Air Operating Permit—Final

Puget Sound Energy
Sumas Generating Station
Sumas, Washington

January 1, 2011
PERMIT INFORMATION
PUGET SOUND ENERGY, SUMAS GENERATING STATION
1340 Thompson Lane, Sumas, Washington 98295

SIC: 4911  
NAICS: 221  
EPA AFS: 53-073-60041

NWCAA ID: 637-V-W

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Prepared by
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ATTEST

This permit is issued in accordance with the provisions of Section 322 of the Regulation of the Northwest Clean Air Agency and the provisions of Chapter 173-401 Washington Administrative Code.

Pursuant to Section 322 of the Regulation of the Northwest Clean Air Agency and Chapter 173-401 Washington Administrative Code, Puget Sound Energy is authorized to operate Sumas Generating Station subject to the terms and conditions of this permit.

Northwest Clean Air Agency Approval:

Date: 1-1-11
Daniel A. Mahar, P.E.
Air Quality Engineer

Date: [Signature]
Mark Buford, P.E.
Assistant Director
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SECTION 1  EMISSION UNIT IDENTIFICATION

Emission units and activities that are located at the Puget Sound Energy (PSE), Sumas Generating Station (PSE Sumas) located at 1340 Thompson Lane, Washington hereinafter referred to as PSE Sumas, or the facility, the source, or the permittee, are listed in the table below. The information presented in Section 1 is for informational purposes only.

Table 1-1 Emission Unit Identification

<table>
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<tr>
<th>Emission Unit (EU)</th>
<th>Description</th>
<th>Rated Capacity</th>
<th>Emission Control</th>
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<tr>
<td>EU-1</td>
<td>GE 7EA combined cycle combustion turbine with heat recovery steam generator</td>
<td>Nominal 125 MW output Nominal 1,138 MMBtu/hr input</td>
<td>NOx: Steam injection and selective catalytic reduction (SCR) SO2, CO, VOC &amp; PM: Good combustion practices and the exclusive use of natural gas as fuel</td>
</tr>
<tr>
<td>EU-2</td>
<td>Emergency Generator Cummins Diesel Turbogenerator</td>
<td>500 KW output 671 BHP</td>
<td>Annual use limited to 132 hours.</td>
</tr>
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</table>
SECTION 2  STANDARD TERMS AND CONDITIONS

Standard terms and conditions are administrative and/or other requirements that typically have no ongoing compliance monitoring requirements. The permittee must comply with the requirements listed below. All terms and conditions of this permit are enforceable by the Environmental Protection Agency (EPA) Administrator and by citizens under the Federal Clean Air Act (FCAA), except for those terms and conditions designated in the permit as “State Only”. A requirement designated “State Only” is enforceable only by the state or the NWCAA, and not by EPA or through citizen suits. Unless the text of the term is specifically identified to be “Directly Enforceable”, the language of the cited regulation takes precedence over a paraphrased requirement. A permit condition labeled “Directly Enforceable” is a legal requirement, and the permit shield in condition 2.3.1 of this permit applies.

2.1  Compliance Requirements

2.1.1  Duty to Comply

2.1.1.1  WAC 173-401-620(2)(a) (11/4/93)

The permittee shall comply with all terms and conditions of this permit. Any permit noncompliance constitutes a violation of RCW 70.94 and, for federally enforceable provisions, a violation of the Federal Clean Air Act (FCAA). Such violations are grounds for enforcement action; for permit termination, revocation and re-issuance, or modification; or for denial of a permit renewal application.

2.1.1.2  State Only: NWCAA 322.3 (11/12/99)

It shall be unlawful for any person to operate a source that is subject to the requirements of Chapter 173-401 WAC without complying with the provisions of Chapter 173-401 WAC and any permit issued under its authority.

2.1.2  Civil and Criminal Penalties

2.1.2.1  WAC 173-400-230(2) (3/20/93), WAC 173-400-240 (3/22/91), NWCAA 132 & 133 (10/13/94), and Section 113 of the FCAA

Civil and criminal penalties may be issued in accordance with the applicable regulations listed above.

2.1.2.2  State Only: NWCAA 132 & 133 (11/8/07)

Civil and criminal penalties may be issued in accordance with the applicable regulations listed above. Under this “State Only” version of NWCAA 132, criminal penalties may be assessed on a “per day, per violation” basis.

Any person who violates the provisions of the applicable chapters of the RCW or the Regulations of the Northwest Clean Air Agency (NWCAA) or aids and abets in a violation shall be subject to civil penalties as stated in the above regulations.

2.1.3  Need to Halt or Reduce Activity Not a Defense

WAC 173-401-620(2)(b) (11/4/93)

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

2.1.4 Duty to Provide Information

WAC 173-401-620(2)(e) (11/4/93)

The permittee shall furnish to the NWCAA, within a reasonable time, any information that the NWCAA may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. Upon request, the permittee shall also furnish to the NWCAA copies of records required to be kept by the permit or, for information claimed to be confidential, the permittee may furnish such records directly to the EPA Administrator along with a claim of confidentiality. The NWCAA shall maintain confidentiality of such information in accordance with RCW 70.94.205 and the NWCAA Regulation.

2.1.5 Confidential Information

2.1.5.1 NWCAA 114.1 (4/14/93)

Whenever the permittee requests that records or information eligible for confidentiality status be made confidential by the Board of the NWCAA, the NWCAA shall maintain confidentiality of such information in accordance with NWCAA 114. The records or information shall be only for the confidential use of the Board, the Advisory Council, and the NWCAA staff, but may not be accessed if, in the opinion of the Board, there is a conflict of interest.

2.1.5.2 State Only: NWCAA 114 (11/8/07)

Whenever any records or other information other than ambient air quality data or emission data furnished to or obtained by the Agency, relates to processes or production unique to the owner or operator, or are likely to affect adversely the competitive position of such owner or operator if released to the public or to a competitor, and the owner or operator of such processes or production so certifies, such records or information shall be only for the confidential use of the NWCAA.

Nothing herein shall be construed to prevent the use of records or information by the NWCAA in compiling or publishing analyses or summaries relating to the general condition of the outdoor atmosphere: provided, that such analyses or summaries do not reveal any information otherwise confidential under the provisions of this section: provided further, that emission data furnished to or obtained by the Board shall be correlated with applicable emission limitations and other control measures and shall be available for public inspection during normal business hours at the office of the NWCAA.

2.1.6 Inspection and Entry

WAC 173-400-105(3) (9/20/93), WAC 173-401-630(2) (11/4/93) NWCAA 110 & 111 (1/8/69)

Upon presentation of credentials and other documents as may be required by law, the permittee shall allow Ecology, NWCAA or an authorized representative to:
i. Enter upon the permittee’s premises where a Chapter 401 source is located or emissions-related activity is conducted, or where records must be kept under the conditions of the permit;

ii. Have access to and copy, at reasonable times, any records that must be kept under the condition of the permit;

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

iv. Sample or monitor, at reasonable times, substances or parameters for the purpose of assuring compliance with the permit or applicable requirements.

No person shall willfully interfere with or obstruct the Control Officer or any NWCAA employee and/or assigned agent in carrying out any lawful duty.

2.1.7 Investigation and Studies

NWCAA 110 (1/8/69)

The Control Officer and/or his qualified agents may make any reasonable investigation or study which is necessary for the purpose of standards or any amendments thereto on reducing the amount or kind of contaminant.

When investigating conditions specific to the control, recovery or release of air contaminants, the Control Officer or his duly authorized representatives shall have the power to enter at reasonable times upon any private or public property, except non-multiple unit private dwellings housing two families or less.

If an authorized employee of the Agency, during the course of an inspection desires to obtain a sample of air contaminant, he shall notify the owner or lessee of the time and place of obtaining a sample so the owner or lessee has the opportunity to take a similar sample at the same time and place. A receipt shall be given to the owner or lessee for the sample obtained.

2.1.8 Source Testing

2.1.8.1 WAC 173-400-105(4) (9/20/93)

To demonstrate compliance, Ecology or the NWCAA may conduct or require that a test be conducted of the source using approved EPA methods from 40 CFR 60 Appendix A which are adopted by reference, or approved procedures contained in the “Source Test Manual – Procedures for Compliance Testing,” state of Washington, Department of Ecology, as of July 12, 1990, on file at Ecology. The operator of a source may be required to provide the necessary platform and sampling ports for Ecology personnel or others to perform a test of an emissions unit. Ecology shall be allowed to obtain a sample from any emissions unit. The operator of the source shall be given an opportunity to observe the sampling and to obtain a sample at the same time.

2.1.8.2 State Only: WAC 173-400-105(4) (6/8/07)

To demonstrate compliance, the required test must be conducted using approved EPA methods from 40 CFR Parts 51, 60, 61 and 63 (in effect on October 1, 2006).
All other language is the same as 2.1.8.1.

2.1.8.3 **State Only: NWCAA 367 and Appendix A (7/14/05)**

Source tests required by NWCAA to assess compliance with an air emission standard shall be conducted according to the following provisions:

i. A source test plan shall be submitted to the NWCAA for approval for all compliance source tests at least 30 days prior to scheduled testing. A summary of the test shall accompany the test plan and be submitted on a template provided by the NWCAA.

ii. Once a test plan has been approved, any changes in test dates or methodology shall require NWCAA approval.

iii. Results of required source tests must be submitted within sixty days of completion of the test unless prior approval is granted by NWCAA.

2.1.9 **Testing and Sampling**

2.1.9.1 **NWCAA 360.1 (2/14/73)**

Any person operating or using any article, machine, equipment or other contrivance shall provide and maintain such sampling and testing facilities as specified in the Order of Approval to Construct or an Air Operating Permit.

2.1.9.2 **State Only: NWCAA 367 and Appendix A (7/14/05)**

All ambient monitoring, compliance testing, continuous monitoring systems and continuous opacity monitoring systems required by a regulation, order of approval or permit issued by the NWCAA shall comply with the applicable requirements of Section 367 and Appendix A of the NWCAA Regulation. The applicable requirements of Section 367 and Appendix A of the NWCAA Regulation are in addition to any monitoring, testing, calibration or quality assurance/quality control requirements that otherwise apply.

Any person operating an air operating permit source may, at any time, be required to monitor the ambient air, process emissions or conduct emission tests as deemed necessary by the Control Officer.

The Control Officer may take such samples and perform any tests and investigations deemed necessary to determine the accuracy of the monitoring reports and tests submitted to the Agency, and evaluate the validity of the data. The owner or operator may also be required by the Control Officer to take a sample using an approved procedure and submit the results thereof within a reasonable period of time.

Once initiated, a compliance test shall be completed unless interrupted by severe weather, test equipment failure or other conditions beyond control of the facility. Failure to complete a test shall be a violation of the requirement to test, and, in cases where the initial data indicate a non-compliance of the applicable emission standard, the results may be considered a violation of that standard.
2.1.10 Ambient Air and Continuous Emission Monitoring

2.1.10.1 NWCAA 365.1 (2/8/89)

Any person operating an air contaminant source or an air operating permit source may, at any time, be required to monitor the ambient air, process emissions or conduct emission tests as deemed necessary by the Control Officer under the following provisions:

The Board or Control Officer may require any person operating any source to conduct a monitoring program on site or adjacent off site for emissions, ambient air concentrations or any other pertinent special studies deemed necessary.

All monitoring data shall be submitted in a form which the Board or Control Officer may require. Averaging time and collection periods will be determined by the Control Officer. Failure to record and/or report data as specified in the “Guidelines for Industrial Monitoring Equipment and Data Handling” may be cause for a Notice of Violation to be issued.

All data and records shall be kept for a period of at least one year and made available to the Control Officer upon request.

All required continuous emission monitors or required opacity monitors used to monitor compliance and all instruments used for special studies must meet appropriate EPA performance specifications (40 CFR 60, Appendix B) and shall be calibrated and maintained in accordance with the “Guidelines for Industrial Monitoring Equipment and Data Handling” procedures approved by the Control Officer.

The Control Officer may take such samples and make any tests and investigations deemed necessary to determine the accuracy of the monitoring reports and tests submitted to the NWCAA, and evaluate the validity of the data. The owner or operator may also be required by the Control Officer to take a sample using an approved procedure and submit the results thereof within a reasonable period of time.

