



AIR OPERATING PERMIT

Puget Sound Clean Air Agency
1904 3rd Avenue, Suite 105
Seattle, Washington 98101

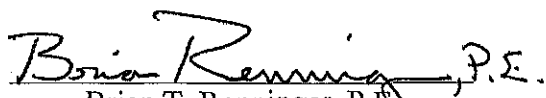
Issued in accordance with the provisions of Puget Sound Clean Air Agency (previously known as Puget Sound Air Pollution Control Agency) Regulation I, Article 7 and Chapter 173-401 WAC.

Frederickson Power is authorized to operate subject to the terms and conditions in this permit.

PERMIT NO.: 10645	DATE OF ISSUANCE: September 23, 2010
ISSUED TO: Frederickson Power LP	
PERMIT EXPIRATION DATE: September 23, 2015	

SIC Code, Primary:	4911
NAICS Code:	221112
Nature of Business:	Electric Power Generation
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I. EMISSION LIMITS AND PERFORMANCE STANDARDS

The following tables list the citation for each “applicable requirement” in the second column. This can be a Puget Sound Clean Air Agency requirement, a Washington State Department of Ecology requirement, or a federal requirement. All requirements are federally enforceable unless they are identified in column two by the words “*STATE ONLY*.”

The third column (Date) contains the adoption or effective date of the requirement. In some cases, the effective dates of the “Federally Enforceable” Requirement and the “State Only” Requirement are different because either the state (or local authority) has not submitted the regulation to the EPA for approval into the State Implementation Plan (SIP), or the state (or local authority) has submitted it and the EPA has not yet approved it. “*STATE ONLY*” adoption dates are in *italicized* font. When the EPA does approve the new requirement by adopting it into the State Implementation Plan (SIP), the old requirement will be replaced and superseded by the new requirement. This replacement will take place automatically, with no changes being made to this permit until the permit is renewed. The new requirement will be enforceable by the EPA as well as the Puget Sound Clean Air Agency from the date that it is adopted into the SIP, and the old requirement will no longer be an applicable requirement.

The first column is used as an identifier for the requirement, and the fourth (Requirement Paraphrase) column paraphrases the requirement. The first and fourth columns are for information only and are not enforceable conditions of this permit. The actual enforceable requirement is embodied in the requirement cited in the second and third columns.

The fifth column (Monitoring, Maintenance & Recordkeeping Method) identifies the methods described in Section II of the permit. Following these methods is required to “reasonably assure continuous compliance” with, and is an enforceable requirement of, this air operating permit. Note that all inspections, tests, and other actions must be documented (see paragraph 4 of Subsection V.O for specific requirements).

The sixth (Emission Standard Period) column identifies the averaging time for the reference test method. The last column (Reference Test Method) identifies the reference method associated with an applicable emission limit that is to be used if and when a source test is required. In some cases where the applicable requirement does not cite a test method, one has been added.

In the event of conflict or omission between the information contained in the fourth and sixth columns and the actual statute or regulation cited in the second column, the requirements and language of the actual statute or regulation cited shall govern. For more information regarding any of the requirements cited in the second and third columns, refer to the actual requirements cited.

A. FACILITY-WIDE APPLICABLE REQUIREMENTS

The requirements in this section apply facility-wide to all the emission units regulated by this permit except that monitoring methods specified elsewhere in the permit for specific applicable requirements for specific emission units or activities supersede the general monitoring requirements listed in Section I.A.

Table 1 Facility-Wide Applicable Requirements

Reqmt No.	Enforceable Requirement	Adoption or Effective Date	Requirement Paraphrase (Information Only)	Monitoring, Maintenance & Recordkeeping Method	Emission Standard Period	Reference Test Method
General						
I.A.1	WAC 173-400-040 WAC 173-400-040 (STATE ONLY)	9/23/93 2/10/05	All emission units are required to use RACT.	No monitoring required	N/A	N/A
Opacity Standards						
I.A.2	Puget Sound Clean Air Agency Reg I: 9.03 (except for 9.03(e)) Puget Sound Clean Air Agency Reg. I: 9.03 (STATE ONLY) WAC 173-400-040(1) WAC 173-400-040(1) (STATE ONLY)	3/11/99 3/25/04 9/23/93 2/10/05	No emissions > 20% opacity for > 3 minutes in any hour	II.A.1(a) Opacity Monitoring	More than 3 min. in any 1 hr	Ecology Reference Method 9A, 7/12/1990 (See Section X)

Reqmt No.	Enforceable Requirement	Adoption or Effective Date	Requirement Paraphrase (Information Only)	Monitoring, Maintenance & Recordkeeping Method	Emission Standard Period	Reference Test Method
Particulate Matter Standards						
I.A.3	Puget Sound Clean Air Agency Reg I: 9.09	4/9/98	No particulate matter emissions > 0.05 gr/dscf from fuel burning equipment burning fuel other than wood.	II.A.1(a) Opacity Monitoring	(3) 1-hour runs	40 CFR 60, Appendix A, Reference Method 5 as modified by Puget Sound Clean Air Agency Resolution dated 8/11/1983
I.A.4	WAC 173-400-060 WAC 173-400-060 (STATE ONLY).	3/22/91 2/10/05	No particulate matter emissions > 0.1 gr/dscf (uncorrected for excess air) from general process units	II.A.1(a) Opacity Monitoring	(3) 1-hour runs	EPA Method 5 (40 CFR Part 60, Appendix A, July 1, 2005)
I.A.5	WAC 173-400-050(1) WAC 173-400-050(1) (STATE ONLY)	3/22/91 2/10/05	No particulate matter emissions > 0.1 gr/dscf corrected to 7% O ₂ from combustion and incineration units.	II.A.1(a) Opacity Monitoring	(3) 1-hour runs	EPA Method 5 (40 CFR Part 60, Appendix A, July 1, 2005)
SO₂ Standards						
I.A.6	Puget Sound Clean Air Agency Reg I: 9.07 WAC 173-400-040(6) first paragraph only. WAC 173-400-040(6) (STATE ONLY)	4/14/94 9/23/93 2/10/05	No SO ₂ emissions > 1,000 ppmv (dry) corrected to 7% O ₂ for fuel burning equipment	No monitoring required	(3) 1-hour runs	EPA Method 6C (40 CFR Part 60, Appendix A, July 1, 2005)

Reqmt No.	Enforceable Requirement	Adoption or Effective Date	Requirement Paraphrase (Information Only)	Monitoring, Maintenance & Recordkeeping Method	Emission Standard Period	Reference Test Method
HCl Standards						
I.A.7	Puget Sound Clean Air Agency Reg. I: 9.10(a) (STATE ONLY)	6/9/88	No HCl emissions > 100 ppm (dry) corrected to 7% O ₂ for combustion sources	No monitoring required	(3) 1-hour runs	EPA Method 26 or 26A (40 CFR Part 60, Appendix A; July 1, 2005)
Nuisance Standards						
I.A.8	WAC 173-400-040(5) <i>Puget Sound Clean Air Agency Reg. I: 9.11 (STATE ONLY)</i> WAC 173-400-040(5) (STATE ONLY) WAC 173-400-040(2) (STATE ONLY) RCW 70.94.040 (STATE ONLY)	8/20/93 3/11/99 2/10/05 2/10/05 1996	Do not emit air contaminants 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	II.A.1(b) Facility-Wide Inspections II.A.1(c) Complaint Response	NA	NA
I.A.9	WAC 173-400-040(4) (STATE ONLY)	2/10/05	Use recognized good practice and procedures to reduce to a minimum odors which may unreasonably interfere with any other property owners' use and enjoyment of their property	II.A.1(b) Facility-Wide Inspections II.A.1(c) Complaint Response	NA	NA

Reqmt No.	Enforceable Requirement	Adoption or Effective Date	Requirement Paraphrase (Information Only)	Monitoring, Maintenance & Recordkeeping Method	Emission Standard Period	Reference Test Method
Fugitive Emissions Standards						
I.A.10	WAC 173-400-040(3) WAC 173-400-040(3) <i>(STATE ONLY)</i>	9/23/93 2/10/05	Take reasonable precautions to prevent release of fugitive dust.	II.A.1(b) Facility-Wide Inspections II.A.1(c) Complaint Response	NA	NA
	WAC 173-400-040(8) WAC 173-400-040(8) <i>(STATE ONLY)</i>	9/23/93 2/10/05				

Reqmt No.	Enforceable Requirement	Adoption or Effective Date	Requirement Paraphrase (Information Only)	Monitoring, Maintenance & Recordkeeping Method	Emission Standard Period	Reference Test Method
I.A.11	Puget Sound Clean Air Agency Reg. I: 9.15	3/11/99	<p>(a) Do not cause or allow visible emissions of fugitive dust unless reasonable precautions are employed to minimize the emissions. Reasonable precautions include, but are not limited to, the following:</p> <ol style="list-style-type: none"> (1) The use of control equipment, enclosures, and wet (or chemical) suppression techniques, as practical, and curtailment during high winds; (2) Surfacing roadways and parking areas with asphalt, concrete, or gravel; (3) Treating temporary, low-traffic areas (e.g., construction sites) with water or chemical stabilizers, reducing vehicle speeds, constructing pavement or rip rap exit aprons, and cleaning vehicle undercarriages before they exit to prevent the track-out of mud or dirt onto paved public roadways; or (4) Covering or wetting truck loads or allowing adequate freeboard to prevent the escape of dust-bearing materials <p>(b) Complying with these provisions does not relieve Frederickson Power LP of the responsibility of complying with PSCAA Reg. I, Section 9.11 (AOP Requirement I.A.8).</p>	<p>II.A.1(b) Facility-Wide Inspections</p> <p>II.A.1(c) Complaint Response</p>	NA	NA

Reqmt No.	Enforceable Requirement	Adoption or Effective Date	Requirement Paraphrase (Information Only)	Monitoring, Maintenance & Recordkeeping Method	Emission Standard Period	Reference Test Method
Operations and Maintenance Standards						
I.A.12	Puget Sound Clean Air Agency Reg. I: 9.20(b)	6/9/88	Maintain equipment not subject to Puget Sound Clean Air Agency Reg. I, Section 9.20(a) in good working order	II.A.1(b) Facility-Wide Inspections II.A.1(d) Operation and Maintenance (O&M) Plan	N/A	N/A
I.A.13	Puget Sound Clean Air Agency Reg. I: 7.09(b)	9/10/98	Develop and implement an O&M Plan to assure continuous compliance with Puget Sound Clean Air Agency Regulations I, II and III	II.A.1(d) Operation and Maintenance (O&M) Plan	NA	NA
I.A.14	RCW 70.94.152(7) (STATE ONLY)	1996	Maintain and operate equipment requiring an NOC in good working order	II.A.1(d) Operation and Maintenance (O&M) Plan	NA	NA
I.A.15	RCW 70.94.040 (STATE ONLY)	1996	Except where specified in a variance permit, as provided in RCW 70.94.181, it shall be unlawful for any person to cause air pollution or permit it to be caused in violation of chapter 70.94 RCW, or of any ordinance, resolution, rule or regulation validly promulgated thereunder.	No monitoring required	N/A	N/A

NA = Not Applicable

B. EMISSION UNIT SPECIFIC APPLICABLE REQUIREMENTS

The requirements in Section I.B and Section I.A apply to the emission unit(s) in this section.

