

**Alaska Department of Environmental Conservation  
Air Permits Program**

**PUBLIC COMMENT - May 12, 2021  
Alaska Electric and Energy Cooperative, Inc.  
Soldotna Combustion Turbine Plant**

**STATEMENT OF BASIS  
for  
Permit No. AQ1189TVP02**

**Prepared by Scott Faber  
ADEC AQ/APP (Anchorage)**

## INTRODUCTION

This document sets forth the statement of basis for the terms and conditions of Operating Permit No. AQ1189TVP02.

## STATIONARY SOURCE IDENTIFICATION

Section 1 of Operating Permit No. AQ1189TVP02 contains information on the stationary source as provided in the Title V permit application.

The stationary source, Soldotna Combustion Turbine Plant, is owned and operated by Alaska Electric and Energy Cooperative, Inc. and Alaska Electric and Energy Cooperative, Inc. is the Permittee for the stationary source’s operating permit. The standard industrial classification (SIC) code for this stationary source is 4911 Electric Services. The stationary source provides peaking and emergency back-up power for the Permittee’s base-load and hydroelectric facilities.

## EMISSIONS UNIT INVENTORY AND DESCRIPTION

Under 18 AAC 50.326(a), the Department requires operating permit applications to include identification of all emissions-related information, as described under 40 CFR 71.5(c)(3).

The emissions units at the stationary source that have specific monitoring, recordkeeping, and reporting requirements are listed in Table A of the operating permit. Table A contains information on the emissions units regulated by the operating permit as provided in the application. The table is provided for informational and identification purposes only. Specifically, the emissions unit rating/size provided in the table is not intended to create an enforceable limit.

## EMISSIONS

A summary of the potential to emit (PTE)<sup>1</sup> and assessable PTE for the stationary source is shown in the table below.

**Table D - Emissions Summary, in Tons Per Year (tpy)**

Emissions	NOx	CO	PM <sub>10</sub>	SO <sub>2</sub>	VOC	CO <sub>2e</sub> <sup>1</sup>	HAPs	Total <sup>2</sup>
PTE	245.2	219.9	37.0	12.2	16.4	441,309	4.6	530.7
Assessable PTE	245	220	37	12	16	0	0	530

Table Notes:

- <sup>1</sup> CO<sub>2e</sub> emissions are defined as the sum of the mass emissions of each individual GHG adjusted for its global warming potential.
- <sup>2</sup> Total PTE and total assessable PTE shown in the table do not include CO<sub>2e</sub> and HAPs.

---

<sup>1</sup> *Potential to Emit* or *PTE* means the maximum capacity of a stationary source to emit a pollutant under its physical or operational design. Any physical or operational limitation on the capacity of the source to emit a pollutant, including air pollution control equipment and restrictions on hours of operation or on the type or amount of material combusted, stored, or processed, shall be treated as part of its design if the limitation or the effect it would have on emissions is federally enforceable. Secondary emissions do not count in determining the potential to emit of a stationary source, as defined in AS 46.14.990(22).

The assessable PTE listed under Condition 41.1 is the sum of the PTE of each individual air pollutant, other than greenhouse gases (GHGs), for which the stationary source has the potential to emit of 10 tpy or greater. The emissions listed in Table D are estimates that are for informational use only. The listing of the emissions does not create an enforceable limit for the stationary source. PTE is as provided in the application for Operating Permit AQ1189TVP02.

### **BASIS FOR REQUIRING AN OPERATING PERMIT**

In accordance with AS 46.14.130(b), an owner or operator of a Title V source<sup>2</sup> must obtain a Title V permit consistent with 40 CFR Part 71, as adopted by reference in 18 AAC 50.040.

Except for sources exempted or deferred by AS 46.14.120(e) or (f), AS 46.14.130(b) lists the following categories of sources that require an operating permit:

- A major source;
- A stationary source, including an area source, subject to federal New Source Performance Standards (NSPS) under Section 111 of the Clean Air Act or National Emission Standards for Hazardous Air Pollutants (NESHAP) under Section 112 of the Clean Air Act;
- Another stationary source designated by the Federal Administrator by regulation.

The Permittee is required to obtain an operating permit for the stationary source as specified under 18 AAC 50.326(a) and 40 CFR 71.3(a), because the stationary source is a major source. This stationary source is a major source because, as defined in Section 302 of the Clean Air Act, it directly emits, or has the potential to emit, 100 tpy or more of any air pollutant subject to regulation.

### **AIR QUALITY PERMITS**

#### **Permits to Operate**

The Department did not issue any air quality control permits to operate for this stationary source.

#### **Title I (Construction and Minor) Permits**

The Department has not issued any construction permits for this stationary source after January 17, 1997 (the effective date of the divided operating and construction-permitting program).

Minor Permit No. AQ1189MSS01. The Department issued this permit on February 15, 2011 for the initial authorization for the stationary source.

Minor Permit No. AQ1189MSS02. The Department issued this permit on April 16, 2015 to revise owner requested limits and emission factors after source testing was conducted on EU ID 1. This permit also rescinded Minor Permit AQ1189MSS01. All stationary source-specific

---

<sup>2</sup> *Title V source* means a stationary source classified as needing a permit under AS 46.14.130(b) [ref. 18 AAC 50.990(111)].

requirements established in this permit are included in Operating Permit No. AQ1189TVP02 as described in Table E.

### **Title V Operating Permits**

Operating Permit No. AQ1189TVP01. The Department issued this permit on September 8, 2015.

The Department received the application for Operating Permit AQ1189TVP02 on February 25, 2020. The Permittee amended the application on January 28, 2021.

### **COMPLIANCE HISTORY**

The stationary source has operated at its current location since 2011. Review of the permit files for this stationary source, which includes past inspection reports and compliance evaluations, indicates a stationary source generally operating in compliance with its operating permit.

### **APPLICABLE REQUIREMENTS FROM PRECONSTRUCTION PERMITS**

Incorporated by reference at 18 AAC 50.326(j), 40 CFR Part 71.2 defines “applicable requirement” to include the terms and conditions of any preconstruction permit issued under rules approved in Alaska’s State Implementation Plan (SIP).

Alaska’s SIP includes the following types of preconstruction permits:

- Permits to operate issued on or before January 17, 1997 (these permits cover both construction and operations);
- Construction permits issued on or after January 18, 1997; and
- Minor permits issued on or after October 1, 2004.

Preconstruction permit terms and conditions include both source-specific conditions and conditions derived from regulatory applicable requirements such as standard conditions, generally applicable conditions, and conditions that quote or paraphrase requirements in regulation.

These requirements include, but are not limited to, each emissions unit- or source-specific requirement established in these permits issued under 18 AAC 50 that are still in effect at the time of issuance of Operating Permit No. AQ1189TVP02. Table E below lists the requirements carried into Operating Permit No. AQ1189TVP02 to ensure compliance with the preconstruction permit requirements.

