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STATE A Q PROGRAM

September 30, 2015

Bill Rodgers
Idaho Department of Environmental Quality
Air Quality Division
Station Source Program Office
1410 N. Hilton
Boise, ID 83706-1255

Re: Permit Renewal for T1-2010.0149

Dear Mr. Rodgers,

Here is the completed Tier 1 Permit Renewal Application for the Rathdrum Combustion Turbine Project. Avista is not requesting any changes to the current permit.

Please call with any questions.

Kevin Booth
Sr. Environmental Scientist
(509) 495-4738
kevin.booth@avistacorp.com

Enclosure

TIER I PERMIT RENEWAL APPLICATION

AVISTA CORPORATION
RATHDRUM COMBUSTION TURBINE PROJECT

Rathdrum, Idaho

Submitted By:

AVISTA CORPORATION
East 1411 Mission Avenue
Spokane, Washington 99220-3727

September 2015

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1.1 OVERVIEW

The Avista Corporation (Avista) submits this renewal application for a Tier I Operating Permit as required by IDAPA 58.01.01.313.03. This application consists of applicable forms and information as required by IDAPA 58.01.01.314 and has been certified by a responsible official of Avista.

Completed Department of Environmental Quality (DEQ) permit application forms are contained in Appendix A. The DEQ forms contained in Appendix A include:

Form CSTI – Cover Sheet
Form GI – General Information
Form EU0 (Turbine Unit 1) – General Emissions Units
Form EU0 (Turbine Unit 2) – General Emissions Units
Emissions_facilitywide_potential_to_emit_application.doc
Emissions_hap_application.doc
Form FRA – NSPS/NESHAP Regulation Review and Applicability

In some cases, the forms reference specific sections of this permit application. This permit application is structured as follows:

Section 1.0 - Introduction

Section 2.0 - General Information

Section 3.0 - Emissions Information

Section 4.0 - Dispersion Modeling

Section 5.0 - Applicable Requirements

Section 6.0 - Compliance Certification and Monitoring

Appendix A – DEQ Application Forms
Appendix B – Supporting Information for Emission Sources
Appendix C – Attachments

2.1 FACILITY INFORMATION

Avista owns and operates the Rathdrum Combustion Turbine Project. The Avista contact for this application is Mr. Kevin Booth. Mr. Booth can be reached at the following address:

Avista Corporation
1411 East Mission, P.O. Box 3727
Spokane, Washington 99220-3727

Mr. Nelson may be contacted at (509) 495-4738. The responsible official for this permit application is Mr. Dennis Vermillion, President Avista Utilities, who has certified this application on the appropriate forms. Mr. Vermillion can be contacted at the same address as Mr. Nelson.

The Avista Rathdrum Combustion Project is located in the panhandle of Idaho, approximately 2 miles southeast of the city of Rathdrum, Idaho, in Kootenai County. Rathdrum is about 10 miles northwest of Coeur d'Alene. The project site is in the southwest quarter-section of Section 32, Township 25 North, Range 4 West, just east of an existing Avista Rathdrum 230-kV substation at the intersection of Boekel Road and Meyer Road. Figure 2-1 presents a map showing the general location of the facility and surrounding topography/land use. Figure 2-2 shows a plot plan of the facility. The project site is located at an approximate elevation of 2,240 feet above mean sea level along the northern edge of the Rathdrum Prairie. Topography in the area is generally flat, with low rolling hills. Beginning about 1 mile northwest of the city of Rathdrum, there are several forested foothills with terrain rising to elevations of 5,000 feet at the peak of Rathdrum Mountain (about 4 miles northwest of the project site).

Other than the Avista substation, existing land use around the project site is predominantly irrigated agricultural, with grass seed as the predominant crop.

The Rathdrum Combustion Turbine Project currently operates in accordance with their Tier I Operating Permit, Permit Number TI-2010-149 issued April 22, 2011 and the Permit to

Construct (PTC), Number 055-00040 issued September 7, 2001. Copies of these permits are included as part of Appendix C. The facility is a permanent source with a Standard Industrial Classification code of 4911. As discussed in Section 3.0 of this application package, potential emissions of nitrogen oxides (NO_x) and carbon monoxide (CO) are greater than applicable major source threshold of 100 tons per year. Potential emissions of greenhouse gases (GHGs) are greater than the major source threshold of 100,000 tons per year of carbon dioxide (CO_2) equivalent (CO_2e) emissions, per 40 CFR 70.2. The facility is available for operation 24 hours per day, 7 days per week, and 52 weeks per year. The combustion sources at the facility (two gas turbines) are permitted for a combined total maximum hours of operation of 16,848 hours in a calendar year.

The emissions from the facility are less than 250 ton per year of any single criteria pollutant regulated under the Clean Air Act. Thus, the Avista Combustion Turbine Project is not subject to Prevention of Significant Deterioration (PSD) regulations. The gas turbines have a heat input at peak load greater than 107.2 GJ/hour and thus are subject to New Source Performance Standards (NSPS) as set forth in 40 CFR 60 Subpart GG.

The Rathdrum Combustion Turbine Project is also a Phase II Acid Rain facility and is operated in conformance with the requirements of the Acid Rain Program for Phase II facilities.

2.2 FACILITY DESCRIPTION (BASE OPERATING SCENARIO)

The Rathdrum Combustion Turbine Project consists of two (2) General Electric (GE) model PG7111EA Frame 7 combustion gas turbine package power plants. Each unit is 130 feet long, 40 feet wide, and 35 feet high. Each turbine package produces 83.5 megawatts (MW) of electricity at full load operating conditions at ISO conditions. The turbines are operated on a simple cycle basis and are fueled exclusively by pipeline-quality natural gas. No backup fuels other than gas are used at the facility. Plan and elevation drawings of the turbines are shown in Figure 2-3. The Rathdrum Combustion Turbine Project was designed to provide electricity to offsite consumers during peak power demands and on an as needed basis. As such, the turbines are not operated on a full time basis.

Each combustion turbine consists of a compressor, a Dry Low NO_x combustor, a turbine, and an electrical generator. Incoming natural gas is mixed with compressed air as it enters the GE Frame 7 turbines. The combination of natural gas and compressed air is combusted in

the combustor section of the turbine. The resulting hot exhaust gas drives the turbine blades, which rotate a shaft driving both the inlet air compressor and the electric generator within the turbine.

Some of the rotational energy of the shaft compresses the inlet air, but the majority of the rotational energy of the shaft propels the generator to produce the facility's electrical output. Figure 2-4 shows a process flow diagram for the turbine system.

At base load, operating on natural gas at ISO conditions (59°F, 60 percent relative humidity, and 14.7 psia), each combustion turbine can provide a total (nominal) electric output of about 83.5 MW. The electrical output of each turbine during wintertime conditions (ambient temperature of 30°F, 80 percent relative humidity, and an elevation of 2,240 feet above mean sea level) at the site is approximately 83.3 MW at base load.

To control the various operations at the facility, there is a turbine control/office building located on-site. This building is shown in Figure 2-2.

Since the facility was designed to provide electricity on an intermittent basis, the turbines are not continually operated. When the need arises, the turbines (one or both) are started up and brought up to full load (base load) and maintained at full load until they are shut down. The duration of operation of the turbines depends on the demand.

2.3 OPERATING FLEXIBILITY

The Rathdrum Combustion Turbine Project is designed to produce power on an intermittent, as needed, basis. As such, this facility is expected to experience changes in operational hours on a year-to-year basis over the life of this permit. The Idaho operating permit regulations allow for such variation, so long as they do not result in increases of emissions over those presented in this application or in an increase in the permitted hours of turbine operation.

Operational flexibility may be approached in several ways in an operating permit. Avista has considered both the inclusion of alternative operating scenarios, and the specification of worst-case conditions as part of the base operating scenario. Alternative operating scenarios represent modes of operation distinctly different from normal operations, and require notice to the DEQ before the operation in the alternative mode can commence. The Rathdrum Combustion Turbine Project is designed to provide power through the use of natural gas fired

combustion turbines. No additional changes to the basic mode of operation of the facility that might represent an alternative operating scenario are envisioned to take place during the permit term.

In order to maintain operational flexibility the turbines have been permitted (Permit No. 055-00040) such that the total combined hours of operation of both turbines is a maximum of 16,848 hours in a calendar year. As such, there are not specific limitations on operation of the individual turbines (e.g., hours limitations for each turbine). This allows Avista to operate one or both turbines, depending on need, as long as the total number of hours of turbine operation does not exceed 16,848 per year. Additionally, pollutant emission limits contained in Permit No. 055-00040 apply to the combined emissions from both turbine units, rather than for each of the individual units.

Figure 2-1: Location Map

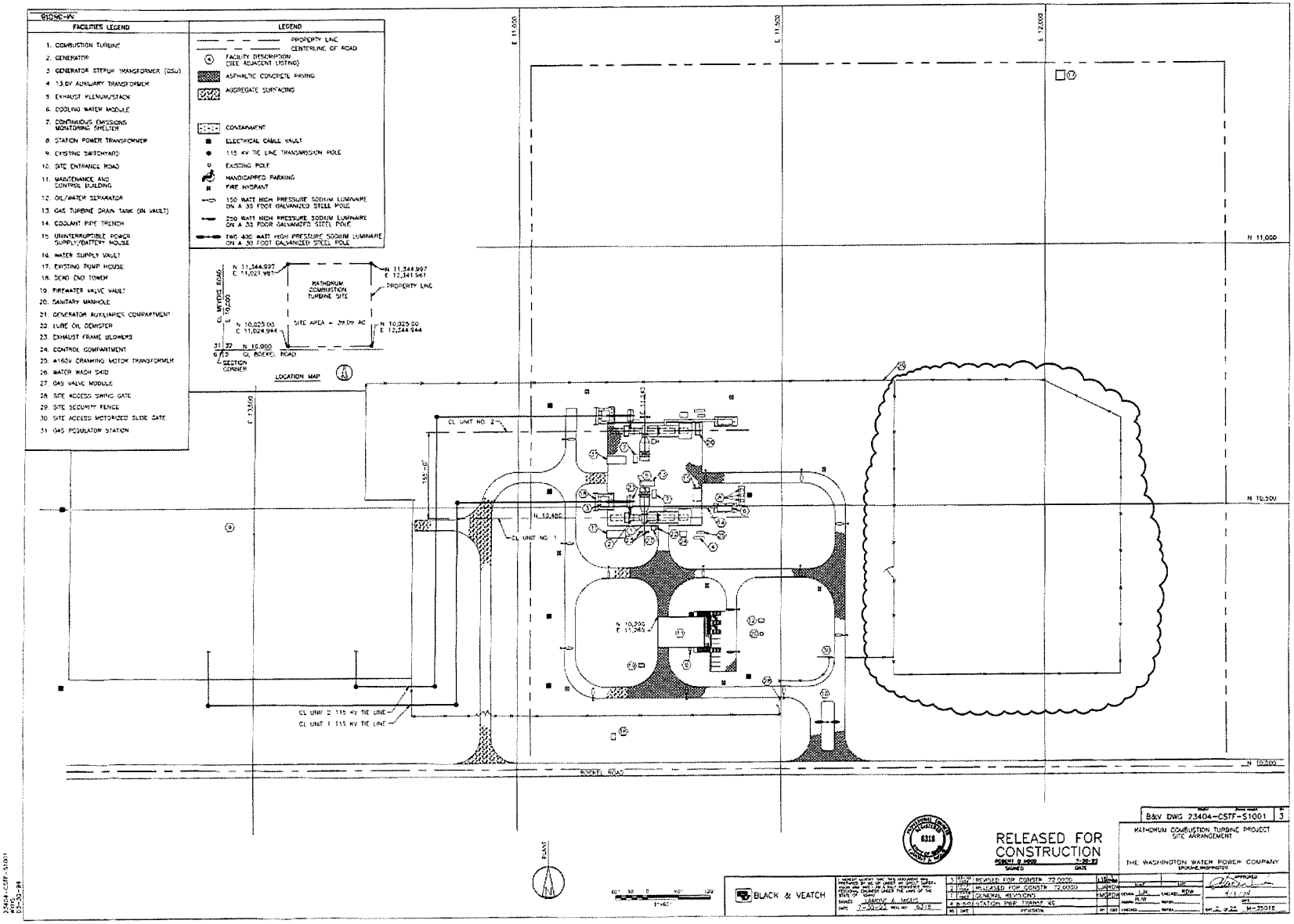

Figure 2-2: Plot Plan

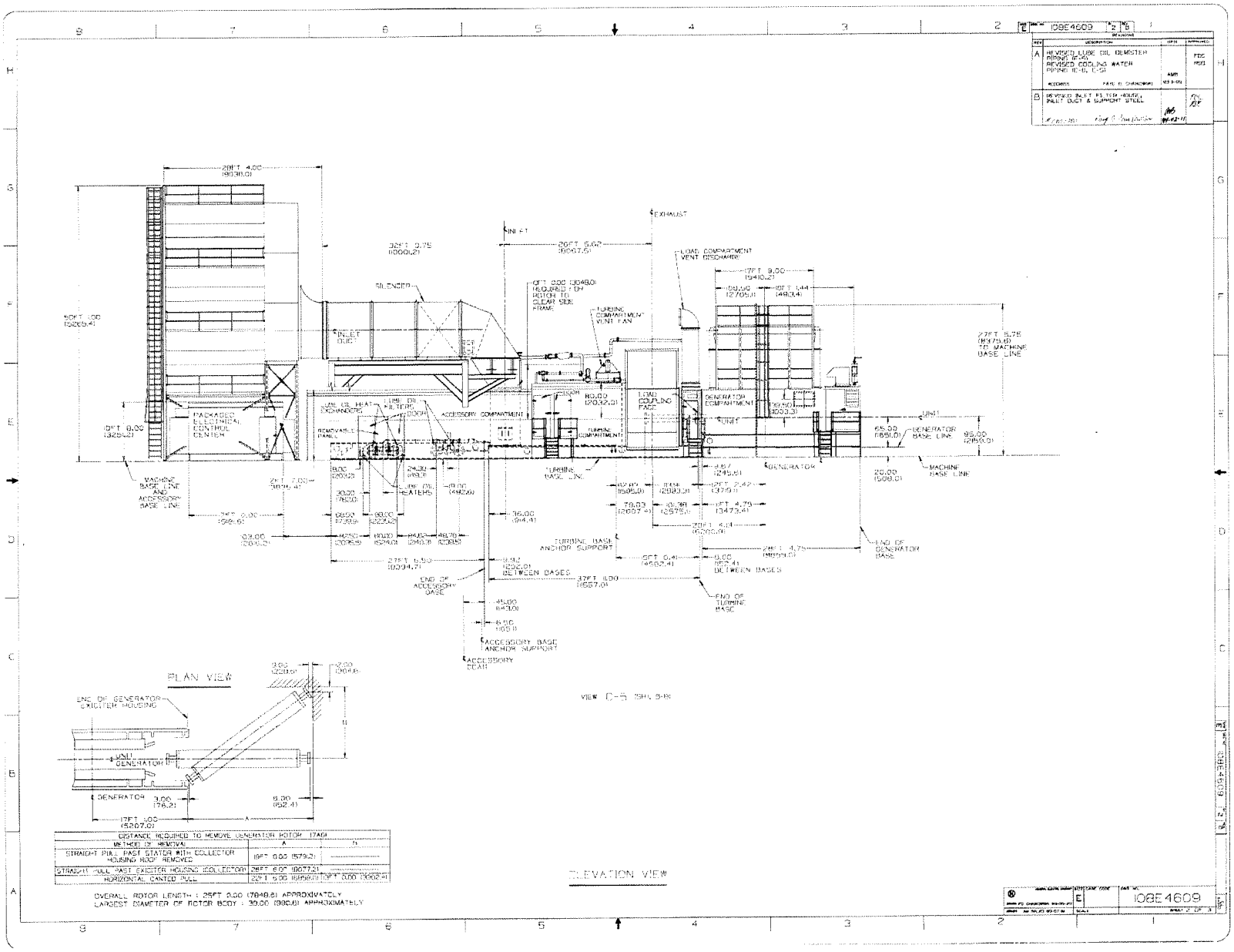

Figure 2-3: Gas Turbine Elevation Drawing

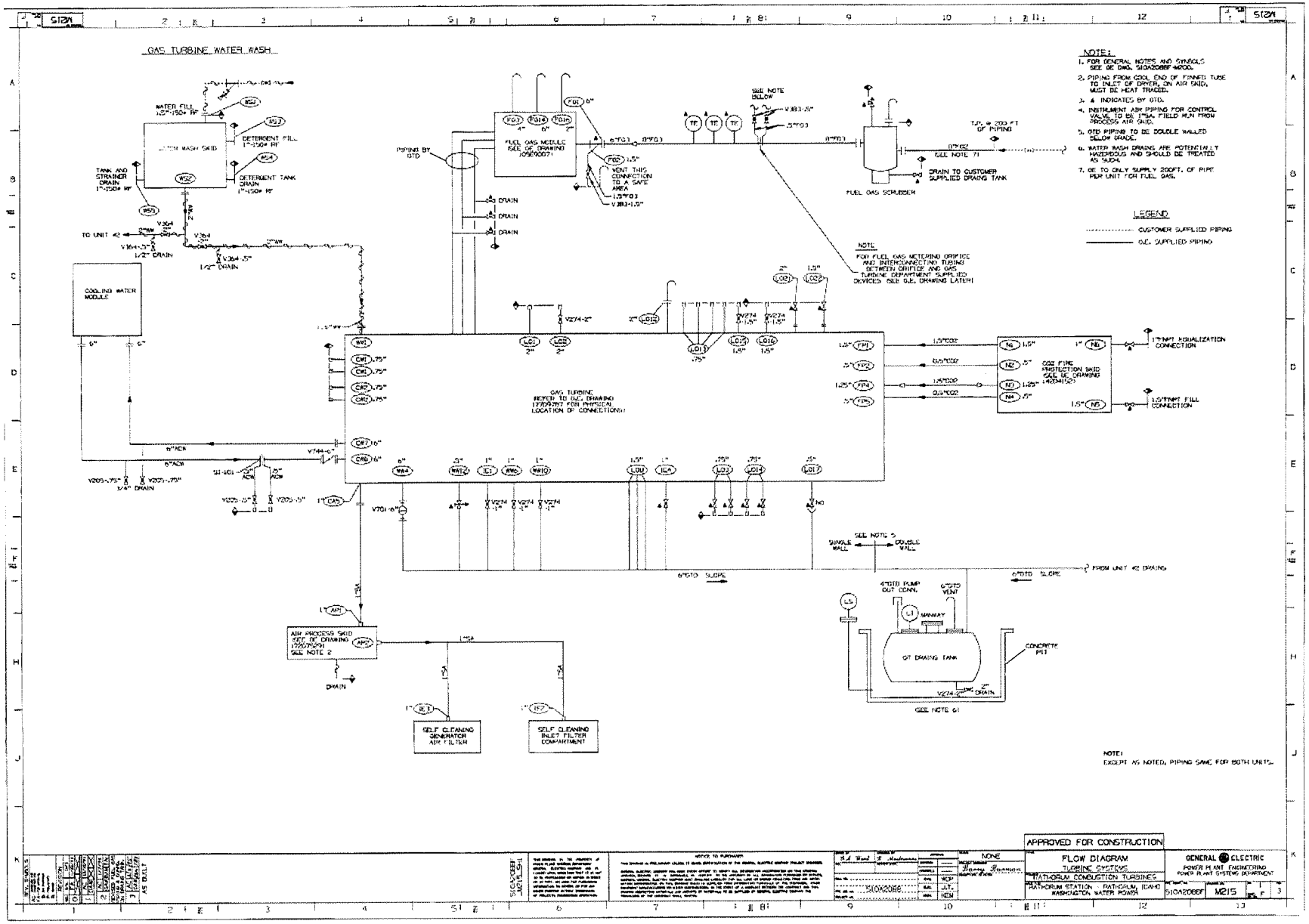

Figure 2-4: Flow Diagram, Gas Turbine Systems

3.1 DESCRIPTION OF EMISSIONS UNITS

Emission sources at the facility include combustion sources (turbines) and minor fugitive dust emissions from vehicles traveling within the facility.

3.1.1 Combustion Sources

The combustion sources at the Rathdrum Combustion Turbine Project consist of the two natural gas-fired turbines. Pollutant emissions from the turbines are minimized by the turbine combustor design, exclusive firing of natural gas, and by limiting the annual hours of operation. The use of a modified turbine combustor design (Dry Low NO_x combustor) controls emissions of nitrogen oxides (NO_x), and good combustion practices along with the combustor design minimize emissions of carbon monoxide (CO) and volatile organic compounds (VOCs). Exclusive use of natural gas for firing the turbines minimizes emissions of sulfur dioxide (SO_2), particulate matter (PM), particulate matter with a diameter less than or equal to 10 microns (PM_{10}), and particulate matter with a diameter less than or equal to 2.5 microns ($PM_{2.5}$) emissions, as well as hazardous air pollutant emissions.

The Avista Rathdrum Combustion Turbine Project was designed to provide electricity to consumers during peak power demands and on an as needed basis. As such, the turbines are not operated on a full time basis. The total hours of combined operation of both turbines is restricted to no more than 16,848 hours in a calendar year, per Permit No. 055-00040.

There are no other regulated combustion sources at the Rathdrum Combustion Project. However, there are a number of unregulated insignificant sources at the facility.

3.1.2 Fugitive Emissions

Fugitive emissions are defined as those emissions which could not reasonably pass through a stack, chimney, vent, or other functionally equivalent opening. Fugitive emissions at the facility are from vehicles traveling over paved surfaces in the facility area. Minor amounts of fugitive dust are generated from these activities. There is about 1,500 linear feet of paved road/maintenance area at the facility. Of which, only a small portion is traveled on a daily

basis or less frequently. There are also some unpaved areas within the facility boundary, however, vehicles do not normally travel in these areas.

3.2 EMISSION CALCULATIONS

3.2.1 Combustion Sources

The combustion emission sources at the facility are the two turbines. These turbines combust pipeline-quality natural gas and therefore have negligible emissions of particulate matter PM, PM_{10}, $PM_{2.5}$, and SO_2. The Gas Transmission Northwest Corporation (GTN) supplies the natural gas to Avista. The pipeline quality natural gas has been stripped of any impurities (e.g., hydrogen sulfide) prior to entering the Avista facility. The sulfur content of the gas contains no more than 1 grain per 100 standard cubic foot of natural gas and has negligible amounts of HAPs. The ash content of the gas is negligible. The natural gas has a higher heating value of about 1,020 Btu/SCF.

Combustion turbine emissions demonstrate some variation with ambient temperature, relative humidity, and operating load. Several scenarios were evaluated for the Avista Rathdrum Combustion Turbine Project and the conditions likely to be observed during the winter months were selected as representative of normal operating conditions. The turbines are normally operated at base load, thus this conditions was used. Emissions and operating data supplied by General Electric for an ambient temperature of 30°F, 80 percent relative humidity, and an elevation of 2,240 feet above mean sea level were used for the emissions inventory.

<u>Criteria Air Pollutants</u>

The major air contaminants in the turbine exhaust streams are NO_x and CO. Also emitted to a much lesser extent are VOC, SO_2, PM, PM_{10}, and $PM_{2.5}$. During natural gas firing, trace amounts of SO_2 (directly related to the amount of sulfur in the fuel) and PM may be present in the turbine exhaust. Emissions of SO_2 and PM are generated in small quantities from the combustion of natural gas in the turbines as sulfur and other impurities in the gas. Emissions of VOC are assumed represent a portion (about 20 percent) of the total unburned hydrocarbons (UHC) emitted by the turbines. CO, NO_x, UHC, VOC, and PM emissions are based on emission factors provided by the turbine manufacturer, GE. PM_{10} and $PM_{2.5}$

emissions are assumed to be the same as the manufacturers PM emissions. A copy of these data is included in Appendix B.

The estimated maximum hourly emission rates of criteria pollutants and GHGs (as CO2e) from both turbines during normal operation are shown in Table 3-1. These emission estimates are based on manufacturer's emissions data (see Appendix B) with the exception of SO_2 and GHGs. The SO_2 emission rate was computed based on a maximum sulfur content of 1 grain per 100 standard cubic feet of natural gas and assuming that all sulfur present in the gas is converted to SO_2 in the turbine. This estimate should result in a conservative estimate of SO2 emissions. CO_2e emissions were calculated based on the maximum fuel use by the turbines and methods prescribed in 40 CFR 98.33. Based on 16,848 combined hours of operation for the turbines during any one year, Table 3-1 contains the estimated maximum annual emission rates of criteria pollutants and CO_2e.

Toxic Air Pollutants

Emissions of toxic pollutants (TAPs) were computed using the EPA's AP-42 emission factors for hazardous air pollutants from stationary gas fired turbines (AP-42 Section 3.1) and based on the maximum capabilities of the turbines under their physical or operational design, considering any federally enforceable physical or operational limitations. Only those compounds listed as toxic air pollutants by the Idaho DEQ or federal HAPs were included in the emissions summary. Table 3-2 summarizes the maximum hourly and annual TAP emission rates for the facility based on maximum operating conditions.

Based on the maximum annual emission rates for the facility, the Rathdrum Combustion Turbine Project is not a major source of hazardous air pollutants. That is, emissions of any individual HAP is less than 10 tons per year and emissions of all HAPs combined are less than 25 tons per year.

3.2.2 Fugitive Emissions

Fugitive emissions from the facility are from vehicles traveling over paved areas at the facility, resulting in fugitive dust. Emissions from these activities are minimal. For the purposes of estimating fugitive dust emissions, it was assumed that on an average daily basis there would be three (3) passenger vehicles traveling about 500 feet (to and from the control/office/maintenance building) and one (1) utility truck (pickup) traveling about 1,500

feet (to the turbine area and back). Resulting in 0.28 vehicle miles traveled (VMT) for each vehicle, on a daily average basis.

Particulate matter and PM_{10} emissions were calculated using AP-42 equations for travel over paved roads (refer to Appendix B for details). The estimated annual emissions are less than one pound per year for PM, PM_{10}, and $PM_{2.5}$.

3.3 INSIGNIFICANT ACTIVITIES

Avista has identified the following insignificant activities at their Rathdrum Combustion Turbine Project as listed in IDAPA section 58.01.01.317. This list contains numerous insignificant activities that do or can occur at the Rathdrum Combustion Turbine Project as follows:

Insignificant Units and Activities on the Basis of Size or Production Rate - (IDAPA 58.01.01.317.01 (b) i.)

Below is a list of units and activities that are exempt from the requirements of IDAPA 58.01.01on the basis of size or production rate.

(1) Operation, loading and unloading of storage tanks and storage vessels, with lids or other appropriate closure and less than two hundred sixty (260) gallon capacity (35 cft), heated only to the minimum extent to avoid solidification if necessary

(2) Operation, loading and unloading of storage tanks, not greater than one thousand one hundred (1,100) gallon capacity, with lids or other appropriate closure, not for use with HAPs, maximum (max.) vp 550 mm Hg.

(3) Operation, loading and unloading of storage tanks, not greater than ten thousand (10,000) gallon capacity, with lids or other appropriate closure, vp not greater than 80 mm Hg at 21C.

(4) Operation, loading and unloading storage of butane, propane, or liquefied petroleum gas (LPG), storage tanks, vessel capacity under forty thousand (40,000) gallons.

(5) Combustion source less than five million (5,000,000) Btu/hr, exclusively using natural gas, butane, propane, and/or LPG.

(6) Combustion source, less than five hundred thousand (500,000) Btu/hr, using any commercial fuel containing less than four-tenths percent (.4%) by weight sulfur for coal or less than one percent (1%) by weight sulfur for other fuels.

(7) Combustion source, of less than one million (1,000,000) Btu/hr, if using kerosene, No. 1 or No. 2 fuel oil.

(9) Welding using not more than one (1) ton per day of welding rod.

(13) Water cooling towers and ponds, not using chromium-based corrosion inhibitors, not used with barometric jets or condensers, not greater than ten thousand (10,000) gpm, not in direct contact with gaseous or liquid process streams containing regulated air pollutants.

(17) Surface coating, using less than two (2) gallons per day.

(18) Space heaters and hot water heaters using natural gas, propane or kerosene and generating less than five million (5,000,000) Btu/hr.

(25) Surface coating, aqueous solution or suspension containing less than one percent (1%) volatile organic compounds.

(26) Cleaning and stripping activities and equipment, using solutions having less than one percent (1%) volatile organic compounds.

(30) An emission unit or activity with emissions less than or equal to ten percent (10%) of the levels contained in Section 006 of the definition of significant and no more than one (1) ton per year of any hazardous air pollutant.

There are no monitoring, recordkeeping, or reporting requirements for insignificant emission units or activities beyond those required in the facility-wide permit conditions.

3.4 EMISSIONS MONITORING

Each exhaust stack of the two turbines at the Rathdrum Combustion Turbine Project has continuous emissions monitors (CEMs) to measure NO_x, CO, and oxygen content (O_2). Natural gas usage is also monitored. The CO, NO_x, and O_2 CEMs were installed to comply with the requirements of Section 3.1 of the Permit to Construct (No. 055-00040). Additionally, since the facility is a Phase II Acid Rain source, NO_x CEMs and a data acquisition and handling system (DAHS) are required. The NO_x monitors and DAHS were designed to meet the specifications of 40 CFR Part 75, which meets or exceeds the NSPS performance specifications of 40 CFR Part 60 for NO_x monitors. The CO monitors conform to the requirements and specifications in accordance with 40 CFR Part 60.

3.5 STARTUP, SHUTDOWN, OR SCHEDULED MAINTENANCE EXCESS EMISSIONS

Excess emissions from the Rathdrum Combustion Turbine Project may occur during startup and/or shutdown of the turbine(s). Review of NO_x and CO CEM data has indicated that increased emissions, above normal operating levels, of both CO and NO_x can occur during startup and shutdown procedures.

The normal startup sequence for each turbine takes about 30 minutes. There is a period when the turbines are transitioning between 40 and 50 MW when the DLN burners are not very efficient. This transition period lasts about 10 minutes and can result in higher than normal NOx and CO emissions. Once above 50 MW the DLN burners are fully engaged all the way to base load (83 MW). The normal shutdown also takes about 30 minutes and is just the reverse of the startup sequence. So again there is a 10 minute period where NOx and CO emissions are elevated.

The magnitude of the emissions during these 10 minute startup/shutdown transition periods vary according to ambient temperature. In general, colder air temperatures cause emissions to be higher.

Emissions of CO and NO_x during startup and shutdown are monitored and recorded by the CEMs and are included in Avista's calculations of annual emissions. Therefore, Avista can track the year-to-date emissions and ensure that the annual emission limits are not exceeded.

In order to minimize potential excess emissions, Avista follows manufacturer recommended startup and shutdown procedures and performs required maintenance on the turbines. Maintenance and inspection practices at the facility reduce potential emissions. Avista performs routine and periodic maintenance on the turbines to ensure proper operation. This inspection and maintenance is performed according to the manufacturer's recommended inspection schedule. Excess emissions are not expected to occur as a result of inspection and maintenance activities for the turbines. Lastly, operators start the turbines separately. That is, one turbine is allowed to go thru the startup sequence before the other turbine is started. This tends to spread out the time period in which startup emissions are encountered.

Table 3-1

ESTIMATED MAXIMUM HOURLY AND ANNUAL AVERAGE CRITERIA POLLUTANT AND CO_2e EMISSION RATES FROM RATHDRUM COMBUSTION TURBINES

Pollutant	Hourly Emission Rate (lb/hr)	Annual Emission Rate (ton/yr)
NO_X	104	235.5
CO	106	240
SO_2	6.0	19.8
PM	14	59
PM_{10}	14	59
$PM_{2.5}$	14	59
VOC	3.6	15.2
CO_2e	-	953,280

Note: Maximum hourly emission rates expected during winter (30 degrees F inlet temperature). Emissions are for both turbines combined.

Table 3-2

ESTIMATED ANNUAL AVERAGE TOXIC AIR POLLUTANT EMISSIONS FROM RATHDRUM COMBUSTION TURBINES

Toxic Air Pollutant	Annual Emission Rate (lb/yr)	Annual Emission Rate (ton/yr)
1,3-Butadiene	7	0.0
Acetaldehyde	648	0.3
Acrolein	104	0.1
Benzene	194	0.1
Ethyl benzene	518	0.3
Formaldehyde	11,502	5.8
Naphthalene	21	0.0
PAH	36	0.0
Propylene Oxide	470	0.2
Toluene	2,106	1.1
Xylenes	1,037	0.5
Total	*16,642*	*8.3*

Note: Emissions are for both turbines combined.
Sum of individual emission rates may not add up to the total due to rounding.

4.0
DISPERSION MODELING

The Rathdrum Combustion Turbine Project was assessed with dispersion modeling as part of the original permit application and subsequent revisions to the DEQ issued Permit to Construct No. 055-00040. The results of the modeling demonstrated that the facility would be in compliance with applicable ambient air quality standards. Details of the modeling procedures and results are contained in DEQ's files for the Rathdrum Combustion Turbine Project (Permit No. 055-00040) and are incorporated by reference. No additional modeling is required for this application.

This chapter provides a citation and description of applicable requirements for emissions units at the Rathdrum Combustion Turbine Project, as required by IDAPA 58.01.01.314.05-.07.

5.1 INTRODUCTION

Title V of the Clean Air Act Amendments of 1990 (CAA) requires state or local air pollution control agencies to adopt and administer operating permit programs. The programs, as defined in EPA's operating permit rules (40 CFR 70), apply to major stationary sources of criteria pollutants and HAPs, sources covered by New Source Performance Standards (NSPS) or National Emission Standards for Hazardous Air Pollutants (NESHAPs), and sources regulated under the Acid Deposition Control Program or the Stratospheric Ozone Protection Program.

The Rathdrum Combustion Turbine Project is a major stationary source of NO_x and CO and is therefore subject to the Title V permit program. Title V operating permits are required by the 1990 CAA to ensure compliance with applicable requirements. IDAPA 58.01.01.008.03 defines applicable requirements as any of a limited list of standards and requirements, provided such standards and requirements apply to emissions units at a source that is subject to the Tier I permitting requirements. The list includes:

- Any standard or other requirement provided for in the Idaho State Implementation Plan, including any revisions to that plan specified in 40 CFR Part 52.670 through 52.690;
- Any term or condition of any permits to construct issued by the Department pursuant to Sections 200 through 223 or by EPA pursuant to 42 U.S.C. Sections 7401 through 7515; provided that terms or conditions relevant only to toxic air pollutants are not applicable requirements.;
- Any standard or other requirement under Section 111 of the CAA, including 40 CFR Part 60;
- Any standard or other requirement under 42 U.S.C. Section 7412 including 40 CFR Part 61 and 40 CFR Part 63;
- Any standard or other requirement of the acid rain program under 42 U.S.C. Sections 7651 through 7651o;
- Any requirements established pursuant to 42 U.S.C. Section 7414(a)(3), 42 U.S.C. Section 7661c(b) or Sections 120 through 128 of these rules;

- Any standard or other requirement governing solid waste incineration under 42 U.S.C. Section 7429;
- Any standard or other requirement for consumer and commercial products and tank vessels under 42 U.S.C. Sections 7511b(e) and (f);
- Any standard or other requirement under 42 U.S.C. Sections 7671 through 7671q including 40 CFR Part 82; and
- Any ambient air quality standard or increment or visibility requirement provided in 42 U.S.C. Sections 7470 through 7492, but only as applied to temporary sources receiving Tier I operating permits under Section 324.

Applicable state requirements are embodied in the Idaho State Implementation Plan (SIP), the Rules For The Control of Air Pollution in Idaho (IDAPA 58.01.01), and the terms and conditions of any permits to construct issued pursuant to regulations promulgated through rulemaking under Title I of the CAA.

For the purposes of identifying applicable requirements for specific emission units the following definitions of emission units are used:

Emission Unit G:

General Facility - includes the entire Rathdrum Combustion Turbine Project and applies to all activities and emission sources, including insignificant emission units.

Emission Unit 1:

GE Gas Turbines No. 1

Emission Unit 2:

GE Gas Turbines No. 2

The applicability of the Idaho regulations contained in IDAPA 58.01.01 that apply to the Rathdrum Combustion Turbine Project are summarized in Part I of Table 5-1. Included in this table are the IDAPA citation, whether the specific requirement is applicable, a reason code for non-applicable requirements, a description of the specific requirement, the method for determining compliance, compliance status, and additional information. Table 5-2 provides additional details on non-applicable requirements.

5.2 APPLICABLE STANDARDS AND REQUIREMENTS

5.2.1 Federal Standards and Requirements

Federal standards and requirements are delegated to the State of Idaho, and are provided for within the Idaho SIP, as approved by the EPA in accordance with 40 CFR Part 52. However, federal standards and requirements remain federally enforceable as limitations and conditions established through the issuance of preconstruction permits and the adoption of standards and regulations by the DEQ pursuant to 40 CFR section 52.21 and 40 CFR Part 51, Subpart I, respectively.

Federal standards and requirements are embodied in Title 40 (Protection of the Environment), Subchapter C (Air Programs) of the CFR, Parts 50 through 99. A summary of the applicability of the Parts of the CFR are identified in Part II of Table 5-1. Table 5-2 provides additional details on non-applicable requirements.

A more detailed evaluation of the applicability of the federal regulations is included in the DEQ Form FRA included in Appendix A. A detailed regulatory review of applicable federal regulations, as well as identification of non-applicable federal regulations, is included in the form.

Acid Rain Program Requirements

The Acid Rain Program permitting and monitoring requirements are contained in 40 CFR 72 through 40 CFR 75. The applicability of the Acid Rain Program and its associated monitoring requirements has previously been review by Avista and the DEQ. The turbines at the Rathdrum facility are subject to the permitting and monitoring requirements of the Acid Rain Program. These requirements have been included in the facility's current Tier 1 Operating Permit and a discussion of the regulatory review and applicability of these regulations is contained in the August 1, 2006 Statement of Basis for the Tier I Operating Permit. Since the time that regulatory review that was conducted for the 2006 Tier I Operating Permit there have been no substantial changes to the Acid Rain regulations that would affect the facility's existing Acid Rain permit or existing monitoring requirements. Therefore, a detailed regulatory review of 40 CFR 72 through 40 CFR 75 was not conducted for the current Tier I Operating Permit renewal.

The GE turbines (Units 1 and 2) at the Rathdrum Combustion Turbine Project are affected units under Phase II of the Acid Rain program. As such, in addition to the emissions monitoring requirements under Part 75, a Phase II Acid Rain permit is required.

5.2.2 State Standards and Requirements

Applicable requirements governing sources of air contaminants in Idaho are contained in IDAPA 58.01.01. In addition to the specific requirements listed in Table 5-1, the conditions from Avista's Permit To Construct No. 055-00040 are applicable conditions. The following applicable conditions are derived from that permit:

GENERAL CONDITIONS

This permit has been granted on the basis of design information presented with its application. Changes of design or equipment may require Department approval.

This permit in not transferable to another person, place, piece, or set of equipment. This permit will expire if construction has not begun within two years of its issue date or if construction is suspended for one year.

1. EMISSION LIMITS

1.1 Nitrogen Oxides Emissions

Emissions of nitrogen oxides (NO_X) from each of the turbines shall not exceed 0.010 percent by volume of exhaust gas at 15 percent oxygen and on a dry basis as required by 40 CFR 60.332(a). Emissions of NO_X from the two turbines shall not exceed 104 lb/hr and 235.5 ton/yr.

1.2 Sulfur Dioxide Emissions

Emissions of sulfur dioxide (SO_2) from each of the turbines shall not exceed 0.015 percent volume of exhaust gas at 15 percent oxygen and on a dry basis as required by 40 CFR 60.333(a), nor shall any fuel containing sulfur in excess of 0.8 percent by weight be burned as required by 40 CFR 60.333(b). Emissions of SO_2 from the two turbines shall not exceed 6 lb/hr and 19.8 ton/yr.

1.3 Emission Limits

Particulate matter (PM), particulate matter with an aerodynamic diameter less than or equal to a nominal ten micrometers (PM10), carbon monoxide (CO), and volatile organic compound (VOC) emissions from the two turbines shall not exceed the following emission rate limits:

PM	14 lb/hr	59.0 ton/yr
PM10	14 lb/hr	59.0 ton/yr
CO	106 lb/hr	240 ton/yr
VOC	3.6 lb/hr	15.2 ton/yr

1.4 Opacity Limit

Emissions from each of the turbines, or any other stack, vent, or functionally equivalent opening associated with the turbines, shall not exceed 20 percent opacity for a period or periods aggregating more than three minutes in any 60-minute period as required by IDAPA 58.01.01.625 (*Rules for the Control of Air Pollution in Idaho*). Opacity shall be determined by the procedures contained in IDAPA 58.01.01.625.

2. OPERATING REQUIREMENTS

2.1 Fuel Restrictions

Each of the turbines shall be exclusively fired by natural gas.

2.2 Hours of Operation Limits

The maximum annual hours of operation of the emissions units shall not exceed 16,848 hours in a calendar year (16,848 hr/yr).

3. MONITORING AND RECORDKEEPING REQUIREMENTS

3.1 Continuous Emissions Monitoring

3.1.1 The permittee shall install, calibrate, and operate a continuous emissions monitoring system (CEM) to monitor and record stack gas concentrations and hourly emission rates of CO from each turbine. The CO CEM shall meet all specifications and requirements of the CEM Certification Application, dated December 22, 1999, including procedures outlined in the Quality Assurance Plan, which was submitted by Avista Corporation to United States Environmental Protection Agency Region 10 (EPA) and the Department.

