

**BEFORE THE ADMINISTRATOR
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**

An Operating Permit for the Kraft Steam-Electric Generating Plant, Chatham County, Georgia.

Source I.D. 04-13-051-00006

Proposed by the Georgia Environmental Protection Division.

Permit No. 4911-051-0006-V-03-0

Petition No. V-2012-_____

**PETITION REQUESTING THAT THE ADMINISTRATOR OBJECT TO
ISSUANCE OF THE PROPOSED TITLE V OPERATING PERMIT FOR THE
KRAFT POWER PLANT**

Pursuant to Clean Air Act § 505(b)(2) and 40 CFR § 70.8(d), Southern Alliance for Clean Energy,¹ and Sierra Club² (collectively, “Petitioners”) petition the Administrator of the United States Environmental Protection Agency (“U.S. EPA” or “EPA”) to object to a proposed Title V Operating Permit for the Kraft Steam-Electric Generating Plant (“Kraft”), Permit Number 4911-051-0006-V-03-0 (“Permit”). The Permit was proposed to U.S. EPA by the Georgia Environmental Protection Division (“GEPD”) more than 45 days ago. A copy of the proposed Permit is attached as Exhibit A.

¹ Southern Alliance for Clean Energy (“SACE”) has been a leading voice for energy policy to protect the quality of life and treasured places in the Southeast since 1985. <http://www.cleanenergy.org/index.php?/Who-We-Are.html>.

² Sierra Club is a national nonprofit organization with over 1 million members and supporters nationwide. The Georgia chapter has 100,000 members and supporters in Georgia, some of whom live, work, and recreate in the vicinity of Plant Kraft and/or in areas impacted by emissions from the Plant. The mission of Sierra Club is to explore, enjoy and protect the wild places of the earth, practice and promote the responsible use of the Earth’s ecosystems and resources, educate and enlist humanity to protect and restore the quality of the natural and human environment, and use all lawful means to carry out these objectives.

Petitioner SACE provided comments to the GEPD on the draft permit (“Comments”), a copy of which is attached at Exhibit B. GEPD’s Statement of Basis (labeled as an Amended Narrative) (“Amended Narrative”) including response to comments, is attached as Exhibit C. To Petitioners’ knowledge, EPA has not yet objected to the proposed Permit. *See* <http://www.epa.gov/region4/air/permits/#Part70> (last visited October 22, 2012).

This Petition is filed within sixty days following the end of U.S. EPA’s 45-day review period, as required by Clean Air Act (“CAA”) § 505(b)(2).³ The Administrator must grant or deny this petition within sixty days after it is filed. 42 U.S.C. § 7661d(b)(2). If the Administrator determines that the Permit does not comply with the requirements of the CAA, or fails to include any “applicable requirement,” she must object to issuance of the Permit. 42 U.S.C. § 7661b(b); 40 C.F.R. § 70.8(c)(1) (“The [U.S. EPA] Administrator will object to the issuance of any proposed permit determined by the Administrator not to be in compliance with applicable requirements or requirements under this part.”). “Applicable requirements” include, *inter alia*, any provision of the Georgia State Implementation Plan (“SIP”), any term or condition of any preconstruction permit issued pursuant to SIP approved permitting program, any standard or requirement under Clean Air Act sections 111, 112, 114(a)(3), or 504, and acid rain program requirements. 40 C.F.R. § 70.2; *In the Matter of Wisconsin Power and Light Columbia Generating Station*,

³ EPA’s forty-five (45) day comment period expired on August 8, 2012. The public’s time for petitioning the Administrator extends through, at least, September 6, 2012. EPA’s List of Georgia Proposed Title V Permits, available at <http://www.epa.gov/region4/air/permits/georgia.htm> (last accessed October 19, 2012) (attached at Exhibit D).

Petition Number 2008-1, Order Responding to Petitioner's Request that the Administrator Object to Issuance of State Operating Permit, at 5, 10 ("Columbia Generating Station"). Additionally, because this Petition establishes that the Permit fails to assure compliance with applicable requirements and contains material errors and inaccurate or unclear statements, EPA must reopen and revise the Permit pursuant to 42 U.S.C. § 7661d(e) and 40 CFR §§ 70.7(g).

As set forth below, the Administrator should object to the Permit for the following reasons:

1. The Permit contains inadequate provisions addressing hazardous air pollutants ("HAPs") under recently promulgated regulations. GEPC failed to include detailed information as to how the facility must comply with these regulations. As a result, the Permit fails to include applicable limitations.
2. The Permit contains inadequate provisions addressing fugitive dust from the coal handling systems. By failing to include specifically enforceable best management practices, GEPC has ignored the language of its SIP. As a result, the Permit fails to include these practices to limit fugitive emissions.

I. The Permit Should Include Detailed Requirements for Hazardous Air Pollutant ("HAP") Standards.

CAA 504(a) requires each Title V permit to "assure compliance with applicable requirements of this chapter. . . ." 40 C.F.R. § 70.2 defines "applicable requirements" as including "requirements that have been promulgated or approved by EPA through rulemaking at the time of issuance but have future effective compliance dates."

On February 16, 2012, the EPA issued National Emission Standards for Hazardous Air Pollutants ("NESHAPs") for coal-fired electric steam generating units ("EGU MACT") and proposed revisions to the New Source Performance

Standards (“NSPS”) for these sources. This rule became effective as of April 16, 2012.⁴ Since the Permit was issued on September 24, 2012, the permit must include provisions incorporating this rule.

GEPD included a generic reference to the EGU MACT in condition 3.3.2, but does not provide any detailed information as to how the facility will comply with that rule, any limitations under the EGU MACT, nor monitoring requirements necessary to assure compliance with applicable limitations. EPA should object to the Permit because it fails to include the specific requirements of the EGU MACT, including provisions to add any additional monitoring required by 40 C.F.R. § 70.6(c)(1).

II. THE PERMIT MUST INCLUDE PROVISIONS TO CONTROL FUGITIVE DUST.

The comments pointed out that the Permit does not include or meet SIP requirements because it does not include the specific, enforceable best management practices necessary to eliminate or minimize fugitive dust from the coal handling system, the transfer and loading equipment, and the ash handling system. Comments at section IV.e. GEPD’s response to these comments only addresses requirements to record actions taken, but does not address Petitioners’ concern that the Permit only requires the plant to take “reasonable precautions” which is so vague as to be unenforceable. Amended Narrative at Addendum 3; Permit at condition 3.4.4.

⁴ Although a partial stay of this rule was issued on August 2, 2012, that stay only relates to new or modified sources. 77 Fed. Reg. 45967, 45968.

The Permit subjects the ash and coal handling systems to an opacity limit of twenty percent as required by Ga. Comp. R. & Regs. r. 391-3-1-.02(2)(n)2, but does not include the specific, enforceable best management practices necessary to eliminate or minimize fugitive dust from this component of the plant. *See* Permit at condition 3.4.5. The Georgia SIP includes a non-exhaustive list of specific control devices and practices that should be applied to this facility and detailed in its Title V permit as enforceable conditions of its operation. Ga. Comp. R. & Regs. r. 391-3-1-.02(2)(n). These include the application of water or other dust suppressants on surfaces or operations that can give rise to airborne dust, and “[i]nstallation and use of hoods, fans, and fabric filters to enclose and vent the handling of dusty materials.” Ga. Comp. R. & Regs. r. 391-3-1-.02(2)(n)1.

The Permit does not include any of the listed best management practices. Permit at condition 3.4.4. Rather, GPC is only required to take “reasonable precautions.” *Id.* This requirement is vague and unenforceable.

In the Permit, GEPD has ignored the language of the SIP by failing to incorporate specific control devices and practices. EPA should object and require the devices to be described in more detail in the Permit, should require monitoring and reporting of these devices, and to demonstrate of compliance with a twenty percent opacity limit. This will allow the public to evaluate the efficacy of control of the fugitive emissions and, when necessary, seek enforcement of any violations. The required frequency, quantity and duration of dust suppression techniques should also be included in the Permit.

Conclusion

For the foregoing reasons, the Permit fails to meet federal requirements. These deficiencies require that the Administrator object to issuance of the Permit pursuant to 40 C.F.R. § 70.8(c)(1). Additionally, each of the reasons for objection, above, also constitutes a basis for mandatory reopening and revision of the Permit pursuant to 42 U.S.C. § 7661d(e), 40 C.F.R. § 70.7(g). Each of the issues raised by Petitioners in this petition result in a deficient permit. Most of the deficiencies result in unlawful emissions of air pollutants that negatively affect the health and welfare of Petitioners' members. Others result in illegal monitoring and reporting that make it difficult for Petitioners to monitor and enforce air pollution limits applicable to the plant.

Dated this 23rd day of October, 2012.

Attorney for Petitioners,

A handwritten signature in black ink that reads "Ashten Bailey". The signature is written in a cursive, flowing style.

Ashten Bailey

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CERTIFICATE OF SERVICE

On this day I caused to be served upon the following persons a copy of Petitioners' Petition to the United States Environmental Protection Agency regarding the Kraft Steam-Electric Generating Plant, Permit No. 4911-051-0006-V-03-0.

To Administrator Jackson via electronic mail to: jackson.lisa@epa.gov

And via Certified Mail, Return Receipt Requested to:

Lisa Jackson
US EPA Administrator
Ariel Rios Building
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460

Gwendolyn Keyes Fleming
Regional Administrator, United States Environmental Protection
Agency Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, SW
Atlanta, GA 30303-8960

Judson H. Turner
Director, Georgia Environmental Protection Division
2 Martin Luther King Jr. Drive, SE Suite 1152 East Floyd Tower
Atlanta, GA 30334-9000

Ron Shipman
Vice President of Environmental Affairs, Georgia Power
241 Ralph McGill Blvd., NE, Bin 10221
Atlanta, GA 30308-3374

Dated: October 23, 2012.



Ashten Bailey

EXHIBIT A

Part 70 Operating Permit

Permit Number: 4911-051-0006-V-03-0 **Effective Date:** September 24, 2012

Facility Name: Kraft Steam – Electric Generating Plant

Facility Address: Crossgate Road at Savannah River
Port Wentworth, Georgia 31407 (Chatham County)

Mailing Address: Plant Kraft
Crossgate Road/P.O. Box 4068
Port Wentworth, Georgia 31407-4068

Parent/Holding Company: The Southern Company / Georgia Power Company

Facility AIRS Number: 04-13-051-00006

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 an electric utility plant including four fossil fuel-fired boilers and one combustion turbine.

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 effective 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 No. TV-20539 signed on June 27, 2011, 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 44 pages.

[Signed]

Director
Environmental Protection Division

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PART 1.0 FACILITY DESCRIPTION

1.1 Site Determination

There are no other facilities which could possibly be contiguous or adjacent and under common control.

1.2 Previous and/or Other Names

This facility is commonly known and referred to as Plant Kraft. It was formerly known as Port Wentworth Station. No other names were identified.

1.3 Overall Facility Process Description

Plant Kraft burns fossil fuel to generate electricity. This facility consists of four steam generating units and one combustion turbine. The first three steam generating units primarily burn coal and the fourth steam-generating unit primarily burns natural gas. The combustion of other fuels is permitted. The emissions of all four steam-generating units exhaust through a common 275-foot stack. The combustion turbine burns No. 2 fuel oil and natural gas and its emissions exhaust through a 25-foot stack.

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.

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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

				Air Pollution Control Devices	
					Description
SG01	Steam Generator Unit 1	391-3-1-.02(2)(b), (d), (g), 40 CFR 63 Subpart A 40 CFR 63 Subpart UUUUU 40 CFR 64 Acid Rain	3.2.1, 3.2.3, 3.3.2, 3.4.1, 3.4.2, 3.4.3, 4.2.1, 5.2.1, 5.2.2, 5.2.4, 5.2.5, 5.2.12, 6.2.3, 6.2.5, 7.9.7	EP01	ESP
SG02	Steam Generator Unit 2	391-3-1-.02(2)(b), (d), (g), 40 CFR 63 Subpart A 40 CFR 63 Subpart UUUUU 40 CFR 64 Acid Rain	3.2.1, 3.2.3, 3.3.2, 3.4.1, 3.4.2, 3.4.3, 4.2.1, 5.2.1, 5.2.2, 5.2.4, 5.2.6, 5.2.12, 6.2.3, 6.2.5, 7.9.7	EP02	ESP
SG03	Steam Generator Unit 3	391-3-1-.02(2)(b), (d), (g), 40 CFR 63 Subpart A 40 CFR 63 Subpart UUUUU 40 CFR 64 Acid Rain	3.2.1, 3.2.3, 3.3.2, 3.4.1, 3.4.2, 3.4.3, 4.2.1, 5.2.1, 5.2.2, 5.2.4, 5.2.7, 5.2.12, 6.2.3, 6.2.5, 7.9.7	EP03	ESP
SG04	Steam Generator Unit 4	391-3-1-.02(2)(b), (d), (g), Acid Rain	3.2.2, 3.2.3, 3.4.1, 3.4.2, 3.4.3, 5.2.1, 6.2.3, 7.9.7	None	NA
CT1	Combustion Turbine Unit 1	391-3-1-.02(2)(b) and (g) 40 CFR 63 Subpart A 40 CFR 63 Subpart YYYY Acid Rain	3.2.4, 3.3.1, 3.4.2, 3.4.3, 6.2.4, 7.9.7	None	NA
CHS	Coal Handling System	391-3-1-.02(2)(n)	3.4.4, 3.4.5, 6.2.1	None	NA
TLS	Transfer and Loading Equipment, Including the Transloader System	391-3-1-.02(2)(b) 391-3-1-.02(2)(e) 391-3-1-.02(2)(n)	3.4.2, 3.4.4, 3.4.6, 3.4.7, 5.2.13, 5.2.14, 6.2.1	DC01	Dust Collector System associated with the transloader equipment of the CHS.
AHS	Ash Handling System	391-3-1-.02(2)(n)	3.4.4, 3.4.5, 6.2.1	None	NA

* 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

3.2.1 The Permittee shall not fire any fuel other than coal, natural gas, or No. 6 fuel oil in the steam generating units with emission unit IDs SG01, SG02, and SG03, except for the following:

[391-3-1-.03(2)(c)]

- a. No. 2 fuel oil or propane may be burned during start-up, shutdown, to assist in achieving peak load and flame stabilization.
- b. Sawdust may be blended and fired with the coal.

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- c. Biomass may be blended and fired with the coal. Biomass, as used in this permit, shall include, but not be limited to paper, vegetative matter, or wood chips. Biomass shall not include sawdust (sawdust is covered by 3.2.1b.) or municipal solid waste except as may be specifically listed above.
 - d. Used oil, as indicated in Condition 3.2.3, may be burned.
- 3.2.2 The Permittee shall not fire any fuel other than natural gas or No. 6 fuel oil in the steam generating unit with emission unit ID SG04, except for the following:
[391-3-1-.03(2)(c)]
- a. Propane may be burned for start-up and flame stabilization only.
- 3.2.3 The Permittee shall not burn sawdust, biomass, or used oil in any steam generating unit during periods of startup or shutdown. For the purposes of this permit, startup shall be defined as the period lasting from the time that mill/burner performance and secondary air temperature are adequate to maintain an exiting gas temperature above the sulfuric acid dew point. For the purpose of this permit, the term shutdown means the cessation of the operation of a source or facility for any purpose.
[391-3-1-.03(2)(c)]
- 3.2.4 The Permittee shall not fire any fuel other than natural gas or No. 2 fuel oil in the combustion turbine (emission unit ID CT1), except for the following:
[391-3-1-.03(2)(c)]
- a. Propane may be burned for start-up only.

3.3 Equipment Federal Rule Standards

- 3.3.1 The Permittee shall comply with all applicable requirements of Federal Rule 40 CFR 63 Subpart YYYY – NESHAP for Stationary Combustion Turbines, for the operation of Combustion Turbine Unit CT1. Stationary combustion turbines constructed or reconstructed prior to January 14, 2003 do not have to meet the requirements of 40 CFR 63 Subparts YYYY or Subpart A.
[40 CFR 63.6090(b)(4)]
- 3.3.2 The Permittee shall comply with all applicable provisions of the “National Emission Standards for Hazardous Air Pollutants” as found in 40 CFR 63, Subpart A, “General Provisions” and 40 CFR 63, Subpart UUUUU, "National Emission Standards for Hazardous Air Pollutants from Coal and Oil-Fired Electric Utility Steam Generating Units" for operation of the Steam Generating Units (Source Code: SG01, SG02, and SG03).
[40 CFR 63, Subparts A and UUUUU]

3.4 Equipment SIP Rule Standards

- 3.4.1 The Permittee shall not discharge or cause the discharge into the atmosphere from any steam generating unit (emission unit IDs SG01, SG02, SG03, or SG04), any gases which contain particulate matter in excess of the rate derived from $E = 0.7 \times (10/R)^{0.202}$ where E equals the allowable particulate emission rate in pounds per million Btu heat input and R equals the heat input in million Btu per hour.
[391-3-1-.02(2)(d)1(ii)]
- 3.4.2 The Permittee shall not discharge or cause the discharge into the atmosphere from the combustion turbine (emission unit ID CT1), transloader dust collector system (emission unit ID DC01), or any steam generating unit (emission unit IDs SG01, SG02, SG03, or SG04) any gases which exhibit opacity equal to or greater than 40 percent.
[391-3-1-.02(2)(b)]
- 3.4.3 The Permittee shall not fire any fuel in the combustion turbine (emission unit CT1) or any steam generating unit (emission unit IDs SG01, SG02, SG03, or SG04) that contains greater than 3.0 weight percent sulfur.
[391-3-1-.02(2)(g)2]
- 3.4.4 The Permittee shall take all reasonable precautions with the coal handling system (emission unit ID CHS), the transfer and loading equipment, including the transloader system (emission unit ID: TLS), and the ash handling system (emission unit ID AHS) to prevent fugitive emissions of air contaminants.
[391-3-1-.02(2)(n)1]
- 3.4.5 The percent opacity from the ash handling system (emission unit ID AHS) or the coal handling system (emission unit ID CHS) shall not equal or exceed 20 percent.
[391-3-1-.02(2)(n)2]
- 3.4.6 The Permittee shall not cause, let, permit, suffer, or allow the rate of emissions from the transfer and loading equipment, including the transloader system (emission unit ID: TLS) particulate matter in total quantities equal to or exceeding the allowable rate calculated by the equation $E = 55^{P^{0.11}} - 40$.

Where:

E = emission rate in pounds per hour

P = process input weight rate in tons per hour

[391-3-1-.02(2)(e)1(i)]

- 3.4.7 The percent opacity of fugitive emissions from the transfer and loading equipment, including the transloader system (emission unit ID: TLS) shall not equal or exceed 20 percent.
[391-3-1-.02(2)(n)2]

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.
[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 for the determination of sample point locations,
 - b. Method 2 for the determination of stack gas flow rate,
 - c. Method 3 or 3A for the determination of stack gas molecular weight,
 - d. Method 3A or Method 3B shall be used for emission rate correction factor or excess air,
 - e. Method 4 for the determination of stack gas moisture,
 - f. Method 5 or Method 17 shall be used for the determination of Particulate Matter concentrations,
 - g. Method 6 or 6C for the determination of Sulfur Dioxide concentration,
 - h. Method 7 or 7E for the determination of Nitrogen Oxides concentration,
 - i. Method 9 and the procedures contained in Section 1.3 of the above reference document for the determination of opacity,
 - j. Method 19, when applicable, to convert particulate matter, carbon monoxide, sulfur dioxide, and nitrogen oxide 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. ASTM Methods D129, D1072, D1552, D2622 or D4294 shall be used for determining the sulfur content of liquid fuels.
- l. ASTM Methods D3177 or D4239 shall be used for determine the sulfur content of solid fuels.

