

AIR DERC_101559235-408758_
USE_20140213_Use_D3093**02/13/2014 ----- EBTP IMS- PROJECT RECORD -----**PROJECT#: 408758
RECEIVED: 01/29/2014STATUS: P
PROJTYPE: BUSEDISP CODE: C ✓
ISSUED DT: 2/13/2014
SUP-DISP DATE:**STAFF ASSIGNED TO PROJECT:**
MERCADO, PE, MARIE**PROJECT NOTES:**

USE PERIOD 1/1/2013 - 12/31/2013. INTENT TO USE PROJECT IS 407143

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

CONTACT DATA

NAME: MARIE CHYI

TITLE: ENVIRONMENTAL SPECIALIST

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

PHONE: 214-623-1044 ext 0

Email: marie.chyi@constellation.com

exten corp. com

TRANSACTION DATA

TRANSACTION TYPE: DERC_RET

DATE ENTERED: 2014-02-12 00:00:00.0

CONTAMINATE: NOX_O

ALLOWANCE

DELETED DATE:

EFFECTIVE YEAR:

TONS: 11.00

DOLLARS: 0

CERTIFICATE NO.: D3093 COUNTY : DALLAS

TRANSACTION DATA

TRANSACTION TYPE: DERC_USE

DATE ENTERED: 2014-02-12 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 :

02/13/2014

LETTER ISSUED :

2/25/14

DISCRETE EMISSION CREDIT USE TECHNICAL REVIEW

Project No.:	408758	Customer Reference No.:	CN601232192
Project Type:	BUSE	Regulated Entity Reference No.:	RN101559235
Company:	ExTex LaPorte Limited Partnership	Facility Name:	Mountain Creek Steam Electric Station
City:	Dallas	County:	Dallas
Project Reviewer:	Ms. Marie Mercado, P.E.	Portfolio Number:	P0979

Project Overview

ExTex LaPorte Limited Partnership (ExTex), submitted a Form DEC-3 (Notice of Use of Discrete Emission Credits) received January 29, 2014. The company had intended to use nitrogen oxides-ozone season (NO_x-O) Discrete Emission Reduction Credits (DERC) to cover potential emissions in excess of the permitted allowable emission level for a boiler, Facility Identification Number MT-B8, at the Mountain Creek Steam Electric Station site. The company reported that no DERCs were used in the use period of January 1, 2013 through December 31, 2013.

The corresponding intent to use project is 407143. The intent project set aside a total of 11.0 tons from certificate D-2611, valued at 606.6 tons. Certificate D-2937 was issued in the amount of 595.6 tons retained from certificate D-2611. Since no DERCs were used, the 11.0 tons will be returned to ExTex for future use in certificate D-3093.

Discrete Emission Credit Use

ExTex reported that during the use period, the 12-month rolling total actual emissions did not exceed the permit allowable emission rate of 58.1 tons. Therefore, no credits were used per §101.376(b)(1)(A). The total actual emissions for the 2013 calendar year were reported to be 18.6 tons.

Conclusion

ExTex did not use the DERCs set-aside in the intent project 407143. Certificate D-3093 for 11.0 tons of NO_x will be issued to ExTex for future use.

Marie Mercado 2/13/14
Project Manager Date

[Signature] 2/13/2014
Peer Reviewer Date

Brand L 2/24/14
Work Lead Date

INTENT PROJECT	INTENT RECEIVED	INTENT CERTIFICATE	POLLUTANT	INTENT AMOUNT	TOTAL AMOUNT	PERIOD START DATE	PERIOD END DATE	INTENT FLAG	USE PROJECT	USE RECEIVED	USE AMOUNT	USE CERTIFICATE
404113	1/11/2010	D1110	NOX_O	11	628.6	1/21/2010	12/31/2010		405514	3/3/2011	0	N/A
404113	1/11/2010	D1110	NOX_N	0	20.5	1/21/2010	12/31/2010					
404998	8/18/2010	D2463	NOX_O	11	617.6	1/1/2011	12/31/2011		407410	11/26/2012	0	N/A
406024	8/2/2011	D2751	NOX_O	11	11	1/1/2012	12/31/2012	YES	407871	3/1/2013	0	N/A
407143	5/2/2012	D2611	NOX_O	11	606.6	1/1/2013	12/31/2013	YES	408758	1/29/2014	0	N/A
408378	8/1/2013	D2751	NOX_O	11	11	1/1/2014	12/31/2014	YES	Due by 3/31/2015			

