used for the determination of carbon monoxide concentration. The sampling time for each test run shall be at least 60 minutes.
  - j. Method 19, shall be used, when applicable, to convert particulate matter, carbon monoxide, volatile organic compounds, and nitrogen oxides concentrations (i.e.



grains/dscf for PM, ppm for gaseous pollutants), as determined using other methods specified in this section, to emission rates (i.e., lb/MMBtu).

- k. Method 20 shall be used for the determination of NO<sub>x</sub> concentration from combustion turbines CT1, CT2, and CT3, for the purpose of determining compliance with the nitrogen oxides limitation of 40 CFR 60, Subpart GG and Condition 3.3.3(a)

Minor changes in methodology may be specified or approved by the Director or his designee when necessitated by process variables, changes in facility design, or improvement or corrections that, in his opinion, render those methods or procedures, or portions thereof, more reliable.

[391-3-1-.02(3)(a)]

- 4.1.4 The Permittee shall submit performance test results to the US EPA's Central Data Exchange (CDX) using the Compliance and Emissions Data Reporting Interface (CEDRI) in accordance with any applicable NSPS or NESHAP standards (40 CFR 60 or 40 CFR 63) that contain Electronic Data Reporting Requirements. This Condition is only applicable if required by an applicable standard and for the pollutant(s) subject to said standard.

[391-3-1-.02(8)(a) and 391-3-1-.02(9)(a)]

## **4.2 Specific Testing Requirements**

None applicable.

**PART 5.0 REQUIREMENTS FOR MONITORING (Related to Data Collection)****5.1 General Monitoring Requirements**

- 5.1.1 Any continuous monitoring system required by the Division and installed by the Permittee shall be in continuous operation and data recorded during all periods of operation of the affected facility except for continuous monitoring system breakdowns and repairs. Monitoring system response, relating only to calibration checks and zero and span adjustments, shall be measured and recorded during such periods. Maintenance or repair shall be conducted in the most expedient manner to minimize the period during which the system is out of service.  
[391-3-1-.02(6)(b)1]

**5.2 Specific Monitoring Requirements**

- 5.2.1 The Permittee shall install, calibrate, maintain, and operate a system to continuously monitor and record the indicated pollutants on the following equipment. Each system shall meet the applicable performance specification(s) of the Division's monitoring requirements.  
[391-3-1-.02(6)(b)1, 40 CFR 70.6(a)(3)(i), and 40 CFR 60.334]
- a. A Continuous Emissions Monitoring System (CEMS) for measuring nitrogen oxides (NO<sub>x</sub>) concentrations in ppm and diluent concentration (Oxygen) in percent in the discharge to the atmosphere from each simple cycle combustion turbine (Source Codes CT1, CT2, and CT3). The one-hour average nitrogen oxides emissions rates shall be recorded in pound per million Btu heat input, on a lower heating value basis (LHV), and ppmvd, corrected to 15 percent oxygen. For the purposes of verifying compliance with Condition 3.3.3.a, valid data shall be determined as prescribed in Section 1.4 of the Division's **Procedures for Testing and Monitoring Sources of Air Pollutants**. Each clock hour begins a new one-hour period.
- 5.2.2 The Permittee shall install, calibrate, maintain, and operate a system to continuously monitor and record the indicated parameters on the following equipment. Where such performance specification(s) exist, each system shall meet the applicable performance specification(s) of the Division's monitoring requirements.  
[391-3-1-.02(6)(b), 40 CFR 70.6(a)(3)(i), and 40 CFR 52.21]
- a. The cumulation of hours of operation for each turbine, CT1, CT2, and CT3. Data shall be recorded monthly.
- b. The quantity of natural gas, burned in each combustion turbine shall be recorded in million BTUs per hour.
- 5.2.3 The Permittee shall calculate a three-hour average NO<sub>x</sub> emission rate (in ppmvd corrected to 15% oxygen) for each turbine using the NO<sub>x</sub> emission rate determined in accordance with Condition 5.2.1.a. This condition applies from May 1 through September 30 of each year.

## Title V Permit

An operating hour is per the definition in the Georgia EPD's Procedures for Testing and Monitoring Sources of Air Pollutants, Section 1.4, Monitoring Requirements. Section 4.1(h)(2)(i)-(ii) states that a full operating hour (any clock hour with 60 minutes of unit operation) requires at least four valid data points to calculate the hourly average, meaning one data point in each of the 15-minute quadrants of the hour. A partial operating hour (any clock hour with less than 60 minutes of unit operation) must have at least one valid data point in each 15-minute quadrant of the hour in which the unit is operating in order to calculate the hourly average. Exceptions are provided in 4.1(h)(2)(iii) for time when required maintenance or quality-assurance activities are performed during an operating hour. [91-3-1-.02(6)(b)1 and 40 CFR 70.6(a)(3)(i)]

- 5.2.4 The following pollutant specific emission units (PSEU) are subject to the Compliance Assurance Monitoring (CAM) Rule in 40 CFR 64.

Emission Unit	Pollutant
CT1, CT2, CT3	NOx

Permit conditions in this permit for the PSEU(s) listed above with regulatory citation 40 CFR 70.6(a)(3)(i) are included for the purpose of complying with 40 CFR 64. In addition, the Permittee shall meet the requirements, as applicable, of 40 CFR 64.7, 64.8, and 64.9. [40 CFR 64]

- 5.2.5 The Permittee shall comply with the performance criteria listed in the table below for the NOx emissions from CT1, CT2 and CT3. [40 CFR 64.6(c)(1)(iii)]

Performance Criteria [64.4(a)(3)]	Indicator No. 1 CEMS NOx Value
A. Data Representativeness [64.3(b)(1)]	The following instrumentation are for the continuously determining emissions from the turbine exhaust.  <ol style="list-style-type: none"><li>1. NOx CEMS measuring in concentration, ppmv (dry basis), and :</li><li>2. O2 as diluent for the CEMS measuring in percent (dry basis).</li></ol> Note: CEMS originally installed per applicable performance Specification (40CFR60 App B)..
B. Verification of Operational Status (new/modified monitoring equipment only) [64.3(b)(2)]	Not applicable (existing equipment)

## Title V Permit

Hawk Road Energy Facility

Permit No.: 4911-149-0005-V-08-0

<b>Performance Criteria [64.4(a)(3)]</b>	<b>Indicator No. 1 CEMS NOx Value</b>
C. QA/QC Practices and Criteria [64.3(b)(3)]	Following QA/QC Practices:  NOx and O2 analyzers are span and zero calibration check daily, when operating. A RATA is performed per Part 75 Procedures. They are maintained according to the QA/QC program developed specifically for the plant and Part 75 requirements.
D. Monitoring Frequency [64.3(b)(4)]	Measured continuously except during calibration and maintenance.
E. Data Collection Procedures [64.3(b)(4)]	Digital recordings onto permanent digital storage media.
F. Averaging Period [64.3(b)(4)]	All data points monitored and recorded are used to calculate the 1-hour average, excluding startup and shutdown, & 3-hour rolling averages.

**PART 6.0 RECORD KEEPING AND REPORTING REQUIREMENTS****6.1 General Record Keeping and Reporting Requirements**

- 6.1.1 Unless otherwise specified, all records required to be maintained by this Permit shall be recorded in a permanent form suitable for inspection and submission to the Division and to the EPA. The records shall be retained for at least five (5) years following the date of entry.

[391-3-1-.02(6)(b)1(i) and 40 CFR 70.6(a)(3)]

- 6.1.2 In addition to any other reporting requirements of this Permit, the Permittee shall report to the Division in writing, within seven (7) days, any deviations from applicable requirements associated with any malfunction or breakdown of process, fuel burning, or emissions control equipment for a period of four hours or more which results in excessive emissions.

The Permittee shall submit a written report that shall contain the probable cause of the deviation(s), duration of the deviation(s), and any corrective actions or preventive measures taken.

[391-3-1-.02(6)(b)1(iv), 391-3-1-.03(10)(d)1(i) and 40 CFR 70.6(a)(3)(iii)(B)]

- 6.1.3 The Permittee shall submit written reports of any failure to meet an applicable emission limitation or standard contained in this permit and/or any failure to comply with or complete a work practice standard or requirement contained in this permit which are not otherwise reported in accordance with Conditions 6.1.4 or 6.1.2. Such failures shall be determined through observation, data from any monitoring protocol, or by any other monitoring which is required by this permit. The reports shall cover each semiannual period ending June 30 and December 31 of each year, shall be postmarked by August 29 and February 28, respectively following each reporting period, and shall contain the probable cause of the failure(s), duration of the failure(s), and any corrective actions or preventive measures taken.

[391-3-1-.03(10)(d)1.(i) and 40 CFR 70.6(a)(3)(iii)(B)]

- 6.1.4 The Permittee shall submit a written report containing any excess emissions, exceedances, and/or excursions as described in this permit and any monitor malfunctions for each quarterly period ending March 31, June 30, September 30, and December 31 of each year. All reports shall be postmarked by May 30, August 29, November 29, and February 28, respectively, following each reporting period. In the event that there have not been any excess emissions, exceedances, excursions or malfunctions during a reporting period, the report should so state. Otherwise, the contents of each report shall be as specified by the Division's Procedures for Testing and Monitoring Sources of Air Pollutants and shall contain the following:

[391-3-1-.02(6)(b)1 and 40 CFR 70.6(a)(3)(iii)(A)]

- a. A summary report of excess emissions, exceedances and excursions, and monitor downtime, in accordance with Section 1.5(c) and (d) of the above referenced document, including any failure to follow required work practice procedures.
- b. Total process operating time during each reporting period.

- c. The magnitude of all excess emissions, exceedances and excursions computed in accordance with the applicable definitions as determined by the Director, and any conversion factors used, and the date and time of the commencement and completion of each time period of occurrence.
- d. Specific identification of each period of such excess emissions, exceedances, and excursions that occur during startups, shutdowns, or malfunctions of the affected facility. Include the nature and cause of any malfunction (if known), the corrective action taken or preventive measures adopted.
- e. The date and time identifying each period during which any required monitoring system or device was inoperative (including periods of malfunction) except for zero and span checks, and the nature of the repairs, adjustments, or replacement. When the monitoring system or device has not been inoperative, repaired, or adjusted, such information shall be stated in the report.
- f. Certification by a Responsible Official that, based on information and belief formed after reasonable inquiry, the statements and information in the report are true, accurate, and complete.