**Table E - Comparison of Minor Permit No. AQ1189MSS02 Conditions to Operating Permit No. AQ1189TVP02 Conditions<sup>1</sup>**

<b>AQ1189MSS02 Condition No.</b>	<b>Description of Requirement</b>	<b>AQ1189TVP02 Condition No.</b>	<b>How Condition was Revised</b>
8	PSD avoidance for CO	12	Not revised.
9	PSD avoidance for NOx	13	Not revised.

Table Note:

<sup>1</sup> This table does not include all standard and general conditions.

### **NON-APPLICABLE REQUIREMENTS**

This section discusses standard conditions and other requirements that are not included in the operating permit for specific reasons.

- **40 CFR 60 Subpart JJJJ:** The Department adopted 40 CFR 60 Subpart JJJJ by reference under 18 AAC 50.040(a). Subpart JJJJ applies to stationary spark ignition internal combustion engines manufactured on or after July 1, 2007. EU ID 8 was manufactured in 2004. Therefore, the requirements of Subpart JJJJ do not apply to EU ID 8.
- **40 CFR 64 Compliance Assurance Monitoring (CAM):** None of the emissions units at the stationary source use a control device to achieve compliance with emission limits or standards. Therefore, CAM requirements are not applicable.

## STATEMENT OF BASIS FOR THE PERMIT CONDITIONS

The Department adopted regulations from 40 CFR 71, as specified in 18 AAC 50.040(j), in addition to creating state regulations, to establish an operating permit program. The EPA fully approved the Alaska Operating Permit Program on November 30, 2001, as noted in Appendix A to 40 CFR 70. This Statement of Basis, required under 40 CFR 71.11(b), provides the legal and factual basis for each condition of Operating Permit No. AQ1189TVP02. Additionally and as required by 40 CFR 71.6(a)(1)(i), the state and federal regulations for each permit condition are cited in the permit.

### Condition 1, Visible Emissions Standard and MR&R

**Legal Basis:** These conditions require compliance with the applicable requirements in 18 AAC 50.055(a).

- 18 AAC 50.055(a) applies to the operation of fuel-burning equipment and industrial processes. EU IDs 1 through 3 and 6 through 8 are fuel-burning equipment or industrial processes.

U.S. EPA approved the addition of these standards to the SIP, as noted in 40 CFR 52.70. The Department included permit conditions for MR&R as required by 40 CFR 71.6(a)(3) and 71.6(c)(1).

**Factual Basis:** Condition 1 prohibits the Permittee from causing or allowing visible emissions in excess of the applicable standard in 18 AAC 50.055(a)(1). These conditions have been adopted into regulation as Standard Permit Condition (SPC) IX.

#### Gas-Fired Equipment:

Monitoring – The monitoring of gas-fired emissions units for visible emissions is waived, i.e. no source testing will be required. The Department has found that gas-fired equipment inherently has negligible visible emissions. However, the Department can request a source test for particulate matter emissions from any smoking equipment.

Reporting – The Permittee must state in each operating report whether only gaseous fuels were used in the equipment during the period covered by the report.

#### Liquid Fuel- Burning Equipment:

EU IDs 7 and 8 are insignificant units because their potential to emit for all pollutants is less than the emissions thresholds in 18 AAC 50.326(e). Therefore, no visible emissions observations of EU ID 7 or 8 are required, only compliance certification requirements apply in accordance with Department Policy and Procedure No. 04.02.103, Topic #3.

### Condition 2, Particulate Matter Standard and MR&R

**Legal Basis:** These conditions require compliance with the applicable requirement in 18 AAC 50.055(b).

- 18 AAC 50.055(b)(1) applies to the operation of fuel-burning equipment and industrial processes. EU IDs 1 through 3 and 6 through 8 are fuel-burning equipment or industrial processes.

This particulate matter standard applies because it is contained in the federally-approved SIP. The Department included permit conditions for MR&R as required by 40 CFR 71.6(a)(3) and 71.6(c)(1).

**Factual Basis:** Condition 2 prohibits emissions in excess of the applicable state particulate matter standard. These conditions have been adopted into regulation as SPC IX.

**Gas-Fired Equipment:**

Monitoring – The monitoring of gas-fired emissions units for particulate matter is waived, i.e. no source testing will be required. The Department has found that gas-fired equipment inherently has negligible particulate matter emissions. However, the Department can request a source test for particulate matter emissions from any smoking equipment.

Reporting – The Permittee must state in each operating report whether only gaseous fuels were used in the equipment during the period covered by the report.

**Liquid Fuel- Burning Equipment:**

EU IDs 7 and 8 are insignificant units because their potential to emit for all pollutants is less than the emissions thresholds in 18 AAC 50.326(e). Therefore, no MR&R for the PM standard is required for EU IDs 7 and 8, only compliance certification requirements apply in accordance with Department Policy and Procedure No. 04.02.103, Topic #3.

**Conditions 3 through 9, Sulfur Compound Emissions Standard and MR&R**

**Legal Basis:** This condition requires compliance with the sulfur compound emission standards under 18 AAC 50.055(c).

- 18 AAC 50.055(c) applies to the operation of fuel-burning equipment and industrial processes. EU IDs 1 through 3 and 6 through 8 are fuel-burning equipment or industrial processes.

These sulfur compound standards apply because they are contained in the federally-approved SIP. The Department included permit conditions for MR&R as required by 40 CFR 71.6(a)(3) and 71.6(c)(1).

**Factual Basis:** The Permittee may not cause or allow the affected equipment to violate the applicable sulfur compound standard. Sulfur dioxide comes from the sulfur in the fuel (e.g. coal, natural gas, fuel oils).

**Liquid Fuels:**

For oil fired fuel burning equipment, the MR&R conditions are SPCs XI and XII, adopted into regulation pursuant to AS 46.14.010(e).

### **Gaseous Fuels:**

The Permittee must keep records that show the gas supplied is pipeline quality or conduct a semiannual analysis for fuel gas sulfur content using either ASTM D4084, D5504, D4810, D4913, D6228 or GPA Standard 2377, or a listed method approved in 18 AAC 50.035(b)-(c) and 40 CFR 60.17 incorporated by reference in 18 AAC 50.040(a)(1). The Permittee is required to report excess emissions whenever the fuel combusted causes sulfur compound emissions to exceed the standards in this condition.

### **Propane:**

The Department has determined that Propane containing less than 10,000 ppmv H<sub>2</sub>S or 7,500 ppmw S will meet the SO<sub>2</sub> emission standard. To demonstrate compliance with the SO<sub>2</sub> emission standard, the Permittee must obtain statements from the fuel supplier that show the H<sub>2</sub>S content of the propane, obtain statements from the fuel supplier that the propane meets the standards for commercial propane set by the Gas Processors Association, or conduct a semiannual analysis for H<sub>2</sub>S or sulfur content.

## **Conditions 12 and 13, Preconstruction Permit Requirements**

**Legal Basis:** The Permittee is required to comply with all stationary source-specific requirements that were carried forward from previous SIP-approved Permits to Operate issued on or before January 17, 1997 and operating permits issued between January 18, 1997 and September 30, 2004, and with all stationary source-specific requirements in EPA PSD permits, SIP-approved construction permits, SIP-approved minor permits, and owner requested limits established under 18 AAC 50.225. These requirements include Best Available Control Technology (BACT) limits, limits to ensure compliance with the attainment or maintenance of ambient air quality standards or maximum allowable ambient concentrations, and owner requested limits. Requirements from the permits listed above apply because they were originally developed through case-by-case action under a federally-approved SIP or approved operating permit program.

