

GOVERNMENT OF THE DISTRICT OF COLUMBIA

District Department of the Environment



Air Quality Division

September 9, 2011

Peter Meier, Senior Vice President and General Counsel  
Potomac Power Resources, LLC  
1300 North 17<sup>th</sup> Street, Suite 1600  
Arlington, VA 22209

Subject: **Draft Title V Operating Permit (Permit No. 026-R1)**

Dear Mr. Meier:

The Air Quality Division (AQD) of the District Department of the Environment has prepared a Draft Title V operating permit pursuant to Chapter 3 of Title 20 of the District of Columbia Municipal Regulations (20 DCMR 300). This permit, satisfying applicable regulations, is enclosed.

As the responsible official for the equipment covered by this permit at the Potomac Power Resources LLC, Benning Road Generating Station, it will be your responsibility to review, understand, and abide by all of the terms and conditions of the attached permit once it becomes final and to ensure that any person who operates any emission unit subject to the attached permit does the same.

This draft permit is subject to a 30-day public comment period. Potomac Power Resources LLC, Benning Road Generating Station, affected states (Maryland, Virginia and West Virginia), EPA, and the general public may comment on the draft permit during this review period. Upon closing of this review period the permit may be modified to address comments received during this period. If comments are received, they will be addressed and the permit will then be issued as a proposed permit for EPA review only for a period of 45 days. If no comments are received, the EPA review will continue for an additional 15 days beyond the closing of the 30 day period. If EPA does not object to issuance of the permit during this additional 15 day period or the alternative 45 day proposed permit review period, whichever is applicable, the permit will be issued as a final permit and will become fully enforceable. If EPA raises objections during this period, the objections will be addressed as necessary by issuance of a modified draft permit.



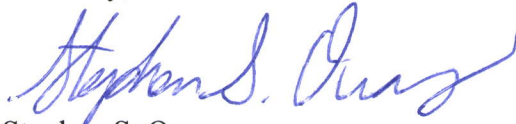
**Potomac Power Resources LLC, Benning Road Generating Station  
Transmittal of Draft Title V Operating Permit No. 026-R1**

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If you have questions or comments or need further information, please write to this office or contact John C. Nwoke at (202) 724-7778.

Sincerely,



Stephen S. Ours  
Chief, Permitting and Enforcement Branch  
Air Quality Division

Attachment: 1

SSO:JCN

pc: Pam Maines, Vice President, Pepco Energy Services

01063



**District of Columbia  
Air Quality Operating Permit**

**POTOMAC POWER RESOURCES LLC  
Benning Road Generating Station  
Washington, D.C. 20019  
Draft Title V Operating Permit  
Chapter 3 Permit No. 026-R1**

**AFS Facility ID: 11/001/00001**

**District Department of the Environment  
Air Quality Division**

Effective Date: <insert date>      Expiration Date: <insert date>



GOVERNMENT OF THE DISTRICT OF COLUMBIA

District Department of the Environment

Air Quality Division



Chapter 3 Permit No. 026-R1

AFS Facility ID: 11/001/00001

Effective Date: <Insert Date>, 2011

Expiration Date: <Insert Date>, 2016

Pursuant to the requirements of Chapter 3, Operating Permits, of Title 20 of the District of Columbia Municipal Regulation (20 DCMR), the District of Columbia Department of the Environment, Air Quality Division hereafter referred to as "the District" or "the Department" as the duly delegated agency, hereby grants approval to operate the emission units listed in Sections III and IV of this permit subject to the terms and conditions of this permit. All terms and conditions of this permit are enforceable by the District and by the U.S. Environmental Protection Agency (EPA) unless specifically designated as enforceable by the District only, as annotated by "\*".

SUBJECT TO THE TERMS AND CONDITIONS OF THIS PERMIT, approval to operate is granted to:

**Permittee**

Potomac Power Resources LLC  
1300 North 17<sup>th</sup> Street, Suite 1600  
Arlington, VA, 22209

**Facility Location**

Benning Road Generating Station  
3400 Benning Road, NE  
Washington, D.C. 20019

Responsible Official: Peter Meier, Senior Vice President and General Counsel

PREPARED BY:

\_\_\_\_\_  
John C. Nwoke  
Environmental Engineer  
Air Quality Division  
(202) 724-7778

\_\_\_\_\_  
Date

AUTHORIZED BY:

\_\_\_\_\_  
Stephen S. Ours, P.E.  
Chief, Permitting and Enforcement Branch  
Air Quality Division  
(202) 535-1747

\_\_\_\_\_  
Date



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## I. General Permit Requirements

### a. Compliance

1. The Permittee shall comply with all the terms and conditions of this permit. Any non-compliance with this permit constitutes a violation of the federal Clean Air Act and/or District regulations and is grounds for enforcement action, permit revocation, permit modification or denial of permit renewal. [20 DCMR 302.1(g)(1)]
2. In any enforcement action, the Permittee cannot claim as a defense that it would have been necessary to halt or reduce a permitted activity in order to maintain compliance with this permit. [20 DCMR 302.1(g)(2)]
3. To demonstrate compliance, the Permittee must submit an Annual Certification Report to the District not later than March 1 each year certifying compliance with all permit conditions. See Section I(d)(2) of this permit. [20 DCMR 302.3(e)(1)]
4. Nothing in this permit shall be interpreted to preclude the use of any credible evidence to demonstrate compliance or non-compliance with any term or condition of this permit. [40 CFR 61.12]
5. In the event of an emergency, as defined by 20 DCMR 399.1, noncompliance with the limits contained in this permit shall be subject to the following provisions [20 DCMR 302.7]:
  - A. An emergency constitutes an affirmative defense to an action brought for noncompliance with the technology-based emission limitations of this permit if the conditions of Condition I(a)(5)(B) are met.
  - B. The affirmative defense of an emergency shall be demonstrated through properly signed, contemporaneous operating logs, or other relevant evidence that:
    - i. An emergency occurred and that the Permittee can identify the cause(s) of the emergency;
    - ii. The permitted stationary source was at the time being properly operated;
    - iii. During the period of the emergency the Permittee took all reasonable steps to minimize levels of emissions that exceeded the emissions standards or other requirements of this permit; and
    - iv. The Permittee submitted notice of the emergency to the District within two (2) working days of the time when emission limitations were exceeded due to the emergency. The notice shall contain description of the emergency, any steps taken to mitigate emissions, and corrective actions taken pursuant to 20 DCMR



302.1(c)(3)(C)(i).

C. In any enforcement proceeding, the Permittee seeking to establish the occurrence of an emergency has the burden of proof; and

D. This provision is in addition to any emergency or upset provision contained in any applicable requirement.

6. In addition to any specific testing requirements specified elsewhere in this permit, the District reserves the right to require that the owner or operator perform additional emission tests using methods approved in advance by the District. [20 DCMR 502.1]

b. Permit Availability

A copy of this permit shall be available at the permitted facility at all times. A copy of this permit shall be provided to the District upon request. [20 DCMR 101.1]

c. Record Keeping

1. Where applicable to the monitoring, reporting, or testing requirements of this permit, the Permittee shall keep the following records [20 DCMR 302.1(c)(2)(A)(i-vi)]:

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 the analyses; and

F. The operating conditions, as existing at the time of sampling or measurement.

2. The Permittee must keep and maintain records of all testing results, monitoring information, records, reports, and applications required by this permit for a period of at least five (5) years from the date of such test, monitoring, sample measurement, report or application. [20 DCMR 302.1(c)(2)(B)]

3. The Permittee must keep and maintain, in a permanently bound log book or another format approved in writing by the District, records of all combustion process adjustments. Such records shall include the following [20 DCMR 805.8(c)]:

A. The date on which the combustion process was last adjusted;



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- B. The name, title, affiliation of the person who made the adjustment;
  - C. The NO<sub>x</sub> emission rate, in ppmvd, after the adjustments were made;
  - D. The CO emission rate, in ppmvd, after the adjustments were made;
  - E. The CO<sub>2</sub> concentration, in percent (%) by volume dry basis, after the adjustments were made;
  - F. The O<sub>2</sub> concentration, in percent (%) by volume dry basis, after the adjustments were made; and
  - G. Any other information which the District may require.
4. For surface painting operations, printing operations, and photograph processing operations, etc., as applicable, the Permittee shall maintain the following records [20 DCMR 500.1]:
- A. The names of the chemical compounds contained in the solvents, reagents, coatings, and other substances used in these activities;
  - B. The volatile organic compound (VOC) content, measured in weight percent, of solvents used in these activities,
  - C. The quantity of solvents used in pounds per hour, and
  - D. The number of hours that solvents were applied each day.
5. If Section 502(b)(10) changes are made pursuant to Condition I (k) of this permit, the Permittee shall maintain a copy of the notice with the permit. [20 DCMR 302.8(a)]
6. If off-permit changes are made pursuant to Condition I (l) of this permit, the Permittee shall keep a record of all such changes 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. [20 DCMR 302.9(d)]

d. Reporting Requirements

1. Semi-Annual Report: The Permittee shall submit semi-annual reports to the District by March 1 and September 1 of each year. The September 1 report shall cover January 1 through June 30 of that year; the March 1 report shall cover July 1 through December 31 of the previous year. These reports shall contain the following information [20 DCMR 302.1(c)(3)(A)&(B)]:
- A. Fuel use records in the format required by the unit-specific requirements of this permit;



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- B. Visible emissions (opacity) observation results per the unit-specific requirements of this permit;
  - C. The results of any other required monitoring referencing this section; and
  - D. A description of any deviation from permit requirements during the period covered by the report.
2. **Annual Certification Report:** By March 1 of each year, the Permittee shall submit to the District and the U.S. Environmental Protection Agency an Annual Certification Report certifying compliance with the terms and conditions of this permit. The report shall cover the period from January 1 through December 31 of the previous year. [20 DCMR 302.1(c)(3) and 302.3(e)(1)]
- A. The report shall [20 DCMR 302.3(e)(3)]:
    - i. Identify each term or condition of the permit that is the basis for certification;
    - ii. State the Permittee's current compliance status;
    - iii. Describe the testing, monitoring, and record keeping methods used to determine compliance with each emission limit, standard or other requirement over the reporting period; and
    - iv. State whether compliance has been continuous or intermittent during the reporting period for each emission limit, standard or other requirement as shown by these testing, monitoring, and record keeping methods.
  - B. The report shall include the following information for all fuel burning equipment and stationary internal combustion engines/generators.
    - i. **Fuel Usage:** The total amount of each type and grade of fuel burned during the reporting period shall be reported for each emission unit and for each group of emission units identified as a miscellaneous activity in this permit. Natural gas use shall be reported in therms (where one therm equals 100 cubic feet); fuel oil use shall be reported in gallons. The Permittee shall submit this information in a form approved by the District. [20 DCMR 500.1]
    - ii. **Quality of Fuel Information:** Unless more frequent testing is specified elsewhere in this permit, the Permittee shall sample and test the fuel oil burned in its fuel burning equipment and stationary internal combustion engines/generators at least once each calendar quarter that fuel is fired in the units or at the time of each fuel delivery, whichever is less frequent, and shall report these data with the Annual Certification Report. For each sample, the Permittee must provide [20 DCMR 502]:

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1. The fuel oil grade;
2. The weight percent sulfur of the fuel oil as determined using ASTM test method D-4294 or other method approved in advance by the Department;
3. The date and time the sample was taken;
4. The name, address, and telephone number of the laboratory that analyzed the sample; and
5. The type of test or test method performed.

In lieu of sampling and testing fuel oil each quarter for each of these data, the Permittee may obtain these data from the fuel oil supplier at the time of delivery and submit fuel receipts and fuel supplier certifications for all fuel deliveries that provide all of the above quality of fuel data as well as the name of the fuel oil supplier, the date of delivery, a statement from the oil supplier that the oil complies with the specifications under the definition of distillate oil (see 40 CFR 60.41c), and the sulfur content of the oil.

Note that the sulfur content data obtained from the fuel supplier must be the results of specific tests of the fuel at hand. General fuel specifications are not acceptable for this datum.

If any of these data cannot be obtained from the fuel supplier, it is the responsibility of the Permittee to sample the fuel and have it analyzed to obtain the required data.

- iii. Boiler and Engine Adjustment Data: For all boiler and engine adjustments required pursuant to the conditions of this permit, the Annual Certification Report shall include sufficient data to substantiate that each boiler and engine has been adjusted in accordance with 20 DCMR 805.8 (a), (b), and (c) and any other related requirements specified in this permit. [20 DCMR 500.1]
- iv. Visible Emissions Test Data: For all U.S. Environmental Protection Agency Reference Method 9 (40 CFR 60, Appendix A) testing required by this permit, the Annual Certification Report shall include:
  1. The date and time of each test;
  2. The name, address, and telephone number of the tester;
  3. Proof of the certification of the tester pursuant to Reference Method 9;



4. Identification of the emission unit(s) being observed during the test;
5. The boiler load expressed in pounds of steam per hour or the percent of rated capacity at which the engine was operated during the test, as applicable;
6. The amount and type of fuel fired during the test; and
7. Data from a minimum of 30 minutes of visible emissions observations.

