

**Division of Air Resources
Permit Review Report**

Permit ID: 9-5632-00010/00016
Renewal Number: 3
06/29/2020

Facility Identification Data

Name: INDECK-SILVER SPRINGS ENERGY CENTER
Address: 1 INDECK DR
SILVER SPRINGS, NY 14550

Owner/Firm

Name: INDECK ENERGY SERVICES OF SILVER SPRINGS
Address: 600 N BUFFALO GROVE RD STE 300
BUFFALO GROVE, IL 60089-2432, USA
Owner Classification: Corporation/Partnership

Permit Contacts

Division of Environmental Permits:
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Division of Air Resources:
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Air Permitting Contact:
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SILVER SPRINGS, NY 14550-9780
Phone:

**Permit Description
Introduction**

The Title V operating air permit is intended to be a document containing only enforceable terms and conditions as well as any additional information, such as the identification of emission units, emission points, emission sources and processes, that makes the terms meaningful. 40 CFR Part 70.7(a)(5) requires that each Title V permit have an accompanying "...statement that sets forth the legal and factual basis for the draft permit conditions". The purpose for this permit review report is to satisfy the above requirement by providing pertinent details regarding the permit/application data and permit conditions in a more easily understandable format. This report will also include background narrative and explanations of regulatory decisions made by the reviewer. It should be emphasized that this permit review report, while based on information contained in the permit, is a separate document and is not itself an enforceable term and condition of the permit.

Summary Description of Proposed Project

This is Indeck Silver Springs 3rd permit renewal. This renewal incorporates both a modification to allow the gas turbine to peak fire as well as the removal of the auxiliary boiler and ammonia stripping tower from the permit. Peak fire operations will increase the fuel heat input rate for natural gas by up to 8% above the

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current full load (100%) heat input rate. This increase from 471.53 MMBtu/hr to 509.25 MMBtu/hr at 48 degrees is a net increase of 37.72 MMBtu/hr. Since the heat input rate varies with air temperature, the highest theoretically heat input possible (-10°F) shall be used for the maximum heat rating. The max heat rating for the gas turbine is 585 MMBtu/hr (-10°F). However, conditions in the permit will evaluate the gas turbine at a 48 degree heat rate. Actual emissions will be determined by the temperature graphs. Note: Full load is described as Base load in supporting documents.

40 CFR Subpart KKKK is applicable to new and modified combustion turbines after February 18, 2005. Modification is defined under the NSPS regulations as any physical change in, or change in the method of operation of, an existing facility which increases the amount of any air pollutant (to which a standard applies) emitted into the atmosphere. Increasing the peak firing rate will increase emissions of NOx and SO2, which are NSPS regulated contaminants for combustion turbines. In accordance with Subpart KKKK, a combustion turbine with a heat input rate between 50 and 850 MMBtu/hr must meet NOx emission limits of 42 parts per million volume dry, corrected to 15% oxygen, (ppmvdc) for natural gas firing. As well as 96 ppmvdc for oil firing. The combustion turbine is currently meeting NOx emission permit limits of 32 ppmvdc for natural gas and 54 ppmvdc for oil firing defined by 6 NYCRR 227-2.4(e)(3). The existing limits are below the Subpart KKKK requirements. Therefore, Subpart KKKK will not impose more stringent emission limits and is not included as a condition in the permit.

6 NYCRR 225-1.2(h) has been included as a permit condition, stating that owners and/or operators of a stationary combustion installation firing distillate oil are limited to the firing of a distillate oil with 0.0015 percent sulfur by weight or less after July 1, 2016. Compliance with this limit will be based on maintaining vendor certified fuel records. This limit is more restrictive than the previous PSD limit of 0.27 percent Sulfur by weight.

Attainment Status

INDECK-SILVER SPRINGS ENERGY CENTER is located in the town of GAINESVILLE in the county of WYOMING.

The attainment status for this location is provided below. (Areas classified as attainment are those that meet all ambient air quality standards for a designated criteria air pollutant.)

Criteria Pollutant	Attainment Status
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Particulate Matter (PM)	ATTAINMENT
Particulate Matter< 10µ in diameter (PM10)	ATTAINMENT
Sulfur Dioxide (SO2)	ATTAINMENT
Ozone*	TRANSPORT REGION (NON-ATTAINMENT)
Oxides of Nitrogen (NOx)**	ATTAINMENT
Carbon Monoxide (CO)	ATTAINMENT
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* Ozone is regulated in terms of the emissions of volatile organic compounds (VOC) and/or oxides of nitrogen (NOx) which are ozone precursors.

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** NOx has a separate ambient air quality standard in addition to being an ozone precursor.

Facility Description:

This facility is an electric wholesale generator (EWG) selling electric energy to the New York Independent System Operator (NYISO), also known as the grid. The facility is a combined cycle gas turbine utilizing a GE Frame 6 combustion gas turbine (GT) with an evaporative cooler, a heat recovery steam generator (HRSG) with duct burner (DB) and a GE steam turbine. The plant is operated from a centralized control room through a Foxboro Control System. Circulating water is cooled through an air-cooled condenser. Natural gas is the primary fuel for both the GT and DB. Number 2 distillate fuel oil is the backup fuel for the gas turbine. A 300,000 gallon storage tank is located on site for fuel oil storage. The facility operates between 80% and 100% load and can peak fire to 108% load when market prices are good. Oil firing in the gas turbine is limited by permit conditions. The gas turbine is equipped with steam injection for NOx control. The DB utilizes low-NOx burners. This constituted best available control technology (BACT) for this facility when it was constructed. The most recent Reasonable Available Control Technology (RACT) analysis, conducted in 2019, show that these controls are still acceptable.

Permit Structure and Description of Operations

The Title V permit for INDECK-SILVER SPRINGS ENERGY CENTER

is structured in terms of the following hierarchy: facility, emission unit, emission point, emission source and process. A facility is defined as all emission sources located at one or more adjacent or contiguous properties owned or operated by the same person or persons under common control. The facility is subdivided into one or more emission units (EU). Emission units are defined as any part or activity of a stationary facility that emits or has the potential to emit any federal or state regulated air pollutant. An emission unit is represented as a grouping of processes (defined as any activity involving one or more emission sources (ES) that emits or has the potential to emit any federal or state regulated air pollutant). An emission source is defined as any apparatus, contrivance or machine capable of causing emissions of any air contaminant to the outdoor atmosphere, including any appurtenant exhaust system or air cleaning device. [NOTE: Indirect sources of air contamination as defined in 6 NYCRR Part 203 (i.e. parking lots) are excluded from this definition]. The applicant is required to identify the principal piece of equipment (i.e., emission source) that directly results in or controls the emission of federal or state regulated air pollutants from an activity (i.e., process). Emission sources are categorized by the following types:

- combustion - devices which burn fuel to generate heat, steam or power
- incinerator - devices which burn waste material for disposal
- control - emission control devices
- process - any device or contrivance which may emit air contaminants that is not included in the above categories.

