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## PART 70 OPERATING PERMIT

**SOURCE ID: 1520**

Apex Generating Station  
15555 Apex Power Parkway  
Las Vegas, Nevada 89165

**ISSUED ON: October 16, 2018**

**EXPIRES ON: October 15, 2023**

**REVISED ON: December 8, 2021**

**Current action: Reopening for Cause**

**Issued to:**

Southern California Public Power  
Authority  
1160 Nicole Court  
Glendora, CA 91740

**Responsible Official:**

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**NATURE OF BUSINESS:**

SIC code 4911, "Electric Services"

NAICS code 221112, "Fossil Fuel Electric Power Generation"

**Issued by the Clark County Department of Environment and Sustainability in accordance with Section 12.5 of the Clark County Air Quality Regulations.**

Theodore A. Lendis, Permitting Manager

## EXECUTIVE SUMMARY

Apex Generating Station is a power generating station located in Apex Valley, Nevada. AGS is situated in Hydrographic area 216 (Garnet Valley). Garnet Valley is designated as PSD area for PM<sub>10</sub>, PM<sub>2.5</sub>, CO, NO<sub>x</sub>, VOC, SO<sub>2</sub> and Ozone

The source is a major stationary source for PM<sub>10</sub>, PM<sub>2.5</sub>, NO<sub>x</sub> and CO; and minor source for SO<sub>2</sub>, and VOC. The source is a Categorical Stationary Source, as defined by AQR 12.2.2(j)(1), and a major source of Greenhouse Gases. Apex Generating Station operates a combined cycle configuration consisting of two 185 MW at ISO natural gas-fired turbines and two 460 MMBtu/hour heat recovery steam generators with natural gas fired duct burners, for supplemental firing, and a steam turbine generator. The facility also operates a 9.67 MMBtu/hour natural gas-fired fuel gas dew point heater, an emergency generator, an emergency fire pump, and a rental 9.50 MMBtu/hour propane fired boiler. The rental boiler is used, temporarily, during turbine outages and to generate steam to process turbine wastewater.

The following table summarizes the source PTE for each regulated air pollutant for all emission units addressed by this Part 70 Operating Permit:

<b>PM<sub>10</sub></b>	<b>PM<sub>2.5</sub></b>	<b>NO<sub>x</sub></b>	<b>CO</b>	<b>SO<sub>2</sub></b>	<b>VOC</b>	<b>HAP</b>	<b>GHG</b>
<b>107.05</b>	<b>107.05</b>	<b>208.77</b>	<b>323.89</b>	<b>12.94</b>	<b>59.90</b>	<b>10.87</b>	<b>2,306,402.67</b>

Pursuant to AQR 12.5, all terms and conditions in Sections I through V and Attachment 1 in this permit are federally enforceable unless explicitly denoted otherwise.

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## I. ACRONYMS

**Table I-1: List of Acronyms and Abbreviations**

Acronym	Term
AGS	Apex Generating Station
AQR	Clark County Air Quality Regulations
ATC	Authority to Construct
CAM	Compliance Assurance Monitoring
CEMS	Continuous Emissions Monitoring System
CFR	United States Code of Federal Regulations
CO	Carbon Monoxide
CTG	Combustion Turbine-Generator
Air Quality	Clark County Department of Air Quality
DLN	Dry Low-NO <sub>x</sub>
EPA	United States Environmental Protection Agency
EU	Emission Unit
FGDH	Fuel Gas Dew point Heater
GHG	Greenhouse Gases
gr	Grains
HAP	Hazardous Air Pollutant
HHV	Higher Heating Value
HP	Horse Power
HRSG	Heat Recovery Steam Generator
ISO	International Organization for Standardization
kW	kilowatt
LHV	Lower Heating Value
MACT	Maximum Achievable Control Technology
MMBtu	Millions of British Thermal Units
MW	Megawatt
NAICS	North American Industry Classification System
NO <sub>x</sub>	Nitrogen Oxides
NRS	Nevada Revised Statutes
OP	Operating Permit
PEMS	Parametric Emission Monitoring System
PM <sub>2.5</sub>	Particulate Matter less than 2.5 microns
PM <sub>10</sub>	Particulate Matter less than 10 microns
ppm	Parts per Million
ppmvd	Parts per Million, Volumetric Dry
PTE	Potential to Emit
QA/QC	Quality Assurance/Quality Control
QAP	Quality Assurance Plan
RATA	Relative Accuracy Test Audits
RMP	Risk Management Plan
SCC	Source Classification Codes
scf	Standard Cubic Feet
SIC	Standard Industrial Classification
SIP	State Implementation Plan
SO <sub>2</sub>	Sulfur Dioxide
STG	Steam Turbine Generator
SU/SD	Startup/Shutdown
TCS	Toxic Chemical Substance
ULN	Ultra Low-NO <sub>x</sub>
UOE	Unplanned Operating Event
VOC	Volatile Organic Compound

## II. GENERAL CONDITIONS

### A. General Requirements

1. The permittee shall comply with all conditions of the Part 70 Operating Permit (OP). Any permit noncompliance may constitute a violation of the Clark County Air Quality Regulations (AQRs), Nevada law, and the Clean Air Act, and is grounds for enforcement action; for permit termination, revocation and reissuance, or revision; or for denial of a renewal application. *[AQR 12.5.2.6(g)(1)]*
2. If any term or condition of this permit becomes invalid as a result of a challenge to a portion of this permit, the other terms and conditions of this permit shall be unaffected and remain valid. *[AQR 12.5.2.6(f)]*
3. The permittee shall pay all permit fees pursuant to AQR 18. *[AQR 12.5.2.6(h)]*
4. This permit does not convey property rights of any sort, or any exclusive privilege. *[AQR 12.5.2.6(g)(4)]*
5. The permittee agrees to allow inspection of the premises to which this permit relates by any authorized representative of the Control Officer at any time during the permittee's hours of operation without prior notice. The permittee shall not obstruct, hamper, or interfere with any such inspection. *[AQR 4.1; AQR 5.1.1; AQR 12.5.2.8(b)]*
6. The permittee shall allow the Control Officer, upon presentation of credentials, to: *[AQR 4.1 & AQR 12.5.2.8(b)]*
  - a. Access and copy any records that must be kept under the conditions of the permit;
  - b. Inspect any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the permit;
  - c. Sample or monitor substances or parameters for the purpose of assuring compliance with the permit or applicable requirements; and
  - d. Document alleged violations using such devices as cameras or video equipment.
7. Any permittee who fails to submit relevant facts or who has submitted incorrect information in a permit application shall, upon becoming aware of such failure or incorrect submittal, promptly submit the needed supplementary facts or corrected information. In addition, the permittee shall provide additional information as necessary to address any requirements that become applicable to the source after the date a complete application was filed but prior to release of a draft permit. A responsible official shall certify the additional information consistent with the requirements of AQR 12.5.2.4. *[AQR 12.5.2.2]*
8. Anyone issued a permit under AQR 12.5 shall post it in a location where it is clearly visible and accessible to facility employees and DAQ representatives. *[AQR 12.5.2.6(m)]*

