



*Serving Island, Skagit & Whatcom Counties*

**TENASKA WASHINGTON PARTNERS  
FERNDAL COGENERATION STATION  
FERNDAL, WASHINGTON**

**AIR OPERATING PERMIT**

**- *FINAL* -**

**June 13, 2008**

## PERMIT INFORMATION

### Tenaska Washington Partners, Ferndale Cogeneration Station 5105 Lake Terrell Road, Ferndale, WA 98248

SIC: 4931

NWCAA ID: 667-V-W

EPA AFS: 53-073-0037

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#### Responsible Corporate Official

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Air Operating Permit Number:	Issuance Date:
006R1M3	April 22, 2005
Permit Modifications	Modification Date:
Modification 3	Final – June 13, 2008
Supersedes Permit Number:	Expiration Date:
006R1M2	April 22, 2010
Modification Application Date:	Next Renewal Application Due:
May 5, 2008	October 22, 2009

## ATTEST

This operating permit is issued in accordance with the provisions of the Washington Clean Air Act Chapter 70.94 Revised Code of Washington and the Clean Air Act 42 United States Code, Section 7401 *et seq.* Tenaska is authorized to operate subject to the terms and conditions of this operating permit.

This operating permit has been issued by the undersigned.

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Date:  
Erica K. Miller, E.I.  
Chemical Engineer

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Date:  
Mark Buford, P.E.  
Assistant Director,  
Engineering

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Date:  
Lynn Billington, P.E.  
Director, Engineering

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**SECTION 1 EMISSION UNIT IDENTIFICATION**

**Table 1-1 Emission Units at Tenaska Ferndale Cogeneration Station**

Emission Units	Description	Nominal Capacity Ratings		Control
		Natural Gas	No. 2 Diesel Oil	
<p><u>Gas Turbine/Duct Burner/Heat Recovery Steam Generators:</u>                      Turbine Units GT-1A and GT-1B. Each turbine unit has a duct burner that is located just ahead of the heat recovery steam generator, designated as HRSG-1A and HRSG-1B. Each turbine unit has an exhaust stack, designated as D-1 and D-2. Gas turbine GT-1A exhausts to HRSG-1A, which exhausts to stack D-1. Gas turbine GT-1B exhausts to HRSG-1B, which exhausts to stack D-2.</p>	<p>GE Frame 7 EA combined cycle combustion gas turbine combusts natural gas as primary fuel and low sulfur No. 2 diesel fuel as alternate fuel. Heat Recovery Steam Generators generate steam from the hot exhaust gas from the gas turbines. Natural gas fired duct burners are available to provide additional steam for electric generation in the steam turbine. Water foggers provide water vapor to the inlet of each turbine to improve efficiency and increase power production rate during warm weather.</p>	<p>270 MW combined, consisting of two 91 MW gas turbines and one 88 MW steam turbine generator.                      10,116 Btu/kW-hr heat input &amp; 924 MMBtu/hr heat consumption per turbine (LHV, 100% load, 60°F and site elevation).                      Heat input to each duct burner is 250 MMBtu/hr.                      Natural gas is delivered to the facility via pipeline.</p>	<p>270 MW combined, consisting of two 91 MW gas turbines and one 88 MW steam turbine generator.                      10,145 Btu/KW-hr heat input &amp; 927 MMBtu/hr heat consumption per turbine (LHV, 100% load, 60°F and site elevation).                      Oil firing is limited to 20.4 million gallons per calendar year.                      No. 2 diesel oil is delivered to the facility via tank truck.</p>	<p>SO<sub>2</sub>: use of natural gas or ≤ 0.05% sulfur by weight oil.                      NO<sub>x</sub>: steam injection to the combustor sections of the turbines; ammonia injection and selective catalytic reduction after the duct burners.                      Particulate matter, fine particulate matter (PM<sub>10</sub>), hydrocarbons, and CO: good combustion practices</p>

Emission Units	Description	Nominal Capacity Ratings		Control
		Natural Gas	No. 2 Diesel Oil	
One vertical fixed-roof storage tank	This tank is used to store No. 2 diesel fuel which serves as a backup fuel for firing the gas turbines.		2.1 million gallon capacity (7,949 cubic meters)	Good engineering practice to minimize fugitive VOC emissions

## **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 listed terms and conditions are federally enforceable unless identified as a "state only" requirement. A requirement designated "state only" is enforceable only by the state or the NWCAA, and not by the 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 to those conditions.

### **2.1 Compliance Requirements**

#### **2.1.1 Duty to Comply**

##### *2.1.1.1 WAC 173-401-620(2)(a) (10/4/93)*

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 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 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) (2/17/93), WAC 173-400-240 (2/19/91), 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 (3/13/97) and NWCAA 133 (07/10/03)*

Civil and criminal penalties may be issued in accordance with the applicable regulations listed above. Under this "State Only" version of the NWCAA Regulation 132, criminal penalties may be assessed on a "per day, per violation" basis. Civil penalty amounts in the NWCAA Regulation 133 have increased from those included in the 10/13/94 version.

#### **2.1.3 Need to Halt or Reduce Activity Not a Defense**

##### *WAC 173-401-620(2)(b) (10/4/93)*

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) (10/4/93)*

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 the 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 NWCAA, the NWCAA shall maintain confidentiality of such information in accordance with the NWCAA Regulation 114. Such records or information shall be only for the confidential use of the Board, the Advisory Council, and NWCAA staff.

#### *2.1.5.2 State Only: NWCAA 114.1 (3/13/97)*

Whenever any records or other information other than ambient air quality data or emission data furnished to or obtained by the Agency relate 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 offices of the Board.

### **2.1.6 Inspection and Entry**

#### *WAC 173-400-105(3)(6/8/07), WAC 173-401-630(2) (10/4/93) 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 perform the following:

- 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 Director 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 Director 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 Director 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) (8/20/93)*

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 Parts 51, 60, 61 and 63 (in effect on February 20, 2001), or approved procedures contained in "Source Test Manual – Procedures for Compliance Testing," State of Washington, Department of Ecology, as of July 12, 1990. 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 60 Appendix A, adopted by reference. 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 the NWCAA (not RATA) 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 any scheduled testing. A summary of the test shall accompany the test plan and be submitted on a template provided by NWCAA;
- ii. Any changes to the source test plan must be approved prior to testing, and all tests must be completed according to the approved plan. A source test must not be terminated due to excess emissions or high pollutant concentrations unless approved by the NWCAA; and
- iii. Results of required source tests must be submitted within sixty days of completion of the test unless prior approval is granted by the NWCAA.

