April 19, 2016

R. Steven Taylor

Regional Director

CC OWNER LLC

400 7th Street SW

Washington, DC 20024

**RE: Permit Nos. 7054 (Generator #1) and 7055 (Generator #2) to Operate Two (2) Diesel-Fired Emergency Generator Sets at 400 7th Street SW**

Dear Mr. Taylor:

Pursuant to §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 may construct or operate a stationary source in the District of Columbia. The application of the CC OWNER LLC (the Permittee) to operate two (2) two Cummins model DQFAD, 1,000 kWe emergency generator sets with 1,490 hp diesel-fired engines at the Constitution Center, located at 400 7th Street SW, Washington, DC has been reviewed.

Based on the submitted plans and specifications as detailed in your application, dated June 29, 2015, and additional information submitted October 15, 2015 your application is hereby granted subject to the following conditions:

I. General Requirements:

a. The emergency generators shall be operated in accordance with the air pollution control requirements of 20 DCMR.

b. These permits expire on April 18, 2021 [20 DCMR 200.4]. If continued operation after this date is desired, the Permittee shall submit an application for renewal by January 18, 2021.

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

d. 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.

e. This permit shall be kept on the premises and produced upon request.

f. Failure to comply with the provisions of this permit may be grounds for suspension or revocation. [20 DCMR 202.2]

II. Emission Limitation:

1. Emissions from each unit shall not exceed those found in the following table, as measured according to the procedures set forth in 40 CFR 89, Subpart E. [40 CFR 60.4205(b) 40 CFR 60.4202(a)(2) and 40 CFR 89.112(a)]

|  |
| --- |
| **Pollutant Emission Limits (g/kWm-hr)** |
| NMHC + NOx | CO | PM |
| 6.4 | 3.5 | 0.20 |

1. Visible emission shall not be emitted into the outdoor atmosphere from these generators, 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]

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.*

1. 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:

a. The emergency generators shall not be operated in excess of 500 hours in any given 12 month period. If operation beyond 500 hours 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.

b. With the exceptions specified in Condition III (c), the emergency generators shall be operated only during emergencies as follows:

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 operate; 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 (f).

1. Each of the emergency generators may be operated for the purpose of maintenance checks and readiness testing for a period not to exceed one hundred (100) hours per year as specified in Condition 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 generators may each 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 generators may each be operated for up fifty (50) hours per calendar year in non-emergency situations. Any such operations shall be counted as part of the 100 hours per calendar year for maintenance and testing as provided in Condition III(c). 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. All operations prohibited under Condition III(f) are also prohibited under this condition. [40 CFR 60.4211(f)(3) and 20 DCMR 201]

d. The Permittee shall obtain for use in the generators only diesel fuel that contains a maximum sulfur content of 15 ppm (0.0015% by weight) and either a minimum cetane index of 40 or a maximum aromatic content of 35 volume percent. [40 CFR 60.4207(b)]

e. The emergency generators shall be operated and maintained in accordance with the recommendations of the equipment manufacturer.

f. 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]

1. At all times, including periods of startup, shutdown, and malfunction, the owner 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.

IV. Monitoring and Testing Requirements:

a. The Permittee shall monitor the date, time, duration, and reason for each emergency generator startup to ensure compliance with Conditions III(a), (b), (c), and (f).

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 test fuel oil as necessary to show compliance with Conditions III (d) and V (c) in accordance with appropriate ASTM methods. [20 DCMR 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. For each generator, 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 due to a deviation in voltage from the utility pursuant to Condition III(b)(2) this shall be specifically noted;

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

iii. If the unit is operated for emergency purposes, what classified the operation as emergency.

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 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 due to a deviation in voltage or frequency from the utility pursuant to Condition III(b)(2) each calendar year, totaled by January 15 of each calendar year for the previous calendar year;

5. The total hours of operation each calendar year for non-emergency purposes pursuant to Condition III(c).

6. Records of the maintenance performed on the unit;

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

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

9. 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 maintain a copy of the emergency generators’ manufacturer’s maintenance and operating recommendations at the facility.

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:

A. 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);

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

C. The date and time the sample was taken;

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

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

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

If you have any questions, please call me at (202) 535-1747 or Abraham T. Hagos at (202) 535-1354.

Sincerely,

Stephen S. Ours, P.E.

Chief, Permitting Branch

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