D3093 retained @ 11.0 NOX.O DECLS



I. COMPANY IDENTIFYING INFORMATION			Air Quality Division	
A. Company Name: ExTex LaPorte, Limited Partnership ✓				
Mailing Address: 2233-A Mt. Creek Pkwy				
City: Dallas		State: Texas		Zip Code: 75211
Telephone: 214-623-1044			Fax: 214-623-1009	
B. TCEQ Customer Number (CN): CN601232192 ✓				
C. Site Name: Mountain Creek Generating Station				
Street Address (If no street address, give driving directions to site) 2233A Mt. Creek Pkwy Dallas, TX 75211				
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.) : Marie Chiy				
Technical Contact Title: Environmental Specialist				
Mailing Address: 2233A Mt. Creek Pkwy				
City: Dallas		State: TX		Zip Code: 75211
Telephone: 214-623-1044		Fax: 214-623-1009		E-mail: marie.chiy@exeloncorp.com
III. COMPANY CONTACT IDENTIFYING INFORMATION				
A. Company Contact Name: (☒ Mr. ☐ Mrs. ☐ Ms. ☐ Dr.) : Dan Inemer				
Company Contact Title: General Manager				
Mailing Address: 2233A Mt. Creek Pkwy				
City: Dallas		State: TX		Zip Code: 75211
Telephone: 817-446-2538		Fax: 214-623-1009		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 / 2013			Use End Date: 12/ 31 / 2013	



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

VI. State and Federal Requirements

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 rolling average

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 68.1tons. "Expected Total Emissions" were estimated by multiplying an estimated NOX emission rate of 0.01lb/MMBtu by the estimated 12-month total heat input of 13,620,000 MMBtu.

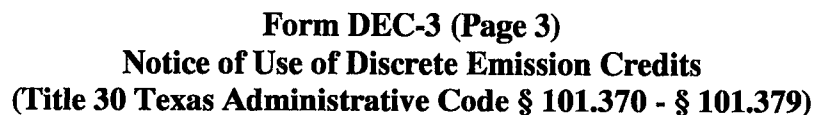
DERCs = Regulated Total – Expected Total Emissions

Expected Total Emissions = 0.01lb/MMBtu x 13,620,000 MMBtu x 1ton/2000lbs

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.

DERCs Used = AER x Total Heat Input – Regulated Total Emission

Continue to Section VII (next page)



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	0.013 NOx lb / mmbtu	2,854,954.8 Mmbtu / yr	18.6 *see footnote #1	Not Applicable	Not Applicable	58.1	0
Total:								0	0

TCEQ 10393 (Revised 12/07) Form DEC-3 and Instructions
This form is for use by facilities subject to air quality permit requirements and may be revised periodically.



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: 1/16/14
Title General Manager



Exelon Generation®

January 16, 2014

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

Subject: Notice of Use of Discrete Emission Reduction Credits
ExTex LaPorte Limited Partnership
Mountain Creek Steam Electric Station
CN 601232192
RN 101559235
TCEQ Air Account # DB-0252-S

To Whom It May Concern:

ExTex LaPorte Limited Partnership ("ExTex") hereby submits the enclosed Form DEC-3 Notice of Use of Discrete Emission Reduction Credits (DERC) for the period of January 1, 2013 through December 31, 2013 for TCEQ Air Quality Permit No. 45417 at the Mountain Creek Steam Electric Station in Dallas, Dallas County. There were zero DERCs used during this period.

If you have any questions or concerns please feel free to contact Marie Chiy at 214-623-1044 or marie.chiy@exeloncorp.com or myself at (610) 765-6784 or Karen.Hunt@exeloncorp.com.

Sincerely,

Maria Chiy
Sr. Environmental Specialist

Cc. Steven Pruitt
Karen Hunt

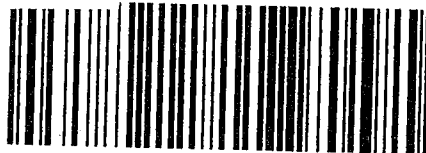


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Power

ek Pkwy
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RTIFIED MAIL



7011 3500 0003 3123 3925



1000



78711

U.S. POSTAGE
PAID
GRAND PRAIRIE, TX
75051
JAN 23, 14
AMOUNT

\$6.77
00085142-05



TCEQ

RECEIVED

JAN 29 2014

TCEQ MAIL CENTER
MT

Emission Banking and Trading Program MC 2

P.O. Box 13087

Austin, TX 78711



TEXAS COMMISSION
ON ENVIRONMENTAL QUALITY

>> Questions or Comments

[Customer Search](#) [RE Search](#) [ID Search](#) [Document Search](#) [Search Results](#) [Query Home](#) [TCEO Home](#)