### **2.1.9 Testing and Sampling**

#### *2.1.9.1 NWCAA 360.1 (3/13/97)*

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 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 requirement of this (subject) regulation. The applicable requirements of this Section and Appendix A 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 make 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 be also 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 Monitoring**

### *2.1.10.1 NWCAA 365.1 (11/12/99)*

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 Director under the following provisions:

The Board or Director 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 Director may require. Averaging time and collection periods will be determined by the Director. 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 Director upon request.

All required continuous emission monitors or required opacity monitors used to monitor compliance 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 Director.

The Director 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 Agency, and evaluate the validity of the data. The owner or operator may also be required by the Director to take a sample using an approved procedure and submit the results thereof within a reasonable period of time.

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

### *2.1.10.2 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.

Unless subject to acid rain regulations (40 CFR Parts 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 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 any 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 Tests (RATA's), Relative Accuracy Audits (RAA's) and Cylinder Gas Audits (CGA's) 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 CEM fails to produce 90% data availability stating the reasons for the low data availability.

## **2.2 Permit Terms**

### **2.2.1 Permit Expiration and Renewal**

WAC 173-401-610 (10/4/93) and WAC 173-401-710 (9/16/02)

This permit is issued for a fixed term of five years from the 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 more than eighteen months and no later than six months prior to expiration.

### **2.2.2 Permit Actions**

WAC 173-401-620(2)(c) (10/4/93)

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**

WAC 173-401-620(2)(g) (10/4/93)

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**

State Only: WAC 173-400-136 (1/10/05)

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

### **2.2.5 Severability**

WAC 173-401-620(2)(h) (10/4/93)

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**

WAC 173-401-620(2)(i) (10/4/93) and WAC 173-401-735 (4/2/97)

The 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 §505(b) of the FCAA.

### **2.2.7 Permit Continuation**

WAC 173-401-620(2)(j) (10/4/93)

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**

WAC 173-401-730 (10/4/93)

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 (9/16/02) and WAC 173-401-724 (10/4/93)

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 (10/4/93) and WAC 173-401-725 (10/4/93)

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) (10/4/93)

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 (11/13/93)

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 (7/14/05)

In the new version of the NWCAA Regulations 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) (10/4/93)

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**

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

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

2.2.14.2 NWCAA 322.4 (11/12/98)

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 (9/8/93)

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 (7/14/05)

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 the NWCAA Regulation 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) (10/4/93)

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

### **2.3.2 Inapplicable Requirements**

WAC 173-401-640(2) (10/4/93)

As of the date of permit issuance, the requirements listed in Section 6 of the 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) (10/4/93)

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

- i. the provisions of Section 303 of the FCAA (emergency orders), including the authority of the EPA Administrator under that section;
- ii. the liability of an owner or operator of a source for any violation of applicable requirements prior to or at the time of permit issuance;
- iii. the ability of EPA to obtain information from a source pursuant to Section 114 of the FCAA; or
- iv. the ability of the permitting authority to establish or revise requirements for the use of reasonably available control technology as provided in RCW 70.94.154.

### **2.3.4 Reasonably Available Control Technology (RACT)**

2.3.4.1 WAC 173-401-605(3) (10/4/93)

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 (8/20/93)

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 (1/10/05)**

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 (10/4/93)**

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 Agency 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 General Reporting**

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

With respect to reporting, the permit shall incorporate all applicable reporting requirements and require the following:

(a) Submittal of reports of any required monitoring at least once every six months. All instances of deviations from permit requirements must be clearly identified in such reports. All required reports must be certified by a responsible official consistent with WAC 173-401-520.

(b) Prompt reporting of deviations from permit requirements, including those attributable to upset conditions as defined in the permit, the probable cause of such deviations, and any corrective actions or preventive measures taken. The permitting authority shall define "prompt" in each individual permit in relation to the degree and type of deviation likely to occur and the applicable requirement. For deviations which represent 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. The source shall maintain a contemporaneous record of all deviations. Other deviations shall be reported no later than thirty days after the end of the month during which the deviation is discovered.

**2.4.2 Compliance Certification**

**WAC 173-401-630(5) (10/4/93)**

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 revised permit. The following compliance certification shall cover the period from permit issuance to December 31, 2007. Subsequent compliance certifications shall be made on a yearly basis. Each certification shall include:

- i. The identification of each term and condition of the permit that is the basis of the certification;
- ii. The compliance status;
- iii. Whether the compliance was continuous or intermittent;

The 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 Regions 10 and the Northwest Clean Air Agency at the following addresses, by February 28 for the previous calendar year:

Environmental Protection Agency	Northwest Clean Air Agency
Mail Stop AWT-107	Attn: Air Operating Permits
Attn: Air Operating Permits	1600 South Second Street
1200 Sixth Avenue	Mount Vernon, WA 98273-5202
Seattle, WA 98101	

**2.4.2.1** WAC 173-401-520 (10/4/93)

Any application form 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.

**2.4.2.2** WAC 173-401-615 (9/16/02) and 630 (10/4/93)  
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. All semiannual monitoring certifications are due as follows:

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

**2.4.2.3** WAC 173-401-530(2)(d) (9/16/02)

This permit does not require testing, monitoring, reporting or recordkeeping for insignificant emission units or activities unless required in an underlying permit, such as an OAC condition.

Tenaska shall use good industrial practice to maintain insignificant units. For such equipment, Tenaska shall also promptly repair defective equipment or shut down the related unit until defective equipment can be repaired. Compliance with this requirement shall be deemed to satisfy requirements of WAC 173-401-615 and 173-401-630(1).

Tenaska 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.

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

**2.4.3.1** 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.

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

No person shall willfully make a false or misleading oral statement to the NWCAA Board, Director, 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 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.

**2.4.4 Required Recordkeeping**

**2.4.4.1 WAC 173-401-615(2) (9/16/02)**

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

- i. The date, time, and location of sampling or measurements;
- ii. The operating conditions existing at the time of sampling or measurement;
- 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.

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 will 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.

**2.4.4.2 WAC 173-401-615 (9/16/02) and 630 (10/4/93)  
Directly Enforceable Text**

Monitoring and associated recordkeeping is not required when an emission unit is not operating and there are no emissions to the atmosphere. 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).