1. Emission Unit #1 (EU-1): One Combustion Turbine Electrical Power Generating Plant rated at approximately 270 MW (combined cycle with 6.66 MW auxiliary losses) that includes:

- One GE-PG7241-FA Frame 7 FA, Combustion Gas Turbine Generator (CTG) rated at approximately 167.26 MW while burning 1,599 MMBtu/hr of natural gas, exhausting to;
- One Heat Recovery Steam Generator (HRSG) (which runs a secondary turbine rated at approximately 108 MW) fired by a Coen Duct Burner while burning 315 MMBtu/hr of natural gas lower heating value or 350 MMBtu/hr of natural gas higher heating value, exhausting to;
- One Engelhard Oxidation Catalyst unit controlling CO & VOC, and
- One Hitachi Selective Catalytic Reduction (SCR) unit, in series, controlling NO_x, exhausting 1,024,700 scfm of exhaust gas at 189 °F.

Table 2 Emission Unit #1 (EU-1): Combustion gas turbine/generator and duct burner common stack

Reqmt No.	Enforceable Requirement	Adoption or Effective Date	Requirement Paraphrase (Information Only)	Monitoring, Maintenance & Recordkeeping Method	Emission Standard Period	Reference Test Method
Order of Approval conditions						
EU-1.1	NOC Order of Approval No. 7968, Condition 5	11/09/01	Minimize emissions from the gas turbine during startup and shut down as specified in the O&M Plan and as recommended by the manufacturer. Emissions during periods of startup and shutdown count toward applicable annual emission limitations.	II.A.2(a) Startup and Shutdown II.A.1(d) Operation and Maintenance (O&M) Plan	Not applicable	Not applicable

Reqmt No.	Enforceable Requirement	Adoption or Effective Date	Requirement Paraphrase (Information Only)	Monitoring, Maintenance & Recordkeeping Method	Emission Standard Period	Reference Test Method
EU-1.2	NOC Order of Approval No. 7968, Condition 16(a)	11/09/01	No NO _x emissions > 98.9 tons over any consecutive 12-month period	II.A.2(b) NOX and CO Monitoring	12 consecutive months	40 CFR 75 (CEMS requirements) 40 CFR 75.22 (Reference test methods)
EU-1.3	NOC Order of Approval No. 7968, Condition 16(b)	11/09/01	No SO ₂ emissions > 54.4 tons over any consecutive 12-month period	II.A.2(c) SO ₂ Monitoring	12 consecutive months	40 CFR 75 (CEMS requirements) 40 CFR 75.22 (Reference test methods)
EU-1.4	NOC Order of Approval No. 7968, Condition 16(c)	11/09/01	No CO emissions > 91.2 tons over any consecutive 12-month period	II.A.2(b) NOX and CO Monitoring	12 consecutive months	40 CFR 75 (CEMS requirements) 40 CFR 75.22 (Reference test methods)
EU-1.5	NOC Order of Approval No. 7968, Condition 16(d)	11/09/01	No VOC emissions > 37.7 tons over any consecutive 12-month period	II.A.2(d) VOC Monitoring II.A.2(a) Startup and Shutdown	12 consecutive months	40 CFR 75 (CEMS requirements) 40 CFR 75.22 (Reference test methods)
EU-1.6	NOC Order of Approval No. 7968, Condition 16(e)	11/09/01	No PM ₁₀ emissions > 83.39 tons over any consecutive 12-month period	II.A.2(e) PM10 Monitoring	12 consecutive months	40 CFR 60, Appendix A, Reference Method 5 as modified by Puget Sound Clean Air Agency Resolution dated 8/11/1983

Reqmt No.	Enforceable Requirement	Adoption or Effective Date	Requirement Paraphrase (Information Only)	Monitoring, Maintenance & Recordkeeping Method	Emission Standard Period	Reference Test Method
EU-1.7	NOC Order of Approval No. 7968, Condition 17(a)	11/09/01	No NO _x emissions > 3.0 ppm, dry corrected to 15% O ₂ and not including start-up and shut-down periods	II.A.2(b) NOX and CO Monitoring II.A.2(a) Startup and Shutdown	8-hour average	40 CFR 60 Appendix A, Method 20
EU-1.8	NOC Order of Approval No. 7968, Condition 17(b)	11/09/01	No SO ₂ emissions > 1.8 ppm, dry corrected to 15% O ₂ , not including start-up and shut-down periods	II.A.2(c) SO2 Monitoring II.A.2(a) Startup and Shutdown	Three one-hour test runs	40 CFR 60 Appendix A, Method 6C or Method 20
EU-1.9	NOC Order of Approval No. 7968, Condition 17(c)	11/09/01	No CO emissions > 7.0 ppm, dry corrected to 15% O ₂ , not including start-up and shut-down periods	II.A.2(b) NOX and CO Monitoring II.A.2(a) Startup and Shutdown	8-hour average	40 CFR 60 Appendix A, Method 10
EU-1.10	NOC Order of Approval No. 7968, Condition 17(d)	11/09/01	No VOC emissions > 4.9 ppm, dry corrected to 15% O ₂ , not including start-up and shut-down periods	II.A.2(d) VOC Monitoring II.A.2(a) Startup and Shutdown	1-hour average	40 CFR 60 Appendix A, Method 25A
EU-1.11	NOC Order of Approval No. 7968, Condition 17(e)	11/09/01	No PM ₁₀ emissions > 0.0028 gr/dscf, corrected to 15% O ₂ , not including start-up and shut-down periods	II.A.2(e) PM10 Monitoring II.A.2(a) Startup and Shutdown	1-hour average	40 CFR 60, Appendix A, Reference Method 5 as modified by Puget Sound Clean Air Agency Resolution dated 8/11/1983
EU-1.12	NOC Order of Approval No. 7968, Condition 17(f)	11/09/01	No NH ₃ emissions > 10.0 ppm, corrected to 15% O ₂ , not including start-up and shut-down periods	II.A.2(f) NH3 Monitoring II.A.2(a) Startup and Shutdown	1-hour average	40 CFR 75 (CEMS requirements) 40 CFR 75.22 (Reference test methods)

Reqmt No.	Enforceable Requirement	Adoption or Effective Date	Requirement Paraphrase (Information Only)	Monitoring, Maintenance & Recordkeeping Method	Emission Standard Period	Reference Test Method
EU-1.13	NOC Order of Approval No. 7968, Condition 17(g)	11/09/01	No emissions > 5% opacity for > 3 minutes in any hour, not including start-up and shut-down periods	II.A.1(a) Opacity Monitoring II.A.2(a) Startup and Shutdown	3 minutes in any 60-minute period	WDOE Method 9A
EU-1.14	Puget Sound Clean Air Agency Reg I: 9.20(a)	06/09/88	Must maintain sources approved under Puget Sound Clean Air Agency Reg. I, Article 6 in good working order	II.A.2 Source Specific Monitoring Methods II.A.1(d) Operation and Maintenance (O&M) Plan	N/A	N/A
NSPS Subpart Da, Standards of Performance for Electric Steam Generating Units (the duct burner)						
EU-1.15	40 CFR 60.42a(a)(1)	02/27/06	No PM ₁₀ emissions > 0.03 lb/MMBtu, not including start-up and shut-down periods	II.A.2(e) PM10 Monitoring II.A.2(a) Startup and Shutdown	1-hour average	40 CFR 60, Appendix A, Reference Methods 5 and 19
EU-1.16	40 CFR 60.42a(a)(2)	02/27/06	No emissions > 20% opacity (6-minute average), except for one 6-minute period per hour of not more than 27%, not including start-up and shut-down periods	II.A.1(a) Opacity Monitoring II.A.2(a) Startup and Shutdown	3 minutes in any 60-minute period	40 CFR 60, Appendix A, Reference Method 9
EU-1.17	40 CFR 60.44a(d)(1)	02/27/06	No NO _x emissions > 1.6 lb/MW-hr, not including start-up and shut-down periods. NSPS Subpart Da, Standards of Performance for Electric Steam Generating Units (the duct burner)	II.A.2(b) NOX and CO Monitoring II.A.2(a) Startup and Shutdown	30-day rolling average	40 CFR 60 Appendix A, Method 20
EU-1.18	40 CFR 60.44a(d)(2)	02/27/06	No NO _x emissions > 0.15 lb/MMBtu, not including start-up and shut-down periods NSPS Subpart Da, Standards of Performance for Electric Steam Generating Units (the duct burner)	II.A.2(b) NOX and CO Monitoring II.A.2(a) Startup and Shutdown	30-day rolling average	40 CFR 60 Appendix A, Method 20

Reqmt No.	Enforceable Requirement	Adoption or Effective Date	Requirement Paraphrase (Information Only)	Monitoring, Maintenance & Recordkeeping Method	Emission Standard Period	Reference Test Method
NSPS Subpart GG, Standards of Performance for Stationary Gas Turbines						
EU-1.19	40 CFR 60.332(a)(1)	07/08/04	<p>No NO_x emissions >:</p> $STD = \left(0.0075 \times \frac{14.4}{Y} \right) + F, \text{ where}$ <p>STD = allowable ISO corrected NO_x emission concentration (corrected to 15% O₂ on a dry basis);</p> <p>Y = manufacturer's rated heat rate at manufacturer's rated peak load (kilojoules per watt hour), or actual measured heat rate based on lower heating value of fuel as measured at actual peak load for the facility. The value of Y shall not exceed 14.4 kilojoules per watt hour; and</p> <p>F = NO_x emission allowance for fuel-bound nitrogen as defined below:</p> <p>0, when N (the fuel bound nitrogen by % weight) is less than or equal to 0.015;</p> <p>0.04*N, when N is greater than 0.015 but less than or equal to 0.1;</p> <p>0.004+0.0067*(N-0.1), when N is greater than 0.1 but less than 0.25; or</p> <p>0.005, when N is greater than or equal to 0.25</p>	II.A.2(b) NOX and CO Monitoring	At least 60 minutes per run	40 CFR 75 (CEMS requirements) 40 CFR 75.22 (Reference test methods)

Reqmt No.	Enforceable Requirement	Adoption or Effective Date	Requirement Paraphrase (Information Only)	Monitoring, Maintenance & Recordkeeping Method	Emission Standard Period	Reference Test Method
EU-1.20	40 CFR 60.333	07/08/04	(a) No SO ₂ emissions > 0.015% by volume on a dry basis corrected to 15% O ₂ ; or (b) Fuel shall not contain sulfur > 0.8% by weight.	II.A.2(c) SO ₂ Monitoring	At least 20 minutes per run	40 CFR 75 (CEMS requirements) 40 CFR 75.22 (Reference test methods)
Acid Rain						
EU-1.21	40 CFR 75 Acid Rain Program WAC 173-406	5/12/05 12/14/94	Comply with applicable permitting, monitoring, emission limitation, excess emissions requirements, recordkeeping and reporting requirements	XI.C Title IV Acid Rain Documentation, Acid Rain Permit Application, OMB Form No. 2060-0258, filled out by and for Frederickson Power, ORIS Code 55818	As per 40 CFR 75.	40 CFR 75 (CEMS requirements) 40 CFR 75.22 (Reference test methods)

II. MONITORING, REPORTING AND RECORDKEEPING METHODS

A. Monitoring

1. Facility Wide Monitoring Methods

(a) Opacity Monitoring

Frederickson Power shall conduct at least one inspection per calendar month of the facility for visible emissions during months that the facility operates. Inspections are to be performed while the equipment is in operation during daylight hours. If visible emissions other than uncombined water are observed that last longer than three minutes in an hour, Frederickson Power shall, as soon as possible, but no later than 24 hours after the initial observation, take corrective action until there are no visible emissions or, alternatively, record the opacity using the reference test method or shut down the unit or activity until it can be repaired. [WAC 173-401-615(1)(b), 10/17/02]

(b) Facility-Wide Inspections

Frederickson Power shall conduct a facility-wide inspection at least once per calendar quarter. These inspections shall include checking for prohibited activities under Section III of the permit and activities that require additional approval under Section IV of the permit. The inspections shall also examine the general state of compliance with the general applicable requirements and the general effectiveness of the Operation & Maintenance (O&M) Plan.

