West Virginia Department of Environmental Protection
Division of Air Quality

Fact Sheet

For Final Minor Modification Permitting Action Under 45CSR30 and Title V of the Clean Air Act

This Fact Sheet serves to address the changes specific to this Minor Modification, and shall be considered a supplement to the Fact Sheet corresponding with the Title V operating permit issued on June 13, 2017.

Permit Number: **R30-10700182-2017**
Application Received: **July 27, 2018**
Plant Identification Number: **03-54-10700182**
Permittee: **The Chemours Company FC, LLC**
Facility Name: **Washington Works**
Business Unit: **Power and Service Support (Part 10 of 14)**
Mailing Address: **P.O. Box 1217, Washington, WV 26181-1217**

Permit Action Number: MM03 Revised: April 23, 2019

Physical Location:	Washington, Wood County, West Virginia
UTM Coordinates:	422.27 km Easting • 4,346.57 km Northing • Zone 17
Directions:	Route 68 west from Parkersburg to intersection of Route 892. Continue west on Route 892 with the plant being on the north side about one mile from the intersection of Routes 68 and 892.

Facility Description

Chemours Washington Works is a multiple business, multiple product line facility that produces plastic and resins and their associated feedstock materials. Power and Services manages and operates the plant infrastructure to support the operating business units. As part of these operations Power and Services operates both gas and coal fired boilers to produce steam for on-site use. Power and Services personnel also operate an industrial wastewater treatment facility, a sanitary wastewater treatment facility, an air compressor system to supply plant air, and a water treatment facility to supply treated water for both process uses and sanitary uses on-site.

Proposed Modification

The permittee is installing three (3) new natural gas fired steam generation boilers to supply process steam to the Washington Works. The boilers are identical in design with anticipated maximum design heat input of 249 MMBtu/hr to produce 198,500 pounds of steam per hour from each unit. After startup of the new boilers the permittee will permanently shut down the existing coal-fired boilers 2, 3, 4, 5, and 6.

Emissions Summary

The change in potential emissions for this modification MM03 are given in the table below with other changes accounted for during this permit term.

Pollutant	2017 Renewal	MM01[1]	MM02[1]	MM03[2]	Proposed
Carbon Monoxide	742	-7.14	-7.14	-615.83	111.89
Nitrogen Oxides	1,569	-47.19	-47.19	-1,394.96	79.66
Particulate Matter ($PM_{2.5}$)	34	0	0	-5.48	28.52
Particulate Matter (PM_{10})	89	-3.43	-3.43	-4.21	77.93
Total Particulate Matter (TSP)	450	-3.43	-3.43	-140.48	302.66
Sulfur Dioxide (SO_2)	10,448	-0.58	-0.58	-9,574.24	872.60
Volatile Organic Compounds (VOC)	668	-4.01	-4.01	-615.83	44.15
Hazardous Air Pollutants [3]					
Formaldehyde	25.03	- <0.01	- <0.01	+0.2	25.2
Hydrogen Chloride	88.62	0	0	-83.62	5.0
Hydrogen Fluoride	20.22	0	0	-18.52	1.70
Methanol	112.13	0	0	0	112.13
Toluene	17	- <0.01	- <0.01	-0.03	16.97
Total HAPs	278.97	- <0.01	- <0.01	-103.69	175.26
Regulated Pollutants other than Criteria and HAPs					
Sulfuric Acid Mist	120	0	0	-43.9	76.1

[1] The PTE changes for MM01 and MM02 are from their respective Fact Sheets. The values are identical because identical engines were replaced with identical new engines.

[2] All data for MM03 are from technical correspondence received from the permittee on 2/1/2019.

[3] The values of each specific HAP and Total HAPs were provided in 2/1/2019 technical correspondence. Note that there are other specific HAPs not listed in the table above (each less than 10 tpy) that are included in the Total HAPs values.

Title V Program Applicability Basis

With the proposed changes associated with this modification, this facility maintains the potential to emit over 100 tons per year of criteria pollutants, over 10 tons per year of an individual HAP, and over 25 tons per year aggregate HAPs. Therefore, Chemours Washington Works is required to have an operating permit pursuant to Title V of the Federal Clean Air Act as amended and 45CSR30.

Legal and Factual Basis for Permit Conditions

The State and Federally-enforceable conditions of the Title V Operating Permits are based upon the requirements of the State of West Virginia Operating Permit Rule 45CSR30 for the purposes of Title V of the Federal Clean Air Act and the underlying applicable requirements in other state and federal rules.

The modification to this facility has been found to be subject to the following applicable rules:

Federal and State:	45CSR2	PM from Indirect Heat Exchangers
	45CSR2A	Testing & MMR for 45CSR2
	45CSR10	Sulfur oxides limits
	45CSR13	Permits to Construct/Modify
	45CSR16	Standards of Performance for New Stationary Sources
	45CSR30	Operating permit requirement.
	45CSR34	Emission Standards for Hazardous Air Pollutants
	40 C.F.R. Part 60, Subpart Db	NSPS for Industrial-Commercial-Institutional Steam Generating Units
	40 C.F.R. Part 63, Subpart DDDDD	Industrial/Commercial/Institutional Boilers and Process Heaters Major Source MACT
State Only:	N/A	

Each State and Federally-enforceable condition of the Title V Operating Permit references the specific relevant requirements of 45CSR30 or the applicable requirement upon which it is based. Any condition of the Title V permit that is enforceable by the State but is not Federally-enforceable is identified in the Title V permit as such.

The Secretary's authority to require standards under 40 C.F.R. Part 60 (NSPS), 40 C.F.R. Part 61 (NESHAPs), and 40 C.F.R. Part 63 (NESHAPs MACT) is provided in West Virginia Code §§ 22-5-1 *et seq.,* 45CSR16, 45CSR34 and 45CSR30.

Active Permits/Consent Orders

Permit or Consent Order Number	Date of Issuance	Permit Determinations or Amendments That Affect the Permit *(if any)*
R13-3416	November 27, 2018	

Conditions from this facility's Rule 13 permit(s) governing construction-related specifications and timing requirements will not be included in the Title V Operating Permit but will remain independently enforceable under the applicable Rule 13 permit(s). All other conditions from this facility's Rule 13 permit(s) governing the source's operation and compliance have been incorporated into this Title V permit in accordance with the "General Requirement Comparison Table B," which may be downloaded from DAQ's website.

Determinations and Justifications

The permittee plans to install three (3) new natural gas fired steam generation boilers to supply process steam to the Washington Works. The boilers are identical in design with anticipated maximum design heat input of 249 MMBtu/hr to produce 198,500 pounds of steam per hour from each unit.

The boilers will be equipped with Low-NO_x burners designed to minimize the creation of nitrogen oxides (NO_x) in a manner consistent with the high heat design basis for the boilers. Each boiler will be operated with automatic oxygen trim to modulate for the steam consumers (manufacturing units at the facility) while burning pipeline quality natural gas. The steam generated will be fed into the Washington Works steam distribution system for the permittee and other tenants located in the Washington Works.

According to the application, the current schedule has the project start of construction in January 2019 with foundation work beginning at that time. Construction of the three boilers and their accompanying stacks will continue during 2019 into 2020. The current target for connection of the new boiler piping to the plant steam header is April 2020. Completion of construction on the last boiler of the three is currently forecasted for December 2020.

The table below provides further information regarding the boilers to be installed.

Em. Unit	Description	Em. Pt. ID	Fuel / Combustion	Design Heat Input (MMBtu/hr)	Year Installed
P09	No. 9 Boiler	P09E	Natural Gas only / Low-NO_x Burners & Continuous O_2 Trim System	249	2020
P10	No. 10 Boiler	P10E		249	2020
P11	No. 11 Boiler	P11E		249	2020

Other emission units affected by this modification are:

- The existing coal-fired boilers P02, P03, P04, P05, and P06 will be permanently removed from service after the new units are commissioned.
- Coal and ash handling associated with the existing coal-fired boilers will be removed from service.

The existing natural gas-fired boiler P31 will continue operation and is unaffected by this modification.

The rules and regulations applicable to the emission units within the scope of this modification are discussed below.

I. **45CSR2 – To Prevent and Control Particulate Air Pollution from Combustion of Fuel in Indirect Heat Exchangers.** This rule establishes emission limitations for smoke and particulate matter which are discharged from fuel burning units. The new natural gas-fired boilers P09, P10, and P11 meet the definitions of a Type 'b' "Fuel Burning Unit" in 45CSR§§2-2.10. and 2.10.b.

Opacity Standard

The boilers are subject to the 10 percent opacity limitation (45CSR§2-3.1.) and the corresponding standard that compliance with the visible emission standard shall be determined in accordance with Method 9 or COMS (45CSR§2-3.2.). The underlying permit R13-3416, requirement 4.1.1.c., specifies the opacity limit for the new boilers. However, the underlying permit R13-3416, requirement 4.1.1.d., states that firing only natural gas satisfies compliance with the limitation in 45CSR§2-3.1. 45CSR§2-3.1 has been added to the citation of authority in condition 4.1.22.d.

Weight Emission Standard

The boilers are subject to the particulate matter weight rate emission limitation for Type 'b' units (45CSR§2-4.1.b.) that is based on total design heat inputs for such units in million BTUs per hour. Since each unit is rated at 249 MMBtu/hr, the PM weight rate limit is (0.09) × (249 MMBtu/hr-boiler) × (3 boilers) = 67.2 lb/hr for all three units. According to the application, potential PM emissions from each boiler is 0.1233 lb/hr. Therefore, the combined potential emissions of 0.37 lb/hr is significantly less than the computed weight rate limit and burning natural gas will ensure compliance with this standard as specified in requirement 4.1.1.d. of underlying permit R13-3416 (Title V condition 4.1.22.d.). Since operating permits must include all applicable requirements, the 67.2 lb/hr limit has been added in parenthesis with Title V condition 4.1.22.d. Finally, 45CSR§2-4.1.b. has been added to the citation of authority since it was not included in the underlying permit.