**B. Modification, Revision, Renewal Requirements**

1. No person shall begin actual construction of a new Part 70 source, or modify or reconstruct an existing Part 70 source that falls within the preconstruction review applicability criteria, without first obtaining an Authority to Construct (ATC) from the Control Officer. *[AQR 12.4.1.1(a)]*
2. The permit may be revised, revoked, reopened and reissued, or terminated for cause by the Control Officer. The filing of a request by the permittee for a permit revision, revocation, reissuance, or termination, or of a notification of planned changes or anticipated noncompliance, does not stay any permit condition. *[AQR 12.5.2.6(g)(3)]*
3. A permit, permit revision, or renewal may be approved only if all of the following conditions have been met: *[AQR 12.5.2.10(a)]*
  - a. The permittee has submitted to the Control Officer a complete application for a permit, permit revision, or permit renewal (except a complete application need not be received before a Part 70 general permit is issued pursuant to AQR 12.5.2.20); and
  - b. The conditions of the permit provide for compliance with all applicable requirements and the requirements of AQR 12.5.
4. The permittee shall not build, erect, install, or use any article, machine, equipment, or other contrivance, the use of which, without resulting in a reduction in the total release of air contaminants to the atmosphere, reduces or conceals an emission that would otherwise constitute a violation of an applicable requirement. *[AQR 80.1 and 40 CFR Part 60.12]*
5. No permit revisions shall be required under any approved economic incentives, marketable permits, emissions trading, and other similar programs or processes for changes that are provided for in the permit. *[AQR 12.5.2.6(i)]*
6. Permit expiration terminates the permittee's right to operate unless a timely and complete renewal application has been submitted. *[AQR 12.5.2.11(b)]*
7. For purposes of permit renewal, a timely application is a complete application that is submitted at least six months, but not more than 18 months, prior to the date of permit expiration. If a source submits a timely application under this provision, it may continue operating under its current Part 70 OP until final action is taken on its application for a renewed Part 70 OP. *[AQR 12.5.2.1(a)(2)]*

**C. Reporting/Notifications/Providing Information Requirements**

1. The permittee shall submit all compliance certifications to the U.S. Environmental Protection Agency (EPA) and to the Control Officer. *[AQR 12.5.2.8(e)(4)]*
2. Any application form, report, or compliance certification submitted to the Control Officer pursuant to the permit or the AQRs, shall contain a certification by a responsible official, with an original signature, of truth, accuracy, and completeness. This certification, and any other required under AQR 12.5, shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete. *[AQR 12.5.2.6(l)]*

3. The permittee shall furnish to the Control Officer, in writing and within a reasonable time, any information that the Control Officer may request to determine whether cause exists for revising, revoking and reissuing, or terminating the permit, or to determine compliance with the permit. Upon request, the permittee shall also furnish to the Control Officer copies of records that the permit requires keeping. The permittee may furnish records deemed confidential directly to the Administrator, along with a claim of confidentiality. *[AQR 12.5.2.6(g)(5)]*
4. Upon request of the Control Officer, the permittee shall provide any information or analyses that will disclose the nature, extent, quantity, or degree of air contaminants that are or may be discharged by the source, and the type or nature of control equipment in use. The Control Officer may require such disclosures be certified by a professional engineer registered in the state. In addition to this report, the Control Officer may designate an authorized agent to make an independent study and report on the nature, extent, quantity, or degree of any air contaminants that are or may be discharged from the source. An agent so designated may examine any article, machine, equipment, or other contrivance necessary to make the inspection and report. *[AQR 4.1]*
5. The permittee shall submit annual emissions inventory reports based on the following: *[AQR 18.6.1]*
  - a. The annual emissions inventory must be submitted to DAQ by March 31 of each calendar year (if March 31 falls on a Saturday or Sunday, or on a Nevada or federal holiday, the submittal shall be due on the next regularly scheduled business day);
  - b. The calculated actual annual emissions from each emission unit shall be reported even if there was no activity, along with the total calculated actual annual emissions for the source based on the emissions calculation methodology used to establish the potential to emit (PTE) in the permit or an equivalent method approved by the Control Officer prior to submittal; and
  - c. As the first page of text, a signed certification containing the sentence: "I certify that, based on information and belief formed after reasonable inquiry, the statements contained in this document are true, accurate, and complete." This statement shall be signed and dated by a responsible official of the company (a sample form is available from DAQ).
6. Stationary sources that emit 25 tons or more of nitrogen oxide (NO<sub>x</sub>) and/or 25 tons or more of volatile organic compounds (VOCs) during a calendar year from emission units, insignificant activities, and exempt activities shall submit an annual emissions statement for both pollutants. This statement must include actual annual NO<sub>x</sub> and VOC emissions from all activities, including emission units, insignificant activities, and exempt activities. Emissions statements are separate from, and additional to, the calculated annual emissions reported each year for all regulated air pollutants (i.e., the emissions inventory report). *[AQR 12.9.1]*

#### **D. Compliance Requirements**

1. The permittee shall not use as a defense in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit. *[AQR 12.5.2.6(g)(2)]*