Central Registry Query - Regulated Entity Information

Regulated Entity Information

RN Number: RN101559235**Name:** MOUNTAIN CREEK STEAM ELECTRIC STATION [View Prior Names](#)**Primary Business:** INDUSTRIAL**Street Address:** 2233 MOUNTAIN CREEK PKWY STE A, DALLAS TX 75211 6706**County:** DALLAS**Nearest City:** DALLAS**State:** TX**Near ZIP Code:** 75211**Physical Location:** 2233-A MOUNTAIN CREEK PARKWAY

Affiliated Customers - Current

Your Search Returned 4 Current Affiliation Records ([View Affiliation History](#))

1-4 of 4 Records

CN Number	Customer Name	Customer Role	Details
CN600128490	TU ELECTRIC	OWNER	
CN601232192	EXTEX LAPORTE LIMITED PARTNERSHIP	OWNER OPERATOR	
CN601545296	EXELON POWER	OWNER OPERATOR	
CN602482861	TXU ELECTRIC COMPANY INC	VOLUNTEER CLEANUP APPLICANT	

Industry Type Codes

Code	Classification	Name
221112	NAICS	Fossil Fuel Electric Power Generation
221119	NAICS	Other Electric Power Generation
221122	NAICS	Electric Power Distribution
4911	SIC	Electric Services

Permits, Registrations, or Other Authorizations

There are a total of 22 programs and IDs for this regulated entity. Click on a column name to change the sort order.

1-22 of 22 Records

Program▲	ID Type	ID Number	ID Status
AIR EMISSIONS INVENTORY	ACCOUNT NUMBER	DB0252S	ACTIVE
AIR NEW SOURCE PERMITS	ACCOUNT NUMBER	DB0252S	ACTIVE
AIR NEW SOURCE PERMITS	AFS NUM	4811300010	ACTIVE
AIR NEW SOURCE PERMITS	EPA PERMIT	N69	ACTIVE
AIR NEW SOURCE PERMITS	EPA PERMIT	PSDTX1100	ACTIVE
AIR NEW SOURCE PERMITS	PERMIT	45417	ACTIVE
AIR NEW SOURCE PERMITS	PERMIT	82426	ACTIVE
AIR NEW SOURCE PERMITS	REGISTRATION	14345	ACTIVE
AIR NEW SOURCE PERMITS	REGISTRATION	51041	ACTIVE
AIR NEW SOURCE PERMITS	REGISTRATION	70573	ACTIVE
AIR NEW SOURCE PERMITS	REGISTRATION	74594	ACTIVE
AIR OPERATING PERMITS	ACCOUNT NUMBER	DB0252S	ACTIVE
AIR OPERATING PERMITS	PERMIT	58	ACTIVE
INDUSTRIAL AND HAZARDOUS WASTE	EPA ID	TXD000838912	ACTIVE
INDUSTRIAL AND HAZARDOUS WASTE	SOLID WASTE REGISTRATION # (SWR)	31880	ACTIVE
PETROLEUM STORAGE TANK REGISTRATION	REGISTRATION	28758	INACTIVE
PETROLEUM STORAGE TANK STAGE II			
STORMWATER	PERMIT	TXR05K265	CANCELLED
STORMWATER	PERMIT	TXR05P783	ACTIVE

VOLUNTARY CLEANUP PROGRAM	ID NUMBER	223	INACTIVE
WASTEWATER	EPA ID	TX0001007	ACTIVE
WASTEWATER	PERMIT	WQ0001250000	ACTIVE

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Last Modified 7/26/2010

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2013
Intent Project

02/13/2014 ----- EBTP IMS- PROJECT RECORD -----

PROJECT#: 407143 STATUS: C DISP CODE: _____
RECEIVED: 05/02/2012 PROJTYPE: BDIU ISSUED DT: 12/20/2012
SUP-DISP DATE: 12/20/2012

PROJECT NOTES:

USE PERIOD 1/1/2013 - 12/31/2013.

PROJECT ON HOLD FOR THE FOLLOWING REASONS: 1)DFW DERC FLOW CONTROL LIMIT. AVAILABLE FLOW CONTROL LIMIT FINALIZED ON 12/20/2012.

2)COMPANY HAD TO PROVIDE A "NO ADVERSE IMPACTS" DEMONSTRATION RELATED TO THE INTENDED USE OF DERCS. COMPANY COMPLETED THE REQUIRED DEMONSTRATION VIA E-MAIL ON 11/12/2012.