MONITORING, TESTING, RECORDKEEPING, AND REPORTING

45CSR§2-8.4.b. provides that fuel burning units that combust only natural gas shall be exempt from the requirements of 45CSR§§2-8.1.a. and 8.2.

45CSR§2-8.1.a. is the requirement to perform periodic testing in accordance with Method 9, or a certified COMS, to comply with the opacity standard. Further, 45CSR§2-8.1.a. includes periodic PM stack testing to demonstrate compliance with the weight emission standard. Based upon the exemption in 45CSR§2-8.4.b., the boilers are not subject to the Method 9 observations, COMS utilization, or periodic PM stack testing provisions in this rule. The emission unit IDs for the coal-fired boilers have been added after the citations of authority for certain permit conditions to clarify that the requirement is not applicable to the new natural gas-fired boilers. The affected conditions are: 4.3.2., 4.3.4., 4.4.1. through 4.4.5., 4.5.1., and 4.5.2.

45CSR§2-8.2. is the requirement to demonstrate compliance with the opacity standard as set forth in an approved monitoring plan for each emission unit. The permittee is not subject to this monitoring plan requirement per 45CSR§2-8.4.b.

45CSR§§2-8.3.a. and 8.3.b. are not applicable since they pertain to information in monitoring plans, which are required by 45CSR§2-8.2.

45CSR§2-8.3.c. is applicable and requires the permittee to maintain records of the operating schedule and the quantity and quality of fuel consumed in each fuel burning unit in a manner to be established by the Director. This requirement has been incorporated via underlying permit R13-3416, requirement 4.2.1., which has been set forth as modified operating permit condition 4.2.17.

45CSR§2-9.2. is the requirement to operate fuel burning units in a manner consistent with good air pollution control practice for minimizing emissions and is already included in the operating permit as condition 4.1.4.

II. **45CSR2A – TESTING, MONITORING, RECORDKEEPING AND REPORTING REQUIREMENTS UNDER 45CSR2.** This interpretive rule applies to any fuel burning unit having a design heat input over 10 MMBtu/hr, except as provided in 45CSR§§2A-3.1.a. and 3.1.b. 45CSR§2A-3.1.a. provides that units which combust only natural gas shall be exempt from sections 5 and 6, but that the Director reserves the right to require testing pursuant to subsections 8.1.b. and 8.1.c. of 45CSR2. Since the units combust only natural gas, the exemption in 45CSR§2A-3.1.a. is applicable; therefore, the periodic visible emissions testing, weight emission testing, and monitoring plan requirements in sections 5 and 6 are not applicable. This exemption has been cited in underlying permit R13-3416, requirements 4.1.1.c. and 4.1.1.d.(Title V conditions 4.1.22.c. and d.).

The requirement to maintain records of the operating schedule, and the quality and quantity of fuel burned in each fuel burning unit in 45CSR§2A-7.1.a., along with the requirements specific to units which burn only pipeline quality natural gas in 45CSR§2A-7.1.a.1., are applicable. The applicable record retention requirement in 45CSR§2A-7.1.b. has been included with these recordkeeping requirements in permit condition 4.4.26.

III. **45CSR10 – TO PREVENT AND CONTROL AIR POLLUTION FROM THE EMISSION OF SULFUR OXIDES.** The purpose of this rule is to prevent and control air pollution from the emission of sulfur oxides. The new natural gas-fired boilers P09, P10, and P11 meet the definitions of a Type 'b' "Fuel Burning Unit" in 45CSR§§10-2.8. and 2.8.b.

WEIGHT EMISSION STANDARD

Since the facility is in Wood County, it is in Priority Classification II per Table 45-10A. Priority II regions are included in 45CSR§10-3.1.; therefore, the applicable weight rate standard is given under 45CSR§10-3.1.e. Since each unit is rated at 249 MMBtu/hr, the SO_2 weight rate limit is (3.1) × (249 MMBtu/hr-boiler) × (3 boilers) = 2,316 lb/hr for all three units. According to the application, potential SO_2 emissions from each boiler is 0.1423 lb/hr. Therefore, the combined potential emissions of 0.43 lb/hr is relatively small compared to the computed weight rate limit and burning natural gas will ensure compliance with this standard as specified in requirement 4.1.1.d. of underlying permit R13-3416 (Title V condition 4.1.22.d.). Since operating permits must include all applicable requirements, the 2,316 lb/hr limit has been added in parenthesis with Title V condition 4.1.22.d. Finally, 45CSR§10-3.1.e. has been added to the citation of authority since it was not included in the underlying permit.

NON-APPLICABILITY OF OTHER STANDARDS

Since the boilers will not exceed the allowable weight rate limit, the individual stack limit in 45CSR§10-3.4.a. has been excluded from the modified operating permit.

The boilers do not meet the definition of "Source Operation" in 45CSR§10-2.19.; therefore, the SO_2 concentration standard in 45CSR§10-4.1. is not applicable.

The boilers do not combust refinery or process gas streams; therefore, the hydrogen sulfide concentration standard in 45CSR§10-5 is not applicable.

MONITORING, TESTING, RECORDKEEPING, AND REPORTING

45CSR§10-10.3. provides that fuel burning units that combust natural gas shall be exempt from the requirements of section 8 in 45CSR10. Section 8 includes testing to determine compliance with the weight emission standard in 8.1; monitoring in 8.2.; and recordkeeping and reporting in 8.3. The underlying permit R13-3416, requirement 4.1.1.d. cites the exemption in 45CSR§10-10.3. and states that firing only natural gas ensures compliance with the weight rate limitation. Note that while 45CSR10 exempts the natural gas-fired units from the requirement to record fuel use, such records are required under 45CSR2 as discussed above.

IV. **45CSR10A – TESTING, MONITORING, RECORDKEEPING AND REPORTING REQUIREMENTS UNDER 45CSR10.** This interpretive rule applies to any fuel burning unit subject to 45CSR10, except for fuel burning units having a design heat input less than 10 MMBtu/hr, or those which combust natural gas, wood or distillate oil, alone or in combination (45CSR§§10A-3.1., 3.1.a., and 3.1.b.). Since the boilers P09, P10, and P11 combust only natural gas, they are exempt from the requirements of 45CSR10A in accordance with 45CSR§10A-3.1.b., which has been cited in the underlying permit R13-3416, requirement 4.1.1.d. (Title V condition 4.1.22.d.).

V. **45CSR13, Permit No. R13-3416.** This Construction Permit was approved for the installation of three (3) new natural gas-fired steam generation boilers to supply process steam to the Washington Works. According to the Engineering Evaluation for R13-3416, the permit will require the installation of oxygen trim systems which will minimize CO emissions based on actual oxygen readings at the outlet and trimming the combustion air damper (4.1.1.e.). The permittee will be required to install and operate NO_x CEMS to demonstrate continuous compliance with the NO_x emission limit on a 30-day rolling average for each unit (4.2.2.). To ensure the net reduction in emissions from the existing coal-fired units, the applicant is required to permanently shut-down the Boilers No. 2, 3, 4, 5, and 6 within 180 days after initial start-up of the new boilers, which is incorporated in the NSR permit (4.1.3.) with a notification requirement (4.5.7.) to inform the agency within 30-days after completion of the shut-down process. The table below details how the specific requirements in this NSR permit have been incorporated into the modified operating permit.

R13-3416	Title V	Discussion
1.0	1.1	• Emission units P09, P10, and P11 have been added. • Footnote 2 has been added to refer to the permit condition that requires the coal-fired boilers be shut down within 180 days after initial startup of the new boilers P09, P10, and P11. Note that the coal-fired boilers have been retained in the emission units table since requirements remain applicable to them until they are permanently removed from service after the new natural gas-fired boilers go through initial startup.
N/A	1.2	Permit R13-3416 has been added to the table.
Limitations and Standards		
4.1.1.	4.1.22.	The various requirements in the NSR permit condition have been incorporated into the modified operating permit. 45CSR16 has been added to condition 4.1.22.b. Requirement 4.1.1.g. incorrectly cites §63.7500(a)(1). This has been changed to §63.7500(a)(3). The abbreviated and less stringent language in the underlying permit requirement has been replaced with the full text from Subpart DDDDD. Refer to the discussion of Subpart DDDDD below. 45CSR34 has been added to conditions 4.1.22.e. and g.
4.1.2.	4.1.23.	The Boiler MACT periodic tune-up requirements in the NSR permit condition have been incorporated into the modified operating permit. 45CSR34 has been added to the citation of authority. Requirement 4.1.2.a. incorrectly cites §63.7490(b), which has been changed to §63.7515(d) for the reasons given in the Subpart DDDDD discussion of these section of the MACT.
4.1.3.	4.1.24.	The shutdown requirements for the coal-fired boilers have been incorporated into the modified operating permit.
4.1.4.	4.1.25.	This requirement is applicable to the air pollution control equipment listed in Section 1.0 of permit R13-3416, which are the mechanical dust collectors/baghouses and the sorbent injection control technology utilized only with the coal-fired boilers. The new gas-fired boilers are not fitted with air pollution control equipment. As such, once the coal-fired units are permanently shut down, this requirement will become obsolete.
Monitoring Requirements		
4.2.1.	4.2.17.	The various monitoring requirements in the NSR permit condition have been incorporated into the modified operating permit. 45CSR16 has been added to the citation of authority following the first paragraph since it cites an NSPS requirement.