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 **State Only Enforceable Condition.**

The Permittee shall provide, with the notification required under Condition 4.1.2, a test plan in accordance with Division guidelines.

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

4.2 Specific Testing Requirements

4.2.1 The Permittee shall conduct the following performance tests on the following emissions unit(s) at the frequency specified:

- a. Particulate Matter tests on Steam Generating Units 1, 2, and 3 (emission unit IDs SG01, SG02, and SG03, respectively). The tests shall be conducted annually at approximately twelve month intervals not to exceed thirteen months between tests. The Permittee may, if test results from the previous annual tests are fifty percent or less of the limitation in Condition 3.4.1, request that testing be deferred for a period no greater than twelve months from the required annual test date. Such request shall be in written form at least thirty days prior to the scheduled test.

[391-3-1-.02(6)(b)1(i)]

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 and 40 CFR 70.6(a)(3)(i)]
- a. A continuous opacity monitoring system for measurement of opacity on Steam Generating Units 1, 2, 3, and 4 (emission unit IDs SG01, SG02, SG03, and SG04).
- 5.2.2 For each day or portion of a day that coal is burned in Steam Generating Units 1, 2, and 3 (emission unit IDs SG01, SG02, and SG03), the Permittee shall obtain a sample of as bunkered coal for analysis for Sulfur content (%S), moisture content, and Gross Caloric Value (GCV). The sample shall be acquired and analyzed using the procedures of Section 12.5.2.1 in Method 19 of the Division's Procedures for Testing and Monitoring Sources of Air Pollutants, or acquired using ASTM D2234 and/or D7430, prepared using ASTM D2013, and analyzed using ASTM D4239 for determining sulfur, ASTM D5865 for determining GCV and ASTM D7582 and/or D3302 for determining moisture content of the coal sample in lieu of the method specified in Method 19.
[391-3-1-.02(6)(b)1 and 40 CFR 70.6(a)(3)(i)]
- 5.2.3 For each shipment of No. 2 fuel oil received, the Permittee shall obtain from the supplier of the fuel oil, a statement certifying that the oil complies with the specifications of No. 2 fuel oil contained in ASTM D396 or ASTM D975. As an alternative to the procedure described above, the Permittee may, for each shipment of No. 2 fuel oil received, obtain a sample for the analysis of sulfur content. The procedures of ASTM D4057 shall be used to acquire the sample. Sulfur content shall be determined using the procedures of ASTM D129, ASTM D1552 or by some other test method approved by the U.S. EPA and acceptable to the Division.
[391-3-1-.02(6)(b)1 and 40 CFR 70.6(a)(3)(i)]

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5.2.4 The following pollutant specific emission unit(s) (PSEU) is/are subject to the Compliance Assurance Monitoring (CAM) Rule in 40 CFR 64.

	Pollutant
SG01	PM
SG02	PM
SG03	PM

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 particulate matter emissions from SG01. [40 CFR 64.6(c)(1)(iii)]

	Indicator No. 1 Opacity from SG01 Exhaust
A. Data Representativeness [64.3(b)(1)]	The continuous emissions monitoring system (COMS) is located in EP01 exhaust. The COMS was installed at a representative location per 40 CFR 60, Appendix B, PS-1.
B. Verification of Operational Status (new/modified monitoring equipment only) [64.3(b)(2)]	Not Applicable
C. QA/QC Practices and Criteria [64.3(b)(3)]	The COMS was initially installed and evaluated per PS-1. Zero and span drift are checked daily and quarterly filter audit is performed.
D. Monitoring Frequency [64.3(b)(4)]	The opacity is monitored continuously.
E. Data Collection Procedures [64.3(b)(4)]	The data acquisition system (DAS) retains all 6-minute opacity data.
F. Averaging Period [64.3(b)(4)]	The 6-minute opacity data is used to calculate 3-hour block averages.

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5.2.6 The Permittee shall comply with the performance criteria listed in the table below for the particulate matter emissions from SG02.
 [40 CFR 64.6(c)(1)(iii)]

	Indicator No. 1 Opacity from SG02 Exhaust
A. Data Representativeness [64.3(b)(1)]	The continuous emissions monitoring system (COMS) is located in EP02 exhaust. The COMS was installed at a representative location per 40 CFR 60, Appendix B, PS-1.
B. Verification of Operational Status (new/modified monitoring equipment only) [64.3(b)(2)]	Not Applicable
C. QA/QC Practices and Criteria [64.3(b)(3)]	The COMS was initially installed and evaluated per PS-1. Zero and span drift are checked daily and quarterly filter audit is performed.
D. Monitoring Frequency [64.3(b)(4)]	The opacity is monitored continuously.
E. Data Collection Procedures [64.3(b)(4)]	The data acquisition system (DAS) retains all 6-minute opacity data.
F. Averaging Period [64.3(b)(4)]	The 6-minute opacity data is used to calculate 3-hour block averages.

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- 5.2.7 The Permittee shall comply with the performance criteria listed in the table below for the particulate matter emissions from SG03.
[40 CFR 64.6(c)(1)(iii)]

	Indicator No. 1 Opacity from SG03 Exhaust
A. Data Representativeness [64.3(b)(1)]	The continuous emissions monitoring system (COMS) is located in EP03 exhaust. The COMS was installed at a representative location per 40 CFR 60, Appendix B, PS-1.
B. Verification of Operational Status (new/modified monitoring equipment only) [64.3(b)(2)]	Not Applicable
C. QA/QC Practices and Criteria [64.3(b)(3)]	The COMS was initially installed and evaluated per PS-1. Zero and span drift are checked daily and quarterly filter audit is performed.
D. Monitoring Frequency [64.3(b)(4)]	The opacity is monitored continuously.
E. Data Collection Procedures [64.3(b)(4)]	The data acquisition system (DAS) retains all 6-minute opacity data.
F. Averaging Period [64.3(b)(4)]	The 6-minute opacity data is used to calculate 3-hour block averages.

- 5.2.8 The Permittee shall, at all times, maintain the monitoring required by Conditions 5.2.5, 5.2.6, and 5.2.7, including but not limited to, maintaining necessary parts for routine repairs of the monitoring equipment.
[40 CFR 64.7(b)]

- 5.2.9 Except for, as applicable, monitoring malfunctions, associated repairs, and required quality assurance or control activities (including, as applicable, calibration checks and required zero and span adjustments), the Permittee shall conduct all monitoring in continuous operation (or shall collect data at all required intervals) at all times that the pollutant specific emissions unit is operating. Data recorded during monitoring malfunctions, associated repairs, and required quality assurance or control activities shall not be used for purposes of CAM, including data averages and calculations, or fulfilling a minimum data availability requirement, if applicable. The Permittee shall use all the data collected during all other periods in assessing the operation of the control device and associated control system. A monitoring malfunction is any sudden, infrequent, not reasonably preventable failure of the monitoring to provide valid data. Monitoring failures that are caused in part by poor maintenance or careless operation are not malfunctions.
[40 CFR 64.7(c)]

5.2.10 Upon detecting an excursion or exceedance as defined in Condition 6.1.7b and c, the Permittee shall restore operation of the pollutant-specific emissions unit (including the control device and associated capture system) to its normal or usual manner of operation as expeditiously as practicable in accordance with good air pollution control practices for minimizing emissions. The response shall include minimizing the period of any startup, shutdown or malfunction and taking any necessary corrective actions to restore normal operation and prevent the likely recurrence of the cause of an excursion or exceedance (other than those caused by excused startup or shutdown conditions). Such actions may include initial inspection and evaluation, recording that operations returned to normal without operator action (such as through response by a computerized distribution control system), or any necessary follow-up actions to return operation to within the indicator range, designated condition, or below the applicable emission limitation or standard, as applicable. Determination of whether the Permittee has used acceptable procedures in response to an excursion or exceedance will be based on information available, which may include but is not limited to, monitoring results, review of operation and maintenance procedures and records, and inspection of the control device, associated capture system, and the process.

[40 CFR 64.7(d)(1) and (2)]

5.2.11 If the Permittee identifies a failure to achieve compliance with an emission limitation or standard for which the approved monitoring in Conditions 5.2.5, 5.2.6, and 5.2.7 did not provide an indication of an excursion or exceedance while providing valid data, or the results of compliance or performance testing document a need to modify the existing indicator ranges or designated conditions, the Permittee shall promptly notify the permitting authority and, if necessary, submit a proposed modification to the part 70 or 71 permit to address the necessary monitoring changes. Such a modification may include, but is not limited to, reestablishing indicator ranges or designated conditions, modifying the frequency of conducting monitoring and collecting data, or the monitoring of additional parameters.

[40 CFR 64.7(e)]

State Only Enforceable Condition.

5.2.12 The Permittee shall, upon written request by the Division, analyze any used oil to be burned in Steam Generating Units 1, 2, and 3. The sample(s) shall be obtained and analyzed using the following methods;

[391-3-1-.02(6)(b)1(i)]

- a. The procedures described in U.S. Environmental Protection Agency document EPA-600/2-80-018 (Samplers and Sampling Procedures for Hazardous Waste Streams) shall be used to obtain the sample.
- b. Method 6010B, contained in the SW-846 methods manual of U.S. Environmental Protection Agency's Office of Solid Waste, shall be used to determine concentrations of arsenic, cadmium, chromium, and lead.
- c. SW-846 Method 9077C shall be used to determine total Halogens.

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- d. ASTM D93 shall be used to determine flash point.
- e. Polychlorinated Biphenyls (PCB) shall be determined using the test method described in U.S. Environmental Protection Agency Document EPA-600/4-81-045 (The Determination of Polychlorinated Biphenyls in Transformer Fluid and Waste Oil).

5.2.13 The Permittee shall install, calibrate, maintain, and operate a device for the measurement of the pressure drop across the dust collector system (Air Pollution Control Device ID No. DC01). The device shall meet the applicable performance specification(s) of the Division's monitoring requirements.

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

5.2.14 The Permittee shall develop and implement a Preventive Maintenance Program for the transloader dust collector system (DC01) to assure that the provisions of condition 8.17.1 are met. The program shall be subject to review and, if necessary to assure compliance, modification by the Division and shall include the pressure drop ranges that indicate proper operation for each dust collector. The following operation and maintenance checks shall be made on at least a weekly basis during dust collector operation, and a record of the findings and corrective actions taken shall be kept in a maintenance log:

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

- a. Record the pressure drop across each dust collector and ensure that it is within the appropriate range.
- b. For dust collectors equipped with compressed air cleaning systems, check the system for proper operation. This may include checking for low pressure, leaks, proper lubrication, and proper operation of timer and valves.
- c. For dust collectors equipped with reverse air cleaning systems, check the system for proper operation. This may include checking damper, bypass, and isolation valves for proper operation.
- d. For dust collectors equipped with shaker cleaning systems, check the system for proper operation. This may include checking shaker mechanism for loose or worn bearings, drive components, mounting; proper operation of outlet/isolation valves; proper lubrication.
- e. Check dust collector hoppers and conveying systems for proper operation.

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.

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- 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)]

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- 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 six minute period during which the average opacity, as measured by the COMS for Steam Generating Units 1, 2, 3, or 4 (emission unit IDs SG01, SG02, SG03, and SG04), exceeds 40 percent.

- 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. Any three-hour block average during which the arithmetic average opacity, as measured by the COMS, exceeds 37 percent for Unit 1 (emission unit ID SG01). A three-hour block average shall be defined as any one of the eight consecutive three-hour time periods between 12:00 midnight and the following midnight.
 - ii. Any three-hour block average during which the arithmetic average opacity, as measured by the COMS, exceeds 39 percent for Unit 2 (emission unit ID SG02). A three-hour block average shall be defined as any one of the eight consecutive three-hour time periods between 12:00 midnight and the following midnight.
 - iii. Any three-hour block average during which the arithmetic average opacity, as measured by the COMS, exceeds 38 percent for Unit 3 (emission unit ID SG03). A three-hour block average shall be defined as any one of the eight consecutive three-hour time periods between 12:00 midnight and the following midnight.
 - iv. Any three-hour block average during which the arithmetic average opacity, as measured by the COMS, exceeds 20 percent for Unit 4 (emission unit ID SG04) (when burning No. 6 fuel oil only). A three-hour block average shall be defined as any one of the eight consecutive three-hour time periods between 12:00 midnight and the following midnight.

6.2 Specific Record Keeping and Reporting Requirements

6.2.1 The Permittee shall maintain a record of all actions taken in accordance with Condition 3.4.4 to suppress fugitive dust from the coal handling system (emission unit ID CHS), the ash handling system (emission unit ID AHS), the transloader system (emission unit ID TLS), roads, storage piles, or any other source of fugitive dust. Such records shall include the date and time of occurrence and a description of the actions taken.

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

6.2.2 The Permittee may submit, via electronic media, any report required by Part 6.0 of this permit provided such format has been approved by the Division.

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

State Only Enforceable Condition.

6.2.3 The Permittee shall retain monthly records of all fuel burned (except f and g below which shall be monitored on an as received basis) in the steam generating units (emission unit IDs SG01, SG02, SG03, and SG04), for five years after the date and year of record. The records shall be available for inspection or submittal to the Division, upon request, and contain the following:

[391-3-1-.02(6)(b)1(i)]

- a. Quantity (tons) of coal burned.
- b. Quantity (gallons) of No. 6 fuel oil burned.
- c. Aggregate total quantity (gallons) of distillate oil, No. 2 fuel oil, or very low sulfur oil burned.
- d. Quantity (million cubic feet) of natural gas burned.
- e. Quantity (million cubic feet) of propane burned.
- f. Quantity (tons) of sawdust received.
- g. Quantity (tons) of biomass received.
- h. Quantity (gallons) of used oil burned.

State Only Enforceable Condition.

6.2.4 The Permittee shall retain monthly records of all fuel burned in the combustion turbine (emission unit ID CT1) for five years after the date and year of record. The records shall be available for inspection or submittal to the Division, upon request, and contain the following:

[391-3-1-.02(6)(b)1(i)]

- a. Aggregate total quantity (gallons) of distillate oil, No. 2 fuel oil, or very low sulfur oil burned.

- b. Quantity (million cubic feet) of natural gas burned.
- c. Quantity (million cubic feet) of propane burned.

State Only Enforceable Condition.

6.2.5 The Permittee shall maintain records of representative samples of the coal and sawdust burned in the steam generating units with emission unit IDs SG01, SG02, and SG03. The records shall be available for inspection or submittal to the Division, upon request, and contain the following:

[391-3-1-.02(6)(b)1(i)]

- a. Percent ash content of coal.
- b. Heat content (Btu per pound) of sawdust.

6.2.6 For each shipment of No. 6 fuel oil received, the Permittee shall obtain the following information from the fuel supplier:

[391-3-1-.02(6)(b)1]

- a. The location of the No. 6 fuel oil when the sample was drawn for analysis to determine the Sulfur content of the oil, specifically including whether the oil was sampled as delivered to the affected facility or whether the sample was drawn from oil at another location.
- b. The Sulfur content of the oil from which the shipment came (or of the shipment itself).
- c. The method used to determine the Sulfur content of the oil.

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)

7.6.1 The Permittee shall maintain records of the duration and frequency of the following Short term Activities:

- a. Sand blasting for maintenance purposes.
- b. Asbestos removal in accordance with Georgia Rule 391-3-1-.02(9)(b)7.

These activities shall be conducted without unreasonably interfering with the enjoyment of life or use of property in any affected area of this State.

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

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: 0733

Effective: January 1, 2012 through December 31, 2016

- 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 allowances acquired pursuant to the State's 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)]
- 7.9.3 This permit does not place limits on the number of 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 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)]

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7.9.7 SO₂ Allowance Allocations and NO_x Requirements for each affected unit.
 [40 CFR 73 (SO₂) and 40 CFR 76 (NO_x)]

		2012	2013	2014	2015	2016
EMISSION UNIT ID	EPA ID	SO ₂ Allowances	1533	1533	1533	1533
SG01	1	NO _x Limit	The standard annual average NO _x limit for a Phase I tangentially fired boiler is 0.45 lb/mmBtu. In lieu of this limit, the Permittee may comply with 40 CFR Part 76 by complying with an approved Phase II NO _x averaging plan as described below.			
<p>Pursuant to 40 CFR 76.11, Georgia EPD approves five NO_x emissions averaging plans for this unit. Each plan is effective for one calendar year for the years 2012, 2013, 2014, 2015 and 2016. Under each plan, this unit's NO_x emissions shall not exceed the annual average alternative contemporaneous emission limitation of 0.58 lb/mmBtu. In addition, this unit shall not have an annual heat input greater than 3,195,641mmBtu.</p> <p>Under the plan, the actual Btu-weighted annual average NO_x emission rate for the units in the plan shall be less than or equal to the Btu-weighted annual average NO_x emission rate for the same units had they each been operated, during the same period of time, in compliance with the applicable emission limitations under 40 CFR 76.5, 76.6, or 76.7, except that for any early election units, the applicable emission limitations shall be under 40 CFR 76.7. If the designated representative demonstrates that the requirement of the prior sentence (as set forth in 40 CFR 76.11(d)(1)(ii)(A)) is met for a year under the plan, then this unit shall be deemed to be in compliance for that year with its alternative contemporaneous annual emission limitation and annual heat input limit.</p> <p>In accordance with 40 CFR 72.40(b)(2), approval of the averaging plan shall be final only when the Mississippi Department of Environmental Quality, the Alabama Department of Environmental Management, the Florida Department of Environmental Protection, and the Jefferson County Department of Health (Alabama) have also approved this averaging plan.</p> <p>In addition to the described NO_x compliance plan, this unit shall comply with all other applicable requirements of 40 CFR part 76, including the duty to reapply for a NO_x compliance plan and requirements covering excess emissions.</p>						