3.1.2 The permittee shall install, calibrate, maintain, and operate a CEM to monitor and record stack gas concentrations and pound per hour emission rates of NO_X from each turbine. The system shall conform to the requirements for NO_X CEM requirements of 40 CFR 75, including measuring the concentration of oxygen

3.2 Sulfur and Nitrogen Content in Fuel

The permittee shall monitor the sulfur and nitrogen contents in the fuel being fired in each of the turbines as required by 40 CFR 60.334(b).

3.3 Hourly Natural Gas Usage

The permittee shall monitor and record the hours of operation and hourly usage of natural gas from each of the turbines.

4. REPORTING REQUIREMENTS

4.1 Continuous Emissions Monitoring Report

The permittee shall report the CEM data as required in Section 3.1 of this permit to the Department and the EPA in a quarterly report to be received no later than 30 days after each calendar quarter.

4.2 Sulfur and Nitrogen Content Report

The permittee shall record and submit the sulfur and nitrogen contents of the fuel being fired as specified in Section 3.2 of this permit and the hourly usage of natural gas as indicated in Section 3.3 of this permit to the Department and the EPA in a quarterly report to be received no later than 30 days after each calendar quarter.

4.3 Hours of Operation Report

The permittee shall compile the hours of operation for each of the turbines in a monthly report to be kept on-site for a two-year minimum period and made available to Department representatives upon request.

4.4 Certification of Documents

All documents submitted to the Department, including, but not limited to, records, monitoring data, supporting information, requests for confidential treatment, testing reports, or compliance certifications, shall contain a certification by a responsible official. The certification shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document(s) are true, accurate, and complete.

5.3 NON-APPLICABLE STANDARDS AND REQUIREMENTS

Under the permit shield, 40 CFR section 70.6(f)(1)(ii) requires the permit to identify non-applicable requirements with a supporting explanation as to why the rule, regulation or standard is not applicable. The intent of such language is to clarify the basis for claiming exemption from or the non-applicability of federal and state requirements, and to fulfill the permit shield requirements.

5.3.1 Federal Standards and Requirements

Part II of Table 5-1 includes a listing of federal standards and requirements that are not applicable to the Rathdrum Combustion Turbine Project, along with the reason why they are not applicable. A more detailed review of non-applicable federal standards and requirements is provided on DEQ Form FRA included in Appendix A.

5.3.2 State Standards and Requirements

Part I of Table 5-1 includes a listing of state standards and requirements that are not applicable to the Rathdrum Combustion Turbine Project, along with the reason why it is not applicable.

Table 5-1

APPLICABLE REQUIREMENTS AND COMPLIANCE STATUS SUMMARY
Avista Rathdrum Combustion Turbine Project

I. Idaho Regulatory Requirements

	Emission Unit Group(s) see Sec 5.1	Citation under IDAPA 58.01.01	Applicable Requirement	Non-Applicable Reason see coding	Title, Description of Requirements or Standards, and Other Information Necessary to Determine Applicability, Implement, or Enforce Requirements	Compliance Determination Method (Record Keeping, Monitoring, Reporting, Test Method)	Compliance Yes or No	Additional Information
1.	-	000	no	H	LEGAL AUTHORITY	-	-	
2.	-	001	no	H	TITLE AND SCOPE	-	-	
3.	-	002	no	H	WRITTEN INTERPRETATIONS	-	-	
4.	-	003	no	J	ADMINISTRATIVE APPEALS	-	-	
5.	-	004	no	H	CATCHLINES	-	-	
6.	-	005	no	K	DEFINITIONS	-	-	
7.	-	006	no	K	GENERAL DEFINITIONS	-	-	
8.	-	007	no	K	DEFINITIONS FOR THE PURPOSES OF SECTIONS 200 THROUGH 228 AND 400 THROUGH 461	-	-	
9.	-	008	no	K	DEFINITIONS FOR THE PURPOSES OF SECTIONS 300 THROUGH 386 General Applicability, Tier I Sources	-	-	
10.	-	009	no	K	DEFINITIONS FOR THE PURPOSES OF 40 CFR PART 60	-	-	
11.	-	010	no	K	DEFINITIONS FOR THE PURPOSES OF 40 CFR PART 61 AND 40 CFR PART 63	-	-	
12.	-	011	no	K	DEFINITIONS FOR THE PURPOSES OF SECTIONS 790 THROUGH 799	-	-	
13.	-	106	no	K	ABBREVIATIONS	-	-	
14.	-	107	no	K	INCORPORATIONS BY REFERENCE	-	-	

	Emission Unit Group(s) see Sec 5.1	Citation under IDAPA 58.01.01	Applicable Requirement	Non-Applicable Reason see coding	Title, Description of Requirements or Standards, and Other Information Necessary to Determine Applicability, Implement, or Enforce Requirements	Compliance Determination Method (Record Keeping, Monitoring, Reporting, Test Method)	Compliance Yes or No	Additional Information
15.	G	121	yes		COMPLIANCE REQUIREMENTS BY DEQ	This section only applies if triggered by a facility action. Avista will adhere to the requirements as necessary, if triggered	yes	
16.	G	122	yes		INFORMATION ORDERS BY DEPARTMENT	This section only appliesif triggered by a facility action. Avista will adhere to the requirements as necessary, if triggered	yes	122.01 and 122.02 do not apply, only 122.03 applies.
17.	G	123	yes		CERTIFICATION OF DOCUMENTS	Avista will comply with this section as required.	yes	
18.	G	124	yes		TRUTH, ACCURACY AND COMPLETENESS OF DOCUMENTS	Avista will comply with this section as required.	yes	
19.	G	125	yes		FALSE STATEMENTS	Avista will comply with this section as required.	yes	
20.	G	126	yes		TAMPERING	Avista will comply with this section as required.	yes	
21.	G	127	yes		FORMAT OF RESPONSES	Avista will comply with this section as required.	yes	
22.	G	128	yes		CONFIDENTIAL INFORMATION	Avista will comply with this section as required.	yes	
23.	G, 1,2	130	no	K	STARTUP, SHUTDOWN, SCHEDULED MAINTENANCE, SAFETY MEASURES, UPSET AND BREAKDOWN	-	-	

	Emission Unit Group(s) see Sec 5.1	Citation under IDAPA 58.01.01	Applicable Requirement	Non-Applicable Reason see coding	Title, Description of Requirements or Standards, and Other Information Necessary to Determine Applicability, Implement, or Enforce Requirements	Compliance Determination Method (Record Keeping, Monitoring, Reporting, Test Method)	Compliance Yes or No	Additional Information
24.	G, 1,2	131 - 136	yes		EXCESS EMISSIONS; CORRECTION OF CONDITION; STARTUP, SHUTDOWN, AND SCHEDULED MAINTENANCE REQUIREMENTS; UPSET, BREAKDOWN, AND SAFETY REQUIREMENTS; EXCESS EMISSIONS REPORTS; AND EXCESS EMISSIONS RECORDS	This section only applies if triggered by a facility action. Avista will adhere to the requirements as necessary, if triggered	yes	Monitoring, recordkeeping, and reporting will be used as required by the regulations.
25.	G	140-141, 144, 148-149	yes		VARIANCE PROCEDURES and PETITIONS; OBJECTIONS; PROOF OF HARDSHIP; AND VARIANCE FROM NEW RULE	This section only applies if triggered by a facility action. Avista will adhere to the requirements as necessary, if triggered	yes	
26.	-	142-143 145-147	no	H	NOTICE; INVESTIGATION AND RECOMMENDATION; AUTHORIZATION OF HEARING; NOTICE OF HEARING, AND DECISIONS	-	-	
27.	G	155	yes		CIRCUMVENTION	Compliance will be demonstrated by certification by a responsible official of on-going compliance.	yes	
28.	G	156	yes		TOTAL COMPLIANCE	Compliance will be demonstrated by certification by a responsible official of on-going compliance.	yes	
29.	G, 1,2	157	yes		TEST METHODS PROCEDURES	Avista will submit procedures to the Department for approval as required by the Department.	yes	
30.	-	160	no	K	PROVISIONS GOVERNING SPECIFIC ACTIVITIES AND CONDITIONS	-	-	
31.	G	161	yes		TOXIC SUBSTANCES	Compliance will be demonstrated by certification by a responsible official of on-going compliance.	yes	

	Emission Unit Group(s) see Sec 5.1	Citation under IDAPA 58.01.01	Applicable Requirement	Non-Applicable Reason see coding	Title, Description of Requirements or Standards, and Other Information Necessary to Determine Applicability, Implement, or Enforce Requirements	Compliance Determination Method (Record Keeping, Monitoring, Reporting, Test Method)	Compliance Yes or No	Additional Information
32.	-	162,163	no	H	MODIFYING PHYSICAL CONDITIONS; SOURCE DENSITY	-	-	
33.	-	164	no	E	POLYCHLORINATED BIPHENYLS (PCBS) Emission Limitation or Requirement: Prohibits burning PCB containing materials, in quantities greater that five (5) ppm, except for disposal.	-	-	
34.	-	175 - 181	no	A, H	PROCEDURES AND REQUIREMENTS FOR PERMITS ESTABLISHING A FACILITY EMISSIONS CAP; FACILITY EMISSIONS CAP; APPLICATION PROCEDURES; STANDARD CONTENTS OF PERMITS ESTBLISHING FACILITY EMISSIONS CAP; PROCEDURES FOR ISSUING PERMITS ESTABLISHING A FACILITY EMISSIONS CAP	-	-	
34.	-	200-203	no	J	PROCEDURES AND REQUIREMENTS FOR PERMITS TO CONSTRUCT	-	-	
35.	-	204	no	C	PERMIT REQUIREMENTS FOR NEW MAJOR FACILITIES OR MAJOR MODIFICATIONS IN NONATTAINMENT AREAS	-	-	
37.	-	205	no	A, J	PERMIT REQUIREMENTS FOR NEW MAJOR FACILITIES OR MAJOR MODIFICATIONS IN ATTAINMENT OR UNCLASSIFIABLE AREAS	-	-	
38.	-	206	no	J	OPTIONAL OFFSETS FOR PERMITS TO CONSTRUCT	-	-	

	Emission Unit Group(s) see Sec 5.1	Citation under IDAPA 58.01.01	Applicable Requirement	Non-Applicable Reason see coding	Title, Description of Requirements or Standards, and Other Information Necessary to Determine Applicability, Implement, or Enforce Requirements	Compliance Determination Method (Record Keeping, Monitoring, Reporting, Test Method)	Compliance Yes or No	Additional Information
39.	-	207-208	no	J	REQUIREMENT FOR EMISSION REDUCTION CREDIT; DEMONSTRATION OF NET AIR QUALITY BENEFIT	-	-	
40.	G	209.01 - 209.04	no	H	PROCEDURE FOR ISSUING PERMITS	-	-	
41.	G	209.05 - 209.06	yes		PROCEDURE FOR ISSUING PERMITS - Permit to Construct Procedures for Tier I Sources & Transfer of Permits to Construct	This section only applies if triggered by a facility action. Avista will adhere to the requirements as necessary, if triggered	yes	
42.	-	210	no	J	DEMONSTRATION OF PRECONSTRUCTION COMPLIANCE WITH TOXIC STANDARDS	-	-	
43.	-	211	no	J	CONDITIONS FOR PERMITS TO CONSTRUCT	-	-	
44.	G	212	yes		OBLIGATION TO COMPLY	Compliance will be demonstrated by certification by a responsible official of on-going compliance.	yes	
45.	-	213	no	J	PRE-PERMIT CONSTRUCTION	-	-	
46.	-	214	no	J	DEMONSTRATION OF PRECONSTRUCTION COMPLIANCE FOR NEW AND RECONSTRUCTED MAJOR SOURCES OF HAZARDOUS AIR POLLUTANTS	-	-	
47.	-	215	no	J	MERCURY EMISSION STANDARD FOR NEW OR MODIFIED SOURCES	-	-	
48.	-	220	no	J	GENERAL EXEMPTION CRITERIA FOR PERMIT TO CONSTRUCT EXEMPTIONS	-	-	

	Emission Unit Group(s) see Sec 5.1	Citation under IDAPA 58.01.01	Applicable Requirement	Non-Applicable Reason see coding	Title, Description of Requirements or Standards, and Other Information Necessary to Determine Applicability, Implement, or Enforce Requirements	Compliance Determination Method (Record Keeping, Monitoring, Reporting, Test Method)	Compliance Yes or No	Additional Information
49.	-	221	no	J	CATEGORY I EXEMPTION	-	-	
50.	-	222	no	J	CATEGORY II EXEMPTION	-	-	
51.	-	223	no	J	EXEMPTION CRITERIA AND REPORTING REQUIREMENTS FOR TOXIC AIR POLLUTANT EMISSIONS	-	-	
52.	-	224	no	J	PERMIT TO CONSTRUCT APPLICATION FEE	-	-	
53.	-	225	no	J	PERMIT TO CONSTRUCT PROCESSING FEE	-	-	
54.	-	226	no	J	PAYMENT OF FEES FOR PERMITS TO CONSTRUCT	-	-	
55.	-	227	no	H	RECEIPT AND USAGE OF FEES	-	-	
56.	-	228	no	J	APPEALS	-	-	
57.	G	300	no	K	PROCEDURES AND REQUIREMENTS FOR TIER I OPERATING PERMITS General Applicability to Tier I Sources	-	-	
58.	G	301	yes		REQUIREMENT TO OBTAIN TIER I OPERATING PERMIT, General Applicability to Tier I Sources	Submittal and completeness determination serve as demonstration of compliance.	yes	
59.	-	302	no	A	OPTIONAL TIER I OPERATING PERMIT	-	-	
60.	-	311	no	K	STANDARD PERMIT APPLICATIONS, General Applicability to Tier I Sources	-	-	
61.	G	312	yes		DUTY TO APPLY, General Applicability to Tier I Sources	Submittal and completeness determination serve as demonstration of compliance.	yes	

	Emission Unit Group(s) see Sec 5.1	Citation under IDAPA 58.01.01	Applicable Requirement	Non-Applicable Reason see coding	Title, Description of Requirements or Standards, and Other Information Necessary to Determine Applicability, Implement, or Enforce Requirements	Compliance Determination Method (Record Keeping, Monitoring, Reporting, Test Method)	Compliance Yes or No	Additional Information
62.	1	313	yes		TIMELY APPLICATION, General Applicability to Tier I Sources	Submittal and completeness determination serve as demonstration of compliance.	yes	
63.	G, 1,2	314	yes		REQUIRED STANDARD APPLICATION FORM AND REQUIRED INFORMATION, General Applicability to Tier I Sources	Submittal and completeness determination serve as demonstration of compliance.	yes	
64.	G	315	yes		DUTY TO SUPPLEMENT OR CORRECT APPLICATION, General Applicability to Tier I Sources	Submittal of additional information as required	yes	
65.	-	316	no	K	EFFECT OF INACURATE INFORMATION IN APPLICATIONS OR FAILURE TO SUBMIT, General Applicability to Tier I Sources	-	-	
66.	G	317	yes		INSIGNIFICANT ACTIVITIES, General Applicability to Tier I Sources	Compliance will be demonstrated by certification by a responsible official of on-going compliance.	yes	
67.	-	321	no	K	TIER I OPERATING PERMIT CONTENT	-	-	
68.	-	322	no	H	STANDARD CONTENTS OF TIER I OPERATING PERMITS	-	-	
69.	-	325	no	H	ADDITIONAL CONTENTS OF TIER I OPERATING PERMITS - PERMIT SHIELD General Applicability to Tier I Sources	-	-	
70.	G, 1,2	332	yes		EMERGENCY AS AFFIRMATIVE DEFENSE REGARDING EXCESS EMISSIONS. General Applicability to Tier I Sources	This section only applies if triggered by a facility action. Avista will adhere to the requirements as necessary, if triggered	yes	
71.	-	335	no	A, H	GENERAL TIER I OPERATING PERMITS AND AUTHORIZATIONS TO OPERATE	-	-	

	Emission Unit Group(s) see Sec 5.1	Citation under IDAPA 58.01.01	Applicable Requirement	Non-Applicable Reason see coding	Title, Description of Requirements or Standards, and Other Information Necessary to Determine Applicability, Implement, or Enforce Requirements	Compliance Determination Method (Record Keeping, Monitoring, Reporting, Test Method)	Compliance Yes or No	Additional Information
72.	-	336	no	A, H	TIER I OPERATING PERMITS FOR TIER I PORTABLE SOURCES	-	-	
73.	-	360	no	K	STANDARD PROCESSING OF TIER I OPERATING PERMIT APPLICATIONS	-	-	
74.		361	no	H	COMPLETENESS OF APPLICATIONS	-	-	
75.	-	362	no	H	TECHNICAL MEMORANDUMS FOR TIER I OPERATING PERMITS	-	-	
76.	-	363	no	H	PREPARATION OF DRAFT PERMIT OR DRAFT DENIAL	-	-	
77.	-	364	no	H	PUBLIC NOTICES, COMMENTS AND HEARINGS	-	-	
78.	-	365	no	H	PREPARATION OF PROPOSED PERMIT OR PROPOSED DENIAL	-	-	
79.	-	366	no	H	EPA REVIEW PROCEDURES	-	-	
80.	-	367	no	H	ACTION ON APPLICATION	-	-	
81.		368	no	H	EXPIRATION OF PRECEDING PERMITS	-	-	
82.	-	369	no	H	TIER I OPERATING PERMIT RENEWAL General Applicability	-.	-	
83.	-	380	no	J	CHANGES TO TIER I OPERATING PERMITS, General Applicability to Tier I Sources	-	-	
84.	-	381	no	J	ADMINISTRATIVE PERMIT AMENDMENTS General Applicability to Tier I Sources	-	-	
85.	-	382	no	J	SIGNIFICANT PERMIT MODIFICATION General Applicability to Tier I Sources	-	-	

	Emission Unit Group(s) see Sec 5.1	Citation under IDAPA 58.01.01	Applicable Requirement	Non-Applicable Reason see coding	Title, Description of Requirements or Standards, and Other Information Necessary to Determine Applicability, Implement, or Enforce Requirements	Compliance Determination Method (Record Keeping, Monitoring, Reporting, Test Method)	Compliance Yes or No	Additional Information
86.	-	383	no	J	MINOR PERMIT MODIFICATION General Applicability to Tier I Sources	-	-	
87.	-	384	no	J	SECTION 502(B)(10) CHANGES AND CERTAIN EMISSION TRADES	-	-	
88.	-	385	no	J	OFF-PERMIT CHANGES General Applicability to Tier I Sources	-	-	
89.	-	386	no	J	REOPENING FOR CAUSE General Applicability to Tier I Sources	-	-	
90.	-	387-397	yes		REGISTRATION,REGISTRATION FEES, PAYMENT OF FEES, AND EXEMPTIONS General Applicability to Tier I Sources	Payment of fees annually as required	yes	
91.	-	400-410	no	I	PROCEDURES, REQUIREMENTS, AND FEES FOR TIER II OPERATING PERMITS	-	-	
92.	-	440	no	J	REQUIREMENTS FOR ALTERNATIVE EMISSION LIMITS (BUBBLES)	-	-	
93.	-	441	no	J	DEMONSTRATION OF AMBIENT EQUIVALENCE	-	-	
94.	-	460-461	no	J	REQUIREMENTS FOR EMISSION REDUCTION CREDITS AND BANKING	-	-	
95.	-	500	no	A	REGISTRATION PROCEDURES AND REQUIREMENTS FOR PORTABLE EQUIPMENT	-	-	
96.	-	510	no	K	STACK HEIGHTS AND DISPERSION TECHNIQUES	-	-	
97.	-	511	no	K	APPLICABILITY	-	-	
98.	-	512	no	K	DEFINITIONS	-	-	

	Emission Unit Group(s) see Sec 5.1	Citation under IDAPA 58.01.01	Applicable Requirement	Non-Applicable Reason see coding	Title, Description of Requirements or Standards, and Other Information Necessary to Determine Applicability, Implement, or Enforce Requirements	Compliance Determination Method (Record Keeping, Monitoring, Reporting, Test Method)	Compliance Yes or No	Additional Information
99.	G, 1,2	513	yes		REQUIREMENTS	Compliance will be demonstrated by certification by a responsible official of on-going compliance.	yes	
100.	-	514 - 515	no	H	OPPORTUNITY FOR PUBLIC HEARING; APPROVAL OF FIELD STUDIES AND FLUID MODELS	-	-	
101.	-	516	no	J	NO RESTRICTION ON ACTUAL STACK HEIGHT	-	-	
102.	-	517 - **527**	no	C	MOTOR VEHICLE INPECTION AND MAINTENANCE PROGRAM	-	-	
103.	G	550 - 562	yes	H, J	AIR POLLUTION EMERGENCY RULE	Avista will comply with this section as required.	NA	Only 561 applies. 550-560, 562 are procedure and requirements for DEQ. Avista has not been requested to prepare an Abatement Plan per 562 by the DEQ.
104.	-	563 - 574	no	A, H, I	TRANSPORTATION CONFORMITY	-	-	
105.	-	575-577	no	I	AIR QUALITY STANDARDS AND AREA CLASSIFICATION	-	-	
106.	-	578	no	H	DESIGNATION OF ATTAINMENT, UNCLASSIFIABLE, AND NONATTAINMENT AREAS	-	-	
107.	-	579-581	no	A, H	CLASSIFICATION OF PSD AREAS, BASELINES, AND INCREMENTS	-	-	
108.	-	582	no	C, H	INTERIM COMFORMITY PROVISIONS FOR NORTHERN ADA COUNTY FORMER NONATTAINMENT AREA FOR PM-10	-	-	

	Emission Unit Group(s) see Sec 5.1	Citation under IDAPA 58.01.01	Applicable Requirement	Non-Applicable Reason see coding	Title, Description of Requirements or Standards, and Other Information Necessary to Determine Applicability, Implement, or Enforce Requirements	Compliance Determination Method (Record Keeping, Monitoring, Reporting, Test Method)	Compliance Yes or No	Additional Information
109.	-	585-586	no	K	TOXIC AIR POLLUTANTS NON-CARCINOGENIC INCREMENTS &TOXIC AIR POLLUTANTS CARCINOGENIC INCREMENTS	-	-	
110.	-	587	no	J	LISTING OR DELISTING TOXIC AIR POLLUTANT INCREMENTS	-	-	
111.	1,2	590	yes		NEW SOURCE PERFORMANCE STANDARDS	Refer to Section **6.2.3**	yes	
112.	-	591	no	A, K	NATIONAL EMISSION STANDARDS FOR HAZARDOUS AIR POLLUTANTS	-	-	
113.	-	592 - 599	no	D	STAGE I VAPOR COLLECTION	-	-	
114.	G	600-**603**	yes		RULES FOR CONTROL OF OPEN BURNING	Recordkeeping- Avista will record the fuel type and duration of any open burning	yes	
115.	-	606-623	no	A, G, J	CATEGORIES OF ALLOWABLE BURNING.	-	-	
116.	-	624	no	G	SPOT BURN, BALED AGRICULTURAL RESIDUE BURN, AND PROPANE FLAMING PERMITS	-	-	
117.	G, 1,2	625	yes		VISIBLE EMISSIONS A person shall not emit an air pollutant from any point of emission for a period or periods aggregating more that 3 minutes in any 60 minute period which is greater that 20% opacity.	Avista will demonstrate compliance by combusting exclusively pipeline quality natural gas.	yes	
118.	-	626	no	A	GENERAL RESTRICTIONS ON VISIBLE EMISSIONS FROM WIGWAM BURNERS	-	-	

	Emission Unit Group(s) see Sec 5.1	Citation under IDAPA 58.01.01	Applicable Requirement	Non-Applicable Reason see coding	Title, Description of Requirements or Standards, and Other Information Necessary to Determine Applicability, Implement, or Enforce Requirements	Compliance Determination Method (Record Keeping, Monitoring, Reporting, Test Method)	Compliance Yes or No	Additional Information
119.	G	650-651	yes		RULES FOR CONTROL OF FUGITIVE DUST Reasonable precautions required to be taken to prevent the generation of fugitive dust.	The Avista facility was designed to minimize fugitive dust. Traveled areas are paved. Compliance will be demonstrated by periodic visual inspection, recordkeeping, and reporting.	yes	
120.	-	652	no	A	AGRICULTURAL ACTIVITIES	-	-	
121.	-	665 - 668	no	H	REGIONAL HAZE RULES	-	-	
122.	-	675	no	K	FUEL BURNING EQUIPMENT Facility operates fuel burning equipment.	-	-	
123.	1, 2	676	yes		STANDARDS FOR NEW SOURCES	Referenced test methods and procedures will be used when required by the DEQ	-	
124.	-	677	no	A	STANDARDS FOR MINOR AND EXISTING SOURCES Applies to sources in operation prior to Oct. 1, 1979.	-	-	
125.	-	678-680	no	J	COMBINATIONS OF FUELS	-	-	
126.	1, 2	681	yes		TEST METHODS AND PROCEDURES	Referenced test methods and procedures will be used when required by the DEQ	yes	
127.	-	700	no	A	PARTICULATE MATTER -- PROCESS WEIGHT LIMITATIONS.	-	-	
128.	-	701	no	A	PARTICULATE MATTER -- NEW EQUIPMENT PROCESS WEIGHT LIMITATIONS	-	-	
129.	-	702	no	A	PARTICULATE MATTER -- EXISTING EQUIPMENT PROCESS WEIGHT LIMITATIONS	-	-	

	Emission Unit Group(s) see Sec 5.1	Citation under IDAPA 58.01.01	Applicable Requirement	Non-Applicable Reason see coding	Title, Description of Requirements or Standards, and Other Information Necessary to Determine Applicability, Implement, or Enforce Requirements	Compliance Determination Method (Record Keeping, Monitoring, Reporting, Test Method)	Compliance Yes or No	Additional Information
130.	-	703	no	A	PARTICULATE MATTER – OTHER PROCESSES	-	-	
131.	-	725	no	E	RULES FOR SULFUR CONTENT OF FUELS General Applicability	-	-	
132.	-	750-751	no	A,B	RULES FOR CONTROL OF FLUORIDE EMISSIONS	-	-	
133.	-	760 - 764	no	A	RULES FOR THE CONTROL OF AMMONIA FROM DAIRY FARMS	-		
134.	G	775-776	yes		RULES FOR CONTROL OF ODORS General Applicability	Compliance will be demonstrated by certification by a responsible official of on-going compliance.	yes	Maintain a log of public complaints
135.	-	785-787	no	A	RULES FOR CONTROL OF INCINERATORS	-	-	
136.	-	790-799	no	A	RULES FOR CONTROL OF NONMETALLIC MINERAL PROCESSING PLANTS	-	-	
137.	-	800-802	no	A, D, H	FEES, PAYMENTS AND USES OF FEES FOR PERMIT BY RULE SOURCES	-	-	
138.	-	805-808	no	A	RULES FOR CONTROL OF HOT-MIX ASPHALT PLANTS	-	-	
139.	-	815-818	no	A	RULES FOR CONTROL OF KRAFT PULP MILLS	-	-	
140.	-	835-839	no	A	RULES FOR CONTROL OF RENDERING PLANTS	-	-	
141.	-	845-848	no	A	RULES FOR CONTROL OF SULFUR OXIDE EMISSIONS FROM SULFURIC ACID PLANTS	-	-	

	Emission Unit Group(s) see Sec 5.1	Citation under IDAPA 58.01.01	Applicable Requirement	Non-Applicable Reason see coding	Title, Description of Requirements or Standards, and Other Information Necessary to Determine Applicability, Implement, or Enforce Requirements	Compliance Determination Method (Record Keeping, Monitoring, Reporting, Test Method)	Compliance Yes or No	Additional Information
142.	-	855-858	no	A	COMBINED ZINC AND LEAD SMELTERS	-	-	
143.	-	859-860	no	A	STANDARDS OF PERFORMANCE AND EMISSION GUIDELINES FOR MUNICIPAL SOLID WASTE LANDFILLS	-	-	

II. Federal Regulatory Requirements

	Emissions Unit Group(s) see Section 5.2	Citation under Federal Regulations	Applicable Requirement	Non-Applicable Reason see coding	Description of Requirements or Standards, and Other Information Necessary to Determine Applicability, Implement, or Enforce Requirements	Compliance Method Required (Record Keeping, Monitoring, Reporting, Test Method	Compliance Yes or No	Additional Information
1.	-	40 CFR Part 50	no	K	National Primary and Secondary Ambient Air Quality Standards	-	-	
2.	-	40 CFR Part 51	no	H	Requirements for Preparation, Adoption, and Submittal of Implementation Plans	-	-	
3.	-	40 CFR Part 52	no	H	Approval and Promulgation of Implementation Plans	-	-	
4.		40 CFR Part 53	no	G	Ambient Air Monitoring Reference and Equivalent Methods	-	-	
5.		40 CFR Part 54	no	J	Prior Notice of Citizen Suits	-	-	
6.	-	40 CFR Part 55	no	C	Outer Continental Shelf Air Regulations	-	-	
7.	-	40 CFR Part 56	no	H	Regional Consistency	-	-	
8.	-	40 CFR Part 57	no	A	Primary Nonferrous Smelter Orders	-	-	
9.	-	40 CFR Part 58	no	H	Ambient Air Quality Surveillance	-	-	
10.	-	40 CFR Part 59	no	A	National Volatile Organic Compound Emission Standards For Consumer And Commercial Products	-	-	
11.	1, 2	40 CFR Part 60	yes		Standards of Performance for New Stationary Sources	Monitoring of sulfur content in natural gas, recordkeeping of hours of operation and CEMS	yes	40 CFR 60, Subpart GG is applicable. Only applies to the gas turbines
12.	-	40 CFR Part 61	no	A, B	National Emission Standards for Hazardous Air Pollutants	-	-	
13.								

	Emissions Unit Group(s) see Section 5.2	Citation under Federal Regulations	Applicable Requirement	Non-Applicable Reason see coding	Description of Requirements or Standards, and Other Information Necessary to Determine Applicability, Implement, or Enforce Requirements	Compliance Method Required (Record Keeping, Monitoring, Reporting, Test Method	Compliance Yes or No	Additional Information
14.	-	40 CFR Part 62	no	H	Approval and Promulgation of State Plans for Designated Facilities and Pollutants	-	-	
15.	-	40 CFR Part 63	no	A, D	National Emission Standards for Hazardous Air Pollutants for Source Categories	-	-	
16.		40 CFR Part 64	no	D	Compliance Assurance Monitoring	-	-	
17.		40 CFR Part 65	no	G	Consolidated Federal Air Rule	-	-	
18.	-	40 CFR Part 66	no	H	Assessment and Collection of Noncompliance Penalties by EPA	-	-	
19.	-	40 CFR Part 67	no	H	EPA Approval of State Noncompliance Penalty Program	-	-	
20.	-	40 CFR Part 68	no	J	Chemical Accident Prevention Provisions	-	-	
21.		40 CFR Part 69	no	J	Special Exemptions from Requirements of the Clean Air Act	-	-	
22.	-	40 CFR Part 70	no	H	State Operating Permit Programs	-	-	The requirements of Part 70 have been incorporated into the DEQ's Tier I Permit program and requirements
23.	-	40 CFR Part 71	no	H	Federal Operating Permit Programs	-	-	
24.	1, 2	40 CFR Part 72	yes		Permits Regulation	Avista has obtained an Acid Rain permit.	yes	

	Emissions Unit Group(s) see Section 5.2	Citation under Federal Regulations	Applicable Requirement	Non-Applicable Reason see coding	Description of Requirements or Standards, and Other Information Necessary to Determine Applicability, Implement, or Enforce Requirements	Compliance Method Required (Record Keeping, Monitoring, Reporting, Test Method	Compliance Yes or No	Additional Information
25.	-	40 CFR Part 73	yes		Sulfur Dioxide Allowance System	Avista will obtain necessary allowances to comply with the requirements	-	Records of allowances will be maintained
26.	-	40 CFR Part 74	no	G	Sulfur Dioxide Opt-ins	-	-	
27.	1, 2	40 CFR Part 75	yes		Continuous Emission Monitoring	Avista currently maintains and operates a NOx monitoring system to comply with this part. Reporting is per DEQ and EPA requirements.	yes	
28.	1, 2	40 CFR Part 76	yes		Acid Rain Nitrogen Oxides Emission Reduction Program	Avista has obtained a Phase II Acid Rain Permit	-	
29.		40 CFR Part 77	no	J	Excess Emissions	-	-	
30.	-	40 CFR Part 78	no	J	Appeal Procedures for Acid Rain Program	-	-	
31.	-	40 CFR Part 79	no	A	Registration of Fuels and Fuel Additives	-	-	
32.	-	40 CFR Part 80	no	A	Regulation of Fuels and Fuel Additives	-	-	
33.	-	40 CFR Part 81	no	H	Designation of Areas for Air Quality Planning Purposes	-	-	
34.	-	40 CFR Part 82	no	A	Protection of Stratospheric Ozone	-	-	
35.	-	40 CFR Part 85	no	A	Control of Air Pollution From Mobile Sources	-	-	
36.	-	40 CFR Part 86	no	A	Control of Emissions From New and In-use Highway Vehicles and Engines	-	-	

	Emissions Unit Group(s) see Section 5.2	Citation under Federal Regulations	Applicable Requirement	Non-Applicable Reason see coding	Description of Requirements or Standards, and Other Information Necessary to Determine Applicability, Implement, or Enforce Requirements	Compliance Method Required (Record Keeping, Monitoring, Reporting, Test Method	Compliance Yes or No	Additional Information
37.	-	40 CFR Part 87	no	A	Control of Air Pollution From Aircraft and Aircraft Engines	-	-	
38.	-	40 CFR Part 88	no	A	Clean Fuel Vehicles	-	-	
39.	-	40 CFR Part 89	no	A	Control Of Emissions From New And In-Use Nonroad Compression-Ignition Engines	-	-	
40.	-	40 CFR Part 90	no	A	Control Of Emissions From Nonroad Spark-Ignition Engines At or Below 19 Kilowatts	-	-	
41.	-	40 CFR Part 91	no	A	Control Of Emissions From Marine Spark-Ignition Engines	-	-	
42.	-	40 CFR Part 92	no	A	Control Of Air Pollution From Locomotives And Locomotive Engines	-	-	
43.	-	40 CFR Part 93	no	H	Determining Conformity Of Federal Actions To State Or Federal Implementation Plans	-	-	
44.	-	40 CFR Part 94	no	A	Control Of Emissions From Marine Compression-Ignition Engines	-	-	
45.	-	40 CFR Part 95	no	H	Mandatory Patent Licenses	-	-	
46.	-	40 CFR Part 96	no	A	Nox Budget Trading Program For State Implementation Plans			
47.	-	40 CFR Part 97	no	H	Federal Nox Budget Trading Program	-	-	
48.	-	40 CFR Part 98	no	K	Mandatory Greenhouse Gas Reporting	-	-	

CODING FOR NON-APPLICABILITY DETERMINATION

A - Facility is not in this source category

B- Pollutant is not emitted by this source

C - Facility is not located in a special control/nonattainment area

D - Facility does not have this emission unit

E - Facility does not use this fuel type

F - Facility was constructed in 1994, and no changes or modifications have been made to this facility to trigger this/these requirement[s]

G - Method or procedure not used by this facility

H - Requirements apply to regulatory authorities

I - Regulation is not applicable to Tier I sources

J - Currently there are no projects or circumstances existing that would subject the Rathdrum Combustion Project to this/these provision[s], however, we reserve the right to use these provisions in the future if circumstances arise.

K - Other

Table 5-2

EXPLANATION OF REASONS FOR NON-APPLICABLE REQUIREMENTS WITH REASON CODE 'K'

Idaho Regulation No.	Code 'K' Reason
005	This section relates only to policy, purpose, or definition. There are no requirements to comply with.
006	This section relates only to policy, purpose, or definition. There are no requirements to comply with.
007	This section relates only to policy, purpose, or definition. There are no requirements to comply with.
008	This section relates only to policy, purpose, or definition. There are no requirements to comply with.
009	This section relates only to policy, purpose, or definition. There are no requirements to comply with.
010	This section relates only to policy, purpose, or definition. There are no requirements to comply with.
011	This section relates only to policy, purpose, or definition. There are no requirements to comply with.
106	This section contains abbreviations or relates to incorporation by reference. There are no requirements to comply with.
107	This section contains abbreviations or relates to incorporation by reference. There are no requirements to comply with.
130	This section relates only to policy, purpose, or definition. There are no requirements to comply with.
160	This section relates only to policy, purpose, or definition. There are no requirements to comply with.
300	This section relates only to policy, purpose, or definition. There are no requirements to comply with.

Table 5-2

EXPLANATION OF REASONS FOR NON-APPLICABLE REQUIREMENTS WITH REASON CODE 'K'

311	This section relates only to policy, purpose, or definition. There are no requirements to comply with.
316	This section relates only to policy, purpose, or definition. There are no requirements to comply with.
321	This section relates only to policy, purpose, or definition. There are no requirements to comply with.
360	This section relates only to policy, purpose, or definition. There are no requirements to comply with.
510	This section relates only to policy, purpose, or definition. There are no requirements to comply with.
511	This section relates only to applicability. There are no requirements to comply with.
512	This section relates only to policy, purpose, or definition. There are no requirements to comply with.
525	This section relates only to policy, purpose, or definition. There are no requirements to comply with.
526	This section relates only to applicability. There are no requirements to comply with.
585-586	Avista has complied with these rules in the past but they are currently not an applicable requirement that requires continual demonstration of compliance. They may be triggered by a facility action in the future and if so Avista will comply with the requirements.
591	Avista is not a major source of HAPs. Therefore the requirements do not apply.
675	This section relates only to policy, purpose, or definition. There are no requirements to comply with.

Table 5-2

EXPLANATION OF REASONS FOR NON-APPLICABLE REQUIREMENTS WITH REASON CODE 'K'

Federal Regulation

40 CFR Part 50	NAAQS are not an applicable requirement for permanent source seeking a Tier I permit
40 CFR Part 98	Part 98 is not an applicable requirement for the Idaho Tier I permit program. However, it is a federal reporting requirement that is applicable to the Rathdrum Combustion Turbine Project.

IDAPA 58.01.01.314.9 and 10 require the applicant to provide a certification of current and continued compliance, a submittal schedule for compliance certifications, and a description of the methods used for determining compliance.

6.1 COMPLIANCE CERTIFICATION

The Rathdrum Combustion Turbine Project is in compliance with all applicable requirements affecting the facility as a whole as well as the specific emissions units located at the facility. The Rathdrum Combustion Turbine Project will continue to be in compliance with applicable requirements for which it is in compliance, and will, in a timely manner or at such a schedule expressly required by the applicable requirement, meet additional applicable requirements that become effective during the permit term.

The submittal of compliance certifications during the five (5)-year term of the Operating Permit will occur semi-annually and annually.

6.2 METHODS FOR ASSESSING COMPLIANCE

The methods to be used by Avista in assessing compliance with the applicable requirements include compliance testing, monitoring, recordkeeping and reporting. Compliance will be continuous, while the methods used to assess compliance may be intermittent.

This section describes the monitoring, recording, recordkeeping, and reporting methods used in assessing compliance with the applicable requirements, emission standards, and emission limitations.

6.2.1 Emission Unit G (Facility-Wide) Requirements

The methods for determining compliance with those requirements in IDAPA 58.01.01 identified as being applicable to the general facility (Unit G) in Table 5-1 are described in Table 5-1.

All combustion emission sources at the facility use pipeline quality natural gas as fuel. Use of only natural gas as fuel results in emissions being less than the regulatory limits. Avista will demonstrate compliance with the visible emissions (58.01.01.625) by exclusively combusting

natural gas and conducting quarterly facility-wide inspections of potential sources of visible emissions. Records will be maintained as to the type of fuel used at the facility and of the inspections. Compliance with Rules for Control of Fugitive Dust regulations (58.01.01.650-651) will be demonstrated by reasonably controlling fugitive emissions, maintaining records of all fugitive dust complaints received, taking appropriate corrective actions after receipt of a valid complaint, conducting quarterly facility-wide inspections of potential sources of visible emissions, and maintaining sufficient records to assure compliance with the requirements. Compliance with the Rules for Control of Odors (58.01.01.775-776) will be demonstrated by maintaining records of all odor complaints received and if the complaint has merit, by taking appropriate corrective action as expeditiously as practicable.

Avista will demonstrate compliance with other requirements in 58.01.01 including: Circumvention (155), Total Compliance (156), Toxic Substances (161), and Requirements (513) by certification of a responsible official of on-going compliance. Compliance with Excess Emissions (131-136) and Rules for Control of Open Burning (600-608) will be demonstrated by maintaining sufficient records to assure compliance with the requirements.

There are also numerous requirements in 58.01.01 that would apply to the facility only if triggered by a facility action. For these requirements, Avista will comply with applicable requirements, as required by the regulation, if the requirement is triggered. To demonstrate compliance Avista will review facility operation to determine that there have been no changes that affect the compliance status for these requirements.

Avista will review insignificant activities annually to determine that these activities are in compliance with applicable requirements and, as applicable, that they are within the designated size or production rates.

6.2.2 Emission Units 1 and 2 Requirements

The methods for determining compliance with those requirements in IDAPA 58.01.01 identified as being applicable to Turbines No. 1 and 2 (Emission Units 1 and 2) in Table 5-1 are described in Table 5-1.

The applicable requirements that are specific to the turbines are primarily related to combustion emissions. The turbines at the facility are exclusively fired with pipeline quality natural gas. Exclusive use of natural gas as fuel results in emissions being less than the regulatory limits.

Avista will demonstrate compliance with the visible emissions (58.01.01.625) by exclusively combusting natural gas. Records will be maintained as to the type of fuel used by the turbines.

Emissions of NO_x and CO are above major source thresholds. Emissions of other pollutants are below their respective major source thresholds.

