

# FEDERAL OPERATING PERMIT

A FEDERAL OPERATING PERMIT IS HEREBY ISSUED TO

TXU Generation Company LP

AUTHORIZING THE OPERATION OF  
Valley Steam Electric Station  
Electric Services

LOCATED AT

Fannin County, Texas

LATITUDE 33° 37' 39" LONGITUDE 96° 22' 0"

Regulated Entity Number: RN102285855

This permit is issued in accordance with and subject to the Texas Clean Air Act (TCAA), Chapter 382 of the Texas Health and Safety Code and Title 30 Texas Administrative Code Chapter 122 (30 TAC Chapter 122), Federal Operating Permits. Under 30 TAC Chapter 122, this permit constitutes the permit holder's authority to operate the site and emission units listed in this permit. Operation of the site and emission units listed in this permit are subject to all additional rules or amended rules and orders of the Commission pursuant to the TCAA.

This permit does not relieve the permit holder from the responsibility of obtaining New Source Review authorization for new, modified, or existing facilities in accordance with 30 TAC Chapter 116, Control of Air Pollution by Permits for New Construction or Modification.

The site and emission units authorized by this permit shall be operated in accordance with 30 TAC Chapter 122, the general terms and conditions, special terms and conditions, and attachments contained herein.

This permit shall expire five years from the date of issuance. The renewal requirements specified in 30 TAC § 122.241 must be satisfied in order to renew the authorization to operate the site and emission units.

Permit No: 000062 Is  
suance Date: \_\_\_\_\_

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Glenn Shankle  
Executive Director

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## **GENERAL TERMS AND CONDITIONS**

The permit holder shall comply with all terms and conditions contained in 30 TAC § 122.143 (General Terms and Conditions), 30 TAC § 122.144 (Recordkeeping Terms and Conditions), 30 TAC § 122.145 (Reporting Terms and Conditions), and 30 TAC § 122.146 (Compliance Certification Terms and Conditions).

If the permit holder chooses to demonstrate that this permit is no longer required, a written request to void this permit shall be submitted to the Texas Commission on Environmental Quality (TCEQ) by the Responsible Official in accordance with 30 TAC § 122.161(e). The permit holder shall comply with the permit's requirements, including compliance certification and deviation reporting, until notified by the TCEQ that this permit is voided.

The permit holder shall comply with 30 TAC Chapter 116 by obtaining a New Source Review authorization prior to new construction or modification of emission units located in the area covered by this permit.

All reports required by this permit shall be forwarded to the TCEQ Regional Office for your site. For reports submitted, please include a cover letter which identifies the following information: company name, TCEQ regulated entity number, site name, area name (if applicable), and Air Permits Division permit number.

## **SPECIAL TERMS AND CONDITIONS:**

### **Emission Limitations and Standards, Monitoring and Testing, and Recordkeeping and Reporting:**

1. Permit holder shall comply with the following requirements:
  - A. Emission units (including groups and processes) in the Applicable Requirements Summary attachment shall meet the limitations, standards, equipment specifications, monitoring, recordkeeping, reporting, testing, and other requirements listed in the Applicable Requirements Summary attachment to assure compliance with the permit.
  - B. The textual description in the column titled "Textual Description" in the Applicable Requirements Summary attachment is not enforceable and is not deemed as a substitute for the actual regulatory language. The Textual Description is provided for information purposes only.
  - C. A citation listed on the Applicable Requirements Summary attachment, which has a notation [G] listed before it, shall include the referenced section and subsection for all commission rules, or paragraphs for all federal and state regulations and all subordinate paragraphs, subparagraphs and clauses, subclauses, and items contained within the referenced citation as applicable requirements.

- D. The permit holder shall comply with the following 30 TAC Chapter 101, Subchapter H, Division 2 (Emissions Banking and Trading of Allowances) Requirements for an electric generating facility authorized under 30 TAC Chapter 116, Subchapter I:
- (i) Title 30 TAC § 101.332 (relating to General Provisions)
  - (ii) Title 30 TAC § 101.333 (relating to Allocation of Allowances)
  - (iii) Title 30 TAC § 101.334 (relating to Allowance Deductions)
  - (iv) Title 30 TAC § 101.335 (relating to Allowance Banking and Trading)
  - (v) Title 30 TAC § 101.336 (relating to Emission Monitoring and Compliance Demonstration and Reporting)
  - (vi) Title 30 TAC § 101.337 (relating to El Paso Region)
  - (vii) The terms and conditions by which the emission limits are established to meet the quantity of allowances for the electric generating facility are applicable requirements of this permit
- E. For the purpose of generating discrete emission reduction credits through 30 TAC Chapter 101, Subchapter H, Division 4 (Discrete Emission Credit Banking and Trading), the permit holder shall comply with the following requirements:
- (i) Title 30 TAC § 101.372 (relating to General Provisions)
  - (ii) Title 30 TAC § 101.373 (relating to Discrete Emission Reduction Credit Generation and Certification)
  - (iii) Title 30 TAC § 101.374 (relating to Mobile Discrete Emission Reduction Credit Generation and Certification)
  - (iv) Title 30 TAC § 101.378 (relating to Discrete Emission Credit Banking and Trading)
  - (v) The terms and conditions by which the emission limits are established to generate the discrete reduction credit are applicable requirements of this permit

2. The permit holder shall comply with the following sections of 30 TAC Chapter 101

(General Rules):

- A. Title 30 TAC § 101.1 (relating to Definitions), insofar as the terms defined in this section are used to define the terms used in other applicable requirements
  - B. Title 30 TAC § 101.3 (relating to Circumvention)
  - C. Title 30 TAC § 101.8 (relating to Sampling), if such action has been requested by the TCEQ
  - D. Title 30 TAC § 101.9 (relating to Sampling Ports), if such action has been requested by the TCEQ
  - E. Title 30 TAC § 101.10 (relating to Emissions Inventory Requirements)
  - F. Title 30 TAC § 101.201 (relating to Emission Event Reporting and Recordkeeping Requirements)
  - G. Title 30 TAC § 101.211 (relating to Scheduled Maintenance, Startup, and Shutdown Reporting and Recordkeeping Requirements)
  - H. Title 30 TAC § 101.221 (relating to Operational Requirements)
  - I. Title 30 TAC § 101.222 (relating to Demonstrations)
  - J. Title 30 TAC § 101.223 (relating to Actions to Reduce Excessive Emissions)
3. Permit holder shall comply with the following requirements of 30 TAC Chapter 111:
- A. For stationary vents with a flow rate of less than 100,000 actual cubic feet per minute and constructed on or before January 31, 1972, the permit holder shall comply with the following requirements:
    - (i) Title 30 TAC § 111.111(a)(1)(A) (relating to Requirements for Specified Sources)
    - (ii) Title 30 TAC § 111.111(a)(1)(E)
    - (iii) Title 30 TAC § 111.111(a)(1)(F)(i), (ii), (iii), or (iv)
    - (iv) For emission units with vent emissions subject to 30 TAC § 111.111(a)(1)(A), complying with 30 TAC § 111.111(a)(1)(F)(ii),