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			2012	2013	2014	2015	2016
EMISSION UNIT ID	EPA ID	SO ₂ Allowances	1466	1466	1466	1466	1466
SG02	2	NO _x Limit	The standard annual average NO _x limit for a Phase I tangentially fired boiler is 0.45 lb/mmBtu. In lieu of this limit, the Permittee may comply with 40 CFR Part 76 by complying with an approved Phase II NO _x averaging plan as described below.				
<p>Pursuant to 40 CFR 76.11, Georgia EPD approves five NO_x emissions averaging plans for this unit. Each plan is effective for one calendar year for the years 2012, 2013, 2014, 2015 and 2016. Under each plan, this unit's NO_x emissions shall not exceed the annual average alternative contemporaneous emission limitation of 0.58 lb/mmBtu. In addition, this unit shall not have an annual heat input greater than 2,991,096 mmBtu.</p> <p>Under the plan, the actual Btu-weighted annual average NO_x emission rate for the units in the plan shall be less than or equal to the Btu-weighted annual average NO_x emission rate for the same units had they each been operated, during the same period of time, in compliance with the applicable emission limitations under 40 CFR 76.5, 76.6, or 76.7, except that for any early election units, the applicable emission limitations shall be under 40 CFR 76.7. If the designated representative demonstrates that the requirement of the prior sentence (as set forth in 40 CFR 76.11(d)(1)(ii)(A)) is met for a year under the plan, then this unit shall be deemed to be in compliance for that year with its alternative contemporaneous annual emission limitation and annual heat input limit.</p> <p>In accordance with 40 CFR 72.40(b)(2), approval of the averaging plan shall be final only when the Mississippi Department of Environmental Quality, the Alabama Department of Environmental Management, the Florida Department of Environmental Protection, and the Jefferson County Department of Health (Alabama) have also approved this averaging plan.</p> <p>In addition to the described NO_x compliance plan, this unit shall comply with all other applicable requirements of 40 CFR part 76, including the duty to reapply for a NO_x compliance plan and requirements covering excess emissions.</p>							

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			2012	2013	2014	2015	2016
EMISSION UNIT ID	EPA ID	SO ₂ Allowances	2968	2968	2968	2968	2968
SG03	3	NO _x Limit	The standard annual average NO _x limit for a Phase I tangentially fired boiler is 0.45 lb/mmBtu. In lieu of this limit, the Permittee may comply with 40 CFR Part 76 by complying with an approved Phase II NO _x averaging plan as described below.				
<p>Pursuant to 40 CFR 76.11, Georgia EPD approves five NO_x emissions averaging plans for this unit. Each plan is effective for one calendar year for the years 2012, 2013, 2014, 2015 and 2016. Under each plan, this unit's NO_x emissions shall not exceed the annual average alternative contemporaneous emission limitation of 0.58 lb/mmBtu. In addition, this unit shall not have an annual heat input greater than 5,936,838 mmBtu.</p> <p>Under the plan, the actual Btu-weighted annual average NO_x emission rate for the units in the plan shall be less than or equal to the Btu-weighted annual average NO_x emission rate for the same units had they each been operated, during the same period of time, in compliance with the applicable emission limitations under 40 CFR 76.5, 76.6, or 76.7, except that for any early election units, the applicable emission limitations shall be under 40 CFR 76.7. If the designated representative demonstrates that the requirement of the prior sentence (as set forth in 40 CFR 76.11(d)(1)(ii)(A)) is met for a year under the plan, then this unit shall be deemed to be in compliance for that year with its alternative contemporaneous annual emission limitation and annual heat input limit.</p> <p>In accordance with 40 CFR 72.40(b)(2), approval of the averaging plan shall be final only when the Mississippi Department of Environmental Quality, the Alabama Department of Environmental Management, the Florida Department of Environmental Protection, and the Jefferson County Department of Health (Alabama) have also approved this averaging plan.</p> <p>In addition to the described NO_x compliance plan, this unit shall comply with all other applicable requirements of 40 CFR part 76, including the duty to reapply for a NO_x compliance plan and requirements covering excess emissions.</p>							

			2012	2013	2014	2015	2016
EMISSION UNIT ID	EPA ID	SO ₂ Allowances	437	437	437	437	437
SG04	4	NO _x Limit	This affected unit is not subject to the NO _x requirements of 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 SO₂ allowance allocations identified in this permit (See CFR 72.84).

- 7.9.8 Permit Application: The Phase II Acid Rain Permit Application, Compliance Plan, and NO_x Averaging Plan submitted for this source, as corrected by the State of Georgia, is attached as part of this Permit. The owners and operators of the source must comply with the standard requirements and special provisions set forth in the application.
[40 CFR 72.50(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)
 - 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

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- 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 (information for establishing an account can be found at www.epa.gov/emergencies/content/rmp/rmp_esubmit.htm). 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:

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- 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:

	Dates of Original Permit or Amendment Issuance
4911-051-0006-V-02-0	Effective July 30, 2007
4911-051-0006-V-02-1	Effective May 16, 2008
4911-051-0006-V-02-2	Effective March 12, 2009
4911-051-0006-V-02-3	Effective June 8, 2009
4911-051-0006-V-02-4	Effective September 18, 2009
4911-051-0006-V-02-5	Effective March 2, 2012

7.13 Pollution Prevention

None applicable.

7.14 Specific Conditions

None applicable.

7.15 Clean Air Interstate Rule (CAIR) Requirements

[40 CFR 96, 391-3-1-.02(12), 391-3-1-.02(13)]

7.15.1 Permit Application: The CAIR Permit Application, as corrected by the State of Georgia, is attached as part of this Permit. The owners and operators of these CAIR units as identified in Condition 7.15.2 must comply with the standard requirements and special provisions set forth in the application.

[40 CFR 96.121, 96.122, 96.221, 96.222, 96.321, and 96.322]

7.15.2 The owners and operators of the source shall comply with the Annual NO_x Allowance Allocations in accordance with the CAIR requirements as follows:

[40 CFR 96, 391-3-1-.02(12)]

	Emission Unit IDs.	EPA IDs.		2012	2013
Facility Wide	SG01	1	CAIR Facility Wide Annual NO _x Allowances (tpy)	1,112	1,112
	SG02	2			
	SG03	3			
	SG04	4			

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 effective 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. Re-openings shall be made as expeditiously as practicable.

- [391-3-1-.03(10)(e)6(ii)]
- 8.11.3 Re-openings 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:
- 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 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

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- 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, 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, 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 which are individually large enough to be visible to the unaided eye.
- 8.24.4 No person shall operate an existing incinerator 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 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 Diesel-Fired Internal Combustion Engines

8.27.1 The Permittee shall comply with all applicable provisions of New Source Performance Standards (NSPS) Federal Rule 40 CFR Part 60 Subpart A-"General Provisions" and Subpart III-"Standards for Stationary Compression Ignition Internal Combustion Engines," for diesel-fired internal combustion engine(s) manufactured after April 1, 2006 or modified/reconstructed after July 11, 2005. Such requirements include but are not limited to:
[40 CFR 60.4205(b), 391-3-1-.02(8)(b)77]

- a. Equip all emergency generator engines with non-resettable hour meters.
- b. Purchase only diesel fuel with a maximum sulfur content of 15 ppm unless otherwise specified by the Division.

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_x Averaging Plan
- E. CAIR Permit Application for SO₂ and NO_x Annual Trading Programs

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Kraft Steam - Electric Generating Plant

Permit No.: 4911-051-0006-V-03-0

ATTACHMENT A

List Of Standard Abbreviations

AIRS	Aerometric Information Retrieval System
APCD	Air Pollution Control Device
ASTM	American Society for Testing and Materials
BACT	Best Available Control Technology
BTU	British Thermal Unit
CAAA	Clean Air Act Amendments
CEMS	Continuous Emission Monitoring System
CERMS	Continuous Emission Rate Monitoring System
CFR	Code of Federal Regulations
CMS	Continuous Monitoring System(s)
CO	Carbon Monoxide
COMS	Continuous Opacity Monitoring System
dscf/dscm	Dry Standard Cubic Foot / Dry Standard Cubic Meter
EPA	United States Environmental Protection Agency
EPCRA	Emergency Planning and Community Right to Know Act
gr	Grain(s)
GPM (gpm)	Gallons per minute
H ₂ O (H2O)	Water
HAP	Hazardous Air Pollutant
HCFC	Hydro-chloro-fluorocarbon
MACT	Maximum Achievable Control Technology
MMBtu	Million British Thermal Units
MMBtu/hr	Million British Thermal Units per hour
MVAC	Motor Vehicle Air Conditioner
MW	Megawatt
NESHAP	National Emission Standards for Hazardous Air Pollutants
NO _x (NOx)	Nitrogen Oxides
NSPS	New Source Performance Standards
OCGA	Official Code of Georgia Annotated

PM	Particulate Matter
PM ₁₀ (PM10)	Particulate Matter less than 10 micrometers in diameter
PPM (ppm)	Parts per Million
PSD	Prevention of Significant Deterioration
RACT	Reasonably Available Control Technology
RMP	Risk Management Plan
SIC	Standard Industrial Classification
SIP	State Implementation Plan
SO ₂ (SO2)	Sulfur Dioxide
USC	United States Code
VE	Visible Emissions
VOC	Volatile Organic Compound

List of Permit Specific Abbreviations

ESP	Electrostatic Precipitator

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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

		Quantity
Mobile Sources	1. Cleaning and sweeping of streets and paved surfaces	X
Combustion Equipment	1. Fire fighting and similar safety equipment used to train fire fighters or other emergency personnel.	X
	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:	0
	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.	0
	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)	0
	3. Open burning in compliance with Georgia Rule 391-3-1-.02 (5).	X
	4. Stationary engines burning:	
	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	4
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.	0	
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.	2	
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.	0	
Trade Operations	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.	X
Maintenance, Cleaning, and Housekeeping	1. Blast-cleaning equipment using a suspension of abrasive in water and any exhaust system (or collector) serving them exclusively.	0
	2. Portable blast-cleaning equipment.	X
	3. Non-Perchloroethylene Dry-cleaning equipment with a capacity of 100 pounds per hour or less of clothes.	0
	4. Cold cleaners having an air/vapor interface of not more than 10 square feet and that do not use a halogenated solvent.	4
	5. Non-routine clean out of tanks and equipment for the purposes of worker entry or in preparation for maintenance or decommissioning.	X
	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.	0
	7. Cleaning operations: Alkaline phosphate cleaners and associated cleaners and burners.	X

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INSIGNIFICANT ACTIVITIES CHECKLIST

		Quantity
Laboratories and Testing	1. Laboratory fume hoods and vents associated with bench-scale laboratory equipment used for physical or chemical analysis.	2
	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.	0
Pollution Control	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.	5
	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.	0
	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.	0
	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.	0
Industrial Operations	1. Concrete block and brick plants, concrete products plants, and ready mix concrete plants producing less than 125,000 tons per year.	0
	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:	0
	i) Furnaces for heat treating glass or metals, the use of which do not involve molten materials or oil-coated parts.	0
	ii) Porcelain enameling furnaces or porcelain enameling drying ovens.	0
	iii) Kilns for firing ceramic ware.	0
	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.	0
	v) Bakery ovens and confection cookers.	0
	vi) Feed mill ovens.	0
	vii) Surface coating drying ovens	0
	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:	X
	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).	0	
5. Grain, food, or mineral extrusion processes	0	
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.	0	
7. Equipment for the mining and screening of uncrushed native sand and gravel.	0	
8. Ozonization process or process equipment.	0	
9. Electrostatic powder coating booths with an appropriately designed and operated particulate control system.	0	
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.	0	
11. Equipment used exclusively for the mixing and blending water-based adhesives and coatings at ambient temperatures.	0	
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.	0	
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.	0	

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Kraft Steam - Electric Generating Plant

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INSIGNIFICANT ACTIVITIES CHECKLIST

		Quantity
Storage Tanks and Equipment	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
	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.	0
	3. All petroleum liquid storage tanks with a capacity of less than 10,000 gallons storing a petroleum liquid.	10
	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.	1
	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.	1
	6. Portable drums, barrels, and totes provided that the volume of each container does not exceed 550 gallons.	<100
	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).	2

INSIGNIFICANT ACTIVITIES BASED ON EMISSION LEVELS

	Quantity
none	0

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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.

		Applicable Rules		
				Fugitive Dust Rule (n)
None	0			

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.

	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.	0
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.	0
Any fuel burning equipment with a rated heat input capacity of 1 million BTU/hr or less.	0

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.
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.
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_x AVERAGING PLAN**



United States Environmental Protection Agency Acid Rain Program

RECEIVED

JUN 29 2011

OMB No. 2060-0258 Approval expires 11/30/2012

AIR PROTECTION BRANCH

Acid Rain Permit Application

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

This submission is: ~ new ~ revised for Acid Rain permit renewal

STEP 1

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

Facility (Source) Name: Kraft	State: GA	Plant Code: 733
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STEP 2

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

a	b
Unit ID#	Unit Will Hold Allowances in Accordance with 40 CFR 72.9(c)(1)
1	Yes
2	Yes
3	Yes
4	Yes
CS001	Yes

Facility (Source) Name (from STEP 1): Kraft

Permit Requirements

STEP 3

Read the standard requirements.

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

Monitoring Requirements

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

Sulfur Dioxide Requirements

- (1) The owners and operators of each source and each affected unit at the source shall:
 - (i) Hold allowances, as of the allowance transfer deadline, in the source's compliance account (after deductions under 40 CFR 73.34(c)), not less than the total annual emissions of sulfur dioxide for the previous calendar year from the affected units at the source; and
 - (ii) Comply with the applicable Acid Rain emissions limitations for sulfur dioxide.
- (2) Each ton of sulfur dioxide emitted in excess of the Acid Rain emissions limitations for sulfur dioxide shall constitute a separate violation of the Act.
- (3) An affected unit shall be subject to the requirements under paragraph (1) of the sulfur dioxide requirements as follows:
 - (i) Starting January 1, 2000, an affected unit under 40 CFR 72.6(a)(2); or
 - (ii) Starting on the later of January 1, 2000 or the deadline for monitor certification under 40 CFR part 75, an affected unit under 40 CFR 72.6(a)(3).

Facility (Source) Name (from STEP 1): Kraft

Sulfur Dioxide Requirements, Cont'd.

STEP 3, Cont'd.

(4) Allowances shall be held in, deducted from, or transferred among Allowance Tracking System accounts in accordance with the Acid Rain Program.

(5) An allowance shall not be deducted in order to comply with the requirements under paragraph (1) of the sulfur dioxide requirements prior to the calendar year for which the allowance was allocated.

(6) An allowance allocated by the Administrator under the Acid Rain Program is a limited authorization to emit sulfur dioxide in accordance with the Acid Rain Program. No provision of the Acid Rain Program, the Acid Rain permit application, the Acid Rain permit, or an exemption under 40 CFR 72.7 or 72.8 and no provision of law shall be construed to limit the authority of the United States to terminate or limit such authorization.

(7) An allowance allocated by the Administrator under the Acid Rain Program does not constitute a property right.

Nitrogen Oxides Requirements

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

Excess Emissions Requirements

(1) The designated representative of an affected source that has excess emissions in any calendar year shall submit a proposed offset plan, as required under 40 CFR part 77.

(2) The owners and operators of an affected source that has excess emissions in any calendar year shall:

(i) Pay without demand the penalty required, and pay upon demand the interest on that penalty, as required by 40 CFR part 77; and

(ii) Comply with the terms of an approved offset plan, as required by 40 CFR part 77.

Recordkeeping and Reporting Requirements

(1) Unless otherwise provided, the owners and operators of the source and each affected unit at the source shall keep on site at the source each of the following documents for a period of 5 years from the date the document is created. This period may be extended for cause, at any time prior to the end of 5 years, in writing by the Administrator or permitting authority:

(i) The certificate of representation for the designated representative for the source and each affected unit at the source and all documents that demonstrate the truth of the statements in the certificate of representation, in accordance with 40 CFR 72.24; provided that the certificate and documents shall be retained on site at the source beyond such 5-year period until such documents are superseded because of the

Facility (Source) Name (from STEP 1): Kraft

submission of a new certificate of representation changing the designated representative;

STEP 3, Cont'd.

Recordkeeping and Reporting Requirements, Cont'd.

- (ii) All emissions monitoring information, in accordance with 40 CFR part 75, provided that to the extent that 40 CFR part 75 provides for a 3-year period for recordkeeping, the 3-year period shall apply.
 - (iii) Copies of all reports, compliance certifications, and other submissions and all records made or required under the Acid Rain Program; and,
 - (iv) Copies of all documents used to complete an Acid Rain permit application and any other submission under the Acid Rain Program or to demonstrate compliance with the requirements of the Acid Rain Program.
- (2) The designated representative of an affected source and each affected unit at the source shall submit the reports and compliance certifications required under the Acid Rain Program, including those under 40 CFR part 72 subpart I and 40 CFR part 75.

Liability

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

Effect on Other Authorities

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

Facility (Source) Name (from STEP 1): Kraft

STEP 3, Cont'd.

(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

Effect on Other Authorities, Cont'd.

to applicable National Ambient Air Quality Standards or State Implementation Plans;

(2) Limiting the number of allowances a source can hold; *provided*, that the number of allowances held by the source shall not affect the source's obligation to comply with any other provisions of the Act;

(3) Requiring a change of any kind in any State law regulating electric utility rates and charges, affecting any State law regarding such State regulation, or limiting such State regulation, including any prudence review requirements

under such State law;

(4) Modifying the Federal Power Act or affecting the authority of the Federal Energy Regulatory Commission under the Federal Power Act; or,

(5) Interfering with or impairing any program for competitive bidding for power supply in a State in which such program is established.

STEP 4

Read the certification statement, sign, and date.

Certification

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

Name Ronald Shipman	
Signature <i>Ronald Shipman</i>	Date 6/27/2011

ATTACHMENT E

**CAIR PERMIT APPLICATION FOR SO₂ and NO_x
ANNUAL TRADING PROGRAMS**

CAIR Permit Application

(for sources covered under a CAIR SIP)

For more information, refer to 40 CFR 96.121, 96.122, 96.221, 96.222, 96.321, and 96.322

This submission is: New Revised

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STEP 1
Identify the source by plant name, State, and ORIS or facility code

Kraft Plant Name	GA State	733 ORIS/Facility Code	DEC 18 2008
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18667

AIR PROTECTION BRANCH
NO_x Ozone Season

STEP 2
Enter the unit ID# for each CAIR unit and indicate to which CAIR programs each unit is subject (by placing an "X" in the column)

Unit ID#	NO _x Annual	SO ₂	NO _x Ozone Season
1	X	X	
2	X	X	
3	X	X	
4	X	X	

STEP 3
Read the standard requirements and the certification, enter the name of the CAIR designated representative, and sign and date

Standard Requirements

(a) Permit Requirements.

(1) The CAIR designated representative of each CAIR NO_x source, CAIR SO₂ source, and CAIR NO_x Ozone Season source (as applicable) required to have a title V operating permit and each CAIR NO_x unit, CAIR SO₂ unit, and CAIR NO_x Ozone Season unit (as applicable) required to have a title V operating permit at the source shall:

(i) Submit to the permitting authority a complete CAIR permit application under §96.122, §96.222, and §96.322 (as applicable) in accordance with the deadlines specified in §96.121, §96.221, and §96.321 (as applicable); and

(ii) Submit in a timely manner any supplemental information that the permitting authority determines is necessary in order to review a CAIR permit application and issue or deny a CAIR permit.

(2) The owners and operators of each CAIR NO_x source, CAIR SO₂ source, and CAIR NO_x Ozone Season source (as applicable) required to have a title V operating permit and each CAIR NO_x unit, CAIR SO₂ unit, and CAIR NO_x Ozone Season unit (as applicable) required to have a title V operating permit at the source shall have a CAIR permit issued by the permitting authority under subpart CC, CCC, and CCCC (as applicable) of 40 CFR part 96 for the source and operate the source and the unit in compliance with such CAIR permit.