The Permittee shall fire the fuel expected to have the greatest likelihood to result in visible emissions among the fuels permitted to be used in the unit, unless that fuel has not and will not be used during the reporting period. [20 DCMR 502]

- C. As a supplement to the Annual Certification Report, the Permittee shall submit, in duplicate, a report of the emissions from the facility during the previous calendar year. The emissions shall be reported on a per emission unit basis (though miscellaneous/insignificant sources and area sources may be grouped in a reasonable manner). If multiple fuels are used in fuel-burning equipment, the emissions shall also be reported on a per fuel basis for each emission unit. In addition, a summary table shall be provided showing total emissions from all units at the site. This emissions supplement shall include [20 DCMR 500.1, 40 CFR 51 and 20 DCMR 305]:
- i. Emissions of the following pollutants on a per fuel, per emission unit, and sum total basis as described above:
    1. Oxides of nitrogen ( $\text{NO}_x$ );
    2. Sulfur dioxide ( $\text{SO}_2$ );
    3. Carbon monoxide (CO);
    4. Volatile organic compounds (VOCs);
    5. Lead (Pb) and lead compounds, as defined in 40 CFR 50.12;
    6. Ammonia ( $\text{NH}_3$ );
    7. Particulate matter in each of the following categories:
      - Total particulate matter (total filterable plus condensable),
      - Total particulate matter less than 10 microns in aerodynamic diameter (PM10, also known as PM10-PRI),
      - Condensable particulate matter less than 10 microns in aerodynamic diameter (PM10-CON),

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- Filterable particulate matter less than 10 microns in aerodynamic diameter (PM10-FIL),
  - Total particulate matter less than 2.5 microns in aerodynamic diameter (PM2.5, also known as PM2.5-PRI),
  - Condensable particulate matter less than 2.5 microns in aerodynamic diameter (PM2.5-CON), and
  - Filterable particulate matter less than 2.5 microns in aerodynamic diameter (PM2.5-FIL); and
8. All hazardous air pollutants (HAPs) as defined in §112(b) of the Clean Air Act, as revised.
- ii. Calculations and justification for each emission value reported in the summary table. The emissions reported shall be based on the best reasonably available method for estimating emissions. In general, the following list is the hierarchy of most accurate to least accurate methods:
1. Continuous emission monitoring data,
  2. Emissions data calculated based on emissions test data used with process operational/formulation data,
  3. Emissions data calculated based on manufacturer's specifications used with process operational/formulation data, and finally,
  4. AP-42 or other general emission factors used with process operational/formulation data.

If questions arise as to the most accurate emissions estimation method, the Permittee is encouraged to consult the Department.

- iii. In addition to the summary table of total emissions during the calendar year, the Permittee shall submit the following:
1. An estimate of the average emissions of oxides of nitrogen (NO<sub>x</sub>) during a typical work weekday between May 1 and September 30 (ozone season) from each emission unit (except miscellaneous/insignificant sources);
  2. An estimate of the average emissions of volatile organic compounds (VOCs) during a typical work weekday between May 1 and September 30 (ozone season) from each emission unit (except miscellaneous/ insignificant sources);
  3. A estimate of the average carbon monoxide (CO) emissions during a typical winter work weekday (where "winter" is defined as January, February, and



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December of the same calendar year); and

4. Any additional information the Department may request in order to collect necessary information to comply the requirements of 40 CFR 51.
3. Progress Reports: If the Permittee is subject to the requirements of a compliance schedule, it shall submit the reports specified in 20 DCMR 302.3(d). These reports shall include:

  - A. Dates for achieving the activities, milestones, or compliance required in the schedule of compliance, and dates when such activities, milestones or compliance were achieved; and
  - B. An explanation of why any dates in the schedule of compliance were not or will not be met, and any preventive or corrective measures adopted.
4. Notifications and Supplemental Reports: Unless specifically exempted from these requirements elsewhere in this permit, the Permittee shall submit the following notifications and supplemental reports. Notifications or reports of a deviation from a permit condition submitted pursuant to paragraphs (A), (B), or (C) below shall contain the following information: the date of the deviation, the time of the deviation, the emission unit involved, the duration and cause of the deviation, and what actions the Permittee took to correct or prevent the deviation. [20 DCMR 302.1(c)(3)(C)]

  - A. Emergencies: If the Permittee experiences an emergency, as defined in 20 DCMR 399.1, which results in the breach of a permit condition or exceedance of an emission limit, the Permittee shall submit a written notice to the District within two (2) working days of the date the Permittee first becomes aware of the deviation if the Permittee wishes to assert an affirmative defense authorized under 20 DCMR 302.7. In addition, if the conditions of 20 DCMR 302.7(b) are not followed, the Permittee cannot assert the existence of an emergency as an affirmative defense to an action brought for non-compliance with a technology-based limitation. [20 DCMR 302.1(c)(3)(C)(i)]
  - B. Threat to Public Health Safety and the Environment: The Permittee shall immediately report any permit deviation that poses an imminent and substantial danger to public health, safety, or the environment. [20 DCMR 302.1(c)(3)(C)(ii)]
  - C. Emission Exceedance: The Permittee shall immediately, upon becoming aware, notify the Air Quality Division by telephone of any exceedance of any emission limit or any limit established as a surrogate for emissions. Additionally, the Permittee shall submit a written notice of such exceedance within two working days of discovery. [20 DCMR 500.1]
  - D. Operational Flexibility: Prior to making a change as provided for in Condition I (k) of this permit, titled "Section 502(b)(10) Changes" the Permittee shall give written notice



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to the District and the U.S. EPA at least seven calendar days before the change is to be made. The seven (7) calendar day period may be shortened or eliminated for an operational change that must be implemented more quickly to address unanticipated conditions that pose a significant health, safety, or environmental hazard. If less than a seven calendar day notice is given, the Permittee shall provide notice to the District and the U.S. EPA as soon as possible after learning of the need to make the change. In the notice, the Permittee must substantiate why seven-day advance notice could not be given. Written notices must include the following information [20 DCMR 302.8]:

- i. A description of the change to be made;
  - ii. The date on which the change will occur;
  - iii. Any changes in emissions; and
  - iv. Any permit terms and conditions that are affected, including those that are no longer applicable.
- E. Off-Permit Changes: The Permittee shall provide contemporaneous written notice of off-permit changes, made in accordance with Condition I (l) of this permit, to the District and the U.S. EPA. 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. [20 DCMR 302.9(b)]
- F. Periodic Maintenance of Pollution Control Equipment: Whenever it is necessary to shut down air pollution control equipment for periodic maintenance, the Permittee shall report the planned shutdown to the District at least forty-eight hours prior to shutdown. The prior notice shall include, but not be limited to, the following [20 DCMR 107.2]:
- i. Identification of the specific facility to be taken out of service as well as its location and permit number;
  - ii. The expected length of time that the air pollution control equipment will be out of service;
  - iii. The nature and quantity of emissions of air pollutants likely to occur during the shutdown period;
  - iv. Measures that will be taken to minimize the length of shutdown period; and
  - v. The reasons that it would be impossible or impractical to shutdown the source operation during the maintenance period.



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5. All notifications, reports, and other documentation required by this permit shall be certified by a responsible official. [20 DCMR 302.1(c)(3)(D)]
6. Nothing in this permit shall relieve the Permittee from any reporting requirements under federal or District of Columbia regulations.
7. Within 15 days of receipt of a written request, the Permittee shall furnish to the District any information the District requests to determine whether cause exists for reopening or revoking the permit, or to determine compliance with the permit. Upon request, the Permittee shall also furnish the District with copies of records required to be kept by the permit. [20 DCMR 302.1(g)(5)]
8. The Permittee may request confidential treatment of information submitted in any report required by this permit pursuant to the limitations and procedures in 20 DCMR 301.1(c). [20 DCMR 302.1(c)(3)(E) and 20 DCMR 106]
9. Annual Certification Reports, Semi-Annual Reports, notifications, supplemental reports, and other documentation required by this permit shall be sent to the District at the following address [20 DCMR 302.3(e)(4)]:

Chief, Permitting and Enforcement Branch  
Air Quality Division  
1200 First Street NE, 5<sup>th</sup> Floor  
Washington, D.C. 20002

10. Annual Certification Reports must also be submitted to U.S. Environmental Protection Agency Region 3 in electronic form at the following email address. [20 DCMR 302.3(e)(4)]:

R3\_APD\_Permits@epa.gov

e. Certification Requirements

Any document including all application forms, reports, and compliance certifications submitted to the District pursuant to this permit shall contain a signed certification by a responsible official, as defined in 20 DCMR 399.1, with the following language: "I certify, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete." [20 DCMR 301.4]

f. Fees

Permittee shall pay fees equal to the amount calculated by methods consistent with 20 DCMR 305. The fees shall be paid no later than May 6 of every year beginning on May 6, 2004 and annually thereafter. The check for the fees shall be made payable to the "D.C. Treasurer" and



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mailed to [20 DCMR 302.1(h)]:

Attn: Chief, Permitting and Enforcement Branch  
Air Quality Division  
1200 First Street, NE, 5<sup>th</sup> Floor  
Washington, D.C. 20002

g. Duty to Provide Supplemental Information

1. Upon becoming aware of a failure to submit any relevant facts or a submittal of incorrect information in any permit application or other submittal, the Permittee shall promptly submit to the District the relevant supplementary facts and corrected information. [20 DCMR 301.2]
2. The Permittee shall promptly submit to the District the information necessary to address any requirement that becomes applicable to the Permittee after the date the Permittee submitted any permit application. [20 DCMR 301.2]
3. Upon receipt of a written request, the Permittee shall furnish to the District, within a reasonable time established by the District:
  - A. Any information that the District determines is reasonably necessary to evaluate or take final action on a permit application. [20 DCMR 301.1(b)(5)]
  - B. Any information the District requests to determine whether cause exists to reopen, revise, terminate, or revoke this permit, or to determine compliance with the terms and conditions of this permit [20 DCMR 302.1(g)(5)]; and
  - C. Copies of any record(s) required to be kept by this permit [20 DCMR 302.1(g)(5)].

h. Construction, Installation, or Alteration

1. The Permittee shall not initiate construction, installation, or modification of any equipment or facility which emits or controls air pollutants prior to obtaining a construction permit from the District in accordance with 20 DCMR 200.
2. When construction, installation, or alteration has been performed, the Permittee shall take all actions required by 20 DCMR 300 to obtain a revision of the Title V operating permit to reflect the new or modified equipment.

i. Permit Renewal, Expiration, Reopening, Revision, and Revocation

1. This permit expires five (5) years after its effective date [20 DCMR 302.1 (b)], but may be renewed before it expires pursuant to 20 DCMR 303.



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- A. The Permittee shall file an application for renewal of this permit at least six (6) months before the date of permit expiration. [20 DCMR 301.1(a)(4)] Compliance with this requirement may be waived if the Permittee has submitted a request for permit termination by this deadline.
  - B. The Permittee's right to operate ceases on the expiration date unless a complete permit renewal application has been submitted to the District not later than six (6) months prior to the expiration date or the District has taken final action approving the source's application for renewal by the expiration date. [20 DCMR 301.1(a)(4) and 303.3(b)].
  - C. If a timely and complete application for renewal of this permit is submitted to the District, but the District, through no fault of the Permittee, fails to take final action to issue or deny the renewal permit before the end of the term of this permit, then this permit shall not expire until the renewal permit has been issued or denied. [20 DCMR 303.3(c)]
  - D. An application for renewal may address only those portions of the permit that require revision, supplementing, or deletion, incorporating the remaining permit terms by reference from the previous permit. The District may similarly, in issuing a draft renewal permit or proposed renewal permit, specify only those portions that will be revised, supplemented, or deleted, incorporating the remaining permit terms by reference. [20 DCMR 303.1(a) and 303.3(a)]
2. This permit may be amended at any time in accordance with the requirements of 20 DCMR 303.4 or 303.5, as applicable.
  3. This permit shall be reopened for cause if any of the following occur [20 DCMR 303.6(a)]:
    - A. The District or the U.S. EPA determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms of the permit;
    - B. Additional applicable requirements under the Clean Air Act become applicable to the facility; provided, that reopening on this ground is not required if the following occurs:
      - i. The facility is not a major source;
      - ii. The permit has a remaining term of less than three (3) years;
      - iii. 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 has been extended pursuant to 20 DCMR 303.3(c); or
      - iv. The additional applicable requirements are implemented in a general permit that is



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applicable to the facility and the facility receives approval for coverage under that general permit;

- C. Additional requirements (including excess emissions requirements) become applicable to a source under the Acid Rain program; provided, that upon approval by the U.S. EPA excess emissions offset plans shall be deemed to be incorporated into the permit; or
  - D. The District or the U.S. EPA determines that the permit must be revised to assure compliance by the source with applicable requirements.
4. While a reopening proceeding is pending, the Permittee shall be entitled to the continued protection of any permit shield provided in this permit pending issuance of a modified permit unless the District specifically suspends the shield on the basis of a finding that the suspension is necessary to implement applicable requirements. If such a finding applies only to certain applicable requirements or to certain permit terms, the suspension shall extend only to those requirements or terms. [20 DCMR 303.6(d)]
5. This permit may be reopened for modifications or revoked for cause by the U.S. EPA in accordance with 20 DCMR 303.7.
6. The District may terminate a permit in accordance with 20 DCMR 303.8 at the request of the Permittee or revoke it for cause. Cause for revocation exists if the following occurs [20 DCMR 303.8(a)]:
- A. The permitted stationary source is in violation of any term or condition of the permit and the Permittee has not undertaken appropriate action (such as a schedule of compliance) to resolve the violation;
  - B. The Permittee has failed to disclose material facts relevant to issuance of the permit or has knowingly submitted false or misleading information to the District;
  - C. The District finds that the permitted stationary source or activity substantially endangers public health, safety, or the environment, and that the danger cannot be removed by a modification of the terms of the permit;
  - D. The Permittee has failed to pay permit fees required under 20 DCMR 305 and Section I(f) of this permit; or
  - E. The Permittee has failed to pay a civil or criminal penalty imposed for violations of the permit.
7. The Permittee may at any time apply for termination of all or a portion of this permit relating solely to operations, activities, and emissions that have been permanently discontinued at the permitted stationary source. An application for termination shall



identify with specificity the permit or permit terms that relate to the discontinued operations, activities, and emissions. In terminating all or portions of this permit pursuant to this condition, the District may make appropriate orders for the submission of a final report or other information from the Permittee to verify the complete discontinuation of the relevant operations, activities, and emissions. [20 DCMR 303.8(d)]

