

City of Philadelphia  
Department of Public Health  
Air Management Services

Draft Title V/State Operating Permit No. OP22-000013

**CONSTELLATION ENERGY GENERATION, LLC**  
**Southwark Generating Station**

2501 S. Delaware Avenue  
Philadelphia, PA 19148

Issuance Date: July 12, 2024  
Effective Date: July 12, 2024  
Expiration Date: July 12, 2029

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City of Philadelphia  
Department of Public Health  
Air Management Services

Effective Date: July 12, 2024

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Replaces Permit No. V15-002

**SECTION A. SOURCE IDENTIFICATION**

In accordance with the provisions of the Pennsylvania Code Title 25, Philadelphia Code Title III, and Air Management Regulation (AMR) XIII, the owner or operator (Permittee) identified below is authorized by Philadelphia Air Management Services (AMS) to operate the air emission source(s) listed in Table A-1. This facility is subject to all terms and conditions specified in this permit. Nothing in this permit relieves the Permittee from its obligations to comply with all applicable Federal, State and Local laws and regulations.

Facility: Southwark Generating Station

Owner: Constellation Energy Generation, LLC

Location: 2501 S. Delaware Avenue, Philadelphia , PA 19148

Mailing Address: Eddystone Generating Station, 1 Industrial Highway,  
Eddystone, PA 19022

SIC Code(s): 4911

Plant ID: 4905

Facility Contact: Joseph Kuklinski

Phone: 610-595-8113

Email: joseph.kuklinski@constellation.com

Permit Contact: Albert M. Hatton

Phone: 610-213-9958

Email: albert.hatton@constellation.com

Responsible Official: Laureen Cheung

Title: Plant Manager

Phone: (412) 885-4337

  
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Maryjoy Ulatowski, Chief of Source Registration

7/12/2024  
\_\_\_\_\_  
Date

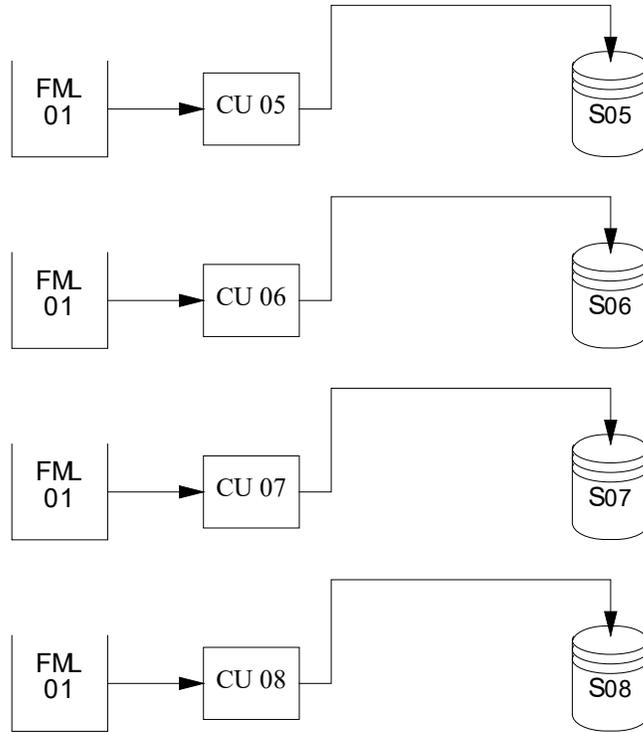
TABLE A1-FACILITY INVENTORY LIST

ID	Source Name	Installation Date	Capacity	Fuel/Material
<b>Group 01 Combustion Turbines</b>				
CU05	Combustion Turbine #6	1968	233 MMBTU/hr ( 18 MW)	No. 2 Oil, kerosene
CU06	Combustion Turbine #5	1967	233 MMBTU/hr (18 MW)	No. 2 Oil, kerosene
CU07	Combustion Turbine #4	1967	233 MMBTU/hr (18 MW)	No. 2 Oil, kerosene
CU08	Combustion Turbine #3	1967	233 MMBTU/hr (18 MW)	No. 2 Oil, kerosene
<b>Stacks or Emission Points</b>				
S05	Stack for Combustion Turbine #6			
S06	Stack for Combustion Turbine #5			
S07	Stack for Combustion Turbine #4			
S08	Stack for Combustion Turbine #3			
<b>Group IN Insignificant Activities</b>				
FML1	No. 2 Fuel Oil Tank (v.p.<1.5 psia)		300,636 gal	No. 2 Oil, kerosene
P01	Lube Oil Storage Tank and Vents			
P02	False Start Tanks			
P03	Fugitive Emissions from Trucks			

MMBtu/hr = million British thermal units per hour

MW = megawatt

Constellation - Southwark Station –Title V Operating Permit



PROCESS FLOW DIAGRAM FOR CONSTELLATION - SOUTHWARK STATION

## **SECTION B. GENERAL CONDITIONS**

### **1. Definitions**

[25 Pa Code §121.1]

Words and terms used in this permit shall have the meanings set forth in Section 3 of the Air Pollution Control Act (35 P.S. §4003) and in 25 Pa Code §121.1 unless the context clearly indicates otherwise.

### **2. Prohibition of Pollution**

[25 Pa. Code § 121.7 & Phila. Code § 3-201(a)(1)-(3)]

(a) No person shall discharge, or allow the escape of air contaminants to the atmosphere:

- (1) Which are prohibited by or are in excess of those permitted by this Code or by the regulations of the Air Pollution Control Board; or
- (2) Which exceed the density or opacity limits established by the Board; or
- (3) Which result in or cause air pollution or an air pollution nuisance as defined in the Pennsylvania Air Pollution Control Act or Air Management Code.

### **3. Property Rights**

[25 Pa Code §127.512(c)(4)]

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

### **4. Permit Expiration**

[25 Pa Code §127.446(a) and (c)]

This operating permit is issued for a fixed term of 5 years and shall expire on the date specified on the front page of this permit. The terms and conditions of the expired permit shall automatically continue pending issuance of a new Title V permit, provided the Permittee has submitted a timely and complete application and paid applicable fees required under 25 Pa Code §127, Subchapter I and AMS is unable, through no fault of the Permittee, to issue or deny a new permit before the expiration of the previous permit. An application is complete if it contains sufficient information to begin processing the application, has the applicable sections completed and has been signed by a responsible official.

### **5. Permit Renewal**

[25 Pa Code §§127.412, 127.413, 127.414, 127.446(e) & 127.503]

- (a) The Permittee shall submit a complete application for renewal of the Title V permit at least 6 months and not more than 18 months before the expiration date of this permit. The Permittee shall submit to AMS a timely and complete application.
- (b) The application for permit renewal shall include the current permit number, the appropriate renewal fee, a description of any permit revisions and off-permit changes that occurred during the permit term, and any applicable requirements that were promulgated and not incorporated into the permit during the permit

term. The application for renewal of the Title V permit shall include submission of supplemental compliance review forms in accordance with 25 Pa Code §127.412(b) or (j).

- (c) The Permittee shall submit with the renewal application a fee to AMS as specified in 25 Pa Code §127.704(b)(2). The applicable fees shall be made payable to the “City of Philadelphia” or paid online through City’s web portal at [www.citizenserve.com/philadelphia](http://www.citizenserve.com/philadelphia).
  - (1) Four thousand dollars (\$4,000) for applications filed during calendar years 2021—2025. [25 Pa Code §127.704(b)(2)(ii)]
  - (2) Five thousand dollars (\$5,000) for applications filed during calendar years 2026—2030. [25 Pa Code §127.704(b)(2)(iii)]
  - (3) Six thousand three hundred dollars (\$6,300) for applications filed with calendar years beginning with 2031. [25 Pa Code §127.704(b)(2)(iv)]
- (d) The Permittee, upon becoming aware that any relevant facts were omitted or incorrect information was submitted in the permit application, shall promptly submit such supplementary facts or corrected information during the permit renewal process. The Permittee shall also provide additional information as necessary to address any requirements that become applicable to the source after the date a complete renewal application was submitted but prior to release of a draft permit.