**2.4.5 Pollutant Disclosure - Reporting by Air Contaminant Sources**

**2.4.5.1 NWCAA 150 (9/8/93) and WAC 173-400-105(1) (8/15/01)**

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. the estimated annual total production of wastes discharged into the air in units and contaminants designated by the NWCAA.

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 Regulation 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.

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

The difference between this latest version of WAC 173-400-105(1) and the (8/15/01) version is the requirement to include oxides of nitrogen, PM<sub>2.5</sub>, and ammonia to the list of emissions that must be reported. In addition, the new version states that 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.

**2.4.5.3 State Only: NWCAA 150 (11/12/99)**

The difference between the 11/12/99 version of NWCAA 150 and the 9/8/93 version consists in the citation of operating permit fees in Section 322.4, rather than 324.126.

**2.4.6 Reporting of Deviations from Permit Conditions**

**WAC 173-401-615(3)(b) (9/16/02) 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 (7/14/05)**

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 12 hours to the NWCAA.
- ii. The responsible official shall submit a full report no later than 30 days after the end of the calendar month in which the breakdown or upset occurred that resulted in exceedance of an ambient or emission standard of the regulation. The report shall be submitted on forms provided by the NWCAA and must include, at minimum, the known causes, corrective measures taken, preventive measures to be taken to minimize or eliminate a recurrence and an estimate of the quantity of emissions above the applicable limit caused by the event.

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.

In addition to the reporting requirements of the 7/14/05 version of the NWCAA Regulation 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 control equipment is turned off, broken down or otherwise inoperative, and a notice of breakdown has not been filed, under 340.1, or 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 Section 340.1.

*2.4.7.2 State Only: NWCAA 340.1, 340.2, 340.3 (7/14/05)*

In addition to the reporting requirements of the 7/14/05 version of the NWCAA Regulation 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 the NWCAA Regulation 340.1.

**2.4.8 Report of Shutdown or Startup**

*2.4.8.1 NWCAA 341.1, 341.2, 341.3 (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 the NWCAA Regulation nor from the resulting liabilities for failure to comply.

*2.4.8.2 State Only: NWCAA 341.1, 341.2, 341.3 and 341.5 (7/14/05)*

If the operator of any air contaminant source registered in the NWCAA jurisdiction or operating under a Title V air operating permit issued by the NWCAA 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 the NWCAA 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.

For Title V Air Operating Permit sources, 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 an 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. Other non-Title V Air Operating Permit sources shall file a full report to the NWCAA within 30 days upon the request of the Control Officer.

## **2.5 Operation and Maintenance**

*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 it 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 the NWCAA Regulation 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.

*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.

## **2.6 Excess Emissions**

*WAC 173-400-107 1, 2, 3, 4, 5, and 6 (8/20/93)*

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 Ecology or 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 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.

State Only: NWCAA 340.4 (7/14/05) 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; and
- iii. The operator took immediate and appropriate corrective action in a manner consistent with good air pollution control practice.
- 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.

Excess emissions due to scheduled maintenance shall be considered unavoidable provided the source adequately demonstrates that the excess emissions could not have been avoided through reasonable design, better scheduling for maintenance, better operation and maintenance practices, and emissions did not result in a violation of an ambient air quality standard.

## **2.7 Duty to Supplement or Correct Information**

WAC 173-401-500(6) (9/16/02)

Upon becoming aware that the source has 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.

## **2.8 Prohibitions**

### **2.8.1 Concealment and Masking**

#### *2.8.1.1 WAC 173-400-040(7) (1/10/05)*

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.

#### *2.8.1.2 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 the NWCAA 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.

### **2.8.2 Adjustment for Atmospheric Conditions**

#### *WAC 173-400-205 (2/19/91)*

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.

### **2.8.3 Outdoor Burning**

#### *2.8.3.1 WAC 173-425-036 (9/17/90) and WAC 173-425-045 (1/3/89), WAC 173-435-050(2) (1/3/89) Although SIP-Approved, WAC 173-425-036 and -045 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.

#### *2.8.3.2 State Only: WAC 173-425-040, 050, and 060(3/13/00), NWCAA 502 (7/14/05)*

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.

### **2.8.4 Asbestos**

#### *2.8.4.1 State Only: NWCAA 570 (7/14/05)*

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

#### *2.8.4.2 40 CFR 61.145(1/16/91), 61.148 (11/20/90) and 61.150 (1/16/91)*

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

## **2.8.5 Stratospheric Ozone and Climate Protection**

### **2.8.5.1 40 CFR 82 Subpart F (As amended through 8/20/2001)**

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

### **2.8.5.2 State Only: RCW 70.94.970**

A person who services or 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.

## **2.8.6 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.

## **2.8.7 Obstruction of Access**

### **State Only: RCW 70.94.200**

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.

## **2.8.8 Notice of Construction and Application for Approval/New Source Review**

### **2.8.8.1 WAC 173-400-110 (8/20/93), 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 Agency in accordance with the cited regulations.

### **2.8.8.2 State Only: (1/10/05), WAC 173-400-560 (1/10/05)**

An owner or operator may apply for an applicable general Order of Approval to Construct certain specified sources as defined in this part. 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.

### **2.8.8.3 State Only: NWCAA 300.15 (7/14/05)**

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.

### **2.8.8.4 State Only: WAC 173-400-710, 720 (6/8/07), WAC 173-400- 730, 740 and 750 (2/10/05), WAC 173-460-040(2/14/94), WAC 273-400-141 (8/15/01) NWCAA 300.1-300.13, 301 (7/14/05), 303 (11/12/98), and 324.2 (7/14/05)**

A Notice of Construction or PSD permit application must be filed by the owner or operator and an Order of Approval issued by the Agency or PSD permit issued by Ecology 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 term is defined in the

NWCAA Regulation 200, and “new source” shall include any “modification” to an existing “stationary source” as those terms are defined in the NWCAA Regulation 200.

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 new source of 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 Ecology to determine compliance with all PSD program requirements. The procedures for submitting a complete application, for public review and involvement, and for revisions to an existing PSD permit are provided in detail in the cited regulations (WAC 173-400-710 through 750).

### **2.8.9 Replacement or Substantial Alteration of Control Technology at an Existing Source**

*State Only: WAC 173-400-114 (9/15/01), NWCAA 300.13 (7/14/05)*

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.