2. Any person who violates any provision of the AQRs, including, but not limited to, any application requirement; any permit condition; any fee or filing requirement; any duty to allow or carry out inspection, entry, or monitoring activities; or any requirements from DAQ is guilty of a civil offense and shall pay a civil penalty levied by the Air Pollution Control Hearing Board and/or the Hearing Officer of not more than \$10,000. Each day of violation constitutes a separate offense. [AQR 9.1; NRS 445B.640]
3. Any person aggrieved by an order issued pursuant to AQR 9.1 is entitled to review, as provided in Chapter 233B of the NRS. [AQR 9.12]
4. The permittee shall comply with the requirements of Title 40, Part 61 of the Code of Federal Regulations (40 CFR Part 61), Subpart M—the National Emission Standard for Asbestos—for all demolition and renovation projects. [AQR 13.1(b)(8)]
5. The permittee shall certify compliance with the terms and conditions contained in this Part 70 OP, including emission limitations, standards, work practices, and the means for monitoring such compliance. [AQR 12.5.2.8(e)]
6. The permittee shall submit compliance certifications annually in writing to the Control Officer (4701 W. Russell Road, Suite 200, Las Vegas, NV 89118) and the Region 9 Administrator (Director, Air and Toxics Divisions, 75 Hawthorne St., San Francisco, CA 94105). A compliance certification for each calendar year will be due on January 30 of the following year, and shall include the following: [AQR 12.5.2.8(e)]
  - a. The identification of each term or condition of the permit that is the basis of the certification;
  - b. The identification of the methods or other means used by the permittee for determining the compliance status with each term and condition during the certification period. These methods and means shall include, at a minimum, the monitoring and related recordkeeping and reporting requirements described in 40 CFR Part 70.6(a)(3). If necessary, the permittee shall also identify any other material information that must be included in the certification to comply with Section 113(c)(2) of the Clean Air Act, which prohibits knowingly making a false certification or omitting material information; and
  - c. 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. The certification shall be based on the methods or means designated in (b) above. 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 was required and in which an excursion or exceedance, as defined under 40 CFR Part 64, occurred.
7. The permittee shall report to the Control Officer any startup, shutdown, malfunction, emergency, or deviation that causes emissions of regulated air pollutants in excess of any limits set by regulations or this permit. The report shall be in two parts, as specified below: [AQR 12.5.2.6(d)(4)(B); AQR 25.6.1]
  - a. Within 24 hours of the time the permittee learns of the excess emissions, the permittee shall notify DAQ by phone at (702) 455-5942, by fax at (702) 383-9994, or by email at [airquality@clarkcountynv.gov](mailto:airquality@clarkcountynv.gov).



- b. Within 72 hours of the notification required by paragraph (a) above, the permittee shall submit a detailed written report to DAQ containing the information required by AQR 25.6.3.
8. With the semiannual monitoring report, the permittee shall report to the Control Officer all deviations from permit conditions that do not result in excess emissions, including those attributable to malfunction, startup, or shutdown. Reports shall identify the probable cause of each deviation and any corrective actions or preventative measures taken. [AQR 12.5.2.6(d)(4)(B)]
9. The owner or operator of any source required to obtain a permit under AQR 12 shall report to the Control Officer emissions in excess of an applicable requirement or emission limit that pose a potential imminent and substantial danger to public health and safety or the environment as soon as possible, but no later than 12 hours after the deviation is discovered, and submit a written report within two days of the occurrence. [AQR 25.6.2]

#### **E. Performance Testing Requirements**

1. Upon request of the Control Officer, the permittee shall test (or have tests performed) to determine emissions of air contaminants from any source whenever the Control Officer has reason to believe that an emission in excess of those allowed by the AQRs is occurring. The Control Officer may specify testing methods to be used in accordance with good professional practice. The Control Officer may observe the testing. All tests shall be conducted by reputable, qualified personnel. [AQR 4.2]
2. Upon request of the Control Officer, the permittee shall provide necessary holes in stacks or ducts and such other safe and proper sampling and testing facilities, exclusive of instruments and sensing devices, as may be necessary for proper determination of the emission of air contaminants. [AQR 4.2]
3. The permittee shall submit to the Control Officer for approval a performance testing protocol that contains testing, reporting, and notification schedules, test protocols, and anticipated test dates no less than 45 days, but no more than 90 days, before the anticipated date of the performance test unless otherwise specified in Section III.E of this permit. [AQR 12.5.2.8]
4. The permittee shall submit to EPA for approval any alternative test methods EPA has not already approved to demonstrate compliance with a requirement under 40 CFR Part 60. [40 CFR Part 60.8(b)]
5. The permittee shall submit a report describing the results of each performance test to the Control Officer within 60 days of the end of the test. [AQR 12.5.2.8]

### **III. EMISSION UNITS AND APPLICABLE REQUIREMENTS**

#### **A. Emission Units**

The stationary source covered by this Part 70 OP is defined to consist of the emission units and associated appurtenances summarized in Table III-A-1. [NSR ATC Modification 0, Revision 0, Section II-A (03/29/01) and AQR 12.5.2.14(a)]

**Table III-A-1: List of Emission Units**

EU	Description	Rating	Manufacturer	Model No.	Serial No.
A01	Stationary Gas Turbine; natural gas-fired; MEQ = 185	185 MW at ISO	General Electric	7FA	297836
A02	Duct Burner for HRSG associated with A01; MEQ = 74	460 MMBtu/hr	Coen		40D-13761-1-000
A03	Stationary Gas Turbine; natural gas-fired; MEQ = 185	185 MW at ISO	General Electric	7FA	297837
A04	Duct Burner for HRSG associated with A03; MEQ = 74	460 MMBtu/hr	Coen		40D-13761-1-000
A05	Fuel Gas Dew Point Heater	9.67 MMBtu/hr	Total Energy Resources Inc.		618614
A06	Emergency Generator	800 kW	Caterpillar	SR4B	9EP01846
	Diesel Engine; DOM: 2002	1,180 hp			
A07	Diesel-Powered Emergency Fire Pump; DOM: Pre-2006	270 hp	Caterpillar	3208	03Z17773
A09	Rental Boiler	9.5 MMBtu/hr (Max)	Various	Various	

**Table III-A-2: Insignificant Activities**

Description	Rating	Manufacturer	Model No.	Serial No.
Heater; Kerosene-Fired	0.055 MMBtu/hr	Mr. Heater	MH55FAV	
Heater; Propane-Fired	0.055 MMBtu/hr	Ready Heater	R55CT	
Heater; Kerosene-Fired	0.045 MMBtu/hr	Dayton	3VE48A	
Heater; Kerosene-Fired	0.125 MMBtu/hr	Ready Heater	125T	
Heater; Propane-Fired	0.035 MMBtu/hr	Mr. Heater	MH35LP	
Heater; Propane-Fired	0.042 MMBtu/hr	Mr. Heater	MH42T	
Aboveground Storage Tank; Diesel	2,413 Gallons			
Aboveground Storage Tank; Diesel	250 Gallons			
Aboveground Storage Tank; Diesel	500 Gallons			
Aboveground Storage Tank; Propane	499 Gallons			
Aboveground Storage Tank; Propane	499 Gallons			
Media Blasting Cabinet	25 CFM	Econoline	101698R-A	
Solvent Cleaner		Handi-Kleen	PL36-A	
Aboveground Storage Tank; Ammonia	15,228 Gallons			S-1935

**B. Emission Limitations and Standards**

**1. Emission Limits**

- a. The permittee shall not exceed the PTE from each emission unit listed in Table III-B-1 in any consecutive 12-months. Emission limits for each emission unit include startup, shutdown and malfunction emissions. *[NSR ATC Modification 0, Revision 0, Section II-B-1 (03/29/01), NSR ATC Modification 2, Revision 2, Section II-B, (03/09/07) and AQR 12.5.2.14(a)]*

