

**United States Environmental Protection Agency  
Region 8 Air Program  
1595 Wynkoop Street  
Denver, Colorado 80202**



**AIR POLLUTION CONTROL  
TITLE V PERMIT TO OPERATE**

In accordance with the provisions of Title V of the Clean Air Act (CAA) and the Title V Operating Permit Program at 40 CFR Part 71 (Part 71) and applicable rules and regulations,

**Northern Border Pipeline Company  
Compressor Station #2**

is authorized to operate air emission units and to conduct other air pollutant emitting activities in accordance with the permit conditions listed in this permit.

This source is authorized to operate at the following location:

**Fort Peck Indian Reservation  
Section 30, Township 31 North, Range 48 East, NW ¼  
48° 25' 00.81" North Latitude and -105° 32' 11.55" West Longitude  
Roosevelt County, Montana**

Terms not otherwise defined in this permit have the meaning assigned to them in the referenced regulations. All terms and conditions of the permit are enforceable by EPA and citizens under the CAA.

A handwritten signature in black ink, appearing to read "C. Daly for", is written over a horizontal line. The signature is cursive and somewhat stylized.

Carl Daly, Director  
Air Program  
US EPA Region 8

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**AIR POLLUTION CONTROL  
TITLE V PERMIT TO OPERATE  
Northern Border Pipeline Company  
Compressor Station #2**

Permit Number: V-FP-00001-2010.01  
Replaces Permit No.: V-FP-00001-2010.00

Issue Date: November 25, 2013  
Effective Date: November 25, 2013  
Expiration Date: November 18, 2016

The permit number cited above should be referenced in future correspondence regarding this facility.

**Permit Issuance History**

<b>DATE OF ISSUANCE</b>	<b>TYPE OF ACTION</b>	<b>SECTION NUMBER AND TITLE</b>	<b>DESCRIPTION OF ACTION</b>
July 31, 2000  December 15, 2000 May 3, 2002 May 9, 2003	Initial Permit Issued  Three Administrative Amendments:		<b>#V-FP-0001-00.00</b>  #V-FP-0001-00.01 #V-FP-0001-00.02 #V-FP-0001-00.03
November 2011	Renewal Permit Issued		<b># V-FP-00001-2010.00</b>
November 2013	Minor Modification	Section II.D. – 40 CFR Part 60, Subpart GG  Section III. – 40 CFR Part 63, Subpart ZZZZ  Section III.C – 40 CFR Part 63, Subpart ZZZZ  Section III.G – 40 CFR Part 63, Subpart ZZZZ	<b>#V-FP-000001-2010.01</b>  Revised text to more accurately reflect monitoring options available to the Permittee  Revised formatting of section headings for consistency with other sections of the permit  Corrected text to more accurately reflect the applicable management practice requirements that apply to emission unit EU-002  Added permit condition to more accurately reflect the management practice schedule options available to the Permittee  Added condition to more accurately reflect the reporting requirements that apply to emission unit EU-002

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## Abbreviations and Acronyms

AR	Acid Rain
ARP	Acid Rain Program
bbls	Barrels
BACT	Best Available Control Technology
CAA	Clean Air Act [42 U.S.C. Section 7401 et seq.]
CAM	Compliance Assurance Monitoring
CEMS	Continuous Emission Monitoring System
CFR	Code of Federal Regulations
CH <sub>2</sub> O	Formaldehyde
CMS	Continuous Monitoring System (includes COMS, CEMS and diluent monitoring)
COMS	Continuous Opacity Monitoring System
CO	Carbon monoxide
CO <sub>2</sub>	Carbon dioxide
DAHS	Data Acquisition and Handling System
dscf	Dry standard cubic foot
dscm	Dry standard cubic meter
EIP	Economic Incentives Programs
EPA	Environmental Protection Agency
FGD	Flue gas desulfurization
gal	Gallon
gpm	Gallons per minute
H <sub>2</sub> S	Hydrogen Sulfide
HAP	Hazardous Air Pollutant
hr	Hour
Id. No.	Identification number
kg	Kilogram
lb	Pound
MACT	Maximum Achievable Control Technology
MVAC	Motor Vehicle Air Conditioner
Mg	Megagram
MMBtu	Million British Thermal Units
mo	Month
NESHAP	National Emission Standards for Hazardous Air Pollutants
NMHC	Non-methane hydrocarbons
NO <sub>x</sub>	Nitrogen oxides
NSPS	New Source Performance Standard
NSR	New Source Review
pH	Negative logarithm of effective hydrogen ion concentration (acidity)
PM	Particulate Matter
PM <sub>10</sub>	Particulate Matter less than 10 microns in diameter
ppm	Parts per million
PSD	Prevention of Significant Deterioration
PTE	Potential to Emit
psi	Pounds per square inch
psia	Pounds per square inch absolute
RICE	Reciprocating Internal Combustion Engine
RMP	Risk Management Plan
scfm	Standard cubic feet per minute
SNAP	Significant New Alternatives Program
SO <sub>2</sub>	Sulfur dioxide
tpy	Tons Per Year
US EPA	United States Environmental Protection Agency
VOC	Volatile Organic Compounds

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# **I. Source Information and Emission Unit Identification**

## **I.A. Source Information**

**Parent Company Name:** Northern Border Pipeline Company

**Plant Name:** Compressor Station #2

**Plant Location:** Section 30, Township 31 North, Range 48 East, NW ¼  
Latitude: 48°25'0.81"N  
Longitude: -105°32'11.55"W

**Region:** 8

**State:** Montana

**County:** Roosevelt

**Reservation:** Fort Peck Indian Reservation

**Tribe:** Assiniboine and Sioux Tribes

**Responsible Official:** Field Operations Director

**SIC Code:** 4922 – Natural Gas Transmission

**AFS Plant Identification Number:** 30-085-00901

**Other Clean Air Act Permits:** There are no other Federal CAA permits, such as minor NSR or PSD, issued to this facility.

### **Description of Process:**

Compressor Station #2 (CS #2) is located in Roosevelt County, Montana, approximately 23 miles north-northeast of Wolf Point and 50 miles east of Glasgow, on the Fort Peck Indian Reservation.

The facility was constructed in 1992 to provide additional capacity in the Northern Border pipeline, which runs from Port of Morgan, Montana, to Ventura, Iowa. The pipeline transports natural gas originating in Canada to the Midwest market.

CS #2 is a major source for NO<sub>x</sub> and CO with respect to the Part 71 operating permit requirements. The primary source for emissions is from the facility's 18,561 horsepower natural gas fired Cooper-Rolls turbine (EU-001) and a 496 horsepower natural gas fired, 4 stroke rich-burn (4SRB) emergency generator engine (EU-002).

Pipeline pigging is performed at CS #2 approximately every 15 years. The last time was in September 2007 and pigging is not scheduled again until 2022. Typically, three pigging runs are done, one for the cleaning pig, one for the gauge tool and the last for the smart pig. The smart pig is used to detect pipeline defects, such as surface pitting, corrosion, cracks and weld defects. During the pigging event in 2007, less than two gallons of pipeline liquids (sludge) were generated from the three pigging runs. Approximately 54 Mscf of gas is vented from the pig receiver or the pig launcher. The total gas vented for 3 pig runs would be 324 Mscf or 66 pounds of VOC.