For purposes of demonstrating compliance with permit limits, Avista will use CEMs data for NO_x and CO, and will use emission factors or other relationships and actual fuel consumption or hours of operation to estimate emissions.

6.2.3 Monitoring And Compliance Demonstration

<u>SO_2 and Fuel-Bound Nitrogen (NSPS)</u>

SO_2 emissions are below the major source category thresholds. The NSPS at 40 CFR 60 Subpart GG, however, imposes certain NSPS monitoring requirements. Avista will use the method described in section 60.334(h)(3) to demonstrate compliance.

In accordance Subpart GG Avista will not monitor fuel-bound nitrogen since it has not elected to apply a NOx allowance for fuel-bound nitrogen.

<u>Carbon Monoxide Stack Gas Monitoring</u>

To comply with Monitoring requirement 3.1.1 of PTC No. 055-00040, Avista operates CEM systems for monitoring and recording CO stack gas concentrations from each turbine. The CEMs conform to the requirements and specifications of the most recent Quality Assurance Plan which covers CO CMMS. CEM data will be submitted to the Department and EPA in a calendar quarterly report.

<u>Nitrogen Oxides Stack Gas Monitoring</u>

To comply with Monitoring requirement 3.1.2 of PTC No. 055-00040, Avista operates CEM systems for monitoring and recording NO_x stack gas concentrations from each turbine. The CEMs conform to the requirements and specifications of 40 CFR Part 75 which meet or exceed those of 40 CFR Part 60. The monitors are calibrated on at least an annual basis. CEM data will be submitted to the Department and EPA in a calendar quarterly report.

NO_x Permit Emission Limits

Compliance with NSPS and permit emission limits will be demonstrated using NO_x CEMs data, or other approved monitoring system data. Emission calculation methods will conform to the requirements of 40 CFR Part 75. CEM data will be submitted to the Department and EPA in a calendar quarterly report.

CO Permit Emission Limits

Compliance with permit limits will be demonstrated using CO CEMs data, or other approved monitoring system data. Emission calculation methods will conform to the requirements of 40 CFR Part 60. CEM data will be submitted to the Department and EPA in a calendar quarterly report.

SO_2 Permit Emission Limits

Compliance with permit limits will be demonstrated using hours of operation and fuel consumption-based emission factors approved by the EPA Acid Rain Division for natural gas firing. Emission calculation methods will conform to the requirements of 40 CFR Part 75.

PM/PM_{10} Permit Emission Limits

Compliance with permit limits will be demonstrated by exclusive firing by natural gas and computing emissions based on hours of operation (units are lb/hr). Emissions will be calculated using the manufacturer's PM emission factor (refer to attachment in Appendix B). Avista will also record operating hours for compliance demonstration.

VOC Permit Emission Limits

Compliance with permit limits will be demonstrated by computing emissions based on hours of operation (units are lb/hr). Emissions will be calculated using the manufacturer's VOC emission factor (refer to attachment in B). Avista will record operating hours for compliance demonstration.

Visible Emissions

Compliance with visible emissions standard of 20% will be demonstrated by recordkeeping of fuel type. Use of natural results in compliance with the opacity requirements. Continued use of natural gas will ensure compliance.

Natural Gas Usage

To comply with the requirements of PTC No. 055-00040 Monitoring requirement 3.3, Avista monitors and records the amount of natural gas used by each of the turbines.

Hours of Operation

In order to comply with the limitation on the hours of operation for total turbine operation, the hours of operation of each turbine are recorded.

6.2.4 Recordkeeping

Avista maintains the following records and information on file: hours of operation of each turbine, quantities of natural gas used by each of the turbines, results of calibrations of CO, O_2, and NOx monitors, excess emissions log, and the results of initial compliance testing. Additionally, records of any fugitive dust and odor complaints are maintained. This information is available to DEQ personnel upon request.

6.2.5 Reporting and Notifications

Avista provides the following notification and reports to the DEQ and/or to EPA Region 10 on a regular or "as-needed" basis:

- Applicable notifications on an as-needed basis as required by 40 CFR 60, Subpart A, 60.7;

- Reporting of NO_x and CO CEM data as required by 40 CFR Part 60 on a quarterly basis and excess emissions reporting (if needed);

- Notification of compliance testing;

- Compliance test protocols;

- Compliance test reports; and

- Report of excess emissions for elevated levels (above 0.8 percent by weight) of sulfur in the natural gas fuel as required by 40 CFR 60, Subpart A, 60.7. The reporting frequency is semi-annual, provided that excess emissions have occurred during the reporting period.

APPENDIX A
DEQ APPLICATION FORMS

DEQ AIR QUALITY PROGRAM
1410 N. Hilton, Boise, ID 83706
For assistance, call the
Air Permit Hotline – 1-877-5PERMIT

Cover Sheet for Air Permit Application – Tier I **Form CSTI**

Revision 5
08/28/08

Please see instructions on page 2 before filling out the form.

COMPANY NAME, FACILITY NAME, AND FACILITY ID NUMBER

1. Company Name	Avista Corporation		
2. Facility Name	Rathdrum Combustion Turbine Project	3. Facility ID No.	055-00040
4. Brief Project Description - One sentence or less	Tier I renewal for two natural gas fired trubines		

PERMIT APPLICATION TYPE

5. ☐ Initial Tier I ☐ Tier I Administrative Amendment ☐ Tier I Minor Modification ☐ Tier I Significant Modification
☒ Tier I Renewal: Permit No.: T1-2010.0149 Date Issued: April 22, 2011

FORMS INCLUDED

Included	N/A	Forms		DEQ Verify
☒	☐	Form CSTI – Cover Sheet		☐
☒	☐	Form GI – Facility Information		☐
☒	☐	Form EU0 – Emissions Units General		☐
☐	☒	Form EU1– Industrial Engine Information	Please specify number of EU1s attached: _____	☐
☐	☒	Form EU2– Nonmetallic Mineral Processing Plants	Please specify number of EU2s attached: _____	☐
☐	☒	Form EU3– Spray Paint Booth Information	Please specify number of EU3s attached: _____	☐
☐	☒	Form EU4– Cooling Tower Information	Please specify number of EU4s attached: _____	☐
☐	☒	Form EU5 – Boiler Information	Please specify number of EU5s attached: _____	☐
☐	☒	Form CBP– Concrete Batch Plant	Please Specify number of CBPs attached: _____	☐
☐	☒	Form HMAP – Hot Mix Asphalt Plant	Please specify number of HMAPs attached:	☐
☐	☒	PERF – Portable Equipment Relocation Form		☐
☐	☒	Form BCE– Baghouses Control Equipment		☐
☐	☒	Form SCE– Scrubbers Control Equipment		☐
☐	☒	Form VSCE – Venturi Scrubber Control Equipment		☐
☐	☒	Form ESP – Electrostatic Precipitator		☐
☐	☒	Form AO – Afterburner/Oxidizer		☐
☐	☒	Form CYS – Cyclone Separator		☐
☐	☒	Form CA – Carbon Adsorber		☐
☒	☐	Forms EI-CP1 - EI-CP4– Emissions Inventory– criteria pollutants	(Excel workbook, all 4 worksheets)	☐
☐	☒	Form CAM – Compliance Assurance Monitoring		☐
☒	☐	Form FRA – Federal Regulation Applicability		☐

DEQ AIR QUALITY PROGRAM
1410 N. Hilton, Boise, ID 83706
For assistance, call the
Air Permit Hotline: 1-877-5PERMIT

General Information **Form GI**
Revision 7
6/29/12

Please see instructions on back page before filling out the form. All information is required. If information is missing, the application will not be processed.

Identification

1. Facility name Avista Corporation

2. Existing facility identification number 055-00040

☐ **Check if new facility (not yet operating)**

3. Brief project description Tier I renewal for two natural gas fired turbines

Facility Information

4. Primary facility permitting contact name Kevin Booth **Contact type** Facility permitting contact

Telephone number 509-495-4738 **E-mail** kevin.booth@avistacorp.com

5. Alternate facility permitting contact name Darrell Soyars **Alternate contact type** Facility permitting contact

Telephone number 509-495-2860 **E-mail** darrell.soyars@avistacorp.com

6. Mailing address where permit will be sent (street/city/county/state/zip code) Avista Corp. PO Box 3727, Spokane, Spokane Co., WA 99220-3727

7. Physical address of permitted facility (if different than mailing address) (street/ city/county/state/zip code) 5999 W Boekel Rd, Rathdrum, Kootenai Co., ID 83858

8. Is the equipment portable? ☐ **Yes*** ☒ **No** ***If yes, complete and attach PERF; see instructions.**

9. NAICS codes: Primary NAICS 4911 **Secondary NAICS**

10. Brief business description and principal product produced Generation of electricity

11. Identify any adjacent or contiguous facility this company owns and/or operates Rathdrum electrical substation

12. Specify type of application ☐ **Permit to construct (PTC); application fee of $1,000 required. See instructions.**

☒ **Tier I permit** ☐ **Tier II permit** ☐ **Tier II/Permit to construct**

For Tier I permitted facilities only: If you are applying for a PTC then you must also specify how the PTC will be incorporated into the Tier I permit.

☐ **Co-process Tier I modification and PTC** ☐ **Incorporate PTC at the time of Tier I renewal** ☐ **Administratively amend the Tier I permit to incorporate the PTC upon applicant's request (IDAPA 58.01.01.209.05.a, b, or c)**

Certification

In accordance with IDAPA 58.01.01.123 (Rules for the Control of Air Pollution in Idaho), I certify based on information and belief formed after reasonable inquiry, the statements and information in the document(s) are true, accurate, and complete.

13. Responsible official's name Dennis Vermillion **Official's title** President, Avista Utilities

Official's address 1411 E. Mission, Spokane WA 99220-3727

Telephone number 509-495-4752 **E-mail** dennis.vermillion@avistacorp.com

Official's signature [signature] **Date** 9/30/15

☒ **14. Check here to indicate that you want to review the draft permit before final issuance.**

DEQ AIR QUALITY PROGRAM
1410 N. Hilton, Boise, ID 83706
For assistance, call the
Air Permit Hotline – 1-877-5PERMIT

Emissions Unit - General **Form EU0**
Revision 4
08/28/08

*Please see instructions on page **Error! Bookmark not defined.** before filling out the form.*

IDENTIFICATION

1. Company Name:	2. Facility Name:	3. Facility ID No:
Avista Corporation	Rathdrum Combustion Turbine Project	055-00040

4. Brief Project Description:	Tire I renewal for two natural gas fired turbines

EMISSIONS UNIT (PROCESS) IDENTIFICATION & DESCRIPTION

5. Emissions Unit (EU) Name:	UNIT 1
6. EU ID Number:	EU-1
7. EU Type:	☐ New Source ☐ Unpermitted Existing Source ☐ Modification to a Permitted Source -- Previous Permit #: Date Issued: 8/6/1993 Existing Source
8. Manufacturer:	GENERAL ELECTRIC
9. Model:	PG7111EA
10.. Maximum Capacity:	83.5 MW
11. Date of Construction:	1994
12. Date of Modification (if any):	
13. Is this a Controlled Emission Unit?	☐ No ☒ Yes If Yes, complete the following section. If No, go to line 22.

EMISSIONS CONTROL EQUIPMENT

14. Control Equipment Name and ID:	Dry Low-NOx Combustor
15. Date of Installation:	1994 16. Date of Modification (if any):
17. Manufacturer and Model Number:	GE PG7111EA
18. ID(s) of Emission Unit Controlled:	EU-1
19. Is operating schedule different than emission units(s) involved?	☐ Yes ☒ No
20. Does the manufacturer guarantee the control efficiency of the control equipment?	☐ Yes ☒ No (If Yes, attach and label manufacturer guarantee)

	POLLUTANT CONTROLLED					
	PM	PM10	SO_2	NOx	VOC	CO
Control Efficiency						

21. If manufacturer's data is not available, attach a separate sheet of paper to provide the control equipment design specifications and performance data to support the above mentioned control efficiency.

EMISSION UNIT OPERATING SCHEDULE (hours/day, hours/year, or other)

22. Actual Operation:	VARIABLE - PEAKING UNIT
23. Maximum Operation:	16,848 HOURS/YEAR - TOTAL HOURS FOR EU-1 AND EU-2

REQUESTED LIMITS

24. Are you requesting any permit limits?	☐ Yes ☐ No (If Yes, indicate all that apply below)
☒ Operation Hour Limit(s):	16,848 HOURS/YEAR - TOTAL HOURS FOR EU-1 AND EU-2
☐ Production Limit(s):	
☐ Material Usage Limit(s):	
☐ Limits Based on Stack Testing:	Please attach all relevant stack testing summary reports
☐ Other:	
25. Rationale for Requesting the Limit(s):	OPERATIONAL FLEXIBILITY

DEQ AIR QUALITY PROGRAM
1410 N. Hilton, Boise, ID 83706
For assistance, call the
Air Permit Hotline – 1-877-5PERMIT

Emissions Unit - General **Form EU0**
Revision 4
08/28/08

*Please see instructions on page **Error! Bookmark not defined.** before filling out the form.*

IDENTIFICATION

1. Company Name:	2. Facility Name:	3. Facility ID No:
Avista Corporation	Rathdrum Combustion Turbine Project	055-00040
4. Brief Project Description:	Tire I renewal for two natural gas fired turbines	

EMISSIONS UNIT (PROCESS) IDENTIFICATION & DESCRIPTION

5.	Emissions Unit (EU) Name:	UNIT 2
6.	EU ID Number:	EU-2
7.	EU Type:	☐ New Source ☐ Unpermitted Existing Source ☐ Modification to a Permitted Source -- Previous Permit #: Date Issued: 8/6/1993 Existing Source
8.	Manufacturer:	GENERAL ELECTRIC
9.	Model:	PG7111EA
10..	Maximum Capacity:	83.5 MW
11.	Date of Construction:	1994
12.	Date of Modification (if any):	
13.	Is this a Controlled Emission Unit?	☐ No ☒ Yes If Yes, complete the following section. If No, go to line 22.

EMISSIONS CONTROL EQUIPMENT

14. Control Equipment Name and ID:	Dry Low-NOx Combustor
15. Date of Installation:	1994 16. Date of Modification (if any):
17. Manufacturer and Model Number:	GE PG7111EA
18. ID(s) of Emission Unit Controlled:	EU-2
19. Is operating schedule different than emission units(s) involved?	☐ Yes ☒ No
20. Does the manufacturer guarantee the control efficiency of the control equipment?	☐ Yes ☒ No (If Yes, attach and label manufacturer guarantee)

	POLLUTANT CONTROLLED					
	PM	PM10	SO_2	NOx	VOC	CO
Control Efficiency						

21. If manufacturer's data is not available, attach a separate sheet of paper to provide the control equipment design specifications and performance data to support the above mentioned control efficiency.

EMISSION UNIT OPERATING SCHEDULE (hours/day, hours/year, or other)

22.	Actual Operation:	VARIABLE - PEAKING UNIT
23.	Maximum Operation:	16,848 HOURS/YEAR - TOTAL HOURS FOR EU-1 AND EU-2

REQUESTED LIMITS

24.	Are you requesting any permit limits?	☐ Yes ☐ No (If Yes, indicate all that apply below)
	☒ Operation Hour Limit(s):	16,848 HOURS/YEAR - TOTAL HOURS FOR EU-1 AND EU-2
	☐ Production Limit(s):	
	☐ Material Usage Limit(s):	
	☐ Limits Based on Stack Testing:	Please attach all relevant stack testing summary reports
	☐ Other:	
25.	Rationale for Requesting the Limit(s):	OPERATIONAL FLEXIBILITY

STATE OF IDAHO
DEPARTMENT OF
ENVIRONMENTAL QUALITY

Version 1, August 2010

Facility Wide Potential to Emit Emission Inventory
Application Template and Instructions

For new stationary sources provide the facility's potential to emit for all NSR Regulated Air Pollutants. The potential to emit provided here must match the emissions rates which are requested to be permitted.
For modifications to existing facilities (including the addition of new emissions units), if the existing facility classification is in question an existing facility wide potential to emit emission inventory will be required to be submitted[1]. Contact DEQ to determine if a facility wide emission inventory for the existing facility is required.

All emissions inventories must be submitted with thorough documentation. The emission inventories will be subjected to technical review. Therefore, prepare your application with sufficient documentation so that the public and DEQ can verify the validity of the emission estimates. **Applications submitted without sufficient documentation are incomplete. Follow the instructions provided on page 2; do not proceed until you have read the instructions.**

Applicants must use the Potential to Emit Summary table provided below.

Table 1. POTENTIAL TO EMIT FOR NSR REGULATED POLLUTANTS

Emissions Unit	NOx	CO	SO_2	PM	PM-10 (PM-2.5)*	VOC	$CO2_e$
	T/yr	T/yr	T/yr	T/yr	T/yr	T/yr	T/yr
Point Sources							
EU-1 & EU-2**	**104**	**106**	**6**	**14**	**14**	**3.6**	**953,280**
XXX	0.00	0.00	0.00	0.00	0.00	0.00	0.00
XXX	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Fugitive Sources *{For listed source categories only, see item 3 below in the instructions}*							
XXX	0.00	0.00	0.00	0.00	0.00	0.00	0.00
XXX	0.00	0.00	0.00	0.00	0.00	0.00	0.00
XXX	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Totals	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**

* PM-10 and PM 2.5 emissions are the same.
** Emissions are for the combined operation of EU-1 and EU-2 (turbine Unit 1 and turbine Unit 2)
a) NSR Regulated air Pollutants are defined[2] as: Particulate Matter (PM, PM-10, PM-2.5), Carbon Monoxide, Lead, Nitrogen Dioxide, Ozone (VOC), Sulfur Dioxide, CO_2e[3], Green House Gases (GHG) mass, all pollutants regulated by NSPS (40 CFR 60)(i.e. TRS, fluoride, sulfuric acid mist) & Class I & Class II Ozone Depleting Substances (40 CFR 82)(i.e. CFC, HCFC, Halon, etc.) .

Applicants are encouraged to call DEQ's Air Quality Permit Hotline (1-877-573-7648) to ask questions as they prepare the application.

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1 The applicant must determine if the existing facility is a major facility. If the facility is an existing PSD major facility and changes are being made to the facility the major modification test must be conducted.
2 40 CFR 52.21(b)(50), as incorporated by reference at IDAPA 58.01.01.107.03.d
3 Multiply each green house gas (GHG) by the global warming potential (GWP) listed at 40 CFR 98, Table A- 1 of Subpart A then sum all values to determine CO_2e (GHGs are carbon dioxide, nitrous oxide, methane, hydrofluorcarbons, perfluorcarbons, sulfur hexafluoride). Be sure to show all calculations as described in the instructions.

STATE OF IDAHO
DEPARTMENT OF
ENVIRONMENTAL QUALITY

Version 1, August 2010

Facility Wide Hazardous Air Pollutant Potential to Emit
Application Template and Instructions

Provide the facility wide potential to emit for all Hazardous Air Pollutants (HAPs). **The potential to emit provided here must match the emissions rates which are requested to be permitted.**

HAPs are pollutants that are required to be regulated under the Clean Air Act. A list of the HAPs may be found by following this link: HAP list; review the list carefully to be sure you have included all listed HAPs.

All emissions inventories must be submitted with thorough documentation. The emission inventories will be subjected to technical review; prepare your application with sufficient documentation so that either the public or DEQ can verify the validity of the emission estimates. **Applications submitted without sufficient documentation are incomplete. Follow the instructions provided on the following page; do not proceed until you have read the instructions.**

Applicants must use the Potential to Emit Summary table provided below. Identify the individual HAP with the highest emissions and total HAP emissions. The potential to emit provided here must match the emissions rates which are requested to be permitted. **All fugitive emissions of HAPs must be included.**

Table X HAP POTENTIAL TO EMIT EMISSIONS SUMMARY

HAP Pollutants	PTE (T/yr)
1,3-Butadiene	0.0
Acetaldehyde	0.3
Acrolein	0.1
Benzene	0.1
Ethylbenzene	0.3
Formaldehyde	5.8
Naphthalene	0.0
PAH	0.0
Propylene Oxide	0.2
Toluene	1.1
Xylenes	0.5
Total	**8.4**

* Maximum Individual HAP

Applicants are encouraged to call DEQ's Air Quality Permit Hotline (1-877-573-7648) to ask questions as they prepare the application.

IDAHO DEPARTMENT OF ENVIRONMENTAL QUALITY
AIR QUALITY DIVISION
1410 N. Hilton, Boise, ID 83706
For assistance, call the
Air Permit Hotline – 1-877-5PERMIT

Preapplication Meeting Information Form FRA (Federal Requirements Applicability) - Regulatory Review

In each box in the table below, CTRL+click on the blue underlined text for instructions and information.

IDENTIFICATION	
1. Company Name:	2. Facility Name:
Avista Corporation	Rathdrum Combustion Turbine Project
3. Brief Project Description:	Tier I renewal for two natural gas fired turbines

APPLICABILITY DETERMINATION	
4. List all applicable subparts of the New Source Performance Standards (NSPS) (40 CFR part 60). List all non-applicable subparts of the NSPS which may appear to apply to the facility but do not. Examples of NSPS-affected emissions units include internal combustion engines, boilers, turbines, etc. Applicant must thoroughly review the list of affected emissions units.	List of all applicable subpart(s): 40 CFR 60 Subpart A - General Provisions 40 CFR 60 Subpart GG - Standards of Performance for Stationary Gas Turbines List of all non-applicable subpart(s) which may appear to apply but do not: ☐ Not Applicable
5. List applicable subpart(s) of the National Emission Standards for Hazardous Air Pollutants (NESHAPs) (40 CFR part 61 and 40 CFR part 63). List all non-applicable subparts of the NESHAP which may appear to apply to the facility but do not. Examples of affected emission units include solvent cleaning operations, industrial cooling towers, paint stripping and miscellaneous surface coating. Reference EPA's webpage on NESHAPs for more information.	List of all applicable subpart(s): List of all non-applicable subpart(s) which may appear to apply but do not: 40 CFR 60 Subpart KKKK 40 CFR 63 Subpart YYYY ☑ Not Applicable
6. For each subpart identified above, conduct a complete regulatory analysis using the instructions and referencing the example on the following pages. **Note** - Regulatory reviews must be submitted with sufficient detail so that DEQ can verify applicability and document in legal terms why the regulation does or does not apply. Regulatory reviews submitted with insufficient detail will be determined incomplete.	☑ A detailed regulatory review is provided (Follow instructions and example). ☐ DEQ has already been provided a detailed regulatory review. Give a reference to the document including the date.

IF YOU ARE UNSURE HOW TO ANSWER ANY OF THESE QUESTIONS, CALL THE AIR PERMIT HOTLINE AT 1-877-5PERMIT.

It is emphasized that it is the applicant's responsibility to satisfy all technical and regulatory requirements, and that DEQ will help the applicant understand those requirements prior to submittal of the application but that DEQ will not perform the required technical or regulatory analyses on the applicant's behalf.

Regulatory Analysis for NSPS - 40 CFR 60 Subpart A

Note: The sections highlighted in yellow are applicable to sources EU-1 (Unit 1) and EU-2 (Unit 2). Inapplicable sections of the text are shown in black font and not highlighted. **Text highlighted in green is an informational note. Text in *red bold italics* explain why the source is or is not subject the section/subsection.**

Subpart A—General Provisions
§ 60.1 Applicability.

(a) Except as provided in subparts B and C, the provisions of this part apply to the owner or operator of any stationary source which contains an affected facility, the construction or modification of which is commenced after the date of publication in this part of any standard (or, if earlier, the date of publication of any proposed standard) applicable to that facility.

(b) Any new or revised standard of performance promulgated pursuant to section 111(b) of the Act shall apply to the owner or operator of any stationary source which contains an affected facility, the construction or modification of which is commenced after the date of publication in this part of such new or revised standard (or, if earlier, the date of publication of any proposed standard) applicable to that facility.

(c) In addition to complying with the provisions of this part, the owner or operator of an affected facility may be required to obtain an operating permit issued to stationary sources by an authorized State air pollution control agency or by the Administrator of the U.S. Environmental Protection Agency (EPA) pursuant to Title V of the Clean Air Act (Act) as amended November 15, 1990 (42 U.S.C. 7661). For more information about obtaining an operating permit see part 70 of this chapter.

(d) *Site-specific standard for Merck & Co., Inc.'s Stonewall Plant in Elkton, Virginia.* (1) This paragraph applies only to the pharmaceutical manufacturing facility, commonly referred to as the Stonewall Plant, located at Route 340 South, in Elkton, Virginia ("site").

(2) Except for compliance with 40 CFR 60.49b(u), the site shall have the option of either complying directly with the requirements of this part, or reducing the site-wide emissions caps in accordance with the procedures set forth in a permit issued pursuant to 40 CFR 52.2454. If the site chooses the option of reducing the site-wide emissions caps in accordance with the procedures set forth in such permit, the requirements of such permit shall apply in lieu of the otherwise applicable requirements of this part.

(3) Notwithstanding the provisions of paragraph (d)(2) of this section, for any provisions of this part except for Subpart Kb, the owner/operator of the site shall comply with the applicable provisions of this part if the Administrator determines that compliance with the provisions of this part is necessary for achieving the objectives of the regulation and the Administrator notifies the site in accordance with the provisions of the permit issued pursuant to 40 CFR 52.2454.

[40 FR 53346, Nov. 17, 1975, as amended at 55 FR 51382, Dec. 13, 1990; 59 FR 12427, Mar. 16, 1994; 62 FR 52641, Oct. 8, 1997]

§ 60.1 (a). (b). and (c) apply to Rathdrum Combustion Project.

§ 60.2 Definitions.

The terms used in this part are defined in the Act or in this section as follows:

Act means the Clean Air Act (42 U.S.C. 7401 *et seq.*)

Administrator means the Administrator of the Environmental Protection Agency or his authorized representative.

Affected facility means, with reference to a stationary source, any apparatus to which a standard is applicable.

Alternative method means any method of sampling and analyzing for an air pollutant which is not a reference or equivalent method but which has been demonstrated to the Administrator's satisfaction to, in specific cases, produce results adequate for his determination of compliance.

Approved permit program means a State permit program approved by the Administrator as meeting the requirements of part 70 of this chapter or a Federal permit program established in this chapter pursuant to Title V of the Act (42 U.S.C. 7661).

Capital expenditure means an expenditure for a physical or operational change to an existing facility which exceeds the product of the applicable "annual asset guideline repair allowance percentage" specified in the latest edition of Internal Revenue Service (IRS) Publication 534 and the existing facility's basis, as defined by section 1012 of the Internal Revenue Code. However, the total expenditure for a physical or operational change to an existing facility must not be reduced by any "excluded additions" as defined in IRS Publication 534, as would be done for tax purposes.

Clean coal technology demonstration project means a project using funds appropriated under the heading 'Department of Energy-Clean Coal Technology', up to a total amount of $2,500,000,000 for commercial demonstrations of clean coal technology, or similar projects funded through appropriations for the Environmental Protection Agency.

Commenced means, with respect to the definition of *new source* in section 111(a)(2) of the Act, that an owner or operator has undertaken a continuous program of construction or modification or that an owner or operator has entered into a contractual obligation to undertake and complete, within a reasonable time, a continuous program of construction or modification.

Construction means fabrication, erection, or installation of an affected facility.

Continuous monitoring system means the total equipment, required under the emission monitoring sections in applicable subparts, used to sample and condition (if applicable), to analyze, and to provide a permanent record of emissions or process parameters.

Electric utility steam generating unit means any steam electric generating unit that is constructed for the purpose of supplying more than one-third of its potential electric output capacity and more than 25 MW electrical output to any utility power distribution system for sale. Any steam supplied to a steam distribution system for the purpose of providing steam to a steam-electric generator that would produce electrical energy for sale is also considered in determining the electrical energy output capacity of the affected facility.

Equivalent method means any method of sampling and analyzing for an air pollutant which has been demonstrated to the Administrator's satisfaction to have a consistent and quantitatively known relationship to the reference method, under specified conditions.

Excess Emissions and Monitoring Systems Performance Report is a report that must be submitted periodically by a source in order to provide data on its compliance with stated emission limits and operating parameters, and on the performance of its monitoring systems.

Existing facility means, with reference to a stationary source, any apparatus of the type for which a standard is promulgated in this part, and the construction or modification of which was commenced before the date of proposal of that standard; or any apparatus which could be altered in such a way as to be of that type.

Force majeure means, for purposes of §60.8, an event that will be or has been caused by circumstances beyond the control of the affected facility, its contractors, or any entity controlled by the affected facility that prevents the owner or operator from complying with the regulatory requirement to conduct performance tests within the specified timeframe despite the affected facility's best efforts to fulfill the obligation. Examples of such events are acts of nature, acts of war or terrorism, or equipment failure or safety hazard beyond the control of the affected facility.

Isokinetic sampling means sampling in which the linear velocity of the gas entering the sampling nozzle is equal to that of the undisturbed gas stream at the sample point.

Issuance of a part 70 permit will occur, if the State is the permitting authority, in accordance with the requirements of part 70 of this chapter and the applicable, approved State permit program. When the EPA is the permitting authority, issuance of a Title V permit occurs immediately after the EPA takes final action on the final permit.

Malfunction means any sudden, infrequent, and not reasonably preventable failure of air pollution control equipment, process equipment, or a process to operate in a normal or usual manner. Failures that are caused in part by poor maintenance or careless operation are not malfunctions.

Modification means any physical change in, or change in the method of operation of, an existing facility which increases the amount of any air pollutant (to which a standard applies) emitted into the atmosphere by that facility or which results in the emission of any air pollutant (to which a standard applies) into the atmosphere not previously emitted.

Monitoring device means the total equipment, required under the monitoring of operations sections in applicable subparts, used to measure and record (if applicable) process parameters.

Nitrogen oxides means all oxides of nitrogen except nitrous oxide, as measured by test methods set forth in this part.

One-hour period means any 60-minute period commencing on the hour.

Opacity means the degree to which emissions reduce the transmission of light and obscure the view of an object in the background.

Owner or operator means any person who owns, leases, operates, controls, or supervises an affected facility or a stationary source of which an affected facility is a part.

Part 70 permit means any permit issued, renewed, or revised pursuant to part 70 of this chapter.

Particulate matter means any finely divided solid or liquid material, other than uncombined water, as measured by the reference methods specified under each applicable subpart, or an equivalent or alternative method.

Permit program means a comprehensive State operating permit system established pursuant to title V of the Act (42 U.S.C. 7661) and regulations codified in part 70 of this chapter and applicable State regulations, or a comprehensive Federal operating permit system established pursuant to title V of the Act and regulations codified in this chapter.

Permitting authority means:

(1) The State air pollution control agency, local agency, other State agency, or other agency authorized by the Administrator to carry out a permit program under part 70 of this chapter; or

(2) The Administrator, in the case of EPA-implemented permit programs under title V of the Act (42 U.S.C. 7661).

Proportional sampling means sampling at a rate that produces a constant ratio of sampling rate to stack gas flow rate.

Reactivation of a very clean coal-fired electric utility steam generating unit means any physical change or change in the method of operation associated with the commencement of commercial operations by a coal-fired utility unit after a period of discontinued operation where the unit:

(1) Has not been in operation for the two-year period prior to the enactment of the Clean Air Act Amendments of 1990, and the emissions from such unit continue to be carried in the permitting authority's emissions inventory at the time of enactment;

(2) Was equipped prior to shut-down with a continuous system of emissions control that achieves a removal efficiency for sulfur dioxide of no less than 85 percent and a removal efficiency for particulates of no less than 98 percent;

(3) Is equipped with low-NO_xburners prior to the time of commencement of operations following reactivation; and

(4) Is otherwise in compliance with the requirements of the Clean Air Act.

Reference method means any method of sampling and analyzing for an air pollutant as specified in the applicable subpart.

Repowering means replacement of an existing coal-fired boiler with one of the following clean coal technologies: atmospheric or pressurized fluidized bed combustion, integrated gasification combined cycle, magnetohydrodynamics, direct and indirect coal-fired turbines, integrated gasification fuel cells, or as determined by the Administrator, in consultation with the Secretary of Energy, a derivative of one or more of these technologies, and any other technology capable of controlling multiple combustion emissions simultaneously with improved boiler or generation efficiency and with significantly greater waste reduction relative to the performance of technology in widespread commercial use as of November 15, 1990. Repowering shall also include any oil and/or gas-fired unit which has been awarded clean coal technology demonstration funding as of January 1, 1991, by the Department of Energy.

Run means the net period of time during which an emission sample is collected. Unless otherwise specified, a run may be either intermittent or continuous within the limits of good engineering practice.

Shutdown means the cessation of operation of an affected facility for any purpose.

Six-minute period means any one of the 10 equal parts of a one-hour period.

Standard means a standard of performance proposed or promulgated under this part.

Standard conditions means a temperature of 293 K (68F) and a pressure of 101.3 kilopascals (29.92 in Hg).

Startup means the setting in operation of an affected facility for any purpose.

State means all non-Federal authorities, including local agencies, interstate associations, and State-wide programs, that have delegated authority to implement: (1) The provisions of this part; and/or (2) the permit program established under part 70 of this chapter. The term State shall have its conventional meaning where clear from the context.

Stationary source means any building, structure, facility, or installation which emits or may emit any air pollutant.

Title V permit means any permit issued, renewed, or revised pursuant to Federal or State regulations established to implement title V of the Act (42 U.S.C. 7661). A title V permit issued by a State permitting authority is called a part 70 permit in this part.

Volatile Organic Compound means any organic compound which participates in atmospheric photochemical reactions; or which is measured by a reference method, an equivalent method, an alternative method, or which is determined by procedures specified under any subpart.

[44 FR 55173, Sept. 25, 1979, as amended at 45 FR 5617, Jan. 23, 1980; 45 FR 85415, Dec. 24, 1980; 54 FR 6662, Feb. 14, 1989; 55 FR 51382, Dec. 13, 1990; 57 FR 32338, July 21, 1992; 59 FR 12427, Mar. 16, 1994; 72 FR 27442, May 16, 2007]

§ 60.2 The definitions in this subpart apply but are not included in the Tier I Permit since they are explanatory (unless the DEQ deems it appropriate to include them in the Tier I Permit for explanatory purposes)

§ 60.3 Units and abbreviations.

Used in this part are abbreviations and symbols of units of measure. These are defined as follows:

(a) System International (SI) units of measure:
A—ampere
g—gram
Hz—hertz
J—joule
K—degree Kelvin
kg—kilogram
m—meter
m^3 —cubic meter
mg—milligram—10^{-3}gram
mm—millimeter—10^{-3}meter
Mg—megagram—10^6 gram
mol—mole
N—newton
ng—nanogram—10^{-9}gram
nm—nanometer—10^{-9}meter
Pa—pascal
s—second
V—volt
W—watt
Ω—ohm
µg—microgram—10^{-6}gram
(b) Other units of measure:
Btu—British thermal unit
°C—degree Celsius (centigrade)
cal—calorie
cfm—cubic feet per minute
cu ft—cubic feet
dcf—dry cubic feet
dcm—dry cubic meter
dscf—dry cubic feet at standard conditions
dscm—dry cubic meter at standard conditions

eq—equivalent
°F—degree Fahrenheit
ft—feet
gal—gallon
gr—grain
g-eq—gram equivalent
hr—hour
in—inch
k—1,000
l—liter
lpm—liter per minute
lb—pound
meq—milliequivalent
min—minute
ml—milliliter
mol. wt.—molecular weight
ppb—parts per billion
ppm—parts per million
psia—pounds per square inch absolute
psig—pounds per square inch gage
°R—degree Rankine
scf—cubic feet at standard conditions
scfh—cubic feet per hour at standard conditions
scm—cubic meter at standard conditions
sec—second
sq ft—square feet
std—at standard conditions
(c) Chemical nomenclature:
CdS—cadmium sulfide
CO—carbon monoxide
CO_2—carbon dioxide
HCl—hydrochloric acid
Hg—mercury
H_2O—water
H_2S—hydrogen sulfide
H_2SO_4—sulfuric acid
N_2—nitrogen
NO—nitric oxide
NO_2—nitrogen dioxide
NO_X—nitrogen oxides
O_2—oxygen
SO_2—sulfur dioxide
SO_3—sulfur trioxide
SO_X—sulfur oxides
(d) Miscellaneous:
A.S.T.M.—American Society for Testing and Materials

[42 FR 37000, July 19, 1977; 42 FR 38178, July 27, 1977]

§ 60.3 The abbreviations in this subpart apply but are not included in the Tier I Permit since they are explanatory (unless the DEQ deems it appropriate to include them in the Tier I Permit for explanatory purposes).

§ 60.4 Address.

(a) All requests, reports, applications, submittals, and other communications to the Administrator pursuant to this part shall be submitted in duplicate to the appropriate Regional Office of the U.S. Environmental Protection Agency to the attention of the Director of the Division indicated in the following list of EPA Regional Offices.

Region I (Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, Vermont), Director, Air Management Division, U.S. Environmental Protection Agency, John F. Kennedy Federal Building, Boston, MA 02203.

Region II (New Jersey, New York, Puerto Rico, Virgin Islands), Director, Air and Waste Management Division, U.S. Environmental Protection Agency, Federal Office Building, 26 Federal Plaza (Foley Square), New York, NY 10278.

Region III (Delaware, District of Columbia, Maryland, Pennsylvania, Virginia, West Virginia), Director, Air Protection Division, Mail Code 3AP00, 1650 Arch Street, Philadelphia, PA 19103–2029.

Region IV (Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Tennessee), Director, Air and Waste Management Division, U.S. Environmental Protection Agency, 345 Courtland Street, NE., Atlanta, GA 30365.

Region V (Illinois, Indiana, Michigan, Minnesota, Ohio, Wisconsin), Director, Air and Radiation Division, U.S. Environmental Protection Agency, 77 West Jackson Boulevard, Chicago, IL 60604–3590.

Region VI (Arkansas, Louisiana, New Mexico, Oklahoma, Texas); Director; Air, Pesticides, and Toxics Division; U.S. Environmental Protection Agency, 1445 Ross Avenue, Dallas, TX 75202.

Region VII (Iowa, Kansas, Missouri, Nebraska), Director, Air, RCRA, and Toxics Division, U.S. Environmental Protection Agency, 901 N. 5th Street, Kansas City, KS 66101.

Region VIII (Colorado, Montana, North Dakota, South Dakota, Utah, Wyoming) Director, Air and Toxics Technical Enforcement Program, Office of Enforcement, Compliance and Environmental Justice, Mail Code 8ENF–AT, 1595 Wynkoop Street, Denver, CO 80202–1129.

Region IX (American Samoa, Arizona, California, Guam, Hawaii, Nevada, Northern Mariana Islands), Director, Air Division, U.S. Environmental Protection Agency, 75 Hawthorne Street, San Francisco, CA 94105.

Region X (Alaska, Oregon, Idaho, Washington), Director, Air and Waste Management Division, U.S. Environmental Protection Agency, 1200 Sixth Avenue, Seattle, WA 98101.

(b) Section 111(c) directs the Administrator to delegate to each State, when appropriate, the authority to implement and enforce standards of performance for new stationary sources located in such State. All information required to be submitted to EPA under paragraph (a) of this section, must also be submitted to the appropriate State Agency of any State to which this authority has been delegated (provided, that each specific delegation may except sources from a certain Federal or State reporting requirement). The appropriate mailing address for those States whose delegation request has been approved is as follows:

Note: refer to : http://www.ecfr.gov for the State addresses.

§ 60.4 This section applies.

§ 60.5 Determination of construction or modification.

(a) When requested to do so by an owner or operator, the Administrator will make a determination of whether action taken or intended to be taken by such owner or operator constitutes construction (including reconstruction) or modification or the commencement thereof within the meaning of this part.

(b) The Administrator will respond to any request for a determination under paragraph (a) of this section within 30 days of receipt of such request.

[40 FR 58418, Dec. 16, 1975]

§ 60.5 applies if such a request is made.

§ 60.6 Review of plans.

(a) When requested to do so by an owner or operator, the Administrator will review plans for construction or modification for the purpose of providing technical advice to the owner or operator.

(b)(1) A separate request shall be submitted for each construction or modification project.

(2) Each request shall identify the location of such project, and be accompanied by technical information describing the proposed nature, size, design, and method of operation of each affected facility involved in such project, including information on any equipment to be used for measurement or control of emissions.

(c) Neither a request for plans review nor advice furnished by the Administrator in response to such request shall (1) relieve an owner or operator of legal responsibility for compliance with any provision of this part or of any applicable State or local requirement, or (2) prevent the Administrator from implementing or enforcing any provision of this part or taking any other action authorized by the Act.

[36 FR 24877, Dec. 23, 1971, as amended at 39 FR 9314, Mar. 8, 1974]

§ 60.6 applies if such a request is made.

§ 60.7 Notification and record keeping.

(a) Any owner or operator subject to the provisions of this part shall furnish the Administrator written notification or, if acceptable to both the Administrator and the owner or operator of a source, electronic notification, as follows:

(1) A notification of the date construction (or reconstruction as defined under §60.15) of an affected facility is commenced postmarked no later than 30 days after such date. This requirement shall not apply in the case of mass-produced facilities which are purchased in completed form.

(2) [Reserved]

(3) A notification of the actual date of initial startup of an affected facility postmarked within 15 days after such date.

(4) A notification of any physical or operational change to an existing facility which may increase the emission rate of any air pollutant to which a standard applies, unless that change is specifically exempted under an applicable subpart or in §60.14(e). This notice shall be postmarked 60 days or as soon as practicable before the change is commenced and shall include information describing the precise nature of the change, present and proposed emission control systems, productive capacity of the facility before and after the change, and the expected completion date of the change. The Administrator may request additional relevant information subsequent to this notice.