## 6. Transfer of Ownership or Operation

[25 Pa Code §§127.450(a)(4), 127.464(a) & AMR I Sec. II.A.5.c.]

- (a) In accordance with 25 Pa Code §127.464(a) this permit may not be transferred to another person, except in cases of transfer-of-ownership which are documented and approved to the satisfaction of AMS.
- (b) In accordance with 25 Pa Code §127.450(a)(4), a change in ownership or operational control of the source shall be treated as an administrative amendment if:
  - (1) AMS determines that no other change in the permit is necessary.
  - (2) A written agreement has been submitted to AMS identifying the specific date of the transfer of permit responsibility, coverage, and liability between the current and the new Permittee; and
  - (3) A compliance review form has been submitted to AMS and the permit transfer has been approved by AMS.
- (c) This operating permit is valid only for those specific sources and the specific source locations described in this permit.

## 7. Inspection and Entry

[25 Pa Code §127.513, 35 P.S. §4008, §114 of the Clean Air Act & Phila. Code §3-304]

- (a) Upon presentation of credentials and other documents as may be required by law for inspection and entry purposes, the Permittee shall allow AMS or authorized representatives of AMS to perform the following:
  - (1) Enter at reasonable times upon the Permittee's premises where a Title V source is located or emissions related activity is conducted, or where records are kept under the conditions of this permit.
  - (2) Have access to and copy or remove, at reasonable times, any records that are kept under the conditions of this permit.
  - (3) Inspect at reasonable times, facilities, equipment including monitoring and air pollution control equipment, practices, or operations regulated or required under this permit.
  - (4) Sample or monitor, at reasonable times, any substances or parameters for the purpose of assuring compliance with the permit or applicable requirements as authorized by the Clean Air Act, the Pennsylvania Air Pollution Control Act, the Philadelphia Air Management Code, or the regulations promulgated thereunder.
- (b) Pursuant to 35 P.S. §4008, no person shall hinder, obstruct, prevent, or interfere with AMS or its personnel in the performance of any duty authorized under the Pennsylvania Air Pollution Control Act, Philadelphia Air Management Code, or regulations adopted thereunder.
- (c) Nothing in this permit condition shall limit the ability of the EPA to inspect or enter the premises of the Permittee in accordance with Section 114 or other applicable provisions of the Clean Air Act.

## 8. Compliance Requirements

[25 Pa Code §§127.25, 127.444, 127.512(c)(1) & AMR I Sec. II.A.5.b.]

- (a) The Permittee shall comply with the conditions of this permit. Noncompliance with this permit constitutes a violation of the Clean Air Act, the Pennsylvania Air Pollution Control Act, and/or the Philadelphia Air Management Code and is grounds for one or more of the following:
  - (1) Enforcement action
  - (2) Permit termination, revocation and reissuance or modification
  - (3) Denial of permit renewal application.
- (b) A person may not cause or permit the operation of a source subject to 25 Pa Code Article III or the Philadelphia Air Management Code, unless the source(s) and air cleaning devices identified in the application for the plan approval/ installation permit and operating permit and the plan approval/ installation permit issued to the source are operated and maintained in accordance with specifications in the application and conditions in the plan approval/ installation permit and operating permit issued by AMS. A person may not cause or permit the operation of an air contamination source subject to 25 Pa Code Chapter 127 or the Philadelphia Air Management Code in a manner inconsistent with good operating practices.

- (c) For purposes of sub-condition (b) of this permit condition, the specifications in applications for plan approvals/ installation permits and operating permits are the physical configurations and engineering design details which AMS determines are essential for the Permittee's compliance with the applicable requirements in this Title V permit.
- (d) The Permittee shall not change any installation such that the registered information concerning it is no longer accurate without first notifying AMS.

## 9. Need to Halt or Reduce Activity Not A Defense

[25 Pa Code §127.512(c)(2)]

It shall not be a defense for a Permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

## 10. Duty to Provide Information

[25 Pa Code §127.411(d), §127.512(c)(5) & AMR I Sec. II.B. and C.]

- (a) The Permittee shall furnish to AMS, within a reasonable time, information that AMS may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit, or to determine compliance with the permit.
- (b) Upon request, the Permittee shall also furnish AMS copies of records that the Permittee is required to keep by this permit, or for information claimed to be confidential, the Permittee may furnish such records along with any claim of confidentiality.

## 11. Reopening and Revising the Title V Permit for Cause

[25 Pa Code §§127.463, 127.512(c)(3), & 127.542]

- (a) This Title V 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, reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay a permit condition.
- (b) This permit may be reopened and reissued prior to expiration of the permit under one or more of the following circumstances:
  - (1) Additional applicable requirements under the Clean Air Act, Pennsylvania Air Pollution Control Act, or Philadelphia Air Management Code become applicable to a Title V facility with a remaining permit term of 3 or more years prior to the expiration date of this permit. AMS will revise the permit as expeditiously as practicable but not later than 18 months after promulgation of the applicable standards or regulations. No such revision is required if the effective date of the requirement is later than the expiration date of this permit unless the original permit or its terms and conditions has been extended.
  - (2) Additional requirements, including excess emissions requirements, become applicable to an affected source under the acid rain program. Excess

emissions offset plans for an affected source shall be incorporated into the permit upon approval by the Administrator of EPA.

- (3) AMS or the EPA determines that this permit contains a material mistake or inaccurate statements were made in establishing the emissions standards or other terms or conditions of this permit.
- (4) AMS or the Administrator of EPA determines that the permit must be revised or revoked to assure compliance with the applicable requirements.
- (c) Proceedings to revise this permit shall follow the same procedures which apply to initial permit issuance and shall affect only those parts of this permit for which cause to revise exists. The revision shall be made as expeditiously as practicable.
- (d) Regardless of whether a revision is made in accordance with (b)(1) above, the Permittee shall meet the applicable standards or regulations promulgated under the Clean Air Act within the time frame required by standards or regulations.

## 12. Reopening a Title V Permit for Cause by EPA

[25 Pa Code §127.543]

As required by the Clean Air Act and regulations adopted thereunder, this permit may be modified, reopened, and reissued, revoked, or terminated for cause by EPA in accordance with procedures specified in 25 Pa Code §127.543.

## 13. Operating Permit Application Review by the EPA

[25 Pa Code §127.522(a)]

The applicant may be required by the Department to provide a copy of the permit application, including the compliance plan, directly to the Administrator of the EPA. Copies of title V permit applications to EPA, pursuant to 25 PA Code §127.522(a), shall be submitted, if required, to the following EPA e-mail box:

R3\_Air\_Apps\_and\_Notices@epa.gov

Please place the following in the subject line: TV [permit number], [Facility Name].

## 14. Significant Operating Permit Modifications

[25 Pa Code §127.541]

When permit modifications during the term of this permit do not qualify as minor permit modifications or administrative amendments, the Permittee shall submit an application for significant Title V permit modifications in accordance with 25 Pa Code §127.541. Notifications to EPA, pursuant to 25 PA Code §127.522(a), if required, shall be submitted, to the following EPA e-mail box:

R3\_Air\_Apps\_and\_Notices@epa.gov

Please place the following in the subject line: TV [permit number], [Facility Name].

## 15. Minor Operating Permit Modifications

[25 Pa Code §§121.1, 127.462 & AMR I Sec. II.A.]

