DEPARTMENT OF ENVIRONMENTAL CONSERVATION
AIR QUALITY OPERATING PERMIT

Permit No. AQ1527TVP01 Issue Date: PUBLIC COMMENT - July 10, 2024
Expiration Date: FIVE YEARS

The Alaska Department of Environmental Conservation, under the authority of AS 46.14 and 18 AAC 50, issues an operating permit to the Permittee, **Hilcorp Alaska, LLC**, for the operation of the **Milne Point L-Pad**.

This permit satisfies the obligation of the owner and operator to obtain an operating permit as set out in AS 46.14.130(b).

As set out in AS 46.14.120(c), the Permittee shall comply with the terms and conditions of this operating permit.

Citations listed herein are contained within the effective version of 18 AAC 50 at permit issuance. All federal regulation citations are from those sections adopted by reference in this version of regulation in 18 AAC 50.040 unless otherwise specified.

This operating permit becomes effective <insert date—30 days after issue date>.

James R. Plosay, Manager
Air Permits Program

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Abbreviations and Acronyms

AAC.....Alaska Administrative Code
ADEC .....Alaska Department of Environmental Conservation
AS .....Alaska Statutes
ASTM .....American Society for Testing and Materials
BACT .....best available control technology
bhp .....brake horsepower
CAA or The Act .Clean Air Act
CDX.....Central Data Exchange
CEDRI .....Compliance and Emissions Data Reporting Interface
CFR .....Code of Federal Regulations
CI .....compression ignition
CO .....carbon monoxide
dscf .....dry standard cubic foot
EPA .....US Environmental Protection Agency
EU.....emissions unit
gph .....gallons per hour
gr/dscf.....grain per dry standard cubic foot (1 pound = 7000 grains)
HAPs .....hazardous air pollutants [as defined in AS 46.14.990]
hp .....horsepower
ICE.....internal combustion engine
ID.....emissions unit identification number
J .....Joule
kW .....kilowatts
LAER.....lowest achievable emission rate
MACT .....maximum achievable control technology [as defined in 40 CFR 63]
MMBtu/hr.....million British thermal units per hour
MR&R .....monitoring, recordkeeping, and reporting
NAICS.....North American Industrial Classification System
NESHAP .....National Emission Standards for Hazardous Air Pollutants [as contained in 40 CFR 61 and 63]
ng.....nanogram
NH_3.....ammonia
NOx.....nitrogen oxides
NSPS .....New Source Performance Standards [as contained in 40 CFR 60]
O_2 .....oxygen
PAL .....plantwide applicability limitation
Pb .....lead
$PM_{2.5}$.....particulate matter less than or equal to a nominal 2.5 microns in diameter
PM_{10} .....particulate matter less than or equal to a nominal 10 microns in diameter
ppm .....parts per million
ppmv, ppmvd .....parts per million by volume on a dry basis
ppmw.....parts per million by weight
psia .....pounds per square inch (absolute)
PSD .....prevention of significant deterioration
PTE .....potential to emit
SIC. .....Standard Industrial Classification
SIP.....State Implementation Plan
SO_2 .....sulfur dioxide
tpy .....tons per year
ULSD .....ultra-low sulfur diesel
VOC .....volatile organic compound [as defined in 40 CFR 51.100(s)]
VOL .....volatile organic liquid [as defined in 40 CFR 60.111b, Subpart Kb]
vol% .....volume percent
wt% .....weight percent

Section 1. Stationary Source Information

Identification

Permittee:		Hilcorp Alaska, LLC 3800 Centerpoint Drive, Suite 1400 Anchorage, AK 99503
Stationary Source Name:		Milne Point L-Pad
Location:		70º 29´ 48.1812" North; 149º 38´ 7.224" West
Physical Address:		Milne Point Unit
Owner and Operator:		Hilcorp Alaska, LLC 3800 Centerpoint Drive, Suite 1400 Anchorage, AK 99503
Permittee's Responsible Official:		Luke Saugier, Senior Vice President 3800 Centerpoint Drive, Suite 1400 Anchorage, AK 99503
Designated Agent:		CT Corporation Systems 9360 Glacier Hwy, Suite 202 Juneau, AK 99801
Stationary Source and Building Contact:		Emilie Niedermeyer, Environmental Specialist 3800 Centerpoint Drive, Suite 1400 Anchorage, AK 99503 (907) 564-4332 emilie.niedermeyer@hilcorp.com
Fee Contact:		Hilcorp Alaska, LLC Accounts Payable P.O. Box 61529 Houston, TX 77208
Permit Contact:		Emilie Niedermeyer, Environmental Specialist 3800 Centerpoint Drive, Suite 1400 Anchorage, AK 99503 (907) 564-4332 emilie.niedermeyer@hilcorp.com
Process Description:	SIC Code	1311 Crude Petroleum and Natural Gas
	NAICS Code:	211120 Crude Petroleum Extraction

[18 AAC 50.040(j)(3) & 50.326(a)]
[40 CFR 71.5(c)(1) & (2)]

Section 2. Emissions Unit Inventory and Description

Emissions units listed in Table A have specific monitoring, recordkeeping, or reporting conditions in this permit. Except as noted elsewhere in the permit, emissions unit descriptions and ratings are given for identification purposes only.

Table A - Emissions Unit Inventory

EU ID	Emissions Unit Name	Emissions Unit Description	Fuel	Rating/Size	Construction Date
1	Turbine	Solar Titan 130	Diesel/ Fuel Gas	100 MMBtu/hr (15 MW)	2018
2	Turbine	Solar Titan 130	Diesel/ Fuel Gas	100 MMBtu/hr (15 MW)	TBD
3	Turbine	Solar Titan 130	Diesel/ Fuel Gas	100 MMBtu/hr (15 MW)	TBD
4	Emergency Generator	Caterpillar C15 DITA	Diesel	762 bhp (516 ekW)	2008

[18 AAC 50.326(a)]
[40 CFR 71.5(c)(3)]

Section 3. State Requirements

Visible Emissions Standard

1. Industrial Process and Fuel-Burning Equipment Visible Emissions. The Permittee shall not cause or allow visible emissions, excluding condensed water vapor, emitted from EU IDs 1 through 4 listed in Table A to reduce visibility through the exhaust effluent by more than 20 percent averaged over any six consecutive minutes.

[18 AAC 50.040(j)(4), 50.055(a)(1), 50.326(j)(3), & 50.346(c)]
[40 CFR 71.6(a)(1)]

1.1. For EU ID 4, as long as actual emissions from the emissions unit are less than the significant emissions thresholds listed in 18 AAC 50.326(e) during any consecutive 12-month period, monitoring shall consist of an annual compliance certification under Condition 67 with the visible emissions standard based on reasonable inquiry. The Permittee shall report in the operating report under Condition 66 if EU ID 4 reaches any of the significant emissions thresholds listed in 18 AAC 50.326(e) and monitor, record, and report in accordance with Conditions 2 through 4 for the remainder of the permit term.

1.2. For EU IDs 1 through 3, burn gas as the primary fuel. Monitoring for these emissions units shall consist of a statement in each operating report required under Condition 66 indicating whether each of these emissions units burned gas as the primary fuel during the period covered by the report. If any of these units operated on a back-up liquid fuel during the period covered by the report, the Permittee shall monitor, record and report in accordance with Condition 9 for that emissions unit.

[18 AAC 50.040(j)(4), 50.326(j)(3), & 50.346(c)]
[40 CFR 71.6(a)(3)]

Visible Emissions Monitoring, Recordkeeping, and Reporting (MR&R)

Liquid Fuel-Burning Equipment

2. Visible Emissions Monitoring. When required by Condition 1.1, or in the event of replacement[1] during the permit term, the Permittee shall observe the exhaust of EU ID 4 for visible emissions using the Method 9 Plan under Condition 2.1.

2.1. **Method 9 Plan.** For all observations in this plan, observe emissions unit exhaust following 40 CFR 60, Appendix A-4, Method 9 for 18 minutes to obtain 72 consecutive 15-second opacity observations.[2]

a. First Method 9 Observation. Observe the exhaust of EU ID 4 according to the following criteria:

[1] "*Replacement*," as defined in 40 CFR 51.166(b)(32).
[2] Visible emissions observations are not required during emergency operations.

(i) For any unit replaced, observe exhaust within 60 days of the newly installed emissions unit becoming fully operational.[3] Except as provided in Condition 2.1.e, after the first Method 9 observation:

(A) For EU ID 4 comply with Condition 1.1.

(ii) For EU ID 4, observe the exhaust of the emissions unit within 30 days after the end of the calendar month during which monitoring was triggered under Condition 1.1; or for an emissions unit with intermittent operations, within the first 30 days during the unit's next scheduled operation.

b. Monthly Method 9 Observations. After the first Method 9 observation conducted under Condition 2.1.a, perform observations at least once in each calendar month that the emissions unit operates.

c. Semiannual Method 9 Observations. After at least three monthly observations under Condition 2.1.b, unless a six-consecutive-minute average opacity is greater than 15 percent and one or more individual observations are greater than 20 percent, perform semiannual observations

(i) no later than seven months, but not earlier than five months, after the preceding observation; or

(ii) for an emissions unit with intermittent operations, during the next scheduled operation immediately following seven months after the preceding observation.

d. Annual Method 9 Observations. After at least two semiannual observations under Condition 2.1.c, unless a six-consecutive-minute average opacity is greater than 15 percent and one or more individual observations are greater than 20 percent, perform annual observations

(i) no later than 12 months, but not earlier than 10 months, after the preceding observation; or

(ii) for an emissions unit with intermittent operations, during the next scheduled operation immediately following 14 months after the preceding observation.

e. Increased Method 9 Frequency. If a six-consecutive-minute average opacity is observed during the most recent set of observations to be greater than 15 percent and one or more individual observations are greater than 20 percent, then increase or maintain the observation frequency for that emissions unit to at least monthly intervals as described in Condition 2.1.b, and continue monitoring in accordance with the Method 9 Plan.

[18 AAC 50.040(j)(4), 50.326(j)(3), & 50.346(c)]

[3] *"Fully operational"* means upon completion of all functionality checks and commissioning after unit installation. *"Installation"* is complete when the unit is ready for functionality checks to begin.

[40 CFR 71.6(a)(3)(i)]

3. Visible Emissions Recordkeeping. The Permittee shall keep records as follows:

3.1. For all Method 9 observations,

a. the observer shall record the following:

(i) the name of the stationary source, emissions unit and location, emissions unit type, observer's name and affiliation, and the date on the Visible Emissions Observation Form in Section 11;

(ii) the time, estimated distance to the emissions location, sun location, approximate wind direction, estimated wind speed, description of the sky condition (presence and color of clouds), plume background, and operating mode (load or fuel consumption rate or best estimate if unknown) on the sheet at the time opacity observations are initiated and completed;

(iii) the presence or absence of an attached or detached plume and the approximate distance from the emissions outlet to the point in the plume at which the observations are made;

(iv) opacity observations to the nearest five percent at 15-second intervals on the Visible Emission Observation Form in Section 11, and

(v) the minimum number of observations required by the permit; each momentary observation recorded shall be deemed to represent the average opacity of emissions for a 15-second period.

b. To determine the six-consecutive-minute average opacity,

(i) divide the observations recorded on the record sheet into sets of 24 consecutive observations;

(ii) sets need not be consecutive in time and in no case shall two sets overlap;

(iii) for each set of 24 observations, calculate the average by summing the opacity of the 24 observations and dividing this sum by 24; and

(iv) record the average opacity on the sheet.

c. Calculate and record the highest six-consecutive and 18-consecutive-minute average opacities observed.

[18 AAC 50.040(j)(4), 50.326(j)(3), & 50.346(c)]
[40 CFR 71.6(a)(3)(ii)]

4. Visible Emissions Reporting. The Permittee shall report as follows:

4.1. Include in each operating report required under Condition 66 for the period covered by the report:

a. for all Method 9 Plan observations,

(i) copies of the observation results (i.e. opacity observations) for each emissions unit, except for the observations the Permittee has already supplied to the Department; and

(ii) a summary to include:

(A) number of days observations were made;

(B) highest six-consecutive and 18-consecutive-minute average opacities observed; and

(C) dates when one or more observed six-consecutive-minute average opacities were greater than 20 percent; and

b. a summary of any monitoring or recordkeeping required under Conditions 2 and 3 that was not done.

4.2. Report under Condition 65:

a. the results of Method 9 observations that exceed 20 percent average opacity for any six-consecutive-minute period; and

b. if any monitoring under Condition 2 was not performed when required, report within three days of the date the monitoring was required.

[18 AAC 50.040(j)(4), 50.326(j)(3), & 50.346(c)]
[40 CFR 71.6(a)(3)(iii)]

Particulate Matter (PM) Emissions Standard

5. Industrial Process and Fuel-Burning Equipment PM Emissions. The Permittee shall not cause or allow particulate matter emitted from EU IDs 1 through 4 listed in Table A to exceed 0.05 grains per cubic foot of exhaust gas corrected to standard conditions and averaged over three hours.

[18 AAC 50.040(j)(4), 50.055(b)(1), 50.326(j)(3), & 50.346(c)]
[40 CFR 71.6(a)(1)]

5.1. For EU ID 4, as long as actual emissions from the emissions unit are less than the significant emissions thresholds listed in 18 AAC 50.326(e) during any consecutive 12-month period, monitoring shall consist of an annual compliance certification under Condition 67 for the particulate matter emissions standard based on reasonable inquiry. The Permittee shall report in the operating report under Condition 66 if EU ID 4 reaches any of the significant emissions thresholds and monitor, record and report in accordance with Conditions 6 through 8 for the remainder of the permit term.

5.2. For EU IDs 1 through 3, the Permittee shall comply with Condition 1.2.

[18 AAC 50.040(j), 50.326(j) & 50.346(c)]
[40 CFR 71.6(a)(3) & (c)(6)]

PM MR&R

Liquid Fuel-Burning Engines and Turbines

6. Particulate Matter Monitoring. The Permittee shall conduct source tests on EU IDs 1 through 4, to determine the concentration of PM in the exhaust of each emissions unit as follows:

6.1. If the result of any Method 9 observation conducted under Condition 2.1 for EU ID 4 is greater than the criteria of Condition 6.2.a or Condition 6.2.b, or if the Method 9 observation conducted under Condition 9.3 for any of EU ID 1 through 3 exceeds the standard in Condition 1, the Permittee shall, within six months of that Method 9 observation, either:

a. take corrective action and observe the emissions unit exhaust under load conditions comparable to those when the criteria were exceeded, following 40 CFR 60, Appendix A-4 Method 9 for 18 minutes to obtain 72 consecutive 15-second opacity observations, to show that emissions are no longer greater than the criteria of Condition 6.2; or

b. except as exempted in Condition 6.4, conduct a PM source test according to requirements set out in Section 6.

6.2. Take corrective action or conduct a PM source test, in accordance with Condition 6.1, if any Method 9 observation under Condition 2.1 results in an 18-minute average opacity greater than

a. 20 percent for an emissions unit with an exhaust stack diameter that is equal to or greater than 18 inches; or

b. 15 percent for an emissions unit with an exhaust stack diameter that is less than 18 inches, unless the Department has waived this requirement in writing.

6.3. During each one-hour particulate matter source test run under Condition 6.1.b, observe the emissions unit exhaust for 60 minutes in accordance with Method 9 and calculate the highest 18-consecutive-minute average opacity measured during each one-hour test run. Submit a copy of these observations with the source test report.

6.4. The PM source test requirements in Condition 6.1.b are waived for an emissions unit if

a. a source test on that unit has shown compliance with the PM standard during this permit term; or

b. corrective action was taken to reduce visible emissions and two consecutive 18-minute Method 9 visible emissions observations (as described in Condition 2.1) conducted thereafter within a six-month period show visible emissions less than the threshold in Condition 6.2.

[18 AAC 50.040(j)(4), 50.326(j)(3), & 50.346(c)]
[40 CFR 71.6(a)(3)(i)]

7. PM Recordkeeping. The Permittee shall comply with the following:

7.1. Within 30 calendar days of startup, the Permittee shall record the exhaust stack diameters of EU IDs 1 through 4.

7.2. Keep records of the results of any source test and visible emissions observations conducted under Condition 6.

[18 AAC 50.040(j)(4), 50.326(j)(3), & 50.346(c)]
[40 CFR 71.6(a)(3)(ii)]

8. PM Reporting. The Permittee shall report as follows:

8.1. Notify the Department of any Method 9 observation results that are greater than the threshold of either Condition 6.2.a or Condition 6.2.b within 30 days of the end of the month in which the observations occurred. Include the dates, EU ID(s), and results when an observed 18-minute average opacity was greater than an applicable threshold in Condition 6.2.

8.2. In each operating report under Condition 66, include:

a. a summary of the results of any PM source test and visible emissions observations conducted under Condition 6; and

b. copies of any visible emissions observation results greater than the thresholds of Condition 6.2, if they were not already submitted.

8.3. Report the stack diameters of EU IDs 1 through 4 in the next operating report under Condition 66 following the deadline in Condition 7.1 for collecting the stack diameter records.

8.4. Report in accordance with Condition 65:

a. anytime the results of a PM source test exceed the PM emissions standard in Condition 5; or

b. if the requirements under Condition 6.1 were triggered and the Permittee did not comply on time with either Condition 6.1.a or 6.1.b. Report the deviation within 24 hours of the date compliance with Condition 6.1 was required.

[18 AAC 50.040(j)(4), 50.326(j)(3), & 50.346(c)]
[40 CFR 71.6(a)(3)(iii)]

Visible Emissions & PM MR&R

Dual Fuel-Burning Equipment

9. The Permittee shall monitor, record, and report the monthly hours of operation of EU IDs 1 through 3 when operating on a back-up liquid fuel.

9.1. For any of EU IDs 1 through 3 that does not exceed 400 hours of operations per calendar year on a back-up liquid fuel, monitoring of compliance for visible emissions and PM shall consist of an annual compliance certification under Condition 67 based on reasonable inquiry.

9.2. For any of EU IDs 1 through 3, notify the Department and begin monitoring the affected emissions unit in accordance with Condition 9.3 no later than 15 days after the end of a calendar month in which the cumulative hours of operation for the calendar year exceed any multiple of 400 hours on a back-up liquid fuel; or for an emissions unit with intermittent back-up fuel use, during the next scheduled operation on back-up liquid fuel.