8. The Permittee may apply for termination of this permit on the ground that its operations, activities, and emissions are fully covered by a general permit for which it has applied for and received coverage pursuant to 20 DCMR 302.4. [20 DCMR 303.8(e)]
9. Except as provided under 20 DCMR 303.5(b) for minor permit modifications, the filing of a permit reopening, revocation or termination, or of a notification of planned changes or anticipated noncompliance does not stay any permit condition. [20 DCMR 302.1(g)(3)]

j. Permit and Application Consultation

The Permittee is encouraged to consult with District personnel at any time concerning the construction, operation, modification or expansion of any facility or equipment; the operation of required pollution control devices or systems; the efficiency of air pollution control devices or systems; applicable requirements; or any other air pollution problem associated with the installation.

k. Section 502(b)(10) Changes

Under the following conditions, the Permittee is expressly authorized to make Clean Air Act (“the Act”) Section 502(b)(10) changes without a permit amendment or permit modification provided that such a change is not a modification under any provision of Title I of the Act, does not include any changes in the date(s) included in any compliance schedule, and does not result in a level of emissions exceeding the emissions allowed under the permit. [20 DCMR 302.8]

1. Before making a change under this provision, the Permittee shall provide advance written notice to the District and to the Administrator, describing the change to be made, the date on which the change will occur, any changes in emissions, and any permit terms and conditions that are affected including those which are no longer applicable. The Permittee shall thereafter maintain a copy of the notice with the permit, and the District shall place a copy with the permit in the public file. The written notice shall be provided to the District and the Administrator at least seven (7) days before the change is to be made, except that this period may be shortened or eliminated as necessary for a change that must be implemented more quickly to address unanticipated conditions posing a significant health, safety, or environmental hazard. If less than seven (7) days notice is provided because of a need to respond more quickly to the unanticipated conditions, the Permittee shall provide notice to the District and the Administrator immediately upon learning of the need to make the change;

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2. A permitted source may rely on the authority of this section to trade increases and decreases in emissions within the stationary source, where the applicable requirements provide for the emissions trades without a permit revision. In such a case, the advance written notice provided by the Permittee shall identify the underlying authority authorizing the trading and shall state when the change will occur, the types and quantities of emissions to be traded, the permit terms or other applicable requirements with which the source will comply through emissions trading, and any other information as may be required by the applicable requirement authorizing the emissions trade;
3. Any permit shield provided under Condition V of this permit pursuant to 20 DCMR 302.6 shall not apply to changes made under this section, except those provided for in Condition I (k)(4) of this permit; however, the protection of the permit shield will continue to apply to operations and emissions that are not affected by the changes; provided, that the Permittee complies with the terms and conditions of the permit applicable to such operations and emissions. The shield may be reinstated for emissions and operations affected by the change:
  - A. If subsequent changes cause the stationary source's operations and emissions to revert to those contained in the permit and the Permittee resumes compliance with the terms and conditions of the permit; or
  - B. If the Permittee obtains a significant modification to the permit pursuant to Condition I(i) of this permit to codify the change in the permit, and the modified permit expressly provides protection under the shield for the change; and
4. Upon the request of the Permittee, the District shall issue a permit that contains terms and conditions allowing for the trading of emissions increases and decreases in the permitted stationary source solely for the purpose of complying with a federally-enforceable emissions cap that is established in the permit independent of otherwise applicable requirements. The Permittee shall include in its application proposed replicable procedures and permit terms that assure that the emissions trades are quantifiable and enforceable and comply with all applicable requirements and 20 DCMR Sections 302.1 and 302.3. The permit shield under Condition V of this permit shall apply to permit terms and conditions authorizing such increases and decreases in emissions. Under this paragraph, the written notification required under this section shall state when the change will occur and shall describe the changes in emissions that will result and how these increases and decreases in emissions will comply with the terms and conditions of the permit.

1. Off-Permit Changes

The Permittee may make any change in its operations or emissions not addressed or prohibited in this permit without obtaining an amendment or modification of this permit subject to the following requirements and restrictions [20 DCMR 302.9]:



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1. The change shall meet all applicable requirements and may not violate any existing permit term or condition;
2. The Permittee shall provide contemporaneous written notice of the change to the District and the Administrator. 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;
3. The change shall not qualify for any permit shield found in Condition V of this permit;
4. The Permittee shall keep a record describing all 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; and
5. The Permittee may not make, without a revision of its permit, a change that is not addressed or prohibited by its permit if such change is subject to any requirements under Title IV of the Act or is a modification under any provision of Title I of the Act.

m. Economic Incentives

This permit shall require no revision under any approved economic incentives, marketable permits, emissions trading, or other similar programs or processes for changes that are provided for in this permit. [20 DCMR 302.1(i)]

n. Emissions Trading and Averaging

There are no applicable emissions trading or averaging applicable at this facility, except as otherwise specified in this permit. [20 DCMR 302.1(k)]

o. Entry and Inspection

The Permittee shall allow authorized officials of the District, upon presentation of identification, to [20 DCMR 302.3(b) and 20 DCMR 101] *Note: This is a streamlined condition. The requirements of 20 DCMR 302.3(b) are more stringent than those of 20 DCMR 101, thus this permit only incorporates the conditions of 20 DCMR 302.3(b). Compliance with these conditions will be considered compliance with both regulations.:*

1. Enter upon the Permittee's premises where a source or emission unit is located, an emissions related activity is conducted, or where records required by this permit are kept;
2. Have access to and copy, at reasonable times, any records that must be kept under the terms and conditions of this permit;
3. Inspect, at reasonable times, any facilities, equipment (including monitoring and air





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pollution control equipment), practices, or operations regulated or required under this permit; and

4. Sample or monitor, at reasonable times, any substance or parameter for the purpose of assuring compliance with this permit or any applicable requirement.

p. Enforcement

1. Failure to comply with the federally enforceable terms and conditions of this permit constitutes a violation of the federal Clean Air Act. The District, the U.S. Environmental Protection Agency, and/or citizens may enforce federally enforceable permit terms and conditions. [20 DCMR 302.2(a) and 20 DCMR 302.1(g)(1)]
2. Failure to comply with the terms and conditions of this permit designated as a District-only requirement constitutes a violation of the District of Columbia air quality laws and regulations. The District will enforce these permit terms and conditions. [20 DCMR Chapter 1]
3. Failure to comply with permit terms and conditions is grounds for enforcement action, permit revocation, or for denial of a permit renewal application [20 DCMR 302.1(g)(1)]; and/or administrative, civil, or criminal enforcement action. [20 DCMR 105]
4. In any enforcement proceeding, the Permittee shall have the burden of proof when seeking to establish the existence of an emergency. [20 DCMR 302.7(c)]
5. This permit may be amended, reopened, modified, revoked, or reissued for cause in accordance with 20 DCMR 303 and Condition I(i) of this permit. Except as provided under 20 DCMR 303.5, the filing by the Permittee of a request for a permit revision, termination, or notification of planned changes or anticipated noncompliance, does not stay any term or condition of this permit. [20 DCMR 302.1(g)(3)]

q. Property Rights

This permit does not convey any property rights of any sort or any exclusive privilege to the Permittee. [20 DCMR 302.1(g)(4)]

r. Severability

The provisions of this permit are severable. If any part of this permit is held invalid, the remainder of this permit shall not be affected thereby and shall remain valid and in effect. [20 DCMR 302.1(f)]



s. Alternative Operating Scenarios

No alternative operating scenarios are applicable unless specified in the emission unit specific conditions of this permit (Condition III). [20 DCMR 302.1(j)]

**II. Facility-Wide Permit Requirements**

The Permittee shall comply with the following facility-wide permit requirements wherever applicable to the facility:

a. General Maintenance and Operations

At all times, including periods of start-up and malfunction, the Permittee shall, to the extent practicable, maintain and operate stationary sources and fuel-burning equipment, including associated air pollution control equipment, in a manner consistent with good air pollution control practices for minimizing emissions. [20 DCMR 606.3]

b. Visible Emissions

1. Visible emissions shall not be emitted into the outdoor atmosphere from stationary sources (excluding fuel-burning equipment placed in initial operation before January 1, 1977); Provided, that discharges not exceeding forty percent (40%) opacity (unaveraged) shall be permitted for two (2) minutes in any sixty (60) minute period for an aggregate of twelve (12) minutes in any twenty-four hour (24 hr.) period during start-up, cleaning, soot blowing, adjustment of combustion controls, or malfunction of equipment. [20 DCMR 606.1]
2. Visible emissions whose opacity is in excess of ten percent (10%) (unaveraged), at any time shall not be permitted into the outdoor atmosphere, from any fuel-burning equipment placed in initial operation before January 1, 1977; Provided that [20 DCMR 606.2]:
  - A. Opacity not in excess of forty percent (40%) (unaveraged) shall be permitted for two (2) minutes in any sixty (60) minute period and for an aggregate of twelve (12) minutes in any twenty-four hour (24 hr.) period other than during start-up of equipment;
  - B. During start-up of equipment, opacity not in excess of forty percent (40%) [averaged over six (6) minutes] shall be permitted for an aggregate of five (5) times per start-up; and
  - C. In addition to the emissions permitted under Condition II(b)(2)(A), during shutdown of equipment, opacity not in excess of fifteen percent (15%) (unaveraged) shall be allowed and in addition, opacity not in excess of thirty percent (30%) [averaged over three (3) minutes] shall be permitted for an aggregate of three (3) times per shutdown.

c. Control of Fugitive Dust

The Permittee shall ensure that fugitive dust from the facility is controlled in accordance with 20 DCMR 605 as follows:

1. Reasonable precautions shall be taken to minimize the emission of any fugitive dust into the outdoor atmosphere. The reasonable precautions shall include, but not be limited to, the following:
  - A. In the case of unpaved roads, unpaved roadways, and unpaved parking lots;
    - i. Use of binders, chemicals, or water in sufficient quantities and at sufficient frequencies to prevent the visible emission of dust due to the movement of vehicles or of the wind; and
    - ii. Prompt clean-up of any dirt, earth, or other material from the vicinity of the road, roadway, or lot which has been transported from the road, roadway, or lot due to anthropogenic activity or due to natural forces.
  - B. In the case of paved roads, paved roadways, and paved parking lots: Maintenance of the road, roadway, lot, or paved shoulder in a reasonably clean condition through reasonably frequent use of water, sweepers, brooms, or other means, through reasonably frequent removal of accumulated dirt from curb-side gutters, through reasonably prompt repair of pavement, or through any other means;
  - C. In the case of vehicles transporting dusty material or material which is likely to become dusty:
    - i. Fully covering the material in question, with a tarpaulin or other material; and
    - ii. Operation, maintenance, and loading of the vehicle, distribution of the loaded material on or in the vehicle, and limiting the quantity of material loaded on or in the vehicle, so that there will be no spillage of the material onto the roads;
  - D. In the case of vehicles which accumulate dirt on the wheels, undercarriages, and other parts of the vehicle, due to the movement of the vehicle on dusty, dirty or muddy surfaces: Water washing of all of the dirty parts of the vehicle to thoroughly remove the dirt before or immediately after the vehicle leaves the dusty, dirty, or muddy surface;
  - E. In the case of the demolition of buildings or structures: Use, to the extent possible, of water;
  - F. In the case of removal of demolition debris which is dusty or likely to become dusty: Use of water to thoroughly wet the material before moving or removing the material and

keeping it wet or otherwise in a dust-free condition until eventual disposal;

G. In the case of loading and unloading of dusty material and in the case where dry sand-blasting or dry abrasive cleaning is necessary: Use of enclosed areas or hoods, vents, and fabric filters. If it is shown to the satisfaction of the District that use of enclosed areas, hoods, vents, and fabric filters is not possible, alternate control techniques acceptable to the District and designed to minimize the emissions to the extent possible shall be utilized; and

H. In the case of stockpiles of dusty material: Use, where possible, of closed silos, closed bins or other enclosures which are adequately vented to fabric filters. Where the use of closed silos, closed bins, or other enclosures is not possible, thorough wetting of the material before loading onto the stockpile and keeping the stockpile wetted, covered, or otherwise in a non-dusty condition.

2. The emission of fugitive dust from the following is prohibited:

A. Any material handling, screening, crushing, grinding, conveying, mixing, or other industrial-type operation or process;

B. Heater-planers in repairing asphaltic concrete pavements;

C. Portable tar-melters, unless close-fitting lids, in good repair, for the tar-pots are available and are used;

D. The ventilation of any tunneling operation; or

E. The cleaning of exposed surfaces through the use of compressed gases.

3. All persons shall comply with the provisions of this Condition and those of the Soil Erosion and Sedimentation Control Act of 1977 (D.C. Law 2-23).