The Board or the Control Officer may require additional reasonable monitoring be undertaken at any appropriate time to insure compliance with the NWCAA Regulation.

2.1.10.2 State Only: NWCAA 367 and Appendix A (7/14/05)

All ambient air monitors shall be operated and maintained as required by the appropriate Sections of 40 CFR Parts 50 and 58.

A Quality Assurance (QA) manual and station log book shall be kept for all stations. Written calibration and precision/span check procedures shall be included in the QA manual. A station audit shall be conducted by the NWCAA at least once per year.

Unless subject to acid rain regulations (40 CFR Part 72 and 75), all continuous emissions monitoring systems (CEMS) shall be capable of meeting appropriate EPA performance specifications using procedures outlined in 40 CFR Part 60 Appendix B. CEMS subject to acid rain regulations shall be capable of meeting the specifications outlined in the appropriate section of 40 CFR Part 75.
All CEMS shall be operated in accordance with the appropriate section of 40 CFR Part 60 Appendix F, and the operator shall assess the operation of each CEMS daily.

Continuous opacity monitors shall be maintained according to “Recommended Quality Assurance Procedures for Opacity Continuous Monitoring Systems” (EPA 340/1-86-10) and the manufacturer’s procedures. All gaseous CEMS shall be maintained using the QA criteria of 40 CFR Part 60 Appendix F and the manufacturer’s procedures.

Auditing of opacity monitors shall be conducted according to recommended procedures. Data accuracy assessments shall be conducted at least once every calendar quarter for gaseous monitors and at appropriate periodic intervals. Relative Accuracy Test Audits (RATAs), Relative Accuracy Audits (RAAs) and Cylinder Gas Audits (CGAs) shall be employed as described in 40 CFR Part 60 (or 40 CFR Part 75 if the facility is subject to acid rain regulations).

Strip charts and approved data acquisition systems shall be used to capture and store data. All data must be retained for a period of at least five years and be available to the NWCAA upon request.

CEMS are required to maintain greater than 90% data availability on a monthly basis. A supplemental report shall be submitted if during any calendar month a CEMS fails to produce 90% data availability stating the reasons for the low data availability.

2.1.11 Credible Evidence

40 CFR 51.212(c) (2/24/97), 40 CFR 52.12 (2/24/97), and 40 CFR 52.33 (2/24/97)

For the purpose of compliance certifications or establishing whether or not a person has violated or is in violation of this permit, nothing shall preclude the use, including the exclusive use, of any credible evidence or information relevant to whether a source would have been in compliance with applicable requirements if the appropriate performance or compliance test or procedure had been performed.

2.2 Permit Terms

2.2.1 Permit Expiration and Renewal

WAC 173-401-610 (11/4/93) and WAC 173-401-710 (10/17/02)

This permit is issued for a fixed term of five years from date of issuance. Permit expiration terminates the source's right to operate unless a timely and complete renewal application has been submitted. A complete permit renewal application shall be submitted to the NWCAA no later than the date established in the permit.

2.2.2 Permit Actions

WAC 173-401-620(2)(c) (11/4/93)

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

2.2.3 Emissions Trading

\textit{WAC 173-401-620(2)(g) (11/4/93)}

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 this permit.

2.2.4 Emission Reduction Credits

\textit{State Only: WAC 173-400-136 (2/10/05)}

An emission reduction credit may be used in accordance with the applicable regulation listed above.

2.2.5 Severability

\textit{WAC 173-401-620(2)(h) (11/4/93)}

If any provision of this permit is held to be invalid, all unaffected provisions of the permit shall remain in effect and be enforceable.

2.2.6 Permit Appeals

\textit{WAC 173-401-620(2)(i) (11/4/93) and WAC 173-401-735 (5/3/97)}

This permit or any conditions in it may be appealed only by filing an appeal with the pollution control hearings board and serving it on the NWCAA within thirty days of receipt. This provision for appeal is separate from and in addition to any federal rights to petition and review under section 505(b) of the FCAA.

2.2.7 Permit Continuation

\textit{WAC 173-401-620(2)(j) (11/4/93)}

This permit and all terms and conditions contained therein, including any permit shield provided under WAC 173-401-640, shall not expire until the renewal permit has been issued or denied if a timely and complete application has been submitted. If a timely and complete application has been submitted, an application shield granted pursuant to WAC 173-401-705(2) shall remain in effect until the renewal permit has been issued or denied.

2.2.8 Reopening for Cause

\textit{WAC 173-401-730(11/4/93)}

The permit shall be reopened and revised under any of the following circumstances:

i. Additional requirements become applicable to the source with a remaining permit term of three or more years. Such a reopening shall be completed not later than eighteen months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the date on which the permit is due to expire, unless the original permit or any of its terms and conditions have been
extended pursuant to WAC 173-401-620(2)(j);

ii. Additional requirements (including excess emissions requirements) become applicable to an affected source under the acid rain program. Upon approval by the EPA Administrator, excess emissions offset plans shall be deemed to be incorporated into the permit;

iii. The NWCAA or the EPA Administrator determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit; or

iv. The NWCAA or the EPA Administrator determines that the permit must be revised or revoked to assure compliance with the applicable requirements.

2.2.9 Changes not Requiring Permit Revisions/Off-Permit Changes

WAC 173-401-722 (10/17/02) and WAC 173-401-724 (11/4/93)

The permittee may make the changes described in WAC 173-401-722 and WAC 173-401-724 without revising this permit, provided that the changes satisfy the criteria set forth in those sections.

2.2.10 Permit Modifications

WAC 173-401-720 (11/4/93) and WAC 173-401-725 (11/4/93)

This permit may be revised as provided in WAC 173-401-720 (administrative permit amendments) and 173-401-725 (permit modifications).

2.2.11 Property Rights

WAC 173-401-620(2)(d) (11/4/93)

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

2.2.12 Definitions

2.2.12.1 NWCAA 200 (10/13/94)

Particular references to terms not otherwise defined in this permit or the associated Statement of Basis have the meaning assigned to them in the specific regulation being cited. The terms NWCAA, Ecology, and EPA shall mean the Northwest Clean Air Agency, the Washington State Department of Ecology, and the United States Environmental Protection Agency, respectively. FCAA means the Federal Clean Air Act.

2.2.12.2 State Only: NWCAA 200 (11/8/07)

In the new version of the NWCAA Regulation some of the definitions have been modified slightly to provide clarification and some have been revised to include an expanded definition of the term.
2.2.13 Compliance Schedule

*WAC 173-401-630(3) (11/4/93) and WAC 173-401-510(2)(h)(iii) (6/17/94)*

The permittee shall continue to comply with all applicable requirements with which the source was in compliance as of the date of permit issuance. The permittee shall meet on a timely basis any applicable requirements that become effective during the permit term.

2.2.14 Permit Fees


The permittee shall pay fees as a condition of this permit in accordance with the NWCAA fee schedule.

2.2.14.2 *State Only: NWCAA 322.4 (11/12/99)*

The NWCAA shall assess and collect annual air operating permit fees for sources in its jurisdiction that are required to have Title V Air Operating Permits (excluding sources regulated by WDOE directly). The total fees required to administer the program shall be determined by a workload analysis conducted by NWCAA staff and approved annually by the NWCAA Board of Directors.

2.2.15 Transfer or Permanent Shutdown

2.2.15.1 *NWCAA 325 (2/14/73)*

Approval to construct a stationary source is not to be transferable from one location to another (outside the plant boundary), from one piece of equipment to another, or from one person to another, except portable sources may retain the same registration so long as they remain within the jurisdiction of the NWCAA.

2.2.15.2 *State Only: NWCAA 325 (11/8/07)*

Approval to construct a stationary source is not to be transferable from one location to another (outside the plant boundary), from one piece of equipment to another, or from one person to another, except portable sources may retain the same registration so long as they remain within the jurisdiction of the NWCAA and they comply with NWCAA 300 and 301.

The registered owner or operator shall report the transfer of ownership or permanent shutdown of a registered source to the NWCAA within ninety (90) days of shutdown or transfer. The new owner of a registered source shall file a written report with the NWCAA within ninety (90) days of completing transfer of ownership and/or assuming operational control.

In the case of a permanent shutdown, process and pollution control equipment may remain in place and on site, but shall be rendered incapable of generating emissions to the atmosphere.
2.3 Permit Shield

2.3.1 Shield Requirement

WAC 173-401-640(1) (11/4/93)

Compliance with a permit condition shall be deemed compliance with the applicable requirements upon which that condition is based, as of the date of permit issuance. The permit shield does not apply to any insignificant emissions unit or activity so designated under WAC 173-401-530.

2.3.2 Inapplicable Requirements

WAC 173-401-640(2) (11/4/93)

As of the date of permit issuance, the requirements listed in the Inapplicable Requirements section of this permit do not apply to the permittee. The permit shield applies to all requirements so identified.

2.3.3 Exclusions

WAC 173-401-640(4) (11/4/93)

Nothing in this section or in this permit shall alter or affect the following:

i. Provisions of Section 303 of the FCAA (emergency orders), including the authority of the EPA Administrator under that section;
ii. 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. Ability of EPA to obtain information from a source pursuant to Section 114 of the FCAA;
or
iv. Ability of the permitting authority to establish or revise requirements for the use of reasonably available control technology (RACT) as provided in RCW 70.94.154.

2.3.4 Reasonably Available Control Technology

2.3.4.1 WAC 173-401-605(3) (11/4/93)

Emission standards and other requirements contained in rules or regulatory orders in effect at the time of operating permit issuance shall be considered RACT for purposes of permit issuance or renewal.

2.3.4.2 WAC 173-400-040 (9/20/93)

All emissions units are required to use RACT which may be determined for some sources or source categories to be more stringent than the applicable emission limitations of any chapter of Title 173 WAC. Where current controls are determined to be less than RACT, Ecology or the NWCAA shall, as provided in Section 8, Chapter 252, Laws of 1993, define RACT for each source or source category and issue a rule or regulatory order requiring the installation of RACT.

2.3.4.3 State Only: WAC 173-400-040 (2/10/05)

All emissions units are required to use RACT which may be determined for some
sources or source categories to be more stringent than the applicable emission limitations of any chapter of Title 173 WAC. Where current controls are determined to be less than RACT, Ecology or the NWCAA shall, as provided in RCW 70.94.154, define RACT for each source or source category and issue a rule or regulatory order requiring the installation of RACT.

2.3.5 Emergencies

*WAC 173-401-645 (11/4/93)*

An emergency, as defined in WAC 173-401-645(1), constitutes an affirmative defense to an action brought for noncompliance with a technology-based emission limitation if conditions of WAC 173-401-645 (3) and (4) are met. This provision is in addition to the affirmative defense for unavoidable excess emissions found in any applicable requirement.

The permittee shall submit a notice of emergency to the NWCAA within two working days of the time when the emission limitation was exceeded due to an emergency or shorter periods of time specified in an applicable requirement.

2.4 Recordkeeping and Reporting

2.4.1 Compliance Certification

*2.4.1.1 WAC 173-401-630(5) (11/4/93)*

The permittee shall submit ongoing certifications of compliance with permit terms and conditions. The first such certification shall cover the period from the last compliance certification until issuance of this permit. The following compliance certification shall cover the period from permit issuance to the end of the calendar year. Subsequent compliance certifications shall be made on a yearly basis. Each certification shall include:

i. Identification of each term and condition of the permit that is the basis of the certification;

ii. Compliance status;

iii. Whether the compliance was continuous or intermittent;

iv. Methods used for determining the compliance status of the source, currently and over the reporting period. These methods must be consistent with the permit Monitoring, Recordkeeping, and Reporting requirements.