### **2.8.10 Controls for New Sources of Toxic Air Pollutants**

*State Only WAC 173-460-030(1) (2/14/94)*

The owner or operator of a new toxic air pollutant source shall notify the NWCAA prior to the construction, installation, or establishment of the source and shall file a notice of construction application for the proposed emission unit(s) as per WAC 173-460-040, -050, -080, -110, -150, and -160 (1/14/94) and WAC 173-460-070 and -140 (6/18/91).

### **2.8.11 Creditable Stack Height and Dispersion Techniques**

*State Only: WAC 173-400-200 (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.

### **2.8.12 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 70.4 or 70.120 RCW, or any ordinance, resolution, regulation, permit, or order in force pursuant thereto.

### **2.8.13 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.

### **2.8.14 Prevention of Accidental Release**

*40 CFR 68 Subpart F (As amended through 8/20/01)*

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.

### **2.8.15 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 degrees F.

## **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 Part 60.2.

### **3.1 Address for Reports, Notifications and Submittals**

Title 40 CFR 60.4(a) and (b) (4/25/75) (as amended by Delegation Letter of 2/5/03 from Betty Wiese, EPA Region X to James Randles, Director of NWCAA)

Notifications, reports, and applications for delegated NSPS shall be sent to the NWCAA at the following address:

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

Authority to approve major changes in emission units, test methods and monitoring methods prescribed by Part 60 has not been delegated to the NWCAA. Prior to filing an application under any NSPS regulation that authorizes the EPA to approve alternate emission limits, test methods, or monitoring methods, the permittee shall consult with the 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  
Air and Waste Management Division  
U.S. Environmental Protection Agency  
1200 Sixth Avenue  
Seattle WA 98101

### **3.2 Compliance with Opacity Standards**

Title 40 CFR 60.11(b) and (c) (10/17/00)

Compliance with opacity standards in 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. 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**

Title 40 CFR 60.11(d) (10/17/00)

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**

Title 40 CFR 60.11(g) (10/17/00)

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**

*Title 40 CFR 60.12 (3/8/74)*

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**

*Title 40 CFR 60.7(a) (2/12/99)(as amended by Delegation Letter of 2/5/03 from Betty Weise, EPA Region X to James Randles, Director of the NWCAA)*

Furnish written notification to the NWCAA of the following:

- Date of construction (or reconstruction as defined by §60.15) of an affected facility commenced postmarked no later than 30 days after such date.
- Actual date of initial startup of an affected facility postmarked within 15 days after such date.
- Any physical or operational change to an existing facility which may increase the emission rate of any air pollutant to which a standard applies, unless that change is specifically exempted under an applicable subpart or in §60.14(e). This notice shall be postmarked 60 days or as soon as practicable before the change is commenced and shall include information describing the precise nature of the change, present and proposed emission control systems, productive capacity of the facility before and after the change, and the expected completion date of the change.
- Date upon which demonstration of the continuous monitoring system performance commences in accordance with §60.13(c). Notification shall be postmarked not less than 30 days prior to such date.
- Anticipated date for conducting the opacity observations required by §60.11(e)(1) of this part. The notification shall be postmarked not less than 30 days prior to such date.
- That continuous opacity monitoring system data results will be used to determine compliance with the applicable opacity standard during a performance test required by 60.8 in lieu of Method 9 observation data as allowed by §60.11(e)(5) of this part. This notification shall be postmarked not less than 30 days prior to the date of the performance test.

### **3.7 Startup, Shutdown, and Malfunction Records**

*Title 40 CFR 60.7(b) (2/12/99)*

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**

Title 40 CFR 60.7(c) and (d) (2/12/99)(as amended by Delegation Letter of 2/5/03 from Betty Weise, EPA Region X to James Randles, Director of NWCAA)

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. 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**

Title 40 CFR 60.7(f) (2/12/99)

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 will 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 test method cited or any credible evidence may be used to determine compliance.

The requirements in the MR&R column labeled "Directly enforceable" are legally enforceable requirements added under the NWCAA's "gap-filling" authority of WAC 173-401-615(1)(b) & (c), 10/17/02. Other requirements not labeled "Directly enforceable" 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**

<b>Permit Term</b>	<b>Citation</b>	<b>Description</b>	<b>Monitoring/Recordkeeping/Reporting</b>
4.1	NWCAA 451.1 (10/13/94) NWCAA 451.1 (5/11/95 State only) WAC 173-400-040(1) (9/20/93) WAC 173-400-040(1) (2/10/05 State only)	<u>Visual Emissions</u> Opacity shall remain below 20% for any period aggregating more than 3 minutes in any sixty-minute period.	If, at any time, visible emissions are observed by plant personnel, Tenaska will take immediate corrective action, maintain records of observations and corrective action taken, and report the incident to the NWCAA as soon as possible. Directly enforceable

Permit Term	Citation	Description	Monitoring/Recordkeeping/Reporting
4.2	NWCAA 455.1 (4/14/93) NWCAA 455.1 (5/11/95 State only)	<u>PM</u> Emissions shall not exceed 0.10 grain/dscf (corrected to 7% oxygen), except, from all gaseous and distillate fuel burning equipment (the definition of fuel burning equipment does not include internal combustion engines), emissions shall not exceed 0.05 grain/dscf (0.11 g/m <sup>3</sup> ) corrected to 7% oxygen.	If, at any time, visible emissions are observed by plant personnel, Tenaska will take immediate corrective action, maintain records of observations and corrective action taken, and report the incident to the NWCAA as soon as possible. Directly enforceable
4.3	WAC 173-400-060 (9/20/93)	<u>PM</u> Particulate emissions from general process units shall not be greater than 0.1 grain/dscf.	
4.4	WAC 173-400-050(1) (3/22/91) WAC 173-400-050(1) (2/10/05 State only)	<u>PM</u> Particulate emissions from combustion units shall not be greater than 0.1 grain/dscf.	