6.1.5 Where applicable, the Permittee shall keep the following records:  
[391-3-1-.03(10)(d)1(i) and 40 CFR 70.6(a)(3)(ii)(A)]

- a. The date, place, and time of sampling or measurement;
- b. The date(s) analyses were performed;
- c. The company or entity that performed the analyses;
- d. The analytical techniques or methods used;
- e. The results of such analyses; and
- f. The operating conditions as existing at the time of sampling or measurement.

6.1.6 The Permittee shall maintain files of all required measurements, including continuous monitoring systems, monitoring devices, and performance testing measurements; all continuous monitoring system or monitoring device calibration checks; and adjustments and maintenance performed on these systems or devices. These files shall be kept in a permanent form suitable for inspection and shall be maintained for a period of at least five (5) years following the date of such measurements, reports, maintenance and records.  
[391-3-1-.03(10)(d)1(i) and 40 CFR 70.6 (a)(3)(ii)(B)]

6.1.7 For the purpose of reporting excess emissions, exceedances or excursions in the report required in Condition 6.1.4, the following excess emissions, exceedances, and excursions shall be reported:

[391-3-1-.02(6)(b)1 and 40 CFR 70.6(a)(3)(iii)]

a. Excess emissions: (means for the purpose of this Condition and Condition 6.1.4, any condition that is detected by monitoring or record keeping which is specifically defined, or stated to be, excess emissions by an applicable requirement)

i. None required to be reported in accordance with Condition 6.1.4.

b. Exceedances: (means for the purpose of this Condition and Condition 6.1.4, any condition that is detected by monitoring or record keeping that provides data in terms of an emission limitation or standard and that indicates that emissions (or opacity) do not meet the applicable emission limitation or standard consistent with the averaging period specified for averaging the results of the monitoring)

i. Any one-hour average period, excluding startup and shutdown, for which the average NO<sub>x</sub> emission rate while firing natural gas, determined in accordance with Condition 5.2.1.a, exceeds 15 ppmvd corrected to 15% oxygen for each combustion turbine (Source Codes CT1, CT2, and CT3). For the purpose of this condition, each clock hour begins a new one-hour period.

[391-3-1.02(6)(b)1, 40 CFR 70.6(a)(3)(i); 40 CFR 52.21]

ii. Any four-hour average period, for which the average NO<sub>x</sub> emission rate while firing natural gas, determined in accordance with Condition 5.2.1.a, exceeds the value calculated per Condition 3.3.5, corrected to 15% oxygen for each combustion turbine (Source Codes CT1, CT2, and CT3). For the purpose of this condition, each clock hour begins a new four-hour period.

[391-3-1.02(6)(b)1, 40 CFR 70.6(a)(3)(i); 40 CFR 60.334(j)(1)(iii)]

iii. Any three-hour period for which the average NO<sub>x</sub> emission rate, determined in accordance with Condition 5.2.3 exceeds 30 ppmvd at 15% oxygen for each combustion turbine (Source Codes CT1, CT2, and CT3). For the purposes of this condition, each clock hour begins a new three-hour period. This condition applies from May 1 through September 30.

[391-3-1-.02(6)(b)1; 391-3-1-.02(2)(nnn), 40 CFR 70.6(a)(3)(i); 40 CFR 60.334(c)(1)(subsumed)]

iv. Any twelve consecutive month total NO<sub>x</sub> emissions (tons) for each combustion turbine (Source Codes CT1, CT2, and CT3) that exceeds 210 tons.

[391-3-1.02(6)(b)1, 40 CFR 52.21, and 40 CFR 70.6(a)(3)(i)]

v. Any twelve consecutive month total operation of any combustion turbine (Source Codes CT1, CT2, and CT3) exceeds 4000 hours.

[391-3-1.02(6)(b)1 and 40 CFR 70.6(a)(3)(i)]

- c. Excursions: (means for the purpose of this Condition and Condition 6.1.4, any departure from an indicator range or value established for monitoring consistent with any averaging period specified for averaging the results of the monitoring)
  - i. None required to be reported in accordance with Condition 6.1.4.

## 6.2 Specific Record Keeping and Reporting Requirements

- 6.2.1 The Permittee shall monitor the sulfur content of natural gas burned in the combustion turbines (Source Codes CT1, CT2, and CT3) by the record keeping of a semiannual analysis of the gas obtained from the supplier.  
[391-3-1-.02(6)(b)1; 40 CFR 70.6(a)(3)(i), 40 CFR 52.21, 40 CFR 60.334(h)(3)(ii)]
- 6.2.2 No determination of the nitrogen content of the natural gas burned in the combustion turbines (Source Codes CT1, CT2, and CT3) shall be required.  
[391-3-1-.02(6)(b)1; 40 CFR 70.6(a)(3)(i), 40 CFR 52.21, 40 CFR 60.334(h)(2)]
- 6.2.3 The Permittee shall determine and record the mass emission rate (lb/hr) of NO<sub>x</sub> from each combustion turbine, CT1, CT2 and CT3 for each hour or portion of each hour of operation. The hourly mass emission rate from each combustion turbine shall be calculated by multiplying the total NO<sub>x</sub> emissions in units of pounds per million Btu, determined in accordance with the procedures of 40 CFR Part 75, Section 3 of Appendix F, by the total heat input for that hour determined in accordance with the procedures of 40 CFR 75, Section 5.5 of Appendix F. These records (including calculations) shall be maintained in a form suitable for inspection or submittal.  
[391-3-1-.02(6)(b)1 and 40 CFR 70.6(a)(3)(i)]
- 6.2.4 The Permittee shall use the data required by Condition 5.2.2.a to determine and record the following:  
[391-3-1-.02(6)(b)1, 40 CFR 52.21, and 40 CFR 70.6(a)(3)(i)]
  - a. The total hours of operation of each combustion turbine CT1, CT2 and CT3 for each calendar month.
  - b. The twelve-consecutive month total hours of operation of each combustion turbine CT1, CT2 and CT3 for each calendar month. A rolling twelve consecutive month total shall be defined as the sum of the hours of operation for a calendar month plus the total hours of operation for the previous 11 consecutive months.
- 6.2.5 The Permittee shall submit a quarterly report containing the following information for each calendar month of the quarterly reporting period. The report shall be submitted with the report required by condition 6.1.4.  
[391-3-1-.02(6)(b)1 and 40 CFR 70.6(a)(3)(i)]
  - a. The rolling twelve consecutive month average hours of operation for each combustion turbine, CT1, CT2 and CT3.



- b. The rolling twelve consecutive month total NO<sub>x</sub> emissions (in tons) from each combustion turbine, CT1, CT2 and CT3 as recorded by Conditions 6.2.8 and 6.2.9.
- 6.2.6 The following definitions of startup and shutdown, as used in Condition Nos. 3.3.3, 3.3.4, 6.1.7 and 6.2.7 shall apply to each combustion turbine, CT1, CT2 and CT3.  
[391-3-1-.02(6)(b)1, 40 CFR 52.21, and 40 CFR 70.6(a)(3)(i)]
  - a. The time allocated to a startup is 45 minutes or the time from reception of a signal from the turbine control system designating that the turbine load is at the dispatched load, whichever is less. Dispatched load occurs when the gas turbine's MW load has stabilized and NO<sub>x</sub> emissions are at or below 15 ppm corrected (based on a 5 minute average). For purposes of this permit the term "startup" refers to a cold startup, warm startup and/or hot startup.
  - b. Time allocated to a shutdown is zero to thirty minutes.
  - c. The defined startup period for the turbines is extended to 4 hours maximum for special testing. Additionally, the total duration of special testing is extended to no more than 10 hours per calendar year.
- 6.2.7 The Permittee shall maintain the following records as they relate to the startup and shutdown of each combustion turbine (Source Codes CT1, CT2 and CT3).  
[391-3-1-.02(6)(b)1, 40 CFR 52.21, and 40 CFR 70.6(a)(3)(i)]
  - a. The time that startup is initiated, the date, the minutes attributed to the startup and the minutes attributed to shutdown. If the turbine was not in operation on any given day, the records shall so note.
  - b. The Permittee shall provide notice to the Division in advance to any special testing as identified in condition 6.2.6
- 6.2.8 The Permittee shall use the records required by Condition 6.2.3 to determine the monthly mass emission rate, in tons per month, of nitrogen oxides from each combustion turbine, CT1, CT2 and CT3. These records (including calculations) shall be maintained as part of the monthly record suitable for inspection or submittal.  
[391-3-1-.02(6)(b)1, 40 CFR 52.21 and 40 CFR 70.6(a)(3)(i)]
- 6.2.9 The Permittee shall use the records required by Condition 6.2.8 to determine and record the twelve consecutive month total emission rate, in tons, of NO<sub>x</sub> emissions from each combustion turbine (Source Codes CT1, CT2 and CT3). A twelve consecutive month total shall be the total for a month in the reporting period plus the totals for the previous eleven consecutive months. These records (including calculations) shall be maintained as part of the monthly record suitable for inspection or submittal.  
[391-3-1-.02(6)(b)1, 40 CFR 52.21, and 40 CFR 70.6(a)(3)(i)]

## Title V Permit

Hawk Road Energy Facility

Permit No.: 4911-149-0005-V-08-0

---

- 6.2.10 For each hour of operation of the combustion turbines (Source Codes CT1, CT2 and CT3), the Permittee shall correct the emissions of nitrogen oxides to 15 percent oxygen using the following equation:

[391-3-1-.02(6)(b)1, 40 CFR 52.21, and 40 CFR 70.6(a)(3)(i)]

$$C_{adj} = C_d * \{(20.9-15) / (20.9 - \%O_2)\}$$

**PART 7.0 OTHER SPECIFIC REQUIREMENTS****7.1 Operational Flexibility**

7.1.1 The Permittee may make Section 502(b)(10) changes as defined in 40 CFR 70.2 without requiring a Permit revision, if the changes are not modifications under any provisions of Title I of the Federal Act and the changes do not exceed the emissions allowable under the Permit (whether expressed therein as a rate of emissions or in terms of total emissions). For each such change, the Permittee shall provide the Division and the EPA with written notification as required below in advance of the proposed changes and shall obtain any Permits required under Rules 391-3-1-.03(1) and (2). The Permittee and the Division shall attach each such notice to their copy of this Permit.  
[391-3-1-.03(10)(b)5 and 40 CFR 70.4(b)(12)(i)]

- a. For each such change, the Permittee's written notification and application for a construction Permit shall be submitted well in advance of any critical date (typically at least 3 months in advance of any commencement of construction, Permit issuance date, etc.) involved in the change, but no less than seven (7) days in advance of such change and shall include a brief description of the change within the Permitted facility, the date on which the change is proposed to occur, any change in emissions, and any Permit term or condition that is no longer applicable as a result of the change.
- b. The Permit shield described in Condition 8.16.1 shall not apply to any change made pursuant to this condition.