**I.B. Source Emission Points**

**Table 1 - Emission Units  
Northern Border Pipeline Company – Compressor Station #2**

<b>Emission Unit ID</b>	<b>Description</b>	<b>Control Equipment</b>
EU-001	Cooper- Rolls Coberra 2648S powered Compressor Turbine, 18,561 site-rated hp, 184 MMBtu/hr maximum design heat input, natural gas fired:  Serial Nos.        38471                      Installed: 10/1992 38447                      Installed: 10/1992 38454                      Installed: 10/1992  Only 1 in operation at any 1 time	Operational Limit
EU-002	Caterpillar 3412 SITA 4SRB emergency generator engine, 496 site-rated hp, natural gas fired:  Serial No.                7DB00642                      Installed: 10/1992	None

**Table 2 - Insignificant Emission Units  
Northern Border Pipeline Company – Compressor Station #2**

<b>Emission Unit Description</b>
(1) Hydronic Boiler (1.336 MMBtu/hr)
(2) Seal Gas Vents
(1) Lube Oil Tank (2,538 gallons)
Fugitive Emissions

## **II. 40 CFR Part 60, Subpart GG – Standards of Performance for Stationary Gas Turbines**

### **II.A. Subpart A – New Source Performance Standards, General Provisions**

[40 CFR 60.1 – 60.19]

1. 40 CFR Part 60, Subpart A – Standards of Performance for New Stationary Sources, General Provisions: This facility is subject to the requirements of 40 CFR Part 60, Subpart GG. As such, this facility is subject to 40 CFR Part 60, Subpart A. Notwithstanding conditions in this permit, the Permittee shall comply with all applicable requirements of 40 CFR Part 60, Subpart A.

[40 CFR 60.1]

### **II.B. Subpart GG - Standards of Performance for Stationary Gas Turbines**

[40 CFR 60.40c – 60.48c]

1. Applicability [40 CFR 60.330]
  - (a) This facility is subject to the requirements of 40 CFR Part 60, Subpart GG. Notwithstanding conditions in this permit, the Permittee shall comply with all applicable requirements of 40 CFR Part 60, Subpart GG.

- (b) 40 CFR Part 60, Subpart GG applies to the following emission units:

EU-001: Cooper- Rolls Coberra 2648S powered Compressor Turbine  
Serial Number 38471

EU-001: Cooper- Rolls Coberra 2648S powered Compressor Turbine  
Serial Number 38447

EU-001: Cooper- Rolls Coberra 2648S powered Compressor Turbine  
Serial Number 38454

2. Emission Standards [40 CFR 60.332 and 60.333]

EU-001 is subject to the NO<sub>x</sub> standard and the SO<sub>2</sub> fuel standards listed in Table 3.

**Table 3 - Turbine Emission Standards  
Northern Border Pipeline Company – Compressor Station #2**

Pollutant	Emission Standard	Regulatory Reference
NO <sub>x</sub>	EU-001: $\text{STD} = 0.0150 \frac{(14.4)}{Y} + F = 171 \text{ ppm}$ where: Y= 12.52 kilojoules per watt hour (manufacturer’s rated heat rate at manufacturer’s rated peak load. The value of Y shall not exceed 14.4 kilojoules per watt hour)  and F = 0 (NO <sub>x</sub> emission allowance for fuel bound nitrogen) and STD = allowable NO <sub>x</sub> emissions (% by volume at 15 % oxygen and on a dry basis)	40 CFR 60.332 (a)(2)
SO <sub>2</sub>	Either: (a) No owner or operator subject to the provisions of this Subpart shall cause to be discharged into the atmosphere from any stationary gas turbine any gases which contain sulfur dioxide in excess of 0.015% by volume at 15% oxygen and on a dry basis; or (b) Fuel sulfur content shall not exceed 0.8% by weight.	40 CFR 60.333(a)          40 CFR 60.333(b)

- EU-001 shall be exempt from the NO<sub>x</sub> emission standard in this section when being fired with an emergency fuel. For the purpose of this requirement, the term “emergency fuel” means “a fuel fired by a gas turbine only during circumstances, such as natural gas curtailment or breakdown of delivery system, that makes it impossible to fire natural gas in the gas turbine.”

[40 CFR 60.332(k), 40 CFR 60.331(r)]

**II.C. Testing Requirements**

- Initial performance testing is required for off permit replacement units for turbine EU-001. The Permittee shall comply with the initial performance test requirements of 40 CFR 60.8(a) - (f) for measuring NO<sub>x</sub> emissions from replaced unit EU-001 within 60 days after achieving the maximum production rate at which the turbines will be operated, but not later than 180 days after initial startup of the turbines.
- The Permittee shall comply with the test methods and procedures of 40 CFR 60.335(a), (b), and (c) when conducting the initial performance test for NO<sub>x</sub> for unit EU-001.

[40 CFR 60.8, 40 CFR 60.335, and 40 CFR 71.6(a)(3)(i)(A)]

## II.D. Monitoring Requirements

1. The Permittee shall monitor the total sulfur content of the fuel being fired in Unit EU-001 using one of the following methods:
  - (a) The Permittee shall determine the sulfur content of the fuel using the methods described in §60.335(b)(10); or
  - (b) If the total sulfur content of the fuel during the most recent performance test was less than 0.4 weight percent, the Permittee may determine the sulfur content of the fuel using ASTM D4084-82, 94, D5504-01, D6228-98, or Gas Processors Association Standard 2377-86; or
  - (c) The Permittee shall demonstrate that gaseous fuel burned in Unit EU-001 meets the definition of natural gas pursuant to §60.331(u) using one of the following sources:
    - (i) The Permittee shall demonstrate the gas quality characteristics in a current, valid purchase contract, tariff sheet or transportation contract for the gaseous fuel, specifying that the maximum total sulfur content of the fuel is 20.0 grains/100 scf or less; or
    - (ii) The Permittee shall use representative fuel sampling data which show that the sulfur content of the gaseous fuel does not exceed 20.0 grains/100 scf or less.

[40 CFR 60.334(h)(1) and (h)(3)]

*[Explanatory Note: Under §60.334(h)(2), monitoring of nitrogen content of the fuel is only required if the Permittee claims an allowance for fuel-bound nitrogen. The Permittee has not claimed such an allowance.]*

2. The Permittee shall measure NO<sub>x</sub> emissions from EU-001 at least once every quarter to show compliance with the requirements of 40 CFR 60.332(a)(2). To meet this requirement, the Permittee shall measure the NO<sub>x</sub> emissions from each turbine using a portable analyzer and the monitoring protocol approved by EPA, or by using a Mobile Test Van (MTV) and the monitoring protocols approved by EPA.
  - (a) Monitoring shall begin in the first calendar quarter following EPA notification to the applicant of the approval of the monitoring protocol.
  - (b) If an emission unit is inoperable for 1500 hours or more in any calendar quarter, the Permittee is exempt from conducting NO<sub>x</sub> monitoring for the emissions unit for that quarter only.