Permit Term	Citation	Description	Monitoring/Recordkeeping/Reporting
4.5	NWCAA 520 (4/14/93) NWCAA 520 (5/9/96 State Only)	<u>Sulfur Compounds</u> Sulfur content of fuels burned shall not exceed: <ul style="list-style-type: none"> <li>• #1 distillate - 0.3%</li> <li>• #2 distillate - 0.5%</li> <li>• Other distillate or solid fuels - 2.0%</li> </ul> Gaseous fuels - 412 ppm @ stp	Comply with Term 5.8 Directly enforceable
4.6	NWCAA 460 (9/8/93) NWCAA 460 (7/14/05 State Only)	<u>Sulfur compounds</u> 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.	
4.7	NWCAA 462 (10/14/87) NWCAA 462 (3/13/97 State only)	<u>Sulfur Compounds</u> Sulfur compounds emitted greater than 1000 ppm (corrected to 7% O <sub>2</sub> ) averaged for a sixty consecutive minute period from any equipment prohibited. This requirement is not violated if reasonable evidence is presented that concentrations will not exceed ambient standards and the permittee shows that no practical method of reducing concentration exists.	
4.8	NWCAA 410 (4/14/93)	<u>SO<sub>2</sub></u> Unlawful to emit sulfur oxides (measured as SO <sub>2</sub> ) such that ambient standards are exceeded outside plant boundaries	

Permit Term	Citation	Description	Monitoring/Recordkeeping/Reporting
4.9	WAC 173-400-040(6) (9/20/93) The second paragraph of this citation is State Only	<u>SO<sub>2</sub></u> Unlawful to emit SO <sub>2</sub> greater than 1000 ppmdv corrected to 7% O <sub>2</sub> averaged over a sixty consecutive minute period.	
4.10	NWCAA 530 (3/09/00 State Only)	<u>Nuisance</u> Discharge of air contaminants 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, is unlawful.	Tenaska shall investigate complaints received by NWCAA within three working days of notification by NWCAA. If a complaint is determined to be valid, corrective action shall commence within three working days of notification by NWCAA. NWCAA shall be notified of corrective action taken and Tenaska shall keep records of corrective action taken in written logs.
4.11	WAC 173-400-040(5) (9/20/93) WAC 173-400-040(5) (2/10/05) State Only	<u>Nuisance</u> Emissions detrimental to health or property prohibited.	Directly enforceable

Permit Term	Citation	Description	Monitoring/Recordkeeping/Reporting
4.12	WAC 173-400-040(4) (2/10/05 State Only)	<u>Odors</u> Must use recognized good practice and procedures to reduce odors which may unreasonably interfere with any other property owner's use and enjoyment of his property to a reasonable minimum.	
4.13	NWCAA 535.1 (3/09/00 State Only)	<u>Odors</u> Install and operate Best Available Control Technology (BACT) to reduce emission of odor bearing gases or particulate matter. Discharge of odorous substances that threaten the health or safety of any person or unreasonably interfere with the use and enjoyment of property is prohibited.	

Permit Term	Citation	Description	Monitoring/Recordkeeping/Reporting
4.14	NWCAA 550.1 - 3 (4/14/93)	<p><u>Fugitive Emissions</u>                      Best 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.</p>	<p>Tenaska shall investigate complaints received by NWCAA within three working days of notification by NWCAA. If a complaint is determined to be valid, corrective action shall commence within three working days of notification by NWCAA. NWCAA shall be notified of corrective action taken and Tenaska shall keep records of corrective action taken in written logs.                      Directly enforceable</p>
4.15	NWCAA 550.1-3 (7/14/05 State Only) WAC 173-400-040(3)(a) (9/20/93) WAC 173-400-040(3)(a) (2/10/05 State Only)	<p><u>Fugitive Emissions</u>                      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.</p>	
4.16	WAC 173-400-040(8)(a) (9/20/93) WAC 173-400-040(8)(a) (2/10/05 State Only)	<p><u>Fugitive Emissions</u>                      Reasonable precautions to prevent release of fugitive dust required. Maintain and operate source to minimize emissions.</p>	

Permit Term	Citation	Description	Monitoring/Recordkeeping/Reporting
4.17	NWCAA 550.4 (4/14/93) NWCAA 550.4 (7/14/05 State Only) WAC 173-400-040(2) (2/10/05 State Only)	<u>Fugitive Emissions</u> Unlawful to cause or permit the emission of particulate matter which becomes deposited upon the property of others in sufficient quantities and of such characteristics and duration as is, or is likely to be, injurious to human health, plant or animal life, or property, or which unreasonably interferes with enjoyment of life and property.	

## SECTION 5 SPECIFICALLY APPLICABLE REQUIREMENTS

The cited requirements in the "Citation" column and incorporated herein by reference are applicable to emission units specified in the header of the table. 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" (MR&R) column, which identifies 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 test method cited or any credible evidence may be used to determine compliance.

The requirements in the MR&R column labeled "Directly enforceable" are legally enforceable requirements added under the NWCAA's "gap-filling" authority of WAC 173-401-615(1)(b) & (c), 10/17/02. Other requirements not labeled "Directly enforceable" 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.

Some permit conditions in this section show emission limits in the "Description" column but no test frequency in the "MR&R" column. This is the result of an OAC or PSD condition that required an initial performance test that has been completed so there is no requirement for on-going testing. The limit, however, remains as an underlying condition of the permit and is, therefore, included.

**Table 5-1 Specifically Applicable Requirements**

Permit Term	Regulatory Citation	Regulatory Description	Monitoring, Recordkeeping, and Reporting Requirements
5.1	OAC 330f Condition 7 (5/14/07)	<u>O&amp;M</u> An air compliance operation and maintenance (O&M) manual that identifies acceptable operation and maintenance procedures that will ensure compliance with applicable air pollution rules and regulations shall be submitted to and approved by NWCAA prior to start-up. Failure to follow the procedures outlined shall be considered proof that the equipment was not properly maintained and operated.	Keep air compliance O&M manuals readily available for use by operations personnel.

