

AIR DERC_101559235-407410_
USE_20121203_Use_D2949

12/03/2012 ----- EBTP IMS- PROJECT RECORD -----

PROJECT#: 407410 STATUS: P
RECEIVED: 11/26/2012 PROJTYPE: BUSEDISP CODE: 2 ✓
ISSUED DT:
SUP-DISP DATE: 12/3/12

STAFF ASSIGNED TO PROJECT:

DANIEL, SHANTHA

PROJECT NOTES:

USE PERIOD 1/1/2011 - 12/31/2011.

GROUPWISE DOCUMENT NUMBER: DCTR-19571; DCCT-19580; DCUS-19581.

PROJECT TRANSACTIONS

COMPANY DATA

COMPANY NAME: EXTEX LAPORTE LIMITED PARTNERSHIP
CUSTOMER REGISTRY ID: CN601232192

PORTFOLIO DATA

NUMBER: P0979 NAME: EXTEX LAPORTE - MOUNTAIN CREEK STEAM - RN101559235

SITE DATA

ACCOUNT: DB0252S

REG ENTITY ID: RN101559235

SITE NAME: MOUNTAIN CREEK STEAM ELECTRIC STATION

COUNTY: DALLAS

NEAREST CITY: DALLAS

LOCATION: 2233-A MOUNTAIN CREEK PARKWAY

D2949

CONTACT DATA

NAME: STEVEN PRUITT

TITLE: SR. ENVIRONMENTAL ENGINEER

STREET: 2233A MOUNTAIN CREEK PARKWAY CITY/STATE, ZIP: DALLAS, TX, 75211-0

PHONE: 972-813-6104 ext 0

Email: steven.pruitt@exeloncorp.com

TRANSACTION DATA

TRANSACTION TYPE: DERC_RET

DATE ENTERED: 2012-11-27 00:00:00.0

CONTAMINATE: NOX_O

ALLOWANCE

DELETED DATE:

EFFECTIVE YEAR:

TONS: 11.00

DOLLARS: 0

CERTIFICATE NO.: D2949 COUNTY : DALLAS

TRANSACTION DATA

TRANSACTION TYPE: DERC_USE

DATE ENTERED: 2012-11-27 00:00:00.0

CONTAMINATE: NOX_O

ALLOWANCE0

DELETED DATE:

EFFECTIVE YEAR:

TONS: 0

DOLLARS: 0

CERTIFICATE NO.: 0 COUNTY : DALLAS

TRACKING ACTIVITIES

PM RECEIVED DATE : 11/27/2012 LETTER ISSUED : 12/10/12

DISCRETE EMISSION CREDIT USE TECHNICAL REVIEW

Project No.:	407410	Customer Reference No.:	CN601232192
Project Type:	BUSE	Regulated Entity No.:	RN101559235
Company:	ExTex LaPorte, Limited Partnership	Site Name:	Mountain Creek Steam Electric Station
City:	Dallas	County:	Dallas
Project Reviewer:	Dr. Shantha Daniel	Portfolio Name:	P0979 - RN101559235

PROJECT OVERVIEW

ExTex LaPorte, Limited Partnership (ExTex) submitted a Form DEC-3, Notice of Use of Discrete Emission Credits, received November 28, 2012. The company had intended to use nitrogen oxides-ozone season (NO_x-O) Discrete Emission Reduction Credits (DERCs) to cover emissions in excess of their permitted allowable emission level from one boiler, Facility Identification Number MT-B8, at their Mountain Creek Steam Electric Station site. The company reported that zero DERCs were used in the use period of January 1, 2011 through December 31, 2011.

ExTex was late in submitting the required DEC-3 form. Per §101.376(e) the Form DEC-3 was due no later than 90 days from the end of the use period which was March 31, 2012.

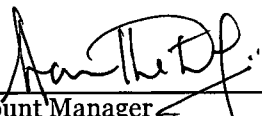
DERCs in the amount of 11.0 tons (including the required 10% contribution of 1.0 ton) were set aside from certificate D-2463 in the intent project 404998. Since no DERCs were used, the 11.0 tons will be returned to ExTex for future use in certificate D-2949.

DISCRETE EMISSION REDUCTION CREDIT USE


ExTex reported that during the use period, no rolling 12-month total of actual emissions exceeded their permit allowable of 58.1 tons. The total annual emissions for the 2011 calendar year were reported as 33.1 tons in the DEC-3 form. However, the technical contact for the company updated the annual emissions to 32.33 tons via e-mail on 11/28/2012.

CONCLUSION

ExTex did not need to use the DERCs set aside in project 404998 for the use period of January 1, 2011 through December 31, 2011. Certificate D-2949 is being issued to ExTex returning the 11.0 tons previously set-aside.


Account Manager Date 12/5/12


Peer Reviewer Date 12/5/12


Work Lead Date 12/7/2012



Form DEC-3 (Page 1)
No. of Use of Discrete Emission Credits
(Title 30 Texas Administrative Code § 101.370 - § 101.379)

