United States Environmental Protection Agency
Region 5
77 West Jackson Boulevard
Chicago, Illinois 60604

TITLE V PERMIT TO OPERATE RENEWAL

Permit Number: V-ML-2711500031-2016-01 Expiration Date: DRAFT

Issue Date: DRAFT Effective Date: DRAFT

In accordance with the provisions of Title V of the Clean Air Act, 40 C.F.R. Part 71, and other applicable rules and regulations,

Mille Lacs Corporate Ventures dba Grand Casino Hinckley

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 in the following location:

Grand Casino Hinckley
777 Lady Luck Drive
Hinckley, Minnesota 55037

Grand Casino Hinckley is located in Pine County, located on lands held in trust for Mille Lacs Band of Ojibwe Indians.

All terms and conditions of the permit are enforceable by the U.S. Environmental Protection Agency and citizens under the Clean Air Act.

Edward Nam
Acting Director,
Air and Radiation Division
U.S. EPA, Region 5

8/1/16
Date

Abbreviations and Acronyms

ASTM	American Society for Testing and Materials
CAA	Clean Air Act [42 U.S.C. § 7401, *et seq.*]
C.F.R.	Code of Federal Regulations
EPA	United States Environmental Protection Agency, Region 5
EU	Emissions Unit
Facility	Grand Casino Hinckley
gal	gallon
g	grams
HAP	Hazardous Air Pollutant
hr	hour
Id. No.	Identification Number
kg	kilogram
lb	pound
MACT	Maximum Achievable Control Technology
Mg	Megagram
MMBtu	Million British Thermal Units
NESHAP	National Emission Standards for Hazardous Air Pollutants
NO_x	Nitrogen Oxides
NSPS	New Source Performance Standards
NSR	New Source Review
Operator	Mille Lacs Corporate Ventures dba Grand Casino Hinckley
Permittee	Mille Lacs Corporate Ventures dba Grand Casino Hinckley
PM	Particulate Matter
PM_{10}	Particulate Matter less than 10 microns in diameter
ppm	parts per million
ppmvd	parts per million, volumetric dry
PSD	Prevention of Significant Deterioration
PTE	Potential to Emit
SO_2	Sulfur Dioxide
VOC	Volatile Organic Compounds

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Section I Source Identification

(A) General Source Information

Parent Company:	Mille Lacs Corporate Ventures dba Grand Casino Hinckley 777 Lady Luck Drive Hinckley, Minnesota 55037
Facility:	Grand Casino Hinckley 777 Lady Luck Drive Hinckley, Minnesota 55037
County:	Pine
Tribe/Reservation:	Mille Lacs Band of Ojibwe Indian Reservation
SIC Code:	7011, 4911

Description of Process: Three diesel-fired generator sets provide peak load management and backup power for Grand Casino Hinckley. Electricity generated at the facility will not be sold for distribution. Operation for EU001, EU002, and EU003 is each limited to 800 hours per year.

Grand Casino Hinckley also owns and operates two diesel-fired emergency internal combustion engines, EU004 and EU005, used for backup power. The emergency engines are rated at 535 and 960 horsepower. The emergency engines have not been operated for peak load management.

(B) Source Emission Points

Emissions Unit ID	Emission Unit Description	Control Equipment
EU001	Caterpillar 3516B diesel fired generator installed on December 4, 2004. The generator is used for backup power and peak load management. The generator is a turbocharged 16-cylinder engine driving a 1,825 kilowatt generator. The engine burns ultra-low sulfur (0.0015%) diesel fuel.	Oxidation catalyst
EU002	Caterpillar 3516B diesel fired generator installed on December 4, 2004. The generator is used for backup power and peak load management. The generator is a turbocharged 16-cylinder engine driving a 1,825 kilowatt generator. The engine burns ultra-low sulfur (0.0015%) diesel fuel.	Oxidation catalyst
EU003	Caterpillar 3516B diesel fired generator installed on December 4, 2004. The generator is used for backup power and peak load management. The generator is a turbocharged 16-cylinder engine driving a 1,825 kilowatt generator. The engine burns ultra-low sulfur (0.0015%) diesel fuel.	Oxidation catalyst
EU004	Detroit V-16 diesel-fired emergency internal combustion engine installed in 1992. The engine is used for used for backup power and is rated at 535 horsepower.	
EU005	Cummins diesel-fired emergency internal combustion engine installed in 1997. The engine is used for used for backup power and is rated at 960 horsepower.	

Section II Unit-Specific Requirements

(A) Emission Limitations and Standards [40 C.F.R. § 71.6(a)(1)]

The Permittee shall comply with the following requirements:

(1) EU001, EU002, and EU003

(a) Nitrogen Oxide Limits

(i) NOx emission rate shall be at all times no greater than 6.55 grams per brake horsepower-hour (g/BHP-hr) per engine, expressed as NO_2, averaged over the duration of the emission performance test or any three consecutive hours. [PSD-ML-2711500031-2010-02, Section (4)(1)(a)]

(ii) NOx emission rate shall at all times be no greater than 37.44 pounds per hour (lb/hr) per engine, expressed as NO_2, averaged over the duration of the emission performance test or any three consecutive hours. [PSD-ML-2711500031-2010-02, Section (4)(1)(b)]

(iii) NOx emissions shall be no greater than 14.98 tons per year (tpy), expressed as NO_2, calculated based on a 12-month rolling sum. Compliance with this limit shall be based on a rolling sum of monthly emissions during the previous 12 months. [PSD-ML-2711500031-2010-02, Section (4)(1)(c)]

(B) Operational Requirements

(1) EU001, EU002, and EU003

(a) Engine operating hours. The operating hours of each emission unit shall be no greater than 800 hours per year based on a 12-month rolling sum. This operating hours limit applies to each unit separately. Compliance with this limit shall be based on a rolling sum of monthly emissions during the previous 12 months. [PSD-ML-2711500031-2010-02, Section (4)(1)(d)]

(b) Turbocharger and aftercooler operation. A turbocharger and aftercooler shall be used at all times during operation of any of the emission units. [PSD-ML-2711500031-2010-02, Section (4)(1)(e)]

(c) Aftercooler water temperature. The aftercooler return water temperature for each engine shall be maintained at less than or equal to 140 degrees Fahrenheit through the use of thermostatic valves. [PSD-ML-2711500031-2010-02, Section (4)(1)(f)-(g)]

(d) Combustion operation. Each emission unit shall be operated in lean burn combustion conditions at all times. [PSD-ML-2711500031-2010-02, Section (4)(1)(e), (h)]

(e) Intake manifold pressure for each engine shall be maintained at 28.1 to 76.2 inches of mercury (Hg) for 40 to 100% load for each engine. Each engine shall operate only between 40 to 100% load. [PSD-ML-2711500031-2010-02, Section (4)(1)(i)]

(f) Retard engine timing. The emission units shall at all times be operated at Retard Engine Timing which involves delaying the injection of fuel in the engine for each engine. [PSD-ML-2711500031-2010-02, Section (4)(1)(k)]

(g) Flash file program #180-1736, which electronically controls each engine, shall be set for retard engine timing. Contact the EPA before modifying any parameters pertaining to retard engine timing for any of the engines. [PSD-ML-2711500031-2010-02, Section (4)(1)(l)]

(h) Operation of Emissions Units. In any shutdown or breakdown of EU001, EU002, or EU003 or any deviation from any permit terms, the owner or operator shall immediately take all practical steps to modify operations to reduce the emission of any regulated air pollutant. The EPA may require feasible and practical modifications in the operation to reduce emissions of air pollutants. [PSD-ML-2711500031-2010-02, Section 7]

(C) Monitoring

(1) EU001, EU002, and EU003

(a) Aftercooler water temperature for each engine shall be continuously monitored. [PSD-ML-2711500031-2010-02, Section (4)(1)(g)]

(b) Intake manifold pressure for each engine shall be continuously monitored with intake manifold pressure sensors. [PSD-ML-2711500031-2010-02, Section (4)(1)(j)]

(D) Testing

(1) Compliance Plan NOx Testing for EU001, EU002, and EU003

(a) Performance testing on each emission unit shall be conducted within 180 days of permit issuance to ascertain compliance with the NOx emission rates and limits in Section II(A)(1)(a). Determine the NOx emission rate, expressed as NO_2, using exhaust properties determined by both Method 7E and Method 19 of 40 C.F.R. Part 60 (unless otherwise approved by EPA) [40 C.F.R. § 71.6(c)].

(b) The performance test shall be conducted in accordance with the requirements in Section II (D)(2)(c)-(m) [40 C.F.R. § 71.6(c)].

