

Bay Area Air Quality Management District

939 Ellis Street
San Francisco, CA 94109
(415) 771-6000

Final

MAJOR FACILITY REVIEW PERMIT

Issued To:

**Mirant Delta, L.L.C., Contra Costa Power Plant
Facility #A0018**

Facility Address:

3201 Wilbur Avenue
Antioch, CA 94509

Mailing Address:

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Primary Responsible Official

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Type of Facility: Electric Generation

BAAQMD Engineering
Division Contact:

Primary SIC: 4911

Craig Ullery

Product: Electricity

ISSUED BY THE BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Signed by Jack P. Broadbent
Jack P. Broadbent, Executive Officer/Air Pollution Control Officer

August 19, 2005
Date

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I. STANDARD CONDITIONS

A. Administrative Requirements

The permit holder shall comply with all applicable requirements in the following regulations:

- BAAQMD Regulation 1 - General Provisions and Definitions
(as amended by the District Board on 5/2/01);
- SIP Regulation 1 - General Provisions and Definitions
(as approved by EPA through 6/28/99);
- BAAQMD Regulation 2, Rule 1 - Permits, General Requirements
(as amended by the District Board on 6/15/05);
- SIP Regulation 2, Rule 1 - Permits, General Requirements
(as approved by EPA through 1/26/99);
- BAAQMD Regulation 2, Rule 2 - Permits, New Source Review
(as amended by the District Board on 6/15/05);
- SIP Regulation 2, Rule 2 - Permits, New Source Review and Prevention of Significant Deterioration
(as approved by EPA through 1/26/99);
- BAAQMD Regulation 2, Rule 4 - Permits, Emissions Banking
(as amended by the District Board on 12/21/04);
- SIP Regulation 2, Rule 4 - Permits, Emissions Banking
(as approved by EPA through 1/26/99); and
- BAAQMD Regulation 2, Rule 6 - Permits, Major Facility Review
(as amended by the District Board on 4/16/03).

B. Conditions to Implement Regulation 2, Rule 6, Major Facility Review

1. This Major Facility Review Permit was issued on August 19, 2005 and expires on August 18, 2010. The permit holder shall submit a complete application for renewal of this Major Facility Review Permit no later than February 18, 2010 and no earlier than August 18, 2009. **If a complete application for renewal has not been submitted in accordance with these deadlines, the facility may not operate after August 18, 2010.** If the permit renewal has not been issued by August 18, 2005, but a complete application for renewal has been submitted in accordance with the above deadlines, the existing permit will continue in force until the District takes final action on the renewal application. (Regulation 2-6-307, 404.2, 407, & 409.6; MOP Volume II, Part 3, §4.2)
2. The permit holder shall comply with all Conditions of this permit. The permit consists of this document and all appendices. Any non-compliance with the terms and Conditions of this permit will constitute a violation of the law and will be grounds for enforcement action; permit termination, revocation and reissuance, or modification; or denial of a permit renewal application. (Regulation 2-6-307; MOP Volume II, Part 3, §4.11)
3. In the event any enforcement action is brought as a result of a violation of any term or Condition of this permit, the fact that it would have been necessary for the permittee to halt or reduce the permitted activity in order to maintain compliance with such term or Condition shall not be a defense to such enforcement action. (MOP Volume II, Part 3, §4.11)

I. Standard Conditions

4. This permit may be modified, revoked, reopened and reissued, or terminated for cause. (Regulation 2-6-307, 409.8, 415; MOP Volume II, Part 3, §4.11)
5. The filing of a request by the facility for a permit modification, revocation and reissuance, or termination, or the filing of a notification of planned changes or anticipated non-compliance does not stay the applicability of any permit Condition. (Regulation 2-6-409.7; MOP Volume II, Part 3, §4.11)
6. This permit does not convey any property rights of any sort, or any exclusive privilege. (Regulation 2-6-409.7; MOP Volume II, Part 3, §4.11)
7. The permit holder shall supply within 30 days any information that the District requests in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. (Regulation 1-441, Regulation 2-6-409.4 & 501; MOP Volume II, Part 3, §4.11)
8. Any records required to be maintained pursuant to this permit that the permittee considers proprietary or trade secret information shall be prominently designated as such. Copies of any such proprietary or trade secret information which are provided to the District shall be maintained by the District in a locked confidential file, provided, however, that requests from the public for the review of any such information shall be handled in accordance with the District's procedures set forth in Section 11 of the District Administrative Code. (Regulation 2-6-419; MOP Volume II, Part 3, §4.11)
9. Proprietary or trade secret information provided to EPA will be subject to the requirements of 40 CFR Part 2, Subpart B - Public Information, Confidentiality of Business Information. (40 CFR Part 2)
10. The emissions inventory submitted with the application for this Major Facility Review Permit is an estimate of actual emissions or the potential to emit for the time period stated and is included only as one means of determining applicable requirements for emission sources. It does not establish, or constitute a basis for establishing, any new emission limitations. (MOP Volume II, Part 3, §4.11)
11. The responsible official shall certify all documents submitted by the facility pursuant to the major facility review permit. The certification shall state that based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete. The certifications shall be signed by a responsible official for the facility. (MOP Volume II, Part 3, §4.11)
12. The permit holder is responsible for compliance, and certification of compliance, with all conditions of the permit, regardless whether it acts through employees, agents, contractors, or subcontractors. (Regulation 2-6-307)

I. Standard Conditions

C. Requirement to Pay Fees

The permit holder shall pay annual fees in accordance with District Regulation 3, including Schedule P. (Regulation 2-6-402 & 409.13, Regulation 3; MOP Volume II, Part 3, §4.12)

D. Inspection and Entry

Access to Facility: The permit holder shall provide reasonable access to the facility and equipment which is subject to this permit to the APCO and/or to his or her designee. (Regulation 1-440, Regulation 2-6-409.3; MOP Volume II, Part 3, §4.14)

E. Records

1. The permit holder must provide any information, records, and reports requested or specified by the APCO. (Regulation 1-441, Regulation 2-6-409.4)
2. Notwithstanding the specific wording in any requirement, all records for federally enforceable requirements shall be maintained for at least five years from the date of entry. (Regulation 2-6-501, MOP Volume II, Part 3, §4.7)

F. Monitoring Reports

Reports of all required monitoring must be submitted to the District at least once every six months, except where an applicable requirement specifies more frequent reporting. Reports shall be submitted for the following periods: September 1st through February 28th or 29th and March 1st through August 31st, and are due 30 days after the end of the reporting period. All instances of non-compliance shall be clearly identified in these reports. The reports shall be certified by the responsible official as true, accurate, and complete. In addition, all instances of non-compliance with the permit shall be reported in writing to the District's Compliance and Enforcement Division within 10 calendar days of the discovery of the incident. Within 30 calendar days of the discovery of any incident of non-compliance, the facility shall submit a written report including the probable cause of non-compliance and any corrective or preventative actions. The reports shall be sent to the following address:

Director of Compliance and Enforcement
Bay Area Air Quality Management District
939 Ellis Street
San Francisco, CA 94109
Attn: Title V Reports

(Regulation 2-6-502, MOP Volume II, Part 3, §4.7)

G. Compliance Certification

Compliance certifications shall be submitted annually by the responsible official of this facility to the Bay Area Air Quality Management District and to the Environmental Protection Agency. The certification period will be September 1st to August 31st of each year. The certification shall be submitted by September 30th of each year. The certification must list each applicable requirement, the compliance status, whether compliance was continuous or intermittent, the method used to determine compliance,

I. Standard Conditions

and any other specific information required by the permit. The permit holder may satisfy this requirement through submittal of District-generated Compliance Certification forms. The certification should be directed to the District's Compliance and Enforcement Division at the address above, and a copy of the certification should be sent to the Environmental Protection Agency at the following address:

Director of the Air Division
U.S. EPA, Region IX
75 Hawthorne Street
San Francisco, CA 94105
Attention: Air-3

(MOP Volume II, Part 3, §4.5 and 4.15)

H. Emergency Provisions

1. The permit holder may seek relief from enforcement action in the event of a breakdown, as defined by Regulation 1-208 of the District's Rules and Regulations, by following the procedures contained in Regulations 1-431 and 1-432. The District will thereafter determine whether breakdown relief will be granted in accordance with Regulation 1-433. (MOP Volume II, Part 3, §4.8)
2. The permit holder may seek relief from enforcement action for a violation of any of the terms and Conditions of this permit by applying to the District's Hearing Board for a variance pursuant to Health and Safety Code Section 42350. The Hearing Board will determine after notice and hearing whether variance relief should be granted in accordance with the procedures and standards set forth in Health and Safety Code Section 42350 et seq. (MOP Volume II, Part 3, §4.8)
3. The granting by the District of breakdown relief or the issuance by the Hearing Board of a variance will not provide relief from federal enforcement. (MOP Volume II, Part 3, §4.8)

I. Severability

1. In the event that any provision of this permit is invalidated by a court or tribunal of competent jurisdiction, or by the Administrator of the EPA, all remaining portions of the permit shall remain in full force and effect. (Regulation 2-6-409.5; MOP Volume II, Part 3, §4.10)

J. Miscellaneous Conditions

1. The maximum capacity for each source as shown in Table II-A is the maximum allowable capacity. Exceedance of the maximum allowable capacity for any source is a violation of Regulation 2, Rule 1, Section 301. (Regulation 2-1-301)

I. Standard Conditions

K. Accidental Release

This facility is subject to 40 CFR Part 68, Chemical Accident Prevention Provisions. The permit holder shall submit a risk management plan (RMP) by the date specified in §68.10. The permit holder shall also certify compliance with the requirements of Part 68 as part of the annual compliance certification, as required by Regulation 2, Rule 6. (40 CFR Part 68, Regulation 2, Rule 6)

L. Conditions to Implement Regulation 2, Rule 7, Acid Rain

1. The permit holder shall hold one sulfur dioxide allowance for each ton of sulfur dioxide emitted during the calendar year on March 1st of the following year (or February 29 in any leap year or if such day is not a business day, the first business day thereafter). (MOP Volume II, Part 3, §4.9; 40 CFR 72.2, Allowance Transfer Deadline)
2. The equipment installed for the continuous monitoring of CO₂ or O₂ and NO_x shall be maintained and operated in accordance with 40 CFR Parts 72 and 75. (Regulation 2-7, Acid Rain)
3. A written Quality Assurance program must be established in accordance with 40 CFR Part 75, Appendix B for NO_x which includes, but is not limited to: procedures for daily calibration testing, quarterly linearity testing, recordkeeping and reporting implementation, and relative accuracy testing. (Regulation 2-7, Acid Rain)
4. The permit shall monitor SO₂ emissions in accordance with 40 CFR Part 72 and 75. (Regulation 2-7, Acid Rain)
5. The permit holder shall submit quarterly Electronic Data Reports (EDR) to EPA for Boilers S-9 and S-10. These reports must be submitted within 30 days following the end of each calendar quarter and shall include all information required in § 75.64. (40 CFR Part 75)

II. EQUIPMENT LIST

Table II-A, Permitted Sources

Each of the following sources has been issued a permit to operate pursuant to the requirements of BAAQMD Regulation 2, Permits. The capacities in this table are the maximum allowable capacities for each source, pursuant to Standard Condition I.J and Regulation 2-1-301.