**Factual Basis:** EU ID 6 hours of operation are limited to avoid PSD permit requirements for CO and EU ID 1 and 2 NO<sub>x</sub> emissions are limited to avoid PSD permit requirements as noted in Table E above. EU ID 2 has not been installed as of the issue date of Operating Permit AQ1189TVP02 and NO<sub>x</sub> PTE for EU ID 1 is less than 231 tpy. Additionally, EU ID 1 is used as a peaking plant and a backup when base load power generation sources are unavailable, so actual NO<sub>x</sub> emissions are far below 231 tpy. Therefore, source testing to verify the NO<sub>x</sub> emission factor is not currently required.

## **Condition 14, Insignificant Emissions Units**

**Legal Basis:** The Permittee is required to meet the state emission standards in 18 AAC 50.050(a) for all incinerators regardless of size and 18 AAC 50.055 for all industrial processes and fuel-burning equipment regardless of size. As previously noted, 18 AAC 50.050(a) and 50.055 are contained in the federally-approved SIP.

**Factual Basis:** The condition requires insignificant emissions units to comply with the state emission standards for visible emissions, particulate matter emissions, and sulfur-

compound emissions. Insignificant emissions units are not generally listed in operating permits unless specific monitoring, recordkeeping and reporting are necessary to ensure compliance. However, the Permittee may not cause or allow insignificant emission units at the stationary source to violate these standards whether or not they are listed in the operating permit.

The Department finds that the insignificant units at this stationary source do not require specific monitoring, recordkeeping and reporting to ensure compliance under these conditions. The conditions require certification that the units did not exceed state emission standards during the previous year and did not emit any prohibited air pollution. The Department used the language in SPC V for the permit condition.

### Conditions 15 through 23, 40 CFR 60 Subpart A Requirements

**Legal Basis:** The Permittee must comply with applicable New Source Performance Standard (NSPS) provisions<sup>3</sup>. NSPS requirements are included in the applicable requirement definition under 40 CFR 71.2, which has been adopted by the Department under 18 AAC 50.040(j)(1).

The Permittee must comply with 40 CFR 60 Subpart A if the stationary source is subject to the requirements of another subpart under 40 CFR 60.

Conditions 15.1 through 15.3 - The Permittee is subject to these requirements in the event of a new NSPS affected facility<sup>4</sup> or in the event of a modification or reconstruction of an existing facility<sup>5</sup> into an affected facility.

Condition 15.4 - The requirements to notify the Administrator of any proposed replacement of components of an existing facility (40 CFR 60.15) apply in the event that the fixed capital cost of the new components exceeds 50 percent of the fixed capital cost that would be required to construct a comparable entirely new facility.

Condition 16 - The requirements in 40 CFR 60.7(b) to maintain start-up, shutdown, or malfunction records are applicable to most NSPS affected facilities.

Conditions 17 and 18 - NSPS excess emission reporting requirements and summary report form in 40 CFR 60.7(c) & (d) are applicable if the Permittee elects to periodically determine fuel sulfur content under NSPS Subpart KKKK. The Department has included a copy of the federal EEMSP summary report form as Attachment 1 to the operating permit.

---

<sup>3</sup> EPA has not delegated to the Department the authority to administer the NSPS program as of the issue date of this permit

<sup>4</sup> *Affected facility* means, with reference to a stationary source, any apparatus to which a standard applies, as defined in 40 CFR 60.2.

<sup>5</sup> *Existing facility* means, with reference to a stationary source, any apparatus of the type for which a standard is promulgated in this part, and the construction or modification of which was commenced before the date of proposal of that standard; or any apparatus which could be altered in such a way as to be of that type, as defined in 40 CFR 60.2.

Condition 19 - Recordkeeping requirements in 40 CFR 60.7(f) are applicable to all NSPS affected facilities. Records are required to be kept for five years in accordance with 40 CFR 71.6(a)(3)(ii)(B) rather than the two years specified in 40 CFR 60.7(f).

Condition 20 - 40 CFR 60.8 contains requirements for source tests, including initial tests and tests at such other times as may be required by EPA.

Condition 21 - Good air pollution control practices in 40 CFR 60.11 are applicable to most NSPS affected facilities.

Condition 22 - states that any credible evidence may be used to demonstrate compliance or to establish violations of relevant NSPS standards.

Condition 23 - Concealment of emissions prohibitions in 40 CFR 60.12 are applicable to most NSPS affected facilities.

**Factual Basis:** Subpart A contains general requirements applicable to all affected facilities (emissions units) subject to NSPS. In general, the intent of NSPS is to provide technology-based emission control standards for new, modified and reconstructed affected facilities.

#### **Condition 24, 40 CFR 60 Subpart Dc Requirements**

**Legal Basis:** The Department has incorporated by reference the NSPS requirements for specific industrial activities, as listed in 18 AAC 50.040(a). NSPS Subpart Dc applies to steam generating units for which construction, modification, or reconstruction is commenced after June 9, 1989 and that have a maximum design heat input capacity of 29 megawatts (MW) (100 million British thermal units per hour (MMBtu/h)) or less, but greater than or equal to 2.9 MW (10 MMBtu/h).

**Factual Basis:** EU ID 3 has not been installed as of the issue date of Operating Permit AQ1189TVP02. The unit authorized in Minor Permit AQ1189MSS02 is listed as a gas-fired, 50 MMBtu/hr boiler, and the manufacture date of any unit installed in the future is likely to be later than June 9, 1989. Therefore, these conditions contain the applicable requirements in Subpart Dc.

#### **Condition 25, 40 CFR 60 Subpart IIII Requirements**

**Legal Basis:** The Department has incorporated by reference the NSPS requirements for specific industrial activities, as listed in 18 AAC 50.040(a). NSPS Subpart IIII applies to stationary compression ignition internal combustion engines (CI ICE) that commence construction, modification, or reconstruction after July 11, 2005 where the stationary CI ICE are manufactured after April 1, 2006 for non-fire pump engines and after July 1, 2006 for certified fire pump engines. EU ID 7 is subject to Subpart IIII under 40 CFR 60.4200 because it is a fire pump engine manufactured after July 1, 2006.

**Factual Basis:** These conditions incorporate the applicable Subpart IIII emissions standards. These conditions also specify the MR&R requirements contained in the subpart.

The Permittee is required to operate and maintain the stationary CI ICE according to the manufacturer's written instructions or procedures developed by the Permittee that are approved by the engine manufacturer.

### **Condition 26, 40 CFR 60 Subpart JJJJ Requirements**

**Legal Basis:** The Department has incorporated by reference the NSPS requirements for specific industrial activities, as listed in 18 AAC 50.040(a). NSPS Subpart JJJJ applies to stationary spark ignition internal combustion engines (SI ICE) that commence construction after June 12, 2006 where the stationary SI ICE are manufactured on or after July 1, 2007.