(2) Periodic NOx Testing for EU001, EU002, and EU003

(a) Performance testing on each emission unit shall be conducted to ascertain compliance with the NOx emission rates and limits in Section II(A)(1)(a) in accordance with the requirements set forth later in this section. Determine the NOx emission rate, expressed as NO_2, using exhaust properties determined by both Method 19 of 40 C.F.R. Part 60 (unless otherwise approved by EPA) and exhaust gas measurements as set out later in this section. [PSD-ML-2711500031-2010-02, Section (4)(1)(n); Section (5), "Reference Test Methods"]

(b) Periodic performance tests shall be conducted every 3 calendar years to determine compliance with the applicable NOx emissions limits in Section II(A)(1)(a), and the owner and operator shall furnish the EPA with a written report of the results of such performance tests. [PSD-ML-2711500031-2010-02, Section 5, 40 C.F.R. § 71.6(c)]

(c) Testing notification. Written notification of the planned test date shall be postmarked or received by the EPA at least 30 days before the planned test date. The EPA shall reject the results of a test if less than 30 days notice is given unless written authorization of a shorter notice was given by the EPA Regional office. [PSD-ML-2711500031-2010-02, Section 5]

(d) Test plans. Within 60 days after receiving a request and at least 30 days before the scheduled date of any test, the owner or operator shall submit a complete plan for conducting the source test to the EPA for approval. The plan must address the methods and procedures to be used for sampling, testing, and quality assurance, and the operational conditions under which the tests will be performed and documented. Failure to submit a complete plan shall not alter the date by which any test is required. [PSD-ML-2711500031-2010-02, Section 5]

(e) Approval of test plan. The owner or operator shall submit to the EPA a test plan with or in advance of the test notification required under this section or in response to the EPA's request for supplemental information. If the proposed test plan does not contain sufficient or accurate enough detail to ensure that the performance test meets the requirements of the applicable requirement or compliance document, EPA may reject the plan, and the owner or operator must address any of EPA's comments on revisions and additions that are necessary to make the plan complete. [PSD-ML-2711500031-2010-02, Section 5]

(f) Format and content of test plan. The test plan shall be submitted in the following format and include the following elements: [PSD-ML-2711500031-2010-02, Section 5]

Part I. General Information:

1. Name and address of emission facility;
2. Name, title, telephone number, and facsimile number of contact person at emission facility;
3. Permit number or name of other applicable compliance document;
4. Reason for testing;
5. Schematic drawing of stack and sample ports;
6. Location of plant; and
7. Name, contact person, telephone number, and facsimile number for testing company contracted to conduct the test.

Part II. Testing Requirements:

1. List of the emission units, as identified in the applicable requirement or compliance document, and pollutants to be tested, the emission limit for each pollutant, and the applicable rule or regulation for each emission limit; and
2. Description of procedure for fuel sampling and analysis, where applicable.

Part III. Operating Conditions:

1. List of the process or operating rate and conditions of the process equipment and air pollution control equipment for the test;
2. List of the range of process or operating rates for each emissions unit; and
3. Description of how air pollution control and process equipment will be monitored.

Part IV. Test Methods:

1. List of the methods to be used to determine the emission rate of each pollutant;
2. Number of test runs, length of test run, and sampling rate for each method;
3. Reference to any applicable requirement or compliance document requiring use of specific methods or procedures;
4. Summary of reasons for proposing to use any alternative or equivalent method; and
5. For test methods other than reference methods, statement of the detection limit and the degree of accuracy of that method at the expected emission rate and under the conditions of the performance test.

(g) Pretest meeting. The owner or operator shall contact the Air Enforcement and Compliance Assurance Branch, EPA Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604, to schedule a pretest meeting to be held between authorized employees of the agency and the owner or operator of the emission facility, with optional representation by the testing company. The pretest meeting shall be held at least seven days prior to the performance test date except that a shorter period shall be allowed if EPA is able to accommodate a request for such a meeting. If the EPA agrees that an in-person meeting is not necessary, the pretest meeting will be conducted by telephone conference call unless the owner or operator of the emission facility requests an in-person meeting. [PSD-ML-2711500031-2010-02, Section 5]

(h) Representative testing conditions. Performance tests shall be conducted under such conditions as the EPA shall specify to the plant operator based on representative performance of the affected facility. The owner or operator shall make available to the EPA such records as may be necessary to determine the conditions of the performance tests. Operations during periods of startup, shutdown, and malfunction shall not constitute representative conditions for the purpose of a performance test. [PSD-ML-2711500031-2010-02, Section 5]

(i) Operating conditions for performance testing. All performance tests shall be conducted at worst case operating (non-malfunction) conditions for all emission units for each air pollutant that is required to be tested unless: [PSD-ML-2711500031-2010-02, Section 5]

1. The applicable requirement or compliance document specifies alternative operative conditions for performance testing; or
2. The worst case condition is not known or calculable. In this case, worst case conditions shall be assumed to be the maximum achievable process or operating rate of the emissions unit.

(j) Test runs. Unless otherwise specified by the applicable Reference Test Method, each performance test shall consist of three separate runs. For the purpose of determining compliance with an applicable standard, the arithmetic means of results of the three runs shall apply. In the event that a sample is accidentally lost or conditions occur in which one of the three runs must be discontinued because of forced shutdown, failure of an irreplaceable portion of the sample train, extreme meteorological conditions, or other circumstances, beyond the owner or operator's control, compliance may, upon EPA's approval, be determined using the arithmetic mean of the results of the two other runs. [PSD-ML-2711500031-2010-02, Section 5]

(k) Failure to demonstrate compliance. Upon the EPA's written notice that the facility has failed to demonstrate compliance with an applicable emission limit, the owner or operator of the emission facility, unless an alternative schedule is given in an applicable requirement or compliance document, shall: [PSD-ML-2711500031-2010-02, Section 5]

1. Conduct a retest within 30 days of receipt of the EPA written notice;
2. Submit to the EPA written notice of testing, submit a test plan for the retest, and schedule a pretest meeting at least 21 days in advance of the date of the retest. The pretest meeting shall be held at least seven days prior to the date of the retest, except that a

shorter period shall be allowed if the EPA is able to accommodate such a request for a meeting; and

3. Submit a complete report of the results of the retest within 45 days after completion of a set of tests.

The owner or operator may receive an extension to the schedule if one of the following special circumstances applies:

1. Seasonal or temporary shutdown of the affected emissions units;
2. Malfunction or breakdown of the affected emissions units, unless the EPA determines that a retest under such conditions is warranted in order to determine the effect of the malfunction or breakdown on emissions or where such conditions are representative of past operation of the emissions units;
3. Weather conditions that prevent using the applicable test methods or prevent operations of the affected emission units at the required operating conditions;
4. Any other conditions beyond the control of the owner or operator that prevent using the applicable test methods or prevent operation of the affected emissions units at the required operating conditions; or
5. Any other condition beyond the control of the owner or operator that prevents completion of a retest within the required schedule.

(l) Request for a retest extension. Any request for an extension of the time schedule shall be submitted to the EPA in writing by the owner or operator prior to the date by which retesting is required. The request shall specify the reason why the extension is needed, and include an alternative retest schedule. The EPA Regional office shall grant the request for extension if the EPA finds that one or more of the special conditions in this section apply. If the EPA grants an extension, the owner or operator shall implement the alternative retest schedule. A requested extension shall not be effective unless the EPA has given written approval of the extension. [PSD-ML-2711500031-2010-02, Section 5]

(m) Agency tests. Upon request of the EPA, the owner or operator of an emission facility shall allow the EPA, or any authorized employee or agent of the EPA, to enter upon the premises of the owner or operator for purposes of conducting performance tests. The owner or operator shall provide performance testing facilities that enable the agency or its employees or agents to conduct performance tests, including: [PSD-ML-2711500031-2010-02, Section 5]

1. Sampling ports adequate for the applicable test methods;
2. Safe sampling platforms;

3. Safe access to sampling platforms; and
4. Utilities for sampling and testing equipment.

The owner or operator shall operate the emission facility at worst case conditions or other conditions as requested by the EPA, and shall provide assistance in process monitoring and process material sampling as requested.