**7.2 Off-Permit Changes**

7.2.1 The Permittee may make changes that are not addressed or prohibited by this Permit, other than those described in Condition 7.2.2 below, without a Permit revision, provided the following requirements are met:  
[391-3-1-.03(10)(b)6 and 40 CFR 70.4(b)(14)]

- a. Each such change shall meet all applicable requirements and shall not violate any existing Permit term or condition.
- b. The Permittee must provide contemporaneous written notice to the Division and to the EPA of each such change, except for changes that qualify as insignificant under Rule 391-3-1-.03(10)(g). Such written notice shall describe each such change, including the date, any change in emissions, pollutants emitted, and any applicable requirement that would apply as a result of the change.
- c. The change shall not qualify for the Permit shield in Condition 8.16.1.
- d. The Permittee shall keep a record 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 the Permit, and the emissions resulting from those changes.

7.2.2 The Permittee shall not make, without a Permit revision, any changes that are not addressed or prohibited by this Permit, if such changes are subject to any requirements under Title IV of the Federal Act or are modifications under any provision of Title I of the Federal Act.  
[Rule 391-3-1-.03(10)(b)7 and 40 CFR 70.4(b)(15)]

**7.3 Alternative Requirements**

[White Paper #2]

Not Applicable.

**7.4 Insignificant Activities**

(see Attachment B for the list of Insignificant Activities in existence at the facility at the time of permit issuance)

**7.5 Temporary Sources**

[391-3-1-.03(10)(d)5 and 40 CFR 70.6(e)]

Not Applicable.

**7.6 Short-term Activities**

(see Form D5 “Short Term Activities” of the Permit application and White Paper #1)

Not Applicable.

**7.7 Compliance Schedule/Progress Reports**

[391-3-1-.03(10)(d)3 and 40 CFR 70.6(c)(4)]

None applicable.

**7.8 Emissions Trading**

[391-3-1-.03(10)(d)1(ii) and 40 CFR 70.6(a)(10)]

Not Applicable.

**7.9 Acid Rain Requirements**

Facility ORIS Code: 55141

Effective: January 1, 2019 through December 31, 2023

7.9.1 Emissions, which exceed any allowances that the Permittee lawfully holds under Title IV of the 1990 CAAA, or the regulations promulgated thereunder, are expressly prohibited.  
[40 CFR 70.6(a)(4)]

7.9.2 Permit revisions are not required for increases in emissions that are authorized by SO<sub>2</sub> allowances acquired pursuant to the States Acid Rain Program, provided that such increases do not require a permit revision under any other applicable requirement.  
[40 CFR 70.6(a)(4)(i)]

## Title V Permit

- 7.9.3 This Permit does not place limits on the number of SO<sub>2</sub> allowances the Permittee may hold. However, the Permittee may not use allowances as a defense to noncompliance with any other applicable requirement.  
[40 CFR 70.6(a)(4)(ii)]
- 7.9.4 Any SO<sub>2</sub> allowances held by the Permittee shall be accounted for according to the procedures established in regulations promulgated under Title IV of the 1990 CAAA.  
[40 CFR 70.6(a)(4)(iii)]
- 7.9.5 Each affected unit, with the exceptions specified in 40 CFR 72.9(g)(6), operated in accordance with the Acid Rain portion of this Permit shall be deemed to be operating in compliance with the Acid Rain Program.  
[40 CFR 70.6(f)(3)(iii)]
- 7.9.6 Where an applicable requirement is more stringent than an applicable requirement of regulations promulgated under Title IV of the 1990 CAAA, both provisions shall be incorporated into the Permit and shall be enforceable.  
[40 CFR 70.6(a)(1)(ii)]
- 7.9.7 SO<sub>2</sub> Allowance Allocations and NO<sub>x</sub> Requirements for each affected unit  
[40 CFR 73 (SO<sub>2</sub>) and 40 CFR 76 (NO<sub>x</sub>)]

			2019	2020	2021	2022	2023
EMISSION UNIT ID	EPA ID	SO <sub>2</sub> allowances, under Tables 2, 3, or 4 of 40 CFR part 73.	0	0	0	0	0
CT1	CT1						
		NO <sub>x</sub> limit	This affected unit is not subject to the NO <sub>x</sub> requirements in 40 CFR part 76.				

			2019	2020	2021	2022	2023
EMISSION UNIT ID	EPA ID	SO <sub>2</sub> allowances, under Tables 2, 3, or 4 of 40 CFR part 73.	0	0	0	0	0
CT2	CT2						
		NO <sub>x</sub> limit	This affected unit is not subject to the NO <sub>x</sub> requirements in 40 CFR part 76.				

## Title V Permit

Hawk Road Energy Facility

Permit No.: 4911-149-0005-V-08-0

			2019	2020	2021	2022	2023
EMISSION UNIT ID	EPA ID	SO <sub>2</sub> allowances, under Tables 2, 3, or 4 of 40 CFR part 73.	0	0	0	0	0
CT3	CT3	NO <sub>x</sub> limit	This affected unit is not subject to the NO <sub>x</sub> requirements in 40 CFR part 76.				

Note: The number of allowances allocated to Phase II affected units by U.S. EPA may change as a result of revisions to 40 CFR Part 73. In addition, the number of allowances actually held by an affected source in a unit account may differ from the number allocated by U.S. EPA. Neither of the aforementioned conditions necessitate a revision to the unit SO<sub>2</sub> allowance identified in this permit (See CFR 72.84).

- 7.9.8 Permit Application: Phase II Acid Rain Application is attached to this permit in Appendix D. The owners and operators of this source must comply with the standard requirements and special provisions set forth in the application.  
[40 CFR 72.5(a)(1)]

### 7.10 Prevention of Accidental Releases (Section 112(r) of the 1990 CAAA) [391-3-1-.02(10)]

- 7.10.1 When and if the requirements of 40 CFR Part 68 become applicable, the Permittee shall comply with all applicable requirements of 40 CFR Part 68, including the following.
- a. The Permittee shall submit a Risk Management Plan (RMP) as provided in 40 CFR 68.150 through 68.185. The RMP shall include a registration that reflects all covered processes.
  - b. For processes eligible for Program 1, as provided in 40 CFR 68.10, the Permittee shall comply with 7.10.1.a. and the following additional requirements:
    - i. Analyze the worst-case release scenario for the process(es), as provided in 40 CFR 68.25; document that the nearest public receptor is beyond the distance to a toxic or flammable endpoint defined in 40 CFR 68.22(a); and submit in the RMP the worst-case release scenario as provided in 40 CFR 68.165.
    - ii. Complete the five-year accident history for the process as provided in 40 CFR 68.42 and submit in the RMP as provided in 40 CFR 68.168
    - iii. Ensure that response actions have been coordinated with local emergency planning and response agencies
    - iv. Include a certification in the RMP as specified in 40 CFR 68.12(b)(4)

## Title V Permit

- c. For processes subject to Program 2, as provided in 40 CFR 68.10, the Permittee shall comply with 7.10.1.a., 7.10.1.b. and the following additional requirements:
  - i. Develop and implement a management system as provided in 40 CFR 68.15
  - ii. Conduct a hazard assessment as provided in 40 CFR 68.20 through 68.42
  - iii. Implement the Program 2 prevention steps provided in 40 CFR 68.48 through 68.60 or implement the Program 3 prevention steps provided in 40 CFR 68.65 through 68.87
  - iv. Develop and implement an emergency response program as provided in 40 CFR 68.90 through 68.95
  - v. Submit as part of the RMP the data on prevention program elements for Program 2 processes as provided in 40 CFR 68.170
- d. For processes subject to Program 3, as provided in 40 CFR 68.10, the Permittee shall comply with 7.10.1.a., 7.10.1.b. and the following additional requirements:
  - i. Develop and implement a management system as provided in 40 CFR 68.15
  - ii. Conduct a hazard assessment as provided in 40 CFR 68.20 through 68.42
  - iii. Implement the prevention requirements of 40 CFR 68.65 through 68.87
  - iv. Develop and implement an emergency response program as provided in 40 CFR 68.90 through 68.95
  - v. Submit as part of the RMP the data on prevention program elements for Program 3 as provided in 40 CFR 68.175
- e. All reports and notification required by 40 CFR Part 68 must be submitted electronically using RMP\*[eSubmit](http://www.epa.gov/rmp/rmpesubmit) (information for establishing an account can be found at [www.epa.gov/rmp/rmpesubmit](http://www.epa.gov/rmp/rmpesubmit)). Electronic Signature Agreements should be mailed to:

### MAIL

**Risk Management Program (RMP) Reporting Center  
P.O. Box 10162  
Fairfax, VA 22038**

### COURIER & FEDEX

**Risk Management Program (RMP) Reporting Center  
CGI Federal  
12601 Fair Lakes Circle  
Fairfax, VA 22033**

Compliance with all requirements of this condition, including the registration and submission of the RMP, shall be included as part of the compliance certification submitted in accordance with Condition 8.14.1.