**Factual Basis:** EU ID 6 has not been installed and no initial construction nor manufacture date is provided. However, the Permittee stated the unit would be a new engine and requested that requirements for Subpart JJJJ be included in the operating permit. Therefore, the Department included requirements for Subpart JJJJ assuming an initial construction and manufacture dates of 2021 or later. If a used engine is procured, the initial construction date must be verified prior to installation to determine whether or not the requirements of Subpart JJJJ are applicable.

The U.S. Court of Appeals for the District of Columbia Circuit vacated 40 CFR 60.4243(d)(2)(ii) and (iii) on May 4, 2016. Therefore, 40 CFR 60.4243(d)(2)(ii) and (iii) have ceased to have any legal effect and are not included in the operating permit. The Permittee must comply with the recordkeeping and reporting requirements specified in the subpart.

### **Condition 27, 40 CFR 60 Subpart KKKK Requirements**

**Legal Basis:** The Department has incorporated by reference the NSPS requirements for specific industrial activities, as listed in 18 AAC 50.040(a). NSPS Subpart KKKK applies to stationary combustion turbines that commenced construction, modification or reconstruction after February 18, 2005. EU ID 1 is subject to Subpart KKKK because it is a simple cycle combustion turbine manufactured after February 18, 2005.

**Factual Basis:** These conditions incorporate the applicable Subpart KKKK emissions standards. The Department revised the NO<sub>x</sub> limit for operation at less than 75 percent of peak load or operating at ambient temperatures less than 0°F from 150 ppm to 96 ppm because EU ID 1 is rated at 49 MW which is greater than 30 MW. These conditions also specify the MR&R requirements contained in the subpart.

The operating permit application indicates EU ID 2 has not been installed and no initial construction date is provided. Therefore, the applicability of NSPS Subparts GG and KKKK cannot be determined at this time. However, the Permittee stated the unit would be a new unit and requested that requirements for Subpart KKKK be included in the operating permit. The Department included requirements for Subpart KKKK assuming an initial construction date of 2021 or later. If a used turbine is procured, the initial construction date must be verified prior to installation to determine whether requirements of NSPS Subparts GG or KKKK are applicable.

### **Condition 28, 40 CFR 61 Subpart A & M Requirements**

**Legal Basis:** The requirements of 40 CFR 61 are applicable requirements for Title V permitting purposes, as stated in item 4 of the “applicable requirement” definition under 40 CFR 71.2. The condition requires the Permittee to comply with asbestos demolition or renovation requirements in 40 CFR 61, Subpart M, as adopted by reference under 18 AAC 50.040(b)(2)(F). The asbestos demolition and renovation requirements apply if the Permittee engages in asbestos demolition or renovation.

**Factual Basis:** Because these regulations include adequate monitoring and reporting requirements and because the Permittee is not currently engaged in such activity, simply citing the regulatory requirements is sufficient to ensure compliance with these federal regulations.

### **Condition 29, 40 CFR 63 Subpart A Requirements**

**Legal Basis:** The Permittee must comply with applicable National Emission Standards for Hazardous Air Pollutants (NESHAP). NESHAP requirements are included in the “applicable requirement” definition under 40 CFR 71.2, which has been adopted by the Department under 18 AAC 50.040(j)(1).

The Permittee must comply with 40 CFR 63 Subpart A if the stationary source is subject to the requirements of another subpart under 40 CFR 63.

**Factual Basis:** Subpart A contains general requirements applicable to all facilities and emissions units subject to NESHAP requirements.

### **Condition 30, 40 CFR 63 Subpart ZZZZ Requirements**

**Legal Basis:** The Department has incorporated by reference the NESHAP requirements for specific industrial activities, as listed in 18 AAC 50.040(c). NESHAP Subpart ZZZZ applies to owners and operators of any existing, new, or reconstructed stationary reciprocating internal combustion engines (RICE) located at major and area sources of HAP emissions. Soldotna Combustion Turbine Plant is an area source that contains RICE units.

**Factual Basis:** EU ID 6 has not been installed and no initial construction date is provided. However, as noted in the section for NSPS Subpart JJJJ above, the Permittee stated the unit would be a new engine. Therefore, the Department included requirements for Subpart ZZZZ assuming an initial construction date of 2021 or later and compliance with the requirements of 40 CFR 60 Subpart JJJJ is required. If a used engine is procured, the initial construction date must be verified prior to installation to determine which requirements of Subpart ZZZZ are applicable.

EU ID 7 is a new RICE under NESHAP Subpart ZZZZ. Therefore, compliance with the requirements of 40 CFR 60 Subpart IIII is required as specified in 40 CFR 63.6590(c).

EU ID 8 was manufactured in 2004 and is an existing, emergency RICE under Subpart ZZZZ. Emergency stationary SI RICE are subject to work and management practice

standards as specified in Table 2d, Item 5 to Subpart ZZZZ. For this emergency engine, the Permittee is required to install a non-resettable hour meter. There is no time limit on the use of emergency stationary RICE in emergency situations. If any of EU ID 8 fails to continue meeting the operational criteria for an emergency engine under 40 CFR 63.6640(f), the emissions unit will need to meet all applicable requirements for non-emergency engines. The U.S. Court of Appeals for the District of Columbia Circuit vacated 40 CFR 63.6640(f)(2)(ii) and (iii) on May 4, 2016. Therefore, 40 CFR 63.6640(f)(2)(ii) and (iii) have ceased to have any legal effect and are not included in the operating permit. The Permittee must comply with the recordkeeping and reporting requirements specified in the subpart. As specified in 40 CFR 63.6645(a)(5), initial notification is not required for existing stationary emergency RICE.

### **Conditions 31 through 33, 40 CFR 82 Subpart F, G, & H Requirements**

**Legal Basis:** The requirements of 40 CFR 82 are applicable requirements for Title V permitting purposes, as stated in item 12 of the “applicable requirement” definition under 40 CFR 71.2. Condition 31 requires compliance with the applicable requirements in 40 CFR 82, as adopted by reference under 18 AAC 50.040(d). The requirements apply if the Permittee engages in the recycling or disposal of certain refrigerants. The condition requires the Permittee to comply with the standards for recycling and emission reduction of refrigerants in 40 CFR 82, Subpart F.

Conditions 32 and 33 also require compliance with the applicable requirement adopted under 18 AAC 50.040(d). Condition 32 prohibitions apply to all stationary sources that use substitutes for ozone-depleting compounds. Condition 33 prohibitions apply to all stationary sources that use halon for extinguishing fires and inert gas to reduce explosion risk. These conditions prohibit the Permittee from causing or allowing violations of these requirements.

**Factual Basis:** Because these regulations include adequate monitoring and reporting requirements and because the Permittee is not currently engaged in such activity, simply citing the regulatory requirements is sufficient to ensure compliance with this federal regulation. These conditions also incorporate applicable 40 CFR 82 requirements.

### **Conditions 34 through 36, NESHAP Applicability Determination Requirements**

**Legal Basis:** These conditions require the Permittee to determine NESHAP rule applicability and require recordkeeping for those determinations and notifications as applicable.