(3) Except as provided in subpart II, III, and IIII (as applicable) of 40 CFR part 96, the owners and operators of a CAIR NO_x source, CAIR SO₂ source, and CAIR NO_x Ozone Season source (as applicable) that is not otherwise required to have a title V operating permit and each CAIR NO_x unit, CAIR SO₂ unit, and CAIR NO_x Ozone Season unit (as applicable) that is not otherwise required to have a title V operating permit are not required to submit a CAIR permit application, and to have a CAIR permit, under subpart CC, CCC, and CCCC (as applicable) of 40 CFR part 96 for such CAIR NO_x source, CAIR SO₂ source, and CAIR NO_x Ozone Season source (as applicable) and such CAIR NO_x unit, CAIR SO₂ unit, and CAIR NO_x Ozone Season unit (as applicable).

STEP 3,
continued

(b) Monitoring, reporting, and recordkeeping requirements.

(1) The owners and operators, and the CAIR designated representative, of each CAIR NO_x source, CAIR SO₂ source, and CAIR NO_x Ozone Season source (as applicable) and each CAIR NO_x unit, CAIR SO₂ unit, and CAIR NO_x Ozone Season unit (as applicable) at the source shall comply with the monitoring, reporting, and recordkeeping requirements of subparts HH, HHH, and HHHH (as applicable) of 40 CFR part 96.

(2) The emissions measurements recorded and reported in accordance with subparts HH, HHH, and HHHH (as applicable) of 40 CFR part 96 shall be used to determine compliance by each CAIR NO_x source, CAIR SO₂ source, and CAIR NO_x Ozone Season source (as applicable) with the CAIR NO_x emissions limitation, CAIR SO₂ emissions limitation, and CAIR NO_x Ozone Season emissions limitation (as applicable) under paragraph (c) of §96.106, §96.206, and §96.306 (as applicable).

(c) Nitrogen oxides emissions requirements.

(1) As of the allowance transfer deadline for a control period, the owners and operators of each CAIR NO_x source and each CAIR NO_x unit at the source shall hold, in the source's compliance account, CAIR NO_x allowances available for compliance deductions for the control period under §96.154(a) in an amount not less than the tons of total nitrogen oxides emissions for the control period from all CAIR NO_x units at the source, as determined in accordance with subpart HH of 40 CFR part 96.

(2) A CAIR NO_x unit shall be subject to the requirements under paragraph (c)(1) of §96.106 for the control period starting on the later of January 1, 2009 or the deadline for meeting the unit's monitor certification requirements under §96.170(b)(1), (2), or (5) and for each control period thereafter.

(3) A CAIR NO_x allowance shall not be deducted, for compliance with the requirements under paragraph (c)(1) of §96.106, for a control period in a calendar year before the year for which the CAIR NO_x allowance was allocated.

(4) CAIR NO_x allowances shall be held in, deducted from, or transferred into or among CAIR NO_x Allowance Tracking System accounts in accordance with subparts FF, GG, and II of 40 CFR part 96.

(5) A CAIR NO_x allowance is a limited authorization to emit one ton of nitrogen oxides in accordance with the CAIR NO_x Annual Trading Program. No provision of the CAIR NO_x Annual Trading Program, the CAIR permit application, the CAIR permit, or an exemption under §96.105 and no provision of law shall be construed to limit the authority of the State or the United States to terminate or limit such authorization.

(6) A CAIR NO_x allowance does not constitute a property right.

(7) Upon recordation by the Administrator under subpart EE, FF, GG, or II of 40 CFR part 96, every allocation, transfer, or deduction of a CAIR NO_x allowance to or from a CAIR NO_x source's compliance account is incorporated automatically in any CAIR permit of the source that includes the CAIR NO_x unit.

Sulfur dioxide emission requirements.

(1) As of the allowance transfer deadline for a control period, the owners and operators of each CAIR SO₂ source and each CAIR SO₂ unit at the source shall hold, in the source's compliance account, a tonnage equivalent of CAIR SO₂ allowances available for compliance deductions for the control period under §96.254(a) and (b) not less than the tons of total sulfur dioxide emissions for the control period from all CAIR SO₂ units at the source, as determined in accordance with subpart HHH of 40 CFR part 96.

(2) A CAIR SO₂ unit shall be subject to the requirements under paragraph (c)(1) of §96.206 for the control period starting on the later of January 1, 2010 or the deadline for meeting the unit's monitor certification requirements under §96.270(b)(1), (2), or (5) and for each control period thereafter.

(3) A CAIR SO₂ allowance shall not be deducted, for compliance with the requirements under paragraph (c)(1) of §96.206, for a control period in a calendar year before the year for which the CAIR SO₂ allowance was allocated.

(4) CAIR SO₂ allowances shall be held in, deducted from, or transferred into or among CAIR SO₂ Allowance Tracking System accounts in accordance with subparts FFF, GGG, and III of 40 CFR part 96.

(5) A CAIR SO₂ allowance is a limited authorization to emit sulfur dioxide in accordance with the CAIR SO₂ Trading Program. No provision of the CAIR SO₂ Trading Program, the CAIR permit application, the CAIR permit, or an exemption under §96.205 and no provision of law shall be construed to limit the authority of the State or the United States to terminate or limit such authorization.

(6) A CAIR SO₂ allowance does not constitute a property right.

(7) Upon recordation by the Administrator under subpart FFF, GGG, or III of 40 CFR part 96, every allocation, transfer, or deduction of a CAIR SO₂ allowance to or from a CAIR SO₂ source's compliance account is incorporated automatically in any CAIR permit of the source that includes the CAIR SO₂ unit.

Nitrogen oxides ozone season emissions requirements.

(1) As of the allowance transfer deadline for a control period, the owners and operators of each CAIR NO_x Ozone Season source and each CAIR NO_x Ozone Season unit at the source shall hold, in the source's compliance account, CAIR NO_x Ozone Season allowances available for compliance deductions for the control period under §96.354(a) in an amount not less than the tons of total nitrogen oxides emissions for the control period from all CAIR NO_x Ozone Season units at the source, as determined in accordance with subpart HHHH of 40 CFR part 96.

(2) A CAIR NO_x Ozone Season unit shall be subject to the requirements under paragraph (c)(1) of §96.306 for the control period starting on the later of May 1, 2009 or the deadline for meeting the unit's monitor certification requirements under §96.370(b)(1), (2), (3) or (7) and for each control period thereafter.

(3) A CAIR NO_x Ozone Season allowance shall not be deducted, for compliance with the requirements under paragraph (c)(1) of §96.306, for a control period in a calendar year before the year for which the CAIR NO_x Ozone Season allowance was allocated.

(4) CAIR NO_x Ozone Season allowances shall be held in, deducted from, or transferred into or among CAIR NO_x Ozone Season Allowance Tracking System accounts in accordance with subparts FFFF, GGGG, and IIII of 40 CFR part 96.

(5) A CAIR NO_x allowance is a limited authorization to emit one ton of nitrogen oxides in accordance with the CAIR NO_x Ozone Season Trading Program. No provision of the CAIR NO_x Ozone Season Trading Program, the CAIR permit application, the CAIR permit, or an exemption under §96.305 and no provision of law shall be construed to limit the authority of the State or the United States to terminate or limit such authorization.

(6) A CAIR NO_x allowance does not constitute a property right.

(7) Upon recordation by the Administrator under subpart EEEE, FFFF, GGGG, or IIII of 40 CFR part 96, every allocation, transfer, or deduction of a CAIR NO_x Ozone Season allowance to or from a CAIR NO_x Ozone Season source's compliance account is incorporated automatically in any CAIR permit of the source.

STEP 3,
continued

(d) Excess emissions requirements.

If a CAIR NO_x source emits nitrogen oxides during any control period in excess of the CAIR NO_x emissions limitation, then:

(1) The owners and operators of the source and each CAIR NO_x unit at the source shall surrender the CAIR NO_x allowances required for deduction under §96.154(d)(1) and pay any fine, penalty, or assessment or comply with any other remedy imposed, for the same violations, under the Clean Air Act or applicable State law; and

(2) Each ton of such excess emissions and each day of such control period shall constitute a separate violation of this subpart, the Clean Air Act, and applicable State law.

If a CAIR SO₂ source emits sulfur dioxide during any control period in excess of the CAIR SO₂ emissions limitation, then:

(1) The owners and operators of the source and each CAIR SO₂ unit at the source shall surrender the CAIR SO₂ allowances required for deduction under §96.254(d)(1) and pay any fine, penalty, or assessment or comply with any other remedy imposed, for the same violations, under the Clean Air Act or applicable State law; and

(2) Each ton of such excess emissions and each day of such control period shall constitute a separate violation of this subpart, the Clean Air Act, and applicable State law.

If a CAIR NO_x Ozone Season source emits nitrogen oxides during any control period in excess of the CAIR NO_x Ozone Season emissions limitation, then:

(1) The owners and operators of the source and each CAIR NO_x Ozone Season unit at the source shall surrender the CAIR NO_x Ozone Season allowances required for deduction under §96.354(d)(1) and pay any fine, penalty, or assessment or comply with any other remedy imposed, for the same violations, under the Clean Air Act or applicable State law; and

(2) Each ton of such excess emissions and each day of such control period shall constitute a separate violation of this subpart, the Clean Air Act, and applicable State law.

(e) Recordkeeping and Reporting Requirements.

(1) Unless otherwise provided, the owners and operators of the CAIR NO_x source, CAIR SO₂ source, and CAIR NO_x Ozone Season source (as applicable) and each CAIR NO_x unit, CAIR SO₂ unit, and CAIR NO_x Ozone Season unit (as applicable) 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 before the end of 5 years, in writing by the permitting authority or the Administrator.

(i) The certificate of representation under §96.113, §96.213, and §96.313 (as applicable) for the CAIR designated representative for the source and each CAIR NO_x unit, CAIR SO₂ unit, and CAIR NO_x Ozone Season unit (as applicable) at the source and all documents that demonstrate the truth of the statements in the certificate of representation; 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 under §96.113, §96.213, and §96.313 (as applicable) changing the CAIR designated representative.

(ii) All emissions monitoring information, in accordance with subparts HH, H-H, and H-H-H (as applicable) of 40 CFR part 96, provided that to the extent that subparts HH, H-H, and H-H-H (as applicable) of 40 CFR part 96 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 CAIR NO_x Annual Trading Program, CAIR SO₂ Trading Program, and CAIR NO_x Ozone Season Trading Program (as applicable).

(iv) Copies of all documents used to complete a CAIR permit application and any other submission under the CAIR NO_x Annual Trading Program, CAIR SO₂ Trading Program, and CAIR NO_x Ozone Season Trading Program (as applicable) or to demonstrate compliance with the requirements of the CAIR NO_x Annual Trading Program, CAIR SO₂ Trading Program, and CAIR NO_x Ozone Season Trading Program (as applicable).

(2) The CAIR designated representative of a CAIR NO_x source, CAIR SO₂ source, and CAIR NO_x Ozone Season source (as applicable) and each CAIR NO_x unit, CAIR SO₂ unit, and CAIR NO_x Ozone Season unit (as applicable) at the source shall submit the reports required under the CAIR NO_x Annual Trading Program, CAIR SO₂ Trading Program, and CAIR NO_x Ozone Season Trading Program (as applicable) including those under subparts HH, H-H, and H-H-H (as applicable) of 40 CFR part 96.

(f) Liability.

(1) Each CAIR NO_x source, CAIR SO₂ source, and CAIR NO_x Ozone Season source (as applicable) and each NO_x unit, CAIR SO₂ unit, and CAIR NO_x Ozone Season unit (as applicable) shall meet the requirements of the CAIR NO_x Annual Trading Program, CAIR SO₂ Trading Program, and CAIR NO_x Ozone Season Trading Program (as applicable).

(2) Any provision of the CAIR NO_x Annual Trading Program, CAIR SO₂ Trading Program, and CAIR NO_x Ozone Season Trading Program (as applicable) that applies to a CAIR NO_x source, CAIR SO₂ source, and CAIR NO_x Ozone Season source (as applicable) or the CAIR designated representative of a CAIR NO_x source, CAIR SO₂ source, and CAIR NO_x Ozone Season source (as applicable) shall also apply to the owners and operators of such source and of the CAIR NO_x units, CAIR SO₂ units, and CAIR NO_x Ozone Season units (as applicable) at the source.

(3) Any provision of the CAIR NO_x Annual Trading Program, CAIR SO₂ Trading Program, and CAIR NO_x Ozone Season Trading Program (as applicable) that applies to a CAIR NO_x unit, CAIR SO₂ unit, and CAIR NO_x Ozone Season unit (as applicable) or the CAIR designated representative of a CAIR NO_x unit, CAIR SO₂ unit, and CAIR NO_x Ozone Season unit (as applicable) shall also apply to the owners and operators of such unit.

Kraft
Plant Name (from Step 1)

STEP 3,
continued

(g) Effect on Other Authorities.

No provision of the CAIR NO_x Annual Trading Program, CAIR SO₂ Trading Program, and CAIR NO_x Ozone Season Trading Program (as applicable); a CAIR permit application, a CAIR permit, or an exemption under § 96.105, §96.205, and §96.305 (as applicable) shall be construed as exempting or excluding the owners and operators, and the CAIR designated representative, of a CAIR NO_x source, CAIR SO₂ source, and CAIR NO_x Ozone Season source (as applicable) or CAIR NO_x unit, CAIR SO₂ unit, and CAIR NO_x Ozone Season unit (as applicable) from compliance with any other provision of the applicable, approved State implementation plan, a federally enforceable permit, or the Clean Air Act.

Certification

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

Charles H. Huling Name	
Signature <i>Charles H. Huling</i>	12/12/2008 Date

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DEC 18 2008

AIR PROTECTION BRANCH

EXHIBIT B

June 6, 2012

VIA EMAIL DELIVERY

Mr. Eric Cornwell
Manager, Stationary Source Permitting Program
Georgia Air Protection Branch
4244 International Parkway, Suite 120
Atlanta, GA 30354

**Re: Draft Renewal Title V Major Source Operating Permit for the Kraft
Steam-Electric Generating Plant, Permit No. 4911-051-0006-V-03-0**

Dear Mr. Cornwell:

The Southern Environmental Law Center respectfully submits the following comments on the draft Major Source Operating Permit (“Draft Permit”) for Georgia Power Company’s Kraft Steam-Electric Generating Plant on behalf of the Southern Alliance for Clean Energy.¹ The Draft Permit has been placed on public notice for Clean Air Act (“CAA”) Title V permit renewal by the Environmental Protection Division (“EPD”) of the Georgia Department of Natural Resources. We appreciate the opportunity to submit these comments.

I. Background

Georgia Power Company (“GPC”) owns and operates the Kraft facility (“Kraft”) located in Port Wentworth, Georgia. The facility uses three coal fired boilers (rated 50, 50, and 103 megawatts), one natural gas fired boiler (rated 126 megawatts), and one combustion turbine to generate electricity for sale. The emissions of all of the boilers exhaust through a common 275-foot stack.

¹Southern Alliance for Clean Energy (“SACE”) has been a leading voice for energy policy to protect the quality of life and treasured places in the Southeast since 1985.
<http://www.cleanenergy.org/index.php?/Who-We-Are.html>.

Kraft has the potential to emit more than 250 tons per year each of carbon monoxide (“CO”), sulfur dioxide (“SO₂”), nitrogen oxides (“NO_x”), particulate matter (“PM”) and PM less than 10 microns (“PM₁₀”), and more than 25 tons per year of hazardous air pollutants (“HAPs”). The only pollution control devices that have been installed at the facility are dry cold-side electrostatic precipitators (“ESP”) for the control of particulate matter and a Dust Collector System.

Kraft’s previous Title V permit was issued on July 30, 2007. EPD received GPC’s electronic application for renewal of the Title V permit on June 29, 2011. On May 6, 2012, EPD issued the Draft Permit and accompanying Narrative for public notice.

II. Regulatory Framework

All major stationary sources of air pollution are required to apply for operating permits under Title V of the CAA. Title V permits must include conditions necessary to assure continuous compliance with all applicable requirements of the CAA and relevant State Implementation Plan (“SIP”). *See* 42 U.S.C. § 7661a(a), c(a); *see also* Ga. Comp. R. & Regs. 391-3-1-.03(10)(d)1(i) (incorporating by reference 40 C.F.R. § 70.6(a)). These conditions include emission limitations and standards, schedules of compliance, and monitoring, testing, recordkeeping, and reporting requirements. *See* 42 U.S.C. § 7661c(a).

A Title V permit is issued for a term of no more than five years, 40 C.F.R. § 70.6(a), and the applicant must submit an application for renewal of the permit “at least 6 months prior to the date of permit expiration, or such other longer time as may be approved by the Administrator that ensures that the term of the permit will not expire before the permit is renewed.” 40 C.F.R. § 70.5(a)(1)(iii). Permitting authorities must therefore take necessary actions to ensure that a final renewal permit is issued *prior to expiration* of an existing Title V permit. Permit renewals are subject to the same procedural requirements that apply to initial permit issuance, including those for public participation and EPA review. 40 C.F.R. § 70.7(c)(1)(i). EPD must ensure that it issues a renewal permit before the existing Kraft permit expires, and must also ensure that it has time to consider comments and allow for EPA review.

III. ! The Draft Permit Must State The Requirements for Kraft, Not Simply List Citations to Regulations.

The Title V program is designed to consolidate and clarify the requirements for a particular source. This enables “the source, States, EPA, and the public to understand better the requirements to which the source is subject, and whether the source is meeting those requirements.” 57 Fed. Reg. 32,250, 32,251 (July 21, 1992) (codified at 40 C.F.R. pt. 70). The Title V permit should contain sufficient information to allow a reader to compare the permit and the compliance reports for

a facility and determine if there are any violations. This in turn fosters “[i]ncreased source accountability and better enforcement.” *Id.* The Title V permit accomplishes this goal by compiling all of a source’s obligations, which would otherwise remain “scattered among numerous provisions of the SIP or Federal regulations.” *Id.* In addition, “regulations are often written to cover broad source categories, therefore, it may be unclear which, and how, general regulations apply to a source.” *Id.* A Title V permit must therefore include more than citations to applicable regulations; it must provide the substance of each requirement and serve as an “easy way to establish whether a source is in compliance with regulations under the Act.” *Id.* In addition, the content of the regulations must be included in draft permits in order to provide the public with sufficient notice of a facility’s requirements.

The Draft Permit for Kraft does not satisfy these requirements. First, although the Draft correctly states that the facility must comply with “all applicable requirements” of 40 CFR 63 Subparts YYYY and UUUUU (National Emission Standards for HAPs for Stationary Combustion Turbines and for Coal and Oil-Fired Electric Utility Steam Generating Units, respectively), it does not elaborate on any of the specific requirements that these general subparts impose. *See* Condition 3.3. The Draft Permit does not provide any HAPs emissions limits, any timelines for compliance, or any monitoring, recordkeeping, and reporting requirements. Therefore it is unclear which portions of these complex regulations apply to Kraft. EPD should revise the Draft Permit to include the exact requirements of subparts YYYY & UUUUU, so that regulatory authorities and the public will be able to readily establish whether Kraft is in compliance with its permit.