(3) Annual NOx testing for EU001, EU002, and EU003

(a) The owner or operator shall measure NOx emissions annually using a portable emissions analyzer to determine compliance with the applicable NOx emissions limits in Section II(A)(1)(a) and furnish the EPA with a written report of the results of such measurements. The portable emissions analyzer shall be used according to the Portable Electrochemical Analyzer Procedure available at https://www3.epa.gov/ttn/emc/ctm/ctm-034.pdf. This requirement does not apply during the calendar years in which a performance test is required; it applies only during the years between the periodic performance tests. [PSD-ML-2711500031-2010-02, Section 6]

(b) Test reports. Within 45 days after completion of a set of NOx emissions measurements, the owner or operator shall submit a copy of the results to the EPA. [PSD-ML-2711500031-2010-02, Section 6]

(c) Representative Testing Conditions. Annual testing using a portable emissions analyzer shall be conducted under such conditions as the EPA shall specify to the plant operator based on representative performance of the affected facility. The owner or operator shall make available to the EPA such records as may be necessary to determine the conditions of annual testing using the portable emissions analyzer. Operations during periods of startup, shutdown, and malfunction shall not constitute representative conditions for such annual testing. [PSD-ML-2711500031-2010-02, Section 6]

(d) Operating conditions. All measurements shall be conducted at worst case operating (non-malfunction) conditions for all emission units for each air pollutant that is required to be tested unless: [PSD-ML-2711500031-2010-02, Section 6]

1. The applicable requirement or compliance document specifies alternative operating conditions for annual testing using a portable emissions analyzer; or

2. The worst case condition is not known or calculable. In this case, worst case conditions shall be assumed to be the maximum achievable process or operating rate of the emissions unit.

(e) Measurement cycles. Each test shall consist of at least four, but no more than six, 15-minute measurement cycles. For the purpose of determining compliance with the applicable standard, the results of all measurement cycles will be added together and divided by the number of measurement cycles to arrive at an average emission rate. The result will be used as one basis for determining compliance with the emission limit in this permit. In the event that conditions occur in which one of the measurement cycles must be discontinued because of forced shutdown, extreme meteorological conditions, or other circumstances beyond the owner's or operator's control, EPA may, in its sole discretion, determine compliance using the arithmetic mean of the results of the non-damaged measurement cycles. [PSD-ML-2711500031-2010-02, Section 6]

(4) De minimis pollutants testing

(a) Upon request of the EPA, the Permittee shall conduct performance tests for SO_2, VOCs, CO, PM, PM_{10}, and HAPs in order to determine whether the actual emission levels represent the limited potential emissions estimates in Table 1 in Section 2 of PSD Permit PSD-ML-2711500031-2010-02. [PSD-ML-2711500031-2010-02, Section (4)(1)(p)]

(E) Recordkeeping and Reporting

(1) EU001, EU002, and EU003

(a) Flash file program and retard engine timing parameters. The Permittee shall maintain records, which include printouts of digital readouts, gauges, or meters, for times in which the flash file program #180-1736 is modified and any times in which any retard engine timing parameters have been changed. [PSD-ML-2711500031-2010-02, Section (4)(1)(m)]

(b) Other recordkeeping. The owner or operator shall maintain at the facility at which the permitted units are located a file containing the records specified below. The owner or operator shall retain all records at the facility location for at least five years following the creation of such record. Records which must be retained at this location include all calibration and maintenance records, all original recording for continuous monitoring instrumentation, and copies of all reports required by this permit. Records of all monitoring required by this permit, and information about the monitoring, include: [PSD-ML-2711500031-2010-02, Section 7]

1. The aftercooler return water temperature, intake manifold pressure, and any changes to flash file program #180-1736 for EU001, EU002, and EU003;
2. Hours of operation for EU001, EU002, and EU003;
3. Performance test data and results;
4. Results of annual testing from the portable emissions analyzer;
5. Reports of excess emissions;
6. Changes requiring notification to EPA under this Section;
7. Calibration and maintenance records, original strip chart, or computer-based recordings;
8. Sampling dates and times of sampling or measurement;
9. The operating conditions that existed at the time of sampling or measurement;
10. The date analyses were performed;
11. The location where samples were taken;
12. The company or entity that performed the sampling and analyses;
13. The analytical techniques or methods used in the sampling and analysis;
14. The results of the analysis; and
15. Occurrence and duration of any startup, shutdown, or malfunction in the operation of EU001, EU002, and/or EU003 or the facility; any malfunction of the air pollution control equipment; or any periods during which a continuous monitoring system or monitoring device is inoperative.

(c) Test reports. Within 45 days after completion of a set of tests, the owner or operator shall submit a copy of the results to the EPA. [PSD-ML-2711500031-2010-02, Section 5]

(d) Low emission strategy. The Permittee shall certify that electronic controls are set for low emission strategy as required by Section II(B)(1)(b) through (g) in accordance with the requirements in Section II(E)(1)(b) of this permit [PSD-ML-2711500031-2010-02, Section (4) (l) (o)].

(e) Excess emissions. The owner or operator shall report all emissions or operations that exceed or deviate from Section II(A)(1)(a) and that present a potential threat to human health or safety as soon as possible, but no later than 48 hours, after discovery. [PSD Permit, Section 7]

(f) Compliance certification report. The compliance certification shall be certified by the responsible official and shall include the following information (all quantities must be reported, even if zero): [PSD-ML-2711500031-2010-02, Section 8]

1. The applicable requirement that is the basis of the certification.

2. The method(s) used for determining the compliance status of the facility.
3. Proof of whether compliance is continuous or intermittent.
4. Facility Identification and Reporting Period – The compliance certification shall include the name of the company, facility name, location, permit number, and period of time covered by the report.
5. The times in which the total 12-month rolling sum of operating hours (separately, for each unit) within the applicable 12-month reporting period for EU001, EU002, and EU003 exceeded 800 hours per year based on a 12-month rolling sum.
6. The results of any performance tests performed during the 12-month period for EU001, EU002, and EU003.
7. Results of annual testing from the portable emissions analyzer during the 12-month period for EU001, EU002, and EU003.
8. Reports of any excess emissions, and include copies of any excess emissions reports.
9. The times during the applicable 12-month reporting period in which the nitrogen oxides emissions rate for EU001, EU002, or EU003 exceeded the 37.44 lb/hr for each engine during any three hour block average.
10. The times during the applicable 12-month reporting period in which the nitrogen oxides emissions rate for EU001, EU002, and EU003 exceeded 14.98 tons per year per engine based on a 12-month rolling sum.
11. The times during the applicable 12-month reporting period in which the nitrogen oxides emissions rate for EU001, EU002, or EU003 exceeded the 6.55 g/HP-hr per year per engine.
12. Any times during the 12-month reporting period in which EU001, EU002, or EU003 operated without using turbochargers or aftercoolers. The compliance certification shall state the reasons the turbochargers and aftercoolers were not used, and the actions taken to reduce nitrogen oxide emissions.
13. Any deviations from the specified control requirements.
14. Any changes to the facility in accordance with the requirements under Notification Requirement.
15. Any other facts as required by the EPA.

Section III 40 C.F.R. Part 63, Subpart ZZZZ – National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines

(A) EU001 – EU003

(1) Emissions and Operating Limitations

(a) The Permittee shall meet the following operating limitations, except during periods of startup [40 C.F.R. § 63.6603(a), 40 C.F.R. Part 63, Subpart ZZZZ, Table 2b.2]:

(i) The Permittee shall maintain the catalyst so that the pressure drop across the catalyst does not change by more than 2 inches of water from the pressure drop across the catalyst that was measured during the performance test; and

(ii) The Permittee shall maintain the temperature of the stationary RICE exhaust so that the catalyst inlet temperature is greater than or equal to 450°F and less than or equal to 1,350°F.

(b) The Permittee shall meet the following emission limitation, except during periods of startup [40 C.F.R. § 63.6603(a), 40 C.F.R. Part 63, Subpart ZZZZ, Table 2d.3]:

(i) Limit concentration of CO in the stationary RICE exhaust to 23 ppmvd at 15 percent O_2; or

(ii) Reduce CO emissions by 70 percent or more.

(c) The Permittee shall use diesel fuel that meets the following requirements [40 C.F.R. § 63.6604(a)]:

(i) The maximum sulfur content is 15 ppm maximum. [40 C.F.R. § 80.510(c)(1)]

(ii) The minimum cetane index is 40 or the maximum aromatic content is 35 volume percent. [40 C.F.R. § 80.510(c)(2)]

(d) During periods of startup, the Permittee shall minimize the engine's startup time 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. [40 C.F.R. § 63.6603(a), 40 C.F.R. § 63.6625(h), Table 2d]

(2) Performance Testing Methods

(a) The Permittee shall comply with the following performance test requirements for engines complying with the requirement to reduce CO emissions [40 C.F.R. Part 63, Subpart ZZZZ, Table 4.1]:

(i) The Permittee shall select the sampling port location and the number/location of traverse points at the inlet and outlet of the control device. For CO and O_2 measurement, ducts less than or equal to 6 inches in diameter may be sampled at a single point located at the duct centroid and ducts greater than 6 inches but less than 12 inches in diameter may be sampled at 3 traverse points located at 16.7, 50.0, and 83.3% of the measurement line ("3-point long line"). If the duct is greater than 12 inches in diameter and the sampling port location meets the two and half-diameter criterion of Section 11.1.1 of Method 1 of 40 C.F.R. Part 60, Appendix A-1, the duct may be sampled at 3-point long line; otherwise, conduct the stratification testing and select sampling points according to Section 8.1.2 of Method 7E of 40 C.F.R. Part 60, Appendix A-4.