GROUPWISE DOCUMENT: DCTR-19563; DCUA-19584; DCCT-19585

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

CONTACT DATA

NAME: STEVEN PRUITT

TITLE: SR. ENVIRONMENTAL ENGINEER

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

PHONE: 214-623-1004 ext 0

FAX: 214-623-1009 ext 0

Email: steven.pruitt@exeloncorp.com

TRANSACTION DATA

TRANSACTION TYPE: DERC_INTEN

DATE ENTERED: 2012-05-19 00:00:00.0

CONTAMINATE: NOX_O

ALLOWANCE0

DELETED DATE:

EFFECTIVE YEAR:

TONS: 11.00

DOLLARS: 0

CERTIFICATE NO.: D2611 COUNTY : DALLAS

TRANSACTION DATA

TRANSACTION TYPE: DERC_RET

DATE ENTERED: 2012-05-19 00:00:00.0

CONTAMINATE: NOX_O

ALLOWANCE0

DELETED DATE:

EFFECTIVE YEAR:

TONS: 595.60

DOLLARS: 0

CERTIFICATE NO.: D2937 COUNTY : DALLAS

TRACKING ACTIVITES

PM RECEIVED DATE : 05/05/2012 PROJECT HOLD : 05/05/2012 12/20/2012 LETTER ISSUED : 12/20/2012

EMISSION SOURCES - MAXIMUM ALLOWABLE EMISSION RATES

Permit Number 45417

This table lists the maximum allowable emission rates and one of the five sources of air contaminants on the applicant's property covered by this permit. The emission rates shown are those derived from information submitted as part of the application for permit and are the maximum rates allowed for these facilities. Any proposed increase in emission rates may require an application for a modification of the facilities covered by this permit.

AIR CONTAMINANTS DATA

Emission Point No. (1)	Source Name (2)	Air Contaminant Name (3)	Emission Rates	
			lb/hr	TPY*
MT-S8	Boiler No. 8	NO _x	---	58.1

- (1) Emission point identification - either specific equipment designation or emission point number from a plot plan.
- (2) Specific point source names. For fugitive sources, use an area name or fugitive source name.
- (3) NO_x - total oxides of nitrogen

* Compliance with annual emission limits is based on a rolling 12-month period and is to be determined on the beginning of each month by multiplying the annual arithmetic average controlled emission rate (NO_x lb/MMBtu) by the annual total heat input (MMBtu) over the prior 12-month period. (1/10)

Dated January 28, 2010

Emission Sources - Maximum Allowable Emission Rates

Permit Number 45417

This table lists the maximum allowable emission rates and all sources of air contaminants on the applicant's property covered by this permit. The emission rates shown are those derived from information submitted as part of the application for permit and are the maximum rates allowed for these facilities, sources, and related activities. Any proposed increase in emission rates may require an application for a modification of the facilities covered by this permit.

Air Contaminants Data

Emission Point No. (1)	Source Name (2)	Air Contaminant Name (3)	Emission Rates	
			lbs/hour	TPY (4)
MT-S8	Boiler No. 8	NO _x	-	74.0

- (1) Emission point identification - either specific equipment designation or emission point number from plot plan.
- (2) Specific point source name. For fugitive sources, use area name or fugitive source name.
- (3) NO_x - total oxides of nitrogen
- (4) Compliance with annual emission limits is based on a rolling 12-month period and is to be determined on the beginning of each month by multiplying the annual arithmetic average controlled emission rate (NO_x lb/MMBtu) by the annual total heat input (MMBtu) over the prior 12-month period. (1/10)

Date: January 29, 2014

Bryan W. Shaw, Ph.D., P.E., *Chairman*
Toby Baker, *Commissioner*
Zak Covar, *Commissioner*
Richard A. Hyde, P.E., *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

January 29, 2014

MR DAN INEMER
GENERAL MANAGER
EXTEX LAPORTE LIMITED PARTNERSHIP
2233 MOUNTAIN CREEK PKWY STE A
DALLAS TX 75211-6706

Re: Permit Amendment Application
Permit Number: 45417
Mountain Creek Steam Electric Station
Dallas, Dallas County
Regulated Entity Number: RN101559235
Customer Reference Number: CN601232192
Account Number: DB-0252-S

Dear Mr. Inemer:

This is in response to your letter received April 12, 2013 and your Form PI-1 (General Application for Air Preconstruction Permits and Amendments) concerning the proposed amendment to Permit Number 45417. We understand that you propose to increase the annual emission rate of nitrogen oxides (NO_x) for Emission Point Number (EPN) MT-S8. Also, this will acknowledge that your application for the above-referenced amendment is technically complete as of October 28, 2013.

As indicated in Title 30 Texas Administrative Code § 116.116(b) and § 116.160 [30 TAC § 116.116(b) and § 116.160], and based on our review, Permit Number 45417 is hereby amended. This information will be incorporated into the existing permit file. Enclosed are revised special conditions pages, a maximum allowable emission rates table, and a new permit face to replace those currently attached to your permit. We appreciate your careful review of the special conditions of the permit and assuring that all requirements are consistently met.