INDECK-SILVER SPRINGS ENERGY CENTER is defined by the following emission unit(s):

Emission unit S00001 - This emission unit consists of a 585 MMBtu/hr combustion gas turbine generator, an 84.4 MMBtu/hr duct burner and a heat recovery steam generator all venting to one exhaust stack. Steam injection is used to control emissions NOx the gas turbine. The turbine is also equipped with an evaporative cooler for the inlet combustion air.

Emission unit S00001 is associated with the following emission points (EP):
00001

Process: 200 is located at Building 1 - GE frame 6 gas turbine firing on number 2 distillate oil, with or
Process: 400 is located at Building 1 - GE frame 6 gas turbine firing on natural gas, with or without the duct burning firing natural gas.

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Process: 800 is located at Building 1 - GE Frame 6 combustion gas turbine firing natural gas and fuel oil simultaneously. The duct burner may be firing natural gas or may not be operating.

Title V/Major Source Status

INDECK-SILVER SPRINGS ENERGY CENTER is subject to Title V requirements. This determination is based on the following information:

The facility is a major source because its potential to emit (PTE) NO_x, CO and SO₂ are greater than 100 tons per year (tpy), which is the definition of a major source. The PTE for NO_x is 347 tpy, CO is 242 tpy, and SO₂ is 155 tpy.

Program Applicability

The following chart summarizes the applicability of INDECK-SILVER SPRINGS ENERGY CENTER with regards to the principal air pollution regulatory programs:

Regulatory Program	Applicability
PSD	YES
NSR (non-attainment)	YES
NESHAP (40 CFR Part 61)	NO
NESHAP (MACT - 40 CFR Part 63)	NO
NSPS	YES
TITLE IV	YES
TITLE V	YES
TITLE VI	NO
RACT	YES
SIP	YES

NOTES:

PSD Prevention of Significant Deterioration (40 CFR 52, 6 NYCRR 231-7, 231-8) - requirements which pertain to major stationary sources located in areas which are in attainment of National Ambient Air Quality Standards (NAAQS) for specified pollutants.

NSR New Source Review (6 NYCRR 231-5, 231-6) - requirements which pertain to major stationary sources located in areas which are in non-attainment of National Ambient Air Quality Standards (NAAQS) for specified pollutants.

NESHAP National Emission Standards for Hazardous Air Pollutants (40 CFR 61, 6 NYCRR 200.10) - contaminant and source specific emission standards established prior to the Clean Air Act Amendments of 1990 (CAAA) which were developed for 9 air contaminants (inorganic arsenic, radon, benzene, vinyl chloride, asbestos, mercury, beryllium, radionuclides, and volatile HAP's).

MACT Maximum Achievable Control Technology (40 CFR 63, 6 NYCRR 200.10) - contaminant

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and source specific emission standards established by the 1990 CAAA. Under Section 112 of the CAAA, the US EPA is required to develop and promulgate emissions standards for new and existing sources. The standards are to be based on the best demonstrated control technology and practices in the regulated industry, otherwise known as MACT. The corresponding regulations apply to specific source types and contaminants.

NSPS New Source Performance Standards (40 CFR 60, 6 NYCRR 200.10) - standards of performance for specific stationary source categories developed by the US EPA under Section 111 of the CAAA. The standards apply only to those stationary sources which have been constructed or modified after the regulations have been proposed by publication in the Federal Register and only to the specific contaminant(s) listed in the regulation.

Title IV Acid Rain Control Program (40 CFR 72 thru 78, 6 NYCRR 201-6) - regulations which mandate the implementation of the acid rain control program for large stationary combustion facilities.

Title VI Stratospheric Ozone Protection (40 CFR 82, Subpart A thru G, 6 NYCRR 200.10) - federal requirements that apply to sources which use a minimum quantity of CFC's (chlorofluorocarbons), HCFC's (hydrofluorocarbons) or other ozone depleting substances or regulated substitute substances in equipment such as air conditioners, refrigeration equipment or motor vehicle air conditioners or appliances.

RACT Reasonably Available Control Technology (6 NYCRR Parts 212-3, 220-1.6, 220-1.7, 220-2.3, 220-2.4, 226, 227-2, 228, 229, 230, 233, 234, 235, 236) - the lowest emission limit that a specific source is capable of meeting by application of control technology that is reasonably available, considering technological and economic feasibility. RACT is a control strategy used to limit emissions of VOC's and NOx for the purpose of attaining the air quality standard for ozone. The term as it is used in the above table refers to those state air pollution control regulations which specifically regulate VOC and NOx emissions.

SIP State Implementation Plan (40 CFR 52, Subpart HH, 6 NYCRR 200.10) - as per the CAAA, all states are empowered and required to devise the specific combination of controls that, when implemented, will bring about attainment of ambient air quality standards established by the federal government and the individual state. This specific combination of measures is referred to as the SIP. The term here refers to those state regulations that are approved to be included in the SIP and thus are considered federally enforceable.

Compliance Status

Facility is in compliance with all requirements.

SIC Codes

SIC or Standard Industrial Classification code is an industrial code developed by the federal Office of Management and Budget for use, among other things, in the classification of establishments by the type of activity in which they are engaged. Each operating establishment is assigned an industry code on the basis of its primary activity, which is determined by its principal product or group of products produced or distributed, or services rendered. Larger facilities typically have more than one SIC code.

SIC Code

Description

4911
4931

ELECTRIC SERVICES
ELEC & OTHER SERVICES COMBINED

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SCC Codes

SCC or Source Classification Code is a code developed and used" by the USEPA to categorize processes which result in air emissions for the purpose of assessing emission factor information. Each SCC represents a unique process or function within a source category logically associated with a point of air pollution emissions. Any operation that causes air pollution can be represented by one or more SCC's.