S-#	Description	Make or Type	Model	Design Capacity
S-9	Boiler No. 9, Electric Generation and Gas Fired	Babcock & Wilcox		3,400 MMBTU/hr
S-10	Boiler No. 10, Electric Generation and Gas Fired	Babcock & Wilcox		3,400 MMBTU/hr
S-20	Service Station, G# 6557		1 nozzle	1,000 gallon tank
S-33	Maintenance Coating Operation			
S-34	Fixed Roof Oil Water Surge Tank	Pitt Des Moines		56,000 gallons
S-35	API Separator	Wemco	Model CFA-4	1000 gallons
S-37	Dissolved Air Flotation (DAF)			1000 gal/min
S-40	Wipe Cleaning, Facility-Wide	Custom Design		
S-100	Sand Blast Facility	Zero Manufacturing		

**Table II-B
 Abatement Devices**

A-#	Description	Source(s) Controlled	Applicable Requirement	Operating Parameters	Limit or Efficiency
A-10	Selective Catalytic Reduction (SCR)	S-10	BAAQMD 9-11-309		*
A-100	Baghouse	S-100	BAAQMD 6-301		0.15 gr/dscf for <3 min/hr

* S-9 and S-10 boilers are subject to the Advanced Technology Alternative Emission Control Plan (ATAECP “system-wide emissions bubble”) of Regulation 9-11, Section 309. Under the ATAECPP, the individual boilers are not required to comply with a specific emission limit, but their emissions and fuel use contribute to a system-wide average. The current system-wide average NO_x limit (2005) is 0.018 lb/MMbtu.

III. GENERALLY APPLICABLE REQUIREMENTS

The permit holder shall comply with all applicable requirements, including those specified in the BAAQMD and SIP Rules and Regulations and other federal requirements cited below. These requirements apply in a general manner to the facility and/or to sources exempt from the requirement to obtain a District Permit to Operate. The District has determined that these requirements would not be violated under normal, routine operations, and that no additional periodic monitoring or reporting to demonstrate compliance is warranted. In cases where a requirement, in addition to being generally applicable, is also specifically applicable to one or more sources, the requirement and the source are also included in Section IV, Source-Specific Applicable Requirements, of this permit. This section also contains provisions that may apply to temporary sources.

The dates in parentheses in the Title column identify the versions of the regulations being cited and are, as applicable:

1. BAAQMD regulation(s):
 The date(s) of adoption or most recent amendment of the regulation by the District Board of Directors
2. Any federal requirement, including a version of a District regulation that has been approved into the SIP:
 The most recent date of EPA approval of any portion of the rule, encompassing all actions on the rule through that date

The full language of SIP requirements is on EPA Region 9's website included in Appendix A of this permit if the SIP requirement is different from the current BAAQMD requirement. The address is:

<http://yosemite.epa.gov/r9/r9sips.nsf/Agency?ReadForm&count=500&state=California&cat=Bay+Area+Air+Quality+Management+District-Agency-Wide+Provisions>

NOTE:

There are differences between current BAAQMD rules and versions of the rules in the SIP. All sources must comply with both versions of a rule until the U.S. EPA has reviewed and approved by the District's revision of the regulation.

**Table III
 Generally Applicable Requirements**

Applicable Requirement	Regulation Title or Description of Requirement	Federally Enforceable (Y/N)
BAAQMD Regulation 1	General Provisions and Definitions (5/2/01)	N
SIP Regulation 1	General Provisions and Definitions (6/28/99)	Y
BAAQMD Regulation 2, Rule 1	General Requirements (12/21/04)	N
BAAQMD 2-1-429	Federal Emissions Statement (6/7/95)	Y

III. Generally Applicable Emission Requirements

Table III
Generally Applicable Requirements

Applicable Requirement	Regulation Title or Description of Requirement	Federally Enforceable (Y/N)
SIP Regulation 2, Rule 1	General Requirements (1/26/99)	Y
BAAQMD Regulation 4	Air Pollution Episode Plan (3/20/91)	N
SIP Regulation 4	Air Pollution Episode Plan (8/06/90)	Y
BAAQMD Regulation 5	Open Burning (3/6/02)	Y
SIP Regulation 5	Open Burning (3/6/02)	N
BAAQMD Regulation 6	Particulate Matter and Visible Emissions (12/19/90)	Y
BAAQMD Regulation 7	Odorous Substances (3/17/82)	N
BAAQMD Regulation 8, Rule 1	Organic Compounds - General Provisions (6/15/94)	Y
BAAQMD Regulation 8, Rule 3	Organic Compounds - Architectural Coatings (11/21/01)	N
BAAQMD Regulation 8, Rule 40	Organic Compounds - Aeration of Contaminated Soil and Removal of Underground Storage Tanks (12/15/99)	Y
BAAQMD Regulation 8, Rule 47	Organic Compounds - Air Stripping and Soil Vapor Extraction Operations (6/15/94)	Y
BAAQMD Regulation 8, Rule 49	Organic Compounds – Aerosol Paint Products (12/20/95)	N
SIP Regulation 8, Rule 49	Organic Compounds – Aerosol Paint Products (3/22/95)	Y
BAAQMD Regulation 8, Rule 51	Organic Compounds – Adhesive and Sealant Products (7/17/02)	N
SIP Regulation 8, Rule 51	Organic Compounds – Adhesive and Sealant Products (2/26/02)	Y
BAAQMD Regulation 9, Rule 1	Sulfur Dioxide	Y
BAAQMD Regulation 11, Rule 2	Hazardous Pollutants - Asbestos Demolition, Renovation and Manufacturing (10/7/98)	Y
BAAQMD Regulation 12, Rule 4	Miscellaneous Standards of Performance - Sandblasting (7/11/90)	N
SIP Regulation 12, Rule 4	Miscellaneous Standards of Performance - Sandblasting (9/2/81)	Y
California Health and Safety Code Section 41750 et seq.	Portable Equipment	N
California Health and Safety Code Section 44300 et seq.	Air Toxics “Hot Spot” Information and Assessment Act of 1987	N
40 CFR Part 61, Subpart M	National Emission Standards Hazardous Air Pollutants, Asbestos	Y

IV. SOURCE-SPECIFIC APPLICABLE REQUIREMENTS

The permit holder shall comply with all applicable requirements, including those specified in the BAAQMD and SIP Rules and Regulations and other federal requirements cited below. The requirements cited in the following tables apply in a specific manner to the indicated source(s).

The dates in parentheses in the Title column identify the versions of the regulations being cited and are, as applicable:

1. BAAQMD regulation(s):
 The date(s) of adoption or most recent amendment of the regulation by the District Board of Directors
2. Any federal requirement, including a version of a District regulation that has been approved into the SIP:
 The most recent date of EPA approval of any portion of the rule, encompassing all actions on the rule through that date

The full text of each permit Condition cited is included in Section VI, Permit Conditions, of this permit. The full language of SIP requirements is on EPA Region 9's website. The address is:

<http://yosemite.epa.gov/r9/r9sips.nsf/Agency?ReadForm&count=500&state=California&cat=Bay+Area+Air+Quality+Management+District-Agency-Wide+Provisions>

All other text may be found in the regulations themselves.

**Table IV-A
 S-9, Utility Boiler No. 9**

Applicable Requirement	Regulation Title or Description of Requirement	Federally Enforceable (Y/N)	Future Effective Date
BAAQMD Regulation 1	General Provisions and Definitions (5/17/00)		
1-520	Continuous Emission Monitoring		
1-520.1	Steam Generators Rated 250 MMBTU or More Per Hour	Y	
1-522	Continuous Emission Monitoring and Record Keeping Procedures	Y	
1-522.1	Plans and Specifications	Y	
1-522.2	Installation Scheduling	Y	
1-522.3	Performance Testing	Y	
1-522.4	Periods of Inoperation Greater Than 24 Hours	Y	
1-522.5	Calibration	Y	
1-522.6	Accuracy	Y	
1-522.7	Excesses	Y	
1-522.8	Monthly Reports	Y	
1-522.9	Records	Y	
1-522.10	Monitors Required by Sections 1-521 or 2-1-403	Y	