You may file a **motion to overturn** with the Chief Clerk. A motion to overturn is a request for the commission to review the executive director's decision. Any motion must explain why the commission should review the executive director's decision. According to 30 TAC § 50.139, an action by the executive director is not affected by a motion to overturn filed under this section unless expressly ordered by the commission.

A motion to overturn must be received by the Chief Clerk within 23 days after the date of this letter. An original and 11 copies of a motion must be filed with the Chief Clerk in person, or by mail to the Chief Clerk's address on the attached mailing list. On the same day the motion is transmitted to the Chief Clerk, please provide copies to the applicant, the executive director's attorney, and the Public Interest Counsel at the addresses listed on the attached mailing list. If a

Mr. Dan Inemer
Page 2
January 29, 2014

Re: Permit Number: 45417

motion to overturn is not acted on by the commission within 45 days after the date of this letter, then the motion shall be deemed overruled.

You may also request **judicial review** of the executive director's approval. According to Texas Health and Safety Code § 382.032, a person affected by the executive director's approval must file a petition appealing the executive director's approval in Travis County district court within 30 days after the **effective date of the approval**. Even if you request judicial review, you still must exhaust your administrative remedies, which includes filing a motion to overturn in accordance with the previous paragraphs.

Your cooperation in this matter is appreciated. If you need further information or have any questions, please contact Mr. Tzvi Shalem at (512) 239-1310 or write to the Texas Commission on Environmental Quality, Office of Air, Air Permits Division, MC-163, P.O. Box 13087, Austin, Texas 78711-3087.

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

Sincerely,

Michael Wilson, P.E., Director
Air Permits Division
Office of Air
Texas Commission on Environmental Quality

MPW/ts

Enclosures

cc: Section Manager, Air Pollution Control Program, City of Dallas Environmental and Health Services, Dallas
Air Section Manager, Region 4 - Fort Worth

Project Number: 191661

Permit Amendment Source Analysis & Technical Review

Company	ExTex LaPorte Limited Partnership	Permit Number	45417
City	Dallas	Project Number	191661
County	Dallas	Account Number	DB-0252-S
Project Type	Amend	Regulated Entity Number	RN101559235
Project Reviewer	Mr. Tzvi Shalem	Customer Reference Number	CN601232192
Site Name	Mountain Creek Steam Electric Station		

Project Overview

ExTex LaPorte Limited Partnership (ExTex) owns and operates the Mountain Creek Steam Electric Station located at 2233-A Mountain Creek Parkway, Dallas, Dallas County, Texas. The Mountain Creek Steam Electric Station consists of three natural gas-fired boilers, two diesel generators, and one auxiliary boiler; however, only Boiler Nos. 6, 7 and 8 are authorized by Permit No. 45417.

ExTex is requesting an annual increase in the nitrogen oxides (NO_x) emission rates for Boiler No. 8 Emission Point Number (EPN) MT-S8.

Emission Summary

Air Contaminant	Current Allowable Emission Rate (tpy)	Proposed Allowable Emission Rate (tpy)	Change in Allowable Emission Rate (tpy)
NO _x	58.1	74.0	+15.9

Federal Applicability

Project increases or increases in allowable (potential to emit) are less than the significant threshold level for federal permits (PSD and nonattainment) trigger levels.

Non-Attainment Major Modification Trigger

Pollutant	Project Increase (tpy)	NA Netting Trigger (tpy)	Netting Required (Y/N)	Net Emission Change (tpy)	NA Major Mod Trigger	NA Triggered (Y/N)
NO _x	23.9	5	Y	23.9	25	N

Compliance History Evaluation - 30 TAC Chapter 60 Rules

A compliance history report was reviewed on:	10/17/13
Compliance period:	9/1/2008 to 8/31/2013
Site rating & classification:	Satisfactory 0.13
Company rating & classification:	High 0.08
Has the permit changed on the basis of the compliance history or rating?	No

Public Notice Information - 30 TAC Chapter 39 Rules

Rule Citation	Requirement
39.403	Is Public Notice Required? Yes
	Date Application Received: 4/12/2013
	Date Administratively Complete: 4/25/2013
	Small Business Source? No
	Date Leg Letters mailed: 4/26/2013
39.603	Date Published: 5/4/2013