4. In those circumstances where it is not possible to comply with specific provisions of both this Condition and the Soil Erosion and Sedimentation Control Act of 1977 (D.C. Law 2-23), the provisions of the Soil Erosion and Sedimentation Control Act of 1977 (D.C. Law 2-23), shall prevail.

d. Open Fires

Open fires shall be prohibited at the Permittee's facility, except as otherwise provided for in 20 DCMR 604.2. [20 DCMR 604]

e. Asbestos

The Permittee shall adhere to the requirements of 20 DCMR 800\* pertaining to handling of asbestos-containing materials.

f. Fuel Oil Sulfur Content

Except where a more stringent requirement exists elsewhere in this permit, the Permittee shall not purchase, sell, offer for sale, store, or use fuel oil that is to be burned at the facility or any other location in the District, that contains more than 1% sulfur by weight. [20 DCMR 801]

g. Engine Idling

The Permittee shall ensure that the provisions of 20 DCMR 900\* pertaining to engine idling are met at the facility. Specifically, the facility shall ensure that no engine of a gasoline or diesel powered motor vehicle, the engine of a public vehicle for hire, including buses with a seating capacity of twelve (12) or more persons, shall idle for more than three (3) minutes while the motor vehicle is parked, stopped, or standing, on the premises or on roadways adjacent to the premises for the purpose of serving the premises, including for the purpose of operating air conditioning equipment in those vehicles, except as follows:

1. To operate private passenger vehicles;
2. To operate power takeoff equipment including: dumping, cement mixers, refrigeration systems, content delivery, winches, or shredders; or
3. To idle the engine for five (5) minutes to operate heating equipment when the ambient air temperature is thirty two degrees Fahrenheit (32 °F) or below.

h. Fleet Maintenance

Permittee shall ensure that the engines, power, and exhaust mechanisms of each vehicle of its motor fleet is equipped, adjusted, maintained, and operated so as to prevent the escape of a trail of visible fumes or smoke for more than ten (10) consecutive seconds. [20 DCMR 901]\*

i. Lead in Gasoline

The Permittee shall ensure that gasoline sold at the facility contains no more than one gram of lead per gallon. [20 DCMR 902\*]

j. Odors and Nuisance Air Pollutants

The Permittee shall ensure that the facility does not emit into the atmosphere any odorous or other air pollutant, from any source, in any quantity, and of any characteristic and duration

which is, or is likely to be, injurious to the public health or welfare, or which interferes with the reasonable enjoyment of life and property. [20 DCMR 903\*]

k. Risk Management

1. The Permittee shall ensure that the requirements of 40 CFR part 68, as in effect on September 30, 1997, are complied with at the site for the purposes of preventing, detecting, and responding to accidental chemical releases to the air, pursuant to the requirements of Section 112(r) of the Federal Clean Air Act with the terms used and defined in those provisions. [20 DCMR 402\*]
2. Should this stationary source, as defined in 40 CFR part 68.3, become subject to part 68, then the owner or operator shall submit a risk management plan (RMP) by the date specified in Part 68.10 and shall certify compliance with the requirements of part 68 as part of the annual compliance certification required by 40 CFR part 70 or 71. [20 DCMR 302.1(d)]

l. Protection of Stratospheric Ozone

1. The Permittee shall comply with the standards for labeling of products using ozone-depleting substances pursuant to 40 CFR Part 82 Subpart E [20 DCMR 302.1 and 399.1 "Applicable Requirement" (k)]:
  - A. All containers in which a Class I or Class II substance is stored or transported, all products containing a Class I substance, and all products directly manufactured with a process that uses a Class I substance must bear the required warning statement if it is being introduced into interstate commerce pursuant to §82.106;
  - B. The placement of the required warning statement must comply with the requirements pursuant to §82.108;
  - C. The form of the label bearing the required warning statement must comply with the requirements pursuant to §82.110; and
  - D. No person may modify, remove or interfere with the required warning statement except as described in §82.112.
2. The Permittee shall comply with the standards for recycling and emissions reduction pursuant to 40 CFR Part 82, Subpart F:
  - A. Persons opening appliances for maintenance, service, repair, or disposal must comply with the prohibitions and required practices pursuant to 40 CFR 82.154 and 40 CFR 82.156;
  - B. 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;

- C. Persons maintaining, servicing, repairing or disposing of appliances must be certified by an approved technician certification program pursuant to 40 CFR 82.161;
- D. Persons maintaining, servicing, repairing, or disposing of appliances must certify to the Administrator of the U.S. Environmental Protection Agency pursuant to 40 CFR 82.162;
- E. Persons disposing of small appliances, MVACs and MVAC-like appliances, must comply with the record-keeping requirements pursuant to 40 CFR 82.166;
- F. Owners of commercial or industrial process refrigeration equipment must comply with the leak repair requirements pursuant to 40 CFR 82.156; and
- G. Owners or operators of appliances normally containing 50 or more pounds of refrigerant must keep records of refrigerant purchased and added to such appliances pursuant to 40 CFR 82.166.

- 3. If the Permittee manufactures, transforms, destroys, imports, or exports a Class I or Class II substance, the Permittee is subject to all the requirements as specified in 40 CFR 82, Subpart A (Production and Consumption Controls).
- 4. If the Permittee performs a service on a motor vehicle that involves an ozone-depleting substance refrigerant or regulated substitute substance in the MVAC, then Permittee is subject to all the applicable requirements as specified in 40 CFR Part 82, Subpart B (Servicing of Motor Vehicle Air Conditioners).
- 5. The Permittee may switch from any ozone-depleting substance to any alternative that is listed as acceptable in the Significant New Alternatives Policy (SNAP) program promulgated pursuant to 40 CFR Part 82, Subpart G.

m. Halon Emissions Reduction

Any person testing, servicing, maintaining, repairing or disposing of equipment that contains halons or using such equipment during technical training and any person disposing of halons, manufacturers of halon blends, and organizations employing technicians who service halon containing equipment shall comply with the requirements of 40 CFR 82, Subpart H.

n. Architectural and Maintenance Coatings

- 1. Paints and refinishing coatings that contain volatile organic compounds (VOCs) in excess of the limits specified in the table below, including any VOC containing materials added to the original coating supplied by the manufacturer, shall be prohibited. [20 DCMR 750.1]



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VOC Content Limits for Architectural Coatings.<sup>1</sup>

<u>Coating Category</u>	<u>VOC Content Limit</u> (Grams VOC per liter) <sup>2</sup>
Flat Coatings	100
Non-flat Coatings	150
Non-flat- High Gloss Coatings	250

<u>Specialty Coatings</u>	<u>VOC Content Limit</u> (Grams VOC per liter) <sup>2</sup>
Antenna Coatings	530
Antifouling Coatings	400
Bituminous Roof Coatings	300
Bituminous Roof Primers	350
Bond Breakers	350
Calcimine Recoater	475
Clear Wood Coatings	
•Clear Brushing Lacquers	680
•Lacquers (including lacquer sanding sealers)	550
•Sanding Sealers (other than lacquer sanding sealers)	350
•Varnishes	350
Concrete Curing Compounds	350
Concrete Surface Retarders	780
<u>Specialty Coatings (continued)</u>	<u>VOC Content Limit</u> (Grams VOC per liter) <sup>2</sup>
Conversion Varnish	725
Dry Fog Coatings	400
Faux Finishing Coatings	350
Fire-Resistive Coatings	350
Fire-Retardant Coatings	
•Clear	650
•Opaque	350
Floor Coatings	250
Flow Coatings	420
Form-Release Compounds	250
Graphic Arts Coatings (Sign Paints)	500
High-Temperature Coatings	420
Industrial Maintenance Coatings	340
Impacted Immersion Coatings	780
Low-Solids Coatings n3	120
Magnesite Cement Coatings	450
Mastic Texture Coatings	300



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Metallic Pigmented Coatings	500
Multi-Color Coatings	250
Nuclear Coatings	450
Pre-Treatment Wash Primers	420
Primers, Sealers, and Undercoaters	200
Quick-Dry Enamels	250
Quick-Dry Primers, Sealers and Undercoaters	200
Recycled Coatings	250
Roof Coatings	250
Rust Preventative Coatings	400
Shellacs	
•Clear	730
•Opaque	550
Specialty Primers, Sealers, and Undercoaters	350
Stains	250
Swimming Pool Coatings	340
Swimming Pool Repair and Maintenance Coatings	340
Temperature-Indicator Safety Coatings	550
Thermoplastic Rubber Coatings and Mastics	550
Traffic Marking Coatings	150
Waterproofing Sealers	250
Waterproofing Concrete/Masonry Sealers	400
Wood Preservatives	350

<sup>1</sup> Limits are expressed in grams of VOC per liter of coating thinned to the manufacturer's maximum recommendation, excluding the volume of any water, exempt compounds, or colorant added to tint bases. Manufacturer's maximum recommendation means the maximum recommendation for thinning that is indicated on the label or lid of the coating container.

<sup>2</sup> Conversion factor: one pound VOC per gallon (U.S.) = 119.95 grams per liter.

<sup>3</sup> Units for this coating are grams of VOC per liter (pounds of VOC/gallon) of coating, including water and exempt compounds.

2. The Permittee shall not apply a coating that is thinned to exceed the applicable VOC limit specified in the above table. [20 DCMR 750.5]
3. The Permittee shall not apply any rust preventive coating for industrial use, unless such a rust preventive coating complies with the industrial maintenance coating VOC limit specified in the above table. [20 DCMR 750.6]

**III. Emission Unit Specific Requirements**

This operating permit identifies emission units based on information provided by the Permittee and cites specific applicable regulations from 20 DCMR, as well as the Code of Federal Regulations (CFR). These cited regulations and rules stipulate the conditions under which the Permittee is permitted to operate, the control equipment (where applicable) that must be used to minimize air



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pollution, and the monitoring, testing, record keeping, and reporting requirements that will enable the Permittee to demonstrate, to the District and EPA, compliance with regulatory requirements.

Operation of the emission units listed below is permitted subject to the facility complying with the following emission limits, standards, and other requirements specified herein and elsewhere in this permit [20 DCMR 300].

<b>Emission Units<sup>1</sup></b>			
<b>Emission Unit ID</b>	<b>Stack ID</b>	<b>Emission Unit Name</b>	<b>Description</b>
A-15	S-015	Boiler Unit 15	One 3,110 million BTU/hour (289 MW) oil-fired Combustion Engineering steam-electric generating unit
A-16	S-016	Boiler Unit 16	One 3,173 million BTU/hour (289 MW) oil-fired Babcock & Wilcox steam-electric generating unit
A-Aux1	S-1/2	Auxiliary Boiler	One 202 million BTU/hr oil-fired packaged combustion engineering steam generating boiler
A-Aux2	S-1/2	Auxiliary Boiler	One 202 million BTU/hr oil-fired packaged combustion engineering steam generating boiler
G-Diesel		Cool Down Emergency Generator	One (1) 400 hp Caterpillar Cool Down Emergency Diesel Generator.
GE0025		Emergency Generator	One (1) 10 kW ONAN biodiesel Emergency Generator
GE0042		Emergency Generator	One (1) 100 kW S&S biodiesel Emergency Generator
GEA230		Emergency Generator	One (1) 200 kW Elliot biodiesel Emergency Generator
GE0065		Emergency Generator	One (1) 50 kW ONAN biodiesel Emergency Generator
GE0066		Emergency Generator	One (1) 30 kW ONAN biodiesel Emergency Generator
GE0092		Emergency Generator	One (1) 92 kW ONAN biodiesel Emergency Generator
GE001		Emergency Generator	One (1) 10 kW ONAN propane 4SLB SI Emergency Generator
GE002		Emergency Generator	One (1) 10 kW ONAN propane 4SLB SI Emergency Generator
GE0100		Emergency Generator	One (1) 80 kW ONAN biodiesel Emergency Generator
GENH220		Fire Pump	One 175 hp Cummins diesel Emergency Generator
A-T2		Gasoline Storage Tank	One 20,000 gallon underground gasoline storage tank
A-T35		Gasoline Storage Tank	One 20,000 gallon underground gasoline storage tank
G21		Paint Spray Booth	One paint spray booth

<sup>1</sup>Miscellaneous/Insignificant activities are listed separately in Condition IV of this permit.

- a. **Emission Units A-15 & A-16:** One 3,110 million BTU/hour (289 MW) Combustion Engineering steam-electric generating unit (A-15) and one 3,173 million BTU/hour (289 MW) Babcock & Wilcox steam-electric generating unit (A-16).

1. **Emission Limitations:**

- A. Each of the boilers shall not emit pollutants in excess of those specified in the following



tables [20 DCMR 201]:

<b>Boiler A-15 Emission Limits</b>		
<b>Pollutant</b>	<b>Short-Term Limit (lb/hr)</b>	<b>Annual Emissions Limit (ton/yr)</b>
Carbon Monoxide (CO)	108.76	476.4
Oxides of Nitrogen (NO <sub>x</sub> )	282.3	1236.6
Particulate Matter (Total, including condensables)		769.3
Burning #4 Fuel Oil	175.65	
Burning #2 Fuel Oil	73.31	
Particulate Matter < 10 microns (PM10), including condensables		586.3
Burning #4 Fuel Oil	133.85	
Burning #2 Fuel Oil	51.09	
Particulate Matter < 2.5 microns (PM2.5), including condensables		464.2
Burning #4 Fuel Oil	105.99	
Burning #2 Fuel Oil	34.43	
Volatile Organic Compounds (VOC)	16.53	72.4
Sulfur Dioxide (SO <sub>2</sub> )	852.06	3732.0

<b>Boiler A-16 Emission Limits</b>		
<b>Pollutant</b>	<b>Short-Term Limit (lb/hr)</b>	<b>Annual Emissions Limit (ton/yr)</b>
Carbon Monoxide (CO)	108.76	476.38
Oxides of Nitrogen (NO <sub>x</sub> )	705.61	3090.56
Particulate Matter (Total, including condensables)		784.9
Burning #4 Fuel Oil	179.21	
Burning #2 Fuel Oil	74.79	
Particulate Matter < 10 microns (PM10), including condensables		598.1
Burning #4 Fuel Oil	136.56	
Burning #2 Fuel Oil	52.12	
Particulate Matter < 2.5 microns (PM2.5), including condensables		473.6
Burning #4 Fuel Oil	108.13	
Burning #2 Fuel Oil	35.13	
Volatile Organic Compounds (VOC)	16.53	72.41
Sulfur Dioxide (SO <sub>2</sub> )	1789.94	7839.94

B. Particulate matter emissions (total filterable only) from boilers A-15 and A-16 shall not



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exceed 0.03 pounds per million BTU, respectively. [20 DCMR 600.1]

- C. Sulfur dioxide emissions shall not exceed 0.05% by volume in the flue gas. Adding air as a diluent to comply with this condition is prohibited. [20 DCMR 803]
- D. No visible emissions in excess of ten (10) percent opacity shall be emitted into the outdoor atmosphere from unit A-15 or unit A-16 pursuant to 20 DCMR 606.2, except that:
  - i. No greater than 40% opacity (unaveraged) shall be permitted for two minutes per hour and for an aggregate of twelve minutes in any 24-hour period other than during start-up of unit A-15 or unit A-16.[20 DCMR 606.2(a)];
  - ii. During start-up of the units, no greater than 40% opacity (averaged over six minutes) shall be permitted for an aggregate of five times per start-up [20 DCMR 606.2(b)]; and
  - iii. In addition to the emissions permitted under Condition III(a)(1)(D), during shutdown of the boiler(s), no greater than 15% opacity (unaveraged) shall be permitted and in addition, no greater than 30% opacity (averaged over three minutes) shall be permitted for an aggregate of three times per shutdown. [20 DCMR 606.2(c)]

Compliance with this Condition shall be interpreted in accordance with Consent Decree ERA-96-105-ARMD and the Compliance Schedule requirements specified in Condition VI of this permit.