Frederickson Power shall correct any problems identified by these inspections as soon as possible but no later than 24 hours after identification, begin corrective action, shut down the unit or activity until the problem can be corrected, or report the problem as a deviation under Requirement II.B.1.

[WAC 173-401-615(1)(b), 10/17/02]

(c) Complaint Response

Record and investigate air pollution complaints as soon as possible, but no later than three days after receipt. Identify the cause(s) of complaints based upon the following types of air pollutant emission circumstances:

- Any emissions that are, or likely to be, injurious to human health, plant or animal life, or property, or which unreasonably interfere with enjoyment of life and property; or
- Any fugitive dust emissions, or
- Any track-out onto paved roads open to the public, or

- Any emissions of odor-bearing air contaminants, or
- Complaints regarding other applicable requirements.

Investigate the complaint and determine if there was noncompliance with an applicable requirement of this permit. Correct any such compliance problems as soon as possible. Shut down the unit or activity if the unit or activity is not returned to a compliant status within 24 hours of identification.

[WAC 173-401-615(1)(b), 10/17/02].

(d) Operation and Maintenance (O&M) Plan

The O&M Plan shall include procedures that reflect good industrial practice and will reasonably assure continuous compliance with Puget Sound Clean Air Agency Regulations I, II and III. In most instances, following the manufacturer's operations manual or equipment operational schedule, minimizing emissions until necessary repairs can be completed and taking measures to prevent recurrence of a problem may be considered good industrial practice. Determining whether good industrial practice is being used will be based on available information such as monitoring results, opacity observations, review of O&M procedures, and inspections of the emission unit or equipment. The O&M Plan must also contain procedures designed to minimize emissions from the gas turbine during startup and shut down. The specific O&M Plan provisions and procedures are not be deemed part of this permit [Puget Sound Clean Air Agency Reg. I: 7.09(b) (9/10/98); NOC Order of Approval No. 7968, Condition 11, 11/09/01].

(e) Maintenance and Repair of Insignificant Emission Units

Use good industrial practices to maintain insignificant emission units¹ and equipment not listed in this permit, including promptly repairing defective equipment. Good industrial practices may include following the manufacturer's operations manual or an equipment operations schedule, minimizing emissions until the repairs can be completed and taking measures to prevent recurrence of the problem [WAC 173-401-615(1)(b), 10/17/02].

¹ WAC 173-401-200(16) states: "Insignificant activity" or "insignificant emissions unit" means any activity or emissions unit located at a chapter 401 source which qualifies as insignificant under the criteria listed in WAC 173-401-530. These units and activities are exempt from permit program requirements except as provided in WAC 173-401-530. WAC 173-401-530 contains criteria for identifying insignificant activities and emissions units. It also states that "Designation of an emission unit or activity as insignificant for purposes of this chapter does not exempt the unit or activity from any applicable requirement."

Puget Sound Clean Air Agency Regulation I, Section 1.07(s) says, EQUIPMENT means any stationary or portable device or any part thereof that emits or may emit any air contaminant into the atmosphere.

2. Source Specific Monitoring Methods

(a) Startup and Shutdown

Record the times and dates of all startups and shutdowns [WAC 173-401-615(1), 10/17/02].

A start-up period commences when fuel starts flowing to the turbine. A shut-down period terminates when fuel stops flowing to the turbine. Turbine startup shall be defined as that period of time from initiation of combustion turbine firing until the unit reaches steady state load operation. Steady state operation is reached when the combustion turbine reaches minimum load (50%) and the steam turbine is declared available for load changes. Unit shutdown is defined as the period of time from departing from steady state operation to cessation of combustion turbine firing; this period shall not exceed 60 minutes [NOC Order of Approval No. 7968, Condition 12, 11/09/01].

(b) NO_x and CO Monitoring

Annual source tests. Perform annual source tests for NO_x and CO following Regulation I, Section 3.07, to demonstrate compliance with Conditions EU-1.9 and EU-1.11. [NOC Order of Approval 7968, Condition 10 (11/09/01)]

Continuous monitoring. Measure NO_x and CO on the combustion turbine main stack by operating a continuous emission monitoring system (CEMS), consisting of a NO_x gas monitor, a CO gas monitor, and an O₂ diluent gas monitor, meeting applicable requirements of 40 CFR Part 75 and Puget Sound Clean Air Agency Regulation I, Article 12 (except Section 12.03(c)). [Order of Approval 7968, Condition 13, 11/09/01]

Emission rate calculation. Calculate hourly mass emissions for NO_x and CO using Equation F5 in 40 CFR Part 75 Appendix F; for CO use an adjusted K factor of 7.268×10^{-8} [Order of Approval 7968, Condition 5 (NO_x) & Condition 6 (CO), 11/09/01]

Data recovery. See Section II.A.3.

Quality assurance. Operate the CEMS in accordance with the relevant quality assurance procedures in 40 CFR § 75.21.

Data recording. Reduce monitoring data to 1-hour averages commencing on the clock hour and containing at least 45 minutes of monitoring data to 1-hour averages. Include all monitoring data in these averages except for data collected during calibration drift tests and data collected subsequent to a failed quality assurance test or audit.

Relative accuracy tests. Calculate required RATA results in units of parts per million on a dry, volumetric basis, corrected to 15% O₂. [Order of Approval 7968, Condition 5 (NO_x) & Condition 6 (CO), 11/09/01] All relative accuracy tests are subject to the Regulation I, Section 3.07 (3/23/06).

Reporting. Report as provided in Condition II.B each occasion on which the CEMS records a violation of applicable emission limit(s), or on which the CEMS sustains an unexcused failure to meet the data recovery requirements of this condition. Maintain records as provided in Condition II.C.

[Puget Sound Clean Air Agency Regulation I, Section 12.01 & 12.03, 4/9/98]

(c) SO₂ Monitoring

Calculate SO₂ from the main stack by using the sulfur content of the fuel, EPA Reference Method 19, the emission factor of 0.0006 lb/MMBtu as specified in 40 CFR 75, Appendix D, Table D-5 and Section 2.3.1, and the monitored heat input rate.

Calculate SO₂ emissions on a monthly basis, and use monthly emission results to calculate emissions for the previous consecutive 12-month period no later than 30 days after the end of each month.

[Order of Approval 7968, Condition 13, 11/09/01; WAC 173-401-615(1) & (2), 10/17/02]]

(d) VOC Monitoring

Use the VOC emission factor from the most recent compliance test to calculate VOC emissions to verify compliance with condition EU-1.5. Until a compliance test for VOC is completed, use the following emission factor on a monthly basis to monitor the VOC emissions from the main stack: VOC = 0.0045 lb/MMBtu [Order of Approval 7968, Condition 13].

Compliance with CO limit in EU-1.9 shall be considered to verify compliance with the VOC limit in EU-1.10 [WAC 173-401-615(1) & (2), 10/17/02].

(e) PM₁₀ Monitoring

Use the PM₁₀ emission factor from the most recent compliance test to calculate PM₁₀ emissions to verify compliance with condition EU-1.6. Until a compliance test for PM is completed, use the following emission factor on a monthly basis to monitor the PM₁₀ emissions from the main stack: PM₁₀ = 0.0097 lb/MMBtu [Order of Approval 7968, Condition 13].

Compliance with opacity limit in EU-1.13 shall be considered to verify compliance with the PM₁₀ limit in EU-1.11 [WAC 173-401-615(1) & (2), 10/17/02].

(f) NH₃ Monitoring

Follow the November 15, 2002 or the most recently Agency approved Parametric NH₃ Monitoring Plan to monthly monitor NH₃ emissions from the main stack. Perform an annual source test to demonstrate compliance with Condition EU-1.14 and re-establish parametric relationships between the turbine and control system operating parameters and NH₃ emissions. Perform the annual source test in accordance with Bay Area Air Quality Management District's

ST-1B and EPA Conditional Test Method (CTM-027), EPA Reference Method 5 with appropriate modifications to the impinger section, or an alternative method approved by the Control Officer, in accordance with Puget Sound Clean Air Agency Regulation I, Section 3.07. Whenever parametric data indicate that ammonia emissions standards in this condition may be exceeded, Frederickson Power shall, as soon as possible, but no later than within 24 hours, either take corrective action or measure actual emissions using the reference method.

[Order of Approval 7968, Conditions 9 & 10 (11/09/01); WAC 173-401-615(1) & (2), 10/17/02]

(g) New Source Performance Standards Monitoring (NSPS Subpart GG – Stationary Gas Turbines)

Use continuous NO_x and O₂ monitors that meet requirements in 40 CFR § 60.334(b) for monitoring emissions. [40 CFR § 60.334(c)] Because Frederickson Power uses NO_x and O₂ monitors to comply with the Acid Rain monitoring rules in 40 CFR Part 75, those Part 75 monitors may be used to meet the NSPS monitoring requirements, except that the missing data substitution methodology in 40 CFR Part 75, Subpart D, is not required for purposes of identifying excess emissions for NSPS purposes. Instead, for NSPS purposes periods of missing CEMS data are to be reported as monitor downtime in the excess emissions and monitoring performance report required in Condition II.B.7.b. [40 CFR § 60.334(b)(3)(iii)]

3. Data recovery

Recover valid monitoring and recordkeeping data for each parameter according to any specific monitoring and recordkeeping requirements identified in Section II of this permit. However, if such requirements are silent on data recovery provisions, the requirement for data recovery is assumed to be 100% [WAC 173-401-615(1)(b) 10/17/2002].