R13-3416	Title V	Discussion
4.2.2.	4.2.18.	The NO_x CEMS monitoring requirements in the NSR permit condition have been incorporated into the modified operating permit. For improved organizational structure of the permit condition, the seven paragraphs that comprise the underlying permit condition have been written as requirements 4.2.18.a. through 4.2.18.g. 45CSR16 has been added to the citation of authority since it cites NSPS requirements. 40 C.F.R. §§ 60.47b(e), (e)(4), have been removed from the citation of authority since this section in Subpart Db pertains only to SO2 monitoring, which is not applicable.
Testing Requirements		
4.3.1.	4.3.21.	The testing requirements to demonstrate initial compliance with the carbon monoxide limit in the NSR permit condition have been incorporated into the modified operating permit.
4.3.2.	4.3.22.	The testing requirements to demonstrate initial compliance with the nitrogen oxides limit in the NSR permit condition have been incorporated into the modified operating permit. The underlying condition references condition 4.2.3., which does not exist in R13-3416. However, it refers to the NOx CEMS requirements, which are in underlying condition 4.2.2. This has been written as 4.2.18. in the modified operating permit. Finally, 45CSR16 has been added to the citation of authority since it cites NSPS requirements.
Recordkeeping Requirements		
4.4.1.	3.4.1.	The monitoring information requirement has been added to the citation of authority in condition 3.4.1.
4.4.2.	4.4.22.	This requirement is applicable to the air pollution control equipment listed in Section 1.0 of permit R13-3416, which are the mechanical dust collectors/baghouses and the sorbent injection control technology utilized only with the coal-fired boilers. The new gas-fired boilers are not fitted with air pollution control equipment. As such, once the coal-fired units are permanently shut down, this requirement will become obsolete.
4.4.3.	4.4.23.	Same rationale as in the discussion of requirement 4.4.2.
4.4.4.	4.4.24.	This recordkeeping requirement pertaining to information in the Boiler MACT has been incorporated into the modified operating permit. 45CSR34 has been added to the citation of authority.
4.4.5.	4.4.25.	This recordkeeping requirement pertaining to information in NSPS Subpart Db has been incorporated into the modified operating permit. All the individual citations of authority following each sub-condition in the underlying permit have been consolidated into one citation of authority at the end of the operating permit condition. 45CSR16 has been added to the citation of authority.
Reporting Requirements		
4.5.1.	4.5.7.	This NOCS reporting requirement based upon the Boiler MACT has been incorporated into the modified operating permit. 45CSR34 has been added to the citation of authority.

R13-3416	Title V	Discussion
		The applicable content specified in §63.7545(e)(6) and (7) has been added to modified operating permit condition 4.5.7. for the reasons further discussed under 40 C.F.R. 63 Subpart DDDDD in this Fact Sheet. Due to this, the underlying permit language "40 CFR §§63.7545(e)(1), and (8)" has been changed to "40 CFR §§63.7545(e)(1), (6), (7), and (8)".
4.5.2.	4.5.8.	This initial notification reporting requirement based upon the Boiler MACT and NSPS Subpart Db has been incorporated into the modified operating permit. A parenthetical reference to the 30-day time period in 2.18. of R13-3416 has been added for clarity. 45CSR34 and 45CSR16 have been added to the citation of authority.
4.5.3.	4.5.9.	This Compliance Report requirement based upon the Boiler MACT has been incorporated into the modified operating permit. 45CSR34 has been added to the citation of authority.
4.5.4.	None	There is no requirement 4.5.4. in permit R13-3416; therefore, there is no modified operating permit condition that cites 4.5.4.
4.5.5.	4.5.10.	This performance evaluation report requirement based upon NSPS Subpart Db has been incorporated into the modified operating permit. 45CSR16 has been added to the citation of authority.
4.5.6.	4.5.11.	This semiannual and annual reporting requirement based upon NSPS Subpart Db has been incorporated into the modified operating permit. 45CSR16 has been added to the citation of authority.
4.5.7.	4.5.12.	This notification requirement has been incorporated into the modified operating permit.

VI. **40 C.F.R. 60 Subpart Db – *Standards of Performance for Industrial-Commercial-Institutional Steam Generating Units.*** The affected facility to which this subpart applies is each steam generating unit that commences construction, modification, or reconstruction after June 19, 1984, and that has a heat input capacity from fuels combusted in the steam generating unit of greater than 100 MMBtu/hr (§60.40b(a)).

Boiler Nos. 9, 10, and 11 are subject to Subpart Db since each unit will have a design heat input rating of greater than 100 MMBtu/hr. Subpart Db establishes performance standards by pollutant and by fuel type (i.e. coal, oil, and natural gas). For natural gas-fired units, the subpart only establishes a performance standard for NO_x emissions. As high heat release rate[1] units the boilers are subject to the limit in 40 C.F.R. §60.44b(a)(1)(ii), which is 0.20 lb of NOx (expressed as NO_2) per MMBtu. According to the engineering evaluation for permit R13-3416, the units will be equipped with low-NO_x burners with a maximum NO_x emission rate of 0.2 lb/MMBtu.

Subpart Db requires affected sources to demonstrate compliance with the NOx limit on a 30-day rolling average. This subpart will require the use of a NO_x continuous emission monitoring system (NO_x CEMS) with a means to measure either O_2 or CO_2 in the exhaust for demonstrating compliance with the NO_x emission standard. According to the application for permit R13-3416, the permittee will continuously monitor the NO_x emissions from each boiler using a NO_x CEMS in accordance with the applicable provisions of Part 60.

[1] According to information provided on pages 17 and 18 of the application for NSR permit R13-3416, the boilers are characterized as *high heat release rate* as defined in 40 C.F.R. §60.41b.

Subpart Db has been removed from the permit shield in 3.7.2. as part of this permitting action. The applicability of this regulation to each of the boilers has been discussed in the table below.

Subpart Db	Title V	Discussion
Standard for Sulfur Dioxide (SO_2)		
§60.42b(a)	None	The units will not be constructed before February 28, 2005 and do not combust coal or oil; therefore, this section is not applicable.
§60.42b(b)	None	The units will not be constructed before February 28, 2005 and do not combust coal refuse; therefore, this section is not applicable.
§60.42b(c)	None	The units do not combust coal or oil, either alone or in combination with any other fuel; therefore, this section is not applicable.
§60.42b(d)	None	The units will not be constructed before February 28, 2005 and are not listed in §§60.42b(d)(1) through (4); therefore, this section is not applicable.
§60.42b(e)	None	The units are not subject to Subpart Db SO_2 emission limits or fuel oil sulfur limits; therefore, this section is not applicable.
§60.42b(f)	None	The units are not subject to Subpart Db SO_2 emission limits or fuel oil sulfur limits; therefore, this section is not applicable.
§60.42b(g)	None	The units are not subject to Subpart Db SO_2 emission limits or percent reduction requirements; therefore, this section is not applicable.
§60.42b(h)	None	The units are not subject to a Subpart Db requirement to reduce potential SO_2 emissions through fuel pretreatment; therefore, this section is not applicable.
§60.42b(i)	None	The units are not subject to §§60.42b(a), (b), or (c); therefore, this section is not applicable.
§60.42b(j)	None	The units are not subject to Subpart Db SO_2 percent reduction requirements; therefore, this section is not applicable.
§60.42b(k)	None	§60.42b(k)(1) sets an SO_2 heat rate limit or percent reduction requirement with additional heat rate limit for sources that combust natural gas. However, §60.42b(k)(2) provides an exemption from requirements in §60.42b(k)(1) for units firing gaseous fuel with a potential SO_2 emission rate of 0.32 lb/MMBtu heat input or less. Each 249 MMBtu/hr natural gas-fired boiler has a potential SO_2 emission rate of 0.1233 lb/hr per the application. Therefore, the heat rate potential emissions are 5.0×10^{-4} lb/MMBtu. Since the potential emissions are less than 0.32 lb/MMBtu, the units are exempt from the SO_2 heat rate limit in §60.42b(k)(1) in accordance with the exemption in §60.42b(k)(2).
Standard for Particulate Matter (PM)		
§60.43b(a)	None	The units will not be constructed before February 28, 2005 and do not combust coal; therefore, this section is not applicable.
§60.43b(b)	None	The units will not be constructed before February 28, 2005 and do not combust oil; therefore, this section is not applicable.
§60.43b(c)	None	The units will not be constructed before February 28, 2005 and do not combust wood; therefore, this section is not applicable.
§60.43b(d)	None	The units will not be constructed before February 28, 2005 and do not combust municipal-type solid waste; therefore, this section is not applicable.
§60.43b(e)	None	The units do not combust coal, oil, wood, or municipal-type solid waste; therefore, this section is not applicable.

Subpart Db	Title V	Discussion
§60.43b(f)	None	The units do not combust coal, oil, or wood; therefore, this section is not applicable.
§60.43b(g)	None	The units are not subject to the PM and opacity standards in §§60.43b(a) through (h); therefore, this section is not applicable.
§60.43b(h)	None	Though the units will be constructed after February 28, 2005, they do not combust coal, oil, or wood; therefore, this section is not applicable.
Standard for Nitrogen Oxides (NO_x)		
§60.44b(a)	4.1.22.b.	The units combust only natural gas, and are therefore, subject to this section. Within the table in §60.44b(a), item (1) for natural gas, and (ii) for high heat release rate, are applicable, which results in a NO_x limit of 0.20 lb/MMBtu. This limit has been incorporated into the modified operating permit via underlying NSR permit R13-3416, requirement 4.1.1.b.
§60.44b(b)	None	The units do not combust mixtures of coal, oil, or natural gas; therefore, this section is not applicable.
§60.44b(c)	None	The units do not simultaneously combust coal or oil, natural gas (or any combination of the three), and wood, or any other fuel; therefore, this section is not applicable.
§60.44b(d)	None	The units do not simultaneously combust natural gas and/or distillate oil with a potential SO_2 emissions rate of 0.060 lb/MMBtu or less with wood, municipal-type solid waste, or other solid fuel; therefore, this section is not applicable.
§60.44b(e)	None	The units do not simultaneously combust only coal, oil, or natural gas with byproduct/waste; therefore, this section is not applicable.
§60.44b(f)	None	The units do not combust byproduct/waste with either natural gas or oil; therefore, this section is not applicable.
§60.44b(g)	None	The units do not combust hazardous waste with natural gas or oil; therefore, this section is not applicable.
§60.44b(h)	4.1.22.b.	This requirement that the NO_x standard apply at all times including periods of startup, shutdown, and malfunction, is applicable. The requirement has been incorporated into the modified operating permit via underlying NSR permit R13-3416, requirement 4.1.1.b.
§60.44b(i)	4.1.22.b.	This requirement that compliance with the NO_x standard be on a 30-day rolling average basis, is applicable. The requirement has been incorporated into the modified operating permit via underlying NSR permit R13-3416, requirement 4.1.1.b.
§60.44b(j)	None	The units do not have a combined annual capacity factor of 10 percent or less for natural gas; therefore, this section is not applicable.
§60.44b(k)	None	The units are not subject to the requirements in §60.44b(j); therefore, this section is not applicable.
§60.44b(l)	None	This section is an exception to the requirements in §60.44b(a). However, the requirements in §60.44b(l)(1) are no more stringent than the applicable requirements in §60.44b(a). Since the units are subject to §60.44b(a), this exception in §60.44b(l) is not applicable and no permit condition is warranted for this paragraph and it has not been cited in permit condition 4.1.22.