IV. Source-Specific Applicable Requirements

**Table IV-A
 S-9, Utility Boiler No. 9**

Applicable Requirement	Regulation Title or Description of Requirement	Federally Enforceable (Y/N)	Future Effective Date
SIP Regulation 1	General Provisions and Definitions (6/28/99)		
1-522	Continuous Emission Monitoring and Recordkeeping Procedures	Y	
1-522.7	Monitor Excesses	Y	
BAAQMD Regulation 6	Particulate Matter and Visible Emissions (12/19/90)		
6-301	Ringelmann No. 1 Limitation	Y	
6-304	Tube Cleaning	Y	
6-305	Visible Particulates	Y	
6-310	Particulate Weight Limitation	Y	
6-310.3	Particulate Weight Limitation, Heat Transfer Operation	Y	
BAAQMD Regulation 9, Rule 1	Inorganic Gaseous Pollutants, Sulfur Dioxide (3/15/95)		
9-1-301	Limitations on Ground Level Concentrations	Y	
9-1-302	General Emission limitations	Y	
BAAQMD Regulation 9, Rule 3	Inorganic Gaseous Pollutants, Nitrogen Oxides From Heat Transfer Operations (3/17/82)		
9-3-301	Existing Heat Transfer Operation Limits	N	
BAAQMD Regulation 9, Rule 11	Inorganic Gaseous Pollutants, Nitrogen Oxides and Carbon Monoxide From Utility Electric Power Generating Boilers (5/17/00)		
9-11-111	Exemption, Startup or Shutdown	Y	
9-11-302	Interim Compliance NOx Emission Limits for Boilers with a Rated Heat Input Capacity Greater Than or Equal to 1.75 billion BTU/hour	Y	
9-11-302.1.1	NOX limits, limitation on gaseous fuel firing	Y	
9-11-308	System-wide NOx Emission Rate Limit: 0.28 lb/MM Btu	Y	
9-11-309	Advanced Technology Alternative Emission Control Plan	N	
9-11-309.1	System-wide NOx Emission Rate Limits: 0.018 lb/MMBTU	N	
9-11-309.2	Boilers in Startup or Shutdown; Boilers Taken Out of Service; Boilers on Force Majeure Natural Gas Curtailment; and Oil Testing	N	
9-11-309.3	Election of Systemwide NOx Emission Rate Limits	N	
9-11-309.4	Eligible Boilers	N	

IV. Source-Specific Applicable Requirements

**Table IV-A
 S-9, Utility Boiler No. 9**

Applicable Requirement	Regulation Title or Description of Requirement	Federally Enforceable (Y/N)	Future Effective Date
9-11-311	Ammonia Emission Limit for Boilers with a Rated Heat Input Capacity Greater than or equal to 250 million BTU/hour	Y	Upon installment of an applicable control device
9-11-310	CO Emission Limits for Boilers with a Rated Heat Input Capacity Greater Than or Equal to 250 million BTU/hour	Y	
9-11-401	Compliance Schedule - Emissions Limits	Y	
9-11-402	Initial and Annual Demonstration of Compliance	Y	
9-11-501	Fuels Monitoring	Y	
9-11-502	Modified Maximum Heat Input Capacity	Y	Upon physical modification affecting maximum heat input
9-11-503	Emissions Monitoring	Y	
9-11-504	Records	Y	
9-11-505	Reporting Requirements	Y	
9-11-604	Compliance Determination	Y	
9-11-605	Determination of a Higher Heating Value	Y	
BAAQMD Regulation 11, Rule 1	Hazardous Pollutants, Lead (3/17/82)		
11-1-301	Daily Limitation	Y	
11-1-302	Ground level Concentration Limit Without Background	Y	
BAAQMD Manual of Procedures, Volume V	Continuous Emission Monitoring Policy and Procedures (1/20/82)	Y	
40 CFR Part 72	Title IV – Acid Rain Program	Y	
40 CFR Part 75	Code of Federal Regulations, Continuous Emissions Monitoring	Y	

IV. Source-Specific Applicable Requirements

**Table IV-A
 S-9, Utility Boiler No. 9**

Applicable Requirement	Regulation Title or Description of Requirement	Federally Enforceable (Y/N)	Future Effective Date
BAAQMD Condition #672	Permit Conditions		
Part 6	Natural Gas Firing (Basis: Regulation 2-1-301)	Y	

- 1 This section has been removed from BAAQMD Regulations because it has been superseded. Nevertheless, the source must comply with this regulation until US EPA has reviewed and approved (or disapproved) the District's revision of the regulation.

IV. Source-Specific Applicable Requirements

**Table IV-B
 S-10, Utility Boiler No. 10**

Applicable Requirement	Regulation Title or Description of Requirement	Federally Enforceable (Y/N)	Future Effective Date
BAAQMD Regulation 1	General Provisions and Definitions (5/17/00)		
1-520	Continuous Emission Monitoring		
1-520.1	Steam Generators Rated 250 MMBTU or More Per Hour	Y	
1-522	Continuous Emission Monitoring and Record Keeping Procedures	Y	
1-522.1	Plans and Specifications	Y	
1-522.2	Installation Scheduling	Y	
1-522.3	Performance Testing	Y	
1-522.4	Periods of Inoperation Greater Than 24 Hours	Y	
1-522.5	Calibration	Y	
1-522.6	Accuracy	Y	
1-522.7	Excesses	Y	
1-522.8	Monthly Reports	Y	
1-522.9	Records	Y	
1-522.10	Monitors Required by Sections 1-521 or 2-1-403	Y	
SIP Regulation 1	General Provisions and Definitions (6/28/99)		
1-522	Continuous Emission Monitoring and Recordkeeping Procedures	Y	
1-522.7	Monitor Excesses	Y	
BAAQMD Regulation 6	Particulate Matter and Visible Emissions (12/19/90)		
6-301	Ringelmann No. 1 Limitation	Y	
6-304	Tube Cleaning	Y	
6-305	Visible Particulates	Y	
6-310	Particulate Weight Limitation	Y	
6-310.3	Particulate Weight Limitation, Heat Transfer Operation	Y	
BAAQMD Regulation 9, Rule 1	Inorganic Gaseous Pollutants, Sulfur Dioxide (3/15/95)		
9-1-301	Limitations on Ground Level Concentrations	Y	
9-1-302	General Emission limitations	Y	

IV. Source-Specific Applicable Requirements

Table IV-B
S-10, Utility Boiler No. 10

Applicable Requirement	Regulation Title or Description of Requirement	Federally Enforceable (Y/N)	Future Effective Date
BAAQMD Regulation 9, Rule 3	Inorganic Gaseous Pollutants, Nitrogen Oxides From Heat Transfer Operations (3/17/82)		
9-3-301	Existing Heat Transfer Operation Limits	N	
BAAQMD Regulation 9, Rule 11	Inorganic Gaseous Pollutants, Nitrogen Oxides and Carbon Monoxide From Utility Electric Power Generating Boilers (5/17/00)		
9-11-111	Exemption, Startup or Shutdown	Y	
9-11-302	Interim Compliance NOx Emission Limits for Boilers with a Rated Heat Input Capacity Greater Than or Equal to 1.75 billion BTU/hour	Y	
9-11-302.1.1	NOX limits, limitation on gaseous fuel firing	Y	
9-11-308	System-wide NOx Emission Rate Limit: 0.28 lb/MM Btu	Y	
9-11-309	Advanced Technology Alternative Emission Control Plan	N	
9-11-309.1	System-wide NOx Emission Rate Limits: 0.018 lb/MMBTU	N	1/1/05
9-11-309.2	Boilers in Startup or Shutdown; Boilers Taken Out of Service; Boilers on Force Majeure Natural Gas Curtailment; and Oil Testing	N	
9-11-309.3	Election of Systemwide NOx Emission Rate Limits	N	
9-11-309.4	Eligible Boilers	N	
9-11-310	CO Emission Limits for Boilers with a Rated Heat Input Capacity Greater Than or Equal to 250 million BTU/hour	Y	
9-11-311	Ammonia Emission Limit for Boilers with a Rated Heat Input Capacity Greater Than or Equal to 250 million BTU/hour	Y	
9-11-401	Compliance Schedule - Emissions Limits	Y	
9-11-402	Initial and Annual Demonstration of Compliance	Y	
9-11-501	Fuels Monitoring	Y	
9-11-502	Modified Maximum Heat Input Capacity	Y	Upon physical modification affecting max. heat input
9-11-503	Emissions Monitoring	Y	
9-11-504	Records	Y	
9-11-505	Reporting Requirements	Y	
9-11-604	Compliance Determination	Y	

IV. Source-Specific Applicable Requirements

**Table IV-B
 S-10, Utility Boiler No. 10**

Applicable Requirement	Regulation Title or Description of Requirement	Federally Enforceable (Y/N)	Future Effective Date
9-11-605	Determination of a Higher Heating Value	Y	
BAAQMD Regulation 11, Rule 1	Hazardous Pollutants, Lead (3/17/82)		
11-1-301	Daily Limitation	Y	
11-1-302	Ground level Concentration Limit Without Background	Y	
BAAQMD Manual of Procedures, Volume V	Continuous Emission Monitoring Policy and Procedures (1/20/82)	Y	
40 CFR Part 72	Title IV – Acid Rain Program	Y	
40 CFR Part 75	Code of Federal Regulations, Continuous Emissions Monitoring	Y	
BAAQMD Condition #672	Permit Conditions		
Part 2	Installation and maintenance of cold-end preheater baskets (basis: Regulation 1-301)	N	
Part 6	Natural Gas Firing (Basis: Regulation 2-1-301)	Y	

1. This section has been removed from BAAQMD Regulations because it has been superseded. Nevertheless, the source must comply with this regulation until US EPA has reviewed and approved (or disapproved) the District's revision of the regulation.