- (a) The Permittee may make minor permit modifications (as defined in 25 Pa Code §121.1) in accordance with 25 Pa Code §127.462 (relating to minor operating permit modifications). Notifications to EPA, pursuant to 25 PA Code §127.462(c), if required, shall be submitted, to the following EPA e-mail box:  
[R3\\_Air\\_Apps\\_and\\_Notices@epa.gov](mailto:R3_Air_Apps_and_Notices@epa.gov)  
Please place the following in the subject line: TV [permit number], [Facility Name].
- (b) Unless precluded by the Clean Air Act or the regulations thereunder, the permit shield described in 25 Pa Code §127.516 (relating to permit shield) shall extend to an operational flexibility change authorized by 25 Pa Code §127.462.
- (c) The Permittee shall submit with the modification or administrative application a fee to AMS as specified in 25 Pa Code §127.704(b). The applicable fees shall be made payable to the “City of Philadelphia” or paid online through City’s web portal at [www.citizenserve.com/philadelphia](http://www.citizenserve.com/philadelphia).
  - (1) For a minor modification of an operating permit or part thereof:
    - (i) One thousand five hundred dollars (\$1,500) for applications filed during calendar years 2021—2025. [25 Pa Code §127.704(b)(3)(ii)]
    - (ii) One thousand nine hundred dollars (\$1,900) for applications filed during calendar years 2026—2030. [25 Pa Code §127.704(b)(3)(iii)]
    - (iii) Two thousand four hundred dollars (\$2,400) for applications filed for the calendar years beginning with 2031. [25 Pa Code §127.704(b)(3)(iv)]
  - (2) For a significant modification of an operating permit or part thereof:
    - (i) Four thousand dollars (\$4,000) for applications filed during calendar years 2021—2025. [25 Pa Code §127.704(b)(4)(ii)]
    - (ii) Five thousand dollars (\$5,000) for applications filed during calendar years 2026—2030. [25 Pa Code §127.704(b)(4)(iii)]
    - (iii) Six thousand three hundred dollars (\$6,300) for applications filed for the calendar years beginning with 2031. [25 Pa Code §127.703(b)(4)(iv)]

## 16. Administrative Operating Permit Modifications

[25 Pa Code §127.450]

- (a) The Permittee may request administrative operating permit amendments, as defined in 25 Pa. Code §127.450(a). Copies of request for administrative permit amendment to EPA, pursuant to 25 PA Code §127.450(c)(1), if required, shall be submitted to the following EPA e-mail box:  
[R3 Air Apps and Notices@epa.gov](mailto:R3_Air_Apps_and_Notices@epa.gov)  
Please place the following in the subject line: TV [permit number], [Facility Name].
- (b) Upon final action by the AMS granting a request for an administrative operating permit amendment covered under §127.450(a)(5), the permit shield provisions in 25 Pa. Code § 127.516 (relating to permit shield) shall apply to administrative permit amendments incorporated in this Title V Permit in accordance with §127.450(c), unless precluded by the Clean Air Act or the regulations thereunder.

- (b) Unless precluded by the Clean Air Act or the regulations thereunder, AMS will, upon taking final action granting a request for an administrative permit amendment in accordance with §127.450(c), allow coverage by the permit shield in 25 Pa Code §127.516 (relating to permit shield) for administrative permit amendments which meet the relevant requirements of 25 Pa Code Article III.
- (c) The Permittee shall submit with the administrative amendment application a fee to AMS as specified in 25 Pa Code §127.704(b). The applicable fees shall be made payable to the “City of Philadelphia” or paid online through City’s web portal at [www.citizenserve.com/philadelphia](http://www.citizenserve.com/philadelphia).
  - (1) One thousand five hundred dollars (\$1,500) for applications filed during calendar years 2021—2025. [25 Pa Code §127.704(b)(5)(ii)]
  - (2) One thousand nine hundred dollars (\$1,900) for applications filed during calendar years 2026—2030. [25 Pa Code §127.704(b)(5)(iii)]
  - (3) Two thousand four hundred dollars (\$2,400) for applications filed for the calendar years beginning with 2031. [25 Pa Code §127.704(b)(5)(iv)]

## 17. Severability Clause

[25 Pa Code §127.512(b) & AMR I Sec. VIII]

The provisions of this permit are severable, and if any provision of this permit is determined by the Environmental Hearing Board (Department of Licenses and Inspections Review Board until the Environmental Hearing Board is approved) or a court of competent jurisdiction to be invalid or unenforceable, such a determination will not affect the remaining provisions of this permit.

## 18. Fee Payment

[25 Pa Code §§127.704, 127.705 & 127.707]

- (a) The Permittee shall pay fees to AMS in accordance with the applicable fee schedules in 25 Pa Code Chapter 127 Subchapter I (relating to plan approval and operating permit fees).
- (b) Emission fees. The Permittee shall, on or before September 1 of each year, pay applicable annual Title V emission fees for emissions occurring in the previous calendar year as specified in 25 Pa Code §127.705. The Permittee is not required to pay an emission fee for emissions of more than 4,000 tons of each regulated pollutant emitted from the facility.
- (c) As used in this permit condition, the term “regulated pollutant” is defined as a Volatile Organic Compound, each pollutant regulated under Sections 111 and 112 of the Clean Air Act and each pollutant for which a National Ambient Air Quality Standard has been promulgated, except that carbon monoxide is excluded. Payment shall be made to AMS.
- (d) Late Payment. Late payment of emission fees will subject the Permittee to the penalties prescribed in 25 Pa Code §127.707 and may result in the suspension or termination of the Title V permit. The Permittee shall pay a penalty of fifty per centum (50%) of the fee amount, plus interest on the fee amount computed in

accordance with 26 U.S.C.A. §6621(a)(2) from the date the emission fee should have been paid in accordance with the time frame specified in 25 Pa Code §127.705(c).

- (e) The Permittee shall pay an annual operating permit maintenance fee according to the fee schedule established in 25 Pa Code §127.704(d) on or before December 31 of each calendar year for the next year
  - (1) Eight thousand dollars (\$8,000) for calendar years 2021—2025. [25 Pa Code §127.704(d)(2)]
  - (2) Ten thousand dollars (\$10,000) for calendar years 2026—2030. [25 Pa Code §127.704(d)(3)]
  - (3) Twelve thousand five hundred dollars (\$12,500) for the calendar years beginning with 2031. [25 Pa Code §127.704(d)(4)]
- (f) The applicable fees shall be made payable to the “City of Philadelphia” or paid online through City’s web portal at [www.citizenserve.com/philadelphia](http://www.citizenserve.com/philadelphia).
- (g) This permit condition does not apply to a Title V facility which qualifies for exemption from emission fees under 35 P.S. §4006.3(f).

#### 19. Authorization for De Minimis Emissions Increases

[25 Pa Code §§127.14(b), 127.449 & Phila. Code §3-306]

- (a) This permit authorizes de minimis emission increases from a new or existing source in accordance with 25 Pa Code §§127.14 and 127.449 without the need for a plan approval, Phila. Code §3-306 without the need for an installation permit, or prior issuance of a permit modification. The Permittee shall provide AMS with 7 days prior written notice before commencing any de minimis emission increase that would result from either: (1) a physical change of minor significance under 127.14.(c)(1) and Phila. Code §3-306; or (2) the construction, installation, modification, or reactivation of an air contamination source. The written notice shall:
  - (1) Identify and describe the pollutants that will be emitted as a result of the de minimis increase.
  - (2) Provide emission rates in tons/year and in terms necessary to establish compliance consistent with any applicable requirement.

AMS may disapprove or condition the de minimis emission increase at any time.

- (b) Except as provided below in (c) and (d) of this permit condition, the Permittee is authorized during the term of this permit to make the following de minimis emission increases (expressed in tons per year), up to the following amounts without the need for a plan approval or installation permit or prior issuance of a permit modification:
  - (1) Four tons of carbon monoxide from a single source during the term of the permit and 20 tons of carbon monoxide at the facility during the term of the permit.