B. Reporting

1. Deviation Report

“Deviation” means any situation in which an emission unit fails to meet a permit term or condition. Report in writing to Puget Sound Clean Air Agency Operating Permit Certification any and all instances of deviations from the permit requirements, including those attributable to upset conditions as defined in this permit, the probable cause of the deviations, and any corrective actions or preventive measures taken. Maintain a contemporaneous record of all deviations. Report any deviations to the Puget Sound Clean Air Agency that represent a potential threat to human health or safety by FAX (206-343-7522) as soon as possible but no later than 12 hours after such a deviation is discovered. Report other deviations in writing to Puget Sound Clean Air Agency Operating Permit Certification no later than 30 days after the end of the month during which the deviation is discovered. A Deviation Report *may* be certified by a responsible official at the time of submittal; however it is not *required* to be certified at the time of submittal. Any Deviation Report *not* certified at the time of submittal must be certified in the semiannual Certification of Reports as per II.B.2. Submittal of a Puget Sound Clean Air Agency

“OPERATING PERMIT – DEVIATION REPORT FORM,” completed in accordance with the instructions on the form, fulfills the requirements of this subsection. [WAC 173-401-615(3)(b), 10/17/2002; 40 CFR 64.9(a) and 64.6(c)(3), 10/22/1997]

2. Certification of Reports (semiannual)

Submit in writing to Puget Sound Clean Air Agency Operating Permit Certification a semi-annual report which shall summarize each permit report filed during the six-month period. Except for the first reporting period after issue of this permit renewal, each Certification of Reports shall cover six month periods, which shall run from January 1 through June 30 and from July 1 through December 31. The first reporting period after issue of this permit renewal shall run from the date of final issue through either June 30 or December 30, whichever comes sooner. Reports shall be submitted within 31 days after the end of the period covered by the report, with due dates of July 31 and January 31. Each Certification of Reports shall be certified by a responsible official as provided in II.B.2. The “Certification of Reports” need not duplicate information contained in another report. Deviation reports that are submitted pursuant to II.B.1 within a given six-month reporting period may be summarized and certified by the responsible official in this semiannual Certification of Reports. If there were no instances of deviations from permit requirements during the six month period, the semi-annual report shall state that there were no instances of deviations from permit requirements. Submittal of a Puget Sound Clean Air Agency “OPERATING PERMIT – SEMI-ANNUAL CERTIFICATION OF REPORTS FORM,” completed in accordance with the instructions on the form, fulfills the requirements of this subsection. [WAC 173-401-615(3)(a), 10/17/2002]

3. Certification by Responsible Official

In accordance with Section V.O, the responsible office must certify all reports required under this section. All certifications by a responsible official shall be done by the responsible official listed on the front page of this permit, unless that person designates a temporary substitute person who qualifies as a “responsible official” as defined in WAC 173-401-200(29), and that person signs “for” the responsible official listed on this permit. [WAC 173-401-520, 11/4/93]

4. Annual Emissions Reporting

Report annually to the Puget Sound Clean Air Agency listing those air contaminants emitted during the previous calendar year that equal or exceed the following in tons per year:

Carbon monoxide (CO) emissions.....	25
Facility combined total of all toxic air contaminants (TAC) emissions.....	6
Any single toxic air contaminant (TAC) emissions.....	2
Nitrogen oxide (NO _x) emissions	25
Particulate matter (PM ₁₀) emissions	25

Particulate matter (PM_{2.5}) emissions.....25
 Sulfur oxide (SO_x) emissions25
 Volatile organic compounds (VOC) emissions25

Annual emissions rates shall be reported to the nearest whole ton per year for only those contaminants that equal or exceed the thresholds above. Frederickson Power shall maintain records of information necessary to document any reported emissions or demonstrate that the emissions were less than the above amounts. [Puget Sound Clean Air Agency Regulation I, Section 7.09(a), 9/10/98]

Submit to the Puget Sound Clean Air Agency any additional information required by WAC 173-400-105(1) or Puget Sound Clean Air Agency Regulation III, Section 1.11. [Puget Sound Clean Air Agency Regulation III, Section 1.11, 12/12/96; WAC 173-400-105, 9/20/93; WAC 173-400-105, 6/8/07 State/Puget Sound Clean Air Agency only]

5. Submittal Requirements

Submit complete copies of all required compliance reports to the Puget Sound Clean Air Agency in electronic format as an attachment to an e-mail message. The date the document is received by the Agency e-mail system shall be considered the submitted date of the report. Original written documents shall also be submitted for record purposes. Nothing in this section waives or modifies any requirements established under other applicable regulations. [Puget Sound Clean Air Agency Regulation I, Section 7.09(c), 9/25/08]

6. Summary of “Routine” required reports

Name of Report	Reqmt	Due date(s)	Certification requirement
Deviation Report (monthly as needed)	II.B.1	30 days after the end of the month deviation is discovered	May certify each report, but normal practice is to summarize and certify Deviation Reports in semiannual Certification of Reports as per II.B.2 and II.B.3
Certification of Reports (semiannual)	II.B.2	July 31 and January 31 [†]	Yes, in accordance with II.B.3 and V.O
Annual Compliance Certification	V.M	Annually, January 31 [†]	Yes, in accordance with II.B.3 and V.O
Emission inventory statement	II.B.4	Annually	Certify in semiannual Certification of Reports as per II.B.2 and II.B.3

[†] After transitional period is completed.

7. Monthly Compliance Report

Submit to the Puget Sound Clean Air Agency monthly reports with CEM results required under Condition II.A.2, including any claims of unavoidable excess emissions under V.Q. Each monthly report shall include the tons emitted for the reported month and the total tons emitted for the previous 12 months for NO_x, SO₂, CO, VOC and PM₁₀.

Address missing data by the methods in 40 CFR Part 75, Appendix C. Use the CEM system to verify compliance with Requirements EU-1.2, EU-1.4, EU-1.7 and EU-1.9, Use the sulfur content of the fuel and EPA Reference Method 19 to verify compliance with Condition EU-1.3. To verify compliance with Conditions EU-1.5 and EU-1.6, use emission factors based on the most recent compliance test. [Order of Approval 7968, Condition 10 (11/09/01)].

8. NSPS Semi-annual excess emissions, downtime, and/or summary reporting

The monthly compliance reports (required in II.B.7 above) for June and December shall include a semi-annual NSPS excess emissions and monitoring system performance report, reporting data from the turbine CEMS for the 6-month reporting periods ending June 30 and December 31, using the Summary Report and Excess Emission and Monitoring System Report Form in Table 3 below. Report excess emissions for all periods of unit operation, including startup, shutdown and malfunction. [40 CFR 60.7(d)(1)]

Each semi-annual NSPS excess emissions and monitoring system performance report shall include:

- The magnitude of excess emissions computed in accordance with 40 CFR 60.13(h), the date and time of commencement and completion of each period of excess emissions, and the process operating time during the reporting period;
- Specific identification of each period of excess emissions that occurs during startups, shutdowns, and malfunctions of the affected facility along with the nature and cause of any malfunction (if known), the corrective action taken or preventive measures adopted;
- The date and time identifying each period during which the CEMS was inoperative except for zero and span checks and the nature of the system repairs or adjustments; and
- When no excess emissions have occurred or the CEMS has not been inoperative, repaired or adjusted, such information must be stated in the report.

[40 CFR 60.7(c), 2/12/1999]

Submit one Summary Report (and, if necessary, one Excess Emissions and Monitoring System) form for each pollutant monitored.

- If the total duration of excess emissions for the reporting period is less than 1% of the total operating time for the reporting period and CEMS downtime for the reporting period is less than 5% of the total operating time for the operating period, only the summary report form shall be submitted and the excess emission report described in 40 CFR 60.7(c) does need not to be submitted.
- If the total duration of excess emissions for the reporting period is 1% or greater of the total operating time for the reporting period or CEMS downtime for the reporting period is 5% or greater of the total operating time for the operating period, both the summary report form and the excess emission report described in 40 CFR 60.7(c) shall be submitted.

[40 CFR 60.7(d), 2/12/1999]

For NSPS reports, excess emissions and monitor downtime are:

- For NO_x and O₂, any unit operating hour in which the 4-hour rolling average NO_x concentration exceeds the emission limit in EU-1.19. a "4-hour rolling average NO_x concentration" is the arithmetic average of the average NO_x concentration measured by the CEMS for a given hour (corrected to 15 percent O₂ and, if required under §60.335(b)(1), to ISO standard conditions) and the three unit operating hour average NO_x concentrations immediately preceding that unit operating hour. A period of monitor downtime shall be any unit operating hour in which sufficient data are not obtained to validate the hour, for either NO_x concentration or diluent (or both); and
- For SO₂, any daily period during which the sulfur content of the fuel being fired in the gas turbine exceeds 0.8 percent. A period of monitor downtime begins when a required sample is not taken by its due date. A period of monitor downtime also begins on the date and hour of a required sample, if invalid results are obtained. The period of monitor downtime shall include only unit operating hours, and ends on the date and hour of the next valid sample.

Exceedances of NSPS limits for NO_x or SO₂ need not be reported if the excess emission occurs for less than 1% of the operating time of a turbine, and if continuous monitor system downtime is less than 5% of total operating time (Note: this exclusion *only* applies to NSPS emission limits).

[40 CFR 60.7(d)(1); 40 CFR 60.334(j)]

Table 3 Summary Report and Excess Emission and Monitoring System Report Form

SUMMARY REPORT	
Company: _____	
Address: _____	
Process unit description: _____	
Reporting period dates: from _____ to _____	
Pollutant: (circle one) Opacity NO _x SO ₂	
Emission limitation: _____	
Monitor manufacturer and Model No.: _____	
Date of latest CEMS certification or audit: _____	
Total source operating time in reporting period: _____	

GASEOUS AND OPACITY EXCESS EMISSION AND MONITORING SYSTEM PERFORMANCE REPORT	
<i>For opacity, record all times in minutes. For gases, record all times in hours</i>	
EMISSION DATA SUMMARY	CEMS PERFORMANCE SUMMARY
1) Duration of excess emissions in reporting period due to: a) Startup/shutdown _____ b) Control equipment problems _____ c) Process problems _____ d) Other known causes _____ e) Unknown causes _____ 2) Total duration of excess emission _____ 3) Total duration of excess emission % as % of source operating time	4) CEMS downtime in reporting period due to: a) Monitor equipment malfunctions _____ b) Non-monitor equipment malfunctions _____ c) Quality assurance calibration _____ d) Other known causes _____ e) Unknown causes _____ 5) Total CEMS downtime _____ 6) Total CEMS downtime % as % of source operating time
Periods of excess emissions are defined as: <ul style="list-style-type: none"> ▪ All 6-minute periods during which opacity exceeds 20% except for one 6-minute period per hour of not more than 27%; and ▪ All 30-day periods during which NO_x exceeds the limit in EU-1.19. 	

On a separate page, describe any changes since last quarter in the compliance monitoring system, process or controls.

I certify that the information contained in this report is true, accurate, and complete.
Name: _____
Signature: _____
Title: _____
Date: _____

C. Recordkeeping

1. General

Maintain records of required monitoring information that include the following if applicable:

- a) The date, place as defined in the permit, and time of sampling or measurements;
- b) The date(s) analyses were performed;
- c) The company or entity that performed the analyses;
- d) The analytical techniques or methods used;
- e) The results of such analyses; and
- f) The operating conditions existing at the time of sampling or measurement.