- E. Emissions shall not exceed those achieved with the performance of annual combustion adjustments on each boiler. To show compliance with this condition, the Permittee shall, each calendar year, perform adjustments of the combustion processes of the boilers with the following characteristics [20 DCMR 805.8(a) and (b)]:
  - i. Inspection, adjustment, cleaning or replacement of fuel burning equipment, including the burners and moving parts necessary for proper operation as specified by the manufacturer;
  - ii. Inspection of the flame pattern or characteristics and adjustments necessary to minimize total emissions of NO<sub>x</sub> and, to the extent practicable, minimize emissions of CO;
  - iii. Inspection of the air-to-fuel ratio control system and adjustments necessary to ensure proper calibration and operation as specified by the manufacturer; and
  - iv. Adjustments shall be made such that the maximum emission rate for any contaminant does not exceed the maximum allowable emission rate as set forth in



this section.

- F. NO<sub>x</sub> emissions, on a two-hour average basis, expressed as NO<sub>2</sub>, shall not be greater than 0.3 pounds per million BTU [20 DCMR 804.1] and averaged daily NO<sub>x</sub> emissions shall not be greater than 0.25 pounds per million BTU [20 DCMR 805.5] when burning fuel oil in unit A-15.
- G. Averaged two-hourly NO<sub>x</sub> emissions shall not be greater than 0.3 pounds per million BTU [20 DCMR 804.1] and averaged daily NO<sub>x</sub> emissions shall not be greater than 0.28 pounds per million BTU [20 DCMR 805.5] when burning fuel oil in unit A-16.

2. Operational Limitations:

- A. The primary fuel for boilers A-15 and A-16 shall be No. 4 fuel oil containing no greater than 1% sulfur by weight. [20 DCMR 205, and 20 DCMR 801.1]
- B. The alternative fuel for boilers A-15 and A-16 shall be No. 2 fuel oil containing no greater than 1 % sulfur by weight. [20 DCMR 205, and 20 DCMR 801.1]
- C. The boilers shall be operated at all times in a manner consistent with the manufacturer's specifications for the equipment [20 DCMR 201].
- D. Compliance With Requirements for Protection of Visibility

To comply with the requirements of 40 CFR 51.300 (Protection of Visibility) and Appendix Y of 40 CFR 51 (Guidelines for BART Determinations Under the Regional Haze Rule), the Permittee shall permanently cease operation of Emission Units A-15 and A-16 on or before December 17, 2012. [20 DCMR 201.1]

3. Monitoring and Testing:

- A. The Permittee shall comply with the requirements of 40 CFR 75, Appendix D sampling requirements to ensure compliance with Conditions III (a)(2)(A) and (B) of this permit.
- B. The Permittee shall monitor the number of hours each boiler is operated while firing each grade of fuel oil (No. 2 and No. 4).
- C. The Permittee shall perform the quality assurance procedures outlined in the table contained in Condition III (a)(5) (page 34, below) for CEMS on units A-15 and A-16. [20 DCMR 500]
- D. The Permittee shall maintain certification of and operate continuous emission monitoring systems (CEMS) for oxides of nitrogen (NO<sub>x</sub>), gas diluents [i.e., carbon dioxide (CO<sub>2</sub>), or oxygen (O<sub>2</sub>)], and opacity in accordance with the requirements listed

in the table contained in Condition III (a)(5) (page 34, below). [20 DCMR 501.1 and 20 DCMR 805.5]

- E. The Permittee shall maintain certification of continuous emission monitoring systems (CEMS) for flow and sulfur dioxide (SO<sub>2</sub>) or use fuel sampling and analysis (FSA), in lieu of CEMS, in accordance with the requirements listed in the table contained in Condition III (a)(5) (page 34, below). [40 CFR 72, 40 CFR 75 and 40 CFR 75Appendix D]
- F. The Permittee shall maintain certification of and operate a continuous opacity monitoring system (COMS) for measuring the opacity of the emissions discharged to the atmosphere and record the data collected by the system. [20 DCMR 501.1 & 20 DCMR 805.5]
- G. The Permittee shall operate the COMS in accordance with the applicable procedures under Performance Specification 1, Appendix B of 40 CFR 60. [20 DCMR 501.1]

4. Record Keeping Requirements:

- A. The Permittee shall keep records of the results of all emissions testing required for the boilers pursuant to Condition I (a)(6) in accordance with the requirements specified in Condition I (c).
- B. The Permittee shall maintain records of fuel information obtained pursuant to Condition III (a)(3)(A) in accordance with the requirements specified in Condition I (c).
- C. The Permittee shall maintain records of all opacity readings performed pursuant to Conditions III (a)(3)(F) in accordance with the requirements specified in Condition I (c). These records shall include documentation indicating whether the results show compliance with Condition II (b). [20 DCMR 201.1 (f)]
- D. The Permittee shall maintain records of the number of hours each boiler is operated using each fuel each month. These data shall be maintained in a rolling twelve month sum format. [20 DCMR 200.7]
- E. The Permittee shall maintain records of the amount of fuel used each month in each boiler. These data shall be maintained in a rolling twelve month sum format. [20 DCMR 200.7].
- F. The Permittee shall maintain records of all reports and penalties submitted pursuant to the Consent Decree incorporated into this permit in accordance with the requirements of Condition I(c).



5. Reporting Requirements:

In addition to those specified in Condition I (d), Permittee shall submit reports of CEMS data, including sulfur dioxide (SO<sub>2</sub>), oxides of nitrogen (NO<sub>x</sub>), gas diluent [i.e., carbon dioxide (CO<sub>2</sub>) or oxygen (O<sub>2</sub>)], gas flow, and COMS opacity measurements, as applicable. The reports shall adhere to the reporting requirements found in the document titled: “Data Reporting Requirements for Continuous Emission Monitors (CEMS)”, September 24, 1996, which is hereby incorporated by reference. [20 DCMR 302.1(c)(3)(A)]

**CEMS Requirements for A-15 and A-16**

Parameter	Record Keeping and Reporting	Quality Assurance	Regulatory Requirement
Sulfur Dioxide	40 CFR 75, Subparts F and G, or 40 CFR 75, Appendix D	40 CFR 75, Appendices A and B 40 CFR 75, Appendix D	40 CFR 72
Nitrogen Oxides	40 CFR 75, Subparts F and G 20 DCMR 804 20 DCMR 805	40 CFR 75, Appendices A and B 40 CFR 60, Appendix F	40 CFR 72 20 DCMR 804 20 DCMR 805
Carbon Dioxide	40 CFR 75, Subparts F and G	40 CFR 75, Appendices A and B	40 CFR 72 20 DCMR 805
Opacity	20 DCMR 606 9/24/96 Consent Decree	See footnote <sup>1</sup>	20 DCMR 500 40 CFR 72
Flow	40 CFR 75, Subparts F and G	40 CFR 75, Appendices A and B	40 CFR 72

<sup>1</sup>Until the U.S. EPA codifies the quality assurance procedures in the Code of Federal Regulations, the Permittee is allowed to perform quality assurance in accordance with the EPA’s “Performance Audit Procedures for Opacity Monitors (EPA-450/4-92-010, April 1992.”

6. Acid Rain Program Phase II: Conflict of Regulations

The Permittee’s Units #15 and #16 shall comply with the requirements of this Title V operating permit and any applicable Title IV Acid Rain Phase II permit. However, if and when the provisions or requirements of 40 CFR 72 or 75 conflict with or are not included in this Title V operating permit, the part 72 and 75 provisions and requirements shall apply and take precedence [20 DCMR 306.2].

b. Requirements for Phase II Acid Rain Permit Program for Units A-15 & A-16

The Permittee’s Units A-15 and A-16 are subject to the Phase II Acid Rain Program requirements under Title IV of the Clean Air Act and Section 306 of 20 DCMR. The Acid rain Phase II permit requirements are hereby incorporated by reference and summarized below [20



DCMR 306 and 40 CFR 72 and 75].

1. Permit Requirements:

- A. The designated representative of each affected source and each affected unit at the source shall:
  - i. Submit a complete Acid Rain permit application (including compliance plan) under 40 CFR part 72 in accordance with the deadlines specified in 40 CFR 72.30; and
  - ii. Submit in a timely manner any supplemental information that the Department determines is necessary in order to review an Acid Rain permit application and issue or deny an Acid Rain permit.
- B. The owners and operators of the affected source and Units A-15 and A-16 at this facility shall:
  - i. Operate the units in compliance with a complete Acid Rain permit application or superseding Acid Rain permit issued by the Department; and
  - ii. Have an Acid Rain Permit.

2. Monitoring Requirements

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

3. Sulfur Dioxide Requirements

- A. The owners and operators of each source and each affected unit at the source shall:
  - i. Hold allowances, as of the allowance transfer deadline in the source's compliance account (after deductions under 40 CFR 73.34 (c)), not less than the total annual

emissions of sulfur dioxide for the previous calendar year from the affected units at the source; and

- ii. Comply with the applicable Acid Rain emissions limitations for sulfur dioxide.
- B. Each ton of sulfur dioxide emitted in excess of the Acid Rain emissions limitations for sulfur dioxide shall constitute a separate violation of the Act.
  - C. An affected unit shall be subject to the requirements under paragraph A of the sulfur dioxide requirements as follows:
    - i. Starting January 1, 2000, an affected unit under 40 CFR 72.6(a)(2); or
    - ii. Starting on the later of January 1, 2000 or the deadline for monitor certification under 40 CFR part 75, an affected unit under 40 CFR 72.6(a)(3).
  - D. Allowances shall be held in, deducted from, or transferred among Allowance Tracking System accounts in accordance with the Acid Rain Program.
  - E. An allowance shall not be deducted in order to comply with the requirements under paragraph A of the sulfur dioxide requirements prior to the calendar year for which the allowance was allocated.
  - F. An allowance allocated by the Administrator under the Acid Rain Program is a limited authorization to emit sulfur dioxide in accordance with the Acid Rain Program. No provision of the Acid Rain permit, or an exemption under 40 CFR 72.7 or 72.8 and no provision of law shall be construed to limit the authority of the United States to terminate or limit such authorization.
  - G. An allowance allocated by the Administrator under the Acid Rain Program does not constitute a property right.

4. Nitrogen Oxides Requirements

No Nitrogen Oxide limits are applicable under the Acid Rain Program as long as the affected units do not burn coal as a fuel. No coal shall be burned in Units A-15 and A-16. [40 CFR 76.1]

5. Excess Emissions Requirements

- A. The designated representative of an affected source that has excess emissions in any calendar shall submit a proposed offset plan, as required under 40 CFR part 77.
- C. The owners and operators of an affected source that has excess emissions in any

calendar year shall:

- i. Pay without demand the penalty required, and pay upon demand the interest on that penalty, as required by 40 CFR part 77; and
- ii. Comply with the terms of an approved offset plan, as required by 40 CFR part 77.

6. Recordkeeping and Reporting Requirements

- A. Unless otherwise provided, the owners and operators of the source and each affected unit at the source shall keep on site at the source each of the following documents for a period of five (5) years from the date the document is created. This period may be extended for cause, at any time prior to the end of five (5) years, in writing by the U.S. EPA or the Department:
  - i. The certificate of representation for the designated representative for the source and each affected unit at the source and all documents that demonstrate the truth of the statements in the certificate of representation, in accordance with 40 CFR part 72.24; provided that the certificate and documents shall be retained on site at the source beyond such 5-year period until such documents are superseded because of the submission of a new certificate of representation changing the designated representative;
  - ii. All emissions monitoring information, in accordance with 40 CFR part 75, provided that to the extent that 40 CFR part 75 provides for a three (3)-year period for recordkeeping, the three (3)-year period shall apply.
  - iii. Copies of all reports, compliance certifications, and other submissions and all records made or required under the Acid Rain Program; and
  - iv. Copies of all documents used to complete an Acid Rain permit application and any other submission under the Acid Rain Program or to demonstrate compliance with the requirements of the Acid Rain Program.
- B. The designated representative of an affected source and each affected unit at the source shall submit the reports and compliance certifications required under the Acid Rain Program, including those under 40 CFR part 72 subpart 1 and 40 CFR part 75.

7. Liability

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

section 113(c) of the Act.