Second, the Draft includes compliance assurance monitoring (“CAM”) requirements for PM, but the exact requirements in the Permit are obscure. The Draft simply states that “the Permittee shall meet the requirements, as applicable, of 40 CFR 64.7, 64.8, and 64.9.” *See* Condition 5.2.4. But the Draft does not provide any details describing what 40 C.F.R. 64.8-9 require, or even which parts of these regulations are applicable. Again, this is not specific enough to inform the public of the CAM requirements for Kraft or facilitate compliance determinations.

Commenters recognize EPD’s desire for brevity in permits, but the pursuit of brevity should not go so far as to defeat the requirements of the Title V program. A permit cannot consist solely of citations to all potentially applicable regulations or, worse yet, state in general terms that a facility must comply with the CAA and state SIP. The Title V program demands that a permit include the applicable requirements – including emissions limitations, standards, and monitoring, recordkeeping and reporting requirements – in the four corners of the permit itself. These requirements must be identifiable, concrete, and enforceable. EPD must therefore revise the Draft Permit to identify the applicable standards with sufficient definiteness to satisfy the requirements of the Title V program.

IV. The Standards in the Draft Permit Are Not Sufficient to Protect Public Health, Safety and Welfare.

Georgia's SIP specifies that "[n]otwithstanding any other emission limitation or other requirement provided in the regulations, more stringent emission limitations or other requirements may be required of a facility as deemed necessary by the Director to . . . safeguard the public health, safety and welfare of the people of the State of Georgia." Ga. Comp. R. & Regs. 391-3-1-.02(2)(a)3(ii). The Draft Permit currently contains standards that are inadequate to "safeguard the public health, safety and welfare," and therefore EPD must impose more stringent emission limitations and requirements. Moreover, Kraft's own reports indicate that it consistently achieves much lower emission levels than those in the Draft. EPD should therefore revise the Draft Permit to include more rigorous standards sufficient to shield the public from harm.

a. The Permit should contain emission limits that assure attainment and maintenance of NAAQS.

Under the Clean Air Act, EPA must establish National Ambient Air Quality Standards ("NAAQS") sufficient to protect people's health and welfare. 42 U.S.C. § 7409. Once established, states have primary responsibility for attaining and maintaining the NAAQS within their borders. 42 U.S.C. § 7410(a)(1). To fulfill this mandate, states must develop plans that include enforceable emission limitations and other control measures to assure that all regions within their borders achieve and maintain the NAAQS. 42 U.S.C. § 7410(a)(2).

Title V provisions require that all sources "shall have a permit to operate that assures compliance by the source with all applicable requirements" of the Act. 40 C.F.R. § 70.1(a); *see also* 42 U.S.C. § 7661c. In order to assure that Georgia fulfills its obligation to achieve and maintain all NAAQS, Title V permits for large emission sources, like Kraft, should contain emission control requirements that correlate to the averaging times of the NAAQS. Thus, as illustrated in Table 1, the Kraft permit should contain emission limits expressed in 1-hour averaging times for CO, NO₂ and SO₂. This is particularly important for pollutants such as SO₂ and NO₂, where EPA has found that coal-fired electric generating units like Kraft account for the vast majority of emissions and ambient air concentrations of SO₂, and are major sources of NO₂. *See, e.g.*, Primary National Ambient Air Quality Standard for Sulfur Dioxide, 75 Fed. Reg. 35,520, 35,524 (June 22, 2010); EPA's National Summary of Nitrogen Oxides Emissions.² As a result, it is imperative that the Kraft Title V permit contain adequate emission limits and appropriate averaging times to assure compliance with these NAAQS.

² Available at <http://www.epa.gov/cgi-bin/broker?service=data&debug=0&program=dataprog.national.1.sas&polchoice=NOX> (last visited June 6, 2012).

Table 1. National Ambient Air Quality Standards

Pollutant [final rule cite]	Primary/ Secondary	Averaging Time	Level	Form
Carbon Monoxide [76 FR 54294, Aug 31, 2011]	primary	8-hour	9 ppm	Not to be exceeded more than once per year
		1-hour	35 ppm	
Lead [73 FR 66964, Nov 12, 2008]	primary and secondary	Rolling 3 month average	0.15 µg/m ³	Not to be exceeded
Nitrogen Dioxide [75 FR 6474, Feb 9, 2010] [61 FR 52852, Oct 8, 1996]	primary	1-hour	100 ppb	98th percentile, averaged over 3 years
	primary and secondary	Annual	0.053 ppm or 53 ppb	Annual Mean
Ozone [73 FR 16436, Mar 27, 2008]	primary and secondary	8-hour	0.075 ppm	Annual fourth-highest daily maximum 8-hr concentration, averaged over 3 years
Particle Pollution [71 FR 61144, Oct 17, 2006]	PM _{2.5}	Annual	15 µg/m ³	annual mean, averaged over 3 years
		24-hour	35 µg/m ³	98th percentile, averaged over 3 years
	PM ₁₀	24-hour	150 µg/m ³	Not to be exceeded more than once per year on average over 3 years
Sulfur Dioxide [75 FR 35520, Jun 22, 2010] [38 FR 25678, Sept 14, 1973]	primary	1-hour	75 ppb	99th percentile of 1-hour daily maximum concentrations, averaged over 3 years
	secondary	3-hour	0.5 ppm	Not to be exceeded more than once per year

EPA, National Ambient Air Quality Standards, *available at* <http://www.epa.gov/air/criteria.html> (last visited June 6, 2012) (providing NAAQS as of October 2011).

b. The PM limit should be strengthened to 0.012 lb/MMBtu.

Particulate matter (“PM”), also called particle pollution, is a complex mixture of extremely small particles and liquid droplets in the air. When breathed in, these particles can reach the deepest regions of the lungs. Exposure to particle pollution is linked to a variety of significant health problems, ranging from aggravated asthma to premature death in people with heart and lung disease. Particle pollution is also the main cause of visibility impairment in the nation’s cities and national parks.

Operational variability and the proper operation and maintenance of a facility’s pollution control devices, such as ESPs, can significantly affect PM and opacity emissions. The collection efficiency of ESPs, which depends on particle charging and resistivity, can depend strongly on flue gas temperature and other parameters such as fuel type. For example, fuel oil reduces the efficiency of ESP plates, and it is more difficult to ensure proper collection efficiency at lower gas temperatures. Thus, a lower PM limit can lower actual emissions by assuring that a facility properly maintains and operates its pollution control equipment to maximize the level of pollution control.

The Draft Permit imposes a weak limit on PM emissions. Reports prepared for GPC indicate that the PM limit for the Kraft coal-fired boilers ranges from 0.27 to 0.31 lb/MMBtu. *See* Kraft 2010 Source Test Reports. This limit derives from the equation listed in Ga. Comp. R. & Regs. 391-3-1-.02(2)(d)1(ii), which applies to air emission units constructed or under construction prior to January 1, 1972. It is a grandfathering provision that gave older facilities like Kraft a limit that is unreasonably high by modern standards under the assumption that those units would be retired or updated with modern pollution controls. But GPC has done neither for the Kraft facility.

Despite this, however, Kraft consistently achieves much lower PM emission levels in practice. For example, GPC reported measurements of PM emissions averaging 0.02 to 0.04 lb/MMBtu in its 2010 Source Test Reports. This gives Kraft an enormous compliance margin, and no incentive to maintain and operate its controls efficiently or otherwise minimize emissions. By comparison, the EPD assigned a rate of 0.012 lb/MMBtu for PM_{2.5} to the proposed Longleaf facility. The Draft Permit should include equally stringent limits for Kraft, or at the very least limits that more closely mirror the facility’s actual emissions.

c. !Coarse and Fine Particle Pollution Should be Limited and Monitored Separately.

PM includes two different types of pollutants: fine particle pollution, or PM_{2.5}, and coarse particle pollution, or PM₁₀. Each of these pollutants should be clearly and separately regulated in the Draft Permit. Both forms of PM have been linked to numerous deleterious health effects, including decreased lung function, aggravated asthma, chronic bronchitis, irregular heartbeat, heart attacks, and premature death. But PM₁₀ and PM_{2.5} are distinct air pollutants that do not share

the same physical or behavioral characteristics. *See, e.g.*, EPA, “Clean Air Fine Particle Implementation Rule” 72 Fed. Reg. 20,586, 20,599 (Apr. 25, 2007) (“PM[2.5] also differs from PM[10] in terms of atmospheric dispersion characteristics, chemical composition, and contribution from regional transport.”). PM₁₀ and PM_{2.5} pose different kinds and levels of risk to human health, and different NAAQS exist for each pollutant. Because of its extremely small size, PM_{2.5} can penetrate deep into the lungs, enter the blood stream, and cross the blood-brain barrier. As a result, PM_{2.5} pollution causes more frequent and severe adverse health effects than PM₁₀. EPA, “National Ambient Air Quality Standards for Particulate Matter,” 62 Fed. Reg. 38,652, 38,665 (July 18, 1997). EPA has recognized a significant correlation between elevated PM_{2.5} levels and premature mortality. *See, e.g.*, EPA, “Implementation of the New Source Review (NSR) Program for Particulate Matter Less Than 2.5 Micrometers (PM_{2.5}),” 73 Fed. Reg. 28,321, 28,324 (May 16, 2008). Older adults, people with heart and lung disease, and children are particularly sensitive to PM_{2.5} exposure. *Id.* Finally, and most importantly, because of their different physical and behavioral characteristics, PM₁₀ and PM_{2.5} are not effectively treated with the same pollution controls. In fact, EPA has recognized that PM₁₀ controls do not effectively control PM_{2.5}: “In contrast to PM[10], EPA anticipates that achieving the NAAQS for PM[2.5] will generally require States to evaluate different sources for controls, to consider controls of one or more precursors in addition to direct PM emissions, and to adopt different control strategies.” 72 Fed. Reg. 20,586, 20,589; *see also* 62 Fed. Reg. at 38,666.

EPA has confirmed that any technical impediments to the separate regulation of PM_{2.5} have been resolved. 73 Fed. Reg. at 28,340 (“With this final action [establishing NSR regulations for PM_{2.5} and eliminating the PM₁₀ Surrogacy Policy] and technical developments in the interim, these difficulties have largely been resolved.”). Moreover, EPA announced in the final PM_{2.5} implementation rule that for Title V permits, “as of the promulgation of this final rule, the EPA will no longer accept the use of PM₁₀ emissions information as a surrogate for PM_{2.5} emissions information given that both pollutants are regulated by a National Ambient Air Quality Standard and therefore are considered regulated air pollutants.” Clean Air Fine Particle Implementation Rule; Final Rule, 72 Fed. Reg. 20,586, 20,660 (April 25, 2007) (footnotes omitted). EPA explained its decision as follows:

Under the Title V regulations, sources have an obligation to include in their Title V permit applications all emissions for which the source is major and all emissions of regulated air pollutants. The definition of regulated air pollutant in 40 CFR 70.2 includes any pollutant for which a NAAQS has been promulgated, which would include both PM[10] and PM[2.5]. To date, some permitted entities have been using PM[10] emissions as a surrogate for PM[2.5] emissions. Upon promulgation of this rule, EPA will no longer accept the use of PM[10] as a surrogate for PM[2.5]. Thus, ***sources will be required to include their***

PM[2.5] emissions in their Title V permit applications, in any corrections or supplements to these applications, and in applications submitted upon modification and renewal. See 40 CFR 70.5(c)(3)(i), 70.5(b), and 70.7(a)(1)(i); 40 CFR 71.5(c)(3)(i), 71.5(b), and 71.7(a)(1)(i).

Id. (emphasis added). The EPA has thus clearly stated that this Draft Permit is deficient and must be revised to include emission limits and monitoring specifically for PM_{2.5}. Moreover, as noted above, EPD has a duty to impose more protective standards in a permit if necessary to protect public health, safety and welfare. Because of the significant health impacts of PM_{2.5}, EPD must include standards for this pollutant in the revised permit for Kraft.

d. The opacity limit should be strengthened to 20%.

The Draft Permit sets a 40% opacity limit measured over three-hour block averages for each of Kraft's boilers. *See* Condition 3.4.2. As with the lax PM limit, the 40% opacity limit is too lenient to ensure efficient operation of control devices and other operational practices that would minimize particulate emissions. It also fails to account for spikes in PM and opacity emissions resulting from operational variability. Moreover, Kraft consistently achieves much lower opacity levels in practice. Exceedances of the 40% opacity limit amount to less than 1% of the total operating time. Reports indicate that opacity is normally between 6-7% at each of the boilers. *See* Kraft 2012 Source Test Reports. Other coal-fired facilities, such as Plant Scherer, have an opacity limit of 20%. The Draft Permit's lenient opacity limitation must be strengthened to no more than 20% to assure proper operation and maintenance of Kraft's particulate controls.

e. !The Permit should include enforceable best management practices for coal handling, transfer and loading equipment, and the ash handling system.

The Draft Permit does not meet regulatory requirements for fugitive emissions from coal and ash handling systems and transfer and loading equipment. Such sources can release significant amounts of PM into the air near the facility. These emissions are at ground level, heightening their impact on air quality and human health in the immediate vicinity of the facility.

Georgia regulations include a non-exhaustive list of specific control devices and practices that should be applied to this facility and detailed in its Title V permit as enforceable conditions of its operation. These include the application of water or other dust suppressants on surfaces or operations that can give rise to airborne dust, and "[i]nstallation and use of hoods, fans, and fabric filters to enclose and vent the handling of dusty materials." Ga. Comp. R. & Regs. 391-3-1-.02(2)(n)1. The Draft Permit subjects the coal handling system to an opacity limit of 20% as

required by Ga. Comp. R. & Regs. 391-3-1-.02(2)(n)2, but does not include the specific, enforceable best management practices necessary to eliminate or minimize fugitive dust from this component of the plant. Instead, the Draft Permit only requires GPC to take “all reasonable precautions.” Condition 3.4.4. This requirement is vague and unenforceable.

Specific work practice standards can and should be applied to this major PM emissions source and made enforceable in its Title V permit. The permit provisions covering the solid fuel handling system should specify and require the “reasonable precautions” appropriate to this facility. The permit should include enforceable conditions requiring enclosures and other control devices that are demonstrated to eliminate PM emissions from the fuel handling system, and should describe these devices in detail. The required frequency, quantity and duration of dust suppression techniques should also be included in the Draft Permit.

f. The Permit should limit hourly heat input.

Although the Draft Permit includes annual MMBtu heat input limits, it does not restrict hourly heat inputs for any of the boilers. Pollutant emission rates and limits, such as the limit for PM in the Draft Permit, are expressed in lb/MMBtu. *See* Condition 3.4.1. MMBtu is a measure of the heat input at a facility. An increase in hourly heat input rate increases pollutant emissions, and effectively increases a facility’s hourly emissions limits. A higher heat input may require more stringent lb/MMBtu emission limitations, control efficiency requirements, or operational conditions in order to assure compliance with air quality standards. Without an enforceable maximum hourly heat input limit, a lb/MMBtu limit in a permit does nothing to constrain a facility’s maximum short-term emissions.

By failing to include limits on allowable maximum hourly heat inputs, the Draft Permit deprives the public of notice and a meaningful opportunity to comment on the amount of air pollution a facility may emit over a short period of time. This is particularly important for evaluating a facility’s compliance with NAAQS with averaging times ranging from one-hour (*e.g.*, CO, NO₂, and SO₂) to 8-hours (*e.g.*, CO and Ozone) to 24-hours (*e.g.*, PM_{2.5} and PM₁₀). Without maximum hourly heat input limits, commenters cannot review or provide informed feedback on the emission limits in the draft because the amount of emissions that a facility can produce on an hourly basis is indeterminate. The rated heat inputs represented by GPC in its permit application and relied upon by EPD in issuing any permits for the Plant are applicable requirements (as are all data and assertions in the application) and must be stated as such and included in the permit as conditions that are subject to monitoring, record-keeping and reporting requirements adequate to demonstrate compliance. Therefore the Draft Permit should include enforceable maximum hourly heat input limits that are expressed in terms that correlate to the emission rate limits – *e.g.*, lb/MMBtu – for each boiler.

V. ! The Draft Permit Cannot Create a Blanket Exemption for Excess Emissions During Startup and Shutdown.

The Draft Permit allows Kraft unlimited “excess emissions” during 1) emergencies and 2) periods of startup, shutdown, or malfunction. *See* Conditions 8.13, 8.14.4. Specifically, the Draft provides that “excess emissions resulting from startup, shutdown, or malfunction of any source which occur though ordinary diligence is employed ***shall be allowed***” provided three criteria are met:

- 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.

Condition 8.14.4. In contrast, “[e]xcess emissions which are caused entirely or in part by poor maintenance, poor operation, or any other equipment or process failure which may be 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.” *Id.* This provision essentially allows GPC to escape enforcement under certain circumstances.

Although the provision relating to startup, shutdown, and malfunction mirrors the language of Georgia regulations, it does not meet federal standards. The CAA provides that any Title V permit must “assure compliance with applicable requirements of this Act, ***including*** requirements of the applicable implementation plan.” 42 U.S.C. § 7661c(a) (emphasis added). Similarly, Georgia’s SIP states that notwithstanding the requirements of the SIP, “more stringent emission limitations or other requirements may be required of a facility as deemed necessary by the Director to: (i) meet any existing Federal laws or regulations” Ga. Comp. R. & Regs. 391-3-1-.02(2)(a)3. Therefore EPD must ensure that permits comply with all applicable requirements of Georgia’s SIP and any more rigorous federal standards.

The Draft Permit fails to comply with federal CAA requirements for emission control during startup and shutdown periods. EPA has repeatedly stressed³ that the CAA requires that 1) all excess emissions must be characterized as violations; 2) EPD must retain discretion to exercise enforcement, including injunctive relief, unless the applicant shows that violation was beyond its control; 3) permits must

³ *See generally* EPA memo entitled, “State Implementation Plans: Policy Regarding Excess Emissions During Malfunctions, Startup, and Shutdown,” by Steven A. Herman (Sept. 20, 1999) (Attachment A); EPA Memo entitled “Policy on Excess Emissions During Startup, Shutdown, Maintenance, and Malfunctions,” by Kathleen M. Bennett (Feb. 15, 1983) (Attachment B); EPA memo entitled “Policy on Excess Emissions During Startup, Shutdown, Maintenance, and Malfunctions,” by Kathleen M. Bennett, (Sept. 28, 1982) (Attachment C).

provide objective criteria that will allow for practical enforceability; and 4) no exemption is available for excess emissions of HAPs. The Draft Permit's prospective exemption for all excess emissions during periods of startup, shutdown and malfunction therefore violates the CAA, and must be removed.

a. The Permit must state that all excess emissions are violations.