[WAC 173-401-615(2)(b), 11/4/1993]

2. Source Changes

Maintain records describing changes made at the source 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. [WAC 173-401-615(2)(b), 11/4/1993]

3. Records Retention

Retain records of all monitoring data and support information required by this permit for five years from the date of the monitoring, sample, measurement, record, or application. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the permit. [WAC 173-401-615(2), 11/4/1993; Order of Approval 7968, Condition 18 (11/09/01)]

4. O&M Plan Recordkeeping

Document all inspections, tests and other actions required by the O&M Plan and Section II.A of this permit, including who conducted the inspection, tests or other actions; and the date and the results of the inspection, tests or other actions including corrective actions. All such records shall be signed and dated. Maintain records of all inspections, tests, and other actions required by the O&M Plan on site and available for Puget Sound Clean Air Agency review. [Puget Sound Clean Air Agency Regulation I, Section 7.09(b)(6), 9/10/1998]

5. Complaint Response Recordkeeping

Records for all complaints received concerning odor, fugitive emissions or nuisance relating to Section II of this permit must also contain the following information:

- a) Date and time of the complaint,
- b) Name of the person complaining, if known,
- c) Nature of the complaint, and
- d) Date, time and nature of any corrective action taken.

[WAC 173-401-615(2)(a), 11/4/1993; Puget Sound Clean Air Agency Regulation I, Section 7.09(b)(6), 9/10/1998]

6. NSPS Recordkeeping

Maintain records of the occurrence and duration of any startup, shutdown, or malfunction in the operation of the turbine; any malfunction of the associated air pollution control equipment; or any periods during which a continuous monitoring system or monitoring device is inoperative. [40 CFR 60.7(b)]

III. PROHIBITED ACTIVITIES

Frederickson Power is prohibited from conducting, causing, or allowing the following activities:

A. Adjustment for Atmospheric Conditions

Varying the rate of emissions of a pollutant according to atmospheric conditions or ambient concentrations of that pollutant is prohibited, except as directed according to air pollution episode regulations. [WAC 173-400-205, 8/20/93]

B. Open Burning

Open burning during any stage of an air pollution episode or period of impaired air quality.

Open burning other than the following types:

- Fires consisting solely of charcoal, propane, natural gas, or wood used solely for the preparation of food that comply with WAC 173-425-020(1) and WAC 173-425-030(21) and
- Fires for instruction in the methods of fighting fires, provided that the person conducting the training fire complies with Puget Sound Clean Air Agency Regulation I, Section 8.07.

[Puget Sound Clean Air Agency Regulation I, Sections 8.04(a), 11/09/2000 and 8.07, 9/09/1999]
[WAC 173-425-020(1), 3/13/2000; WAC 173-425-030(21), 3/13/2000; RCW 70.94.743, 1998 c68 p1 and RCW 70.94.775(2), 1995 c362 p2 State/Puget Sound Clean Air Agency only]

C. Refuse Burning

Burning of combustible refuse except in a multiple chamber incinerator provided with control equipment, or operating refuse burning equipment any time other than daylight hours. [Puget Sound Clean Air Agency Regulation I, Section 9.05, 12/9/93]

D. Concealment

Installing or using 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 an air contaminant which would otherwise violate Puget Sound Clean Air Agency Regulation I, Article 9 or Chapter 173-400 WAC. [Puget Sound Clean Air Agency Regulation I, Section 9.13(a), 6/9/88; WAC 173-400-040(7), 8/20/93]

E. Masking

Causing or allowing the installation or use of any device or use of any means designed to mask the emission of an air contaminant that causes detriment to health, safety or welfare of any person or conceals or masks an emission of an air contaminant that would otherwise violate Regulation I, Article 9 or Chapter 173-400 WAC. [Puget Sound Clean Air Agency Regulation I, Section 9.13(b), 6/9/88; and WAC 173-400-040(7), 8/20/93]

F. Ambient Standards

Causing or allowing the emission of air contaminants in sufficient quantity as to exceed any ambient air quality standard in Puget Sound Clean Air Agency Regulation I Section 11.01. [Puget Sound Clean Air Agency Regulation I, Section 11.01(b), 4/14/94]

G. Tampering

Rendering inaccurate any monitoring device or method required under Chapter 70.94 RCW, or any ordinance, resolution, regulation, permit, or order in force pursuant thereto. [WAC 173-400-105(8), 6/8/07 *STATE ONLY*]

H. False Statements

Making any false material statement, representation or certification in any form, notice, or report required under Chapter 70.94 RCW, or any ordinance, resolution, regulation, permit, or order in force pursuant thereto. [WAC 173-400-105(7), 6/8/07 *STATE ONLY*]

IV. ACTIVITIES REQUIRING ADDITIONAL APPROVAL

Frederickson Power shall file notification and obtain the necessary approval from Puget Sound Clean Air Agency before conducting any of the following:

A. New Source Review

Frederickson Power shall not construct, install, establish, or modify an air contaminant source, except those sources that are excluded by Puget Sound Clean Air Agency Regulation I, Section 6.03(b), unless a "Notice of Construction and Application for Approval" has been filed with and approved by Puget Sound Clean Air Agency. [Puget Sound Clean Air Agency Regulation I, Section 6.03, 9/12/96; 40 CFR 60.7, 2/12/99; 40 CFR 60.14, 10/17/00; 40 CFR 60.15, 12/16/75; 40 CFR 63.5, 4/5/02], [Puget Sound Clean Air Agency Regulation I, Section 6.01, 9/24/09 (*State Only*); Puget Sound Clean Air Agency Regulation I, Section 6.03, 9/24/09 (*State Only*); WAC 173-460-040, 6/20/09 (*State Only*); RCW 70.94.152, 1996 c 67 §1, 1996 c 29p1 State/Puget Sound Clean Air Agency only]

B. Replacement or Substantial Alteration of Emission Control Technology

Frederickson Power shall file a Notice of Construction and Application for Approval according to WAC 173-400-114 with Puget Sound Clean Air Agency before replacing or substantially altering any emission control technology installed at the facility. [Puget Sound Clean Air Agency Regulation I, Section 6.03, 9/12/96] [Puget Sound Clean Air Agency Regulation I, Section 6.01, 9/24/09 (*State Only*); Puget Sound Clean Air Agency Regulation I, Section 6.03, 9/24/09 (*State Only*); WAC 173-400-114, 9/15/01 (*State Only*); RCW 70.94.153, 1991 c 199 §303 State/Puget Sound Clean Air Agency only]

C. Asbestos

Frederickson Power shall comply with 40 CFR 61.145 and 61.150 when conducting renovation or demolition activities at the facility. [40 CFR 61.145, 4/7/1993 and 61.150, 1/16/1991]

Frederickson Power shall comply with Puget Sound Clean Air Agency Regulation III, Article 4 when conducting any asbestos project, renovation, or demolition activities at the facility. [Puget Sound Clean Air Agency Regulation III, Article 4, 3/26/09 (*State only*)]

D. Spray Coating

Comply with Puget Sound Clean Air Agency Regulation I, Section 9.16(a) when conducting or allowing any operation that involves the use of spray equipment to apply any coating that protects or beautifies a surface. [Puget Sound Clean Air Agency Regulation I, Section 9.16, 7/12/01]

V. STANDARD TERMS AND CONDITIONS

A. Duty to comply

Frederickson Power shall comply with all conditions of this permit. Any permit noncompliance constitutes a violation of Chapter 70.94 RCW and, for federally enforceable provisions, a violation of the Federal Clean Air Act (FCAA). Such violations are grounds for enforcement action; for permit termination, revocation and re-issuance, or modification; or for denial of a permit renewal application. [Puget Sound Clean Air Agency Regulation I, Section 7.05, 10/28/93, WAC 173-401-620(2)(a), 11/4/93]

B. Permit actions

This permit may be modified, revoked, reopened and reissued, or terminated for cause. The filing of a request by Frederickson Power 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. [WAC 173-401-620(2)(c), 11/4/93]

C. Property rights

This permit does not convey any property rights of any sort, or any exclusive privilege. [WAC 173-401-620(2)(d), 11/4/93]

D. Duty to provide information

Frederickson Power shall furnish to the Puget Sound Clean Air Agency, within a reasonable time, any information that the Puget Sound Clean Air Agency 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, Frederickson Power shall also furnish to the Puget Sound Clean Air Agency copies of records required to be kept by the permit or, for information claimed to be confidential, Frederickson Power may furnish such records directly to EPA Region 10 along with a claim of confidentiality. The Puget Sound Clean Air Agency shall maintain the confidentiality of such information in accordance with RCW 70.94.205. [WAC 173-401-620(2)(e), 11/4/93]

E. Permit fees

Frederickson Power shall pay fees as a condition of this permit in accordance with the Puget Sound Clean Air Agency Regulation I, Article 7. Failure to pay fees in a timely fashion shall subject Frederickson Power to civil and criminal penalties as prescribed in Chapter 70.94 RCW. [WAC 173-401-620(2)(f), 11/4/93]

F. Emissions trading

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. [WAC 173-401-620(2)(g), 11/4/93]

G. Severability

If any provision of this permit is held to be invalid, all unaffected provisions of the permit shall remain in effect and be enforceable. [WAC 173-401-620(2)(h), 11/4/93]

H. Permit appeals

This permit or any condition in it may be appealed only by filing an appeal with the Pollution Control Hearings Board and serving it on the Puget Sound Clean Air Agency within thirty days of receipt, pursuant to RCW 43.21B.310 and WAC 173-401-735. The provision for appeal in this section is separate from and additional to any federal rights to petition and review found under §505(b) of the FCAA. [WAC 173-401-620(2)(i) and WAC 173-401-735, 11/4/93]

I. Permit continuation

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. An application shield granted under WAC 173-401-705(2) shall remain in effect until the renewal permit has been issued or denied if a timely and complete permit application has been submitted. [WAC 173-401-620(2)(j), 11/4/93]

J. Federal enforceability

All terms and conditions of this permit are enforceable by the EPA administrator and by citizens under the FCAA, except for those terms and conditions designated in the permit as not federally enforceable. [WAC 173-401-625, 11/4/93]

K. Inspection and entry

Upon presentation of credentials and other documents as may be required by law, Frederickson Power shall allow the Puget Sound Clean Air Agency or an authorized representative to:

Enter Frederickson Power's premises or where records must be kept under the conditions of this permit;

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

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

As authorized by WAC 173-400-105 and the FCAA, sample or monitor at reasonable times substances or parameters for the purpose of assuring compliance with the permit or applicable requirements. [WAC 173-401-630(2) (11/4/93); RCW 70.94.200 (1991) State/Puget Sound Clean Air Agency only]

L. Compliance requirements

Frederickson Power shall continue to comply with all applicable requirements with which the source is currently in compliance. Frederickson Power shall meet on a timely basis any applicable requirements that become effective during the permit term. [WAC 173-401-630(3), WAC 173-401-510(2)(h)(iii) 11/4/93]

M. Compliance certifications

Frederickson Power shall submit a written certification of compliance with permit terms and conditions no less frequently than once per year. Frederickson Power shall transition from the annual reporting period based on the “anniversary date” of the permit to a reporting period based on the calendar year, with the transition to begin with the issue date of this permit renewal. The annual reporting period in effect at the time of issuance of this permit renewal shall run through either March 20 or December 31, whichever comes first. The next certification period shall cover a period end on December 31. Subsequent compliance certification periods shall run from January 1 through December 31 of each year. Each certification shall include:

- (1) The identification of each term or condition of the permit that is the basis of the certification;
- (2) The compliance status;
- (3) Whether compliance was continuous or intermittent; and
- (4) The method(s) used for determining the compliance status of the source, currently and over the reporting period. These methods must be consistent with the permit Monitoring, Maintenance and Recordkeeping Methods.