9.3. When required to do so by Condition 9.2, observe the emissions unit exhaust, following 40 CFR 60, Appendix A-4 Method 9, for 18 minutes to obtain 72 consecutive 15-second opacity observations.

a. If the observation exceeds the standard in Condition 1, monitor as described in Condition 6.

b. If the observation does not exceed the standard in Condition 1, no additional monitoring is required until the cumulative hours of operation exceed each subsequent multiple of 400 hours on back-up liquid fuel during a calendar year.[4]

9.4. Keep records and report in accordance with Conditions 3, 4, 7, and/or 8, as applicable.

9.5. Report under Condition 65 if the Permittee fails to comply with Conditions 9.2, 9.3 or 9.4.

[18 AAC 50.040(j)(4), 50.326(j)(3), & 50.346(c)]
[40 CFR 71.6(a)(3)(i) through (iii)]

Sulfur Compound Emissions Standard

10. Sulfur Compound Emissions. The Permittee shall not cause or allow sulfur compound emissions, expressed as SO_2, from EU IDs 1 through 4 to exceed 500 ppm averaged over three hours.

[18 AAC 50.040(j), 50.055(c) & 50.326(j)]
[40 CFR 71.6(a)(1)]

[4] If the requirement to monitor is triggered more than once in a calendar month, only one Method-9 observation is required to be conducted by the stated deadline for that month.

Sulfur Compound MR&R

Fuel Oil[5] (EU IDs 1 through 4)

11. Sulfur Compound Emissions Monitoring and Recordkeeping. The Permittee shall monitor and keep records, as follows:

11.1. Comply with either Condition 17.1.a or Condition 17.1.b:

a. For each shipment of fuel:

(i) If the fuel grade requires a sulfur content 0.5 percent by weight ($wt\%S_{fuel}$) or less, keep receipts that specify fuel grade and amount; or

(ii) If the fuel grade does not require a sulfur content 0.5 $wt\%S_{fuel}$ or less, keep receipts that specify fuel grade and amount and

(A) test the fuel for sulfur content; or

(B) obtain test results showing the sulfur content of the fuel from the supplier or refinery; the test results must include a statement signed by the supplier or refinery of what fuel they represent; or

b. Test the sulfur content of the fuel in each storage tank that supplies fuel to EU IDs 1 through 4 at least monthly.

11.2. Fuel testing under Condition 11.1.a or 11.1.b must follow an appropriate method listed in 18 AAC 50.035(b)-(c) or 40 CFR 60.17 incorporated by reference in 18 AAC 50.040(a)(1).

11.3. If a shipment of fuel contains greater than 0.75 $wt\%S_{fuel}$ or if the results of a fuel sulfur content test indicate that the fuel contains greater than 0.75 $wt\%S_{fuel}$, the Permittee shall calculate SO_2 emissions in parts per million (ppm) using either the SO_2 material balance calculation in Section 12 or Method 19 of 40 CFR 60, Appendix A-7, adopted by reference in 18 AAC 50.040(a)(3).

[18 AAC 50.040(j)(4), 50.326(j)(3), & 50.346(c)]
[40 CFR 71.6(a)(3)(i) & (ii)]

12. Sulfur Compound Emissions Reporting. The Permittee shall report as follows:

12.1. If SO_2 emissions calculated under Condition 11.3 exceed 500 ppm, the Permittee shall report in accordance with Condition 65. When reporting under this condition, include the calculation under Condition 11.3.

12.2. The Permittee shall include in the operating report required by Condition 66 for each month covered by the report:

a. a list of the fuel grades received at the stationary source;

[5] *Oil* means crude oil or petroleum or a liquid fuel derived from crude oil or petroleum, including distillate and residual oil, as defined in 40 CFR 60.41b.

b. for any fuel received with a fuel sulfur content greater than 0.5 wt%S_{fuel}, the fuel sulfur content of the shipment;

c. the results of all fuel sulfur analyses conducted under Condition 11.1.a or Condition 11.1.b and documentation of the method(s) used to complete the analyses; and

d. for any fuel received with a sulfur content greater than 0.75 wt%S_{fuel}, the SO_2 emissions in ppm calculated under Condition 11.3.

[18 AAC 50.040(j)(4), 50.326(j)(3), & 50.346(c)]
[40 CFR 71.6(a)(3)]

Fuel Gas (EU IDs 1 through 3)

13. Sulfur Compound Emissions MR&R. Monitor, record, and report in accordance with Conditions 15.2.a through 15.2.c.

13.1. Report in accordance with Condition 65 whenever the fuel combusted causes sulfur compound emissions to exceed the standard of Condition 10.

[18 AAC 50.040(j) & 50.326(j)]
[40 CFR 71.6(a)(3) & (c)(6)]

Preconstruction Permit [6] Requirements

Ambient Air Quality Protection Requirements

14. To protect the annual nitrogen dioxide (NO_2); 24-hour particulate matter with an aerodynamic diameter of 10 microns or less (PM_{10}); 24-hour and annual particulate matter with an aerodynamic diameter of 2.5 microns or less ($PM_{2.5}$); and one-hour, three-hour, 24-hour, and annual sulfur dioxide (SO_2) Alaska ambient air quality standards (AAAQS), the Permittee shall operate the stationary source as described below:

[Condition 9, Minor Permit AQ1527MSS03, 12/23/2020]
[18 AAC 50.040(j) & 50.326(j)]
[40 CFR 71.6(a)(1)]

14.1. **Stack Configuration**. Construct and maintain vertical, uncapped exhaust stacks for EU IDs 1 through 4. All EUs may use flapper-style rain covers, or other similar designs, that do not hinder the vertical momentum of their exhaust plume.

[Condition 9.1, Minor Permit AQ1527MSS03, 12/23/2020]

a. Report in the first operating report required under Condition 66 that is due after the installation of each of EU IDs 1 through 4, whether the exhaust stack for that emissions unit complies with Condition 14.1.

b. Report in accordance with Condition 65 if any exhaust stack for EU IDs 1 through 4 does not meet the requirements of Condition 14.1.

[Conditions 9.1a & 9.1b, Minor Permit AQ1527MSS03, 12/23/2020]

[6] *Preconstruction Permit* refers to federal PSD permits, state-issued 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.

[40 CFR 71.6(a)(3)]

15. Fuel Sulfur Limits. To protect the one-hour, three-hour, 24-hour, and annual SO_2 AAAQS, the Permittee shall:

[Condition 10, Minor Permit AQ1527MSS03, 12/23/2020]
[18 AAC 50.040(j) & 50.326(j)]
[40 CFR 71.6(a)(1)]

15.1. Limit the sulfur content of the liquid fuel fired in EU IDs 1 through 4 to no more than 15 ppmw.

[Condition 10.1, Minor Permit AQ1527MSS03, 12/23/2020]

a. For each shipment of liquid fuel, obtain and keep receipts from fuel suppliers that specify the fuel grade (i.e. ultra-low sulfur diesel (ULSD)) or the fuel sulfur content in ppmw and the amount of fuel.

b. Include in each operating report required in Condition 66 a statement indicating whether all liquid fuel combusted in the emissions units listed in Condition 15.1 during the reporting period was 15 ppmw or less.

c. Report in accordance with Condition 65 if any fuel combusted in EU IDs 1 through 4 exceeds the sulfur content limit in Condition 15.1.

[Conditions 10.1a through 10.1c, Minor Permit AQ1527MSS03, 12/23/2020]
[40 CFR 71.6(a)(3)]

15.2. Limit the hydrogen sulfide (H_2S) content of the fuel gas fired in EU IDs 1 through 3 to no more than 100 ppmv.

[Condition 10.2, Minor Permit AQ1527MSS03, 12/23/2020]

a. Determine the fuel gas H_2S content no less than once a month using ASTM D 4810-88, ASTM D 4913-89, or Gas Producer's Association method 2377-86. The fuel gas H_2S analysis required under this condition may be performed by the owner or operator, a service contractor retained by the owner or operator, or the fuel vendor.

b. Keep records of each analysis conducted under Condition 15.2.a.

c. Report the monthly fuel gas H_2S concentrations in each operating report required in Condition 66.

d. Report in accordance with Condition 65 whenever the fuel gas H_2S concentration exceeds the limit in Condition 15.2.

[Conditions 10.2a through 10.2d, Minor Permit AQ1527MSS03, 12/23/2020]
[40 CFR 71.6(a)(3)]

16. To protect the annual NO_2 AAAQS, comply with Condition 17.5 for NOx emissions.

[Condition 11, Minor Permit AQ1527MSS03, 12/23/2020]
[18 AAC 50.040(j) & 50.326(j)]
[40 CFR 71.6(a)(1)]

ORLs to Avoid Permit Classifications

17. To avoid PSD permit requirements under 18 AAC 50.306 for NOx and CO emissions, the Permittee shall comply with the following:

[Condition 12, Minor Permit AQ1527MSS03, 12/23/2020]
[18 AAC 50.040(j) & 50.326(j)]
[40 CFR 71.6(a)(1)]

17.1. For EU IDs 1 through 3, install Solar Titan 130 turbines with the 25/25/25 ppm emissions profile for NOx/CO/unburned hydrocarbons (UHC) that are equipped with pilot active control logic and SoLoNOx.

[Condition 12.1, Minor Permit AQ1527MSS03, 12/23/2020]

a. In the first operating report required in Condition 66 that is due after the installation of each of EU IDs 1 through 3, the Permittee shall include documentation to show the turbines required in Condition 17.1 were installed.

[Condition 12.1a, Minor Permit AQ1527MSS03, 12/23/2020]
[40 CFR 71.6(a)(3)]

17.2. Install and operate a data acquisition system capable of logging at 60 second average intervals of the following parameters for each of EU IDs 1 through 3:

[Condition 12.2, Minor Permit AQ1527MSS03, 12/23/2020]

a. Status of SoLoNOx mode (active or inactive);

b. Turbine load in percent;

c. The inlet air temperature in degrees Fahrenheit (°F); and

d. The fuel type (fuel gas or diesel).

[Conditions 12.2a through 12.2d, Minor Permit AQ1527MSS03, 12/23/2020]
[40 CFR 71.6(a)(3)]

17.3. Monitor, record, and report as follows for Condition 17.2:

[Condition 12.3, Minor Permit AQ1527MSS03, 12/23/2020]
[40 CFR 71.6(a)(3)]

a. For each of EU IDs 1 through 3, record the date and time for

[Condition 12.3a, Minor Permit AQ1527MSS03, 12/23/2020]

(i) Starting the use of liquid fuel and stopping the use of liquid fuel.

(ii) Starting the use of fuel gas and stopping the use of fuel gas.

(iii) The start and stop time when the turbine was out of SoLoNOx on any fuel.

(iv) The start and stop time when the turbine was idling on each fuel type.

(v) Periods of startup and shutdown.

[Conditions 12.3a(i) through 12.3a(v), Minor Permit AQ1527MSS03, 12/23/2020]

b. Include copies of the records required in Conditions 17.3.a in the operating report required in Condition 66.

[Condition 12.3b, Minor Permit AQ1527MSS03, 12/23/2020]

17.4. For EU IDs 1 through 3, the inlet air temperature for each operating turbine must be maintained at -20° F or higher.

[Condition 12.4, Minor Permit AQ1527MSS03, 12/23/2020]
[40 CFR 71.6(a)(1)]

a. Capture the 60-second average inlet air temperature in degrees Fahrenheit (ºF) for each operating turbine during all periods of operation. Record for each calendar day, the lowest 60-second average inlet air temperature for each turbine that operated.

b. Include copies of the records required in Condition 17.4.a in the operating report required in Condition 66.

c. Report in accordance with Condition 65 anytime turbine inlet air temperature is not within the required range in Condition 17.4.

[Conditions 12.4a through 12.4c, Minor Permit AQ1527MSS03, 12/23/2020]

17.5. For EU IDs 1 through 3, the Permittee shall limit the total combined emissions of NOx to 230 tons or less per 12-month rolling period and the total combined emissions of CO to 240 tons or less per 12-month rolling period.

[Condition 12.5, Minor Permit AQ1527MSS03, 12/23/2020]
[40 CFR 71.6(a)(1)]

a. For EU IDs 1 through 3, the Permittee shall comply with the following:

[Condition 12.5a, Minor Permit AQ1527MSS03, 12/23/2020]
[40 CFR 71.6(a)(3)]

(i) On or before the 15th day of each month,

[Condition 12.5a(i), Minor Permit AQ1527MSS03, 12/23/2020]

(A) Calculate and record the hourly NOx and CO emissions (lbs) for each turbine for the previous calendar month for periods of operation other than startup and shutdown. Emissions shall be calculated using the fuel records required in Condition 17.3.a, the 60-second average inlet air temperatures obtained under Condition 17.4.a, and the emission factors in Table B.

[Condition 12.5a(i)(A), Minor Permit AQ1527MSS03, 12/23/2020]

Table B - Turbine Emission Factors (lb/minute)

Inlet Air Temp (°F)	Liquid Fuel		Fuel Gas	
	NOx	CO	NOx	CO
-20 to -1	1.63	1.00	0.47	0.68
0 to 19	1.01	0.32	0.27	0.16
20 to 39	0.97	0.31	0.26	0.16
40 to 59	0.92	0.29	0.25	0.15
60 or greater	0.88	0.28	0.24	0.15

(B) Calculate and record the NOx and CO emissions (lbs) due to startups and shutdowns for each turbine for the previous calendar month using the records required in Condition 17.3.a, and emission factors in Table C.

[Condition 12.5a(i)(B), Minor Permit AQ1527MSS03, 12/23/2020]

Table C - Turbine Emission Factors (lb/event)

Event	Liquid Fuel		Fuel Gas	
	NOx	CO	NOx	CO
Startup	8	336	3	172
Shutdown	8	265	3	169

(C) Calculate and record the NOx and CO emissions (lbs) due to operation out of SoLoNOx for each turbine for the previous calendar month. Emissions shall be calculated using the records under Condition 17.3.a(iii) and the emission factors in Table D.

[Condition 12.5a(i)(C), Minor Permit AQ1527MSS03, 12/23/2020]

Table D - Turbine Emission Factors for Out of SoLoNOx Operation (lb/minute)

Inlet Temperature	Fuel Type	Load	NOx	CO
≥ -20 °F	Fuel Gas	< 50%	0.63	44.09
		Idle	0.45	55.12
	Liquid Fuel	< 65%	1.13	5.82
		Idle	1.13	58.15

(D) Calculate and record the total combined 12-month rolling NOx emissions and the total combined 12-month rolling CO emissions (tons).

[Condition 12.5a(i)(D), Minor Permit AQ1527MSS03, 12/23/2020]

(ii) Include the emissions calculated under Condition 17.5.a(i)(D) in the operating report required in Condition 66.

(iii) Report in accordance with Condition 65 whenever a limit in Condition 17.5 is exceeded.

[Conditions 12.5a(ii) & (iii), Minor Permit AQ1527MSS03, 12/23/2020]

17.6. Conduct NOx and CO source tests on the first of EUs 1 through 3 to start up to verify the emission factors in Table B and Table D for -20 to -1° F.

[Condition 12.6, Minor Permit AQ1527MSS03, 12/23/2020]
[40 CFR 71.6(a)(3)]

a. Testing shall be conducted as follows:

[Condition 12.6a, Minor Permit AQ1527MSS03, 12/23/2020]

(i) Conduct the tests no later than one year after startup or issuance of Minor Permit AQ1527MSS03 and at an inlet air temperature of -20 to -1° F.

(ii) Each test shall be conducted in accordance with Section 6 of this permit.

(iii) Testing shall be conducted while the turbine is firing on liquid fuel and when firing on gaseous fuel.

(iv) Testing shall be conducted at the following loads:

[Conditions 12.6a(i) through (iv), Minor Permit AQ1527MSS03, 12/23/2020]

(A) Between 5 and 10 percent below 65% load when running on liquid fuel and below 50% load when running on fuel gas.

(B) Between 5 and 10 percent above 65% load when running on liquid fuel and above 50% load when running on fuel gas.

(C) 90 to 100 percent load, or at maximum achievable load if 90 percent load cannot be reached.

[Conditions 12.6a(iv)(A) through (C), Minor Permit AQ1527MSS03, 12/23/2020]

(v) Test results shall be the average of three one-hour test runs for each load profile in Condition 17.6.a(iv).

[Condition 12.6a(v), Minor Permit AQ1527MSS03, 12/23/2020]

17.7. If source testing under Condition 17.6 results in an emission factor greater than the value in Table B or Table D for the corresponding temperature range, the Permittee shall submit an application for a minor permit under 18 AAC 50.508(6) to revise the emission factor in Table B.

[Condition 12.7, Minor Permit AQ1527MSS03, 12/23/2020]
[40 CFR 71.6(a)(3)]

a. The application must be submitted no later than 30 days after Department approval of the source test result.

[Condition 12.7a, Minor Permit AQ1527MSS03, 12/23/2020]

18. To avoid PSD permit requirements under 18 AAC 50.306 and minor permit requirements under 18 AAC 50.502(c)(1) for SO_2, the Permittee shall comply with Condition 15.

[Condition 13, Minor Permit AQ1527MSS03, 12/23/2020]
[18 AAC 50.040(j) & 50.326(j)]
[40 CFR 71.6(a)(1)]

Insignificant Emissions Units

19. For emissions units at the stationary source that are insignificant as defined in 18 AAC 50.326(d)-(i) that are not listed in this permit, the following apply:

19.1. **Visible Emissions Standard**: The Permittee shall not cause or allow visible emissions, excluding condensed water vapor, emitted from an industrial process, fuel-burning equipment, or an incinerator to reduce visibility through the exhaust effluent by more than 20 percent averaged over any six consecutive minutes.

[18 AAC 50.050(a) & 50.055(a)(1)]

19.2. **Particulate Matter Standard**: The Permittee shall not cause or allow particulate matter emitted from an industrial process or fuel-burning equipment to exceed 0.05 grains per cubic foot of exhaust gas corrected to standard conditions and averaged over three hours.

[18 AAC 50.055(b)(1)]

19.3. **Sulfur Standard**: The Permittee shall not cause or allow sulfur compound emissions, expressed as SO_2, from an industrial process or fuel-burning equipment, to exceed 500 ppm averaged over three hours.

[18 AAC 50.055(c)]

19.4. **General MR&R for Insignificant Emissions Units.** The Permittee shall comply with the following:

a. Submit the compliance certifications of Condition 67 based on reasonable inquiry;

b. Comply with the requirements of Condition 48; and

c. Report in the operating report required by Condition 66 if an emissions unit has historically been classified as insignificant because of actual emissions less than the thresholds of 18 AAC 50.326(e) and current actual emissions have become greater than any of those thresholds.

d. No other monitoring, recordkeeping or reporting is required for insignificant emissions units to demonstrate compliance with the emissions standards under Conditions 19.1, 19.2, and 19.3.