Subpart Db	Title V	Discussion
Compliance and performance test methods and procedures for SO_2		
§§60.45b(a) through (k)	None	Since it has been demonstrated above that none of the sulfur dioxide standards in §60.42b are applicable, then none of the corresponding compliance demonstration requirements in §60.45b are applicable.
Compliance and performance test methods and procedures for PM and NO_x		
§60.46b(a)	4.1.22.b.	The first statement in this section pertaining to PM is not applicable since none of the PM requirements in §60.43b are applicable. The second statement pertaining to NO_x is applicable and has been incorporated into the modified operating permit via underlying NSR permit R13-3416, requirement 4.1.1.b.
§60.46b(b)	None	This section is not applicable since the PM requirements in §60.43b are not applicable.
§60.46b(c)	4.1.22.b. 4.3.22.	This section is applicable since it applies to compliance with the NO_x emission standards in §60.44b by pointing to performance testing under paragraph (e) or (f), or under paragraphs (g) and (h) of §60.46b, as applicable. This section has been added to the citation of authority in permit condition 4.1.22.b. since §60.46b(e) is applicable.
§60.46b(d)	None	This section is not applicable since the PM requirements in §60.43b are not applicable.
§60.46b(e)	4.1.22.b. 4.3.22.	§60.46b(e) is an **applicable** requirement to determine compliance with NO_x limits specified in §60.44b using the continuous system for monitoring NO_x under §60.48b(b). §60.46b(e)(1) is an **applicable** requirement for the initial compliance test, during which NO_x is monitored for 30 successive steam generating unit operating days. This requirement is in underlying permit R13-3416, requirement 4.3.2. (Title V 4.3.22.). §60.46b(e)(2) is not applicable since it pertains to units that combust either coal or residual oil. §60.46b(e)(3) is not applicable since it pertains to units that have a heat input capacity greater than 250 MMBtu/hr. Each of the units are rated 249 MMBtu/hr. §60.46b(e)(4) is **applicable** since it pertains to units that have a heat input capacity of 250 MMBtu/hr or less and combusts natural gas. However, this section states that an affected source "shall **upon request** determine compliance with the NO_x standards in §60.44b through the use of a 30-day performance test." The section goes on to specify data collection for periods when performance tests are not requested. The last statement in this section requires "A new 30-day rolling average emission rate is calculated each steam generating unit operating day as the average of all of the hourly NO_x emission data for the preceding 30 steam generating unit operating days." This last statement is the third statement in underlying permit R13-3416, requirement 4.1.1.b., and is the reason §60.46b(e)(4) is cited with the requirement (Title V 4.1.22.b.).

Subpart Db	Title V	Discussion
§60.46b(f)	None	This section is not applicable since the permittee does not utilize duct burners in combined cycle systems as part of this permitting action.
§60.46b(g)	None	The units are not affected facilities described in §60.44b(j) or §60.44b(k); therefore, this section is not applicable.
§60.46b(h)	None	The units are not affected facilities described in §60.44b(j); therefore, this section is not applicable.
§60.46b(i)	None	The units are not subject to the PM requirements in §60.43b(a)(4) or §60.43b(h)(5); therefore, this section is not applicable.
§60.46b(j)	None	The units are not subject to the PM limits and corresponding PM testing or PM CEMS; therefore, this section is not applicable.
Emission monitoring for SO_2		
§§60.47b(a) through (f)	None	Since it has been demonstrated above that none of the sulfur dioxide standards in §60.42b are applicable, then none of the corresponding compliance demonstration requirements in §60.47b are applicable.
Emission monitoring for PM and NO_x		
§60.48b(a)	None	This section is not applicable since the opacity requirements in §60.43b are not applicable.
§60.48b(b)	4.2.18.	This section is applicable since the NO_x standard in §60.44b is applicable. This paragraph requires compliance with either §60.48b(b)(1) to install a NO_x CEMS, or §60.48b(b)(2) when a NO_x CEMS has been installed to meet the requirements of part 75 Acid Rain Program. In this case, §60.48b(b)(1) is applicable. This requirement has been incorporated into the modified Title V permit via underlying permit R13-3416, requirement 4.2.2.
§60.48b(c)	4.2.18.c.	This requirement has been incorporated into the modified Title V permit via underlying permit R13-3416, requirement 4.2.2.c. This section is included in the citation of authority §§60.48b(b) though (f).
§60.48b(d)	4.2.18.e.	This requirement has been incorporated into the modified Title V permit via underlying permit R13-3416, requirement 4.2.2.e. This section is included in the citation of authority §§60.48b(b) though (f).
§60.48b(e)	4.2.18.b.	This requirement (including the applicable span value for NO_x in §60.48b(e)(2)(i)) has been incorporated into the modified Title V permit via underlying permit R13-3416, requirement 4.2.2.b. This section is included in the citation of authority §§60.48b(b) though (f).
§60.48b(f)	4.2.18.f.	This requirement has been incorporated into the modified Title V permit via underlying permit R13-3416, requirement 4.2.2.f. This section is included in the citation of authority §§60.48b(b) though (f).
§60.48b(g)	4.2.18.	This requirement requires compliance with §60.48b(g)(1) or §60.48b(g)(2). In this case, §60.48b(g)(1) is applicable since each natural gas-fired unit is less than 250 MMBtu/hr and has an annual capacity factor greater than 10 percent and therefore must comply with §§60.48b(b), (c), (d), (e)(2), (e)(3), and (f). Consequently, §60.48b(g)(1) has been added to the citation of authority in the modified Title V permit condition.
§60.48b(h)	None	This section is not applicable since the permittee does not utilize a duct burner as part of this permitting action.

Subpart Db	Title V	Discussion
§60.48b(i)	None	The units are not subject to the requirements in §§60.44b(j) and (k); therefore, this section is not applicable.
§60.48b(j)	None	This paragraph states the owner or operator of an affected facility that meets the conditions in either paragraph (j)(1), (2), (3), (4), (5), (6), or (7) of this section is not required to install or operate a COMS. Therefore, the paragraphs have been reviewed to determine if any apply to the units. §60.48b(j)(1) – This paragraph is not applicable since the units do not use a PM CEMS to monitor PM emissions since they are not subject to a Subpart Db PM standard. §60.48b(j)(2) – This paragraph is applicable since the units burn only gaseous fuel with a potential SO_2 emission rate less than 0.060 lb/MMBtu and do not use a post-combustion technology to reduce SO_2 or PM emissions. According to the application, potential SO_2 emissions from each boiler is 0.1423 lb/hr, which is 5.7×10^{-4} lb/MMBtu based upon the heat input rate of 249 MMBtu/hr. Further, the low-NO_x burners are a combustion technology for NO_x and the units are not equipped with post-combustion technology to reduce SO_2 or PM emissions. Since the units meet the applicability criteria in this paragraph §60.48b(j)(2), the permittee is not required to install or operate COMS in accordance with §60.48b(j). None of the subsequent paragraphs §§60.48b(j)(3) through (7) have been reviewed since the units could meet any of the paragraphs' criteria and be exempt from COMS due to §60.48b(j) being an "or" statement of various options to qualify for the exemption.
§60.48b(k)	None	The units are not subject to the PM limits and corresponding PM CEMS requirements; therefore, this section is not applicable.
§60.48b(l)	None	The units are not subject to the opacity standard under §60.43b(f); therefore, this section is not applicable.
Reporting and Recordkeeping Requirements		
§60.49b(a)	4.5.8.	This requirement to submit notification of the date of initial startup has been incorporated into the modified Title V permit via underlying permit R13-3416, requirement 4.5.2. Only the design heat input in §60.49b(a)(1) is the required content in §§60.49b(a)(1) through (4). Since the design heat input is already established in the underlying permit requirement 4.1.1.f. it is not necessary to specify §60.49b(a)(1) in permit condition 4.5.8.
§60.49b(b)	4.5.10.	This requirement to submit the performance test data from the initial performance test and the performance evaluation of the NO_x CEMS has been incorporated into the modified Title V permit via underlying permit R13-3416, requirement 4.5.5. The units are not subject to the requirements in §§60.44b(j) and (k); therefore, the last statement in this section is not applicable.
§60.49b(c)	None	While the units are subject to the NO_x standard in §60.44b, the permittee is not demonstrating compliance via the provisions in §60.48b(g)(2) as detailed in the above discussion of §60.48b(g). Consequently, the requirements of this section are not applicable.