- (2) One ton of NO<sub>x</sub> from a single source during the term of the permit and five tons of NO<sub>x</sub> at the facility during the term of the permit.
  - (3) One and six-tenths tons of oxides of sulfur from a single source during the term of the permit and eight tons of oxides of sulfur at the facility during the term of the permit.
  - (4) Six-tenths of a ton of PM-10 from a single source during the term of the permit and three tons of PM-10 at the facility during the term of the permit. This shall include emissions of a pollutant regulated under Section 112 of the Clean Air Act unless precluded by the Clean Air Act, or 25 Pa Code Article III.
  - (5) One ton of VOCs from a single source during the term of the permit and five tons of VOCs at the facility during the term of the permit. This shall include emissions of a pollutant regulated under Section 112 of the Clean Air Act unless precluded by the Clean Air Act, or 25 Pa Code Article III.
- (c) The Permittee is authorized to install the following minor sources without the need for a plan approval or installation permit:
- (1) Air conditioning or ventilation systems not designed to remove pollutants generated or released from other sources.
  - (2) Combustion units rated at 250,000 or less Btu per hour of net load rating.
  - (3) Laboratory equipment used exclusively for chemical or physical analysis.
- (d) This permit does not authorize de minimis emission increases if the emissions increase would cause one or more of the following:
- (1) Increase the emissions of the pollutant regulated under Section 112 of the Clean Air Act except as authorized in subparagraph (b)(4) & (5) of this permit condition.
  - (2) Subject the facility to the prevention of significant deterioration requirements in 25 Pa Code Chapter 127, Subchapter D and/or the new source review requirements in subchapter E.
  - (3) Violate any applicable requirement of the Air Management Code, the Air Pollution Control Act, the Clean Air Act, or the regulations thereunder.
  - (4) Changes which are modifications under the provision of Title 1 of the Clean Air Act and emission increases which would exceed the allowable emissions level (expressed as a rate of emissions or in terms of total emissions) under the Title V permit.
- (e) Unless precluded by the Clean Air Act or the regulations thereunder, the permit shield described in 25 Pa Code §127.516 (relating to permit shield) applies to de minimis emission increases and the installation of minor sources made pursuant to this permit condition.
- (f) Emissions authorized under this permit condition shall be included in the monitoring, recordkeeping, and reporting requirements of this permit.
- (g) Except for de minimis emission increases allowed under this permit, or sources and physical changes meeting the requirements of 25 Pa Code §127.14, the Permittee is prohibited from making physical changes or engaging in activities

that are not specifically authorized under this permit without first applying for a plan approval. A City of Philadelphia Installation Permit is required if the activities are subject to the Philadelphia Air Management Code. In accordance with 25 Pa Code §127.14(b), a plan approval is not required for the construction, modification, reactivation, or installation of the sources creating the de minimis emissions increase.

- (h) The Permittee may not meet de minimis emission threshold levels by offsetting emission increases or decreases at the same source.

## 20. Reactivation of Sources

[25 Pa Code §§127.11, 127.11a, 127.215 & AMR I Sec. II.A.5.]

- (a) The Permittee shall notify AMS of any source that is out of operation for more than a year in its semiannual monitoring report.
- (b) The Permittee may reactivate a source at the facility that has been out of operation or production for at least one (1) year, but less than or equal to five (5) years, if the source is reactivated in accordance with the requirements of 25 Pa Code §§127.11a and 127.215. The reactivated source will not be considered a new source.
- (c) A source which has been out of operation or production for more than five (5) years but less than ten (10) years may be reactivated and will not be considered a new source if the Permittee satisfies the conditions specified in 25 Pa Code §127.11a(b).

## 21. Circumvention

[25 Pa Code §§121.9, 127.216 & AMR I Sec. VII]

- (a) The Permittee may not circumvent the requirements of 25 Pa Code Chapter 127, by causing or allowing a pattern of ownership or development, including the phasing, staging, delaying or engaging in incremental construction, over a geographic area of a facility which, except for the pattern of ownership or development, would otherwise require a permit or submission of a plan approval application.
- (b) No person may permit the use of a device, stack height which exceeds good engineering practice stack height, dispersion technique or other technique which, without resulting in reduction of the total amount of air contaminants emitted, conceals or dilutes an emission of air contaminants which would otherwise be in violation of this permit, the Pennsylvania Air Pollution Control Act, the Philadelphia Air Management Code or the regulations promulgated thereunder, except that with prior approval of AMS, the device or technique may be used for control of malodors.

## 22. Operational Flexibility

[25 Pa Code §127.3 & AMR I Sec. XII]

- (a) The Permittee is authorized to make changes within the Title V facility in accordance with the following provisions in 25 Pa Code Chapter 127 and in Phila.

Code §3-306 which implement the operational flexibility requirements of Section 502(b)(10) of the Clean Air Act and Section 6.1(i) of the Pennsylvania Air Pollution Control Act:

- (1) Section 127.14 and Phila. Code §3-306, whichever is more stringent (relating to exemptions)
  - (2) Section 127.447 (relating to alternative operating scenarios)
  - (3) Section 127.448 (relating to emissions trading at facilities with Federally enforceable emissions caps)
  - (4) Section 127.449 (relating to de minimis emission increases)
  - (5) Section 127.450 (relating to administrative operating permit amendments)
  - (6) Section 127.462 (relating to minor operating permit amendments)
  - (7) Subchapter H (relating to general plan approvals and operating permits)
- (b) Unless precluded by the Clean Air Act or the regulations adopted thereunder, the permit shield authorized under 25 Pa Code §127.516 shall extend to operational flexibility changes made at this Title V facility pursuant to this permit condition and other applicable operational flexibility terms and conditions of this permit.

## 22. Approved Economic Incentives and Emission Trading Programs

[25 Pa Code §127.512(e)]

No permit revision shall be required under approved economic incentives, marketable permits, emissions trading and other similar programs or processes for changes that are provided for in this Title V permit.

## 23. Permit Shield

[25 Pa Code §§127.516, 127.450(d), 127.449(f) & 127.462(g)]

- (a) The Permittee's compliance with the conditions of this permit shall be deemed in compliance with applicable requirements as of the date of permit issuance if either of the following applies:
- (1) The applicable requirements are included and are specifically identified in this permit.
  - (2) AMS specifically identifies in the permit other requirements that are not applicable to the permitted facility.
- (b) Nothing in 25 Pa Code §127.516 or the Title V permit shall alter or affect the following:
- (1) The provision of Section 303 of the Clean Air Act, including the authority of the Administrator of the EPA provided thereunder.
  - (2) The liability of the Permittee for a violation of an applicable requirement prior to the time of permit issuance.
  - (3) The applicable requirements of the acid rain program, consistent with Section 408(a) of the Clean Air Act.
  - (4) The ability of the EPA to obtain information from the Permittee under Section 114 of the Clean Air Act.

- (c) Unless precluded by the Clean Air Act or regulations thereunder, final action by AMS on administrative amendments, minor and significant permit modifications, and operational flexibility changes shall be covered by the permit shield provided such amendments, modifications and changes meet the relevant requirements of 25 Pa Code Article III.
- (d) The permit shield authorized under §127.516 is in effect for the permit terms and conditions in this Title V permit, including administrative operating permit amendments and minor operating permit modifications.

## **SECTION C. FACILITY WIDE**

### **1. Fugitive Emissions**

[25 Pa Code §§123.1, 123.2, & AMR II Sec. VIII]

- (a) No person may permit the emission into the outdoor atmosphere of a fugitive air contaminant from a source other than the following:
  - (1) Construction, or demolition of buildings or structures.
  - (2) Grading, paving and maintenance of roads and streets.
  - (3) Use of roads and streets. Emissions from material in or on trucks, railroad cars, and other vehicular equipment are not considered as emissions from use of roads and streets.
  - (4) Clearing of land.
  - (5) Stockpiling of materials.
  - (6) Sources and classes of sources other than those identified in paragraphs 1(a)(1)-1(a)(5) for which the Permittee has obtained a determination from AMS that fugitive emissions from the source, after appropriate control, meet the following requirements:
    - (i) The emissions are of minor significance with respect to causing air pollution.
    - (ii) The emissions are not preventing or interfering with the attainment or maintenance of an ambient air quality standard.
- (b) The Permittee may not permit fugitive particulate matter from a source specified in paragraphs 1(a)(1)-1(a)(6) if the emissions are visible at the point the emissions pass outside the facility's property.
- (c) The Permittee shall take all reasonable actions to prevent particulate matter emitted from a source identified in paragraphs 1(a)(1)-1(a)(6) from becoming airborne. These actions include, but are not limited to, the following:
  - (1) Use, where possible, of water or chemicals for control of dust in the demolition of buildings or structures, construction operations, the grading of roads, or the clearing of land.
  - (2) Application of asphalt, oil, water or suitable chemicals on dirt roads, material stockpiles and other surfaces which may give rise to airborne dusts.
  - (3) Paving and maintenance of roadways.