Received

NOV 28 2012

Air Quality Division

I. COMPANY IDENTIFYING INFORMATION			
A. Company Name: ExTex LaPorte, Limited Partnership			
Mailing Address: 2233-A Mountain Creek Parkway			
City: Dallas	State: Texas	Zip Code: 75211	
Telephone: 214-623-1044		Fax:	
B. TCEQ Customer Number (CN): CN601232192			
C. Site Name: Mountain Creek Generating Station			
Street Address (If no street address, give driving directions to site)			
Nearest City: Dallas		Zip Code: 75211	County: Dallas
D. TCEQ Regulated Entity Number (RN): RN101559235			
E. TCEQ Air Account Number: (if applicable) DB-0252-S			
F. Primary SIC: 4911		Air Permit Number: 45417	
II. TECHNICAL CONTACT IDENTIFYING INFORMATION			
A. Technical Contact Name: (<input checked="" type="checkbox"/> Mr. <input type="checkbox"/> Mrs. <input type="checkbox"/> Ms. <input type="checkbox"/> Dr.) : Steven Pruitt			
Technical Contact Title: Manager Environmental Operations			
Mailing Address: 2233-A Mountain Creek Parkway			
City: Dallas	State: Texas	Zip Code: 75211	
Telephone: 972-813-6104	Fax:	E-mail: steven.pruitt@exeloncorp.com	
III. COMPANY CONTACT IDENTIFYING INFORMATION			
A. Company Contact Name: (<input checked="" type="checkbox"/> Mr. <input type="checkbox"/> Mrs. <input type="checkbox"/> Ms. <input type="checkbox"/> Dr.) : Dan Inemer			
Company Contact Title: General Manager			
Mailing Address: 2233-A Mountain Creek Parkway			
City: Dallas	State: Texas	Zip Code: 75211	
Telephone: 817-446-2538	Fax:	E-mail: Daniel.inemer@exeloncorp.com	
IV. Mass Emission Cap and Trade Program (MECT)			
Is the DERC use for compliance with 30 TAC Chapter 101, Subchapter H, Division 3? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
Year DERC Generated: _____ Year of use: _____ Ratio of DERC to Allowance: _____ to _____			
Note: If DERC use is to comply with MECT then go to Section X			
V. Use Period			
Use Start Date: <u>01/01/2011</u>		Use End Date: <u>12/31/2011</u>	
VI. State and Federal Requirements			



Form DEC-3 (Page 2)
Notice of Use of Discrete Emission Credits
(Title 30 Texas Administrative Code § 101.370 - § 101.379)

Applicable State and Federal requirements that the DERCs will be used for compliance:

VII. Most Stringent Emission Rate

Describe basis for most stringent allowable emission rate:

☒ Permit : 45417 ☐ RACT : ☐ Other:

Notes: Based on 58.1 TPY, based on rolling 12 month period

VIII. PROTOCOL

Protocol used to calculate DERC:

Note: Attach the actual calculations that were used to determine the amounts of DERCs needed to this form

The tons of DERCs required in the Notice of Intent to Use (Form DEC-2) application were estimated by subtracting the "Regulated Total" emissions of 58.1 tons, based on a rolling 12-month period, from the "Expected Total Emissions" of 68.1 tons. "Expected Total Emissions" were estimated by multiplying an estimated NOx emission rate of 0.01 lb/MMBtu by the estimated 12-month total heat input of 13,620,000 MMBtu.

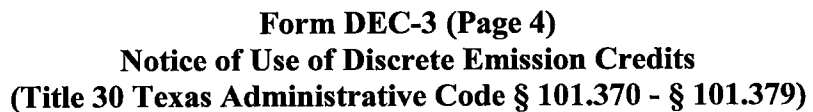
$\text{DERCs} = \text{Regulated Total} - \text{Expected Total Emissions}$

$\text{Expected Total Emissions} = 0.01 \text{ lb/MMBtu} \times 13,620,000 \text{ MMBtu} \times 1 \text{ ton}/2000 \text{ lbs}$

The actual DERC use present in the Notice of Use (Form DEC-3) was calculated by multiplying the annual arithmetic average controlled emission rate (AER), as determined by the NOx CEMS, by the total heat input, as determined by the CEMS, for each proceeding 12-month period, and then subtracting the Regulated Total Emissions.

$\text{DERCs Used} = \text{AER} \times \text{total Heat Input} - \text{regulated total Emission}$

Continue to Section VII (next page)



IX. Tons of DERs Used

Footnote #1: During the use period, no rolling 12-month total actual emissions exceeded the “Regulated Total Emissions” (i.e. permit allowable) of total 58.1 tons. Therefore, DERCs used is zero (0).



Form DEC-3 (Page 3)
Notice of Use of Discrete Emission Credits
(Title 30 Texas Administrative Code § 101.370 - § 101.379)

IX. Tons of DERCs Used									
Emission Point No.	FIN	Air Contaminant	Calculation of DERCs						
			Actual Emissions Rate (units)	Actual Emissions Rate (units)	Actual Total Emissions (tons)	Regulated Activity (units)	Regulated Emissions Rate (units)	Regulated Total Emissions (tons)	DERCs Used (tons)
MT-S8	MT-B8	NOx	0.00913	7,593,221	33.1 *see footnote #1	Not Applicable	Not Applicable	58.1	0
								Total:	0

Footnote #1: During the use period, no rolling 12-month total actual emissions exceeded the "Regulated Total Emissions" (i.e. permit allowable) of total 58.1 tons. Therefore, DERCs used is zero (0).



Form DEC-3 (Page 4)
Notice of Use of Discrete Emission Credits
(Title 30 Texas Administrative Code § 101.370 - § 101.379)

X. TOTAL DERCS REQUIRED FOR USE (round up to the nearest tenth of a ton)

Tons of DERCS required (from Sect. VI.)	CO: _____	NO _x : <u>0</u>	PM ₁₀ : _____	SO ₂ : _____	VOC: _____
Offset Ratio (if required)	CO: _____	NO _x : <u>0</u>	PM ₁₀ : _____	SO ₂ : _____	VOC: _____
Environmental Contribution (+ 10%)	CO: _____	NO _x : <u>0</u>	PM ₁₀ : _____	SO ₂ : _____	VOC: _____
Total DERCS Used	CO: _____	NO _x : <u>0</u>	PM ₁₀ : _____	SO ₂ : _____	VOC: _____

XI. DERC INFORMATION

Name of the DERC Generator: ExTex LaPorte Limited Partnership

DERC Generator Regulated Entity Number: RN101559235

Certificate number of the DERCS acquired or to be acquired: Certificate #D1110 NOx-0

Note: The certificate number is assigned by the TCEQ

XII. CERTIFICATION BY RESPONSIBLE OFFICIAL

I, Dan Inemer, hereby certify, to the best of my knowledge and belief, that this application is correct and the use strategy claimed on this notice has met the requirements of all applicable state and federal rules and regulations. I further state that to the best of my knowledge and belief the information in this certification is not in any way in violation of 30 TAC, Subchapter H, Division 4, §101.370-101.379 or any applicable air quality rule or regulation of the Texas Commission on Environmental Quality and that intentionally or knowingly making or causing to be made false material statements or representations in this certification is a CRIMINAL OFFENSE subject to criminal penalties. I hereby also waive the Federal statute of limitations defense in regards to the generation and use of discrete emission credits.