(iii), or (iv), and capable of producing visible emissions from, but not limited to, particulate matter, acid gases and NO<sub>x</sub>, the permit holder shall also comply with the following periodic monitoring requirements for the purpose of annual compliance certification under 30 TAC § 122.146. These periodic monitoring requirements do not apply to vents that do not emit visible emissions such as vents that emit only VOC or vents that provide passive ventilation, such as plumbing vents; or vents that are subject to the emission limitation of 30 TAC § 111.111(a)(1)(A) and Compliance Assurance Monitoring, as specified in the attached Applicable Requirements Summary and "Additional Monitoring Requirements."

1. An observation of stationary vents from emission units in operation shall be conducted at least once during each calendar quarter unless the emission unit is not operating for the entire quarter.
2. For stationary vents from a combustion source, if an alternative to the normally fired fuel is fired for a period greater than or equal to 24 consecutive hours, the permit holder shall conduct an observation of the stationary vent for each such period to determine if visible emissions are present. If such period is greater than 3 months, observations shall be conducted once during each quarter. Supplementing the normally fired fuel with natural gas or fuel gas to increase the net heating value to the minimum required value does not constitute creation of an alternative fuel.
3. Records of all observations shall be maintained.
4. Visible emissions observations of emission units operated during daylight hours shall be conducted no earlier than one hour after sunrise and no later than one hour before sunset. Visible emissions observations of emission units operated only at night must be made with additional lighting and the temporary installation of contrasting backgrounds. Visible emissions observations shall be made during times when the activities described in 30 TAC § 111.111(a)(1)(E) are not taking place. Visible emissions shall be determined with each stationary vent in clear view of the observer. The observer shall be at least 15 feet, but not more than 0.25 miles, away from each stationary vent during the observation. For outdoor locations, the observer shall select a position where the sun is not directly in the observer's

eyes. When condensed water vapor is present within the plume, as it emerges from the emissions outlet, observations must be made beyond the point in the plume at which condensed water vapor is no longer visible. When water vapor within the plume condenses and becomes visible at a distance from the emissions outlet, the observation shall be evaluated at the outlet prior to condensation of water vapor. A certified opacity reader is not required for visible emissions observations.

5. Compliance Certification:

- (a) If visible emissions are not present during the observation, the RO may certify that the source is in compliance with the applicable opacity requirement in 30 TAC § 111.111(a)(1) and (a)(1)(A).
- (b) However, if visible emissions are present during the observation, the permit holder shall either list this occurrence as a deviation on the next deviation report as required under 30 TAC § 122.145(2) or conduct the appropriate opacity test specified in 30 TAC § 111.111(a)(1)(F) to determine if the source is in compliance with the opacity requirements. If an opacity test is performed and the source is determined to be in compliance, the RO may certify that the source is in compliance with the applicable opacity requirement. However, if an opacity test is performed and the source is determined to be out of compliance, the permit holder shall list this occurrence as a deviation on the next deviation report as required under 30 TAC § 122.145(2). The opacity test must be performed by a certified opacity reader.
- (c) Some vents may be subject to multiple visible emission or monitoring requirements. All credible data must be considered when certifying compliance with this requirement even if the observation or monitoring was performed to demonstrate compliance with a different requirement.

- B. For stationary vents with a flow rate of less than 100,000 actual cubic feet per minute and constructed after January 31, 1972, the permit holder shall comply with the following requirements:

- (i) Title 30 TAC § 111.111(a)(1)(B) (relating to Requirements for Specified Sources)
- (ii) Title 30 TAC § 111.111(a)(1)(E)
- (iii) Title 30 TAC § 111.111(a)(1)(F)(i), (ii), (iii), or (iv)
- (iv) For emission units with vent emissions subject to 30 TAC § 111.111(a)(1)(B), complying with 30 TAC § 111.111(a)(1)(F)(ii), (iii), or (iv), and capable of producing visible emissions from, but not limited to, particulate matter, acid gases and NO<sub>x</sub>, the permit holder shall also comply with the following periodic monitoring requirements for the purpose of annual compliance certification under 30 TAC § 122.146. These periodic monitoring requirements do not apply to vents that do not emit visible emissions such as vents that emit only VOC or vents that provide passive ventilation, such as plumbing vents; or vents that are subject to the emission limitation of 30 TAC § 111.111(a)(1)(B) and Compliance Assurance Monitoring, as specified in the attached "Applicable Requirements Summary" and "Additional Monitoring Requirements."
  - 1. An observation of stationary vents from emission units in operation shall be conducted at least once during each calendar quarter unless the emission unit is not operating for the entire quarter.
  - 2. For stationary vents from a combustion source, if an alternative to the normally fired fuel is fired for a period greater than or equal to 24 consecutive hours, the permit holder shall conduct an observation of the stationary vent for each such period to determine if visible emissions are present. If such period is greater than 3 months, observations shall be conducted once during each quarter. Supplementing the normally fired fuel with natural gas or fuel gas to increase the net heating value to the minimum required value does not constitute creation of an alternative fuel.
  - 3. Records of all observations shall be maintained.
  - 4. Visible emissions observations of emission units operated during daylight hours shall be conducted no earlier than one hour after sunrise and no later than one hour before sunset. Visible emissions observations of emission units operated only at night must be made with additional lighting and the



temporary installation of contrasting backgrounds. Visible emissions observations shall be made during times when the activities described in 30 TAC § 111.111(a)(1)(E) are not taking place. Visible emissions shall be determined with each stationary vent in clear view of the observer. The observer shall be at least 15 feet, but not more than 0.25 miles, away from each stationary vent during the observation. For outdoor locations, the observer shall select a position where the sun is not directly in the observer's eyes. When condensed water vapor is present within the plume, as it emerges from the emissions outlet, observations must be made beyond the point in the plume at which condensed water vapor is no longer visible. When water vapor within the plume condenses and becomes visible at a distance from the emissions outlet, the observation shall be evaluated at the outlet prior to condensation of water vapor. A certified opacity reader is not required for visible emissions observations.