- (4) Prompt removal of earth or other material from paved streets onto which earth or other material has been transported by trucking or earth moving equipment, erosion by water, or other means.

## 2. Odor Emissions Limitations

[25 Pa Code §123.31(b) & AMR V Sec. XX]

A person may not permit the emission into the outdoor atmosphere of any malodorous air contaminants from any source, in such a manner that the malodors are detectable outside the property of the person on whose land the source is being operated.

## 3. Visible Emissions Limitations

[25 Pa Code §§123.41, 123.42, 123.43, and AMR II Sec. IV]

- (a) A person at the Title V facility may not permit the emission into the outdoor atmosphere of visible air contaminants in such a manner that the opacity of the emission is either of the following:
  - (1) Equal to or greater than 20% for a period or periods aggregating more than 3 minutes in any one hour.
  - (2) Equal to or greater than 60% at any time.
- (b) These emission limitations do not apply when: [25 Pa Code §123.42]
  - (1) The presence of uncombined water is the only reason for failure of the emission to meet the limitations.
  - (2) When the emission results from sources specified in 25 Pa Code §123.1(a)(1)-(9).
  - (3) When the emission results from the operation of equipment used solely to train and test persons in observing the opacity of visible emissions.
- (c) The visible emissions may be measured using either of the following: [25 Pa Code §123.43]
  - (1) A device approved by AMS and maintained to provide accurate opacity measurements.
  - (2) Observers trained and qualified to measure plume opacity with the naked eye or with the aid of devices approved by AMS.
- (d) The emission limitations of 20% and 60% as stated above do not apply to facilities which have received a stricter emission limitation in a plan approval or operating permit as part of AMS's Best Available Technology determination, if that limitation is stated elsewhere in this permit.

## 4. Fuel Usage

[AMR III Sec. I & III, Air Management Code Section 3-207. Compliance with the requirement specified in this streamlined permit condition assures compliance with the provisions specified in 25 Pa Code §123.22(e)]

- (a) Unless specified in Section D, the Permittee shall use only natural gas, propane, or commercial fuel oil.

- (1) Effective July 1, 2015, no person shall use commercial fuel oils which contain sulfur in excess of the percentages by weight set forth below: [Air Management Code §3-207 – assures compliance with 25 Pa Code §123.22(e)(2)]

*Grades Commercial Fuel Oil*

No. 2 and lighter oil	0.0015% (15 ppm)
No. 4 oil	0.2500% (2500 ppm)
No. 5, No. 6 and heavier oil	0.5000% (5000 ppm)

- (2) No. 2 grade commercial fuel oil that was stored by the ultimate consumer at its Facility prior to July 1, 2015, and that met the applicable maximum allowable sulfur content for commercial fuel oil through June 30, 2015 at the time it was stored, may be used by the ultimate consumer at its Facility on and after July 1, 2015, provided that all of the following shall apply:
- (i) Any such ultimate consumer demonstrates to the Department, by means of written records (including but not limited to documentation from fuel suppliers), that any fuel oil delivered to the Facility after April 1, 2015 met the sulfur content standard effective July 1, 2015 under this Section 3-207, which records shall be maintained until July 1, 2016, or until such time as the consumer no longer relies on the exemption in subsection 3-207(c) or (d), whichever is later;
  - (ii) Any such fuel oil may only be used at the Facility where such fuel oil was delivered and stored on or before June 30, 2015; and
  - (iii) Any fuel oil that is not compliant with the standards for sulfur content imposed by this Section effective July 1, 2015 shall be consumed, brought into compliance, or otherwise eliminated from use no later than July 1, 2020.
  - (iv) The Department shall have the authority to extend the above exemption as per Section 3-207(d) of the Air Management Code.
- (3) Effective April 1, 2020, no person may use or burn No. 4 or heavier grade of commercial fuel oil (SSU Viscosity at 100° F > 45).
- (4) No. 4 grade commercial fuel oil (SSU Viscosity at 100° F > 45, but < 145) that was stored by the ultimate consumer at its Facility prior to April 1, 2020, and that has a sulfur content by weight not in excess of .2500% (2500 ppm); and No. 5 grade or heavier commercial fuel oil (SSU Viscosity at 100° F ≥ 145) that was stored by the ultimate consumer at its Facility prior to April 1, 2020, and that has a sulfur content by weight not in excess of .5000% (5000 ppm), may be used by the ultimate consumer at its Facility, provided that all of the following shall apply:
- (i) Any such ultimate consumer demonstrates to the Department, by means of written records (including but not limited to documentation from fuel suppliers), that no No. 4 grade or heavier commercial fuel oil has been delivered to the Facility after March 31, 2020, which records shall be

maintained until such time as the consumer no longer relies on the exemption in subsection 3-207(c) or (d), whichever is later; for as long as the user relies on this exemption;

- (ii) Any such fuel oil may only be used at the Facility where such fuel oil was delivered and stored on or before March 31, 2020; and
  - (iii) Any fuel oil that is not compliant with the standards for sulfur content imposed by this Section effective July 1, 2015 shall be consumed, brought into compliance, or otherwise eliminated from use no later than July 1, 2024.
  - (iv) The Department shall have the authority to extend the above exemption as per Section 3-207(e) of the Air Management Code.
- (5) Any public utility, as defined by Section 102 of the Pennsylvania Public Utility Code, 66 Pa.C.S. §102, and certificated by the Pennsylvania Public Utility Commission pursuant to 66 Pa. C.S. § 1101, et seq., authorizing it to offer, render, furnish, or supply steam to or for the public for compensation, shall be permitted to take delivery to a Facility owned by such public utility (and a vendor shall be permitted to sell or deliver), for use only at a Facility owned by the same public utility, of No. 4 or heavier grade of commercial fuel oil (SSU viscosity at 100° F > 45) through December 31, 2022.
- (b) When it appears that the delivery of low sulfur fuel is, or is about to be, interrupted because of unavailability, accident, or other emergency conditions, AMS may authorize the use of an alternative fuel supply, involving the least adverse impact on air quality, for a period not to exceed 30 days. Longer periods of time of 120 days each may be authorized by AMS only after review and recommendation made by the Air Pollution Control Board for each extended period of time. Factors to be considered shall include the availability of alternate complying fuels, the availability of sulfur dioxide stack gas removal equipment, and the anticipated effect on air quality in the neighborhood, area and region. The Air Pollution Control Board, after a hearing, shall have the right to adjust, revoke, rescind, and make changes or modifications of any authorizations if there shall occur such change in the condition of availability of low sulfur fuel or the factors set forth in this subsection. [AMR III, Sec. III.C]

## 5. Open Burning

[AMR II Sec. II]

The Permittee shall not permit the ignition or continuation of open burning of any materials.

## 6. Modification of 112 Pollutants Which Are VOCs and PM-10

[25 Pa Code §127.512(j)]

Except when precluded by the Clean Air Act, the Permittee may modify the mixture of pollutants regulated under Section 112 of the Clean Air Act (42 U.S.C.A. §7412) which are VOCs or PM-10 if:

- (a) The emission limitations of the permit are not violated, and

- (b) The Permittee keeps a log which identifies the mixture of pollutants regulated under Section 112 and reports such changes to AMS in the next semiannual report.