(ii) The Permittee shall measure O_2 at the inlet and outlet of the control device using Method 3, 3A, or 3b of 40 C.F.R. Part 60, Appendix A-2, or ASTM Method D6522-00. Measurements to determine O_2 must be made at the same time as measurements for CO concentration.

(iii) The Permittee shall measure the CO at the inlet and the outlet of the control device using ASTM Method D6522-00 or Method 10 of 40 C.F.R. Part 60, Appendix A-4.

a. The CO concentration shall be at 15 percent O_2, dry basis.

(b) The Permittee shall comply with the following performance test requirements for engines complying with the requirement to limit the concentration of CO in the stationary RICE exhaust [40 C.F.R. Part 63, Subpart ZZZZ, Table 4.3]:

(i) The Permittee shall select the sampling port location and the number/location of traverse points at the exhaust of the stationary RICE. For CO, O_2, and moisture measurement, ducts less than or equal to 6 inches may be sampled at a single point located at the duct centroid and ducts greater than 6 inches but less than 12 inches in diameter may be sampled at 3 traverse points located at 16.7, 50.0, and 83.3% of the measurement line ("3-point long line"). If the duct is greater than 12 inches in diameter and the sampling port location meets the two and half-diameter criterion of Section 11.1.1 of Method 1 of 40 C.F.R. Part 60, Appendix A, the duct may be sampled at 3-point long line; otherwise, conduct the stratification testing and select sampling points according to Section 8.1.2 of Method 7E of 40 C.F.R. Part 60, Appendix A. If using a control device, the sampling site must be located at the outlet of the control device.

(ii) The Permittee shall determine the O_2 concentration of stationary RICE exhaust at the sampling port location using Method 3, 3A, or 3B of 40 C.F.R. Part 60, Appendix A-2, or ASTM Method D6522-00. Measurements to determine O_2 concentration must be made at the same time and location as the measurements for CO concentration.

(iii) The Permittee shall measure moisture content of the stationary RICE exhaust at the sampling port location using Method 4 of 40 C.F.R. Part 60, Appendix A-3, or Method 320 of 40 C.F.R. Part 63, Appendix A, or ASTM Method D6348-03. Measurements to determine moisture content must be made at the same time and location as the measurements for CO concentration.

(iv) The Permittee shall measure CO at the exhaust of the stationary RICE using Method 10 of 40 C.F.R. Part 60, Appendix A-4, ASTM Method D6522-00, Method 320 of 40 C.F.R. Part 63, Appendix A, or ASTM Method D6348-03.

a. CO concentration must be at 15 percent O2, dry basis. Results of this test consist of the average of three 1-hour or longer runs.

(3) Performance Testing Interval

(a) The Permittee shall conduct subsequent performance tests according to the following schedule [40 C.F.R. § 63.6615]:

(i) For each RICE that is not a limited use stationary RICE, the Permittee shall conduct subsequent performance tests every 8,760 hours or 3 years, whichever comes first. [40 C.F.R. Part 63, Subpart ZZZZ, Table 3.4]

(4) Performance Testing Requirements

(a) The Permittee shall conduct each performance test according to the requirements of this section. [40 C.F.R. § 63.6620(a), (b)]

(b) The Permittee shall conduct three separate test runs for each performance test required by 40 C.F.R. Part 63, Subpart ZZZZ, as specified in 40 C.F.R. § 63.7(e)(3). Each test run must last at least one hour, unless otherwise specified in 40 C.F.R. Part 63, Subpart ZZZZ. [40 C.F.R. § 63.6620(d)]

(c) The Permittee shall use the following equation to determine compliance with the CO percent reduction requirement:

$$\frac{C_i - C_o}{C_i} \times 100 = R$$

Where C_i is the concentration of CO at the control device inlet, C_o is the concentration of CO at the control device outlet, and R is the percent reduction of CO emissions. [40 C.F.R. § 63.6620(e)(1)]

(d) The Permittee shall normalize the CO concentrations at the inlet and outlet of the control device to a dry basis and to 15 percent oxygen, or an equivalent percent carbon dioxide (CO_2). If pollutant concentrations are to be corrected to 15 percent oxygen and CO_2 concentration is measured in lieu of oxygen concentration measurement, a CO_2 correction factor is needed. The Permittee shall calculate the CO_2 correction factor as described in 40 C.F.R. § 63.6620(e)(2)(i)-(iii). [40 C.F.R. § 63.6620(e)(2)]

(e) The engine percent load during a performance test must be determined by documenting the calculations, assumptions, and measurement devices used to measure or estimate the percent load in a specific application. A written report of the average percent load determination must be included in the Notification of Compliance Status. The following information must be included in the written report [40 C.F.R. § 63.6620(i)]:

(i) The engine model number;

(ii) The engine manufacturer;

(iii) The year of purchase;

(iv) The manufacturer's site-rated brake horsepower;

(v) The ambient temperature, pressure, and humidity during the performance test;

(vi) All assumptions that were made to estimate or calculate percent load during the performance test must be clearly explained; and

(vii) If measurement devices such as flow meters, kilowatt meters, beta analyzers, stain gauges, etc. are used, the model number of the measurement device, and an estimate of its accuracy in percentage of true value must be provided.

(5) CPMS Requirements

(a) The Permittee shall install, operate, and maintain each CPMS in accordance with the requirements paragraphs of this section. [40 C.F.R. § 63.6625(b)]

(b) The Permittee shall prepare a site-specific monitoring plan that addresses the monitoring system design, data collection, and the quality assurance and quality control elements outlined in this condition and in 40 C.F.R. § 63.8(d). As specified in 40 C.F.R. § 63.8(f)(4), the Permittee may request approval of monitoring system quality assurance and quality control procedures alternative to those listed in this section. The site specific monitoring plan shall contain the following elements:

(i) The performance criteria and design specifications for the monitoring system equipment, including the sample interface, detector signal analyzer, and data acquisition and calculations;

(ii) Sample interface (e.g. thermocouple) location such that the monitoring system will provide representative measurements;

(iii) Equipment performance evaluations, system accuracy audits, or other audit procedures;

(iv) Ongoing operation and maintenance procedures in accordance with the provisions in 40 C.F.R. § 63.8(c)(1)(ii) and (c)(3); and

(v) Ongoing reporting and recordkeeping procedures in accordance with provisions in 40 C.F.R. § 63.109(c), (e)(1), and (e)(2)(i).

(c) The Permittee shall install, operate, and maintain each CPMS in continuous operation according to the procedures in the site-specific monitoring plan.

(d) The CPMS must collect data at least once every 15 minutes.

(e) For a CPMS measuring temperature range, the temperature sensors must have a minimum tolerance of 2.8 degrees Celsius (5 degrees Fahrenheit) or 1 percent of the measurement range, whichever is larger.

(f) The Permittee shall conduct equipment performance evaluation, system accuracy audits, or other audit procedures specified in the site-specific monitoring plan at least annually.

(g) The Permittee shall conduct a performance evaluation of each CPMS in accordance with the site-specific monitoring plan.