Submittal of a Puget Sound Clean Air Agency “OPERATING PERMIT – ANNUAL CERTIFICATION FORM,” completed in accordance with the instructions on the form, fulfills the requirements of this subsection.

All compliance certifications shall be submitted to EPA Region 10 and to the Puget Sound Clean Air Agency, at the following addresses, within 30 days after the close of the period covered by the certification:

Puget Sound Clean Air Agency
Attn.: Operating Permit Certification
1904 Third Ave, Suite 105
Seattle, Washington 98101

EPA Region 10, Mail Stop OAQ-107
Attn.: Air Operating Permits
1200 Sixth Avenue
Seattle, Washington 98101

[WAC 173-401-630(5), 11/4/93]

N. Compliance Determination

1. Credible Evidence

For the purpose of establishing whether or not a person has violated or is in violation of any provision of chapter 70.94 RCW, any rule enacted pursuant to that chapter, or any permit or order issued thereunder, nothing in Puget Sound Clean Air Agency Regulation I 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 procedures or methods had been performed.

[Puget Sound Clean Air Agency Regulation I, Section 3.06 (10/08/98); State/Puget Sound Clean Air Agency only]

For purposes of Federal enforcement, nothing in 40 CFR Part 52 shall preclude the use, including the exclusive use, of any credible evidence or information, relevant to whether Frederickson Power would have been in compliance with applicable requirements if the appropriate performance or compliance test procedures or methods had been performed.

[40 CFR 52.12(c) and 52.33(a) (2/24/97)]

2. Emission Testing

(a) General Testing Requirements

For the purpose of determining compliance with an emission standard, the Puget Sound Clean Air Agency or Ecology may conduct testing of an emission unit or require Frederickson Power to have it tested. In the event the Puget Sound Clean Air Agency or Ecology conduct the test, Frederickson Power shall be given an opportunity to observe the sampling and to obtain a sample at the same time. [Puget Sound Clean Air Agency Regulation I, Section 3.05(b), 2/10/94], [WAC 173-400-105(4), 6/8/07, State/Puget Sound Clean Air Agency only]

Testing of sources for compliance with emissions standards shall be performed in accordance with the Reference Test Methods identified in Section I of this permit, except where this permit indicates that a specific Reference Test Method is not needed or appropriate. [Puget Sound Clean Air Agency Regulation I, Section 3.07(a), 3/23/06], [WAC 173-400-105(4), 6/8/07 State/Puget Sound Clean Air Agency only]

Frederickson Power shall notify the Puget Sound Clean Air Agency in writing at least 21 days prior to any compliance test and provide the Puget Sound Clean Air Agency an opportunity to review the test plan and to observe the test (Notice requirements for NSPS testing are contained in Section V.N.2(b)). Notification of a compliance test shall be submitted on forms provided by the Puget Sound Clean Air Agency. [Puget Sound Clean Air Agency Regulation I, Section 3.07(b), 3/23/06, WAC 173-400-105(4), 6/8/07 State/Puget Sound Clean Air Agency only]

Unless otherwise specified, each test for particulate, PM₁₀, NO_x and sulfur dioxide shall consist of three separate runs and compliance shall be determined from the arithmetic average of the three runs. In the event that a sample is accidentally lost or conditions occur in which one of the runs must be discontinued because of circumstances beyond the operator's control, compliance may, upon Control Officer approval, be determined from the arithmetic average of the two other runs. [Puget Sound Clean Air Agency Regulation I, Section 3.07(a), 3/23/06, WAC 173-400-105(4), 6/8/07 State/Puget Sound Clean Air Agency only]

Frederickson Power, if required by the Puget Sound Clean Air Agency to perform a compliance test, shall submit a report to the Puget Sound Clean Air Agency no later than 60 days after the test. The report shall include:

- (1) A description of the source and the sampling location;
- (2) The time and date of the test;
- (3) A summary of results, reported in units and for averaging periods consistent with the applicable emission standard;
- (4) A description of the test methods and quality assurance procedures employed;
- (5) The amount of fuel burned or raw material processed by the source during the test;
- (6) The operating parameters of the source and control equipment during the test;
- (7) Field data and example calculations; and
- (8) A statement signed by the senior management official of the testing firm certifying the validity of the source test report

[Puget Sound Clean Air Agency Regulation I, Section 3.07(c), 3/23/06, WAC 173-400-105(4), 6/8/07 State/Puget Sound Clean Air Agency only].

(b) New Source Performance Testing

At such times as may be required by the EPA Administrator under section 114 of the Act, Frederickson Power shall conduct performance test(s) and furnish the EPA Administrator and Control Officer a written report of the results of such performance test(s). NSPS performance tests shall be conducted and data reduced in accordance with procedures in 40 CFR 60.8 and the

applicable subparts (Da and GG) unless EPA approves alternative methods. [40 CFR § 60.8 (2/12/99)]

O. Certification of Truth, Accuracy and Completeness

Any application form, report, or compliance certification 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. [WAC 173-401-520, 11/4/93]

P. Emergencies

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 the conditions of WAC 173-401-645(3) are met.

The affirmative defense of emergency shall be demonstrated through properly signed, contemporaneous operating logs, or other relevant evidence that:

- An emergency occurred and that Frederickson Power can identify the cause(s) of the emergency;
- The permitted facility was at the time being properly operated;
- During the period of the emergency Frederickson Power took all reasonable steps to minimize levels of emissions that exceeded the emission standards or other requirements in the permit; and
- Frederickson Power submitted notice of the emergency to the Puget Sound Clean Air Agency within two (2) working days of the time when the emissions limitations were exceeded due to the emergency or shorter periods of time specified in an applicable requirement. This notice fulfills the requirement of WAC 173-401-615(3)(b) unless the excess emissions represent a potential threat to human health or safety. This notice must contain a description of the emergency, any steps taken to mitigate emissions, and corrective actions taken.

In any enforcement proceeding, Frederickson Power has the burden of proof to establish the occurrence of an emergency. This provision is in addition to any emergency or upset provision contained in any applicable requirement. [WAC 173-401-645, 11/4/93]

Q. Unavoidable excess emissions

Excess emissions due to startup or shutdown conditions, scheduled maintenance or upsets that are determined to be unavoidable under the procedures and criteria in WAC 173-400-107 shall be excused and not subject to penalty. For any excess emission that Frederickson Power wants the Puget Sound Clean Air Agency to consider unavoidable and excusable under WAC 173-400-

107, Frederickson Power shall submit the information required under WAC 173-400-107. [WAC 173-400-107(2) (8/20/93)]

R. Need to halt or reduce activity not a defense

It shall not be a defense for Frederickson Power in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit. [WAC 173-401-620(2)(b), 11/4/93]

S. Stratospheric ozone and climate protection

Frederickson Power shall comply with the following standards for recycling and emissions reduction pursuant to 40 CFR Part 82, Subpart F, except as provided for motor vehicle air conditioners (MVACs) in Subpart B:

Persons opening appliances for maintenance, service, repair, or disposal must comply with the required practices pursuant to 40 CFR 82.156;

Equipment used during the maintenance, service, repair, or disposal of appliances must comply with the standards for recycling and recovery equipment pursuant to 40 CFR 82.158;

Persons performing maintenance, service, repair, or disposal of appliances must be certified by an approved technician certification program pursuant to 40 CFR 82.161.

Frederickson Power may switch from any ozone-depleting substance to any alternative approved pursuant to the Significant New Alternatives Program (SNAP), 40 CFR Part 82, Subpart G, without a permit revision but shall not switch to a substitute listed as unacceptable pursuant to such program. [40 CFR 82.174]

Any certified technician employed by Frederickson Power shall keep a copy of their certification at their place of employment. [40 CFR 82.166(1)]

Frederickson Power shall not willfully release any regulated refrigerant and shall use refrigerant extraction equipment to recover regulated refrigerant when servicing, repairing or disposing of commercial air conditioning, heating, or refrigeration systems. [RCW 70.94.970(2) and (4), 11/12/97 State/Puget Sound Clean Air Agency only]

T. RACT satisfied

Emission standards and other requirements contained in rules or regulatory orders in effect at the time of this permit issuance shall be considered RACT for the purposes of issuing this permit. [WAC 173-401-605(3), 11/4/93]

U. Risk management programs

In accordance with 40 CFR Part 68, if Frederickson Power has or receives more than a threshold quantity of a regulated substance in a process, as determined under 40 CFR 68.115, Frederickson Power shall comply with the requirements of the Chemical Accident Prevention Provisions of 40 CFR Part 68 no later than the following dates:

Three years after the date on which a regulated substance is first listed under 40 CFR 68.130, or

The date on which a regulated substance is first present above a threshold quantity in a process.

[40 CFR 68.10, 1/6/99]

V. Definitions

Unless otherwise defined in this permit, the terms used in this permit shall have the same meaning ascribed to them in WAC 173-401-200. [WAC 173-401-200, 10/17/02]

W. Duty to supplement or correct application

Upon becoming aware that it has failed to submit any relevant facts in a permit application or that it has submitted incorrect information in a permit application, Frederickson Power shall promptly submit such supplementary facts or corrected information to the Puget Sound Clean Air Agency. [WAC 173-401-500(6), 10/17/02]

VI. PERMIT ACTIONS

A. Permit Renewal, Revocation and Expiration

- (1) **Renewal application.** Frederickson Power shall submit a complete permit renewal application to the Puget Sound Clean Air Agency no later than 12 months prior to the expiration of this permit. Puget Sound Clean Air Agency will send Frederickson Power a renewal application no later than 18 months prior to the expiration of this permit. Failure of the Puget Sound Clean Air Agency to send Frederickson Power a renewal application shall not relieve Frederickson Power from the obligation to file a timely and complete renewal application. [WAC 173-401-710(1), WAC 173-401-500(2), 10/17/2002]
- (2) **Expired permits.** Permit expiration terminates Frederickson Power's right to operate unless a timely and complete renewal application has been submitted consistent with WAC 173-401-710(1) and WAC 173-401-500. All terms and conditions of the permit shall remain in effect after this permit expires if a timely and complete permit application has been submitted. [WAC 173-401-710(3), 10/17/2002]
- (3) **Revocation of permits.** Puget Sound Clean Air Agency may revoke a permit only upon the request of Frederickson Power or for cause. Puget Sound Clean Air Agency shall provide at least thirty days written notice to Frederickson Power prior to revocation of the permit or denial of a permit renewal application. Such notice shall include an explanation of the basis for the proposed action and afford Frederickson Power an opportunity to meet with the Puget Sound Clean Air Agency prior to the Puget Sound Clean Air Agency's final decision. A revocation issued under this condition may be issued conditionally with a future effective date and may specify that the revocation will not take effect if Frederickson Power satisfies the specified conditions before the effective date. Nothing in this subsection shall limit the Puget Sound Clean Air Agency's authority to issue emergency orders. [WAC 173-401-710(4), 10/17/2002]