**Factual Basis:** The Permittee has conducted an analysis of the stationary source and determined that it is not a major HAPs stationary source based on emissions. This condition requires the Permittee to notify the Department and Administrator if the stationary source becomes an affected source subject to a standard promulgated by EPA under 40 CFR part 63 and to keep records of applicability determinations and make those records available to the Department. Notifications of construction are also required as applicable.

### Conditions 37 through 39, Standard Terms and Conditions

**Legal Basis:** These are standard conditions required for all operating permits under 18 AAC 50.345(a) and (e) through (g). As stated in 18 AAC 50.326(j)(3), the standard permit conditions of 18 AAC 50.345 replace the provisions of 40 CFR 71.6(a)(5) through (7).

**Factual Basis:** These are standard conditions that are included in all operating permits.

### Condition 40, Administration Fees

**Legal Basis:** This condition requires compliance with the applicable fee requirements in 18 AAC 50.400 through 403. Paying administration fees is required as part of obtaining and holding a permit with the Department or as a fee for a Department action. As stated in 18 AAC 50.326(j)(1), the provisions of 18 AAC 50.400 through 50.430 are applicable and 40 CFR 71.9 is not applicable.

**Factual Basis:** The regulations in 18 AAC 50.400 through 403 specify the amount, payment period, and the frequency of fees applicable to a permit action.

### Conditions 41 and 42, Emission Fees

**Legal Basis:** These conditions require compliance with the applicable fee requirements in 18 AAC 50.410 through 50.420. The regulations specify the time period for the assessable emissions and the methods the Permittee may use to calculate assessable emissions. As stated in 18 AAC 50.326(j)(1), the provisions of 18 AAC 50.400 through 50.430 are applicable and 40 CFR 71.9 is not applicable.

**Factual Basis:** The Department used the language in Standard Permit Condition I, adopted by reference under 18 AAC 50.346(b), for the permit. These conditions require the Permittee to pay fees in accordance with the Department's billing regulations. The billing regulations set the due dates for payment of fees based on the billing date.

The assessable emissions are the lesser of the stationary source's potential or projected emissions of each air pollutant at 10 tons per year or greater (AS 46.14.250(h)(1)). The conditions allow the Permittee to calculate assessable emissions based on previous actual annual emissions. According to AS 46.14.250(h)(1), assessable emissions are based on each air pollutant. Therefore, fees shall be paid on any pollutant emitted whether or not the permit contains any limitation for that pollutant.

This standard condition specifies that, unless otherwise approved by the Department, calculations of assessable emissions based on actual emissions must be for the previous calendar year. Since each current year's assessable emissions are based on the previous year, the Department will not give refunds or make additional billings at the end of the current year if the estimated emissions and current year actual emissions do not match.

### Condition 43, Dilution

**Legal Basis:** 18 AAC 50.045 is included in the SIP approved by EPA. It is therefore an applicable requirement, per 40 CFR 71.2. This condition reiterates 18 AAC 50.045(a), which prohibits the Permittee from using dilution as an emission control strategy.

**Factual Basis:** The condition prohibits the Permittee from diluting emissions as a means of compliance with any standard in 18 AAC 50.

### Condition 44, Reasonable Precautions to Prevent Fugitive Dust

**Legal Basis:** This condition reiterates 18 AAC 50.045(d), which requires a person to use reasonable precautions when handling, storing or transporting bulk materials or engaging in an industrial activity. This requirement applies because the Permittee has an emission unit or activity listed under Table 7 of 18 AAC 50.346(c). 18 AAC 50.045 is included in the SIP approved by EPA. The listed emission units and activities in Table 7 are: coal-fired boilers; coal handling facilities; construction of gravel pads or roads that are part of a permitted stationary source or other construction that has the potential to generate fugitive dust that reaches ambient air; commercial/industrial/municipal solid waste, air curtain, and medical waste incinerators; sewage sludge incinerators not using wet methods to handle that ash; mines; urea manufacturing; soil remediation units; or dirt roads under the control of the operator with frequent vehicle traffic; and other emission units the Department finds are likely to generate fugitive dust.

**Factual Basis:** The Department used the language in Standard Permit Condition X for the permit. The condition requires the Permittee to take reasonable action to prevent particulate matter from being emitted into the ambient air in accordance with 18 AAC 50.045(d).

### Condition 45, Stack Injection

**Legal Basis:** 18 AAC 50.055 is included in the SIP approved by EPA. It is therefore an applicable requirement per 40 CFR 71.2.

This condition requires compliance with the applicable requirement in 18 AAC 50.055(g). It prohibits the Permittee from releasing materials other than process emissions, products of combustion, or materials introduced to control pollutant emissions from a stack (i.e. disposing of material by injecting it into a stack). Stack injection requirements apply to stacks of emissions units at a stationary source constructed or modified after November 1, 1982.

**Factual Basis:** No specific monitoring for this condition is practical. Compliance is ensured by inspections, because the unit or stack would need to be modified to accommodate stack injection.

### Condition 46, Air Pollution Prohibited

**Legal Basis:** 18 AAC 50.110 is included in the SIP approved by EPA. It is therefore an applicable requirement per 40 CFR 71.2.

This condition requires compliance with 18 AAC 50.110. The condition prohibits the Permittee from causing any emission which is injurious to human health or welfare, animal or plant life, or property, or which would unreasonably interfere with the enjoyment of life or property. The Department also included permit conditions for MR&R as required by 40 CFR 71.6(a)(3) and 71.6(c)(1).

**Factual Basis:** The Department used the language in Standard Permit Condition II for the permit. This condition spells out how to monitor, record, and report prohibited air pollution. While the other permit conditions and emissions limitations should ensure compliance with this condition, unforeseen emission impacts can cause violations of this standard. These violations would go undetected except for complaints from affected persons. Therefore, to monitor compliance, the Permittee must monitor and respond to complaints.

The Permittee is required to report any complaints and injurious emissions. The Permittee must keep records of the date, time, and nature of all complaints received and summary of the investigation and corrective actions undertaken for these complaints, and must submit copies of these records upon request of the Department.

#### **Condition 47, Technology-Based Emission Standard**

**Legal Basis:** The Permittee is required to take reasonable steps to minimize emissions if certain activities cause an exceedance of any technology-based emission standard in this permit. This condition requires compliance with the requirement in 18 AAC 50.235. Technology-Based Emission Standard requirements apply because the stationary source contains equipment subject to a technology-based emission standard, such as BACT, MACT, LAER, NSPS or any other similar standard for which the stringency of the standard is based on determinations of what is technologically feasible, considering relevant factors.

**Factual Basis:** The conditions of this permit list applicable technology-based emission standards and require excess emission reporting for each standard in accordance with Condition 63. Excess emission reporting under Condition 63 requires information on the steps taken to minimize emissions.

#### **Condition 48, Open Burning**

**Legal Basis:** 18 AAC 50.065 is included in the SIP approved by EPA. The condition requires the Permittee to comply with the regulatory requirements in 18 AAC 50.065 when conducting open burning at the stationary source. The state open burning regulation in 18 AAC 50.065 applies to the Permittee if the Permittee conducts open burning at the stationary source.