5. Compliance Certification:

- (a) If visible emissions are not present during the observation, the RO may certify that the source is in compliance with the applicable opacity requirement in 30 TAC § 111.111(a)(1) and (a)(1)(B).
- (b) However, if visible emissions are present during the observation, the permit holder shall either list this occurrence as a deviation on the next deviation report as required under 30 TAC § 122.145(2) or conduct the appropriate opacity test specified in 30 TAC § 111.111(a)(1)(F) to determine if the source is in compliance with the opacity requirements. If an opacity test is performed and the source is determined to be in compliance, the RO may certify that the source is in compliance with the applicable opacity requirement. However, if an opacity test is performed and the source is determined to be out of compliance, the permit holder shall list this occurrence as a deviation on the next deviation report as required under 30 TAC § 122.145(2). The opacity test must be performed by a certified opacity reader.
- (c) Some vents may be subject to multiple visible emission or monitoring requirements. All credible

data must be considered when certifying compliance with this requirement even if the observation or monitoring was performed to demonstrate compliance with a different requirement.

- C. For visible emissions from a building, enclosed facility, or other structure; the permit holder shall comply with the following requirements:
- (i) Title 30 TAC § 111.111(a)(7)(A) (relating to Requirements for Specified Sources)
  - (ii) Title 30 TAC § 111.111(a)(7)(B)(i) or (ii)
  - (iii) For a building containing an air emission source, enclosed facility, or other structure containing or associated with an air emission source subject to 30 TAC § 111.111(a)(7)(A), complying with 30 TAC § 111.111(a)(7)(B)(i) or (ii), and capable of producing visible emissions from, but not limited to, particulate matter, acid gases and NO<sub>x</sub>, the permit holder shall also comply with the following periodic monitoring requirements for the purpose of annual compliance certification under 30 TAC § 122.146:
    - 1. An observation of visible emissions from a building containing an air emission source, enclosed facility, or other structure containing or associated with an air emission source which is required to comply with 30 TAC § 111.111(a)(7)(A) shall be conducted at least once during each calendar quarter unless the air emission source or enclosed facility is not operating for the entire quarter.
    - 2. Records of all observations shall be maintained.
    - 3. Visible emissions observations of air emission sources or enclosed facilities operated during daylight hours shall be conducted no earlier than one hour after sunrise and no later than one hour before sunset. Visible emissions observations of air emission sources or enclosed facilities operated only at night must be made with additional lighting and the temporary installation of contrasting backgrounds. Visible emissions shall be determined with each emissions outlet in clear view of the observer. The observer shall be at least 15 feet, but not more than 0.25 miles, away from each emissions outlet during the observation. For outdoor locations, the observer shall select a position where the sun is not directly in the observer's eyes. When condensed

water vapor is present within the plume, as it emerges from the emissions outlet, observations must be made beyond the point in the plume at which condensed water vapor is no longer visible. When water vapor within the plume condenses and becomes visible at a distance from the emissions outlet, the observation shall be evaluated at the outlet prior to condensation of water vapor. A certified opacity reader is not required for visible emissions observations.

4. Compliance Certification:

- (a) If visible emissions are not present during the observation, the RO may certify that the source is in compliance with the applicable opacity requirement in 30 TAC § 111.111(a)(7) and (a)(7)(A).
- (b) However, if visible emissions are present during the observation, the permit holder shall either list this occurrence as a deviation on the next deviation report as required under 30 TAC § 122.145(2) or conduct the appropriate opacity test specified in 30 TAC § 111.111(a)(7)(B) to determine if the source is in compliance with the opacity requirements. If an opacity test is performed and the source is determined to be in compliance, the RO may certify that the source is in compliance with the applicable opacity requirement. However, if an opacity test is performed and the source is determined to be out of compliance, the permit holder shall list this occurrence as a deviation on the next deviation report as required under 30 TAC § 122.145(2). The opacity test must be performed by a certified opacity reader.

D. For visible emissions from all other sources not specified in 30 TAC § 111.111(a)(1), (4), or (7); the permit holder shall comply with the following requirements:

- (i) Title 30 TAC § 111.111(a)(8)(A) (relating to Requirements for Specified Sources)
- (ii) Title 30 TAC § 111.111(a)(8)(B)(i) or (ii)
- (iii) For a source subject to 30 TAC § 111.111(a)(8)(A), complying with 30 TAC § 111.111(a)(8)(B)(i) or (ii), and capable of producing

visible emissions from, but not limited to, particulate matter, acid gases and NO<sub>x</sub>, the permit holder shall also comply with the following periodic monitoring requirements for the purpose of annual compliance certification under 30 TAC § 122.146:

1. An observation of visible emissions from a source which is required to comply with 30 TAC § 111.111(a)(8)(A) shall be conducted at least once during each calendar quarter unless the source is not operating for the entire quarter.
2. Records of all observations shall be maintained.
3. Visible emissions observations of sources operated during daylight hours shall be conducted no earlier than one hour after sunrise and no later than one hour before sunset. Visible emissions observations of sources operated only at night must be made with additional lighting and the temporary installation of contrasting backgrounds. Visible emissions shall be determined with each source in clear view of the observer. The observer shall be at least 15 feet, but not more than 0.25 miles, away from each source during the observation. For outdoor locations, the observer shall select a position where the sun is not directly in the observer's eyes. When condensed water vapor is present within the plume, as it emerges from the emissions outlet, observations must be made beyond the point in the plume at which condensed water vapor is no longer visible. When water vapor within the plume condenses and becomes visible at a distance from the emissions outlet, the observation shall be evaluated at the outlet prior to condensation of water vapor. A certified opacity reader is not required for visible emissions observations.
4. Compliance Certification:
  - (a) If visible emissions are not present during the observation, the RO may certify that the source is in compliance with the applicable opacity requirement in 30 TAC § 111.111(a)(8) and (a)(8)(A).
  - (b) However, if visible emissions are present during the observation, the permit holder shall either list this occurrence as a deviation on the next deviation report as required under 30 TAC § 122.145(2) or conduct the appropriate opacity test specified in 30 TAC

§ 111.111(a)(8)(B) to determine if the source is in compliance with the opacity requirements. If an opacity test is performed and the source is determined to be in compliance, the RO may certify that the source is in compliance with the applicable opacity requirement. However, if an opacity test is performed and the source is determined to be out of compliance, the permit holder shall list this occurrence as a deviation on the next deviation report as required under 30 TAC § 122.145(2). The opacity test must be performed by a certified opacity reader.