IV. Source-Specific Applicable Requirements

Table IV C
S-20, Service Station G#6557

Applicable Requirement	Regulation Title or Description of Requirement	Federally Enforceable (Y/N)	Future Effective Date
BAAQMD Regulation 8, Rule 7	Organic Compounds, Gasoline Dispensing Facilities (11/6/02)		
8-7-113	Exemption, Tank Gauging and Inspection	Y	
8-7-301	Phase I Requirements	Y	
8-7-301.1	Requirement for CARB Phase I System	Y	
8-7-301.2	Installation of Phase I Equipment per CARB Requirements	Y	
8-7-301.3	Submerged Fill Pipes	Y	
8-7-301.5	Maintenance of Phase I Equipment per Manufacturers Guidelines or CARB Executive Order	Y	
8-7-301.6	Leak-Free, Vapor-Tight	Y	
8-7-301.7	Poppeted Drybreaks	Y	
8-7-301.8	No Coaxial Phase I Systems on New and Modified Tanks	Y	
8-7-301.9	CARB-Certified Anti-Rotational Coupler or Swivel Adapter	Y	
8-7-301.10	System Vapor Recovery Rate	Y	
8-7-301.11	CARB-Certified Spill Box	Y	
8-7-301.12	Drain Valve Permanently Plugged	Y	
8-7-301.13	Conditionuct and Passing Test Once per 12-Month Period	Y	
8-7-302	Phase II Requirements	Y	
8-7-302.1	Requirement for CARB Phase II System	Y	
8-7-302.2	Maintenance of Phase II Equipment per CARB Requirements	Y	
8-7-302.3	Maintenance of All Equipment as Specified By Manufacturer	Y	
8-7-302.4	Repair of Defective Parts Within 7 Days	Y	
8-7-302.5	Leak-Free, Vapor-Tight	Y	
8-7-302.6	Insertion Interlocks	Y	
8-7-302.7	Built-In Vapor Check Valve	Y	
8-7-302.8	Minimum Liquid Removal Rate	Y	October 2008
8-7-302.9	Coaxial Hose	Y	
8-7-302.10	Galvanized Piping or Flexible Tubing	Y	
8-7-302.11	ORVR Compatible	Y	
8-7-302.12	Liquid Retainment Limit	Y	October 2008

IV. Source-Specific Applicable Requirements

Table IV C
S-20, Service Station G#6557

Applicable Requirement	Regulation Title or Description of Requirement	Federally Enforceable (Y/N)	Future Effective Date
8-7-302.13	Spitting Limit	Y	October 2008
8-7-302.14	Conditionuct and Passing Test Once per 12-Month Period	Y	
8-7-303	Topping Off	Y	
8-7-304	Certification Requirements	Y	
8-7-306	Prohibition of Use	Y	
8-7-307	Posting of Operating Instructions	Y	
8-7-308	Operating Practices	Y	
8-7-309	Phase I Requirements	Y	
8-7-310	Phase II Requirements	Y	
8-7-311	Exempt Tanks Requirements	Y	
8-7-313	New and Modified Phase II Installations	Y	
8-7-314	Hold Open Latch Requirement	Y	
8-7-315	Pressure Vacuum Valve Requirement, Underground Storage Tank	Y	
8-7-401	Permit Requirements, New and Modified Installations	Y	
8-7-406	Testing Requirements, New and Modified Installations	Y	
8-7-407	Periods Testing Requirements	Y	
8-7-408	Periods Testing Notification & Submission Requirements	Y	
8-7-501	Burden of Proof	Y	
8-7-502	Right of Access	Y	
8-7-503	Recordkeeping Requirements	Y	
8-7-503.1	Gasoline Dispensed Records	Y	
8-7-503.2	Dispensing Facility Maintenance Records	Y	
8-7-503.3	Dispensing Records Retention	Y	
BAAQMD Condition #21996	Permit Condition		
Part 1	Fuel throughput limitation (basis: toxic risk policy)	Y	

IV. Source-Specific Applicable Requirements

**Table IV-C
 S-33, Maintenance Coating Operation**

Applicable Requirement	Regulation Title or Description of Requirement	Federally Enforceable (Y/N)	Future Effective Date
BAAQMD Regulation 8, Rule 3	Organic Compounds, Architectural Coatings (11/21/01)		
8-3-301	VOC content Limits	Y	
8-3-303	Sell-Through of Coatings	Y	
8-3-304	Painting Practices	Y	
8-3-305	Prohibition of Excess Thinning	Y	
8-3-306	Rust Preventative Coatings	Y	
8-3-307	Coatings Not Listed In Section 8-3-301	Y	
8-3-309	Limited Allowance, Industrial Maintenance Coatings	Y	
8-3-401	Container Labeling Requirements	Y	
8-3-402	Petition, Limited Allowance for Industrial Maintenance Coatings	Y	
BAAQMD Regulation 8, Rule 19	Organic Compounds - Surface Coating of Miscellaneous Metal Parts and Products (10/16/02)		
8-19-110	Exemption - Low Usage Coatings	Y	
8-19-112	Exemption - Touch Up	Y	
8-19-113	Exemption - Specific Operations	Y	
8-19-117	Exemption - Stencil Coating	Y	
8-19-123	Exemption, Solid Film Lubricant	Y	
8-19-133	Exemption - Spray Application Equipment	Y	
8-19-136	Limited Exemption - Specialty Coatings	Y	
8-19-302	VOC Limits	Y	
8-19-307	Prohibition of Specification	Y	
8-19-312	Specialty Coating Limitations	Y	
8-19-313	Spray Application Equipment Limitations	Y	
8-19-320	Solvent Evaporative Loss Minimization	Y	
8-19-321	Surface Preparation Standards	Y	
8-19-405	Low Usage Coating Petition	Y	
8-19-407	Specialty Coating Petition	Y	
8-19-408	Emission Reduction Credits	Y	
8-19-501	Records	Y	

IV. Source-Specific Applicable Requirements

Table IV-C
S-33, Maintenance Coating Operation

Applicable Requirement	Regulation Title or Description of Requirement	Federally Enforceable (Y/N)	Future Effective Date
BAAQMD Condition #8854	Permit Conditions		
Part 1	Net Annual Coating Usage Limit (basis: cumulative increase)	Y	
Part 2	Net Annual General Solvent Limit (basis: cumulative increase)	Y	
Part 3	Record Keeping Provisions for Adding Components To Coatings (basis: BAAQMD Regulation 8-19-501.2)	Y	

Table IV-D
S-34, Fixed Roof Oil Water Surge Tank

Applicable Requirement	Regulation Title or Description of Requirement	Federally Enforceable (Y/N)	Future Effective Date
BAAQMD Regulation 8, Rule 8	Organic Compounds – Wastewater (Oil-Water) Separators (6/15/94)		
8-8-112	Exemption, Wastewater Critical OC Concentration And/Or Temperature	Y	
8-8-113	Exemption, Secondary Wastewater Treatment Processes and Stormwater Sewer Systems	Y	
8-8-305	Oil-Water Separator And/Or Air Flotation Unit Slop Oil Vessels	Y	
8-8-502	Wastewater Critical Organic Compound Concentration And/Or Temperature Records		
8-8-503	Inspection and Repair Records	Y	
BAAQMD Condition #7938	Permit Conditions		
Part 1	Wastewater Throughput Limit (basis: cumulative increase)	N	
Part 2	Combined Wastewater and Storm Water Limit (basis: cumulative increase)	N	
Part 3	Record Keeping Requirements (basis: Regulation 8-8-501)	Y	

IV. Source-Specific Applicable Requirements

**Table IV-E
 S-35, API Separator**

Applicable Requirement	Regulation Title or Description of Requirement	Federally Enforceable (Y/N)	Future Effective Date
BAAQMD Regulation 8, Rule 8	Organic Compounds – Wastewater (Oil-Water) Separators (6/15/94)		
8-8-112	Exemption, Wastewater Critical OC Concentration And/Or Temperature	Y	
8-8-113	Exemption, SeConditional Wastewater Treatment Processes and Stormwater Sewer Systems	Y	
8-8-305	Oil-Water Separator and/or Air Flotation Unit Slop Oil Vessels	Y	
8-8-501	API Separator or Air Flotation Bypassed Wastewater Records	Y	
8-8-503	Inspection and Repair Records	Y	
Part 1	Wastewater Throughput Limit (basis: cumulative increase)	N	
Part 2	Combined Wastewater and Storm Water Throughput Limit (basis: cumulative increase)	N	
Part 3	Record Keeping Requirements (basis: Regulation 8-8-501)	Y	

**Table IV-F
 S-37, Dissolved Air Flotation**

Applicable Requirement	Regulation Title or Description of Requirement	Federally Enforceable (Y/N)	Future Effective Date
BAAQMD Regulation 8, Rule 8	Organic Compounds – Wastewater (Oil-Water) Separators (6/15/94)		
8-8-112	Exemption, Wastewater Critical OC Concentration and/or Temperature	Y	
8-8-113	Exemption, SeConditional Wastewater Treatment Processes and Stormwater Sewer Systems	Y	
8-8-303	Gauging and Sampling Devices	Y	
8-8-305	Oil-Water Separator and/or Air Flotation Unit Slop Oil Vessels	Y	
8-8-501	API Separator or Air Flotation Bypassed Wastewater Records	Y	
8-8-502	Wastewater Critical Organic Compound Concentration and/or Temperature Records	Y	
8-8-503	Inspection and Repair Records	Y	

IV. Source-Specific Applicable Requirements

**Table IV-F
 S-37, Dissolved Air Flotation**

Applicable Requirement	Regulation Title or Description of Requirement	Federally Enforceable (Y/N)	Future Effective Date
BAAQMD Condition #7938	Permit Conditions		
Part 1	Wastewater Throughput Limit (basis: cumulative increase)	N	
Part 2	Combined Wastewater and Storm Water Throughput Limit (basis: cumulative increase)	N	
Part 3	Record Keeping Requirements (basis: Regulation 8-8-501)	Y	

**Table IV-G
 S-40, Wipe Cleaning, Facility-Wide**

Applicable Requirement	Regulation Title or Description of Requirement	Federally Enforceable (Y/N)	Future Effective Date
BAAQMD Regulation 8, Rule 16	Organic Compounds - Solvent Cleaning Operations (9/16/98)		
8-16-111	Exemption, Wipe Cleaning	Y	
8-16-304	Trichloroethylene Limitation	Y	
8-16-501	Solvent Records	Y	
8-16-501.1	Trichloroethylene Records	Y	
8-16-501.2	All Other Solvents Records	Y	
8-16-501.3	Annual Records of Type and Amount of Solvent Used for Wipe Cleaning	Y	
BAAQMD Condition #8855	Permit Conditions		
Part 1	Net Annual General Solvent Usage Limit (basis: cumulative increase)	Y	
Part 2	Net Annual 1,1,1-Trichloroethane Usage Limit (basis: cumulative increase)	N	
Part 3	Record Keeping Requirements (basis: Regulation 8-16-501)	Y	

IV. Source-Specific Applicable Requirements

**Table IV-H
 S-100, Sand Blast Facility**

Applicable Requirement	Regulation Title or Description of Requirement	Federally Enforceable (Y/N)	Future Effective Date
CA Title 17	State Provisions for Sandblasting	N	
BAAQMD Regulation 6	Particulate Matter and Visible Emissions (12/19/90)		
6-301	Ringelmann No. 1 Limitation	Y	
6-305	Visible Particles	Y	
6-310	Particulate Weight Limitation	Y	
6-401	Appearance of Emissions	Y	
BAAQMD Condition #15870			
Part 1	Requirement for Baghouse (basis: Regulations 6-301 and 6-310)	Y	
Part 2	Baghouse Inspections (basis: Regulation 2-6-501)	Y	
Part 3	Recordkeeping (basis: Regulation 2-6-501)	Y	

V. SCHEDULE OF COMPLIANCE

The permit holder shall continue to comply with all applicable requirements cited in this permit. The permit holder shall also comply with applicable requirements that become effective during the term of this permit on a timely basis.