**Factual Basis:** The Permittee may conduct open burning by following the provisions of 18 AAC 50.065 and by following the Department guidelines posted at the website <http://dec.alaska.gov/air/air-permit/open-burn-application/>. The condition requires the Permittee to keep records to demonstrate compliance with the standards for conducting open burning.

More extensive monitoring and recordkeeping is not warranted because the Permittee does not conduct open burning as a routine part of their business. Also, most of the requirements are prohibitions, which are not easily monitored.

#### **Condition 49, Requested Source Tests**

**Legal Basis:** The Permittee is required to conduct source tests as requested by the Department. This requirement is under 18 AAC 50.220(a) and 50.345(k), which are included in the SIP approved by EPA.

**Factual Basis:** This condition applies because this is a standard condition to be included in all operating permits, as specified in 18 AAC 50.345(a).

#### **Conditions 50 through 52, Operating Conditions, Reference Test Methods, Excess Air Requirements**

**Legal Basis:** Conditions 50 and 52 require compliance with the applicable requirements in 18 AAC 50.220(b) and (c)(3), which are included in the SIP approved by EPA. Condition 51 specifies source test methods, as required by 40 CFR 71.6(a)(3)(i) and 71.6(c)(1). These requirements apply because the Permittee is required by the permit to conduct source tests, or a source test may be requested by the Department. The Permittee is required to conduct source tests in the manner set out in Conditions 50 through 52.

**Factual Basis:** These conditions supplement the specific monitoring requirements stated elsewhere in this permit.

#### **Condition 53, Test Exemption**

**Legal Basis:** This condition incorporates the source test exemption in 18 AAC 50.345(a) regarding visible emissions observations. 18 AAC 50.345(a) is included in the SIP approved by EPA.

**Factual Basis:** As provided in 18 AAC 50.345(a), the requirements for test plans, notifications and reports do not apply to visible emissions observations by smoke readers, except in connection with required particulate matter testing.

#### **Conditions 54 through 57, Test Deadline Extension, Test Plans, Notifications and Reports**

**Legal Basis:** These conditions require compliance with the applicable requirements in 18 AAC 50.345(m) through (o), which are included in the SIP approved by EPA. Condition 54 contains the requirement in 18 AAC 50.345(l). The requirements in 18 AAC 50.345(l) through (o) constitute standard conditions that must be included in each operating permit, as specified in 18 AAC 345(a). These requirements apply because the Permittee is required to conduct source tests as set out by this permit or as requested by the Department.

**Factual Basis:** These standard conditions supplement specific monitoring requirements stated elsewhere in this permit.

### **Condition 58, Particulate Matter Calculations**

**Legal Basis:** This condition requires the Permittee to reduce particulate matter data in accordance with 18 AAC 50.220(f), which is included in the SIP approved by EPA. It applies when the Permittee tests for compliance with the particulate matter standards in 18 AAC 50.050 or 50.055.

**Factual Basis:** The condition incorporates a regulatory requirement for particulate matter source tests. This condition supplements specific monitoring requirements stated elsewhere in this permit.

### **Condition 59, Recordkeeping Requirements**

**Legal Basis:** This condition requires the Permittee to keep records in accordance with 40 CFR 71.6(a)(3)(ii), which the Department adopted by reference under 18 AAC 50.040(j)(4).

**Factual Basis:** The condition restates the regulatory requirements for recordkeeping, and supplements the recordkeeping defined for specific conditions in the permit.

### **Condition 60, Certification**

**Legal Basis:** All operating permits must contain a requirement to certify any permit application, report, affirmation, or compliance certification, per 18 AAC 50.345(j) and 18 AAC 50.205. Both requirements are part of the SIP approved by EPA.

**Factual Basis:** The Department used the language in SPC XVII, adopted by reference under 18 AAC 50.346(b)(10), for the permit condition. The requirement in 18 AAC 50.345(j) is a standard condition that must be included in each operating permit, as specified in 18 AAC 50.345(a). 18 AAC 50.345(j) allows the excess emissions reports to be certified with the operating report. However, the Department reminds the Permittee that excess emissions reports must be submitted according to the applicable deadline given in Condition 63 and must not be withheld from the Department until the deadline for submittal of an operating report. This condition supplements the reporting requirements of this permit. The certification statement through electronic signature and options for submittal provide paperless options for reporting without compelling Permittees to any specific means of submission.

### **Condition 61, Submittals**

**Legal Basis:** This condition requires the Permittee to comply with the standardized reporting requirements in 18 AAC 50.326(j) and applies because the Permittee is required to send reports to the Department.

**Factual Basis:** The Department used the language in SPC XVII, adopted by reference under 18 AAC 50.346(b)(10), for the permit condition. This condition lists the Department's appropriate address for reports and written notices. This condition states that the Department requires one certified copy of submitted reports (except as otherwise required by the

Department or other conditions of the permit) and provides an allowance for either electronic or hard copy document submittals. The condition also directs the Permittee to refer to the submission instructions on the Department's Standard Permit Conditions webpage for additional information regarding document submittals (e.g., the appropriate Department address).

### **Condition 62, Information Requests**

**Legal Basis:** All operating permits must include a condition that requires the Permittee to furnish certain information upon request, per 18 AAC 50.345(i). The requirement is part of the SIP approved by EPA.

**Factual Basis:** The requirement in 18 AAC 50.345(i) is a standard condition that must be included in each operating permit, as specified in 18 AAC 345(a). This condition requires the Permittee to submit information requested by the Department.

### **Condition 63, Excess Emission and Permit Deviation Reports**

**Legal Basis:** This condition requires the Permittee to comply with the requirements in 18 AAC 50.235(a)(2) and 18 AAC 50.240(c). The condition specifies reporting requirements as required by 40 CFR 71.6(a)(3)(iii) and 71.6(c)(1). Also, the Permittee is required to notify the Department when emissions or operations deviate from the requirements of the permit.

**Factual Basis:** This condition satisfies two state regulations related to excess emissions - the technology-based emission standard regulation and the excess emission regulation. Although there are some differences between the regulations, the condition satisfies the requirements of each regulation.

The Department used the language in SPC III for the permit condition. The Department used the notification form in SPC IV for the notification requirements.

### **Condition 64, Operating Reports**

**Legal Basis:** This condition requires compliance with the applicable requirement in 18 AAC 50.346(b)(6). The condition specifies reporting requirements as required by 40 CFR 71.6(a)(3)(iii)(A) and 71.6(c)(1).

**Factual Basis:** The Department used the language in Standard Operating Permit Condition VII for the permit condition. The condition restates the requirements for reports listed in regulation. The condition supplements the specific reporting requirements elsewhere in the permit.

The condition specifies that for the transition periods between an expiring permit and a renewal permit, the Permittee shall ensure that there is date-to-date continuity between the expired permit and the renewal permit such that the Permittee reports against the permit terms and conditions of the permit that was in effect during those partial date periods of the transition. No format is specified. The Permittee may provide one report accounting for each

permit term or condition and the effective permit at that time. Alternatively, the Permittee may choose to provide two reports – one accounting for reporting elements of permit terms and conditions from the end date of the previous operating report until the date of expiration of the old permit, and a second operating report accounting for reporting elements of terms and conditions in effect from the effective date of the renewal permit until the end of the reporting period.