All compliance certifications shall be submitted to EPA Region 10 and the Northwest Clean Air Agency at the following addresses by February 28 for the previous calendar year:

<table>
<thead>
<tr>
<th>U.S. EPA, Region 10</th>
<th>Northwest Clean Air Agency</th>
</tr>
</thead>
<tbody>
<tr>
<td>Suite 900, AWT-107</td>
<td>Attn:  Air Operating Permits Attn: Air Operating Permits</td>
</tr>
<tr>
<td>Attn: Air Operating Permits</td>
<td>1600 South Second Street</td>
</tr>
<tr>
<td>1200 Sixth Avenue</td>
<td>Mount Vernon, WA 98273-5202</td>
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<tr>
<td>Seattle, WA 98101</td>
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2.4.1.2 **WAC 173-401-520 (11/4/93)**

Any application form, report or compliance certification that is submitted pursuant to this permit shall contain certification by a responsible official of truth, accuracy, and completeness. This certification and any other certification required under this permit shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.

2.4.1.3 **WAC 173-401-615 (10/17/02) and 630 (11/4/93)**

Directly enforceable under WAC 173-401-615(1)(b) & (c) (10/17/02)

All required monitoring reports must be certified by a responsible official consistent with WAC 173-401-520. Where an applicable requirement requires reporting more frequently than once every six months, the responsible official’s certification need only to be submitted once every six months, covering all required reporting since the date of the last certification, provided that the certification specifically identifies all documents subject to the certification.

All semiannual monitoring certifications are due as follows:

- January 31 for reports from July through December
- July 31 for reports from January through June

2.4.1.4 **WAC 173-401-530(2)(d) (10/17/02)**

Where a permit does not require testing, monitoring, recordkeeping and reporting for insignificant emissions units or activities, the permittee may certify continuous compliance if there were no observed, documented, or known instances of noncompliance of an insignificant emission unit during the reporting period. Where an underlying OAC requires testing, monitoring, recordkeeping and reporting for insignificant emission units or activities, the permittee may certify continuous compliance when the testing, monitoring and recordkeeping required by the permit revealed no violations during the period, and there were no observed, documented or known instances of noncompliance during the reporting period.

2.4.2 False and Misleading Oral Statement: Unlawful Reproduction or Alteration of Documents

2.4.2.1 **NWCAA 112 (2/14/73)**

No person shall willfully make a false or misleading oral statement to the Board as to any matter within the jurisdiction of the Board.

No person shall reproduce or alter or cause to be reproduced or altered any order or other paper issued by the Agency if the purpose of such reproduction or alteration is to evade or violate any provision or Regulation of this Agency, or any other law.

2.4.2.2 **State Only: NWCAA 112 (11/12/99)**

No person shall willfully make a false or misleading oral statement to the NWCAA Board, Control Officer, or their duly authorized representatives as to any matter within the jurisdiction of the Board.
No person shall reproduce or alter or cause to be reproduced or altered any order or other paper issued by the NWCAA if the purpose of such reproduction or alteration is to evade or violate any provision or Regulation of the NWCAA, or any other law.

2.4.3 Required Recordkeeping

2.4.3.1  **WAC 173-401-615(2)(10/17/02)**

Records of required monitoring information shall include, where applicable, the following:

i. Date, time, and location of sampling or measurements;

ii. Operating conditions existing at the time of sampling or measurement; and

iii. If analyses were performed, the date, company or entity performing the analyses, the analytical techniques or methods used, and the results of such analyses.

iv. A record shall be kept describing changes made that result in emissions of a regulated air pollutant subject to an applicable requirement, but not otherwise regulated under the permit, and the emissions resulting from those changes.

Records of all required monitoring data and support information shall be retained for a period of five years from the date of the monitoring sample, measurement, report, or application. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by this permit.

2.4.3.2  **WAC 173-401-615 (10/17/02) and 630 (11/4/93)**

Directly enforceable under WAC 173-401-615(1)(b) & (c) (10/17/02)

Monitoring and associated recordkeeping is not required when an emission unit is not operating and there are no emissions to the atmosphere unless such monitoring is specifically required by the NWCAA. The facility must record the time periods that the unit is shut down and not monitored, and include the time periods and a summary of why the emission unit was shut down in the periodic report of monitoring required by WAC 173-401-615(3)(a).

2.4.4 Pollutant Disclosure - Reporting by Air Contaminant Sources

2.4.4.1  **NWCAA 150 (9/8/93) and WAC 173-400-105(1) (9/20/93)**

The permittee shall file annually at a time determined by the NWCAA and on forms furnished by the NWCAA a report setting forth:

i. The nature of the enterprise;

ii. A list of process materials which are potentially significant sources of emissions used in, and incidental to, its manufacturing processes, including any by-products and waste products;

iii. An estimated annual total production of wastes discharged into the air in units and contaminants designated by the NWCAA.
iv. Annual emission reports shall be submitted to the NWCAA within 105 days after the end of the previous calendar year. If the emission report is not submitted by the required date and the emissions are used to determine operating permit fees as described in NWCAA 324.126 then potential to emit will be used to determine said fees.

The permittee shall maintain records of information necessary to substantiate any reported emissions, consistent with the averaging times for the applicable standards.

2.4.4.2 State Only: WAC 173-400-105(1)(6/8/07)

In addition to the requirements of 2.4.4.1, the permittee shall report oxides of nitrogen, PM$_{2.5}$, and ammonia on forms available from the NWCAA or Ecology. Emission estimates may be based on the most recent published EPA emission factors or other information available to the source, whichever is the better estimate.

2.4.4.3 State Only: NWCAA 150 (11/8/07)

Annual emission reports shall be submitted to the NWCAA no later than April 15 of the following calendar year. If the emission report is not submitted by the required date and the emissions are used to determine operating permit fees as described in NWCAA Regulation 322.4, then potential to emit may be used to determine said fees.

2.4.5 Reporting to Verify Emissions from Potential PSD Sources

State Only: WAC 173-400-720(4)(b)(iii) (6/8/07)

The owner or operator shall monitor the emissions of any regulated pollutants from all projects for which PSD applicability was determined according to the provisions of 40 CFR 52.21(b)(41)(ii)(a) through (c), and calculate and maintain a record of annual emissions on a calendar year basis.

The owner or operator shall submit a report to NWCAA within 60 days after the end of the year in which the emissions occurred. The report shall include the emissions in tons per year for the project, the baseline actual emissions and the pre-construction projected emissions.

2.4.6 Reporting of Deviations from Permit Conditions

WAC 173-401-615(3)(b) (10/17/02)

Directly enforceable under WAC 173-401-615(1)(b) & (c) (10/17/02)

Prompt Reporting of Deviations: The permittee shall promptly report all deviations from permit requirements, including those attributable to upset conditions as defined in this permit. The report shall include a description of the probable cause of such deviations, if known, and any corrective actions or preventive measures taken. Prompt means reporting according to the shortest time period listed below which applies to the situation:

i. In the case where the deviation represents a potential threat to human health or safety “prompt” means as soon as possible, but in no case later than twelve hours after the deviation is discovered. A follow up report on the
deviation shall be included in the next monthly report.

ii. For all other deviations, the deviation shall be reported as part of the next routine monitoring report, but no later than 30 days after the end of the month during which the deviation is discovered, whichever is sooner.

2.4.7 Report of Breakdown and Upset

2.4.7.1 NWCAA 340.1, 340.2 and 340.3 (10/13/94)

If a breakdown or upset condition occurs which results in or may have resulted in an emission and/or ambient air quality standard being exceeded, the owner or operator of the source shall take the following actions:

i. The upset or breakdown shall be reported as promptly as possible and in no event later than twelve (12) hours to the NWCAA.

ii. The person responsible shall, upon the request of the Control Officer, submit a full report within ten (10) days including the known causes, corrective measures taken, and preventive measures to be taken to minimize or eliminate a recurrence.

Compliance with the requirements of this section does not relieve the owner or operator of the source from the responsibility to maintain continuous compliance with all the requirements of the NWCAA Regulation nor from the resulting liabilities for failure to comply.

It shall be prima facie evidence of violation of the NWCAA Regulation if any control equipment or other equipment creating emissions to the atmosphere is turned off, broken down or otherwise inoperative, and a notice of breakdown has not been filed under NWCAA 340.1.

2.4.7.2 State Only: NWCAA 340.1, 340.2 and 340.3 (11/8/07)

If a breakdown or upset condition occurs which results in or may have resulted in an exceedance of an emission and/or ambient air quality standard, the owner or operator of the source shall take the following actions:

i. The upset or breakdown shall be reported as promptly as possible and in no event later than twelve (12) hours to the NWCAA.

ii. The responsible official or his designee shall submit a full report on forms provided by the NWCAA within 30 days after the end of a calendar month in which the upset occurred and must include as a minimum the known causes, corrective action taken, preventive measures put in place to reduce the possibility of or eliminate a recurrence, and an estimate of the quantity of emissions above the applicable limit caused by the event.

In addition to the reporting requirements of the 10/13/94 version of NWCAA 340, the permittee must also report to the NWCAA if the emission release to the air requires agency notification as specified in 40 CFR 302 (CERCLA) or 40 CFR 355 (SARA).

It shall be prima facie evidence of violation of the NWCAA Regulation if any other equipment creates new or increased emissions to the atmosphere as the result of
being turned off, broken down or otherwise inoperative, and a notice of breakdown has not been filed under NWCAA 340.1.

**2.4.8 Report of Shutdown or Startup**

*2.4.8.1 NWCAA 341 (9/8/93)*

If the permittee schedules a total or partial shutdown or startup of control or process equipment which may result in emissions or any additional emissions to the atmosphere which may temporarily exceed the emission standards of this Regulation, the permittee shall notify the NWCAA prior to the shutdown or startup.

Prompt notification shall be made and in no event less than 24 hours before the scheduled shutdown or startup. The permittee shall submit a general schedule of steps to be taken to minimize the release of air contaminants to the atmosphere including the reasons for and duration of the proposed shutdown or startup, the nature of the action to be taken, the date and time for the action and an estimate of the anticipated rate and concentration of emission.

Compliance with the requirements of this section does not relieve the owner or operator of the source from the responsibility to maintain continuous compliance with the requirements of this Regulation nor from the resulting liabilities for failure to comply.

*2.4.8.2 State Only: NWCAA 341 (7/14/05)*

If the permittee schedules a total or partial shutdown or startup of control or process equipment that the source reasonably believes would result in emissions which may temporarily exceed an emission standard of this Regulation, the operator or owner of the source shall notify the NWCAA in advance of the shutdown or startup.

The advanced notification shall include a general schedule of steps to be taken to minimize the release of air contaminants to the atmosphere including the reasons for and duration of the proposed shutdown or startup, the nature of the action to be taken, the date and time for the action and an estimate of the anticipated rate and concentration of emission.

Compliance with the requirements of this section does not relieve the owner or operator of the source from the responsibility to maintain continuous compliance with the requirements of this Regulation nor from the resulting liabilities for failure to comply.

Excess emissions due to shutdown or startup shall be considered unavoidable, and not subject to penalty, provided the stationary source adequately demonstrates that the excess emissions could not have been prevented through careful planning and design, the emissions did not result in a violation of an ambient air quality standard and if a bypass of control equipment occurs, that such bypass is necessary to prevent loss of life, personal injury, or severe property damage.

The responsible official or their designee shall submit a full report no later than 30 days after the end of the calendar month in which the shutdown or startup occurred that resulted in an exceedance of an ambient or emission standard of this Regulation. The report shall be submitted on forms provided by the NWCAA and
must include, at minimum, the known causes, corrective action taken, preventive measures put in place to reduce the possibility of or eliminate a recurrence, and an estimate of the quantity of emissions above the applicable limit caused by the event.

2.4.9 Operation and Maintenance

2.4.9.1 *NWCAA 342 (9/8/93)*

Keep all process and/or air pollution control equipment in good operating condition and repair. If a breakdown or upset condition occurs and is determined by the Control Officer to be due to poor operating and maintenance procedures, the Control Officer may take any legal steps necessary to prevent a recurrence of the breakdown or upset condition.

Operation and maintenance instructions and schedules for process and/or control equipment must be available and may be required to be posted on the site. This section is specifically applicable to the operation of equipment where untrained personnel may operate or otherwise have access to or use the equipment.

If a breakdown or violation occurs and is due to the improper operation or maintenance of equipment, the owner or operator of the source will, in addition to filing a report of breakdown under NWCAA 340, submit a report if requested by the Control Officer on what measures will be taken in training or re-orienting personnel to prevent a recurrence of the breakdown.