**Table III-B-1: Emission Unit PTE, Including Startups, Shutdowns, and Malfunctions (tons per year)**

EU	PM <sub>10</sub>	PM <sub>2.5</sub>	NO <sub>x</sub>	CO	SO <sub>2</sub>	VOC
A01/A02	53.18	53.18	98.59	159.26	6.44	29.64
A03/A04	53.18	53.18	98.59	159.26	6.44	29.64
A05	0.32	0.32	4.15	3.49	0.03	0.23
A06	0.18	0.18	4.68	1.04	0.01	0.17
A07	0.15	0.15	2.09	0.45	0.01	0.01
A09	0.04	0.04	0.67	0.39	0.01	0.05

- b. The permittee shall limit the emissions, excluding startup and shutdowns, from each turbine/duct burner to the emission rates listed in Table III-B-2. *[NSR ATC Modification 0, Revision 0, Section II-B-1 (03/29/01), NSR ATC Modification 2, Revision 2, Section II-B, (03/09/07) and AQR 12.5.2.14(a)]*

**Table III-B-2: Emission Rate Limitations, Excluding Startup and Shutdowns (pounds per hour)**

EU	PM <sub>10</sub>	NO <sub>x</sub>	CO	VOC
A01/A02	13.00	21.40	43.40	9.90
A03/A04	13.00	21.40	43.40	9.90

- c. The permittee shall not exceed the concentration limits listed in Table III-B-3, averaged per any consecutive 3-hour period, demonstrated by the CEMS described in Section III-C, excluding startup or shutdown periods for each turbine/duct burner, during normal operation. *[NSR ATC Modification 0, Revision 0, Section II-B-1 (03/29/01)]*

**Table III-B-3: Emission Concentration Limitations Excluding Startup and Shutdown**

EU	NO <sub>x</sub> @ 15% O <sub>2</sub>	CO @ 15% O <sub>2</sub>
A01/A02	3.0 ppmvd	10 ppmvd
A03/A04	3.0 ppmvd	10 ppmvd

- d. The permittee shall not allow the actual emissions from each emission unit to exceed the emission concentrations listed in table III-B-4 at all times including startups, shutdowns, and malfunction. *[40 CFR 60.332]*

**Table III-B-4: Applicable Subpart GG Standard, 4-Hour Rolling Average**

EU	NO <sub>x</sub> (ppmvd @ 15% O <sub>2</sub> )
A01/A02 & A03/A04	114

- e. The permittee shall comply with the emissions limits in Table III-B-5 during periods of startup, shutdown, and malfunction. *[AQR 12.5.2.14(a)]*

**Table III-B-5: Startup, Shutdown or Malfunction Emissions (pounds per hour)<sup>1</sup>**

EU	PM <sub>10</sub>	PM <sub>2.5</sub>	NO <sub>x</sub>	CO	SO <sub>x</sub>	VOC
A01/A02 & A03/A04	18.0	18.0	180.0	200.0	1.47	1.70

<sup>1</sup> Emissions include contribution from HRSG units.

- f. The permittee shall not discharge into the atmosphere, from any emission unit, any air contaminant in excess of an average of 20 percent opacity for a period of more than 6 consecutive minutes. *[NSR ATC Modification 2, Revision 0, Condition III-B-11 (12/20/01) and AQR 26.1.1]*

- g. The permittee shall not cause to be discharged into the atmosphere from each turbine/duct burner unit (EUs: A01-A04) any gases which contains PM in excess of 0.03 pounds per MMBtu. [40 CFR 60.42Da and NSR ATC/OP Modification 2, Revision 1, Condition III-B-7 (03/14/06)]
- h. The permittee shall not cause to be discharged into the atmosphere from each turbine/duct burner (EUs: A01 through A04) any gases which contains NO<sub>x</sub> in excess of 0.20 pounds per MMBtu. [40 CFR 60.44Da and NSR ATC/OP Modification 2, Revision 1, Condition III-B-8 (03/14/06)]

## 2. Operational Limits

### Stationary Gas Turbines and Duct Burners (EUs: A01 through A04):

- a. The permittee shall limit operation of each turbine unit to the limits specified in Table III-B-6 per any consecutive twelve-months: [NSR ATC/OP Modification 2, Revision 0, Condition III-A-1 (03/14/06)]

**Table III-B-6: Fuel Limitations for Turbine Units**

Equipment	Fuel Type	Max. Hourly MMBtu	Max. Yearly MMBtu
Each Turbine (A01 and A03)	Natural gas	1,980 (HHV)	17,344,800
Each Duct Burner (A02 and A04)	Natural gas	460 (HHV)	2,300,000

- b. The permittee shall limit operation of each duct burner to 5,000 hours per any consecutive 12-months (EUs: A02 and A04). [NSR ATC Modification 1, Revision 0, Condition III-A-2 (07/20/01)]
- c. The permittee shall define startup as the period beginning with ignition and lasting until a turbine has reached a continuous and stable operating level, the turbine is operating in dry low-NO<sub>x</sub> mode, and the selective catalytic reduction (SCR) control device has reached optimal operating temperature. A continuous and stable operating level shall be considered as having been achieved fifteen (15) minutes following the turbine going into dry low NO<sub>x</sub> mode. Maintenance activities are also considered startup activities and are recorded by the DAHS as operating in startup mode. Shutdown means the period beginning with lowering of the electric load of a turbine below 40 percent of nameplate capacity and ending when combustion has ceased. [NSR ATC Modification 2, Revision 5, Condition III-A-3 (12/20/01) and AQR 12.5.2.6(a)]
- d. The permittee shall limit startup and shutdown hours per turbine to 876 hours per any consecutive 12-months. Startup and shutdown emission shall be included in the annual emissions inventory report. [NSR ATC/OP Modification 2, Revision 2, Condition III-A-5 (03/09/07)]

### Emergency Generator and Fire Pump

- e. The permittee shall limit operation of the emergency generator (EU: A06) and fire pump (EU: A07) for testing and maintenance purposes to 100 hours each per year. The permittee may operate each emergency generator and fire pump up to 50 hours each per year for non-emergency situations other than testing and maintenance, but those count towards the 100 hours provided for testing and maintenance. The emergency generator (EU: A06) cannot be used for peak shavings or demand response, or to generate income for a facility to an electric grid or otherwise supply power as part of a financial arrangement with another entity. [40 CFR 63.6585 and 63.6640(f)]