(5) A notification of the date upon which demonstration of the continuous monitoring system performance commences in accordance with §60.13(c). Notification shall be postmarked not less than 30 days prior to such date.

(6) A notification of the anticipated date for conducting the opacity observations required by §60.11(e)(1) of this part. The notification shall also include, if appropriate, a request for the Administrator to provide a visible emissions reader during a performance test. The notification shall be postmarked not less than 30 days prior to such date.

(7) A notification that continuous opacity monitoring system data results will be used to determine compliance with the applicable opacity standard during a performance test required by §60.8 in lieu of Method 9 observation data as allowed by §60.11(e)(5) of this part. This notification shall be postmarked not less than 30 days prior to the date of the performance test.

(b) Any owner or operator subject to the provisions of this part 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.

(c) Each owner or operator required to install a continuous monitoring device shall submit excess emissions and monitoring systems performance report (excess emissions are defined in applicable subparts) and-or summary report form (see paragraph (d) of this section) to the Administrator semiannually, except when: more frequent reporting is specifically required by an applicable subpart; or the Administrator, on a case-by-case basis, determines that more frequent reporting is necessary to accurately assess the compliance status of the source. All reports shall be postmarked by the 30th day following the end of each six-month period. Written reports of excess emissions shall include the following information:

(1) The magnitude of excess emissions computed in accordance with §60.13(h), any conversion factor(s) used, and the date and time of commencement and completion of each time period of excess emissions. The process operating time during the reporting period.

(2) Specific identification of each period of excess emissions that occurs during startups, shutdowns, and malfunctions of the affected facility. The nature and cause of any malfunction (if known), the corrective action taken or preventative measures adopted.

(3) The date and time identifying each period during which the continuous monitoring system was inoperative except for zero and span checks and the nature of the system repairs or adjustments.

(4) When no excess emissions have occurred or the continuous monitoring system(s) have not been inoperative, repaired, or adjusted, such information shall be stated in the report.

(d) The summary report form shall contain the information and be in the format shown in figure 1 unless otherwise specified by the Administrator. One summary report form shall be submitted for each pollutant monitored at each affected facility.

(1) If the total duration of excess emissions for the reporting period is less than 1 percent of the total operating time for the reporting period and CMS downtime for the reporting period is less than 5 percent of the total operating time for the reporting period, only the summary report form shall be submitted and the excess emission report described in §60.7(c) need not be submitted unless requested by the Administrator.

(2) If the total duration of excess emissions for the reporting period is 1 percent or greater of the total operating time for the reporting period or the total CMS downtime for the reporting period is 5 percent or greater of the total operating time for the reporting period, the summary report form and the excess emission report described in §60.7(c) shall both be submitted.

Figure 1—Summary Report—Gaseous and Opacity Excess Emission and Monitoring System Performance

Pollutant (Circle One—SO_2/NO_X/TRS/H_2S/CO/Opacity)
Reporting period dates: From _____ to _____
Company:
Emission Limitation_____
Address:
Monitor Manufacturer and Model No._____
Date of Latest CMS Certification or Audit_____
Process Unit(s) Description:
Total source operating time in reporting period[1] _____

Emission data summary[1]		CMS performance summary[1]	
1. Duration of excess emissions in reporting period due to:		1. CMS downtime in reporting period due to:	
a. Startup/shutdown		a. Monitor equipment malfunctions	
b. Control equipment problems		b. Non-Monitor equipment malfunctions	
c. Process problems		c. Quality assurance calibration	
d. Other known causes		d. Other known causes	
e. Unknown causes		e. Unknown causes	
2. Total duration of excess emission		2. Total CMS Downtime	
3. Total duration of excess emissions × (100) [Total source operating time]	%[2]	3. [Total CMS Downtime] × (100) [Total source operating time]	%[2]

[1]For opacity, record all times in minutes. For gases, record all times in hours.

[2]For the reporting period: If the total duration of excess emissions is 1 percent or greater of the total operating time or the total CMS downtime is 5 percent or greater of the total operating time, both the summary report form and the excess emission report described in §60.7(c) shall be submitted.

On a separate page, describe any changes since last quarter in CMS, process or controls. I certify that the information contained in this report is true, accurate, and complete.

_____
Name

_____
Signature
_____
Title
_____
Date

(e)(1) Notwithstanding the frequency of reporting requirements specified in paragraph (c) of this section, an owner or operator who is required by an applicable subpart to submit excess emissions and monitoring systems performance reports (and summary reports) on a quarterly (or more frequent) basis may reduce the frequency of reporting for that standard to semiannual if the following conditions are met:

(i) For 1 full year (e.g., 4 quarterly or 12 monthly reporting periods) the affected facility's excess emissions and monitoring systems reports submitted to comply with a standard under this part continually demonstrate that the facility is in compliance with the applicable standard;

(ii) The owner or operator continues to comply with all recordkeeping and monitoring requirements specified in this subpart and the applicable standard; and

(iii) The Administrator does not object to a reduced frequency of reporting for the affected facility, as provided in paragraph (e)(2) of this section.

(2) The frequency of reporting of excess emissions and monitoring systems performance (and summary) reports may be reduced only after the owner or operator notifies the Administrator in writing of his or her intention to make such a change and the Administrator does not object to the intended change. In deciding whether to approve a reduced frequency of reporting, the Administrator may review information concerning the source's entire previous performance history during the required recordkeeping period prior to the intended change, including performance test results, monitoring data, and evaluations of an owner or operator's conformance with operation and maintenance requirements. Such information may be used by the Administrator to make a judgment about the source's potential for noncompliance in the future. If the Administrator disapproves the owner or operator's request to reduce the frequency of reporting, the Administrator will notify the owner or operator in writing within 45 days after receiving notice of the owner or operator's intention. The notification from the Administrator to the owner or operator will specify the grounds on which the disapproval is based. In the absence of a notice of disapproval within 45 days, approval is automatically granted.

(3) As soon as monitoring data indicate that the affected facility is not in compliance with any emission limitation or operating parameter specified in the applicable standard, the frequency of reporting shall revert to the frequency specified in the applicable standard, and the owner or operator shall submit an excess emissions and monitoring systems performance report (and summary report, if required) at the next appropriate reporting period following the noncomplying event. After demonstrating compliance with the applicable standard for another full year, the owner or operator may again request approval from the Administrator to reduce the frequency of reporting for that standard as provided for in paragraphs (e)(1) and (e)(2) of this section.

(f) Any owner or operator subject to the provisions of this part shall maintain a file of all measurements, including continuous monitoring system, monitoring device, and performance testing measurements; all continuous monitoring system performance evaluations; all continuous monitoring system or monitoring device calibration checks; adjustments and maintenance performed on these systems or devices; and all other information required by this part recorded in a permanent form suitable for inspection. The file shall be retained for at least two years following the date of such measurements, maintenance, reports, and records, except as follows:

(1) This paragraph applies to owners or operators required to install a continuous emissions monitoring system (CEMS) where the CEMS installed is automated, and where the calculated data averages do not exclude periods of CEMS breakdown or malfunction. An automated CEMS records and reduces the measured data to the form of the pollutant emission standard through the use of a computerized data acquisition system. In lieu of maintaining a file of all CEMS subhourly measurements as required under paragraph (f) of this section, the owner or operator shall retain the most recent consecutive three averaging periods of subhourly measurements and a file that contains a hard copy of the data acquisition system algorithm used to reduce the measured data into the reportable form of the standard.

(2) This paragraph applies to owners or operators required to install a CEMS where the measured data is manually reduced to obtain the reportable form of the standard, and where the calculated data averages do not exclude periods of CEMS breakdown or malfunction. In lieu of maintaining a file of all CEMS subhourly measurements as required under paragraph (f) of this section, the owner or operator shall retain all subhourly measurements for the most recent reporting period. The subhourly measurements shall be retained for 120 days from the date of the most recent summary or excess emission report submitted to the Administrator.

(3) The Administrator or delegated authority, upon notification to the source, may require the owner or operator to maintain all measurements as required by paragraph (f) of this section, if the Administrator or the delegated authority determines these records are required to more accurately assess the compliance status of the affected source.

(g) If notification substantially similar to that in paragraph (a) of this section is required by any other State or local agency, sending the Administrator a copy of that notification will satisfy the requirements of paragraph (a) of this section.

(h) Individual subparts of this part may include specific provisions which clarify or make inapplicable the provisions set forth in this section.

[36 FR 24877, Dec. 28, 1971, as amended at 40 FR 46254, Oct. 6, 1975; 40 FR 58418, Dec. 16, 1975; 45 FR 5617, Jan. 23, 1980; 48 FR 48335, Oct. 18, 1983; 50 FR 53113, Dec. 27, 1985; 52 FR 9781, Mar. 26, 1987; 55 FR 51382, Dec. 13, 1990; 59 FR 12428, Mar. 16, 1994; 59 FR 47265, Sep. 15, 1994; 64 FR 7463, Feb. 12, 1999]

§ 60.7 applies and the appropriate notification and record keeping has, and will continue to be, provided or maintained as required.

§ 60.8 Performance tests.

(a) Except as specified in paragraphs (a)(1),(a)(2), (a)(3), and (a)(4) of this section, within 60 days after achieving the maximum production rate at which the affected facility will be operated, but not later than 180 days after initial startup of such facility, or at such other times specified by this part, and at such other times as may be required by the Administrator under section 114 of the Act, the owner or operator of such facility shall conduct performance test(s) and furnish the Administrator a written report of the results of such performance test(s).

(1) If a force majeure is about to occur, occurs, or has occurred for which the affected owner or operator intends to assert a claim of force majeure, the owner or operator shall notify the Administrator, in writing as soon as practicable following the date the owner or operator first knew, or through due diligence should have known that the event may cause or caused a delay in testing beyond the regulatory deadline, but the notification must occur before the performance test deadline unless the initial force majeure or a subsequent force majeure event delays the notice, and in such cases, the notification shall occur as soon as practicable.

(2) The owner or operator shall provide to the Administrator a written description of the force majeure event and a rationale for attributing the delay in testing beyond the regulatory deadline to the force majeure; describe the measures taken or to be taken to minimize the delay; and identify a date by which the owner or operator proposes to conduct the performance test. The performance test shall be conducted as soon as practicable after the force majeure occurs.

(3) The decision as to whether or not to grant an extension to the performance test deadline is solely within the discretion of the Administrator. The Administrator will notify the owner or operator in writing of approval or disapproval of the request for an extension as soon as practicable.

(4) Until an extension of the performance test deadline has been approved by the Administrator under paragraphs (a)(1), (2), and (3) of this section, the owner or operator of the affected facility remains strictly subject to the requirements of this part.

(b) Performance tests shall be conducted and data reduced in accordance with the test methods and procedures contained in each applicable subpart unless the Administrator (1) specifies or approves, in specific cases, the use of a reference method with minor changes in methodology, (2) approves the use of an equivalent method, (3) approves the use of an alternative method the results of which he has determined to be adequate for indicating whether a specific source is in compliance, (4) waives the requirement for performance tests because the owner or operator of a source has demonstrated by other means to the Administrator's satisfaction that the affected facility is in compliance with the standard, or (5) approves shorter sampling times and smaller sample volumes when necessitated by process variables or other factors. Nothing in this paragraph shall be construed to abrogate the Administrator's authority to require testing under section 114 of the Act.

(c) Performance tests shall be conducted under such conditions as the Administrator shall specify to the plant operator based on representative performance of the affected facility. The owner or operator shall make available to the Administrator 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 nor shall emissions in excess of the level of the applicable emission limit during periods of startup, shutdown, and malfunction be considered a violation of the applicable emission limit unless otherwise specified in the applicable standard.

(d) The owner or operator of an affected facility shall provide the Administrator at least 30 days prior notice of any performance test, except as specified under other subparts, to afford the Administrator the opportunity to have an observer present. If after 30 days notice for an initially scheduled performance test, there is a delay (due to operational problems, etc.) in conducting the scheduled performance test, the owner or operator of an affected facility shall notify the Administrator (or delegated State or local agency) as soon as possible of any delay in the original test date, either by providing at least 7 days prior notice of the rescheduled date of the performance test, or by arranging a rescheduled date with the Administrator (or delegated State or local agency) by mutual agreement.

(e) The owner or operator of an affected facility shall provide, or cause to be provided, performance testing facilities as follows:

(1) Sampling ports adequate for test methods applicable to such facility. This includes (i) constructing the air pollution control system such that volumetric flow rates and pollutant emission rates can be accurately determined by applicable test methods and procedures and (ii) providing a stack or duct free of cyclonic flow during performance tests, as demonstrated by applicable test methods and procedures.

(2) Safe sampling platform(s).

(3) Safe access to sampling platform(s).

(4) Utilities for sampling and testing equipment.

(f) Unless otherwise specified in the applicable subpart, each performance test shall consist of three separate runs using the applicable test method. Each run shall be conducted for the time and under the conditions specified in the applicable standard. 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 the Administrator's approval, be determined using the arithmetic mean of the results of the two other runs.

(g) The performance testing shall include a test method performance audit (PA) during the performance test. The PAs consist of blind audit samples supplied by an accredited audit sample provider and analyzed during the performance test in order to provide a measure of test data bias. Gaseous audit samples are designed to audit the performance of the sampling system as well as the analytical system and must be collected by the sampling system during the compliance test just as the compliance samples are collected. If a liquid or solid audit sample is designed to audit the sampling system, it must also be collected by the sampling system during the compliance test. If multiple sampling systems or sampling trains are used during the compliance test for any of the test methods, the tester is only required to use one of the sampling systems per method to collect the audit sample. The audit sample must be analyzed by the same analyst using the same analytical reagents and analytical system and at the same time as the compliance samples. Retests are required when there is a failure to produce acceptable results for an audit sample. However, if the audit results do not affect the compliance or noncompliance status of the affected facility, the compliance authority may waive the reanalysis requirement, further audits, or retests and accept the results of the compliance test. Acceptance of the test results shall constitute a waiver of the reanalysis requirement, further audits, or retests. The compliance authority may also use the audit sample failure and the compliance test results as evidence to determine the compliance or noncompliance status of the affected facility. A blind audit sample is a sample whose value is known only to the sample provider and is not revealed to the tested facility until after they report the measured value of the audit sample. For pollutants that exist in the gas phase at ambient temperature, the audit sample shall consist of an appropriate concentration of the pollutant in air or nitrogen that can be introduced into the sampling system of the test method at or near the same entry point as a sample from the emission source. If no gas phase audit samples are available, an acceptable alternative is a sample of the pollutant in the same matrix that would be produced when the sample is recovered from the sampling system as required by the test method. For samples that exist only in a liquid or solid form at ambient temperature, the audit sample shall consist of an appropriate concentration of the pollutant in the same matrix that would be produced when the sample is recovered from the sampling system as required by the test method. An accredited audit sample provider (AASP) is an organization that has been accredited to prepare audit samples by an independent, third party accrediting body.

(1) The source owner, operator, or representative of the tested facility shall obtain an audit sample, if commercially available, from an AASP for each test method used for regulatory compliance purposes. No audit samples are required for the following test methods: Methods 3A and 3C of appendix A-3 of part 60, Methods 6C, 7E, 9, and 10 of appendix A-4 of part 60, Methods 18 and 19 of appendix A-6 of part 60, Methods 20, 22, and 25A of appendix A-7 of part 60, Methods 30A and 30B of appendix A-8 of part 60, and Methods 303, 318, 320, and 321 of appendix A of part 63 of this chapter. If multiple sources at a single facility are tested during a compliance test event, only one audit sample is required for each method used during a compliance test. The compliance authority responsible for the compliance test may waive the requirement to include an audit sample if they believe that an audit sample is not necessary. "Commercially available" means that two or more independent AASPs have blind audit samples available for purchase. If the source owner, operator, or representative cannot find an audit sample for a specific method, the owner, operator, or representative shall consult the EPA Web site at the following URL, *www.epa.gov/ttn/emc,* to confirm whether there is a source that can supply an audit sample for that method. If the EPA Web site does not list an available audit sample at least 60 days prior to the beginning of the compliance test, the source owner, operator, or representative shall not be required to include an audit sample as part of the quality assurance program for the compliance test. When ordering an audit sample, the source owner, operator, or representative shall give the sample provider an estimate for the concentration of each pollutant that is emitted by the source or the estimated concentration of each pollutant based on the permitted level and the name, address, and phone number of the compliance authority. The source owner, operator, or representative shall report the results for the audit sample along with a summary of the emission test results for the audited pollutant to the compliance authority and shall report the results of the audit sample to the AASP. The source owner, operator, or representative shall make both reports at the same time and in the same manner or shall report to the compliance authority first and then report to the AASP. If the method being audited is a method that allows the samples to be analyzed in the field and the tester plans to analyze the samples in the field, the tester may analyze the audit samples prior to collecting the emission samples provided a representative of the compliance authority is present at the testing site. The tester may request and the compliance authority may grant

a waiver to the requirement that a representative of the compliance authority must be present at the testing site during the field analysis of an audit sample. The source owner, operator, or representative may report the results of the audit sample to the compliance authority and report the results of the audit sample to the AASP prior to collecting any emission samples. The test protocol and final test report shall document whether an audit sample was ordered and utilized and the pass/fail results as applicable.

(2) An AASP shall have and shall prepare, analyze, and report the true value of audit samples in accordance with a written technical criteria document that describes how audit samples will be prepared and distributed in a manner that will ensure the integrity of the audit sample program. An acceptable technical criteria document shall contain standard operating procedures for all of the following operations:

(i) Preparing the sample;

(ii) Confirming the true concentration of the sample;

(iii) Defining the acceptance limits for the results from a well qualified tester. This procedure must use well established statistical methods to analyze historical results from well qualified testers. The acceptance limits shall be set so that there is 95 percent confidence that 90 percent of well qualified labs will produce future results that are within the acceptance limit range.

(iv) Providing the opportunity for the compliance authority to comment on the selected concentration level for an audit sample;

(v) Distributing the sample to the user in a manner that guarantees that the true value of the sample is unknown to the user;

(vi) Recording the measured concentration reported by the user and determining if the measured value is within acceptable limits;

(vii) The AASP shall report the results from each audit sample in a timely manner to the compliance authority and then to the source owner, operator, or representative. The AASP shall make both reports at the same time and in the same manner or shall report to the compliance authority first and then report to the source owner, operator, or representative. The results shall include the name of the facility tested, the date on which the compliance test was conducted, the name of the company performing the sample collection, the name of the company that analyzed the compliance samples including the audit sample, the measured result for the audit sample, and whether the testing company passed or failed the audit. The AASP shall report the true value of the audit sample to the compliance authority. The AASP may report the true value to the source owner, operator, or representative if the AASP's operating plan ensures that no laboratory will receive the same audit sample twice.

(viii) Evaluating the acceptance limits of samples at least once every two years to determine in cooperation with the voluntary consensus standard body if they should be changed;

(ix) Maintaining a database, accessible to the compliance authorities, of results from the audit that shall include the name of the facility tested, the date on which the compliance test was conducted, the name of the company performing the sample collection, the name of the company that analyzed the compliance samples including the audit sample, the measured result for the audit sample, the true value of the audit sample, the acceptance range for the measured value, and whether the testing company passed or failed the audit.

(3) The accrediting body shall have a written technical criteria document that describes how it will ensure that the AASP is operating in accordance with the AASP technical criteria document that describes how audit samples are to be prepared and distributed. This document shall contain standard operating procedures for all of the following operations:

(i) Checking audit samples to confirm their true value as reported by the AASP;

(ii) Performing technical systems audits of the AASP's facilities and operating procedures at least once every two years;

(iii) Providing standards for use by the voluntary consensus standard body to approve the accrediting body that will accredit the audit sample providers.

(4) The technical criteria documents for the accredited sample providers and the accrediting body shall be developed through a public process guided by a voluntary consensus standards body (VCSB). The VCSB shall operate in accordance with the procedures and requirements in the Office of Management and Budget Circular A-119. A copy of Circular A-119 is available upon request by writing the Office of Information and Regulatory Affairs, Office of Management and Budget, 725 17th Street, NW., Washington, DC 20503, by calling (202) 395-6880 or downloading online at *http://standards.gov/standards_gov/a119.cfm.* The VCSB shall approve all accrediting bodies. The Administrator will review all technical criteria documents. If the technical criteria documents do not meet the minimum technical requirements in paragraphs (g)(2) through (4)of this section, the technical criteria documents are not acceptable and the proposed audit sample program is not capable of producing audit samples of sufficient quality to be used in a compliance test. All acceptable technical criteria documents shall be posted on the EPA Web site at the following URL, *http://www.epa.gov/ttn/emc.*

(h) Unless otherwise specified in the applicable subpart, each test location must be verified to be free of cyclonic flow and evaluated for the existence of emission gas stratification and the required number of sampling traverse points. If other procedures are not specified in the applicable subpart to the regulations, use the appropriate procedures in Method 1 to check for cyclonic flow and Method 7E to evaluate emission gas stratification and selection of sampling points.

(i) Whenever the use of multiple calibration gases is required by a test method, performance specification, or quality assurance procedure in a part 60 standard or appendix, Method 205 of 40 CFR part 51, appendix M of this chapter, "Verification of Gas Dilution Systems for Field Instrument Calibrations," may be used.

[36 FR 24877, Dec. 23, 1971, as amended at 39 FR 9314, Mar. 8, 1974; 42 FR 57126, Nov. 1, 1977; 44 FR 33612, June 11, 1979; 54 FR 6662, Feb. 14, 1989; 54 FR 21344, May 17, 1989; 64 FR 7463, Feb. 12, 1999; 72 FR 27442, May 16, 2007; 75 FR 55646, Sept. 13, 2010; 79 FR 11241, Feb. 27, 2014]

§ 60.8 applies and performance tests in compliance with this section were conducted and reported.

§ 60.9 Availability of information.

The availability to the public of information provided to, or otherwise obtained by, the Administrator under this part shall be governed by part 2 of this chapter. (Information submitted voluntarily to the Administrator for the purposes of §§60.5 and 60.6 is governed by §§2.201 through 2.213 of this chapter and not by §2.301 of this chapter.)

§ 60.9 is not an applicable requirement for the Rathdrum Combustion Project that requires any action on its part.

§ 60.10 State authority.

The provisions of this part shall not be construed in any manner to preclude any State or political subdivision thereof from:

(a) Adopting and enforcing any emission standard or limitation applicable to an affected facility, provided that such emission standard or limitation is not less stringent than the standard applicable to such facility.

(b) Requiring the owner or operator of an affected facility to obtain permits, licenses, or approvals prior to initiating construction, modification, or operation of such facility.

§ 60.10 is not an applicable requirement for the Rathdrum Combustion Project that requires any action on its part.

§ 60.11 Compliance with standards and maintenance requirements.

(a) Compliance with standards in this part, other than opacity standards, shall be determined in accordance with performance tests established by §60.8, unless otherwise specified in the applicable standard.

(b) Compliance with opacity standards in this part shall be determined by conducting observations in accordance with Method 9 in appendix A of this part, any alternative method that is approved by the Administrator, or as provided in paragraph (e)(5) of this section. For purposes of determining initial compliance, the minimum total time of observations shall be 3 hours (30 6-minute averages) for the performance test or other set of observations (meaning those fugitive-type emission sources subject only to an opacity standard).

(c) The opacity standards set forth in this part shall apply at all times except during periods of startup, shutdown, malfunction, and as otherwise provided in the applicable standard.

(d) At all times, including periods of startup, shutdown, and malfunction, owners and operators shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with good air pollution control practice for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the Administrator which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source.

(e)(1) For the purpose of demonstrating initial compliance, opacity observations shall be conducted concurrently with the initial performance test required in §60.8 unless one of the following conditions apply. If no performance test under §60.8 is required, then opacity observations shall be conducted within 60 days after achieving the maximum production rate at which the affected facility will be operated but no later than 180 days after initial startup of the facility. If visibility or other conditions prevent the opacity observations from being conducted concurrently with the initial performance test required under §60.8, the source owner or operator

shall reschedule the opacity observations as soon after the initial performance test as possible, but not later than 30 days thereafter, and shall advise the Administrator of the rescheduled date. In these cases, the 30-day prior notification to the Administrator required in §60.7(a)(6) shall be waived. The rescheduled opacity observations shall be conducted (to the extent possible) under the same operating conditions that existed during the initial performance test conducted under §60.8. The visible emissions observer shall determine whether visibility or other conditions prevent the opacity observations from being made concurrently with the initial performance test in accordance with procedures contained in Method 9 of appendix B of this part. Opacity readings of portions of plumes which contain condensed, uncombined water vapor shall not be used for purposes of determing compliance with opacity standards. The owner or operator of an affected facility shall make available, upon request by the Administrator, such records as may be necessary to determine the conditions under which the visual observations were made and shall provide evidence indicating proof of current visible observer emission certification. Except as provided in paragraph (e)(5) of this section, the results of continuous monitoring by transmissometer which indicate that the opacity at the time visual observations were made was not in excess of the standard are probative but not conclusive evidence of the actual opacity of an emission, provided that the source shall meet the burden of proving that the instrument used meets (at the time of the alleged violation) Performance Specification 1 in appendix B of this part, has been properly maintained and (at the time of the alleged violation) that the resulting data have not been altered in any way.

(2) Except as provided in paragraph (e)(3) of this section, the owner or operator of an affected facility to which an opacity standard in this part applies shall conduct opacity observations in accordance with paragraph (b) of this section, shall record the opacity of emissions, and shall report to the Administrator the opacity results along with the results of the initial performance test required under §60.8. The inability of an owner or operator to secure a visible emissions observer shall not be considered a reason for not conducting the opacity observations concurrent with the initial performance test.

(3) The owner or operator of an affected facility to which an opacity standard in this part applies may request the Administrator to determine and to record the opacity of emissions from the affected facility during the initial performance test and at such times as may be required. The owner or operator of the affected facility shall report the opacity results. Any request to the Administrator to determine and to record the opacity of emissions from an affected facility shall be included in the notification required in §60.7(a)(6). If, for some reason, the Administrator cannot determine and record the opacity of emissions from the affected facility during the performance test, then the provisions of paragraph (e)(1) of this section shall apply.

(4) An owner or operator of an affected facility using a continuous opacity monitor (transmissometer) shall record the monitoring data produced during the initial performance test required by §60.8 and shall furnish the Administrator a written report of the monitoring results along with Method 9 and §60.8 performance test results.

(5) An owner or operator of an affected facility subject to an opacity standard may submit, for compliance purposes, continuous opacity monitoring system (COMS) data results produced during any performance test required under §60.8 in lieu of Method 9 observation data. If an owner or operator elects to submit COMS data for compliance with the opacity standard, he shall notify the Administrator of that decision, in writing, at least 30 days before any performance test required under §60.8 is conducted. Once the owner or operator of an affected facility has notified the Administrator to that effect, the COMS data results will be used to determine opacity compliance during subsequent tests required under §60.8 until the owner or operator notifies the Administrator, in writing, to the contrary. For the purpose of determining compliance with the opacity standard during a performance test required under §60.8 using COMS data, the minimum total time of COMS data collection shall be averages of all 6-minute continuous periods within the duration of the mass emission performance test. Results of the COMS opacity determinations shall be submitted along with the results of the performance test required under §60.8. The owner or operator of an affected facility using a COMS for compliance purposes is responsible for demonstrating that the COMS meets the requirements specified in §60.13(c) of this part, that the COMS has been properly maintained and operated, and that the resulting data have not been altered in any way. If COMS data results are submitted for compliance with the opacity standard for a period of time during which Method 9 data indicates noncompliance, the Method 9 data will be used to determine compliance with the opacity standard.

(6) Upon receipt from an owner or operator of the written reports of the results of the performance tests required by §60.8, the opacity observation results and observer certification required by §60.11(e)(1), and the COMS results, if applicable, the Administrator will make a finding concerning compliance with opacity and other applicable standards. If COMS data results are used to comply with an opacity standard, only those results are required to be submitted along with the performance test results required by §60.8. If the Administrator finds that an affected facility is in compliance with all applicable standards for which performance tests are conducted in accordance with §60.8 of this part but during the time such performance tests are being conducted fails to meet any applicable opacity standard, he shall notify the owner or operator and advise him that he may petition the Administrator within 10 days of receipt of notification to make appropriate adjustment to the opacity standard for the affected facility.

(7) The Administrator will grant such a petition upon a demonstration by the owner or operator that the affected facility and associated air pollution control equipment was operated and maintained in a manner to minimize the opacity of emissions during the performance tests; that the performance tests were performed under the conditions established by the Administrator; and that the affected facility and associated air pollution control equipment were incapable of being adjusted or operated to meet the applicable opacity standard.

(8) The Administrator will establish an opacity standard for the affected facility meeting the above requirements at a level at which the source will be able, as indicated by the performance and opacity tests, to meet the opacity standard at all times during which the source is meeting the mass or concentration emission standard. The Administrator will promulgate the new opacity standard in theFederal Register.

(f) Special provisions set forth under an applicable subpart shall supersede any conflicting provisions in paragraphs (a) through (e) of this section.

(g) For the purpose of submitting compliance certifications or establishing whether or not a person has violated or is in violation of any standard in this part, nothing in this part 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.

[38 FR 28565, Oct. 15, 1973, as amended at 39 FR 39873, Nov. 12, 1974; 43 FR 8800, Mar. 3, 1978; 45 FR 23379, Apr. 4, 1980; 48 FR 48335, Oct. 18, 1983; 50 FR 53113, Dec. 27, 1985; 51 FR 1790, Jan. 15, 1986; 52 FR 9781, Mar. 26, 1987; 62 FR 8328, Feb. 24, 1997; 65 FR 61749, Oct. 17, 2000]

§ 60.11 is applicable and the Rathdrum Combustion Turbine Project has complied with, and will continue to comply with, the requirements of this section.

§ 60.12 Circumvention.

No owner or operator subject to the provisions of this part shall build, erect, install, or use any article, machine, equipment or process, the use of which conceals an emission which would otherwise constitute a violation of an applicable standard. Such concealment includes, but is not limited to, the use of gaseous diluents to achieve compliance with an opacity standard or with a standard which is based on the concentration of a pollutant in the gases discharged to the atmosphere.

[39 FR 9314, Mar. 8, 1974]

§ 60.12 is applicable.

§ 60.13 Monitoring requirements.

(a) For the purposes of this section, all continuous monitoring systems required under applicable subparts shall be subject to the provisions of this section upon promulgation of performance specifications for continuous monitoring systems under appendix B to this part and, if the continuous monitoring system is used to demonstrate compliance with emission limits on a continuous basis, appendix F to this part, unless otherwise specified in an applicable subpart or by the Administrator. Appendix F is applicable December 4, 1987.

(b) All continuous monitoring systems and monitoring devices shall be installed and operational prior to conducting performance tests under §60.8. Verification of operational status shall, as a minimum, include completion of the manufacturer's written requirements or recommendations for installation, operation, and calibration of the device.

(c) If the owner or operator of an affected facility elects to submit continous opacity monitoring system (COMS) data for compliance with the opacity standard as provided under §60.11(e)(5), he shall conduct a performance evaluation of the COMS as specified in Performance Specification 1, appendix B, of this part before the performance test required under §60.8 is conducted. Otherwise, the owner or operator of an affected facility shall conduct a performance evaluation of the COMS or continuous emission monitoring system (CEMS) during any performance test required under §60.8 or within 30 days thereafter in accordance with the applicable performance specification in appendix B of this part, The owner or operator of an affected facility shall conduct COMS or CEMS performance evaluations at such other times as may be required by the Administrator under section 114 of the Act.

(1) The owner or operator of an affected facility using a COMS to determine opacity compliance during any performance test required under §60.8 and as described in §60.11(e)(5) shall furnish the Administrator two or, upon request, more copies of a written report of the results of the COMS performance evaluation described in paragraph (c) of this section at least 10 days before the performance test required under §60.8 is conducted.

(2) Except as provided in paragraph (c)(1) of this section, the owner or operator of an affected facility shall furnish the Administrator within 60 days of completion two or, upon request, more copies of a written report of the results of the performance evaluation.

(d)(1) Owners and operators of a CEMS installed in accordance with the provisions of this part, must check the zero (or low level value between 0 and 20 percent of span value) and span (50 to 100 percent of span value) calibration drifts at least once each operating day in accordance with a written procedure. The zero and span must, at a minimum, be adjusted whenever either the 24-hour zero drift or the 24-hour span drift exceeds two times the limit of the applicable performance specification in appendix B of this part. The system must allow the amount of the excess zero and span drift to be recorded and quantified whenever specified. Owners and operators of a COMS installed in accordance with the provisions of this part must check the zero and upscale (span) calibration drifts at least once daily. For a particular COMS, the acceptable range of zero and upscale calibration materials is defined in the applicable

version of PS-1 in appendix B of this part. For a COMS, the optical surfaces, exposed to the effluent gases, must be cleaned before performing the zero and upscale drift adjustments, except for systems using automatic zero adjustments. The optical surfaces must be cleaned when the cumulative automatic zero compensation exceeds 4 percent opacity.

(2) Unless otherwise approved by the Administrator, the following procedures must be followed for a COMS. Minimum procedures must include an automated method for producing a simulated zero opacity condition and an upscale opacity condition using a certified neutral density filter or other related technique to produce a known obstruction of the light beam. Such procedures must provide a system check of all active analyzer internal optics with power or curvature, all active electronic circuitry including the light source and photodetector assembly, and electronic or electro-mechanical systems and hardware and or software used during normal measurement operation.

(e) Except for system breakdowns, repairs, calibration checks, and zero and span adjustments required under paragraph (d) of this section, all continuous monitoring systems shall be in continuous operation and shall meet minimum frequency of operation requirements as follows:

(1) All continuous monitoring systems referenced by paragraph (c) of this section for measuring opacity of emissions shall complete a minimum of one cycle of sampling and analyzing for each successive 10-second period and one cycle of data recording for each successive 6-minute period.

(2) All continuous monitoring systems referenced by paragraph (c) of this section for measuring emissions, except opacity, shall complete a minimum of one cycle of operation (sampling, analyzing, and data recording) for each successive 15-minute period.

(f) All continuous monitoring systems or monitoring devices shall be installed such that representative measurements of emissions or process parameters from the affected facility are obtained. Additional procedures for location of continuous monitoring systems contained in the applicable Performance Specifications of appendix B of this part shall be used.

(g) When the effluents from a single affected facility or two or more affected facilities subject to the same emission standards are combined before being released to the atmosphere, the owner or operator may install applicable continuous monitoring systems on each effluent or on the combined effluent. When the affected facilities are not subject to the same emission standards, separate continuous monitoring systems shall be installed on each effluent. When the effluent from one affected facility is released to the atmosphere through more than one point, the owner or operator shall install an applicable continuous monitoring system on each separate effluent unless the installation of fewer systems is approved by the Administrator. When more than one continuous monitoring system is used to measure the emissions from one affected facility (e.g., multiple breechings, multiple outlets), the owner or operator shall report the results as required from each continuous monitoring system.

(h)(1) Owners or operators of all continuous monitoring systems for measurement of opacity shall reduce all data to 6-minute averages and for continuous monitoring systems other than opacity to 1-hour averages for time periods as defined in §60.2. Six-minute opacity averages shall be calculated from 36 or more data points equally spaced over each 6-minute period.

(2) For continuous monitoring systems other than opacity, 1-hour averages shall be computed as follows, except that the provisions pertaining to the validation of partial operating hours are only applicable for affected facilities that are required by the applicable subpart to include partial hours in the emission calculations:

(i) Except as provided under paragraph (h)(2)(iii) of this section, for a full operating hour (any clock hour with 60 minutes of unit operation), at least four valid data points are required to calculate the hourly average, *i.e.*, one data point in each of the 15-minute quadrants of the hour.

(ii) Except as provided under paragraph (h)(2)(iii) of this section, for a partial operating hour (any clock hour with less than 60 minutes of unit operation), at least one valid data point in each 15-minute quadrant of the hour in which the unit operates is required to calculate the hourly average.

(iii) For any operating hour in which required maintenance or quality-assurance activities are performed:

(A) If the unit operates in two or more quadrants of the hour, a minimum of two valid data points, separated by at least 15 minutes, is required to calculate the hourly average; or

(B) If the unit operates in only one quadrant of the hour, at least one valid data point is required to calculate the hourly average.

(iv) If a daily calibration error check is failed during any operating hour, all data for that hour shall be invalidated, unless a subsequent calibration error test is passed in the same hour and the requirements of paragraph (h)(2)(iii) of this section are met, based solely on valid data recorded after the successful calibration.

(v) For each full or partial operating hour, all valid data points shall be used to calculate the hourly average.

(vi) Except as provided under paragraph (h)(2)(vii) of this section, data recorded during periods of continuous monitoring system breakdown, repair, calibration checks, and zero and span adjustments shall not be included in the data averages computed under this paragraph.

(vii) Owners and operators complying with the requirements of §60.7(f)(1) or (2) must include any data recorded during periods of monitor breakdown or malfunction in the data averages.

(viii) When specified in an applicable subpart, hourly averages for certain partial operating hours shall not be computed or included in the emission averages (e.g., hours with 30 minutes of unit operation under §60.47b(d)).

(ix) Either arithmetic or integrated averaging of all data may be used to calculate the hourly averages. The data may be recorded in reduced or nonreduced form (e.g., ppm pollutant and percent O_2 or ng/J of pollutant).

(3) All excess emissions shall be converted into units of the standard using the applicable conversion procedures specified in the applicable subpart. After conversion into units of the standard, the data may be rounded to the same number of significant digits used in the applicable subpart to specify the emission limit.

(i) After receipt and consideration of written application, the Administrator may approve alternatives to any monitoring procedures or requirements of this part including, but not limited to the following:

(1) Alternative monitoring requirements when installation of a continuous monitoring system or monitoring device specified by this part would not provide accurate measurements due to liquid water or other interferences caused by substances in the effluent gases.

(2) Alternative monitoring requirements when the affected facility is infrequently operated.

(3) Alternative monitoring requirements to accommodate continuous monitoring systems that require additional measurements to correct for stack moisture conditions.

(4) Alternative locations for installing continuous monitoring systems or monitoring devices when the owner or operator can demonstrate that installation at alternate locations will enable accurate and representative measurements.

(5) Alternative methods of converting pollutant concentration measurements to units of the standards.

(6) Alternative procedures for performing daily checks of zero and span drift that do not involve use of span gases or test cells.

(7) Alternatives to the A.S.T.M. test methods or sampling procedures specified by any subpart.

(8) Alternative continuous monitoring systems that do not meet the design or performance requirements in Performance Specification 1, appendix B, but adequately demonstrate a definite and consistent relationship between its measurements and the measurements of opacity by a system complying with the requirements in Performance Specification 1. The Administrator may require that such demonstration be performed for each affected facility.

(9) Alternative monitoring requirements when the effluent from a single affected facility or the combined effluent from two or more affected facilities is released to the atmosphere through more than one point.

(j) An alternative to the relative accuracy (RA) test specified in Performance Specification 2 of appendix B may be requested as follows:

(1) An alternative to the reference method tests for determining RA is available for sources with emission rates demonstrated to be less than 50 percent of the applicable standard. A source owner or operator may petition the Administrator to waive the RA test in Section 8.4 of Performance Specification 2 and substitute the procedures in Section 16.0 if the results of a performance test conducted according to the requirements in §60.8 of this subpart or other tests performed following the criteria in §60.8 demonstrate that the emission rate of the pollutant of interest in the units of the applicable standard is less than 50 percent of the applicable standard. For sources subject to standards expressed as control efficiency levels, a source owner or operator may petition the Administrator to waive the RA test and substitute the procedures in Section 16.0 of Performance Specification 2 if the control device exhaust emission rate is less than 50 percent of the level needed to meet the control efficiency requirement. The alternative procedures do not apply if the continuous emission monitoring system is used to determine compliance continuously with the applicable standard. The petition to waive the RA test shall include a detailed description of the procedures to be applied. Included shall be location and procedure for conducting the alternative, the concentration or response levels of the alternative RA materials, and the other equipment checks

included in the alternative procedure. The Administrator will review the petition for completeness and applicability. The determination to grant a waiver will depend on the intended use of the CEMS data (e.g., data collection purposes other than NSPS) and may require specifications more stringent than in Performance Specification 2 (e.g., the applicable emission limit is more stringent than NSPS).

(2) The waiver of a CEMS RA test will be reviewed and may be rescinded at such time, following successful completion of the alternative RA procedure, that the CEMS data indicate that the source emissions are approaching the level. The criterion for reviewing the waiver is the collection of CEMS data showing that emissions have exceeded 70 percent of the applicable standard for seven, consecutive, averaging periods as specified by the applicable regulation(s). For sources subject to standards expressed as control efficiency levels, the criterion for reviewing the waiver is the collection of CEMS data showing that exhaust emissions have exceeded 70 percent of the level needed to meet the control efficiency requirement for seven, consecutive, averaging periods as specified by the applicable regulation(s) [e.g., §§60.45(g) (2) and (3), 60.73(e), and §60.84(e)]. It is the responsibility of the source operator to maintain records and determine the level of emissions relative to the criterion on the waiver of RA testing. If this criterion is exceeded, the owner or operator must notify the Administrator within 10 days of such occurrence and include a description of the nature and cause of the increasing emissions. The Administrator will review the notification and may rescind the waiver and require the owner or operator to conduct a RA test of the CEMS as specified in Section 8.4 of Performance Specification 2.

[40 FR 46255, Oct. 6, 1975]

EDITORIAL NOTES: 1. For FEDERAL REGISTER citations affecting §60.13, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and at *www.fdsys.gov.*

2. At 65 FR 61749, Oct. 17, 2000, §60.13 was amended by revising the words "ng/J of pollutant" to read "ng of pollutant per J of heat input" in the sixth sentence of paragraph (h). However, the amendment could not be incorporated because the words "ng/J of pollutant" do not appear in the sixth sentence of paragraph (h).