### **Condition 65, Annual Compliance Certification**

**Legal Basis:** This condition requires compliance with the requirements in 40 CFR 71.6(c)(5), which the Department adopted by reference under 18 AAC 50.040(j).

**Factual Basis:** This condition specifies the periodic compliance certification requirements, and specifies a due date for the annual compliance certification.

Condition 65.2 provides clarification of transition periods between an expiring permit and a renewal permit to ensure that the Permittee certifies compliance with the permit terms and conditions of the permit that was in effect during those partial date periods involved in the transition. No format is specified: the Permittee may provide one report certifying compliance with each permit term or condition for each of the effective permits during the certification period, or may choose to provide two reports – one certifying compliance with permit terms and conditions from January 1 until the date of expiration of the old permit, and a second report certifying compliance with terms and conditions in effect from the effective date of the renewal permit until December 31.

The Permittee is required to submit to the Department an annual compliance certification report. The Permittee may submit the required report electronically at their discretion.

### **Condition 66, Emission Inventory Reporting**

**Legal Basis:** This condition requires the Permittee to submit emissions data to the state so the state is able to satisfy the federal requirement to submit emission inventory data from point sources to the EPA as required under 40 CFR 51.15 and 51.321. The emission inventory requirement applies to sources defined as point sources in 40 CFR 51.50. The state must report emissions data as described in 40 CFR 51.15 and the data elements in Tables 2a and 2b to Appendix A of 40 CFR 51 Subpart A to EPA.

**Factual Basis:** The Department used the language in SPC XV, as adopted by reference under 18 AAC 50.346(b)(8), for the permit condition. The emission inventory data is due to EPA 12 months after the end of the reporting year (40 CFR 51.30(a)(1) and (b)(1)). Permittees have until April 30th to compile and submit the data to the Department. To expedite the Department's process of transferring data into EPA's electronic reporting system, the Department encourages Permittees to submit the emission inventory through the Department's electronic emission inventory submission system in the Permittee Portal on the Department's Air Online Services webpage. A myAlaska account and profile are needed to gain access to the Permittee Portal. Other options are to submit the emission inventory via mail, email, or fax.

Detailed instructions on completing and submitting the emission inventory and the report form are available at the Point Source Emission Inventory webpage by clicking the Emission Inventory Instructions button. The emission inventory instructions and report form may also be obtained by contacting the Department.

To ensure that the Department's electronic system reports complete information to the National Emissions Inventory, Title V stationary sources are required to submit with each report emissions data described in 40 CFR 51.15 and the data elements in Tables 2a and 2b to Appendix A of 40 CFR 51 Subpart A, as applicable. Title V stationary sources with potential annual emissions greater than or equal to any of the emission thresholds for Type A (large) sources, as listed in Table 1 to Appendix A of 40 CFR 51 Subpart A, are required to report emission inventory data every year for the previous calendar year (also known as the inventory year). For triennial inventory years, Type A sources only need to submit one report, not both an annual report and a separate triennial report.

Title V stationary sources with potential annual emissions greater than or equal to any of the emission thresholds for Type B (small) sources, as listed in Table 1 to Appendix A of 40 CFR 51 Subpart A, are required to report emission inventory data every third year (i.e., triennially) for the previous inventory year. The emission thresholds for nonattainment areas vary depending on the nonattainment status of the area. As of June 9, 2017, Fairbanks and North Pole urban area have been designated by the federal administrator as "serious nonattainment" for PM<sub>2.5</sub>.

As of the issue date of Operating Permit AQ1189TVP02, the stationary source is a Type B stationary source.

### **Condition 67, NSPS and NESHAP Reports and Waivers**

**Legal Basis:** The Permittee is required to provide the Federal Administrator and Department a copy of each emissions unit report for units subject to NSPS or NESHAP federal regulations under 18 AAC 50.326(j)(4). 40 CFR 70 Appendix A documents that EPA fully approved the Alaska operating permit program effective November 30, 2001.

**Factual Basis:** The condition supplements the specific reporting requirements in 40 CFR 60, 40 CFR 61, and 40 CFR 63.

### **Condition 68, Permit Applications and Submittals**

**Legal Basis:** 40 CFR 71.10(d)(1), adopted by the Department under 18 AAC 50.040(j)(7), requires submission of a copy of each permit application to EPA.

**Factual Basis:** The Department used the language in SPC XIV, adopted by reference under 18 AAC 50.346(b)(7), for the permit condition. The condition directs the applicant to send a copy of each application for modification or renewal of this permit to the EPA. The information may be submitted in electronic format, if practicable. This condition shifts the burden of compliance with 40 CFR 71.10(d)(1) from the Department to the Permittee as allowed under 40 CFR 71.10(d)(1).

### **Conditions 69 through 71, Permit Changes and Revisions Requirements**

**Legal Basis:** 40 CFR 71.6(a)(8), (12), and (13) incorporated by reference under 18 AAC 50.040(j) require that these provisions be included in operating permits.

**Factual Basis:** 40 CFR 71.6(a)(12) and (13) specify changes that may be made without a permit revision, and 40 CFR 71.6(a)(8) states permit revisions are not required for some emissions trading and similar programs.

The Permittee did not request trading of emission increases and decreases as described in 40 CFR 71.6(a)(13)(iii).

### **Condition 72, Permit Renewal**

**Legal Basis:** The Permittee must submit a timely and complete operating permit renewal application if the Permittee intends to continue source operations in accordance with the operating permit program. The obligations for a timely and complete operating permit application are in 40 CFR 71.5(a) through (c), adopted by reference in 18 AAC 50.040(j)(3), and 18 AAC 50.326(c).

**Factual Basis:** In accordance with AS 46.14.230(a), this operating permit is issued for a fixed term of five years after the date of issuance, unless a shorter term is requested by the permit applicant. The Permittee is required to submit an application for permit renewal by the specific dates applicable to the stationary source as listed in this condition. As stated in 40 CFR 71.5(a)(1)(iii), submission for a permit renewal application is considered timely if it is submitted at least six months but no more than eighteen months prior to expiration of the operating permit. According to 40 CFR 71.5(a)(2), a complete renewal application is one that provides all information required pursuant to 40 CFR 71.5(c) and remits payment of fees owed under the fee schedule established pursuant to 18 AAC 50.400. 40 CFR 71.7(b) states that if a source submits a timely and complete application for permit issuance (including renewal), the source's failure to have a permit is not a violation until the permitting authority takes final action on the permit application.

Therefore, as long as an application has been submitted within the timeframe specified under 40 CFR 71.5(a)(1)(iii), and is complete before the expiration date of the existing permit, then the expiration of the existing permit is extended and the Permittee has the right to operate under that permit until the effective date of the new permit. However, this protection shall cease to apply if, subsequent to the completeness determination, the applicant fails to submit by the deadline specified in writing by the Department any additional information needed to process the application.