[40 CFR 60.334(c) and 40 CFR 71.6(a)(3)(i)]

## II.E. Recordkeeping Requirements

1. The Permittee shall comply with the following recordkeeping requirements:
  - (a) The Permittee shall maintain records of the occurrence and duration of any startup, shutdown, or malfunction in the operation of an affected facility; any malfunction of the air pollution control

equipment; or any periods during which a continuous monitoring system or monitoring device is inoperative.

- (b) The Permittee shall maintain a file of all measurements, including performance testing measurements, monitoring device calibration checks, and other information required by the 40 CFR Part 60, Subpart GG conditions of this permit.
2. The Permittee shall comply with the following recordkeeping requirements when firing an emergency fuel:
- (a) Monitoring of fuel sulfur content shall be recorded daily while firing an emergency fuel as defined in 40 CFR 60.331(r).
  - (b) Monitoring of fuel nitrogen content shall be recorded daily while firing a fuel other than pipeline-quality natural gas or while firing an emergency fuel as defined in 40 CFR 60.331(r).
3. The Permittee shall keep records of all required monitoring. The records shall include the following:
- (a) The date, place, and time of sampling or measurements;
  - (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.
4. The Permittee shall keep a record of the number of hours an emissions unit is inoperable and document the reason(s) why the emissions unit was inoperable.
5. The Permittee shall retain records of all required monitoring data and support information, sample analyses, fuel supplier, fuel quality, and fuel make-up pertinent to the custom fuel monitoring schedule for a period of at least 5 years from the date of the monitoring sample, measurement, report, or application. These records shall be made available upon request by EPA Region 8. Support information includes all calibration and maintenance records, all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by this permit.

[40 CFR 71.6(a)(3)(ii), 40 CFR 60.7(b) and 60.7(f)]

## **II.F. Reporting Requirements**

The Permittee shall submit to EPA a written report of the results of any initial performance test(s) required in this section.

[40 CFR 71.6(a)(3)(iii) and 40 CFR 60.8(a)]

### **III. 40 CFR Part 63, Subpart ZZZZ - National Emission Standards for Hazardous Air Pollutants for Reciprocating Internal Combustion Engines**

#### **III.A. 40 CFR Part 63, Subpart A – General Provisions**

1. This facility is subject to the requirements of 40 CFR Part 63, Subpart A as outlined in Table 8 of 40 CFR Part 63, Subpart ZZZZ. Notwithstanding conditions in this permit, the Permittee shall comply with all applicable requirements of 40 CFR Part 63, Subpart A.

[40 CFR 63.6665]

#### **III.B. 40 CFR Part 63, Subpart ZZZZ - Standards**

1. This facility is subject to the requirements of 40 CFR Part 63, Subpart ZZZZ for existing emergency stationary spark-ignition reciprocating internal combustion engines (RICE) with a site rating of less than 500 brake horsepower located at an area source of hazardous air pollutants (HAPs). Notwithstanding conditions in this permit, the Permittee shall comply with all applicable requirements of 40 CFR Part 63, Subpart ZZZZ.
2. 40 CFR Part 63, Subpart ZZZZ applies to the following engine:  
  
EU-002: Caterpillar 3412 SITA; 496 hp natural gas fired 4SRB spark ignition emergency engine.  
Construction Date: Pre-October 1992.  
Compliance Date: October 19, 2013

#### **III.C. Management Practice Requirements for Engine EU-002**

1. Except during periods of startup, the Permittee shall:
  - (a) Change oil and filter ever 500 hours of operation or annually, whichever comes first. The Permittee may utilize an oil analysis program in accordance with §63.6625(j) in order to extend the oil change requirement;
  - (b) Inspect spark plugs every 1,000 hours of operation or annually, whichever comes first, and replace as necessary;
  - (c) Inspect all hoses and belts every 500 hours of operation or annually, whichever comes first, and replace as necessary.
2. During periods of startup the Permittee shall minimize the engine's time spent at idle and minimize the engine's startup time at startup to a period needed for appropriate and safe loading of the engine, not to exceed 30 minutes, after which time the non-startup emission limitations apply.
3. If an emergency engine is operating during an emergency and it is not possible to shut down the engine in order to perform the management practice requirements on the schedule above, or if performing the management practice on the required schedule would otherwise pose an unacceptable risk under federal, state, or local law, the management practice can be delayed until the emergency is over or the unacceptable risk under federal, state, or local law has abated. The management practice should be performed as soon as practicable after the emergency has ended or the unacceptable risk under federal, state, or local law has abated.

[40 CFR 63.6603(a), 40 CFR 63.6625(h) and Table 2d: 5(a)-(c)]

### **III.D. Operation and Maintenance**

1. The Permittee must operate and maintain the stationary RICE and after-treatment control device (if any) according to the manufacturer's emission-related written instructions or develop a maintenance plan which must provide to the extent practicable for the maintenance and operation of the engine in a manner consistent with good air pollution control practice for minimizing emissions.

[40 CFR 66.6625(e) and Table 6: 9(a)(i)-(ii)]

2. The Permittee must install a non-resettable hour meter if one is not already installed.

[40 CFR 63.6625(f)]

### **III.E. Compliance Requirements**

1. The Permittee must:

- (a) Be in compliance with the emission limitations and operating limitations, which apply, at all times.

[40 CFR 63.6605(a)]

- (b) Operate and maintain the engines, including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions, at all times.

[40 CFR 63.6605(b)]

- (c) Demonstrate continuous compliance with each emission limitation and operating limitation that apply.

[40 CFR 63.6640(a)]

2. The Permittee must operate EU-002 according to the requirements in §63.6640(f).

### **III.F. Recordkeeping**

1. The Permittee must keep records of operation and maintenance to show continuous compliance with each emission or operating limitation and to demonstrate that the engine was operated and maintained according to the required maintenance plan.

[40 CFR 63.6655 (d)-(e)]

2. Records must be in a form suitable and readily available for expeditious review according to §63.10(b)(1).

[40 CFR 63.6660(a)]

3. Each record must be kept for 5 years following the date of each occurrence, measurement, maintenance, corrective action, report, or record.

[40 CFR 63.6660(b)]

4. Each record must be readily accessible in hard copy or electronic form for at least 5 years after the date of each occurrence, measurement, maintenance, corrective action, report, or record, according to §63.10(b)(1).

[40 CFR 63.6660(c)]

### III.G. Reporting

1. The Permittee must report any failure to perform the management practice on the schedule required and the federal, state, or local law under which the risk was deemed unacceptable.

[Footnote 2 of Table 2d of 40 CFR Part 63, Subpart ZZZZ]

2. If engine EU-002 operates or is contractually obligated to be available for more than 15 hours per calendar year for the purposes specified in §63.6640(f)(2)(ii) and (iii) or operates for the purpose specified in §63.6640(f)(4)(ii), the Permittee must submit an annual report according to the requirements in §63.6650(h)(1) through (3).