[18 AAC 50.040(j)(4), 50.326(j)(3), & 50.346(b)(4)]
[40 CFR 71.6(a)(1) & (a)(3)]

Section 4. Federal Requirements

40 CFR Part 60 New Source Performance Standards

Subpart A

20. New Source Performance Standards (NSPS) Subpart A Notification. Unless exempted under an applicable subpart, for any affected facility[7] or existing facility[8] regulated under NSPS requirements in 40 CFR 60, the Permittee shall furnish the Administrator written notification or, if acceptable to both the Administrator[9] and the Permittee, electronic notification, as follows:

[18 AAC 50.035 & 50.040(a)(1)]
[40 CFR 60.7(a), Subpart A]

20.1. For EU IDs 2 and 3, a notification of the actual date of initial startup of an affected facility postmarked within 15 days after such date.

[40 CFR 60.7(a)(3), Subpart A]

21. NSPS Subpart A Startup, Shutdown, & Malfunction Requirements. Maintain records of the occurrence and duration of any start-up, shutdown, or malfunction in the operation of EU IDs 1 through 3, any malfunction of the air-pollution control equipment, or any periods during which a continuous monitoring system or monitoring device for EU IDs 1 through 3 is inoperative.

[18 AAC 50.040(a)(1)]
[40 CFR 60.7(b), Subpart A]

22. NSPS Subpart A Excess Emissions and Monitoring Systems Performance Report. Each Permittee required to install a continuous monitoring device shall submit excess emissions and monitoring systems performance report (excess emissions are defined in applicable subparts and limits are in Condition 29.2) and-or summary report form (see Condition 23) to the Administrator semiannually, except when: more frequent reporting is specifically required by an applicable subpart; or the Administrator, on a case-by-case basis, determines that more frequent reporting is necessary to accurately assess the compliance status of the source. All reports shall be postmarked by the 30th day following the end of each six-month period. Written reports of excess emissions shall include the following information:

[18 AAC 50.040(a)(1)]
[40 CFR 60.7(c), Subpart A]

22.1. The magnitude of excess emissions computed in accordance with 40 CFR 60.13(h), any conversion factors used, the date and time of commencement and completion of each time period of excess emissions, and the process operating time during the reporting period.

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[7] *Affected facility* means, with reference to a stationary source, any apparatus to which a standard applies, as defined in 40 CFR 60.2.

[8] *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.

[9] For Section 4 of this permit, the Department defines *Administrator* to mean the EPA Administrator and the Department.

[40 CFR 60.7(c)(1), Subpart A]

22.2. Specific identification of each period of excess emissions that occurs during startups, shutdowns, and malfunctions of EU IDs 1 through 3; the nature and cause of any malfunction (if known), and the corrective action taken or preventative measures adopted.

[40 CFR 60.7(c)(2), Subpart A]

22.3. The date and time identifying each period during which a Continuous Monitoring System (CMS) was inoperative except for zero and span checks and the nature of any repairs or adjustments.

[40 CFR 60.7(c)(3), Subpart A]

22.4. When no excess emissions have occurred or the continuous monitoring system(s) have not been inoperative, repaired, or adjusted, such information shall be stated in the report.

[40 CFR 60.7(c)(4), Subpart A]

23. NSPS Subpart A Summary Report Form. The summary report form shall contain the information and be in the format shown in figure 1 of 40 CFR 60.7 (see Attachment 1) unless otherwise specified by the Administrator. One summary report form shall be submitted for each pollutant monitored at each affected facility.

[18 AAC 50.040(a)(1)]
[40 CFR 60.7(c) & (d), Subpart A]

23.1. If the total duration of excess emissions for the reporting period is less than 1 percent of the total operating time for the reporting period and CMS downtime for the reporting period is less than 5 percent of the total operating time for the reporting period, only the summary report form shall be submitted and the excess emission report described in Condition 22 need not be submitted unless requested by the Administrator.

[40 CFR 60.7(d)(1), Subpart A]

23.2. If the total duration of excess emissions for the reporting period is 1 percent or greater of the total operating time for the reporting period or the total CMS downtime for the reporting period is 5 percent or greater of the total operating time for the reporting period, the summary report form and the excess emission report described in Condition 22 shall both be submitted.

[40 CFR 60.7(d)(2), Subpart A]

24. NSPS Subpart A Performance (Source) Tests. Conduct source tests according to Section 6 and as required in this condition on any affected facility.

[18 AAC 50.040(a)(1)]

24.1. Except as specified in paragraphs (a)(1),(a)(2), (a)(3), and (a)(4) of 40 CFR 60.8, within 60 days after achieving the maximum production rate at which the affected facility will be operated, but not later than 180 days after initial startup of such facility, or at such other times specified by 40 CFR Part 60, and at such other times as may be required by the Administrator, the Permittee shall conduct performance test(s) and furnish the Administrator a written report of the results of such performance test(s).

[40 CFR 60.8(a), Subpart A]

24.2. Tests shall be conducted in accordance with 40 CFR 60.8(b) through (i).

[40 CFR 60.8(b) through (i), Subpart A]

25. NSPS Subpart A Good Air Pollution Control Practice. At all times, including periods of startup, shutdown, and malfunction, the Permittee shall, to the extent practicable, maintain and operate EU IDs 1 through 3 including associated air pollution control equipment in a manner consistent with good air pollution control practice for minimizing emissions. The Administrator will determine whether acceptable operating and maintenance procedures are being used based on information available, which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance records, and inspections of EU IDs 1 through 3.

[18 AAC 50.040(a)(1)]
[40 CFR 60.11(d), Subpart A]

26. NSPS Subpart A Credible Evidence. For the purpose of submitting compliance certifications or establishing whether or not the Permittee has violated or is in violation of the standards set forth in Condition 29, nothing in 40 CFR Part 60 shall preclude the use, including the exclusive use, of any credible evidence or information, relevant to whether EU IDs 1 through 3 would have been in compliance with applicable requirements of 40 CFR Part 60 if the appropriate performance or compliance test or procedure had been performed.

[18 AAC 50.040(a)(1)]
[40 CFR 60.11(g), Subpart A]

27. NSPS Subpart A Concealment of Emissions. The Permittee shall not build, erect, install, or use any article, machine, equipment or process, the use of which conceals an emission which would otherwise constitute a violation of a standard set forth in Condition 28 or 29. Such concealment includes, but is not limited to, the use of gaseous diluents to achieve compliance with an opacity standard or with a standard that is based on the concentration of a pollutant in the gases discharged to the atmosphere.

[18 AAC 50.040(a)(1)]
[40 CFR 60.12, Subpart A]

Subpart IIII

28. For EU ID 4, comply with the following applicable requirements of NSPS Subpart IIII.

[18 AAC 50.040(a)(2)(OO), 50.040(j)(4), & 50.326(j)]
[40 CFR 71.6(a)(1)]
[40 CFR 60.4200(a), Subpart IIII]

NSPS Subpart IIII Emission Standards

28.1. The Permittee must comply with the following emission standards:

[40 CFR 71.6(a)(1)]
[40 CFR 60.4205(b), Subpart IIII]

a. NMHC + NOx: 6.4 g/kW-hr

b. CO: 3.5 g/kW-hr

c. PM: 0.20 g/kW-hr

[40 CFR 60.4202(a)(2), Subpart IIII]

28.2. Performance tests conducted in-use must meet the NTE standards as indicated in 40 CFR 60.4212.

[40 CFR 71.6(a)(1)]
[40 CFR 60.4205(e), Subpart IIII]

28.3. Owners and operators of stationary compression ignition (CI) internal combustion engines (ICE) must operate and maintain stationary CI ICE that achieve the emission standards as required in Condition 28.1 over the entire life of the engine.

[40 CFR 71.6(a)(1)]
[40 CFR 60.4206, Subpart IIII]

28.4. Owners and operators of stationary CI ICE subject to NSPS Subpart IIII that use diesel fuel must use diesel fuel that meets the requirements of 40 CFR 1090.305 for nonroad diesel fuel.

[40 CFR 71.6(a)(1)]
[40 CFR 60.4207(b), Subpart IIII]

NSPS Subpart IIII Compliance Requirements

28.5. You must do all of the following, except as permitted under Condition 28.7:

[40 CFR 71.6(a)(3)]
[40 CFR 60.4211(a), Subpart IIII]

a. Operate and maintain the stationary CI internal combustion engine and control device according to the manufacturer's emission-related written instructions;

b. Change only those emission-related settings that are permitted by the manufacturer; and

c. Meet the requirements of 40 CFR part 1068, as they apply to you.

[40 CFR 60.4211(a)(1) through (3), Subpart IIII]

28.6. You must comply with the emission standards in Condition 28.1 by purchasing an engine certified to the emission standards in Condition 28.1. The engine must be installed and configured according to the manufacturer's emission-related specifications, except as permitted in Condition 28.7.

[40 CFR 71.6(a)(3)]

[40 CFR 60.4211(c), Subpart IIII]

28.7. If you do not install, configure, operate, and maintain your engine and control device according to the manufacturer's emission-related written instructions, or you change emission-related settings in a way that is not permitted by the manufacturer, you must demonstrate compliance as follows:

[40 CFR 71.6(a)(3)]
[40 CFR 60.4211(g), Subpart IIII]

a. You must keep a maintenance plan and records of conducted maintenance and must, to the extent practicable, maintain and operate the engine in a manner consistent with good air pollution control practice for minimizing emissions. In addition, you must conduct an initial performance test to demonstrate compliance with the applicable emission standards within 1 year of startup, or within 1 year after an engine and control device is no longer installed, configured, operated, and maintained in accordance with the manufacturer's emission-related written instructions, or within 1 year after you change emission-related settings in a way that is not permitted by the manufacturer. You must conduct subsequent performance testing every 8,760 hours of engine operation or 3 years, whichever comes first, thereafter to demonstrate compliance with the applicable emission standards.

[40 CFR 60.4211(g)(3), Subpart IIII]

NSPS Subpart IIII Testing Requirements

28.8. Owners and operators who conduct performance tests pursuant to NSPS Subpart IIII must do so according to paragraphs (a) through (e) of 40 CFR 60.4212.

[40 CFR 71.6(a)(3)]
[40 CFR 60.4212, Subpart IIII]

Subpart KKKK

29. For EU IDs 1 through 3, comply with the following applicable requirements of NSPS Subpart KKKK.

[18 AAC 50.040(a)(2)(QQ), 50.040(j)(4), & 50.326(j)]
[40 CFR 71.6(a)(1)]
[40 CFR 60.4305(a), Subpart KKKK]

NSPS Subpart KKKK Emission Limits

29.1. You must meet the following emission limit for NOx:

[40 CFR 71.6(a)(1)]
[40 CFR 60.4320(a), Subpart KKKK]

a. 150 ppm at 15 percent O_2 or 1,100 ng/J of useful output (8.7 lb/MWh).

[Table 1, Subpart KKKK]

29.2. You must not burn in the subject stationary combustion turbine any fuel which contains total potential sulfur emissions in excess of 26 ng SO_2/J (0.060 lb SO_2/MMBtu) heat input.

[40 CFR 71.6(a)(1)]
[40 CFR 60.4330(a)(2), Subpart KKKK]

NSPS Subpart KKKK General Compliance Requirements

29.3. You must operate and maintain your stationary combustion turbine, air pollution control equipment, and monitoring equipment in a manner consistent with good air pollution control practices for minimizing emissions at all times including during startup, shutdown, and malfunction.

[40 CFR 71.6(a)(1)]
[40 CFR 60.4333(a), Subpart KKKK]

NSPS Subpart KKKK Monitoring Requirements

29.4. You must perform annual NOx performance tests in accordance with Conditions 29.13 and 29.14 to demonstrate continuous compliance. If the NOx emission result from the performance test is less than or equal to 75 percent of the NOx emission limit for the turbine, you may reduce the frequency of subsequent performance tests to once every 2 years (no more than 26 calendar months following the previous performance test). If the results of any subsequent performance test exceed 75 percent of the NOx emission limit for the turbine, you must resume annual performance tests.

[40 CFR 71.6(a)(3)]
[40 CFR 60.4340(a), Subpart KKKK]

29.5. EPA is allowing a waiver from ongoing NOx testing requirements for EU IDs 1 through 3 such that a demonstration of compliance by any tested units shall assure compliance of any remaining units, provided:

[40 CFR 71.6(a)(3)(i)]
[EPA NSPS Subpart KKKK Testing Waiver, 9/9/2019]

a. The results of each performance test from each turbine remain less than or equal to 50 percent of the NOx standard in Condition 29.1.a when fired on fuel gas and less than or equal to 75 percent of the NOx standard in Condition 29.1.a when fired on ULSD.

b. The units remain at the Milne Point L-Pad and continue to be maintained according to manufacturer's recommendations and operated similarly and according to the conditions of Minor Permit AQ1527MSS01, issued August 3, 2018.

c. At least one of the units is tested in accordance with 40 CFR 60.4400 within 26 calendar months following the previous performance test.

d. The turbines installed are produced by the same manufacturer, have the same model number or other manufacturer's designation in common, and have the same rated capacity and operating specifications.

e. After any three consecutive performance tests, all three units (or all units that have been installed to date) shall have been tested for NOx.

f. An initial compliance test is performed on each turbine pursuant to Condition 24.1, the results of which may satisfy the requirement to test at least one unit in Condition 29.5.c.

[EPA NSPS Subpart KKKK Testing Waiver, 9/9/2019]

29.6. The waiver in Condition 29.5 applies only to the requirement to perform ongoing testing pursuant to Condition 29.4 for EU IDs 1 through 3. The waiver terminates automatically if any of Conditions 29.5.a through 29.5.f is not met.

[40 CFR 71.6(a)(3)(i)]
[EPA NSPS Subpart KKKK Testing Waiver, 9/9/2019]

29.7. You must monitor the total sulfur content of the fuel being fired in the turbines, except as provided in Condition 29.8. The sulfur content of the fuel must be determined using total sulfur methods described in Condition 29.15.b. Alternatively, if the total sulfur content of the gaseous fuel during the most recent performance test was less than half the applicable limit, ASTM D4084, D4810, D5504, or D6228, or Gas Processors Association Standard 2377, which measure the major sulfur compounds, may be used.

[40 CFR 71.6(a)(3)]
[40 CFR 60.4360, Subpart KKKK]

29.8. You may elect not to monitor the total sulfur content of the fuel combusted in the turbines, if the fuel is demonstrated not to exceed potential sulfur emissions of 26 ng SO_2/J (0.060 lb SO_2/MMBtu) heat input. You must use one of the following sources of information to make the required demonstration:

[40 CFR 71.6(a)(3)]
[40 CFR 60.4365, Subpart KKKK]

a. The fuel quality characteristics in a current, valid purchase contract, tariff sheet or transportation contract for the fuel, specifying that the maximum total sulfur content for oil use is 0.05 weight percent (500 ppmw) or less, and the total sulfur content for natural gas use is 20 grains of sulfur or less per 100 standard cubic feet; or

b. Representative fuel sampling data which show that the sulfur content of the fuel does not exceed 26 ng SO_2/J (0.060 lb SO_2/MMBtu) heat input. At a minimum, the amount of fuel sampling data specified in section 2.3.1.4 or 2.3.2.4 of appendix D to 40 CFR 75 is required.

[40 CFR 60.4365(a) & (b), Subpart KKKK]

29.9. The frequency of determining the sulfur content of the fuel must be as follows:

[40 CFR 71.6(a)(3)]
[40 CFR 60.4370, Subpart KKKK]

a. **Fuel oil.** For fuel oil, use one of the total sulfur sampling options and the associated sampling frequency described in sections 2.2.3, 2.2.4.1, 2.2.4.2, and 2.2.4.3 of appendix D to part 75 of this chapter (i.e., flow proportional sampling, daily sampling, sampling from the unit's storage tank after each addition of fuel to the tank, or sampling each delivery prior to combining it with fuel oil already in the intended storage tank).

b. **Gaseous fuel.** If you elect not to demonstrate sulfur content using options in Condition 29.8, and the fuel is supplied without intermediate bulk storage, the sulfur content value of the gaseous fuel must be determined and recorded once per unit operating day.

c. **Custom schedules**. Notwithstanding the requirements of Condition 29.9.b, operators or fuel vendors may develop custom schedules for determination of the total sulfur content of gaseous fuels, based on the design and operation of the affected facility and the characteristics of the fuel supply. Except as provided in 40 CFR 60.4370(c)(1) and (c)(2), custom schedules shall be substantiated with data and shall be approved by the Administrator before they can be used to comply with the standard in Condition 29.2.

[40 CFR 60.4370(a) through (c), Subpart KKKK]

NSPS Subpart KKKK Reporting Requirements

29.10. For each affected unit required to periodically determine the fuel sulfur content under NSPS Subpart KKKK, you must submit reports of excess emissions and monitor downtime, in accordance with Condition 22. Excess emissions must be reported for all periods of unit operation, including start-up, shutdown, and malfunction.

29.11. For each affected unit that performs annual performance tests in accordance with Condition 29.4, you must submit a written report of the results of each performance test before the close of business on the 60th day following the completion of the performance test.

[40 CFR 71.6(a)(3)]
[40 CFR 60.4375(a) & (b), Subpart KKKK]

29.12. If you choose the option to monitor the sulfur content of the fuel, excess emissions and monitoring downtime are defined as follows:

[40 CFR 71.6(a)(3)]
[40 CFR 60.4385, Subpart KKKK]

a. For samples of gaseous fuel and for oil samples obtained using daily sampling, flow proportional sampling, or sampling from the unit's storage tank, an excess emission occurs each unit operating hour included in the period beginning on the date and hour of any sample for which the sulfur content of the fuel being fired in the combustion turbine exceeds the applicable limit and ending on the date and hour that a subsequent sample is taken that demonstrates compliance with the sulfur limit.

b. If the option to sample each delivery of fuel oil has been selected, you must immediately switch to one of the other oil sampling options (i.e., daily sampling, flow proportional sampling, or sampling from the unit's storage tank) if the sulfur content of a delivery exceeds 0.05 weight percent. You must continue to use one of the other sampling options until all of the oil from the delivery has been combusted, and you must evaluate excess emissions according to Condition 29.12.a. When all of the fuel from the delivery has been burned, you may resume using the as-delivered sampling option.

c. A period of monitor downtime begins when a required sample is not taken by its due date. A period of monitor downtime also begins on the date and hour of a required sample, if invalid results are obtained. The period of monitor downtime ends on the date and hour of the next valid sample.

[40 CFR 60.4385(a) through (c), Subpart KKKK]

NSPS Subpart KKKK Performance Test Requirements

29.13. You must conduct an initial NOx performance test, as required in Condition 24. Subsequent NOx performance tests shall be conducted on an annual basis (no more than 14 calendar months following the previous performance test).