## **7.11 Stratospheric Ozone Protection Requirements (Title VI of the CAAA of 1990)**

- 7.11.1 If the Permittee performs any of the activities described below or as otherwise defined in 40 CFR Part 82, the Permittee shall comply with the standards for recycling and emissions reduction pursuant to 40 CFR Part 82, Subpart F, except as provided for motor vehicle air conditioners (MVACs) in Subpart B:
- 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 appliance 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.
  - d. Persons disposing of small appliances, MVACs, and MVAC-like appliances must comply with record keeping requirements pursuant to 40 CFR 82.166.  
[Note: "MVAC-like appliance" is defined in 40 CFR 82.152.]
  - e. Persons owning commercial or industrial process refrigeration equipment must comply with the leak repair requirements pursuant to 40 CFR 82.156.
  - f. Owners/operators of appliances normally containing 50 or more pounds of refrigerant must keep records of refrigerant purchased and added to such appliances pursuant to 40 CFR 82.166.
- 7.11.2 If the Permittee performs a service on motor (fleet) vehicles and if this service involves an ozone-depleting substance (refrigerant) in the MVAC, the Permittee is subject to all the applicable requirements as specified in 40 CFR Part 82, Subpart B, Servicing of Motor Vehicle Air Conditioners.

The term "motor vehicle" as used in Subpart B does not include a vehicle in which final assembly of the vehicle has not been completed. The term "MVAC" as used in Subpart B does not include air-tight sealed refrigeration systems used for refrigerated cargo, or air conditioning systems on passenger buses using HCFC-22 refrigerant.

## **7.12 Revocation of Existing Permits and Amendments**

The following Air Quality Permits, Amendments, and 502(b)10 are subsumed by this permit and are hereby revoked:

<b>Air Quality Permit and Amendment Number(s)</b>	<b>Dates of Original Permit or Amendment Issuance</b>
4911-149-0005-V-07-0	June 25, 2014
4911-149-0005-V-07-1	November 12, 2014
4911-149-0005-V-07-2	July 5, 2018



**7.13 Pollution Prevention**

None applicable.

**7.14 Specific Conditions**

None applicable.

**7.15 Cross State Air Pollution Rule (CSAPR) Allowance Trading Program Requirements**  
[40 CFR 97]**7.15.1 CSAPR Units and Applicable CSAPR Programs.**

Unit ID#	NOx Annual	SO <sub>2</sub>	NOx Ozone Season
CT1	X	X	X
CT2	X	X	X
CT3	X	X	X

**7.15.2 Annual NO<sub>x</sub>, SO<sub>2</sub> and Ozone Season NO<sub>x</sub> emissions requirements.**

The owners and operators and the CSAPR designated representative of each CSAPR Annual NO<sub>x</sub> source, CSAPR SO<sub>2</sub> source and CSAPR Ozone Season NO<sub>x</sub> source and each CSAPR Annual NO<sub>x</sub> unit, CSAPR SO<sub>2</sub> unit, and CSAPR Ozone Season NO<sub>x</sub> unit at the source shall comply with the applicable requirements of the Annual NO<sub>x</sub>, SO<sub>2</sub>, and Ozone Season NO<sub>x</sub> Allowance Trading Programs as set forth in 40 CFR Part 97.

**7.15.3 Monitoring, reporting, and recordkeeping requirements.**

The owners and operators and the CSAPR designated representative of each CSAPR Annual NO<sub>x</sub> source, CSAPR SO<sub>2</sub> source and CSAPR Ozone Season NO<sub>x</sub> source and each CSAPR Annual NO<sub>x</sub> unit, CSAPR SO<sub>2</sub> unit, and CSAPR Ozone Season NO<sub>x</sub> unit at the source shall comply with the monitoring, reporting, and recordkeeping requirements of 40 CFR 97.430-97.435 (Annual NO<sub>x</sub>), 40 CFR 97.530-97.535 (Ozone Season NO<sub>x</sub>) and 40 CFR 97.730-97.735 (Annual SO<sub>2</sub>).

**PART 8.0 GENERAL PROVISIONS****8.1 Terms and References**

- 8.1.1 Terms not otherwise defined in the Permit shall have the meaning assigned to such terms in the referenced regulation.
- 8.1.2 Where more than one condition in this Permit applies to an emission unit and/or the entire facility, each condition shall apply and the most stringent condition shall take precedence.  
[391-3-1-.02(2)(a)2]

**8.2 EPA Authorities**

- 8.2.1 Except as identified as “State-only enforceable” requirements in this Permit, all terms and conditions contained herein shall be enforceable by the EPA and citizens under the Clean Air Act, as amended, 42 U.S.C. 7401, et seq.  
[40 CFR 70.6(b)(1)]
- 8.2.2 Nothing in this Permit shall alter or affect the authority of the EPA to obtain information pursuant to 42 U.S.C. 7414, “Inspections, Monitoring, and Entry.”  
[40 CFR 70.6(f)(3)(iv)]
- 8.2.3 Nothing in this Permit shall alter or affect the authority of the EPA to impose emergency orders pursuant to 42 U.S.C. 7603, “Emergency Powers.”  
[40 CFR 70.6(f)(3)(i)]

**8.3 Duty to Comply**

- 8.3.1 The Permittee shall comply with all conditions of this operating Permit. Any Permit noncompliance constitutes a violation of the Federal Clean Air Act and the Georgia Air Quality Act and/or State rules and is grounds for enforcement action; for Permit termination, revocation and reissuance, or modification; or for denial of a Permit renewal application. Any noncompliance with a Permit condition specifically designated as enforceable only by the State constitutes a violation of the Georgia Air Quality Act and/or State rules only and is grounds for enforcement action; for Permit termination, revocation and reissuance, or modification; or for denial of a Permit renewal application.  
[391-3-1-.03(10)(d)1(i) and 40 CFR 70.6(a)(6)(i)]
- 8.3.2 The Permittee shall not use as a defense in an enforcement action the contention that it would have been necessary to halt or reduce the Permitted activity in order to maintain compliance with the conditions of this Permit.  
[391-3-1-.03(10)(d)1(i) and 40 CFR 70.6(a)(6)(ii)]
- 8.3.3 Nothing in this Permit shall alter or affect the liability of the Permittee for any violation of applicable requirements prior to or at the time of Permit issuance.  
[391-3-1-.03(10)(d)1(i) and 40 CFR 70.6(f)(3)(ii)]

- 8.3.4 Issuance of this Permit does not relieve the Permittee from the responsibility of obtaining any other permits, licenses, or approvals required by the Director or any other federal, state, or local agency.  
[391-3-1-.03(10)(e)1(iv) and 40 CFR 70.7(a)(6)]

#### **8.4 Fee Assessment and Payment**

- 8.4.1 The Permittee shall calculate and pay an annual Permit fee to the Division. The amount of fee shall be determined each year in accordance with the “Procedures for Calculating Air Permit Fees.”  
[391-3-1-.03(9)]

#### **8.5 Permit Renewal and Expiration**

- 8.5.1 This Permit shall remain in effect for five (5) years from the issuance date. The Permit shall become null and void after the expiration date unless a timely and complete renewal application has been submitted to the Division at least six (6) months, but no more than eighteen (18) months prior to the expiration date of the Permit.  
[391-3-1-.03(10)(d)1(i), (e)2, and (e)3(ii) and 40 CFR 70.5(a)(1)(iii)]
- 8.5.2 Permits being renewed are subject to the same procedural requirements, including those for public participation and affected State and EPA review, that apply to initial Permit issuance.  
[391-3-1-.03(10)(e)3(i)]
- 8.5.3 Notwithstanding the provisions in 8.5.1 above, if the Division has received a timely and complete application for renewal, deemed it administratively complete, and failed to reissue the Permit for reasons other than cause, authorization to operate shall continue beyond the expiration date to the point of Permit modification, reissuance, or revocation.  
[391-3-1-.03(10)(e)3(iii)]

#### **8.6 Transfer of Ownership or Operation**

- 8.6.1 This Permit is not transferable by the Permittee. Future owners and operators shall obtain a new Permit from the Director. The new Permit may be processed as an administrative amendment if no other change in this Permit is necessary, and provided that a written agreement containing a specific date for transfer of Permit responsibility coverage and liability between the current and new Permittee has been submitted to the Division at least thirty (30) days in advance of the transfer.  
[391-3-1-.03(4)]

#### **8.7 Property Rights**

- 8.7.1 This Permit shall not convey property rights of any sort, or any exclusive privileges.  
[391-3-1-.03(10)(d)1(i) and 40 CFR 70.6(a)(6)(iv)]

## **8.8 Submissions**

- 8.8.1 Reports, test data, monitoring data, notifications, annual certifications, and requests for revision and renewal shall be submitted to:

**Georgia Department of Natural Resources  
Environmental Protection Division  
Air Protection Branch  
Atlanta Tradeport, Suite 120  
4244 International Parkway  
Atlanta, Georgia 30354-3908**

- 8.8.2 Any records, compliance certifications, and monitoring data required by the provisions in this Permit to be submitted to the EPA shall be sent to:

**Air and EPCRA Enforcement Branch – U. S. EPA Region 4  
Sam Nunn Atlanta Federal Center  
61 Forsyth Street, SW  
Atlanta, Georgia 30303-3104**

- 8.8.3 Any application form, report, or compliance certification submitted pursuant to this Permit shall contain a certification by a responsible official of its truth, accuracy, and completeness. This certification shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.  
[391-3-1-.03(10)(c)2, 40 CFR 70.5(d) and 40 CFR 70.6(c)(1)]

- 8.8.4 Unless otherwise specified, all submissions under this permit shall be submitted to the Division only.