Subpart Db	Title V	Discussion
§60.49b(d)	4.2.17.	This requirement to record and maintain records of the amounts of each fuel combusted during each day has been incorporated into the modified Title V permit via underlying permit R13-3416, requirement 4.2.1. In this case, §60.49b(d)(1) is applicable and has been cited in the underlying permit requirement. The alternative monitoring on a monthly frequency in §60.49b(d)(2) is not applicable since the facility is required to continuously monitor NO_x emissions, which is accomplished by NO_x CEMS per underlying permit R13-3416, requirement 4.2.2., set forth in modified operating permit condition 4.2.18.
§60.49b(e)	None	The units do not combust residual oil; therefore, this section is not applicable.
§60.49b(f)	None	The units are not subject to the opacity standard under §60.43b; therefore, this section is not applicable.
§60.49b(g)	4.4.25.	This requirement to maintain records of the information specified in §§60.49b(g)(1) through (10) has been incorporated into the modified Title V permit via underlying permit R13-3416, requirement 4.4.5.
§60.49b(h)	4.5.11.	This requirement to submit excess emission reports has been incorporated into the modified Title V permit via underlying permit R13-3416, requirement 4.5.6. The underlying permit simply cites §60.49b(h), (h)(2), (h)(4). However, including a specific section of a regulation in a citation of authority is neither equivalent to including it in an operating permit, nor a means of incorporating by reference. The information in §§60.49b(h) and (h)(2) establishes applicability of the requirements to the natural gas-fired fired units that are subject to a NO_x standard in §60.44b. The definition of excess emissions in §60.49b(h)(4) is a specific requirement and has been added as the second paragraph of modified Title V condition 4.5.11.
§60.49b(i)	4.5.11.	This requirement to submit reports containing the information recorded under §§60.49b(g)(1) through (10) has been incorporated into the modified Title V permit via underlying permit R13-3416, requirement 4.5.6.
§60.49b(j)	None	The units are not subject to SO_2 standards under §60.42b; therefore, this section is not applicable.
§60.49b(k)	None	The units are not subject to requirements of §60.45b and the reporting requirements of §60.49b(j); therefore, this section is not applicable.
§60.49b(l)	None	The units are not subject to requirements of §60.45b(d) and the reporting requirements of §60.49b(j); therefore, this section is not applicable.
§60.49b(m)	None	The units are not subject to SO_2 standards in §60.42b; therefore, this section is not applicable.
§60.49b(n)	None	The units are not subject to the percent reduction requirements of §60.45b; therefore, this section is not applicable.
§60.49b(o)	4.2.17. 4.4.25.	This 2-year retention requirement applies to all records required under §60.49b, which affects records required in permit conditions 4.2.17. and 4.4.25. The requirements in both conditions were incorporated via underlying permit R13-3416, which at the end of each requirement states that the records must be maintained in accordance with condition 3.4.1. of the underlying permit. This

Subpart Db	Title V	Discussion
		boilerplate recordkeeping requirement corresponds to Title V condition 3.4.2., and both require 5-year retention of records. Therefore, compliance with the underlying permit requirement will ensure compliance with §60.49b(o). An italicized streamlining statement has been added to each permit condition and §60.49b(o) has been added to the citations of authority. Note that *reporting* requirements in §60.49b (conditions 4.5.8., 4.5.10., and 4.5.11.) are not affected by §60.49b(o) since it applies to records only.
§60.49b(p)	None	The units are not subject to requirements in §§60.44b(j) or (k); therefore, this section is not applicable.
§60.49b(q)	None	The units are not subject to requirements in §§60.44b(j) or (k); therefore, this section is not applicable.
§60.49b(r)	None	The units are not required to use the fuel based compliance alternatives in §60.42b or §60.43b; therefore, this section is not applicable.
§60.49b(s)	None	The units are not subject to this facility-specific requirement; therefore, this section is not applicable.
§60.49b(t)	None	The units are not subject to this facility-specific requirement; therefore, this section is not applicable.
§60.49b(u)	None	The units are not subject to this facility-specific requirement; therefore, this section is not applicable.
§60.49b(v)	None	The paragraph provides an option for electronic quarterly reports for NO_x in lieu of submitting written reports required under §§60.49b(h) and (i). Since this requirement is optional, it has not been included in the modified operating permit.
§60.49b(w)	4.5.11.	This requirement specifies that the reporting period for the reports required under Subpart Db is each 6-month period. This requirement was cited in the underlying permit R13-3416, requirement 4.5.6., which has been incorporated into the modified operating permit.
§60.49b(x)	None	The units are not subject to this facility-specific requirement; therefore, this section is not applicable.
§60.49b(y)	None	The units are not subject to this facility-specific requirement; therefore, this section is not applicable.

VII. **40 C.F.R. 63 Subpart DDDDD** – ***National Emission Standards for Hazardous Air Pollutants for Industrial/Commercial/Institutional Boilers and Process Heaters.*** This subpart establishes national emission limitations and work practice standards for hazardous air pollutants (HAP) emitted from industrial, commercial, and institutional boilers and process heaters located at major sources of HAP. This subpart also establishes requirements to demonstrate initial and continuous compliance with the emission limitations and work practice standards. The permittee is subject to this subpart since it operates industrial boilers or process heaters as defined in §63.7575 that is located at, or is part of, a major source of HAP, and does not meet any exceptions specified in §63.7491. The following units are affected sources under this subpart:

Affected Source Designation

The facility is a major source of HAPs. The permittee will install and operate three (3) boilers subject to this regulation, which are identified as No. 9 Boiler, No. 10 Boiler, and No. 11 Boiler (emission unit IDs P09, P10, and P11, respectively). All three units, each rated at 249 MMBtu/hr, will combust only natural gas utilizing low-NOx burner technology, but will not be equipped with any add-on air pollution control device.

The existing coal-fired boilers P02, P03, P04, P05, and P06 will be permanently removed from service in accordance with requirement 4.1.3. of NSR permit R13-3416. Until then, they remain affected sources under Subpart DDDDD.

Applicable Substantive Requirements

According to the NSR permit engineering evaluation, construction will commence in 2020 for all three units, which is after the new source construction date June 4, 2010, in §63.7490(b); therefore, the units are new for Subpart DDDDD purposes. The units do not meet any of the exemption criteria in §63.7491. The units are categorized in the "Units designed to burn gas 1 fuels" sub-category since it burns only natural gas as specified in §63.7499(l) and §63.7575. Since they are considered new for Subpart DDDDD, all of the units must be in compliance with Subpart DDDDD upon startup (cf. §63.7495(a)). According to requirement 4.1.1.e. of R13-3416, all of the units will be equipped with a continuous oxygen trim system that maintains an optimum air to fuel ratio. The units are subject to the requirement in §63.7500(a)(1) to meet each applicable standard in Tables 1 through 3, and 11 through 13, of Subpart DDDDD. Within Table 1 for new units, no requirements are applicable to "Units designed to burn gas 1 fuels". Table 2 is not applicable since it pertains to existing units. Within Table 3, only Item 1 (tune-ups on a 5-year frequency) applies to the units since they utilize continuous oxygen trim systems that maintain an optimum air to fuel ratio. Items 2 and 3 in Table 3 are not applicable since continuous oxygen trim systems are utilized. Item 4 (one-time energy assessment) in Table 3 is not applicable since the units are not existing. Items 5 and 6 (startup and shutdown work practices) in Table 3 are not applicable since the units are not subject to emission limits in Tables 1 or 2, or 11 through 13.

Incorporation of Applicable Requirements

The applicable substantive requirements for the new natural gas-fired boilers were included in permit R13-3416, which have been incorporated into the permit as discussed above concerning the underlying permit. However, applicable requirements (e.g., recordkeeping and reporting) not included in the underlying permit have been incorporated into this permit by either writing it in the permit or adding the boilers to a parenthetical list of affected emissions units after an existing condition's citation of authority.

The requirements applicable to the coal-fired units (P02, P03, P04, P05, and P06) and the existing natural gas-fired No. 8 boiler (P31) were incorporated into the operating permit as part of the last renewal issued in 2017. The requirements for the coal-fired units have been retained in the permit since they remain applicable until the coal-fired units are shut down after the new natural gas-fired units are initially started up in accordance with requirement 4.1.3. of NSR permit R13-3416. The requirements applicable to the new natural gas-fired units have been added to Section 4.0 following the coal-fired units' requirements. Boilers 9, 10, and 11 have been added to the heading of Section 4.0.

The No. 8 Boiler (P31) is unaffected by this permitting action; therefore, all requirements for boiler P31 will remain unaltered in Section 5.0 of the operating permit.

Table DDDDD below addresses each section of the regulation, stating the basis for its applicability (or non-applicability), any interaction with other requirements (e.g., R13-3416, or requirements already in the operating permit), and where and how the requirement has been written in the modified operating permit.

Table DDDDD

Subpart DDDDD	Title V	Discussion
§63.7490(a)	None	The units are affected sources since they are new boilers, as defined in §63.7575, located at a major source of HAP. However, no permit condition from this section of Subpart DDDDD is required based upon this fact.
§63.7490(b)	None	The units are new since construction will commence after June 4, 2010. However, no permit condition from this section of Subpart DDDDD is required based upon this fact. Underlying permit requirement 4.1.2.a. cites §63.7490(b) as authority. However, nothing in §63.7490(b) requires a tune-up or specifies when subsequent tune-ups must be completed. The 61-month requirement is from §63.7515(d), which will replace the citation of §63.7490(b).
§63.7495(a)	4.1.26.	The units are new and must be in compliance upon startup. Since startup is anticipated for 2020, this requirement has been written in the permit.
§63.7495(b)	None	The units are not existing; therefore, this requirement is not applicable.
§63.7495(c)	None	The facility is not an area source of HAP; therefore, this requirement is not applicable.
§63.7495(d)	4.5.7. 4.5.8.	This section requires the permittee to meet the notification requirements in §63.7545; therefore, §63.7495(d) has been cited after any permit condition with an applicable notification requirement.
§63.7500(a)(1)	4.1.23.	None of the emission limitations in Tables 1 and 2, and 11 through 13, of Subpart DDDDD are applicable; however, Item #1 in Table 3 is applicable to the units since they are each equipped with a continuous oxygen trim system. Therefore, this specific requirement Item #1 in Table 3 has been added to the citation of authority incorporated into the modified permit via underlying NSR permit R13-3416, requirement 4.1.2.
§63.7500(a)(2)	None	This section requires an affected source to meet each operating limit in Table 4 to Subpart DDDDD. None of the units are required by Subpart DDDDD to utilize any of the control devices, performance testing, oxygen analyzer system, or SO_2 CEMS specified in Table 4; therefore, this section is not applicable to the units.
§63.7500(a)(3)	4.1.22.g.	This requirement has been essentially incorporated via underlying requirement 4.1.1.g. of R13-3416. However, the abbreviated underlying permit requirement neither specifies its applicability to monitoring equipment, nor that the purpose of the requirement is for minimizing emissions. For these reasons, the full text from §63.7500(a)(3) has been included in permit condition 4.1.22.g.
§63.7500(b)	None	The permittee has not requested of EPA the use of an alternative to the work practice standards in §63.7500; therefore, no permit condition is warranted.
§63.7500(c)	None	None of the units are limited-use boilers as defined in Subpart DDDDD; therefore, this section is not applicable.