2.4.9.2 *State Only: NWCAA 342 (7/14/05)*

All air contaminant stationary sources are required to keep any process and/or air pollution control equipment in good operating condition and repair.

Operating instructions and maintenance schedules for process and/or control equipment must be available on site.

2.5 Excess Emissions

2.5.1 Excess Emission

*WAC 173-400-107 (9/20/93)*

The permittee shall have the burden of proving to Ecology or the NWCAA or the decision-making authority in an enforcement action that excess emissions were unavoidable. Excess emissions determined to be unavoidable under the procedures and criteria of this section shall be excused and not subject to penalty.

Excess emissions which represent a potential threat to human health or safety or which the owner or operator of the source believes to be unavoidable shall be reported to the NWCAA as soon as possible. Other excess emissions shall be reported within thirty days after the end of the month during which the event occurred or as part of the routine emission monitoring reports. Upon request by Ecology or the NWCAA, the permittee shall submit a full written report including the known causes, the corrective actions taken, and the preventive measures to be taken to minimize or eliminate the chance of recurrence.
Excess emissions due to startup or shutdown conditions shall be considered unavoidable provided the source reports as required and adequately demonstrates that the excess emissions could not have been prevented through careful planning and design and if a bypass of control equipment occurs, that such bypass is necessary to prevent loss of life, personal injury, or severe property damage.

Excess emissions due to scheduled maintenance shall be considered unavoidable provided the source reports as required and adequately demonstrates that the excess emissions could not have been prevented through reasonable design, better scheduling for maintenance or through better operation and maintenance practices.

Excess emissions due to upsets shall be considered unavoidable provided the source reports as required and adequately demonstrates that:

i. The event was not caused by poor or inadequate design, operation, maintenance, or any other reasonably preventable condition;

ii. The event was not of a recurring pattern indicative of inadequate design, operation, or maintenance; and

iii. The permittee took immediate and appropriate corrective action in a manner consistent with good air pollution control practice for minimizing emissions during the event, taking into account the total emissions impact of the corrective action, including slowing or shutting down the emission unit as necessary to minimize emissions, when the operator knew or should have known that an emission standard or permit condition was being exceeded.

2.5.2 Excess Emissions Due to Breakdowns, Upsets, Startup, or Shutdown

State Only: NWCAA 340.4 (11/8/07) and 341.4 (7/14/05)

Excess emissions due to breakdowns and upsets shall be considered unavoidable, and not subject to penalty, provided the stationary source adequately demonstrates that:

i. The event was not caused by poor or inadequate design, operation, maintenance, or any other reasonably preventable condition;

ii. The event was not of a recurring pattern indicative of inadequate design, operation, or maintenance;

iii. The operator took immediate and appropriate corrective action in a manner consistent with good air pollution control practice; and

iv. The emissions did not result in a violation of an ambient air quality standard.

Excess emissions due to shutdown or startup shall be considered unavoidable, and not subject to penalty, provided the stationary source adequately demonstrates that the excess emissions could not have been prevented through careful planning and design, the emissions did not result in a violation of an ambient air quality standard and if a bypass of control equipment occurs, that such bypass is necessary to prevent loss of life, personal injury, or severe property damage.
2.6 Duty to Supplement or Correct Information

*State Only: WAC 173-401-500(6) (10/17/02)*

Upon becoming aware that the source failed to submit any relevant facts in a permit application or that information submitted in a permit application is incorrect, the source shall promptly submit such supplementary facts or corrected information.

2.7 Prohibitions

2.7.1 Concealment and Masking

2.7.1.1 WAC 173-400-040(7) (9/20/93) and (2/10/05 State Only)

No person shall cause or permit the installation or use of any means which conceals or masks an emission of an air contaminant which would otherwise violate the provisions of this chapter.

2.7.1.2 *State Only: NWCAA 540 (1/8/69)*

It shall be unlawful for any person to willfully cause or permit the installation or use of any device or use of any means which, without resulting in a reduction in the total amount of air contaminant emitted, conceals an emission of air contaminant which would otherwise violate the emission standards of this Regulation.

It shall be unlawful for any person to cause or permit the installation or use of any device or use of any means designed to mask the emission of an air contaminant, which causes detriment to health, safety, or welfare of any person.

2.7.2 Adjustment for Atmospheric Conditions

*WAC 173-400-205 (3/22/91)*

The permittee shall not vary the rate of emission of a pollutant according to atmospheric conditions or ambient concentrations of that pollutant except as directed according to air pollution episode regulations.

2.7.3 Outdoor Burning

2.7.3.1 WAC 173-425-036 (10/18/90) and WAC 173-425-045 (1/3/89), WAC 173-435-050(2) (01/3/89) Although SIP-Approved, WAC 173-425-036, -045, and -055 (referenced below) have been repealed.

No person shall conduct outdoor burning during an air pollution episode or a declared period of impaired air quality. Except as provided in WAC 173-425-055, the following materials shall not be burned in any open fire: (1) garbage, (2) dead animals, (3) asphaltic products, (4) waste petroleum products, (5) paints, (6) rubber products, (7) plastics, (8) treated wood, and (9) any substance, other than natural vegetation, which normally emits dense smoke or obnoxious odors.

2.7.3.2 *State Only: WAC 173-425-040, 050, and 060 (4/13/00), NWCAA 502 (11/8/07)*

No person shall conduct outdoor burning except in accordance with the applicable regulations listed above. Outdoor burning shall be conducted under a valid fire
permit and shall not contain prohibited materials, unless specifically exempted. Emissions from burning shall not create a nuisance and/or interfere with visibility on any public road.

2.7.4 Asbestos

2.7.4.1 State Only: NWCAA 570 (11/8/07)

The permittee shall conduct all renovation or demolition projects in accordance with the applicable asbestos control standards listed in NWCAA 570.

2.7.4.2 40 CFR 61.145 (1/16/91), 61.148 (11/20/90) and 61.150 (9/18/03)

The permittee shall comply with 40 CFR Sections 61.145, 61.148 and 61.150 when conducting any renovation or demolition at the facility.

2.7.5 Stratospheric Ozone and Climate Protection

2.7.5.1 40 CFR 82 Subpart F (4/30/09)

The permittee shall comply with the standards for recycling and emissions reduction in accordance with the requirements listed in 40 CFR 82 Subpart F.

2.7.5.2 State Only: RCW 70.94.970 (1991 c 199 §602)

A person who services, repairs or disposes of a motor vehicle air conditioning system; commercial or industrial air conditioning, heating, or refrigeration system; or consumer appliance shall use refrigerant extraction equipment to recover regulated refrigerant that would otherwise be released into the atmosphere. This subsection does not apply to off-road commercial equipment.

The willful release of regulated refrigerant from a source listed in this section is prohibited.

2.7.6 Display of Orders, Certificates and Other Notices: Removal or Mutilation Prohibited

NWCAA 124 (2/14/73)

Any order or other certificate obtained from the NWCAA shall be available at the facility. If the NWCAA requires a notice to be displayed, it shall be posted. No one shall mutilate, obstruct or remove any notice unless authorized to do so by the NWCAA.

2.7.7 Obstruction of Access

State Only: RCW 70.94.200, (1987 c 109 §38)

The permittee shall not obstruct, hamper or interfere with any authorized representative of the NWCAA who requests entry for the purposes of inspection and who presents appropriate credential; nor shall any person obstruct, hamper, or interfere with any such inspection.
2.7.8 False Statement, Representation or Certification  
*State Only: WAC 173-400-105(7) (6/8/07)*

No person shall make any false material statement, representation or certification in any form, notice or report required under Chapter 70.94 or 70.120 RCW, or any ordinance, resolution, regulation, permit, or order in force pursuant thereto.

2.7.9 Inaccurate Monitoring  
*State Only: WAC 173-400-105(8) (6/8/07)*

No person shall render inaccurate any monitoring device or method required under Chapter 70.94 or 70.120 RCW, or any ordinance, resolution, regulation, permit, or order in force pursuant thereto.

2.7.10 Prevention of Accidental Release  
*40 CFR 68 (4/9/04)*

The permittee shall not produce, process, handle or store any substance listed in 40 CFR 68.130 or any other extremely hazardous substance unless they identify hazards that might result from accidental releases using appropriate hazard assessment techniques, design and maintain a safe facility taking such steps as are necessary to prevent releases, and minimize the consequences of accidental releases that do occur.

Should this stationary source, defined in 40 CFR 68.3 as any buildings, structures, equipment, installations, or substance emitting stationary activities from which an accidental release may occur, be subject or become subject to the accidental release prevention regulations in 40 CFR 68, then the owner or operator shall submit a risk management plant (RMP) by the date specified in section 68.10 and shall certify compliance with the requirements of part 68 as part of the annual compliance certification as required by this permit. The RMP shall be submitted in the method and format to the central point specified by EPA as of the date of submission.

2.7.11 Cutback Asphalt Paving  
*NWCAA 580.7 (4/14/93)*

The application of cutback asphalt in paving during the months of June, July, August and September is limited to use as prime coatings and patch mixes, or when the temperature is less than 50°F.

2.7.12 Creditable Stack Height and Dispersion Techniques  
*WAC 173-400-200 (3/22/91) (State Only - 2/10/05)*

For stacks for which construction or reconstruction commenced, or for which major modifications were carried out, after December 31, 1970, no source may use dispersion techniques or excess stack height to meet ambient air quality standards or PSD increment limitations.
2.8 Notice of Construction and Application for Approval/New Source Review

2.8.1 Minor New Source Review (NSR)

2.8.1.1 *WAC 173-400-110 (9/20/93), NWCAA 300, 301, 302 & 324.2 (10/13/94), and NWCAA 303 (8/9/78)*

No person shall construct, install, establish, modify or alter an air contaminant source or an emission unit without filing a "Notice of Construction and Application for Approval" and receiving approval from the NWCAA in accordance with the cited regulations.

2.8.1.2 *State Only: WAC 173-400-110 (6/20/09), WAC 173-460-010 through -150 (6/20/09), NWCAA 300.1-300.12 (6/10/10), NWCAA 301 (11/8/07), 303 (11/12/98), and 324.2 (11/8/07)*

A Notice of Construction application must be filed by the owner or operator and an Order of Approval issued by the NWCAA prior to the establishment of any new source in accordance with the cited regulations. For purposes of this section "establishment" shall mean to "begin actual construction" as that phrase is defined in NWCAA 200, and "new source" shall include any "modification" to an existing "stationary source" as those terms are defined in NWCAA 200.

2.8.2 General Order

*State Only: WAC 173-400-560 (2/10/05) and NWCAA 300.14 (6/10/10)*

An owner or operator may apply for an applicable general order for approval to construct certain specified sources as defined in WAC 173-400-560. A general order of approval shall identify criteria by which an emission unit or source may qualify for coverage under a general order of approval and shall include terms and conditions for installing and/or operating the source.

2.8.3 Requirements to Comply

*State Only: NWCAA 300.15 (6/10/10)*

It shall be unlawful for an owner or operator of a source or emission unit to not abide by the operating and reporting conditions in the Order of Approval.

2.8.4 Prevention of Significant Deterioration (PSD)

*State Only: WAC 173-400-710, 720 (6/8/07), WAC 173-400-700, 730, 740 and 750 (2/10/05)*

A Prevention of Significant Deterioration (PSD) permit application must be filed by the owner or operator and a PSD permit issued by Ecology prior to the establishment of any new source in accordance with the cited regulations. No major stationary source or major modification as defined in the cited regulation shall begin actual construction without having received a PSD permit. Allowable emissions from the proposed major stationary source or major modification shall not cause or contribute to a violation of any ambient air quality standard.

An applicant for a PSD permit must submit an application that provides complete
information for Department of Ecology to determine compliance with all PSD program requirements. Detailed procedures for submitting a complete application, for public review and involvement, and for revisions to an existing PSD permit are provided in the cited regulations (WAC 173-400-700 through 750).