Signature:  Date: 11/26/2012

Title General Manager



Form DEC-3

Notice of Use of Discrete Emission Credits
Form and Instructions**General:**

In accordance with Title 30 Texas Administrative Code § 101.376 Part (e) [30 TAC § 101.376(e)], an owner or an operator of a facility which has used discrete emission reduction credits (DERCs) must submit a completed Form DEC-3 entitled, "Notice of Use of Discrete Emission Credits." Form DEC-3 must be submitted within 90 days after the end of the use period. The applicant must have previously submitted Form DEC-2 and a certificate for a quantity of DERCs equal to the total DERC requirement for the use period. The owner or operator of the facility which has used DERCs is responsible for completing Form DEC-3 and mailing it to the **Texas Commission on Environmental Quality (TCEQ), Air Quality Division, Emission Banking and Trading Program MC-206, P.O. Box 13087, Austin, Texas 78711-3087**. All information regarding the nature of the DERC use, the amount of DERCs used, and the amount of remaining DERCs will be immediately made available to the public.

Specific:**I. Company Identifying Information**

- A. **Company Name:** Enter the legal name of the company or corporation and mailing address, telephone number, and fax number of the owner or operator of the site. The company name on this form and the Texas Commission on Environmental Quality (TCEQ) Core Data Form should match.
- B. **TCEQ Customer Number (CN):** Enter the TCEQ assigned number of the owner or operator of the site. The CN is a unique number assigned to the company or corporation and applies to all facilities and sites owned or operated by this company or corporation. A typical example of a CN is CN600123456. These identification numbers have recently been assigned by the TCEQ, replacing the air quality account number. If you have not been officially notified by the TCEQ Central Registry Program of your Customer Number, or have any questions about your Customer Number, you may call (512) 239-5160 for assistance to obtain or verify the account number.
- C. **Site Name:** Provide the site name and street address for the facility which has used DERCs. If no street address is available, provide driving directions in writing. Identify the location by distance and direction from well-known landmarks such as highway intersections. Enter the city or town where the site is located. If the address is not located in a city or town, enter the city or town closest to the site even if it not located in the same county as the site. Enter the county where the site is physically located. Also include the zip code for the physical location of the site and not the zip code of the mailing address.
- D. **TCEQ Regulated Entity Number (RN):** Enter the TCEQ assigned number of the site identified in Section C. The RN replaces the former TCEQ account number for the facility or site. A typical example of a RN is RN100123456. These identification numbers have recently been assigned by the TCEQ, replacing the air quality account number. If you have not been officially notified by the TCEQ Central Registry Program of the Regulated Entity Number, or have any questions about your Regulated Entity Number, you may call (512) 239-5160 for assistance to obtain or verify the account number.
- E. **TCEQ Air Account Number (if available):** The TCEQ issued Air Quality Account Number prior to the RN identification system. A typical example of an Air Account Number is XX-0000-X. The first two letters of this number alphabetically identifies the location of each site.
- F. **Other Site Information:** Enter the primary Standard Industry Classification (SIC) for the site as well as the current air permit under which the facility or facilities which have used DERCs are operating.

II. Technical Contact Information

- A. Technical Contact Name and Title: Provide the name, title, address, telephone number, fax number and e-mail address of the person the TCEQ should contact for technical questions and who has the authority to make binding agreements and representations on behalf of the applicant. This technical contact may be a consultant.

III. Company Contact Information

- A. Company Contact Name and Title: Provide the name, title, address, telephone number, fax number and e-mail address of the company representative if different from the technical contact. This representative must be a company official (owner, plant manager, president, vice president, etc). This person cannot be an outside consultant.

IV. Mass Emission Cap and Trade Program (MECT)

Please indicate on the first line whether the DERCs were used for compliance with the Mass Emission Cap and Trade Program (MECT). If DERCs were used for the MECT program, please complete the rest of Section III indicating how the DERCs are to be credited to the MECT account. Title 30 TAC 101.356(h) defines how DERCs may be converted into allowances for the MECT program. If DERCs were used for the MECT program, please proceed to Section IX after completing Section III. Note that the 10 percent environmental contribution does not apply for MECT allowance conversions.

V. Use Period

Enter the start and end dates for the completed use period. This period should match the intended use period provided on Form DEC-2.

VI. State and Federal Requirements

Enter any state or federal regulations or permit requirements for which DERCs will be used for compliance. Please provide the specific regulation which must be met (i.e., 30 TAC 117.206(c)(1)(A) or maximum yearly NO_x output for FIN AA-1 on permit number 0001.)

VII. Most Stringent Emission Rate

Enter the emission rate or other regulated emission level from the requirement listed in Section V which the facility or facilities using DERCs must meet.

VIII. Protocol

Please indicate the method used to determine emission rates, level of activity, and total emissions. Examples of emission rate protocols include CEMS, stack testing, AP-42, or other approved methods. Examples of level of activity protocols include CEMS, monthly fuel meter readings, operating hours, or other approved methods. All generators or users of emission credits must use a protocol which has been approved by the EPA and is appropriate to the emission reduction, as identified in 30 TAC chapters 115, 116, or 117. Please attach all calculations used to determine the amount of DERCs generated during the generation period.