§ 60.13 is applicable and the Rathdrum Combustion Turbine Project conducts the applicable monitoring as required and adheres to the requirements of this section.

§ 60.14 Modification.

(a) Except as provided under paragraphs (e) and (f) of this section, any physical or operational change to an existing facility which results in an increase in the emission rate to the atmosphere of any pollutant to which a standard applies shall be considered a modification within the meaning of section 111 of the Act. Upon modification, an existing facility shall become an affected facility for each pollutant to which a standard applies and for which there is an increase in the emission rate to the atmosphere.

(b) Emission rate shall be expressed as kg/hr of any pollutant discharged into the atmosphere for which a standard is applicable. The Administrator shall use the following to determine emission rate:

(1) Emission factors as specified in the latest issue of "Compilation of Air Pollutant Emission Factors," EPA Publication No. AP–42, or other emission factors determined by the Administrator to be superior to AP–42 emission factors, in cases where utilization of emission factors demonstrates that the emission level resulting from the physical or operational change will either clearly increase or clearly not increase.

(2) Material balances, continuous monitor data, or manual emission tests in cases where utilization of emission factors as referenced in paragraph (b)(1) of this section does not demonstrate to the Administrator's satisfaction whether the emission level resulting from the physical or operational change will either clearly increase or clearly not increase, or where an owner or operator demonstrates to the Administrator's satisfaction that there are reasonable grounds to dispute the result obtained by the Administrator utilizing emission factors as referenced in paragraph (b)(1) of this section. When the emission rate is based on results from manual emission tests or continuous monitoring systems, the procedures specified in appendix C of this part shall be used to determine whether an increase in emission rate has occurred. Tests shall be conducted under such conditions as the Administrator shall specify to the owner or operator based on representative performance of the facility. At least three valid test runs must be conducted before and at least three after the physical or operational change. All operating parameters which may affect emissions must be held constant to the maximum feasible degree for all test runs.

(c) The addition of an affected facility to a stationary source as an expansion to that source or as a replacement for an existing facility shall not by itself bring within the applicability of this part any other facility within that source.

(d) [Reserved]

(e) The following shall not, by themselves, be considered modifications under this part:

(1) Maintenance, repair, and replacement which the Administrator determines to be routine for a source category, subject to the provisions of paragraph (c) of this section and §60.15.

(2) An increase in production rate of an existing facility, if that increase can be accomplished without a capital expenditure on that facility.

(3) An increase in the hours of operation.

(4) Use of an alternative fuel or raw material if, prior to the date any standard under this part becomes applicable to that source type, as provided by §60.1, the existing facility was designed to accommodate that alternative use. A facility shall be considered to be designed to accommodate an alternative fuel or raw material if that use could be accomplished under the facility's construction specifications as amended prior to the change. Conversion to coal required for energy considerations, as specified in section 111(a)(8) of the Act, shall not be considered a modification.

(5) The addition or use of any system or device whose primary function is the reduction of air pollutants, except when an emission control system is removed or is replaced by a system which the Administrator determines to be less environmentally beneficial.

(6) The relocation or change in ownership of an existing facility.

(f) Special provisions set forth under an applicable subpart of this part shall supersede any conflicting provisions of this section.

(g) Within 180 days of the completion of any physical or operational change subject to the control measures specified in paragraph (a) of this section, compliance with all applicable standards must be achieved.

(h) No physical change, or change in the method of operation, at an existing electric utility steam generating unit shall be treated as a modification for the purposes of this section provided that such change does not increase the maximum hourly emissions of any pollutant regulated under this section above the maximum hourly emissions achievable at that unit during the 5 years prior to the change.

(i) Repowering projects that are awarded funding from the Department of Energy as permanent clean coal technology demonstration projects (or similar projects funded by EPA) are exempt from the requirements of this section provided that such change does not increase the maximum hourly emissions of any pollutant regulated under this section above the maximum hourly emissions achievable at that unit during the five years prior to the change.

(j)(1) Repowering projects that qualify for an extension under section 409(b) of the Clean Air Act are exempt from the requirements of this section, provided that such change does not increase the actual hourly emissions of any pollutant regulated under this section above the actual hourly emissions achievable at that unit during the 5 years prior to the change.

(2) This exemption shall not apply to any new unit that:

(i) Is designated as a replacement for an existing unit;

(ii) Qualifies under section 409(b) of the Clean Air Act for an extension of an emission limitation compliance date under section 405 of the Clean Air Act; and

(iii) Is located at a different site than the existing unit.

(k) The installation, operation, cessation, or removal of a temporary clean coal technology demonstration project is exempt from the requirements of this section. A *temporary clean coal control technology demonstration project,* for the purposes of this section is a clean coal technology demonstration project that is operated for a period of 5 years or less, and which complies with the State implementation plan for the State in which the project is located and other requirements necessary to attain and maintain the national ambient air quality standards during the project and after it is terminated.

(l) The reactivation of a very clean coal-fired electric utility steam generating unit is exempt from the requirements of this section.

[40 FR 58419, Dec. 16, 1975, as amended at 43 FR 34347, Aug. 3, 1978; 45 FR 5617, Jan. 23, 1980; 57 FR 32339, July 21, 1992; 65 FR 61750, Oct. 17, 2000]

§ 60.14 relates to modification of a facility and the results of such modification. This section is only applicable if the Rathdrum Combustion Project undergoes a modification.

§ 60.15 Reconstruction.

(a) An existing facility, upon reconstruction, becomes an affected facility, irrespective of any change in emission rate.

(b) "Reconstruction" means the replacement of components of an existing facility to such an extent that:

(1) The fixed capital cost of the new components exceeds 50 percent of the fixed capital cost that would be required to construct a comparable entirely new facility, and

(2) It is technologically and economically feasible to meet the applicable standards set forth in this part.

(c) "Fixed capital cost" means the capital needed to provide all the depreciable components.

(d) If an owner or operator of an existing facility proposes to replace components, and the fixed capital cost of the new components exceeds 50 percent of the fixed capital cost that would be required to construct a comparable entirely new facility, he shall notify the Administrator of the proposed replacements. The notice must be postmarked 60 days (or as soon as practicable) before construction of the replacements is commenced and must include the following information:

(1) Name and address of the owner or operator.

(2) The location of the existing facility.

(3) A brief description of the existing facility and the components which are to be replaced.

(4) A description of the existing air pollution control equipment and the proposed air pollution control equipment.

(5) An estimate of the fixed capital cost of the replacements and of constructing a comparable entirely new facility.

(6) The estimated life of the existing facility after the replacements.

(7) A discussion of any economic or technical limitations the facility may have in complying with the applicable standards of performance after the proposed replacements.

(e) The Administrator will determine, within 30 days of the receipt of the notice required by paragraph (d) of this section and any additional information he may reasonably require, whether the proposed replacement constitutes reconstruction.

(f) The Administrator's determination under paragraph (e) shall be based on:

(1) The fixed capital cost of the replacements in comparison to the fixed capital cost that would be required to construct a comparable entirely new facility;

(2) The estimated life of the facility after the replacements compared to the life of a comparable entirely new facility;

(3) The extent to which the components being replaced cause or contribute to the emissions from the facility; and

(4) Any economic or technical limitations on compliance with applicable standards of performance which are inherent in the proposed replacements.

(g) Individual subparts of this part may include specific provisions which refine and delimit the concept of reconstruction set forth in this section.

[40 FR 58420, Dec. 16, 1975]

§ 60.15 relates to reconstruction of a facility, and the results and requirements of such reconstruction. This section is only applicable if the Rathdrum Combustion Project undergoes reconstruction.

§ 60.16 Priority list.

Prioritized Major Source Categories

Priority Number [1]	*Source Category*
1.	Synthetic Organic Chemical Manufacturing Industry (SOCMI) and Volatile Organic Liquid Storage Vessels and Handling Equipment
	(a) SOCMI unit processes
	(b) Volatile organic liquid (VOL) storage vessels and handling equipment
	(c) SOCMI fugitive sources
	(d) SOCMI secondary sources
2.	Industrial Surface Coating: Cans
3.	Petroleum Refineries: Fugitive Sources
4.	Industrial Surface Coating: Paper
5.	Dry Cleaning
	(a) Perchloroethylene
	(b) Petroleum solvent
6.	Graphic Arts
7.	Polymers and Resins: Acrylic Resins
8.	Mineral Wool (Deleted)
9.	Stationary Internal Combustion Engines
10.	Industrial Surface Coating: Fabric
11.	Industrial-Commercial-Institutional Steam Generating Units.
12.	Incineration: Non-Municipal (Deleted)
13.	Non-Metallic Mineral Processing
14.	Metallic Mineral Processing
15.	Secondary Copper (Deleted)
16.	Phosphate Rock Preparation
17.	Foundries: Steel and Gray Iron
18.	Polymers and Resins: Polyethylene
19.	Charcoal Production
20.	Synthetic Rubber
	(a) Tire manufacture
	(b) SBR production
21.	Vegetable Oil
22.	Industrial Surface Coating: Metal Coil
23.	Petroleum Transportation and Marketing
24.	By-Product Coke Ovens
25.	Synthetic Fibers
26.	Plywood Manufacture
27.	Industrial Surface Coating: Automobiles
28.	Industrial Surface Coating: Large Appliances
29.	Crude Oil and Natural Gas Production
30.	Secondary Aluminum
31.	Potash (Deleted)
32.	Lightweight Aggregate Industry: Clay, Shale, and Slate[2]
33.	Glass
34.	Gypsum
35.	Sodium Carbonate

36.	Secondary Zinc (Deleted)
37.	Polymers and Resins: Phenolic
38.	Polymers and Resins: Urea-Melamine
39.	Ammonia (Deleted)
40.	Polymers and Resins: Polystyrene
41.	Polymers and Resins: ABS-SAN Resins
42.	Fiberglass
43.	Polymers and Resins: Polypropylene
44.	Textile Processing
45.	Asphalt Processing and Asphalt Roofing Manufacture
46.	Brick and Related Clay Products
47.	Ceramic Clay Manufacturing (Deleted)
48.	Ammonium Nitrate Fertilizer
49.	Castable Refractories (Deleted)
50.	Borax and Boric Acid (Deleted)
51.	Polymers and Resins: Polyester Resins
52.	Ammonium Sulfate
53.	Starch
54.	Perlite
55.	Phosphoric Acid: Thermal Process (Deleted)
56.	Uranium Refining
57.	Animal Feed Defluorination (Deleted)
58.	Urea (for fertilizer and polymers)
59.	Detergent (Deleted)
Other Source Categories	
Lead acid battery manufacture[3]	
Organic solvent cleaning[3]	
Industrial surface coating: metal furniture[3]	
Stationary gas turbines[4]	
Municipal solid waste landfills[4]	

[1]Low numbers have highest priority, e.g., No. 1 is high priority, No. 59 is low priority.

[2]Formerly titled "Sintering: Clay and Fly Ash".

[3]Minor source category, but included on list since an NSPS is being developed for that source category.

[4]Not prioritized, since an NSPS for this major source category has already been promulgated.

[47 FR 951, Jan. 8, 1982, as amended at 47 FR 31876, July 23, 1982; 51 FR 42796, Nov. 25, 1986; 52 FR 11428, Apr. 8, 1987; 61 FR 9919, Mar. 12, 1996]

§ 60.16 is not applicable to the Rathdrum Combustion Turbine Project.

§ 60.17 Incorporations by reference.

Note: Refer to http://www.ecfr.gov for materials incorporated by reference.

§ 60.17 is informational and not an applicable requirement for the Rathdrum Combustion Turbine Project.

§ 60.18 General control device and work practice requirements.

(a) *Introduction.* (1) This section contains requirements for control devices used to comply with applicable subparts of 40 CFR parts 60 and 61. The requirements are placed here for administrative convenience and apply only to facilities covered by subparts referring to this section.

(2) This section also contains requirements for an alternative work practice used to identify leaking equipment. This alternative work practice is placed here for administrative convenience and is available to all subparts in 40 CFR parts 60, 61, 63, and 65 that require monitoring of equipment with a 40 CFR part 60, Appendix A–7, Method 21 monitor.

(b) *Flares.* Paragraphs (c) through (f) apply to flares.

(c)(1) Flares shall be designed for and operated with no visible emissions as determined by the methods specified in paragraph (f), except for periods not to exceed a total of 5 minutes during any 2 consecutive hours.

(2) Flares shall be operated with a flame present at all times, as determined by the methods specified in paragraph (f).

(3) An owner/operator has the choice of adhering to either the heat content specifications in paragraph (c)(3)(ii) of this section and the maximum tip velocity specifications in paragraph (c)(4) of this section, or adhering to the requirements in paragraph (c)(3)(i) of this section.

(i)(A) Flares shall be used that have a diameter of 3 inches or greater, are nonassisted, have a hydrogen content of 8.0 percent (by volume), or greater, and are designed for and operated with an exit velocity less than 37.2 m/sec (122 ft/sec) and less than the velocity, V_{max}, as determined by the following equation:

$V_{max}=(X_{H2}-K_1)* K_2$
Where:
V_{max}=Maximum permitted velocity, m/sec.
K_1=Constant, 6.0 volume-percent hydrogen.
K_2=Constant, 3.9(m/sec)/volume-percent hydrogen.
X_{H2}=The volume-percent of hydrogen, on a wet basis, as calculated by using the American Society for Testing and Materials (ASTM) Method D1946–77. (Incorporated by reference as specified in §60.17).

(B) The actual exit velocity of a flare shall be determined by the method specified in paragraph (f)(4) of this section.

(ii) Flares shall be used only with the net heating value of the gas being combusted being 11.2 MJ/scm (300 Btu/scf) or greater if the flare is steam-assisted or air-assisted; or with the net heating value of the gas being combusted being 7.45 MJ/scm (200 Btu/scf) or greater if the flare is nonassisted. The net heating value of the gas being combusted shall be determined by the methods specified in paragraph (f)(3) of this section.

(4)(i) Steam-assisted and nonassisted flares shall be designed for and operated with an exit velocity, as determined by the methods specified in paragraph (f)(4) of this section, less than 18.3 m/sec (60 ft/sec), except as provided in paragraphs (c)(4) (ii) and (iii) of this section.

(ii) Steam-assisted and nonassisted flares designed for and operated with an exit velocity, as determined by the methods specified in paragraph (f)(4), equal to or greater than 18.3 m/sec (60 ft/sec) but less than 122 m/sec (400 ft/sec) are allowed if the net heating value of the gas being combusted is greater than 37.3 MJ/scm (1,000 Btu/scf).

(iii) Steam-assisted and nonassisted flares designed for and operated with an exit velocity, as determined by the methods specified in paragraph (f)(4), less than the velocity, V_{max}, as determined by the method specified in paragraph (f)(5), and less than 122 m/sec (400 ft/sec) are allowed.

(5) Air-assisted flares shall be designed and operated with an exit velocity less than the velocity, V_{max}, as determined by the method specified in paragraph (f)(6).

(6) Flares used to comply with this section shall be steam-assisted, air-assisted, or nonassisted.

(d) Owners or operators of flares used to comply with the provisions of this subpart shall monitor these control devices to ensure that they are operated and maintained in conformance with their designs. Applicable subparts will provide provisions stating how owners or operators of flares shall monitor these control devices.

(e) Flares used to comply with provisions of this subpart shall be operated at all times when emissions may be vented to them.

(f)(1) Method 22 of appendix A to this part shall be used to determine the compliance of flares with the visible emission provisions of this subpart. The observation period is 2 hours and shall be used according to Method 22.

(2) The presence of a flare pilot flame shall be monitored using a thermocouple or any other equivalent device to detect the presence of a flame.

(3) The net heating value of the gas being combusted in a flare shall be calculated using the following equation:

$$H_T = K \sum_{i=1}^{n} C_i H_i$$

where:

H_T=Net heating value of the sample, MJ/scm; where the net enthalpy per mole of offgas is based on combustion at 25 °C and 760 mm Hg, but the standard temperature for determining the volume corresponding to one mole is 20 °C;

$$K = \text{Constant}, \; 1.740 \times 10^{-7} \left(\frac{1}{ppm}\right) \left(\frac{g\ mole}{scm}\right) \left(\frac{MJ}{kcal}\right)$$

where the standard temperature for $\left(\frac{g\ mole}{scm}\right)$ is 20°C;

C_i=Concentration of sample component i in ppm on a wet basis, as measured for organics by Reference Method 18 and measured for hydrogen and carbon monoxide by ASTM D1946–77 or 90 (Reapproved 1994) (Incorporated by reference as specified in §60.17); and

H_i=Net heat of combustion of sample component i, kcal/g mole at 25 °C and 760 mm Hg. The heats of combustion may be determined using ASTM D2382–76 or 88 or D4809–95 (incorporated by reference as specified in §60.17) if published values are not available or cannot be calculated.

(4) The actual exit velocity of a flare shall be determined by dividing the volumetric flowrate (in units of standard temperature and pressure), as determined by Reference Methods 2, 2A, 2C, or 2D as appropriate; by the unobstructed (free) cross sectional area of the flare tip.

(5) The maximum permitted velocity, V_{max}, for flares complying with paragraph (c)(4)(iii) shall be determined by the following equation.

$Log_{10}(V_{max})=(H_T+28.8)/31.7$
V_{max}=Maximum permitted velocity, M/sec
28.8=Constant
31.7=Constant
H_T=The net heating value as determined in paragraph (f)(3).
(6) The maximum permitted velocity, V_{max}, for air-assisted flares shall be determined by the following equation.
$V_{max}=8.706+0.7084\ (H_T)$
V_{max}=Maximum permitted velocity, m/sec
8.706=Constant
0.7084=Constant

H_T=The net heating value as determined in paragraph (f)(3).

(g) *Alternative work practice for monitoring equipment for leaks.* Paragraphs (g), (h), and (i) of this section apply to all equipment for which the applicable subpart requires monitoring with a 40 CFR part 60, Appendix A–7, Method 21 monitor, except for closed vent systems, equipment designated as leakless, and equipment identified in the applicable subpart as having no detectable emissions, as indicated by an instrument reading of less than 500 ppm above background. An owner or operator may use an optical gas imaging instrument instead of a 40 CFR part 60, Appendix A–7, Method 21 monitor. Requirements in the existing subparts that are specific to the Method 21 instrument do not apply under this section. All other requirements in the applicable subpart that are not addressed in paragraphs (g), (h), and (i) of this section apply to this standard. For example, equipment specification requirements, and non-Method 21 instrument recordkeeping and reporting requirements in the applicable subpart continue to apply. The terms defined in paragraphs

(g)(1) through (5) of this section have meanings that are specific to the alternative work practice standard in paragraphs (g), (h), and (i) of this section.

(1) *Applicable subpart* means the subpart in 40 CFR parts 60, 61, 63, or 65 that requires monitoring of equipment with a 40 CFR part 60, Appendix A–7, Method 21 monitor.

(2) *Equipment* means pumps, valves, pressure relief valves, compressors, open-ended lines, flanges, connectors, and other equipment covered by the applicable subpart that require monitoring with a 40 CFR part 60, Appendix A–7, Method 21 monitor.

(3) *Imaging* means making visible emissions that may otherwise be invisible to the naked eye.

(4) *Optical gas imaging instrument* means an instrument that makes visible emissions that may otherwise be invisible to the naked eye.

(5) *Repair* means that equipment is adjusted, or otherwise altered, in order to eliminate a leak.

(6) *Leak* means:

(i) Any emissions imaged by the optical gas instrument;

(ii) Indications of liquids dripping;

(iii) Indications by a sensor that a seal or barrier fluid system has failed; or

(iv) Screening results using a 40 CFR part 60, Appendix A–7, Method 21 monitor that exceed the leak definition in the applicable subpart to which the equipment is subject.

(h) The alternative work practice standard for monitoring equipment for leaks is available to all subparts in 40 CFR parts 60, 61, 63, and 65 that require monitoring of equipment with a 40 CFR part 60, Appendix A–7, Method 21 monitor.

(1) An owner or operator of an affected source subject to CFR parts 60, 61, 63, or 65 can choose to comply with the alternative work practice requirements in paragraph (i) of this section instead of using the 40 CFR part 60, Appendix A–7, Method 21 monitor to identify leaking equipment. The owner or operator must document the equipment, process units, and facilities for which the alternative work practice will be used to identify leaks.

(2) Any leak detected when following the leak survey procedure in paragraph (i)(3) of this section must be identified for repair as required in the applicable subpart.

(3) If the alternative work practice is used to identify leaks, re-screening after an attempted repair of leaking equipment must be conducted using either the alternative work practice or the 40 CFR part 60, Appendix A–7, Method 21 monitor at the leak definition required in the applicable subpart to which the equipment is subject.

(4) The schedule for repair is as required in the applicable subpart.

(5) When this alternative work practice is used for detecting leaking equipment, choose one of the monitoring frequencies listed in Table 1 to subpart A of this part in lieu of the monitoring frequency specified for regulated equipment in the applicable subpart. Reduced monitoring frequencies for good performance are not applicable when using the alternative work practice.

(6) When this alternative work practice is used for detecting leaking equipment the following are not applicable for the equipment being monitored:

(i) Skip period leak detection and repair;

(ii) Quality improvement plans; or

(iii) Complying with standards for allowable percentage of valves and pumps to leak.

(7) When the alternative work practice is used to detect leaking equipment, the regulated equipment in paragraph (h)(1)(i) of this section must also be monitored annually using a 40 CFR part 60, Appendix A–7, Method 21 monitor at the leak definition required in the applicable subpart. The owner or operator may choose the specific monitoring period (for example, first quarter) to conduct the

annual monitoring. Subsequent monitoring must be conducted every 12 months from the initial period. Owners or operators must keep records of the annual Method 21 screening results, as specified in paragraph (i)(4)(vii) of this section.

(i) An owner or operator of an affected source who chooses to use the alternative work practice must comply with the requirements of paragraphs (i)(1) through (i)(5) of this section.

(1) Instrument Specifications. The optical gas imaging instrument must comply with the requirements in (i)(1)(i) and (i)(1)(ii) of this section.

(i) Provide the operator with an image of the potential leak points for each piece of equipment at both the detection sensitivity level and within the distance used in the daily instrument check described in paragraph (i)(2) of this section. The detection sensitivity level depends upon the frequency at which leak monitoring is to be performed.

(ii) Provide a date and time stamp for video records of every monitoring event.

(2) Daily Instrument Check. On a daily basis, and prior to beginning any leak monitoring work, test the optical gas imaging instrument at the mass flow rate determined in paragraph (i)(2)(i) of this section in accordance with the procedure specified in paragraphs (i)(2)(ii) through (i)(2)(iv) of this section for each camera configuration used during monitoring (for example, different lenses used), unless an alternative method to demonstrate daily instrument checks has been approved in accordance with paragraph (i)(2)(v) of this section.

(i) Calculate the mass flow rate to be used in the daily instrument check by following the procedures in paragraphs (i)(2)(i)(A) and (i)(2)(i)(B) of this section.

(A) For a specified population of equipment to be imaged by the instrument, determine the piece of equipment in contact with the lowest mass fraction of chemicals that are detectable, within the distance to be used in paragraph (i)(2)(iv)(B) of this section, at or below the standard detection sensitivity level.

(B) Multiply the standard detection sensitivity level, corresponding to the selected monitoring frequency in Table 1 of subpart A of this part, by the mass fraction of detectable chemicals from the stream identified in paragraph (i)(2)(i)(A) of this section to determine the mass flow rate to be used in the daily instrument check, using the following equation.

$$E_{dic} = (E_{sds}) \sum_{i=1}^{k} x_i$$

Where:

E_{dic}= Mass flow rate for the daily instrument check, grams per hour

x_i= Mass fraction of detectable chemical(s) i seen by the optical gas imaging instrument, within the distance to be used in paragraph (i)(2)(iv)(B) of this section, at or below the standard detection sensitivity level, E_{sds}.

E_{sds}= Standard detection sensitivity level from Table 1 to subpart A, grams per hour

k = Total number of detectable chemicals emitted from the leaking equipment and seen by the optical gas imaging instrument.

(ii) Start the optical gas imaging instrument according to the manufacturer's instructions, ensuring that all appropriate settings conform to the manufacturer's instructions.

(iii) Use any gas chosen by the user that can be viewed by the optical gas imaging instrument and that has a purity of no less than 98 percent.

(iv) Establish a mass flow rate by using the following procedures:

(A) Provide a source of gas where it will be in the field of view of the optical gas imaging instrument.

(B) Set up the optical gas imaging instrument at a recorded distance from the outlet or leak orifice of the flow meter that will not be exceeded in the actual performance of the leak survey. Do not exceed the operating parameters of the flow meter.

(C) Open the valve on the flow meter to set a flow rate that will create a mass emission rate equal to the mass rate specified in paragraph (i)(2)(i) of this section while observing the gas flow through the optical gas imaging instrument viewfinder. When an image of the gas emission is seen through the viewfinder at the required emission rate, make a record of the reading on the flow meter.

(v) Repeat the procedures specified in paragraphs (i)(2)(ii) through (i)(2)(iv) of this section for each configuration of the optical gas imaging instrument used during the leak survey.

(vi) To use an alternative method to demonstrate daily instrument checks, apply to the Administrator for approval of the alternative under §60.13(i).

(3) Leak Survey Procedure. Operate the optical gas imaging instrument to image every regulated piece of equipment selected for this work practice in accordance with the instrument manufacturer's operating parameters. All emissions imaged by the optical gas imaging instrument are considered to be leaks and are subject to repair. All emissions visible to the naked eye are also considered to be leaks and are subject to repair.

(4) Recordkeeping. You must keep the records described in paragraphs (i)(4)(i) through (i)(4)(vii) of this section:

(i) The equipment, processes, and facilities for which the owner or operator chooses to use the alternative work practice.

(ii) The detection sensitivity level selected from Table 1 to subpart A of this part for the optical gas imaging instrument.

(iii) The analysis to determine the piece of equipment in contact with the lowest mass fraction of chemicals that are detectable, as specified in paragraph (i)(2)(i)(A) of this section.

(iv) The technical basis for the mass fraction of detectable chemicals used in the equation in paragraph (i)(2)(i)(B) of this section.

(v) The daily instrument check. Record the distance, per paragraph (i)(2)(iv)(B) of this section, and the flow meter reading, per paragraph (i)(2)(iv)(C) of this section, at which the leak was imaged. Keep a video record of the daily instrument check for each configuration of the optical gas imaging instrument used during the leak survey (for example, the daily instrument check must be conducted for each lens used). The video record must include a time and date stamp for each daily instrument check. The video record must be kept for 5 years.

(vi) Recordkeeping requirements in the applicable subpart. A video record must be used to document the leak survey results. The video record must include a time and date stamp for each monitoring event. A video record can be used to meet the recordkeeping requirements of the applicable subparts if each piece of regulated equipment selected for this work practice can be identified in the video record. The video record must be kept for 5 years.

(vii) The results of the annual Method 21 screening required in paragraph (h)(7) of this section. Records must be kept for all regulated equipment specified in paragraph (h)(1) of this section. Records must identify the equipment screened, the screening value measured by Method 21, the time and date of the screening, and calibration information required in the existing applicable subpart.

(5) Reporting. Submit the reports required in the applicable subpart. Submit the records of the annual Method 21 screening required in paragraph (h)(7) of this section to the Administrator via e-mail to *CCG-AWP@EPA.GOV.*

[51 FR 2701, Jan. 21, 1986, as amended at 63 FR 24444, May 4, 1998; 65 FR 61752, Oct. 17, 2000; 73 FR 78209, Dec. 22, 2008]

§ 60.18 is not applicable to the Rathdrum Combustion Turbine Project.

§ 60.19 General notification and reporting requirements.

(a) For the purposes of this part, time periods specified in days shall be measured in calendar days, even if the word "calendar" is absent, unless otherwise specified in an applicable requirement.

(b) For the purposes of this part, if an explicit postmark deadline is not specified in an applicable requirement for the submittal of a notification, application, report, or other written communication to the Administrator, the owner or operator shall postmark the submittal on or before the number of days specified in the applicable requirement. For example, if a notification must be submitted 15 days before a particular event is scheduled to take place, the notification shall be postmarked on or before 15 days preceding the event; likewise, if a notification must be submitted 15 days after a particular event takes place, the notification shall be delivered or postmarked on or before 15 days following the end of the event. The use of reliable non-Government mail carriers that provide

indications of verifiable delivery of information required to be submitted to the Administrator, similar to the postmark provided by the U.S. Postal Service, or alternative means of delivery, including the use of electronic media, agreed to by the permitting authority, is acceptable.

(c) Notwithstanding time periods or postmark deadlines specified in this part for the submittal of information to the Administrator by an owner or operator, or the review of such information by the Administrator, such time periods or deadlines may be changed by mutual agreement between the owner or operator and the Administrator. Procedures governing the implementation of this provision are specified in paragraph (f) of this section.

(d) If an owner or operator of an affected facility in a State with delegated authority is required to submit periodic reports under this part to the State, and if the State has an established timeline for the submission of periodic reports that is consistent with the reporting frequency(ies) specified for such facility under this part, the owner or operator may change the dates by which periodic reports under this part shall be submitted (without changing the frequency of reporting) to be consistent with the State's schedule by mutual agreement between the owner or operator and the State. The allowance in the previous sentence applies in each State beginning 1 year after the affected facility is required to be in compliance with the applicable subpart in this part. Procedures governing the implementation of this provision are specified in paragraph (f) of this section.

(e) If an owner or operator supervises one or more stationary sources affected by standards set under this part and standards set under part 61, part 63, or both such parts of this chapter, he/she may arrange by mutual agreement between the owner or operator and the Administrator (or the State with an approved permit program) a common schedule on which periodic reports required by each applicable standard shall be submitted throughout the year. The allowance in the previous sentence applies in each State beginning 1 year after the stationary source is required to be in compliance with the applicable subpart in this part, or 1 year after the stationary source is required to be in compliance with the applicable 40 CFR part 61 or part 63 of this chapter standard, whichever is latest. Procedures governing the implementation of this provision are specified in paragraph (f) of this section.

(f)(1)(i) Until an adjustment of a time period or postmark deadline has been approved by the Administrator under paragraphs (f)(2) and (f)(3) of this section, the owner or operator of an affected facility remains strictly subject to the requirements of this part.

(ii) An owner or operator shall request the adjustment provided for in paragraphs (f)(2) and (f)(3) of this section each time he or she wishes to change an applicable time period or postmark deadline specified in this part.

(2) Notwithstanding time periods or postmark deadlines specified in this part for the submittal of information to the Administrator by an owner or operator, or the review of such information by the Administrator, such time periods or deadlines may be changed by mutual agreement between the owner or operator and the Administrator. An owner or operator who wishes to request a change in a time period or postmark deadline for a particular requirement shall request the adjustment in writing as soon as practicable before the subject activity is required to take place. The owner or operator shall include in the request whatever information he or she considers useful to convince the Administrator that an adjustment is warranted.

(3) If, in the Administrator's judgment, an owner or operator's request for an adjustment to a particular time period or postmark deadline is warranted, the Administrator will approve the adjustment. The Administrator will notify the owner or operator in writing of approval or disapproval of the request for an adjustment within 15 calendar days of receiving sufficient information to evaluate the request.

(4) If the Administrator is unable to meet a specified deadline, he or she will notify the owner or operator of any significant delay and inform the owner or operator of the amended schedule.

[59 FR 12428, Mar. 16, 1994, as amended at 64 FR 7463, Feb. 12, 1998]

§ 60.19 is applicable to the Rathdrum Combustion Turbine Project.

Table 1 to Subpart A to Part 60–Detection Sensitivity Levels (grams per hour)

Monitoring frequency per subpart[a]	Detection sensitivity level
Bi-Monthly	60
Semi-Quarterly	85
Monthly	100

[a]When this alternative work practice is used to identify leaking equipment, the owner or operator must choose one of the monitoring frequencies listed in this table in lieu of the monitoring frequency specified in the applicable subpart. Bi-monthly means every other month. Semi-quarterly means twice per quarter. Monthly means once per month.

[73 FR 78211, Dec. 22, 2008]

Regulatory Analysis for NSPS - 40 CFR 60 Subpart GG

Note: The sections highlighted in yellow are applicable to sources EU-1 (Unit 1) and EU-2 (Unit 2). Inapplicable sections of the text are shown in black font and not highlighted**. Text in *red bold italics* explain why the source is or is not subject the section/subsection.**

Subpart GG—Standards of Performance for Stationary Gas Turbines
§ 60.330 Applicability and designation of affected facility.

(a) The provisions of this subpart are applicable to the following affected facilities: All stationary gas turbines with a heat input at peak load equal to or greater than 10.7 gigajoules (10 million Btu) per hour, based on the lower heating value of the fuel fired.

(b) Any facility under paragraph (a) of this section which commences construction, modification, or reconstruction after October 3, 1977, is subject to the requirements of this part except as provided in paragraphs (e) and (j) of §60.332.

[44 FR 52798, Sept. 10, 1979, as amended at 52 FR 42434, Nov. 5, 1987; 65 FR 61759, Oct. 17, 2000]

§ 60.330 applies to Rathdrum Combustion Project EU-1 and EU-2 because the turbines have a heat input of greater than 10 MMBtu/hr and were constructed after October 3, 1977.

§ 60.331 Definitions.

As used in this subpart, all terms not defined herein shall have the meaning given them in the Act and in subpart A of this part.

(a) *Stationary gas turbine* means any simple cycle gas turbine, regenerative cycle gas turbine or any gas turbine portion of a combined cycle steam/electric generating system that is not self propelled. It may, however, be mounted on a vehicle for portability.

(b) *Simple cycle gas turbine* means any stationary gas turbine which does not recover heat from the gas turbine exhaust gases to preheat the inlet combustion air to the gas turbine, or which does not recover heat from the gas turbine exhaust gases to heat water or generate steam.

(c) *Regenerative cycle gas turbine* means any stationary gas turbine which recovers heat from the gas turbine exhaust gases to preheat the inlet combustion air to the gas turbine.

(d) *Combined cycle gas turbine* means any stationary gas turbine which recovers heat from the gas turbine exhaust gases to heat water or generate steam.

(e) *Emergency gas turbine* means any stationary gas turbine which operates as a mechanical or electrical power source only when the primary power source for a facility has been rendered inoperable by an emergency situation.

(f) *Ice fog* means an atmospheric suspension of highly reflective ice crystals.

(g) *ISO standard day conditions* means 288 degrees Kelvin, 60 percent relative humidity and 101.3 kilopascals pressure.

(h) *Efficiency* means the gas turbine manufacturer's rated heat rate at peak load in terms of heat input per unit of power output based on the lower heating value of the fuel.

(i) *Peak load* means 100 percent of the manufacturer's design capacity of the gas turbine at ISO standard day conditions.

(j) *Base load* means the load level at which a gas turbine is normally operated.

(k) *Fire-fighting turbine* means any stationary gas turbine that is used solely to pump water for extinguishing fires.

(l) *Turbines employed in oil/gas production or oil/gas transportation* means any stationary gas turbine used to provide power to extract crude oil/natural gas from the earth or to move crude oil/natural gas, or products refined from these substances through pipelines.

(m) A *Metropolitan Statistical Area* or *MSA* as defined by the Department of Commerce.

(n) *Offshore platform gas turbines* means any stationary gas turbine located on a platform in an ocean.

(o) *Garrison facility* means any permanent military installation.

(p) *Gas turbine model* means a group of gas turbines having the same nominal air flow, combuster inlet pressure, combuster inlet temperature, firing temperature, turbine inlet temperature and turbine inlet pressure.

(q) *Electric utility stationary gas turbine* means any stationary gas turbine constructed for the purpose of supplying more than one-third of its potential electric output capacity to any utility power distribution system for sale.

(r) *Emergency fuel* is a fuel fired by a gas turbine only during circumstances, such as natural gas supply curtailment or breakdown of delivery system, that make it impossible to fire natural gas in the gas turbine.

(s) *Unit operating hour* means a clock hour during which any fuel is combusted in the affected unit. If the unit combusts fuel for the entire clock hour, it is considered to be a full unit operating hour. If the unit combusts fuel for only part of the clock hour, it is considered to be a partial unit operating hour.

(t) *Excess emissions* means a specified averaging period over which either:

(1) The NO_X emissions are higher than the applicable emission limit in §60.332;

(2) The total sulfur content of the fuel being combusted in the affected facility exceeds the limit specified in §60.333; or

(3) The recorded value of a particular monitored parameter is outside the acceptable range specified in the parameter monitoring plan for the affected unit.

(u) *Natural gas* means a naturally occurring fluid mixture of hydrocarbons (*e.g.* , methane, ethane, or propane) produced in geological formations beneath the Earth's surface that maintains a gaseous state at standard atmospheric temperature and pressure under ordinary conditions. Natural gas contains 20.0 grains or less of total sulfur per 100 standard cubic feet. Equivalents of this in other units are as follows: 0.068 weight percent total sulfur, 680 parts per million by weight (ppmw) total sulfur, and 338 parts per million by volume (ppmv) at 20 degrees Celsius total sulfur. Additionally, natural gas must either be composed of at least 70 percent methane by volume or have a gross calorific value between 950 and 1100 British thermal units (Btu) per standard cubic foot. Natural gas does not include the following gaseous fuels: landfill gas, digester gas, refinery gas, sour gas, blast furnace gas, coal-derived gas, producer gas, coke oven gas, or any gaseous fuel produced in a process which might result in highly variable sulfur content or heating value.

(v) *Duct burner* means a device that combusts fuel and that is placed in the exhaust duct from another source, such as a stationary gas turbine, internal combustion engine, kiln, etc., to allow the firing of additional fuel to heat the exhaust gases before the exhaust gases enter a heat recovery steam generating unit.

(w) *Lean premix stationary combustion turbine* means any stationary combustion turbine where the air and fuel are thoroughly mixed to form a lean mixture for combustion in the combustor. Mixing may occur before or in the combustion chamber. A unit which is capable of operating in both lean premix and diffusion flame modes is considered a lean premix stationary combustion turbine when it is in the lean premix mode, and it is considered a diffusion flame stationary combustion turbine when it is in the diffusion flame mode.

(x) *Diffusion flame stationary combustion turbine* means any stationary combustion turbine where fuel and air are injected at the combustor and are mixed only by diffusion prior to ignition. A unit which is capable of operating in both lean premix and diffusion flame modes is considered a lean premix stationary combustion turbine when it is in the lean premix mode, and it is considered a diffusion flame stationary combustion turbine when it is in the diffusion flame mode.

(y) *Unit operating day* means a 24-hour period between 12:00 midnight and the following midnight during which any fuel is combusted at any time in the unit. It is not necessary for fuel to be combusted continuously for the entire 24-hour period.

[44 FR 52798, Sept. 10, 1979, as amended at 47 FR 3770, Jan. 27, 1982; 65 FR 61759, Oct. 17, 2000; 69 FR 41359, July 8, 2004]

§ 60.331 The definitions in this subpart apply but are not included in the Tier I Permit since they are explanatory (unless the DEQ deems it appropriate to include them in the Tier I Permit for explanatory purposes)

§ 60.332 Standard for nitrogen oxides.

(a) On and after the date on which the performance test required by §60.8 is completed, every owner or operator subject to the provisions of this subpart as specified in paragraphs (b), (c), and (d) of this section shall comply with one of the following, except as provided in paragraphs (e), (f), (g), (h), (i), (j), (k), and (l) of this section.

(1) 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 nitrogen oxides in excess of:

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

where:

STD = allowable ISO corrected (if required as given in §60.335(b)(1)) NO_X emission concentration (percent by volume at 15 percent oxygen and on a dry basis),

Y = manufacturer's rated heat rate at manufacturer's rated load (kilojoules per watt hour) or, actual measured heat rate based on lower heating value of fuel as measured at actual peak load for the facility. The value of Y shall not exceed 14.4 kilojoules per watt hour, and

F = NO_X emission allowance for fuel-bound nitrogen as defined in paragraph (a)(4) of this section.

(2) 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 nitrogen oxides in excess of:

$$STD = 0.0150\frac{(14.4)}{Y} + F$$

where:

STD = allowable ISO corrected (if required as given in §60.335(b)(1)) NO_X emission concentration (percent by volume at 15 percent oxygen and on a dry basis),

Y = manufacturer's rated heat rate at manufacturer's rated peak load (kilojoules per watt hour), or actual measured heat rate based on lower heating value of fuel as measured at actual peak load for the facility. The value of Y shall not exceed 14.4 kilojoules per watt hour, and

F = NO_X emission allowance for fuel-bound nitrogen as defined in paragraph (a)(4) of this section.

(3) The use of F in paragraphs (a)(1) and (2) of this section is optional. That is, the owner or operator may choose to apply a NO_X allowance for fuel-bound nitrogen and determine the appropriate F-value in accordance with paragraph (a)(4) of this section or may accept an F-value of zero.

(4) If the owner or operator elects to apply a NO_X emission allowance for fuel-bound nitrogen, F shall be defined according to the nitrogen content of the fuel during the most recent performance test required under §60.8 as follows:

Fuel-bound nitrogen (percent by weight)	F (NO_X percent by volume)
$N \leq .015$	0
$0.015 < N \leq 0.1$	0.04 (N)
$0.1 < N \leq 0.25$	0.004+0.0067(N–0.1)
$N > 0.25$	0.005

Where:

N = the nitrogen content of the fuel (percent by weight).

or:

Manufacturers may develop and submit to EPA custom fuel-bound nitrogen allowances for each gas turbine model they manufacture. These fuel-bound nitrogen allowances shall be substantiated with data and must be approved for use by the Administrator before the initial performance test required by §60.8. Notices of approval of custom fuel-bound nitrogen allowances will be published in the Federal Register.