[40 CFR 71.6(a)(3)]
[40 CFR 60.4400(a), Subpart KKKK]

a. There are two general methodologies that you may use to conduct the performance tests. For each test run:

[40 CFR 60.4400(a)(1), Subpart KKKK]

(i) Measure the NOx concentration (in parts per million (ppm)), using EPA Method 7E or EPA Method 20 in appendix A of 40 CFR 60. For units complying with the output based standard, concurrently measure the stack gas flow rate, using EPA Methods 1 and 2 in appendix A of 40 CFR 60, and measure and record the electrical and thermal output from the unit. Then, use Equation 5 under 40 CFR 60.4400(a)(1) to calculate the NOx emission rate; or

(ii) Measure the NOx and diluent gas concentrations, using either EPA Methods 7E and 3A, or EPA Method 20 in appendix A of 40 CFR 60. Concurrently measure the heat input to the unit, using a fuel flowmeter (or flowmeters), and measure the electrical and thermal output of the unit. Use EPA Method 19 in appendix A of 40 CFR 60 to calculate the NOx emission rate in lb/MMBtu. Then, use Equations 1 and, if necessary, 2 and 3 in 40 CFR 60.4350(f) to calculate the NOx emission rate in lb/MWh.

[40 CFR 60.4400(a)(1)(i) & (ii), Subpart KKKK]

b. Sampling traverse points for NOx and (if applicable) diluent gas are to be selected following EPA Method 20 or EPA Method 1 (non-particulate procedures), and sampled for equal time intervals. The sampling must be performed with a traversing single-hole probe, or, if feasible, with a stationary multi-hole probe that samples each of the points sequentially. Alternatively, a multi-hole probe designed and documented to sample equal volumes from each hole may be used to sample simultaneously at the required points.

c. Notwithstanding Condition 29.13.b, you may test at fewer points than are specified in EPA Method 1 or EPA Method 20 in appendix A of 40 CFR 60 if the conditions of 40 CFR 60.4400(a)(3)(i) and (ii) are met.

[40 CFR 60.4400(a)(2) & (3), Subpart KKKK]

29.14. The NOx performance test must be done at any load condition within plus or minus 25 percent of 100 percent of peak load. You may perform testing at the highest achievable load point, if at least 75 percent of peak load cannot be achieved in practice. You must conduct three separate test runs for each performance test. The minimum time per run is 20 minutes.

[40 CFR 71.6(a)(3)]
[40 CFR 60.4400(b), Subpart KKKK]

a. If the stationary combustion turbine combusts both oil and gas as primary or backup fuels, separate performance testing is required for each fuel.

[40 CFR 60.4400(b)(1), Subpart KKKK]

b. Compliance with the emission limit in Condition 29.1 must be demonstrated at each tested load level. Compliance is achieved if the three-run arithmetic average NOx emission rate at each tested level meets the emission limit in Condition 29.1.

[40 CFR 60.4400(b)(4), Subpart KKKK]

c. The turbine inlet air temperature must be greater than 0 °F during the performance test.

[40 CFR 60.4400(b)(6), Subpart KKKK]

29.15. You must conduct an initial SO_2 performance test, as required in Condition 24. Subsequent SO_2 performance tests shall be conducted on an annual basis (no more than 14 calendar months following the previous performance test). You may use the following methodologies to conduct the performance tests.

[40 CFR 71.6(a)(3)]
[40 CFR 60.4415(a), Subpart KKKK]

a. The use of a current, valid purchase contract, tariff sheet, or transportation contract for the fuel specifying the maximum total sulfur content of all fuels combusted in the affected facility. Alternately, the fuel sampling data specified in section 2.3.1.4 or 2.3.2.4 of Appendix D to 40 CFR 75 may be used.

[40 CFR 60.4415(a)(1), Subpart KKKK]

b. Periodically determine the sulfur content of the fuel combusted in the turbine, a representative fuel sample may be collected either by an automatic sampling system or manually. For automatic sampling, follow ASTM D5287 for gaseous fuels or ASTM D4177 for liquid fuels. For manual sampling of gaseous fuels, follow API Manual of Petroleum Measurement Standards, Chapter 14, Section 1, GPA 2166, or ISO 10715. For manual sampling of liquid fuels, follow GPA 2174 or the procedures for manual pipeline sampling in section 14 of ASTM D4057. The fuel analyses of this section may be performed either by you, a service contractor retained by you, the fuel vendor, or any other qualified agency. Analyze the samples for the total sulfur content of the fuel using:

[40 CFR 60.4415(a)(2), Subpart KKKK]

(i) For liquid fuels, ASTM D129, or alternatively D1266, D1552, D2622, D4294, D5453, D5623, or D7039; or

(ii) For gaseous fuels, ASTM D1072, or alternatively D3246, D4084, D4468, D4810, D6228, D6667, or Gas Processors Association Standard 2140, 2261, or 2377.

[40 CFR 60.4415(a)(2)(i) & (ii), Subpart KKKK]

Subpart OOOOa

30. The Permittee shall comply with the following applicable requirements in 40 CFR 60 Subpart OOOOa for affected well sites.

[18 AAC 50.040(a)(2)(ZZ), 50.040(j)(4) & 50.326(j)]
[40 CFR 71.6(a)(1)]
[40 CFR 60.5365a, Subpart OOOOa]

30.1. You must be in compliance with the standards of NSPS Subpart OOOOa no later than August 2, 2016 or upon startup, whichever is later.

30.2. At all times, including periods of startup, shutdown, and malfunction, owners and operators shall maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with good air pollution control practice for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the Administrator which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source. The provisions for exemption from compliance during periods of startup, shutdown and malfunctions provided for in 40 CFR 60.8(c) do not apply to NSPS Subpart OOOOa.

[40 CFR 71.6(a)(1)]
[40 CFR 60.5370a(a) & (b), Subpart OOOOa]

NSPS Subpart OOOOa Fugitive Emissions Standards for Affected Well Sites

30.3. For the collection of fugitive emissions components at a well site, as defined in 40 CFR 60.5430a, you must reduce VOC emissions by complying with the requirements of Conditions 30.3.a(i) through 30.3.j.

[40 CFR 60.5397a, Subpart OOOOa]

a. You must comply with Condition 30.3.a(i), unless your affected facility under 40 CFR 60.5365a(i) (i.e., the collection of fugitive emissions components at a well site) meets the conditions specified in either Condition 30.3.a(i)(A) or 30.3.a(i)(B). If your affected facility under 40 CFR 60.5365a(i) (i.e., the collection of fugitive emissions components at a well site) meets the conditions specified in either Condition 30.3.a(i)(A) or 30.3.a(i)(B), you must comply with either Condition 30.3.a(i) or 30.3.a(ii).

[40 CFR 60.5397a(a), Subpart OOOOa]

(i) You must monitor all fugitive emission components, as defined in 40 CFR 60.5430a, in accordance with Conditions 30.3.b through 30.3.g. You must repair all sources of fugitive emissions in accordance with Condition 30.3.h. You must keep records in accordance with Condition 30.3.i and report in accordance with Condition 30.3.j. For purposes of this section, fugitive emissions are defined as any visible emission from a fugitive emissions component observed using optical gas imaging or an instrument reading of 500 parts per million (ppm) or greater using Method 21 of Appendix A-7 to 40 CFR 60.

[40 CFR 60.5397a(a)(1), Subpart OOOOa]

(A) **First 30-day production**. For the collection of fugitive emissions components at a well site, where the total production of the well site is at or below 15 barrels of oil equivalent (boe) per day for the first 30 days of production, according to Condition 30.6, you must comply with the provisions of either Condition 30.3.a(i) or 30.3.a(ii). Except as provided in this condition, the calculation must be performed within 45 days of the end of the first 30 days of production. To convert gas production to equivalent barrels of oil, divide the cubic feet of gas produced by 6,000. For well sites that commenced construction, reconstruction, or modification between October 15, 2019, and November 16, 2020, the owner or operator may use the records of the first 30 days of production after becoming subject to NSPS Subpart OOOOa, if available, to determine if the total well site production is at or below 15 boe per day, provided this determination is completed by December 14, 2020.

(B) **Well site production decline**. For the collection of fugitive emissions components at a well site, where, at any time, the total production of the well site is at or below 15 boe per day based on a rolling 12-month average, you must comply with the provisions of either Condition 30.3.a(i) or 30.3.a(ii). To convert gas production to equivalent barrels of oil, divide the cubic feet of gas produced by 6,000.

[40 CFR 60.5397a(a)(1)(i) & (ii), Subpart OOOOa]

(ii) You must maintain the total production for the well site at or below 15 boe per day based on a rolling 12-month average, according to Condition 30.5, comply with the reporting requirements in 40 CFR 60.5420a(b)(7)(i)(C), and the recordkeeping requirements in 40 CFR 60.5420a(c)(15)(ii), until such time that you perform any of the actions in Conditions 30.3.a(ii)(A) through 30.3.a(ii)(E). If any of the actions listed in Conditions 30.3.a(ii)(A) through 30.3.a(ii)(E) occur, you must comply with Condition 30.3.a(iii).

[40 CFR 60.5397a(a)(2), Subpart OOOOa]

(A) A new well is drilled at the well site;

(B) A well at the well site is hydraulically fractured;

(C) A well at the well site is hydraulically refractured;

(D) A well at the well site is stimulated in any manner for the purpose of increasing production, including well workovers; or

(E) A well at the well site is shut-in for the purpose of increasing production from the well.

[40 CFR 60.5397a(a)(2)(i) through (v), Subpart OOOOa]

(iii) You must determine the total production for the well site for the first 30 days after any of the actions listed in Conditions 30.3.a(ii)(A) through 30.3.a(ii)(E) is completed, according to Condition 30.6, comply with Condition 30.3.a(iii)(A) or 30.3.a(iii)(B), the reporting requirements in 40 CFR 60.5420a(b)(7)(i)(C), and the recordkeeping requirements in 40 CFR 60.5420a(c)(15)(iii).

[40 CFR 60.5397a(a)(3), Subpart OOOOa]

(A) If the total production for the well site is at or below 15 boe per day for the first 30 days after the action is completed, according to Condition 30.6, you must either continue to comply with Condition 30.3.a(ii) or comply with Condition 30.3.a(i).

(B) If the total production for the well site is greater than 15 boe per day for the first 30 days after the action is completed, according to Condition 30.6, you must comply with Condition 30.3.a(i) and conduct an initial monitoring survey for the collection of fugitive emissions components at the well site in accordance with the same schedule as for modified well sites as specified in Condition 30.3.f.

[40 CFR 60.5397a(a)(3)(i) & (ii), Subpart OOOOa]

b. You must develop an emissions monitoring plan that covers the collection of fugitive emissions components at well sites within each company-defined area in accordance with Conditions 30.3.c and 30.3.d.

c. Fugitive emissions monitoring plans must include the elements specified in 40 CFR 60.5397a(c)(1) through (8), at a minimum.

[40 CFR 60.5397a(b) & (c), Subpart OOOOa]

d. Each fugitive emissions monitoring plan must include the elements specified in 40 CFR 60.5397a(d)(1) through (3), at a minimum, as applicable.

[40 CFR 60.5397a(d), Subpart OOOOa]

e. Each monitoring survey shall observe each fugitive emissions component, as defined in 40 CFR 60.5430a, for fugitive emissions.

[40 CFR 60.5397a(e), Subpart OOOOa]

f. You must conduct an initial monitoring survey within 90 days of the startup of production, as defined in 40 CFR 60.5430a, for each collection of fugitive emissions components at a new well site or by June 3, 2017, whichever is later. For a modified collection of fugitive emissions components at a well site, the initial monitoring survey must be conducted within 90 days of the startup of production for each collection of fugitive emissions components after the modification or by June 3, 2017, whichever is later. Notwithstanding the preceding deadlines, for each collection of fugitive emissions components at a well site located on the Alaskan North Slope, as defined in 40 CFR 60.5430a, that starts up production between September and March, you must conduct an initial monitoring survey within 6 months of the startup of production for a new well site, within 6 months of the first day of production after a modification of the collection of fugitive emission components, or by the following June 30, whichever is latest.

[40 CFR 60.5397a(f)(1), Subpart OOOOa]

g. A monitoring survey of each collection of fugitive emissions components at a well site must be performed at the frequencies specified in Condition 30.3.g(i), with the exceptions noted in Conditions 30.3.g(ii) through 30.3.g(iv).

[40 CFR 60.5397a(g), Subpart OOOOa]

(i) Except as provided in this condition, a monitoring survey of each collection of fugitive emissions components at a well site must be conducted at least semiannually after the initial survey. Consecutive semiannual monitoring surveys must be conducted at least 4 months apart and no more than 7 months apart. A monitoring survey of each collection of fugitive emissions components at a well site located on the Alaskan North Slope must be conducted at least annually. Consecutive annual monitoring surveys must be conducted at least 9 months apart and no more than 13 months apart.

[40 CFR 60.5397a(g)(1), Subpart OOOOa]

(ii) Fugitive emissions components that cannot be monitored without elevating the monitoring personnel more than 2 meters above the surface may be designated as difficult-to-monitor. Fugitive emissions components that are designated difficult-to-monitor must meet the specifications of 40 CFR 60.5397a(g)(3)(i) through (iv).

[40 CFR 60.5397a(g)(3), Subpart OOOOa]

(iii) Fugitive emissions components that cannot be monitored because monitoring personnel would be exposed to immediate danger while conducting a monitoring survey may be designated as unsafe-to-monitor. Fugitive emissions components that are designated unsafe-to-monitor must meet the specifications of 40 CFR 60.5397a(g)(4)(i) through (iv).

[40 CFR 60.5397a(g)(4), Subpart OOOOa]

(iv) You are no longer required to comply with the requirements of Condition 30.3.g(i) when the owner or operator removes all major production and processing equipment, as defined in 40 CFR 60.5430a, such that the well site becomes a wellhead only well site. If any major production and processing equipment is subsequently added to the well site, then the owner or operator must comply with the requirements in Conditions 30.3.f and 30.3.g(i).

[40 CFR 60.5397a(g)(5), Subpart OOOOa]

h. Each identified source of fugitive emissions shall be repaired, as defined in 40 CFR 60.5430a, in accordance with 40 CFR 60.5397a(h)(1) through (4), as applicable.

[40 CFR 60.5397a(h), Subpart OOOOa]

i. Records for each monitoring survey shall be maintained as specified in Condition 30.8.a.

j. Annual reports shall be submitted for each collection of fugitive emissions components at a well site that include the information specified in Condition 30.7.b. Multiple collection of fugitive emissions components at a well site may be included in a single annual report.

[40 CFR 60.5397a(i) & (j), Subpart OOOOa]

NSPS Subpart OOOOa Continuous Compliance Requirements for Affected Well Sites

30.4. For each collection of fugitive emissions components at a well site, you must demonstrate continuous compliance with the fugitive emission standards specified in Condition 30.3 according to Conditions 30.4.a through 30.4.d.

[40 CFR 71.6(a)(3)]
[40 CFR 60.5415a(h), Subpart OOOOa]

a. You must conduct periodic monitoring surveys as required in Condition 30.3.g.

b. You must repair each identified source of fugitive emissions as required in Condition 30.3.h.

c. You must maintain records as specified in Condition 30.8.a.

d. You must submit annual reports for collection of fugitive emissions components at a well site as required in Conditions 30.7.a and 30.7.b.

[40 CFR 60.5415a(h)(1) through (4), Subpart OOOOa]

30.5. For each collection of fugitive emissions components at a well site complying with Condition 30.3.a(ii), you must demonstrate continuous compliance according to 40 CFR 60.5415a(i)(1) through (4). You must perform the calculations shown in 40 CFR 60.5415a(i)(1) through (4) within 45 days of the end of each month. The rolling 12-month average of the total well site production determined according to 40 CFR 60.5415a(i)(4) must be at or below 15 boe per day.

[40 CFR 71.6(a)(3)]
[40 CFR 60.5415a(i), Subpart OOOOa]

30.6. To demonstrate that the well site produced at or below 15 boe per day for the first 30 days after startup of production as specified in Condition 30.3.a(iii), you must calculate the daily production for each individual well at the well site during the first 30 days of production after completing any action listed in Conditions 30.3.a(ii)(A) through 30.3.a(ii)(E) and sum the individual well production values to obtain the total well site production. The calculation must be performed within 45 days of the end of the first 30 days of production after completing any action listed in Conditions 30.3.a(ii)(A) through 30.3.a(ii)(E). To convert gas production to equivalent barrels of oil, divide cubic feet of gas produced by 6,000.

[40 CFR 71.6(a)(3)]
[40 CFR 60.5415a(j), Subpart OOOOa]

NSPS Subpart OOOOa Notification, Reporting, and Recordkeeping for Affected Well Sites

30.7. **Reporting requirements**. You must submit annual reports containing the information specified in Conditions 30.7.a and 30.7.b. You must submit annual reports following the procedure specified in Condition 30.7.c. The initial annual report is due no later than 90 days after the end of the initial compliance period as determined according to 40 CFR 60.5410a. Subsequent annual reports are due no later than same date each year as the initial annual report. If you own or operate more than one affected facility, you may submit one report for multiple affected facilities provided the report contains all of the information required as specified in Conditions 30.7.a and 30.7.b. Annual reports may coincide with title V reports as long as all the required elements of the annual report are included. You may arrange with the Administrator a common schedule on which reports required by this part may be submitted as long as the schedule does not extend the reporting period.

[40 CFR 71.6(a)(3)]
[40 CFR 60.5420a(b), Subpart OOOOa]

a. The general information specified in 40 CFR 60.5420a(b)(1)(i) through (iv) is required for all reports.

[40 CFR 60.5420a(b)(1), Subpart OOOOa]

b. For the collection of fugitive emissions components at each well site, report the information specified in 40 CFR 60.5420a(b)(7)(i) and (ii), as applicable.

[40 CFR 60.5420a(b)(7), Subpart OOOOa]

c. You must submit reports to the EPA via the CEDRI. (CEDRI can be accessed through the EPA's CDX (https://cdx.epa.gov/).) You must use the appropriate electronic report in CEDRI for this subpart or an alternate electronic file format consistent with the extensible markup language (XML) schema listed on the CEDRI Web site (https://www.epa.gov/electronic-reporting-air-emissions/cedri/). If the reporting form specific to this subpart is not available in CEDRI at the time that the report is due, you must submit the report to the Administrator at the appropriate address listed in 40 CFR 60.4. Once the form has been available in CEDRI for at least 90 calendar days, you must begin submitting all subsequent reports via CEDRI. The reports must be submitted by the deadlines specified in Condition 30.7, regardless of the method in which the reports are submitted.