VI. PERMIT CONDITIONS

Any Condition that is preceded by an asterisk is not federally enforceable.

Condition #672

For S-9, S-10, Boilers Nos. 9 &10

- 1a. Deleted Application 7180
- 1b. Deleted Application 7180
2. Deleted Application 7180
3. Deleted Application 7180
4. Deleted Application 7180
5. Deleted Application 7180
6. The Owner/Operator shall fire the S-9 and S-10, Boilers, exclusively on PUC quality natural gas. (Basis: District Regulation 2-1-301)

Condition #7938

For S-34, S-35, S-37, Oily Water Treatment System

- *1. The Owner/Operator shall ensure that the total throughput of the wastewater treated at sources S-34, S-35 and S-37 does not exceed 32,000,000 gallons during any consecutive twelve-month period. (Basis: cumulative increase)
- *2. The Owner/Operator shall ensure that the combined throughput of storm water and wastewater treated at sources S-34, S-35 and S-37 does not exceed 90,000,000 gallons during any consecutive twelve-month period. (Basis: cumulative increase)
- *3. In order to demonstrate compliance with the Parts 1 and 2 above, the owner/operator of sources S-34, S-35 and S-37 shall maintain the following records in a District-approved log. These records shall be kept on site and made readily available for District inspection upon request. The records shall be kept for a period of at least five (5) years from the date on which a record is made. (Basis: Regulation 8-8-501)
 - a. Daily total throughput of wastewater and storm water, summarized on a monthly basis.

VI. Permit Conditions

- b. Daily throughput of wastewater, as calculated using District-approved procedures, and summarized on a monthly basis.
- c. Daily hours of operation, summarized on a monthly basis.
- d. Identification of days on which it rains in sufficient quantities so as to contribute storm water to the throughput of these sources.

Condition #8854

For S-33, Maintenance Coating Operation

1. The Owner/Operator shall not use more than 1100 gallons of coating in any consecutive 12-month period. (Basis: cumulative increase)
2. The Owner/Operator shall not use more than 400 gallons of cleanup solvent in any consecutive 12-month period. (Basis: cumulative increase)
3. The Owner/Operator shall maintain a log of all materials used in this operation. The log shall contain the following information: (Basis: Regulation 8-19-501)
 - a. quantities of each type of coating used with components and mix ratios listed if applicable,
 - b. substrate that each coating is applied to and the District Regulation that applies,
 - c. VOC content of each coating,
 - d. if a cleaning solvent is used log type and amount.

These records shall be kept on a daily basis in a District-approved log. These records shall be summarized on a monthly basis.

All records shall be retained for a period of at least five (5) years from the date of entry, and be made readily available to District Staff on request.

Condition #8855

For S-40, Wipe Cleaning Operation

1. The Owner/Operator shall ensure that the net solvent usage at this source shall not exceed 100 gallons in any consecutive 12-month period. (Basis: cumulative increase)
- 2*. The Owner/Operator shall ensure that the net annual 1,1,1 Trichloroethane usage at this source shall not exceed 25 gallons in any consecutive 12-month period. (Basis: cumulative increase)

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3. The Owner/Operator shall maintain a log of all materials used in this operation. The log shall contain the following information: (Basis: Regulation 8-16-501)
 - a. Quantities of each type of solvent used at this source
 - b. Quantities of each type of solvent recovered for disposal or recycling
 - c. Net usage of each type of solvent

These records shall be kept on a monthly basis in a District approved log. These records shall be summarized on a quarterly basis.

All records shall be retained for a period of at least five (5) years from the date of entry, and be made readily available to District Staff on request.

Condition #15870 S-100, Sand Blast Facility

1. The Owner/Operator shall route all particulate matter emissions from S-100, Sand Blast Facility, to the A-100, Baghouse (Basis: Regulations 6-301 and 6-310)
2. The Owner/Operator shall inspect the baghouse at a minimum of every five (5) days of operation to ensure proper operation. The following items shall be checked:
 - a. The baghouse exhaust shall be checked for evidence of particulate breakthrough. If breakthrough is evident from plume observations, or dust buildup near the stack outlet, the filter bags shall be checked for any tears, holes, abrasions, and scuffs, and replaced as needed.
 - b. All hoppers shall be discharged in a timely manner.
 - c. The shaker cleaning system shall be maintained and operated at sufficient intervals to ensure proper collection per the manufacturer's instructions. (Basis: Regulation 2-6-501)
3. In order to demonstrate compliance with the above permit Conditions, the Owner/Operator shall maintain the following records in a District approved log. These records shall be kept on site and made readily available for District inspection upon request. The records shall be kept for a period of at least five years from the date on which a record is made.
 - a. Records of all inspections and all maintenance work including bag replacement for the baghouse. Records of each inspection shall consist of a log containing the date of inspection and the initials of the personnel that inspects the baghouses. (Basis: Regulation 2-6-501)

VI. Permit Conditions

Condition #21996

For S-20, Service Station

1. Pursuant to BAAQMD Toxic Section policy, this facility's annual throughput shall not exceed 20,000 gallons in any consecutive 12-month period.
(Basis: Toxic Risk Policy)

VII. APPLICABLE LIMITS & COMPLIANCE MONITORING REQUIREMENTS

This section has been included only to summarize the applicable emission limits contained in Section IV, Source-Specific Applicable Requirements, of this permit. The following tables show the relationship between each emission limit and the associated compliance monitoring provisions, if any. The monitoring frequency column indicates whether periodic (P) or continuous (C) monitoring is required. For periodic monitoring, the frequency of the monitoring has also been shown, using the following codes: annual (A), quarterly (Q), monthly (M), weekly (W), daily (D), hourly (H), or on an event basis (E). No monitoring (N) has been required if the current applicable rule or regulation does not require monitoring, and the operation is unlikely to deviate from the applicable emission limit based upon the nature of the operation.

This section is only a summary of the limits and monitoring requirements. In the case of a conflict with any requirement in Sections I-VI, the preceding sections take precedence over Section VII.

**Table VII-A
 S-9, Utility Boiler No. 9**

Type of Limit	Citation of Limit	FE Y/N	Future Effective Date	Limit	Monitoring Requirement Citation	Monitoring Frequency (P/C/N)	Monitoring Type
Opacity	BAAQMD 6-301	Y		Ringelmann No.1 during any 3 min/hr		N	
	BAAQMD 6-304	Y		Ringelmann No. 2 during tube cleaning		N	
FP	BAAQMD 6-310.3	Y		0.15 grains/dscf @ 6% O ₂		N	
PM	40 CFR 75	Y		None	40 CFR 75.14(c)	N	
SO ₂	BAAQMD 9-1-301	N		Ground Level Concentration of 0.5 ppm for 3 minutes or 0.25 ppm for 60 minutes or 0.05 ppm for 24 hours		N	
	BAAQMD 9-1-302	Y		300 ppmvd		N	
SO ₂	40 CFR 75	Y		None	40 CFR 75	P/Q	Calculations

VII. Applicable Emission Limits & Compliance Monitoring Requirements

Table VII-A
S-9, Utility Boiler No. 9

Type of Limit	Citation of Limit	FE Y/N	Future Effective Date	Limit	Monitoring Requirement Citation	Monitoring Frequency (P/C/N)	Monitoring Type
NOx	BAAQMD 9-3-301	N		175 ppmv @ 3% O ₂ (dry basis) for natural gas firing		C	CEM
	BAAQMD 9-11-302.1.1	Y		175 ppmv @ 3% O ₂ (dry basis) for natural gas firing based on a clock hour average	BAAQMD 9-11-501, 503	C	CEM
NOx	BAAQMD 9-11-308	Y		0.28 lbs/MMBTU system-wide average over previous 30 days	BAAQMD 9-11-501, 503	C	CEM
	BAAQMD 9-11-309.1	N		0.037 lbs/MMBTU system-wide average on a clock hour basis	BAAQMD 9-11-501, 503	C	CEM
	BAAQMD 9-11-309.1	N	1/1/05	0.018 lbs/MMBTU System-wide average on a clock hour basis	BAAQMD 9-11-501, 503	C	CEM
NOx	BAAQMD Condition #16327, part 3	N		0.037 lbs/MMBTU system-wide average on a clock hour basis	BAAQMD 9-11-501, 503	C	CEM
	BAAQMD Condition #16327, part 3	N	1/1/05	0.018 lbs/MMBTU System-wide average on a clock hour basis	BAAQMD 9-11-501, 503	C	CEM
	40 CFR 75	Y		None	40 CFR 75	C	CEM
CO	BAAQMD 9-11-310.1	Y		400 ppmv @ 3% O ₂ (dry basis) during steady state compliance tests	BAAQMD 9-11-501, 503	C	CEM
CO	BAAQMD 9-11-310.2	Y		1000 ppmv @ 3% O ₂ (dry basis) during normal operation based on a clock hour average	BAAQMD 9-11-501, 503	C	CEM