- E. Certification of opacity readers determining opacities under Method 9 (as outlined in 40 CFR Part 60, Appendix A) to comply with opacity monitoring requirements shall be accomplished by completing the Visible Emissions Evaluators Course, or approved agency equivalent, no more than 180 days before the opacity reading.
- F. For emission units with contributions from uncombined water, the permit holder shall comply with the requirements of 30 TAC § 111.111(b).
- G. Emission limits on nonagricultural processes, except for the steam generators specified in 30 TAC § 111.153, shall comply with the following requirements:
  - (i) Emissions of PM from any source may not exceed the allowable rates as required in 30 TAC § 111.151(a) (relating to Allowable Emissions Limits)
  - (ii) Sources with an effective stack height ( $h_e$ ) less than the standard effective stack height ( $H_e$ ), must reduce the allowable emission level by multiplying it by  $[h_e/H_e]^2$  as required in 30 TAC § 111.151(b)
  - (iii) Effective stack height shall be calculated by the equation specified in 30 TAC § 111.151(c)
- H. Permit holder shall comply with the following requirements for steam generators:
  - (i) Emissions from any oil or gas fuel-fired steam generator with a heat input capacity greater than 2,500 MMBtu per hour may not exceed 0.1 pound of TSP per MMBtu of heat input, averaged over a

two-hour period, as required in 30 TAC § 111.153 (c) (relating to Emissions Limits for Steam Generators)

- I. Outdoor burning, as stated in 30 TAC § 111.201, shall not be authorized unless the following requirements are satisfied:
  - (i) Title 30 TAC § 111.205 (relating to Exception for Fire Training)
  - (ii) Title 30 TAC § 111.207 (relating to Exception for Recreation, Ceremony, Cooking, and Warmth)
  - (iii) Title 30 TAC § 111.209 (relating to Exception for Disposal Fires)
  - (iv) Title 30 TAC § 111.211 (relating to Exception for Prescribed Burn)
  - (v) Title 30 TAC § 111.213 (relating to Exception for Hydrocarbon Burning)
  - (vi) Title 30 TAC § 111.215 (relating to TCEQ Executive Director Approval of Otherwise Prohibited Outdoor Burning)
  - (vii) Title 30 TAC § 111.219 (relating to General Requirements for Allowable Outdoor Burning)
  - (viii) Title 30 TAC § 111.221 (relating to Responsibility for Consequences of Outdoor Burning)
4. Permit holder shall comply with the following 30 TAC Chapter 115, Subchapter C requirements:
  - A. When filling gasoline storage vessels with a nominal capacity greater than 1,000 gallons (Stage I) at motor vehicle fuel dispensing facilities, which have dispensed less than 125,000 gallons of gasoline in any calendar month after January 1, 1999, the permit holder shall comply with the following requirements specified in 30 TAC Chapter 115, Subchapter C:
    - (i) Title 30 TAC § 115.222(7) (relating to Control Requirements)
    - (ii) Title 30 TAC § 115.222(3), as it applies to liquid gasoline leaks
    - (iii) Title 30 TAC § 115.224(1) (relating to Inspection Requirements), as it applies to liquid gasoline leaks

(iv) Title 30 TAC § 115.226(2)(C) (relating to Recordkeeping Requirements)

5. The permit holder shall comply with the following requirements for units subject to any subpart of 40 CFR Part 61, unless otherwise stated in the applicable subpart:
- A. Title 40 CFR § 61.05 (relating to Prohibited Activities)
  - B. Title 40 CFR § 61.07 (relating to Application for Approval of Construction or Modification)
  - C. Title 40 CFR § 61.09 (relating to Notification of Startup)
  - D. Title 40 CFR § 61.10 (relating to Source Reporting and Request for Waiver of Compliance)
  - E. Title 40 CFR § 61.12 (relating to Compliance with Standards and Maintenance Requirements)
  - F. Title 40 CFR § 61.13 (relating to Emissions Tests and Waiver of Emission Tests)
  - G. Title 40 CFR § 61.14 (relating to Monitoring Requirements)
  - H. Title 40 CFR § 61.15 (relating to Modification)
  - I. Title 40 CFR § 61.19 (relating to Circumvention)

#### **Additional Monitoring Requirements**

6. The permit holder shall comply with the periodic monitoring requirements as specified in the attached "Periodic Monitoring Summary" upon issuance of the permit. Except for, as applicable, monitoring malfunctions, associated repairs, and required quality assurance or control activities (including, as applicable, calibration checks and required zero and span adjustments), the permit holder shall conduct all monitoring in continuous operation (or shall collect data at all required intervals) at all times that the pollutant-specific emissions unit is operating. The permit holder may elect to collect monitoring data on a more frequent basis and average the data, consistent with the averaging time specified in the "Periodic Monitoring Summary," for purposes of determining whether a deviation has occurred. However, the additional data points must be collected on a regular basis. In no event shall data be collected and used in particular instances to avoid reporting deviations. Deviations shall be reported according to

30 TAC § 122.145 (Reporting Terms and Conditions).

### **New Source Review Authorization Requirements**

7. Permit holder shall comply with the requirements of New Source Review authorizations issued or claimed by the permit holder for the permitted area, including permits, permits by rule, standard permits, flexible permits, special permits, permits for existing facilities including Voluntary Emissions Reduction Permits and Electric Generating Facility Permits issued under 30 TAC Chapter 116, Subchapter I, or special exemptions referenced in the New Source Review Authorization References attachment. These requirements:
  - A. Are incorporated by reference into this permit as applicable requirements
  - B. Shall be located with this operating permit
  - C. Are not eligible for a permit shield
8. The permit holder shall comply with the general requirements of 30 TAC Chapter 106, Subchapter A or the general requirements, if any, in effect at the time of the claim of any PBR.
9. The permit holder shall comply with the following requirements of Air Quality Standard Permits:
  - A. Registration requirements listed in 30 TAC § 116.611
  - B. General Conditions listed in 30 TAC § 116.615

### **Compliance Requirements**

10. The permit holder shall certify compliance with all permit terms and conditions using, at a minimum, but not limited to, the continuous or intermittent compliance method data from monitoring, recordkeeping, reporting, or testing required by the permit and any other credible evidence or information. The certification period may not exceed 12 months and the certification must be submitted within 30 days after the end of the period being certified.
11. Permit holder shall comply with the following 30 TAC Chapter 117 requirement:



- A. The permit holder shall comply with the compliance schedule as required in 30 TAC § 117.512 for electric utilities in East and Central Texas.
12. Use of Discrete Emission Credits to Comply with Applicable Requirements:
- A. Unless other wise prohibited, the permit holder may use discrete emission credits to comply with the following applicable requirements listed elsewhere in this permit:
    - (i) Title 30 TAC Chapter 115
    - (ii) Title 30 TAC Chapter 117
    - (iii) If applicable, offsets for Title 30 TAC Chapter 116
    - (iv) Temporarily exceed state NSR permit allowables
  - B. The permit holder shall comply with the following requirements in order to use the credit to comply with the applicable requirements:
    - (i) The permit holder must notify the TCEQ according to 30 TAC § 101.376(d)
    - (ii) The discrete emission credits to be used must meet all the geographic, timeliness, applicable pollutant type, and availability requirements listed in 30 TAC Chapter 101, Subchapter H, Division 4
    - (iii) The executive director has approved the use of the discrete emission credits according to 30 TAC § 101.376(d)(1)(A)
    - (iv) The permit holder keeps records of the use of credits towards compliance with the applicable requirements in accordance with 30 TAC §§ 101.372(h) and 122
13. The permit holder may comply with the following 30 TAC Chapter 101, Subchapter H, Division 5 (System Cap Trading) Requirements for an electric generating facility participating in a system cap:
- (i) The General Provisions of 30 TAC § 101.383
  - (ii) Recordkeeping and Reporting under 30 TAC § 101.385

## **Protection of Stratospheric Ozone**

14. Permit holders at a site subject to Title VI of the FCAA Amendments shall meet the following requirements for protection of stratospheric ozone:
  - A. Any on site servicing, maintenance, and repair on refrigeration and nonmotor vehicle air-conditioning appliances using ozone-depleting refrigerants shall be conducted in accordance with 40 CFR Part 82, Subpart F. Permit holder shall ensure that regulated repairs and refrigerant removal are performed only by persons who meet the certification requirements of 40 CFR 82.161(a). Records shall be maintained as required by 40 CFR Part 82, Subpart F.
  - B. The permit holder shall comply with 40 CFR Part 82, Subpart H related to Halon Emissions Reduction requirements as specified in 40 CFR §§ 82.250 - 82.270 and the applicable Part 82 Appendices.

## **Temporary Fuel Shortages (30 TAC § 112.15)**

15. The permit holder shall comply with the following 30 TAC Chapter 112 requirements:
  - A. Title 30 TAC § 112.15 (relating to Temporary Fuel Shortage Plan Filing Requirements)
  - B. Title 30 TAC § 112.16(a), (a)(1), and (a)(2)(B) - (C) (relating to Temporary Fuel Shortage Plan Operating Requirements)
  - C. Title 30 TAC § 112.17 (relating to Temporary Fuel Shortage Plan Notification Procedures)
  - D. Title 30 TAC § 112.18 (relating to Temporary Fuel Shortage Plan Reporting Requirements)

## **Acid Rain Permit**

16. The permit holder shall comply with the acid rain permit. The terms and conditions of the acid rain permit are located in the Acid Rain Only permit number (insert permit number here).

## **Permit Location**

17. The permit holder shall maintain a copy of this permit and records related to requirements listed in this permit on site.

## **ATTACHMENTS**

**Applicable Requirements Summary**

**Additional Monitoring Requirements**

**New Source Review Authorization References**

**Acid Rain Permit**

## **APPLICABLE REQUIREMENTS SUMMARY**

<b>Unit Summary</b>	<b>16</b>
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<b>Applicable Requirements Summary</b>	<b>18</b>
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Note: A "none" entry may be noted for some emission sources in this permit's "Applicable Requirements Summary" under the heading of "Monitoring and Testing Requirements" and/or "Record keeping Requirements" and/or "Reporting Requirements." Such a notation indicates that there are no requirements for the indicated emission source as identified under the respective column heading(s) for the stated portion of the regulation when the emission source is operating under the conditions of the specified SOP Index Number. However, other relevant requirements pursuant to 30 TAC Chapter 122 including Record keeping Terms and Conditions (30 TAC § 122.144), Reporting Terms and Conditions (30 TAC § 122.145), and Compliance Certification Terms and Conditions (30 TAC § 122.146) continue to apply.

### Unit Summary

Unit/Group/ Process ID No.	Unit Type	Group/Inclusive Units	SOP Index No.	Regulation	Requirement Driver
GRPBOILERS	Boilers/Steam Generators/Steam Generating Units	VA-B1, VA-B2	R112	30 TAC Chapter 112, Sulfur Compounds	No changing attributes.
GRPBOILERS	Boilers/Steam Generators/Steam Generating Units	VA-B1, VA-B2	R117	30 TAC Chapter 117, Utility Electric Division 2	No changing attributes.
GRPAUXBOIL	Boilers/Steam Generators/Steam Generating Units	VA-ABA, VA-ABB	63DDDDDD	40 CFR Part 63, Subpart DDDDD	No changing attributes.
VA-B3	Boilers/Steam Generators/Steam Generating Units	N/A	R117	30 TAC Chapter 117, Utility Electric Division 2	No changing attributes.
GRPSTACKS	Emission Points/Stationary Vents/Process Vents	VA-B1SA, VA- B1SB, VA-B2S	R111- GASONLY	30 TAC Chapter 111, Visible Emissions	Vent Source = the Vent Source cannot be categorized as "Solid", "Oil", or "Catalyst Regenerator (For a FCCU)"
GRPSTACKS	Emission Points/Stationary Vents/Process Vents	VA-B1SA, VA- B1SB, VA-B2S,	R111- W/LQDFUEL	30 TAC Chapter 111, Visible Emissions	Vent Source = the Source of the Vent is a Steam Generator burning oil or a mixture of oil and gas
VA-B3S	Emission Points/stationary Vents/process Vents	N/A	R111- GASONLY	30 TAC Chapter 111, Visible Emissions	No changing attributes.
VA-ASBDA	MSW / Waste Disposal Site Attributes	N/A	61M	40 CFR Part 61, Subpart M	No changing attributes.



### Applicable Requirements Summary

Unit/Group/Processes		SOP Index No.	Pollutant	Emission Limitation/Standard or Equipment Specification		Textual Description (See Special Term and Condition 1.B.)	Monitoring And Testing Requirements	Recordkeeping Requirements (30 TAC § 122.144)	Reporting Requirements (30 TAC § 122.145)
ID No.	Type			Name	Citation				
GRPBOILERS	EU	R112	SO2	30 TAC Chapter 112, Sulfur Compounds	§ 112.9(a)	No person may cause, suffer, allow, or permit emissions of SO2 from any liquid fuel-fired steam generator, furnace, or heater to exceed 440 ppmv at actual stack conditions and averaged over 3-hours.	§ 112.2(a) ** See Periodic Monitoring Summary	§ 112.2(c)	§ 112.2(b)
GRPBOILERS	EU	R117	NOX	30 TAC Chapter 117, Utility Electric Division 2	§ 117.131 The permit holder shall comply with the applicable limitation, standard and/or equipment specification requirements of 30 TAC Chapter 117, Utility Electric Generation in East and Central Texas	The permit holder shall comply with the applicable requirements of 30 TAC Chapter 117, Utility Electric Generation in East and Central Texas	The permit holder shall comply with the applicable monitoring and testing requirements of 30 TAC Chapter 117, Utility Electric Generation in East and Central Texas	The permit holder shall comply with the applicable recordkeeping requirements of 30 TAC Chapter 117, Utility Electric Generation in East and Central Texas	The permit holder shall comply with the applicable reporting requirements of 30 TAC Chapter 117, Utility Electric Generation in East and Central Texas
GRPAUXBOIL	EU	63DDDDDD	112(B) HAPS	40 CFR Part 63, Subpart DDDDD	§ 63.7505 The permit holder shall comply with the applicable limitation, standard and/or equipment specification requirements of 40	The permit holder shall comply with the applicable requirements of 40 CFR Part 63, Subpart DDDDD	The permit holder shall comply with the applicable monitoring and testing requirements of 40 CFR Part 63, Subpart DDDDD	The permit holder shall comply with the applicable recordkeeping requirements of 40 CFR Part 63, Subpart DDDDD	The permit holder shall comply with the applicable reporting requirements of 40 CFR Part 63, Subpart DDDDD