### Rental Boiler

- f. The permittee shall limit operation of the rental boiler (EU: A09) to 1,000 hours per any consecutive 12-months. [AQR 12.5.2.6(a)]

## **3. Emission Controls**

### Stationary Gas Turbines and Duct Burners (EUs: A01 through A04)

- a. The permittee shall operate and maintain each turbine unit with SCR and dry low NO<sub>x</sub> burners (EUs: A01 through A04). [NSR ATC Modification 2, Revision 1, Condition III-B-1 (01/12/06) and AQR 12.5.2.14]
- b. The permittee shall operate each SCR system such that NO<sub>x</sub> emissions do not exceed the limitations listed in Table III-B-2 and III-B-3, excluding periods of startup and shutdown (EUs: A01 through A04). [NSR ATC Modification 0, Revision 0, Condition III-B-3 (03/29/01)]
- c. The permittee shall operate the SCR system at all times the associated turbine(s) units are in operation, excluding startup and shutdown (EUs: A01 through A04). [NSR ATC Modification 0, Revision 0, Condition III-B-2 (03/29/01)]
- d. The permittee shall operate and maintain the oxidation catalyst to control CO and VOC on each stationary gas turbine unit (EUs: A01 through A04). [NSR ATC Modification 0, Revision 0, Condition III-B-5 (03/29/01) and AQR 12.5.2.14]
- e. The permittee shall operate the oxidation catalyst at all times the associated turbine unit is operating, excluding periods of startup and shutdown (EUs: A01 through A04). [NSR ATC Modification 0, Revision 0, Condition III-B-4 (03/29/01)] The permittee shall control the SO<sub>2</sub> exhaust emissions from each stationary gas turbines and duct burners (EUs: A01 through A04) by the exclusive use of pipeline quality natural gas and good combustion practices. [NSR ATC Modification 2, Revision 0, Condition III-B-8 (12/20/01)]
- f. The permittee shall control PM<sub>10</sub> exhaust emissions from each stationary gas turbine and duct burner (EUs: A01 through A04) per manufacturer's recommendations, good operating practice and maintaining, and periodically replacing, inlet air filters preceding each turbine. [NSR ATC Modification 2, Revision 0, Condition III-B-9 (12/20/01)]

### Fuel Gas Dew Point Heater

- g. The permittee shall combust only natural gas in the FGDH (EU: A05). [AQR 12.5.2.14]
- h. The permittee shall operate and maintain the FGDH in accordance with the manufacturer's specifications (EU: A05). [AQR 12.5.2.14]

### Emergency Generator and Fire Pump

- i. The permittee shall operate the emergency generator with fuel injection, timing retardation, turbocharger, and an aftercooler (EU: A06). [AQR 12.5.2.14]
- j. The permittee shall operate the fire pump with a turbocharger (EU: A07). [AQR 12.5.2.14]
- k. The permittee shall operate and maintain the emergency generator and fire pump in accordance with the manufacturer's operations and maintenance instructions (EUs: A06 and A07). [AQR 12.5.2.14]
- l. The permittee shall maintain the emergency generator and fire pump as follows, unless the manufacturer's specifications are more stringent (EUs: A06 and A07): [40 CFR 63.6603 and AQR 12.5.2.14]
  - i. Change oil and filter every 500 hours of operation or annually, whichever comes first;

- ii. Inspect air cleaners every 1,000 hours of operation or annually, whichever comes first; and
- iii. Inspect all hoses and belts every 500 hours of operation or annually, whichever comes first, and replace as necessary.

#### Rental Boiler

- m. The permittee shall combust only propane gas in the rental boiler (EU: A09). [AQR 12.5.2.14]
- n. The permittee shall operate and maintain the rental boiler in accordance with the manufacturer's operations and maintenance instructions (EU: A09). [AQR 12.5.2.14]

#### Other

- o. The permittee shall, under all conditions, maintain and operate the source in a manner consistent with good air pollution control practice for minimizing emissions as required by 40 CFR 60.11. [NSR ATC Modification 0, Revision 0, Condition III-C-3 (03/29/01)]
- p. The permittee shall not cause, suffer or allow the discharge from any source whatsoever such quantities of air contaminants or other material which cause a nuisance, including excessive odors. [AQR 40 and AQR 43]

### **C. Monitoring**

#### Stationary Gas Turbines and Duct Burners (EUs: A01 through A04)

1. The permittee shall install, calibrate, maintain, operate, and certify CEMS for NO<sub>x</sub>, CO, and O<sub>2</sub> on each stationary gas turbine unit (EUs: A01 through A04) in accordance with 40 CFR 75 and 40 CFR 60, Appendix F as applicable. Each CEMS shall include an automated data acquisition and handling system. Each system shall monitor and record at least the following data: [40 CFR 75, Subpart F and NSR ATC Modification 2, Revision 0, III-E-1 (12/20/01)]
  - a. exhaust gas concentrations (in ppm) of NO<sub>x</sub>, CO, and diluent O<sub>2</sub> including periods of start-up and shutdown;
  - b. exhaust gas flow rate (by direct or indirect methods);
  - c. fuel flow rate of the turbines and duct burners;
  - d. hours of operation;
  - e. consecutive 3-hour averages of each NO<sub>x</sub> and CO concentrations (in ppm);
  - f. hourly and consecutive 12-month accumulated mass emissions of NO<sub>x</sub> and CO; and
  - g. hours of downtime of the CEMS.
2. The permittee shall maintain a quality assurance plan (QAP) that contains auditing and reporting schedules, design specifications and other quality assurance requirements for the CEMS and/or PEMS systems. The CEMS shall conform to applicable provisions of 40 CFR 60.13 and 40 CFR 60, Subpart GG and 40 CFR Part 75. Audit procedures shall conform to the applicable provisions of 40 CFR 60, Appendix F and 40 CFR Part 75, Appendix B. [40 CFR 75 and NSR ATC Modification 2, Revision 0, III-E-1 (12/20/01)]
3. The permittee shall conduct relative accuracy test audits (RATA) of the NO<sub>x</sub>, CO and O<sub>2</sub> CEMS as required at least every four calendar quarters, except in the case where the affected facility is off-line (does not operate) in the fourth calendar quarter since the quarter of the previous RATA. In that case, the RATA shall be performed in the quarter in which the unit recommences operation. [NSR ATC Modification 2, Revision 0, III-E-1 (12/20/01) and 40 CFR 60, Appendix F 5.1.1 and 5.1.4]