### **Conditions 73 through 78, General Compliance Requirements and Schedule**

**Legal Basis:** These conditions require compliance with the applicable requirements in 18 AAC 50.345(b) through (d) and (h) and 40 CFR 71.6(c)(3). As stated in 18 AAC 50.345(a), the requirements in 18 AAC 50.345(b) through (d) and (h) are standard conditions that must be included in all operating permits issued by the Department.

**Factual Basis:** These are standard conditions for compliance required for all operating permits.

**Conditions 79 and 80, Permit Shield**

**Legal Basis:** These conditions require compliance with the requirements in 40 CFR 71.6(f), which the Department has adopted by reference under 18 AAC 50.040(j)(4). These requirements apply because the Permittee has requested that the Department shield the stationary source from specific non-applicable requirements listed under this condition.

**Factual Basis:** Table C of Operating Permit No. AQ1189TVP02 shows the permit shield that the Department granted to the Permittee. The following table shows the requests that were denied and the reasons that they were denied. The Department based the determinations on the permit application, past operating permit, likelihood for the source to become subject during the life of the permit, Title I permits and inspection reports.

**Table F - Permit Shields Denied**

Shield Requested for:	Reason for Shield Request:	Reason for Denial
40 CFR 60 Subparts C, Ca, Cb, Cc, Cd, Ce, E, Ea, Eb, Ec, F, G, Ga, H, I, J, Ja, K, Ka, Kb, L, M, N, Na, O, P, Q, R, S, T, U, V, W, X, Y, Z, AA, AAa, BB, BBa, CC, DD, EE, FF, HH, KK, LL, MM, NN, PP, QQ, RR, SS, TT, UU, VV, VVa, WW, XX, AAA, BBB, CCC, DDD, EEE, FFF, GGG, GGGa, HHH, III, JJJ, KKK, LLL, MMM, NNN, OOO, PPP, QQQ, RRR, SSS, TTT, UUU, VVV, WWW, AAAA, BBBB, CCCC, DDDD, EEEE, FFFF, GGGG, HHHH, LLLL, MMMM, and OOOO	Not an affected stationary source, operation, or industry and/or no affected sources within the stationary source.	A shield is not necessary for regulations that are clearly not applicable. Additionally, the reason provided is not specific enough to explain why each subpart does not apply.
40 CFR 61 Subparts B, C, D, E, F, H, I, K, L, N, O, P, Q, R, T, W, Y, BB, and FF	Not an affected stationary source, operation, or industry.	A shield is not necessary for regulations that are clearly not applicable. Additionally, the reason provided is not specific enough to explain why each subpart does not apply.
40 CFR 61 Subpart J	Stationary source does not contain any equipment in benzene service (>10% by weight).	A shield is not necessary for regulations that are clearly not applicable.
40 CFR 61 Subpart V	Stationary source does not operate equipment in volatile hazardous air pollutant (VHAP) service (≥ 10% VHAP by weight).	A shield is not necessary for regulations that are clearly not applicable.
40 CFR 61 Subpart M, except for §61.145 and §61.150	Stationary source does not conduct the activities regulated in this subpart.	The reason provided does not clearly explain why each section of the subpart does not apply.

Shield Requested for:	Reason for Shield Request:	Reason for Denial
40 CFR 61 Subpart A, §61.05(a), §61.07, §61.09	Owners or operators of demolition and renovation operations are exempt from the requirements [ref. 40 CFR 61.145(a)(5)]	The requirements apply at times other than demolition and renovation operations.
40 CFR 61 Subpart A, §61.10	Demolition and renovation operations exempt [ref. 40 CFR 61.153(b)]	The requirements apply at times other than demolition and renovation operations.
40 CFR 61 Subpart A, §61.13, §61.14	Emission tests or monitoring is not required under the standards for demolition and renovation [§61.145].	The requirements apply at times other than demolition and renovation operations.
40 CFR 64 Compliance Assurance Monitoring	The SCT facility does not contain a pollutant-specific emitting unit that satisfies all of the applicability criteria under 40 CFR 64.2(a).	The reason provided does not clearly explain why Part 64 does not apply.
40 CFR 82 Subpart A	Stationary source does not produce, transform, destroy, import or export Class I of Group I or II substances or products.	A shield is not necessary for requirements that are clearly not applicable.
40 CFR 82 Subpart C	Stationary source is not a manufacturer or distributor of Class I and II products or substances.	A shield is not necessary for requirements that are clearly not applicable.
40 CFR 82 Subpart D	Subpart applies only to Federal facilities.	A shield is not necessary for requirements that are clearly not applicable.
40 CFR 82 Subpart E	Stationary source is not a manufacturer or distributor of Class I or Class II products or substances.	A shield is not necessary for requirements that are clearly not applicable.
40 CFR 82 Subpart F, §82.158	Stationary source does not manufacture or import recovery and recycling equipment.	A shield is not necessary for requirements that are clearly not applicable.
40 CFR 82 Subpart F, §82.160	Stationary source does not contract equipment testing organizations to certify recovery and recycling equipment.	A shield is not necessary for requirements that are clearly not applicable.
40 CFR 82 Subpart F, §82.164	Stationary source does not sell reclaimed refrigerant.	A shield is not necessary for requirements that are clearly not applicable.
40 CFR 82, Subpart F, Appendix C	Stationary source is not a third party entity that certifies recovery equipment.	A shield is not necessary for requirements that are clearly not applicable.
40 CFR 82, Subpart F, Appendix D	Stationary source does not have a technician certification program.	A shield is not necessary for requirements that are clearly not applicable.

Shield Requested for:	Reason for Shield Request:	Reason for Denial
40 CFR 82.174(a) Subpart G	Stationary source does not manufacture substitute chemicals or products for ozone-depleting compounds.	A shield is not necessary for requirements that are clearly not applicable.
40 CFR 82 Subpart H, §82.270(a)	Stationary source does not manufacture halon.	A shield is not necessary for requirements that are clearly not applicable.
18 AAC 50.055(a)(2), (3), (7), and (8)	No affected emission units within stationary source.	Regulation was repealed 8/20/2016.
18 AAC 50.055(a)(4), (5), and (6)	No affected emission units within stationary source.	A shield is not necessary for requirements that are clearly not applicable.
18 AAC 50.055(b)(2), (3), and (5)	No affected emission units within stationary source.	A shield is not necessary for requirements that are clearly not applicable.
18 AAC 50.055(b)(4) and (6)	No affected emission units within stationary source.	Regulation was repealed 8/20/2016.
18 AAC 50.055(d) and (e)	No affected emission units within stationary source.	A shield is not necessary for requirements that are clearly not applicable.
18 AAC 50.060	No affected emission units within stationary source.	This regulation has been repealed.
18 AAC 50.075	No affected emission units within stationary source.	A shield is not necessary for regulations that are clearly not applicable.
18 AAC 50.085	Regulations only apply to tanks within the Port of Anchorage.	A shield is not necessary for regulations that are clearly not applicable.
18 AAC 50.090	Regulations only apply to stationary sources within the Port of Anchorage.	A shield is not necessary for regulations that are clearly not applicable.