[40 CFR 63.6650(h)]



## **IV. Requirements for Turbines - Requested Operating Limits**

### **IV.A. Applicability**

1. The requirements in this section have been created, at the Permittee's request, to limit the size of the gas compressor impeller of emission unit EU-001 to 28.5 inches and the horsepower output (as measured by the torquemeter) to 18,561 horsepower except during surge conditions and other malfunctions. This permit contains federally enforceable operating limitations for CS #2 for unit EU-001.
2. The requirements for unit EU-001 in this section should be applied in conjunction with the enforceable requirements of 40 CFR Part 60, Subpart GG.

### **IV.B. Work Practice and Operational Requirements**

1. The Permittee shall operate only one of the following three turbines at any one time at this site as emission unit (EU-001):  

Cooper-Rolls, Coberra 2648S, Serial Number 38471  
Cooper-Rolls, Coberra 2648S, Serial Number 38447  
Cooper-Rolls, Coberra 2648S, Serial Number 38454
2. The gas compressor, which is driven by emission unit EU-001, with serial numbers 38447, 38454, or 38471, shall each have an impeller diameter of no more than 28.5 inches and a horsepower output (as measured by the torquemeter) of no more than 18,561 horsepower except during surge conditions or other malfunctions.
3. The horsepower surge conditions and other malfunctions of EU-001 shall be limited to no more than 96 hours per calendar year.

### **IV.C. Testing Requirements**

The Permittee shall perform the required emissions testing of 40 CFR Part 60, Subpart GG.

### **IV.D. Monitoring and Recordkeeping Requirements**

In addition to the standard monitoring and recordkeeping requirements of Part 71 and Subpart GG, the Permittee shall comply with the monitoring and recordkeeping requirements of this section.

1. The Permittee shall maintain records of the daily maximum horsepower by using the Supervisory Control and Data Acquisition (SCADA) system, and corresponding NO<sub>x</sub>, CO and SO<sub>2</sub> emissions.
2. The Permittee shall maintain records of the number of hours and the horsepower that EU-001 operates under surge conditions or other malfunctions when the horsepower exceeds 18,561.

#### **IV.E. Reporting Requirements**

The Permittee shall include, with the standard reports required under Part 71 and Subpart GG, the following information:

1. The daily maximum horsepower of EU-001;
2. The corresponding NO<sub>x</sub>, CO and SO<sub>2</sub> emissions; and
3. The number of hours EU-001 operates under horsepower surge conditions or other malfunctions.

## **V. Facility-Wide Requirements**

Conditions in this section of the permit apply to all emissions units located at the facility, including any units not specifically listed in this permit.

[40 CFR 71.6(a)(1)]

### **V.A. General Recordkeeping Requirements**

The Permittee shall comply with the following generally applicable recordkeeping requirements:

1. If the Permittee determines that his or her stationary source that emits (or has the potential to emit, without federally recognized controls) one or more hazardous air pollutants is not subject to a relevant standard or other requirement established under 40 CFR Part 63, the Permittee shall keep a record of the applicability determination on site at the source for a period of five (5) years after the determination, or until the source changes its operations to become an affected source, whichever comes first. The record of the applicability determination shall include an analysis (or other information) that demonstrates why the Permittee believes the source is unaffected (e.g., because the source is an area source).

[40 CFR 63.10(b)(3) and 63.10(f)]

### **V.B. General Reporting Requirements** [40 CFR 71.6(a)(3)(iii)]

1. The Permittee shall submit to EPA all reports of any required monitoring under this permit semiannually. The first report shall cover the period from the effective date of this permit through August 31, 2011. Thereafter, the report shall be submitted semi-annually, by April 1 and October 1 of each year. The report due on April 1 shall cover the 6-month period ending on the last day of February before the report is due. The report due on October 1 shall cover the 6-month period ending on the last day of August before the report is due. All instances of deviations from permit requirements shall be clearly identified in such reports. All required reports shall be certified by a responsible official consistent with this permit.

*[Explanatory note: To help Part 71 Permittees meet reporting responsibilities, EPA has developed a form "SIXMON" for 6-month monitoring reports. The form may be found on EPA's website at: <http://www.epa.gov/air/oaqps/permits/p71forms.html>]*

2. "Deviation" means any situation in which an emissions unit fails to meet a permit term or condition. A deviation is not always a violation. A deviation can be determined by observation or through review of data obtained from any testing, monitoring, or recordkeeping established in accordance with §71.6(a)(3)(i) and (a)(3)(ii). For a situation lasting more than 24 hours which constitutes a deviation, each 24 hour period is considered a separate deviation. Included in the meaning of deviation are any of the following:
  - (a) A situation where emissions exceed an emission limitation or standard;
  - (b) A situation where process or emissions control device parameter values indicate that an emission limitation or standard has not been met; or
  - (c) A situation in which observations or data collected demonstrate noncompliance with an emission limitation or standard or any work practice or operating condition required by the permit.

3. The Permittee shall promptly report to EPA deviations from permit requirements, including those attributable to upset conditions as defined in this permit, the probable cause of such deviations, and any corrective actions or preventive measures taken. "Prompt" is defined as follows:
- (a) Any definition of "prompt" or a specific time frame for reporting deviations provided in an underlying applicable requirement as identified in this permit;
  - (b) Where the underlying applicable requirement fails to address the time frame for reporting deviations, reports of deviations will be submitted based on the following schedule:
    - (i) For emissions of a hazardous air pollutant or a toxic air pollutant (as identified in the applicable regulation) that continue for more than an hour in excess of permit requirements, the report must be made within 24 hours of the occurrence.
    - (ii) For emissions of any regulated air pollutant, excluding a hazardous air pollutant or a toxic air pollutant that continues for more than 2 hours in excess of permit requirements, the report must be made within 48 hours.
    - (iii) For all other deviations from permit requirements, the report shall be submitted with the semi-annual monitoring report.
  - (c) If any of the conditions in (b)(i) or (ii) above are met, the Permittee must notify EPA by telephone (1-800-227-8917) or facsimile (303-312-6064) based on the timetables listed above. *[Notification by telephone or fax must specify that this notification is a deviation report for a Part 71 permit].* A written notice, certified consistent with this permit must be submitted to EPA within 10 working days of the occurrence. All deviations reported under this section must also be identified in the 6-month report required under this permit.

*[Explanatory note: To help Part 71 Permittees meet reporting responsibilities, EPA has developed a form "PDR" for prompt deviation reporting. The form may be found on EPA's website at: <http://www.epa.gov/air/oaqps/permits/p71forms.html>]*

**V.C. Permit Shield** [40 CFR 71.6(f)(3)]

Nothing in this permit shall alter or affect the following:

- 1. The liability of the Permittee for any violation of applicable requirements prior to or at the time of permit issuance;
- 2. The ability of the EPA to obtain information under section 114 of the CAA; or
- 3. The provisions of Section 303 of the CAA (emergency orders), including the authority of the Administrator under that section.