## **8.9 Duty to Provide Information**

- 8.9.1 The Permittee, upon becoming aware that any relevant facts were omitted or incorrect information was submitted in the Permit application, shall promptly submit such supplementary facts or corrected information to the Division.  
[391-3-1-.03(10)(c)5]
- 8.9.2 The Permittee shall furnish to the Division, in writing, information that the Division may request to determine whether cause exists for modifying, revoking and reissuing, or terminating the Permit, or to determine compliance with the Permit. Upon request, the Permittee shall also furnish to the Division copies of records that the Permittee is required to keep by this Permit or, for information claimed to be confidential, the Permittee may furnish such records directly to the EPA, if necessary, along with a claim of confidentiality.  
[391-3-1-.03(10)(d)1(i) and 40 CFR 70.6(a)(6)(v)]

## 8.10 Modifications

- 8.10.1 Prior to any source commencing a modification as defined in 391-3-1-.01(pp) that may result in air pollution and not exempted by 391-3-1-.03(6), the Permittee shall submit a Permit application to the Division. The application shall be submitted sufficiently in advance of any critical date involved to allow adequate time for review, discussion, or revision of plans, if necessary. Such application shall include, but not be limited to, information describing the precise nature of the change, modifications to any emission control system, production capacity of the plant before and after the change, and the anticipated completion date of the change. The application shall be in the form of a Georgia air quality Permit application to construct or modify (otherwise known as a SIP application) and shall be submitted on forms supplied by the Division, unless otherwise notified by the Division.  
[391-3-1-.03(1) through (8)]

## 8.11 Permit Revision, Revocation, Reopening and Termination

- 8.11.1 This Permit may be revised, revoked, reopened and reissued, or terminated for cause by the Director. The Permit will be reopened for cause and revised accordingly under the following circumstances:  
[391-3-1-.03(10)(d)1(i)]
- a. If additional applicable requirements become applicable to the source and the remaining Permit term is three (3) or more years. In this case, the reopening shall be completed no later than eighteen (18) months after promulgation of the applicable requirement. A reopening shall not be required if the effective date of the requirement is later than the date on which the Permit is due to expire, unless the original permit or any of its terms and conditions has been extended under Condition 8.5.3;  
[391-3-1-.03(10)(e)6(i)(I)]
  - b. If any additional applicable requirements of the Acid Rain Program become applicable to the source;  
[391-3-1-.03(10)(e)6(i)(II)] (Acid Rain sources only)
  - c. The Director determines that the Permit contains a material mistake or inaccurate statements were made in establishing the emissions standards or other terms or conditions of the Permit; or  
[391-3-1-.03(10)(e)6(i)(III) and 40 CFR 70.7(f)(1)(iii)]
  - d. The Director determines that the Permit must be revised or revoked to assure compliance with the applicable requirements.  
[391-3-1-.03(10)(e)6(i)(IV) and 40 CFR 70.7(f)(1)(iv)]
- 8.11.2 Proceedings to reopen and reissue a Permit shall follow the same procedures as applicable to initial Permit issuance and shall affect only those parts of the Permit for which cause to reopen exists. Reopenings shall be made as expeditiously as practicable.  
[391-3-1-.03(10)(e)6(ii)]

- 8.11.3 Reopenings shall not be initiated before a notice of intent to reopen is provided to the source by the Director at least thirty (30) days in advance of the date the Permit is to be reopened, except that the Director may provide a shorter time period in the case of an emergency.  
[391-3-1-.03(10)(e)6(iii)]
- 8.11.4 All Permit conditions remain in effect until such time as the Director takes final action. The filing of a request by the Permittee for any Permit revision, revocation, reissuance, or termination, or of a notification of planned changes or anticipated noncompliance, shall not stay any Permit condition.  
[391-3-1-.03(10)(d)1(i) and 40 CFR 70.6(a)(6)(iii)]
- 8.11.5 A Permit revision shall not be required for changes that are explicitly authorized by the conditions of this Permit.
- 8.11.6 A Permit revision shall not be required for changes that are part of an approved economic incentive, marketable Permit, emission trading, or other similar program or process for change which is specifically provided for in this Permit.  
[391-3-1-.03(10)(d)1(i) and 40 CFR 70.6(a)(8)]

## **8.12 Severability**

- 8.12.1 Any condition or portion of this Permit which is challenged, becomes suspended or is ruled invalid as a result of any legal or other action shall not invalidate any other portion or condition of this Permit.  
[391-3-1-.03(10)(d)1(i) and 40 CFR 70.6(a)(5)]

## **8.13 Excess Emissions Due to an Emergency**

- 8.13.1 An “emergency” means any situation arising from sudden and reasonably unforeseeable events beyond the control of the source, including acts of God, which situation requires immediate corrective action to restore normal operation, and that causes the source to exceed a technology-based emission limitation under the Permit, due to unavoidable increases in emissions attributable to the emergency. An emergency shall not include noncompliance to the extent caused by improperly designed equipment, lack of preventative maintenance, careless or improper operation, or operator error.  
[391-3-1-.03(10)(d)7 and 40 CFR 70.6(g)(1)]
- 8.13.2 An emergency shall constitute an affirmative defense to an action brought for noncompliance with the technology-based emission limitations if the Permittee demonstrates, through properly signed contemporaneous operating logs or other relevant evidence, that:
- [391-3-1-.03(10)(d)7 and 40 CFR 70.6(g)(2) and (3)]
- a. An emergency occurred and the Permittee can identify the cause(s) of the emergency;
  - b. The Permitted facility was at the time of the emergency being properly operated;

- c. During the period of the emergency, the Permittee took all reasonable steps to minimize levels of emissions that exceeded the emissions standards, or other requirements in the Permit; and
  - d. The Permittee promptly notified the Division and submitted written notice of the emergency to the Division within two (2) working days of the time when emission limitations were exceeded due to the emergency. This notice must contain a description of the emergency, any steps taken to mitigate emissions, and corrective actions taken.
- 8.13.3 In an enforcement proceeding, the Permittee seeking to establish the occurrence of an emergency shall have the burden of proof.  
[391-3-1-.03(10)(d)7 and 40 CFR 70.6(g)(4)]
- 8.13.4 The emergency conditions listed above are in addition to any emergency or upset provisions contained in any applicable requirement.  
[391-3-1-.03(10)(d)7 and 40 CFR 70.6(g)(5)]

## 8.14 Compliance Requirements

### 8.14.1 Compliance Certification

The Permittee shall provide written certification to the Division and to the EPA, at least annually, of compliance with the conditions of this Permit. The annual written certification shall be postmarked no later than February 28 of each year and shall be submitted to the Division and to the EPA. The certification shall include, but not be limited to, the following elements:

[391-3-1-.03(10)(d)3 and 40 CFR 70.6(c)(5)]

- a. The identification of each term or condition of the Permit that is the basis of the certification;
- b. The status of compliance with the terms and conditions of the permit for the period covered by the certification, including whether compliance during the period was continuous or intermittent, based on the method or means designated in paragraph c below. The certification shall identify each deviation and take it into account in the compliance certification. The certification shall also identify as possible exceptions to compliance any periods during which compliance is required and in which an excursion or exceedance as defined under 40 CFR Part 64 occurred;
- c. The identification of the method(s) or other means used by the owner or operator for determining the compliance status with each term and condition during the certification period;

- d. Any other information that must be included to comply with section 113(c)(2) of the Act, which prohibits knowingly making a false certification or omitting material information; and
- e. Any additional requirements specified by the Division.

**8.14.2 Inspection and Entry**

- a. Upon presentation of credentials and other documents as may be required by law, the Permittee shall allow authorized representatives of the Division to perform the following:  
[391-3-1-.03(10)(d)3 and 40 CFR 70.6(c)(2)]
  - i. Enter upon the Permittee's premises where a Part 70 source is located or an emissions-related activity is conducted, or where records must be kept under the conditions of this Permit;
  - ii. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this Permit;
  - iii. Inspect at reasonable times any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under this Permit; and
  - iv. Sample or monitor any substances or parameters at any location during operating hours for the purpose of assuring Permit compliance or compliance with applicable requirements as authorized by the Georgia Air Quality Act.
- b. No person shall obstruct, hamper, or interfere with any such authorized representative while in the process of carrying out his official duties. Refusal of entry or access may constitute grounds for Permit revocation and assessment of civil penalties.  
[391-3-1-.07 and 40 CFR 70.11(a)(3)(i)]

**8.14.3 Schedule of Compliance**

- a. For applicable requirements with which the Permittee is in compliance, the Permittee shall continue to comply with those requirements.  
[391-3-1-.03(10)(c)2 and 40 CFR 70.5(c)(8)(iii)(A)]
- b. For applicable requirements that become effective during the Permit term, the Permittee shall meet such requirements on a timely basis unless a more detailed schedule is expressly required by the applicable requirement.  
[391-3-1-.03(10)(c)2 and 40 CFR 70.5(c)(8)(iii)(B)]
- c. Any schedule of compliance for applicable requirements with which the source is not in compliance at the time of Permit issuance shall be supplemental to, and shall not sanction noncompliance with, the applicable requirements on which it is based.  
[391-3-1-.03(10)(c)2 and 40 CFR 70.5(c)(8)(iii)(C)]



#### 8.14.4 Excess Emissions

- a. Excess emissions resulting from startup, shutdown, or malfunction of any source which occur though ordinary diligence is employed shall be allowed provided that:  
[391-3-1-.02(2)(a)7(i)]
  - i. The best operational practices to minimize emissions are adhered to;
  - ii. All associated air pollution control equipment is operated in a manner consistent with good air pollution control practice for minimizing emissions; and
  - iii. The duration of excess emissions is minimized.
- b. Excess emissions which are caused entirely or in part by poor maintenance, poor operation, or any other equipment or process failure which may reasonably be prevented during startup, shutdown or malfunction are prohibited and are violations of Chapter 391-3-1 of the Georgia Rules for Air Quality Control.  
[391-3-1-.02(2)(a)7(ii)]
- c. The provisions of this condition and Georgia Rule 391-3-1-.02(2)(a)7 shall apply only to those sources which are not subject to any requirement under Georgia Rule 391-3-1-.02(8) – New Source Performance Standards or any requirement of 40 CFR, Part 60, as amended concerning New Source Performance Standards.  
[391-3-1-.02(2)(a)7(iii)]

#### 8.15 Circumvention

##### **State Only Enforceable Condition.**

- 8.15.1 The Permittee shall not build, erect, install, or use any article, machine, equipment or process the use of which conceals an emission which would otherwise constitute a violation of an applicable emission standard. Such concealment includes, but is not limited to, the use of gaseous diluents to achieve compliance with an opacity standard or with a standard which is based on the concentration of the pollutants in the gases discharged into the atmosphere.  
[391-3-1-.03(2)(c)]

#### 8.16 Permit Shield

- 8.16.1 Compliance with the terms of this Permit shall be deemed compliance with all applicable requirements as of the date of Permit issuance provided that all applicable requirements are included and specifically identified in the Permit.  
[391-3-1-.03(10)(d)6]
- 8.16.2 Any Permit condition identified as “State only enforceable” does not have a Permit shield.