Permit Term	Regulatory Citation	Regulatory Description	Monitoring, Recordkeeping, and Reporting Requirements
5.2	PSD 91-04 Amendment 1 Condition 12 (1/19/00)	<u>General</u> Equipment operation shall be conducted in compliance with all specifications submitted as part of the PSD application unless otherwise approved by Ecology.	Operate and maintain equipment in accordance with O&M manuals.
5.3	PSD 91-04 Amendment 1 Condition 14 (1/19/00)	<u>General</u> Activity inconsistent with the application is subject to enforcement unless otherwise approved by Ecology.	
5.4	PSD 91-04 Amendment 1 Condition 16 (1/19/00)	<u>General</u> Access to source must be provided.	Provide access to the source by the EPA, Ecology, or NWCAA upon request for purpose of compliance assurance inspections.
5.5	OAC 330f Conditions 8 and 9 (5/14/07)	<u>General</u> Foggers shall not be used when ambient temperatures are below 50 degrees F or when burning distillate fuel oil.  Tenaska shall maintain records of hourly time periods when foggers are used. Records of fogger use shall be available on-site for inspection by the NWCAA.	Maintain records of the time periods of when foggers are in use and the temperature during those time periods.
5.6	OAC 330f Condition 1 (5/14/07)	<u>Fuel</u> Gas turbines must burn natural gas or No. 2 distillate oil with sulfur content $\leq$ 0.05%. HRSG duct burners may burn only pipeline natural gas.	For gaseous fuel, maintain: <ul style="list-style-type: none"> <li>fuel sample tests that demonstrate that the total sulfur does not exceed 20.0 grains/100 scf and that provides assurance that fuel burned meets the NSPS subpart GG definition of natural gas (&lt;</li> </ul>

Permit Term	Regulatory Citation	Regulatory Description	Monitoring, Recordkeeping, and Reporting Requirements
5.7	PSD 91-04 Amendment 1 Condition 3 (1/19/00)	<p><u>Fuel</u>                      The facility may burn no more than 20.4 million gallons of No. 2 distillate fuel per year. Tenaska shall maintain records of fuel oil usage and sulfur content as required by Ecology.</p>	<p>680 ppmw and 338 ppmv total sulfur at 20° C, is comprised of at least 70% methane by volume and has a gross heat content between 950 and 1100 Btu/scf); or</p> <ul style="list-style-type: none"> <li>current, valid purchase contract, tariff sheet or transportation contract for the gaseous fuel, specifying that the maximum total sulfur content of the fuel is 20.0 grains/100 scf or less.</li> </ul>
5.8	40 CFR 60.333(a) and (b) (2/8/04) 40 CFR 60.334(h), (i) and (j)(2), 60.335(b)(10) (2/24/06)	<p><u>Fuel</u>                      Sulfur content of fuels limited to 0.8% by weight or sulfur dioxide emissions limited to 0.015% by volume at 15% oxygen on a dry basis.                      Any daily period during which the sulfur content of the fuel being combusted in the gas turbine exceeds 0.8% shall be deemed a period of excess emissions and be reported.</p>	<p>For liquid fuel, maintain a record of the measured sulfur content by any of the following three methods:</p> <ol style="list-style-type: none"> <li>Daily manual sampling</li> <li>Composite sampling after addition of fuel to the tank</li> <li>Sampling of each individual fuel delivery.</li> </ol> <p>Maintain a record of the quantity and type of fuels burned, and the sulfur content of each. Fuel sulfur content sampling shall use any of the following appropriate reference test methods:</p> <p>Gaseous fuel: ASTM D1072-80,90; D3246-81.92,96; D4468-85; or D6667-01</p> <p>Liquid fuel: ASTM D129-00, D2622-98, D4294-02, D1266-98, D5453-00, or D1552-01</p>

Permit Term	Regulatory Citation	Regulatory Description	Monitoring, Recordkeeping, and Reporting Requirements
5.9	OAC 330f Condition 2a and 3a (5/14/07), and PSD 91-04 Amendment 1 Condition 1 (1/19/00)	<p><u>NO<sub>x</sub></u>                      NO<sub>x</sub> emissions from each GT/HRSG exhaust stack is limited to the following 24-hour (calendar day) averages:</p> <p>When fired on natural gas:                      7 ppmdv @ 15% O<sub>2</sub> – foggers off                      6 ppmdv @ 15% O<sub>2</sub> – foggers on                      33 lb/hr</p> <p>When fired on No. 2 distillate oil:                      12 ppmdv @ 15% O<sub>2</sub>                      60 lb/hr</p>	<p>Operate CEMS in each stack for NO<sub>x</sub> and O<sub>2</sub> in accordance with NWCAA 367, Appendix A, and 40 CFR 60 Appendix B.</p> <p>Measure fuel use rate to each turbine continuously and compute lb/hr emission rates using equation 19-1 from 40 CFR 60 Appendix A:</p> $E = C_d F_d \frac{20.9}{20.9 - \%O_{2d}}$ <p>Where:                      E = Pollutant emission rate – lb/million BTU                      C<sub>d</sub> = Pollutant concentration – dry basis (lb/scf)                      F<sub>d</sub> = Volume of combustion component/BTU – scf/million BTU                      O<sub>2d</sub> = Concentration of oxygen on a dry basis – percent.</p> <p>Determine emissions by multiplying E by heat input. Include all measurements and calculations in annual RATA.</p>
5.10	40 CFR 60.332(a)(1) and 60.334 (b) and (j)(1)(iii) (7/8/04)	<p><u>NO<sub>x</sub> NSPS Subpart GG</u>                      NO<sub>x</sub> emissions shall not exceed 97 ppmdv @ 15% O<sub>2</sub> based on a four hour rolling average (97 ppmdv is based on §60.332 equation accounting for heat rate allowance and no fuel bound nitrogen).</p> <p>Monitor for excess emissions and report in accordance with NSPS requirements.</p>	<p>Operate CEMS in each stack for NO<sub>x</sub> and O<sub>2</sub> in accordance with NWCAA 367, Appendix A, and 40 CFR 60 Appendix B.</p> <p>Report excess emissions for all periods of unit operation including startup, shutdown and malfunction.</p>