SCC Code	Description
2-01-001-01	INTERNAL COMBUSTION ENGINES - ELECTRIC GENERATION ELECTRIC UTILITY INTERNAL COMBUSTION ENGINE - DISTILLATE OIL (DIESEL) Turbine
2-01-002-01	INTERNAL COMBUSTION ENGINES - ELECTRIC GENERATION ELECTRIC UTILITY INTERNAL COMBUSTION ENGINE - NATURAL GAS Turbine

Facility Emissions Summary

In the following table, the CAS No. or Chemical Abstract Service code is an identifier assigned to every chemical compound. [NOTE: Certain CAS No.'s contain a 'NY' designation within them. These are not true CAS No.'s but rather an identification which has been developed by the department to identify groups of contaminants which ordinary CAS No.'s do not do. As an example, volatile organic compounds or VOC's are identified collectively by the NY CAS No. 0NY998-00-0.] The PTE refers to the Potential to Emit. This is defined as the maximum capacity of a facility or air contaminant source to emit any air contaminant under its physical and operational design. Any physical or operational limitation on the capacity of the facility or air contamination source to emit any air contaminant, including air pollution control equipment and/or restrictions on the hours of operation, or on the type or amount or material combusted, stored, or processed, shall be treated as part of the design only if the limitation is contained in federally enforceable permit conditions. The PTE for each contaminant that is displayed represents the facility-wide PTE in tons per year (tpy) or pounds per year (lbs/yr). In some instances the PTE represents a federally enforceable emissions cap or limitation for that contaminant. The term 'HAP' refers to any of the hazardous air pollutants listed in section 112(b) of the Clean Air Act Amendments of 1990. Total emissions of all hazardous air pollutants are listed under the special NY CAS No. 0NY100-00-0. In addition, each individual hazardous air pollutant is also listed under its own specific CAS No. and is identified in the list below by the (HAP) designation.

Cas No.	Contaminant	PTE lbs/yr	PTE tons/yr	Actual lbs/yr	Actual tons/yr
007440-38-2	ARSENIC	10.7			
007440-43-9	CADMIUM	4.7			
000124-38-9	CARBON DIOXIDE	603336349			
000630-08-0	CARBON MONOXIDE	483552			
007440-47-3	CHROMIUM	10.7			
000050-00-0	FORMALDEHYDE	3169.3			
007439-92-1	LEAD	13.7			
007439-96-5	MANGANESE	771.2			
007439-97-6	MERCURY	1.2			
0NY059-28-0	NICKEL (NI 059)	4.5			
0NY210-00-0	OXIDES OF NITROGEN	694230			

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0NY075-00-0	PARTICULATES	61539
0NY075-00-5	PM-10	61539
007782-49-2	SELENIUM	24.4
007446-09-5	SULFUR DIOXIDE	309644
0NY100-00-0	TOTAL HAP	7450.8
0NY998-00-0	VOC	76212

NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS

- Item A: Public Access to Recordkeeping for Title V Facilities - 6 NYCRR 201-1.10(b)**
The Department will make available to the public any permit application, compliance plan, permit, and monitoring and compliance certification report pursuant to Section 503(e) of the Act, except for information entitled to confidential treatment pursuant to 6 NYCRR Part 616 - Public Access to records and Section 114(c) of the Act.

- Item B: Timely Application for the Renewal of Title V Permits -6 NYCRR Part 201-6.2(a)(4)**

Owners and/or operators of facilities having an issued Title V permit shall submit a complete application at least 180 days, but not more than eighteen months, prior to the date of permit expiration for permit renewal purposes.

- Item C: Certification by a Responsible Official - 6 NYCRR Part 201-6.2(d)(12)**
Any application, form, report or compliance certification required to be submitted pursuant to the federally enforceable portions of this permit shall contain a certification of truth, accuracy and completeness by a responsible official. This certification shall state that based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.

- Item D: Requirement to Comply With All Conditions - 6 NYCRR Part 201-6.4(a)(2)**
The permittee must comply with all conditions of the Title V facility permit. Any permit non-compliance constitutes a violation of the Act and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application.

- Item E: Permit Revocation, Modification, Reopening, Reissuance or Termination, and Associated Information Submission Requirements - 6 NYCRR Part 201-6.4(a)(3)**
This permit may be modified, revoked, reopened and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any permit condition.

- Item F: Cessation or Reduction of Permitted Activity Not a Defense - 6 NYCRR 201-6.4(a)(5)**
It shall not be a defense for a permittee in an enforcement action to claim that a cessation or reduction in the permitted activity would have been necessary in order to maintain

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compliance with the conditions of this permit.

Item G: Property Rights - 6 NYCRR 201-6.4(a)(6)

This permit does not convey any property rights of any sort or any exclusive privilege.

Item H: Severability - 6 NYCRR Part 201-6.4(a)(9)

If any provisions, parts or conditions of this permit are found to be invalid or are the subject of a challenge, the remainder of this permit shall continue to be valid.

Item I: Permit Shield - 6 NYCRR Part 201-6.4(g)

All permittees granted a Title V facility permit shall be covered under the protection of a permit shield, except as provided under 6 NYCRR Subpart 201-6. Compliance with the conditions of the permit shall be deemed compliance with any applicable requirements as of the date of permit issuance, provided that such applicable requirements are included and are specifically identified in the permit, or the Department, in acting on the permit application or revision, determines in writing that other requirements specifically identified are not applicable to the major stationary source, and the permit includes the determination or a concise summary thereof. Nothing herein shall preclude the Department from revising or revoking the permit pursuant to 6 NYCRR Part 621 or from exercising its summary abatement authority. Nothing in this permit shall alter or affect the following:

- i. The ability of the Department to seek to bring suit on behalf of the State of New York, or the Administrator to seek to bring suit on behalf of the United States, to immediately restrain any person causing or contributing to pollution presenting an imminent and substantial endangerment to public health, welfare or the environment to stop the emission of air pollutants causing or contributing to such pollution;
- ii. The liability of a permittee of the Title V facility for any violation of applicable requirements prior to or at the time of permit issuance;
- iii. The applicable requirements of Title IV of the Act;
- iv. The ability of the Department or the Administrator to obtain information from the permittee concerning the ability to enter, inspect and monitor the facility.