VII. Tons of DERCS Required

List emissions activity for each specific facility which used DERCS for compliance purposes. Use a separate row for ozone and non-ozone season emissions, if applicable to the use area. Please enter the information in each column as described below:

Emission Point Number (EPN) and Facility Identification Number (FIN): Enter the Emission Point Number (EPN) and Facility Identification Number (FIN) for each facility. This information should match previous information submitted to the TCEQ Air Quality Division regarding emissions inventory or a permit application.

Air Contaminant: Indicate which contaminant the DERCS were used for. Note that the DERC must be used for the same contaminant and region as the DERC was issued for, as defined in 30 TAC §101.372(f).

Actual Activity: Enter the actual activity level during the use period for each facility. Include the applicable units and the numerical value (e.g., 30000 MMBtu/yr; 7000 hrs/yr; etc.).

Actual Emission Rate: Enter the actual emission rate of the facility during the use period. Include the applicable units and the numerical value (e.g., 0.35 lbs/MMBtu, 1.0 g/hp-hr, 0.7 lbs/hr, etc.).

Actual Total Emissions: Enter the actual emissions, in tons, for the facility during the use period. Total emissions are calculated by multiplying the actual activity by the actual emission rate then converting the result into tons/year.

Regulated Activity: Enter the regulated activity level, if any, during the use period for each facility. Include the applicable units and the numerical value (e.g., 30000 MMBtu/yr; 7000 hrs/yr; etc.).

Regulated Emission Rate: Enter the regulated emission rate, if any, of the facility during the use period. Include the applicable units and the numerical value (e.g., 0.35 lbs/MMBtu; 1.0 g/hp-hr; 0.7 lbs/hr; etc.).

Regulated Total Emissions: Enter the regulated total emissions, in tons, for the facility during the use period.

DERCS: Enter the amount of DERCS required for compliance with the regulated activity, rate, or emissions. The amount of DERCS required may be calculated using the equations found in 30 TAC §101.376.

IX. Total DERCS Used

From the data provided in Section VII and the attached calculations from Section VIII, please enter the amount of DERCS used for each contaminant, rounded up to the nearest tenth of a ton. Enter the environmental contribution, which is 10 percent of the used DERCS, rounded up to the nearest tenth of a ton. If required, enter the offset ratio, rounding up to the nearest tenth of a ton. Sum the three lines and enter the total DERCS used for each contaminant. Note: if using DERCS for offsets or compliance with the MECT program, the environmental contribution is not required.

X. DERC information

This section provides the background information of the DERC certificate used in the use period. Please enter the name of the company which was initially issued the DERC certificate, the Regulated Entity Number (RN) of the site which was initially issued the DERC certificate, and the certificate number used for this application.

XI. Purchase Date and Price

Enter the date of purchase or date of generation of the DERC certificate used in this application. Enter the price of the DERCs used in this application. If the applicant is the generator of the DERCs, enter "generator" for the price.

XII. Certification by Responsible Official

Please print or type the name and title of the representative of the company which owns or operates the site. This representative must have the authority to make binding agreements and representations on behalf of the applicant. Form DEC-3 must be submitted to the TCEQ with an original signature and date, in ink, by the representative identified in this section.

Mail application to:
**Texas Commission on Environmental Quality
Emission Banking and Trading Program MC 206
PO BOX 13087
AUSTIN, TX 78711-3087**



November 26, 2012

Texas Commission on Environmental Quality
Emissions Banking and Trading Program (MC-206)
P.O. Box 13087
Austin, Texas 78711-3087

Re: ExTex LaPorte, Limited Partnership
Exelon Power, Mountain Creek Generating Station
CN601232192, RN101559235
TCEQ Air Account # DB-0252-S

To Whom It May Concern,

In accordance with 30 TAC 101.736(e), I am submitting the DERC Use for on behalf of ExTex LaPorte, Limited Partnership for the period of use beginning 01/01/2011 and ending 12/31/2011. There were zero DERCs used during this period as indicated in the forms submitted. If you have questions please contact me using the information below.

Sincerely,

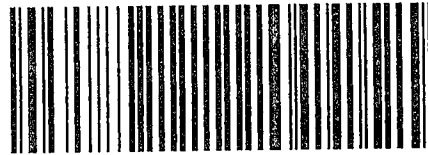
A handwritten signature in black ink that reads "Steven Pruitt".

Steven Pruitt
Manager Environmental Operations
Exelon Power, Mountain Creek Generating Station
2233A Mountain Creek Parkway
Dallas, Texas 75211
(972) 813-6104
steven.pruitt@exeloncorp.com



Exelon

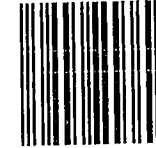
Exelon Power - Texas
Hendley Generating Station



7011 3500 0001 0062 2929



1000



78711

U.S. POSTAGE
PAID
FORT WORTH, TX
76112
NOV 26, 12
AMOUNT

\$6.60
00041735-01

RECEIVED
NOV 28 2012
TCEQ MAIL CENTER
RG

Texas Commission on Environmental Quality
Emissions Banking and Trading Program MC 206
PO Box 13087
Austin, TX 78711-3087



Form DEC-3 (Page 1)
Notice of Use of Discrete Emission Credits
(Title 30 Texas Administrative Code § 101.370 - § 101.379)

E-MAILED
11/26/12

407410 SD

I. COMPANY IDENTIFYING INFORMATION

A. Company Name: ExTex LaPorte, Limited Partnership ✓

Mailing Address: 2233-A Mountain Creek Parkway

City: Dallas

State: Texas

Zip Code: 75211

Telephone: 214-623-1044

Fax:

B. TCEQ Customer Number (CN): CN601232192 ✓

C. Site Name: Mountain Creek Generating Station

Street Address (If no street address, give driving directions to site)

Nearest City: Dallas

Zip Code: 75211

County: Dallas

D. TCEQ Regulated Entity Number (RN): RN101559235 ✓

E. TCEQ Air Account Number: (if applicable) DB-0252-S ✓

P0979

F. Primary SIC: 4911

Air Permit Number: 45417

II. TECHNICAL CONTACT IDENTIFYING INFORMATION

A. Technical Contact Name: (☒ Mr. ☐ Mrs. ☐ Ms. ☐ Dr.) : Steven Pruitt

Technical Contact Title: Manager Environmental Operations

Mailing Address: 2233-A Mountain Creek Parkway

City: Dallas

State: Texas

Zip Code: 75211

Telephone: 972-813-6104

Fax:

E-mail: steven.pruitt@exeloncorp.com

III. COMPANY CONTACT IDENTIFYING INFORMATION

A. Company Contact Name: (☒ Mr. ☐ Mrs. ☐ Ms. ☐ Dr.) : Dan Inemer

Company Contact Title: General Manager

Mailing Address: 2233-A Mountain Creek Parkway

City: Dallas

State: Texas

Zip Code: 75211

Telephone: 817-446-2538

Fax:

E-mail: Daniel.inemer@exeloncorp.com

IV. Mass Emission Cap and Trade Program (MECT)

Is the DERC use for compliance with 30 TAC Chapter 101, Subchapter H, Division 3? ☐ Yes ☒ No

Year DERC Generated: _____ Year of use: _____ Ratio of DERC to Allowance: _____ to _____

Note: If DERC use is to comply with MECT then go to Section X

V. Use Period

Use Start Date: 01/01/2011

Use End Date: 12/31/2011

VI. State and Federal Requirements



FORM DEC-3 (Page 4)
Notice of Use of Discrete Emission Credits
(Title 30 Texas Administrative Code § 101.370 - § 101.379)

Applicable State and Federal requirements that the DERCs will be used for compliance:

VII. Most Stringent Emission Rate

Describe basis for most stringent allowable emission rate:

☒ Permit : 45417 ☐ RACT : ☐ Other:

Notes: Based on 58.1 TPY, based on rolling 12 month period

VIII. PROTOCOL

Protocol used to calculate DERC:

Note: Attach the actual calculations that were used to determine the amounts of DERCs needed to this form

The tons of DERCs required in the Notice of Intent to Use (Form DEC-2) application were estimated by subtracting the "Regulated Total" emissions of 58.1 tons, based on a rolling 12-month period, from the "Expected Total Emissions" of 68.1 tons. "Expected Total Emissions" were estimated by multiplying an estimated NOx emission rate of 0.01 lb/MMBtu by the estimated 12-month total heat input of 13,620,000 MMBtu.

$\text{DERCs} = \text{Regulated Total} - \text{Expected Total Emissions}$

$\text{Expected Total Emissions} = 0.01 \text{ lb/MMBtu} \times 13,620,000 \text{ MMBtu} \times 1 \text{ ton}/2000 \text{ lbs}$

The actual DERC use present in the Notice of Use (Form DEC-3) was calculated by multiplying the annual arithmetic average controlled emission rate (AER), as determined by the NOx CEMS, by the total heat input, as determined by the CEMS, for each proceeding 12-month period, and then subtracting the Regulated Total Emissions.

$\text{DERCs Used} = \text{AER} \times \text{total Heat Input} - \text{regulated total Emission}$

Continue to Section VII (next page)

**E-MAILED**

11/26/12

Form DEC-3 (Page 3)
Notice of Use of Discrete Emission Credits
(Title 30 Texas Administrative Code § 101.370 - § 101.379)

IX. Tons of DERCs Used									
Emission Point No.	FIN	Air Contaminant	Calculation of DERCs						
			Actual Emissions Rate (units)	Actual Emissions Rate (units)	Actual Total Emissions (tons)	Regulated Activity (units)	Regulated Emissions Rate (units)	Regulated Total Emissions (tons)	DERCs Used (tons)
MT-S8	MT-B8	NOx	0.00913	7,593,221	33.1 *see footnote #1	Not Applicable	Not Applicable	58.1	0
				6,492,427	42.1*				
								Total:	0

Footnote #1: During the use period, no rolling 12-month total actual emissions exceeded the "Regulated Total Emissions" (i.e. permit allowable) of total 58.1 tons. Therefore, DERCs used is zero (0).



Form DEC-3 (Page 4)
Notice of Use of Discrete Emission Credits
(Title 30 Texas Administrative Code § 101.370 - § 101.379)

X. TOTAL DERCS REQUIRED FOR USE (round up to the nearest tenth of a ton)

Tons of DERCS required (from Sect. VI.)	CO: _____	NO _x : <u>0</u>	PM ₁₀ : _____	SO ₂ : _____	VOC: _____
Offset Ratio (if required)	CO: _____	NO _x : <u>0</u>	PM ₁₀ : _____	SO ₂ : _____	VOC: _____
Environmental Contribution (+ 10%)	CO: _____	NO _x : <u>0</u>	PM ₁₀ : _____	SO ₂ : _____	VOC: _____
Total DERCS Used	CO: _____	NO _x : <u>0</u>	PM ₁₀ : _____	SO ₂ : _____	VOC: _____

XI. DERC INFORMATION

Name of the DERC Generator: ExTex LaPorte Limited Partnership

DERC Generator Regulated Entity Number: RN101559235

Certificate number of the DERCS acquired or to be acquired: Certificate #D1110 NO_x-0

Note: The certificate number is assigned by the TCEQ

XII. CERTIFICATION BY RESPONSIBLE OFFICIAL

I, Dan Inemer, hereby certify, to the best of my knowledge and belief, that this application is correct and the use strategy claimed on this notice has met the requirements of all applicable state and federal rules and regulations. I further state that to the best of my knowledge and belief the information in this certification is not in any way in violation of 30 TAC, Subchapter H, Division 4, §101.370-101.379 or any applicable air quality rule or regulation of the Texas Commission on Environmental Quality and that intentionally or knowingly making or causing to be made false material statements or representations in this certification is a CRIMINAL OFFENSE subject to criminal penalties. I hereby also waive the Federal statute of limitations defense in regards to the generation and use of discrete emission credits.