EPA has repeatedly made it clear that because excess emissions can aggravate air quality so as to prevent attainment or interfere with maintenance of the ambient air quality standards, it views *all* excess emissions as violations of the applicable emissions limitation. As currently written, Condition 8.14.4 does not comply with EPA's interpretation of the CAA. Instead, this provision declares that excess emissions "shall be allowed" – *i.e.*, are not violations – provided that the criteria in subparagraphs (i), (ii) and (iii) of paragraph (a) are met. This is improper, as EPA has made it clear that all excess emissions are violations of the applicable emission limitation, and must be treated as such even in those circumstances where it is appropriate to allow a source an opportunity to present an affirmative defense. EPD must therefore revise Condition 8.14.4 to explicitly characterize all excess emissions as violations.

b. EPD must preserve the right to exercise enforcement, including injunctive relief.

EPA has explained that where a single source has the potential to cause an exceedance of the NAAQS or PSD increments, preordaining an affirmative defense is not sufficient to protect public health and the environment. See "State Implementation Plans: Policy Regarding Excess Emissions During Malfunctions, Startup, and Shutdown," by Steven A. Herman at 2-3 (Sept. 20, 1999) (Attachment A). In such circumstances, EPA has stated that the only appropriate means of dealing with excess emissions during malfunction, startup and shutdown episodes is by responsibly exercising enforcement discretion rather than by prospectively establishing a blanket exemption. This discretion may only be applied when excess emissions result from sudden and unavoidable malfunctions caused by circumstances entirely beyond the owner or operator's control. The permitting authority can excuse the source from *penalties* if the source can demonstrate that it meets certain objective criteria. But EPA has made it clear that an acceptable affirmative defense provision cannot preclude injunctive relief.

Large emission sources such as Kraft often have the potential to cause exceedances of NAAQS and PSD increments. Therefore EPD cannot create a wholesale exemption for these units during startup, shutdown, and malfunction. Yet this is exactly what the Draft Permit does by stating that excess emissions from startup, shutdown, or malfunction "shall be allowed." EPD must revise the permit to allow EPD to refrain, based upon a proper showing on a case-by-case basis, from imposing penalties for sudden and unavoidable malfunctions, including

malfunctions during startup and shutdown, caused by circumstances entirely beyond the control of the owner or operator. This approach must satisfy the federal requirements outlined in Part V.c, *infra*, and cannot be used to provide any exemption for excess emissions of HAPs, as discussed in Part V.d, *infra*. In addition, the Draft Permit appears to improperly preclude injunctive relief by failing to distinguish between civil penalties and injunctive relief. This is an inappropriate barrier to enforcement by citizens or EPA. Therefore Condition 8.14.4 must be revised to state that any affirmative defense provisions apply only to actions for penalties and not to actions for injunctive relief.

c. !The Permit must provide objective criteria that will allow for practical enforceability.

i. ! Vague and undefined terms must be replaced with specific, objective operational requirements.

The Draft Permit does not include specific and limiting definitions for the terms “shutdown” and “malfunction.” Instead, “shutdown” is defined as “the cessation of the operation of a source or facility *for any purpose.*” Condition 3.2.3 (emphasis added). This definition provides no restrictions on when or why Kraft may shut down and thereby qualify for unlimited excess emissions. In addition, this definition also fails to provide any parameters for determining when the shutdown process begins or how long it may last. The definition of shutdown therefore fails to impose any meaningful limits on these exempt periods.

Malfunction is not defined in the permit at all.⁴ Although Condition 8.1.1 of the Draft Permit states that “[t]erms not otherwise defined in the Permit shall have the meaning assigned to such terms in the referenced regulation,” the regulation referenced by Condition 8.14.4 – Georgia Rule 391-3-1-.02(2)(a)7 – does not define the term either. It is instead defined in the definitions section of the Georgia Air Quality Rules. *See* Ga. Comp. R. & Regs. 391-3-1-.01(nn) (defining malfunction as “mechanical and/or electrical failure of a process, or of air pollution control process or equipment, resulting in operation in an abnormal or unusual manner”). However, this definition of malfunction is no more specific than the dictionary definitions of the term, and does not distinguish between avoidable and unavoidable malfunctions. It therefore does not provide any significant limitation. In order to ensure that the exemptions only apply when necessary, the final permit should specifically and strictly limit the meaning of malfunction and shutdown so that the periods of exemption do not swallow the emissions limitations.

In lieu of providing specific definitions or setting numeric limitations for excess emissions that occur during these periods, the Draft Permit requires the Plant to “minimize” the duration of the exempt periods, and to observe “best

⁴ “Monitoring malfunction” is defined, but the general term “malfunction” is not.

operational practices” and “good air pollution control practice.” Condition 8.14.4. The Draft Permit also states that excess emissions will only be exempt during these periods when the emissions occur despite “ordinary diligence” on the part of GPC. Condition 8.14.4. Again, the Draft Permit does not define the phrases “ordinary diligence,” “best operational practices” and “good air pollution control practice.” This omission impermissibly undermines the enforceability of these requirements.

The final permit should translate the terms “best operational practices” and “good air pollution control practice” into specific and objective operational conditions to ensure that they are practicably enforceable. As EPA has stated, “[s]tart-up and shutdown events are part of the normal operation of a source and should be accounted for in the design and implementation of the operating procedure for process control equipment. Accordingly, it is reasonable to expect that careful planning will eliminate violations of emission limitations during such periods.” Kathleen M. Bennett, EPA, “Policy on Excess Emissions During Startup, Shutdown, Maintenance and Malfunction” (Sept. 28, 1992) (Attachment C). Similarly, prudent planning and design can also help prevent malfunctions and minimize emissions during periods of malfunction. Standard permit conditions for coal-fired electric generating units include particular Best Management Practices as a safeguard to avoid or minimize excess emissions during limitation exemptions for startup, shutdown, and malfunction. To avoid excess emissions during these periods, operators should be required to continuously monitor boiler conditions, oxygen levels, soot blowers, trouble alarms, precipitator hopper levels, and other monitoring safeguards. The final permit should require that the amount, and not just the duration, of excess emissions be minimized and include qualifying language such as “at all times” and “to the maximum extent practicable” to allow for meaningful enforcement. Further, it must require contemporaneous recordkeeping to document the owner or operator’s actions during the periods of startup, shutdown or malfunction.

ii. ! The Permit must include separate criteria for excess emissions from startup/shutdown and malfunctions.

As currently written, Condition 8.14.4 fails to acknowledge any distinction between, on the one hand, startup and shutdown, and on the other, malfunction events. This is improper. As noted above, EPA has explained the startup and shutdown are normal operations and prudent planning can eliminate violations during such periods. *See* Kathleen M. Bennett, EPA, “Policy on Excess Emissions During Startup, Shutdown, Maintenance, and Malfunctions” (Sept. 28, 1982) (Attachment C). In contrast, if properly defined and limited, a malfunction – whether it occurs during or outside of a startup or shutdown – can be the type of sudden and unavoidable event that produces excess emissions despite the facility’s best efforts.

Excess emissions during startup or shutdown can be the result of a malfunction; in such cases, the malfunction should be handled as any other malfunction. However, where there is no alleged malfunction, excess emissions occurring during startup or shutdown must be treated differently because they very likely could have been avoided. As EPA has stated, “[a]ny activity or event which can be foreseen and avoided, or planned, falls outside of the definition of sudden and unavoidable breakdown of equipment.” Kathleen M. Bennett, EPA, “Policy on Excess Emissions During Startup, Shutdown, Maintenance, and Malfunctions” (Feb. 15, 1983) (Attachment B).

For these reasons, any affirmative defense provision in Condition 8.14.4 must apply different criteria to alleged malfunctions than it does to startup and shutdown. *See* Steven A. Herman, EPA, “State Implementation Plans: Policy Regarding Excess Emissions During Malfunctions, Startup, and Shutdown” (Sept. 20, 1999) (Attachment A). For excess emissions that occur during malfunctions, the Permit should provide that GPC must prove that:

1. The excess emissions were caused by a sudden, unavoidable breakdown of technology, beyond the control of the owner or operator;
2. That the excess emissions (a) did not stem from any activity or event that could have been foreseen or avoided, or planned for, and (b) could not have been avoided by better operation and maintenance practices;
3. To the maximum extent practicable the air pollution control equipment or processes were maintained and operated in a manner consistent with good practices for minimizing emissions;
4. Repairs were made in an expeditious fashion when the operator knew or should have known that applicable emission limitations were being exceeded. Off-shift labor and overtime must have been utilized, to the extent practicable, to ensure that such repairs were made as expeditiously as practicable;
5. The amount and duration of the excess emissions (including any bypass) were minimized to the maximum extent practicable during periods of such emissions;
6. All possible steps were taken to minimize the impact of the excess emissions on ambient air quality;
7. All emission monitoring systems were kept in operation if at all possible;

8. The owner or operator's actions in response to the excess emissions were documented by properly signed, contemporaneous operating logs, or other relevant evidence;
9. The excess emissions were not part of a recurring pattern indicative of inadequate design, operation, or maintenance; and
10. The owner or operator properly and promptly notified EPD.

See id. at 3-4.

For excess emissions occurring during routine startup or shutdown, the provision should state that GPC has the burden of proof to demonstrate that:

1. The periods of excess emissions that occurred during startup and shutdown were short and infrequent and could not have been prevented through careful planning and design;
2. The excess emissions were not part of a recurring pattern indicative of inadequate design, operation or maintenance;
3. If the excess emissions were caused by a bypass (an intentional diversion of control equipment), then the bypass was unavoidable due to an emergency, as per Condition 8.13;
4. At all times, the facility was operated in a manner consistent with good practice for minimizing emissions;
5. The frequency and duration of operation in startup or shutdown mode was minimized to the maximum extent practicable;
6. All possible steps were taken to minimize the impact of the excess emissions on ambient air quality;
7. All emission monitoring systems were kept in operation if at all possible;
8. The owner or operator's actions in response to the excess emissions were documented by properly signed, contemporaneous operating logs, or other relevant evidence; and
9. The owner or operator properly and promptly notified the appropriate regulatory authority.

See id. at 5-6. Finally, the provision should make it clear that if excess emissions occur during routine startup or shutdown periods due to malfunction, then such instances will be treated the same as other malfunctions.

d. The Draft must be revised to clarify that excess emissions of HAPs cannot be exempted.

As currently written, the Draft Permit impermissibly exempts excess emissions of HAPs during startup, shutdown, and malfunction. Condition 8.14.4.c. correctly states that the exemption does not apply to sources subject to New Source Performance Standards. But affirmative defense provisions also cannot apply to any federally promulgated performance standards or emission limits, including national emissions standards for hazardous air pollutants (“NESHAPS”). *See* Steven A. Herman, EPA, “State Implementation Plans: Policy Regarding Excess Emissions During Malfunctions, Startup, and Shutdown” (Sept. 20, 1999) (Attachment A). As noted above, Kraft is subject to NESHAPS for utility boilers and stationary combustion turbines. Condition 8.14.4 must therefore be rewritten to make it clear that the affirmative defense provision does not apply to excess emissions in violation of these applicable NESHAPS.

We thank you for the opportunity to submit these comments. We look forward to receiving the Department’s response to our comments and to receiving notice of the Department’s final permit decisions.

Respectfully submitted,

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On behalf of the Southern Alliance for Clean
Energy and the Southern Environmental
Law Center

Enclosures

KDE/gnd

EXHIBIT C

Facility Name: **Kraft Steam – Electric Generating Plant**
 City: Port Wentworth
 County: Chatham
 AIRS #: 04-13-051-00006

Application #: TV-20539
 Date Application Received: June 29, 2011
 Permit No: 4911-051-0006-V-03-0

Program	Review Engineers	Review Managers
SSPP	Fred Francis	Furqan Shaikh
ISMP	Dan McCain	DeAnna Oser
SSCP	Pierre Sanon	James Eason
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Introduction

This narrative is being provided to assist the reader in understanding the content of the attached draft Part 70 operating permit. Complex issues and unusual items are explained here in simpler terms and/or greater detail than is sometimes possible in the actual permit. This permit is being issued pursuant to: (1) Georgia Air Quality Act, O.C.G.A § 12-9-1, et seq. and (2) Georgia Rules for Air Quality Control, Chapter 391-3-1, and (3) Title V of the Clean Air Act. Section 391-3-1-.03(10) of the Georgia Rules for Air Quality Control incorporates requirements of Part 70 of Title 40 of the Code of Federal Regulations promulgated pursuant to the Federal Clean Air Act. The primary purpose of this permit is to consolidate and identify existing state and federal air requirements applicable to **Kraft Steam – Electric Generating Plant** and to provide practical methods for determining compliance with these requirements. The following narrative is designed to accompany the draft permit and is presented in the same general order as the permit. It initially describes the facility receiving the permit, the applicable requirements and their significance, and the methods for determining compliance with those applicable requirements. This narrative is intended as an adjunct for the reviewer and to provide information only. It has no legal standing. Any revisions made to the permit in response to comments received during the public participation and EPA review process will be described in an addendum to this narrative.

I. Facility Description

A. Facility Identification

1. Facility Name: Kraft Steam – Electric Generating Plant
2. Parent/Holding Company Name

This facility was previously owned by The Southern Company, Savannah Electric and Power Company. The facility is now owned by The Southern Company / Georgia Power Company.

3. Previous and/or Other Name(s)

This facility is commonly known and referred to as Plant Kraft. It was formerly known as Port Wentworth Station.

4. Facility Location

Crossgate Road at Savannah River
Port Wentworth, Chatham County, Georgia

5. Attainment, Non-attainment Area Location, or Contributing Area

The area is designated as attainment for all criteria pollutants

B. Site Determination

There are no other facilities which could possibly be contiguous or adjacent and under common control.

C. Existing Permits

Table 1 below lists all current Title V permits, all amendments, 502(b)(10) changes, and off-permit changes, issued to the facility, based on a comparative review of form A.6, Current Permits, of the Title V application and the "Permit" file(s) on the facility found in the Air Branch office.

Table 1: List of Current Permits, Amendments, and Off-Permit Changes

Permit Number and/or Off-Permit Change	Date of Issuance	Purpose of Issuance
4911-051-0006-V-02-0	July 30, 2007	Title V Renewal
4911-051-0006-V-02-1	May 16, 2008	Allow the use of method ASTM D5142 or ASTM D3173 to analyze coal samples for moisture content.
4911-051-0006-V-02-2	March 12, 2009	Modified NO _x and SO ₂ allocations for EPA Acid Rain Phase II NO _x averaging plan.

Permit Number and/or Off-Permit Change	Date of Issuance	Purpose of Issuance
4911-051-0006-V-02-3	June 8, 2009	Allow the use of method ASTM D1552 to determine sulfur content in No. 2 Fuel Oil.
4911-051-0006-V-02-4	September 18, 2009	Implement CAIR
4911-051-0006-V-02-5	March 2, 2012	Revise the periodic reporting deadlines in Conditions 6.1.3, 6.1.4, and 8.16.1

D. Process Description

1. SIC Codes(s)

4911

The SIC Code(s) identified above were assigned by EPD's Air Protection Branch for purposes pursuant to the Georgia Air Quality Act and related administrative purposes only and are not intended to be used for any other purpose. Assignment of SIC Codes by EPD's Air Protection Branch for these purposes does not prohibit the facility from using these or different SIC Codes for other regulatory and non-regulatory purposes.

Should the reference(s) to SIC Code(s) in any narratives or narrative addendum previously issued for the Title V permit for this facility conflict with the revised language herein, the language herein shall control; provided, however, language in previously issued narratives that does not expressly reference SIC Code(s) shall not be affected.

2. Description of Product(s)

Kraft Steam – Electric Generating Plant generates electricity for sale.

3. Overall Facility Process Description

This facility consists of four steam-generating units and one simple cycle combustion turbine. The first three steam generating units primarily burn coal with natural gas as backup and each power their own steam turbine rated at 50, 50, and 103 megawatts, respectively. Unit 4 primarily burns natural gas with #6 fuel oil as backup and powers a steam turbine rated at 126 megawatts. All four steam-generating units exhaust through a 275-ft stack. The combustion turbine can burn natural gas or #2 fuel oil and is rated at 17 megawatts. The stack for the combustion turbine is 25 ft tall.

4. Overall Process Flow Diagram

The facility provided a process flow diagram in their Title V permit application.

E. Regulatory Status

1. PSD/NSR

This facility is a major source under PSD because it has potential emissions of PM, SO₂, NO_x, VOC, and CO greater than 100 tpy (it is one of the 28 named source categories under PSD). The facility was originally constructed before the PSD regulations were effective.

2. Title V Major Source Status by Pollutant

Table 2: Title V Major Source Status

Pollutant	Is the Pollutant Emitted?	If emitted, what is the facility's Title V status for the pollutant?		
		Major Source Status	Major Source Requesting SM Status	Non-Major Source Status
PM	Y	✓		
PM ₁₀	Y	✓		
SO ₂	Y	✓		
VOC	Y	✓		
NO _x	Y	✓		
CO	Y	✓		
TRS	N			✓
H ₂ S	N			✓
Individual HAP	Y	✓		
Total HAPs	Y	✓		

3. MACT Standards

Kraft Steam – Electric Generating Plant is a major source of hydrogen chloride (HCl) and hydrogen fluoride (HF) emissions which are hazardous air pollutants (HAPs).

The facility is subject to 40 CFR 63 Subpart YYYY - National Emission Standard for Hazardous Air Pollutants: Stationary Combustion Turbines. This regulation has no applicable requirements for existing turbines.

The facility will be subject to 40 CFR 63, Subpart UUUUU: National Emission Standards for Hazardous Air Pollutants from Coal and Oil-fired Electric Utility Steam Generating Units. The rule was finalized on December 16, 2011 and will become effective on April 16, 2012.

4. Program Applicability (AIRS Program Codes)

Program Code	Applicable (y/n)
Program Code 6 - PSD	N
Program Code 8 – Part 61 NESHAP	N
Program Code 9 - NSPS	Y
Program Code M – Part 63 NESHAP	Y
Program Code V – Title V	Y

Regulatory Analysis

II. Facility Wide Requirements

A. Emission and Operating Caps:

None Applicable. No new or modified facility-wide emission and operating caps are associated with this renewal.

B. Applicable Rules and Regulations

None applicable. No new or modified facility-wide rule applicability associated with this renewal.

C. Compliance Status

The facility is in compliance with applicable Federal and State air regulations and permit conditions.

D. Operational Flexibility

None Applicable. No requests for facility-wide operational flexibility are associated with this renewal.

E. Permit Conditions

None applicable. No facility-wide conditions included in the renewal.

III. Regulated Equipment Requirements

A. Brief Process Description

Plant Kraft burns fossil fuel to generate electricity. This facility consists of four steam generating units and one combustion turbine. The first three steam generating units primarily burn coal and the fourth steam-generating unit primarily burns natural gas. The combustion of other fuels is permitted. The emissions of all four steam-generating units exhaust through a common 275-foot stack. The combustion turbine burns No. 2 fuel oil and natural gas and its emissions exhaust through a 25-foot stack. The TLS system is used for unloading coal from barges onto railcars to be burned at different Georgia Power Plants, and is not used to transfer coal to be burned at Plant Kraft.