**V.D. Alternative Operating Scenarios** [40 CFR 71.6(a)(9)]

Turbine Replacement

- 1. Replacement of the turbine with a turbine of the same make, model, horsepower rating, and configured to operate in the same manner as the turbine being replaced, and which satisfies all of the provisions for Off Permit Changes in this permit, including the provisions specific to turbine replacement, shall be considered an allowed alternative operating scenario.

2. Any emission limits, requirements, control technologies, testing, or other provisions that apply to the turbine being replaced under this alternative operating scenario shall also apply to the replacement turbine.
3. Upon a change in the turbine being operated at this site, the Permittee shall conduct a performance test and provide a written report of the results of such performance test in accordance with 40 CFR 60.8 to show compliance with the NO<sub>x</sub> emission standard of 40 CFR Part 60, Subpart GG. Replacement of a turbine with a turbine subject to 40 CFR Part 60, Subpart KKKK is not allowed under this alternative operating scenario.
4. Replacement of a turbine with a turbine subject to 40 CFR Part 63, Subpart YYYY is not allowed under this alternative operating scenario.

*[Explanatory Note: This section was included to allow for off permit replacement of turbines that may have existing federally enforceable limits. For replacement turbines which trigger new applicable requirements (i.e., NSPS, NESHAP, etc...), the minor permit modification requirements shall be utilized to maintain the permitted emission limits of the replaced engine and incorporate the new applicable requirements.]*

## **VI. Part 71 Administrative Requirements**

### **VI.A. Annual Fee Payment** [40 CFR 71.6(a)(7) and 40 CFR 71.9]

1. The Permittee shall pay an annual permit fee in accordance with the procedures outlined below.  
[40 CFR 71.9(a)]
2. The Permittee shall pay the annual permit fee each year no later than April 1. The fee shall cover the previous calendar year.  
[40 CFR 71.9(h)]
3. The fee payment shall be in United States currency and shall be paid by money order, bank draft, certified check, corporate check, or electronic funds transfer payable to the order of the U.S. Environmental Protection Agency.  
[40 CFR 71.9(k)(1)]
4. The Permittee shall send fee payment and a completed fee filing form to:

**For regular U.S. Postal Service mail**

U.S. Environmental Protection Agency  
FOIA and Miscellaneous Payments  
U.S. EPA FOIA & Misc. Payments  
P.O. Box 979078  
St. Louis, MO 63197-9000

**For non-U.S. Postal Service Express mail**

(FedEx, Airborne, DHL, and UPS)  
U.S. Bank  
Government Lockbox 979078  
Cincinnati Finance Center  
1005 Convention Plaza  
SL-MO-C2-GL  
St. Louis, MO 63101

[40 CFR 71.9(k)(2)]

5. The Permittee shall send an updated fee calculation worksheet form and a photocopy of each fee payment check (or other confirmation of actual fee paid) submitted annually by the same deadline as required for fee payment to the address listed in this permit.  
[40 CFR 71.9(h)(1)]

*[Explanatory note: The fee filing form “FF” and the fee calculation worksheet form “FEE” may be found on EPA website at: <http://www.epa.gov/air/oaqps/permits/p71forms.html>]*

6. Basis for calculating annual fee:
  - (a) The annual emissions fee shall be calculated by multiplying the total tons of actual emissions of all “regulated pollutants (for fee calculation)” emitted from the source by the presumptive emissions fee (in dollars/ton) in effect at the time of calculation.  
[40 CFR 71.9(c)(1)]
  - (i) “Actual emissions” means the actual rate of emissions in tpy of any regulated pollutant (for fee calculation) emitted from a Part 71 source over the preceding calendar year. Actual emissions shall be calculated using each emission unit’s actual operating hours, production rates, in-place control equipment, and types of materials processed, stored, or combusted during the preceding calendar year.  
[40 CFR 71.9(c)(6)]

- (ii) Actual emissions shall be computed using methods required by the permit for determining compliance, such as monitoring or source testing data. [40 CFR 71.9(h)(3)]
- (iii) If actual emissions cannot be determined using the compliance methods in the permit, the Permittee shall use other federally recognized procedures. [40 CFR 71.9(e)(2)]

*[Explanatory note: The presumptive fee amount is revised each calendar year to account for inflation, and it is available from EPA prior to the start of each calendar year.]*

- (b) The Permittee shall exclude the following emissions from the calculation of fees:
  - (i) The amount of actual emissions of each regulated pollutant (for fee calculation) that the source emits in excess of 4,000 tpy; [40 CFR 71.9(c)(5)(i)]
  - (ii) Actual emissions of any regulated pollutant (for fee calculation) already included in the fee calculation; and [40 CFR 71.9(c)(5)(ii)]
  - (iii) The quantity of actual emissions (for fee calculation) of insignificant activities [defined in §71.5(c)(11)(i)] or of insignificant emissions levels from emissions units identified in the Permittee's application pursuant to §71.5(c)(11)(ii). [40 CFR 71.9(c)(5)(iii)]

- 7. Fee calculation worksheets shall be certified as to truth, accuracy, and completeness by a responsible official. [40 CFR 71.9(h)(2)]

*[Explanatory note: The fee calculation worksheet form already incorporates a section to help you meet this responsibility.]*

- 8. The Permittee shall retain fee calculation worksheets and other emissions-related data used to determine fee payment for 5 years following submittal of fee payment. [Emission-related data include, for example, emissions-related forms provided by EPA and used by the Permittee for fee calculation purposes, emissions-related spreadsheets, and emissions-related data, such as records of emissions monitoring data and related support information required to be kept in accordance with §71.6(a)(3)(ii).] [40 CFR 71.9(i)]
- 9. Failure of the Permittee to pay fees in a timely manner shall subject the Permittee to assessment of penalties and interest in accordance with §71.9(l). [40 CFR 71.9(l)]
- 10. When notified by EPA of underpayment of fees, the Permittee shall remit full payment within 30 days of receipt of notification. [40 CFR 71.9(j)(2)]

11. A Permittee who thinks an EPA assessed fee is in error and who wishes to challenge such fee, shall provide a written explanation of the alleged error to EPA along with full payment of the EPA assessed fee.

[40 CFR 71.9(j)(3)]

**VI.B. Annual Emissions Inventory** [40 CFR 71.9(h)(1)and (2)]

The Permittee shall submit an annual emissions report of its actual emissions for both criteria pollutants and regulated HAPs for this facility for the preceding calendar year for fee assessment purposes. The annual emissions report shall be certified by a responsible official and shall be submitted each year to EPA by April 1<sup>st</sup>. The annual emissions report shall be submitted to EPA at the address listed as detailed in the Submissions section of this permit.

*[Explanatory note: An annual emissions report, required at the same time as the fee calculation worksheet by §71.9(h), has been incorporated into the fee calculation worksheet form as a convenience.]*

**VI.C. Compliance Requirements**

1. Compliance with the Permit shall be as follows:

- (a) The Permittee must comply with all conditions of this Part 71 permit. Any permit noncompliance constitutes a violation of the CAA and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application.