(6) Crankcase Requirements

(a) The Permittee shall install a closed crankcase ventilation system that prevents crankcase emissions from being emitted to the atmosphere. The Permittee shall follow the manufacturer's specified maintenance requirements for operating and maintaining the closed crankcase ventilation system. [40 C.F.R. § 63.6625(g)]

(7) Monitoring Requirements

(a) Except for monitor malfunctions, associated repairs, required performance evaluations, and required quality assurance or control activities, the Permittee shall monitor continuously at all times that the stationary RICE is operating. A monitoring malfunction is any sudden, frequent, not reasonably preventable failure of the monitoring to provide valid data. Monitoring failures that are caused in part by poor maintenance or careless operation are not malfunctions. [40 C.F.R. § 63.6635(b)]

(b) The Permittee may not use data recorded during monitoring malfunctions, associated repairs, and required quality assurance or control activities in data averages and calculations used to report emission or operating levels. The Permittee shall use all the valid data collected during all other periods. [40 C.F.R. § 63.6635(c)]

(c) For each stationary RICE complying with the requirement to reduce CO emissions or limit CO concentration in the exhaust using oxidation catalyst that is not a limited use stationary RICE, the Permittee shall demonstrate continuous compliance with the following [40 C.F.R. § 63.6640(a)]:

(i) The Permittee shall conduct a performance test every 8,760 hours or 3 years, whichever comes first, for CO to demonstrate that the required CO percent reduction is achieved or that emissions remain at or below the CO concentration limit [40 C.F.R. Part 63, Subpart ZZZZ, Table 6.10.i];

(ii) The Permittee shall collect the catalyst inlet temperature data according to 40 C.F.R. § 63.6625(b) [40 C.F.R. Part 63, Subpart ZZZZ, Table 6.10.ii];

(iii) The Permittee shall reduce these data to 4-hour rolling averages [40 C.F.R. Part 63, Subpart ZZZZ, Table 6.10.iii];

(iv) The Permittee shall maintain the 4-hour rolling averages within the operating limitations for the catalyst inlet temperature [40 C.F.R. Part 63, Subpart ZZZZ, Table 6.10.iv]; and

(v) The Permittee shall measure the pressure drop across the catalyst once per month and demonstrate that the pressure drop across the catalyst is within the operating limitation established during the performance test. [40 C.F.R. Part 63, Subpart ZZZZ, Table 6.10.v]

(8) Notifications

(a) The Permittee shall submit all notifications required in 40 C.F.R. § 63.7(b) and (c); 63.8(e), (f)(4), and (f)(6); and, 63.9(b) through (e), (g), and (h) that apply to the facility. [40 C.F.R. § 63.6645(a)]

(b) The Permittee shall submit a Notification of Intent to conduct a performance test at least 60 days before the performance test is scheduled to begin as required in 40 C.F.R. § 63.7(b)(1). [40 C.F.R. § 63.6645(g)]

(c) The Permittee shall submit a Notification of Compliance Status, according to 40 C.F.R. § 63.9(h)(2)(ii). [40 C.F.R. § 63.6645(h)]

(9) Reporting

(a) The Permittee shall prepare a compliance report. The compliance report shall contain the following [40 C.F.R. § 63.6650(a), 40 C.F.R. Part 63, Subpart ZZZZ, Table 7.1]:

(i) If there are no deviations from any emission limitations or operating limitations, a statement that there were no deviations from the emission limitations or operating limitations during the reporting period.

(ii) If there were no periods during which the CPMS was out-of-control, as specified in 40 C.F.R. § 63.8(c)(7), a statement that there were not periods during which the CPMS was out-of-control during the reporting period.

(iii) If you had a deviation from any emission limitation or operating limitation during the reporting period, the information required in 40 C.F.R. § 63.6650(d).

(iv) If there were periods during which the CPMS was out-of-control, as specified in 40 C.F.R. § 63.8(c)(7), the information required in 40 C.F.R. § 63.6650(e).

(v) If there were malfunctions during the reporting period, the information required in 40 C.F.R. § 63.6650(c)(4).

(b) For engines that are not limited use stationary RICE, the Permittee shall submit a compliance report semiannually according to the following schedule [40 C.F.R. § 63.6650(b)]:

(i) The first semiannual compliance report shall cover the period beginning on January 1, 2016, and ending on June 30, 2016, and shall be postmarked or delivered no later than July 31, 2016. [40 C.F.R. § 63.6650(b)(1), (b)(2)]

(ii) Each subsequent semiannual compliance report shall cover the semiannual reporting period from January 1 through June 30 or the semiannual reporting period from July 1 through December 31. Subsequent semiannual compliance reports shall be postmarked or delivered no later than July 31 or January 31, whichever date is the first date following the end of the semiannual reporting period. [40 C.F.R. § 63.6650(b)(3), (b)(4)]

(iii) For each stationary RICE, if the Permittee has established dates for submitting semiannual reports pursuant to 40 C.F.R. § 71.6 (a)(3)(iii)(A), the Permittee may submit the first and subsequent compliance reports according to the dates the permitting authority has established instead of according to the dates in paragraphs (b)(i) through (b)(iii) of this section. [40 C.F.R. § 63.6650(b)(5)]

(c) The compliance report must contain the following information [40 C.F.R. § 63.6650(c)]:

(i) Company name and address;

(ii) Statement by a responsible official, with that official's name, title, and signature, certifying the accuracy of the content of the report;

(iii) Date of report and beginning and ending dates of the reporting period;

(iv) If you had a malfunction during the reporting period, the compliance report must include the number, duration, and a brief description for each type of malfunction which occurred during the reporting period and which caused or may have caused any applicable emission limitation to be exceeded. The report must also include a description of actions taken by an owner or operator during a malfunction of an affected source to minimize emissions in accordance with 40 C.F.R. § 63.6605(b), including actions taken to correct a malfunction;

(v) If there are no deviations from any emission or operating limitations that apply, a statement that there were no deviations from the emission or operating limitations during the reporting period; and

(vi) If there were no periods during which the continuous monitoring system (CMS), including CEMs and CPMS, was out-of-control, as specified in 40 C.F.R. § 63.8(c)(7), a statement that there were no periods during which the CMS was out-of-control during the reporting period.

(d) For each deviation from an emission or operating limitation occurring for a stationary RICE where a CMS is used to comply with the emission and operating limitations in 40 C.F.R. Part 63, Subpart ZZZZ, the Permittee shall include the following information [40 C.F.R. § 63.6650(e)]:

(i) The date and time that each malfunction started and stopped;

(ii) The date, time, and duration that each CMS was inoperative, except for zero (low-level) and high-level checks;

(iii) The date, time, and duration that each CMS was out-of-control, including the information in 40 C.F.R. § 63.8(c)(8);

(iv) The date and time that each deviation started and stopped, and whether each deviation occurred during a period of malfunction or during another period;

(v) A summary of the total duration of the deviation during the reporting period, and the total duration as a percent of the total source operating time during the reporting period;

(vi) A breakdown of the total duration of the deviations during the reporting period into those that are due to control equipment problems, process problems, other known causes, and other unknown causes;

(vii) A summary of the total duration of CMS downtime during the reporting period, and the total duration of CMS downtime as a percent of the total operating time of the stationary RICE at which the CMS downtime occurred during that reporting period;

(viii) An identification of each parameter and pollutant that was monitored at the stationary RICE;

(ix) A brief description of the stationary RICE;

(x) A brief description of the CMS;

(xi) The date of the latest CMS certification or audit; and

(xii) A description of any changes in CMS, processes, or controls since the last reporting period.

(c) The Permittee shall report all deviations as defined in 40 C.F.R. Part 63, Subpart ZZZZ in the semiannual monitoring report required by 40 C.F.R. § 71.6(a)(3)(iii)(A). If an affected source submits a compliance report with, or as part of, the semiannual monitoring report required by 40 C.F.R. § 71.6(a)(3)(iii)(A), and the compliance report includes all required information concerning deviations from any emission or operating limitation in 40 C.F.R. § 71.6(a)(3)(iii)(A), and the compliance report includes all required information concerning deviations from any emission or operating limitation in 40 C.F.R. Part 63, Subpart ZZZZ, submission of the compliance report shall be deemed to satisfy any obligation to report the same deviations in the semiannual monitoring report. However, submission of a compliance report shall not otherwise affect any obligation the affected source may have to report deviations from permit requirements to EPA. [40 C.F.R. § 63.6650(f)]

(10) Recordkeeping Requirements

(a) The Permittee shall keep the following records [40 C.F.R. § 63.6655(a)]:

(i) A copy of each notification and report the Permittee submitted to comply with 40 C.F.R. Part 63, Subpart ZZZZ, including all documentation supporting any Initial Notification of Compliance Status that the Permittee submitted, according to the requirement in 40 C.F.R. § 63.10(b)(2)(xiv);

(ii) Records of the occurrence and duration of each malfunction of operation (i.e., process equipment) or the air pollution control and monitoring equipment;

(iii) Records of performance tests and performance evaluations as required in 40 C.F.R. § 63.10(b)(2)(viii);

(iv) Records of all required maintenance performed on the air pollution control and monitoring equipment; and

(v) Records of actions taken during periods of malfunction to minimize emissions in accordance with 40 C.F.R. § 63.6605(b), including corrective actions to restore malfunctioning process and air pollution control and monitoring equipment to its normal or usual manner of operation.

(b) For each CPMS, the Permittee shall keep the following records [40 C.F.R. § 63.6655(b)]:

(i) Records described in 40 C.F.R. § 63.10(b)(2)(vi) through (xi);

(ii) Previous (i.e., superseded) versions of the performance evaluation plan as required in 40 C.F.R. § 63.8(d)(3); and

(iii) Requests for alternatives to the relative accuracy test for CPMS as required in 40 C.F.R. § 63.8(f)(6)(i), if applicable.