## 8.17 Operational Practices

- 8.17.1 At all times, including periods of startup, shutdown, and malfunction, the Permittee shall maintain and operate the source, including associated air pollution control equipment, 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 any information available to the Division that may include, but is not limited to, monitoring results, observations of the opacity or other characteristics of emissions, review of operating and maintenance procedures or records, and inspection or surveillance of the source.  
[391-3-1-.02(2)(a)10]

### State Only Enforceable Condition.

- 8.17.2 No person owning, leasing, or controlling, the operation of any air contaminant sources shall willfully, negligently or through failure to provide necessary equipment or facilities or to take necessary precautions, cause, permit, or allow the emission from said air contamination source or sources, of such quantities of air contaminants as will cause, or tend to cause, by themselves, or in conjunction with other air contaminants, a condition of air pollution in quantities or characteristics or of a duration which is injurious or which unreasonably interferes with the enjoyment of life or use of property in such area of the State as is affected thereby. Complying with Georgia's Rules for Air Quality Control Chapter 391-3-1 and Conditions in this Permit, shall in no way exempt a person from this provision.  
[391-3-1-.02(2)(a)1]

## 8.18 Visible Emissions

- 8.18.1 Except as may be provided in other provisions of this Permit, the Permittee shall not cause, let, suffer, permit or allow emissions from any air contaminant source the opacity of which is equal to or greater than forty (40) percent.  
[391-3-1-.02(2)(b)1]

## 8.19 Fuel-burning Equipment

- 8.19.1 The Permittee shall not cause, let, suffer, permit, or allow the emission of fly ash and/or other particulate matter from any fuel-burning equipment with rated heat input capacity of less than 10 million Btu per hour, in operation or under construction on or before January 1, 1972 in amounts equal to or exceeding 0.7 pounds per million BTU heat input.  
[391-3-1-.02(2)(d)]
- 8.19.2 The Permittee shall not cause, let, suffer, permit, or allow the emission of fly ash and/or other particulate matter from any fuel-burning equipment with rated heat input capacity of less than 10 million Btu per hour, constructed after January 1, 1972 in amounts equal to or exceeding 0.5 pounds per million BTU heat input.  
[391-3-1-.02(2)(d)]
- 8.19.3 The Permittee shall not cause, let, suffer, permit, or allow the emission from any fuel-burning equipment constructed or extensively modified after January 1, 1972, visible

emissions the opacity of which is equal to or greater than twenty (20) percent except for one six minute period per hour of not more than twenty-seven (27) percent opacity.  
[391-3-1-.02(2)(d)]

## 8.20 Sulfur Dioxide

- 8.20.1 Except as may be specified in other provisions of this Permit, the Permittee shall not burn fuel containing more than 2.5 percent sulfur, by weight, in any fuel burning source that has a heat input capacity below 100 million Btu's per hour.  
[391-3-1-.02(2)(g)]

## 8.21 Particulate Emissions

- 8.21.1 Except as may be specified in other provisions of this Permit, the Permittee shall not cause, let, permit, suffer, or allow the rate of emission from any source, particulate matter in total quantities equal to or exceeding the allowable rates shown below. Equipment in operation, or under construction contract, on or before July 2, 1968, shall be considered existing equipment. All other equipment put in operation or extensively altered after said date is to be considered new equipment.  
[391-3-1-.02(2)(e)]

- a. The following equations shall be used to calculate the allowable rates of emission from new equipment:

$$E = 4.1P^{0.67}; \text{ for process input weight rate up to and including 30 tons per hour.}$$
$$E = 55P^{0.11} - 40; \text{ for process input weight rate above 30 tons per hour.}$$

- b. The following equation shall be used to calculate the allowable rates of emission from existing equipment:

$$E = 4.1P^{0.67}$$

In the above equations, E = emission rate in pounds per hour, and  
P = process input weight rate in tons per hour.

## 8.22 Fugitive Dust

[391-3-1-.02(2)(n)]

- 8.22.1 Except as may be specified in other provisions of this Permit, the Permittee shall take all reasonable precautions to prevent dust from any operation, process, handling, transportation or storage facility from becoming airborne. Reasonable precautions that could be taken to prevent dust from becoming airborne include, but are not limited to, the following:
- a. Use, where possible, of water or chemicals for control of dust in the demolition of existing buildings or structures, construction operations, the grading of roads or the clearing of land;

- b. Application of asphalt, water, or suitable chemicals on dirt roads, materials, stockpiles, and other surfaces that can give rise to airborne dusts;
- c. Installation and use of hoods, fans, and fabric filters to enclose and vent the handling of dusty materials. Adequate containment methods can be employed during sandblasting or other similar operations;
- d. Covering, at all times when in motion, open bodied trucks transporting materials likely to give rise to airborne dusts; and
- e. The prompt removal of earth or other material from paved streets onto which earth or other material has been deposited.

8.22.2 The opacity from any fugitive dust source shall not equal or exceed 20 percent.

### **8.23 Solvent Metal Cleaning**

8.23.1 Except as may be specified in other provisions of this Permit, the Permittee shall not cause, suffer, allow, or permit the operation of a cold cleaner degreaser subject to the requirements of Georgia Rule 391-3-1-.02(2)(ff) "Solvent Metal Cleaning" unless the following requirements for control of emissions of the volatile organic compounds are satisfied:  
[391-3-1-.02(2)(ff)1]

- a. The degreaser shall be equipped with a cover to prevent escape of VOC during periods of non-use,
- b. The degreaser shall be equipped with a device to drain cleaned parts before removal from the unit,
- c. If the solvent volatility is 0.60 psi or greater measured at 100 °F, or if the solvent is heated above 120 °F, then one of the following control devices must be used:
  - i. The degreaser shall be equipped with a freeboard that gives a freeboard ratio of 0.7 or greater, or
  - ii. The degreaser shall be equipped with a water cover (solvent must be insoluble in and heavier than water), or
  - iii. The degreaser shall be equipped with a system of equivalent control, including but not limited to, a refrigerated chiller or carbon adsorption system.
- d. Any solvent spray utilized by the degreaser must be in the form of a solid, fluid stream (not a fine, atomized or shower type spray) and at a pressure which will not cause excessive splashing, and
- e. All waste solvent from the degreaser shall be stored in covered containers and shall not be disposed of by such a method as to allow excessive evaporation into the atmosphere.

**8.24 Incinerators**

- 8.24.1 Except as specified in the section dealing with conical burners, no person shall cause, let, suffer, permit, or allow the emissions of fly ash and/or other particulate matter from any incinerator subject to the requirements of Georgia Rule 391-3-1-.02(2)(c) "Incinerators", in amounts equal to or exceeding the following:  
[391-3-1-.02(2)(c)1-4]
- a. Units with charging rates of 500 pounds per hour or less of combustible waste, including water, shall not emit fly ash and/or particulate matter in quantities exceeding 1.0 pound per hour.
  - b. Units with charging rates in excess of 500 pounds per hour of combustible waste, including water, shall not emit fly ash and/or particulate matter in excess of 0.20 pounds per 100 pounds of charge.
- 8.24.2 No person shall cause, let, suffer, permit, or allow from any incinerator subject to the requirements of Georgia Rule 391-3-1-.02(2)(c) "Incinerators", visible emissions the opacity of which is equal to or greater than twenty (20) percent except for one six minute period per hour of not more than twenty-seven (27) percent opacity.
- 8.24.3 No person shall cause or allow particles to be emitted from an incinerator subject to the requirements of Georgia Rule 391-3-1-.02(2)(c) "Incinerators" which are individually large enough to be visible to the unaided eye.
- 8.24.4 No person shall operate an existing incinerator subject to the requirements of Georgia Rule 391-3-1-.02(2)(c) "Incinerators" unless:
- a. It is a multiple chamber incinerator;
  - b. It is equipped with an auxiliary burner in the primary chamber for the purpose of creating a pre-ignition temperature of 800°F; and
  - c. It has a secondary burner to control smoke and/or odors and maintain a temperature of at least 1500°F in the secondary chamber.

**8.25 Volatile Organic Liquid Handling and Storage**

- 8.25.1 The Permittee shall ensure that each storage tank subject to the requirements of Georgia Rule 391-3-1-.02(2)(vv) "Volatile Organic Liquid Handling and Storage" is equipped with submerged fill pipes. For the purposes of this condition and the permit, a submerged fill pipe is defined as any fill pipe with a discharge opening which is within six inches of the tank bottom.  
[391-3-1-.02(2)(vv)(1)]

**8.26 Use of Any Credible Evidence or Information**

- 8.26.1 Notwithstanding any other provisions of any applicable rule or regulation or requirement of this permit, for the purpose of submission of compliance certifications or establishing whether or not a person has violated or is in violation of any emissions limitation or standard, nothing in this permit or any Emission Limitation or Standard to which it pertains, shall preclude the use, including the exclusive use, of any credible evidence or information, relevant to whether a source would have been in compliance with applicable requirements if the appropriate performance or compliance test or procedure had been performed.  
[391-3-1-.02(3)(a)]

**8.27 Internal Combustion Engines**

- 8.27.1 For diesel-fired internal combustion engine(s) manufactured after April 1, 2006 or modified/reconstructed after July 11, 2005, the Permittee shall comply with all applicable provisions of New Source Performance Standards (NSPS) as found in 40 CFR 60 Subpart A - "General Provisions" and 40 CFR 60 Subpart IIII - "Standards of Performance for Stationary Compression Ignition Internal Combustion Engines." Such requirements include but are not limited to:  
[40 CFR 60.4200]
- a. Equip all emergency generator engines with non-resettable hour meters in accordance with Subpart IIII.
  - b. Purchase only diesel fuel with a maximum sulfur content of 15 ppm unless otherwise specified by the Division in accordance with Subpart IIII.
  - c. Conduct engine maintenance prescribed by the engine manufacturer in accordance with Subpart IIII.
  - d. Limit non-emergency operation of each emergency generator to 100 hours per year in accordance with Subpart IIII. Non-emergency operation other than maintenance and readiness testing is prohibited for engines qualifying as "emergency generators" for the purposes of Ga Rule 391-3-1-.02(2)(mmm).
  - e. Maintain any records in accordance with Subpart IIII
  - f. Maintain a list of engines subject to 40 CFR 60 Subpart IIII, including the date of manufacture.[391-3-1-.02(6)(b)]
- 8.27.2 The Permittee shall comply with all applicable provisions of New Source Performance Standards (NSPS) as found in 40 CFR 60 Subpart A - "General Provisions" and 40 CFR 60 Subpart JJJJ - "Standards of Performance for Stationary Spark Ignition Internal Combustion Engines," for spark ignition internal combustion engines(s) (gasoline, natural gas, liquefied petroleum gas or propane-fired) manufactured after July 1, 2007 or modified/reconstructed after June 12, 2006.  
[40 CFR 60.4230]

- 8.27.3 The Permittee shall comply with all applicable provisions of National Emission Standards for Hazardous Air Pollutants (NESHAP) as found in 40 CFR 63 Subpart A - “General Provisions” and 40 CFR 63 Subpart ZZZZ - “National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines.”