(b) Electric utility stationary gas turbines with a heat input at peak load greater than 107.2 gigajoules per hour (100 million Btu/hour) based on the lower heating value of the fuel fired shall comply with the provisions of paragraph (a)(1) of this section.

(c) Stationary gas turbines with a heat input at peak load equal to or greater than 10.7 gigajoules per hour (10 million Btu/hour) but less than or equal to 107.2 gigajoules per hour (100 million Btu/hour) based on the lower heating value of the fuel fired, shall comply with the provisions of paragraph (a)(2) of this section.

(d) Stationary gas turbines with a manufacturer's rated base load at ISO conditions of 30 megawatts or less except as provided in §60.332(b) shall comply with paragraph (a)(2) of this section.

(e) Stationary gas turbines with a heat input at peak load equal to or greater than 10.7 gigajoules per hour (10 million Btu/hour) but less than or equal to 107.2 gigajoules per hour (100 million Btu/hour) based on the lower heating value of the fuel fired and that have commenced construction prior to October 3, 1982 are exempt from paragraph (a) of this section.

(f) Stationary gas turbines using water or steam injection for control of NO_X emissions are exempt from paragraph (a) when ice fog is deemed a traffic hazard by the owner or operator of the gas turbine.

(g) Emergency gas turbines, military gas turbines for use in other than a garrison facility, military gas turbines installed for use as military training facilities, and fire fighting gas turbines are exempt from paragraph (a) of this section.

(h) Stationary gas turbines engaged by manufacturers in research and development of equipment for both gas turbine emission control techniques and gas turbine efficiency improvements are exempt from paragraph (a) on a case-by-case basis as determined by the Administrator.

(i) Exemptions from the requirements of paragraph (a) of this section will be granted on a case-by-case basis as determined by the Administrator in specific geographical areas where mandatory water restrictions are required by governmental agencies because of drought conditions. These exemptions will be allowed only while the mandatory water restrictions are in effect.

(j) Stationary gas turbines with a heat input at peak load greater than 107.2 gigajoules per hour that commenced construction, modification, or reconstruction between the dates of October 3, 1977, and January 27, 1982, and were required in the September 10, 1979,Federal Register(44 FR 52792) to comply with paragraph (a)(1) of this section, except electric utility stationary gas turbines, are exempt from paragraph (a) of this section.

(k) Stationary gas turbines with a heat input greater than or equal to 10.7 gigajoules per hour (10 million Btu/hour) when fired with natural gas are exempt from paragraph (a)(2) of this section when being fired with an emergency fuel.

(l) Regenerative cycle gas turbines with a heat input less than or equal to 107.2 gigajoules per hour (100 million Btu/hour) are exempt from paragraph (a) of this section.

[44 FR 52798, Sept. 10, 1979, as amended at 47 FR 3770, Jan. 27, 1982; 65 FR 61759, Oct. 17, 2000; 69 FR 41359, July 8, 2004]

§ 60.332 (a)(1), (a)(4), and (b) apply to EU-1 and EU-2. The other parts of 60.332, not highlighted, do not apply because Avista is not a turbine manufacturer, the turbines are fueled exclusively on natural gas, the heat input to the turbines is greater than 100 MMBtu/hour, the turbines output is greater than 30 MW, and Avista has not elected to apply a NOx allowance for fuel-bound nitrogen.

§ 60.333 Standard for sulfur dioxide.

On and after the date on which the performance test required to be conducted by §60.8 is completed, every owner or operator subject to the provision of this subpart shall comply with one or the other of the following conditions:

(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 percent by volume at 15 percent oxygen and on a dry basis.

(b) No owner or operator subject to the provisions of this subpart shall burn in any stationary gas turbine any fuel which contains total sulfur in excess of 0.8 percent by weight (8000 ppmw).

[44 FR 52798, Sept. 10, 1979, as amended at 69 FR 41360, July 8, 2004]

§ 60.333 applies to EU-1 and EU-2.

§ 60.334 Monitoring of operations.

(a) Except as provided in paragraph (b) of this section, the owner or operator of any stationary gas turbine subject to the provisions of this subpart and using water or steam injection to control NO_X emissions shall install, calibrate, maintain

and operate a continuous monitoring system to monitor and record the fuel consumption and the ratio of water or steam to fuel being fired in the turbine.

(b) The owner or operator of any stationary gas turbine that commenced construction, reconstruction or modification after October 3, 1977, but before July 8, 2004, and which uses water or steam injection to control NO_X emissions may, as an alternative to operating the continuous monitoring system described in paragraph (a) of this section, install, certify, maintain, operate, and quality-assure a continuous emission monitoring system (CEMS) consisting of NO_X and O_2monitors. As an alternative, a CO_2monitor may be used to adjust the measured NO_X concentrations to 15 percent $O_2$by either converting the CO_2hourly averages to equivalent O_2concentrations using Equation F–14a or F–14b in appendix F to part 75 of this chapter and making the adjustments to 15 percent O_2, or by using the CO_2readings directly to make the adjustments, as described in Method 20. If the option to use a CEMS is chosen, the CEMS shall be installed, certified, maintained and operated as follows:

(1) Each CEMS must be installed and certified according to PS 2 and 3 (for diluent) of 40 CFR part 60, appendix B, except the 7-day calibration drift is based on unit operating days, not calendar days. Appendix F, Procedure 1 is not required. The relative accuracy test audit (RATA) of the NO_X and diluent monitors may be performed individually or on a combined basis, *i.e.* , the relative accuracy tests of the CEMS may be performed either:

(i) On a ppm basis (for NO_X) and a percent O_2basis for oxygen; or

(ii) On a ppm at 15 percent O_2basis; or

(iii) On a ppm basis (for NO_X) and a percent CO_2basis (for a CO_2monitor that uses the procedures in Method 20 to correct the NO_X data to 15 percent O_2).

(2) As specified in §60.13(e)(2), during each full unit operating hour, each monitor must complete a minimum of one cycle of operation (sampling, analyzing, and data recording) for each 15-minute quadrant of the hour, to validate the hour. For partial unit operating hours, at least one valid data point must be obtained for each quadrant of the hour in which the unit operates. For unit operating hours in which required quality assurance and maintenance activities are performed on the CEMS, a minimum of two valid data points (one in each of two quadrants) are required to validate the hour.

(3) For purposes of identifying excess emissions, CEMS data must be reduced to hourly averages as specified in §60.13(h).

(i) For each unit operating hour in which a valid hourly average, as described in paragraph (b)(2) of this section, is obtained for both NO_X and diluent, the data acquisition and handling system must calculate and record the hourly NO_X emissions in the units of the applicable NO_X emission standard under §60.332(a), *i.e.* , percent NO_X by volume, dry basis, corrected to 15 percent $O_2$and International Organization for Standardization (ISO) standard conditions (if required as given in §60.335(b)(1)). For any hour in which the hourly average O_2concentration exceeds 19.0 percent O_2, a diluent cap value of 19.0 percent O_2may be used in the emission calculations.

(ii) A worst case ISO correction factor may be calculated and applied using historical ambient data. For the purpose of this calculation, substitute the maximum humidity of ambient air (Ho), minimum ambient temperature (T_a), and minimum combustor inlet absolute pressure (P_o) into the ISO correction equation.

(iii) If the owner or operator has installed a NO_XCEMS to meet the requirements of part 75 of this chapter, and is continuing to meet the ongoing requirements of part 75 of this chapter, the CEMS may be used to meet the requirements of this section, except that the missing data substitution methodology provided for at 40 CFR part 75, subpart D, is not required for purposes of identifying excess emissions. Instead, periods of missing CEMS data are to be reported as monitor downtime in the excess emissions and monitoring performance report required in §60.7(c).

§ 60.334 (a) and (b) do no apply because the units do not use water or steam injection.

(c) For any turbine that commenced construction, reconstruction or modification after October 3, 1977, but before July 8, 2004, and which does not use steam or water injection to control NO_X emissions, the owner or operator may, but is not required to, for purposes of determining excess emissions, use a CEMS that meets the requirements of paragraph (b) of this section. Also, if the owner or operator has previously submitted and received EPA, State, or local permitting

authority approval of a procedure for monitoring compliance with the applicable NO_X emission limit under §60.332, that approved procedure may continue to be used.

§ 60.334 (c) applies since Avista has elected to use NOx CEMS.

(d) The owner or operator of any new turbine constructed after July 8, 2004, and which uses water or steam injection to control NO_X emissions may elect to use either the requirements in paragraph (a) of this section for continuous water or steam to fuel ratio monitoring or may use a NO_XCEMS installed, certified, operated, maintained, and quality-assured as described in paragraph (b) of this section.

(e) The owner or operator of any new turbine that commences construction after July 8, 2004, and which does not use water or steam injection to control NO_X emissions, may, but is not required to, elect to use a NO_X CEMS installed, certified, operated, maintained, and quality-assured as described in paragraph (b) of this section. Other acceptable monitoring approaches include periodic testing approved by EPA or the State or local permitting authority or continuous parameter monitoring as described in paragraph (f) of this section.

(f) The owner or operator of a new turbine that commences construction after July 8, 2004, which does not use water or steam injection to control NO_X emissions may, but is not required to, perform continuous parameter monitoring as follows:

(1) For a diffusion flame turbine without add-on selective catalytic reduction controls (SCR), the owner or operator shall define at least four parameters indicative of the unit's NO_X formation characteristics and shall monitor these parameters continuously.

(2) For any lean premix stationary combustion turbine, the owner or operator shall continuously monitor the appropriate parameters to determine whether the unit is operating in low-NO_X mode.

(3) For any turbine that uses SCR to reduce NO_X emissions, the owner or operator shall continuously monitor appropriate parameters to verify the proper operation of the emission controls.

(4) For affected units that are also regulated under part 75 of this chapter, if the owner or operator elects to monitor NO_X emission rate using the methodology in appendix E to part 75 of this chapter, or the low mass emissions methodology in §75.19 of this chapter, the requirements of this paragraph (f) may be met by performing the parametric monitoring described in section 2.3 of appendix E or in §75.19(c)(1)(iv)(H) of this chapter.

§ 60.334 (d), (e), and (f) do not apply because the units were constructed prior to July 8,2004..

(g) The steam or water to fuel ratio or other parameters that are continuously monitored as described in paragraphs (a), (d) or (f) of this section shall be monitored during the performance test required under §60.8, to establish acceptable values and ranges. The owner or operator may supplement the performance test data with engineering analyses, design specifications, manufacturer's recommendations and other relevant information to define the acceptable parametric ranges more precisely. The owner or operator shall develop and keep on-site a parameter monitoring plan which explains the procedures used to document proper operation of the NO_X emission controls. The plan shall include the parameter(s) monitored and the acceptable range(s) of the parameter(s) as well as the basis for designating the parameter(s) and acceptable range(s). Any supplemental data such as engineering analyses, design specifications, manufacturer's recommendations and other relevant information shall be included in the monitoring plan. For affected units that are also subject to part 75 of this chapter and that use the low mass emissions methodology in §75.19 of this chapter or the NO_X emission measurement methodology in appendix E to part 75, the owner or operator may meet the requirements of this paragraph by developing and keeping on-site (or at a central location for unmanned facilities) a quality-assurance plan, as described in §75.19 (e)(5) or in section 2.3 of appendix E and section 1.3.6 of appendix B to part 75 of this chapter.

§ 60.334 (g) does not apply because the units do not use steam or water injection and do not use the low mass emissions methodology.

(h) The owner or operator of any stationary gas turbine subject to the provisions of this subpart:

(1) Shall monitor the total sulfur content of the fuel being fired in the turbine, except as provided in paragraph (h)(3) of this section. The sulfur content of the fuel must be determined using total sulfur methods described in §60.335(b)(10). Alternatively, if the total sulfur content of the gaseous fuel during the most recent performance test was less than 0.4 weight percent (4000 ppmw), ASTM D4084–82, 94, D5504–01, D6228–98, or Gas Processors Association Standard 2377–86 (all of which are incorporated by reference-see §60.17), which measure the major sulfur compounds may be used; and

§ 60.334 (h)(1) is applicable, however, Avista has elected not to monitor the sulfur content of the natural gas combusted in the turbines per § 60.334 (h)(3).

(2) Shall monitor the nitrogen content of the fuel combusted in the turbine, if the owner or operator claims an allowance for fuel bound nitrogen (*i.e.* , if an F-value greater than zero is being or will be used by the owner or operator to calculate STD in §60.332). The nitrogen content of the fuel shall be determined using methods described in §60.335(b)(9) or an approved alternative.

§ 60.334 (h)(2) does not apply because Avista has not elected to apply a NOx allowance for fuel-bound nitrogen.

(3) Notwithstanding the provisions of paragraph (h)(1) of this section, the owner or operator may elect not to monitor the total sulfur content of the gaseous fuel combusted in the turbine, if the gaseous fuel is demonstrated to meet the definition of natural gas in §60.331(u), regardless of whether an existing custom schedule approved by the administrator for subpart GG requires such monitoring. The owner or operator shall use one of the following sources of information to make the required demonstration:

(i) 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) Representative fuel sampling data which show that the sulfur content of the gaseous fuel does not exceed 20 grains/100 scf. At a minimum, the amount of fuel sampling data specified in section 2.3.1.4 or 2.3.2.4 of appendix D to part 75 of this chapter is required.

§ 60.334 (h)(3) is applicable as Avista has elected not to monitor the sulfur content of the natural gas combusted in the turbines and will make the required demonstration that the fuel meets the definition of natural gas.

(4) For any turbine that commenced construction, reconstruction or modification after October 3, 1977, but before July 8, 2004, and for which a custom fuel monitoring schedule has previously been approved, the owner or operator may, without submitting a special petition to the Administrator, continue monitoring on this schedule.

§ 60.334 (h) (4) is applicable because Avista has a previously approved fuel monitoring schedule, however, Avista no longer uses the fuel monitoring schedule, but instead uses the methods of § 60.334 (h) (3).

(i) The frequency of determining the sulfur and nitrogen content of the fuel shall be as follows:

(1) *Fuel oil.* For fuel oil, use one of the total sulfur sampling options and the associated sampling frequency described in sections 2.2.3, 2.2.4.1, 2.2.4.2, and 2.2.4.3 of appendix D to part 75 of this chapter (*i.e.* , flow proportional sampling, daily sampling, sampling from the unit's storage tank after each addition of fuel to the tank, or sampling each delivery prior to combining it with fuel oil already in the intended storage tank). If an emission allowance is being claimed for fuel-bound nitrogen, the nitrogen content of the oil shall be determined and recorded once per unit operating day.

§ 60.334 (i)(1) does not apply because fuel oil is not combusted in the turbines.

(2) *Gaseous fuel.* Any applicable nitrogen content value of the gaseous fuel shall be determined and recorded once per unit operating day. For owners and operators that elect not to demonstrate sulfur content using options in paragraph

(h)(3) of this section, and for which the fuel is supplied without intermediate bulk storage, the sulfur content value of the gaseous fuel shall be determined and recorded once per unit operating day.

(3) *Custom schedules.* Notwithstanding the requirements of paragraph (i)(2) of this section, operators or fuel vendors may develop custom schedules for determination of the total sulfur content of gaseous fuels, based on the design and operation of the affected facility and the characteristics of the fuel supply. Except as provided in paragraphs (i)(3)(i) and (i)(3)(ii) of this section, custom schedules shall be substantiated with data and shall be approved by the Administrator before they can be used to comply with the standard in §60.333.

(i) The two custom sulfur monitoring schedules set forth in paragraphs (i)(3)(i)(A) through (D) and in paragraph (i)(3)(ii) of this section are acceptable, without prior Administrative approval:

(A) The owner or operator shall obtain daily total sulfur content measurements for 30 consecutive unit operating days, using the applicable methods specified in this subpart. Based on the results of the 30 daily samples, the required frequency for subsequent monitoring of the fuel's total sulfur content shall be as specified in paragraph (i)(3)(i)(B), (C), or (D) of this section, as applicable.

(B) If none of the 30 daily measurements of the fuel's total sulfur content exceeds 0.4 weight percent (4000 ppmw), subsequent sulfur content monitoring may be performed at 12 month intervals. If any of the samples taken at 12-month intervals has a total sulfur content between 0.4 and 0.8 weight percent (4000 and 8000 ppmw), follow the procedures in paragraph (i)(3)(i)(C) of this section. If any measurement exceeds 0.8 weight percent (8000 ppmw), follow the procedures in paragraph (i)(3)(i)(D) of this section.

(C) If at least one of the 30 daily measurements of the fuel's total sulfur content is between 0.4 and 0.8 weight percent (4000 and 8000 ppmw), but none exceeds 0.8 weight percent (8000 ppmw), then:

(*1*) Collect and analyze a sample every 30 days for three months. If any sulfur content measurement exceeds 0.8 weight percent (8000 ppmw), follow the procedures in paragraph (i)(3)(i)(D) of this section. Otherwise, follow the procedures in paragraph (i)(3)(i)(C)(*2*) of this section.

(*2*) Begin monitoring at 6-month intervals for 12 months. If any sulfur content measurement exceeds 0.8 weight percent (8000 ppmw), follow the procedures in paragraph (i)(3)(i)(D) of this section. Otherwise, follow the procedures in paragraph (i)(3)(i)(C)(*3*) of this section.

(*3*) Begin monitoring at 12-month intervals. If any sulfur content measurement exceeds 0.8 weight percent (8000 ppmw), follow the procedures in paragraph (i)(3)(i)(D) of this section. Otherwise, continue to monitor at this frequency.

(D) If a sulfur content measurement exceeds 0.8 weight percent (8000 ppmw), immediately begin daily monitoring according to paragraph (i)(3)(i)(A) of this section. Daily monitoring shall continue until 30 consecutive daily samples, each having a sulfur content no greater than 0.8 weight percent (8000 ppmw), are obtained. At that point, the applicable procedures of paragraph (i)(3)(i)(B) or (C) of this section shall be followed.

(ii) The owner or operator may use the data collected from the 720-hour sulfur sampling demonstration described in section 2.3.6 of appendix D to part 75 of this chapter to determine a custom sulfur sampling schedule, as follows:

(A) If the maximum fuel sulfur content obtained from the 720 hourly samples does not exceed 20 grains/100 scf (*i.e.* , the maximum total sulfur content of natural gas as defined in §60.331(u)), no additional monitoring of the sulfur content of the gas is required, for the purposes of this subpart.

(B) If the maximum fuel sulfur content obtained from any of the 720 hourly samples exceeds 20 grains/100 scf, but none of the sulfur content values (when converted to weight percent sulfur) exceeds 0.4 weight percent (4000 ppmw), then the minimum required sampling frequency shall be one sample at 12 month intervals.

(C) If any sample result exceeds 0.4 weight percent sulfur (4000 ppmw), but none exceeds 0.8 weight percent sulfur (8000 ppmw), follow the provisions of paragraph (i)(3)(i)(C) of this section.

(D) If the sulfur content of any of the 720 hourly samples exceeds 0.8 weight percent (8000 ppmw), follow the provisions of paragraph (i)(3)(i)(D) of this section.

§ 60.334 (h)(2) and (3) are applicable, however, Avista has elected not to monitor the sulfur content of the natural gas combusted in the turbines per § 60.334 (h)(3). Also, the nitrogen content of the natural gas combusted in the turbines is not monitored per § 60.334 (h)(2) since Avista has not elected to apply a NOx allowance for fuel-bound nitrogen.

(j) For each affected unit that elects to continuously monitor parameters or emissions, or to periodically determine the fuel sulfur content or fuel nitrogen content under this subpart, the owner or operator shall submit reports of excess emissions and monitor downtime, in accordance with §60.7(c). Excess emissions shall be reported for all periods of unit operation, including startup, shutdown and malfunction. For the purpose of reports required under §60.7(c), periods of excess emissions and monitor downtime that shall be reported are defined as follows:

(1) Nitrogen oxides.

(i) For turbines using water or steam to fuel ratio monitoring:

(A) An excess emission shall be any unit operating hour for which the average steam or water to fuel ratio, as measured by the continuous monitoring system, falls below the acceptable steam or water to fuel ratio needed to demonstrate compliance with §60.332, as established during the performance test required in §60.8. Any unit operating hour in which no water or steam is injected into the turbine shall also be considered an excess emission.

(B) A period of monitor downtime shall be any unit operating hour in which water or steam is injected into the turbine, but the essential parametric data needed to determine the steam or water to fuel ratio are unavailable or invalid.

(C) Each report shall include the average steam or water to fuel ratio, average fuel consumption, ambient conditions (temperature, pressure, and humidity), gas turbine load, and (if applicable) the nitrogen content of the fuel during each excess emission. You do not have to report ambient conditions if you opt to use the worst case ISO correction factor as specified in §60.334(b)(3)(ii), or if you are not using the ISO correction equation under the provisions of §60.335(b)(1).

§ 60.334 (j)(1)(i) does not apply because the units do not use water or steam injection.

(ii) If the owner or operator elects to take an emission allowance for fuel bound nitrogen, then excess emissions and periods of monitor downtime are as described in paragraphs (j)(1)(ii)(A) and (B) of this section.

(A) An excess emission shall be the period of time during which the fuel-bound nitrogen (N) is greater than the value measured during the performance test required in §60.8 and used to determine the allowance. The excess emission begins on the date and hour of the sample which shows that N is greater than the performance test value, and ends with the date and hour of a subsequent sample which shows a fuel nitrogen content less than or equal to the performance test value.

(B) A period of monitor downtime begins when a required sample is not taken by its due date. A period of monitor downtime also begins on the date and hour that a required sample is taken, if invalid results are obtained. The period of monitor downtime ends on the date and hour of the next valid sample.

§ 60.334 (j)(1)(ii) does not apply because Avista has not elected to apply a NOx allowance for fuel-bound nitrogen.

(iii) For turbines using NO_X and diluent CEMS:

(A) An hour of excess emissions shall be any unit operating hour in which the 4-hour rolling average NO_X concentration exceeds the applicable emission limit in §60.332(a)(1) or (2). For the purposes of this subpart, a "4-hour rolling average NO_X concentration" is the arithmetic average of the average NO_X concentration measured by the CEMS for a given hour (corrected to 15 percent $O_2$and, if required under §60.335(b)(1), to ISO standard conditions) and the three unit operating hour average NO_X concentrations immediately preceding that unit operating hour.

(B) A period of monitor downtime shall be any unit operating hour in which sufficient data are not obtained to validate the hour, for either NO_X concentration or diluent (or both).

(C) Each report shall include the ambient conditions (temperature, pressure, and humidity) at the time of the excess emission period and (if the owner or operator has claimed an emission allowance for fuel bound nitrogen) the nitrogen content of the fuel during the period of excess emissions. You do not have to report ambient conditions if you opt to use the worst case ISO correction factor as specified in §60.334(b)(3)(ii), or if you are not using the ISO correction equation under the provisions of §60.335(b)(1).

§ 60.334 (j)(1)(iii) is applicable.

(iv) For owners or operators that elect, under paragraph (f) of this section, to monitor combustion parameters or parameters that document proper operation of the NO_X emission controls:

(A) An excess emission shall be a 4-hour rolling unit operating hour average in which any monitored parameter does not achieve the target value or is outside the acceptable range defined in the parameter monitoring plan for the unit.

(B) A period of monitor downtime shall be a unit operating hour in which any of the required parametric data are either not recorded or are invalid.

§ 60.334 (j)(1)(iv) is not applicable because the turbines were constructed prior to 2004.

(2) Sulfur dioxide. If the owner or operator is required to monitor the sulfur content of the fuel under paragraph (h) of this section:

(i) For samples of gaseous fuel and for oil samples obtained using daily sampling, flow proportional sampling, or sampling from the unit's storage tank, an excess emission occurs each unit operating hour included in the period beginning on the date and hour of any sample for which the sulfur content of the fuel being fired in the gas turbine exceeds 0.8 weight percent and ending on the date and hour that a subsequent sample is taken that demonstrates compliance with the sulfur limit.

(ii) If the option to sample each delivery of fuel oil has been selected, the owner or operator shall immediately switch to one of the other oil sampling options (*i.e.* , daily sampling, flow proportional sampling, or sampling from the unit's storage tank) if the sulfur content of a delivery exceeds 0.8 weight percent. The owner or operator shall continue to use one of the other sampling options until all of the oil from the delivery has been combusted, and shall evaluate excess emissions according to paragraph (j)(2)(i) of this section. When all of the fuel from the delivery has been burned, the owner or operator may resume using the as-delivered sampling option.

(iii) A period of monitor downtime begins when a required sample is not taken by its due date. A period of monitor downtime also begins on the date and hour of a required sample, if invalid results are obtained. The period of monitor downtime shall include only unit operating hours, and ends on the date and hour of the next valid sample.

§ 60.334 (j)(2) is not applicable because Avista does not monitor the sulfur content of the fuel.

(3) *Ice fog.* Each period during which an exemption provided in §60.332(f) is in effect shall be reported in writing to the Administrator quarterly. For each period the ambient conditions existing during the period, the date and time the air pollution control system was deactivated, and the date and time the air pollution control system was reactivated shall be reported. All quarterly reports shall be postmarked by the 30th day following the end of each calendar quarter.

§ 60.334 (j)(3) is not applicable because the turbines were constructed prior to 2004.

(4) *Emergency fuel.* Each period during which an exemption provided in §60.332(k) is in effect shall be included in the report required in §60.7(c). For each period, the type, reasons, and duration of the firing of the emergency fuel shall be reported.

§ 60.334 (j)(4) is not applicable because the turbines exclusively combust natural gas, no other fuel is used.

5) All reports required under §60.7(c) shall be postmarked by the 30th day following the end of each 6-month period.

§ 60.334 (j)(5) is applicable.

[44 FR 52798, Sept. 10, 1979, as amended at 47 FR 3770, Jan. 27, 1982; 65 FR 61759, Oct. 17, 2000; 69 FR 41360, July 8, 2004; 71 FR 9457, Feb. 24, 2006]

§ 60.335 Test methods and procedures.

(a) The owner or operator shall conduct the performance tests required in §60.8, using either

(1) EPA Method 20,

(2) ASTM D6522-00 (incorporated by reference, see §60.17), or

(3) EPA Method 7E and either EPA Method 3 or 3A in appendix A to this part, to determine NO_X and diluent concentration.

(4) Sampling traverse points are to be selected following Method 20 or Method 1, (non-particulate procedures) and sampled for equal time intervals. The sampling shall be performed with a traversing single-hole probe or, if feasible, with a stationary multi-hole probe that samples each of the points sequentially. Alternatively, a multi-hole probe designed and documented to sample equal volumes from each hole may be used to sample simultaneously at the required points.

(5) Notwithstanding paragraph (a)(4) of this section, the owner or operator may test at few points than are specified in Method 1 or Method 20 if the following conditions are met:

(i) You may perform a stratification test for NO_X and diluent pursuant to

(A) [Reserved]

(B) The procedures specified in section 6.5.6.1(a) through (e) appendix A to part 75 of this chapter.

(ii) Once the stratification sampling is completed, the owner or operator may use the following alternative sample point selection criteria for the performance test:

(A) If each of the individual traverse point NO_X concentrations, normalized to 15 percent O_2, is within 10 percent of the mean normalized concentration for all traverse points, then you may use 3 points (located either 16.7, 50.0, and 83.3 percent of the way across the stack or duct, or, for circular stacks or ducts greater than 2.4 meters (7.8 feet) in diameter, at 0.4, 1.2, and 2.0 meters from the wall). The 3 points shall be located along the measurement line that exhibited the highest average normalized NO_X concentration during the stratification test; or

(B) If each of the individual traverse point NO_X concentrations, normalized to 15 percent O_2, is within 5 percent of the mean normalized concentration for all traverse points, then you may sample at a single point, located at least 1 meter from the stack wall or at the stack centroid.

(6) Other acceptable alternative reference methods and procedures are given in paragraph (c) of this section.

(b) The owner or operator shall determine compliance with the applicable nitrogen oxides emission limitation in §60.332 and shall meet the performance test requirements of §60.8 as follows:

(1) For each run of the performance test, the mean nitrogen oxides emission concentration (NO_{Xo}) corrected to 15 percent O_2 shall be corrected to ISO standard conditions using the following equation. Notwithstanding this requirement, use of the ISO correction equation is optional for: Lean premix stationary combustion turbines; units used in association with heat recovery steam generators (HRSG) equipped with duct burners; and units equipped with add-on emission control devices:

$$NO_X = (NO_{Xo})(P_r/P_o)0.5\ e^{19\,(Ho-0.00633)}\ (288\ °K/T_a)1.53$$

Where:

NO_X = emission concentration of NO_X at 15 percent O_2 and ISO standard ambient conditions, ppm by volume, dry basis,

NO_{Xo} = mean observed NO_X concentration, ppm by volume, dry basis, at 15 percent O_2,

P_r = reference combustor inlet absolute pressure at 101.3 kilopascals ambient pressure. Alternatively, you may use 760 mm Hg (29.92 in Hg),

P_o = observed combustor inlet absolute pressure at test, mm Hg. Alternatively, you may use the barometric pressure for the date of the test,

H_o = observed humidity of ambient air, g H_2O/g air,

e = transcendental constant, 2.718, and

T_a = ambient temperature, °K.

(2) The 3-run performance test required by §60.8 must be performed within 5 percent at 30, 50, 75, and 90-to-100 percent of peak load or at four evenly-spaced load points in the normal operating range of the gas turbine, including the minimum point in the operating range and 90-to-100 percent of peak load, or at the highest achievable load point if 90-to-100 percent of peak load cannot be physically achieved in practice. If the turbine combusts both oil and gas as primary or backup fuels, separate performance testing is required for each fuel. Notwithstanding these requirements, performance testing is not required for any emergency fuel (as defined in §60.331).

(3) For a combined cycle turbine system with supplemental heat (duct burner), the owner or operator may elect to measure the turbine NO_X emissions after the duct burner rather than directly after the turbine. If the owner or operator elects to use this alternative sampling location, the applicable NO_X emission limit in §60.332 for the combustion turbine must still be met.

(4) If water or steam injection is used to control NO_X with no additional post-combustion NO_X control and the owner or operator chooses to monitor the steam or water to fuel ratio in accordance with §60.334(a), then that monitoring system must be operated concurrently with each EPA Method 20, ASTM D6522-00 (incorporated by reference, see §60.17), or EPA Method 7E run and shall be used to determine the fuel consumption and the steam or water to fuel ratio necessary to comply with the applicable §60.332 NO_X emission limit.

(5) If the owner operator elects to claim an emission allowance for fuel bound nitrogen as described in §60.332, then concurrently with each reference method run, a representative sample of the fuel used shall be collected and analyzed, following the applicable procedures described in §60.335(b)(9). These data shall be used to determine the maximum fuel nitrogen content for which the established water (or steam) to fuel ratio will be valid.

(6) If the owner or operator elects to install a CEMS, the performance evaluation of the CEMS may either be conducted separately (as described in paragraph (b)(7) of this section) or as part of the initial performance test of the affected unit.

(7) If the owner or operator elects to install and certify a NO_X CEMS under §60.334(e), then the initial performance test required under §60.8 may be done in the following alternative manner:

(i) Perform a minimum of 9 reference method runs, with a minimum time per run of 21 minutes, at a single load level, between 90 and 100 percent of peak (or the highest physically achievable) load.

(ii) Use the test data both to demonstrate compliance with the applicable NO_X emission limit under §60.332 and to provide the required reference method data for the RATA of the CEMS described under §60.334(b).

(iii) The requirement to test at three additional load levels is waived.

(8) If the owner or operator elects under §60.334(f) to monitor combustion parameters or parameters indicative of proper operation of NO_X emission controls, the appropriate parameters shall be continuously monitored and recorded during each run of the initial performance test, to establish acceptable operating ranges, for purposes of the parameter monitoring plan for the affected unit, as specified in §60.334(g).

(9) To determine the fuel bound nitrogen content of fuel being fired (if an emission allowance is claimed for fuel bound nitrogen), the owner or operator may use equipment and procedures meeting the requirements of:

(i) For liquid fuels, ASTM D2597-94 (Reapproved 1999), D6366-99, D4629-02, D5762-02 (all of which are incorporated by reference, *see* §60.17); or

(ii) For gaseous fuels, shall use analytical methods and procedures that are accurate to within 5 percent of the instrument range and are approved by the Administrator.

(10) If the owner or operator is required under §60.334(i)(1) or (3) to periodically determine the sulfur content of the fuel combusted in the turbine, a minimum of three fuel samples shall be collected during the performance test. Analyze the samples for the total sulfur content of the fuel using:

(i) For liquid fuels, ASTM D129-00, D2622-98, D4294-02, D1266-98, D5453-00 or D1552-01 (all of which are incorporated by reference, *see* §60.17); or

(ii) For gaseous fuels, ASTM D1072-80, 90 (Reapproved 1994); D3246-81, 92, 96; D4468-85 (Reapproved 2000); or D6667-01 (all of which are incorporated by reference, see §60.17). The applicable ranges of some ASTM methods mentioned above are not adequate to measure the levels of sulfur in some fuel gases. Dilution of samples before analysis (with verification of the dilution ratio) may be used, subject to the prior approval of the Administrator.

(11) The fuel analyses required under paragraphs (b)(9) and (b)(10) of this section may be performed by the owner or operator, a service contractor retained by the owner or operator, the fuel vendor, or any other qualified agency.

(c) The owner or operator may use the following as alternatives to the reference methods and procedures specified in this section:

(1) Instead of using the equation in paragraph (b)(1) of this section, manufacturers may develop ambient condition correction factors to adjust the nitrogen oxides emission level measured by the performance test as provided in §60.8 to ISO standard day conditions.

[69 FR 41363, July 8, 2004, as amended at 71 FR 9458, Feb. 24, 2006; 79 FR 11250, Feb. 27, 2014]

§ 60.335 is applicable.

Regulatory Analysis for NSPS - 40 CFR 60 Subpart KKKK

Note: The sections highlighted in yellow are applicable to sources EU-1 Unit 1) and EU-2 (Unit 2). Inapplicable sections of the text are shown in black font and not highlighted. **Text highlighted in green is an informational note. Text in *red bold italics* explain why the source is or is not subject the section/subsection.**

Subpart KKKK—Standards of Performance for Stationary Combustion Turbines

Source: 71 FR 38497, July 6, 2006, unless otherwise noted.

Introduction
§ 60.4300 What is the purpose of this subpart?

This subpart establishes emission standards and compliance schedules for the control of emissions from stationary combustion turbines that commenced construction, modification or reconstruction after February 18, 2005.

Applicability
§ 60.4305 Does this subpart apply to my stationary combustion turbine?

(a) If you are the owner or operator of a stationary combustion turbine with a heat input at peak load equal to or greater than 10.7 gigajoules (10 MMBtu) per hour, based on the higher heating value of the fuel, which commenced construction, modification, or reconstruction after February 18, 2005, your turbine is subject to this subpart. Only heat input to the combustion turbine should be included when determining whether or not this subpart is applicable to your turbine. Any additional heat input to associated heat recovery steam generators (HRSG) or duct burners should not be included when determining your peak heat input. However, this subpart does apply to emissions from any associated HRSG and duct burners.

Subpart KKKK is not applicable to the combustion turbines (EU-1 and EU-2) at the Rathdrum Combustion Turbine Project because EU-1 and EU-2 were constructed and installed prior to February 18, 2005 and have not been modified since.

(b) Stationary combustion turbines regulated under this subpart are exempt from the requirements of subpart GG of this part. Heat recovery steam generators and duct burners regulated under this subpart are exempted from the requirements of subparts Da, Db, and Dc of this part.

Note: The remaining non-applicable regulatory sections of this Subpart are not included because this Subpart in not applicable to the Rathdrum Combustion Turbine project.

Regulatory Analysis for NESHAP 40 CFR Part 63 Subpart YYYY

Note: The sections highlighted in yellow are applicable to sources EU-1 and EU-2. Inapplicable sections of the text are shown in black font and not highlighted. **Text highlighted in green is an informational note. Text in *red bold italics* explain why the source is or is not subject the section/subsection.**

Title 40: Protection of Environment
PART 63—NATIONAL EMISSION STANDARDS FOR HAZARDOUS AIR POLLUTANTS FOR SOURCE CATEGORIES)

Subpart YYYY—National Emission Standards for Hazardous Air Pollutants for Stationary Combustion Turbines

Source: 69 FR 10537, Mar. 5, 2004, unless otherwise noted.

What This Subpart Covers

§ 63.6080 What is the purpose of subpart YYYY?

Subpart YYYY establishes national emission limitations and operating limitations for hazardous air pollutants (HAP) emissions from stationary combustion turbines located at major sources of HAP emissions, and requirements to demonstrate initial and continuous compliance with the emission and operating limitations.

§ 63.6085 Am I subject to this subpart?

You are subject to this subpart if you own or operate a stationary combustion turbine located at a major source of HAP emissions.

(a) Stationary combustion turbine means all equipment, including but not limited to the turbine, the fuel, air, lubrication and exhaust gas systems, control systems (except emissions control equipment), and any ancillary components and sub-components comprising any simple cycle stationary combustion turbine, any regenerative/recuperative cycle stationary combustion turbine, the combustion turbine portion of any stationary cogeneration cycle combustion system, or the combustion turbine portion of any stationary combined cycle steam/electric generating system. Stationary means that the combustion turbine is not self propelled or intended to be propelled while performing its function, although it may be mounted on a vehicle for portability or transportability. Stationary combustion turbines covered by this subpart include simple cycle stationary combustion turbines, regenerative/recuperative cycle stationary combustion turbines, cogeneration cycle stationary combustion turbines, and combined cycle stationary combustion turbines. Stationary combustion turbines subject to this subpart do not include turbines located at a research or laboratory facility, if research is conducted on the turbine itself and the turbine is not being used to power other applications at the research or laboratory facility.

(b) A major source of HAP emissions is a contiguous site under common control that emits or has the potential to emit any single HAP at a rate of 10 tons (9.07 megagrams) or more per year or any combination of HAP at a rate of 25 tons (22.68 megagrams) or more per year, except that for oil and gas production facilities, a major source of HAP emissions is determined for each surface site.

Subpart YYYY is not applicable to the combustion turbines (EU-1 and EU-2) at the Rathdrum Combustion Turbine Project because the facility is not a major source of hazardous air pollutants (HAPs).

Note: The remaining non-applicable regulatory sections of this Subpart are not included because this Subpart in not applicable to the Rathdrum Combustion Turbine project.

Regulatory Analysis for 40 CFR Part 64 – Compliance Assurance Monitoring

Note: The sections highlighted in yellow are applicable to sources EU-1 and EU-2. Inapplicable sections of the text are shown in black font and not highlighted. **Text highlighted in green is an informational note. Text in *red bold italics* explain why the source is or is not subject the section/subsection.**

PART 64—COMPLIANCE ASSURANCE MONITORING

Source: 62 FR 54940, Oct. 22, 1997, unless otherwise noted.

§ 64.1 Definitions.

The following definitions apply to this part. Except as specifically provided in this section, terms used in this part retain the meaning accorded them under the applicable provisions of the Act.

Note: refer to : http://www.ecfr.gov for definitions other than for *Control Device* shown below.

Control device means equipment, other than inherent process equipment, that is used to destroy or remove air pollutant(s) prior to discharge to the atmosphere. The types of equipment that may commonly be used as control devices include, but are not limited to, fabric filters, mechanical collectors, electrostatic precipitators, inertial separators, afterburners, thermal or catalytic incinerators, adsorption devices (such as carbon beds), condensers, scrubbers (such as wet collection and gas absorption devices), selective catalytic or non-catalytic reduction systems, flue gas recirculation systems, spray dryers, spray towers, mist eliminators, acid plants, sulfur recovery plants, injection systems (such as water, steam, ammonia, sorbent or limestone injection), and combustion devices independent of the particular process being conducted at an emissions unit (e.g., the destruction of emissions achieved by venting process emission streams to flares, boilers or process heaters). For purposes of this part, a control device does not include passive control measures that act to prevent pollutants from forming, such as the use of seals, lids, or roofs to prevent the release of pollutants, use of low-polluting fuel or feedstocks, or the use of combustion or other process design features or characteristics. If an applicable requirement establishes that particular equipment which otherwise meets this definition of a control device does not constitute a control device as applied to a particular pollutant-specific emissions unit, then that definition shall be binding for purposes of this part.

§ 64.2 Applicability.

(a) *General applicability.* Except for backup utility units that are exempt under paragraph (b)(2) of this section, the requirements of this part shall apply to a pollutant-specific emissions unit at a major source that is required to obtain a part 70 or 71 permit if the unit satisfies all of the following criteria:

(1) The unit is subject to an emission limitation or standard for the applicable regulated air pollutant (or a surrogate thereof), other than an emission limitation or standard that is exempt under paragraph (b)(1) of this section;

(2) The unit uses a control device to achieve compliance with any such emission limitation or standard; and

(3) The unit has potential pre-control device emissions of the applicable regulated air pollutant that are equal to or greater than 100 percent of the amount, in tons per year, required for a source to be classified as a major source. For purposes of this paragraph, "potential pre-control device emissions" shall have the same meaning as "potential to emit," as defined in §64.1, except that emission reductions achieved by the applicable control device shall not be taken into account.

(b) *Exemptions* —(1) *Exempt emission limitations or standards.* The requirements of this part shall not apply to any of the following emission limitations or standards:

(i) Emission limitations or standards proposed by the Administrator after November 15, 1990 pursuant to section 111 or 112 of the Act.

(ii) Stratospheric ozone protection requirements under title VI of the Act.

(iii) Acid Rain Program requirements pursuant to sections 404, 405, 406, 407(a), 407(b), or 410 of the Act.

(iv) Emission limitations or standards or other applicable requirements that apply solely under an emissions trading program approved or promulgated by the Administrator under the Act that allows for trading emissions within a source or between sources.