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

8. Effect on Other Authorities

No provision of the Acid Program, an Acid Rain permit application, an Acid Rain permit, or an exemption under 40 CFR 72.7 or 72.8 shall be construed as:

- A. Except as expressly provided in title IV of the Act, exempting or excluding the owners and operators and, to the extent applicable, the designated representative of an affected source or affected unit from compliance with any other provision of the Act, including the provisions of title I of the Act relating to applicable National Ambient Air Quality Standards or State Implementation Plans;
- B. Limiting the number of allowances a source can hold; provided, that the number of allowances held by the source shall not affect the source's obligation to comply with any other provisions of the Act;
- C. Requiring a change of any kind in any State law regulating electric utility rates and charges, affecting any State law regarding such State regulation, or limiting such State regulation, including any prudence review requirements under such State law;
- D. Modifying the Federal Power Act or affecting the authority of the Federal Energy

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Regulatory Commission under the Federal Power Act; or,

- E. Interfering with or impairing any program for competitive bidding for power supply in a State in which such program is established.

9. SO<sub>2</sub> Allowance Allocations for each affected unit

The total annual Phase II allowances for years 2010 and beyond for Unit 15 and Unit 16 are respectively 518 and 857 pursuant to 40 CFR Part 73, Table 2. In addition, the number of allowances annually held by an affected source in a source account may differ from the number allocated by U.S. EPA. Neither of the aforementioned conditions necessitates a revision to the source SO<sub>2</sub> allowance allocations identified in this permit pursuant to 40 CFR Part 72.84.

c. Clean Air Interstate Rule (CAIR)

Units A-15 and A-16 are currently subject to the Federal CAIR NO<sub>x</sub> Annual, CAIR NO<sub>x</sub> Ozone Season, and CAIR SO<sub>2</sub> programs pursuant to 40 CFR Part 97 and shall comply with such programs' requirements for the duration of the program.

- d. Emission Units A-Aux1 and A-Aux2: Two (2) 202 million BTU/hour packaged Combustion Engineering steam generating boilers.

1. Emission Limitations:

- A. Neither boiler shall emit pollutants in excess of those specified in the following table [20 DCMR 201]:

<b>Boilers A-Aux1 and A-Aux2 Emission</b>		
<b>Pollutant</b>	<b>Short-Term Limit (lb/hr)</b>	<b>Annual Emissions Limit (ton/yr)</b>
Carbon Monoxide (CO)	7.06	30.94
Oxides of Nitrogen (NO <sub>x</sub> )	66.41	290.85
Particulate Matter (Total, including condensables)		50.2
Burning #4 Fuel Oil	11.45	
Burning #2 Fuel Oil	4.76	
Particulate Matter < 10 microns (PM10), including condensables		44.37
Burning #4 Fuel Oil	10.13	
Burning #2 Fuel Oil	3.32	



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<b>Boilers A-Aux1 and A-Aux2 Emission</b>		
<b>Pollutant</b>	<b>Short-Term Limit (lb/hr)</b>	<b>Annual Emissions Limit (ton/yr)</b>
Particulate Matter < 2.5 microns (PM2.5), including condensables		31.98
Burning #4 Fuel Oil	7.30	
Burning #2 Fuel Oil	2.24	
Volatile Organic Compounds (VOC)	1.07	4.70
Sulfur Dioxide (SO <sub>2</sub> )	138.18	605.22

- B. Particulate matter emissions (total filterable only) from boilers A-Aux1 and A-Aux2 shall not exceed 0.05 pound per million BTU. [20 DCMR 600.1]
- C. Sulfur dioxide emissions shall not exceed 0.05% by volume in the flue gas. Adding air as a diluent to comply with this condition is prohibited. [20 DCMR 803]
- D. No visible emissions in excess of ten (10) percent opacity shall be emitted into the outdoor atmosphere from unit Aux1 and unit Aux2, unless as otherwise specified in the Consent Decree referenced in Conditions VI (d) and (e) of this permit, pursuant to 20 DCMR 606.2, except that:
  - i. No greater than 40% opacity (unaveraged) shall be permitted for two minutes per hour and for an aggregate of twelve minutes in any 24-hour period other than during start-up of unit Aux1 or unit Aux2. [20 DCMR 606.2(a)];
  - ii. During start-up of the units, no greater than 40% opacity (averaged over six minutes) shall be permitted for an aggregate of five times per start-up [20 DCMR 606.2(b)]; and
  - iii. In addition to the emissions permitted under Condition III(d)(1)(D), during shutdown of the boiler(s), no greater than 15% opacity (unaveraged) shall be permitted and in addition, no greater than 30% opacity (averaged over three minutes) shall be permitted for an aggregate of three times per shutdown. [20 DCMR 606.2(c)]

Compliance with this Condition shall be interpreted in accordance with Consent Decree ERA-96-105-ARMD and the Compliance Schedule requirements specified in Condition VI of this permit.

- E. Emissions shall not exceed those achieved with the performance of annual combustion adjustments on each boiler. To show compliance with this condition, the Permittee shall, each calendar year, perform adjustments of the combustion processes of the





boilers with the following characteristics [20 DCMR 805.8(a) and (b)]:

- i. Inspection, adjustment, cleaning or replacement of fuel burning equipment, including the burners and moving parts necessary for proper operation as specified by the manufacturer;
  - ii. Inspection of the flame pattern or characteristics and adjustments necessary to minimize total emissions of NO<sub>x</sub> and, to the extent practicable, minimize emissions of CO;
  - iii. Inspection of the air-to-fuel ratio control system and adjustments necessary to ensure proper calibration and operation as specified by the manufacturer; and
  - iv. Adjustments shall be made such that the maximum emission rate for any contaminant does not exceed the maximum allowable emission rate as set forth in this section.
- F. NO<sub>x</sub> emissions, on a two-hour average basis, expressed as NO<sub>2</sub>, shall not be greater than 0.3 pounds per million BTU [20 DCMR 804.1] and averaged daily NO<sub>x</sub> emissions shall not be greater than 0.25 pounds per million BTU [20 DCMR 805.5] when burning fuel oil in units A-Aux1 and Aux2 .

2. Operational Limitations:

- A. The primary fuel for the boilers shall be No. 4 fuel oil containing no greater than 1% sulfur by weight. [20 DCMR 205, 20 DCMR 801.1]
- B. The alternative fuel for the boilers shall be No. 2 fuel oil containing no greater than 1% sulfur by weight. [20 DCMR 205, 20 DCMR 801.1]
- C. The boilers shall be operated at all times in a manner consistent with the manufacturer's specifications for the equipment [20 DCMR 201].
- D. Protection of Visibility

The Permittee shall permanently cease operation of Emission Units Aux-1 and Aux-2 on or before December 17, 2012. [20 DCMR 201.1]

3. Monitoring and Testing:

- A. The Permittee shall comply with the requirements of Condition I (d)(2)(B)(ii) to ensure compliance with Conditions III (d)(2)(A) and (B) of this permit.
- B. The Permittee shall monitor the number of hours each boiler is operated while firing

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- each grade of fuel oil (No. 2 and No. 4).
- C. The Permittee shall perform the quality assurance procedures outlined in the table found in Condition III (d)(5) (page 43, below) for CEMS on units A-Aux1 and A-Aux2. [20 DCMR 500]
  - D. The Permittee shall maintain certification of and operate continuous emission monitoring systems (CEMS) for oxides of nitrogen (NO<sub>x</sub>), gas diluents [i.e., carbon dioxide (CO<sub>2</sub>), or oxygen (O<sub>2</sub>)], and opacity in accordance with the requirements listed in Table 2. The CEMS shall meet the performance specifications 1, 2, and 3 in Appendix B of 40 CFR 60. [20 DCMR 501.1 and 20 DCMR 805.5 & September 24, 1996 Consent Decree as amended]
  - E. The Permittee shall install, certify and operate continuous emission monitoring systems (CEMS) for flow and sulfur dioxide (SO<sub>2</sub>) or use fuel sampling and analysis (FSA) in lieu of CEMS, in accordance with the requirements listed in the table found in Condition III (d)(5) (page 43, below). [40 CFR 72, 40 CFR 75 and 40 CFR 75 Appendix D]
  - F. The Permittee shall maintain certification of and operate a continuous opacity monitoring system (COMS) for measuring the opacity of the emissions discharged to the atmosphere and record the data collected by the system. [20 DCMR 501.1]
  - G. The Permittee shall operate the COMS in accordance with the applicable procedures under Performance Specification 1, Appendix B of 40 CFR 60, making sure that the span value of the opacity COMS is between 60 and 80 percent. [20 DCMR 501.1]
4. Record Keeping Requirements:
- A. The Permittee shall keep records of the results of all emissions testing required for the boilers pursuant to Condition I (a)(6) in accordance with the requirements specified in Condition I (c).
  - B. The Permittee shall maintain records of fuel information obtained pursuant to Condition III (d)(3)(A) in accordance with the requirements specified in Condition I (c).
  - C. The Permittee shall maintain records of all opacity readings performed pursuant to Conditions III (d)(3)(F) in accordance with the requirements specified in Condition I (c). These records shall include documentation indicating whether the results show compliance with Condition II (b). [20 DCMR 201.1 (f)]
  - E. The Permittee shall maintain records of the number of hours each boiler is operated using each fuel each month. These data shall be maintained in a rolling twelve month sum format. [20 DCMR 200.7]

- F. The Permittee shall maintain records of the amount of fuel used each month in each of the boilers. These data shall be maintained in a rolling twelve month sum format. [20 DCMR 200.7].

5. Reporting Requirements:

In addition to those specified in Condition I (d), Permittee shall submit reports of CEMS data, including sulfur dioxide (SO<sub>2</sub>), oxides of nitrogen (NO<sub>x</sub>), gas diluent, i.e., carbon dioxide (CO<sub>2</sub>) or oxygen (O<sub>2</sub>), gas flow, and COMS opacity measurements. The reports shall adhere to the reporting requirements found in the document titled: Data Reporting Requirements for Continuous Emission Monitors (CEMS), September 24, 1996, which is hereby incorporated by reference. [20 DCMR 302.1(c)(3)(A)]

**CEMS Requirements for A-Aux1 and A-Aux2**

Parameter	Record Keeping and Reporting	Quality Assurance	Regulatory Requirement
Nitrogen Oxides	20 DCMR 500 20 DCMR 805	40 CFR 60 - Appendix F	20 DCMR 804 20 DCMR 805
Carbon Dioxide	20 DCMR 500 20 DCMR 805	40 CFR 60 Appendix F	20 DCMR 804 20 DCMR 805
Opacity	20 DCMR 500 20 DCMR 606 9/24/96 Consent Decree	See footnote <sup>2</sup>	20 DCMR 500

<sup>2</sup>Until the U.S. EPA codifies the quality assurance procedures in the Code of Federal Regulations, the Permittee is allowed to perform quality assurance in accordance with the EPA's "Performance Audit Procedures for Opacity Monitors (EPA-450/4-92-010, April 1992."

- e. Emission Units A-T2 and A-T35: Two 20,000 gallon gasoline underground storage tanks and gasoline dispensing facility.

1. Operational Limitations:

- A. The Permittee shall equip the storage tanks, A-T2 and A-T35, with a Stage I Vapor Recovery System (VRS) with no less than 90% efficiency. The VRS shall remain operational whenever gasoline is being transferred into the tanks [20 DCMR 704].
- D. The Permittee shall ensure that a Stage II Vapor Recovery System on the dispensing pumps remains operational and effective [20 DCMR 705].
- C. The Permittee shall ensure that each gasoline storage tank and the gasoline dispensing facilities are operated in such a manner that would not result in the release of gasoline vapor to the atmosphere for an extended period of time. Measures to be taken include, but are not limited to, the following [40 CFR 63.11116 and 40 CFR 63.11113]:



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- i.. Minimize gasoline spills;
  - ii. Clean up spills as expeditiously as practicable;
  - iii. Cover all open gasoline containers and all gasoline storage tank fill-pipes with a gasketed seal when not in use and
  - iv. Minimize gasoline sent to open waste collection systems that collect and transport gasoline to reclamation and recycling devices, such as oil/water separators.
2. Monitoring and Testing:
- A. The Permittee shall ensure that a qualified independent tester perform tests to certify that the Stage I and II Vapor Recovery Systems comply with the District of Columbia air quality regulations, and Condition III (e)(1). The tests shall be performed at least once each year, by the end of the second quarter of that calendar year. Any test methods to be used by the Permittee must be approved in advance by the Department. [20 DCMR 704 and 705]
  - B. The Permittee shall furnish the District with a written report of the results of the vapor recovery tests in Condition III(e)(2)(A) above, in accordance with the following requirements [20 DCMR 502]:
    - i. One (1) original and one (1) copy of the test protocol shall be submitted to the following address a minimum of thirty (30) days in advance of the proposed test date. The test shall be conducted in accordance with Federal and District requirements.

Chief, Permitting and Enforcement Branch  
Air Quality Division  
1200 First Street, NE  
5<sup>th</sup> Floor  
Washington, D.C. 20002
    - ii. The test protocol shall be approved by the District prior to initiating any testing. Upon approval of the test protocol, the Company shall finalize the test date with the assigned inspector in the Permitting and Enforcement Branch. The District must have the opportunity to observe the test for the results to be considered for acceptance.
    - iii. The final results of the testing shall be submitted to the District within sixty (60) days of the test completion. One (1) original and one (1) copy of the test report shall be submitted to the address in Condition III (e)(2)(A)(i) above.