(c) The Permittee shall keep all records required in 40 C.F.R. Part 63, Subpart ZZZZ, Table 6 to show continuous compliance with each emission or operating limitation. [40 C.F.R. § 63.6655(d)]

(d) The Permittee shall keep records of the maintenance conducted on the stationary RICE according to the Permittee's maintenance plan. [40 C.F.R. § 63.6655(e)]

(e) The Permittee shall keep all records in a form suitable and readily available for expeditious review according to 40 C.F.R. § 63.10(b)(1). [40 C.F.R. § 63.6660(a)]

(f) The Permittee shall keep each record for 5 years following the date of each occurrence, measurement, maintenance, corrective action, report, or record. [40 C.F.R. § 63.6660(b)]

(g) The Permittee shall keep each record 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 40 C.F.R. § 63.10(b)(1). [40 C.F.R. § 63.6660(c)]

(B) EU004 and EU005

(1) Emission and Operating Limitations

(a) The Permittee shall change the oil and filter every 500 hours of operation or annually, whichever comes first. [40 C.F.R. § 63.6603(a), 40 C.F.R. Part 63, Subpart ZZZZ, Table 2d.4]

(b) The Permittee shall inspect air cleaner every 1,000 hours of operation or annually, whichever comes first, and replace as necessary. [40 C.F.R. § 63.6603(a), 40 C.F.R. Part 63, Subpart ZZZZ, Table 2d.4]

(c) The Permittee shall inspect all hoses and belts every 500 hours of operation or annually, whichever comes first, and replace as necessary. [40 C.F.R. § 63.6603(a), 40 C.F.R. Part 63, Subpart ZZZZ, Table 2d.4]

(d) During periods of startup, the Permittee shall minimize the engine's startup time 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. [40 C.F.R. § 63.6603(a), 40 C.F.R. § 63.6625(h), Table 2d]

(e) The Permittee shall operate and maintain the stationary RICE and after-treatment control device (if any) according to the manufacturer's emission-related written instructions or develop your own 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 C.F.R. § 63.6625(e), and 63.6640(a), 40 C.F.R. Part 63, Subpart ZZZZ, Table 6.9]

(f) The Permittee shall install a non-resettable hour meter if one is not already installed. [40 C.F.R. § 63.6625(f)]

(g) The Permittee may utilize an oil analysis program in order to extend the specified oil change requirement. The oil analysis must be performed at the same frequency specified for changing the oil. The analysis program must at a minimum analyze the following three parameters: Total Base Number, viscosity, and percent water content. The condemning limits for these parameters are as follows: Total Base Number is less than 30 percent of the Total Base Number of the oil when new; viscosity of the oil has changed by more than 20 percent from the viscosity of the oil when new; or percent water content (by volume) is greater than 0.5. If all of these condemning limits are not exceeded, the Permittee is not required to change the oil. If any of the limits are exceeded, the Permittee must change the oil within 2 business days of receiving the results of the analysis; if the engine is not in operation when the results of the analysis are received, the engine owner or operator must change the oil within 2 business days or before commencing operation, which is later. The owner or operator must keep records of the parameters that are analyzed as part of the program, the results of the analysis, and the oil changes for the engine. The analysis program must be part of the maintenance plan for the engine. [40 C.F.R. § 63.6625(i)]

(h) The Permittee shall operate emergency stationary RICE according to the requirements listed in this section. In order for the engine to be considered an emergency stationary RICE under 40 C.F.R. Part 63, Subpart ZZZZ, any operation other than emergency operation, maintenance and testing, emergency demand response, and operation in non-emergency situations for 50 hours per year, as listed in this section, is prohibited. Emergency engines that do not operate according to the requirements in this section will not be considered an emergency engine under 40 C.F.R. Part 63, Subpart ZZZZ and must meet all requirements for non-emergency engines. [40 C.F.R. § 63.6640(f)]

(i) There is no time limit on the use of emergency stationary RICE in emergency situations. [40 C.F.R. § 63.6640(f)(1)]

(ii) The Permittee may operate the emergency stationary RICE for any combination of purposes, specified below, for a maximum of 100 hours per calendar year. Any operation of non-emergency situations as allowed by 40 C.F.R. § 63.6640(f)(4) counts as part of the 100 hours allowed per calendar year. [40 C.F.R. § 63.6640(f)(2)]

a. Emergency stationary RICE may be operated for maintenance checks and readiness testing, provided that the tests are recommended by federal, state, or local government, the manufacturer, the vendor, the regional transmission organization, or equivalent balancing authority and transmission operator, or the insurance company associated with the engine. The Permittee may petition EPA for approval for additional hours to be used for maintenance checks and readiness testing, but a petition is not required if the Permittee maintains records indicating that federal, state, or local standards require maintenance and testing of emergency RICE beyond 100 hours per calendar year. [40 C.F.R. § 63.6640 (f)(2)(i)]

(iii) The Permittee may operate the emergency stationary RICE for up to 50 hours per calendar year in non-emergency situations. The 50 hours of operation in non-emergency situations are counted as part of the 100 hours per calendar year for maintenance and testing provided in 40 C.F.R. § 63.6640(f)(2)(i). The 50 hours per year for non-emergency situations cannot be used for peak shaving or non-emergency 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 except as provided in 40 C.F.R. § 63.6640(f)(4)(ii). The 50 hours per year for non-emergency situations can be used to supply power as part of a financial arrangement with another entity if all of the following conditions are met [40 C.F.R. § 63.6640(f)(4)]:

a. The engine is dispatched by the local balancing authority or local transmission and distribution system operator.

b. The dispatch is intended to mitigate local transmission and/or distribution limitations so as to avert potential voltage collapse or line overloads that could lead to the interruption of power supply in a local area or region.

c. The dispatch follows reliability, emergency operation or similar protocols that follow specific NERC, regional, state, public utility commission or local standards or guidelines.

d. The power is provided only to the facility itself or to support the local transmission and distribution system.

e. The owner or operator identifies and records the entity that dispatches the engine and the specific NERC, regional, state, public utility commission or local standards or guidelines that are being followed for dispatching the engine. The local balancing authority or local transmission and distribution system operator may keep these records on behalf of the engine owner or operator.

(2) Recordkeeping Requirements

(a) The Permittee shall keep records of the maintenance conducted on the stationary RICE in order to demonstrate that the Permittee has operated and maintained in the stationary RICE and after-treatment control device (if any) according to the Permittee's maintenance plan. [40 C.F.R. § 63.6655(e)]

(b) The Permittee shall keep records of the hours of operation of the engine that is recorded through the non-resettable hour meter. The Permittee must document how many hours are spent for emergency operation, including what classified the operation as emergency and how many hours are spent for non-emergency operation. [40 C.F.R. § 63.6655(f)]

(C) General Compliance Requirements

(1) The Permittee shall be in compliance with the emission limitations, operating limitations, and other requirements of 40 C.F.R. Part 63, Subpart ZZZZ that apply at all times. [40 C.F.R. § 63.6605(a)]

(2) The Permittee shall operate and maintain any affected source, including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimized emissions at all times. The general duty to minimize emissions does not require the Permittee to make any further efforts to reduce emissions if levels required by 40 C.F.R. Part 63, Subpart ZZZZ have been achieved. Determination of whether such operation and maintenance procedures are being used will be based on information available to the EPA which may include, but is not limited to, monitoring results, review of operation and maintenance procedures, review of operation and maintenance records, and inspection of the source. [40 C.F.R. § 63.6605(b)]

(D) General Reporting Requirements

(1) The Permittee shall report each deviation from the emission and operating limitations. Deviations are instances where an emission limitation or operating limitation is not met. These deviations must be reported according to the requirements of 40 C.F.R. § 63.6650. If the Permittee changes the catalyst, the Permittee must reestablish the values of the operating parameters measured during the initial performance test. When reestablishing the values of the operating parameters, the Permittee must also conduct a performance test to demonstrate compliance with the emission limitation applicable to the stationary RICE. [40 C.F.R. § 63.6640(b)]

(2) The Permittee shall report each instance in which the Permittee did not meet the applicable requirements of 40 C.F.R. Part 63, Subpart ZZZZ, Table 8. [40 C.F.R. 63.6640(e)]

(3) The Permittee shall submit all of the notifications required in 40 C.F.R. § 63.7(b) and (c), 63.8(e), (f)(4) and (f)(6), and 63.9(b) through (e), (g), and (h) that apply by the dates specified. [40 C.F.R. § 63.6645(a)]

Section IV Facility-Wide Requirements

(A) Protection of Stratospheric Ozone [40 C.F.R. Part 82]

40 C.F.R. Part 82, Subpart F: Recycling and Emissions Reduction. The Permittee shall comply with all applicable standards for recycling and emissions reduction pursuant to 40 C.F.R. Part 82, Subpart F, except as provided for motor vehicle air conditioners (MVACs) at 40 C.F.R. Part 82, Subpart B.