					CFR Part 63, Subpart DDDDD				
VA-B3	EU	R117	NOX	30 TAC Chapter 117, Utility Electric Division 2	§ 117.131 The permit holder shall comply with the applicable limitation, standard and/or equipment specification requirements of 30 TAC Chapter 117, Utility Electric Generation in East and Central Texas	The permit holder shall comply with the applicable requirements of 30 TAC Chapter 117, Utility Electric Generation in East and Central Texas	The permit holder shall comply with the applicable monitoring and testing requirements of 30 TAC Chapter 117, Utility Electric Generation in East and Central Texas	The permit holder shall comply with the applicable recordkeeping requirements of 30 TAC Chapter 117, Utility Electric Generation in East and Central Texas	The permit holder shall comply with the applicable reporting requirements of 30 TAC Chapter 117, Utility Electric Generation in East and Central Texas
GRPSTACKS	EP	R111-GASONLY	PM (OPACITY)	30 TAC Chapter 111, Visible Emissions	§ 111.111(a)(1)(C) § 111.111(a)(1)(E)	Visible emissions from any stationary vent shall not exceed an opacity of 15% averaged over a six minute period for any source with a total flow rate of at least 100,000 acfm unless a CEMS is installed.	[G]§ 111.111(a)(1)(F) ** See Periodic Monitoring Summary	None	None
GRPSTACKS	EP	R111-W/LQDFUEL	PM (OPACITY)	30 TAC Chapter 111, Visible Emissions	§ 111.111(a)(1)(C) § 111.111(a)(1)(E)	Visible emissions from any stationary vent shall not exceed an opacity of 15% averaged over a six minute period for any source with a total flow rate of at least 100,000 acfm unless a CEMS is installed.	[G]§ 111.111(a)(1)(F) ** See Periodic Monitoring Summary	None	None
VA-B3S	EP	R111-GASONLY	PM (OPACITY)	30 TAC Chapter 111, Visible Emissions	§ 111.111(a)(1)(C) § 111.111(a)(1)(E)	Visible emissions from any stationary vent shall not exceed an opacity of 15% averaged over a six minute period for any source with a total flow rate of at least 100,000 acfm unless a CEMS is installed.	[G]§ 111.111(a)(1)(F) ** See Periodic Monitoring Summary	None	None
VA-ASBDA	PRO	61M	112(B) HAPS	40 CFR Part 61, Subpart M	[G]§ 61.154(c) [G]§ 61.154(b) § 61.154(e)(3) § 61.154(g)	Either meet the no visible emissions requirements of §61.154(a), or cover any asbestos-containing waste material per the methods specified.	None	[G]§ 61.154(e)(1) § 61.154(e)(4) § 61.154(f) § 61.154(i)	[G]§ 61.153(a)(5) § 61.153(b) § 61.154(e)(2) § 61.154(h) § 61.154(i) [G]§ 61.154(j)





## **ADDITIONAL MONITORING REQUIREMENTS**

### **Periodic Monitoring Summary**

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## Periodic Monitoring Summary

<b>UNIT/GROUP/PROCESS INFORMATION</b>	
ID No.:GRPSTACKS	Applicable Form:OP-UA15
<b>APPLICABLE REGULATORY REQUIREMENT</b>	
Name:30 TAC Chapter 111, Visible Emissions	SOP Index No.:R111-GASONLY
Pollutant:PM (OPACITY)	Main Standard:§ 111.111(a)(1)(C)
<b>MONITORING INFORMATION</b>	
Indicator:Fuel type	
Minimum Frequency: Once per period of 24 or more hours during which liquid fuel is fired.	
Averaging Period:n/a	
Deviation Limit: Maximum opacity = 15 % .	
<p>Periodic Monitoring Text: Record the type of fuel used by the unit. If liquid fuel is fired, either alone or in combination with gas fuel, for a period greater than or equal to 24 consecutive hours either it shall be considered and reported as a deviation or the permit holder shall conduct an observation of the stationary vent for each such period to determine if visible emissions are observed.</p> <p>Anytime liquid fuel is fired for a period of greater than 7 consecutive days then visible emissions observations will be conducted no less than once per week. Documentation of all observations shall be maintained. If visible emissions are present during liquid fuel firing, the permit holder shall either list this occurrence as a deviation or the permit holder may determine the opacity consistent with Test method 9. Any opacity reading greater than 15 % shall be reported as a deviation.</p>	

## Periodic Monitoring Summary

<b>UNIT/GROUP/PROCESS INFORMATION</b>	
ID No.:GRPSTACKS	Applicable Form:OP-UA15
<b>APPLICABLE REGULATORY REQUIREMENT</b>	
Name:30 TAC Chapter 111, Visible Emissions	SOP Index No.:R111-W/LQDFUEL
Pollutant:PM (OPACITY)	Main Standard:§ 111.111(a)(1)(C)
<b>MONITORING INFORMATION</b>	
Indicator:Visible emissions	
Minimum Frequency: Once per period of 24 or more hours during which liquid fuel is fired.	
Averaging Period:n/a	
Deviation Limit: Maximum opacity = 15 % .	
<p>Record the type of fuel used by the unit. If liquid fuel is fired, either alone or in combination with gas fuel, for a period greater than or equal to 24 consecutive hours either it shall be considered and reported as a deviation or the permit holder shall conduct an observation of the stationary vent for each such period to determine if visible emissions are observed.</p> <p>Anytime liquid fuel is fired for a period of greater than 7 consecutive days then visible emissions observations will be conducted no less than once per week. Documentation of all observations shall be maintained. If visible emissions are present during liquid fuel firing, the permit holder shall either list this occurrence as a deviation or the permit holder may determine the opacity consistent with Test method 9. Any opacity reading greater than 15 % shall be reported as a deviation.</p> <p>.</p>	