Item J: Reopening for Cause - 6 NYCRR Part 201-6.4(i)

This Title V permit shall be reopened and revised under any of the following circumstances:

- i. If additional applicable requirements under the Act become applicable where this permit's remaining term is three or more years, a reopening shall be completed not later than 18 months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the date on which this permit is due to expire, unless the original permit or any of its terms and conditions has been extended by the Department pursuant to the provisions of Part 201-6.7 and Part 621.
- ii. The Department or the Administrator determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit.

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iii. The Department or the Administrator determines that the Title V permit must be revised or reopened to assure compliance with applicable requirements.

iv. If the permitted facility is an "affected source" subject to the requirements of Title IV of the Act, and additional requirements (including excess emissions requirements) become applicable. Upon approval by the Administrator, excess emissions offset plans shall be deemed to be incorporated into the permit.

Proceedings to reopen and issue Title V facility permits shall follow the same procedures as apply to initial permit issuance but shall affect only those parts of the permit for which cause to reopen exists.

Reopenings shall not be initiated before a notice of such intent is provided to the facility by the Department at least thirty days in advance of the date that the permit is to be reopened, except that the Department may provide a shorter time period in the case of an emergency.

Item K: Permit Exclusion - ECL 19-0305

The issuance of this permit by the Department and the receipt thereof by the Applicant does not and shall not be construed as barring, diminishing, adjudicating or in any way affecting any legal, administrative or equitable rights or claims, actions, suits, causes of action or demands whatsoever that the Department may have against the Applicant for violations based on facts and circumstances alleged to have occurred or existed prior to the effective date of this permit, including, but not limited to, any enforcement action authorized pursuant to the provisions of applicable federal law, the Environmental Conservation Law of the State of New York (ECL) and Chapter III of the Official Compilation of the Codes, Rules and Regulations of the State of New York (NYCRR). The issuance of this permit also shall not in any way affect pending or future enforcement actions under the Clean Air Act brought by the United States or any person.

Item L: Federally Enforceable Requirements - 40 CFR 70.6(b)

All terms and conditions in this permit required by the Act or any applicable requirement, including any provisions designed to limit a facility's potential to emit, are enforceable by the Administrator and citizens under the Act. The Department has, in this permit, specifically designated any terms and conditions that are not required under the Act or under any of its applicable requirements as being enforceable under only state regulations.

NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS

Item A: Emergency Defense - 6 NYCRR 201-1.5

An emergency, as defined by subpart 201-2, constitutes an affirmative defense to penalties sought in an enforcement action brought by the Department for noncompliance with emissions limitations or permit conditions for all facilities in New York State.

(a) The affirmative defense of emergency shall be demonstrated through properly signed, contemporaneous operating logs, or other relevant

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evidence that:

- (1) An emergency occurred and that the facility owner or operator can identify the cause(s) of the emergency;
- (2) The equipment at the permitted facility causing the emergency was at the time being properly operated and maintained;
- (3) During the period of the emergency the facility owner or operator took all reasonable steps to minimize levels of emissions that exceeded the emission standards, or other requirements in the permit; and
- (4) The facility owner or operator notified the Department within two working days after the event occurred. This notice must contain a description of the emergency, any steps taken to mitigate emissions, and corrective actions taken.

(b) In any enforcement proceeding, the facility owner or operator seeking to establish the occurrence of an emergency has the burden of proof.

(c) This provision is in addition to any emergency or upset provision contained in any applicable requirement. item_02

**Item B: General Provisions for State Enforceable Permit Terms and Condition - 6
NYCRR Part 201-5**

Any person who owns and/or operates stationary sources shall operate and maintain all emission units and any required emission control devices in compliance with all applicable Parts of this Chapter and existing laws, and shall operate the facility in accordance with all criteria, emission limits, terms, conditions, and standards in this permit. Failure of such person to properly operate and maintain the effectiveness of such emission units and emission control devices may be sufficient reason for the Department to revoke or deny a permit.

The owner or operator of the permitted facility must maintain all required records on-site for a period of five years and make them available to representatives of the Department upon request. Department representatives must be granted access to any facility regulated by this Subpart, during normal operating hours, for the purpose of determining compliance with this and any other state and federal air pollution control requirements, regulations or law.

Regulatory Analysis

Location Facility/EU/EP/Process/ES	Regulation	Condition	Short Description

FACILITY	ECL 19-0301	79	Powers and Duties of the Department with respect to air pollution control
FACILITY	40CFR 52-A.21(j)	25, 26	Best Available Control Technology
S-00001	40CFR 52-A.21(j)	35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49	Best Available Control Technology

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S-00001/00001/200	40CFR 52-A.21 (j)	59, 60, 61, 62	Best Available Control Technology
S-00001/00001/200/S00GT	40CFR 52-A.21 (j)	63, 64, 65, 66	Best Available Control Technology
S-00001/00001/400	40CFR 52-A.21 (j)	68, 69, 70	Best Available Control Technology
S-00001/00001/400/S00GT	40CFR 52-A.21 (j)	71, 72, 73, 74	Best Available Control Technology
S-00001/00001/800	40CFR 52-A.21 (j)	75, 76, 77, 78	Best Available Control Technology
S-00001	40CFR 60-A	50	General provisions
S-00001	40CFR 60-A.4	51	General provisions - Address
S-00001	40CFR 60-Dc.48c (g)	52	Reporting and Recordkeeping Requirements.
FACILITY	40CFR 68	19	Chemical accident prevention provisions
FACILITY	40CFR 72	27	Permits regulation
FACILITY	40CFR 82-F	20	Protection of Stratospheric Ozone - recycling and emissions reduction
FACILITY	40CFR 97-AAAAA.406	28	Transport Rule (TR) NOx Annual Trading Program Standard Requirements
FACILITY	40CFR 97-CCCCC.606	29	Transport Rule (TR) SO2 Group 1 Trading Program Standard Requirements
FACILITY	40CFR 97-EEEEEE	30	CSAPR NOx Ozone Season
FACILITY	6NYCRR 200.6	1	Acceptable ambient air quality.
FACILITY	6NYCRR 200.7	10	Maintenance of equipment.
FACILITY	6NYCRR 201-1.4	80	Unavoidable noncompliance and violations
FACILITY	6NYCRR 201-1.7	11	Recycling and Salvage
FACILITY	6NYCRR 201-1.8	12	Prohibition of reintroduction of collected contaminants to the air
FACILITY	6NYCRR 201-3.2 (a)	13	Exempt Activities - Proof of eligibility
FACILITY	6NYCRR 201-3.3 (a)	14	Trivial Activities - proof of eligibility
FACILITY	6NYCRR 201-6	21, 31, 32	Title V Permits and the Associated Permit Conditions
FACILITY	6NYCRR 201-6.4 (a) (4)	15	General Conditions - Requirement to Provide Information
FACILITY	6NYCRR 201-6.4 (a) (7)	2	General Conditions - Fees
FACILITY	6NYCRR 201-6.4 (a) (8)	16	General Conditions - Right to Inspect
FACILITY	6NYCRR 201-6.4 (c)	3	Recordkeeping and Reporting of Compliance Monitoring
FACILITY	6NYCRR 201-6.4 (c) (2)	4	Records of Monitoring, Sampling