VII. Applicable Emission Limits & Compliance Monitoring Requirements

Table VII-A
S-9, Utility Boiler No. 9

Type of Limit	Citation of Limit	FE Y/N	Future Effective Date	Limit	Monitoring Requirement Citation	Monitoring Frequency (P/C/N)	Monitoring Type
Ammonia	BAAQMD 9-11-311	Y		10 ppmv @ 3% O ₂ (dry basis) based on rolling 60 minute average upon installation of an applicable control device	BAAQMD 9-11-402	P/Q	Quarterly Tests Upon Installation of an Applicable Control Device
Lead	BAAQMD 11-1-301	Y		6.75 kg/day		N	None
Lead	BAAQMD 11-1-302	Y		1.0 microgram/m ³ averaged over 24 hours		N	None
CO ₂	40 CFR 75	Y		None	40 CFR 75	C	CEM (CO ₂ or O ₂)

VII. Applicable Emission Limits & Compliance Monitoring Requirements

**Table VII-B
 S-10, Utility Boiler No. 10**

Type of Limit	Citation of Limit	FE Y/N	Future Effective Date	Limit	Monitoring Requirement Citation	Monitoring Frequency (P/C/N)	Monitoring Type
Opacity	BAAQMD 6-301	Y		Ringelmann No.1 during any 3 min/hr		N	
	BAAQMD 6-304	Y		Ringelmann No. 2 during tube cleaning		N	
FP	BAAQMD 6-310.3	Y		0.15 grains/dscf @ 6% O ₂		N	
PM	40 CFR 75	Y		None	40 CFR 75.14(c)	N	
SO ₂	BAAQMD 9-1-301	N		Ground Level Concentration of 0.5 ppm for 3 minutes or 0.25 ppm for 60 minutes or 0.05 ppm for 24 hours		N	
	BAAQMD 9-1-302	Y		300 ppmvd		N	
	40 CFR 75	Y		None	40 CFR 75	P/Q	Calculations
NO _x	BAAQMD 9-3-301	N		175 ppmv @ 3% O ₂ (dry basis) for natural gas firing		C	CEM
	BAAQMD 9-11-302.1.1	Y		175 ppmv @ 3% O ₂ (dry basis) for natural gas firing based on a clock hour average	BAAQMD 9-11-501, 503	C	CEM
NO _x	BAAQMD 9-11-308	Y		0.28 lbs/MMBTU system-wide average over previous 30 days	BAAQMD 9-11-501, 503	C	CEM
	BAAQMD 9-11-309.1	N		0.037 lbs/MMBTU System-wide average on a clock hour basis	BAAQMD 9-11-501, 503	C	CEM
	BAAQMD 9-11-309.1	N	1/1/05	0.018 lbs/MMBTU System-wide average on a clock hour basis	BAAQMD 9-11-501, 503	C	CEM

VII. Applicable Emission Limits & Compliance Monitoring Requirements

Table VII-B
S-10, Utility Boiler No. 10

Type of Limit	Citation of Limit	FE Y/N	Future Effective Date	Limit	Monitoring Requirement Citation	Monitoring Frequency (P/C/N)	Monitoring Type
NO _x	BAAQMD Condition #16327, part 3	N		0.037 lbs/MMBTU System-wide average on a clock hour basis	BAAQMD 9-11-501, 503	C	CEM
	BAAQMD Condition #16327, part 3	N	1/1/05	0.018 lbs/MMBTU System-wide average on a clock hour basis	BAAQMD 9-11-501, 503	C	CEM
	40 CFR 75	Y		None	40 CFR 75	C	CEM
CO	BAAQMD 9-11-310.1	Y		400 ppmv @ 3% O ₂ (dry basis) during steady state compliance tests	BAAQMD 9-11-501, 503	C	CEM
CO	BAAQMD 9-11-310.2	Y		1000 ppmv @ 3% O ₂ (dry basis) during normal operation based on a clock hour average	BAAQMD 9-11-501, 503	C	CEM
Ammonia	BAAQMD 9-11-311	Y		10 ppmv @ 3% O ₂ (dry basis) based on rolling 60 minute average upon installation of an applicable control device	BAAQMD 9-11-402	P/Q	Source Test
Lead	BAAQMD 11-1-301	Y		6.75 kg/day		N	None
Lead	BAAQMD 11-1-302	Y		1.0 microgram/m ³ averaged over 24 hours		N	None
CO ₂	40 CFR 75	Y		None	40 CFR 75	C	CEM (CO ₂ or O ₂)

VII. Applicable Emission Limits & Compliance Monitoring Requirements

**Table VII-B
 S-20, Service Station**

Type of Limit	Citation of Limit	FE Y/N	Future Effective Date	Limit	Monitoring Requirement Citation	Monitoring Frequency (P/C/N)	Monitoring Type
VOC	BAAQMD 8-7-301.1	Y		Installed and modified only if the system is 98% controlled or highest vapor recovery rate specified by CARB		Event	CARB Re-certification
VOC	BAAQMD 8-7-301.6	Y		Leak Free and Vapor Tight on Phase I Equipment	BAAQMD 8-7-301.13	P/A	Source Test
VOC	BAAQMD 8-7-302.8	Y		Minimum liquid removal of 5ml/gal; 95% recovery of gasoline vapors		N	Pending on CARB Certification in 2008
VOC	BAAQMD 8-7-302.10	Y		Connector between riser and dispenser < 1 inch diameter		N	Visual Check
VOC	BAAQMD 8-7-302.12	Y		Liquid retain in nozzle < 100 ml/1000 gal		N	Pending on CARB Certification in 2008
VOC	BAAQMD 8-7-302.13	Y		Spitting from nozzle < 1 ml/nozzle		N	Pending on CARB Certification in 2008
Fuel Through-put	BAAQMD Condition #21966	N		20,000 gallons in any 12 consecutive months	BAAQMD 8-7-503	P/M	Records
VOC	BAAQMD 8-7-302.14.2	Y		Dynamic back pressure <0.15, 0.45, 0.95 inches of water when measured flow rate of 20, 60, and 100 CFH	BAAQMD 8-7-302.14	P/A	Source Test

VII. Applicable Emission Limits & Compliance Monitoring Requirements

**Table VII-C
 S-33, Maintenance Coating Operation**

Type of Limit	Citation of Limit	FE Y/N	Future Effective Date	Emission Limit	Monitoring Requirement Citation	Monitoring Frequency (P/C/N)	Monitoring Type
VOC	BAAQMD 8-3-302	Y		Content of air dried coating < 250 g/l	BAAQMD 8-3-403	P/E	Labeling & Records
	BAAQMD 8-3-304	Y		Content of coatings < specified VOC content	BAAQMD 8-3-403	P/E	Labeling & Records
	BAAQMD 8-19-302	Y		Content of air dried coating < 2.8 lbs/gal	BAAQMD 8-19-501	P/E	Records
	BAAQMD 8-19-312	Y		Content of coatings < specified VOC content	BAAQMD 8-19-501	P/E	Records
Coating Usage	BAAQMD Condition #8854, part 1	Y		1100 gallons in any 12 consecutive months	BAAQMD Condition #8854, part 3	P/E	Records
Solvent Usage	BAAQMD Condition #8854, part 2	Y		400 gallons in any 12 consecutive months	BAAQMD Condition #8854, part 3	P/E	Records

VII. Applicable Emission Limits & Compliance Monitoring Requirements

Table VII-D
S-34, Fixed Roof Oil Water surge Tank
S-35, API Separator
S-37, Dissolved Air Flotation (DAF)

Type of Limit	Limit Citation	FE Y/N	Future Effective Date	Limit	Monitoring Requirement Citation	Monitoring Frequency (P/C/N)	Monitoring Type
VOC	BAAQMD 8-8-112	Y		1.0 ppm critical organic compounds @ 68 °F	N/A	P/ Semi-annual	Sampling
Wastewater throughput	BAAQMD Condition #7938, part 1	Y		32,000,000 gallons in any 12 consecutive months	BAAQMD Condition #7938, part 3	P/E	Records
Wastewater And Stormwater throughput	BAAQMD Condition #7938, part 2	Y		90,000,000 gallons in any 12 consecutive months	BAAQMD Condition #7938, part 3	P/E	Records

VII. Applicable Emission Limits & Compliance Monitoring Requirements

Table VII-E
S-40, Wipe Cleaning-Facility Wide

Type of Limit	Limit Citation	FE Y/N	Future Effective Date	Limit	Monitoring Requirement Citation	Monitoring Frequency (P/C/N)	Monitoring Type
VOC	BAAQMD 8-16-304	Y		Trichloroethylene usage \leq 3.2 gallons per day	BAAQMD 8-16-501	P/E	Records
Solvent Usage	BAAQMD Condition #8855, part 1	Y		100 gallons in any 12 consecutive months	BAAQMD Condition #8855, part 3	P/E	Records
1,1,1 Trichloroethane	BAAQMD Condition #8855, part 2	N		25 gallons in any 12 consecutive months	BAAQMD Condition #8855, part 3	P/E	Records

Table VII-F
S-100, Sand Blasting Facility

Type of Limit	Limit Citation	FE Y/N	Future Effective Date	Limit	Monitoring Requirement Citation	Monitoring Frequency (P/C/N)	Monitoring Type
Opacity	BAAQMD 6-301	Y		Ringelmann 1 for 3 minutes/hr	BAAQMD Condition #15870, parts 1 and 2	P/every 5 events	Inspection
FP	BAAQMD 6-310	Y		No emissions from source $>$ 0.15 grains per dscf of gas volume	BAAQMD Condition #15870, parts 1 and 2	P/every 5 events	Inspection

VIII. TEST METHODS

The test methods associated with the emission limit of a District regulation are generally referenced in Section 600 et. seq. of the regulation. The following table indicates only the test methods associated with the emission limits referenced in Section VIII - Applicable Emission Limits & Compliance Monitoring Requirements, of this permit.