4. Any exceedance of the hourly, or annual NO<sub>x</sub> and/or CO emissions limitations expressed in Section III as determined by the respective CEMS, the permittee shall be considered a violation of the emission limits imposed in this permit and may result in enforcement action. Compliant CEMS data, however, does not preclude the use of other credible evidence in determining or showing compliance. *[NSR ATC Modification 2, Revision 0, III-E-6 (12/20/01)]*
5. The permittee shall monitor the record fuel flow with a Continuous Monitoring System that utilizes a non-resettable fuel meter for each combined cycle turbine and each duct burner. *[NSR ATC Modification 2, Revision 0, III-E-8 (12/20/01)]*
6. The permittee shall verify compliance with fuel gas sulfur content in accordance with 40 CFR 60.334(h). *[40 CFR 60.334(h)]*
7. The permittee shall determine the heating value and consumption rate for natural gas for all turbine units (EUs: A01 through A04) based on conditions of one atmosphere pressure (29.92 inches of mercury) and 68° F as specified in EPA Test Method 19. *[NSR ATC Modification 0, Revision 0, Condition III-B-6 (03/29/01)]*

#### Emergency Generator and Fire Pump

8. The permittee shall operate the emergency generator and fire pump each with a non-resettable hour meter and monitor the duration of operation for testing, maintenance and non-emergency operation, and separately for emergencies. The nature of the emergency leading to the emergency operation shall be documented (EUs: A06 and A07). *[40 CFR 63.6640]*

#### Rental Boiler (EU: A09)

9. The permittee shall operate the rental boiler with a non-resettable hour meter or other devices approved in advance by the Control Officer, and monitor the hours of operation. *[AQR 12.5.2.6(d)]*
10. The permittee shall perform initial burner efficiency tests on boilers remaining onsite for 180 consecutive days or greater, or attain the boiler rental company's records on burner efficiency tests performed within one year prior to the initial onsite startup of the boiler. Initial burner efficiency tests shall be performed within 180 days after initial onsite startup of the boiler. (EU: A09). *[AQR 12.5.2.6]*
11. The permittee shall conduct burner efficiency tests on the boiler, or attain the boiler rental company's records on burner efficiency tests in accordance with the manufacturer's specifications for good combustion practices, if a test is necessary. Alternative methods may be used after prior approval from the Control Officer (EU: A09). *[AQR 12.5.2.6]*

#### Fuel Gas Dew Point Heater (EU: A05) [AQR 12.5.2.6]

12. The permittee shall perform initial burner efficiency tests within 180 days after the issuance date of this operating permit
13. The permittee shall conduct burner efficiency tests in accordance with manufacturer specifications for good combustion practices. Alternative methods may be used upon approval from the Control Officer.
14. The permittee shall perform a burner efficiency test once each calendar year.
15. The permittee shall not have to perform a burner efficiency test if the actual hours of operation are 0. To exercise this option, the permittee must install an hour meter and begin keeping written records before the start of the calendar year.
16. The permittee may replace one contemporaneously-required burner efficiency test with a performance test that has acceptable results.

Opacity

17. The permittee shall perform visual emissions checks each calendar quarter on a plant-wide level for each emission unit. The quarterly visual checks shall include the stationary gas turbines and duct burners, the fuel gas dewpoint heater, the emergency generator, the fire pump and the rental boiler (EUs: A01 through A07, and A09) while operating, not necessarily simultaneously, to demonstrate compliance with the opacity limit. If any of the emission units do not operate during the calendar quarter, then no observation of that unit shall be required for that unit. If visible emissions are observed, then corrective actions shall be taken to minimize the emissions and the opacity of emissions shall be visually determined in accordance with 40 CFR 60 Appendix A: Reference Method 9. *[40 CFR 70.6 and AQR 26]*

**D. Testing**Stationary Gas Turbines and Duct Burners (EUs: A01 through A04)

1. The permittee's performance testing is subject to 40 CFR 60 Subparts A, Da, and GG; and Air Quality's Guidelines on Source Testing. *[AQR 14.1.9 and AQR 14.1.46 and 40 CFR 60.335 and NSR ATC Modification 2, Revision 0, III-E-8 (12/20/01)]*
2. The Control Officer, upon completion of initial performance testing, may require additional performance testing when operating conditions appear to be inadequate to demonstrate compliance with the limitations in this permit. *[AQR 4.5]*

**E. Record Keeping**

1. The permittee shall comply with all applicable record keeping requirements of 40 CFR 60.7, 40 CFR 60 Subpart GG, Subpart Da, 40 CFR 72 and 40 CFR 75, Subpart F, 40 CFR Subpart ZZZZ and all other applicable regulations. *[NSR ATC Modification 2, Revision 0, III-H-1 (12/20/01) and AQR 12.5.2.6(d)(2)]*
2. The permittee shall maintain records on site that include, at a minimum: *[NSR ATC Modification 2, Revision 0, III-H-1 (12/20/01) and AQR 12.5.2.6(d)(2)]*

Stationary Gas Turbines and Duct Burners (EUs: A01 through A04)

- a. consecutive 12-month total hours of operation of each duct burner;
- b. hourly and consecutive 12-month total quantity of natural gas consumed in each stationary gas turbine;
- c. hourly and consecutive 12-month total quantity of natural gas consumed in each duct burner;
- d. hourly and consecutive 12-month heat input to each turbine and duct burners;
- e. sulfur content of natural gas as determined by Condition III-C-6;
- f. dates, times, and duration of each startup and shutdown cycle;
- g. startup and shutdown short-term total emissions for stationary gas turbines in pounds per hour and annual emissions for all turbines in tons per year (12-month consecutive total);
- h. performance testing results;

CEMS:

- i. hourly CEMS NO<sub>x</sub> and SCR operating data to determine the achievability of 3 ppm, three-hour average NO<sub>x</sub> limitation;
- j. hourly CEMS CO readings to determine the achievability of 10 ppm, three-hour average CO limitation;



- k. CEMS audit results, RATA, corrective actions, etc., as required by 40 CFR 60 and the CEMS quality assurance plan;
- l. CEMS information required by the CEMS monitoring plan as specified in 40 CFR 75 Subpart F;
- m. time, duration, nature, and probable cause of any CEMS downtime and corrective actions taken;
- n. each CEMS "out-of-control" period, as defined in 40 CFR 75, Appendix B;

Fuel Gas Dew Point Heater (EU: A05):

- o. consecutive 12-month total quantity of natural gas consumed;

Emergency Generator and Fire Pump (EUs: A06 and A07):

- p. monthly hours of operation for both the emergency generator and fire pump;
- q. date and duration of operation for both the emergency generator and fire pump for testing, maintenance; and non-emergency use;
- r. date and duration of operation for both the emergency generator and fire pump for emergency use, including documentation justifying use during the emergency;
- s. equipment inspections and maintenance;