(v) An emissions cap that meets the requirements specified in §70.4(b)(12) or §71.6(a)(13)(iii) of this chapter.

(vi) Emission limitations or standards for which a part 70 or 71 permit specifies a continuous compliance determination method, as defined in §64.1. The exemption provided in this paragraph (b)(1)(vi) shall not apply if the applicable compliance method includes an assumed control device emission reduction factor that could be affected by the actual operation and maintenance of the control device (such as a surface coating line controlled by an incinerator for which continuous compliance is determined by calculating emissions on the basis of coating records and an assumed control device efficiency factor based on an initial performance test; in this example, this part would apply to the control device and capture system, but not to the remaining elements of the coating line, such as raw material usage).

(2) *Exemption for backup utility power emissions units.* The requirements of this part shall not apply to a utility unit, as defined in §72.2 of this chapter, that is municipally-owned if the owner or operator provides documentation in a part 70 or 71 permit application that:

(i) The utility unit is exempt from all monitoring requirements in part 75 (including the appendices thereto) of this chapter;

(ii) The utility unit is operated for the sole purpose of providing electricity during periods of peak electrical demand or emergency situations and will be operated consistent with that purpose throughout the part 70 or 71 permit term. The owner or operator shall provide historical operating data and relevant contractual obligations to document that this criterion is satisfied; and

(iii) The actual emissions from the utility unit, based on the average annual emissions over the last three calendar years of operation (or such shorter time period that is available for units with fewer than three years of operation) are less than 50 percent of the amount in tons per year required for a source to be classified as a major source and are expected to remain so.

40 CFR 68 – Compliance Assurance Monitoring is not applicable to the combustion turbines at the Rathdrum Combustion Turbine Project because the turbines (Units 1 & 2) do not use a control device [64.2(a)(2)]. Under the definition of control device the following clarification of what is not considered a control device is provided: "For purposes of this part, a control device does not include passive control measures that act to prevent pollutants from forming, such as the use of seals, lids, or roofs to prevent the release of pollutants, use of low-polluting fuel or feedstocks, or the use of combustion or other process design features or characteristics."

The turbines at the facility use Dry Low NOx combustors which are considered a combustion design feature used to minimize emissions, and are not subject to the requirements of Compliance Assurance Monitoring.

Note: The remaining non-applicable regulatory sections of this Part are not included because this Part in not applicable to the Rathdrum Combustion Turbine project.

Regulatory Analysis for 40 CFR 68 - Chemical Accident Provisions

Note: The sections highlighted in yellow are applicable to sources EU-1 and EU-2. Inapplicable sections of the text are shown in black font and not highlighted. **Text highlighted in green is an informational note. Text in *red bold italics* explain why the source is or is not subject the section/subsection.**

PART 68—CHEMICAL ACCIDENT PREVENTION PROVISIONS

Source: 59 FR 4493, Jan. 31, 1994, unless otherwise noted.

Subpart A—General
§ 68.1 Scope.

This part sets forth the list of regulated substances and thresholds, the petition process for adding or deleting substances to the list of regulated substances, the requirements for owners or operators of stationary sources concerning the prevention of accidental releases, and the State accidental release prevention programs approved under section 112(r). The list of substances, threshold quantities, and accident prevention regulations promulgated under this part do not limit in any way the general duty provisions under section 112(r)(1).

§ 68.3 Definitions.

Note: refer to : http://www.ecfr.gov for a list of definitions.

§ 68.10 Applicability.

(a) An owner or operator of a stationary source that has more than a threshold quantity of a regulated substance in a process, as determined under §68.115, shall comply with the requirements of this part no later than the latest of the following dates:

(1) June 21, 1999;

(2) Three years after the date on which a regulated substance is first listed under §68.130; or

(3) The date on which a regulated substance is first present above a threshold quantity in a process.

40 CFR 68 – Chemical Accident Provisions - is not applicable to the Rathdrum Combustion Turbine Project because the facility does not store any of the 77 regulated toxic substances identified in § 68.130 above applicable threshold quantities, nor does the facility store any of the 63regulated flammable substances identified in § 68.130 above applicable threshold quantities.

Note: The remaining non-applicable regulatory sections of this Part are not included because this Part in not applicable to the Rathdrum Combustion Turbine project.

Regulatory Analysis for 40 CFR 82 – Protection of Stratospheric Ozone

Note: The sections highlighted in yellow are applicable to sources EU-1 and EU-2. Inapplicable sections of the text are shown in black font and not highlighted**. Text highlighted in green is an informational note. Text in *red bold italics* explain why the source is or is not subject the section/subsection.**

Part 82 – Protection of Stratospheric Ozone

§ 82.1 Purpose and scope.

(a) The purpose of the regulations in this subpart is to implement the Montreal Protocol on Substances that Deplete the Ozone Layer and sections 602, 603, 604, 605, 606, 607, 614 and 616 of the Clean Air Act Amendments of 1990, Public Law 101–549. The Protocol and section 604 impose limits on the production and consumption (defined as production plus imports minus exports, excluding transhipments and used controlled substances) of certain ozone-depleting substances, according to specified schedules. The Protocol also requires each nation that becomes a Party to the agreement to impose certain restrictions on trade in ozone-depleting substances with non-Parties.

(b) This subpart applies to any person that produces, transforms, destroys, imports or exports a controlled substance or imports or exports a controlled product.

[63 FR 41642, Aug. 4, 1998]

40 CFR 82 – Protection of Stratospheric Ozone - is not applicable to the Rathdrum Combustion Turbine Project because the facility does not produce, manufacture, transform, destroy, import or export ozone depleting substances; does not maintain or service motor vehicle air conditioning units or refrigeration equipment; and does not sell, distribute, or offer for sale or distribution any product that contains ozone depleting substances.

Note: The remaining non-applicable regulatory sections of this Part are not included because this Part in not applicable to the Rathdrum Combustion Turbine project.

APPENDIX B
SUPPORTING INFORMATION FOR EMISSION CALCULATIONS

WASHINGTON WATER POWER

ESTIMATED PERFORMANCE - PG7111(EA)

LOAD CONDITION		BASE
AMBIENT TEMP.	deg F	30.
OUTPUT	kW	83250.*
HEAT RATE (LHV)	Btu/kWh	10350.*
HEAT CONS. (LHV) $X10^6$	Btu/h	861.6
EXHAUST FLOW $X10^3$	lb/h	2317.0
EXHAUST TEMP	Deg F.	956.
EXHAUST HEAT $X10^6$	Btu/h	543.9

NOX	ppmvd @ 15% O_2	15.*
NOX AS NO_2	lb/h	52.
CO	ppmvd	25.*
CO	lb/h	53.
UHC	ppmvw	7.
UHC	lb/h	9.
PART	lb/h	7.0*
VOC	ppmvw	1.4*

* Guarantee values as described in Section 5 and test methods in Section 15.

EXHAUST ANALYSIS	% VOL.
ARGON	0.91
NITROGEN	75.37
OXYGEN	14.05
CARBON DIOXIDE	3.21
WATER	6.46

SITE CONDITIONS
****

ELEVATION	-	ft	2235
SITE PRESSURE	-	psia	13.57
INLET LOSS	-	in. Water	2.5
EXHAUST LOSS	-	in. Water	5.5
RELATIVE HUMIDITY	-	%	80
FUEL TYPE	-		CUST GAS
FUEL LHV	-	Btu/lb	19937
APPLICATION	-		7A6 Air Cooled Generator
COMBUSTION SYSTEM	-		DRY LOW NOX

Emission information based on GE recommended measurement methods.
NOx emissions are corrected to 15% O_2 without heat rate correction and are not corrected to ISO reference conditions per 40CFR 60.335(a)(1)(i).
NOx levels shown will be controlled by algorithms within the Speedtronic control system.

No bleed heat on this project.

AVISTA UTILITIES - RATHDRUM COMBUSTION TURBINE PROJECT
GHG EMISSIONS FROM NATURAL GAS FIRING

GE Turbines Unit 1 & Unit 2
Natural Gas Fuel

Number of Turbines	2	
Total Annual Hours Operation	16,848	Hours

Operational Information

Natural Gas Heating Value	1026	Btu/SCF	(from Table C-1 of 40 CFR 98)
Natural Gas Use (per turbine)	942,670	SCF/hr	
Heat Input (per turbine)	967.18	MMBtu/hr	

GHG	Emission[a] Factor kg/MMBtu)	Max Hourly Emissions Per Turbine (kg/hr)	Max Hourly Facility Emissions (kg/hr)	Total Annual Facility Emissions (ton/yr)	Global[b] Warming Potential	Total Annual CO_2e Facility Emissions (ton/yr)
Carbon Dioxide (CO_2)	53.02	5.13E+04	1.03E+05	952,346	1	952,346
Methane (CH_4)	1.0E-03	9.67E-01	1.93E+00	18	21	377
Nitrus Oxide (N_2O)	1.0E-04	9.67E-02	1.93E-01	1.8	310	557
Carbon Dioxide Equivalents (CO_2e)	-	-	-	-	-	**953,280**

Notes: [a] Emission factors from 40 CFR 98, Tables C-1 & C-2

[b] Global warming potentials (100-year time horizon) from 40 CFR 98, Table A-1.

AVISTA UTILITIES - RATHDRUM COMBUSTION TURBINE PROJECT
TOXIC AIR POLLUTANT EMISSIONS FROM NATURAL GAS FIRING

GE Turbines Unit 1 & Unit 2
Natural Gas Fuel

Number of Turbines	2	
Total Annual Hours Operation	16,848	Hours

Operational Information

Natural Gas Heating Value	1020	Btu/SCF
Natural Gas Use (per turbine)	942,670	SCF/hr
Heat Input (per turbine)	961.52	MMBtu/hr

Toxic Air Pollutant	Emission[a] Factor (lb/MMBtu)	Max Hourly Emissions Per Turbine (lb/hr)	Max Hourly Facility Emissions (lb/hr)	Total Annual Facility Emissions (lb/yr)	Total Annual Facility Emissions (ton/yr)
1,3-Butadiene	4.30E-07	4.13E-04	8.27E-04	7	0.0
Acetaldehyde	4.00E-05	3.85E-02	7.69E-02	648	0.3
Acrolein	6.40E-06	6.15E-03	1.23E-02	104	0.1
Benzene	1.20E-05	1.15E-02	2.31E-02	194	0.1
Ethylbenzene	3.20E-05	3.08E-02	6.15E-02	518	0.3
Formaldehyde	7.10E-04	6.83E-01	1.37E+00	11,502	5.8
Naphthalene	1.30E-06	1.25E-03	2.50E-03	21	0.0
PAH	2.20E-06	2.12E-03	4.23E-03	36	0.0
Propylene Oxide	2.90E-05	2.79E-02	5.58E-02	470	0.2
Toluene	1.30E-04	1.25E-01	2.50E-01	2,106	1.1
Xylenes	6.40E-05	6.15E-02	1.23E-01	1,037	0.5
Total				16,642	8.4

Notes: [a] Emission factor from EPA AP-42 Section 3.1-Stationary Gas Turbines (4/00), Table 3.1-3.

Rathdrum Combustion Turbine Project
Fugitive Particulate Matter (PM and PM10) Emissions
Paved Road Travel

Number of days with precipitation > 0.01 in. = 0 <--- enter data

Vehicle Information

Vehicle Type	Roadway Type	Average Vehicle Weight (tons)	Annual Operation (day/yr)	Total Annual Trips	Avg Trips/ Per Day	One-Way Travel Dist. (ft)	Total Daily VMT (mi)	Annual VMT (mi)
Pickup Truck	Paved	3	365	730	2	750	0.284	104
Passenger Vech	Paved	2	365	2,190	6	250	0.284	104

Category	Silt Loading
Limited Access Road Silt Loading (g/m2)	0.015

Notes: VMT = vehicle miles traveled.
Emission Factors from AP-42 Section 13.2.1 (Paved Roads (1/11)

PM Emissions

Category	Uncontrolled Emission Factor (lb/VMT)	Annual Average Traffic (VMT/yr)	Average Annual PM emissions (ton/yr)
Industrial Paved Road - Pickup Truck	0.0007	104	3.83E-05
Industrial Paved Road - Passenger Vehicle	0.0005	104	2.53E-05
Roadway PM Totals:			**6.36E-05**

PM10 Emissions

Category	Uncontrolled Emission Factor (lb/VMT)	Annual Average Traffic (VMT/yr)	Average Annual PM emissions (ton/yr)
Industrial Paved Road - Pickup Truck	0.00015	104	7.66E-06
Industrial Paved Road - Passenger Vehicle	0.00010	104	5.06E-06
Roadway PM10 Totals:			**1.27E-05**

APPENDIX C
ATTACHMENTS

Permit to Construct

STATE OF IDAHO
DEPARTMENT OF
ENVIRONMENTAL QUALITY

2110 Ironwood Parkway • Coeur d'Alene, Idaho 83814-2648 • (208) 769-1422

Dirk Kempthorne, Governor
C. Stephen Allred, Director

September 7, 2001

Mr. Hank Nelson
Environmental Coordinator
Avista Corporation
1411 East Mission Avenue
Spokane, WA 99220

RE: P-000127, Avista Corporation, Rathdrum
(PTC Modification, Increase in Hours of Operation, PTC No. 055-00040)

Dear Mr. Nelson:

The Idaho Department of Environmental Quality (DEQ) is issuing modified Permit to Construct (PTC) Number 055-00040 for Avista Corporation (Avista), in accordance with IDAPA 58.01.01.200 through 223 (*Rules for the Control of Air Pollution in Idaho*). This PTC is effective immediately and is based on your permit application received February 20, 2001.

This permit does not release Avista from compliance with all other applicable federal, state, local, or tribal laws, regulations, or ordinances. Although this PTC is being issued in accordance with IDAPA 58.01.01.209.05(a)i, Avista is not authorized to operate under the new terms of the PTC until Avista's Tier I Operating Permit Number 055-00040 is revised to incorporate the PTC modifications (IDAPA 58.01.01.209.05(a)iii-iv). The modified Tier I Operating Permit is currently undergoing a 45-day U.S. Environmental Protection Agency review and should be issued as soon as this review is completed.

Please pay particular attention to the reporting requirements of the permit. This information is needed to properly track the progress of the permit. Please refer to the appropriate permit number when submitting reports required in the Reporting Requirements section of the permit.

You are strongly encouraged to attend a meeting with DEQ to discuss the permit terms and requirements with which your facility must comply. Mr. Tom Harman of the Coeur d'Alene Regional Office will contact you regarding this meeting. DEQ strongly recommends that your facility's plant manager, responsible official, environmental contact, and any operations staff responsible for day-to-day compliance with permit conditions, also attend the meeting.

You, as well as any other entity, may have the right to appeal this final agency action, pursuant to the Idaho Department of Health and Welfare Rules, Title 5, Chapter 3, "Rules Governing Contested Case Proceedings and Declaratory Rulings," by filing a petition with the Hearings Coordinator, Department of Environmental Quality, 1410 N. Hilton, Boise, ID 38706-1255, within 35 days of the date of this decision. However, DEQ encourages you to contact the Air Quality Permit Program to address any concerns you may have with the enclosed permit, prior to filing a petition for a contested case.

If you have any questions regarding the terms or conditions of the enclosed permit, please contact Mr. Tom Harman, at (208) 769-1422.

Sincerely,

Gwen P. Fransen

Gwen P. Fransen
Regional Administrator

GF/SO/bm/TH/vh V008.0402.470 J:\AIR PERMITS\CRO\AVISTA\PTC FINAL PERMIT LTR.DOC

Enclosures

By: **CERTIFIED MAIL #7099 3400 0015 4145 2334**

cc: Faye Weber, Air Quality Division
Belinda McFarland, State Office, Technical Services
Tom Harman, Coeur d'Alene Regional Office
L. Kral, EPA - Region 10

Air Pollution **PERMIT TO CONSTRUCT** State of Idaho Department of Environmental Quality	**PERMIT NO.:** 055-00040 **AQCR:** 062 **CLASS:** A **SIC:** 4911 **ZONE:** 11 **UTM COORDINATE (km):** 510 . 0, 5294 . 3

1. **PERMITTEE** Avista Corporation			
2. **PROJECT** Gas Turbines			
3. **MAILING ADDRESS** East 1411 Mission Avenue	**CITY** Spokane	**STATE** WA	**ZIP** 99220
4. **FACILITY CONTACT** Hank Nelson	**TITLE** Environmental Compliance Coordinator	**TELEPHONE** (509) 495-4613	
5. **RESPONSIBLE OFFICIAL** Rob Fukai	**TITLE** Vice President, External Relations	**TELEPHONE** (800) 495-2473	
6. **EXACT PLANT LOCATION** SW ¼ Section 32, Township 25 North – Range 4 West approximately 2 miles SE of Rathdrum		**COUNTY** Kootenai	
7. **GENERAL NATURE OF BUSINESS & KINDS OF PRODUCTS** Electricity Generation			

8. **GENERAL CONDITIONS**

This permit is issued according to the *Rules for the Control of Air Pollution in Idaho*, Section 58.01.01.200, and pertains only to emissions of air contaminants that are regulated by the state of Idaho and to the sources specifically allowed to be constructed by this permit.

This permit (1) does not affect the title of the premises upon which the equipment is to be located; (2) does not release the permittee from any liability for any loss due to damage to person or property caused by, resulting from, or arising out of the design, installation, maintenance, or operation of the proposed equipment; (3) does not release the permittee from compliance with other applicable federal, state, tribal, or local laws, regulations, or ordinances; (4) in no manner implies or suggests that the Idaho Department of Environmental Quality (Department) or its officers, agents, or employees, assumes any liability, directly or indirectly, for any loss due to damage to any person or property caused by, resulting from, or arising out of the design, installation, maintenance, or operation of the proposed equipment.

This permit is not transferable to another person, place, piece, or set of equipment. This permit will expire if construction has not begun within two years of its issue date or if construction is suspended for one year.

This permit has been granted on the basis of design information presented with its application. Changes of design or equipment may require Department approval pursuant to the *Rules for the Control of Air Pollution in Idaho*, IDAPA 58.01.01.200, et.seq.

Gwen P. Fransen

GWEN P. FRANSEN, R. A., Cd'A REGIONAL OFFICE
DEPARTMENT OF ENVIRONMENTAL QUALITY

DATE ISSUED: September 7, 2001

1. EMISSIONS LIMITS

1.1 Nitrogen Oxides

Emissions of nitrogen oxides (NO_X) from each of the turbines shall not exceed 0.010 percent by volume of exhaust gas at 15 percent oxygen and on a dry basis as required by 40 CFR 60.332(a). Emissions of NO_X from the two turbines shall not exceed any applicable emissions rate limits listed in the appendix of this permit.

1.2 Sulfur Dioxide

Emissions of sulfur dioxide (SO_2) from each of the turbines shall not exceed 0.015 percent volume of exhaust gas at 15 percent oxygen and on a dry basis as required by 40 CFR 60.333(a), nor shall any fuel containing sulfur in excess of 0.8 percent by weight be burned as required by 40 CFR 60.333(b). Emissions of SO_2 from the two turbines shall not exceed any applicable emissions rate listed in the appendix of this permit.

1.3 Emissions Limits

Particulate matter, particulate matter with an aerodynamic diameter less than or equal to a nominal ten micrometers, carbon monoxide (CO), and volatile organic compound emissions from the two turbines shall not exceed any corresponding emission rate limits listed in the appendix of this permit.

1.4 Opacity Limit

Emissions from each of the turbines, or any other stack, vent, or functionally equivalent opening associated with the turbines, shall not exceed 20 percent opacity for a period or periods aggregating more than three minutes in any 60-minute period as required by IDAPA 58.01.01.625 (*Rules for the Control of Air Pollution in Idaho*). Opacity shall be determined by the procedures contained in IDAPA 58.01.01.625.

2. OPERATING REQUIREMENTS

2.1 Fuel Restrictions

Each of the turbines shall be exclusively fired by natural gas.

2.2 Hours of Operation Limits

The maximum annual hours of operation of the emissions units shall not exceed 16,848 hours in a calendar year.

3. MONITORING AND RECORDKEEPING REQUIREMENTS

3.1 Continuous Emissions Monitoring

3.1.1 The permittee shall install, calibrate, and operate a continuous emissions monitoring system (CEM) to monitor and record stack gas concentrations and hourly emission rates of CO from each turbine. The CO CEM shall meet all specifications and requirements of the CEM Certification Application, dated December 22, 1999, including procedures outlined in the Quality Assurance Plan, which was submitted by Avista Corporation to United States Environmental Protection Agency Region 10 (EPA) and the Department.

3.1.2 The permittee shall install, calibrate, maintain, and operate a CEM to monitor and record stack gas concentrations and pound per hour emission rates of NO_X from each turbine. The system shall conform to the requirements for NO_x CEM requirements of 40 CFR 75, including measuring the concentration of oxygen.

3.2 Sulfur and Nitrogen Content in Fuel

The permittee shall monitor the sulfur and nitrogen contents in the fuel being fired in each of the turbines as required by 40 CFR 60.334(b).

3.3 Hourly Natural Gas Usage

The permittee shall monitor and record the hours of operation and hourly usage of natural gas from each of the turbines.

4. REPORTING REQUIREMENTS

4.1 Continuous Emissions Monitoring Report

The permittee shall report the CEM data as required in Section 3.1 of this permit to the Department and the EPA in a quarterly report to be received no later than 30 days after the end of each calendar quarter.

4.2 Sulfur and Nitrogen Content Report

The permittee shall record and submit the sulfur and nitrogen contents of the fuel being fired as specified in Section 3.2 of this permit and the hourly usage of natural gas as indicated in Section 3.3 of this permit to the Department and the EPA in a quarterly report to be received no later than 30 days after the end of each calendar quarter.

4.3 Hours of Operation Report

The permittee shall compile the hours of operation for each of the turbines in a monthly report to be kept on-site for a two-year minimum period and made available to Department representatives upon request.

4.4 Certification of Documents

All documents submitted to the Department, including, but not limited to, records, monitoring data, supporting information, requests for confidential treatment, testing reports, or compliance certifications, shall contain a certification by a responsible official. The certification shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document(s) are true, accurate, and complete.

APPENDIX

Avista Corporation

Emissions Limits[a] - Hourly (lb/hr)[b] and Annual[c] (T/yr)[d]

SOURCE DESCRIPTION	PM[e]		PM_{10}[f]		SO_2[g]		NO_x[h]		VOC[i]		CO[j]	
	lb/hr	T/yr	lb/hr	T/yr	lb/hr	T/yr	lb/hr	T/yr	lb/hr	T/yr	lb/hr	T/yr
TOTAL (Two Turbines Only)	14	59.0	14	59.0	6	19.8	104	235.5	3.6	15.2	106	240

a. As determined by a pollutant-specific EPA reference method, a Department-approved alternative, or by the Department's emissions estimation methods used in this permit analysis.
b. Pounds per hour
c. As determined by multiplying the actual or allowable (if actual is not available) pound per hour emissions rate by the allowable hours per year that the process(es) may operate, or by actual annual production rates.
d. Tons per year
e. Particulate matter
f. Particulate matter with an aerodynamic diameter less than or equal to a nominal ten micrometers
g. Sulfur dioxide
h. Nitrogen oxides
i. Volatile organic compounds
j. Carbon monoxide

PERMIT TO CONSTRUCT GENERAL PROVISIONS

A. All emissions authorized herein shall be consistent with the terms and conditions of this permit and the *Rules for the Control of Air Pollution in Idaho*. The emissions of any pollutant in excess of the limitations specified herein, or noncompliance with any other condition or limitation contained in this permit, shall constitute a violation of this permit, the *Rules for the Control of Air Pollution in Idaho*, and the Environmental Protection and Health Act, Idaho Code 39-101, et seq.

B. The permittee shall at all times (except as provided in the *Rules for the Control of Air Pollution in Idaho*) maintain in good working order and operate as efficiently as practicable, all treatment or control facilities or systems installed or used to achieve compliance with the terms and conditions of this permit and other applicable Idaho laws for the control of air pollution.

C. The permittee shall allow the Director, and/or the authorized representative(s), upon the presentation of credentials:

1. To enter at reasonable times upon the premises where an emissions source is located, or in which any records are required to be kept under the terms and conditions of this permit; and
2. At reasonable times to have access to and copy any records required to be kept under the terms and conditions of this permit, to inspect any monitoring methods required in this permit, and require stack emissions testing in conformance with IDAPA 58.01.01.157 when deemed appropriate by the Director.

D. Nothing in this permit is intended to relieve or exempt the permittee from compliance with any applicable federal, state, or local law or regulation, except as specifically provided herein.

E. The permittee shall notify the Department, in writing, of the required information for the following events within five working days after occurrence:

1. Initiation of Construction - Date
2. Completion/Cessation of Construction - Date
3. Actual Production Startup - Date
4. Initial Date of Achieving Maximum Production Rate - Production Rate and Date

F. If emissions testing is specified, the permittee must schedule such testing within 60 days after achieving the maximum production rate, but not later than 180 days after initial startup. Such testing must **strictly** adhere to the procedures outlined in IDAPA 58.01.01.157 and shall not be conducted on weekends or state holidays without prior written Department approval. Testing procedures and specific time limitations may be modified by the Department by prior negotiation if conditions warrant adjustment. The Department shall be notified at least 15 days prior to the scheduled compliance test. Any records or data generated as a result of such a compliance test shall be made available to the Department upon request.

The maximum allowable operating rate shall be limited to 120 percent of the average operating rate attained during any performance test period for which a test protocol has been granted prior approval by the Department, unless (1) the test demonstrates noncompliance, (2) a more restrictive operating limit is specified elsewhere in this permit, or (3) at such an operating rate, emissions would exceed any emissions limit(s) set forth in this permit.

G. The provisions of this permit are severable. If any provision of this permit to any circumstance is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.

Tier I Operating Permit

STATE OF IDAHO
DEPARTMENT OF
ENVIRONMENTAL QUALITY

1410 North Hilton • Boise, Idaho 83706 • (208) 373-0502

C.L. "Butch" Otter, Governor
Toni Hardesty, Director

April 22, 2011

Dennis Vermillion
President, Avista Utilities
Avista Corporation
1411 East Mission
Spokane, WA 99220-3727

RE: Facility ID No. 055-00040, Avista Corporation, Rathdrum
Final Tier I Operating Permit Letter

Dear Mr. Vermillion:

The Department of Environmental Quality (DEQ) is issuing Tier I Operating Permit No. TI-2010.0149 to Avista Corporation at Rathdrum in accordance with IDAPA 58.01.01.300 through 386, Rules for the Control of Air Pollution in Idaho (Rules).

The enclosed permit is effective immediately, summarizes the applicable requirements for your facility, and requires an annual compliance certification for all emissions units. This permit replaces Tier I Operating Permit No. T1-2008.0140, issued September 17, 2008. The enclosed operating permit is based on the information contained in your permit application received on November 4, 2010. Modifications to and/or renewal of this operating permit shall be requested in a timely manner in accordance with the Rules.

In order to fully understand the compliance requirements of this permit, DEQ highly recommends that you schedule a meeting with Almer Casile, Air Quality Analyst, at 208-769-1422 to review and discuss the terms and conditions of this permit. Should you choose to schedule this meeting, DEQ recommends the following representatives attend the meeting: your facility's plant manager, responsible official, environmental contact, and any other staff responsible for day-to-day compliance with permit conditions.

Pursuant to IDAPA 58.01.23, you, as well as any other entity, may have the right to appeal this final agency action within 35 days of the date of this decision. However, prior to filing a petition for a contested case, I encourage you to call Carole Zundel at 208 373-0477 or carole.zundel@deq.idaho.gov to address any questions or concerns you may have with the enclosed permit.

Sincerely,

Mike Simon
Stationary Source Program Manager
Air Quality Division

MS/CZ Permit No. T1-2010.0149 PROJ 60620

Enclosure

Printed on Recycled Paper

Air Quality **TIER I OPERATING PERMIT** **State of Idaho** **Department of Environmental Quality**	**PERMIT No.:** T1-2010.0149 **FACILITY ID No.: 055-00040** **AQCR: 62** **CLASS: A** **ZONE: 11** **SIC: 4911** **NAICS: 221112** **UTM COORDINATE (km): 510.0, 5,294.3**

1. **PERMITTEE** Avista Corporation			
2. **PROJECT** Project No. 60620, permit renewal			
3. **MAILING ADDRESS** 1411 East Mission	**CITY** Spokane	**STATE** WA	**ZIP** 99220-3727
4. **FACILITY CONTACT** Hank Nelson	**TITLE** Environmental Coordinator	**TELEPHONE** (509) 495-4613	
5. **RESPONSIBLE OFFICIAL** Dennis Vermillion	**TITLE** President, Avista Utilities	**TELEPHONE** (509) 495-4752	
6. **EXACT PLANT LOCATION** 5999 W. Boekel Rd., Rathdrum		**COUNTY** Kootenai	
7. **GENERAL NATURE OF BUSINESS & KINDS OF PRODUCTS** Generation of electricity			

8. **PERMIT AUTHORITY**

This Tier I operating permit is issued pursuant to the Rules for the Control of Air Pollution in Idaho, IDAPA 58.01.01.300 through 386. The permittee shall comply with the terms and conditions of this permit.

This permit incorporates all applicable terms and conditions of prior air quality permits issued by the Idaho Department of Environmental Quality (DEQ) for the permitted source, unless the permittee emits toxic pollutants subject to state-only requirements pursuant to IDAPA 58.01.01.210, and the permittee elects not to incorporate those terms and conditions into this operating permit.

The effective date of this permit is the date of signature by DEQ on the cover page.

CAROLE ZUNDEL, PERMIT WRITER
DEPARTMENT OF ENVIRONMENTAL QUALITY

MIKE SIMON, STATIONARY SOURCE PROGRAM MANAGER
DEPARTMENT OF ENVIRONMENTAL QUALITY

DATE ISSUED:	April 22, 2011
DATE MODIFIED/AMENDED:	
DATE EXPIRES:	April 22, 2016

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Acronyms, Units, and Chemical Nomenclature

AQCR	Air Quality Control Region
CAA	Clean Air Act
CFR	Code of Federal Regulations
CO	carbon monoxide
DEQ	Department of Environmental Quality
EPA	U.S. Environmental Protection Agency
gr/dscf	grains (1 lb = 7,000 grains) per dry standard cubic foot
IDAPA	a numbering designation for all administrative rules in Idaho promulgated in accordance with the Idaho Administrative Procedures Act
m	meters
NAICS	North American Industry Classification System
NO_x	nitrogen oxides
NSPS	New Source Performance Standards
PM	particulate matter
PM_{10}	particulate matter with an aerodynamic diameter less than or equal to a nominal 10 micrometers
PTC	permit to construct
scf/hr	standard cubic feet per hour
scf/yr	standard cubic feet per year
SIC	Standard Industrial Classification
SO_2	sulfur dioxide
U.S.C.	United States Code
UTM	Universal Transverse Mercator
VOC	volatile organic compounds

1. TIER I OPERATING PERMIT SCOPE

Purpose

1.1 This Tier I operating permit establishes facility-wide requirements in accordance with the Idaho State Implementation Plan control strategy and the Rules.

This permitting action is to renew the facility's Tier I operating permit.

1.2 This Tier I permit incorporates the following permit(s):

- Permit to Construct No. 055-00040, issued September 7, 2001
- Permit to Construct No. 055-00040, issued August 4, 1999

1.3 This Tier I operating permit supersedes the following permit(s):

- Tier I Operating Permit No. T1-2008.0140, issued September 17, 2008

Regulated Sources

1.4 Table 1.1 lists all sources of emissions regulated in this Tier I operating permit.

Table 1.1 REGULATED SOURCES

Permit Section	Source Description	Emissions Control
3	Unit 1 – Combustion Turbine Manufacturer: General Electric Model: PG711EA Installed: 1994 Rated Capacity: 83.5 MW Fuel: Natural gas Maximum hourly fuel usage: 942,670 scf/hr Fuel usage: 31,764 MMscf/yr	Dry Low Nitrogen Oxide Combustor
3	Unit 2 – Combustion Turbine Manufacturer: General Electric Model: PG711EA Installed: 1994 Rated Capacity: 83.5 MW Fuel: Natural gas Maximum hourly fuel usage: 942,670 scf/hr Fuel usage: 31,764 MMscf/yr	Dry Low Nitrogen Oxide Combustor

2. FACILITY-WIDE CONDITIONS

Table 2.1 contains a summary of requirements that apply generally to emissions units at the facility.

Table 2.1 APPLICABLE REQUIREMENTS SUMMARY

Permit Condition	Parameter	Permit Limit/ Standard Summary	Applicable Requirement References	Monitoring and Recordkeeping Requirements
2.1	Fugitive Dust	Reasonable Control	IDAPA 58.01.01.650-651	2.2, 2.3, 2.4, 2.11, 2.12
2.5	Odors	Reasonable Control	IDAPA 58.01.01.775-776	2.6, 2.11, 2.12
2.7	Visible emissions	20% opacity for no more than three minutes in any 60-minute period	IDAPA 58.01.01.625	2.8, 2.11, 2.12
2.9	Excess emissions	Compliance with IDAPA 58.01.01.130-136	IDAPA 58.01.01.130-136	2.9.1-2.9.5, 2.10, 2.11
2.11	Criteria air pollutants, opacity	Performance/Compliance testing	IDAPA 58.01.01.157	2.10, 2.11, 2.12
2.10	Air quality standards	EPA Reference Test Methods	IDAPA 58.01.01.157	2.10, 2.11, 2.12
2.13	Fuel-burning equipment	0.015 gr/dscf @ 3% O_2, for gas	IDAPA 58.01.01.677	2.11
2.14	Open burning	Compliance with IDAPA 58.01.01.600-616	IDAPA 58.01.01.600-616	2.11
2.15	Renovation and demolition	Compliance with 40 CFR 61, Subpart M	40 CFR 61, Subpart M	2.11
2.16	Chemical accident release provisions	Compliance with 40 CFR 68	40 CFR 68	2.11
2.17	Recycling and emissions reductions	Compliance with 40 CFR 82, Subpart F	40 CFR 82, Subpart F	2.11
2.18-2.19	NSPS	Compliance with applicable subparts	40 CFR 60	2.11

Fugitive Dust

2.1 All reasonable precautions shall be taken to prevent PM from becoming airborne in accordance with IDAPA 58.01.01.650-651.

[IDAPA 58.01.01.650-651, 3/30/07]

2.2 The permittee shall monitor and maintain records of the frequency and the method(s) used (e.g., water, chemical dust suppressants) to reasonably control fugitive dust emissions.

[IDAPA 58.01.01.322.06, 07, 5/1/94]

2.3 The permittee shall maintain records of all fugitive dust complaints received. The permittee shall take appropriate corrective action as expeditiously as practicable after receipt of a valid complaint. The records shall include, at a minimum, the date that each complaint was received and a description of the following: the complaint, the permittee's assessment of the validity of the complaint, any corrective action taken, and the date the corrective action was taken.

[IDAPA 58.01.01.322.06, 07, 5/1/94]

2.4 The permittee shall conduct a quarterly facility-wide inspection of potential sources of fugitive dust emissions, during daylight hours and under normal operating conditions to ensure that the methods used to reasonably control fugitive dust emissions are effective. If fugitive dust emissions are not being reasonably controlled, the permittee shall take corrective action as expeditiously as practicable. The permittee shall maintain records of the results of each fugitive dust emissions inspection. The records shall include, at a minimum, the date of each inspection and a description of the following: the permittee's assessment of the conditions existing at the time fugitive emissions were present (if observed), any corrective action taken in response to the fugitive dust emissions, and the date the corrective action was taken.

[IDAPA 58.01.01.322.06, 07, 5/1/94]

Odors

2.5 The permittee shall not allow, suffer, cause, or permit the emission of odorous gases, liquids, or solids to the atmosphere in such quantities as to cause air pollution.

[IDAPA 58.01.01.775-776 (state only), 5/1/94]

2.6 The permittee shall maintain records of all odor complaints received. If the complaint has merit, the permittee shall take appropriate corrective action as expeditiously as practicable. The records shall include, at a minimum, the date each complaint was received and a description of the following: the complaint, the permittee's assessment of the validity of the complaint, any corrective action taken, and the date the corrective action was taken.

[IDAPA 58.01.01.322.06, 07 (state-only), 5/1/94]

Visible Emissions

2.7 The permittee shall not discharge any air pollutant to the atmosphere from any point of emission for a period or periods aggregating more than three minutes in any 60-minute period which is greater than 20% opacity as determined by procedures contained in IDAPA 58.01.01.625. These provisions shall not apply when the presence of uncombined water, nitrogen oxides, and/or chlorine gas is the only reason for the failure of the emission to comply with the requirements of this section.

[IDAPA 58.01.01.625, 5/8/09]

2.8 The permittee shall conduct a quarterly facility-wide inspection of potential sources of visible emissions, during daylight hours and under normal operating conditions. Sources that are monitored using a continuous opacity monitoring system (COMS) are not required to comply with this permit condition. The inspection shall consist of a see/no see evaluation for each potential source of visible emissions. If any visible emissions are present from any point of emission, the permittee shall either

a) take appropriate corrective action as expeditiously as practicable to eliminate the visible emissions. Within 24 hours of the initial see/no see evaluation and after the corrective action, the permittee shall conduct a see/no see evaluation of the emissions point in question. If the visible emissions are not eliminated, the permittee shall comply with b).

or

b) perform a Method 9 opacity test in accordance with the procedures outlined in IDAPA 58.01.01.625. A minimum of 30 observations shall be recorded when conducting the opacity test. If opacity is greater than 20%, as measured using Method 9, for a period or periods aggregating more than three minutes in any 60-minute period, the permittee shall take all necessary corrective action and report the exceedance in its annual compliance certification and in accordance with IDAPA 58.01.01.130-136.

The permittee shall maintain records of the results of each visible emission inspection and each opacity test when conducted. The records shall include, at a minimum, the date and results of each inspection and test and a description of the following: the permittee's assessment of the conditions existing at the time visible emissions are present (if observed), any corrective action taken in response to the visible emissions, and the date corrective action was taken.

[IDAPA 58.01.01.322.06, 07, 5/1/94; IDAPA 58.01.01.322.08, 4/5/00]

Excess Emissions

Excess Emissions - General

2.9 The permittee shall comply with the procedures and requirements of IDAPA 58.01.01.130-136 for excess emissions. The provisions of IDAPA 58.01.01.130-136 shall govern in the event of conflicts between Permit Condition 2.9 and the regulations of IDAPA 58.01.01.130-136.

2.9.1 The person responsible for or in charge of a facility during an excess emissions event shall, with all practicable speed, initiate and complete appropriate and reasonable action to correct the conditions causing the excess emissions event; to reduce the frequency of occurrence of such events; to minimize the amount by which the emission standard is exceeded; and shall, as provided below or upon request of DEQ, submit a full report of such occurrence, including a statement of all known causes, and of the scheduling and nature of the actions to be taken.

[IDAPA 58.01.01.132, 4/5/00]

Excess Emissions – Startup, Shutdown, Scheduled Maintenance

2.9.2 In all cases where startup, shutdown, or scheduled maintenance of any equipment or emission unit is expected to result or results in an excess emissions event, the owner or operator of the facility or emissions unit generating the excess emissions shall demonstrate compliance with IDAPA 58.01.01.133.01(a) through (d), including, but not limited to, the following:

[IDAPA 58.01.01.133, 4/5/00]

- A prohibition of any scheduled startup, shutdown, or maintenance resulting in excess emissions shall occur during any period in which an Atmospheric Stagnation Advisory or a Wood Stove Curtailment Advisory has been declared by DEQ.

  [IDAPA 58.01.01.133.01.a, 3/20/97]

- Notifying DEQ of the excess emissions event as soon as reasonably possible, but no later than two hours prior to, the start of the event, unless the owner or operator demonstrates to DEQ's satisfaction that a shorter advance notice was necessary.

  [IDAPA 58.01.01.133.01.b, 4/5/00]

- The owner or operator of a source of excess emissions shall report and record the information required pursuant to Permit Conditions 2.9.4 and 2.9.5 and IDAPA 58.01.01.135 and 136 for each excess emissions event due to startup, shutdown, or scheduled maintenance.

[IDAPA 58.01.01.133.01.c, 3/20/97]

Excess Emissions – Upset, Breakdown, or Safety Measures

2.9.3 In all cases where upset or breakdown of equipment or an emissions unit, or the initiation of safety measures, results or may result in an excess emissions event, the owner or operator of the facility or emissions unit generating the excess emissions shall demonstrate compliance with IDAPA 58.01.01.134.01(a) and (b) and the following:

[IDAPA 58.01.01.134, 4/11/06]

2.9.3.1 For all equipment or emissions units from which excess emissions result during upset or breakdown conditions, or for other situations that may necessitate the implementation of safety measures which cause excess emissions, the facility owner or operator shall comply with the following:

[IDAPA 58.01.01.134.02, 4/5/00]

- The owner or operator shall immediately undertake all appropriate measures to reduce and, to the extent possible, eliminate excess emissions resulting from the event and to minimize the impact of such excess emissions on the ambient air quality and public health.

[IDAPA 58.01.01.134.02.a, 4/5/00]

- The owner or operator shall notify DEQ of any upset, breakdown, or safety event that results in excess emissions. Such notification shall identify the time, specific location, equipment or emissions unit involved, and (to the extent known) the cause(s) of the occurrence. The notification shall be given as soon as reasonably possible, but no later than 24 hours after the event, unless the owner or operator demonstrates to DEQ's satisfaction that the longer reporting period was necessary.

[IDAPA 58.01.01.134.02.b, 4/5/00]

- The owner or operator shall report and record the information required pursuant to Permit Conditions 2.9.4 and 2.9.5 and IDAPA 58.01.01.135 and 136 for each excess emissions event caused by an upset, breakdown, or safety measure.

