November 8, 2017

W. Beh Herter III

Director, Engineering Services

TIAA Global Real Assets

8500 Andrew Carnegie Blvd. (Mailstop 8500N/C3/07)

Charlotte NC 28262

**RE: Permit No. 6843 to Operate a Diesel-Fired Emergency Generator Set at 1920 14th Street NW**

Dear Mr. Herter:

Pursuant to sections 200.1 and 200.2 of Title 20 of the District of Columbia Municipal Regulations (20 DCMR), a permit from the Department of Energy and Environment (the Department) shall be obtained before any person can construct and operate a stationary source in the District of Columbia. The application of The Louis DC Residential LLC (the Permittee) to operate one (1) 300 kWe emergency generator set powered by a 463 HP diesel-fired engine at 1920 14th Street NW, Washington DC 20009, per the submitted plans and specifications, received on December 31, 2013 and modified on March 18, 2016 to include a RYPOS diesel particulate filter with oxidation catalyst are hereby approved, subject to the following conditions:

I. General Requirements:

1. The emergency generator set shall be operated in accordance with the air pollution control requirements of 20 DCMR.

b. This permit will expire on November 7, 2022 [20 DCMR 200.4]. If continued operation after this date is desired, the Permittee shall submit an application for renewal August 7, 2022.

c. Operation of equipment under the authority of this permit shall be considered acceptance of its terms and conditions.

1. The Permittee shall allow authorized officials of the District, upon presentation of identification, to:

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 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.

1. This permit shall be kept on the premises and produced upon request.
2. Failure to comply with the provisions of this permit may be grounds for suspension or revocation. [20 DCMR 202.2]

II. Emission Limitations:

a. Emissions from the generator set shall not exceed those found in the following table as measured using the procedures set forth in 40 CFR 89, Subpart E for NMHC, NOx, and CO and 40 CFR 89.112(c) for PM [40 CFR 60.4205(b), 40 CFR 60.4202(a), and 40 CFR 89.112(a)-(c)]:

|  |
| --- |
| **Pollutant Emission Limits (g/kW-hr)** |
| NMHC+NOx | CO | PM |
| 4.0 | 3.5 | 0.20 |

b. Visible emissions shall not be emitted into the outdoor atmosphere from this generator set, 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]

*Note that 20 DCMR 606 is subject to an EPA-issued call for a State Implementation Plan (SIP) revision (known as a “SIP call”) requiring the District to revise 20 DCMR 606. See “State Implementation Plans: Response to Petition for Rulemaking; Restatement and Update of EPA’s SSM Policy Applicable to SIPs; Findings of Substantial Inadequacy; and SIP Calls To Amend Provisions Applying to Excess Emissions During Periods of Startup, Shutdown and Malfunction”, 80 Fed. Reg. 33840 (June 12, 2015). It is likely that this federal action will result in changes to the requirements of 20 DCMR 606. Any such changes, once finalized in the DCMR, will supersede the language of Condition II(b) as stated above.*

c. In addition to Condition II(b), exhaust opacity, measured and calculated as set forth in 40 CFR 86, Subpart I, shall not exceed [40 CFR 60.4205(b), 40 CFR 60.4202(a), and 40 CFR 89.113]:

1. 20 percent during the acceleration mode;

2. 15 percent during the lugging mode;

3. 40 percent during the peaks in either the acceleration or lugging modes. *Note that this condition is streamlined with the requirements of 20 DCMR 606.1.*

d. 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]

III. Operational Limitations:

1. The emergency generator set shall be operated for fewer than 500 hours in any given 12 month period. If operation of 500 hours or more is desired, the Permittee shall submit an application to amend this permit to comply with the conditions of 20 DCMR 805 and shall obtain the Department’s approval of such application prior to initiating such operation. [20 DCMR 201 and 20 DCMR 805.1(c)]
2. Except as specified in Condition III(c), the emergency generator set shall be operated only during emergencies resulting from electrical power outages 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.). [20 DCMR 201]
3. The emergency generator set may be operated for the purpose of maintenance checks and readiness testing and for non-emergency purposes for a period not to exceed one hundred (100) hours per calendar year as specified in Conditions III(c)(1) and (2) below. Any such operation shall be considered as part of the 500 hours allowed under Condition III(a) above. [40 CFR 60.4211(f)]

1. The emergency generator set may be operated for the purpose of maintenance checks and readiness testing, provided that the tests are recommended by federal, state or local government, the manufacturer, the vendor, the regional transmission organization or equivalent balancing authority and transmission operator, or the insurance company associated with the engine. [40 CFR 60.4211(f)(2)(i) and DCMR 201]; and

2. The emergency generator set may be operated for up to fifty (50) hours per calendar year in non-emergency situations, subject to the following conditions [40 CFR 60.4211(f)(3) and 20 DCMR 201]:

1. Any such operation shall be counted as part of the 100 hours per calendar year for maintenance and testing as provided in Condition III(c).
2. These 50 hours of non-emergency operations per calendar year cannot be used for peak shaving, or as part of any program to supply power to generate income for the facility as part of a financial arrangement with another entity;
3. All operations prohibited under Condition III(f) are also prohibited under this condition; and
4. All operations of the emergency generator set resulting from a deviation in voltage or frequency from the electric provider to the premises shall be considered non-emergency operation and counted as part of this 50 hour per calendar year allowance.
5. The emergency generator set shall fire only diesel fuel that contains a maximum sulfur content of 15 ppm (0.0015 percent by weight) and either a minimum cetane index of 40 or a maximum aromatic content of 35 volume percent. [40 CFR 60.4207(b)]
6. Regular periodic testing of emergency generator set shall be limited to no more than 45 minutes per instance, once per month, between the hours of 4:00 p.m. and 6:30 p.m. on weekdays (excluding holidays). Additional operation is permitted for special one-time tests or operations during repairs, but the purposes of such operations shall be documented in each case.
7. The Permittee shall maintain and operate the Rypos diesel particulate filter with oxidation catalyst in accordance with the manufacture’s recommendations. The Rypos unit shall be operated at all times that the generator set is operated and shall not be removed. [20 DCMR 107.1]
8. The emergency generator set shall be operated and maintained in accordance with the recommendations of the equipment manufacturers. [40 CFR 60.4211(a)(1) and 20 DCMR 201]
9. The emergency generator set 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]
10. At all times, including periods of startup, shutdown, and malfunction, the Permittee shall, to the extent practicable, maintain and operate the unit 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]

IV. Monitoring and Testing Requirements:

a. The Permittee shall monitor the date, time, duration, and reason for each emergency generator set startup to ensure compliance with Conditions III(a), (b), (c), (e), and (h). [20 DCMR 500.1]

b. In order to ensure compliance with Condition III(a), the Permittee shall monitor the total hours of operation each month with the use of a properly functioning, non-resettable hour metering device. [40 CFR 60.4209(a) and 40 CFR 60.4214(b)]

c. The Permittee shall monitor and/or test for the sulfur content in diesel fuel/No. 2 fuel oil obtained for use in the generator engine, to ensure compliance with Condition III(d) in accordance with Condition V(c). [20 DCMR 500.1, 502.3, and 502.6]

d. The Permittee shall conduct and allow the Department access to conduct tests of air pollution emissions from any source as requested. [20 DCMR 502.1]

V. Record Keeping Requirements:

1. The following information shall be recorded, initialed, and maintained in a log at the facility for a period not less than three (3) years from the date the information is obtained [20 DCMR 500.8]:

1. The date, time, duration, and reason for each start-up of the emergency generator, including the following specific information:

i. If the unit is operated in non-emergency situations pursuant to Condition III(c)(2), the specific purpose for each operation period must be recorded;

ii. If the unit is operated for emergency purposes, what classified the operation as emergency; and

iii. If the unit is operated for special one-time tests or repairs and is not able to comply with the standard operating time limits in Condition III(e), a justification of such operation shall be written and recorded;

2. The total hours of operation for each month and the cumulative 12-month rolling period shall be calculated and recorded within 15 days of the end of each calendar month for the previous month and the 12-month period ending at the end of that month;

3. The total hours of operation for maintenance checks and readiness testing and non-emergency operation pursuant to Condition III(c) each month, and totaled for each calendar year by January 15 of each year for the previous calendar year;

4. The total hours of operation each calendar year for non-emergency purposes pursuant to Condition III(c)(2) each calendar year, totaled by January 15 of each calendar year for the previous calendar year;

5. Records of the maintenance performed on the emergency generator set and the associated Rypos diesel particulate filter with oxidation catalyst *[Note that these records must be sufficient to the Permittee is complying with the requirements of Conditions III(f) and (g)]*;

6. Records of the results of any visible emissions monitoring performed;

7. Records of the occurrence and duration of each malfunction of operation; and

8. Records of the actions taken during periods of malfunction to minimize emissions, including corrective actions to restore malfunction process and air pollution control and monitoring equipment to its normal or usual manner of operation.

b. The Permittee shall permanently maintain copies of the manufacturers’ maintenance and operating recommendations for both the emergency generator set and the Rypos diesel particulate filter with oxidation catalyst at the facility. [20 DCMR 501]

c. For each delivery of diesel fuel, the Permittee shall maintain one of the following:

1. A fuel delivery receipt containing the date, fuel type, and amount of the delivery and certification from the fuel supplier that the fuel delivered was tested in accordance with an appropriate ASTM method (specified in the certification) and met the requirements of Condition III(d); or

2. A fuel delivery receipt and documentation of sampling and analysis containing the following information:

i. The fuel oil type and the ASTM method used to determine the type (see the definition of distillate oil in 40 CFR 60.41c for appropriate ASTM methods);

ii. The weight percent sulfur of the fuel oil as determined using ASTM test method D-4294 or D-5453 or other method approved in advance by the Department;

iii. The date and time the sample was taken;

iv. The name, address, and telephone number of the laboratory that analyzed the sample; and

v. The test method used to determine the sulfur content.

d. The Permittee shall permanently maintain a copy of the EPA Certificate of Conformity at the facility. [20 DCMR 500.1]

VI. Reporting Requirements:

a. An annual report shall be submitted to the Department no later than March 1 of each year covering the previous calendar year to include all records required to be maintained pursuant to Condition V(a) of the permit;

b. The reports required under Condition VI(a) shall be submitted to the Department at the following address:

 Chief, Compliance and Enforcement Branch

 Department of Energy and Environment

 Air Quality Division

1200 First Street NE, 5th Floor

 Washington DC 20002

If you have any questions, please call me at (202) 535-1747 or Olivia Achuko at (202) 535-2997.

Sincerely,

Stephen S. Ours, P.E.

Chief, Permitting Branch

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