## Periodic Monitoring Summary

<b>UNIT/GROUP/PROCESS INFORMATION</b>	
ID No.:GRPBOILERS	Applicable Form:OP-UA06
<b>APPLICABLE REGULATORY REQUIREMENT</b>	
Name:30 TAC Chapter 112, Sulfur Compounds	SOP Index No.:R112
Pollutant:SO2	Main Standard:§ 112.9(a)
<b>MONITORING INFORMATION</b>	
Indicator: Fuel Sulfur content	
Minimum Frequency: Comply with 40 CFR Part 75, Appendix D, 2.2 Oil Sampling and Analysis.	
Averaging Period:n/a	
Deviation Limit: It is a deviation if liquid fuel sulfur content > 7 % by weight	
<p>Periodic Monitoring Text:Monitor the sulfur content of the liquid fuel in accordance with fuel sampling requirements specified in 40 CFR Part 75, Appendix D, 2.2 Oil sampling and Analysis. If the average sulfur content is determined to be less than or equal to 0.7 percent by weight, the Responsible Official may certify that the boiler is in compliance with the concentration limitation established by 112.9(a). If the liquid fuel sulfur content exceeds 0.7 percent by weight, the permit holder shall list this occurrence as a deviation on the next deviation report as required under 122.145(2).</p>	

## Periodic Monitoring Summary

<b>UNIT/GROUP/PROCESS INFORMATION</b>	
ID No.:VA-B3S	Applicable Form:OP-UA15
<b>APPLICABLE REGULATORY REQUIREMENT</b>	
Name:30 TAC Chapter 111, Visible Emissions	SOP Index No.:R111-GASONLY
Pollutant:PM (OPACITY)	Main Standard:§ 111.111(a)(1)(C)
<b>MONITORING INFORMATION</b>	
Indicator:Fuel type	
Minimum Frequency: Once per period of 24 or more hours during which liquid fuel is fired	
Averaging Period:n/a	
Deviation Limit: Maximum opacity = 15 % .	
<p>Record the type of fuel used by the unit. If liquid fuel is fired, either alone or in combination with gas fuel, for a period greater than or equal to 24 consecutive hours either it shall be considered and reported as a deviation or the permit holder shall conduct an observation of the stationary vent for each such period to determine if visible emissions are observed.</p> <p>Anytime liquid fuel is fired for a period of greater than 7 consecutive days then visible emissions observations will be conducted no less than once per week. Documentation of all observations shall be maintained. If visible emissions are present during liquid fuel firing, the permit holder shall either list this occurrence as a deviation or the permit holder may determine the opacity consistent with Test method 9. Any opacity reading greater than 15 % shall be reported as a deviation.</p>	



## **NEW SOURCE REVIEW AUTHORIZATION REFERENCES**

<b>New Source Review Authorization References.....</b>	<b>27</b>
<b>New Source Review Authorization References by Emission Unit.....</b>	<b>28</b>

## New Source Review Authorization References

The New Source Review authorizations listed in the table below are applicable requirements under 30 TAC Chapter 122 and enforceable under this operating permit.

<b>PSD Permits</b>	<b>NA Permits</b>
PSD Permit No.:	NA Permit No.:
PSD Permit No.:	NA Permit No.:
PSD Permit No.:	NA Permit No.:
<b>Title 30 TAC Chapter 116 Permits, Special Permits, and Other Authorizations (Other Than Permits By Rule, PSD Permits, or NA Permits) for the Application Area.</b>	
Authorization No.: 17450	Authorization No.:
Authorization No.: 45419	Authorization No.:
Authorization No.: 53241	Authorization No.:
<b>Permits By Rule (30 TAC Chapter 106) for the Application Area</b>	
Number:	Version No./Date:
Number: 051	Version No./Date: 04/25/1986
Number: 058	Version No./Date: 05/12/1981
Number: 083	Version No./Date: 07/26/1985
Number: 106.263	Version No./Date: 11/01/2001
Number: 106.433	Version No./Date: 09/04/2000
Number: 106.452	Version No./Date: 09/04/2000
Number: 106.454	Version No./Date: 11/01/2001
Number: 106.472	Version No./Date: 09/04/2000
Number: 106.532	Version No./Date: 09/04/2000
<b>Municipal Solid Waste and Industrial Hazardous Waste Permits With an Air Addendum</b>	
Permit No.: Solid Waste registration 32578	Permit No.:
Permit No.:	Permit No.:



### **New Source Review Authorization References by Emissions Unit**

The following is a list of New Source Review (NSR) authorizations for emission units listed elsewhere in this operating permit. The NSR authorizations are applicable requirements under 30 TAC Chapter 122 and enforceable under this operating permit.

<b>Unit/Group/Process ID No.</b>	<b>Emission Unit Name /Description</b>	<b>New Source Review Authorization</b>
VA-ASBDA	ASBESTOS DISPOSAL AREA	32578
VA-B1	BOILER #1	45419
VA-B1SA	BOILER #1 STACK A	45419
VA-B1SB	BOILER #1 STACK B	45419
VA-B2	BOILER #2	45419
VA-B2S	BOILER #2 STACK	45419
VA-B3S	BOILER #3 STACK	45419
VA-B3	BOILER #3	45419



## **ACID RAIN PERMIT**

<b>Acid Rain Permit Standard Requirements.....</b>	<b>30</b>
<b>Acid Rain Phase II Unit Summary.....</b>	<b>34</b>







## **Acid Rain Permit Standard Requirements**

(Only Applies to an Affected Source)

1. Terms and conditions.

The permit holder shall comply with the requirements of 40 CFR Part 72 (with an effective date of June 25, 1999) and 40 CFR Part 76 (with an effective date of May 01, 1998). Any noncompliance with the acid rain permit will be considered noncompliance with the FOP and may be subject to enforcement action.

2. Acid rain permit commencement.

The acid rain permit shall have a fixed term of five years commencing on its effective date which is the issuance date of the FOP.

3. Acid rain permit comments.

Under 40 CFR Part 72, the acid rain permit is a segregable portion of the FOP and has an independent public comment process which may be separate from, or combined with, the FOP.

4. Permit requirements.

The owners and operators of each affected source and each affected unit at the source shall operate the unit in compliance with this acid rain permit as a portion of the FOP.

5. Monitoring requirements.

A. The owners and operators and, to the extent applicable, the DR of each affected source and each affected unit at the source shall comply with the monitoring requirements as provided in 40 CFR Part 75.