Rental Boiler (EU: A09):

- t. consecutive 12-month total of hours of operation of the boiler;
- u. burner efficiency test results, or documentation from rental company of burner efficiency test results done on the rental boiler within a consecutive 12-month period;

Other:

- v. dates and time when visible emission checks and observations are taken and the steps taken to make any necessary corrections to bring opacity into compliance;
  - w. magnitude and duration of excess emissions, notifications, monitoring system performance, malfunctions, corrective actions taken, etc., as required by 40 CFR 60.7;
  - x. certificates of representation for the designated representative and the alternate designated representative that meet all requirements of 40 CFR 72.24;
  - y. copies of all reports, compliance certifications, other submissions, and all records made or required under the Acid Rain Program; and
  - z. 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.
3. The permittee shall maintain records and data for all inspections, visible emission checks, and testing required under monitoring, logs, reports, and records include at least the date and time, the name of the person performing the action, the results or findings, and the type of corrective action taken (if required). *[AQR 12.5.2.6(d)(2)]*
  4. The permittee shall maintain all records and data required by this Operating Permit at the permittee's expense, be audited at any time by a third party selected by the Control Officer. *[NSR ATC Modification 2, Revision 0, III-H-2 (12/20/01) and AQR 4.4 and 12.5.2.6(d)(2)]*
  5. Should this stationary source, as defined in 40 CFR 68.3, become subject to the accidental release prevention regulations in Part 68, then the permittee shall submit an RMP by the date specified in Section 68.10 and shall certify compliance with the requirements of Part 68 as part of the annual compliance certification as required by 40 CFR 70 or 71. *[40 CFR Subpart 68 and AQR 12.5.2.6(d)(2)]*

6. All records and logs, or a copy thereof, shall be kept on-site for a minimum of five (5) years from the date the measurement was taken or data was entered and shall be made available to Air Quality upon request. *[NSR ATC Modification 2, Revision 0, III-H-3 (12/20/01) and AQR 12.5.2.6(d)(2)]*
7. The Control Officer reserves the right to require additional requirements concerning records and record keeping for this source to demonstrate on-going compliance. *[NSR ATC Modification 2, Revision 0, III-H-4 (12/20/01) and AQR 12.5.2.6(d)(2)]*

## **F. Reporting**

1. The permittee shall submit reports to the Control Officer every six months. *[AQR 12.5.2.6(d)]*
2. The following requirements apply to semi-annual reports: *[AQR 12.5.2.6(d)]*
  - a. The report shall include the following items:
    - i. consecutive 12-month total hours of operation of each duct burner (EUs: A01 through A04);
    - ii. monthly and consecutive 12-month total quantity of natural gas consumed in each stationary gas turbine (EUs: A01 and A03);
    - iii. monthly and consecutive 12-month total quantity of natural gas consumed in each duct burner (EUs: A02 and A04);
    - iv. monthly and consecutive 12-month heat input to each turbine and duct burners (EUs: A01 through A04);
    - v. CEMS audit results, RATA, corrective actions, etc., as required by 40 CFR 60 and the CEMS quality assurance plan;
    - vi. consecutive 12-month total quantity of natural gas consumed for the fuel gas dew point heater (EU: A05);
    - vii. monthly hours of operation for both the emergency generator and fire pump (EUs: A06 and A07);
    - viii. consecutive 12-month total of hours of operation of the boiler (EU: A09);
  - b. The report shall include summaries of any permit deviations, their probable cause and corrective or preventative action taken.
  - c. The report shall be based on six calendar months, which includes partial calendar months.
  - d. The report shall be received by Air Quality within 30 calendar days after the reporting period.
3. The permittee shall submit annual emissions inventory reports based on the following: *[AQR 18.6.1]*
  - a. The annual emissions inventory shall be submitted to Air Quality no later than March 31 after the reporting year.
  - b. The annual emissions inventory report shall include the emission factors and calculations used to determine the emissions from each permitted emission unit, even when an emission unit is not operated.
4. Regardless of the date of issuance of this Operating Permit, the source shall comply with schedule for report submissions outlined in Table III-F-1:

**Table III-F-1: Required Submission Dates<sup>1</sup>**

Required Report	Applicable Period	Due Date
Semi-annual Report for 1st Six-Month Period	January, February, March, April, May, June	July 30 each year <sup>1</sup>
Semi-annual Report for 2 <sup>nd</sup> Six-Month Period, Any additional annual records required.	July, August, September, October, November, December	January 30 each year <sup>1</sup>
Annual Compliance Certification Report	Calendar Year	January 30 each year <sup>1</sup>
Annual Emissions Inventory Report	Calendar Year	March 31 each year <sup>1</sup>
Annual Emissions Statement <sup>2</sup>	Calendar year	March 31 each year <sup>1</sup>
Notification of Malfunctions, Startup, Shutdowns or Deviations with Excess Emission	As Required	Within 24 hours of the permittee learns of the event
Report of Malfunctions, Startup, Shutdowns or Deviations with Excess Emission	As Required	Within 72 hours of the notification
Deviation Report without Excess Emissions	As Required	Along with semi-annual reports <sup>1</sup>
Excess Emissions that Pose a Potential Imminent and Substantial Danger	As required	Within 12 hours of the permittee learns of the event
Performance Testing Protocol	As required	No less than 45 days, but no more than 90 days, before the anticipated test date <sup>1</sup>
Performance Testing	As Required	Within 60 days from the end of the test. <sup>1</sup>
RATA	As required	Within 60 days of end of test <sup>1</sup>

<sup>1</sup> If the due date falls on a Saturday, Sunday or a Federal or Nevada holiday, then the submittal is due on the next regularly scheduled business day.

<sup>2</sup> Required only for stationary sources that emit 25 tons or more of nitrogen oxide (NO<sub>x</sub>) and/or emit 25 tons or more of volatile organic compounds (VOC) during a calendar year.

5. The permittee shall comply with all applicable notification and reporting requirements of 40 CFR 60.7, 40 CFR 60 Subpart Da, 40 CFR 60 Subpart GG, 40 CFR 63, Subpart ZZZZ, 40 CFR 72.9(f), and 40 CFR 75. *[NSR ATC Modification 2, Revision 0, III-I-1 (12/20/01) and AQR 12.5.2.6(d)(2)]*
6. The designated representative or alternate 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 72, 40 CFR 73, and 40 CFR 75. *[40 CFR 72.9(f)]*
7. An RMP is required for the storing, handling, and use of ammonia or aqueous ammonia pursuant to 40 CFR 68. The permittee shall submit revisions of the RMP to the appropriate authority and a copy thereof to Air Quality. *[40 CFR 68.150(b)(3)]*

## G. Mitigation

1. The source has no federal offset requirements. *[AQR 59.1.1]*

## IV. ACID RAIN REQUIREMENTS

1. In accordance with the provisions of Title IV of the Clean Air Act and 40 C.F.R. Parts 72 through 77, this Acid Rain Permit is issued to Southern California Public Power Authority – Apex Generating Station, 15555 Apex Power Parkway, Clark County, Nevada.