Permit Term	Regulatory Citation	Regulatory Description	Monitoring, Recordkeeping, and Reporting Requirements
5.11	PSD 91-04 Amendment 1 Condition 8 (1/19/00)	<u>NO<sub>x</sub></u> CEMS for NO <sub>x</sub> and O <sub>2</sub> must comply with 40 CFR Part 60 Appendix B.	Operate CEMS in each stack for NO <sub>x</sub> and O <sub>2</sub> in accordance with NWCAA 367, Appendix A, and 40 CFR 60 Appendix B.
5.12	OAC 330f Condition 4 (5/14/07)	<u>NO<sub>x</sub> and O<sub>2</sub></u> CEMS required for emissions of NO <sub>x</sub> and O <sub>2</sub> . CEMS for NO <sub>x</sub> and O <sub>2</sub> must comply with NWCAA 367, Appendix A.	
5.13	OAC 330f Condition 2b, 3b, and 6a (5/14/07); PSD 91-04 Amendment 1 Condition 2 (1/19/00)	<u>CO</u> CO emissions from each GT/HRSG system exhaust stack limited to 20 ppm <sub>dv</sub> corrected to 15% O <sub>2</sub> on an hourly average and 44 lb/hr.	Comply with Term 5.15
5.14	OAC 330f Condition 2c and 3c (5/14/07)	<u>Ammonia</u> NH <sub>3</sub> emissions from each GT/HRSG system exhaust stack shall not exceed 9 ppm <sub>dv</sub> corrected to 15% O <sub>2</sub> on an hourly average. NH <sub>3</sub> emissions from each GT/HRSG system exhaust stack shall not exceed 15 lb/hr on natural gas or 16 lb/hr on No. 2 distillate oil.	Comply with Term 5.15 If the setting of the NH <sub>3</sub> flow regulation valve required to maintain adequate control of NO <sub>x</sub> is found to increase by more than 20% over values recorded previously since the last NH <sub>3</sub> source test, Tenaska shall take immediate corrective action to return the NH <sub>3</sub> injection rate to the rate recorded at the last source test. If the corrective action does not return the NH <sub>3</sub> injection rate to this level within thirty days Tenaska shall begin NH <sub>3</sub> continuous monitoring. Directly enforceable

Permit Term	Regulatory Citation	Regulatory Description	Monitoring, Recordkeeping, and Reporting Requirements
5.15	OAC 330f Condition 5 (5/14/07)	<u>CO &amp; Ammonia</u> An annual source test for carbon monoxide (CO) and ammonia emissions shall be completed for each gas turbine/HRSG stack using EPA Method 10 and BAAQMD Method ST-1B, respectively. Tests shall be conducted while burning natural gas and shall be completed within eleven to thirteen months of the anniversary date of the previous test.	Conduct annual source testing in accordance with NWCAA Section 367 and NWCAA Appendix A.
5.16	OAC 330f Condition 3f (5/14/07) PSD 91-04 Amendment 1 Condition 4 (1/19/00)	<u>SO<sub>2</sub></u> SO <sub>2</sub> emissions from each GT/HRSG system exhaust stack limited the following based on each clock hour average: 12 lb/hr when fired on natural gas 59 lb/hr when fired on No. 2 distillate	Comply with Term 5.8
5.17	OAC 330f Condition 3d (5/14/07) PSD 91-04 Amendment 1 Condition 6 (1/19/00)	<u>VOC</u> VOC emissions from each GT/HRSG system exhaust stack limited to 15 lb/hr.	Comply with Term 5.2
5.18	OAC 330f Condition 2e (5/14/07); PSD 91-04 Amendment 1 Condition 7 1/19/2000	<u>Visual Emissions</u> Opacity from each GT/HRSG system exhaust stack shall not exceed 5% for a six minute average.	If, at any time, visible emissions are observed by plant personnel, Tenaska will take immediate corrective action, maintain records of observations and corrective action taken, and report the incident to the NWCAA as soon as possible.  Directly enforceable

Permit Term	Regulatory Citation	Regulatory Description	Monitoring, Recordkeeping, and Reporting Requirements
5.19	OAC 330f Conditions 2d and 3e (5/14/07) PSD 91-04 Amendment 1 Condition 5 (1/19/00)	<u>PM<sub>10</sub></u> PM <sub>10</sub> emissions from each GT/HRSG system exhaust stack limited to 0.0022 gr/dscf corrected to 15% O <sub>2</sub> and 13 lb/hr on an hourly average.	Comply with Term 5.18
5.20	40 CFR 60.44b(j) and (k) (6/13/07) 40 CFR 60.49b(p) (6/13/07)	<u>Recordkeeping</u> Maintain the following records for each steam generating day for the duct burner: 1) Calendar date 2) Number of hours of operation 3) Record of the hourly steam load	Maintain NSPS Subpart Db required records on site.

<b>Permit Term</b>	<b>Regulatory Citation</b>	<b>Regulatory Description</b>	<b>Monitoring, Recordkeeping, and Reporting Requirements</b>
5.21	OAC 330f Condition 6 (5/14/07)	<p><u>Monthly Reports</u></p> <p>The following information shall be reported to the NWCAA on a calendar month basis within 30 days after the end of the previous month:</p> <ul style="list-style-type: none"> <li>a) Daily average concentration of NO<sub>x</sub> in ppm<sub>dv</sub> corrected to 15% O<sub>2</sub> and NO<sub>x</sub> emissions in lb/day for each gas turbine/HRS stack;</li> <li>b) Standard cubic feet of natural gas burned in each of the turbines and duct burners;</li> <li>c) Total gallons of Number 2 distillate oil burned in each of the turbines. Sulfur content of oil shall be determined by vendor receipt or lab analysis on each occasion that fuel is transferred to the storage tank from any source and records shall be maintained on site for a period of at least five years;</li> <li>d) Number of hours each turbine and duct burner operated;</li> <li>e) The duration and nature of any continuous emission monitor downtime, excluding daily calibration and drift tests;</li> <li>f) Highest sulfur content weight percent in the No. 2 distillate oil burned;</li> <li>g) The results of any monitor audits or accuracy checks;</li> <li>h) Results of any stack tests;</li> <li>i) Total pounds of SO<sub>2</sub> emitted on a monthly basis;</li> <li>j) Number of hours each fogger was in use.</li> </ul>	<p>Submit monthly written report to NWCAA.</p> <p>Sulfur content of oil shall be determined by the test methods listed in Permit Term 5.8.</p>

Permit Term	Regulatory Citation	Regulatory Description	Monitoring, Recordkeeping, and Reporting Requirements
5.22	PSD 91-04 Amendment 1 Condition 9 (1/19/00)	<p><u>Reporting</u>                      CEMS and process data shall be reported in written form to NWCAA monthly within 30 days of the end of each calendar month and in a format approved by Ecology. For each occurrence of monitored emissions in excess of the standard the report shall include the following:</p> <ul style="list-style-type: none"> <li>a) The time of the occurrence;</li> <li>b) Magnitude of the emission or process parameters excess;</li> <li>c) The probable cause; and</li> <li>d) Corrective actions taken or planned.</li> </ul>	Provide to NWCAA in monthly report details of excess emission events.
<b>No. 2 Diesel Storage Tank</b>			
5.23	40 CFR 60.116b(a) and (b) (12/18/89)	<p><u>General</u>                      Records showing the dimensions of the storage vessel, and analysis showing the capacity of the storage vessel shall be maintained for the life of the source.</p>	Maintain appropriate NSPS records.