Signature:  Date: 11/26/2012

Title General Manager



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
Form DEC-3
Notice of Use of Discrete Emission Credits
Form and Instructions

E-MAILED
11/26/10

General:

In accordance with Title 30 Texas Administrative Code § 101.376 Part (e) [30 TAC § 101.376(e)], an owner or an operator of a facility which has used discrete emission reduction credits (DERCs) must submit a completed Form DEC-3 entitled, "Notice of Use of Discrete Emission Credits." Form DEC-3 must be submitted within 90 days after the end of the use period. The applicant must have previously submitted Form DEC-2 and a certificate for a quantity of DERCs equal to the total DERC requirement for the use period. The owner or operator of the facility which has used DERCs is responsible for completing Form DEC-3 and mailing it to the Texas Commission on Environmental Quality (TCEQ), Air Quality Division, Emission Banking and Trading Program MC-206, P.O. Box 13087, Austin, Texas 78711-3087. All information regarding the nature of the DERC use, the amount of DERCs used, and the amount of remaining DERCs will be immediately made available to the public.

Specific:

I. Company Identifying Information

- A. Company Name: Enter the legal name of the company or corporation and mailing address, telephone number, and fax number of the owner or operator of the site. The company name on this form and the Texas Commission on Environmental Quality (TCEQ) Core Data Form should match.
- B. TCEQ Customer Number (CN): Enter the TCEQ assigned number of the owner or operator of the site. The CN is a unique number assigned to the company or corporation and applies to all facilities and sites owned or operated by this company or corporation. A typical example of a CN is CN600123456. These identification numbers have recently been assigned by the TCEQ, replacing the air quality account number. If you have not been officially notified by the TCEQ Central Registry Program of your Customer Number, or have any questions about your Customer Number, you may call (512) 239-5160 for assistance to obtain or verify the account number.
- C. Site Name: Provide the site name and street address for the facility which has used DERCs. If no street address is available, provide driving directions in writing. Identify the location by distance and direction from well-known landmarks such as highway intersections. Enter the city or town where the site is located. If the address is not located in a city or town, enter the city or town closest to the site even if it not located in the same county as the site. Enter the county where the site is physically located. Also include the zip code for the physical location of the site and not the zip code of the mailing address.
- D. TCEQ Regulated Entity Number (RN): Enter the TCEQ assigned number of the site identified in Section C. The RN replaces the former TCEQ account number for the facility or site. A typical example of a RN is RN100123456. These identification numbers have recently been assigned by the TCEQ, replacing the air quality account number. If you have not been officially notified by the TCEQ Central Registry Program of the Regulated Entity Number, or have any questions about your Regulated Entity Number, you may call (512) 239-5160 for assistance to obtain or verify the account number.
- E. TCEQ Air Account Number (if available): The TCEQ issued Air Quality Account Number prior to the RN identification system. A typical example of an Air Account Number is XX-0000-X. The first two letters of this number alphabetically identifies the location of each site.
- F. Other Site Information: Enter the primary Standard Industry Classification (SIC) for the site as well as the current air permit under which the facility or facilities which have used DERCs are operating.

II. Technical Contact Information

- A. Technical Contact Name and Title: Provide the name, title, address, telephone number, fax number and e-mail address of the person the TCEQ should contact for technical questions and who has the authority to make binding agreements and representations on behalf of the applicant. This technical contact may be a consultant.

III. Company Contact Information

- A. Company Contact Name and Title: Provide the name, title, address, telephone number, fax number and e-mail address of the company representative if different from the technical contact. This representative must be a company official (owner, plant manager, president, vice president, etc). This person cannot be an outside consultant.

IV. Mass Emission Cap and Trade Program (MECT)

Please indicate on the first line whether the DERCs were used for compliance with the Mass Emission Cap and Trade Program (MECT). If DERCs were used for the MECT program, please complete the rest of Section III indicating how the DERCs are to be credited to the MECT account. Title 30 TAC 101.356(h) defines how DERCs may be converted into allowances for the MECT program. If DERCs were used for the MECT program, please proceed to Section IX after completing Section III. Note that the 10 percent environmental contribution does not apply for MECT allowance conversions.

V. Use Period

Enter the start and end dates for the completed use period. This period should match the intended use period provided on Form DEC-2.

VI. State and Federal Requirements

Enter any state or federal regulations or permit requirements for which DERCs will be used for compliance. Please provide the specific regulation which must be met (i.e., 30 TAC 117.206(c)(1)(A) or maximum yearly NO_x output for FIN AA-1 on permit number 0001.)

VII. Most Stringent Emission Rate

Enter the emission rate or other regulated emission level from the requirement listed in Section V which the facility or facilities using DERCs must meet.

VIII. Protocol

Please indicate the method used to determine emission rates, level of activity, and total emissions. Examples of emission rate protocols include CEMS, stack testing, AP-42, or other approved methods. Examples of level of activity protocols include CEMS, monthly fuel meter readings, operating hours, or other approved methods. All generators or users of emission credits must use a protocol which has been approved by the EPA and is appropriate to the emission reduction, as identified in 30 TAC chapters 115, 116, or 117. Please attach all calculations used to determine the amount of DERCs generated during the generation period.