2.8.5 Replacement or Substantial Alteration of Control Technology at an Existing Source

*State Only: WAC 173-400-114 (9/15/01), NWCAA 300.13 (6/10/10)*

Any person proposing to replace or substantially alter emission control technology installed on an existing stationary source or emission unit shall file a Notice of Construction application with the NWCAA.
SECTION 3  STANDARD TERMS AND CONDITIONS FOR NSPS

Standard terms and conditions are administrative and/or other requirements that typically have no ongoing compliance monitoring requirements. The permittee must comply with the requirements listed below for specific “affected facilities” as defined in the New Source Performance Standards (NSPS) in 40 CFR 60.2 and “affected sources” defined in the National Emission Standards for Hazardous Air Pollutants (NESHAP) in 40 CFR Part 63.2. The affected facilities and affected sources subject to these requirements are identified in Section 5 of the permit. The conditions in this section do not apply generally to all emission units at the facility.

3.1  Address for Reports, Notifications and Submittals

40 CFR 60.4(a) and (b) (4/25/75) (as amended by Delegation Letter of 8/29/06 from Richard Albright, EPA Region X to James Randles, Director of NWCAA), NWCAA 104.2 (6/10/10)

Notifications, reports, and applications for delegated New Source Performance Standards (NSPS) shall be sent to the NWCAA at the following address:

Northwest Clean Air Agency
1600 S. Second Street
Mount Vernon, WA 98273-5202

Authority to approve major changes in emission units, test methods and monitoring methods prescribed by 40 CFR Part 60 has not been delegated to NWCAA. Prior to filing an application under any NSPS regulation that authorizes EPA to approve alternate emission limits, test methods, or monitoring methods, the permittee shall consult with NWCAA to determine whether the application falls within the scope of NWCAA’s delegated authority.

Applications under NSPS authorities that have been excluded from delegation shall be submitted to the NWCAA at the above address and to the EPA at the following address:

Director
Office of Air, Waste, and Toxics
U.S. EPA Region 10
1200 Sixth Avenue
Seattle WA 98101

3.2  Compliance with Opacity Standards

40 CFR 60.11(b) and (c) (10/17/00), NWCAA 104.2 (6/10/10)

Compliance with opacity standards in 40 CFR Part 60 shall be determined by EPA Method 9 in appendix A. 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 as provided in paragraph (e)(5). 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.
3.3 Operation and Maintenance

40 CFR 60.11(d) (10/17/00), NWCAA 104.2 (6/10/10)

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 practices for minimizing emissions.

3.4 Credible Evidence

40 CFR 60.11(g) (10/17/00), NWCAA 104.2 (6/10/10)

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.

3.5 Circumvention

40 CFR 60.12 (3/8/74), NWCAA 104.2 (6/10/10), NWCAA 104.2 (6/10/10)

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 a standard which is based on the concentration of a pollutant in the gases discharged to the atmosphere.

3.6 Notification

40 CFR 60.7(a) (2/12/99) (as amended by Delegation Letter of 8/29/06 from Betty Weise, EPA Region X to James Randles, Director of NWCAA), NWCAA 104.2 (6/10/10)

Furnish written notification to NWCAA of the following:

(i) The date construction (or reconstruction as defined by 40 CFR 60.15) of an affected facility commenced postmarked no later than 30 days after such date.

(ii) Notification of the actual date of initial startup of an affected facility postmarked within 15 days after such date.

(iii) 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 40 CFR 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.
(iv) Notification of the date upon which demonstration of the continuous monitoring system performance commences in accordance with 40 CFR 60.13(c). Notification shall be postmarked not less than 30 days prior to such date.

(v) Notification of the anticipated date for conducting the opacity observations required by 40 CFR 60.11(e)(1) of this part. The notification shall be postmarked not less than 30 days prior to such date.

(vi) 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 40 CFR 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.

3.7 Startup, Shutdown, and Malfunction Records

40 CFR 60.7(b) (2/12/99), NWCAA 104.2 (6/10/10)

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.

3.8 Excess Emission Records

40 CFR 60.7(c) and (d) (2/12/99) (as amended by Delegation Letter of 8/29/06 from Richard Albright, EPA Region X to James Randles, Director of NWCAA), NWCAA 104.2 (6/10/10)

Each owner or operator required to install a continuous monitoring device shall submit excess emissions (as defined in applicable subparts) and monitoring systems performance and/or summary report form to the NWCAA semiannually, except when: more frequent reporting is specifically required in any subpart; or the NWCAA determines that more frequent reporting is necessary. Written reports of excess emissions shall include the information in 60.7(c)(1) through (4). All semiannual monitoring certifications are due as follows:

January 31 for reports from July through December
July 31 for reports from January through June

3.9 Maintenance of Records

40 CFR 60.7(f) (2/12/99), NWCAA 104.2 (6/10/10)

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 be retained for at least two years following the date of such measurements, maintenance, reports, and records, except as described in 60.7(f)(1) through (3). Note: Under WAC 173-401-615(2), records of required
monitoring data and support information must be retained for a period of five years from the date of the monitoring sample, measurement, report, or application.
SECTION 4   GENERALLY APPLICABLE REQUIREMENTS

The cited requirements in the “Citation” column and incorporated herein by reference are applicable plantwide at the source, including insignificant emission units. These requirements are federally enforceable unless identified as “State Only”. A requirement designated “State Only” is enforceable only by the state or the NWCAA, and not by the EPA or through citizen suits. The “Description” column is a brief description of the applicable requirements for informational purposes only and is not enforceable. Periodic or continuous monitoring requirements (including testing) are specified in the “Monitoring, Recordkeeping and Reporting” column, which identifies monitoring, recordkeeping and reporting (MR&R) obligations the source must perform as required by WAC 173-401-605(1) and 615(1) and (2) or the underlying requirement. MR&R obligations do not apply to insignificant emission units.

The requirements in the MR&R column listed below the “Directly Enforceable” label are legally enforceable requirements added under the NWCAA’s “gap-filling” authority [WAC 172-401-615(1)(b) & (c), (10/17/02]. Other requirements not labeled “Directly Enforceable” or above the “Directly Enforceable” label are brief descriptions of the regulatory requirements for information purposes, and are not enforceable. Unless the text of the MR&R column is specifically identified to be directly enforceable, the language of the cited regulation takes precedence over a paraphrased requirement.

Table 4-1 Generally Applicable Requirements

<table>
<thead>
<tr>
<th>Permit Term</th>
<th>Citation</th>
<th>Description</th>
<th>Monitoring, Recordkeeping and Reporting</th>
</tr>
</thead>
</table>
| 4.1 General | NWCAA 342.1 (9/8/93) Same as 7/14/05 State Only version | Operation and Maintenance  
Sources are required to keep any process and/or air pollution control equipment in good operating condition and repair. | - Directly Enforceable –  
Keep all process and/or air pollution control equipment in good operating condition and repair. Keep records of appropriate maintenance and repair work when performed in accordance with the terms of this permit. |
| 4.2 General | NWCAA 342.2 (9/8/93) Same as 7/14/05 State Only version | Operating Instructions/Maintenance Schedules  
Make operating instructions and maintenance schedules available to facility operators. | |
<table>
<thead>
<tr>
<th>Permit Term</th>
<th>Citation</th>
<th>Description</th>
<th>Monitoring, Recordkeeping and Reporting</th>
</tr>
</thead>
<tbody>
<tr>
<td>4.3 Nuisance</td>
<td>NWCAA 530 (3/09/00 State Only)</td>
<td>General Nuisance no person shall discharge from any source quantities of air contaminants, with the exception of odors, in sufficient amounts and of such characteristics and duration as is likely to be injurious or cause damage to human health, plant or animal life, or property; or which unreasonably interferes with enjoyment of life and property.</td>
<td>- Directly Enforceable – Upon receiving a complaint from the NWCAA or the public, PSE shall investigate the complaint and the operations of the facility to determine whether (a) emissions of air contaminants are detrimental to the health, safety and welfare of any person, or causing damage to property of business, and (b) the facility is using recognized best practices and control equipment to reduce these odors to a reasonable minimum. If PSE determines that emissions from the facility caused, or are causing, a nuisance condition, and if the identified problems cannot be repaired or corrected within four hours, action shall be taken to minimize air contaminants until corrections can be made and the NWCAA shall be notified within 12 hours with a description of the complaint and action being taken to resolve the problem. The results of the investigation, identification of any malfunctioning equipment or aberrant operation, and the date and time of repair or mitigation shall be recorded. A log of these records shall be maintained for inspection. Receipt of a nuisance complaint in itself shall not necessarily be a violation.</td>
</tr>
<tr>
<td>4.4 Nuisance</td>
<td>WAC 173-400-040(5) (9/20/93) Same as 2/10/05 State Only version</td>
<td>Emission Detrimental to Persons or Property Emissions detrimental to health, safety or welfare of any person, or causing damage to property or business is unlawful.</td>
<td></td>
</tr>
<tr>
<td>4.5 Odor</td>
<td>NWCAA 535 (3/09/00 State Only)</td>
<td>Odor Control Measures Appropriate practices and control equipment shall be installed and operated to reduce odor-bearing gasses emitted into the atmosphere to a reasonable minimum. Any person who shall cause the generation of any odor from any source which may reasonably interfere with any other property owner’s use and enjoyment of their property must use recognized best practices and control equipment to reduce these odors to a reasonable minimum. No person shall cause or permit the emission of any odorous air contaminant from any source if it is detrimental to the health, safety, or welfare of any person, or causes damage to property or business.</td>
<td></td>
</tr>
<tr>
<td>Permit Term</td>
<td>Citation</td>
<td>Description</td>
<td>Monitoring, Recordkeeping and Reporting</td>
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<tr>
<td>-------------</td>
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<td>----------------------------------------</td>
</tr>
</tbody>
</table>
| 4.6 Odor    | WAC 173-400-040(4) (2/10/05 State Only) | Odors  
Source may not generate odors which may unreasonably interfere with property use and must use recognized good practice and procedures to reduce odors to reasonable minimum. | |
| 4.7 Fugitive | NWCAA 550 (7/14/05 State Only) | Preventing Particulate Matter from Becoming Airborne  
RACT for preventing the release of fugitive particulate matter to the ambient air is required. Nuisance particulate fallout is prohibited. | - Directly Enforceable –  
Upon receiving a complaint from the NWCAA or the public, PSE shall investigate the complaint and the operations of the facility to determine whether (a) emissions of air contaminants are detrimental to the health, safety and welfare of any person, or causing damage to property of business, and (b) the facility is using recognized best practices and control equipment to reduce fugitive emissions to a reasonable minimum. If PSE determines that emissions from the facility caused, or are causing, a nuisance condition, and if the identified problems cannot be repaired or corrected within four hours, action shall be taken to minimize air contaminants until corrections can be made and the NWCAA shall be notified within 12 hours with a description of the complaint and action being taken to resolve the problem. The results of the investigation, identification of any malfunctioning equipment or aberrant operation, and the date and time of repair or mitigation shall be recorded. A log of these records shall be maintained for inspection. Receipt of a nuisance complaint in itself shall not necessarily be a violation. |
| 4.8 Fugitive | WAC 173-400-040(2) (2/10/05 State Only) | Fallout  
Nuisance particulate fallout is prohibited. | |
| 4.9 Fugitive | NWCAA 550.1-3 (11/8/07 State Only)  
WAC 173-400-040(3)(a) (9/20/93)  
WAC 173-400-040(3)(a) (2/10/05 State Only) | Fugitive Emissions  
Reasonably Available Control Technology is required to prevent the release of fugitive matter to the ambient air during activities such as but not limited to: material handling, construction, abrasive blasting, use of roadways and open areas. Nuisance particulate fallout prohibited. | |
| 4.10 Fugitive | WAC 173-400-040(8)(a) (9/20/93)  
Same as 2/10/05 State Only version | Fugitive Dust Sources  
Reasonable precautions to prevent release of fugitive dust required. Maintain and operate source to minimize emissions. | |
<table>
<thead>
<tr>
<th>Permit Term</th>
<th>Citation</th>
<th>Description</th>
<th>Monitoring, Recordkeeping and Reporting</th>
</tr>
</thead>
</table>
| 4.11 VE     | NWCAA 451.1 (10/13/94) Same as 5/11/95 State Only version | Visual emissions shall not exceed 20% opacity for more than three aggregated minutes in any consecutive 60-minute period (Method 9A). | Compliance Method is Ecology Method 9A. Visually observe all emission units for no less than 5 minutes during daylight hours when unit is operating, no less frequently than once each month that the unit is operated. If, during monthly observation, or at any other time, a visible plume is observed, at least one of the following actions shall be taken:  
- Take corrective action to return opacity to non-visible level as soon as possible but no later than within 24-hours of observation of opacity,  
- Perform Method 9A test for VE limit and Method 5 test for PM limit, or  
- Shut the unit down until corrective actions can be taken.  
Record dates and times of any observed visible emissions and any related equipment or operational failure, and corrective actions taken, and the type of fuel burned. Record any Method 9A observations. Keep records of all observations available for inspection.  
- Directly Enforceable - |
<p>| 4.12 VE     | WAC 173-400-040(1) (9/20/93) Same as 2/10/05 State Only version | Visual emissions shall not exceed 20% opacity for more than three aggregated minutes in any consecutive 60-minute period (Method 9A). |
| 4.13 PM     | WAC 173-400-060 (3/22/91) Same as 2/10/05 State Only version | Particulate emissions from general process units shall not exceed 0.1 grain/dscf. |
| 4.14 PM     | WAC 173-400-050(1) and (3) (3/22/91) Same as 2/10/05 State Only version | Particulate emissions from combustion units shall not exceed 0.10 grains/dscf corrected to 7% oxygen. |
| 4.15 PM     | NWCAA 455.11 (4/14/93) Same as 5/11/95 State Only version | Particulate emissions shall not exceed 0.10 grain/dscf corrected to 7% oxygen, except, that particulate emission from gaseous and distillate fuel burning equipment shall not exceed 0.05 grain/dscf corrected to 7% oxygen. The definition of fuel burning equipment does not include internal combustion engines. |</p>
<table>
<thead>
<tr>
<th>Permit Term</th>
<th>Citation</th>
<th>Description</th>
<th>Monitoring, Recordkeeping and Reporting</th>
</tr>
</thead>
</table>
| 4.16 SO₂    | NWCAA 410 (4/14/93) | Ambient Sulfur Oxide Standards  
Source may not cause or allow ambient sulfur dioxide to exceed ambient standards outside the plant boundaries. | -Directly Enforceable-  
Follow the MR&R of Permit Term 5.1 |
| 4.17 SO₂    | NWCAA 460 (8/9/78)  
Same as 7/14/05 State Only version | Sulfur Weight/Heat Rate Standard  
Sulfur compound emissions, as sulfur dioxide, shall not exceed 1.5 lb/MMBtu of heat input per hour, on a monthly average basis for the facility | |
| 4.18 SO₂    | NWCAA 462 (4/14/92)  
Same as 11/8/07 State Only version  
WAC 173-400-040 (6) (9/20/93)  
Same as 2/10/05 State Only version | Stack Concentration  
Sulfur dioxide corrected to 7% oxygen shall not exceed 1,000 ppmvdv, hourly average. | |
SECTION 5  SPECIFICALLY APPLICABLE REQUIREMENTS