For diesel-fired emergency generator engines defined as “existing” in 40 CFR 63 Subpart ZZZZ (constructed prior to June 12, 2006 for area sources of HAP, constructed prior to June 12, 2006 for ≤500hp engines at major sources, and constructed prior to December 19, 2002 for >500hp engines at major sources of HAP), such requirements (if applicable) include but are not limited to:

[40 CFR 63.6580]

- a. Equip all emergency generator engines with non-resettable hour meters in accordance with Subpart ZZZZ.
- b. Purchase only diesel fuel with a maximum sulfur content of 15 ppm unless otherwise specified by the Division in accordance with Subpart ZZZZ.
- c. Conduct the following in accordance with Subpart ZZZZ.
  - i. Change oil and filter every 500 hours of operation or annually, whichever comes first
  - ii. Inspect air cleaner every 1000 hours of operation or annually, whichever comes first and replace as necessary
  - iii. Inspect all hoses and belts every 500 hours of operation or annually, whichever comes first and replace as necessary.
- d. Limit non-emergency operation of each emergency generator to 100 hours per year in accordance with Subpart ZZZZ. Non-emergency operation other than maintenance and readiness testing is prohibited for engines qualifying as “emergency generators” for the purposes of Ga Rule 391-3-1-.02(2)(mmm).
- e. Maintain any records in accordance with Subpart ZZZZ
- f. Maintain a list of engines subject to 40 CFR 63 Subpart ZZZZ, including the date of manufacture.[391-3-1-.02(6)(b)]

## 8.28 Boilers and Process Heaters

- 8.28.1 If the facility/site is an area source of Hazardous Air Pollutants, the Permittee shall comply with all applicable provisions of National Emission Standards for Hazardous Air Pollutants (NESHAP) 40 CFR Part 63 Subpart A - “General Provisions” and 40 CFR 63 Subpart JJJJJ - “National Emission Standards for Hazardous Air Pollutants for Area Sources: Industrial, Commercial, and Institutional Boilers.”
- [40 CFR 63.11193]

## Title V Permit

Hawk Road Energy Facility

Permit No.: 4911-149-0005-V-08-0

---

- 8.28.2 If the facility/site is a major source of Hazardous Air Pollutants, the Permittee shall comply with all applicable provisions of National Emission Standards for Hazardous Air Pollutants (NESHAP) 40 CFR Part 63 Subpart A - “General Provisions” and 40 CFR 63 Subpart DDDDD - “National Emission Standards for Hazardous Air Pollutants for Major Sources: Industrial, Commercial, and Institutional Boilers and Process Heaters.”  
[40 CFR 63.7480]



**Attachments**

- A. List of Standard Abbreviations and List of Permit Specific Abbreviations
- B. Insignificant Activities Checklist, Insignificant Activities Based on Emission Levels and Generic Emission Groups
- C. List of References
- D. U.S. EPA Acid Rain Program Permit Application for Phase II NO<sub>x</sub> Averaging Plan

## List Of Standard Abbreviations

[illegible]


# Title V Permit

Hawk Road Energy Facility

Permit No.: 4911-149-0005-V-08-0

## ATTACHMENT B

**NOTE:** Attachment B contains information regarding insignificant emission units/activities and groups of generic emission units/activities in existence at the facility at the time of Permit issuance. Future modifications or additions of insignificant emission units/activities and equipment that are part of generic emissions groups may not necessarily cause this attachment to be updated.

### INSIGNIFICANT ACTIVITIES CHECKLIST

Category	Description of Insignificant Activity/Unit	Quantity
<b>Mobile Sources</b>	1. Cleaning and sweeping of streets and paved surfaces	4
<b>Combustion Equipment</b>	1. Fire fighting and similar safety equipment used to train fire fighters or other emergency personnel.	
	2. Small incinerators that are not subject to any standard, limitation or other requirement under Section 111 or 112 (excluding 112(r)) of the Federal Act and are not considered a "designated facility" as specified in 40 CFR 60.32e of the Federal emissions guidelines for Hospital/Medical/Infectious Waste Incinerators, that are operating as follows:	
	i) Less than 8 million BTU/hr heat input, firing types 0, 1, 2, and/or 3 waste.	
	ii) Less than 8 million BTU/hr heat input with no more than 10% pathological (type 4) waste by weight combined with types 0, 1, 2, and/or 3 waste.	
	iii) Less than 4 million BTU/hr heat input firing type 4 waste. (Refer to 391-3-1-.03(10)(g)2.(ii) for descriptions of waste types)	
	3. Open burning in compliance with Georgia Rule 391-3-1-.02 (5).	
	4. Stationary engines burning:	2
	i) Natural gas, LPG, gasoline, dual fuel, or diesel fuel which are used exclusively as emergency generators shall not exceed 500 hours per year or 200 hours per year if subject to Georgia Rule 391-3-1-.02(2)(mmm).7	
	ii) Natural gas, LPG, and/or diesel fueled generators used for emergency, peaking, and/or standby power generation, where the combined peaking and standby power generation do not exceed 200 hours per year.	
	iii) Natural gas, LPG, and/or diesel fuel used for other purposes, provided that the output of each engine does not exceed 400 horsepower and that no individual engine operates for more than 2,000 hours per year.	
	iv) Gasoline used for other purposes, provided that the output of each engine does not exceed 100 horsepower and that no individual engine operates for more than 500 hours per year.	
<b>Trade Operations</b>	1. Brazing, soldering, and welding equipment, and cutting torches related to manufacturing and construction activities whose emissions of hazardous air pollutants (HAPs) fall below 1,000 pounds per year.	3
<b>Maintenance, Cleaning, and Housekeeping</b>	1. Blast-cleaning equipment using a suspension of abrasive in water and any exhaust system (or collector) serving them exclusively.	1
	2. Portable blast-cleaning equipment.	1
	3. Non-Perchloroethylene Dry-cleaning equipment with a capacity of 100 pounds per hour or less of clothes.	
	4. Cold cleaners having an air/vapor interface of not more than 10 square feet and that do not use a halogenated solvent.	1
	5. Non-routine clean out of tanks and equipment for the purposes of worker entry or in preparation for maintenance or decommissioning.	
	6. Devices used exclusively for cleaning metal parts or surfaces by burning off residual amounts of paint, varnish, or other foreign material, provided that such devices are equipped with afterburners.	
	7. Cleaning operations: Alkaline phosphate cleaners and associated cleaners and burners.	

## Title V Permit

Hawk Road Energy Facility

Permit No.: 4911-149-0005-V-08-0

### INSIGNIFICANT ACTIVITIES CHECKLIST

Category	Description of Insignificant Activity/Unit	Quantity
<b>Laboratories and Testing</b>	1. Laboratory fume hoods and vents associated with bench-scale laboratory equipment used for physical or chemical analysis.	
	2. Research and development facilities, quality control testing facilities and/or small pilot projects, where combined daily emissions from all operations are not individually major or are support facilities not making significant contributions to the product of a collocated major manufacturing facility.	
<b>Pollution Control</b>	1. Sanitary waste water collection and treatment systems, except incineration equipment or equipment subject to any standard, limitation or other requirement under Section 111 or 112 (excluding 112(r)) of the Federal Act.	1
	2. On site soil or groundwater decontamination units that are not subject to any standard, limitation or other requirement under Section 111 or 112 (excluding 112(r)) of the Federal Act.	
	3. Bioremediation operations units that are not subject to any standard, limitation or other requirement under Section 111 or 112 (excluding 112(r)) of the Federal Act.	
	4. Landfills that are not subject to any standard, limitation or other requirement under Section 111 or 112 (excluding 112(r)) of the Federal Act.	
<b>Industrial Operations</b>	1. Concrete block and brick plants, concrete products plants, and ready mix concrete plants producing less than 125,000 tons per year.	
	2. Any of the following processes or process equipment which are electrically heated or which fire natural gas, LPG or distillate fuel oil at a maximum total heat input rate of not more than 5 million BTU's per hour:	
	i) Furnaces for heat treating glass or metals, the use of which do not involve molten materials or oil-coated parts.	
	ii) Porcelain enameling furnaces or porcelain enameling drying ovens.	
	iii) Kilns for firing ceramic ware.	
	iv) Crucible furnaces, pot furnaces, or induction melting and holding furnaces with a capacity of 1,000 pounds or less each, in which sweating or distilling is not conducted and in which fluxing is not conducted utilizing free chlorine, chloride or fluoride derivatives, or ammonium compounds.	
	v) Bakery ovens and confection cookers.	
	vi) Feed mill ovens.	
	vii) Surface coating drying ovens	
	3. Carving, cutting, routing, turning, drilling, machining, sawing, surface grinding, sanding, planing, buffing, shot blasting, shot peening, or polishing; ceramics, glass, leather, metals, plastics, rubber, concrete, paper stock or wood, also including roll grinding and ground wood pulping stone sharpening, provided that:	7
	i) Activity is performed indoors; &	
	ii) No significant fugitive particulate emissions enter the environment; &	
	iii) No visible emissions enter the outdoor atmosphere.	
	4. Photographic process equipment by which an image is reproduced upon material sensitized to radiant energy (e.g., blueprint activity, photographic developing and microfiche).	
	5. Grain, food, or mineral extrusion processes	
	6. Equipment used exclusively for sintering of glass or metals, but not including equipment used for sintering metal-bearing ores, metal scale, clay, fly ash, or metal compounds.	
	7. Equipment for the mining and screening of uncrushed native sand and gravel.	
	8. Ozonization process or process equipment.	3
	9. Electrostatic powder coating booths with an appropriately designed and operated particulate control system.	
	10. Activities involving the application of hot melt adhesives where VOC emissions are less than 5 tons per year and HAP emissions are less than 1,000 pounds per year.	
	11. Equipment used exclusively for the mixing and blending water-based adhesives and coatings at ambient temperatures.	
	12. Equipment used for compression, molding and injection of plastics where VOC emissions are less than 5 tons per year and HAP emissions are less than 1,000 pounds per year.	
	13. Ultraviolet curing processes where VOC emissions are less than 5 tons per year and HAP emissions are less than 1,000 pounds per year.	