## 7. Risk Management

[25 Pa Code §§127.441(d), 127.512(i) and 40 CFR Part 68]

- (a) If required by Section 112(r) of the Clean Air Act, the Permittee shall develop and implement an accidental release program consistent with requirements of the Clean Air Act and 40 CFR Part 68 (relating to chemical accident prevention provisions) and the Federal Chemical Safety Information, Site Security and Fuels Regulatory Relief Act (P.L. 106-40).
- (b) When a regulated substance listed in 40 CFR §68.130 is present in a process at the Title V facility in more than the listed threshold quantity, the Permittee shall prepare and implement a risk management plan (RMP) which meets the requirements of Section 112(r) of the Clean Air Act and 40 CFR Part 68 and the Federal Chemical Safety Information, Site Security and Fuels Regulatory Relief Act.
  - (1) The Permittee shall submit the first RMP to AMS and EPA no later than the latest of the following:
    - (i) June 21, 1999.
    - (ii) Three years after the date on which a regulated toxic substance is first listed under §68.130; or
    - (iii) The date on which a regulated substance is first present above a threshold quantity in a process.
  - (2) The Permittee shall submit any additional relevant information requested by AMS or EPA concerning the RMP and shall make subsequent submissions of RMPs in accordance with 40 CFR §68.190.
  - (3) The Permittee shall certify that the RMP is accurate and complete in accordance with the requirements of 40 CFR Part 68 and guidance developed by EPA, including a checklist addressing the required elements of a complete RMP.
- (c) As used in this permit condition, and defined in 40 CFR §68.3, the term “process” means any activity involving a regulated substance including any use, storage, manufacturing, handling, or on-site movement of such substances or any combination of these activities. For purposes of this definition, any group of vessels that are interconnected, or separate vessels that are located such that a regulated substance could be involved in a potential release, shall be considered a single process.
- (d) If the Title V facility is subject to 40 CFR Part 68, as part of the certification required under this permit, the Permittee shall:
  - (1) Submit a compliance schedule for satisfying the requirements of 40 CFR Part 68 by the date specified in 40 CFR §68.10(a); or

- (2) Certify that the Title V facility is in compliance with all requirements of 40 CFR Part 68 including the registration and submission of the RMP.
- (e) If the Title V facility is subject to 40 CFR Part 68, the Permittee shall maintain records supporting the implementation of an accidental release program for five years in accordance with 40 CFR §68.200.
- (f) When the Title V facility is subject to the accidental release program requirements of Section 112(r) of the Clean Air Act and 40 CFR Part 68, appropriate enforcement action will be taken by AMS if:
  - (1) the Permittee fails to register and submit the RMP or a revised plan pursuant to 40 CFR Part 68.
  - (2) the Permittee fails to certify that the Title V facility is in compliance with the requirements of Section 112(r) of the Clean Air Act, 40 CFR Part 68, and 25 Pa Code §127.512(i).

## 8. Stratospheric Ozone Protection

[25 Pa Code §127.441(b) and 40 CFR Part 82]

The Permittee shall satisfy applicable requirements of 40 CFR Part 82, Subpart F, Recycling and Emissions Reduction, during the service, maintenance, repair and disposal of equipment containing Class I and Class II refrigerants regulated under such regulations.

## 9. Sampling, Testing and Monitoring Procedures

[25 Pa Code §§127.441(c) & 127.463(e); Chapter 139; & 114(a)(3), 504(b) of the Clean Air Act & AMR I Sec. III]

- (a) The Permittee shall perform the emissions monitoring and analysis procedures or test methods for applicable requirements of this Title V permit. In addition to the sampling, testing and monitoring procedures specified in this permit, the Permittee shall comply with any additional applicable requirements promulgated under the Clean Air Act after permit issuance regardless of whether the permit is revised.
- (b) Unless alternative methodology is required by the Clean Air Act (including §§114(a)(3) or 504(b)) and regulations adopted thereunder, the sampling, testing and monitoring required by or used by the Permittee to demonstrate compliance with any applicable regulation or permit condition shall be conducted in accordance with the requirements of 25 Pa Code Chapter 139.

## 10. Recordkeeping Requirements

[25 Pa Code §127.511 & Chapter 135]

- (a) The Permittee shall maintain and make available, upon request by AMS, the following records of monitored information:
  - (1) The date, place (as defined in the permit) and time of sampling or measurements.
  - (2) The dates the analyses were performed.

- (3) The company or entity that performed the analyses.
- (4) The analytical techniques or methods used.
- (5) The results of analyses.
- (6) The operating conditions as existing at the time of sampling or measurement.
- (b) The Permittee shall retain records of the required monitoring data and supporting information for at least five (5) years from the date of the monitoring, sample, measurement, report or application. Supporting information includes calibration and maintenance records and original strip-chart or electronic recordings for continuous monitoring instrumentation, and copies of reports required by the permit.
- (c) The Permittee shall maintain and make available to AMS upon request, records including computerized records that may be necessary to comply with the reporting, recordkeeping, and emission statement requirements in 25 Pa Code Chapter 135 (relating to reporting of sources). In accordance with 25 Pa Code Chapter 135, §135.5, such records may include records of production, fuel usage, maintenance of production or pollution control equipment or other information determined by AMS to be necessary for identification and quantification of potential and actual air contaminant emissions. If direct recordkeeping is not possible or practical, sufficient records shall be kept to provide the needed information by indirect means.

## 11. Reporting Requirements

[25 Pa Code §§127.411(d), 127.442, 127.463(e) 127.511(c), & AMR I Sec. II]

- (a) The Permittee shall comply with the reporting requirements for the applicable requirements specified in this Title V permit. In addition to the reporting requirements specified herein, the Permittee shall comply with any additional applicable reporting requirements promulgated under the Clean Air Act after permit issuance regardless of whether the permit is revised.
- (b) Pursuant to 25 Pa Code §127.511(c), the Permittee shall submit reports of required monitoring, on or before the following January 31 or July 31, whichever date is earlier, and every six months thereafter, covering the immediately preceding six-month periods of July 1 - December 31 and January 1 - June 30 respectively. Instances of deviations (as defined in 25 Pa Code §121.1) from permit requirements shall be clearly identified in the reports. The reporting of deviations shall include the probable cause of the deviations and corrective actions or preventative measures taken, except that sources with continuous emission monitoring systems shall report according to the protocol established and approved by AMS for the source. The required reports shall be certified by a responsible official.
- (c) Any records, reports or information obtained by AMS or referred to in a public hearing shall be made available to the public by AMS except for such records, reports or information for which the Permittee has shown cause that the documents could be considered confidential and protected from disclosure to the

public under Section 4013.2 of the Pennsylvania Air Pollution Control Act and consistent with Section 112(d) and 114(c) of the Clean Air Act and 25 Pa Code §127.411(d). The Permittee may not request a claim of confidentiality for any emissions data generated for the Title V facility.

## 12. Philadelphia Toxic Notification

[AMR VI Sec. II & III]\*\*

- (a) The Permittee shall notify AMS of any changes to its “Notice of Toxic Air Contaminant Emissions” within 30 days of the changes.
- (b) The requirements of this condition shall not apply to toxic air contaminants emitted from the following:
  - (1) Combustion process using only commercial fuel, including internal combustion engines.
  - (2) Retail dry cleaning operations.
  - (3) Retail and non-commercial storage and handling of motor fuels.
  - (4) Incineration of waste materials other than liquid, semi-liquid or solid by-product industrial wastes; and
  - (5) Incidental or minor sources including laboratory-scale operations, fireplaces and household appliances, cooking appliances, general comfort ventilation of occupied spaces, housecleaning operations, residential-scale solvent use and pesticide application, and such other sources or categories of sources which are determined by AMS to be of minor significance for the purposes of this Regulation, or which AMS determines to be more appropriately evaluated by special survey methods.

## 13. Emission Statement

[25 Pa Code §135.3 & AMR I Sec. II.B.2.]

- (a) The Permittee shall submit by March 1 of each year an annual emissions report for the preceding calendar year. The report shall include information for all active previously reported sources, new sources which were first operated during the preceding calendar year, and sources modified during the same period which were not previously reported. All air emissions from the facility should be estimated and reported.
  - (1) Oxides of nitrogen and VOCs. The statement for these pollutants shall contain a certification by a company officer or plant manager that the information contained in the statement is accurate. [25 Pa Code §135.21]
  - (2) Total suspended particulate, PM-10, sulfur oxides, carbon monoxide, hazardous air pollutants, and any other pollutants or information requested by AMS. [Phila. Code Sec 3-301]
- (b) A source owner or operator may request an extension of time from the Department for the filing of an annual emissions report, and the Department may grant the extension for reasonable cause.