**Table VIII
 Test Methods**

Applicable Requirement	Description of Requirement	Acceptable Test Methods
BAAQMD 6-301	Ringelmann No. 1 Limitation	Manual of Procedures, Volume 1, Evaluation of Visible Emissions
BAAQMD 6-310	Particulate Weight Limitation	Manual of Procedures, Volume IV, ST-15, Particulates Sampling or EPA Reference Method 5 (40 CFR 60, Appendix A), Determination of Particulate Emissions from Stationary Sources
BAAQMD 8-3-302	VOC Limits	Manual of Procedures, Volume III, Method 21, Determination of Compliance of Volatile Organic Compounds for Water Reducible Coatings or Manual of Procedures, Volume III, Method 22, Determination of Compliance of Volatile Organic Compounds for Solvent Based Coatings
BAAQMD 8-3-304	VOC Limits	Manual of Procedures, Volume III, Method 21, Determination of Compliance of Volatile Organic Compounds for Water Reducible Coatings or Manual of Procedures, Volume III, Method 22, Determination of Compliance of Volatile Organic Compounds for Solvent Based Coatings
BAAQMD 8-7-302	Phase II Vapor Recovery Requirements	Manual of Procedures, Volume IV, ST-27, Dynamic Back Pressure; ST-30, Vapor Tightness; ST-37, Liquid Removal; ST-39, Air to Liquid Volume Ratio; and ST-41, Liquid Retain and Spitting from Nozzles
BAAQMD 8-7-301.2	Gasoline Vapor Recovery	BAAQMD Manual of Procedures, Volume IV, ST-36, Gasoline Dispensing Facility Phase I Volumetric Efficiency
BAAQMD 8-8-112	Wastewater (Oil-Water) Separators; Exemption Wastewater Critical Organic Compound Concentration And/Or Temperature	Manual Procedures, Volume III, Lab Method 33, Wastewater Analysis for Critical Organic Compounds

VIII. Test Methods

**Table VIII
 Test Methods**

Applicable Requirement	Description of Requirement	Acceptable Test Methods
BAAQMD 8-19-302	VOC Limits	Manual of Procedures, Volume III, Method 21, Determination of Compliance of Volatile Organic Compounds for Water Reducible Coatings or Manual of Procedures, Volume III, Method 22, Determination of Compliance of Volatile Organic Compounds for Solvent Based Coatings Manual of Procedures, Volume IV, ST-7 or EPA Method 25 or 25A, Determination of Emissions of Volatile Organic Compounds. If EPA Method 25 or 25A is used, control device equivalency (if applicable) is determined as prescribed in 55 FR 26865.
BAAQMD 8-19-312	VOC Limits	Manual of Procedures, Volume III, Method 21, Determination of Compliance of Volatile Organic Compounds for Water Reducible Coatings or Manual of Procedures, Volume III, Method 22, Determination of Compliance of Volatile Organic Compounds for Solvent Based Coatings Manual of Procedures, Volume IV, ST-7 or EPA Method 25 or 25A, Determination of Emissions of Volatile Organic Compounds. If EPA Method 25 or 25A is used, control device equivalency (if applicable) is determined as prescribed in 55 FR 26865
BAAQMD 9-1-302	General Emission Limitation	Manual of Procedures, Volume IV, ST-19 A or B, Sampling and Analysis of Gas Streams; Manual of Procedures, Volume III, Method 10, Sulfur Content of Fuels
BAAQMD 9-1-304	Fuel Burning (Liquid and Solid Fuels)	Manual of Procedures, Volume III, Method 10, Determination of Sulfur in Fuel Oils.
BAAQMD 9-3-301	NOx Emissions for Units Rated at 1.75 billion BTU Per Hour or More	District Manual of Procedures, Volume IV, ST-13A, Determination of Nitrogen Oxides; ST-14, Determination of Oxygen; ST-5, Determination of Carbon Dioxide, ST-6

VIII. Test Methods

**Table VIII
 Test Methods**

Applicable Requirement	Description of Requirement	Acceptable Test Methods
BAAQMD 9-11-302	NOx Emissions from Utility Electric Power Generating Boilers, Interim Compliance NOx Emission Limits for Boilers with a Rated Heat Input Capacity Greater Than or Equal to 1.75 billion BTU/hour	District Manual of Procedures, Volume IV, ST-13A, Determination of Nitrogen Oxides; ST-14, Determination of Oxygen; ST-5, Determination of Carbon Dioxide, ST-6
BAAQMD 9-11-302.1.1	NOx Emissions from Utility Electric Power Generating Boilers, Gaseous Fuel	District Manual of Procedures, Volume IV, ST-13A, Determination of Nitrogen Oxides; ST-14, Determination of Oxygen; ST-5, Determination of Carbon Dioxide, ST-6
BAAQMD 9-11-302.1.2	NOx Emissions from Utility Electric Power Generating Boilers, Non-Gaseous Fuel	District Manual of Procedures, Volume IV, ST-13A, Determination of Nitrogen Oxides; ST-14, Determination of Oxygen; ST-5, Determination of Carbon Dioxide, ST-6
BAAQMD 9-11-302.1.3	NOx Emissions from Utility Electric Power Generating Boilers, Gaseous Fuel and Non-Gaseous Fuel	District Manual of Procedures, Volume IV, ST-13A, Determination of Nitrogen Oxides; ST-14, Determination of Oxygen; ST-5, Determination of Carbon Dioxide
BAAQMD 9-11-308	System-wide NOx Emission Rate Limit	District Manual of Procedures, Volume IV, ST-13A, Determination of Nitrogen Oxides; ST-14, Determination of Oxygen; ST-5, Determination of Carbon Dioxide
BAAQMD 9-11-309	Advanced Technology Alternative Emission Control Plan	District Manual of Procedures, Volume IV, ST-13A, Determination of Nitrogen Oxides; ST-14, Determination of Oxygen; ST-5, Determination of Carbon Dioxide
BAAQMD 9-11-309.1	System-wide NOx Emission Rate Limits	District Manual of Procedures, Volume IV, ST-13A, Determination of Nitrogen Oxides; ST-14, Determination of Oxygen; ST-5, Determination of Carbon Dioxide
BAAQMD 9-11-310.1	CO Emission Limits During Steady-State Compliance Tests	District Manual of Procedures, Volume IV, ST-6, Determination of Carbon Monoxide; ST-14, Determination of Oxygen; ST-5, Determination of Carbon Dioxide, ST-6,
BAAQMD 9-11-310.2	CO Emission Limits During Normal Operations	District Manual of Procedures, Volume IV, ST-6, Determination of Carbon Monoxide; ST-14, Determination of Oxygen; ST-5, Determination of Carbon Dioxide
BAAQMD 9-11-311	Ammonia Emission Limit for Boilers with a Rated Heat Input Capacity Greater Than or Equal to 250 million BTU/hour	District Manual of Procedures, Volume IV, ST-1B, EPA Method 350.3 and Determination of Ammonia, or alternative method approved by the APCO
BAAQMD 11-1-301	Hazardous Pollutants, Lead, Daily Emissions	District Manual of Procedures, Volume IV, ST-9, Determination of Daily Emission Limits

IX. REVISION HISTORY

Initial Issuance	September 14, 1998
Administrative amendments	April 1, 1999
Minor revision and administrative amendments: Addition of SCR for S10, Boiler	October 19, 2000
Renewal	August 19, 2005

X. ACID RAIN PERMIT

Title IV Acid Rain Permit

Effective August 19, 2005 through August 18, 2010

ISSUED TO:

**Mirant Delta, L.L.C.
Contra Costa Power Plant
P.O. Box 249
Antioch, CA 94509**

FACILITY SITE LOCATION:

**3201 Wilbur Avenue
Antioch, CA 94509**

ISSUED BY:

Signed by Jean Roggenkamp for
Jack Broadbent, Executive Officer/
Air Pollution Control Officer

August 19, 2005
Date

Nature of Business

Type of Facility: Electric Generation
Primary SIC: 4911

DESIGNATED REPRESENTATIVE:

Name: Ann M. Cleary
Title: President, Mirant California
Phone: (925) 427-3510

ALTERNATE DESIGNATED REPRESENTATIVE:

Name: Lisa D. Johnson
Title: President, Mirant Mid-Atlantic
Phone: (310)- 669-8020

ACID RAIN PERMIT CONTENTS

X. Acid Rain Permit

1. Statement of Basis
2. SO₂ allowance allocated under this permit and NO_x requirements for each affected unit.
3. Comments, notes and justifications regarding permit decisions and changes made to the permit application forms during the review process, and any additional requirements of Conditions.
4. The permit application submitted for this source. The owners and operators of the source must comply with the standard requirements and special provisions set forth in the application.

1. STATEMENT OF BASIS

Statutory and regulatory Authorities: In accordance with District Regulation 2, Rule 7 and Titles IV and V of the Clean Air Act, the Bay Area Air Quality Management District issues this permit pursuant District Rule Regulation 2, Rule 7.

2. SO₂ ALLOWANCE ALLOCATIONS

	Year	2005	2006	2007	2008	2009
BOILER 9 BAAQMD S-9	SO ₂ allowances under Tables 2, 3, or 4 of 40 CFR Part 73	285*	285*	285*	285*	285*
	NO _x Limit	This unit is not subject to the NO _x requirements from 40 CFR Part 76 as this unit is not capable of firing on coal.				

	Year	2005	2006	2007	2008	2009
BOILER 10 BAAQMD S-10	SO ₂ allowances under Tables 2, 3, or 4 of 40 CFR Part 73	285*	285*	285*	285*	285*
	NO _x Limit	This unit is not subject to the NO _x requirements from 40 CFR Part 76 as this unit is not capable of firing on coal.				

- * The number of allowances actually held by an affected source in a unit account may differ from the number allocated by USEPA and would not require a revision to the unit SO₂ allowance allocations identified in this permit.