[40 CFR 71.6(a)(6)(i)]

- (b) It shall not be a defense for a Permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

[40 CFR 71.6(a)(6)(ii)]

- (c) For the purpose of submitting compliance certifications in accordance with this permit, or establishing whether or not a person has violated or is in violation of any requirement of this permit, nothing 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.

[Section 113(a) and 113(e)(1) of the Act, 40 CFR 51.212, 52.12, 52.33, 60.11(g), and 61.12]

2. Compliance Schedule

- (a) For applicable requirements with which the source is in compliance, the source will continue to comply with such requirements.

[40 CFR 71.5(c)(8)(iii)(A)]

- (b) For applicable requirements that will become effective during the permit term, the source shall meet such requirements on a timely basis.

[40 CFR 71.5(c)(8)(iii)(B)]



### 3. Compliance Certifications

- (a) The Permittee shall submit to EPA as detailed in the Submissions section of this permit, a certification of compliance with permit terms and conditions, including emission limitations, standards, or work practices annually by April 1<sup>st</sup> and shall cover the preceding calendar year. The compliance certification shall be certified as to truth, accuracy, and completeness by a responsible official consistent with §71.5(d).

[40 CFR 71.6(c)(5)]

*[Explanatory note: To help Part 71 Permittees meet reporting responsibilities, EPA has developed a reporting form for annual compliance certifications. The form may be found on EPA website at:*

*<http://www.epa.gov/air/oaqps/permits/p71forms.html>*

- (b) The certification shall include the following:
- (i) Identification of each permit term or condition that is the basis of the certification;
  - (ii) The identification of the method(s) or other means used for determining the compliance status of each term and condition during the certification period, and whether such methods or other means provide continuous or intermittent data. Such methods and other means shall include, at a minimum, the methods and means required in this permit. If necessary, the Permittee also shall identify any other material information that must be included in the certification to comply with Section 113(c)(2) of the CAA, which prohibits knowingly making a false certification or omitting material information;
  - (iii) The status of compliance with each term and condition of the permit for the period covered by the certification based on the method or means designated in (ii) above. The certification shall identify each deviation and take it into account in the compliance certification;
  - (iv) Such other facts as the EPA may require to determine the compliance status of the source; and
  - (v) Whether compliance with each permit term was continuous or intermittent.

[40 CFR 71.6(c)(5)(iii)]

#### **VI.D. Duty to Provide and Supplement Information**

[40 CFR 71.6(a)(6)(v), 71.5(a)(3), and 71.5(b)]

1. The Permittee shall furnish to EPA, within a reasonable time, any information that EPA may request in writing 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 EPA copies of records that are required to be kept pursuant to the terms of the permit, including information claimed to be confidential. Information claimed to be confidential must be accompanied by a claim of confidentiality according to the provisions of 40 CFR Part 2, Subpart B.

[40 CFR 71.6(a)(6)(v) and 40 CFR 71.5(a)(3)]

2. 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. In addition, a Permittee shall provide additional information as necessary to address any requirements that become applicable after the date a complete application is filed, but prior to release of a draft permit.

[40 CFR 71.5(b)]

**VI.E. Submissions** [40 CFR 71.5(d), 71.6(c)(1) and 71.9(h)(2)]

1. Any document (application form, report, compliance certification, etc.) required to be submitted under this permit shall be certified by a responsible official as to truth, accuracy, and completeness. Such certifications shall state that based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.

*[Explanatory note: EPA has developed a reporting form “CTAC” for certifying truth, accuracy and completeness of Part 71 submissions. The form may be found on EPA website at:*

*<http://www.epa.gov/air/oaqps/permits/p71forms.html>*

2. Except where otherwise specified, any documents required to be submitted under this permit, including reports, test data, monitoring data, notifications, compliance certifications, fee calculation worksheets, and applications for renewals and permit modifications shall be submitted to:

Part 71 Permit Contact  
Air Program, 8P-AR  
U.S. Environmental Protection Agency,  
1595 Wynkoop Street  
Denver, Colorado 80202-1129

**VI.F. Severability Clause** [40 CFR 71.6(a)(5)]

The provisions of this permit are severable, and in the event of any challenge to any portion of this permit, or if any portion is held invalid, the remaining permit conditions shall remain valid and in force.

**VI.G. Permit Actions** [40 CFR 71.6(a)(6)(iii)]

This permit may be modified, revoked, reopened, and reissued, or terminated for cause. The filing of a request by the Permittee for a permit modification, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any permit condition.

**VI.H. Administrative Permit Amendments** [40 CFR 71.7(d)]

1. The Permittee may request the use of administrative permit amendment procedures for a permit revision that:
  - (a) Corrects typographical errors;
  - (b) Identifies a change in the name, address, or phone number of any person identified in the permit, or provides a similar minor administrative change at the source;
  - (c) Requires more frequent monitoring or reporting by the Permittee;

- (d) Allows for a change in ownership or operational control of a source where the EPA determines that no other change in the permit is necessary, 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 EPA;
- (e) Incorporates into the Part 71 permit the requirements from preconstruction review permits authorized under an EPA-approved program, provided that such a program meets procedural requirements substantially equivalent to the requirements of §§71.7 and 71.8 that would be applicable to the change if it were subject to review as a permit modification, and compliance requirements substantially equivalent to those contained in §71.6; or
- (f) Incorporates any other type of change which EPA has determined to be similar to those listed above in (a) through (e) above.

*[Note to Permittee: If subparagraphs (a) through (e) above do not apply, please contact EPA for a determination of similarity prior to submitting your request for an administrative permit amendment under this provision.]*

**VI.I. Minor Permit Modifications** [40 CFR 71.7(e)(1)]

1. The Permittee may request the use of minor permit modification procedures only for those modifications that:
  - (a) Do not violate any applicable requirement;
  - (b) Do not involve significant changes to existing monitoring, reporting, or recordkeeping requirements in the permit;
  - (c) Do not require or change a case-by-case determination of an emission limitation or other standard, or a source-specific determination for temporary sources of ambient impacts, or a visibility or increment analysis;
  - (d) Do not seek to establish or change a permit term or condition for which there is no corresponding underlying applicable requirement and that the source has assumed to avoid an applicable requirement to which the source would otherwise be subject. Such terms and conditions include:
    - (i) A federally enforceable emissions cap assumed to avoid classification as a modification under any provision of Title I; and
    - (ii) An alternative emissions limit approved pursuant to regulations promulgated under Section 112(i)(5) of the CAA;
  - (e) Are not modifications under any provision of Title I of the CAA; and
  - (f) Are not required to be processed as a significant modification.

[40 CFR 71.7(e)(1)(i)(A)]
2. Notwithstanding the list of changes ineligible for minor permit modification procedures above, minor permit modification procedures may be used for permit modifications involving the use of economic incentives, marketable permits, emissions trading, and other similar approaches, to the extent that such minor permit modification procedures are explicitly provided for in an applicable implementation plan or in applicable requirements promulgated by EPA.