## SECTION 6 INAPPLICABLE REQUIREMENTS

Many regulations do not apply to the emission units at Tenaska, in a specific or even in a general sense. Only requirements that are legally binding should be placed in this Air Operating Permit. Table 6.1 lists requirements that are deemed inapplicable to the facility. The basis for each determination of inapplicability is included.

**Table 6-1 Inapplicable Requirements**

Citation	Title	Basis
NWCAA 312	EIS	An EIS is not required for this source to apply and receive an air operating permit under NWCAA 326 or Chapter 173-401 WAC.
NWCAA 324.11	Registration fee	A registration fee under NWCAA Section 326.43 is not required because this source is subject to the operating permit program and must pay an annual operating fee.
NWCAA 400	Ambient Air Quality Standards - Forward	Ambient air quality standards.
NWCAA 401	Suspended Particulate Standards (PM10)	Ambient air quality standards.
NWCAA 402	Particulate Fallout Standard	Ambient air quality standards.
NWCAA 420	Carbon Monoxide Standards	Ambient air quality standards.
NWCAA 422	Nitrogen Oxides Standards	Ambient air quality standards.
NWCAA 424	Ozone Standards	Ambient air quality standards.
NWCAA 426	Hydrocarbons	Ambient air quality standards.
NWCAA 428	Hazardous Air Pollutants	Ambient air quality standards.
NWCAA 452	Motor Vehicle Visual Standard	Mobile source emissions not covered by Title V permitting.
NWCAA 520.14	Sulfur compounds in fuel	Because the facility is subject to NWCAA Section 460, the 412 ppm or less sulfur in gaseous fuel requirement does not apply.
NWCAA 560	Storage of Organic Liquid	True vapor pressure of oil distillate fuel < 1.5 psia
NWCAA 580 except 580.7	Volatile Organic Compound Control	No applicable sources
NWCAA 600 through 603	Ambient air quality objectives, areas	These objectives apply to ambient air rather than emissions from a specific source.

Citation	Title	Basis
NSPS 40 CFR Part 60 Subpart Da	Standards of Performance for Electric Utility Steam Generating Units for Which Construction is Commenced After September 18, 1978	The combined cycle gas turbines are not designed to burn fuels containing 50% or more solid-derived fuel not meeting the definition of natural gas on a 12-month rolling average and the turbine was not constructed or modified at February 28, 2005.
NSPS 40 CFR Part 60 Subpart Db, §§ 60.42b (except for § 60.42(b)(j)(2)), 60.43b, 60.45b, 60.48b(d), 60.47b, 60.48b(a)	Standards of Performance for Industrial-Commercial-Institutional Steam Generating Units - standards, performance testing, and monitoring for SO <sub>2</sub> and particulate matter.	The facility's gas-fired duct burner is exempt from the SO <sub>2</sub> and particulate emission, performance testing, and monitoring requirements because it is fired solely on natural gas.
NSPS 40 CFR Part 60 Subpart Dc	Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units	Maximum design heat input capacity of the steam generating unit is more than 100 MMBtu/hr, and Subpart Dc applies to units that are rated between 10 and 100 MMBtu/hr.
NSPS 40 CFR Part 60 Subpart K	Standards of Performance for Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced After 6/11/73 and Prior to 5/19/78.	No applicable sources.
NSPS 40 CFR Part 60 Subpart Ka	Standards of Performance for Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced After 5/18/78 and Prior to 7/23/84	No applicable sources.

Citation	Title	Basis
NSPS 40 CFR Part 60 Subpart Kb, §§ 60.110b(c), 60.112b, 60.113b, 60.114b, 60.115b, 60.116b(c) - (g)	Standards of Performance for Volatile Organic Liquid Storage Vessels for Which Construction, Reconstruction, or Modification Commenced After 7/23/84 - vessel design, testing procedures, reporting and recordkeeping requirements	The facility has one volatile organic storage tank which is subject to this subpart; however, because only diesel fuel is stored in this tank (maximum true vapor pressure less than 3.5 kPa), the facility is only required to maintain documents pertaining to the dimensions of the storage tank. All other requirements of this subpart are not applicable.
40 CFR Part 61 (all)	National Emission Standards for Hazardous Air Pollutants	No applicable sources to all subparts. Facility does not contain any asbestos building materials.
40 CFR Part 63 (all)	National Emission Standards for Hazardous Air Pollutants (HAPs) for Combustion Turbines	The Combustion Turbine MACT was finalized by USEPA on 3/5/04. The potential-to-emit for HAPs for the site does not exceed 10 tons per year for any single HAP or 25 tons per year for combined HAPs.
40 CFR Part 64	Compliance Assurance Monitoring (CAM)	The site is exempt from 40 CFR Part 64.2 because continuous compliance monitoring of NO <sub>x</sub> is required by this permit and no other control devices are employed.
40 CFR Part 82 (all)	Protection of Stratospheric Ozone	Facility does not produce, import or sell any ozone depleting chemical. The facility does not service residential, commercial, or motor vehicle air conditioning units or other refrigeration devices.
WAC 173-400-010	Policy and Purpose	Ecology administrative rule.
WAC 173-400-070	Emission Standards for Certain Source Categories	No applicable sources.
WAC 173-400-075	Emission Standards for Sources Emitting Hazardous Air Pollutants	No applicable sources.
WAC 173-400-081	Start-up and Shutdown	Ecology administrative rule.
WAC 173-400-101 (7); RCW 70.94.161 (17)	Registration	Operating Permit sources are not required to register or pay registration fees.

Citation	Title	Basis
WAC 173-400-105 (2)	Monitoring	Requirement for Ecology to conduct ambient monitoring
WAC 173-400-112	Requirements for New Sources in Non-Attainment Areas	Source not located in non-attainment area.
WAC 173-406	Acid Rain Regulation	The facility meets the criteria for inapplicable units (Appendix L)
WAC 173-425-075	Commercial Open Burning	This rule is included in the approved SIP; however, it was repealed 1/1/93.
WAC 173-490 (all)	Emission Standards and Controls for Sources Emitting Volatile Organic Compounds	No applicable sources