(B) General Recordkeeping Requirements [40 C.F.R. § 71.6(a)(3)(ii)]

(1) Records required by this permit shall contain the following information, where applicable [40 C.F.R. § 71.6(a)(3)(ii)(A)]:

(a) The date, place as defined in this permit, 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 existing at the time of sampling or measurement.

(2) The Permittee shall retain records of all required monitoring data and support information for a period of at least 5 years from the date of the monitoring sample, measurement, report, or application. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the permit. [40 C.F.R. § 71.6(a)(3)(ii)(B)]

(C) General Reporting Requirements [40 C.F.R. § 71.6(a)(3)(iii)]

(1) The Permittee shall submit to EPA a semiannual report of all required monitoring during each six-month reporting period from January 1 to June 30 and from July 1 to December 31. All reports shall be submitted to EPA and shall be postmarked by the 30th day following the end of the reporting period. All instances of deviations from permit requirements must clearly be identified in the report. All required reports must be certified by a responsible official consistent with 40 C.F.R. § 71.5(d). [40 C.F.R. § 71.6(a)(3)(iii)(A)]

(a) A monitoring report under this section shall include the following:

(i) The company name and address;

(ii) The beginning and ending dates of the reporting period;

(iii) The emissions unit or activity being monitored;

(iv) The emissions limitation or standard, including operational requirements and limitations (such as parameter ranges), specified in the permit for which compliance is being monitored;

(v) All instances of deviations from permit requirements whether demonstrated by reference test method, monitoring, or through any other credible evidence, including those attributable to upset conditions as defined in this permit, the date on which each deviation occurred, and either the total duration of deviations indicated by such monitoring or the actual records of deviations;

(vi) The total time when monitoring required by this permit was not performed during the reporting period;

(vii) All other monitoring results, data, or analyses required to be reported by the applicable requirement; and

(viii) The name, title, and signature of the responsible official who is certifying to the truth, accuracy, and completeness of the report.

(2) The Permittee shall promptly report to the EPA deviations from permit requirements, including those attributable to upset conditions, the probable cause of such deviations, and any corrective actions or preventive measures taken. [40 C.F.R. § 71.6(a)(3)(iii)(B)].

(a) Where the underlying applicable requirement contains a definition of prompt or otherwise specifies a time frame for reporting deviations, that definition or time frame shall govern. [40 C.F.R. § 71.6(a)(3)(iii)(B)]

(b) Where the underlying applicable requirement fails to address the time frame for reporting deviations, reports of deviations shall be submitted to EPA based on the following schedule [40 C.F.R. § 71.6(a)(3)(iii)(B)]:

(i) For emissions of a hazardous air pollutant or a toxic air pollutant (as identified in an 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. [40 C.F.R. § 71.6(a)(3)(iii)(B)(1)]

(ii) For emissions of any regulated air pollutant, excluding those listed at 40 C.F.R. § 71.6(a)(3)(iii)(B)(1), that continue for more than two hours in excess of permit requirements, the report must be made within 48 hours. [40 C.F.R. § 71.6(a)(3)(iii)(B)(2)]

(iii) For all other deviations from permit requirements, the report shall be contained in the report submitted in the semiannual monitoring report. [40 C.F.R. § 71.6(a)(3)(iii)(B)(3)]

(c) The Permittee shall notify EPA by telephone or facsimile based on the deviation reporting timeframe. A written notice, certified consistent with 40 C.F.R. § 71.5(d), must be submitted within 10 working days of the occurrence. All reported deviations must also be identified in the semiannual monitoring report. [40 C.F.R. § 71.6(a)(3)(iii)]

(3) "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 40 C.F.R. § 71.6(a)(3)(i) and (ii). For a situation lasting more than 24 hours which constitutes a deviation, each 24-hour period is considered a separate deviation. "Deviations" includes, but is not limited to, any of the following [40 C.F.R. § 71.6(a)(3)(iii)(C)]:

(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;

(c) A situation in which observations or data collected demonstrates noncompliance with an emission limitation or standard or any work practice or operating condition required by this permit; or

(d) A situation in which an exceedance or an excursion, as defined in 40 C.F.R. Part 64, occurs.

(4) The Permittee shall submit reports of deviations with the semiannual monitoring report required in Section IV(C)(1). [40 C.F.R. § 71.6(a)(3)(iii)(A)]

Section V Part 71 General Requirements

(A) Definitions [40 C.F.R. § 71.2]

Terms and conditions have the meaning assigned to them in 40 C.F.R. Part 71 unless the permit otherwise defines the terms, or references other regulations or statutes.

(B) Annual Fee Payment [40 C.F.R. §§ 71.6(a)(7) and 71.9]

(1) The Permittee shall pay an annual permit fee in accordance with the procedures outlined below. [40 C.F.R. § 71.9(a)]

(2) The Permittee shall submit an annual report of its actual emissions for the preceding calendar year, a fee calculation work sheet (based on the report), and full payment of the annual fee each year. The Permittee shall submit the annual report and pay the annual fee each year on or before the anniversary date of its initial fee calculation work sheet. [40 C.F.R. § 71.9(h)(1)]

The Permittee shall submit the annual report to:

EPA Region 5
Air and Radiation Division
Air Programs Branch (AR-18J)
Air Permits Section
77 West Jackson Boulevard
Chicago, Illinois 60604

(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 C.F.R. § 71.9(k)(1)]

(4) The Permittee shall send fee payment and a completed fee filing form to [40 C.F.R. §71.9(k)(2)]:

Address for Regular Mail through U.S. Postal Service

U.S. Environmental Protection Agency
FOIA and Miscellaneous Payments
Cincinnati Finance Center
PO Box 979078
St. Louis, Missouri 63197-9000

Address for Express Delivery

U.S. Bank
Government Lockbox 979078
U.S. EPA FOIA & Misc. Payments
1005 Convention Plaza
Mail Station SL-MO-C2-GL
St. Louis, Missouri 63101

(5) The Permittee shall send to the address listed in Section V(B)(2) of this permit 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. The Permittee may use the fee calculation worksheet that incorporates an annual emissions report, which is required at the same time as the fee calculation worksheet by Section V(B)(2) of this permit and 40 C.F.R. § 71.9(h).

(6) Basis for calculating annual fee [40 C.F.R. § 71.9(c)]:

(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, including fugitive emissions by the presumptive emissions fee (in dollars/ton) in effect at the time of calculation.

(i) "Actual emissions" means the actual rate of emissions in tons per year 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 emissions 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 C.F.R. § 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 C.F.R. § 71.9(h)(3)]

(iii) The term "regulated air pollutant (for fee calculation)" is defined in 40 C.F.R. § 71.2.

(iv) Prior to the start of each calendar year, the EPA will revise for inflation and make available the presumptive fee amount.

(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 tons per year [40 C.F.R. § 71.9(c)(5)(i)];

(ii) Actual emissions of any regulated pollutant (for fee calculation) already included in the fee calculation [40 C.F.R. § 71.9(c)(5)(ii)]; and

(iii) The quantity of actual emissions (for fee calculation) of insignificant activities as defined in 40 C.F.R. § 71.5(c)(11)(i) or of insignificant emission levels from emissions units identified in the Permittee's application pursuant to 40 C.F.R. § 71.5(c)(11)(ii). [40 C.F.R. § 71.9(c)(5)(iii)]

(7) The Permittee must certify the fee calculation worksheet as to truth, accuracy, and completeness by a responsible official.

(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 40 C.F.R. § 71.6(a)(3)(ii). [40 C.F.R. § 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 40 C.F.R. § 71.9(l).

(10) When notified by EPA of underpayment of fees, the Permittee shall remit full payment with 30 days of receipt of notification. [40 C.F.R. § 71.9(j)(1) and (2)]

(11) If the Permittee believes that the EPA-assessed fee is in error and wishes to challenge such fee, the Permittee shall provide a written explanation of the alleged error to EPA along with full payment of the EPA assessed fee. [40 C.F.R. § 71.9(j)(3)]

(C) Compliance Statement [40 C.F.R. § 71.6(a)(6)]

(1) The Permittee must comply with all conditions of this Part 71 permit. Any noncompliance with this permit constitutes a violation of the Clean Air Act and is grounds for [40 C.F.R. §71.6(a)(6)(i)]:

(a) Enforcement action;

(b) Permit termination, revocation and reissuance, or modification; or

(c) Denial of a permit renewal application.