B. 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 SO<sub>2</sub> and NO<sub>x</sub> under the ARP.

C. 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 FCAA Amendments (42 U.S.C. 7401 as amended November 15, 1990) and other terms and conditions of the operating permit for the source.

6. The SO<sub>2</sub> requirements.

- A. 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)] not less than the total annual emissions of SO<sub>2</sub> for the previous calendar year from the unit; and
  - (ii) comply with the applicable acid rain emissions limitations for SO<sub>2</sub>.
- B. Each ton of SO<sub>2</sub> emitted in excess of the acid rain emissions limitations for SO<sub>2</sub> shall constitute a separate violation of the FCAA Amendments.
- C. An affected unit shall be subject to the requirements under Paragraph (A) of the SO<sub>2</sub> 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).
- D. Allowances shall be held in, deducted from, or transferred among Allowance Tracking System accounts in accordance with the ARP.
- E. An allowance shall not be deducted in order to comply with the requirements under Paragraph (A)(1) of the SO<sub>2</sub> requirements prior to the calendar year for which the allowance was allocated.
- F. An allowance allocated by the EPA Administrator under the ARP is a limited authorization to emit SO<sub>2</sub> in accordance with the ARP. No provision of the ARP, 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.
- G. An allowance allocated by the EPA Administrator under the ARP does not constitute a property right.

7. The NO<sub>x</sub> 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 NO<sub>x</sub>.

8. Excess emissions requirements for SO<sub>2</sub> and NO<sub>x</sub>.

- A. The DR 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.

- B. 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.

9. Recordkeeping and reporting requirements.

- A. 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 five years from the date the document is created. This period may be extended for cause, at any time prior to the end of five years, in writing, by the EPA Administrator or permitting authority:
  - (i) the certificate of representation for the DR 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 five-year period until such documents are superseded because of the submission of a new Certificate of Representation changing the DR;
  - (ii) all emissions monitoring information, in accordance with 40 CFR Part 75 provided that a three-year period (rather than a five-year period cited in the 30 TAC § 122.144) for recordkeeping under 40 CFR Part 75 shall apply;
  - (iii) copies of all reports, compliance certifications, and other submissions and all records made or required under the ARP; and
  - (iv) copies of all documents used to complete an acid rain permit application and any other submission under the ARP or to demonstrate compliance with the requirements of the ARP.
- B. The DR of an affected source and each affected unit at the source shall submit the reports and compliance certifications required under the ARP, including those under 40 CFR Part 72, Subpart I and 40 CFR Part 75.

10. Liability.

- A. Any person who knowingly violates any requirement or prohibition of the ARP, a complete acid rain permit application, an acid rain permit, or a written 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 FCAA § 113(c).

- B. Any person who knowingly makes a false, material statement in any record, submission, or report under the ARP shall be subject to criminal enforcement pursuant to FCAA § 113(c) and 18 U.S.C. 1001.
  - C. No permit revision shall excuse any violation of the requirements of the ARP that occurs prior to the date that the revision takes effect.
  - D. Each affected source and each affected unit shall meet the requirements of the ARP.
  - E. Any provision of the ARP that applies to an affected source (including a provision applicable to the DR of an affected source) shall also apply to the owners and operators of such source and of the affected units at the source.
  - F. Any provision of the ARP that applies to an affected unit (including a provision applicable to the DR 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<sub>x</sub> 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 DR 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 DR and that is located at a source of which they are not owners or operators or the DR.
  - G. 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 DR of such source or unit, shall be a separate violation of the FCAA Amendments.
11. Effect on other authorities. No provision of the ARP, an acid rain permit application, an acid rain permit, or an exemption under 40 CFR § 72.7 or § 72.8 shall be construed as:
- A. Except as expressly provided in Title IV of the FCAA Amendments, exempting or excluding the owners and operators and, to the extent applicable, the DR of an affected source or affected unit from compliance with any other provision of the FCAA Amendments, including the provisions of Title I of the FCAA Amendments relating to applicable National Ambient Air Quality Standards or State Implementation Plans;
  - B. 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 FCAA Amendments;
  - C. 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;
  - D. Modifying the Federal Power Act or affecting the authority of the Federal Energy

Regulatory Commission under the Federal Power Act; or,

E. Interfering with or impairing any program for competitive bidding for power supply in a state in which such program is established.

12. The number of allowances listed in the column titled "Allowances for Years 2000-2009" in the following Acid Rain Phase II Unit Summary Table is the number of yearly allowances listed in 40 CFR Part 73, Tables 2, 3, and 4 and is provided for informational purposes only. The number of allowances is allocated by the EPA. These allowance allocations are effective January 1, 2000.





**Acid Rain Phase II Unit Summary  
for Valley Steam Electric Station**

Unit ID No.	NADB No.	ORIS Code	Allowances for Years 2000-2009	New Unit (if applicable)	
				Commence Operation Date	Monitor Certification Deadline
VA-B1	1	3508	77		
VA-B2	2	3508	518		
VA-B3	3	3508	124		







## **APPENDIX A**

**Acronym List**

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## ACRONYM LIST

The following abbreviations or acronyms may be used in this permit:

ACFM	actual cubic feet per minute
AMOC	alternate means of control
ARP	Acid Rain Program
ASTM	American Society of Testing and Materials
B/PA	Beaumont/Port Arthur (nonattainment area)
CAM	Compliance Assurance Monitoring
CD	control device
COMS	continuous opacity monitoring system
CVS	closed-vent system
D/FW	Dallas/Fort Worth (nonattainment area)
DR	Designated Representative
EIP	El Paso (nonattainment area)
EP	emission point
EPA	U.S. Environmental Protection Agency
EU	emission unit
FCAA Amendments	Federal Clean Air Act Amendments
FOP	federal operating permit
GF	grandfathered
gr/100 scf	grains per 100 standard cubic feet
HAP	hazardous air pollutant
H/G	Houston/Galveston (nonattainment area)
H <sub>2</sub> S	hydrogen sulfide
ID No.	identification number
lb/hr	pound(s) per hour
MMBtu/hr	Million British thermal units per hour
MRRT	monitoring, recordkeeping, reporting, and testing
NA	nonattainment
N/A	not applicable
NADB	National Allowance Data Base
NO <sub>x</sub>	nitrogen oxides
NSPS	New Source Performance Standard (40 CFR Part 60)
NSR	New Source Review
ORIS	Office of Regulatory Information Systems
Pb	lead
PBR	Permit By Rule
PM	particulate matter
ppmv	parts per million by volume
PSD	prevention of significant deterioration
RO	Responsible Official
SO <sub>2</sub>	sulfur dioxide
TSP	total suspended particulate
TVP	true vapor pressure
U.S.C.	United States Code
VOC	volatile organic compound