3. An application requesting the use of minor permit modification procedures shall meet the requirements of §71.5(c) and shall include the following:
  - (a) A description of the change, the emissions resulting from the change, and any new applicable requirements that will apply if the change occurs;
  - (b) The source's suggested draft permit;
  - (c) Certification by a responsible official, consistent with §71.5(d), that the proposed modification meets the criteria for use of minor permit modification procedures and a request that such procedures be used; and
  - (d) Completed forms for the permitting authority to use to notify affected States as required under §71.8.

[40 CFR 71.7(e)(1)(ii)]

4. The source may make the change proposed in its minor permit modification application immediately after it files such application. After the source makes the change allowed by the preceding sentence, and until the permitting authority takes any of the actions authorized by §71.7(e)(1)(iv)(A) through (C), the source must comply with both the applicable requirements governing the change and the proposed permit terms and conditions. During this time period, the source need not comply with the existing permit terms and conditions it seeks to modify. However, if the source fails to comply with its proposed permit terms and conditions during this time period, the existing permit terms and conditions it seeks to modify may be enforced against it.

[40 CFR 71.7(e)(1)(v)]

5. The permit shield under §71.6(f) may not extend to minor permit modifications.

[40 CFR 71.7(e)(1)(vi)]

**VI.J. Group Processing of Minor Permit Modifications** [40 CFR 71.7(e)(2)]

1. Group processing of modifications by EPA may be used only for those permit modifications:
  - (a) That meet the criteria for minor permit modification; and
  - (b) That collectively are below the threshold level of 10% of the emissions allowed by the permit for the emissions unit for which the change is requested, 20% of the applicable definition of major source in §71.2, or 5 tpy, whichever is least.

[40 CFR 71.7(e)(2)(i)]

2. An application requesting the use of group processing procedures shall be submitted to EPA, shall meet the requirements of §71.5(c), and shall include the following:

- (a) A description of the change, the emissions resulting from the change, and any new applicable requirements that will apply if the change occurs;
- (b) The source's suggested draft permit;
- (c) Certification by a responsible official, consistent with §71.5(d), that the proposed modification meets the criteria for use of group processing procedures and a request that such procedures be used;
- (d) A list of the source's other pending applications awaiting group processing, and a determination of whether the requested modification, aggregated with these other applications, equals or exceeds the threshold set under (a) above; and
- (e) Completed forms for the permitting authority to use to notify affected States as required under §71.8.

[40 CFR 71.7(e)(2)(ii)]

3. The source may make the change proposed in its minor permit modification application immediately after it files such application. After the source makes the change allowed by the preceding sentence, and until the permitting authority takes any of the actions authorized by §71.7(e)(1)(iv)(A) through (C), the source must comply with both the applicable requirements governing the change and the proposed permit terms and conditions. During this time period, the source need not comply with the existing permit terms and conditions it seeks to modify. However, if the source fails to comply with its proposed permit terms and conditions during this time period, the existing permit terms and conditions it seeks to modify may be enforced against it.

[40 CFR 71.7(e)(2)(v)]

4. The permit shield under §71.6(f) may not extend to group processing of minor permit modifications.

[40 CFR 71.7(e)(2)(vi)]

**VI.K. Significant Permit Modifications** [40 CFR 71.7(e)(3)]

1. The Permittee must request the use of significant permit modification procedures for those modifications that:
- (a) Do not qualify as minor permit modifications or as administrative amendments;
  - (b) Are significant changes in existing monitoring permit terms or conditions; or
  - (c) Are relaxations of reporting or recordkeeping permit terms or conditions.

[40 CFR 71.7(e)(3)(i)]

2. Nothing herein shall be construed to preclude the Permittee from making changes consistent with Part 71 that would render existing permit compliance terms and conditions irrelevant.

[40 CFR 71.7(e)(3)(i)]

3. The Permittee must meet all requirements of Part 71 for applications, public participation, and review by affected states and tribes for significant permit modifications. For the application to be determined complete, the Permittee must supply all information that is required by §71.5(c) for permit issuance and renewal, but only that information that is related to the proposed change.

[40 CFR 71.7(e)(3)(ii), 71.8(d), and 71.5(a)(2)]

**VI.L. Reopening for Cause** [40 CFR 71.7(f)]

1. The permit may be reopened and revised prior to expiration under any of the following circumstances:
  - (a) Additional applicable requirements under the Act become applicable to a major Part 71 source with a remaining permit term of 3 or more years. Such a reopening shall be completed not later than 18 months after promulgation of the applicable requirement. No such reopening is 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 have been extended pursuant to 71.7(c)(3);
  - (b) Additional requirements (including excess emissions requirements) become applicable to an affected source under the acid rain program. Upon approval by the Administrator, excess emissions offset plans shall be deemed to be incorporated into the permit;
  - (c) EPA determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit; or
  - (d) EPA determines that the permit must be revised or revoked to assure compliance with the applicable requirements.

**VI.M. Property Rights** [40 CFR 71.6(a)(6)(iv)]

This permit does not convey any property rights of any sort, or any exclusive privilege.

**VI.N. Inspection and Entry** [40 CFR 71.6(c)(2)]

Upon presentation of credentials and other documents as may be required by law, the Permittee shall allow EPA or an authorized representative to perform the following:

1. Enter upon the Permittee's premises where a Part 71 source is located or emissions-related activity is conducted, or where records must be kept under the conditions of the permit;
2. Have access to and copy, at reasonable times, any records that must be kept under the conditions of the permit;
3. Inspect at reasonable times any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the permit; and
4. As authorized by the CAA, sample or monitor at reasonable times substances or parameters for the purpose of assuring compliance with the permit or applicable requirements.

**VI.O. Emergency Provisions** [40 CFR 71.6(g)]

1. In addition to any emergency or upset provision contained in any applicable requirement, the Permittee may seek to establish that noncompliance with a technology-based emission limitation under this permit was due to an emergency. To do so, the Permittee shall demonstrate the affirmative defense of emergency through properly signed, contemporaneous operating logs, or other relevant evidence that:
  - (a) An emergency occurred and that the Permittee can identify the cause(s) of the emergency;
  - (b) The permitted facility was at the time 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 this permit; and
  - (d) The Permittee submitted notice of the emergency to EPA within 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. This notice fulfills the requirements for prompt notification of deviations.
2. In any enforcement preceding the Permittee attempting to establish the occurrence of an emergency has the burden of proof.
3. 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 preventive maintenance, careless or improper operation, or operator error.

**VI.P. Transfer of Ownership or Operation** [40 CFR 71.7(d)(1)(iv)]

A change in ownership or operational control of this facility may be treated as an administrative permit amendment if the EPA determines 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 EPA.