The requirements in the “Citation” column, and incorporated herein by reference, are applicable to the emission units identified in the preceding table headers. These requirements are federally enforceable unless identified as “State Only”. A requirement designated “State Only” is enforceable only by the state or the NWCAA, and not by the EPA or through citizen suits. The “Description” column is a brief description of the applicable requirements for informational purposes only and is not enforceable. Periodic or continuous monitoring requirements (including testing) are specified in the “Monitoring, Recordkeeping and Reporting” column, which identifies monitoring, recordkeeping and reporting (MR&R) obligations the source must perform as required by WAC 173-401-605(1) and 615(1) and (2) or the underlying requirement. MR&R obligations do not apply to insignificant emission units.

The requirements in the MR&R column listed below the “Directly Enforceable” label are legally enforceable requirements added under the NWCAA’s “gap-filling” authority [WAC 172-401-615(1)(b) & (c), (10/17/02]. Other requirements not labeled “Directly Enforceable” or above the “Directly Enforceable” label are brief descriptions of the regulatory requirements for information purposes, and are not enforceable. Unless the text of the MR&R column is specifically identified to be directly enforceable, the language of the cited regulation takes precedence over a paraphrased requirement.

Table 5-1 Specifically Applicable Requirements

<table>
<thead>
<tr>
<th>Permit Term</th>
<th>Citation</th>
<th>Description</th>
<th>Monitoring, Recordkeeping and Reporting</th>
</tr>
</thead>
<tbody>
<tr>
<td>5.1 General</td>
<td>OAC #304e, Condition 6 (7/31/09)</td>
<td>The combustion turbine shall burn only natural gas as defined in 40 CFR 72.2.</td>
<td>- Directly Enforceable - Keep records of gas quality characteristics establishing that the natural gas combusted in the turbine meets the definition of 40 CFR 72.2 (≤ 20.0 grains total sulfur per 100 scf, ≥ 70% methane by volume, and heat content of 950 to 1100 Btu/scf HHV).</td>
</tr>
<tr>
<td>5.2 VE</td>
<td>OAC #304e Condition 1c (7/31/09)</td>
<td>Visual emissions shall not exceed 5% at the point of exhaust or within a reasonable distance of that point for more than six minutes in any one-hour</td>
<td>Compliance Method is 40 CFR 60 Appendix A Method 9 or other method approved by control officer. Visually observe combustion turbine stack monthly for no less than 5 minutes during daylight hours when unit is</td>
</tr>
</tbody>
</table>
### Combustion Turbine (EU-1)

<table>
<thead>
<tr>
<th>Permit Term</th>
<th>Citation</th>
<th>Description</th>
<th>Monitoring, Recordkeeping and Reporting</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>period.</td>
<td>operating, no less frequently than once each month that the unit is operated. If, during monthly observation, or at any other time, a visible plume is observed, at least one of the following actions shall be taken:</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>• Take corrective action to return opacity to non-visible level as soon as possible but no later than within 24-hours of observation of opacity,</td>
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<td></td>
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<td></td>
<td>• Perform Method 9 test, or</td>
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<td></td>
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<td></td>
<td>• Shut the unit down until corrective actions can be taken.</td>
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<tr>
<td></td>
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<td></td>
<td>Record dates and times of any observed visible emissions and any related equipment or operational failure, and corrective actions taken, and the type of fuel burned. Record any EPA Method 9 observations. Keep records of all observations available for inspection.</td>
</tr>
<tr>
<td>5.3 SO₂</td>
<td>40 CFR 60 Subpart GG §§60.333(b)(7/8/04), 60.334(h)(1), (h)(3), (j)(2) (2/24/06) and 60.335(b)(10) (7/8/04) NWCAA 104.2 (6/10/10)</td>
<td>NSPS Sulfur Content of Fuel Sulfur content of fuels limited to 0.8 % by weight (8,000 ppmw).</td>
<td>Monitoring of sulfur content of gaseous fuel by testing unless the gaseous fuel is demonstrated to meet the definition of natural gas (≤ 20.0 grains total sulfur per 100 scf). If sulfur testing is used to demonstrate compliance, a minimum of three fuel samples shall be collected during fuel testing and the samples analyzed for total sulfur content according to one of the following procedures: ASTM D1072-80,90; D3246-81,92,96; D4468-85; D6667-01; Alternatively, if the total sulfur content of the gaseous fuel during the most recent 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, which measure the major sulfur compounds, may be used.</td>
</tr>
</tbody>
</table>

Keep records of gas quality characteristics establishing the
<table>
<thead>
<tr>
<th>Permit Term</th>
<th>Citation</th>
<th>Description</th>
<th>Monitoring, Recordkeeping and Reporting</th>
</tr>
</thead>
<tbody>
<tr>
<td>5.4 NOₓ</td>
<td>40 CFR 60 Subpart GG §§60.332 (a)(1) and (b) (7/8/04) and 60.334 (b) &amp; (j)(1)(iii) (2/24/06) NWCAA 104.2 (6/10/10)</td>
<td>NSPS NOₓ Standard NOₓ emissions shall not exceed 96 ppm (75 ppm plus allowed correction for heat rate and fuel bound nitrogen) corrected to 15% oxygen and ISO conditions, 4-hour rolling average.</td>
<td>natural gas exemption from testing, and any results of sulfur testing of the fuel.</td>
</tr>
</tbody>
</table>
| 5.5 NOₓ     | OAC #304e Condition 1a, 2 and 3 (7/31/09) | NOₓ emissions shall not exceed any of the following limits:  
- 6 ppmdv corrected to 15% oxygen, calendar day average, ISO standard conditions  
- 18.1 lb/hour, calendar day average  
- 75 tons/year | Operate CEMs for NOₓ and O₂ in accordance with NWCAA 367, NWCAA Appendix A, and 40 CFR 75. |
| 5.6 NH₃     | OAC #304e Condition 1d and 4 (7/31/09) | Emissions of ammonia shall not exceed any of the following limits:  
- 10 ppmdv corrected to 15% oxygen, one-hour average, ISO standard conditions  
- 13.3 lb/hour  
- 55 tons/year | Conduct annual source testing for carbon monoxide (CO) and ammonia (NH₃) using EPA Method 10 and BAAQMD Method ST-1B, respectively. Testing shall be conducted at least once per calendar year. All source testing shall be conducted, and plans and test results submitted in accordance with NWCAA Section 367 and NWCAA Appendix A. |
| 5.7 CO      | OAC #304e Condition 1b and 4 (7/31/09) | Emissions of CO from shall not exceed any of the following limits:  
- 6 ppmdv corrected to 15% oxygen, one-hour average, ISO standard conditions | Operate CEMs for NOₓ and O₂ in accordance with NWCAA 367, NWCAA Appendix A, and 40 CFR 75. Monitor and record the turbine operating periods, its natural gas consumption, and the ratio of steam to fuel being fired in the turbine. |
<table>
<thead>
<tr>
<th>Permit Term</th>
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<th>Description</th>
<th>Monitoring, Recordkeeping and Reporting</th>
</tr>
</thead>
</table>
|             |          | • 12.6 lb/hour  
• 52 tons/year  
CO emission limits apply at all times except during a time period not to exceed two hours during startup. | The following information shall be reported to the NWCAA on a calendar month basis within 30 days following the end of the previous month. **Combustion Turbine (EU-1)**  
• NO\textsubscript{X} ppmvd @ 15% O\textsubscript{2} & ISO standard conditions, calendar day average  
• NO\textsubscript{X} lb, calendar day total  
• MMBtu natural gas combusted, monthly total  
• Operating hours, monthly total |
| 5.8 Reporting | OAC #304e Condition 5 (7/31/09) | Monthly Reports, with entries for each day of the month for limits on calendar day average or calendar day total. |  