Subpart DDDDD	Title V	Discussion
§63.7500(d)	None	None of the units are rated less than 5 MMBtu/hr in the units designed to burn gas 2 fuels subcategory or units designed to burn light liquid fuels subcategory; therefore, this section is not applicable.
§63.7500(e)	None	While the units are in the units designed to burn gas 1 fuels subcategory, none are rated less than 10 MMBtu/hr; therefore, this section is not applicable.
§63.7500(f)	None	This paragraph does not apply to the work practice standards to which the units are subject; therefore, this section is not applicable.
§63.7501	None	This section is reserved; therefore, this section is not applicable.
§63.7505(a)	4.1.23.	This general requirement for complying with work practices has been incorporated into the permit with NSR permit requirement 4.1.2.
§63.7505(b)	None	This section is reserved in the regulation; therefore, no permit condition is warranted.
§§63.7505(c), (d), and (e)	None	None of the units are subject to Subpart DDDDD emission limits; therefore, these sections are not applicable.
§§63.7510(a) through (d)	None	None of the units are subject to Subpart DDDDD emission limits; therefore, these sections are not applicable.
§63.7510(e)	None	None of the units are subject to the initial compliance demonstrations as specified in §§63.7510(a) through (d); therefore, this section is not applicable.
§63.7510(f)	None	While the units are new sources, they are not subject to Subpart DDDDD emission limits; therefore, this section is not applicable.
§63.7510(g)	4.1.23.	The units are subject to this requirement since they are new. This requirement to demonstrate initial compliance with the work practice standards has been incorporated into the permit with NSR permit requirement 4.1.2.a.
§63.7510(h)	None	None of the units burn solid waste; therefore, this section is not applicable.
§63.7510(i)	None	None of the units are an existing EGU that became subject to Subpart DDDDD after January 31, 2016; therefore, this section is not applicable.
§63.7510(j)	None	None of the units are subject to the emission limits in Table 2 to Subpart DDDDD and the initial compliance demonstration in §§63.7510(a) through (d); therefore, this section is not applicable.
§63.7510(k)	None	None of the units are permitted to combust any fuel other than natural gas and are not expected to change fuels; therefore, this section is not applicable.
§§63.7515(a) through (c)	None	None of the units are subject to Subpart DDDDD performance testing; therefore, these sections are not applicable.
§63.7515(d)	4.1.23.a.	The units are subject to this requirement since they are subject to a tune-up work practice standard. The applicable requirement to conduct the 5-year tune-up no more than 61 months after the previous tune-up has been incorporated into the permit with NSR permit requirement 4.1.2.a. This section replaces the incorrectly cited section §63.7490(b) in the underlying NSR permit requirement.
§63.7515(e)	None	None of the units are subject to mercury, HCl, or TSM emission limits in Subpart DDDDD; therefore, this section is not applicable.

Subpart DDDDD	Title V	Discussion
§63.7515(f)	None	None of the units are subject to Subpart DDDDD performance testing; therefore, this section is not applicable.
§63.7515(g)	None	None of the units are subject to Subpart DDDDD emission limits; therefore, this section is not applicable.
§63.7515(h)	None	None of the units are in the unit designed to burn light liquid subcategory; therefore, this section is not applicable.
§63.7515(i)	None	None of the units are required to operate with a CO CEMS; therefore, this section is not applicable.
§§63.7520(a) through (f)	None	None of the units are subject to Subpart DDDDD performance testing; therefore, these sections are not applicable.
§63.7521(a)	None	None of the units combust solid fuel, liquid fuel, or gas 2 (other) fuels. Further, the units are not subject to emission limits for mercury, HCl, or TSM in Tables 1 and 2 or 11 through 13. Therefore, this section is not applicable.
§63.7521(b)	None	None of the units are required to have fuel analyses conducted as specified in §63.7510; therefore, this requirement to develop a site-specific fuel monitoring plan is not applicable.
§63.7521(c)	None	The fuel sampling specified in this section is from belts (or screw) feeders, stock piles, and trucks. None of these are applicable to the gas 1 fuel (i.e., natural gas) combusted by the units. For this reason, this section is not applicable.
§63.7521(d)	None	This section pertains to the preparation of composite samples of fuel, which are required under §63.7521(c), which is not applicable. Since the requirement to obtain composite samples does not apply, this section also does not apply.
§63.7521(e)	None	This section pertains to determining the concentration of pollutants in composite samples of fuel, which are required under §63.7521(c), which is not applicable. Since the requirement to obtain composite samples does not apply, this section also does not apply.
§63.7521(f)	None	This section is not applicable since the units will not combust a fuel other than gas 1, as defined in §63.7575. Moreover, §63.7521(f)(1) specifies that fuel specification analyses in §§63.7521(g) through (i) are not required for natural gas or refinery gas. Since the units only combust natural gas, these sections are not applicable.
§63.7521(g)	None	This section for a site-specific fuel analysis plan is not applicable because units that combust natural gas are exempt from fuel specification analyses in §§63.7521(g) through (i) as provided in §63.7521(f)(1).
§63.7521(h)	None	This section that requires an affected source to obtain a single fuel sample is not applicable because units that combust natural gas are exempt from fuel specification analyses in §§63.7521(g) through (i) as provided in §63.7521(f)(1).
§63.7521(i)	None	This section that requires an affected source to determine the concentration of mercury is not applicable because units that combust natural gas are exempt from fuel specification analyses in §§63.7521(g) through (i) as provided in §63.7521(f)(1).
§§63.7522(a) through (k)	None	None of the units are subject to Subpart DDDDD emission limits; therefore, these sections are not applicable.

Subpart DDDDD	Title V	Discussion
§63.7525(a)	None	None of the units are subject to a Subpart DDDDD carbon monoxide (CO) emission limit; therefore, this section is not applicable.
§63.7525(b)	None	None of the units are in the unit designed to burn coal/solid fossil fuel subcategory or the unit designed to burn heavy liquid subcategory and are not subject to a Subpart DDDDD particulate matter (PM) emission limit; therefore, this section is not applicable.
§63.7525(c)	None	None of the units are subject to a Subpart DDDDD opacity standard; therefore, this section is not applicable.
§§63.7525(d) through (i)	None	None of the units are subject to a Subpart DDDDD operating limit; therefore, these sections are not applicable.
§63.7525(j)	None	None of the units are utilizing a fabric filter bag leak detection system since they are not subject to a Subpart DDDDD particulate matter (PM) emission limit; therefore, this section is not applicable.
§63.7525(k)	None	None of the units meet the definition of a limited-use boiler in §63.7575; therefore, this section is not applicable.
§63.7525(l)	None	None of the units are subject to a Subpart DDDDD mercury or HCl emissions limit; therefore, this section is not applicable.
§63.7525(m)	None	None of the units are subject to a Subpart DDDDD HCl emission limit; therefore, this section is not applicable.
§63.7530(a)	None	None of the units are subject to a Subpart DDDDD emission limit; therefore, this section is not applicable.
§63.7530(b)	None	None of the units are subject to Subpart DDDDD performance testing and any fuel analyses directly related to performance testing; therefore, this section is not applicable.
§63.7530(c)	None	None of the units are subject to Subpart DDDDD emission limits; therefore, this section is not applicable.
§63.7530(d)	None	This section of Subpart DDDDD is reserved.
§63.7530(e)	None	This section requires that the Notification of Compliance Status (NOCS) include a signed certification that the energy assessment was completed per the requirements specified in Subpart DDDDD. The energy assessment in Item #4 of Table 3 to Subpart DDDDD applies to existing units. Since the boilers P09, P10, and P11 are new under Subpart DDDDD, this requirement is not applicable.
§63.7530(f)	4.5.7.	As part of demonstrating initial compliance, this section requires the permittee to submit a Notification of Compliance Status (NOCS) containing the results of the initial compliance demonstration according to the requirements of §63.7545(e). Therefore, this section has been cited with the condition containing the NOCS requirement that has been incorporated via underlying permit R13-3416, specific requirement 4.5.1.
§63.7530(g)	None	This section generally sets forth requirements for demonstrating that a gaseous fuel meets the specifications of another gas 1 fuel as defined in §63.7575. Since only natural gas will be combusted, and it is a gas 1 fuel, this requirement to demonstrate that a gaseous fuel meets the specifications of another gas 1 fuel is not applicable and no permit condition is warranted.