[40 CFR 60.5420a(b)(11), Subpart OOOOa]

30.8. **Recordkeeping requirements**. You must maintain the records identified as specified in 40 CFR 60.7(f) and in Condition 30.8.a. All records required by this condition must be maintained either onsite or at the nearest local field office for at least 5 years. Any records required to be maintained by this condition that are submitted electronically via the EPA's CDX may be maintained in electronic format.

[40 CFR 71.6(a)(3)]
[40 CFR 60.5420a(c), Subpart OOOOa]

a. For each collection of fugitive emissions components at a well site, maintain the records identified in 40 CFR 60.5420a(c)(15)(i) through (vii), as applicable.

[40 CFR 60.5420a(c)(15), Subpart OOOOa]

30.9. Table 3 to NSPS Subpart OOOOa shows which parts of the General Provisions in 40 CFR 60.1 through 60.19 apply to you.

[40 CFR 71.6(a)(1)]
[40 CFR 60.5425a, Subpart OOOOa]

40 CFR Part 61 National Emission Standards for Hazardous Air Pollutants

Subparts A & M

31. Comply with the applicable requirements set forth in 40 CFR 61.145, 61.146, 61.148, 61.150, and 61.152 of Subpart M, and the applicable sections set forth in 40 CFR 61, Subpart A and Appendix A.

[18 AAC 50.040(b)(1), 50.040(b)(2)(F), & 50.326(j)]
[40 CFR 61 Subparts A & M, & Appendix A]

40 CFR Part 63 National Emission Standards for Hazardous Air Pollutants

Subpart ZZZZ

32. NESHAP Subpart ZZZZ Applicability. For EU ID 4, comply with the following applicable requirements of NESHAP Subpart ZZZZ.

[18 AAC 50.040(c)(23), 50.040(j), & 50.326(j)]
[40 CFR 71.6(a)(1)]
[40 CFR 63.6585(c) & 63.6590(a)(1)(iii), Subpart ZZZZ]

32.1. EU ID 4 must meet the requirements of 40 CFR 63 by meeting the requirements of 40 CFR 60 Subpart IIII, for compression ignition engines. No further requirements apply under 40 CFR 63.

[40 CFR 71.6(a)(1)]
[40 CFR 63.6590(c), Subpart ZZZZ]

40 CFR Part 82 Protection of Stratospheric Ozone

Subparts F, G, & H

33. Subpart F – Recycling and Emissions Reduction. Comply with the applicable standards for recycling and emission reduction of refrigerants in 40 CFR 82 Subpart F.

[18 AAC 50.040(d) & 50.326(j)]
[40 CFR 82, Subpart F]

34. Subpart G – Significant New Alternatives. Comply with the applicable prohibitions in 40 CFR 82.174.

[18 AAC 50.040(d) & 50.326(j)]
[40 CFR 82.174(b) through (d), Subpart G]

35. Subpart H – Halons Emissions Reduction. Comply with the applicable prohibitions in 40 CFR 82.270.

[18 AAC 50.040(d) & 50.326(j)]
[40 CFR 82.270(b) through (f), Subpart H]

NESHAP Applicability Determination Requirements

36. Determine rule applicability and designation of affected sources under National Emission Standards for Hazardous Air Pollutants (NESHAPs) for Source Categories (40 CFR 63) in accordance with the procedures in 40 CFR 63.1(b).

[18 AAC 50.040(c)(1), 50.040(j), & 50.326(j)]

36.1. An owner or operator of a stationary source who is in the relevant source category and who determines that the source is not subject to a relevant standard or other requirement established under 40 CFR 63 must keep a record as specified in 40 CFR 63.10(b)(3).

[40 CFR 71.6(a)(3)(ii)]
[40 CFR 63.1(b)(3), Subpart A]

37. If an existing source becomes affected by an applicable subpart of 40 CFR 63, the Permittee shall comply with such standard by the compliance date established by the Administrator in the applicable subpart, in accordance with 40 CFR 63.6(c).

[18 AAC 50.040(c)(1), 50.040(j), & 50.326(j)]

38. After the effective date of any relevant standard promulgated by the Administrator under 40 CFR 63, an owner or operator who constructs a new affected source that is not major-emitting or reconstructs an affected source that is not major-emitting that is subject to such standard, or reconstructs a source such that the source becomes an affected source subject to the standard, must notify the Administrator of the intended construction or reconstruction. The notification must be submitted in accordance with the procedures in 40 CFR 63.9(b).

[18 AAC 50.040(c)(1), 50.040(j), & 50.326(j)]
[40 CFR 71.6(a)(3)(iii)]
[40 CFR 63.5(b)(4), Subpart A]

Section 5. General Conditions

Standard Terms and Conditions

39. Each permit term and condition is independent of the permit as a whole and remains valid regardless of a challenge to any other part of the permit.

[18 AAC 50.326(j)(3), 50.345(a) & (e)]

40. The permit may be modified, reopened, revoked and reissued, or terminated for cause. A request by the Permittee for modification, revocation and re-issuance, or termination or a notification of planned changes or anticipated noncompliance does not stay any permit condition.

[18 AAC 50.326(j)(3), 50.345(a) & (f)]

41. The permit does not convey any property rights of any sort, nor any exclusive privilege.

[18 AAC 50.326(j)(3), 50.345(a) & (g)]

42. **Administration Fees.** The Permittee shall pay to the Department all assessed permit administration fees. Administration fee rates are set out in 18 AAC 50.400 through 403.

[18 AAC 50.326(j)(1), 50.400, & 50.403]
[AS 37.10.052(b) & AS 46.14.240]

43. **Assessable Emissions.** For each period from July 1 through the following June 30, the Permittee shall pay to the Department an annual emission fee based on the stationary source's assessable emissions, as determined by the Department under 18 AAC 50.410. The Department will assess fees per ton of each air pollutant that the stationary source emits or has the potential to emit. The quantity for which fees will be assessed is the lesser of the stationary source's

43.1. potential to emit of 629.29 tpy; or

43.2. projected annual rate of emissions, in tpy, based upon actual annual emissions for the most recent calendar year, or another 12-month period approved in writing by the Department, when demonstrated by credible evidence of actual emissions, based upon the most representative information available from one or more of the following methods:

a. an enforceable test method described in 18 AAC 50.220;

b. material balance calculations;

c. emission factors from EPA's publication AP-42, Vol. I, adopted by reference in 18 AAC 50.035; or

d. other methods and calculations approved by the Department, including appropriate vendor-provided emissions factors when sufficient documentation is provided.

[18 AAC 50.040(j)(4), 50.035, 50.326(j)(1) & (3), 50.346(b)(1), 50.410, & 50.420]

44. Assessable Emission Estimates. The Permittee shall comply as follows:

44.1. No later than March 31st of each year, the Permittee may submit an estimate of the stationary source's assessable emissions as determined in Condition 43.2. Submit actual emissions estimates in accordance with the submission instructions on the Department's Standard Permit Conditions web page at http://dec.alaska.gov/air/air-permit/standard-conditions/standard-condition-i-submission-instructions/.

44.2. The Permittee shall include with the assessable emissions report all of the assumptions and calculations used to estimate the assessable emissions in sufficient detail so the Department can verify the estimates.

44.3. If the stationary source has not commenced construction or operation on or before March 31st, the Permittee may submit to the Department's Anchorage office a waiver letter certified under 18 AAC 50.205 that states the stationary source's actual annual emissions for the previous calendar year are zero tpy and provides estimates for when construction or operation will commence.

44.4. If no estimate or waiver letter is submitted on or before March 31st of each year, emission fees for the next fiscal year will be based on the potential to emit in Condition 43.1.

[18 AAC 50.040(j)(4), 50.326(j)(1) & (3), 50.346(b)(1), 50.410, & 50.420]

45. Dilution. The Permittee shall not dilute emissions with air to comply with this permit. Monitoring shall consist of an annual certification that the Permittee does not dilute emissions to comply with this permit.

[18 AAC 50.045(a)]

46. Reasonable Precautions to Prevent Fugitive Dust. A person who causes or permits bulk materials to be handled, transported, or stored, or who engages in an industrial activity or construction project shall take reasonable precautions to prevent particulate matter from being emitted into the ambient air.

[18 AAC 50.045(d), 50.326(j)(3), & 50.346(c)]

46.1. The Permittee shall keep records of:

a. complaints received by the Permittee and complaints received by the Department and conveyed to the Permittee; and

b. any additional precautions that are taken

(i) to address complaints described in Condition 46.1.a or to address the results of Department inspections that found potential problems; and

(ii) to prevent future dust problems.

46.2. The Permittee shall report according to Condition 48.

47. Stack Injection. The Permittee shall not release materials other than process emissions, products of combustion, or materials introduced to control pollutant emissions from a stack at a stationary source constructed or modified after November 1, 1982, except as authorized by a construction permit, Title V permit, or air quality control permit issued before October 1, 2004.

[18 AAC 50.055(g)]

48. Air Pollution Prohibited. No person may permit 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.

[18 AAC 50.110, 50.040(e), 50.326(j)(3) & 50.346(a)]
[40 CFR 71.6(a)(3)]

48.1. **Monitoring**. The Permittee shall monitor as follows:

a. As soon as practicable after becoming aware of a complaint that is attributable to emissions from the stationary source, the Permittee shall investigate the complaint to identify emissions that the Permittee believes have caused or are causing a violation of Condition 48.

b. The Permittee shall initiate and complete corrective action necessary to eliminate any violation identified by a complaint or investigation as soon as practicable if

(i) after an investigation because of a complaint or other reason, the Permittee believes that emissions from the stationary source have caused or are causing a violation of Condition 48; or

(ii) the Department notifies the Permittee that it has found a violation of Condition 48.

48.2. **Recordkeeping**. The Permittee shall keep records of

a. the date, time, and nature of all emissions complaints received;

b. the name of the person or persons that complained, if known;

c. a summary of any investigation, including reasons the Permittee does or does not believe the emissions have caused a violation of Condition 48; and

d. any corrective actions taken or planned for complaints attributable to emissions from the stationary source.

48.3. **Reporting**. The Permittee shall report as follows:

a. With each stationary source operating report under Condition 66, the Permittee shall include a brief summary report which must include the following for the period covered by the report:

(i) the number of complaints received;

(ii) the number of times the Permittee or the Department found corrective action necessary;

(iii) the number of times action was taken on a complaint within 24 hours; and

(iv) the status of corrective actions the Permittee or Department found necessary that were not taken within 24 hours.

b. The Permittee shall notify the Department of a complaint that is attributable to emissions from the stationary source within 24 hours after receiving the complaint, unless the Permittee has initiated corrective action within 24 hours of receiving the complaint.

c. If emissions present a potential threat to human health or safety, the Permittee shall report any such emissions according to Condition 65.

49. Technology-Based Emission Standard. If an unavoidable emergency, malfunction (as defined in 18 AAC 50.235(d)), or non-routine repair (as defined in 18 AAC 50.990(64)), causes emissions in excess of a technology-based emission standard[10] listed in Condition 28, 29, or 33 (refrigerants),

49.1. take all reasonable steps to minimize levels of emissions that exceed the standard, and

49.2. report in accordance with Condition 65; the report must include information on the steps taken to mitigate emissions and corrective measures taken or to be taken.

[18 AAC 50.235(a), 50.326(j)(4), & 50.040(j)(4)]
[40 CFR 71.6(c)(6)]

Open Burning Requirements

50. Open Burning. If open burning is conducted at this stationary source, comply with the requirements of 18 AAC 50.065.

50.1. Keep written records to demonstrate compliance with the limitations in this condition and the requirements of 18 AAC 50.065. Submit copies of the records to the Department upon request.

50.2. Include this condition in the annual certification required under Condition 67.

[18 AAC 50.065, 50.040(j), & 50.326(j)]
[40 CFR 71.6(a)(3)]

[10] As defined in 18 AAC 50.990(106), the term "*technology-based emission standard*" means a best available control technology (BACT) standard; a lowest achievable emission rate (LAER) standard; a maximum achievable control technology (MACT) standard established under 40 CFR 63, Subpart B, adopted by reference in 18 AAC 50.040(c); a standard adopted by reference in 18 AAC 50.040(a) or (c); and any other similar standard for which the stringency of the standard is based on determinations of what is technologically feasible, considering relevant factors.

Section 6. General Source Testing and Monitoring Requirements

51. Requested Source Tests. In addition to any source testing explicitly required by the permit, the Permittee shall conduct source testing as requested by the Department to determine compliance with applicable permit requirements.

[18 AAC 50.220(a) & 50.345(a) & (k)]

52. Operating Conditions. Unless otherwise specified by an applicable requirement or test method, conduct source testing

[18 AAC 50.220(b)]

52.1. at a point or points that characterize the actual discharge into the ambient air; and

52.2. at the maximum rated burning or operating capacity of the emissions unit or another rate determined by the Department to characterize the actual discharge into the ambient air.

53. Reference Test Methods. Use the following test methods when conducting source testing for compliance with this permit:

53.1. Source testing for compliance with requirements adopted by reference in 18 AAC 50.040(a) must be conducted in accordance with the methods and procedures specified in 40 CFR 60.

[18 AAC 50.220(c)(1)(A) & 50.040(a)]
[40 CFR 60]

53.2. Source testing for compliance with requirements adopted by reference in 18 AAC 50.040(b) must be conducted in accordance with the methods and procedures specified in 40 CFR 61.

[18 AAC 50.040(b) & 50.220(c)(1)(B)]
[40 CFR 61]

53.3. Source testing for compliance with requirements adopted by reference in 18 AAC 50.040(c) must be conducted in accordance with the source test methods and procedures specified in 40 CFR 63.

[18 AAC 50.040(c) & 50.220(c)(1)(C)]
[40 CFR 63]

53.4. Source testing for the reduction in visibility through the exhaust effluent must be conducted in accordance with the procedures set out in Reference Method 9. The Permittee may use the form in Section 11 to record data.

[18 AAC 50.030 & 50.220(c)(1)(D)]

53.5. Source testing for emissions of total particulate matter, sulfur compounds, nitrogen compounds, carbon monoxide, lead, volatile organic compounds, fluorides, sulfuric acid mist, municipal waste combustor organics, metals, and acid gases must be conducted in accordance with the methods and procedures specified in 40 CFR 60, Appendix A.

[18 AAC 50.040(a)(3) & 50.220(c)(1)(E)]
[40 CFR 60, Appendix A]

53.6. Source testing for emissions of $PM_{2.5}$ and PM_{10} must be conducted in accordance with the procedures specified in 40 CFR 51, Appendix M, Methods 201 or 201A and 202.

[18 AAC 50.035(b)(2) & 50.220(c)(1)(F)]
[40 CFR 51, Appendix M]

53.7. Source testing for emissions of any pollutant may be determined using an alternative method approved by the Department in accordance with 40 CFR 63 Appendix A, Method 301.

[18 AAC 50.040(c)(32) & 50.220(c)(2)]
[40 CFR 63, Appendix A, Method 301]

54. Excess Air Requirements. To determine compliance with this permit, standard exhaust gas volumes must include only the volume of gases formed from the theoretical combustion of the fuel, plus the excess air volume normal for the specific emissions unit type, corrected to standard conditions (dry gas at 68° F and an absolute pressure of 760 millimeters of mercury).

[18 AAC 50.220(c)(3) & 50.990(102)]

55. Test Exemption. Compliance with Conditions 57, 58 and 59 is not required for Method 9 Plan (Condition 2.1) observations.

[18 AAC 50.345(a)]

56. Test Deadline Extension. The Permittee may request an extension to a source test deadline established by the Department. The Permittee may delay a source test beyond the original deadline only if the extension is approved in writing by the Department's appropriate division director or designee.

[18 AAC 50.345(a) & (l)]

57. Test Plans. Except as provided in Condition 55, before conducting any source tests, the Permittee shall submit a plan to the Department. The plan must include the methods and procedures to be used for sampling, testing, and quality assurance and must specify how the emissions unit will operate during the test and how the Permittee will document that operation. The Permittee shall submit a complete plan within 60 days after receiving a request under Condition 51 and at least 30 days before the scheduled date of any test unless the Department agrees in writing to some other time period. Retesting may be done without resubmitting the plan.

[18 AAC 50.345(a) & (m)]

58. Test Notification. Except as provided in Condition 55, at least 10 days before conducting a source test, the Permittee shall give the Department written notice of the date and the time the source test will begin.

[18 AAC 50.345(a) & (n)]

59. **Test Reports.** Except as provided in Condition 55, within 60 days after completing a source test, the Permittee shall submit one certified copy of the results in the format set out in the *Source Test Report Outline*, adopted by reference in 18 AAC 50.030. The Permittee shall certify the results in the manner set out in Condition 62. If requested in writing by the Department, the Permittee must provide preliminary results in a shorter period of time specified by the Department.

[18 AAC 50.345(a) & (o)]

60. **Particulate Matter Calculations.** In source testing for compliance with the particulate matter standards in Conditions 5 and 19.2, the three-hour average is determined using the average of three one-hour test runs.

[18 AAC 50.220(f)]

Section 7. General Recordkeeping and Reporting Requirements

Recordkeeping Requirements

61. Keep all records required by this permit for at least five years after the date of collection, including:

[18 AAC 50.040(a)(1), 50.040(j)(4), & 50.326(j)]
[40 CFR 71.6(a)(3)(ii)(B)]

61.1. Copies of all reports and certifications submitted pursuant to this section of the permit; and

61.2. Records of all monitoring required by this permit, and information about the monitoring including:

a. calibration and maintenance records, original strip chart or computer-based recordings for continuous monitoring instrumentation;

b. the date, place, and time of sampling or measurements;

c. the date(s) analyses were performed;

d. the company or entity that performed the analyses;

e. the analytical techniques or methods used;

f. the results of such analyses; and,

g. the operating conditions as existing at the time of sampling or measurement.

Reporting Requirements

62. Certification. The Permittee shall certify any permit application, report, affirmation, or compliance certification submitted to the Department and required under the permit by including the signature of a responsible official for the permitted stationary source following the statement: *"Based on information and belief formed after reasonable inquiry, I certify that the statements and information in and attached to this document are true, accurate, and complete."* Excess emission reports must be certified either upon submittal or with an operating report required for the same reporting period. All other reports and other documents must be certified upon submittal.

62.1. The Department may accept an electronic signature on an electronic application or other electronic record required by the Department if the person providing the electronic signature

a. uses a security procedure, as defined in AS 09.80.190, that the Department has approved; and

b. accepts or agrees to be bound by an electronic record executed or adopted with that signature.

[18 AAC 50.345(a) & (j), 50.205, 50.326(j)(3), & 50.346(b)(10)]

63. Submittals. Unless otherwise directed by the Department or this permit, the Permittee shall submit to the Department one certified copy of reports, compliance certifications, and/or other submittals required by this permit. The Permittee may submit the documents electronically or by hard copy.