B. Administrative Permit Amendments

- (1) **Definition.** An "administrative permit amendment" is a permit revision that:
 - (a) Corrects typographical errors;
 - (b) Identifies a change in the name, address, or phone number of any person identified in the permit, or provides a similar minor administrative change at Frederickson Power;
 - (c) Requires more frequent monitoring or reporting by Frederickson Power;
 - (d) Allows for a change in ownership or operational control of a source where the Puget Sound Clean Air Agency determines that no other change in the permit is necessary, provided that a written agreement containing a specific date for transfer of permit responsibility, coverage, and liability between the current and new permittee has been submitted to the Puget Sound Clean Air Agency;

- (e) Incorporates into the permit the terms, conditions, and provisions from orders approving notice of construction applications processed under an EPA-approved program, provided that such a program meets procedural requirements substantially equivalent to the requirements of WAC 173-401-700, 173-401-725, and 173-401-800 that would be applicable to the change if it were subject to review as a permit modification, and compliance requirements substantially equivalent to those contained in WAC 173-401-600 through 173-401-650. [WAC 173-401-720(1), 11/4/1993]
- (2) **Administrative permit amendment procedures.** An administrative permit amendment may be made by the Puget Sound Clean Air Agency consistent with the following:
 - (a) Puget Sound Clean Air Agency shall take no more than sixty days from receipt of a request for an administrative permit amendment to take final action on such request, and may incorporate such changes without providing notice to the public or affected states provided that it designates any such permit revisions as having been made pursuant to this paragraph.
 - (b) Puget Sound Clean Air Agency shall submit a copy of the revised permit to EPA.
 - (c) Frederickson Power may implement the changes addressed in the request for an administrative amendment immediately upon submittal of the request [WAC 173-401-720(3), 11/4/1993]
- (3) **Permit shield.** Puget Sound Clean Air Agency shall, upon taking final action granting a request for an administrative permit amendment, allow coverage by the permit shield in WAC 173-401-640 for administrative permit amendments made pursuant to part (1)(e) of this condition. [WAC 173-401-720(4), 11/4/1993]

C. Changes not Requiring Permit Revisions

- (1) **General.**
 - (a) Frederickson Power is authorized to make the changes described in this section without a permit revision, providing the following conditions are met:
 - (i) The proposed changes are not Title I modifications as defined in WAC 174-401-200(33);
 - (ii) The proposed changes do not result in emissions which exceed those allowable under the permit, whether expressed as a rate of emissions, or in total emissions;
 - (iii) The proposed changes do not alter permit terms that are necessary to enforce limitations on emissions from units covered by the permit; and
 - (iv) Frederickson Power provides EPA and the Puget Sound Clean Air Agency with written notification at least seven days prior to making the proposed changes except that written notification of a change made in response to an emergency shall be provided as soon as possible after the event.

- (b) Permit attachments. Frederickson Power and the Puget Sound Clean Air Agency shall attach each notice to their copy of the relevant permit.
- (2) **Section 502 (b)(10) changes.** Pursuant to the conditions in subsection (1) of this section, Frederickson Power is authorized to make section 502(b)(10) changes (as defined in WAC 173-401-200(28)) without a permit revision.
- (a) For each such change, the written notification required under subsection (1)(a)(iv) of this condition shall include a brief description of the change within the permitted facility, the date on which the change will occur, any change in emissions, and any permit term or condition that is no longer applicable as a result of the change.
- (b) The permit shield authorized under WAC 173-401-640 shall not apply to any change made pursuant to this paragraph.
- (3) **SIP authorized emissions trading.** Pursuant to the conditions in subsection (1) of this condition, Frederickson Power is authorized to trade increases and decreases in emissions in the permitted facility, where the Washington state implementation plan provides for such emissions trades without requiring a permit revision. This provision is available in those cases where the permit does not already provide for such emissions trading.
- (a) Under this subsection (3), the written notification required under subsection (1)(a)(iv) of this condition shall include such information as may be required by the provision in the Washington state implementation plan authorizing the emissions trade, including at a minimum, when the proposed change will occur, a description of each such change, any change in emissions, the permit requirements with which Frederickson Power will comply using the emissions trading provisions of the Washington state implementation plan, and the pollutants emitted subject to the emissions trade. The notice shall also refer to the provisions with which Frederickson Power will comply in the applicable implementation plan and that provide for the emissions trade.
- (b) The permit shield described in WAC 173-401-640 shall not extend to any change made under this paragraph. Compliance with the permit requirements that Frederickson Power will meet using the emissions trade shall be determined according to requirements of the applicable implementation plan authorizing the emissions trade.

[WAC 173-401-722, 10/17/2002]

D. Off-Permit Changes

- (1) Frederickson Power shall be allowed to make changes not specifically addressed or prohibited by the permit terms and conditions without requiring a permit revision, provided that the proposed changes do not weaken the enforceability of existing permit conditions. Any change that is a Title I modification or is a change subject to the acid rain requirements under Title IV of the FCAA must be submitted as a permit revision.

- (2) Each such change shall meet all applicable requirements and shall not violate any existing permit term or condition.
- (3) Frederickson Power must provide contemporaneous written notice to the Puget Sound Clean Air Agency and EPA of each such change, except for changes that qualify as insignificant under WAC 173-401-530. Such written notice shall describe each such change, including the date, any change in emissions, pollutants emitted, and any applicable requirement that would apply as a result of the change.
- (4) The change shall not qualify for the permit shield under WAC 173-401-640.
- (5) Frederickson Power shall keep a record describing changes made at Frederickson Power 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.
- (6) When making a change under this section, Frederickson Power shall comply with applicable preconstruction review requirements established pursuant to RCW 70.94.152 and Puget Sound Clean Air Agency Regulation I Article 6.

[WAC 173-401-724, 11/4/1993]

E. Permit Modification

- (1) **Definition.** A permit modification is any revision to this permit that cannot be accomplished under provisions for administrative permit amendments under WAC 173-401-720.
- (2) **Procedures.** Minor permit modification procedures.
 - (a) Criteria
 - (i) Minor permit modification procedures shall be used for those permit modifications that:
 - (A) Do not violate any applicable requirement;
 - (B) Do not involve significant changes to existing monitoring, reporting, or recordkeeping requirements in the permit;
 - (C) Do not require or change a case-by-case determination of an emission limitation or other standard, or a source-specific determination for temporary sources of ambient impacts, or a visibility or increment analysis;
 - (D) Do not seek to establish or change a permit term or condition for which there is no corresponding underlying applicable requirement and that Frederickson Power has assumed to avoid an applicable requirement to

which Frederickson Power would otherwise be subject. Such terms and conditions include:

- (I) A federally enforceable emissions cap assumed to avoid classification as a modification under any provision of Title I of the FCAA; and
 - (II) An alternative emissions limit approved pursuant to regulations promulgated under Section 112(i)(5) of the FCAA;
- (E) Are not modifications under any provision of Title I of the FCAA;
- (ii) Notwithstanding (a)(i) of this subsection, and subsection (3) of this section, the Puget Sound Clean Air Agency may allow the use of minor permit modification procedures for permit modifications involving the use of economic incentives, marketable permits, emissions trading, and other similar approaches, to the extent that the use of such minor permit modification procedures is explicitly provided for in the Washington state implementation plan or in applicable requirements promulgated by EPA and in effect on April 7, 1993.
- (b) Application. An application requesting the use of minor permit modification procedures shall meet the requirements of WAC 173-401-510 and shall include the following:
- (i) A description of the change, the emissions resulting from the change, and any new applicable requirements that will apply if the change occurs;
 - (ii) Frederickson Power suggested draft permit;
 - (iii) Certification by a responsible official, consistent with WAC 173-401-520, of the truth, accuracy, and completeness of the application and that the proposed modification meets the criteria for use of minor permit modification procedures and a request that such procedures be used; and
 - (iv) Completed forms for the Puget Sound Clean Air Agency to use to notify EPA and affected states as required under WAC 173-401-810 and 173-401-820.
- (c) Frederickson Power's ability to make change. Frederickson Power may make the change proposed in its minor permit modification application immediately after it files such application provided that those changes requiring the submission of a notice of construction application have been reviewed and approved by the Puget Sound Clean Air Agency. After Frederickson Power makes the change allowed by the preceding sentence, and until the Puget Sound Clean Air Agency takes any of the actions specified in WAC 173-401-725(d), Frederickson Power must comply with both the applicable requirements governing the change and the proposed permit terms and conditions. During this time period, Frederickson Power need not comply with the existing permit terms and conditions it seeks to modify. However, if Frederickson Power fails to comply with its proposed permit terms and conditions during this time

period, the existing permit terms and conditions it seeks to modify may be enforced against it.

- (d) Permit shield. The permit shield under WAC 173-401-640 shall not extend to minor permit modifications.
- (3) **Group processing of minor permit modifications.** Consistent with WAC 173-401-725(3), the Puget Sound Clean Air Agency may process groups of a source's applications for certain modifications eligible for minor permit modification processing.
- (4) **Significant modification procedures.**
 - (a) Criteria. Significant modification procedures shall be used for applications requesting permit modifications that do not qualify as minor permit modifications or as administrative permit amendments. Every significant change in existing monitoring permit terms or conditions and every relaxation of reporting or recordkeeping permit terms or conditions shall be considered significant. Nothing herein shall be construed to preclude Frederickson Power from making changes consistent with Chapter 173-401 WAC that would render existing permit compliance terms and conditions irrelevant.
 - (b) Significant permit modifications shall meet all requirements of Chapter 173-401 WAC, including those for applications, public participation, review by affected states, and review by EPA, as they apply to permit issuance and permit renewal. The Puget Sound Clean Air Agency shall complete review on the majority of significant permit modifications within nine months after receipt of a complete application. [WAC 173-401-725, 11/4/93]

F. Reopening for Cause

- (1) **Standard provisions.** This permit shall be reopened and revised under any of the following circumstances:
 - (a) Additional applicable requirements become applicable to Frederickson Power 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);
 - (b) Additional requirements (including excess emissions requirements) become applicable to an affected source under the acid rain program. Upon approval by EPA, excess emissions offset plans shall be deemed to be incorporated into the permit;
 - (c) The Puget Sound Clean Air Agency or EPA determine 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

- (d) The Puget Sound Clean Air Agency or EPA determine that the permit must be revised or revoked to assure compliance with the applicable requirements.
- (2) **Procedures.** Proceedings to reopen and issue a permit shall follow the same procedures as apply to initial permit issuance and shall affect only those parts of the permit for which cause to reopen exists. Such reopening shall be made as expeditiously as practicable.
- (3) **Notice.** Reopening under this section shall not be initiated before a notice of such intent is provided to Frederickson Power by the Puget Sound Clean Air Agency at least thirty days in advance of the date that the permit is to be reopened, except that the Puget Sound Clean Air Agency may provide a shorter time period in the case of an emergency.