X. Acid Rain Permit

3. COMMENTS, NOTES AND JUSTIFICATIONS

None

4. PERMIT APPLICATION

None

XI. GLOSSARY

ACT

Federal Clean Air Act

AB 2588

California Assembly Bill 2588 (Air Toxic "Hot Spots" Program)

APCO

Air Pollution Control Officer

ASTM

American Society for Testing and Materials

BAAQMD

Bay Area Air Quality Management District

BACT

Best Available Control Technology

CAA

The federal Clean Air Act

CAAQS

California Ambient Air Quality Standards

CEM

Continuous Emission Monitoring System

CEQA

California Environmental Quality Act

CFR

The Code of Federal Regulations. 40 CFR contains the implementing regulations for federal environmental statutes such as the Clean Air Act. Parts 50-99 of 40 CFR contain the requirements for air pollution programs.

CMS

Continuous Monitoring System

CO

Carbon Monoxide

COM

Continuous Opacity Monitor

XI. Glossary

Cumulative Increase

The sum of permitted emissions from each new or modified source since a specified date. Used to determine whether threshold-based requirements are triggered.

District

The Bay Area Air Quality Management District

EPA

The federal Environmental Protection Agency.

Excluded

Not subject to any District Regulations.

Federally Enforceable, FE

All limitations and Conditions which are enforceable by the Administrator of the EPA including those requirements developed pursuant to 40 CFR Part 51, subpart I (NSR), Part 52.21 (PSD), Part 60, (NSPS), Part 61, (NESHAPS), Part 63 (HAP), and Part 72 (Permits Regulation, Acid Rain), and also including limitations and Conditions contained in operating permits issued under an EPA-approved program that has been incorporated into the SIP.

FP

Filterable Particulate as measured by BAAQMD Method ST-15, Particulate.

FR

Federal Register

GDF

Gasoline Dispensing Facility

GLC

Ground Level Concentration

Grain

1/7000 of a pound

HAP

Hazardous Air Pollutant. Any pollutant listed pursuant to Section 112(b) of the Act. Also refers to the program mandated by Title I, Section 112, of the Act and implemented by both 40 CFR Part 63, and District Regulation 2, Rule 5.

Major Facility

A facility with potential emissions of regulated air pollutants greater than or equal to 100 tons per year, greater than or equal to 10 tons per year of any single hazardous air pollutant, and/or greater than or equal to 25 tons per year of any combination of hazardous air pollutants, or such lesser quantity as determined by the EPA administrator.

MFR

XI. Glossary

Major Facility Review. The District's term for the federal operating permit program mandated by Title V of the Act and implemented by District Regulation 2, Rule 6.

MOP

The District's Manual of Procedures.

N/A

Not applicable

NAAQS

National Ambient Air Quality Standards

NESHAPS

National Emission Standards for Hazardous Air Pollutants. Contained in 40 CFR Part 61.

NMHC

Non-methane Hydrocarbon.

NO_x

Oxides of nitrogen.

NSPS

Standards of Performance for New Stationary Sources. Federal standards for emissions from new stationary sources. Mandated by Title I, Section 111 of the Act, and implemented by both 40 CFR Part 60 and District Regulation 10.

NSR

New Source Review. A federal program for preconstruction review and permitting of new and modified sources of air pollutants for which the District is classified "non-attainment". Mandated by Title I of the Clean Air Act and implemented by 40 CFR Parts 51 and 52 as well as District Regulation 2, Rule 2. (Note: There are additional NSR requirements mandated by the California Clean Air Act.)

Offset Requirement

A New Source Review requirement to provide federally enforceable emission offsets at a specified ratio for the emissions from a new or modified source and any pre-existing cumulative increase minus any onsite contemporaneous emission reduction credits. Applies to emissions of POC, NO_x, PM₁₀, and SO₂.

Phase II Acid Rain Facility

A facility that generates electricity for sale through fossil-fuel combustion and by virtue of certain other characteristics (defined in Regulation 2, Rule 6) is subject to Titles IV and V of the Clean Air Act.

POC

Precursor Organic Compounds

PM

XI. Glossary

Total Particulate Matter

PM10

Particulate matter with aerodynamic equivalent diameter of less than or equal to 10 microns

PSD

Prevention of Significant Deterioration. A federal program for permitting new and modified sources of air pollutants for which the District is classified "attainment" of the National Air Ambient Quality Standards. Mandated by Title I of the Act and implemented by both 40 CFR Part 52 and District Regulation 2, Rule 2.

SCR

A "selective catalytic reduction" unit is an abatement device that reduces NO_x concentrations in the exhaust stream of a combustion device. SCRs utilize a catalyst, which operates at a specific temperature range, and injected ammonia to promote the conversion of NO_x compounds to nitrogen gas.

SIP

State Implementation Plan. State and District programs and regulations approved by EPA and developed in order to attain the National Ambient Air Quality Standards. Mandated by Title I of the Act.

SO₂

Sulfur dioxide

Title V

Title V of the federal Clean Air Act. Requires a federally enforceable operating permit program for major and certain other facilities.

TRMP

Toxic Risk Management Plan

TSP

Total Suspended Particulate

VMS

Branched, cyclic, or linear completely methylated siloxane

VOC

Volatile Organic Compounds

XI. Glossary

Units of Measure:

bhp	=	brake-horsepower
Btu	=	British thermal unit
g	=	grams
gr	=	grain, when referring to particulate; gram when referring to VOC
gal	=	gallon
hp	=	horsepower
hr	=	hour
lb	=	pound
in	=	inches
max	=	maximum
m ²	=	square meter
min	=	minute
MM	=	million
ppmv	=	parts per million, by volume
ppmw	=	parts per million, by weight
psia	=	pounds per square inch, absolute
psig	=	pounds per square inch, gauge
scfm	=	standard cubic feet per minute
yr	=	year

XII. ACID RAIN PERMIT APPLICATION

Plant Name (from Step 1) <u>CONTRA COSTA POWER PLANT</u>
--

Permit Requirements

STEP 3

Read the standard requirements

- (1) The designated representative of each affected source and each affected unit at the source shall:
 - (i) Submit a complete Acid Rain permit application (including a 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 permitting authority determines is necessary in order to review an Acid Rain permit application and issue or deny an Acid Rain permit;
- (2) The owners and operators of each affected source and each affected unit at the source shall:
 - (i) Operate the unit in compliance with a complete Acid Rain permit application or a superseding Acid Rain permit issued by the permitting authority; and
 - (ii) Have an Acid Rain Permit.

Monitoring Requirements

- (1) 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.
- (2) The emissions measurements recorded and reported in accordance with 40 CFR part 75 shall be used to determine compliance by the unit with the Acid Rain emissions limitations and emissions reduction requirements for sulfur dioxide and nitrogen oxides under the Acid Rain Program.
- (3) 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.

Sulfur Dioxide Requirements

- (1) 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 unit's compliance subaccount (after deductions under 40 CFR 73.34(c)), or in the compliance subaccount of another affected unit at the same source to the extent provided in 40 CFR 73.35(b)(3), not less than the total annual emissions of sulfur dioxide for the previous calendar year from the unit; and
 - (ii) Comply with the applicable Acid Rain emissions limitations for sulfur dioxide.
- (2) 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.
- (3) An affected unit shall be subject to the requirements under paragraph (1) 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).
- (4) Allowances shall be held in, deducted from, or transferred among Allowance Tracking System accounts in accordance with the Acid Rain Program.
- (5) An allowance shall not be deducted in order to comply with the requirements under paragraph (1) of the sulfur dioxide requirements prior to the calendar year for which the allowance was allocated.
- (6) 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 Program, the Acid Rain permit application, 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.
- (7) An allowance allocated by the Administrator under the Acid Rain Program does not constitute a property right.

STEP 3,
Cont'd.

Nitrogen Oxides Requirements The owners and operators of the source and each affected unit at the source shall comply with the applicable Acid Rain emissions limitation for nitrogen oxides.

Excess Emissions Requirements

- (1) The designated representative of an affected unit that has excess emissions in any calendar year shall submit a proposed offset plan, as required under 40 CFR part 77.
- (2) The owners and operators of an affected unit 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.

Recordkeeping and Reporting Requirements

- (1) 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 5 years from the date the document is created. This period may be extended for cause, at any time prior to the end of 5 years, in writing by the Administrator or permitting authority:
 - (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 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 3-year period for recordkeeping, the 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.
- (2) 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 I and 40 CFR part 75.

Liability

- (1) 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.
- (2) 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.
- (3) 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.
- (4) Each affected source and each affected unit shall meet the requirements of the Acid Rain Program.

Plant Name (from Step 1) CONTRA COSTA POWER PLANT

Step 3,
Cont'd

Liability, Cont'd

- (5) 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.
- (6) 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. Except as provided under 40 CFR 72.44 (Phase II repowering extension plans) and 40 CFR 76.11 (NO_x averaging plans), and except with regard to the requirements applicable to units with a common stack under 40 CFR part 75 (including 40 CFR 75.16, 75.17, and 75.18), the owners and operators and the designated representative of one affected unit shall not be liable for any violation by any other affected unit of which they are not owners or operators or the designated representative and that is located at a source of which they are not owners or operators or the designated representative.
- (7) 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 the Act.

Effect on Other Authorities

No provision of the Acid Rain 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:

- (1) 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;
- (2) Limiting the number of allowances a unit can hold; *provided*, that the number of allowances held by the unit shall not affect the source's obligation to comply with any other provisions of the Act;
- (3) 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;
- (4) Modifying the Federal Power Act or affecting the authority of the Federal Energy Regulatory Commission under the Federal Power Act; or,
- (5) Interfering with or impairing any program for competitive bidding for power supply in a State in which such program is established.

STEP 4

Certification

Read the certification statement, sign, and date

I am authorized to make this submission on behalf of the owners and operators of the affected source or affected units for which the submission is made. I certify under penalty of law that I have personally examined, and am familiar with, the statements and information submitted in this document and all its attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are to the best of my knowledge and belief true, accurate, and complete. I am aware that there are significant penalties for submitting false statements and information or omitting required statements and information, including the possibility of fine or imprisonment.

Name	Ronald M. Kino	
Signature	<i>Ronald M. Kino</i>	Date 9/16/02