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FACILITY	6NYCRR 201-6.4 (c) (3) (ii)	5	and Measurement Reporting Requirements - Deviations and Noncompliance
FACILITY	6NYCRR 201-6.4 (d) (4)	22	Compliance Schedules - Progress Reports
FACILITY	6NYCRR 201-6.4 (e)	6	Compliance Certification
FACILITY	6NYCRR 201-6.4 (f) (6)	17	Off Permit Changes
FACILITY	6NYCRR 201-6.5 (a)	81	State Enforceable Requirements
FACILITY	6NYCRR 202-1.1	18	Required emissions tests.
FACILITY	6NYCRR 202-2.1	7	Emission Statements - Applicability
FACILITY	6NYCRR 202-2.5	8	Emission Statements - record keeping requirements.
FACILITY	6NYCRR 211.1	82	General Prohibitions - air pollution prohibited
FACILITY	6NYCRR 211.2	23	General Prohibitions - visible emissions limited.
FACILITY	6NYCRR 215.2	9	Open Fires - Prohibitions
FACILITY	6NYCRR 225-1.2 (h)	24	Sulfur-in-Fuel Limitations
S-00001	6NYCRR 227-1.3 (a)	33	Smoke Emission Limitations.
S-00001/00001/200	6NYCRR 227-2.4 (e) (3)	58	NOx requirements for other combustion turbines.
S-00001/00001/400	6NYCRR 227-2.4 (e) (3)	67	NOx requirements for other combustion turbines.
S-00001	6NYCRR 231-11.2 (c)	34	Reasonable Possibility requirements for insignificant mods - greater than 50% with excluded emissions
S-00001/00001	6NYCRR 231-6	53, 54	Mods to Existing Major Facilities in Nonattainment and Attainment Areas of the State in the OTR
S-00001/00001	6NYCRR 231-8	55, 56, 57	Mods to Existing Major Facilities in Attainment Areas (PSD)
FACILITY	6NYCRR 242-1.5	83	CO2 Budget Trading Program - Standard requirements
FACILITY	6NYCRR 242-4	84	CO2 Budget Trading Program - Compliance certification
FACILITY	6NYCRR 242-8.5	85	CO2 Budget Trading Program - Recordkeeping and reporting
S-00001	6NYCRR 251.3 (b)	86	Emission limits for non-modified sources.
S-00001	6NYCRR 251.5	87	Monitoring

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Applicability Discussion:

Mandatory Requirements: The following facility-wide regulations are included in all Title V permits:

ECL 19-0301

This section of the Environmental Conservation Law establishes the powers and duties assigned to the Department with regard to administering the air pollution control program for New York State.

6 NYCRR 200.6

Acceptable ambient air quality - prohibits contravention of ambient air quality standards without mitigating measures

6 NYCRR 200.7

Anyone owning or operating an air contamination source which is equipped with an emission control device must operate the control consistent with ordinary and necessary practices, standards and procedures, as per manufacturer's specifications and keep it in a satisfactory state of maintenance and repair so that it operates effectively

6 NYCRR 201-1.4

This regulation specifies the actions and recordkeeping and reporting requirements for any violation of an applicable state enforceable emission standard that results from a necessary scheduled equipment maintenance, start-up, shutdown, malfunction or upset in the event that these are unavoidable.

6 NYCRR 201-1.7

Requires the recycle and salvage of collected air contaminants where practical

6 NYCRR 201-1.8

Prohibits the reintroduction of collected air contaminants to the outside air

6 NYCRR 201-3.2 (a)

An owner and/or operator of an exempt emission source or unit may be required to certify that it operates within the specific criteria described in this Subpart. All required records must be maintained on-site for a period of 5 years and made available to department representatives upon request. In addition, department representatives must be granted access to any facility which contains exempt emission sources or units, during normal operating hours, for the purpose of determining compliance with this and any other state and federal air pollution control requirements, regulations, or law.

6 NYCRR 201-3.3 (a)

The owner and/or operator of a trivial emission source or unit may be required to certify that it operates within the specific criteria described in this Subpart. All required records must be maintained on-site for a period of 5 years and made available to department representatives upon request. In addition, department representatives must be granted access to any facility which contains trivial emission sources or units subject to this Subpart, during normal operating hours, for the purpose of determining compliance with this and any other state and federal air pollution control requirements, regulations, or law.

6 NYCRR Subpart 201-6

This regulation applies to those terms and conditions which are subject to Title V permitting. It establishes the applicability criteria for Title V permits, the information to be included in all Title V permit applications as well as the permit content and terms of permit issuance. This rule also specifies the compliance, monitoring, recordkeeping, reporting, fee, and procedural requirements that need to be met to obtain a Title V permit, modify the permit and demonstrate conformity with applicable requirements as

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listed in the Title V permit. For permitting purposes, this rule specifies the need to identify and describe all emission units, processes and products in the permit application as well as providing the Department the authority to include this and any other information that it deems necessary to determine the compliance status of the facility.

6 NYCRR 201-6.4 (a) (4)

This mandatory requirement applies to all Title V facilities. It requires the permittee to provide information that the Department may request in writing, within a reasonable time, in order to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. The request may include copies of records required to be kept by the permit.

6 NYCRR 201-6.4 (a) (7)

This is a mandatory condition that requires the owner or operator of a facility subject to Title V requirements to pay all applicable fees associated with the emissions from their facility.