Permit Amendment Source Analysis & Technical Review

Permit No. 45417
Page 2

Regulated Entity No. RN101559235

Rule Citation	Requirement	
	Publication Name:	<i>The Dallas Morning News</i>
	Pollutants:	nitrogen oxides
	Date Affidavits/Copies Received:	5/13/2013
	Is bilingual notice required?	Yes
	Language:	Spanish
	Date Published:	5/5/2013
	Publication Name:	<i>Al Dia</i>
	Date Affidavits/Copies Received:	5/13/2013
	Date Certification of Sign Posting / Application Availability Received:	6/10/2013
39.604	Public Comments Received?	No
	Hearing Requested?	No
	Meeting Request?	No
	Date Response to Comments sent to OCC:	N/A
	Consideration of Comments:	N/A
	Is 2nd Public Notice required?	Yes
39.419	Date 2nd Public Notice/Preliminary Decision Letter Mailed:	10/25/2013
39.413	Date Cnty Judge, Mayor, and COG letters mailed:	N/A
	Date Federal Land Manager letter mailed:	N/A
39.605	Date affected states letter mailed:	N/A
39.603	Date Published:	11/11/2013
	Publication Name:	<i>The Dallas Morning News</i>
	Pollutants:	nitrogen oxides
	Date Affidavits/Copies Received:	11/18/2013
	Is bilingual notice required?	Yes
	Language:	Spanish
	Date Published:	11/10/2013
	Publication Name:	<i>Al Dia</i>
	Date Affidavits/Copies Received:	11/18/2013
	Date Certification of Sign Posting / Application Availability Received:	1/13/2014
	Public Comments Received?	No
	Meeting Request?	No
	Date Meeting Held:	N/A
	Hearing Request?	No
	Date Hearing Held:	N/A
	Request(s) withdrawn?	N/A

Permit Amendment Source Analysis & Technical Review

Permit No. 45417
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Regulated Entity No. RN101559235

Rule Citation	Requirement	
	Date Withdrawn:	N/A
	Consideration of Comments:	N/A
39.421	Date RTC, Technical Review & Draft Permit Conditions sent to OCC:	N/A
	Request for Reconsideration Received?	N/A
	Final Action:	N/A
	Are letters Enclosed?	N/A

Construction Permit & Amendment Requirements - 30 TAC Chapter 116 Rules

Rule Citation	Requirement	
116.111(a)(2)(G)	Is the facility expected to perform as represented in the application?	Yes
116.111(a)(2)(A)(i)	Are emissions from this facility expected to comply with all TCEQ air quality Rules & Regulations, and the intent of the Texas Clean Air Act?	Yes
116.111(a)(2)(B)	Emissions will be measured using the following method: CEMS to measure NO_x emissions	
116.111(a)(2)(D)	Subject to NSPS?	No
116.111(a)(2)(E)	Subject to NESHAP?	No
116.111(a)(2)(F)	Subject to NESHAP (MACT) for source categories? Subparts A & DDDDD	Yes
116.111(a)(2)(H)	Is nonattainment review required?	No
	Is the site located in a nonattainment area?	Yes
	Is the site a federal major source for a nonattainment pollutant?	Yes
	Is the project a federal major source for a nonattainment pollutant by itself?	No
	Is the project a federal major modification for a nonattainment pollutant?	No
	Did the project emission increases for nonattainment pollutant minus the two-year average actual emissions trigger netting?	Yes
	Is the contemporaneous increase significant? No, the station recently underwent NNSR for expansion under permit number 82426 which relied on changes within the contemporaneous period; therefore, there are no decreases that can be used for this project. Given this, the net increase for this project is 23.9 tpy which is below the 25 tpy major modification level for DFW. As such, NNSR does not apply to this project.	
	If the contemporaneous increase is significant a nonattainment review is required.	
116.111(a)(2)(I)	Is PSD applicable?	No
	Is the site a federal major source (100/250 tons/yr)?	Yes
	Is the project a federal major source by itself?	No
	Is the project a federal major modification?	No
	Did project emission increases, without decreases, for pollutant of concern, minus the two-year average actual emissions trigger netting?	N/A
	Was the contemporaneous increase significant?	N/A
	If yes, explain: N/A	
	Is the change excluded by 40 CFR 52.21(b)(2)(iii)?	No
	If yes, explain: N/A	
116.111(a)(2)(L)	Is Mass Emissions Cap and Trade applicable to the new or modified facilities?	No
116.140 - 141	Permit Fee: \$900.00	Fee certification: 582EA000139935

Permit Amendment Source Analysis & Technical Review

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Title V Applicability - 30 TAC Chapter 122 Rules

Rule Citation	Requirement	
122.10(13)(A)	Is the site a major source under FCAA Section 112(b)?	Yes
	Does the site emit 10 tons or more of any single HAP?	Yes
	Does the site emit 25 tons or more of a combination?	Yes
122.10(13)(C)	Does the site emit 100 tons or more of any air pollutant?	Yes
122.10(13)(D)	Is the site a non-attainment major source?	Yes
122.602	Periodic Monitoring (PM) applicability: The facilities authorized by this permit are authorized under Senate Bill 7; therefore, there are no special conditions for this permit. Periodic monitoring is addressed under the Title V permit.	
122.604	Compliance Assurance Monitoring (CAM) applicability: The facilities authorized by this permit are authorized under Senate Bill 7; therefore, there are no special conditions for this permit. Compliance assurance monitoring is addressed under the Title V permit.	