63.1. Submit the certified copy of reports, compliance certifications, and/or other submittals in accordance with the submission instructions on the Department's Standard Permit Conditions web page at http://dec.alaska.gov/air/air-permit/standard-conditions/standard-condition-xvii-submission-instructions/.

[18 AAC 50.326(j)(3) & 50.346(b)(10)]

64. Information Requests. The Permittee shall furnish to the Department, within a reasonable time, any information the Department requests in writing to determine whether cause exists to modify, revoke and reissue, or terminate the permit or to determine compliance with the permit. Upon request, the Permittee shall furnish to the Department copies of records required to be kept by the permit. The Department may require the Permittee to furnish copies of those records directly to the Federal Administrator.

[18 AAC 50.345(a) & (i), 50.200, & 50.326(a) & (j)]

65. Excess Emissions and Permit Deviation Reports. The Permittee shall report excess emissions and permit deviations as follows:

65.1. **Excess Emissions Reporting**. Except as provided in Condition 48, the Permittee shall report all emissions or operations that exceed emissions standards or limits of this permit as follows:

a. In accordance with 18 AAC 50.240(c), as soon as possible, report

(i) excess emissions that present a potential threat to human health or safety; and

(ii) excess emissions that the Permittee believes to be unavoidable.

b. In accordance with 18 AAC 50.235(a), within two working days after the event commenced or was discovered, report an unavoidable emergency, malfunction, or nonroutine repair that causes emissions in excess of a technology-based emission standard.

c. If a continuous or recurring excess emissions is not corrected within 48 hours of discovery, report within 72 hours of discovery unless the Department provides written permission to report under Condition 65.1.d.

d. Report all other excess emissions not described in Conditions 65.1.a, 65.1.b, and 65.1.c within 30 days after the end of the month during which the excess emissions occurred or as part of the next routine operating report in Condition 66 for excess emissions that occurred during the period covered by the report, whichever is sooner.

e. If requested by the Department, the Permittee shall provide a more detailed written report to follow up an excess emissions report.

[18 AAC 50.235(a)(2), 50.240(c), 50.326(j)(3), & 50.346(b)(2)]

65.2. **Permit Deviations Reporting**. For permit deviations that are not "excess emissions," as defined under 18 AAC 50.990:

a. Report according to the required deadline for failure to monitor, as specified in other applicable conditions of this permit (Conditions 4.2.b and 8.4.b).

b. Report all other permit deviations within 30 days after the end of the month during which the deviation occurred or as part of the next routine operating report in Condition 66 for permit deviations that occurred during the period covered by the report, whichever is sooner.

[18 AAC 50.326(j)(3) & 50.346(b)(2)]

65.3. **Notification Form**. When reporting either excess emissions or permit deviations, the Permittee shall report using either the Department's online form, which can be found at the Division of Air Quality's Air Online Services (AOS) system webpage http://dec.alaska.gov/applications/air/airtoolsweb using the Permittee Portal option, or, if the Permittee prefers, the form contained in Section 13 of this permit. The Permittee must provide all information called for by the form that is used. Submit the report in accordance with the submission instructions on the Department's Standard Permit Conditions webpage found at http://dec.alaska.gov/air/air-permit/standard-conditions/standard-conditions-iii-and-iv-submission-instructions/.

[18 AAC 50.235(a)(2), 50.240(c), 50.326(j)(3), & 50.346(b)(2) & (3)]

66. Operating Reports. During the life of this permit[11], the Permittee shall submit to the Department an operating report in accordance with Conditions 62 and 63 by August 1 for the period January 1 to June 30 of the current year and by February 1 for the period July 1 to December 31 of the previous year.

66.1. The operating report must include all information required to be in operating reports by other conditions of this permit, for the period covered by the report.

66.2. When excess emissions or permit deviations that occurred during the reporting period are not included with the operating report under Condition 66.1, the Permittee shall identify

a. the date of the excess emissions or deviation;

b. the equipment involved;

c. the permit condition affected;

d. a description of the excess emissions or permit deviation; and

[11] *Life of this permit* is defined as the permit effective dates, including any periods of reporting obligations that extend beyond the permit effective dates. For example if a permit expires prior to the end of a calendar year, there is still a reporting obligation to provide operating reports for the periods when the permit was in effect.

e. any corrective action or preventive measures taken and the date(s) of such actions; or

66.3. when excess emissions or permit deviation reports have already been reported under Condition 65 during the period covered by the operating report, the Permittee shall either

a. include a copy of those excess emissions or permit deviation reports with the operating report; or

b. cite the date(s) of those reports.

66.4. The operating report must include, for the period covered by the report, a listing of emissions monitored under Conditions 2.1.e and 6.2 which trigger additional testing or monitoring, whether or not the emissions monitored exceed an emission standard. The Permittee shall include in the report.

a. the date of the emissions;

b. the equipment involved;

c. the permit condition affected; and

d. the monitoring result which triggered the additional monitoring.

[18 AAC 50.346(b)(6) & 50.326(j)]
[40 CFR 71.6(a)(3)(iii)(A)]

67. Annual Compliance Certification. Each year by March 31, compile and submit to the Department an annual compliance certification report according to Condition 63.

67.1. Certify the compliance status of the stationary source over the preceding calendar year consistent with the monitoring required by this permit, as follows:

a. identify each term or condition set forth in Section 3 through Section 9, that is the basis of the certification;

b. briefly describe each method used to determine the compliance status;

c. state whether compliance is intermittent or continuous; and

d. identify each deviation and take it into account in the compliance certification;

67.2. In addition, submit a copy of the report directly to the Clean Air Act Compliance Manager, US EPA Region 10, ATTN: Air Toxics and Enforcement Section, Mail Stop: 20-C04, 1200 Sixth Avenue, Suite 155, Seattle, WA 98101-3188.

[18 AAC 50.205, 50.345(a) & (j), & 50.326(j)]
[40 CFR 71.6(c)(5)]

68. Emission Inventory Reporting. The Permittee shall submit to the Department reports of actual emissions for the previous calendar year, by emissions unit, of CO, NH_3, NOx, PM_{10}, $PM_{2.5}$, SO_2, VOC, and lead (Pb) and lead compounds, as follows:

68.1. **Every-year inventory**. Each year by April 30, if the stationary source's potential to emit for the previous calendar year equals or exceeds:

a. 250 tons per year (tpy) of NH_3, PM_{10}, $PM_{2.5}$ or VOC; or

b. 2,500 tpy of CO, NOx or SO_2.

68.2. **Triennial inventory**. Every third year by April 30, if the stationary source's potential to emit (except actual emissions for Pb) for the previous calendar year equals or exceeds:

a. For stationary sources located in Attainment and Unclassifiable Areas:

(i) 0.5 tpy of actual Pb, or

(ii) 1,000 tpy of CO; or

(iii) 100 tpy of SO_2, NH_3, PM_{10}, $PM_{2.5}$, NOx or VOC.

b. For stationary sources located in Nonattainment Areas:

(i) 0.5 tpy of actual Pb; or

(ii) 1,000 tpy of CO or, when located in a CO nonattainment area, 100 tpy of CO; or

(iii) 100 tpy of SO_2, NH_3, PM_{10}, $PM_{2.5}$, NOx, or VOC; or as specified in Conditions 68.2.b(iv) through 68.2.b(viii);

(iv) 70 tpy of SO_2, NH_3, $PM_{2.5}$, NOx, or VOC in $PM_{2.5}$ serious nonattainment; or

(v) 70 tpy of PM_{10} in PM_{10} serious nonattainment areas; or

(vi) 50 tpy of NOx or VOC in O_3 serious nonattainment areas; or

(vii) 25 tpy of NOx or VOC in O_3 severe nonattainment areas; or

(viii) 10 tpy of NOx or VOC O_3 extreme nonattainment areas.

68.3. For reporting under Condition 68.2, the Permittee shall report the annual emissions and the required data elements under Condition 68.4 every third year for the previous calendar year as scheduled by the EPA.[12]

[12] The calendar years for which reports are required are based on the triennial reporting schedule in 40 CFR 51.30(b)(1), which requires states to report emissions data to the EPA for inventory years 2011, 2014, 2017, 2020, and every 3rd year thereafter. Therefore, the Department requires Permittees to report emissions data for the same inventory years by April 30 of the following year (e.g., triennial emission inventory report for 2020 is due April 30, 2021, triennial emission inventory report for 2023 is due April 30, 2024, etc.).

68.4. For each emissions unit and the stationary source, include in the report the required data elements[13] contained within the form included in the Emission Inventory Instructions available at the Department's Air Online Services (AOS) system on the Point Source Emission Inventory webpage at http://dec.alaska.gov/Applications/Air/airtoolsweb/PointSourceEmissionInventory .

68.5. Submit the report in accordance with the submission instructions on the Department's Standard Permit Conditions webpage at http://dec.alaska.gov/air/air-permit/standard-conditions/standard-conditions-xv-and-xvi-submission-instructions/.

[18 AAC 50.040(j)(4), 50.326(j)(3), 50.346(b)(8), & 50.200]
[40 CFR 51.15, 51.30(a)(1) & (b)(1) and Appendix A to 40 CFR 51 Subpart A]

69. NSPS and NESHAP Reports. The Permittee shall comply with the following:

69.1. **Reports**. Except for previously submitted reports and federal reports and notices submitted through EPA's Central Data Exchange (CDX) and Compliance and Emissions Data Reporting Interface (CEDRI) online reporting system, attach to the operating report required by Condition 66 for the period covered by the report, a copy of any NSPS and NESHAPs reports submitted to the U.S. Environmental Protection Agency (EPA) Region 10. For reports previously submitted to ADEC or submitted through CDX/CEDRI, state in the operating report the date and a brief description of each of the reports submitted during the reporting period.

[18 AAC 50.326(j)(4) & 50.040(j)]
[40 CFR 71.6(c)(6)]

69.2. **Waivers**. Upon request by the Department, provide a written copy of any EPA granted alternative monitoring requirement, custom monitoring schedule or waiver of the federal emission standards, recordkeeping, monitoring, performance testing, or reporting requirements. The Permittee shall keep a copy of each U.S. EPA issued monitoring waiver or custom monitoring schedule with the permit.

[18 AAC 50.326(j)(4) & 50.040(j)]
[40 CFR 71.6(c)(6)]

[13] The required data elements to be reported to the EPA are outlined in 40 CFR 51.15 and Tables 2a and 2b to Appendix A of 40 CFR 51 Subpart A.

Section 8. Permit Changes and Renewal

70. Permit Applications and Submittals. The Permittee shall comply with the following requirements for submitting application information to the US Environmental Protection Agency (EPA):

70.1. Provide a copy of each application for modification or renewal of this permit, including any compliance plan, or application addenda, at the time the application or addendum is submitted to the Department;

70.2. The information shall be submitted to the Part 70 Operating Permit Program, US EPA Region 10, Air Permits and Toxics Branch, Mail Stop: 15-H13, 1200 Sixth Avenue, Suite 155, Seattle, WA 98101-3188.

70.3. To the extent practicable, provide applications in portable document format (pdf); MS Word format (.doc); or other computer-readable format compatible with EPA's national database management system; and

70.4. Maintain records as necessary to demonstrate compliance with this condition.

[18 AAC 50.040(j)(7), 50.326(a) & 50.346(b)(7)]
[40 CFR 71.10(d)(1)]

71. Emissions Trading. No permit revision shall be required under any approved economic incentives, marketable permits, emissions trading and other similar programs or processes for changes that are provided for in the permit.

[18 AAC 50.040(j)(4) & 50.326(j)]
[40 CFR 71.6(a)(8)]

72. Off Permit Changes. Changes that are not addressed or prohibited by this permit, other than those subject to the requirements of 40 CFR Part 72 through 78 or those that are modifications under any provision of Title I of the Act, may be made without a permit revision, provided that the following requirements are met:

72.1. Each such change shall meet all applicable requirements and shall not violate any existing permit term or condition;

72.2. Provide contemporaneous written notice to EPA and the Department of each such change, except for changes that qualify as insignificant under 18 AAC 50.326(d) – (i). Such written notice shall describe each such change, including the date, any change in emissions, pollutants emitted, and any applicable requirement that would apply as a result of the change;

72.3. The change shall not qualify for the shield under 40 CFR 71.6(f);

72.4. Keep a record describing changes made at the stationary source that result in emissions of a regulated air pollutant subject to an applicable requirement, but not otherwise regulated under the permit, and the emissions resulting from those changes.

[18 AAC 50.040(j)(4) & 50.326(j)]
[40 CFR 71.6(a)(12)]

73. Operational Flexibility. CAA Section 502(b)(10)[14] changes may be made within the permitted stationary source without a permit revision, if the changes are not modifications under any provision of Title I of the Act and the changes do not exceed the emissions allowable under this permit (whether expressed therein as a rate of emissions or in terms of total emissions): Provided, that the Permittee provides EPA and the Department with written notification no less than seven days in advance of the proposed change.

73.1. For each such change, the notification required by Condition 73 shall include a brief description of the change within the permitted stationary source, the date on which the change will occur, any change in emissions, and any permit term or condition that is no longer applicable as a result of the change.

73.2. The permit shield described in 40 CFR 71.6(f) shall not apply to any change made pursuant to Condition 73.

[18 AAC 50.040(j)(4) & 50.326(j)]
[40 CFR 71.6(a)(13)]

74. Permit Renewal. To renew this permit, the Permittee shall submit to the Department[15] an application under 18 AAC 50.326 no sooner than June 15, 2027 and no later than June 15, 2028. The renewal application must be complete before the permit expiration date listed on the cover page of this permit. Permit expiration terminates the stationary source's right to operate unless a timely and complete renewal application has been submitted consistent with 40 CFR 71.7(b) and 71.5(a)(1)(iii).

[18 AAC 50.040(j)(3), 50.326(c) & (j)(2)]
[40 CFR 71.5(a)(1)(iii) & 71.7(b) & (c)(1)(ii)]

[14] As defined in 40 CFR 71.2, CAA Section 502(b)(10) changes are changes that contravene an express permit term. Such changes do not include changes that would violate applicable requirements or contravene federally enforceable permit terms and conditions that are monitoring (including test methods), recordkeeping, reporting, or compliance certification requirements.

[15] Submit permit applications to the Department's Anchorage office. The current address is: Air Permit Intake Clerk, ADEC, 555 Cordova Street, Anchorage, AK 99501.

Section 9. Compliance Requirements

General Compliance Requirements

75. Compliance with permit terms and conditions is considered to be compliance with those requirements that are

75.1. included and specifically identified in the permit; or

75.2. determined in writing in the permit to be inapplicable.

[18 AAC 50.326(j)(3) & 50.345(a) & (b)]

76. The Permittee must comply with each permit term and condition. Noncompliance with a permit term or condition constitutes a violation of AS 46.14, 18 AAC 50, and, except for those terms or conditions designated in the permit as not federally enforceable, the Clean Air Act, and is grounds for

76.1. an enforcement action;

76.2. permit termination, revocation and reissuance, or modification in accordance with AS 46.14.280; or

76.3. denial of an operating permit renewal application.

[18 AAC 50.040(j), 50.326(j) & 50.345(a) & (c)]

77. For applicable requirements with which the stationary source is in compliance, the Permittee shall continue to comply with such requirements.

[18 AAC 50.040(j) & 50.326(j)]
[40 CFR 71.6(c)(3) & 71.5(c)(8)(iii)(A)]

78. It is not a defense in an enforcement action to claim that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with a permit term or condition.

[18 AAC 50.326(j)(3) & 50.345(a) & (d)]

79. The Permittee shall allow the Department or an inspector authorized by the Department, upon presentation of credentials and at reasonable times with the consent of the owner or operator to

79.1. enter upon the premises where a source subject to the permit is located or where records required by the permit are kept;

79.2. have access to and copy any records required by the permit;

79.3. inspect any stationary source, equipment, practices, or operations regulated by or referenced in the permit; and

79.4. sample or monitor substances or parameters to assure compliance with the permit or other applicable requirements.

[18 AAC 50.326(j)(3) & 50.345(a) & (h)]

80. For applicable requirements that will become effective during the permit term, the Permittee shall meet such requirements on a timely basis.

[18 AAC 50.040(j) & 50.326(j)]
[40 CFR 71.6(c)(3) & 71.5(c)(8)(iii)(B)]

Section 10. Permit As Shield from Inapplicable Requirements

In accordance with AS 46.14.290, and based on information supplied in the permit application, this section of the permit contains the requirements determined by the Department not to be applicable to the stationary source.

81. Nothing in this permit shall alter or affect the following:

81.1. The provisions of Section 303 of the Act (emergency orders), including the authority of the Administrator under that section; or

81.2. The liability of an owner or operator of a source for any violation of applicable requirements prior to or at the time of permit issuance.

[18 AAC 50.326(j)]
[40 CFR 71.6(f)(3)(i) & (ii)]

82. Table E identifies the emissions units that are not subject to the specified requirements at the time of permit issuance. If any of the requirements listed in Table E becomes applicable during the permit term, comply with such requirements on a timely basis including, but not limited to, providing appropriate notification to EPA, obtaining a construction permit and/or an operating permit revision.

[18 AAC 50.326(j)]
[40 CFR 71.6(f)(1)(ii)]

Table E - Permit Shields Granted

EU ID	Non-Applicable Requirements	Reason for Non-Applicability
1 through 3	40 CFR 60 Subpart GG	EU IDs 1 – 3 are new stationary turbines that commenced construction after February 18, 2005 and are therefore subject to 40 CFR 60 Subpart KKKK. According to 40 CFR 60.4305(b), stationary combustion turbines regulated under Subpart KKKK are exempt from the requirements of Subpart GG.
1 through 3	40 CFR 60 Subpart KKKK §60.4335	EU IDs 1 – 3 do not use water or steam injection.
1 through 3	40 CFR 60 Subpart KKKK §§60.4340(b), 60.4345, 60.4350, 60.4355	EU IDs 1 – 3 do not use CMS.
1 through 3	40 CFR 60 Subpart KKKK §60.4390	EU IDs 1 – 3 are not emergency combustion turbines or research and development turbines.
1 through 3	40 CFR 63 Subpart YYYY	EU IDs 1 – 3 are not located at a major source of HAP emissions.
4	40 CFR 60 Subpart JJJJ	EU ID 4 is not a spark ignition internal combustion engine.
Stationary source-wide	40 CFR 60 Subpart J, Ja, GGG, GGGa, QQQ	Stationary source does not meet the definition for a petroleum refinery.
Stationary source-wide	40 CFR 60 Subpart KKK	Stationary source is not a natural gas processing plant as defined in subpart.
Stationary source-wide	40 CFR 60 Subpart LLL	Stationary source does not operate natural gas sweetening unit(s).