**VI.Q. Off Permit Changes** [40 CFR 71.6(a)(12) and 40 CFR 71.6(a)(3)(ii)]

The Permittee is allowed to make certain changes without a permit revision, provided that the following requirements are met, and that all records required by this section are kept on site at the source for a period of 5 years:

1. Each change is not addressed or prohibited by this permit;
2. Each change shall meet with all applicable requirements and shall not violate any existing permit term or condition;
3. Changes under this provision may not include changes subject to any requirement of 40 CFR Parts 72 through 78 or modifications under any provision of Title I of the CAA;

4. The Permittee must provide contemporaneous written notice to EPA of each change, except for changes that qualify as insignificant activities under §71.5(c)(11). The written notice must describe each change, the date of the change, any change in emissions, pollutants emitted, and any applicable requirements that would apply as a result of the change;
5. The permit shield does not apply to changes made under this provision;
6. The Permittee must keep a record describing all changes that result in emissions of any regulated air pollutant subject to any applicable requirement not otherwise regulated under this permit, and the emissions resulting from those changes; and
7. Replacement of an existing permitted turbine with a new or overhauled turbine of the same make, model, MMBtu/hr, and configured to operate in the same manner as the turbine being replaced, in addition to satisfying all other provisions for off permit changes, shall satisfy the following provisions:
  - (a) The replacement turbine must employ air emissions control devices, monitoring, record keeping and reporting that are equivalent to those employed by the turbine being replaced;
  - (b) The replacement of the existing turbine must not constitute a major modification or major new source as defined in Federal PSD regulations (40 CFR 52.21);
  - (c) No new applicable requirements, as defined in 40 CFR 71.2, are triggered by the replacement; and
  - (d) The following information must be provided in a written notice to EPA, in addition to the standard information listed above for contemporaneous written notices for off permit changes:
    - (i) Make, model number, serial number MMBtu/hr and configuration of the permitted turbine and the replacement turbine;
    - (ii) Manufacturer date, commence construction date (per the definitions in 40 CFR 60.2, 60.4230(a), and 63.2), and installation date of the replacement turbine at the facility;
    - (iii) If applicable, documentation of the cost to rebuild a replacement turbine versus the cost to purchase a new turbine in order to support claims that a turbine is not “reconstructed,” as defined in 40 CFR 60.15 and 63.2;
    - (iv) 40 CFR Part 60, Subpart KKKK (New Turbine NSPS) non-applicability documentation;
    - (v) 40 CFR Part 63, Subpart YYYY (Turbine MACT) non-applicability documentation; and
    - (vi) Documentation to demonstrate that the replacement does not constitute a major new source or major modification, as defined in Federal PSD rules (40 CFR 52.21), as follows:
      - (A) If the replacement will not constitute a “physical change or change in the method of operation” as described in §52.21(b)(2)(i), an explanation of how that conclusion was reached shall be provided.
      - (B) If the replacement will constitute a “physical change or change in the method of operation” as described §52.21(b)(2)(i), the following information shall be provided:



- (1) If the existing source is a “major stationary source” as defined in §52.21(b)(1): For each “regulated NSR pollutant” as defined in §52.21(b)(50), a demonstration (including all calculations) that the replacement will not be a “major modification” as defined in §52.21(b)(2). A modification is major only if it causes a “significant emissions increase” as defined in §52.21(b)(40), and also causes a “significant net emissions increase” as defined in §§52.21(b)(3) and (b)(23).

The procedures of §52.21(a)(2)(iv) shall be used to calculate whether or not there will be a significant emissions increase. If there will be a significant emissions increase, then calculations shall be provided to demonstrate there will not be a significant net emissions increase. These latter calculations shall include all source-wide contemporaneous and creditable emission increases and decreases, as defined in §52.21(b)(3), summed with the PTE of the replacement unit(s).

If netting is used to demonstrate that the replacement will not constitute a “major modification,” verification shall be provided that the replacement engine(s) or turbine(s) employ emission controls at least equivalent in control effectiveness to those employed by the engine(s) or turbine(s) being replaced.

PTE of replacement unit(s) shall be determined based on the definition of PTE in §52.21(b)(4). For each “regulated NSR pollutant” for which the PTE is not “significant,” calculations used to reach that conclusion shall be provided.

- (2) If the existing source is not a “major stationary source” as defined in §52.21(b)(1): For each “regulated NSR pollutant,” a demonstration (including all calculations) that the replacement turbine(s), by itself, will not constitute a “major stationary source” as defined in §52.21(b)(1)(i).

8. The notice shall be kept on site at the source and made available to EPA on request, in accordance with the general recordkeeping provision of this permit.
9. Submittal of the written notice required above shall not constitute a waiver, exemption, or shield from applicability of any applicable standard or PSD permitting requirements under 40 CFR 52.21 that would be triggered by the replacement of any one turbine, or by replacement of multiple turbines.

**VI.R. Permit Expiration and Renewal** [40 CFR 71.5(a)(1)(iii), 71.5(a)(2), 71.5(c)(5), 71.6(a)(11), 71.7(b), 71.7(c)(1), and 71.7(c)(3)]

1. This permit shall expire upon the earlier occurrence of the following events:
  - (a) 5 years elapse from the date of issuance; or
  - (b) The source is issued a Part 70 or Part 71 permit under an EPA approved or delegated permit program.

[40 CFR 71.6(a)(11)]

2. Expiration of this permit terminates the Permittee's right to operate unless a timely and complete permit renewal application has been submitted at least 6 months but not more than 18 months prior to the date of expiration of this permit.

[40 CFR 71.5(a)(1)(iii)]
3. If the Permittee submits a timely and complete permit application for renewal, consistent with §71.5(a)(2), but EPA has failed to issue or deny the renewal permit, then all the terms and conditions of the permit, including any permit shield granted pursuant to §71.6(f) shall remain in effect until the renewal permit has been issued or denied.

[40 CFR 71.7(c)(3)]
4. The Permittee's failure to have a Part 71 permit is not a violation of this part until EPA takes final action on the permit renewal application. This protection shall cease to apply if, subsequent to the completeness determination, the Permittee fails to submit any additional information identified as being needed to process the application by the deadline specified in writing by EPA.

[40 CFR 71.7(b)]
5. Renewal of this permit is subject to the same procedural requirements that apply to initial permit issuance, including those for public participation, affected State, and tribal review.

[40 CFR 71.7(c)(1)]
6. The application for renewal shall include the current permit number, description of permit revisions and off permit changes that occurred during the permit term, any applicable requirements that were promulgated and not incorporated into the permit during the permit term, and other information required by the application form.

[40 CFR 71.5(a)(2) and 71.5(c)(5)]

## **VII. Appendix**

### **VII.A. Inspection Information**

1. Driving Directions to Plant:

On Highway 2, at the intersection of Highway 13 (approximately 7 miles east of Wolf Point, Montana), turn left going north on Highway 13 for approximately 13 miles to the intersection of Highway 250. Turn left (west) onto Highway 250 and follow it west 3 miles and north 8 miles to Compressor Station #2.

2. Global Positioning System (GPS) coordinates:

Latitude: 48°25'00.81"N

Longitude: 105°32'11.55"W