- iv. The final report of the results shall include the emissions test report (including raw data from the test) as well as a summary of the test results and a statement of compliance or non-compliance with permit conditions to be considered valid. The summary of results and statement of compliance or non-compliance shall contain the following information:
    1. A statement that the owner or operator has reviewed the report from the emissions testing firm and agrees with the findings.
    2. Permit number(s) and condition(s) which are the basis for the compliance evaluation.
    3. Summary of results with respect to each permit condition.
    4. Statement of compliance or non-compliance with each permit condition.
  - v. The results must demonstrate to the District's satisfaction that the emission unit is operating in compliance with the applicable regulations and conditions of this permit; if the final report of the test results shows non-compliance the owner or operator shall propose corrective action(s). Failure to demonstrate compliance through the test may result in enforcement action.
3. Record Keeping Requirements:
- A. The Permittee shall keep records of the results of vapor recovery testing, including leak tests, pursuant to Conditions III (e)(2)(A) and I (a)(6) in accordance with the requirements specified in Condition I (c), as applicable.
  - B. The records kept pursuant to Condition III(e)(3)(A) above must show the following information. [20 DCMR 502]:
    - i. Date and time of the certification test;
    - iii. The name, address and telephone number of the tester;
    - iii. The type of test(s) conducted; and a statement of whether the tank passed or failed the test(s).
  - C. The Permittee shall maintain records of gasoline throughput and must make the records available to the Department within twenty-four (24) hours of such a request.
4. Reporting Requirements:

In addition to those specified in Condition I (d), the Permittee shall, annually, as part of its

compliance certificate report, submit test results demonstrating compliance with Stage I and II Vapor Recovery regulations. The test results shall include [20 DCMR 704 & 705] and [20 DCMR 502]:

- A. The date and time of the certification test;
  - B. The name, address and telephone number of the tester;
  - C. The type of test(s) conducted; and
  - D. A statement of whether the vapor recovery systems passed or failed the test(s).
- f. Emission Unit G-21: One (1) paint spray booth.
1. Emission Limits:
    - A. No chemical strippers containing methylene chloride (MeCl) shall be used for paint stripping at the facility. [20 DCMR 201.1]
    - B. Paints and refinishing coatings that contain volatile organic compounds (VOCs) in excess of the limits specified in the table found in Condition II(n) of this permit, including any VOC containing materials added to the original coating supplied by the manufacturer, shall be prohibited. [20 DCMR 750.1]
    - C. The Permittee shall not apply a coating that is thinned to exceed the applicable VOC limit specified in the table found in Condition II(n) of this permit. [20 DCMR 750.5]
    - D. The Permittee shall not apply any rust preventive coating for industrial use, unless such a rust preventive coating complies with the industrial maintenance coating VOC limit specified in the table found in Condition II(n) of this permit. [20 DCMR 750.6]
    - E. An emission into the atmosphere of odorous or other air pollutants from any source in any quantity and of any characteristic, and duration which is, or is likely to be injurious to the public health or welfare, or which interferes with the reasonable enjoyment of life or property is prohibited [20 DCMR 903.1]
    - F. Visible emissions shall not be emitted into the outdoor atmosphere from the paint booth. [20 DCMR 606 and 201.1]
  2. Operational Limits and Standards:
    - A. The use of a conventional spray gun is prohibited. Only High Volume Low Pressure (HVLP) spray guns or equivalent or better types shall be allowed. Other application methods deemed acceptable can be found in 20 DCMR 750.4 [20 DCMR 201.1 and 40

CFR 63.11173(e)(3)]

- B. Each exhaust stack shall have a minimum height of 15 feet and at least 5 feet above the roof level. [20 DCMR 201]
- C. Cleaning of tools and spray guns shall be performed in enclosed, recycling spray gun cleaning equipment. This equipment shall be kept closed when not in use. [20 DCMR 201]
- D. The paint spray booth shall meet the following specifications [20 DCMR 201]:
  - i. The unit shall be fitted with a type of filter technology that is demonstrated to achieve at least 98-percent capture of paint overspray.
  - ii. The exhaust filters shall be replaced as specified by manufacturers' specifications. If such specifications are unavailable or do not indicate a replacement frequency, they shall be replaced at least once every month or whenever a filter deficiency is identified, whichever is more frequent. There shall be at least one carton of replacement filters onsite at all times.
  - iii. The unit shall be fully enclosed with a full roof and four complete walls and must be ventilated at negative pressure so that air is drawn into any openings in the booth walls.
  - iv. The unit shall be maintained and operated at all time in accordance with manufacturer's recommendations.
- E. The owner and operator of this facility shall comply with the following housekeeping and pollution prevention measures [20 DCMR 201.1]:
  - i. Store fresh and used coatings, solvent, and cleaning solvents in non-absorbent, non-leaking containers;
  - ii. Close all repairing and refinishing coating containers at all times except when filling or emptying;
  - iii. Store cloth and paper, or other absorbent applicators, moistened with coatings, solvents, or cleaning solvents in closed, non-absorbent, non-leaking containers; and
  - iv. Minimize spills during the handling and transfer of coatings, solvents, and cleaning solvents.
- F. The owner and operator of this facility shall ensure that any person who applies coatings is trained in the proper use and handling of the coatings, solvents, waste products and spray painting equipment [20 DCMR 201.1].



- G. At all times, including periods of startup, shutdown, and malfunction, the owner shall, to the extent practicable, maintain and operate the spray painting equipment in a manner consistent with good air pollution control practice for minimizing emissions. Determination of whether acceptable operating procedures are being used will be based on information available to the Department which may include, but is not limited to, monitoring results, review of operating and maintenance procedures, and inspection of the source. [20 DCMR 201]

3. Monitoring and Testing Requirements:

- A. The Permittee shall monitor the Material Safety Data Sheets (MSDS) for all paint strippers used to ensure that they contain no Methylene Chloride (MeCl)
- B. The Permittee shall track the volatile organic compound (VOC) content of all paints and refinishing coatings used at the facility, as applied to ensure compliance with Condition III(f)(1)(B). If applied, unadulterated, as the coating is obtained from the manufacturer, documentation provided by the manufacturer may be used to determine the VOC content. Whenever such information is not available from the manufacturer or whenever a paint or refinishing coating is not applied as obtained from the manufacturer, the following method shall be used to determine the VOC content [20 DCMR 201.1 & 20 DCMR 754.1]:
- i. With the exception of low solids coatings, determine the VOC content in grams of VOC per liter of coating thinned to the manufacturer's maximum recommendation, excluding the volume of any water and exempt compounds. Determine the VOC content using the following equation:

$$\text{VOC Content} = \frac{(W_s - W_w - W_{ec})}{(V_m - V_w - V_{ec})}$$

where,

VOC content = grams of VOC per liter of coating;

$W_s$  = weight of volatiles, in grams;

$W_w$  = weight of water, in grams;

$W_{ec}$  = weight of exempt compounds, in grams;

$V_m$  = volume of coating, in liters;

$V_w$  = volume of water, in liters;

$V_{ec}$  = volume of exempt compounds, in liters; and

- ii. For low solids coatings, determine the VOC content in units of grams of VOC per liter of coating thinned to the manufacturer's maximum recommendation, including the volume of any water and exempt compounds. Determine the VOC content using the following equation:

$$\text{VOC Content (ls)} = \frac{(W_s - W_w - W_{ec})}{(V_m)}$$

Where,

VOC Content (ls) = the VOC content of a low solids coating in grams per liter of coating;

$W_s$  = weight of volatile, in grams;

$W_w$  = weight of water, in grams;

$W_{ec}$  = weight of exempt compounds, in grams;

$V_m$  = volume of coating, in liters.

- C. The Permittee shall maintain an awareness of the area to ensure that the odor and nuisance air pollutant requirements of Condition III(f)(1)(E) are met.
- D. The Permittee shall monitor the emission point from the spray booth to ensure that the requirements of Condition III(f)(1)(F) are met.
- E. The Permittee shall monitor the backup stores of spray booth filters to ensure that all filters meet the requirements of Conditions III(f)(2)(D)(i) and (ii).
- F. The Permittee shall monitor the maintenance and operational status of the spray booth and the activities performed in the spray booth and at the facility to ensure compliance with the requirements of Conditions III(f)(2)(D)(iv), III(f)(2)(E) and III(f)(2)(G).

4. Record Keeping Requirements:

Starting at the time of permit issuance, the Permittee shall maintain the following records for five years from the date of each record in accordance with Condition I(c).

- A. The Permittee shall maintain records of the types of chemical paint strippers used at the facility as well as their chemical make-up.

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- B. The Permittee shall maintain records of the quantity, type, and VOC content of all paints and coatings used at the facility, as applied.
  - C. The Permittee shall maintain records of the type(s) of spray guns in use.
  - D. The Permittee shall maintain records of the type and capture efficiency of all spray booth filters used at the facility as well as copies of the manufacturer's specifications and recommendations for their use.
  - E. The Permittee shall maintain records of the replacement dates of spray booth filters to document compliance with Condition III(f)(2)(D)(ii).
  - F. The Permittee shall maintain records of all maintenance performed on the spray booth.
  - G. The Permittee shall maintain records of training that each painter has completed to show compliance with Condition III(f)(2)(F).
  - H. The Permittee shall maintain records of any deviation from the requirements of this permit. These records must include the date and time period of the deviation and a description of the nature of the deviation and the actions taken to correct the deviation.
- g. Emission Unit - Emergency Generator Engines: Ten (10) small emergency generators and one (1) fire pump as listed below:

G-Diesel	Cool Down Emergency Generator	One (1) 400 hp Caterpillar Cool Down Emergency Diesel Generator.
GE0025	Emergency Generator	One (1) 10 kW ONAN biodiesel Emergency Generator.
GE0042	Emergency Generator	One (1) 100 kW S&S biodiesel Emergency Generator.
GEA230	Emergency Generator	One (1) 200 kW Elliot biodiesel Emergency Generator.
GE0065	Emergency Generator	One (1) 50 kW ONAN biodiesel Emergency Generator.
GE0066	Emergency Generator	One (1) 30 kW ONAN biodiesel Emergency Generator.
GE0092	Emergency Generator	One (1) 92 kW ONAN biodiesel Emergency Generator.
GE001	Emergency Generator	One (1) 10 kW ONAN propane 4SLB SI Emergency Generator
GE002	Emergency Generator	One (1) 10 kW ONAN propane 4SLB SI Emergency Generator
GE0100	Emergency Generator	One (1) 80 kW ONAN biodiesel Emergency Generator.
GENH220	Fire Pump	One 175 hp Cummins diesel Emergency Generator

1. Emission Limitations:

- A. Visible emissions shall not be emitted into the outdoor atmosphere from this generator, except that discharges not exceeding forty percent (40%) opacity (unaveraged) shall be permitted for two (2) minutes in any sixty (60) minute period and for an aggregate of twelve (12) minutes in any twenty-four hour (24 hr.) period during start-up, cleaning, adjustment of combustion controls, or malfunction of the equipment [20 DCMR 606.1].
- B. An emission into the atmosphere of odorous or other air pollutants from any source in any quantity and of any characteristic, and duration which is, or is likely to be injurious to the public health or welfare, or which interferes with the reasonable enjoyment of life or property is prohibited. [20 DCMR 903.1]

2. Operational Limitations:

- A. Each of the emergency generator engines must operate less than 500 hours per any consecutive twelve month period. The fire pump engine shall be operated only during testing, maintenance and fire episode. No other use is permitted. [20 DCMR 805.1(c)(2)]
- B. With the exceptions specified in Condition III(g)(2)(C), the emergency generators shall be operated only during emergencies as follows [20 DCMR 201]:
  - 1. An electrical power outage due to: a failure of the electrical grid; on-site disaster; local equipment failure; or public service emergencies such as flood, fire, natural disaster, or severe weather conditions (e.g. hurricane, tornado, blizzard, etc.);
  - 2. When there is a substantial deviation of voltage or frequency from the electrical provider to the premises such that the equipment being supported cannot be safely or effectively operated; or
  - 3. When a sudden, unexpected event occurs that, if not immediately attended to, presents a safety or public health hazard, is necessary to protect equipment from damage, or is necessary to avoid imposing an unreasonable financial burden. An emergency includes operations necessitated by non-routine failures of equipment, but it does not include voluntary demand reductions covered by Condition III(g)(2)(G).
- C. The emergency generators may each be tested monthly for a period not to exceed one (1) hour. This is a streamlined condition, and by complying with this condition, the Permittee is deemed to be in compliance with 40 CFR 63.6640 9(f)(1)(ii) [20 DCMR 201].
- D. The Permittee shall operate the diesel emergency generators and fire pump on diesel or biodiesel fuel with a sulfur content of 500 ppm (0.05% by weight) sulfur. [20 DCMR 201]

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- E. The Permittee shall operate the propane emergency generators on propane fuel only. [20 DCMR 201].
- F. The emergency generators and fire pump shall be operated and maintained in accordance with the recommendations of equipment manufacturers or to industry standards for similar model if manufacturer specifications are unavailable [20 DCMR 201].
- G. The emergency generators shall not be operated in conjunction with a voluntary demand-reduction program or any other interruptible power supply arrangement with a utility, other market participant, or system operator. [20 DCMR 201]
- H. At all times, including periods of startup, shutdown, and malfunction, the owner or operator shall, to the extent practicable, maintain and operate the stationary IC engines and after-treatment control device (if any) in a manner consistent with good air pollution control practice for minimizing emissions. Determination of whether acceptable operating procedures are being used will be based on information available to the Department which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source. [20 DCMR 201 and 40 CFR 63.6625(e)]
- I. The Permittee of the stationary IC engines must install a non-resettable hour meter if one is not already installed. [40 CFR 63.6625(f)]
- J. Each of the emergency stationary compression ignition (CI) engines must meet the following requirements by May 3, 2013, except during periods of startup [40 CFR 63.6602 and 40 CFR 63.6595(a)]:
  - 1. Change oil and filter every 500 hours of operation or annually, whichever comes first;
  - 2. Inspect air cleaner every 1,000 hours of operation or annually, whichever comes first;
  - 3. Inspect all hoses and belts every 500 hours of operation or annually, whichever comes first, and replace as necessary.