EU ID	Non-Applicable Requirements	Reason for Non-Applicability
Stationary source-wide	40 CFR 60 Subpart OOOO	Stationary source does not contain onshore affected facilities as defined in the subpart.
Stationary source-wide	40 CFR 61 Subpart J	No process components in benzene service, as defined by subpart (10% benzene by weight).
Stationary source-wide	40 CFR 61 Subpart V	Stationary source does not operate equipment in volatile hazardous air pollutant (VHAP) service, as defined by subpart (> or = 10% VHAP by weight).
Stationary source-wide	40 CFR 61 Subpart Y	Stationary source does not operate storage vessels in benzene service.
Stationary source-wide	40 CFR 61 Subpart BB	Stationary source does not conduct benzene transfer operations.
Stationary source-wide	40 CFR 61 Subpart FF	Stationary source does not engage in benzene waste operations.
Stationary source-wide	40 CFR 63, Subpart B	Stationary source is not a major source of HAPs.
Stationary source-wide	40 CFR 63 Subpart T	Stationary source does not operate halogenated solvent cleaning machines.
Stationary source-wide	40 CFR 63 Subpart CC, UUU	Stationary source does not meet the definition for a petroleum refinery.
Stationary source-wide	40 CFR 63 Subpart VV	Provisions only apply to oil-water separators and organic-water separators affected by 40 CFR 60, 61, or 63 that specifically reference 40 CFR 63 Subpart VV.
Stationary source-wide	40 CFR 63 Subpart HH	Stationary source does not operate a TEG dehydration unit.
Stationary source-wide	40 CFR 63 Subpart EEEE	Stationary source is not a major source of HAPs and does not distribute organic liquids.
Stationary source-wide	40 CFR 63 Subpart HHH	Stationary source does not transmit or store natural gas prior to entering the pipeline to a local distribution company or to a final end user and stationary source is not a major source of HAPS.
Mobile internal combustion engines	18 AAC 50.055	Mobile internal combustion engines are not included in the “fuel-burning equipment” definition in 18 AAC 50.990. Therefore, the requirements in 18 AAC 50.055 do not apply to mobile internal combustion engines.

[18 AAC 50.326(j)]
[40 CFR 71.6(f)(1)(ii)]

Section 11. Visible Emissions Observation Form

This form is designed to be used in conjunction with EPA Method 9, "Visual Determination of the Opacity of Emissions from Stationary Sources." Temporal changes in emission color, plume water droplet content, background color, sky conditions, observer position, etc. should be noted in the comments section adjacent to each minute of readings. Any information not dealt with elsewhere on the form should be noted under additional information. Following are brief descriptions of the type of information that needs to be entered on the form: for a more detailed discussion of each part of the form, refer to "Instructions for Use of Visible Emission Observation Form" (a copy is available at https://www3.epa.gov/ttnemc01/methods/webinar8.pdf).

- Source Name: full company name, parent company or division or subsidiary information, if necessary.
- Address: street (not mailing or home office) address of facility where visible emissions observation is being made.
- Phone (Key Contact): number for appropriate contact.
- Stationary Source ID Number: number from NEDS, agency file, etc.
- Process Equipment, Operating Mode: brief description of process equipment (include type of facility) and operating rate, % capacity, and/or mode (e.g. charging, tapping, shutdown).
- Control Equipment, Operating Mode: specify type of control device(s) and % utilization, control efficiency.
- Describe Emission Point: for identification purposes, stack or emission point appearance, location, and geometry; and whether emissions are confined (have a specifically designed outlet) or unconfined (fugitive).
- Height Above Ground Level: stack or emission point height relative to ground level; can use engineering drawings, Abney level, or clinometer.
- Height Relative to Observer: indicate height of emission point relative to the observation point.
- Distance from Observer: distance to emission point; can use rangefinder or map.
- Direction from Observer: direction plume is traveling from observer.
- Describe Emissions and Color: include physical characteristics, plume behavior (e.g., looping, lacy, condensing, fumigating, secondary particle formation, distance plume visible, etc.), and color of emissions (gray, brown, white, red, black, etc.). Note color changes in comments section.
- Visible Water Vapor Present?: check "yes" if visible water vapor is present.
- If Present, note in the Comments column whether the plume is "attached" if water droplet plume forms prior to exiting stack, or "detached" if water droplet plume forms after exiting stack.
- Point in Plume at Which Opacity was Determined: describe physical location in plume where readings were made (e.g., 1 ft above stack exit or 10 ft. after dissipation of water plume).
- Describe Plume Background: object plume is read against, include texture and atmospheric conditions (e.g., hazy).
- Background Color: sky blue, gray-white, new leaf green, etc.
- Sky Conditions: indicate color of clouds and cloud cover by percentage or by description (clear, scattered, broken, overcast).
- Wind Speed: record wind speed; can use Beaufort wind scale or hand-held anemometer to estimate.
- Wind Direction From: direction from which wind is blowing; can use compass to estimate to eight points.
- Ambient Temperature: in degrees Fahrenheit or Celsius.
- Wet Bulb Temperature: can be measured using a sling psychrometer
- RH Percent: relative humidity measured using a sling psychrometer; use local US Weather Bureau measurements only if nearby.
- Source Layout Sketch: include wind direction, sun position, associated stacks, roads, and other landmarks to fully identify location of emission point and observer position.
- Draw North Arrow: to determine, point line of sight in direction of emission point, place compass beside circle, and draw in arrow parallel to compass needle.
- Sun's Location: point line of sight in direction of emission point, move pen upright along sun location line, mark location of sun when pen's shadow crosses the observer's position.
- Observation Date: date observations conducted.
- Start Time, End Time: beginning and end times of observation period (e.g., 1635 or 4:35 p.m.).
- Data Set: percent opacity to nearest 5%; enter from left to right starting in left column. Use a second (third, etc.) form, if readings continue beyond 30 minutes. Use dash (-) for readings not made; explain in adjacent comments section.
- Comments: note changing observation conditions, plume characteristics, and/or reasons for missed readings.
- Range of Opacity: note highest and lowest opacity number.
- Observer's Name: print in full.
- Observer's Signature, Date: sign and date after performing VE observation.
- Organization: observer's employer.
- Certified By, Date: name of "smoke school" certifying observer and date of most recent certification.

ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION
AIR PERMITS PROGRAM - VISIBLE EMISSIONS OBSERVATION FORM

Page No. _____

Stationary Source Name	Type of Emission Unit
Emission Unit Location	
City / State / Zip	
Phone # (Key Contact)	Stationary Source ID Number
Process Equipment	Operating Mode
Control Equipment	Operating Mode
Describe Emission Point/Location	
Height above ground level / Height relative to observer / Clinometer Reading	
Distance From Observer: Start / End	Direction From Observer: Start / End
Describe Emissions & Color: Start / End	
Visible Water Vapor Present? If yes, determine approximate distance from the stack exit to where the plume was read: No / Yes	
Point in Plume at Which Opacity Was Determined	
Describe Plume Background	Background Color
Start	Start
End	End
Sky Conditions: Start / End	
Wind Speed: Start / End	Wind Direction From: Start / End
Ambient Temperature	Wet Bulb Temp / RH percent

SOURCE LAYOUT SKETCH: 1 Stack or Point Being Read 2 Wind Direction From
3 Observer Location 4 Sun Location 5 North Arrow 6 Other Stacks

Observation Date	Start Time				End Time
Min \ Sec	0	15	30	45	Comments
1					
2					
3					
4					
5					
6					
7					
8					
9					
10					
11					
12					
13					
14					
15					
16					
17					
18					
19					
20					
21					
22					
23					
24					
25					
26					
27					
28					
29					
30					

Range of Opacity
Minimum | Maximum

I have received a copy of these opacity observations	Print Observer's Name
Print Name:	
Signature:	Observer's Signature / Date
	Observer's Affiliation:
Title / Date	Certifying Organization
	Certified By: / Date

Data Reduction:

Duration of Observation Period (minutes):	Duration Required by Permit (minutes):
Number of Observations:	Highest Six–Minute Average Opacity (%):
Number of Observations exceeding 20%:	
In compliance with six-minute opacity limit? (Yes or No)	Highest 18-Consecutive –Minute Average Opacity (%)(engines and turbines only)

Average Opacity Summary:

Set Number	Time			Opacity		
	Start	End		Sum	Average	Comments

Section 12. SO_2 Material Balance Calculation

If a fuel shipment contains more than 0.75 percent sulfur by weight, calculate the three-hour exhaust concentration of SO_2 using the following equations:

A. = 31,200 x [**wt%S_{fuel}**] = 31,200 x _____ = _____

B. = 0.148 x [**wt%S_{fuel}**] = 0.148 x _____ = _____

C. = 0.396 x [**wt%C_{fuel}**] = 0.396 x _____ = _____

D. = 0.933 x [**wt%H_{fuel}**] = 0.933 x _____ = _____

E. = B + C + D = _____ + _____ + _____ = _____

F. = 20.9 – [**vol%$_{dry}O_{2,\ exhaust}$**] = 20.9 – _____ = _____

G. = [**vol%$_{dry}O_{2,\ exhaust}$**] ÷ F = _____ ÷ _____ = _____

H. = 1 + G = 1 + _____ = _____

I. = E x H = _____ x _____ = _____

SO_2 concentration = A ÷ I = _____ ÷ _____ = _____ ppm

The **wt%S_{fuel}, wt%C_{fuel},** and **wt%H_{fuel}** are equal to the weight percents of sulfur, carbon, and hydrogen in the fuel. These percentages should total 100%.

The fuel weight percent (wt%) of sulfur is obtained pursuant to Condition 11. The fuel weight percents of carbon and hydrogen are obtained from the fuel refiner.

The volume percent of oxygen in the exhaust (**vol%$_{dry}O_{2,\ exhaust}$**) is obtained from oxygen meters, manufacturer's data, or from the most recent analysis under 40 CFR 60, Appendix A-2, Method 3, adopted by reference in 18 AAC 50.040(a), at the same engine load used in the calculation.

Enter all of the data in percentages without dividing the percentages by 100. For example, if **wt%S_{fuel}** = 1.0%, then enter 1.0 into the equations not 0.01 and if **vol%$_{dry}O_{2,\ exhaust}$** = 3.00%, then enter 3.00, not 0.03.

[18 AAC 50.346(c)]

Section 13. ADEC Notification Form[16]

Milne Point L-Pad — **Stationary Source (Facility) Name**

AQ1527TVP01 — **Air Quality Permit Number.**

Hilcorp Alaska, LLC — **Company Name**

When did you discover the Excess Emissions/Permit Deviation?

Date: _____ / _____ / _____ Time: _____ :/ _____

When did the event/deviation occur?

Begin: Date: _____ / _____ / _____ Time: _____ : _____ (please use 24-hr clock)

End: Date: _____ / _____ / _____ Time: _____ : _____ (please use 24-hr clock)

What was the duration of the event/deviation: ____ : ____ (hrs:min) or _____ days

(total # of hrs, min, or days, if intermittent then include only the duration of the actual emissions/deviation)

Reason for Notification: (please check only 1 box and go to the corresponding section)

☐ Excess Emissions – Complete Section 1 and Certify

Note: All "excess emissions" are also "permit deviations." However, use only Section 1 for events that involve excess emissions.

☐ Deviation from Permit Condition – Complete Section 2 and Certify

Note: Use only Section 2 for permit deviations that do not involve excess emissions.

☐ Deviations from COBC[17], CO[18], or Settlement Agreement – Complete Section 2 and Certify

[16] Revised as of July 22, 2020.
[17] Compliance Order By Consent
[18] Compliance Order

Section 1. Excess Emissions

(a) **Was the exceedance** ☐ Intermittent or ☐ Continuous

(b) **Cause of Event** (Check one that applies. Complete a separate form for each event, as applicable.):

☐ Start Up/Shut Down ☐ Natural Cause (weather/earthquake/flood)

☐ Control Equipment Failure ☐ Schedule Maintenance/Equipment Adjustment

☐ Bad Fuel/Coal/Gas ☐ Upset Condition ☐ Other _____

(c) **Description**
Describe briefly what happened and the cause. Include the parameters/operating conditions exceeded, limits, monitoring data and exceedance. Attach supporting information if necessary.

(d) **Emissions Units Involved:**
Identify the emissions unit involved in the event, using the same identification number and name as in the permit. Identify each emission standard potentially exceeded during the event and the exceedance.

EU ID	EU Name	Permit Condition Exceeded/Limit/Potential Exceedance

(e) **Type of Incident** (please check only one):

☐ Opacity _____ % ☐ Venting _____ gas/scf ☐ Control Equipment Down

☐ Fugitive Emissions ☐ Emission Limit Exceeded ☐ Marine Vessel Opacity

☐ Flaring ☐ Other _____

(f) **Corrective Actions:**

Describe actions taken to restore the system to normal operation and to minimize or eliminate chances of a recurrence. Attach supporting information if necessary.

(g) **Unavoidable Emissions:**

Do you intend to assert that these excess emissions were unavoidable? ☐ Yes ☐ No

Do you intend to assert the affirmative defense of 18 AAC 50.235? ☐ Yes ☐ No

Certify Report (<u>go to end of form</u>)

Section 2. Permit Deviations

(a) **Permit Deviation Type:** (Check all boxes that apply per event. Complete a separate form for each event, as applicable.)

- ☐ Emissions Unit-Specific Requirements
- ☐ Stationary Source-Wide Specific Requirements
- ☐ Monitoring/Recordkeeping/Reporting Requirements
- ☐ General Source Test Requirements
- ☐ Compliance Certification Requirements
- ☐ Standard/Generally Applicable Requirements
- ☐ Insignificant Emissions Unit Requirements
- ☐ Other: _____

(b) **Emissions Units Involved:**

Identify the emissions units involved in the event, using the same identification number and name as in the permit. List the corresponding permit conditions and the deviation.

EU ID	EU Name	Permit Condition/ Potential Deviation

(c) **Description of Potential Deviation:**

Describe briefly what happened and the cause. Include the parameters/operating conditions and the potential deviation. Attach supporting information if necessary.

(d) **Corrective Actions:**

Describe actions taken to correct the deviation or potential deviation and to prevent future recurrence.

Certification:

Based on information and belief formed after reasonable inquiry, I certify that the statements and information in and attached to this document are true, accurate, and complete.

Printed Name: _____ Title: _____ Date: _____

Signature: _____ Phone Number: _____

NOTE: *This document must be certified in accordance with 18 AAC 50.345(j). Read and sign the certification in the bottom of the form above. (See Condition 62)*

Submit this report in accordance with the submission instructions on the Department's Standard Permit Conditions web page at

http://dec.alaska.gov/air/air-permit/standard-conditions/standard-conditions-iii-and-iv-submission-instructions/.

If submitted online, report must be submitted by an authorized E-signer for the stationary source (according to Condition 62).

[18 AAC 50.346(b)(3)]

Attachment 1 - 40 CFR 60 Subpart A Summary Report
Gaseous and Opacity Excess Emission and Monitoring System Performance

[Note: This form is referenced in 40 C.F.R. 60.7, Subpart A-General Provisions]

Pollutant *(Circle One)*: SO_2 NO_X TRS H_2S CO Opacity

Reporting period dates: From _____ to _____

Company:
Emission Limitation: _____

Address: _____

Monitor Manufacturer: _____

Model No.: _____

Date of Latest CMS Certification or Audit: _____

Process Unit(s) Description: _____

Total source operating time in reporting period [1]: _____

Emission Data Summary [1]	**CMS Performance Summary** [1]
1. Duration of excess emissions in reporting period due to:	1. CMS downtime in reporting period due to:
a. Startup/shutdown ..... ____	a. Monitor equipment malfunctions ..... ____
b. Control equipment problems ..... ____	b. Non-Monitor equipment malfunctions ..... ____
c. Process problems ..... ____	c. Quality assurance calibration ..... ____
d. Other known causes ..... ____	d. Other known causes ..... ____
e. Unknown causes ..... ____	e. Unknown causes ..... ____
2. Total duration of excess emissions ..... ____	2. Total CMS Downtime ..... ____
3. Total duration of excess emissions x (100) / [Total source operating time] ..... ____ % [2]	3. [Total CMS Downtime] x (100) / [Total source operating time] ..... ____ % [2]

[1] For opacity, record all times in minutes. For gases, record all times in hours.

[2] For the reporting period: If the total duration of excess emissions is 1 percent or greater of the total operating time or the total CMS downtime is 5 percent or greater of the total operating time, both the summary report form and the excess emission report described in 40 C.F.R. 60.7(c) shall be submitted.

Note: *On a separate page, describe any changes since last quarter in CMS, process or controls.*

I certify that the information contained in this report is true, accurate, and complete.

Name: _____

Signature: _____ *Date*: _____

Title: _____

Alaska Department of Environmental Conservation
Air Permits Program

Hilcorp Alaska, LLC
Milne Point L-Pad

STATEMENT OF BASIS
for
Permit No. AQ1527TVP01
PUBLIC COMMENT - July 10, 2024

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. AQ1527TVP01.

STATIONARY SOURCE IDENTIFICATION

Section 1 of Operating Permit No. AQ1527TVP01 contains information on the stationary source as provided in the Title V permit application.

The stationary source, Milne Point L-Pad, is owned and operated by, Hilcorp Alaska, LLC and Hilcorp Alaska, LLC is the Permittee for the stationary source's operating permit. The standard industrial classification (SIC) code for this stationary source is 1311 Crude Petroleum and Natural Gas.

The stationary source supplies power to both the facility and the Milne Point Unit (MPU) grid intertying with the Central Facilities Pad (CFP).

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)[1] and assessable PTE for the stationary source is shown in the table below.

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

Emissions	NOx	CO	PM_{10}	SO_2	VOC	CO_2e[1]	HAPs	Total[2]
PTE	232.90	241.00	23.30	33.12	98.97	312,997	2.3	629.29
Assessable PTE	232.90	241.00	23.30	33.12	98.97	0	0	629.29

Table Notes:

[1] CO_2e emissions are defined as the sum of the mass emissions of each individual GHG adjusted for its global warming potential.

[2] Total PTE and total assessable PTE shown in the table do not include CO_2e and HAPs.

[1] *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 43.1 is the sum of the PTE of each individual air pollutant, other than greenhouse gases (GHGs). The emissions listed in Table F are estimates that are for informational use only. The listing of the emissions does not create an enforceable limit for the stationary source.

For HAP and GHG PTE, emissions are as provided in the operating permit application. NOx, CO, VOC, and SO_2 PTE is from the technical analysis report for Minor Permit AQ1527MSS03. PM PTE is calculated using the methods described in the technical analysis report for Minor Permit AQ1527MSS03.