## Title V Permit

Hawk Road Energy Facility

Permit No.: 4911-149-0005-V-08-0

### INSIGNIFICANT ACTIVITIES CHECKLIST

Category	Description of Insignificant Activity/Unit	Quantity
<b>Storage Tanks and Equipment</b>	1. All petroleum liquid storage tanks storing a liquid with a true vapor pressure of equal to or less than 0.50 psia as stored.	
	2. All petroleum liquid storage tanks with a capacity of less than 40,000 gallons storing a liquid with a true vapor pressure of equal to or less than 2.0 psia as stored that are not subject to any standard, limitation or other requirement under Section 111 or 112 (excluding 112(r)) of the Federal Act.	
	3. All petroleum liquid storage tanks with a capacity of less than 10,000 gallons storing a petroleum liquid.	3
	4. All pressurized vessels designed to operate in excess of 30 psig storing petroleum fuels that are not subject to any standard, limitation or other requirement under Section 111 or 112 (excluding 112(r)) of the Federal Act.	
	5. Gasoline storage and handling equipment at loading facilities handling less than 20,000 gallons per day or at vehicle dispensing facilities that are not subject to any standard, limitation or other requirement under Section 111 or 112 (excluding 112(r)) of the Federal Act.	
	6. Portable drums, barrels, and totes provided that the volume of each container does not exceed 550 gallons.	20
	7. All chemical storage tanks used to store a chemical with a true vapor pressure of less than or equal to 10 millimeters of mercury (0.19 psia).	

### INSIGNIFICANT ACTIVITIES BASED ON EMISSION LEVELS

Description of Emission Units / Activities	Quantity
250-kW Emergency Diesel Generator / Unit will be operated for readiness testing, maintenance, and emergencies (less than 200 hrs/yr)	1
275-HP Emergency Fire Water Pump / Unit will be operated for readiness, testing, maintenance, and emergencies	1

**ATTACHMENT B (continued)****GENERIC EMISSION GROUPS**

Emission units/activities appearing in the following table are subject only to one or more of Georgia Rules 391-3-1-.02 (2) (b), (e) &/or (n). Potential emissions of particulate matter, from these sources based on TSP, are less than 25 tons per year per process line or unit in each group. Any emissions unit subject to a NESHAP, NSPS, or any specific Air Quality Permit Condition(s) are not included in this table.

Description of Emissions Units / Activities	Number of Units (if appropriate)	Applicable Rules		
		Opacity Rule (b)	PM from Mfg Process Rule (e)	Fugitive Dust Rule (n)
Portable hot water pressure washer	1	✓	✓	✓

The following table includes groups of fuel burning equipment subject only to Georgia Rules 391-3-1-.02 (2) (b) & (d). Any emissions unit subject to a NESHAP, NSPS, or any specific Air Quality Permit Condition(s) are not included in this table.

Description of Fuel Burning Equipment	Number of Units
Fuel burning equipment with a rated heat input capacity of less than 10 million BTU/hr burning only natural gas and/or LPG.	
Fuel burning equipment with a rated heat input capacity of less than 5 million BTU/hr, burning only distillate fuel oil, natural gas and/or LPG.	
Any fuel burning equipment with a rated heat input capacity of 1 million BTU/hr or less.	3

**ATTACHMENT C****LIST OF REFERENCES**

1. The Georgia Rules for Air Quality Control Chapter 391-3-1. All Rules cited herein which begin with 391-3-1 are State Air Quality Rules.
2. Title 40 of the Code of Federal Regulations; specifically 40 CFR Parts 50, 51, 52, 60, 61, 63, 64, 68, 70, 72, 73, 75, 76 and 82. All rules cited with these parts are Federal Air Quality Rules.
3. *Georgia Department of Natural Resources, Environmental Protection Division, Air Protection Branch, Procedures for Testing and Monitoring Sources of Air Pollutants.*
4. *Georgia Department of Natural Resources, Environmental Protection Division, Air Protection Branch, Procedures for Calculating Air Permit Fees.*
5. Compilation of Air Pollutant Emission Factors, AP-42, Fifth Edition, Volume I: Stationary Point and Area Sources. This information may be obtained from EPA's TTN web site at [www.epa.gov/ttn/chief/ap42/index.html](http://www.epa.gov/ttn/chief/ap42/index.html).
6. The latest properly functioning version of EPA's **TANKS** emission estimation software. The software may be obtained from EPA's TTN web site at [www.epa.gov/ttn/chief/software/tanks/index.html](http://www.epa.gov/ttn/chief/software/tanks/index.html).
7. The Clean Air Act (42 U.S.C. 7401 et seq).
8. White Paper for Streamlined Development of Part 70 Permit Applications, July 10, 1995 (White Paper #1).
9. White Paper Number 2 for Improved Implementation of the Part 70 Operating Permits Program, March 5, 1996 (White Paper #2).

**ATTACHMENT D**

**U.S. EPA ACID RAIN PROGRAM PERMIT APPLICATION  
FOR PHASE II NO<sub>x</sub> AVERAGING PLAN**





**For more information, see instructions and 40 CFR 72.30 and 72.31.**

This submission is: ☐ new ☐ revised ☒ for ARP permit renewal

Identify the facility name,  
State, and plant (ORIS) code.

Facility (Source) Name	Hawk Road Energy Facility	State	GA	Plant Code	55141
------------------------	---------------------------	-------	----	------------	-------

Enter the unit ID# for every affected unit at the affected source in column "a."

[illegible]

# Title V Permit

Hawk Road Energy Facility

Permit No.: 4911-149-0005-V-08-0

Hawk Road Energy Facility

Facility (Source) Name (from STEP 1)

Acid Rain - Page 2

## STEP 3

### Read the standard requirements.

#### Permit Requirements

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

#### Monitoring Requirements

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

#### Sulfur Dioxide Requirements

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

#### Nitrogen Oxides Requirements

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

# Title V Permit

Hawk Road Energy Facility  
Facility (Source) Name (from STEP 1)

Acid Rain - Page 3

## STEP 3, Cont'd.

### Excess Emissions Requirements

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

### Recordkeeping and Reporting Requirements

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

### Liability

- (1) Any person who knowingly violates any requirement or prohibition of the Acid Rain Program, a complete Acid Rain permit application, an Acid Rain permit, or an exemption under 40 CFR 72.7 or 72.8, including any requirement for the payment of any penalty owed to the United States, shall be subject to enforcement pursuant to section 113(c) of the Act.
- (2) Any person who knowingly makes a false, material statement in any record, submission, or report under the Acid Rain Program shall be subject to criminal enforcement pursuant to section 113(c) of the Act and 18 U.S.C. 1001.
- (3) No permit revision shall excuse any violation of the requirements of the Acid Rain Program that occurs prior to the date that the revision takes effect.
- (4) Each affected source and each affected unit shall meet the requirements of the Acid Rain Program.
- (5) Any provision of the Acid Rain Program that applies to an affected source (including a provision applicable to the designated representative of an affected source) shall also apply to the owners and operators of such source and of the affected units at the source.
- (6) Any provision of the Acid Rain Program that applies to an affected unit (including a provision applicable to the designated representative of an affected unit) shall also apply to the owners and operators of such unit.
- (7) Each violation of a provision of 40 CFR parts 72, 73, 74, 75, 76, 77, and 78 by an affected source or affected unit, or by an owner or operator or designated representative of such source or unit, shall be a separate violation of the Act.

# Title V Permit

Hawk Road Energy Facility

Permit No.: 4911-149-0005-V-08-0

Hawk Road Energy Facility  
Facility (Source) Name (from STEP 1)

Acid Rain - Page 4

## STEP 3, Cont'd.

### Effect on Other Authorities

No provision of the Acid Rain Program, an Acid Rain permit application, an Acid Rain permit, or an exemption under 40 CFR 72.7 or 72.8 shall be construed as:

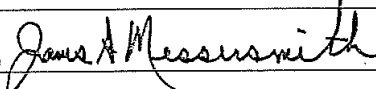
- (1) Except as expressly provided in title IV of the Act, exempting or excluding the owners and operators and, to the extent applicable, the designated representative of an affected source or affected unit from compliance with any other provision of the Act, including the provisions of title I of the Act relating to applicable National Ambient Air Quality Standards or State Implementation Plans;
- (2) Limiting the number of allowances a source can hold; provided, that the number of allowances held by the source shall not affect the source's obligation to comply with any other provisions of the Act;
- (3) Requiring a change of any kind in any State law regulating electric utility rates and charges, affecting any State law regarding such State regulation, or limiting such State regulation, including any prudence review requirements under such State law;
- (4) Modifying the Federal Power Act or affecting the authority of the Federal Energy Regulatory Commission under the Federal Power Act; or,
- (5) Interfering with or impairing any program for competitive bidding for power supply in a State in which such program is established.

## STEP 4

### Certification

Read the  
certification  
statement, sign,  
and date.

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

Name James A Messersmith	
Signature 	Date 2/26/18