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VII. Tons of DERCS Required

List emissions activity for each specific facility which used DERCS for compliance purposes. Use a separate row for ozone and non-ozone season emissions, if applicable to the use area. Please enter the information in each column as described below:

Emission Point Number (EPN) and Facility Identification Number (FIN): Enter the Emission Point Number (EPN) and Facility Identification Number (FIN) for each facility. This information should match previous information submitted to the TCEQ Air Quality Division regarding emissions inventory or a permit application.

Air Contaminant: Indicate which contaminant the DERCS were used for. Note that the DERC must be used for the same contaminant and region as the DERC was issued for, as defined in 30 TAC §101.372(f).

Actual Activity: Enter the actual activity level during the use period for each facility. Include the applicable units and the numerical value (e.g., 30000 MMBtu/yr; 7000 hrs/yr; etc.).

Actual Emission Rate: Enter the actual emission rate of the facility during the use period. Include the applicable units and the numerical value (e.g., 0.35 lbs/MMBtu, 1.0 g/hp-hr, 0.7 lbs/hr, etc.).

Actual Total Emissions: Enter the actual emissions, in tons, for the facility during the use period. Total emissions are calculated by multiplying the actual activity by the actual emission rate then converting the result into tons/year.

Regulated Activity: Enter the regulated activity level, if any, during the use period for each facility. Include the applicable units and the numerical value (e.g., 30000 MMBtu/yr; 7000 hrs/yr; etc.).

Regulated Emission Rate: Enter the regulated emission rate, if any, of the facility during the use period. Include the applicable units and the numerical value (e.g., 0.35 lbs/MMBtu; 1.0 g/hp-hr; 0.7 lbs/hr; etc.).

Regulated Total Emissions: Enter the regulated total emissions, in tons, for the facility during the use period.

DERCS: Enter the amount of DERCS required for compliance with the regulated activity, rate, or emissions. The amount of DERCS required may be calculated using the equations found in 30 TAC §101.376.

IX. Total DERCS Used

From the data provided in Section VII and the attached calculations from Section VIII, please enter the amount of DERCS used for each contaminant, rounded up to the nearest tenth of a ton. Enter the environmental contribution, which is 10 percent of the used DERCS, rounded up to the nearest tenth of a ton. If required, enter the offset ratio, rounding up to the nearest tenth of a ton. Sum the three lines and enter the total DERCS used for each contaminant. Note: if using DERCS for offsets or compliance with the MECT program, the environmental contribution is not required.

X. DERC information

This section provides the background information of the DERC certificate used in the use period. Please enter the name of the company which was initially issued the DERC certificate, the Regulated Entity Number (RN) of the site which was initially issued the DERC certificate, and the certificate number used for this application.

XI. Purchase Date and Price

Enter the date of purchase or date of generation of the DERC certificate used in this application. Enter the price of the DERCs used in this application. If the applicant is the generator of the DERCs, enter "generator" for the price.

XII. Certification by Responsible Official

Please print or type the name and title of the representative of the company which owns or operates the site. This representative must have the authority to make binding agreements and representations on behalf of the applicant. Form DEC-3 must be submitted to the TCEQ with an original signature and date, in ink, by the representative identified in this section.

Mail application to:
**Texas Commission on Environmental Quality
Emission Banking and Trading Program MC 206
PO BOX 13087
AUSTIN, TX 78711-3087**

Shantha Daniel

From: steven.pruitt@exeloncorp.com
Sent: Monday, November 26, 2012 12:30 PM
To: Shantha Daniel
Cc: Albert.Hatton@exeloncorp.com
Subject: RE: ExTex LaPorte DERC Intent to Use - Response to Your Request
Attachments: Exelon DERC Use 2011.pdf

Shantha,

Per your request attached is the DEC-3 form. As we discussed on the phone we did not use any DERCS for the use period 01/01/2011 to 12/31/2011.

Regards,

Steven Pruitt
Manager Environmental Operations
Office: 972-813-6104

From: Shantha Daniel [mailto:shantha.daniel@tceq.texas.gov]
Sent: Monday, November 26, 2012 10:31 AM
To: Pruitt, Steven A:(GenCo-Pwr)
Cc: Hatton III, Albert Miller:(GenCo-Pwr)
Subject: RE: ExTex LaPorte DERC Intent to Use - Response to Your Request
Importance: High

Dear Mr. Pruitt,

I noticed that the DEC-3 form, Notice of Use of Discrete Emission Credits, for the use period of 1/1/2011 to 12/31/2011 has not been submitted. This form was due by March 31, 2012. I cannot process the DEC-2 form for the 2013 calendar year use period (2013 intent) without processing the 2011 Use.

To ensure that the 2013 intent is processed prior to the start of the 2013 use period (1/1/2013), please submit the required DEC-3 form for the use period of 1/1/2011 to 12/31/2011 latest by **November 30, 2012**. The completed form with the original signature must be mailed to the address below:

Emissions Banking and Trading Program (MC-206)
Air Quality Division
Texas Commission on Environmental Quality (TCEQ)
P.O. Box 13087
Austin, TX 78711-3087

Please send me a scanned copy of the signed form so I can start processing the associated project. Please let me know if you have any questions.

Thanks,

Shantha Daniel, Ph.D.
Texas Commission on Environmental Quality
Emissions Banking and Trading Program
Air Quality Division
Phone: (512) 239-3930
Fax: (512) 239-5687
Email: Shantha.Daniel@tceq.texas.gov

Shantha Daniel

From: steven.pruitt@exeloncorp.com
Sent: Wednesday, November 28, 2012 3:25 PM
To: Shantha Daniel
Subject: MTC DERC Use 2012.doc rev1.doc
Attachments: MTC DERC Use 2012.doc rev1.doc

E-MAILED

Ms Daniels,
Here is the correct calculation for the period.