- (c) Emissions reports shall contain sufficient information to enable the Department to complete its emission inventory. Emissions reports shall be made by the source owner or operator in a format specified by the Department.

#### 14. Reporting of Malfunctions

[25 Pa. Code §127.511 & AMR I Sec. II.A.5.]

- (a) The Permittee shall, within two (2) hours of knowledge of any occurrence, notify AMS, at 215-685-7580 during business hours and 215-686-4514 during other times, of any malfunction of the source(s) or associated air pollution control devices listed in Table A1 of this permit, which results in, or may result in, the emission of air contaminants in excess of the limitations specified in this permit, or regulation contained in 25 Pa Code Article III or the Philadelphia Air Management Code.
- (b) Malfunction(s) which occur at this Title V facility and pose(s) an imminent danger to public health, safety, welfare and the environment, and would violate permit conditions if the source were to continue to operate after the malfunction, shall immediately be reported to AMS by telephone at the above number.
- (c) A written report shall be submitted to AMS within two (2) working days following the (notification of the) incident, and shall describe, at a minimum, the following:
  - (1) The malfunction(s).
  - (2) The emission(s).
  - (3) The duration.
  - (4) Any corrective action taken.

#### 15. Compliance Certification

[25 Pa Code §127.513]

- (a) The Permittee shall submit to AMS and EPA Region III a certification of compliance with each term and condition of this permit including the emission limitations, standards, or work practices. This certification shall be submitted by March 1 of each year for the period of the previous calendar year and shall include:
  - (1) The identification of each term or condition of the permit that is the basis of the certification.
  - (2) The compliance status.
  - (3) The methods used for determining the compliance status of the source, currently and over the reporting period.
  - (4) Whether compliance was continuous or intermittent.
- (b) The compliance certifications shall be submitted to AMS and EPA in accordance with the Submissions requirement of this permit specified in Condition #16 of this section. The Title V compliance certification shall be emailed to EPA at R3\_APD\_Permits@epa.gov.

## 16. Submissions

[25 Pa Code §§127.402(d) and 127.513(1)]

- (a) Permit applications and related fees, stack test protocols and reports, and applications and reports related to the installation of new Continuous Emission Monitoring Systems (CEMS) shall be submitted to:

Chief of Source Registration  
Air Management Services  
321 University Ave.  
Philadelphia, PA 19104-4543

- (b) Any report or notification for the EPA Administrator or EPA Region III should be addressed to:

United States Environmental Protection Agency  
Region III, Enforcement & Compliance Assurance Division  
Air, RCRA and Toxics Branch (3ED21)  
Four Penn Center  
1600 John F. Kennedy Boulevard  
Philadelphia, Pennsylvania 19103-2852

The Title V compliance certification shall be emailed to EPA at  
[R3\\_APD\\_Permits@epa.gov](mailto:R3_APD_Permits@epa.gov).

Copies of title V permit applications to EPA, pursuant to 25 Pa Code §127.522(a), if required, shall be submitted to the following EPA e-mail box:

[R3\\_Air\\_Apps\\_and\\_Notices@epa.gov](mailto:R3_Air_Apps_and_Notices@epa.gov).

Please place the following in the subject line: TV [permit number], [Facility Name].

- (c) Compliance-related reports and notifications, including Monitoring Report Forms, Title V Compliance Certifications, and reports required under Federal, State, and Local regulations shall be submitted to:

Chief of Facility Compliance and Enforcement  
Air Management Services  
321 University Ave.  
Philadelphia, PA 19104-4543

- (d) An application, form, report or compliance certification submitted pursuant to this permit condition shall contain a certification by a responsible official as to the truth, accuracy, and completeness as required under 25 Pa Code §127.402(d).

- (e) Unless otherwise required by the Clean Air Act or regulations adopted thereunder, this certification and any other certification required pursuant to this permit shall state that based on information and belief formed after reasonable inquiry, the statements and information in the documents are true, accurate, and complete.

## **SECTION D. SOURCE SPECIFIC REQUIREMENTS**

### **1. Emission Limitations**

#### **(a) Group 01 - Combustion Turbines**

- (1) Filterable particulate matter (PM) emissions from each unit may not exceed 0.02 grains per dry standard cubic foot. [25 Pa Code §123.13(c)(1)(iii)]
- (2) Carbon Monoxide (CO) emissions from each unit may not exceed 1% by volume of exhaust gases. [AMR VIII]
- (3) Nitrogen Oxide (NO<sub>x</sub>) emissions from each turbine when firing oil shall not exceed 0.30 lbs of NO<sub>x</sub>/MMBTU or 3 lbs of NO<sub>x</sub>/MWH from May 1 through September 30 (the “ozone season”). If this limit is exceeded, CAIR/CSAPR NO<sub>x</sub> allowance(s) may be purchased to demonstrate compliance. [25 Pa Code §129.202]
- (4) The Permittee shall surrender to the DEP one CAIR/CSAPR NO<sub>x</sub> allowance and one CAIR/CSAPR NO<sub>x</sub> Ozone Season allowance, as defined in 40 CFR §§96.102 & 96.302 (relating to definitions), for each ton of NO<sub>x</sub> by which the combined actual emissions exceed the allowable emissions of the units at a facility from May 1 through September 30. The surrendered CAIR/CSAPR NO<sub>x</sub> allowances shall be of current year vintage. For the purpose of determining the amount of allowances to surrender, any remaining fraction of a ton equal to or greater than 0.50 ton is deemed equal to 1 ton and any fraction of a ton less than 0.50 ton is deemed to be equal to zero tons. [25 Pa Code §129.204(c)]
- (5) If the combined allowable emissions from units subject to 25 Pa Code §§129.201-205 at a facility from May 1 to September 30 exceed the combined actual emissions from units subject to this section at the facility during the same period, the Permittee may deduct the difference or any portion of the difference from the amount of actual emissions from other units subject to this section at the Permittee’s other facilities. [25 Pa Code §129.204(d)]
- (6) If the Permittee fails to comply with 25 Pa Code §129.204(e), regarding the submission of NO<sub>x</sub> allowances by November 1, the Permittee shall surrender by December 31 three NO<sub>x</sub> allowances of the current or later year vintage for each NO<sub>x</sub> allowance that was required to be surrendered by November 1 of that year. The surrender of NO<sub>x</sub> allowances under this condition does not affect the liability of the owner or operator of the unit for any fine, penalty or assessment, or an obligation to comply with any other remedy for the same violation, under the Clean Air Act Amendments or the Clean Air Act. For

purposes of determining the number of days of violation, if a facility has excess emissions for the period May 1 through September 30, each day in that period (153 days) constitutes a day in violation unless the Permittee demonstrates that a lesser number of days should be considered. Each ton of excess emissions is a separate violation. [25 Pa Code §129.204(f)]

## 2. Work Practice Standards

### (a) Group 01 - Combustion Turbines

(1) Each combustion turbine shall have a maximum 12-month rolling capacity factor of less than 5%. [25 Pa Code §§129.93(c)(5) & 129.112(c)(9)(ii)]

(i) The rolling 12-month capacity factor is expressed as:

Last 12 months net generation (MWH)

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Maximum capacity of unit (MW) x 24 hrs/day x No. of days in last 12 months

(2) Each combustion turbine shall be installed, maintained and operated in accordance with manufacturer's specifications, the specifications in the associated permit application, and with good operating practices. [25 Pa. Code §§129.93(c), 129.97(c), and 129.112(c)]

(3) Each combustion turbine may only burn No. 2 oil or kerosene.