6 NYCRR 201-6.4 (a) (8)

This is a mandatory condition for all facilities subject to Title V requirements. It allows the Department to inspect the facility to determine compliance with this permit, including copying records, sampling and monitoring, as necessary.

6 NYCRR 201-6.4 (c)

This requirement specifies, in general terms, what information must be contained in any required compliance monitoring records and reports. This includes the date, time and place of any sampling, measurements and analyses; who performed the analyses; analytical techniques and methods used as well as any required QA/QC procedures; results of the analyses; the operating conditions at the time of sampling or measurement and the identification of any permit deviations. All such reports must also be certified by the designated responsible official of the facility.

6 NYCRR 201-6.4 (c) (2)

This requirement specifies that all compliance monitoring and recordkeeping is to be conducted according to the terms and conditions of the permit and follow all QA requirements found in applicable regulations. It also requires monitoring records and supporting information to be retained for at least 5 years from the time of sampling, measurement, report or application. Support information is defined as including all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the permit.

6 NYCRR 201-6.4 (c) (3) (ii)

This regulation specifies any reporting requirements incorporated into the permit must include provisions regarding the notification and reporting of permit deviations and incidences of noncompliance stating the probable cause of such deviations, and any corrective actions or preventive measures taken.

6 NYCRR 201-6.4 (d) (4)

This condition applies to every Title V facility subject to a compliance schedule. It requires that reports, detailing the status of progress on achieving compliance with emission standards, be submitted semiannually.

6 NYCRR 201-6.4 (e)

Sets forth the general requirements for compliance certification content; specifies an annual submittal frequency; and identifies the EPA and appropriate regional office address where the reports are to be sent.

6 NYCRR 201-6.4 (f) (6)

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This condition allows changes to be made at the facility, without modifying the permit, provided the changes do not cause an emission limit contained in this permit to be exceeded. The owner or operator of the facility must notify the Department of the change. It is applicable to all Title V permits which may be subject to an off permit change.

6 NYCRR 202-1.1

This regulation allows the department the discretion to require an emission test for the purpose of determining compliance. Furthermore, the cost of the test, including the preparation of the report are to be borne by the owner/operator of the source.

6 NYCRR 202-2.1

Requires that emission statements shall be submitted on or before April 15th each year for emissions of the previous calENdAr year.

6 NYCRR 202-2.5

This rule specifies that each facility required to submit an emission statement must retain a copy of the statement and supporting documentation for at least 5 years and must make the information available to department representatives.

6 NYCRR 211.2

This regulation limits opacity from sources to less than or equal to 20 percent (six minute average) except for one continuous six-minute period per hour of not more than 57 percent opacity.

6 NYCRR 215.2

Except as allowed by section 215.3 of 6 NYCRR Part 215, no person shall burn, cause, suffer, allow or permit the burning of any materials in an open fire.

40 CFR Part 68

This Part lists the regulated substances and there applicability thresholds and sets the requirements for stationary sources concerning the prevention of accidental releases of these substances.

40 CFR Part 82, Subpart F

Subpart F requires the reduction of emissions of class I and class II refrigerants to the lowest achievable level during the service, maintenance, repair, and disposal of appliances in accordance with section 608 of the Clean Air Act AmENDments of 1990. This subpart applies to any person servicing, maintaining, or repairing appliances except for motor vehicle air conditioners. It also applies to persons disposing of appliances, including motor vehicle air conditioners, refrigerant reclaimers, appliance owners, and manufacturers of appliances and recycling and recovery equipment. Those individuals, operations, or activities affected by this rule, may be required to comply with specified disposal, recycling, or recovery practices, leak repair practices, recordkeeping and/or technician certification requirements.

Facility Specific Requirements

In addition to Title V, INDECK-SILVER SPRINGS ENERGY CENTER has been determined to be subject to the following regulations:

40 CFR 52.21 (j)

BACT determinations are made on a case-by-case basis and can be no less stringent than any requirement that exists in the current State Implementation Plan (SIP) or 40 CFR 60 and 61. Emission and operational limitations required from a BACT determination will have to be entered into the special permit conditions, separately by the permit reviewer.

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40 CFR 60.4

This condition lists the USEPA Region 2 address for the submittal of all communications to the "Administrator". In addition, all such communications must be copied to NYSDEC Bureau of Quality Assurance (BQA).

40 CFR 60.48c (g)

The owner or operator of each affected facility shall record and maintain records of the amount of each fuel combusted during each day.

40 CFR 97.406

This condition provides the general requirements for implementing EPA's Transport Rule (TR) 40 CFR Part 97, Subpart AAAAA; intended to reduce the interstate transport of fine particulate matter and ozone. This particular condition requires facilities to measure and report their emissions of Nitrogen Oxide (NO_x) and to hold TR annual NO_x allowances sufficient to cover these emissions. Commonly referred to as a budget trading program, each State has an established 'budget' of emissions that are distributed or sold to facilities, which, in turn, can only emit as much as they hold in allowances.

40 CFR 97.606

This condition provides the general requirements for implementing EPA's Transport Rule (TR) 40 CFR Part 97, Subpart CCCCC; intended to reduce the interstate transport of fine particulate matter and ozone. This particular condition requires facilities to measure and report their emissions of sulfur dioxide (SO₂) annually and to hold TR annual SO₂ allowances sufficient to cover these emissions. Commonly referred to as a budget trading program, each State has an established 'budget' of emissions that are distributed or sold to facilities, which, in turn, can only emit as much as they hold in allowances.

40 CFR Part 60, Subpart A

This regulation contains the General Provisions of 40 CFR 60. The facility owner is responsible for reviewing these general provisions in detail and complying with all applicable technical, administrative and reporting requirements

40 CFR Part 72

In order to reduce acid rain in the U.S. and Canada, Title IV of the Clean Air Act Amendments of 1990 requires the establishment of a program to reduce emissions of SO₂ and NO_x (sulfur dioxide and oxides of nitrogen). Fossil fuel burning electric utility companies are a major source of these contaminants in the US. These sources were regulated in a phased approach. Phase I, which began in 1995, requires 110 of the higher-emitting utility plants in the eastern and Midwest states to meet intermediate SO₂ emission limitations. Phase II, which began in 2000, tightens the emission limitations and expands the coverage to most fossil fuel burning utilities. The utilities are given "allowances" which is a limited authorization to emit one ton of SO₂. The utilities are required to limit SO₂ emissions to the number of allowances they hold. Some can benefit however

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by reducing their emissions and selling their excess allowances. Part 72 contains the means of implementing this portion of Title IV of the Clean Air Act.