**Combustion Turbine (EU-1)**  
• NO\textsubscript{X} ppmvd @ 15% O\textsubscript{2} & ISO standard conditions, calendar day average  
• NO\textsubscript{X} lb, calendar day total  
• MMBtu natural gas combusted, monthly total  
• Operating hours, monthly total |
| 5.9 GHG | WAC 173-407-130 and 173-407-230 (1)(a), (b) & (c) and (2) (7/20/08 State Only) | GHG Performance Standard  
Baseload electric cogeneration facilities shall not exceed a regulated greenhouse gas (CO\textsubscript{2}, N\textsubscript{2}O and CH\textsubscript{4}) emission rate of 1,100 pounds per megawatt-hour, annual average. | Monitor and record the electrical output, useful thermal energy output and regulated greenhouse gases emissions. Record hourly or daily values in a form suitable for use in calculating compliance with the greenhouse gases emissions performance standard. Submit annual reports to the WDOE and NWCAA by January 31 of each calendar year that includes annual emissions of CO\textsubscript{2}, N\textsubscript{2}O and CH\textsubscript{4}. The 40 CFR Part 75 emissions report that includes CO\textsubscript{2} may be used, appended for N\textsubscript{2}O and CH\textsubscript{4} emissions. |
| 5.10 GHG | WAC 173-407-230(1)(d) (7/20/08 State Only) | Natural Gas Monitoring  
Annually test natural gas for heat content and record daily natural gas use rates. | Test the heat content (BTU/scf) of the natural gas at least once per calendar year. Submit a proposed test plan to WDOE for approval prior to testing. Record hourly or daily natural gas use in a form suitable for use in calculating compliance with the greenhouse gases emissions performance standard. |
<table>
<thead>
<tr>
<th>Permit Term</th>
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<th>Description</th>
<th>Monitoring, Recordkeeping and Reporting</th>
</tr>
</thead>
<tbody>
<tr>
<td>5.11 GHG</td>
<td>WAC 173-407-230(1)(c)(ii) (7/20/08 State Only)</td>
<td>Monitoring CO₂ Emissions</td>
<td>A CEMS certified under 40 CFR Part 75 will be utilized to determine CO₂ emissions in order to verify compliance with the greenhouse gas emission performance standard unless PSE chooses to calculate CO₂ emissions by utilizing the emission factor generated during the most recent source tests and records of hourly or daily operational data suitable for use in calculating compliance with the greenhouse gases emissions performance standard.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Use a continuous emission monitoring system meeting the requirements of 40 CFR § 75.10 and 75.13, and 40 CFR Part 75 Appendix F. If allowed by the requirements of 40 CFR Part 72, a facility may estimate CO₂ emissions through fuel carbon content monitoring and methods meeting the requirements of 40 CFR Sections 75.10 and 75.13 and 40 CFR Part 75 Appendix G. The CO₂ and flow monitoring equipment must meet the quality control and quality assurance requirements of 40 CFR Part 75, Appendix B.</td>
<td></td>
</tr>
<tr>
<td>5.12 GHG</td>
<td>WAC 173-407-230(1)(c)(iii) &amp; (iv) (7/20/08 State Only)</td>
<td>Monitoring N₂O and CH₄ Emissions</td>
<td>Record as hourly or daily operational data in a form suitable for use in calculating compliance with the greenhouse gases emissions performance standard. N₂O and CH₄ emissions will be estimated by utilizing the emission factor generated during the most recent source tests.</td>
</tr>
<tr>
<td>Permit Term</td>
<td>Citation</td>
<td>Description</td>
<td>Monitoring, Recordkeeping and Reporting</td>
</tr>
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</tr>
<tr>
<td>5.13 General</td>
<td>OAC #304e Condition 7 (7/31/09)</td>
<td>The Cummins Diesel Turbo 500 kW standby generator shall not be operated more than 132 hours in any calendar year.</td>
<td>Keep appropriate records onsite.</td>
</tr>
</tbody>
</table>
| 5.14 General | OAC #304e Condition 5 (7/31/09) | Monthly Reports, with entries for each day of the month for limits on calendar day average or calendar day total. | The following information shall be reported to the NWCAA on a calendar month basis within 30 days following the end of the previous month.  
- Operating hours, calendar year total |

Emergency Generator (EU-2)
SECTION 6    ACID RAIN PERMIT

Issued to:       Sumas Generating Station
Operated by:     Puget Sound Energy
Address:         1340 Thompson Lane, Sumas, Washington 98295
Affected unit at source: Combustion Turbine
Effective:      This Acid Rain permit, as part of the PSE Sumas Generating Station Title V permit, will become effective upon the effective date of the Title V permit. The Acid Rain permit shall have a permit term of 5 years beginning on the effective date.

6.1 Acid Rain Permit Statement of Basis.

Statutory and Regulatory Authorities: In accordance with Washington Administrative Code (WAC) 173-406 (11/23/94) "Acid Rain Regulation" and WAC 173-401 (9/16/02) "Operating Permit Regulation", the NWCAA issues this permit pursuant to WAC 173-406 and WAC 173-401. WAC 173-406, is based on the provisions of Title 40 Code of Federal Regulations (CFR) Parts 72-76, which are part of the requirements established pursuant to Title IV of the Clean Air Act, 42 U.S.C. 7401, et seq., as amended by Public Law 101-549 (November 15, 1990).

6.2 Acid Rain Permit Application

The permit application submitted for this source appears below. The owners and operators of the source must comply with the standard requirements and special provisions set forth in the application and in WAC 173-406.
USEPA
Region 10 Administrator
1200 Sixth Avenue, Suite 900
Seattle, Washington 98101

CERTIFIED MAIL/RETURN RECEIPT REQUESTED

Subject: Acid Rain Permit Application
Puget Sound Energy - Sumas Generating Station
(ORIS Code 54476)

Please find enclosed a completed Acid Rain Permit Application for Puget Sound Energy’s
Sumas Generating Station (ORIS Code 54476). Also, for your reference, attached is the
Certificate of Representation form submitted on October 15, 2008 on behalf of the Sumas plant.

If you need additional information or have questions, I can be reached at (425) 457-5835 or
joey.henderson@pse.com.

Sincerely,

Joey Henderson
Program Manager – CT Compliance

Cc: Dan Mahar, NWCAA
File: Sumas Acid Rain Permit

Enc: Certificate of Representation - SMS
Acid Rain Permit Application

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

This submission is: - revised - for Acid Rain permit renewal

STEP 1
Identify the facility name, State, and plant (ORIS) code.

<table>
<thead>
<tr>
<th>Facility (Source) Name</th>
<th>State</th>
<th>Plant Code</th>
</tr>
</thead>
<tbody>
<tr>
<td>PSE Sumas Generating Station</td>
<td>Washington</td>
<td>054476</td>
</tr>
</tbody>
</table>

STEP 2
Enter the unit ID# for every affected unit at the affected source in column "a."

<table>
<thead>
<tr>
<th>a</th>
<th>b</th>
</tr>
</thead>
<tbody>
<tr>
<td>Unit ID#</td>
<td>Unit Will Hold Allowances in Accordance with 40 CFR 72.9(c)(1)</td>
</tr>
<tr>
<td>EU-1</td>
<td>Yes</td>
</tr>
</tbody>
</table>
STEP 3

Permit Requirements

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

Monitoring Requirements

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

Sulfur Dioxide Requirements

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

(4) Allowances shall be held in, deducted from, or transferred among Allowance Tracking System accounts in accordance with the Acid Rain Program.
(5) An allowance shall not be deducted in order to comply with the requirements under paragraph (1) of the sulfur dioxide requirements prior to the calendar year for which the allowance was allocated.
(6) An allowance allocated by the Administrator under the Acid Rain Program is a limited authorization to emit sulfur dioxide in accordance with the Acid Rain Program. No provision of the Acid Rain Program, the Acid Rain permit application, the Acid Rain permit, or an exemption under 40 CFR 72.7 or 72.8 and no provision of law shall be construed to limit the authority of the United States to terminate or limit such authorization.
(7) An allowance allocated by the Administrator under the Acid Rain Program does not constitute a property right.

Nitrogen Oxides Requirements

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

Excess Emissions Requirements

(1) The designated representative of an affected source that has excess emissions in any calendar year shall submit a proposed offset plan, as required under 40 CFR part 77.
(2) The owners and operators of an affected source that has excess emissions in any calendar year shall:
   (i) Pay without demand the penalty required, and pay upon demand the interest on that penalty, as required by 40 CFR part 77; and
   (ii) Comply with the terms of an approved offset plan, as required by 40 CFR part 77.

Recordkeeping and Reporting Requirements

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

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;

Recordkeeping and Reporting Requirements, Cont'd.

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

(2) The designated representative of an affected source and each affected unit at the source shall submit the reports and compliance certifications required under the Acid Rain Program, including those under 40 CFR part 72 subpart I and 40 CFR part 75.

Liability

(1) Any person who knowingly violates any requirement or prohibition of the Acid Rain Program, a complete Acid Rain permit application, an Acid Rain permit, or an exemption under 40 CFR 72.7 or 72.8, including any requirement for the payment of any penalty owed to the United States, shall be subject to enforcement pursuant to section 113(c) of the Act.

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

Effect on Other Authorities

No provision of the Acid Rain Program, an Acid Rain permit application, an Acid Rain permit, or an exemption under 40 CFR 72.7 or 72.8 shall be construed as:
(1) Except as expressly provided in title IV of the Act, exempting or excluding the owners and operators and, to the extent applicable, the designated representative of an affected source or affected unit from compliance with any other provision of the Act, including the provisions of title I of the Act relating

STEP 3, Cont’d.

Effect on Other Authorities, Cont’d.

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

STEP 4

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.

<table>
<thead>
<tr>
<th>Name</th>
<th>L.E. Odom, Director – Thermal and Wind Resources</th>
</tr>
</thead>
<tbody>
<tr>
<td>Signature</td>
<td>![Signature Image]</td>
</tr>
<tr>
<td>Date</td>
<td>5/27/09</td>
</tr>
</tbody>
</table>

B-5
October 15, 2008

U. S. Environmental Protection Agency
Clean Air Markets Division (6204J)
Attention: Designated Representative
1200 Pennsylvania Avenue, NW
Washington, DC 20460

CERTIFIED MAIL/RETURN RECEIPT REQUESTED

RE: Certificate of Representation for Designated Representative
Sumas Generating Station – Plant Code 54476

Dear Sir or Madam:

Please find attached the Certificate of Representation (EPA Form 7610-1) for Sumas Generating Station located at 1340 Thompson Lane, Sumas, WA 98295 (formerly 601 B West Front Street, Sumas, WA 98295). This submittal is providing the Designated Representative for EPA’s Acid Rain Program for the facility.

If you have any questions of concerns regarding this submittal, please contact me at (425) 457-5835.

Sincerely,

Puget Sound Energy

[Signature]

Joey Henderson
Program Manager – CT Compliance

C: File
Certificate of Representation

For more information, see instructions and 40 CFR 72.24; 40 CFR 96.113, 96.213, or 96.313, or a comparable state regulation under the Clean Air Interstate Rule (CAIR) NOX Annual, SO2, and NOX Ozone Season Trading Programs, 40 CFR 97.113, 97.213, or 97.313, or 40 CFR 60.4113, or a comparable state regulation under the Clean Air Mercury Rule (CAMR), as applicable.

This submission is * * Revised (revised submissions must be complete; see instructions)

<table>
<thead>
<tr>
<th>FACILITY (SOURCE) INFORMATION</th>
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<tbody>
<tr>
<td>STEP 1</td>
<td>Provide Information for the facility (source).</td>
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<tr>
<td>Facility (Source) Name</td>
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<th>ADDRESS</th>
<th>PHONE NUMBER</th>
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<tbody>
<tr>
<td>L.E. ODOM</td>
<td>DIRECTOR, THERMAL WIND RESOURCES</td>
<td>PULSET SOUND ENERGY</td>
<td>(425) 462-3144</td>
</tr>
<tr>
<td></td>
<td></td>
<td>10885 NE 44TH ST, PSE-O9N, BELLEVUE, WA</td>
<td>(425) 462-3223</td>
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</table>

E-mail address: edodom@pse.com

<table>
<thead>
<tr>
<th>NAME</th>
<th>TITLE</th>
<th>COMPANY NAME</th>
<th>ADDRESS</th>
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<th>FAX NUMBER</th>
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EPA Form 7010-1 (rev. 97-2008; previous versions obsolete)
### UNIT INFORMATION

STEP 4: Complete one page for each unit located at the facility identified in STEP 1 (i.e., for each boiler, simple cycle combustion turbine, or combined cycle combustion turbine). Do not list dual burners. Indicate each program to which the unit is subject, and enter all other unit-specific information, including the name of each owner and operator of the unit and the generator ID number and nameplate capacity of each generator served by the unit. If the unit is subject to a program, then the facility (source) is also subject. (For units subject to the NOx Budget Trading Program, a separate "Account Certificate of Representation" form must be submitted to meet requirements under that program.)

<table>
<thead>
<tr>
<th>Applicable Program(s):</th>
<th>CAIR NOx Annual</th>
<th>CAIR SO2</th>
<th>CAIR NOx Ozone Season</th>
<th>CAIR (1st Budget Trading)</th>
<th>CAIR (Nontrading)</th>
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#### CT-1

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<tr>
<th>Unit ID#</th>
<th>Unit Type</th>
<th>MAICB Code</th>
<th>Area</th>
<th>Electric Utility</th>
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#### Puget Sound Energy

<table>
<thead>
<tr>
<th>Company Name</th>
<th>Owner</th>
<th>Operator</th>
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</table>

EPA Form 7510-1 (rev. 07-2008; previous versions obsolete)
STEP 5: Read the appropriate certification statements, sign, and date.