Regards,

Steven Pruitt

***** This e-mail and any of its attachments may contain Exelon Corporation proprietary information, which is privileged, confidential, or subject to copyright belonging to the Exelon Corporation family of Companies. This e-mail is intended solely for the use of the individual or entity to which it is addressed. If you are not the intended recipient of this e-mail, you are hereby notified that any dissemination, distribution, copying, or action taken in relation to the contents of and attachments to this e-mail is strictly prohibited and may be unlawful. If you have received this e-mail in error, please notify the sender immediately and permanently delete the original and any copy of this e-mail and any printout. Thank You. *****

Bryan W. Shaw, Ph.D., *Chairman*
Carlos Rubinstein, *Commissioner*
Toby Baker, *Commissioner*
Zak Covar *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

December 10, 2012

Mr. Steven Pruitt
Manager Environmental Operations
ExTex LaPorte, Limited Partnership
2233-A Mountain Creek Parkway
Dallas, Texas 75211

Re: Use of Discrete Emission Reduction Credits
Mountain Creek Steam Electric Station
Dallas, Dallas County
Regulated Entity Reference Number: RN101559235
Customer Reference Number: CN601232192
Portfolio Number: P0979

Dear Mr. Pruitt:

This letter is in response to ExTex LaPorte, Limited Partnership's Form DEC-3 (Notice of Use of Discrete Emission Credits) received on November 28, 2012 regarding the use of nitrogen oxides-ozone season (NO_x-O) Discrete Emission Reduction Credits (DERC) for the purpose of compliance with 30 Texas Administrative Code Chapter 116, Subchapter I for the period of January 1, 2011 through December 31, 2011.

Per the Form DEC-3, the 12-month rolling total actual emissions from Facility Identification Number MT-B8 were less than the regulated permit allowable limit; therefore, the 11.0 tons of NO_x-O DERCS set aside from Certificate D-2463 by project number 404998 for use during the period of January 1, 2011 through December 31, 2011 can be released at this time for future use.

Enclosed is a copy of certificate D-2949, issued to ExTex Laporte, Limited Partnership for 11.0 tons of NO_x-O DERCS. Certificate D-2949 has been deposited in the Texas Commission on Environmental Quality (TCEQ) Discrete Emission Credit Registry. This certificate may be transferred or sold to another owner for use per the requirements of §§101.370 through 101.379.

Please note that the Form DEC-3 must be submitted no later than 90 days following the conclusion of the use period. Failure to comply with Chapter 101, Subchapter H, Division 4, requirements may result in enforcement action.

Thank you for your cooperation in this matter. If you have questions concerning this review or need further assistance regarding the banking program, please contact Dr. Shantha Daniel at (512) 239-3930 or write to the Texas Commission on Environmental Quality, Office of Air, Air Quality Division (MC-206), PO Box 13087, Austin, Texas 78711-3087.

Mr. Steven Pruitt
Page 2
December 10, 2012

This action is taken under authority delegated by the Executive Director of the TCEQ.

Sincerely,

A handwritten signature in black ink, appearing to read "David Brymer". The signature is fluid and cursive, with the first name "David" being more prominent than the last name "Brymer".

David Brymer, Director
Air Quality Division

DB/SD/db

cc: Air Section Manager, Region 4 – Dallas/Fort Worth
Ms. Joni Keach, Section Manager, Air Pollution Control Program, City of Dallas
Environmental and Health Services, Dallas

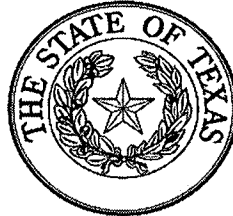
Project Number: 407410

The State of Texas

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Certificate Number

D-2949



Number of Credits

11.0 tons NO_x-O

Discrete Emission Reduction Credit Certificate

This certifies that

***ExTex LaPorte Limited Partnership
2233-A Mountain Creek Parkway
Dallas, Texas 75211***

is the owner of 11.0 tons of nitrogen oxides-ozone season (NO_x-O) discrete emission reduction credits established under the laws of the State of Texas, transferable only on the books of the Texas Commission on Environmental Quality, by the holder hereof in person or by duly authorized Attorney, upon surrender of this certificate.

The owner of this certificate is entitled to utilize the discrete emission credits evidenced herein for all purpose authorized by the laws and regulations of the State of Texas and is subject to all limitations prescribed by the laws and regulations of the State of Texas.

Discrete Emission Reduction Generation Period: June 1, 2002 – May 30, 2003

Generator Regulated Entity No.: RN101559235

Generator Certificate: D-1110

County of Generation: Dallas

December 10, 2012

Date

A handwritten signature in black ink, appearing to read "David Bryner".

For the Commission

Banking and Trading Route Slip

AIR QUALITY DIVISION Emissions Banking and Trading Program (EBTP)				
Company Name: <i>ExTex LaPorte Limited Partnership - Mountain Creek</i>				
Project Number: <i>407410</i>				
Type of Letter Correspondence: <i>DCUS/ DCTR / DCCF</i>				
Letter Document Number(s): <i>19581 / 19571 / 19580</i>				
Certificate Number(s): <i>D-2949</i>				
Review and Approval	Initial and Date	Comments/Special Instructions		
Brandon Greulich, Work Lead EBTP	<i>BG 12/7</i>			
Author/Creator Review	<i>SD 12/5</i>			
Peer Review Completed	<i>DS 12/5</i>	<i>Minor Edit ✓ DM SD 12/5</i>		
Author/Creator	<i>SD 12/3</i>		Copies Made	Date
			<i>MMG:SD</i>	<i>12/10</i>
			Mailed	Date
			<i>MMG:SD</i>	<i>12/10</i>
Please return Routing Slip and Project Paperwork to Brandon Greulich, MC-206, Ext. 4904				

C 12/11/12