40 CFR Part 97, Subpart EEEEE

40 CFR Part 97 Subpart EEEEE the NO_x Ozone Season Cross State Air Pollution Rule (CSAPR) is a regional (22 state) cap and trade program designed to reduce NO_x emissions during the ozone season (May - September) for large fossil fuel fired electric generating units that have a nameplate capacity of greater than 25 megawatts electrical and produce electricity for sale.

6 NYCRR 201-6.5 (a)

Pursuant to The New York State Climate Leadership and Law, Subpart 201-6.5(a) identifies state enforceable requirements for Title V permits for greenhouse gas emissions.

6 NYCRR 211.1

This regulation requires that no person shall cause or allow emissions of air contaminants to the outdoor atmosphere of such quantity, characteristic or duration which are injurious to human, plant or animal life or to property, or which unreasonably interfere with the comfortable enjoyment of life or property.

6 NYCRR 225-1.2 (h)

Sulfur-in-fuel limitation take effect for the firing of distillate oil on and after July 1, 2016. This prohibits firing of distillate oil with sulfur content greater than 0.0015 percent sulfur by weight (15 ppm).

6 NYCRR 227-1.3 (a)

This regulation prohibits any person from operating a stationary combustion installation which emits smoke equal to or greater than 20% opacity except for one six-minute period per hour of not more than 27% opacity.

6 NYCRR 227-2.4 (e) (3)

NO_x RACT requirements for combustion turbines on a case-by-case RACT determination. Case-by-case RACT determinations consider the technological and economic circumstances of the individual emission source.

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6 NYCRR 231-11.2 (c)

This citation lists the record keeping requirements for insignificant modifications that are greater than 50% of the project potential threshold including excluded emissions as defined in 231-4.1(b)(40)(i)(c) of this Part.

6 NYCRR 242-1.5

This regulation requires that the facility hold enough carbon dioxide allowances in their carbon dioxide budget at least equal to the amount of carbon dioxide emitted from the facility each year.

6 NYCRR 242-8.5

This regulation requires the CO₂ authorized account representative to comply with all applicable recordkeeping and reporting requirements in section 242-8.5, the applicable record keeping and reporting requirements under 40 CFR 75.73 and with the certification requirements of section 242-2.1(e) of this Part.

6 NYCRR 251.3 (b)

This regulation requires that facilities comply with the Carbon Dioxide (CO₂) emission standards for non-modified major electric generating facilities. Representatives are required to demonstrate compliance with the annual emission limit in Part 251.3(b) as well as associated monitoring and reporting requirements.

6 NYCRR 251.5

Part 251.5 requires that facilities complying with this regulation monitor and report the heat input and Carbon Dioxide (CO₂) emissions to demonstrate compliance with the standards for non-modified major electric generating facilities.

6 NYCRR Subpart 231-6

This Subpart applies to modifications to existing major facilities in non-attainment areas and attainment areas of the State within the OTR.

6 NYCRR Subpart 231-8

This subpart applies to modifications to existing major facilities in attainment areas (prevention of significant deterioration (PSD)).

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6 NYCRR Subpart 242-4

This citation requires that an Annual Compliance Certification report be submitted by March 1st, on an annual basis, certifying compliance with the CO2 Budget Trading Program.

Compliance Certification

Summary of monitoring activities at INDECK-SILVER SPRINGS ENERGY CENTER:

Location Facility/EU/EP/Process/ES	Cond No.	Type of Monitoring

FACILITY	25	work practice involving specific operations
FACILITY	26	work practice involving specific operations
S-00001	35	intermittent emission testing
S-00001	36	intermittent emission testing
S-00001	37	continuous emission monitoring (cem)
S-00001	38	continuous emission monitoring (cem)
S-00001	39	intermittent emission testing
S-00001	40	continuous emission monitoring (cem)
S-00001	41	intermittent emission testing
S-00001	42	intermittent emission testing
S-00001	43	intermittent emission testing
S-00001	44	record keeping/maintenance procedures
S-00001	45	continuous emission monitoring (cem)
S-00001	46	intermittent emission testing
S-00001	47	intermittent emission testing
S-00001	48	record keeping/maintenance procedures
S-00001	49	monitoring of process or control device parameters as surrogate
S-00001/00001/200	59	continuous emission monitoring (cem)
S-00001/00001/200	60	continuous emission monitoring (cem)
S-00001/00001/200	61	continuous emission monitoring (cem)
S-00001/00001/200	62	continuous emission monitoring (cem)
S-00001/00001/200/S00GT	63	intermittent emission testing
S-00001/00001/200/S00GT	64	intermittent emission testing
S-00001/00001/200/S00GT	65	intermittent emission testing
S-00001/00001/200/S00GT	66	intermittent emission testing
S-00001/00001/400	68	continuous emission monitoring (cem)
S-00001/00001/400	69	continuous emission monitoring (cem)
S-00001/00001/400	70	continuous emission monitoring (cem)
S-00001/00001/400/S00GT	71	intermittent emission testing
S-00001/00001/400/S00GT	72	intermittent emission testing
S-00001/00001/400/S00GT	73	intermittent emission testing
S-00001/00001/400/S00GT	74	intermittent emission testing
S-00001/00001/800	75	continuous emission monitoring (cem)
S-00001/00001/800	76	continuous emission monitoring (cem)
S-00001/00001/800	77	continuous emission monitoring (cem)
S-00001/00001/800	78	continuous emission monitoring (cem)
S-00001	52	record keeping/maintenance procedures
FACILITY	28	record keeping/maintenance procedures
FACILITY	29	record keeping/maintenance procedures
FACILITY	30	record keeping/maintenance procedures
FACILITY	5	record keeping/maintenance procedures
FACILITY	6	record keeping/maintenance procedures
FACILITY	7	record keeping/maintenance procedures
FACILITY	24	work practice involving specific operations
S-00001	33	monitoring of process or control device parameters