B. Equipment List for the Process

Emission Units		Specific Limitations/Requirements		Air Pollution Control Devices	
ID No.	Description	Applicable Requirements/Standards	Corresponding Permit Conditions	ID No.	Description
SG01	Steam Generator Unit 1	391-3-1-.02(2)(b), (d), (g), 40 CFR 63 Subpart A 40 CFR 63 Subpart UUUUU 40 CFR 64 Acid Rain	3.2.1, 3.2.3, 3.3.2, 3.4.1, 3.4.2, 3.4.3, 4.2.1, 5.2.1, 5.2.2, 5.2.4, 5.2.5, 5.2.12, 6.2.3, 6.2.5, 7.9.7	EP01	ESP
SG02	Steam Generator Unit 2	391-3-1-.02(2)(b), (d), (g), 40 CFR 63 Subpart A 40 CFR 63 Subpart UUUUU 40 CFR 64 Acid Rain	3.2.1, 3.2.3, 3.3.2, 3.4.1, 3.4.2, 3.4.3, 4.2.1, 5.2.1, 5.2.2, 5.2.4, 5.2.6, 5.2.12, 6.2.3, 6.2.5, 7.9.7	EP02	ESP
SG03	Steam Generator Unit 3	391-3-1-.02(2)(b), (d), (g), 40 CFR 63 Subpart A 40 CFR 63 Subpart UUUUU 40 CFR 64 Acid Rain	3.2.1, 3.2.3, 3.3.2, 3.4.1, 3.4.2, 3.4.3, 4.2.1, 5.2.1, 5.2.2, 5.2.4, 5.2.7, 5.2.12, 6.2.3, 6.2.5, 7.9.7	EP03	ESP
SG04	Steam Generator Unit 4	391-3-1-.02(2)(b), (d), (g), Acid Rain	3.2.2, 3.2.3, 3.4.1, 3.4.2, 3.4.3, 5.2.1, 6.2.3, 7.9.7	None	NA
CT1	Combustion Turbine Unit 1	391-3-1-.02(2)(b) and (g) 40 CFR 63 Subpart A 40 CFR 63 Subpart YYYY Acid Rain	3.2.4, 3.3.1, 3.4.2, 3.4.3, 6.2.4, 7.9.7	None	NA
CHS	Coal Handling System	391-3-1-.02(2)(n)	3.4.4, 3.4.5, 6.2.1	None	NA
TLS	Transfer and Loading Equipment, Including the Transloader System	391-3-1-.02(2)(b) 391-3-1-.02(2)(e) 391-3-1-.02(2)(n)	3.4.2, 3.4.4, 3.4.6, 3.4.7, 5.2.13, 5.2.14, 6.2.1	DC01	Dust Collector System associated with the transloader equipment of the CHS.
AHS	Ash Handling System	391-3-1-.02(2)(n)	3.4.4, 3.4.5, 6.2.1	None	NA

C. Equipment & Rule Applicability

Permit Amendment 4911-051-0006-V-02-1 (Issued May 16, 2008)

Condition 5.2.2 was modified to specify the use of method ASTM D7582 or ASTM D3302 to analyze coal samples for moisture content. In the previous condition no ASTM methods were specified for moisture content testing of the coal.

Permit Amendment 4911-051-0006-V-02-2 (Issued March 12, 2009)

The facility requested to update the Title IV Acid Rain Program Phase II NO_x averaging plan for years 2009 to 2013 for Emission Units SG01, SG02 and SG03 in Condition 7.9.7, and to use the Title IV fast-track modification option in accordance with 40 CFR 72.82 to update the NO_x averaging plan. Condition 7.9.7 was modified to revise the NO_x emission limits from 0.47 lb/mmBtu (2007 to 2011 plan) to 0.46 lb/mmBtu (2009 to 2013 plan). The unit-specific alternative contemporaneous emission limitations have not changed in comparison to the 2007 to 2011 plan, but the unit-specific heat input limits have been updated for Emission Units SG01, SG02 and SG03.

Permit Amendment 4911-051-0006-V-02-3 (Issued June 8, 2009)

Condition 5.2.3 was modified to include ASTM Method D975 to determine sulfur content in No. 2 Fuel Oil.

Permit Amendment 4911-051-0006-V-02-4 (Issued September 18, 2009)

This amendment incorporated the requirements of 40 CFR 96 for Clean Air Interstate Rule (CAIR) for the SO₂ and NO_x Annual Trading Programs for Emission Units SG01, SG02, SG03, and SG04 (denoted simply as Unit ID Nos. 1, 2, 3, and 4 in CAIR Permit Application) in Section 7.15 and Attachment E. The facility is required to comply with the CAIR requirements in accordance with the Georgia Rules 391-3-1-.02(12) and 391-3-1-.02(13), and 40 CFR 96.121, 96.122, 96.221, 96.222, 96.321, and 96.322.

Permit Amendment 4911-051-0006-V-02-5 (Issued March 2, 2012)

Revise the periodic reporting deadlines in conditions 6.1.3, 6.1.4, and 8.14.1 to give the facility 60 days after the reporting period to submit their reports, rather than only 30 days.

Emission and Operating Caps:

The Steam Generating Units SG01, SG02, and SG03 at Plant Kraft are limited to burning coal, natural gas, No 6 fuel oil, sawdust or biomass blended with coal, and used oil. Only coal and/or fuel oil may be burned during startup. Steam generating unit SG04 is limited to burning natural gas, No 6 fuel oil, and propane only during startup. No fuel burned in any of the units can contain more than 3 percent sulfur. Particulate matter emissions from any of the steam generating units is limited to $E = 0.7 \times (10/R)^{0.202}$ where E equals the allowable particulate emission rate in pounds per million Btu heat input and R equals the heat input in million Btu per hour. Opacity is limited to 40 percent from any unit.

The combustion turbine CT1 at Plant Kraft is limited to burning natural gas or No 2 fuel oil, or propane (only during startup). Opacity is limited to 40 percent from the turbine. No fuel may be burned in the turbine that contains more than 3 percent sulfur.

The coal handling system, and ash handling system have an opacity limit of 20 percent, and all reasonable precautions shall be taken to prevent fugitive emissions.

The Transloader system shall not exhibit fugitive emissions greater than 20 percent opacity. Particulate matter emissions shall not exceed the rate calculated by the equation $E = 55 P^{0.11} - 40$, Where: E = emission rate in pounds per hour, and P = process input weight rate in tons per

hour. All reasonable precautions shall be taken to prevent fugitive emissions from the Transloader.

The Transloader dust collection system must not exhibit emissions greater than 40 percent opacity.

Rules and Regulations Assessment:

State Rules

Georgia Rule 391-3-1-.02(2)(b)

The Steam Generating Units, SG01, SG02, SG03, and SG04, the Combustion Turbine CT1, and the transfer and loading equipment, including the Transloader system (Source Code: TLS) are all subject to Georgia Rule 391-3-1-.02(2)(b). All emission units which are subject to any emission limitations under 391-3-1-.02(2) are subject to Georgia Rule 391-3-1-.02(2)(b), which limits opacity to less than forty percent, unless they are subject to a more stringent opacity standard.

Georgia Rule 391-3-1-.02(2)(d)

The Steam Generating Units SG01, SG02, SG03, and SG04, are all subject to Georgia Rule 391-3-1-.02(2)(d) that applies to fuel burning equipment. Fuel burning equipment has a primary purpose of the production of thermal energy, and are used to heat water, create steam, or heat air, and produce process heat indirectly through transfer by fluids or process vessel walls. Georgia Rule d sets a particulate emissions limit of $.7(10/R)^{.202}$ where P is the allowable emissions rate in lb/MMBtu and R is the heat input in MMBtu/Hr, for fuel burning equipment in operation or under construction on or before Jan 1, 1972 with a heat input of greater than 10 MMBtu/hr, but less than 2000 MMBtu/hr.

Georgia Rule 391-3-1-.02(2)(e)(2)1(i)

The transfer and loading equipment, including the Transloader system (Source Code: TLS) is subject to Georgia Rule 391-3-1-.02(2)(e)1(i) because it is not only a source of fugitive particulate emissions since the particulate emissions are controlled by a dust collector system (Air Pollution Control Device ID No. DC01) and was put in operation or extensively altered after July 2, 1968. Georgia Rule 391-3-1-.02(2)(e)1(i) limits PM emissions based on the following equation:

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

In the equation, E is the emission rate in pounds per hour and P is the process input weight rate in tons per hour. At maximum capacity (1,500 tons/hr), the allowable emission rate would be 82.95 lbs/hour.

Georgia Rule 391-3-1-.02(2)(g)

The Steam Generating Units, SG01, SG02, SG03, and SG04, and the Combustion Turbine CT1 are all subject to Georgia Rule 391-3-1-.02(2)(g) that sets a 3 percent sulfur limit for existing fuel burning equipment with more than 100 MMBtu/hr heat input, and built or constructed before Jan 1, 1972.

Georgia Rule 391-3-1-.02(2)(n)

The coal handling system, Transloader, and ash handling system are all subject to Georgia Rule 391-3-1-.02(2)(n) that applies to and operation, process, handling, transportation or storage facility that creates fugitive dust. The rule requires reasonable precautions be taken to prevent dust from becoming airborne, and sets a 20 percent opacity limit on any fugitive emissions.

Federal Rules

40 CFR 63 Subpart YYYY- Standards for Stationary Combustion Turbines

This regulation is applicable to combustion turbines that are located at a major source of hazardous air pollutants (HAPs) [40 CFR 63.6085]. The regulation defines an existing stationary turbine as a stationary combustion turbine which commenced construction or reconstruction on or before January 14, 2003 [40 CFR 63.6090(a)(1)]. Combustion Turbine Unit CT1 was constructed and began operation before November 15, 1990 and therefore is classified as an existing combustion turbine.

Existing stationary combustion turbines in all subcategories do not have to meet the requirements of Subpart YYYY and of Subpart A of this Part 63. No initial notification is necessary for any existing stationary combustion turbine, even if a new or reconstructed turbine in the same category would require an initial notification [40 CFR 63.6090(b)(4)]. Although the regulation is applicable, there are no emission limits, operating standards, notification requirements, or reporting requirements for Combustion Turbine Unit CT1.

40 CFR 63 Subpart UUUUU - National Emission Standards for Hazardous Air Pollutants from Coal and Oil-fired Electric Utility Steam Generating Units. The steam generating units SG01, SG02, and SG03 will be subject to 40 CFR 63, Subpart UUUUU. The rule was finalized on December 16, 2011 and will become effective on April 16, 2012. SG04 burns primarily natural gas, and is exempt per 40 CFR 63.9983(c).

40 CFR 60 Subpart Y – Standards of Performance for Coal Preparation Plants

The Transloader system is not subject to this subpart. In a certified letter received by GA EPD on June 22, 2007, EPA determined that 40 CFR 60 Subpart Y is not applicable to emission unit TLS. During the last renewal there was a question if this subpart applied, and conditions were added to the draft permit. After the applicability determination, the Division removed all Subpart Y requirements for emission unit TLS from the draft permit.

D. Compliance Status

The equipment is in compliance with applicable Federal and State air regulations and permit conditions.

E. Operational Flexibility

None Applicable. No requests for operational flexibility for any equipment are associated with this renewal.

F. Permit Conditions

Condition 3.2.1 specifies the fuel that can be burned in the steam generating units, SG01, SG02, and SG03.

Condition 3.2.2 specifies the fuel that can be burned in the steam generating unit SG04.

Condition 3.2.3 specifies that sawdust, biomass, or used oil shall not be burned during startup.

Condition 3.2.4 specifies the fuel that can be burned in the combustion turbine CT1.

Condition 3.3.1 states that the Permittee shall comply with the applicable requirements of 40 CFR 63 Subpart A and Subpart YYYY.

Condition 3.3.2 states that the Permittee shall comply with the applicable requirements of 40 CFR 63 Subpart A, and Subpart UUUUU.

Condition 3.4.1 sets a particulate emissions limit for steam generating units SG01 to SG04 per Georgia Rule (d).

Condition 3.4.2 sets an opacity limit for the combustion turbine, transloader dust control system, and the steam generating units at 40 percent per Georgia Rule (b)

Condition 3.4.3 sets a sulfur content limit on all fuel burned at the facility of 3 percent by weight.

Condition 3.4.4 states that the facility shall take all reasonable precautions to prevent fugitive emissions of air contaminates.

Condition 3.4.5 sets an opacity limit of 20 percent on fugitive emissions from the coal handling system, and the ash handling system per Georgia Rule (n).

Condition 3.4.6 sets a particulate matter emissions limit on the transloader per Georgia rule (e).

Condition 3.4.7 sets an opacity limit on fugitive emissions for the transloader system of 20 percent.

IV. Testing Requirements (with Associated Record Keeping and Reporting)**A. General Testing Requirements**

The permit includes a requirement that the Permittee conduct performance testing on any specified emission unit when directed by the Division. Additionally, a written notification of any performance test(s) is required 30 days (or sixty (60) days for tests required by 40 CFR Part 63) prior to the date of the test(s) and a test plan is required to be submitted with the test notification. Test methods and procedures for determining compliance with applicable emission limitations are listed and test results are required to be submitted to the Division within 60 days of completion of the testing.

B. Specific Testing Requirements**1. Individual Equipment**

None Applicable.

2. Equipment Groups (all subject to the same test requirements):

The Permittee must perform particulate matter tests annually on the Steam Generating Units SG01, SG02, and SG03. If the results of the test are less than 50% of the emissions limit, then the next test may be deferred for a period no greater than twelve months from the required annual test date, rather than in the following year.

V. Monitoring Requirements

A. General Monitoring Requirements

Condition 5.1.1 requires that all continuous monitoring systems required by the Division be operated continuously except during monitoring system breakdowns and repairs. Monitoring system response during quality assurance activities is required to be measured and recorded. Maintenance or repair is required to be conducted in an expeditious manner.

B. Specific Monitoring Requirements

1. Individual Equipment:

Condition 5.2.3 requires that for each shipment of No. 2 fuel oil received that a supplier certification is obtained that verifies that the oil complies with the specifications for No 2 fuel oil, or that a sample is obtained from each shipment and analyzed for sulfur content. This condition was modified since the last renewal to add an additional test method, ASTM D975 for specifications of No 2 fuel oil burned at the facility.

Condition 5.2.12 requires that for each shipment of No. 6 fuel oil that information about the sulfur content be obtained, as well as specific information about how, when and where the value was determined.

Condition 5.4.13 requires the installation of a device to measure the pressure drop across the Transloader dust collection system.

Condition 5.2.14 requires that the Permittee develop and implement a preventative Maintenance Program for the Transloader dust collector system.

2. Equipment Groups (all subject to the same monitoring requirements):

Condition 5.2.1 requires that COMS are used to monitor the particulate emissions from Steam Generating Units SG01 through SG04.

Condition 5.2.2 requires that a sample of the as bunkered coal to be burned in the Steam Generating Units SG01, SG02, and SG03 be obtained, and analyzed for sulfur content, moisture content, and Gross Caloric Value. This condition was modified to specify test methods ASTM D7582, and D3302 for determining moisture content of the coal.

C. Compliance Assurance Monitoring (CAM)

The steam generating units SG01, SG02, and SG03 are all subject to a particulate matter standard, and have electrostatic precipitator control devices EP01, EP02, and EP03.

Consequently, they are subject to Compliance Assurance Monitoring, or CAM. Steam Generating Unit SG04, Combustion turbine CT1, and the Coal and Ash handling systems do not have control devices, and are not subject to CAM. The Transloader system has a control device, Dust Collector System, but the potential emissions from the operation are less than 100 tons per year using AP-42 emission factors. Consequently the Transloader is not subject to CAM.

The facility identified three pollutant specific emissions units (PSEUs) that are subject to CAM in their CAM plan, and they are listed in Condition 5.2.4. Conditions 5.2.5 to 5.2.11 specify the CAM performance criteria for the monitoring of particulate emissions from the three steam generating units. The primary indicator of proper control device operation for particulate matter is a continuous opacity monitoring system (COMS).

VI. Record Keeping and Reporting Requirements

A. General Record Keeping and Reporting Requirements

The Permit contains general requirements for the maintenance of all records for a period of five years following the date of entry and requires the prompt reporting of all information related to deviations from the applicable requirements. Records, including identification of any excess emissions, exceedances, or excursions from the applicable monitoring triggers, the cause of such occurrence, and the corrective action taken, are required to be kept by the Permittee and reporting is required on a quarterly basis.

Template Conditions 6.1.3 and 6.1.4 were updated in September 2011 to allow ~60 days to submit periodic reports. Alternative reporting deadlines are allowed per 40 CFR 70.6, 40 CFR 60.19(f) and 40 CFR 63.10(a).

B. Specific Record Keeping and Reporting Requirements

Condition 6.2.1 requires record keeping of all actions taken to prevent fugitive dust from the equipment at the facility, roads, storage piles, and any other source of fugitive dust.

Condition 6.2.2 allows the facility to submit any reports required by the Division via electronic media in a format approved by the Division.

Condition 6.2.3 requires monthly records to be kept of all fuel burned in the Steam Generating Units for a period of 5 years after the date and year of record.

Condition 6.2.4 requires monthly records to be kept of all fuel burned in the combustion turbine for a period of 5 years after the date and year of record.

Condition 6.2.5 requires records of representative samples of the coal and sawdust burned in the steam generating units. Records must indicate ash content of coal burned, and heat content of sawdust burned.

Condition 6.2.6 requires the Permittee to determine the sulfur content of No. 6 fuel oil either by sampling analysis method or supplier fuel certifications for any shipment received.

VII. Specific Requirements

A. Operational Flexibility

Not Applicable. No requests for operational flexibility for any equipment are associated with this renewal.

B. Alternative Requirements

Not Applicable. No alternative requirements are added as part of this renewal.

C. Insignificant Activities

Refer to <http://airpermit.dnr.state.ga.us/GATV/default.asp> for the Online Title V Application.

Refer to the following forms in the Title V permit application:

- Form D.1 (Insignificant Activities Checklist)
- Form D.2 (Generic Emissions Groups)
- Form D.3 (Generic Fuel Burning Equipment)
- Form D.6 (Insignificant Activities Based on Emission Levels of the Title V permit application)

D. Temporary Sources

Not Applicable. No temporary sources are added as part of this renewal.

E. Short-Term Activities

Kraft Steam-Electric Generating Plant stated that they have the following short-term activities; sand blasting for maintenance purposes and asbestos removal in accordance with Georgia Rule 391-3-1-.02(9)(b)7. See Form D5 of the Title V application for a more complete description.

Other than asbestos removal, which is subject to Georgia Rule 391-3-1-.02(9)(b)7, sand blasting is not subject to any state or federal air quality requirements other than the general provisions of the Georgia Rules for Air Quality Control. The general provisions and the requirement to keep records of the frequency and duration of these activities has been included in Section 7.6 of the permit.

F. Compliance Schedule/Progress Reports

Not Applicable. No compliance schedule/progress reports are added as part of this renewal.

G. Emissions Trading

Not applicable. No emissions trading associated with this renewal.