[WAC 173-401-730, 11/4/93]

VII. PERMIT SHIELD

Compliance with the conditions of the permit shall be deemed compliance with any applicable requirements contained in Sections I through VI of this permit that are specifically identified in this permit as of the date of permit issuance. [WAC 173-401-640(1)]

Nothing in this permit shall alter or affect the following:

- (1) The provisions of Section 303 of the FCAA (emergency orders), including the authority of the administrator under that section;
- (2) The liability of an owner or operator of Frederickson Power for any violation of applicable requirements prior to or at the time of permit issuance;
- (3) The applicable requirements of the acid rain program, consistent with Section 408(a) of the FCAA;
- (4) The ability of EPA to obtain information from a source pursuant to Section 114 of the FCAA; or
- (5) The ability of Puget Sound Clean Air Agency to establish or revise requirements for the use of reasonably available control technology (RACT) as provided in Chapter 252, Laws of 1993. [WAC 173-401-640(4), 11/4/93]

VIII. INAPPLICABLE REQUIREMENTS

As of the date of permit issuance, the requirements listed below do not apply to Frederickson Power, or to the specific emission units specified below for the reasons indicated. The permit shield applies to all requirements so identified. [WAC 173-401-640(2), 11/4/1993]

Citation	Type of Requirement	Basis for Nonapplicability
40 CFR Part 64	Compliance Assurance Monitoring	40 CFR 64.2(b)(1)(vi) Emission limitations or standards for which a part 70 or 71 permit specifies a continuous compliance determination method, as defined in §64.1.
40 CFR Part 63, Subpart YYYY	NESHAP for Stationary Combustion Turbines	Facility is not a major source for HAPs. Using the emission factor specified in the proposed rule for Subpart YYYY (68 Fed. Reg. 1888 (Jan. 14, 2003) for lean premix turbines operated at > 80% load – 0.000212 lb/mmBtu – total potential HAP emissions from the facility are 1.64 tons per year, well below the 10 ton per year major source threshold.
WAC 173-400-040(3)(b) and (8)(b)	Fugitive emission standards for emission units identified as a "significant contributor to the nonattainment status of a designated nonattainment area.	There are no designated nonattainment areas in the vicinity of the facility, and no emission unit at the facility has been identified as a "significant contributor" to the nonattainment status of a designated nonattainment area.
WAC 173-400-151	Retrofit Requirements for Visibility Protection	This is inapplicable because Ecology has not identified FPLP as a source causing or contributing to impaired visibility in a Class I area. If Ecology makes such a determination, Puget Sound Clean Air Agency will reopen the permit.
WAC 173-435	Emergency Episode Plans	This chapter is not an applicable requirement until it is triggered by a request from Ecology to prepare a Source Emission Reduction Plan (SERP). Absent a request for a SERP, nothing in this chapter (except WAC 173-435-050(2)) impose substantive requirements on sources.
WAC 173-435-050(2)	Action Procedures	Subsection (2) is not an applicable requirement because FPLP operations do not include open burning. The other subsections are not applicable requirements, because they do not impose substantive requirements on facilities.
WAC 173-470	Ambient Air Quality Standards for Particulate Matter	Ambient air quality standards are not "applicable requirements" [See WAC 173-401-200(4)(a)(xii) (10/17/02); 57 Fed. Reg. 32276 (July 22, 1992)].
WAC 173-474	Ambient Air Quality Standards for Sulfur Oxides	Ambient air quality standards are not "applicable requirements" [See WAC 173-401-200(4)(a)(xii) (10/17/02); 57 Fed. Reg. 32276 (July 22, 1992)].
WAC 173-475	Ambient Air Quality Standards for Carbon Monoxide, Ozone, and Nitrogen Dioxide	Ambient air quality standards are not "applicable requirements" [See WAC 173-401-200(4)(a)(xii) (10/17/02); 57 Fed. Reg. 32276 (July 22, 1992)].

Citation	Type of Requirement	Basis for Nonapplicability
WAC 173-480	Ambient Air Quality Standards and Emission Limits for Radionuclides	Ambient air quality standards are not "applicable requirements" [See WAC 173-401-200(4)(a)(xii) (10/17/02); 57 Fed. Reg. 32276 (July 22, 1992)]. These standards are also not applicable requirements because the facility does not emit radionuclides.
WAC 173-481	Ambient Air Quality and Environmental Standards for Fluorides	Ambient air quality standards are not "applicable requirements" [See WAC 173-401-200(4)(a)(xii) (10/17/02); 57 Fed. Reg. 32276 (July 22, 1992)].
Puget Sound Clean Air Agency Reg. I: Article 5	Registration	This section will not be applicable because Title V permitted sources are not subject to these registration and reporting requirements per RCW 70.94.161(17).

IX. INSIGNIFICANT EMISSION UNITS

Insignificant emission units and activities at Frederickson Power are subject to all applicable requirements set forth in Sections I.A, III and IV. This permit shall not require testing, monitoring, reporting or recordkeeping for insignificant emission units or activities except as required by Puget Sound Clean Air Agency Regulation I, Sections 7.09(b) and 9.20. Compliance with Puget Sound Clean Air Agency Regulation I, Sections 7.09(b) and 9.20 shall be deemed to satisfy the requirements of WAC 173-401-615 and 173-401-630(1). [WAC 173-401-530(2)(c), 10/17/02]

Where this permit does not require testing, monitoring, recordkeeping and reporting for insignificant emissions units or activities, Frederickson Power may certify continuous compliance if there were no observed, documented, or known instances of noncompliance during the reporting period. Where this permit requires testing, monitoring, recordkeeping and reporting for insignificant emission units or activities, Frederickson Power 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. [WAC 173-401-530(2)(d), 10/17/02]

An emission unit or activity that qualifies as insignificant solely on the basis of WAC 173-401-530(1)(a) shall not exceed the emission thresholds specified in WAC 173-401-530(4) until this permit is modified pursuant to Section VI.E of this permit and WAC 173-401-725. [WAC 173-401-530(6), 10/17/02]

X. Obsolete Requirements

Certain parts of 40 CFR 60 Subparts A, Da, and GG apply only at initial startup of a facility, and cease to be of concern once compliance has been documented. Only the “ongoing” requirements of 40 CFR 60 Subparts A and GG are listed in the Applicable Requirements section of the air operating permit. The Puget Sound Clean Air Agency has issued Notice of Construction (NOC) Order of Approval No. 7968 to Frederickson Power LP. This NOC Approval contains at least one condition that requires Frederickson Power LP to do something one time, and one-time only. The Puget Sound Clean Air Agency has determined that some of the Approval Conditions are now informational statements because they have already been complied with and, therefore, do not meet the criteria of being applicable requirements. Those Approval Conditions are described here and are not listed in Sections I or II of the air operating permit.

Order of Approval No. 7968 Condition 1. Approval is hereby granted as provided in Article 6 of Regulation I of the Puget Sound Clean Air Agency to the applicant to install or establish the equipment, device or process described herein at the INSTALLATION ADDRESS in accordance with the plans and specifications on file in the Engineering Division of Puget Sound Clean Air Agency.

Order of Approval No. 7968 Condition 2. This approval does not relieve the applicant or owner of any requirement of any other governmental agency.

Order of Approval No. 7968 Condition 3. Frederickson Power LP shall notify the U.S. Environmental Protection Agency and the Puget Sound Clean Air Agency in writing to comply with Standards of Performance for New Stationary Sources (40 CFR 60 Subparts A (General Provisions) and GG (Standards of Performance for Stationary Gas Turbines)) and meet the requirements for gas turbines greater than 107.2 G-Joules/hr as defined in 40 CFR Part 60.332(a)(1).

Order of Approval No. 7968 Condition 4. Frederickson Power LP shall submit to the Puget Sound Clean Air Agency within 60 days of approval a definition of plant startup, unless otherwise approved by the Control Officer.

Order of Approval No. 7968 Condition 7. If EPA promulgates an NH₃ Performance Specification within 12 months of plant startup, Frederickson Power LP shall install an NH₃ continuous emission monitor within 60 days of date of promulgation.

Order of Approval No. 7968 Condition 8. Frederickson Power LP shall notify the U.S. Environmental Protection Agency and the Puget Sound Clean Air Agency in writing to comply with Standards of Performance for New Stationary Sources (40 CFR 60 Subparts A (General Provisions) and GG (Standards of Performance for Stationary Gas Turbines)) and meet the requirements for gas turbines greater than 107.2 G-Joules/hr as defined in 40 CFR Part 60.332(a)(1).

Order of Approval No. 7968 Condition 9. Frederickson Power LP shall submit to the Puget Sound Clean Air Agency at least 30 days prior to plant startup, unless otherwise approved by the Control Officer, the following.

- (a) Source Test Plan shall meet Regulation I, Section 3.07 for the demonstration of compliance with Condition Nos. 17(a), 17(c) and 17(f) within 180 days after plant startup, on both natural gas and oil.
- (b) A Continuous Emission Monitoring System (CEMS) Quality Assurance, Quality Control (QA/QC) Plan shall satisfy 40 CFR Part 75 for the NO_x and CO.
- (c) An initial Parametric NH₃ Emissions Monitoring Plan shall establish a predictive relationship between turbine and control system operating parameters and emissions of NH₃. This initial plan shall include source test dates and the monitoring of expected operating parameters.
- (d) An Unavoidable Excess Emissions Plan addressing 40 CFR 77 and WAC 173-400-107 and containing general procedures shall demonstrate excess emissions are unavoidable during startup and shutdown periods, scheduled maintenance periods, and upset periods. This Plan shall address corrective actions and preventive maintenance Frederickson Power LP would follow during periods of excess emissions such as conditions for slowing or shutting down the emission unit or other actions to avoid or minimize emission impacts.

Order of Approval No. 7968 Condition 19. This Order of Approval No. 7968, issued to change the brand name of the selective catalytic reduction unit in the project description, amend Conditions No. 5, 8(b) and 13 to use parametric monitoring for flow rate measurements per 40 CFR 75 and redefine Startup and Shutdown descriptions, hereby supersedes and cancels Order of Approval No. 7968 dated Apr 25, 2000.

XI. APPENDIXES

A. Non-EPA Test Methods

- (1) Puget Sound Clean Air Agency Method 5
- (2) Ecology Method 9A

B. Puget Sound Clean Air Agency Regulation I Article 12

- (1) Puget Sound Clean Air Agency Board Resolution 644 passed and approved August 10, 1989.

C. Title IV Acid Rain Documentation

- (1) Letter from Frederickson Power LP to EPA, dated December 21, 2004. The letter transmits a revised Certificate of Representation for the Frederickson Power Plant in Tacoma, Washington (ORIS) Code 55818), and a revised Acid Rain Permit Application.
- (2) Certificate of Representation, OMB Form No. 2060-0258, filled out by and for Frederickson Power, ORIS Code 55818.
- (3) Acid Rain Permit Application, OMB Form No. 2060-0258, filled out by and for Frederickson Power, ORIS Code 55818.