Subpart DDDDD	Title V	Discussion
		This section also requires that the Notification of Compliance Status (NOCS) include a signed certification that the initial fuel specification test meets the gas specification outlined in the definition of other gas 1 fuels. This fuel specification requirement is not applicable; therefore, this signed certification is not a required component of the NOCS.
§63.7530(h)	None	None of the units are subject to Subpart DDDDD emission limits; therefore, this section is not applicable.
§63.7530(i)	None	None of the units are subject to Subpart DDDDD operating limits; therefore, this section is not applicable.
§§63.7533(a) through (g)	None	None of the units are subject to Subpart DDDDD emission limits; therefore, these sections are not applicable.
§§63.7535(a) through (d)	None	None of the units are subject to a Subpart DDDDD site-specific monitoring plan; therefore, these sections are not applicable.
§63.7540(a)	4.1.23.	The units are subject to a work practice standard (Item #1) in Table 3 to Subpart DDDDD; therefore, the applicable sections in §§63.7540(a)(1) through (19) have been incorporated into the renewal permit as discussed below.
§63.7540(a)(1)	None	None of the units are subject to Subpart DDDDD emission limits; therefore, this section is not applicable.
§63.7540(a)(2)	None	None of the units are subject to Subpart DDDDD emission limits; therefore, this section is not applicable.
§63.7540(a)(3)	None	None of the units are subject to a Subpart DDDDD HCl limit; therefore, this section is not applicable.
§63.7540(a)(4)	None	None of the units are subject to a Subpart DDDDD HCl limit; therefore, this section is not applicable.
§63.7540(a)(5)	None	None of the units are subject to a Subpart DDDDD mercury limit; therefore, this section is not applicable.
§63.7540(a)(6)	None	None of the units are subject to a Subpart DDDDD mercury limit; therefore, this section is not applicable.
§63.7540(a)(7)	None	None of the units are subject to a Subpart DDDDD requirement to utilize a fabric filter control device; therefore, this section is not applicable.
§63.7540(a)(8)	None	None of the units are subject to a Subpart DDDDD CO CEMS emission limit; therefore, this section is not applicable.
§63.7540(a)(9)	None	None of the units are subject to a Subpart DDDDD requirement to utilize a PM CPMS or a PM CEMS; therefore, this section is not applicable.
§63.7540(a)(10)	4.1.23. 4.4.24.	This section establishes three provisions: 1. Units greater than 10 MMBtu/hr heat input must conduct tune-ups annually. 2. The required elements for a tune-up in §63.7540(a)(10)(i) through (vi). 3. The annual frequency does not apply to units with continuous oxygen trim systems that maintain an optimum air to fuel ratio.

Subpart DDDDD	Title V	Discussion
		As such, the units are not subject to the annual frequency, but are, however, subject to the tune-up elements. Consequently, §63.7540(a)(10)(i) through (v) have been cited in permit condition 4.1.23. The underlying NSR permit R13-3416, requirement 4.4.4. (Title V 4.4.24.), includes the applicable recordkeeping in §63.7540(a)(10)(vi), which are §§63.7540(a)(10)(vi)(A) and (B). §63.7540(a)(10)(vi)(C) has been excluded since the units are permitted to combust only natural gas (cf. R13-3416, 4.1.1.d.). The applicable recordkeeping has been included in permit condition 4.4.24. The applicable frequency for tune-ups is in §63.7540(a)(12), which has been discussed below.
§63.7540(a)(11)	None	None of the units are rated less than 10 MMBtu/hr heat input; therefore, this section requiring a biennial tune-up frequency is not applicable.
§63.7540(a)(12)	4.1.23.	This section specifies several applicable requirements, which are: 1. A boiler utilizing a continuous oxygen trim system is required to receive a tune-up every five (5) years as specified in §§63.7540(a)(10)(i) through (vi) to demonstrate continuous compliance. These requirements have been incorporated into the modified operating permit via underlying NSR permit R13-3416, requirement 4.1.2. 2. The burner inspection in §63.7540(a)(10)(i) may be delayed until the next boiler shutdown, but the burner must be inspected at least once every 72 months. Though not included in R13-3416, this requirement has been added to the modified operating permit as condition 4.1.23.d. 3. Since all three units utilize an oxygen trim system, and these units are not subject to Subpart DDDDD emission standards but are subject to the 5-year tune-up frequency, then the requirement to set the oxygen level no lower than the oxygen concentration determined during the last tune-up is applicable. Though not included in R13-3416, this requirement has been added to the modified operating permit as condition 4.1.23.e. This section of the regulation is cited in requirement 4.4.4. of the underlying permit R13-3416, which is modified Title V condition 4.4.24. However, the underlying requirements (except the NOx concentration monitoring) are from §§63.7540(a)(10)(vi)(A) and (B). Therefore, the citation has been changed from §63.7540(a)(12) to §§63.7540(a)(10)(vi)(A) and (B) for modified permit condition 4.4.24. Note that the requirement in condition 4.4.24. to monitor and record concentrations of NO_x from the CEMS is based upon the authority of 45CSR13 since it is not derived from 40 C.F.R. 63 Subpart DDDDD.
§63.7540(a)(13)	4.1.23.f.	This requirement has been incorporated into the revised operating permit as condition 4.1.23.f.

Subpart DDDDD	Title V	Discussion
§63.7540(a)(14)	None	None of the units are subject to a Subpart DDDDD mercury emission limit or a corresponding requirement to utilize a CEMS measuring mercury emissions; therefore, this section is not applicable.
§63.7540(a)(15)	None	None of the units are subject to a Subpart DDDDD HCl emission limit or a corresponding requirement to utilize a CEMS measuring HCl emissions; therefore, this section is not applicable.
§63.7540(a)(16)	None	None of the units are subject to a Subpart DDDDD TSM emission limit; therefore, this section is not applicable.
§63.7540(a)(17)	None	None of the units are subject to a Subpart DDDDD TSM emission limit; therefore, this section is not applicable.
§63.7540(a)(18)	None	None of the units are subject to a Subpart DDDDD PM emissions limit or a corresponding requirement to utilize a PM CPMS; therefore, this section is not applicable.
§63.7540(a)(19)	None	None of the units are subject to a Subpart DDDDD PM filterable emissions limit or a corresponding requirement to utilize a PM CEMS; therefore, this section is not applicable.
§63.7540(b)	None	None of the units are subject to Subpart DDDDD emission limits or operating limits; therefore, this section is not applicable.
§63.7540(c)	None	None of the units are subject to a Subpart DDDDD requirement to demonstrate that the unit meets the specification for mercury for the unit designed to burn gas 1 subcategory; therefore, this section is not applicable.
§63.7540(d)	None	None of the units are subject to startup and shutdown requirements specified in items 5 and 6 of Table 3 to Subpart DDDDD; therefore, this section is not applicable.
§§63.7541(a) and (b)	None	None of the units are subject to Subpart DDDDD emission limits; therefore, these sections are not applicable.
§63.7545(a)	4.5.7.	This section requires submittal of the notifications specified in the following Part 63 Subpart A sections, which have been reviewed for applicability: §§63.7(b) and (c) are not applicable since the boilers are not subject to Subpart DDDDD performance testing. §63.8(e) is not applicable since no CMS is utilized for Subpart DDDDD purposes. §§63.8(f)(4) and (6) are not applicable since neither an alternative monitoring method, nor an alternative to the relative accuracy test is utilized. Among §§63.9(b) though (h), only the NOCS requirement of §63.9(h) is applicable. Therefore, this section is cited in condition 4.5.7. Since §63.7495(d) requires the submittal of all applicable notifications in §63.7545, it also has been added to the citation of authority in permit condition 4.5.7.

Subpart DDDDD	Title V	Discussion
§63.7545(b)	None	None of the units will go through startup in their proposed operating scenarios before January 31, 2013; therefore, this section is not applicable.
§63.7545(c)	4.5.8.	This requirement to submit an Initial Notification is applicable to units since they are new boilers. This requirement has been incorporated into the modified operating permit via underlying permit R13-3416, requirement 4.5.2. Since §63.7495(d) requires the submittal of all applicable notifications in §63.7545, it has been added to the citation of authority.
§63.7545(d)	None	None of the units are subject to a Subpart DDDDD performance testing; therefore, this section is not applicable.
§63.7545(e)	4.5.7.	This requirement to submit a Notification of Compliance Status (NOCS) is applicable and has been incorporated into the modified operating permit via underlying permit R13-3416, requirement 4.5.1. The underlying permit requirement 4.5.1., paraphrased from the regulation, states that only the information in §§63.7545(e)(1), and (8) are required for the NOCS. However, §63.7545(e)(6) requires a signed certification that the permittee has met all applicable work practice standards. In addition, §63.7545(e)(7) requires reporting any deviation from a work practice standard. which includes the 5-year tune-ups. Since the boilers are subject to the 5-year tune-up work practice standard, then these requirements have been added to the permit condition. Non-applicable items under §63.7545(e) have been "Reserved" so that the permit condition parallels the regulation language for clarity. Non-applicable information (e.g., emission limits, operating limits, etc.) in §63.7545(e)(6) and (7) have been excluded.
§63.7545(f)	None	The minor modification application does not mention any intent to combust a fuel other than natural gas; therefore, no permit condition is warranted for this requirement. If the permittee decided to burn another fuel, it will nevertheless be subject to this notification requirement.
§63.7545(g)	None	The underlying permit R13-3416, requirement 4.1.1.d., specifies that each boiler shall only be fired with pipeline quality natural gas; therefore, no permit condition is warranted for this section pertaining to combustion of solid waste.
§63.7545(h)	None	This requirement to submit a notification when switching fuels that results in the applicability of a different subcategory is not applicable to the units since underlying permit R13-3416, requirement 4.1.1.d., specifies that each boiler shall only be fired with pipeline quality natural gas. To change fuels, an NSR permit revision would be required, which would trigger applicability of this section of Subpart DDDDD. For these reasons, no permit condition is warranted for this section for this permitting action.