[IDAPA 58.01.01.134.02.c, 3/20/97]

2.9.3.2 During any period of excess emissions caused by upset, breakdown, or operation under facility safety measures, DEQ may require the owner or operator to immediately reduce or cease operation of the equipment or emissions unit causing the period until such time as the condition causing the excess has been corrected or brought under control. Such action by DEQ shall be taken upon consideration of the factors listed in IDAPA 58.01.01.134.03 and after consultation with the facility owner or operator.

[IDAPA 58.01.01.134.03 4/5/00]

Excess Emissions – Reporting and Recordkeeping

2.9.4 A written report for each excess emissions event shall be submitted to DEQ by the owner or operator no later than 15 days after the beginning of such an event. Each report shall contain the information specified in IDAPA 58.01.01.135.02.

[IDAPA 58.01.01.135.01 and 02, 4/11/06]

2.9.5 The owner or operator shall maintain excess emissions records at the facility for the most recent five-calendar-year period. The excess emissions records shall be made available to DEQ upon request and shall include the information requested by IDAPA 58.01.01.136.03(a) and (b) as summarized in the following:

[IDAPA 58.01.01.136.01, 02, 3/20/97; IDAPA 58.01.01.136.03, 4/5/00]

- An excess emissions log book for each emissions unit or piece of equipment containing copies of all reports that have been submitted to DEQ pursuant to IDAPA 58.01.01.135 for the particular emissions unit or equipment; and

[IDAPA 58.01.01.136.03.a, 4/5/00]

- Copies of all startup, shutdown, and scheduled maintenance procedures and upset, breakdown, or safety preventative maintenance plans that have been developed by the owner or operator in accordance with IDAPA 58.01.01.133 and 134, and facility records as necessary to demonstrate compliance with such procedures and plans.

[IDAPA 58.01.01.136.03.b, 3/20/97]

Performance Testing

2.10 If performance testing is required, the permittee shall provide notice of intent to test to DEQ at least 15 days prior to the scheduled test or shorter time period as provided in a permit, order, consent decree, or by DEQ approval. DEQ may, at its option, have an observer present at any emissions tests conducted on a source. DEQ requests such testing not be performed on weekends or state holidays.

All testing shall be conducted in accordance with the procedures in IDAPA 58.01.01.157. Without prior DEQ approval, any alternative testing is conducted solely at the permittee's risk. If the permittee fails to obtain prior written approval by DEQ for any testing deviations, DEQ may determine that the testing does not satisfy the testing requirements. Therefore, prior to conducting any performance test, the permittee is encouraged to submit in writing to DEQ, at least 30 days in advance, the following for approval:

- The type of method to be used
- Any extenuating or unusual circumstances regarding the proposed test
- The proposed schedule for conducting and reporting the test

Unless a longer time is approved by DEQ, the permittee shall submit a compliance test report for the respective test to DEQ within 30 days following the date in which a compliance test required by this permit is concluded. The compliance test report shall include all process operating data collected during the test period as well as the test results, raw test data, and associated documentation, including any approved test protocol.

The proposed test date(s), test date rescheduling notice(s), compliance test report, and all other correspondence shall be sent to the following address:

Air Quality Permit Compliance
Department of Environmental Quality

Coeur d'Alene Regional Office
2110 Ironwood Parkway
Coeur d'Alene, ID 83814
Phone: (208) 769-1422 Fax: (208) 769-1404

[IDAPA 58.01.01.157, 4/5/00; IDAPA 58.01.01.322.06, 08.a, 09, 5/1/94]

Monitoring and Recordkeeping

2.11 The permittee shall maintain sufficient records to assure compliance with all of the terms and conditions of this operating permit. Records of monitoring information shall include, but not be limited to, the following: (a) the date, place, and times of sampling or measurements; (b) the date 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. All monitoring records and support information shall be retained for a period of at least five years from the date of the monitoring sample, measurement, report, or application. Supporting information includes, but is not limited to, all calibration and maintenance records, all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by this permit. All records required to be maintained by this permit shall be made available in either hard copy or electronic format to DEQ representatives upon request.

[IDAPA 58.01.01.322.07, 5/1/94]

Reports and Certifications

2.12 All periodic reports and certifications required by this permit shall be submitted to DEQ within 30 days of the end of each specified reporting period. Excess emissions reports and notifications shall be submitted in accordance with IDAPA 58.01.01.130-136. Reports, certifications, and notifications shall be submitted to:

Air Quality Permit Compliance
Department of Environmental Quality
Coeur d'Alene Regional Office
2110 Ironwood Parkway
Coeur d'Alene, ID 83814
Phone: (208) 769-1422 Fax: (208) 769-1404

The periodic compliance certification required by General Provision 21 shall also be submitted within 30 days of the end of the specified reporting period to:

EPA Region 10
Air Operating Permits, OAQ-107
1200 Sixth Ave.
Seattle, WA 98101

[IDAPA 58.01.01.322.08, 11, 5/1/94]

Fuel-Burning Equipment

2.13 The permittee shall not discharge PM to the atmosphere from any fuel-burning equipment in excess of 0.015 gr/dscf of effluent gas corrected to 3% oxygen by volume for gas.

[IDAPA 58.01.01.676-677, 5/1/94]

Open Burning

2.14 The permittee shall comply with the *Rules for Control of Open Burning,* IDAPA 58.01.01.600-623.
[IDAPA 58.01.01.600-623, 04/02/08T]

Asbestos

2.15 The permittee shall comply with all applicable portions of 40 CFR 61, Subpart M – Asbestos.
[40 CFR 61, Subpart M]

Regulated Substances for Accidental Release Prevention

2.16 An owner or operator of a stationary source that has more than a threshold quantity of a regulated substance in a process, as determined under 40 CFR 68.115, shall comply with the requirements of the Chemical Accident Prevention Provisions at 40 CFR 68 no later than the latest of the following dates:

- Three years after the date on which a regulated substance present above a threshold quantity is first listed under 40 CFR 68.130.
- The date on which a regulated substance is first present above a threshold quantity in a process.

[40 CFR 68.10 (a)]

Recycling and Emissions Reductions

2.17 The permittee shall comply with applicable standards for recycling and emissions reduction pursuant to 40 CFR 82, Subpart F, Recycling and Emissions Reduction.
[40 CFR 82, Subpart F]

NSPS General Provisions

2.18 **NSPS 40 CFR 60, Subpart A – General Provisions**

The permittee shall comply with the applicable requirements of 40 CFR 60, Subpart A – General Provisions in accordance with 40 CFR 60.1. A summary of requirements for affected facilities is provided in Table 2.2.

Table 2.2 NSPS 40 CFR 60, SUBPART A – SUMMARY OF GENERAL PROVISIONS

Section	Subject	Summary of Section Requirements
60.4	Address	• All requests, reports, applications, submittals, and other communications associated with 40 CFR 60, Subpart GG shall be submitted to: Coeur d'Alene Regional Office Department of Environmental Quality 2110 Ironwood Pkwy Coeur d'Alene, ID 83814
60.7(a),(b), and (f)	Notification and Recordkeeping	• Notification shall be furnished of commencement of construction postmarked no later than 30 days of such date. • Notification shall be furnished of initial startup postmarked within 15 days of such date. • Notification shall be furnished of any physical or operational change that may increase emissions postmarked 60 days before the change is made. • Records shall be maintained of the occurrence and duration of any startup, shutdown or malfunction; any malfunction of the air pollution control equipment; or any periods during which a CMS or monitoring device is inoperative.

Section	Subject	Summary of Section Requirements
		• Records shall be maintained, in a permanent form suitable for inspection, of all measurements, performance testing measurements, calibration checks, adjustments and maintenance performed, and other required information. Records shall be maintained for a period of two years following the date of such measurements, maintenance, reports, and records.
60.8	Performance Tests	• At least 30 days prior notice of any performance test shall be provided to afford the opportunity to have an observer to be present. • Within 60 days of achieving the maximum production rate, but not later 180 days after initial startup, performance test(s) shall be conducted and a written report of the results of such test(s) furnished. • Performance testing facilities shall be provided as follows: Sampling ports adequate for test methods applicable to such facility. Safe sampling platform(s). Safe access to sampling platform(s). Utilities for sampling and testing equipment. • Performance tests shall be conducted and data reduced in accordance with 40 CFR 60.8(b), (c), and (f).
60.11(a),(c), (d), (f), and (g)	Compliance With Standards and Maintenance Requirements	• When performance tests are required, compliance with standards is determined by methods and procedures established by 40 CFR 60.8. • At all times, including periods of startup, shutdown, and malfunction, the owners and operators shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with good air pollution control practice for minimizing emissions. • For the purpose of submitting compliance certifications or establishing whether or not a person has violated or is in violation of any standard, 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. • The opacity standards shall apply at all times except during periods of startup, shutdown, malfunction, and as otherwise provided.
60.12	Circumvention	• No permittee shall build, erect, install, or use any article, machine, equipment or process, the use of which conceals an emission which would otherwise constitute a violation of an applicable standard.
60.14	Modification	• A physical or operational change which results in an increase in the emission rate to the atmosphere or any pollutant to which a standard applies shall be considered a modification, and upon modification an existing facility shall become an affected facility in accordance with the requirements and exemptions in 40 CFR 60.14. • Within 180 days of the completion of any physical or operational change, compliance with all applicable standards must be achieved.
60.15	Reconstruction	• An existing facility, upon reconstruction, becomes an affected facility, irrespective of any change in emission rate in accordance with the requirements of 40 CFR 60.15.

[40 CFR 60, Subpart A]

Incorporation of Federal Requirements by Reference

2.19 Unless expressly provided otherwise, any reference in this permit to any document identified in IDAPA 58.01.01.107.03 shall constitute the full incorporation into this permit of that document for the purposes of the reference, including any notes and appendices therein. Documents include, but are not limited to, Standards of Performance for New Stationary Sources (NSPS), 40 CFR Part 60.

For permit conditions referencing or cited in accordance with any document incorporated by reference (including permit conditions identified as NSPS), should there be any conflict between the requirements of the permit condition and the requirements of the document, the requirements of the document shall govern, including any amendments to that regulation.

3. GENERAL ELECTRIC COMBUSTION TURBINES NO. 1 AND NO. 2

Summary Description

Table 3.1 describes the devices used to control emissions from each combustion turbine.

Table 3.1 EMISSIONS UNITS AND EMISSIONS CONTROL DEVICES

Emissions Unit / Process	Emissions Control Device
Unit 1 – General Electric Model PG711EA Frame 7 combustion gas turbine	Dry Low Nitrogen Oxide Combustor
Unit 2 – General Electric Model PG711EA Frame 7 combustion gas turbine	Dry Low Nitrogen Oxide Combustor

Table 3.2 contains only a summary of the requirements that apply to the combustion turbines designated as Unit 1 and Unit 2. Specific permit requirements are listed below Table 3.2.

Table 3.2 APPLICABLE REQUIREMENTS SUMMARY

Permit Conditions	Parameter	Permit Limit / Standard Summary	Applicable Requirements Reference	Operating and Monitoring and Recordkeeping Requirements
3.1	Particulate Matter	0.015 grains per dry standard cubic foot at 3% oxygen for gas	IDAPA 58.01.01.677	3.10
3.2	Opacity	20% for 3 minutes in any 60 minute period	IDAPA 58.01.01.625 PTC[a] No. 055-00040	2.8
3.3	Particulate Matter & PM_{10}[b]	14 pounds per hour; 59 tons per year	PTC No. 055-00040	3.11, 3.12, 3.13, and 3.18
3.4	Nitrogen oxides	104 pounds per hour; 235.5 tons per year	PTC No. 055-00040	3.14 and 3.17
3.5	Volatile organic compounds	3.6 pounds per hour; 15.2 tons per year	PTC No. 055-00040	3.11, 3.12, 3.13, and 3.18
3.6	Sulfur dioxide	6.0 pounds per hour; 19.8 tons per year	PTC No. 055-00040	3.11, 3.12, 3.13, and 3.18
3.7	Carbon monoxide	106 pounds per hour; 240 tons per year	PTC No. 055-00040	3.16 and 3.17
3.8	Nitrogen Oxide Concentration	Per equation	40 CFR 60.332(a)(1) PTC No. 055-00040	3.14, 3.15.2, and 3.17
3.9	Sulfur Dioxide Concentration	0.015% by volume at 15% oxygen or fuel sulfur not in excess of 0.8% by weight	40 CFR 60.333 PTC No. 055-00040	3.15.1
3.10	Fuel	Natural gas exclusively	PTC No. 055-00040	3.12 and 3.18

[a]Permit to construct.
[b]Particulate matter with an aerodynamic diameter less than or equal to a nominal 10 micrometers.

Permit Limits / Standard Summary

3.1 Emissions of PM from each turbine shall not exceed the grain loading emission limits of 0.015 gr/dscf of effluent gas corrected to three percent oxygen by volume for natural gas.

[IDAPA 58.01.01.676, 5/1/94]

3.2 The permittee shall not discharge any air pollutant to the atmosphere from any point of emission for a period or periods aggregating more than three minutes in any 60-minute period which is greater than

20 percent opacity as determined by procedures contained in the IDAPA 58.01.01.625 (Rules for the Control of Air Pollution in Idaho).

[IDAPA 58.01.01.625, 4/5/00]

3.3 Emissions of PM and particulate matter with an aerodynamic diameter less than or equal to a nominal ten micrometers (PM_{10}) from the facility's two turbines shall not exceed 14 pounds per hour; 59 tons per any consecutive 12 months.

[PTC No. 055-00040, 9/7/01]

3.4 Emissions of NO_x from the facility's two turbines shall not exceed 104 pounds per hour; 235.5 tons per any consecutive 12 months.

[PTC No. 055-00040, 9/7/01]

3.5 Emissions of volatile organic compounds (VOC) from the facility's two turbines shall not exceed 3.6 pounds per hour; 15.2 tons per any consecutive 12 months.

[PTC No. 055-00040, 9/7/01]

3.6 Emissions of sulfur dioxide (SO_2) from the facility's two turbines shall not exceed 6 pounds per hour; 19.8 tons per any consecutive 12 months.

[PTC No. 055-00040, 9/7/01]

3.7 Emissions of carbon monoxide (CO) from the facility's two turbines shall not exceed 106 pounds per hour; 240 tons per any consecutive 12 months.

[PTC No. 055-00040, 9/7/01]

3.8 As required by 40 CFR 60.332(a)(1), the permittee shall not cause to be discharged to the atmosphere from any gas turbine, any gases which contain NO_x in excess of:

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

Where:

STD = allowable ISO corrected (if required as given in 60.335(b)(1)) NO_X emission concentration (percent by volume at 15 percent oxygen and on a dry basis),

Y = Manufacturer's rated heat rate at manufacturer's rated load (kilojoules per watt hour), or the actual measured heat rate based on the lower heating value of fuel as measured at the actual peak load for the facility. The value of Y shall not exceed 14.4 kilojoules per watt hour.

F = NO_x emission allowance for fuel-bound nitrogen as defined in paragraph (a)(3) of 40 CFR 60.332.

[PTC No. 055-00040, 9/7/01, 40 CFR 60.333]

3.9 Emissions of SO_2 from each of the turbines shall not exceed 0.015 percent by volume of exhaust gas at 15 percent oxygen and on a dry basis, or the permittee shall not burn fuel which contains sulfur in excess of 0.8 percent by weight in accordance with 40 CFR 60.333(b).

[PTC No. 055-00040, 9/7/01, 40 CFR 60.333]

Operating Requirements

3.10 Each of the turbines shall be exclusively fired by natural gas only.

[PTC No. 055-00040, 9/7/01]

3.11 The maximum annual hours of operation of the facility's two turbines shall not exceed 16,848 hours in a calendar year.

[PTC No. 055-00040, 9/7/01]

Monitoring and Recordkeeping Requirements

3.12 The permittee shall monitor and record the hours of operation and hourly usage of natural gas from each of the turbines.

[PTC No. 055-00040, 9/7/01]

3.13 The permittee shall record the hours of operation for each turbine in a monthly report to be kept onsite for a five year minimum period and made available to DEQ representatives upon request.

[PTC No. 055-00040, 9/7/01]

3.14 The permittee shall install, calibrate, maintain, and operate a continuous emissions monitoring system (CEMS) for monitoring and recording stack gas concentrations and the pound-per-hour emission rate of NO_x from each turbine. The CEMS shall conform to the NO_x CEM requirements of 40 CFR 75 including measuring the concentration of oxygen.

[PTC No. 055-00040, 9/7/01]

3.15 The following permit conditions pertain to the fuel monitoring requirements of 40 CFR 60 Subpart GG.

3.15.1 The permittee shall use one of the following information sources to demonstrate compliance with the SO_2 standard established in Permit Condition 3.9. The gas quality characteristics for fuel combusted in either combustion turbine shall be specified in a current, valid purchase contract, tariff sheet or transportation contract for the gaseous fuel. The characteristics shall specify the maximum total sulfur content of the fuel is 20.0 grains per 100 standard cubic foot or less. The permittee shall make available the current, valid purchase contract, tariff sheet or transportation contract in either hard copy or electronic format to DEQ representatives upon request.

[IDAPA 58.01.01.07, 5/1/94; 40 CFR 60, Subpart GG]

3.15.2 The permittee shall monitor the nitrogen content of the fuel combusted in the turbine, if the permittee claims an allowance for fuel bound nitrogen to establish a NO_x emissions limit per the equation in Permit Condition 3.8. The nitrogen content of the fuel shall be determined using methods described in 60.335(b)(9) or an approved alternative. The permittee is not required to monitor fuel bound nitrogen; however, the permittee cannot claim an allowance for fuel bound nitrogen without monitoring data collected in accordance 60.335(b)(9) or an approved alternative.

[IDAPA 58.01.01.07, 5/1/94; 40 CFR 60, Subpart GG]

3.16 The permittee shall install, calibrate, maintain, and operate a CEMS for the monitoring and recording of stack gas concentrations and hourly emission rates of CO from each turbine. The CO CEMS shall meet all specifications and requirements of the most recent Quality Assurance Plan which covers the CO CEMS. The permittee shall make available the most recent Quality Assurance Plan in either hard copy or electronic format to DEQ representatives upon request.

[IDAPA 58.01.01.322.06, 5/1/94]

3.16.1 In addition to the specifications and requirements of the current Quality Assurance Plan, the permittee shall use the following audit procedures to evaluate the effectiveness of quality control and quality assurance procedures and the quality of data produced by the CO CEMS. The CO CEMS must be audited via a Relative Accuracy Test Audit (RATA) or cylinder gas audit (CGA) at least once each operating quarter. Successive quarterly audits shall occur no closer than two months apart. An operating quarter is defined as a calendar quarter in which there are at least 168 unit operating hours (i.e., a clock hour during which a unit combusts any fuel, either for part of the hour or for the entire hour).

[IDAPA 58.01.01.322.06, 5/1/94]

3.16.1.1 The permittee must conduct a RATA in accordance with Section 5.1.1 of Appendix F of 40 CFR 60 and Performance Specification 4, 4A, or 4B of Appendix B of 40 CFR 60 at least once every four operating quarters.

[IDAPA 58.01.01.322.06, 5/1/94]

3.16.1.2 The permittee may audit the CEMS via a cylinder gas audit conducted in accordance with Section 5.1.2 of Appendix F of 40 CFR 60 in three of four operating quarters, but in no more than three operating quarters in succession.

[IDAPA 58.01.01.322.06, 5/1/94]

Reporting Requirements

3.17 The permittee shall report the CEM data acquired by the monitoring required by Sections 3.14 and 3.16 of this permit to DEQ and the EPA in a calendar quarterly report to be received no later than 30 days after each calendar quarter.

[PTC No. 055-00040, 9/7/01]

3.18 The permittee shall report the hourly turbine operation and fuel usage data acquired by the monitoring required by Section 3.12 of this permit to DEQ and the EPA in a calendar quarterly report to be received no later than 30 days after each calendar quarter.

[IDAPA 58.01.01.322.08(a), 5/1/94]

3.19 All documents including, but not limited to, records, monitoring data, supporting information, requests for confidential treatment, testing reports, and compliance certifications submitted to DEQ shall contain a certification by a responsible official. The certification shall state that based on the information and belief formed after reasonable inquiry, the statements and information in the document(s) are true, accurate, and complete.

[PTC No. 055-00040, 9/7/01]

4. INSIGNIFICANT ACTIVITIES

Activities and emission units identified as insignificant under IDAPA 58.01.01.317.01(b) are listed in the Tier I operating permit to qualify for a permit shield.

Table 4.1. INSIGNIFICANT EMISSION UNITS

Emission Unit Description	Insignificant Activities IDAPA Citation Section 317.01.b
Storage tanks with lids or closure and a capacity < 260 gallons	317.01.b.i.1
Storage tanks with lids or closure and a capacity ≤ 1,100 gallons; not used with Hazardous Air Pollutants; contents have maximum vapor pressures of 550-millimeters of mercury	317.01.b.i.2
Storage tanks with lids or closure and a capacity ≤ 10,000 gallons; contents have vapor pressure not greater than 80-millimeters of mercury at 21° C	317.01.b.i.3
Butane, propane, and liquefied petroleum gas storage tanks with a capacity < 40,000 gallons	317.01.b.i.4
Combustion source burning exclusively natural gas, butane, propane and/or liquefied petroleum gas with a capacity < 5,000,000 British thermal units per hour	317.01.b.i.5
Welding using not more than 1 ton per day of welding rod	317.01.b.i.9
Water cooling towers and ponds, not using chromium inhibitors, barometric jets, or condensers, with a capacity ≤ 10,000 gallons per minute, and not in direct contact with process streams containing regulated air pollutants	317.01.b.i.13
Space heater using natural gas, propane, or kerosene and generating < 5,000,000 British thermal units per hour	317.01.b.i.18
Cleaning and stripping activities and equipment using solutions having < 1% volatile organic compounds by weight. Acid solutions on metallic substrate are not insignificant	317.01.b.i.26
An emissions unit or activity with emissions less than or equal to 10% of levels contained in IDAPA 58.01.01.006 of the definition of significant and no more than 1 ton per year of any hazardous air pollutant	317.01.b.i.30

4.1 There are no monitoring, recordkeeping, or reporting requirements for insignificant emission units or activities beyond those required in the Facility-wide Permit Conditions.

[IDAPA 58.01.01.322.06, 5/1/94]

5. TITLE IV ACID RAIN PERMIT – GENERAL ELECTRIC COMBUSTION TURBINES NO. 1 AND NO. 2

Statement of Basis

5.1 In accordance with IDAPA 58.01.01 (Rules for the Control of Air Pollution in Idaho) and Titles IV and V of the Clean Air Act, DEQ issues this permit pursuant to IDAPA 58.01.01.300.

SO_2 Allowance Allocations and NO_x Requirements

5.2 Avista Corporation is not required to obtain SO_2 allowances under 40 CFR 73, and the source is not subject to NO_x limits of 40 CFR 76.

Comments, Notes, and Justifications

5.3 None

Compliance with Permit Application

5.4 The owners and operators of Avista Corporation shall comply with the standard requirements and special provisions set forth in the EPA Phase II standard application signed and dated December 12, 1997.

Permit Application

5.5 Attached is a copy of the Phase II permit application.

Unit States
Env nental Protection Agency
Acid Rain Program

OMB No. 2060-0258
Expires 1-31-96

EPA

Phase II Permit Application

RECEIVED
DEC 18 1997
DIV. OF ENVIRONMENTAL QUALITY
AIR & HAZARDOUS WASTE

For more information, see instructions and refer to 40 CFR 72.30 and 72.31

This submission is: ☒ New ☐ Revised

STEP 1
Identify the source by plant name, State, and ORIS code from NADB

Plant Name	State	ORIS Code
RATHDRUM COMBUSTION TURBINE Project	ID	7456

STEP 2
Enter the boiler ID# from NADB for each affected unit, and indicate whether a repowering plan is being submitted for the unit by entering "yes" or "no" at column c. For new units, enter the requested information in columns d and e

a	b	c	d	e
Boiler ID#	Compliance Plan: Unit Will Hold Allowances in Accordance with 40 CFR 72.9(c)(1)	Compliance Plan: Repowering Plan	New Units: Commence Operation Date	New Units: Monitor Certification Deadline
1	Yes		1-1-95	
2	Yes		1-1-95	
	Yes			
	Yes			
	Yes			
	Yes			
	Yes			
	Yes			
	Yes			
	Yes			
	Yes			
	Yes			

STEP 3
Check the box if the response in column c of Step 2 is "Yes" for any unit

☐ For each unit that will be repowered, the Repowering Extension Plan form is included and the Repowering Technology Petition form has been submitted or will be submitted by June 1, 1997.

EPA Form 7610-16 (rev. 12-94; previous versions obsolete)

Plant Name (from Step 1)

STEP 4
Read the standard requirements and certification, enter the name of the designated representative, and sign and date

Standard Requirements

Permit Requirements.

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

Monitoring Requirements.

(1) The owners and operators and, to the extent applicable, designated representative of each affected source and each affected unit at the source shall comply with the monitoring requirements as provided in 40 CFR parts 74, 75, and 76.
(2) The emissions measurements recorded and reported in accordance with 40 CFR part 75 shall be used to determine compliance by the unit with the Acid Rain emissions limitations and emissions reduction requirements for sulfur dioxide and nitrogen oxides under the Acid Rain Program.
(3) The requirements of 40 CFR parts 74 and 75 shall not affect the responsibility of the owners and operators to monitor emissions of other pollutants or other emissions characteristics at the unit under other applicable requirements of the Act and other provisions of the operating permit for the source.

Sulfur Dioxide Requirements.

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

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

Excess Emissions Requirements.

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

Recordkeeping and Reporting Requirements.

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

EPA Form 7610-16 (rev. 12-94; previous versions obsolete)

Plant Name (from Step 1)

Recordkeeping and Reporting Requirements (cont.)

(iv) Copies of all documents used to complete an Acid Rain permit application and any other submission under the Acid Rain Program or to demonstrate compliance with the requirements of the Acid Rain Program.

(2) The designated representative of an affected source and each affected unit at the source shall submit the reports and compliance certifications required under the Acid Rain Program, including those under 40 CFR part 72 subpart I and 40 CFR part 75.

Liability.

(1) Any person who knowingly violates any requirement or prohibition of the Acid Rain Program, a complete Acid Rain permit application, an Acid Rain permit, or a written exemption under 40 CFR 72.7 or 72.8, including any requirement for the payment of any penalty owed to the United States, shall be subject to enforcement pursuant to section 113(c) of the Act.
(2) Any person who knowingly makes a false, material statement in any record, submission, or report under the Acid Rain Program shall be subject to criminal enforcement pursuant to section 113(c) of the Act and 18 U.S.C. 1001.
(3) No permit revision shall excuse any violation of the requirements of the Acid Rain Program that occurs prior to the date that the revision takes effect.
(4) Each affected source and each affected unit shall meet the requirements of the Acid Rain Program.
(5) Any provision of the Acid Rain Program that applies to an affected source (including a provision applicable to the designated representative of an affected source) shall also apply to the owners and operators of such source and of the affected units at the source.
(6) Any provision of the Acid Rain Program that applies to an affected unit (including a provision applicable to the designated representative of an affected unit) shall also apply to the owners and operators of such unit. Except as provided under 40 CFR 72.44 (Phase II repowering extension plans) and 40 CFR 76.11 (NO$_x$ averaging plans), and except with regard to the requirements applicable to units with a common stack under 40 CFR part 75 (including 40 CFR 75.16, 75.17, and 75.18), the owners and operators and the designated representative of one affected unit shall not be liable for any violation by any other affected unit of which they are not owners or operators or the designated representative and that is located at a source of which they are not owners or operators or the designated representative.
(7) Each violation of a provision of 40 CFR parts 72, 73, 74, 75, 76, 77, and 78 by an affected source or affected unit, or by an owner or operator or designated representative of such source or unit, shall be a separate violation of the Act.

Effect on Other Authorities. No provision of the Acid Rain Program, an Acid Rain permit application, an Acid Rain permit, or a written exemption under 40 CFR 72.7 or 72.8 shall be construed as:

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

Certification

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

R. D. Fukai Robert D. Fukai	
Vice President	12/17/97

STEP 5 (optional)
Enter the source AIRS and FINOS identification numbers, if known

EPA Form 7610-16 (rev. 12-94; previous versions obsolete)

6. TIER I OPERATING PERMIT GENERAL PROVISIONS

General Compliance

1. The permittee shall comply with all conditions of this permit. Any permit noncompliance constitutes a violation and is grounds for enforcement action; for permit termination, revocation and reissuance, or revision; or for denial of a permit renewal application.
[IDAPA 58.01.01.322.15.a, 5/1/94; 40 CFR 70.6(a)(6)(i)]

2. It shall not be a defense in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the terms and conditions of this permit.
[IDAPA 58.01.01.322.15.b, 5/1/94; 40 CFR 70.6(a)(6)(ii)]

3. Any permittee who fails to submit any relevant facts or who has submitted incorrect information in a permit application shall, upon becoming aware of such failure or incorrect submittal, promptly submit such supplementary facts or corrected information.
[IDAPA 58.01.01.315.01, 5/1/94; 40 CFR 70.5(b)]

Reopening

4. This permit may be revised, reopened, revoked and reissued, or terminated for cause. Cause for reopening exists under any of the circumstances listed in IDAPA 58.01.01.386. Proceedings to reopen and reissue a permit shall follow the same procedures as apply to initial permit issuance and shall affect only those parts of the permit for which cause to reopen exists. Such reopening shall be made as expeditiously as practicable in accordance with IDAPA 58.01.01.360 through 369.
[IDAPA 58.01.01.322.15.c, 5/1/94; IDAPA 58.01.01.386, 3/19/99; 40 CFR 70.7(f)(1), (2); 40 CFR 70.6(a)(6)(iii)]

5. The filing of a request by the permittee for a permit revision, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any permit condition.
[IDAPA 58.01.01.322.15.d, 5/1/94; 40 CFR 70.6(a)(6)(iii)]

Property Rights

6. This permit does not convey any property rights of any sort, or any exclusive privilege.
[IDAPA 58.01.01.322.15.e, 5/1/94; 40 CFR 70.6(a)(6)(iv)]

Information Requests

7. The permittee shall furnish all information requested by DEQ, within a reasonable time, that DEQ 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.
[Idaho Code §39-108; IDAPA 58.01.01.122, 4/5/00; IDAPA 58.01.01.322.15.f, 4/5/00; 40 CFR 70.6(a)(6)(v)]

8. Upon request, the permittee shall furnish to DEQ copies of records required to be kept by this permit. For information claimed to be confidential, the permittee may furnish such records along with a claim of confidentiality in accordance with Idaho Code §9-342A and applicable implementing regulations including IDAPA 58.01.01.128.

[IDAPA 58.01.01.322.15.g, 5/1/94; IDAPA 58.01.01.128, 4/5/00; 40 CFR 70.6(a)(6)(v)]

Severability

9. The provisions of this permit are severable, and if any provision of this permit to any circumstance is held invalid, the application of such provision to other circumstances, and the remainder of this permit shall not be affected thereby.

[IDAPA 58.01.01.322.15.h, 5/1/94; 40 CFR 70.6(a)(5)]

Changes Requiring Permit Revision or Notice

10. The permittee may not commence construction or modification of any stationary source, facility, major facility, or major modification without first obtaining all necessary permits to construct or an approval under IDAPA 58.01.01.213, or complying with IDAPA 58.01.01.220 through 223. The permittee shall comply with IDAPA 58.01.01.380 through 386 as applicable.

[IDAPA 58.01.01.200-223, 4/2/08; IDAPA 58.01.01.322.15.i, 3/19/99; IDAPA 58.01.01.380-386, 7/1/02; 40 CFR 70.4(b)(12), (14), (15), and 70.7(d), (e)]

11. Changes that are not addressed or prohibited by the Tier I operating permit require a Tier I operating permit revision if such changes are subject to any requirement under Title IV of the CAA, 42 U.S.C. Section 7651 through 7651c, or are modifications under Title I of the CAA, 42 U.S.C. Section 7401 through 7515. Administrative amendments (IDAPA 58.01.01.381), minor permit modifications (IDAPA 58.01.01. 383), and significant permit modifications (IDAPA 58.01.01.382) require a revision to the Tier I operating permit. IDAPA 58.01.01.502(b)(10) changes are authorized in accordance with IDAPA 58.01.01.384. Off-permit changes and required notice are authorized in accordance with IDAPA 58.01.01.385.

[IDAPA 58.01.01.381-385, 7/1/02; IDAPA 58.01.01.209.05, 4/11/06; 40 CFR 70.4(b)(14) and (15)]

Federal and State Enforceability

12. Unless specifically identified as a "State-only" provision, all terms and conditions in this permit, including any terms and conditions designed to limit a source's potential to emit, are enforceable: (i) by DEQ in accordance with state law; and (ii) by the United States or any other person in accordance with federal law.

[IDAPA 58.01.01.322.15.j, 5/1/94; 40 CFR 70.6(b)(1) and (2)]

13. Provisions specifically identified as a "State-only" provision are enforceable only in accordance with state law. "State-only" provisions are those that are not required under the Federal Clean Air Act or under any of its applicable requirements or those provisions adopted by the state prior to federal approval.

[Idaho Code §39-108; IDAPA 58.01.01.322.15.k, 3/23/98]

Inspection and Entry

14. Upon presentation of credentials, the permittee shall allow DEQ or an authorized representative of DEQ to do the following:

    a. Enter upon the permittee's premises where a Tier I source is located or emissions related activity is conducted, or where records are kept under conditions of this permit;

    b. Have access to and copy, at reasonable times, any records that are kept under the conditions of this permit;

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

    d. As authorized by the Idaho Environmental Protection and Health Act, sample or monitor, at reasonable times, substances or parameters for the purpose of determining or ensuring compliance with this permit or applicable requirements.

[Idaho Code §39-108; IDAPA 58.01.01.322.15.l, 5/1/94; 40 CFR 70.6(c)(2)]

New Requirements During Permit Term

15. The permittee shall comply with applicable requirements that become effective during the permit term on a timely basis.

[IDAPA 58.01.01.322.10, 4/5/00; IDAPA 58.01.01.314.10.a.ii, 5/1/94; 40 CFR 70.6(c)(3) citing 70.5(c)(8)]

Fees

16. The owner or operator of a Tier I source shall pay annual registration fees to DEQ in accordance with IDAPA 58.01.01.387 through IDAPA 58.01.01.397.

[IDAPA 58.01.01.387, 4/2/03; 40 CFR 70.6(a)(7)]

Certification

17. All documents submitted to DEQ shall be certified in accordance with IDAPA 58.01.01.123 and comply with IDAPA 58.01.01.124.

[IDAPA 58.01.01.322.15.o, 5/1/94; 40 CFR 70.6(a)(3)(iii)(A); 40 CFR 70.5(d)]

Renewal

18. a. The owner or operator of a Tier I source shall submit an application to DEQ for a renewal of this permit at least six months before, but no earlier than 18 months before, the expiration date of this operating permit. To ensure that the term of the operating permit does not expire before the permit is renewed, the owner or operator is encouraged to submit a renewal application nine months prior to the date of expiration.

[IDAPA 58.01.01.313.03, 4/5/00; 40 CFR 70.5(a)(1)(iii)]

b. If a timely and complete application for a Tier I operating permit renewal is submitted, but DEQ fails to issue or deny the renewal permit before the end of the term of this permit, then all the terms and conditions of this permit including any permit shield that may have been granted pursuant to IDAPA 58.01.01.325 shall remain in effect until the renewal permit has been issued or denied.

[IDAPA 58.01.01.322.15.p, 5/1/94; 40 CFR 70.7(b)]

Permit Shield

19. Compliance with the terms and conditions of the Tier I operating permit, including those applicable to all alternative operating scenarios and trading scenarios, 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 Tier I operating permit; or

i. DEQ has determined that other requirements specifically identified are not applicable and all of the criteria set forth in IDAPA 58.01.01.325.01(b) have been met.

b. The permit shield shall apply to permit revisions made in accordance with IDAPA 58.01.01.381.04 (administrative amendments incorporating the terms of a permit to construct), IDAPA 58.01.01.382.04 (significant modifications), and IDAPA 58.01.01.384.03 (trading under an emissions cap).

c. Nothing in this permit shall alter or affect the following:

i. Any administrative authority or judicial remedy available to prevent or terminate emergencies or imminent and substantial dangers;

ii. 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;

iii. The applicable requirements of the acid rain program, consistent with 42 U.S.C. Section 7651(g)(a); and

iv. The ability of EPA to obtain information from a source pursuant to Section 114 of the CAA; or the ability of DEQ to obtain information from a source pursuant to Idaho Code §39-108 and IDAPA 58.01.01.122.

[Idaho Code §39-108 and 112; IDAPA 58.01.01.122, 4/5/00; IDAPA 58.01.01.322.15.m, 325.01, 5/1/94; IDAPA 58.01.01.325.02, 3/19/99; IDAPA 58.01.01.381.04, 382.04, 383.05, 384.03, 385.03, 3/19/99; 40 CFR 70.6(f)]

Compliance Schedule and Progress Reports

20. a. For each applicable requirement for which the source is not in compliance, the permittee shall comply with the compliance schedule incorporated in this permit.

b. For each applicable requirement that will become effective during the term of this permit and that provides a detailed compliance schedule, the permittee shall comply with such requirements in accordance with the detailed schedule.

c. For each applicable requirement that will become effective during the term of this permit that does not contain a more detailed schedule, the permittee shall meet such requirements on a timely basis.

d. For each applicable requirement with which the permittee is in compliance, the permittee shall continue to comply with such requirements.

[IDAPA 58.01.01.322.10, 4/5/00; IDAPA 58.01.01.314.9, 5/1/94; IDAPA 58.01.01.314.10, 4/5/00; 40 CFR 70.6(c)(3) and (4)]

Periodic Compliance Certification

21. The permittee shall submit compliance certifications during the term of the permit for each emissions unit to DEQ and the EPA as follows:

a. The compliance certifications for all emissions units shall be submitted annually from January 1 to December 31 or more frequently if specified by the underlying applicable requirement or elsewhere in this permit by DEQ.

b. The initial compliance certification for each emissions unit shall address all of the terms and conditions contained in the Tier I operating permit that are applicable to such emissions unit including emissions limitations, standards, and work practices;

c. The compliance certification shall be in an itemized form providing the following information (provided that the identification of applicable information may cross-reference the permit or previous reports as applicable):

i. The identification of each term or condition of the Tier I operating permit that is the basis of the certification;

ii. The identification of the method(s) or other means used by the owner or operator for determining the compliance status with each term and condition during the certification period. Such methods and other means shall include, at a minimum, the methods and means required under Subsections 322.06, 322.07, and 322.08;

iii. The status of compliance with the terms and conditions of the Tier I operating permit for the period covered by the certification, including whether compliance during the period was continuous or intermittent. The certification shall be based on the method or means designated in Subsection 322.11.c.ii. above. The certification shall identify each deviation and take it into account in the compliance certification. The certification shall also identify as possible exceptions to compliance any periods during which compliance is required and in which an excursion or exceedance as defined under 40 CFR Part 64 occurred; and

iv. Such information as the Department may require to determine the compliance status of the emissions unit.

d. All original compliance certifications shall be submitted to DEQ and a copy of all compliance certifications shall be submitted to the EPA.

[IDAPA 58.01.01.322.11, 4/6/05; 40 CFR 70.6(c)(5)(iii) as amended, 62 Fed. Reg. 54900, 54946 (10/22/97); 40 CFR 70.6(c)(5)(iv)]

False Statements

22. No person shall knowingly make any false statement, representation, or certification in any form, notice, or report required under this permit, or any applicable rule or order in force pursuant thereto.

[IDAPA 58.01.01.125, 3/23/98]

No Tampering

23. No person shall knowingly render inaccurate any monitoring device or method required under this permit or any applicable rule or order in force pursuant thereto.

[IDAPA 58.01.01.126, 3/23/98]

Semiannual Monitoring Reports

24. In addition to all applicable reporting requirements identified in this permit, the permittee shall submit reports of any required monitoring at least every six months. The permittee's semiannual reporting periods shall be from January 1 to June 30 and July 1 to December 31. All instances of deviations from this operating permit's requirements must be clearly identified in the report. The semiannual reports shall be submitted to DEQ within 30 days of the end of the specified reporting period.

[IDAPA 58.01.01.322.15.q, 3/23/98; IDAPA 58.01.01.322.08.c, 4/5/00; 40 CFR 70.6(a)(3)(iii)]

Reporting Deviations and Excess Emissions

25. The permittee shall promptly report all deviations from permit requirements including upset conditions, their probable cause, and any corrective actions or preventive measures taken. For excess emissions, the report shall be made in accordance with IDAPA 58.01.01.130-136. For all other deviations, the report shall be made in accordance with IDAPA 58.01.01.322.08.c, unless otherwise specified in this permit.

[IDAPA 58.01.01.322.15.q, 3/23/98; IDAPA 58.01.01.135, 4/11/06; 40 CFR 70.6(a)(3)(iii)]

Permit Revision Not Required

26. No permit revision shall be required under any approved economic incentives, marketable permits, emissions trading, and other similar programs or processes for changes that are provided for in the permit.

[IDAPA 58.01.01.322.05.b, 4/5/00; 40 CFR 70.6(a)(8)]

Emergency

27. In accordance with IDAPA 58.01.01.332, an "emergency," as defined in IDAPA 58.01.01.008, constitutes an affirmative defense to an action brought for noncompliance with such technology-based emissions limitation if the conditions of IDAPA 58.01.01.332.02 are met."

[IDAPA 58.01.01.332.01, 4/5/00; 40 CFR 70.6(g)]