Request for Comments

Received From	Program/Area Name	Reviewed By	Comments
Region:	4		A draft review was not requested because there are no special conditions associated with this permit. The only change was an increase in the Maximum Allowable Emission Rates Table (MAERT).
City:	Dallas		
County:	Dallas		
Toxicology:			
Compliance:			
Legal:			

Process/Project Description

This permit was issued in September 2002 in accordance with Title 30 Texas Administrative Code (TAC) Chapter 116, Subchapter I to authorize Boiler Nos. 2, 3, 6, 7, and 8 (Senate Bill 7). Boiler Nos. 2 and 3 have been permanently shut down. In October 2002 a Pollution Control Project Standard Permit (Permit No. 51041) was issued to install a selective catalytic reduction (SCR) system on Boiler No. 8 (EPN MT-S8).

In December 2004 ExTex requested that lower NO_x limits be established for Boiler No. 8 due to the installation of the SCR system. As a result, ExTex created 116 tons per year (tpy) of emission reduction credits (ERCs). Since this is an electric generating facility permit (Senate Bill 7), a MAERT was not issued with the original permit. The MAERT for Permit No. 45417 was generated solely to make reductions enforceable to generate ERCs on Boiler No. 8.

Due to recent and planned operations of Boiler No. 8, ExTex determined that a minor increase in the NO_x annual emissions was necessary. The annual emission rate of nitrogen oxides (NO_x) will increase from 58.1 tons per year (tpy) to 74.0 tpy for Boiler No. 8, resulting in an increase of 15.9 tpy. After discussions between ExTex, the Air Permits Division, and the Emission Banking and Trading Team, it was concluded that the proposed increase in allowable emissions of 15.9 tpy would not: 1) trigger Nonattainment/Prevention of Significant Deterioration review; 2) affect prior historic use or

Permit Amendment

Source Analysis & Technical Review

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generation of ERCs at the site; or 3) result in double counting of ERCs previously generated since in 2009 116 tons of the previously generated ERCs at the site expired and were not used.

Pollution Prevention, Sources, Controls and BACT- [30 TAC 116.111(a)(2)(C)]

Boiler No. 8 is authorized under Senate Bill 7, has no performance standard, and only has an annual NO_x emission limit. The boiler has been retrofitted with dry low-NO_x burners and an SCR system, and operates at a NO_x emission rate of 0.022 pounds per million British thermal units (lb/MMBtu), which is considered BACT for a facility of this size, type, and age. ExTex maintains a surplus Senate Bill 7 NO_x allowances.

Impacts Evaluation - 30 TAC 116.111(a)(2)(J)

Was modeling conducted?	Yes	Type of Modeling:	Screen 3	
Will GLC of any air contaminant cause violation of NAAQS?				No
Is this a sensitive location with respect to nuisance?				No
[§116.111(a)(2)(A)(ii)] Is the site within 3000 feet of any school?				No

Summary of Modeling Results

The increase associated with this project is the increase in the annual NO_x emission rate. An impact analysis for the annual NO₂ emission rate was performed to confirm that the newly-quantified emissions for the existing source would not cause an exceedance of the National Ambient Air Quality Standard (NAAQS). A maximum pound per hour was calculated for NO_x using the 0.022 lb NO_x/MMBtu emission factor and the 6021 MMBtu per hour (MMBtu/hr) rating of the boiler. The worst case unit impact hourly multiplier was used with the NO_x emission rate to determine a worst-case off-property impact (hourly) for the air contaminant. This impact was then multiplied by 0.08 to adjust it to an annual impact. The maximum annual concentration modeled for NO₂ (all NO_x assumed to be NO₂) is less than its de minimis threshold; therefore, further NAAQS analysis is not required.