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S-00001/00001/200	58	as surrogate
S-00001/00001/400	67	continuous emission monitoring (cem)
S-00001	34	continuous emission monitoring (cem)
S-00001/00001	53	record keeping/maintenance procedures
S-00001/00001	54	continuous emission monitoring (cem)
S-00001/00001	55	continuous emission monitoring (cem)
S-00001/00001	56	intermittent emission testing
S-00001/00001	57	intermittent emission testing
S-00001/00001	57	continuous emission monitoring (cem)
FACILITY	83	record keeping/maintenance procedures
FACILITY	84	record keeping/maintenance procedures
FACILITY	85	record keeping/maintenance procedures
S-00001	86	monitoring of process or control device parameters as surrogate
S-00001	87	record keeping/maintenance procedures

Basis for Monitoring

1. When Indeck Silver Springs was constructed it obtained a Prevention of Significant Deterioration (PSD) permit. PSD permit conditions can be found under 40 CFR Part 52.21 subpart A citations. PSD limits the amount of oxides of nitrogen (NOx), carbon monoxide, particulates (PM) and particulates less than 10 microns (PM-10) that can be emitted from the facility. One PSD condition has been modified with this renewal. Condition 44 no longer requires the facility to track volumetric flow rate via CEMS. This is due to the facility selecting to use Part 75's alternative method for tracking emissions through fuel usage. The Part 75 option was not available when the facility was first permitted and was instead following Part 60 CEMS requirements.

2. The majority of the permit conditions at the facility level, based on citations from 6 NYCRR Parts 200, 201, 202, 211, 215 and 217, are conditions that are in every Title V (five) permit. These conditions generally reiterate rules that apply to most facilities more so than require the facility to monitor or take actions.

3. Permit conditions that list 6NYCRR Part 225-1 (Fuel Composition and Use - Sulfur Limitations) limits the sulfur content of the fuel (distillate oil) combusted at the facility to 0.0015% sulfur by weight (15ppm) or less. This limit is more restrictive than the current PSD limit of 0.27% sulfur in fuel oil. Both limits still apply. Each oil delivery is analyzed for its sulfur content and the results are stored on site. Any exceedance of the sulfur in oil limit of 15ppm is reported in the quarterly reports along with the corrective action.

4. Permit conditions that list 6NYCRR 227-1 (Stationary Combustion Installations) as the applicable requirement, limits the particulate and opacity emissions.
 - a. At the emission unit level the facility is required to conduct a particulate emission rate stack test when requested by the Department.
 - b. Opacity emissions are monitored when there is a combustion upset in the turbine or duct burner.

5. Permit conditions that list 6NYCRR 227-2 (Reasonably Available Control Technology (RACT) for Oxides of Nitrogen (NOx)) as the applicable requirement, limit the emissions of NOx in parts per million (ppm) for the gas turbine. Emissions are monitored with a NOx CEMS located near the exit of the stack. The record keeping, and monitoring requirements are prescribed by the regulation. The 2019 NOx RACT analysis shows that current controls installed are meeting RACT requirements. In the RACT analysis, Indeck Silver Spring looked at additional control technology and new operating methods. 3 different options were evaluated: installing a low NOx burner, installing a selective catalytic converter with

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ammonia injection and Increasing the steam injection rates on the current system. Each of these options were determined to have cost greater than \$5,500 dollars for each ton of emissions reduced. Therefore, these options were considered to not be RACT. Indeck Silver Springs shall continue to meet the emission limits set by the permit of 32 and 54 ppmvd for gas and oil respectively.

6. The duct burner is subject to permit conditions that list 40CFR60 subpart Dc (New Source Performance Standards for Industrial-Commercial-Institutional Steam Generating Units, 10 to 100 million Btu per hour) as the applicable requirement and limit the emissions of Nitrogen Oxide (NO_x), particulates, and opacity. The record keeping, and monitoring requirements are prescribed by the regulation. However, the PSD NO_x permit conditions contain the most stringent requirements from all the applicable NO_x requirements to the duct burner. In order to reduce duplication, only the PSD conditions are included.

7. 40 CFR 60 Subpart KKKK—Standards of Performance for Stationary Combustion Turbines, is applicable to new and modified combustion turbines after February 18, 2005. Modification is defined under NSPS regulations as any physical change in or change in the method of operation of, an existing facility which increases the amount of any air pollutant (to which the standard applies) emitted into the atmosphere. Subpart KKKK replaces the previous regulation subpart GG. Increase in emission under the NSPS regulations is based upon potential hourly emission rate and the proposed increase in the peak firing rate will increase emission of NO_x and SO₂, which are NSPS regulated pollutants for combustion turbines. In accordance with Subpart KKKK, a combustion turbine with a rated heat input between 50 and 850 MMBtu/hr must meet NO_x emission limit of 42 Parts per million dry volume at 15% oxygen (ppmvdc) for natural gas firing and 96 ppmvdc for oil firing. The combustion gas turbine is currently meeting NO_x emission permit limits of 32 ppmvdc for natural gas and 54 ppmvdc for oil firing. These limits are more stringent than the applicable Subpart KKKK limits.

8. The permittee is exempt from the requirements of Continuous Assurance Monitoring (CAM, 40CFR Part 64) because this permit includes continuous compliance determinations for NO_x. NO_x is monitored with a continuous emission monitoring system.

9. Permit conditions that contain Subpart 231-8 — Modifications to Existing Major Facilities in Attainment Areas (Prevention of Significant Deterioration) contain limits for when the gas turbine is peak firing (GT at peak load). The lb/hr limits are slightly higher than the full load limits when the gas turbine is running at peak load. Peak firing operations were evaluated for New Source Review applicability and Modeled for compliance with the National Ambient Air Quality Standards (NAAQS). The results showed that increase in emissions did not exceed the NAAQS and did not trigger New Source Review or violate PSD. The model was conducted assuming the facility ran at peak load 24/7 year-round. Therefore, no time restriction was placed on how long the facility may peak fire.

10. Indeck Silver Springs was evaluated for applicability with the revised 6 NYCRR Part 251, CO₂ Performance Standards for Major Electric Generating Facilities. It was determined that Part 251 does apply to Indeck Silver Springs as they are considered an existing major electric generating facility. Indeck must choose which CO₂ emission limit they will comply with, either the output-based limit of 1800 lbs CO₂/MWh or the input-based limit of 180 lbs CO₂/MMBtu. Indeck has tentatively chosen to derive CO₂ emissions based on heat input. The 180 pound limit of CO₂ per million Btu will take effect on January 1st, 2021. Indeck may choose to change to the output-based limit by notifying the Department prior to January 1st, 2021.

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