Subpart DDDDD	Title V	Discussion
§63.7550(a)	4.5.9.	This section requires the permittee to submit every report in Table 9 that is applicable. Table 9 sets forth the content of a Compliance Report. This requirement has been incorporated into the modified operating permit via underlying permit R13-3416, requirement 4.5.3. However, the underlying permit requirement did not cite §63.7550(a), but it has been added in the modified operating permit condition. Since the boilers are subject to tune-ups every five years, the reporting is on the same schedule. It has been determined that items 1.b. and 1.c. in Table 9 are not applicable because the work practice standards affected by these requirements are those "for periods of startup and shutdown in Table 3 to this subpart". Since none of the boilers are subject to the work practices for startup and shutdown in Table 3, this corresponding reporting of deviations from them is not applicable. Item 1.d. in Table 9 is not applicable since no CMS is utilized. Item 1.a. in Table 9 requires information in §63.7550(c)(1) through (5), which is discussed in detail below. Additionally, the third column in Table 9 specifies the frequency for submitting the Compliance Reports, which also is discussed below.
§63.7550(b)	4.5.9.	This section is referenced by the third column of item 1 in Table 9 as required in §63.7550(a). This section specifies the frequency of reporting, which in this case is every five (5) years based upon the applicable tune-up frequency.
§63.7550(c)	4.5.9.	This section is referenced by the second column of item 1.a. in Table 9 as required in §63.7550(a). This section specifies the content of the Compliance Report based upon how the facility chooses or is required to comply with the applicable substantive requirements. In this case, §63.7550(c)(1) is applicable since the units are subject to the tune-up requirement. Consequently, the required content for the report is in paragraphs (c)(5)(i) through (iii), (xiv) and (xvii) of §63.7550. With one exception, these requirements have been incorporated into the modified operating permit via underlying permit R13-3416, requirement 4.5.3.a. through e. The underlying permit requirement did not include the responsible official statement in §63.7550(c)(5)(xvii), but it has been added in the modified operating permit condition content as 4.5.9.f. as well as the citation of authority. The underlying permit incorrectly cited (c)(5)(iv), which has been corrected to (c)(5)(iii). §63.7550(c)(2) is not applicable since the permittee is not required to comply by using fuel analysis.
§63.7550(d)	None	None of the units are subject to Subpart DDDDD emission limits; therefore, this section is not applicable.
§63.7550(e)	None	None of the units are subject to Subpart DDDDD emission limits, operating limits, or monitoring requirements; therefore, this section is not applicable.

Subpart DDDDD	Title V	Discussion
§§63.7550(f) and (g)	None	These sections are reserved in the regulation; therefore, no permit condition is warranted.
§63.7550(h)(1)	None	None of the units are subject to Subpart DDDDD performance testing; therefore, this section is not applicable.
§63.7550(h)(2)	None	None of the units are subject to a Subpart DDDDD requirement to utilize a CEMS; therefore, this section regarding a CEMS performance evaluation is not applicable.
§63.7550(h)(3)	4.5.9.	This section is applicable since is pertains to all reports required by Table 9, which is the Compliance Report. This requirement has been incorporated into the modified operating permit via underlying permit R13-3416, requirement 4.5.3.
§63.7555(a)	4.4.9. 4.4.24.	This applicable recordkeeping has been applied to the new boilers P09, P10, and P11 by adding them to the parenthetical list of affected emission units in permit condition 4.4.9. that first applied to the coal-fired boilers. However, the new boilers are not subject to semiannual frequency of reporting (as are the coal-fired units); therefore, a note has been added after recordkeeping condition 4.4.9.(1) to clarify that the applicable frequency for submitting Compliance reports is every five years as specified in condition 4.5.9. This section has been cited in underlying permit R13-3416, requirement 4.4.4. (Title V condition 4.4.24.). However, the regulation language in §63.7555(a)(1) also includes documentation of notifications and compliance reports, which are not specified in the NSR permit requirement (though the NSR permit requirement does not limit its scope). Since the regulation language is broader and more inclusive, the underlying permit requirement will not replace the regulation language in 4.4.9.
§63.7555(b)	None	None of the units are subject to a Subpart DDDDD requirement to utilize a CEMS, COMS, or a continuous monitoring system; therefore, this section is not applicable.
§63.7555(c)	None	None of the units are subject to a Subpart DDDDD operating limit or work practice listed in Table 8 to this subpart; therefore, this section is not applicable.
§63.7555(d)	None	None of the units are subject to Subpart DDDDD emission limits; therefore, this section is not applicable.
§63.7555(e)	None	None of the units are subject to Subpart DDDDD emission limits and do not elect to average emissions consistent with §63.7522; therefore, this section is not applicable.
§63.7555(f)	None	None of the units are required to utilize efficiency credits from energy conservation measures to demonstrate compliance with §63.7533; therefore, this section is not applicable.
§63.7555(g)	None	None of the units are subject to a Subpart DDDDD requirement to demonstrate that a unit meets the specification for mercury for the unit designed to burn gas 1 subcategory; therefore, this section is not applicable.

Subpart DDDDD	Title V	Discussion
§63.7555(h)	None	The modification application does not mention any intent to combust a fuel other than natural gas; therefore, no permit condition is warranted for this requirement. If the permittee decided to burn another fuel, it will nevertheless be subject to this recordkeeping requirement.
§§63.7560(a) through (c)	4.4.21.	This applicable recordkeeping has been applied to the new boilers P09, P10, and P11 by adding them to the parenthetical list of affected emission units in permit condition 4.4.21. that first applied to the coal-fired boilers.

VIII. **Permit Shield Revisions**. The following changes have been made in section 3.7.2. of the modified permit:

a. 40 C.F.R. 60 Subpart Db has been removed from the permit shield in 3.7.2.c. and replaced with 45CSR40 discussed below under Non-applicability Determinations.

b. 40 C.F.R. Part 97, Subparts AAAAA, BBBBB, and CCCCC (i.e., CSAPR NO_x and SO_2 trading programs) have been added to the permit shield in 3.7.2.gg.

Non-Applicability Determinations

a. **45CSR40 - Control of Ozone Season Nitrogen Oxides Emissions**. This rule establishes ozone season NO_x emission limitations, MRR, NO_x reduction, and NO_x control standards. Each of the boilers P09, P10, and P11 are proposed to be designed and constructed with a design heat input of 249 MMBtu/hr, which is one (1) MMBtu/hr of heat input below the applicability threshold of this rule (45CSR§40-4.1.). Requirement 4.2.1. of permit R13-3416 (operating permit condition 4.2.17.) requires utilization of fuel meters to meet specification and certification requirements in Appendix D of Part 75 to ensure accurate measurement of the fuel consumption rate and that the heat input of each unit does not exceed 250 MMBtu/hr.

b. **40 C.F.R. 60, Subpart D** – *Standards of Performance for Fossil-Fuel-Fired Steam Generators for Which Construction is Commenced After August 17, 1971:* This subpart applies to each steam generating unit that commences construction or modification after August 17, 1971 and has a heat input capacity of more than 250 MMBtu/hr. The boilers P09, P10, and P11 are each rated less than 250 MMBtu/hr; therefore, this subpart is not applicable to them. The current permit shield in 3.7.2.a. includes the boilers less than 250 MMBtu/hr; therefore, no change is needed in 3.7.2.a.

c. **40 C.F.R. 60, Subpart Da** – *Standards of Performance for Electric Utility Steam Generating Units for Which Construction is Commenced After September 18, 1978:* This subpart applies to Electric Utility Steam Generating Units only. Boilers No. 4 and 5 were constructed prior to September 18, 1978 and have not been modified or undergone "reconstruction" (as defined in 40 C.F.R. §60.15(b)) since. The maximum design heat input of Boiler No. 6 is 181 mmBtu/hr which is less than the applicable threshold of 250 mmBtu/hr; therefore, No. 6 Boiler is not subject to this subpart. The boilers P09, P10, and P11 are each rated less than 250 MMBtu/hr; therefore, this subpart is not applicable to them. The current permit shield in 3.7.2.b. includes the boilers less than 250 MMBtu/hr; therefore, no change is needed in 3.7.2.b.

d. **40 C.F.R. 60 Subpart Dc – *Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units.*** This regulation is a New Source Performance Standard (NSPS) for industrial-commercial-institutional steam generating units for which construction, modification, or reconstruction is commenced after June 9, 1989 and that have a maximum design heat input capacity between 10 and 100 MMBtu/hr.

e. **40 C.F.R. Part 97, Subparts AAAAA, BBBBB, and CCCCC – *CSAPR NO_x Annual Trading Program, CSAPR NO_x Ozone Season Group 1 Trading Program, and CSAPR SO_2 Group 1 Trading Program.*** The boilers at the facility are not utilized to produce electricity for sale; therefore, these regulations are not applicable since the criteria in 40 C.F.R. §§ 97.404(a)(1), 97.504(a)(1), and 97.604(a)(1) are not met.

f. **40 C.F.R. Part 64 – Compliance Assurance Monitoring (CAM).** According to 40 C.F.R. §64.2(a), this regulation is applicable to a pollutant-specific emissions unit at a major source that is (i) subject to an emission limitation or standard for the applicable regulated air pollutant; (ii) uses a control device to comply with the limitation or standard; and (iii) has pre-control device emissions of the pollutant greater than the major source threshold. The natural gas-fired boilers P09, P10, and P11 are not equipped with a *control device* as defined in 40 C.F.R. §64.1. The boilers are equipped with low-NO_x burner technology. However, the definition of control device does not include passive control measures that act to prevent pollutants from forming. Furthermore, the preamble to the CAM regulation states that low-NO_x burner technology and certain other types of combustion control measures are not included in the definition of "control device" in the final rule. For these reasons, CAM is not applicable to the boilers P09, P10, and P11.

Request for Variances or Alternatives

None

Insignificant Activities

Insignificant emission unit(s) and activities are identified in the Title V application.

Comment Period

Beginning Date:	Not applicable to minor modifications
Ending Date:	Not applicable

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Procedure for Requesting Public Hearing

During the public comment period, any interested person may submit written comments on the draft permit and may request a public hearing, if no public hearing has already been scheduled. A request for public hearing shall be in writing and shall state the nature of the issues proposed to be raised in the hearing. The Secretary shall grant such a request for a hearing if he/she concludes that a public hearing is appropriate. Any public hearing shall be held in the general area in which the facility is located.

Response to Comments (Statement of Basis)

No comments were received from U.S. EPA. However, after the modification went to proposed status, the U.S. EPA address in condition 3.5.3. was revised for the final permit modification.