Permit Concurrence and Related Authorization Actions

Is the applicant in agreement with Maximum Allowable Emission Rate Table (MAERT)?	Yes
Company representative(s):	Stephanie Engwall
Contacted Via:	Phone
Date of contact:	10/17/13
Other permit(s) or permits by rule affected by this action:	No

Project Reviewer	1/17/2014	Date	Team Leader/Section Manager/Backup	Date
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Marie Mercado

From: Brandon Greulich
Sent: Monday, February 24, 2014 6:36 PM
To: Marie Mercado
Subject: Project 408758 (ExTex)

Hi Marie!

I got caught up on one thing in project 408758... It has to do with this part of the letter...

“..for the purpose of compliance with 30 Texas Administrative Code Chapter 116, Subchapter I for the period of January 1, 2013 through December 31, 2013.”

Subchapter I has to do with the EBTA (SB7) Program, which I think they can only use EBTA allowances for compliance with Subchapter I (I believe this part of the rule does not give them the option to use DERs for compliance...). I know this site has an unusual history, so I wasn't sure if this was the right thing to mention. I think we might have mentioned this last year, but I would like us to double-check this...

My first thought was to change “30 Texas Administrative Code Chapter 116, Subchapter I” to either to cite §116.116(f), permit 45417, or §101.376(b)... I'm not sure which one to use though... we might need help from permits and/or legal to figure out which one to cite...

Brandon Greulich
(512) 239-4904

Bryan W. Shaw, Ph.D., P.E., *Chairman*
Toby Baker, *Commissioner*
Zak Covar, *Commissioner*
Richard A. Hyde, P.E., *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

February 25, 2014

Ms. Marie Chiy
Environmental Specialist
ExTex LaPorte Limited Partnership
2233A Mountain Creek Parkway
Dallas, Texas 75211

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

Dear Ms. Chiy:

This letter is in response to ExTex LaPorte Limited Partnership's Notice of Use of Discrete Emission Credit (Form DEC-3) received on January 29, 2014 regarding the use of nitrogen oxides-ozone season (NO_x-O) Discrete Emission Reduction Credits (DERC) to cover any emissions in excess of their permitted allowable emission level, specified in air permit number 45417, from boiler, Facility Identification Number (FIN) MT-B8, at their Mountain Creek Steam Electric Station site, for the period of January 1, 2013 through December 31, 2013.

Per the Form DEC-3, the 12-month rolling total actual emissions from a boiler MT-B8, were less than the regulated permit allowable limit during the period of January 1, 2013 through December 31, 2013; therefore, the 11.0 tons of NO_x-O DERCS set aside from certificate D-2611 are released and available for future use in certificate D-3093.

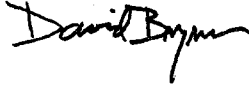
Enclosed is a copy of certificate D-3093, issued to ExTex Laporte Limited Partnership, for 11.0 tons of NO_x-O DERCS. Certificate D-3093 has been deposited in the Texas Commission on Environmental Quality (TCEQ) Discrete Emission Credit Registry. This certificate may be transferred or sold to another owner for use per the requirements of §§101.370 through 101.379.

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 Ms. Marie Mercado, P.E., at (512) 239-2054 or write to the Texas Commission on Environmental Quality, Office of Air, Air Quality Division (MC-206), PO Box 13087, Austin, Texas 78711-3087.

Ms. Marie Chiy
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February 25, 2014

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/MM/jt

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: 408758

The State of Texas

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Certificate Number

D-3093



Number of Credits

11.0 tons NO_x-O

Discrete Emission Reduction Credit Certificate

This certifies that

***ExTex LaPorte Limited Partnership
2233A 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

February 25, 2014

Date

A handwritten signature in dark ink, appearing to read "David Bryman".

For the Commission

NOx

Banking and Trading Route Slip

2013
DERC
USE

AIR QUALITY DIVISION Emissions Banking and Trading Program (EBTP)				
Company Name: <i>Exter LaPoete Limited Partnership (RN101559235)</i>				
Project Number: <i>408758</i>				
Type of Letter Correspondence: <i>DCTR; DCUS; DCCT</i>				
Letter Document Number(s): <i>22778; 22779; 227782</i>				
Certificate Number(s): <i>D3093</i>				
Review and Approval	Initial and Date	Comments/Special Instructions		
Brandon Greulich, Work Lead EBTP	<i>RG 2/25/14</i>	<i>2/24/14 116.116(f)? Something else? 2/25 from TR</i>		
Author/Creator Review	<i>MM 2/13/14</i>			
Peer Review Completed	<i>MM 2/14/2014</i>			
Author/Creator	<i>MM 2/13/14</i>		Copies Made	Date
			<i>MM</i>	<i>2/25</i>
			Mailed	Date
			<i>MM</i>	<i>2/25</i>
Please return Routing Slip and Project Paperwork to Brandon Greulich, MC-206, Ext. 4904				

C 2/25