(2) Need to halt or reduce activity is not a defense. 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 C.F.R. § 71.6(a)(6)(ii)]

(D) Compliance Certifications [40 C.F.R. § 71.6(c)(5)]

(1) The Permittee shall submit annually to EPA a certification of compliance with all permit terms and conditions, including emission limitations, standards or work practices, for the reporting period from January 1 to December 31, except the first reporting period shall begin on the effective date of this permit and end on December 31. All reports shall be submitted to EPA and shall be postmarked by the 30th day following the end of the reporting period. The compliance certification shall be certified as to the truth, accuracy, and completeness by a responsible official in accordance with Section V(H)(1) of this permit. The certification shall include the following [40 C.F.R. § 71.6(c)(5)]:

(a) Identification of each permit term or condition that is the basis of the certification;

(b) 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. 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 Clean Air act, which prohibits making a false certification or omitting material information;

(c) The source's compliance status with each term and condition of the permit, including whether monitoring data is continuous and whether the data or any other credible evidence shows the compliance is continuous. The certification shall identify each deviation and take it into account in the compliance certification; and

(d) A statement indicating the compliance status of the source with any applicable enhanced monitoring and compliance certification requirements of the Clean Air Act.

(E) Schedule of Compliance [40 C.F.R. § 71.5(c)(8)(iii), 40 C.F.R. § 71.6(c)(3)]

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

(2) For applicable requirements that will become effective during the permit term, the source shall comply as required by the terms of the applicable requirement.

(F) Duty to Provide and Supplement Information [40 C.F.R. § 71.6(a)(6)(v), 40 C.F.R. § 71.5(b)]

(1) The Permittee shall furnish to EPA, within a reasonable time, any information that the EPA may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit or to determine compliance with this permit. Upon request, the Permittee shall also furnish to EPA copies of records that are required to be kept pursuant to the terms of this permit, including information claimed to be confidential. Information claimed to be confidential should be accompanied by a claim of confidentiality according to the provisions of 40 C.F.R. Part 2, Subpart B.

(2) The Permittee, upon becoming aware that it omitted from its application any relevant facts or submitted incorrect information in the permit application, shall promptly submit such supplementary facts or corrected information. The Permittee shall also provide additional information as necessary to address any requirements that become applicable to the facility after this permit is issued.

(G) Enforceability [40 C.F.R. § 71.6(b)]

All terms and conditions in this permit, including any provisions designated to limit a source's potential to emit, are enforceable by the EPA and citizens in accordance with the Clean Air Act.

(H) Submissions [40 C.F.R. § 71.5(d), 40 C.F.R. § 71.6, 40 C.F.R. § 71.9]

(1) A responsible official of the Permittee shall certify as to the truth, accuracy, and completeness of any document required to be submitted by this permit. 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.

(2) Except as otherwise specified in this permit, the Permittee shall submit all documents required to be submitted by this permit to:

EPA Region 5
Air and Radiation Division
Air Enforcement and Compliance Assurance Branch (AE-17J)
77 West Jackson Boulevard
Chicago, Illinois 60604

(3) The Permittee shall submit permit applications, applications for permit amendments, and other applicable permit information, which includes but is not limited to installation of control equipment, replacement of an emissions unit, fee calculation worksheets, and applications for renewals and permit modifications, to:

EPA Region 5
Air and Radiation Division
Air Programs Branch (AR-18J)
Air Permits Section
77 West Jackson Boulevard
Chicago, Illinois 60604

(I) Severability [40 C.F.R. § 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.

(J) Permit Actions [40 C.F.R. § 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. [40 C.F.R. § 71.6(a)(6)(iii)]

(K) Administrative Permit Amendments

The Permittee may request the use of administrative permit amendment procedures for a permit revision in accordance with 40 C.F.R. § 71.7(d).

(L) Minor Permit Modifications

The Permittee may request the use of minor permit modification procedures for these modifications that meet the requirements contained in 40 C.F.R. § 71.7(e)(1).

(M) Significant Permit Modifications

The Permittee must request the use of significant permit modification procedures for those modifications that meet the requirements contained in 40 C.F.R. § 71.7(e)(3).

(N) Reopening for Cause [40 C.F.R. § 71.7(f)]

(1) EPA shall reopen and revise the permit prior to expiration under any of the following circumstances:

(a) Additional applicable requirements under the Clean Air Act become applicable to this source if the remaining permit term is three or more years.

(b) 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.

(c) EPA determines that the permit must be revised or revoked to assure compliance with the applicable requirements.

(O) Property Rights [40 C.F.R. § 71.6(a)(6)(iv)]

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

(P) Inspection and Entry [40 C.F.R. § 71.6(c)(2)]

(1) 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:

(a) Enter upon the Permittee's premises where a Part 71 source is located or emissions-related activity is conducted, or where records are kept under the conditions of the permit;

(b) Have access to and copy, at reasonable times, any records that must be kept under the conditions of the permit;

(c) Inspect at reasonable times any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the permit; and

(d) As authorized by the Clean Air Act, sample or monitor, at reasonable times, substances or parameters for the purpose of assuring compliance with the permit or applicable requirements.

(Q) Off Permit Changes [40 C.F.R. § 71.6(a)(12)]

(1) The Permittee is allowed to make certain changes without a permit revision, provided that the following requirements are met:

(a) The change is not addressed or prohibited by this permit;

(b) The change must comply with all applicable requirements and may not violate any existing permit term or condition;

(c) The change cannot be subject to any requirement of 40 C.F.R. Parts 72 through 78 or modifications under any provision of Title I of the Clean Air Act;

(d) The Permittee must provide contemporaneous written notice to EPA of the change, except if the change qualifies as insignificant activity under 40 C.F.R. § 71.5(c)(11). The written notice must describe the 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;

(e) The permit shield does not apply to any change made under this provision; and

(f) 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.

(R) Permit Expiration and Renewal [40 C.F.R. §§ 71.5(a)(1)(iii), 71.6(a)(11), 71.7(b), 71.7(c)(1)(i) and (ii), 71.8(d)]

(1) This permit shall expire upon the earlier occurrence of the following events:

(a) Five years elapses from the date of issuance; or

(b) The source is issued a part 70 permit.

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

(3) If the Permittee submits a timely and complete permit application for renewal, consistent with 40 C.F.R. § 71.5(a)(2), but EPA has failed to issue or deny the renewal permit, then the permit shall not expire until the renewal permit has been issued or denied, and any permit shield granted pursuant to 40 C.F.R. § 71.6(f) may be extended beyond the original permit term until renewal.

(4) If the Permittee has submitted a timely and complete application for renewal, the Permittee's failure to have a Part 71 permit is not a violation of Part 71 until the 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 the EPA.

(5) Renewal of this permit is subject to the same procedural requirements that apply to initial permit issuance, including those for public participation and affected state and tribal review.

(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.

(S) Operational Flexibility [40 C.F.R. § 71.6(a)(13)]

(1) The Permittee may make changes within a permitted facility without a permit revision, provided the following conditions are met [40 C.F.R. § 71.6(a)(13)]:

(a) The changes are not modifications under any provision of Title I of the Clean Air Act;

(b) The changes do not result in emissions that exceed the emissions allowed under this permit (whether expressed therein as a rate of emissions or in terms of total emissions); and

(c) The Permittee notifies the EPA at least 7 days in advance of the proposed changes. The written notification shall include a brief description of the change within the permitted facility, the date on which the change will occur, any change in emissions, and any permit term or condition that is no longer applicable as a result of the change.

(T) Permit Shield [40 C.F.R. § 71.6(f)]

(1) Compliance with the conditions of this permit shall be deemed compliance with any applicable requirements as of the date of permit issuance, provided that:

(a) Such applicable requirements are included and are specifically identified in the permit; or

(b) EPA, in acting on the permit application or revision, determines in writing that other requirements specifically identified are not applicable to the source, and the permit includes the determination or a concise summary of the determination.

(2) Nothing in the permit shield or in this permit shall alter or affect the following:

(a) The provisions of Section 303 of the Clean Air Act (emergency orders), including the authority of the Administrator under that section.

(b) The liability of an owner or operator of a source for any violation of applicable requirements prior to or at the time of permit issuance;

(c) The applicable requirements of the acid rain program, consistent with section 408(a) of the Act; or

(d) The ability of EPA to obtain information under Section 114 of the Clean Air Act.

(U) Credible Evidence [62 Fed. Reg. 8314 (February 24, 1997)]

Notwithstanding the conditions of this permit specifying compliance practices for applicable requirements, any person (including the Permittee and EPA) may also use other credible evidence to establish compliance or noncompliance with applicable requirements.