## 3. Testing Requirements

[25 Pa Code §139]

(a) If at any time AMS has cause to believe that air contaminant emissions from any source(s) listed in Section A of this permit may be in excess of the limitations specified in this permit, or established pursuant to, any applicable rule or regulation contained in 25 Pa Code Article III, the Permittee shall be required to conduct whatever tests are deemed necessary by AMS to determine the actual emission rate(s).

### (b) Test Methods

(1) U.S. EPA Reference Methods 5 and 202 shall be used for particulate matter.

(i) Compliance with the PM emission limit in Condition D.1.(a)1 shall be determined by Method 5 only.

(2) U.S. EPA Reference Method 9 shall be used for opacity.

(3) U.S. EPA Reference Method 10 shall be used for CO.

(4) ASTM D1266, D129, D1552, D2622 or D270 shall be used for sulfur in fuel.

(5) U.S. EPA Reference Method 7E or Method 20 shall be used for nitrogen oxides.

(c) Compliance determination shall consist of the arithmetic means of results of at least three separate runs for each source using U.S. EPA Reference Method 5. The source test shall be consistent with U.S. EPA designated test methods and

25 Pa Code §139.3. The Permittee shall submit a test protocol to AMS for approval at least 30 days before the test date. The test report shall be submitted to AMS within 60 days of the test date.

- (d) The Permittee may use alternative test methods to those listed in this section if they are given prior approval by AMS in accordance with 25 Pa Code §139.3.
- (e) Group 01 – Combustion Turbines
  - (1) The Permittee shall perform a performance test for PM, using Method 5 on one of the four combustion turbines within one year of this permit issuance date and every five calendar years thereafter. If the turbine shows more than 50% of the PM emission limitation in D.1.(a)(1) above, the remaining three turbines must be tested.
  - (2) The Permittee shall perform Method 9 (opacity) testing in accordance with the schedule in Table D.3-1 for each combustion turbine. The Permittee shall keep track of each combustion turbine’s operating hours per calendar year and for each 110 hours of operation an opacity test shall be conducted.

Table D.3-1: Opacity Testing Schedule

Total Operating Calendar Hours (t)	Opacity Testing Frequency	% Capacity Factor
> 8 and ≤ 110	1x a calendar year	0.019 - 1.25%
> 110 and ≤ 220	2x a calendar year	1.25 - 2.51%
> 220 and ≤ 330	3x a calendar year	2.51 - 3.77%
> 330 and ≤ 438	4x a calendar year	3.77 - 5.0%

- (3) The Permittee shall perform a performance test for NO<sub>x</sub> on each combustion unit to demonstrate compliance with the NO<sub>x</sub> emission limits of Conditions D.1.(a)(3) using Method 7E or Method 20, according to the following schedule:

Combustion Turbine	Testing Deadline
CU05	December 31, 2024
CU07	December 31, 2026
CU06	December 31, 2028
CU08	December 31, 2030

Thereafter, the Permittee shall test one turbine every five calendar years and shall rotate the unit for each test. Each combustion unit must be tested at least once every twenty (20) years.

#### 4. Monitoring Requirements

[25 Pa Code §§127.511 & 139, §§114(a)(3) & 504(b) of Clean Air Act]

The Permittee shall monitor the following:

(a) Group 01 - Combustion Turbines

- (1) The proper operation of the combustion turbines in accordance with manufacturers recommended operations and maintenance.
- (2) Daily fuel type and usage, sulfur content of fuel, power generation in MWH, and monthly 12-month rolling capacity factor for each combustion turbine.
- (3) Visible emissions from each of the combustion turbines as described in the testing schedule in Table D.3-1 under Section D.3(e).

#### 5. Recordkeeping Requirements

[25 Pa Code §§127.511, 135.21, 135.5 & 139]

The Permittee shall keep the following records:

(a) Group 01 - Combustion Turbines

- (1) Maintenance conducted to demonstrate compliance with Condition D.2.(a)(2).
- (2) Daily hours of operation, power generation, fuel usage, and sample analysis documenting the sulfur content of fuel, each on a monthly basis.
- (3) Rolling 12-month capacity factor on a monthly basis to demonstrate compliance with Condition D.2.(a)(1).
- (4) Records of all forced normal shutdowns or trips initiated by the computerized control system due to combustor failure and any corrective action taken.
- (5) Records of the opacity tests results in accordance with Condition D.3.(e).
- (6) Records of corrective actions including adjustments to turbine speed, unit load or shutting the unit down if actual opacity exists or there is potential to damage the equipment.
- (7) The Permittee shall calculate actual emissions of NO<sub>x</sub> during the ozone season for each unit, based on one of the following: [25 Pa Code §129.204(b)(2)]
  - (i) The 1-year average emission rate calculated from the most recent permit emission limit or compliance demonstration test data for NO<sub>x</sub>.
  - (ii) The maximum hourly allowable NO<sub>x</sub> emission rate contained in the permit or the higher of the following:
    - (iii) The highest rate determined by use of the emission factor for the unit class contained in the most up-to date version of the EPA publication, “AP-42 *Compilation of Air Pollution Emission Factors*.”
    - (iv) The highest rate determined by use of the emission factor for the unit class contained in the most up-to date version of EPA’s “Factor Information Retrieval (FIRE)” data system.
  - (v) The Permittee can elect to monitor NO<sub>x</sub> emissions with CEMs. The owner or operator shall monitor emissions and report the data from this

CEM in accordance with Chapter 139 or Chapter 145 (relating to interstate pollution transport reduction). Any data invalidated under Chapter 139 shall be substituted with data calculated using the potential emission rate for the unit or, if approved by AMS in writing, an alternative amount of emissions that is more representative of actual emissions that occurred during the period of invalid data.

- (vi) The Permittee can use an alternate calculation and recordkeeping procedure based upon emissions testing and correlations with operating parameters if AMS, prior to implementation, approves the alternate calculation and recordkeeping procedures. The operator of the unit shall demonstrate that the alternate procedure does not underestimate actual emissions throughout the allowable range of operating conditions.
- (b) The Permittee shall establish and maintain baseline operating records, sampling data concurrent with any emission tests, and any supporting calculations used to determine emissions;
- (c) Records of the occurrence, duration, and cause (if known) of each malfunction of air pollution equipment or monitoring equipment used to comply with the restrictions or monitoring provisions of this permit;
- (d) For monitoring equipment used to comply with the monitoring requirements of this permit, records documenting the completion of installation, calibration checks, and maintenance.

## 6. Reporting Requirements

[25 Pa Code §127.511(c) & AMR I Sec. II]

- (a) Any violation of an emission limitation that does not result from a malfunction requiring reporting under Section C.14 shall be reported (by phone call or facsimile transmission) to AMS within twenty-four (24) hours of detection and followed by written notification within thirty-one (31) days.
- (b) The Permittee shall submit to AMS semiannual reports of the performance of the facility using the City of Philadelphia Monitoring Report Form as per Section C.11. These reports shall consist of the following:
  - (1) A description of any deviations from permit requirements that occurred during the six-month reporting period, the probable cause of such deviations, and corrective actions or preventive measures taken;
  - (2) A description of any malfunction of processes, air pollution control equipment, or monitoring equipment that occurred during the six-month reporting period, the date and duration of the incidents, the probable cause of the incidents, and actions taken to remediate such incidents;
  - (3) A description of any sources which have not operated in more than one year.
- (c) Annual compliance certification as per Section C.15.
- (d) Group 01 - Combustion Turbines

- (1) If actual emissions for the units do not exceed allowable emissions during the ozone season, the Permittee shall maintain records to demonstrate compliance with the emission limitations in Conditions D.1.(a)(3)
- (2) If actual emissions exceed allowable emissions during the ozone season, by November 1 of each year, the Permittee shall surrender the required NO<sub>x</sub> allowances, to the DEP's designated NO<sub>x</sub> allowance tracking system account and provide to AMS, in writing, the following: [25 Pa Code §129.204(e)]
  - (i) The serial number of each NO<sub>x</sub> allowance surrendered.
  - (ii) The calculations used to determine the quantity of NO<sub>x</sub> allowances required to be surrendered.

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This is a Local requirement and is not Federally enforceable.