Acid Rain Program

I certify that I was selected as the designated representative or alternate designated representative (as applicable) by an agreement binding on the owners and operators of the affected source and each affected unit at the source (i.e., the source and each unit subject to the Acid Rain Program, as indicated in "Applicable Programs" in Step 4).

I certify that I have all necessary authority to carry out my duties and responsibilities under the Acid Rain Program on behalf of the owners and operators of the affected source and each affected unit at the source and that each such owner and operator shall be fully bound by my representations, actions, inactions, or submissions.

I certify that the owners and operators of the affected source and each affected unit at the source shall be bound by any order issued to me by the Administrator, the permitting authority, or a court regarding the source or unit.

Where there are multiple holders of a legal or equitable title to, or a leasehold interest in, an affected unit, or where a utility or industrial customer purchases power from an affected unit under a life-of-the-unit, firm power contractual arrangement, I certify that:

I have given a written notice of my selection as the designated representative or alternate designated representative (as applicable) and of the agreement by which I was selected to each owner and operator of the affected source and each affected unit at the source; and

Allowances, and proceeds of transactions involving allowances, will be deemed to be held or distributed in proportion to each holder's legal, equitable, leasehold, or contractual reservation or entitlement, except that, if such multiple holders have expressly provided for a different distribution of allowances, allowances and proceeds of transactions involving allowances will be deemed to be held or distributed in accordance with the contract.

Clean Air Interstate Rule (CAIR) NOx Annual Trading Program

I certify that I was selected as the CAIR designated representative or alternate CAIR designated representative (as applicable), by an agreement binding on the owners and operators of the CAIR NOx source and each CAIR NOx unit at the source (i.e., the source and each unit subject to the CAIR NOx Annual Trading Program, as indicated in "Applicable Programs" in Step 4).

I certify that I have all necessary authority to carry out my duties and responsibilities under the CAIR NOx Annual Trading Program on behalf of the owners and operators of the CAIR NOx source and each CAIR NOx unit at the source and that each such owner and operator shall be fully bound by my representations, actions, inactions, or submissions.

I certify that the owners and operators of the CAIR NOx source and each CAIR NOx unit at the source shall be bound by any order issued to me by the Administrator, the permitting authority, or a court regarding the source or unit.

Where there are multiple holders of a legal or equitable title to, or a leasehold interest in, a CAIR NOx unit, or where a utility or industrial customer purchases power from a CAIR NOx unit under a life-of-the-unit, firm power contractual arrangement, I certify that:

I have given a written notice of my selection as the CAIR designated representative or alternate CAIR designated representative (as applicable) and of the agreement by which I was selected to each owner and operator of the CAIR NOx source and each CAIR NOx unit at the source; and

CAIR NOx allowances and proceeds of transactions involving CAIR NOx allowances will be deemed to be held or distributed in proportion to each holder's legal, equitable, leasehold, or contractual reservation or entitlement, except that, if such multiple holders have expressly provided for a different distribution of CAIR NOx allowances, CAIR NOx allowances and proceeds of transactions involving CAIR NOx allowances will be deemed to be held or distributed in accordance with the contract.

EPA Form 7919-1 (rev. 6/7-2008; previous versions obsolete)
Clean Air Interstate Rule (CAIR) SO₂ Trading Program

I certify that I was selected as the CAIR designated representative or alternate CAIR designated representative (as applicable), by an agreement binding on the owners and operators of the CAIR SO₂ source and each CAIR SO₂ unit at the source (i.e., the source and each unit subject to the SO₂ Trading Program, as indicated in "Applicable Program(s)" in Step 4).

I certify that I have all necessary authority to carry out my duties and responsibilities under the CAIR SO₂ Trading Program, on behalf of the owners and operators of the CAIR SO₂ source and each CAIR SO₂ unit at the source and that each such owner and operator shall be fully bound by my representations, actions, omissions, or submissions.

I certify that the owners and operators of the CAIR SO₂ source and each CAIR SO₂ unit at the source shall be bound by any order issued to me by the Administrator, the permitting authority, or a court regarding the source or unit.

Where there are multiple holders of a legal or equitable title to, or a leasehold interest in, a CAIR SO₂ unit, or where a utility or industrial customer purchases power from a CAIR SO₂ unit under a life-of-the-unit, firm power contractual arrangement, I certify that:

I have given a written notice of my selection as the CAIR designated representative or alternate CAIR designated representative (as applicable) and of the agreement by which I was selected to each owner and operator of the CAIR SO₂ source and each CAIR SO₂ unit at the source, and CAIR SO₂ allowances and proceeds of transactions involving CAIR SO₂ allowances will be deemed to be held or distributed in proportion to each holder’s legal, equitable, leasehold, or contractual reservation or entitlement, except that, if such multiple holders have expressly provided for a different distribution of CAIR SO₂ allowances by contract, CAIR SO₂ allowances and proceeds of transactions involving CAIR SO₂ allowances will be deemed to be held or distributed in accordance with the contract.

Clean Air Interstate Rule (CAIR) NOₓ Ozone Season Trading Program

I certify that I was selected as the CAIR designated representative or alternate CAIR designated representative (as applicable), by an agreement binding on the owners and operators of the CAIR NOₓ Ozone Season source and each CAIR NOₓ Ozone Season unit at the source (i.e., the source and each unit subject to the CAIR NOₓ Ozone Season Trading Program, as indicated in "Applicable Program(s)" in Step 4).

I certify that I have all necessary authority to carry out my duties and responsibilities under the CAIR NOₓ Ozone Season Trading Program, on behalf of the owners and operators of the CAIR NOₓ Ozone Season source and each CAIR NOₓ Ozone Season unit at the source and that each such owner and operator shall be fully bound by my representations, actions, omissions, or submissions.

I certify that the owners and operators of the CAIR NOₓ Ozone Season source and each CAIR NOₓ Ozone Season unit shall be bound by any order issued to me by the Administrator, the permitting authority, or a court regarding the source or unit.

Where there are multiple holders of a legal or equitable title to, or a leasehold interest in, a CAIR NOₓ Ozone Season unit, or where a utility or industrial customer purchases power from a CAIR NOₓ Ozone Season unit under a life-of-the-unit, firm power contractual arrangement, I certify that:

I have given a written notice of my selection as the CAIR designated representative or alternate CAIR designated representative (as applicable) and of the agreement by which I was selected to each owner and operator of the CAIR NOₓ Ozone Season source and each CAIR NOₓ Ozone Season unit; and

CAIR NOₓ Ozone Season allowances and proceeds of transactions involving CAIR NOₓ Ozone Season allowances will be deemed to be held or distributed in proportion to each holder’s legal, equitable, leasehold, or contractual reservation or entitlement, except that, if such multiple holders have expressly provided for a different distribution of CAIR NOₓ Ozone Season allowances by contract, CAIR NOₓ Ozone Season allowances and proceeds of transactions involving CAIR NOₓ Ozone Season allowances will be deemed to be held or distributed in accordance with the contract.
SUMAS GENERATING STATION

Facility (Source) Name (from Step 1)

Certificate of Representation - Page 9

General

I am authorized to make this submission on behalf of the owners and operators of the source or unit for which this 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.

Signature (Designated Representative) ____________________________ Date 10/09/08

Signature (Alternate Designated Representative) ____________________________ Date ____________

EPA Form 7019-1 (rev. 07-2006), previous versions obsolete
SECTION 7  INAPPLICABLE REQUIREMENTS
The regulations identified in the following table do not apply to the emission units identified in Section 1.

Table 7-1 Inapplicable Requirements

<table>
<thead>
<tr>
<th>Citation</th>
<th>Title</th>
<th>Basis</th>
</tr>
</thead>
<tbody>
<tr>
<td>NWCAA Section 321</td>
<td>Registration Requirements</td>
<td>Not applicable to AOP sources.</td>
</tr>
<tr>
<td>NWCAA Section 458</td>
<td>Incinerators - Wood Waste Burners</td>
<td>No affected sources.</td>
</tr>
<tr>
<td>NWCAA Section 480</td>
<td>Solid Fuel Burning Device Standards</td>
<td>No affected sources.</td>
</tr>
<tr>
<td>NWCAA Section 504</td>
<td>Outdoor Fires - Grass Seed Fields</td>
<td>No affected sources.</td>
</tr>
<tr>
<td>NWCAA Section 510</td>
<td>Incinerator Burning</td>
<td>No affected sources.</td>
</tr>
<tr>
<td>NWCAA Section 511</td>
<td>Refuse Burning Equipment</td>
<td>No affected sources.</td>
</tr>
<tr>
<td>NWCAA Section 560</td>
<td>Storage of Organic Liquid</td>
<td>Organic liquid storage tanks hold product with less than 1.5 psia maximum true vapor pressure.</td>
</tr>
<tr>
<td>NWCAA Section 580</td>
<td>Volatile Organic Liquid Control</td>
<td>No affected sources.</td>
</tr>
<tr>
<td>NWCAA Section 590</td>
<td>Dry Cleaners</td>
<td>No Affected sources.</td>
</tr>
<tr>
<td>WAC 173-400-070</td>
<td>Emission Standards for Certain Source Categories.</td>
<td>No affected sources.</td>
</tr>
<tr>
<td>WAC 173-400-100 through 104</td>
<td>Registration Requirements</td>
<td>Not applicable to AOP sources.</td>
</tr>
<tr>
<td>WAC 173-405</td>
<td>Kraft Pulp Mills</td>
<td>No affected sources.</td>
</tr>
<tr>
<td>WAC 173-410</td>
<td>Sulfite Pulp Mills</td>
<td>No affected sources.</td>
</tr>
<tr>
<td>WAC 173-415</td>
<td>Primary Aluminum Plants</td>
<td>No affected sources.</td>
</tr>
<tr>
<td>WAC 173-434</td>
<td>Solid Waste Incinerator Facilities</td>
<td>No affected sources.</td>
</tr>
<tr>
<td>WAC 173-490</td>
<td>Emission Standards and Controls for Sources Emitting Volatile Organic Compounds (VOC)</td>
<td>No affected sources.</td>
</tr>
<tr>
<td>WAC 173-491</td>
<td>Emission Standards and Controls for Sources Emitting Gasoline Vapors</td>
<td>No affected sources.</td>
</tr>
<tr>
<td>40 CFR Part 60 Subparts B, C, Cb, Cc, Cd, and Ce</td>
<td>Various NSPS titles</td>
<td>No affected facilities.</td>
</tr>
<tr>
<td>Citation</td>
<td>Title</td>
<td>Basis</td>
</tr>
<tr>
<td>--------------------------------</td>
<td>--------------------------------------------</td>
<td>----------------------------------------------------------------------</td>
</tr>
<tr>
<td>40 CFR 60 Subpart D, Da, Db, and Dc</td>
<td>NSPS for Fossil-Fuel Fired Steam Generators</td>
<td>No affected facilities. HRSG does not have supplemental fuel combustion, i.e., duct burners.</td>
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<tr>
<td>40 CFR Part 60 Subparts E through J</td>
<td>Various NSPS titles</td>
<td>No affected facilities.</td>
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<tr>
<td>40 CFR 60 Subpart K, Ka and Kb</td>
<td>NSPS for Volatile Organic Liquid Storage Tanks</td>
<td>Organic liquid storage tanks hold product with less than 5.2 kPa maximum true vapor pressure.</td>
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<tr>
<td>40 CFR Part 60 Subparts L through DDD</td>
<td>Various NSPS titles</td>
<td>No affected facilities.</td>
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<tr>
<td>40 CFR Part 61</td>
<td>National Emissions Standards for Hazardous Air Pollutants (NESHAPs)</td>
<td>Facility is not a major source of hazardous air pollutants (HAPs).</td>
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<tr>
<td>40 CFR 64</td>
<td>Compliance Assurance Monitoring (CAM)</td>
<td>Combustion turbine NOx monitored with a CEM located at the stack.</td>
</tr>
<tr>
<td>40 CFR 68</td>
<td>Accidental Release Prevention</td>
<td>No substances in excess of thresholds established in the rule. The facility uses aqueous ammonia for SCR injection.</td>
</tr>
</tbody>
</table>