H. Acid Rain Requirements

This facility is subject to the Acid Rain Requirements of Title IV. Condition 7.9.7 was modified since the last renewal to revise the NO_x emission limits from 0.47 lb/mmBtu (2007 to 2011 plan) to 0.46 lb/mmBtu (2009 to 2013 plan). The unit-specific alternative contemporaneous emission limitations have not changed in comparison to the 2007 to 2011 plan, but the unit-specific heat input limits have been updated for Emission Units SG01, SG02 and SG03.

I. Stratospheric Ozone Protection Requirements

The standard permit condition pursuant to 40 CFR 82 Subpart F is included in Permit No, 4911-051-0006-V-03-0. These Title VI requirements apply to all air conditioning and refrigeration units containing ozone-depleting substances regardless of the size of the unit or of the source. The facility does have air conditioners or refrigeration equipment that contain such substances. The facility does not maintain service, repair, or disposes of any motor vehicle air conditioners or appliances and therefore not subject to 40 CFR Part 82, Subpart B.

J. Pollution Prevention

Not Applicable. There are no pollution prevention provisions incorporated into this Title V permit.

K. Specific Conditions

Not Applicable. No specific conditions included in the renewal.

L. Clean Air Interstate Requirements (CAIR)

Condition 7.15.1 requires the facility to comply with all the applicable requirements in the CAIR permit application. The CAIR permit application is attached as part of this Title V Permit.

Condition 7.15.2 requires the facility to comply with the CAIR facility wide annual NO_x allowance allocations in accordance with 40 CFR 96 and Georgia Rule 391-3-1-.02(12).

The CAIR NO_x allowances have been determined by the Division for years 2012 through 2013 based on historical operating data for each equipment, and this information is available on EPD's website at <http://www.georgiaair.org/airpermit/html/aqrules/caircamr/CAIR.html>. The CAIR allowances are not unit specific and the allowances are awarded for the entire facility for each calendar year.

VIII. General Provisions

Generic provisions have been included in this permit to address the requirements in 40 CFR Part 70 that apply to all Title V sources, and the requirements in Chapter 391-3-1 of the Georgia Rules for Air Quality Control that apply to all stationary sources of air pollution

Template Condition 8.14.1 was updated in September 2011 to change the default submittal deadline for Annual Compliance Certifications to February 28

Addendum to Narrative

The 30-day public review started on May 7, 2012 and ended on June 6, 2012. Comments were received by the Division.

Georgia Power Comments

Georgia Power submitted comments in a letter dated June 6, 2012. The following are Georgia Power's comments and EPD's responses to those comments:

Comment 1 - Condition 5.2.3

Georgia Power requests to move this condition from Part 5.0 – Requirements for Monitoring (Related to Data Collection) to Part 6.0 – Record Keeping and Reporting Requirements. To be consistent with other Georgia Power Title V permits.

EPD Response: EPD agrees, and Condition 5.2.3 will be moved from Part 5.0 – Requirements for Monitoring (Related to Data Collection) to Part 6.0 – Record Keeping and Reporting Requirements as the new Condition 6.2.7. Therefore, the new Condition 6.2.7 will read as follows:

- 6.2.7 For each shipment of No. 2 fuel oil received, the Permittee shall obtain from the supplier of the fuel oil, a statement certifying that the oil complies with the specifications of No. 2 fuel oil contained in ASTM D396 or ASTM D975. As an alternative to the procedure described above, the Permittee may, for each shipment of No. 2 fuel oil received, obtain a sample for the analysis of sulfur content. The procedures of ASTM D4057 shall be used to acquire the sample. Sulfur content shall be determined using the procedures of ASTM D129, ASTM D1552 or by some other test method approved by the U.S. EPA and acceptable to the Division.
[391-3-1-.02(6)(b)1 and 40 CFR 70.6(a)(3)(i)]

Southern Environmental Law Center Comments

Southern Environmental Law Center submitted comments via email dated June 6, 2012. Please refer to EPD's permit file for the entire copy of the comments received (37 pages) from Southern Environmental Law Center. The following are Southern Environmental Law Center's comments (only headings are listed below) and EPD Responses to those comments:

I. Background

EPD Response: Comment so noted.

II. Regulatory Framework

EPD Response: Comment so noted. Regarding their comment that "Permitting authorities should...issue renewed permits prior to expiration of the existing permit," EPD notes that, provided a timely renewal application is submitted, the Permit is not null and void. Expiration of a permit occurs when a Permittee fails to submit a timely application, and EPD fails to issue a renewal permit within 5 years of issuance of existing permit.

Georgia Rule 391-3-1-.03(10)(e)1.(ii) states that “Except as provided under the initial transition plan or under regulations promulgated under Title IV of the federal Clean Air Act, the Director shall take final action on each permit application (including request for permit modification or renewal) within 18 months after receiving a complete application”.

III. The draft permit must state the requirements for Kraft, not simply list citations to Regulations.

40 CFR 63 Subpart UUUUU

EPD Response: Since the EGU Utility MACT (40 CFR 63 Subpart UUUUU) has become effective on April 16, 2012, Condition 3.3.2 was added in the draft permit to include the general requirements for the EGU MACT to the Steam Generating Units SG01, SG02 and SG03. The compliance date for Steam Generating Units SG01, SG02 and SG03 is April 16, 2015. Therefore, EPD will add any necessary conditions for EGU MACT in a permit amendment in the future.

40 CFR 63 Subpart YYYY

EPD Response: Combustion Turbine Unit CT1 is subject to 40 CFR 63 Subpart YYYY. Combustion Turbine Unit CT1 meets the definition of an “existing stationary combustion turbine” as specified in 40 CFR 63.6090 (i.e. commenced construction or reconstruction before January 14, 2003). Per 40 CFR 63.6090(b)(4), existing stationary combustion turbine does not have to meet the requirements of Subpart YYYY and of Subpart A. Although the regulation is applicable, there are no emission limits, operating standards, notification requirements, or reporting requirements for Combustion Turbine Unit CT1 under Subpart YYYY.

40 CFR 64 - CAM Plan

EPD Response: The facility submitted the CAM plan in electronic format for this Title V Renewal Application (TV-20539). Please refer to this application on EPD’s website at <http://airpermit.dnr.state.ga.us/GATV/GATV/TitleV.asp> and follow the links to download electronic documents under Section A8 - Required Documents. The facility is required to comply with the provisions in the CAM plan. Conditions 5.2.4 to 5.2.11 explicitly list the CAM plan requirements (40 CFR 64) for Steam Generating Units SG01, SG02 and SG03. Specifically, CAM plan for Steam Generating Units SG01, SG02 and SG03 (Condition 5.2.5 through 5.2.7) requires the facility to operate continuous opacity monitoring systems (COMS) on the exhaust stack to monitor visible emissions. This monitoring scheme has been approved by EPD, and no additional monitoring is necessary.

IV. The standards in the draft permit are not sufficient to protect public health, safety and welfare.

a. The permit should contain emission limits that assure attainment and maintenance of NAAQS.

EPD Response: This is not a PSD permit, and there is no regulatory requirement in 40 CFR 70 to include 1-hour emissions limits for SO₂, NO₂, and CO in this Title V Operating Permit to demonstrate compliance with the new 1-hour NAAQS standards and to assure attainment and maintenance of NAAQS.

b. The PM limit should be strengthened to 0.012 lb/MMBtu.

EPD Response: This facility was constructed before the PSD (40 CFR 52.21) requirements were effective. This is not a PSD permit, and there is no regulatory requirement in 40 CFR 70 to include new PM, PM₁₀ and PM_{2.5} emissions limits in this Title V Operating Permit.

c. Coarse and fine particle pollution should be limited and monitored separately.

EPD Response: This facility is not currently subject to any PM_{2.5} emissions standards or limits (applicable requirements). Permit Condition 3.4.1 subjects the steam generating units to a particulate matter (PM) limit as defined by Georgia Rule 391-3-1-.02(2)(d)1(ii), and the method of compliance is via a performance test using Method 5 or Method 17, as applicable, as listed in Condition 4.1.3f. This renewal application did not trigger any requirement to include a new, separate PM_{2.5} emissions limit.

d. The opacity limit should be strengthened to 20%.

EPD Response: This facility was under construction before January 1, 1972, and therefore, the 20 percent opacity limit in Georgia Rule (d) does not apply to the steam generating units. Permit Condition 3.4.2 limits opacity to 40 percent or less from the steam generating units. As stated before, there is no regulatory requirement in 40 CFR 70 to include more stringent opacity and PM emissions limits in this Title V Operating Permit.

e. The permit should include enforceable best management practices for coal handling, transfer and loading equipment, and the ash handling system.

EPD Response: There is no regulatory requirement in 40 CFR 70 to require the facility to install enclosures, other control devices, and specific dust suppression measures.

Fugitive emissions from the coal handling system (emission unit ID CHS), the transfer and loading equipment which includes the transloader system (emission unit ID: TLS), and the ash handling system (emission unit ID AHS) must meet the 20 percent opacity limit in Georgia Rule (n). The facility must comply with Permit Condition No. 6.2.1 that requires the facility to maintain a record of all actions taken in accordance with Permit Condition No. 3.4.4 to suppress fugitive dust from the coal handling system, the ash handling system, the transloader system, roads, storage piles, or any other source of fugitive dust.

f. The permit should limit hourly heat input.

EPD Response: There is no regulatory requirement in 40 CFR 70 to include the maximum heat input rate for each steam generating unit as an enforceable condition in the Title V Operating Permit. The emissions from the steam generating unit are limited by the design heat input capacity of the unit, and the facility is required to comply with the emissions limits in Section 3.0 of this Title V Permit.

V. The draft permit cannot create a blanket exemption for excess emissions during startup and shutdown.

a. The permit must state that all excess emissions are violation.

b. EPD must preserve the right to exercise enforcement, including injunctive relief.

EPD Response: The excess emissions provisions come directly from Georgia Rule 391-3-1-.02(2)(a)7. Condition 8.14.4 in this Title V Renewal Permit directly comes from Georgia Rule 391-3-1-.02(2)(a)7.(i). This rule has been an EPA-approved part of the Georgia SIP since 1979 and the courts have specifically upheld the validity of this rule. See e.g., *Sierra Club v. Ga. Power Co.*, 443 F.3d 1346 (11th Cir. 2006) (recognizing the rule as a continuous part of the Georgia SIP).

Because it is part of the Georgia SIP, it is entirely appropriate to simply repeat the rule language verbatim in the Plant Kraft Title V permit. The comment's citations appear to be referring to EPA guidance documents regarding the submission of new SIP provisions that regulate startup, shutdown, and malfunction events; however, EPA has specifically acknowledged that such guidance was not intended to affect the validity of existing, approved SIP provisions addressing these events. Therefore, Condition 8.14.4 is appropriate as written.

c. The permit must provide objective criteria that will allow for practical enforceability.

- i. Vague and undefined terms must be replaced with specific, objective operational requirements.**
- ii. The permit must include separate criteria for excess emissions from startup/shutdown and malfunctions.**

EPD Response: The term startup is defined in Condition 3.2.3 for burning used oil. Per Georgia Rule 391-3-1-.01(jjj), the term shutdown means the cessation of the operation of a source or facility for any purpose, and it is also defined in Condition 3.2.3.

Per Georgia Rule 391-3-1-.01(nn), malfunction means mechanical and/or electrical failure of a process, or of air pollution control process or equipment, resulting in operation in an abnormal or unusual manner. Georgia Rule 391-3-1-.02(2)(a)7 and Condition 8.14.4 do not preclude the use of more specific criteria.

d. The draft must be revised to clarify that excess emissions of HAPS cannot be exempted.

EPD Response: Georgia Rule 391-3-1-.02(2)(a)7.(iii) does not mention National Emissions Standards for Hazardous Air Pollutants (NESHAP) in the rule.

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.

EXHIBIT D



Region 4: Proposed Title V Permits

Last updated on Wednesday, October 17, 2012

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Georgia Proposed Title V Permits

The following permits have been submitted to EPA Region 4 as Proposed Title V permits. While EPA has the right to a 45-day review period for all Proposed Title V permits, EPA Region 4 targets only a subset of these permits for comprehensive review. To find out which permits have been targeted for EPA Region 4 review, please contact the Region 4 staff person(s) listed at the bottom of this page.

Title V Permits Undergoing Sequential Review*

State	County	Source Name	PA Permit Number	45-Day Review Ends (sequential)	Petition Deadline
GA	Chatham	Georgia Power Company - Plant Kraft	4911-051-0006-V-03-0	8/24/2012	10/23/2012
GA	Effingham	Georgia Power Company - Plant McIntosh	4911-103-0003-V-03-0	9/14/2012	11/13/2012
GA	Laurens	Griffin Industries, LLC - East Dublin	2077-175-0042-V-03-0	9/22/2012	11/21/2012
GA	Screven	King America Finishing, Inc.	2261-251-0008-V-04-0	11/5/2012	1/4/2013

Title V Permits Undergoing Parallel Review**

State	County	Source Name	PA Permit Number	45-Day Review Ends (parallel)	Petition Deadline
GA	Fayette	Certainteed Corporation - Peachtree City	2952-113-0013-V-02-0	7/15/2012	10/12/2012
GA	Heard	Chattahoochee Energy Facility - Oglethorpe Power	4911-149-0006-V-04-0	7/15/2012	10/12/2012
GA	Dougherty	MillerCoors LLC	2082-095-0010-V-04-0	7/15/2012	10/12/2012
GA	Brantley	Varn Wood Products, LLC	2421-025-0001-V-03-1	7/18/2012	10/15/2012
GA	Dooly	Roseburg Forest Products South LP	2493-093-0022-V-04-0	7/24/2012	10/22/2012
GA	Atkinson	Langboard MDF	2493-003-0013-V-05-0	7/25/2012	10/22/2012
GA	Washington	Thiele Kaolin Company - Sandersville Plant	3295-303-0006-V-03-0	7/24/2012	10/22/2012
GA	Troup	Milliken & Co Live Oak Milstar	2273-285-0032-V-03-0	8/1/2012	10/29/2012
GA	Morgan	Georgia-Pacific Wood Products LLC (Madison Plywood)	2436-211-0013-V-03-0	8/1/2012	10/29/2012
GA	Taylor	Taylor County LFGTE Power Station	4911-269-0016-V-02-3	8/5/2012	11/2/2012
GA	Hall	SAPA Extruder, Inc.	3354-139-0075-V-04-0	8/8/2012	11/5/2012
GA	DeKalb	Marathon Petroleum Company LP - Doraville Terminal	5171-089-0120-V-03-0	8/8/2012	11/5/2012
GA	Effingham	Georgia-Pacific Consumer Products LP (Savannah River Mill)	2621-103-0007-V-04-0	8/8/2012	11/5/2012

GA	Whitfield	The Dow Chemical Company - Polystyrene Plant	3086-313-0106-V-05-0	8/11/2012	11/8/2012
GA	Early	Georgia-Pacific Corporation - Cedar Springs Operations, LLC	2631-099-0001-V-02-8	8/12/2012	11/9/2012
GA	Hall	Milliken & Company - New Holland Plant	2281-139-0046-V-03-0	8/15/2012	11/12/2012
GA	Lowndes	Langdale Forest Products Company	2421-185-0009-V-03-0	8/22/2012	11/19/2012
GA	Cobb	Marathon Petroleum Company LLC	5171-067-0032-V-05-0	8/22/2012	11/19/2012
GA	Fulton	Georgia Institute of Technology	8221-121-0129-V-02-3	8/22/2012	11/19/2012
GA	Clayton	Clayton County SR 3 Love Joy Landfill	4953-063-0106-V-03-1	8/22/2012	11/19/2012
GA	Houston	Anchor Glass Container Corporation	3221-153-0014-V-04-0	8/26/2012	11/23/2012
GA	Newton	FiberVisions Manufacturing Company	2824-217-0020-V-03-0	8/26/2012	11/23/2012
GA	Richmond	PCS Nitrogen Fertilizer L.P.	2873-245-0002-V-03-0	8/29/2012	11/26/2012
GA	DeKalb	Seminole Road MSW Landfill	4953-089-0299-V-03-0	8/29/2012	11/26/2012
GA	Clarke	CII Methane Management II LFGTE Plant	4911-059-0102-V-01-0	9/5/2012	12/3/2012
GA	Lowndes	Bathcraft, Inc.	3088-185-0073-V-05-0	9/7/2012	12/5/2012
GA	Washington	IMERYS Clays, Inc. - Sandersville Calcine Plant	3295-303-0004-V-03-0	9/16/2012	12/14/2012
GA	Baldwin	Triumph Aerostructures, LLC - Vought Aircraft Division	3728-009-0031-V-04-0	9/20/2012	12/18/2012
GA	Newton	Pactiv Corporation - Covington Polystyrene Foam Products	3086-217-0024-V-05-0	9/23/2012	12/21/2012
GA	Appling	Rayonier Wood Products LLC - Baxley Sawmill	2421-001-0005-V-04-0	9/30/2012	12/28/2012
GA	Whitfield	Shaw Industries, Inc. - Plant 81	2273-313-0001-V-03-0	10/3/2012	12/31/2012
GA	Whitfield	Shaw Industries, Inc. - Plant 80	2273-313-0003-V-03-0	10/10/2012	1/7/2013
GA	Glascok	Thiele Kaolin Company - Reedy Creek Plant	3295-125-0001-V-03-0	10/10/2012	1/7/2013
GA	Crisp	Griffin Lumber Company	2421-081-0008-V-02-0	10/12/2012	1/9/2013
GA	DeKalb	Live Oak Landfill & Recycling Center	4953-089-0263-V-03-0	10/17/2012	1/14/2013
GA	Jackson	Huber Engineered Woods, LLC	2493-157-0014-V-03-0	11/4/2012	2/1/2013
GA	Chatham	Gulfstream Aerospace Corporation	3721-051-0046-V-03-0	11/7/2012	2/4/2013
GA	Richmond	Procter & Gamble Manufacturing Company - Augusta Plant	2841-245-0068-V-03-0	11/7/2012	2/4/2013
GA	Early	Georgia-Pacific Corporation - Cedar Springs Operations, LLC	2631-099-0001-V-03-0	11/11/2012	2/8/2013
GA	Liberty	Interstate Paper, LLC	2631-179-0001-V-02-3	11/14/2012	2/11/2013

GA	Houston	CEMEX Southeast, LLC	3241-153-0003-V-05-2	11/18/2012	2/15/2013
GA	Whitfield	Mohawk Industries, Inc.	2273-313-0096-V-03-0	11/29/2012	2/26/2013

* **Sequential Review** means the EPA 45-day review period does not begin until the 30-day public comment period ends. The deadline for the public to petition EPA is 60 days after the EPA 45-day review period ends.

** **Parallel Review** means the EPA 45-day review period runs concurrently with the 30-day public comment period and ends **no earlier** than 15 days after the end of the public comment period. The deadline for the public to petition EPA is 60 days after the EPA 45-day review period ends, calculated as if the Title V permit was under sequential review (i.e., the petition deadline will be the same regardless of whether Parallel or Sequential Review is followed.)

For information about the contents of this page please contact [Andy Porter](#).