2. All terms and conditions of the permit are enforceable by Air Quality, EPA and citizens under the Clean Air Act. [40 CFR 72]
3. The permittee shall comply with all the applicable requirements of the Acid Rain Permit Application located in Attachment 2. [40 CFR 72.30]
4. This Acid Rain permit incorporates the definitions of terms in 40 CFR Part 72.2.
5. This permit is valid for a term of five (5) years from the date of issuance unless a timely and complete renewal application is submitted to Air Quality. [40 CFR 72.69]
6. A timely renewal application is an application that is received at least six months prior to the permit expiration date. [40 CFR 72.30]
7. Emissions from this source shall not exceed any allowances that the source lawfully holds under Title IV of the Act or its regulations. [40 CFR 70.6(a)(4)]

## V. OTHER REQUIREMENTS

1. The permittee shall not use, sell, or offer for sale any fluid as a substitute material for any motor vehicle, residential, commercial, or industrial air conditioning system, refrigerator freezer unit, or other cooling or heating device designated to use a CFC or HCFC compound as a working fluid, unless such fluid has been approved for sale in such use by the Administrator. The permittee shall keep record of all paperwork relevant to the applicable requirements of 40 CFR 82 on site. [40 CFR 82]

### ATTACHMENT 1

#### APPLICABLE REGULATIONS

#### REQUIREMENTS SPECIFICALLY IDENTIFIED AS APPLICABLE:

1. NRS, Chapter 445B.
2. Applicable AQR Sections:

Citation	Title
AQR Section 0	Definitions
AQR Section 4	Control Officer
AQR Section 5	Interference with Control Officer
AQR Section 8	Persons Liable for Penalties – Punishment: Defense
AQR Section 9	Civil Penalties
AQR Section 10	Compliance Schedule
AQR Section 11	Ambient Air Quality Standards
AQR Section 12.5	Part 70 Operating Permit Requirements
AQR Section 13.2(b)(85)	National Emission Standards for Hazardous Air Pollutants (NESHAP) – Stationary Reciprocating Internal Combustion Engines
AQR Section 14.1.b.(9)	Standards of Performance for New Stationary Sources (NSPS) – Standards of Performance for Electric Utility Steam Generating Units for Which Construction is Commenced After September 18, 1978
AQR Section 14.1.b(46)	Standards of Performance for New Stationary Sources (NSPS) – Standards of Performance for Gas Turbines
AQR Section 18	Permit and Technical Service Fees
AQR Section 21	Acid Rain Continuous Emissions Monitoring
AQR Section 22	Acid Rain Permits

Citation	Title
AQR Section 25	Upset/Breakdown, Malfunctions
AQR Section 26	Emissions of Visible Air Contaminants
AQR Section 28	Fuel Burning Equipment
AQR Section 40	Prohibition of Nuisance Conditions
AQR Section 41	Fugitive Dust
AQR Section 42	Open Burning
AQR Section 43	Odors in the Ambient Air
AQR Section 70	Emergency Procedures
AQR Section 80	Circumvention

3. CAAA, Authority: 42 U.S.C. § 7401, et seq.
4. Applicable 40 CFR Subsections:

Citation	Title
40 CFR 52.21	Prevention of Significant Deterioration (PSD)
40 CFR 52.1470	SIP Rules
40 CFR 60, Subpart A	Standards of Performance for New Stationary Sources (NSPS) – General Provisions
40 CFR 60, Subpart Da	Standards of Performance for Electric Utility Steam Generating Units for Which Construction is Commenced After September 18, 1978
40 CFR 60, Subpart GG	Standards of Performance for New Stationary Sources (NSPS) – Stationary Gas Turbines
40 CFR 60	Appendix A, Method 9 or equivalent, (Opacity)
40 CFR 63, Subpart ZZZZ	National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines
40 CFR 68	Chemical Accident Prevention Provisions
40 CFR 70	Federally Mandated Operating Permits
40 CFR 72	Acid Rain Permits Regulation
40 CFR 73	Acid Rain Sulfur Dioxide Allowance System
40 CFR 75	Acid Rain Continuous Emission Monitoring
40 CFR 82	Protection of Stratospheric Ozone



Apex Generating Station Facility (Source) Name (from STEP 1)
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**STEP 3**

Read the standard requirements.

**Permit Requirements**

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

**Monitoring Requirements**

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

**Sulfur Dioxide Requirements**

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

Apex Generating Station Facility (Source) Name (from STEP 1)
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### **Sulfur Dioxide Requirements, Cont'd.**

#### **STEP 3, Cont'd.**

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

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

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

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

### **Nitrogen Oxides Requirements**

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

### **Excess Emissions Requirements**

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

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

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

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

### **Recordkeeping and Reporting Requirements**

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

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



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Facility (Source) Name (from STEP 1)

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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:

- (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

Apex Generating Station  
Facility (Source) Name (from STEP 1)

any other provision of the Act, including the provisions of title I of the Act relating

STEP 3, Cont'd.

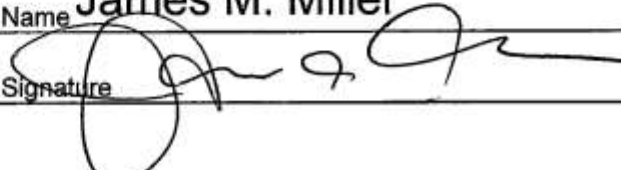
**Effect on Other Authorities, Cont'd.**

- to applicable National Ambient Air Quality Standards or State Implementation Plans;
- (2) Limiting the number of allowances a source can hold; *provided*, that the number of allowances held by the source shall not affect the source's obligation to comply with any other provisions of the Act;
- (3) Requiring a change of any kind in any State law regulating electric utility rates and charges, affecting any State law regarding such State regulation, or limiting such State regulation, including any prudence review requirements under such State law;
- (4) Modifying the Federal Power Act or affecting the authority of the Federal Energy Regulatory Commission under the Federal Power Act; or,
- (5) Interfering with or impairing any program for competitive bidding for power supply in a State in which such program is established.

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

**Certification**

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

Name <b>James M. Miller</b>	
Signature 	Date <b>1/26/18</b>