During periods of startup the Permittee must minimize the engine's time spent at idle and minimize engine's startup time at startup to a period needed for appropriate safe loading of the engine, not to exceed 30 minutes, after which the non-startup emission limitations apply.

- K. Each of the emergency stationary spark ignition (SI) engines must meet the following requirements by October 19, 2013, except during periods of startup [40 CFR 63.6602



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and 40 CFR 63.6595(a)]:

1. Change oil and filter every 500 hours of operation or annually, whichever comes first;
  2. Inspect spark plugs every 1,000 hours of operation or annually, whichever comes first;
  3. Inspect all hoses and belts every 500 hours of operation or annually, whichever comes first, and replace as necessary.
- L. The Permittee must demonstrate continuous compliance with Conditions III(g)(2)(J) and (K), Conditions III(g)(2)(C) and Conditions III(g)(2)(H) through (J), by observing work or management practices which includes [40 CFR 63.6640(a) and 40 CFR 63, Table 6 of Subpart ZZZZ]:
- i. Operating and maintaining the stationary IC engines according to the manufacturer's emission-related operation and maintenance instructions; or
  - ii. Developing and following Permittee's own maintenance plan which must provide to the extent practicable for the maintenance and operation of the engine in a manner consistent with good air pollution control practice for minimizing emissions.
3. Monitoring and Testing:
- A. The Permittee shall monitor and/or test for the sulfur content in diesel fuel obtained for use in the generator engines, in accordance with Condition I (d)(2)(B)(ii) to ensure compliance with Condition III (g)(2)(D) of this permit.
  - B. The Permittee shall monitor the date, time, duration, and reason for each emergency generator startup, as well as the number of hours of operation of each engine to ensure compliance with Condition III(g)(2)(B), (C), and (G) of this permit.
  - C. The Permittee shall monitor the total hours of operation of each generator each month with the use of a properly functioning, non-resettable hour metering device to ensure compliance with Condition III(g)(2)(A) of this permit.

4. Record Keeping Requirements:

The Permittee shall maintain the following records in accordance with Condition I (c) of this permit:

- A. Records of the results of fuel sampling and records of fuel supplier certifications;



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- B. Records of the hours of operation of each engine/generator, kept in a 12 month rolling format;
- C. Records of total fuel used in the engines/generators, kept in a 12 month rolling format;
- D. Records of all maintenance on the engines and generators;
- E. Records of the results of any emissions tests as well as all data collected in the process of finding those results.
- F. The Permittee must keep the records described in Conditions III(g)(4)(F)(i) through(v), Condition III(g)(4)(G) below, to show compliance with the emission and operating limitations of Conditions III(g)(2)(C) and (H) through (L) of this permit. [40 CFR 63.6655(a)]
  - i. A copy of each notification and report that the Permittee submitted to comply with 40 CFR 63 Subpart ZZZZ, including all documentation supporting any Initial Notification of Compliance Status that the Permittee submitted, according to the requirements of 40 CFR 63.10(b)(2)(xiv).
  - ii. Records of the occurrence and duration of each malfunction of operation (i.e., process equipment) or the air pollution control and monitoring equipment.
  - iii. Records of performance tests and performance evaluations as required in 40 CFR 63.10(b)(2)(vii).
  - iv. Records of all maintenance performed on the air pollution control and monitoring equipment.
  - v. Records of actions taken during periods of malfunction to minimize emissions in accordance with 40 CFR 63.6605(b) and Condition III(g)(2)(H), including corrective actions to restore malfunctioning process and air pollution control and monitoring equipment to its normal or usual manner of operation.
- G. The Permittee must keep the records required in Conditions III(g)(2)(L) to show compliance with each applicable emission or operating limitation.[40 CFR 63.6655(d)]
- H. The Permittee must keep records of the maintenance conducted on the stationary IC engine in order to demonstrate that Permittee operated and maintained the stationary IC and after-treatment control device (if any) according to Permittee's own maintenance plan. [40 CFR 63.6655(e)]
- I. The Permittee must keep records of the hours of operation of the engine that is recorded through the non-resettable hour meter. The Permittee must document how many hours



are spent for emergency operation including what classified the operation as emergency and how many hours are spent for non-emergency operation. [40 CFR 63.6655(f)]

- J. In coordination with the recordkeeping requirements of Condition I (c), Permittee must: [40 CFR 63.6660]
- i. Maintain records for five (5) years following the date of each occurrences, measurements, maintenance, corrective action, report, or record in a form suitable and readily available for expeditious review. At a minimum the most current two (2) years of data must be stored on site pursuant to 40 CFR 63.10(b)(1); and
  - ii. Keep each record readily accessible in hard copy or electronic form for at least five (5) years after the date of each occurrence, measurement maintenance, corrective action, report, or record, according to 40 CFR 63.10(b)(1).

5. Reporting Requirements:

- A. In addition to those specified in Condition I (d), Permittee must demonstrate continuous compliance with Conditions III(g)(2)(D) through (K), by reporting any instance in which the Permittee did not meet each of these emission and operating limitations in accordance with the Condition III(g)(5)(B). [40 CFR 63.6640(b)]
- B. The Permittee must report all deviations in Condition III(g)(5)(A) in the semiannual monitoring reports required by this permit. [40 CFR 63.6650(f)]

**IV. Miscellaneous/Insignificant Activities**

- a. The District does not consider the “miscellaneous activities” (also commonly known as “insignificant activities”) listed in Condition IV (c) to be significant sources. However, they are subject to the General Permit Requirements (Condition I) and Facility-Wide Permit Requirements (Condition II) of this permit as well as the conditions specified below for each unit type. [See EPA White Paper 1, Wegman, July 10, 1995]
- b. Emissions from the miscellaneous activities must be reasonably estimated, and the Permittee shall report the estimated emissions, as well as the specifics of the method(s) of estimation, in the annual emission statement required by Condition I (d)(2)(C) of this permit. [20 DCMR 500]
- c. The following miscellaneous activities are subject to Condition IV (a) and (b) as well as the conditions specified below (where applicable):
  1. A-T2A: A 1.76 million gallon above ground #4 grade oil storage tank constructed in 1965;
  2. A-T3A: A 1.89 million gallon above ground #4 grade oil storage tank constructed in 1965;



3. A-T1A: A 613,000 gallon above ground #4 grade oil storage tank constructed in 1965;
4. T-29: A 50,000 gallon above ground #2 grade oil storage tank constructed in 1965;
5. Benning fuel island 20,000 underground biodiesel storage tank;
6. Kenilworth 15,000 underground transformer oil storage tank;
7. A-TWR15 and A-TWR16 – Cooling towers:
8. G-Fugitive – Fugitive emission activities such as minor maintenance repair.

#### V. Permit Shield

None granted. [20 DCMR 302.6]

#### VI. Compliance Schedule

- a. The Permittee shall continue to comply with all applicable requirements. [20 DCMR 301.3(h)(3)(A)]
- b. The Permittee shall meet, in a timely manner, all applicable requirements that become effective during the term of this permit, including, but not limited to, any new air quality regulations and any specific compliance schedules adopted in response to any enforcement action taken against the Permittee by the Department or the U.S. EPA. [20 DCMR 301.3(h)(3)(B)]
- c. The Permittee shall come into compliance with visible emission regulations through activities that include the following:
  1. A program of operation and maintenance of fuel burning equipment, including associated air pollution control equipment, in a manner consistent with good air pollution control practices pursuant to Condition II(a). The practices must include the following [20 DCMR 201]:
    - A. Maintaining an optimum gun pressure;
    - B. Regular cleaning of guns;
    - C. Observing proper firing techniques during changes in local requirements;
    - D. Proper lighting off of guns in a timely manner during the initial light off of start-up guns;

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- E. Maintaining a balanced oil to air ratio to ensure optimum atomization during boiler light off;
  - F. Monitoring of oil to air ratio during startup evolutions and during changes in fuel demand;
  - G. Earlier removal of fire from boiler during boiler shutdown; and
  - H. Opening of the gun drain valves, if installed, or draining of remnant oil to a drain pan whenever the boiler trips or during shutdown.
2. Ensuring that personnel participating in maintenance and operation of the facility are adequately trained and supervised to include training in the air pollution regulations of the District, with special emphasis on an understanding of the visible emissions. [20 DCMR 606]
- d. Consent Decree: Duty to Comply

Permittee must comply with the Consent Decree No. ERA-96-105-ARMD of September 24, 1996, as amended, which is hereby incorporated by reference.

- e. Consent Decree: Visible Emissions Standards - Compliance by COMS

In using continuous opacity monitoring systems (COMS) to determine compliance with the visible emissions standards, Permittee shall apply the principles adopted in Section III of the 2001 Amendment to September 24, 1996 Consent Decree No. ERA-96-105-ARMD, which is hereby incorporated into this permit by reference and summarized below:

1. For the purposes of the Consent Decree and this section, the following terms shall have the meanings set forth:
  - A. "Compliance Operating Hours" shall mean the boiler in-service hours (calculated in hours to the nearest hundredth of an hour) except for those in-service hours otherwise pre-approved for testing by DDOE/AQD and except for those in-service hours when the Opacity Monitoring system is out-of-service.
  - B. "Allowances" shall mean the 1-minute opacity values (to the nearest percent) that are allowed pursuant to the provisions of the District of Columbia Environmental Regulations at 20 DCMR Section 606 and allowed during those in-service hours otherwise pre-approved for testing by DDOE/AQD.
  - C. "Excess Emissions" shall mean the 1-minute opacity values (to the nearest percent) that are not allowed pursuant to the provisions of the District of Columbia Environmental Regulations at 20 DCMR Section 606.



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- D. "Allowance Minutes" shall mean the number of Excess Emissions (in whole minutes) allowed during the month for each boiler, before a penalty for Excess Emissions can be assessed. The Allowance Minutes shall be 1% of the Compliance Operating Hours (converted to minutes) for the month.
2. Startup – Compliance with 20 DCMR Section 606 with respect to "Startup" of any boiler at Benning shall be determined as follows:
- A. Allowances: Any thirty 1-minute periods in which the opacity is greater than 10%, but less than or equal to 40%.
- B. Excess Emissions:
- i. Any 1-minute period in which the opacity is greater than 40%, or
  - ii. All 1-minute periods (in excess of the thirty 1-minute Allowances in any startup period) in which the opacity is greater than 10%, but less than or equal to 40%.
- C. Sample Calculations: Attachment A of the consent decree represents sample calculations regarding compliance during Startup pursuant to the agreed upon methodology.
3. Operation – Compliance with DCMR Section 606 with respect to "Operation" of any boiler at Benning shall be determined as follows:
- A. Allowances:
- i. Two 1-minute periods in any sixty-minute operating period in which the opacity is greater than 10%, but less than or equal to 40%, or
  - ii. Twelve 1-minute periods in any twenty-four hour operating period in which the opacity is greater than 10%, but less than or equal to 40%.
- B. Excess Emissions:
- i. Any 1-minute period in which opacity is greater than 40%, or
  - ii. All 1-minute periods (in excess of the two 1-minute Allowances in any sixty-minute operating period) in which the opacity is greater than 10%, but less than or equal to 40%, or
  - iii. All 1-minute periods (in excess of the twelve 1-minute periods in any twenty-four hour operating period) in which the operating opacity is greater than 10%, but less than or equal to 40%

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- C. Sample Calculations: Attachment B of the consent decree represents sample calculations regarding compliance during Operation pursuant to the agreed upon methodology.
4. Shutdown - Compliance with DCMR Section 606 with respect to “Shutdown” of any boiler at Benning shall be determined as follows:
- A. Allowances: Nine 1-minute periods where the opacity is greater than 15% but less than or equal to 30%. Deleted: ¶
- B. Excess Emissions:
- Any 1-minute period in which the opacity is greater than 30%, or
  - All 1-minute periods (in excess of the nine 1-minute Allowances) in which the opacity is greater than 15%, but less than or equal to 30%.
- C. Sample Calculation: Attachment C of the consent decree represents sample calculations regarding compliance during Shutdown pursuant to the agreed upon methodology.
5. Monthly Compliance Determination - For each calendar month, compliance will be determined for each boiler. A boiler is in compliance if the total duration of Excess Emissions (minutes), for the month, does not exceed the Allowance Minutes.
6. Penalty Calculation
- Penalty assessments, if any, will be determined quarterly, for each month, based on the monthly data submitted during each calendar quarter ending March 31, June 30, September 30, and December 31.
  - A penalty will be assessed in the amount of \$1,000 per operating day per boiler on and after each operating day in a month when Excess Emissions exceed the Allowance Minutes for the month and an Excess Emissions occur. No penalty will be assessed if a boiler operates and if Excess Emissions do not occur after the Allowance Minutes for the month have been exceeded. Allowance Minutes are determined using the following equation:  
$$\text{Allowance Minutes (Min)} = \text{Compliance Operating Hours (xx.xx Hrs)} * 60 \text{ (Min/Hrs)} * 1\%$$
7. Payments – The Permittee agrees to make payments payable to the DC Treasurer and to submit these payments to the AQD, attached to the quarterly reports.
- e. Consent Decree: Visible Emissions Standards – Additional Provisions
- If a Method 9 visual observation establishes a violation of the visible emission standards, the Permittee will pay penalties pursuant to 20 DCMR §606.8 for each day of the violation.

2. In accordance with 20 DCMR 606.4, 20 DCMR 606.8, and 20 DCMR 105.1, additional fines may be assessed for avoidable malfunctions. Avoidable malfunctions occur when a malfunction is not corrected within a reasonable amount of time and reasonable steps are not taken to abate the malfunction.

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