BASIS FOR REQUIRING AN OPERATING PERMIT

In accordance with AS 46.14.130(b), an owner or operator of a Title V source[2] 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. AQ1527MSS01. The Department issued this permit on August 3, 2018 to authorize installation of three 15 MW Titan 130 dual-fuel turbines (EU IDs 1 through 3) on L-Pad and installation of a 560 kW emergency generator (EU ID 4) for blackstart purposes. The

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

permit also provided authorization for the operation of a Portable Oil and Gas Operation (POGO) at L-Pad for future drilling needs.

Minor Permit No. AQ1527MSS02. The Department issued this permit on January 4, 2019 to remove all POGO conditions in Minor Permit AQ1527MSS01. Hilcorp intends to utilize the Department's recently issued Minor General Permit 2 (MG2) for all future North Slope drilling needs.

Minor Permit No. AQ1527MSS03. The Department issued this permit on December 30, 2020 to revise Conditions 14.2 and 14.3 of Minor Permit AQ1527MSS01. This permit rescinds Minor Permits AQ1527MSS01 and AQ1527MSS02. All stationary source-specific requirements established in this permit are included in Operating Permit No. AQ1527TVP01 as described in Table G.

Title V Operating Permits

The Department received the application for Operating Permit AQ1527TVP01 on April 3, 2019. The Permittee submitted amended application forms on March 11, 2020. The Department originally issued this permit on December 15, 2023. After issuance of the final decision for Operating Permit AQ1527TVP01, the Permittee submitted an informal review request on January 3, 2024 contesting Conditions 28.5, 28.8, 28.11, and 29.14.c of the final permit. On June 24, 2024, the Department remanded the issued permit under 18 AAC 15.185(d)(2) for further consideration. The Department is reissuing the operating permit to address the issues raised in the informal review request. Conditions 28.5, 28.8, 28.11, and 29.14.c and the statement of basis are updated, and the details of the contested issues and the Department's responses are contained in APPENDIX A to the statement of basis.

COMPLIANCE HISTORY

The Permittee entered a compliance order by consent (COBC) in order to construct the foundation for the stationary source prior to issuance of Minor Permit AQ1527MSS01. The COBC requires the use of ultra-low sulfur diesel (ULSD) in all diesel-fired equipment in the Greater Milne Point area.

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. AQ1527TVP01. Table G below lists the requirements carried into Operating Permit No. AQ1527TVP01 to ensure compliance with the preconstruction permit requirements.

Table G - Comparison of Minor Permit No. AQ1527MSS03 Conditions to Operating Permit No. AQ1527TVP01 Conditions[1]

AQ1527MSS03 Condition No.	Description of Requirement	AQ1527TVP01 Condition No.	How Condition was Revised
9	Ambient air quality protection requirements for NO_2, SO_2, $PM_{2.5}$, & PM_{10}	14	Not revised.
10	Ambient air quality protection requirements for SO_2	15	Not revised.
11	Ambient air quality protection requirements for NO_2	16	Not revised.
12	PSD avoidance for NOx and CO	17	Not revised.
13	PSD avoidance for SO_2	18	Not revised.

Table Note:

[1] 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 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. AQ1527TVP01. 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.

Conditions 1 through 4 and 9, Visible Emissions Standard and MR&R

Legal Basis: These conditions require compliance with the visible emissions standards 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 4 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). MR&R requirements are listed in Conditions 2 through 4 of the permit. These conditions have been adopted into regulation as Standard Permit Condition (SPC) IX. The Department has modified these conditions, as follows:

- Removed the conditions for the Smoke/No Smoke Plan because the Permittee does not use this option.

- Removed the language to allow continued use of a visible emissions monitoring schedule from a previous permit since this is the initial operating permit.

The Permittee must establish by visual observations, which may be supplemented by other means, such as a defined Stationary Source Operation and Maintenance Program, that the stationary source is in continuous compliance with the state standards for visible emissions.

These conditions detail a stepwise monitoring program to determine compliance with the state visible emissions standards. Equipment types covered by these conditions are internal combustion engines, turbines, heaters, boilers, and flares. Initial monitoring frequency schedules are established along with subsequent reductions or increases in frequency depending on the results of the self-monitoring program.

Reasonable action thresholds are established in these conditions that require the Permittee to progressively address potential visible emission problems from emissions units through maintenance programs and/or more rigorous tests that will quantify whether a specific emission standard has been exceeded.

Liquid Fuel-Fired Equipment:

Monitoring – The emissions units must be observed using the Method 9 Plan as detailed in Condition 2. Corrective actions such as maintenance procedures or more frequent observations may be required depending on the results of the observations.

EU ID 4 does not qualify as insignificant under 18 AAC 50.326(d)(1) because it is subject to standards established under NSPS Subpart IIII. The engine will likely have actual emissions that are otherwise insignificant since the engine is an emergency unit. Therefore, the Department has waived visible emissions monitoring for EU ID 4 if actual emissions remain below the thresholds in 18 AAC 50.326(e), but the unit is subject to compliance certification requirements, in accordance with Department Policy and Procedure No. 04.02.103, Topic #3. Additionally, visible emissions observations will be required if actual emissions exceed any threshold in 18 AAC 50.326(e).

Recordkeeping - The Permittee is required to record the results of all observations and record any actions taken to reduce visible emissions.

Reporting - The Permittee is required to report emissions in excess of the state visible emissions standard and report deviations from permit conditions. The Permittee is also required to include copies of the results of all visible emission observations in the operating report.

Dual Fuel-Fired Units:

As long as dual fuel-burning emissions units operate only on gas, monitoring consists of a statement in each operating report indicating only gaseous fuels were used in the equipment during the reporting period. When any of these emissions units operates on a backup liquid fuel for more than 400 hours in a calendar year, monitoring in accordance with Department Policy and Procedure No. 04.02.103, Topic # 2 is required. When any of these units operates on a backup liquid fuel for less than 400 hours in a calendar year, monitoring for that unit consists of an annual certification of compliance with the opacity standard. The 400-hour trigger for additional monitoring applies to each individual unit and not as a combined total for all units.

Conditions 5 through 9, 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 4 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 5 prohibits emissions in excess of the applicable state particulate matter standard. MR&R requirements are listed in Conditions 6 through 9 of the permit. These conditions have been adopted into regulation as Standard Permit Condition IX.

Liquid Fuel-Fired Equipment:

Monitoring – The Permittee is required to either take corrective action, or conduct PM source testing, if opacity threshold values are exceeded. For liquid fuel-burning engines and turbines, the Department set opacity threshold values of 15 percent for stack diameters less than 18 inches and 20 percent for stack diameters equal to or greater than 18 inches. These opacity thresholds are based on a study conducted by the Department in an effort to establish a correlation between opacity and PM. The data was collected from diesel engines of various stack sizes and the results are as follows:

- For stacks normalized to 21 inches – 0.05 gr/dscf corresponds to 27% opacity
- For stacks normalized to 18 inches – 0.05 gr/dscf corresponds to 23% opacity
- For stacks normalized to 12 inches – 0.05 gr/dscf corresponds to 16.8% opacity
- For stacks normalized to 10 inches – 0.05 gr/dscf corresponds to 14.3% opacity

This means that the trend line for the complete data set predicts that 20% opacity corresponds to a little less than the PM limit for an 18-inch stack. There may be engines that exceed the thresholds but the intent of the standard condition is not to guarantee that each engine that might exceed the PM standard will be tested. The Department expects few, if any, engines to actually be tested under this condition. What the Department does expect is that with the adopted condition in place, operators that find an opacity above or near the testing threshold will take corrective action necessary to reduce PM emissions. This would achieve the desired environmental outcome without the added cost of testing. The Department expects this to be the case with both thresholds.

The method is premised on the fact that a five percent difference in opacity is distinguishable. The conditions mean that if opacity readings as measured using Method 9 – with all of its limitations – exceed the threshold, the Permittee must either take corrective action or conduct a PM source test. The compliance conditions for PM do not draw a legal conclusion about whether the method shows compliance with the visible emissions standard.

Recordkeeping - The Permittee is required to record the results of particulate matter source tests and visible emissions observations conducted during the source test.

Reporting - The Permittee is required to report incidents when emissions in excess of the opacity threshold are observed and results of particulate matter source tests. The Permittee is also required to include copies of the results of all visible emission observations taken during particulate matter source testing in the operating report.

Dual Fuel-Fired Units:

As long as dual fuel-fired emissions units operate only on gas, monitoring consists of a statement in the operating report indicating whether only gaseous fuels were used in the equipment during the period covered by the report. When any of these emissions units operates on a backup liquid fuel for more than 400 hours in a calendar year, monitoring for that emissions unit in accordance with Department Policy and Procedure No. 04.02.103, Topic # 2 is required. When any of these emissions units operates on a backup liquid fuel for 400 hours or less in a calendar year, monitoring for that unit consists of an annual certification of compliance with the particulate matter standard. The 400-hour trigger for additional monitoring applies to each individual unit and not as a combined total for all units.

Conditions 10 through 13, 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 4 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 Standard Permit Conditions XI and XII, adopted into regulation pursuant to AS 46.14.010(e).

Gaseous Fuels:

The Permittee is required to monitor, record and report as required by the requirements for the fuel gas H_2S limit for ambient air quality and report excess emissions whenever the fuel combusted causes sulfur compound emissions to exceed the state sulfur compound standard.

Conditions 14 through 18, 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: The requirements of Minor Permit AQ1527MSS03 are included in the operating permit as described in Table G.

Condition 19, 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 Standard Permit Condition V for the permit condition.

Conditions 20 through 27, 40 CFR 60 Subpart A Requirements

Legal Basis: The Permittee must comply with applicable New Source Performance Standard (NSPS) provisions[3]. 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.

Condition 20 - The Permittee must notify the Administrator of startup of each of EU IDs 1 through 3.

Condition 21 - The requirements in 40 CFR 60.7(b) to maintain start-up, shutdown, or malfunction records are applicable to most NSPS affected facilities.

Conditions 22 and 23 - 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

[3] EPA has not delegated to the Department the authority to administer the NSPS program as of the issue date of this permit

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.

Recordkeeping requirements in 40 CFR 60.7(f) are applicable to all NSPS affected facilities. (Satisfied by Condition 61).

Condition 24 - The Permittee must comply with the initial performance test requirements in 40 CFR 60.8. The Permittee is also subject to these requirements in the event of a new NSPS affected facility and at such other times as may be required by EPA.

Condition 25 - Good air pollution control practices in 40 CFR 60.11 are applicable to most NSPS affected facilities.

Condition 26 - states that any credible evidence may be used to demonstrate compliance or to establish violations of relevant NSPS standards.

Condition 27 - 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 28, 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 4 is subject to the requirements of Subpart IIII because it was initially constructed in 2008.

Factual Basis: These conditions incorporate the Subpart IIII emissions standards applicable to EU ID 4. 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. Because EU ID 4 is an emergency engine, the hours of operation requirements apply.

Condition 29, 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 IDs 1 through 3 are subject to the requirements of Subpart KKKK because they were initially constructed in 2018.

Factual Basis: These conditions incorporate the Subpart KKKK emissions standards applicable to EU IDs 1 through 3. Because these turbines are located north of the Arctic Circle and are rated at less than 30 MW, the 150 ppm NOx limit applies. These conditions also specify the MR&R requirements contained in the subpart.

Condition 30, 40 CFR 60 Subpart OOOOa 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 OOOOa applies to crude oil and natural gas facilities for which construction, modification or reconstruction commenced after September 18, 2015. The Permittee is subject to the requirements for fugitive emissions from components at well sites.

Factual Basis: These conditions incorporate the NSPS Subpart OOOOa requirements applicable to the components at well sites. The Permittee must monitor fugitive emissions from the components and make repairs as necessary. The Permittee must also keep records and report in accordance with the requirements of the subpart.

Condition 31, 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 32, 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. Milne Point L-Pad is an area source that contains a RICE unit.

Factual Basis: EU ID 4 is a new engine under Subpart ZZZZ. Therefore, the engine must meet the requirements of 40 CFR 63 by meeting the requirements of 40 CFR 60 Subpart IIII, as specified in 40 CFR 63.6590(c). No other requirements under 40 CFR 63 are applicable.

Conditions 33 through 35, 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 33 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 34 and 35 also require compliance with the applicable requirement adopted under 18 AAC 50.040(d). Condition 34 prohibitions apply to all stationary sources that use substitutes for ozone-depleting compounds. Condition 35 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 36 through 38, 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 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 39 through 41, 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 42, 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 43 and 44, 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 (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 45, 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 46, 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 47, 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 48, 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 49, 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 65. Excess emission reporting under Condition 65 requires information on the steps taken to minimize emissions.

Condition 50, 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 51, 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 52 through 54, Operating Conditions, Reference Test Methods, Excess Air Requirements

Legal Basis: Conditions 52 and 54 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 53 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 52 through 54.

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

Condition 55, 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 56 through 59, 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 56 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 60, 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 61, 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 62, 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 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). This condition requires the Permittee to certify any permit application, report, affirmation, or compliance certification submitted to the Department. To ease the certification burden on the Permittee, the condition allows the excess emission reports to be certified with the operating report, even though it must still be submitted more frequently than the stationary source operating report. This condition supplements the reporting requirements of this permit.

Condition 63, 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. The Permittee is required to submit reports, compliance certifications, and other submittals required by this permit, either electronically or by hard copy. This condition supplements the standard reporting and notification requirements of this permit. 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 64, 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 65, 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 Standard Permit Condition III for the permit condition. The Department used the notification form in Standard Permit Condition IV for the notification requirements.

Condition 66, 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 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.

Condition 67, 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.

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 68, 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 as required under 40 CFR 51.321. The emission inventory requirement applies to sources defined as point sources in 40 CFR 51.20. The state must report all data elements in Table 2A of Appendix A to Subpart A of 40 CFR 51 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 PM2.5.

As of the issue date of this permit, the stationary source is a Type B stationary source.

Condition 69, 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 70, 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 for the permit condition. The condition directs the applicant to send copies of all application materials required to be submitted to the Department directly to the EPA, 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 71 through 73, 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 74, 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 75 through 80, General Compliance Requirements

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 81 and 82, 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 E of Operating Permit No. AQ1527TVP01 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 H - Permit Shields Denied

Shield Requested for:	Reason for Shield Request:	Reason for Denial
40 CFR 60 Subpart E, Ea, Eb, Ec, F, G, Ga, H, I, L, M, N, Na, O, P, Q, R, S, T, U, V, W, X, Y, Z, AA, AAa, BB, CC, DD, EE, HH, KK, LL, MM, NN, PP, QQ, RR, SS, TT, UU, VV, VVa, WW XX, AAA, BBB, DDD, FFF, HHH, III, JJJ, NNN, OOO, PPP, RRR, SSS, TTT, UUU, VVV, WWW, AAAA, CCCC, DDDD, EEEE, LLLL	No affected facility.	The reason provided for the shield requests does not clearly explain why each requirement does not apply. Additionally, a shield is not necessary for requirements that are clearly not applicable.
40 CFR 61 Subpart B, C, D, E, F, H, I, K, L, N, O, P, Q, R, T, W	No affected facility.	The reason provided for the shield requests does not clearly explain why each requirement does not apply. Additionally, a shield is not necessary for requirements that are clearly not applicable.
40 CFR 61 Subpart M: §61.142	Stationary source is not an asbestos mill.	A shield is not necessary for regulations that are clearly not applicable.
40 CFR 61 Subpart M: §61.143	Stationary source roadways not exposed to asbestos tailings or asbestos containing waste.	A shield is not necessary for regulations that are clearly not applicable.
40 CFR 61 Subpart M: §61.144	Stationary source does not engage in any manufacturing operations using commercial asbestos.	A shield is not necessary for regulations that are clearly not applicable.

Shield Requested for:	Reason for Shield Request:	Reason for Denial
40 CFR 61 Subpart M: §61.146	Stationary source does not spray apply asbestos containing materials.	Requirement could be applicable during certain construction activities.
40 CFR 61 Subpart M: §61.147	Stationary source does not engage in any fabricating operations using commercial asbestos.	A shield is not necessary for regulations that are clearly not applicable.
40 CFR 61 Subpart M: §61.148	Stationary source does not install or reinstall, on any stationary source component, insulation material containing commercial asbestos.	Requirement is applicable if insulation is installed. This could occur at the facility.
40 CFR 61 Subpart M: §61.149	Applies only to facilities subject to 61.142.	A shield is not necessary for regulations that are clearly not applicable.
40 CFR 61 Subpart M: §61.151	Applies only to facilities subject to 61.142, 61.144, or 61.147.	A shield is not necessary for regulations that are clearly not applicable.
40 CFR 61 Subpart M: §61.152	Stationary source does not use air cleaning equipment.	Requirement could be applicable during certain construction or demolition activities.
40 CFR 61 Subpart M: §61.153	No reporting requirements apply for sources subject to 61.145.	Reporting requirements may apply due to other sections of the subpart.
40 CFR 61 Subpart M: §61.154	Stationary source is not an active waste disposal site and does not receive asbestos containing waste material.	A shield is not necessary for regulations that are clearly not applicable.
40 CFR 61 Subpart M: §61.155	Stationary source does not process regulated asbestos containing material (RACM).	A shield is not necessary for regulations that are clearly not applicable.

Shield Requested for:	Reason for Shield Request:	Reason for Denial
40 CFR 63 Subpart B, F, G, H, I, J, L, M, N, O, Q, R, S, U, W, X, Y, AA, BB, DD, EE, GG, II, JJ, KK, LL, MM, OO, PP, QQ, RR, SS, TT, UU, WW, XX, YY, CCC, DDD, EEE, GGG, III, JJJ, LLL, MMM, NNN, OOO, PPP, QQQ, RRR, TTT, UUU, VVV, XXX, AAAA, CCCC, DDDD, FFFF, GGGG, HHHH, IIII, JJJJ, KKKK, MMMM, NNNN, OOOO, PPPP, QQQQ, RRRR, SSSS, TTTT, UUUU, VVVV, WWWW, XXXX, AAAAA, BBBBB, CCCCC, EEEEE, FFFFF, GGGGG, HHHHH, IIIII, JJJJJ, KKKKK, LLLLL, MMMMM, NNNNN, PPPPP, QQQQQ, RRRRR, SSSSS, TTTTT, UUUUU, WWWWW, YYYYY, ZZZZZ, BBBBBB, DDDDDD, EEEEEE, FFFFFF, GGGGGG, HHHHHH, LLLLLL, MMMMMM, NNNNNN, OOOOOO, PPPPPP, QQQQQQ, RRRRRR, SSSSSS, TTTTTT, VVVVVV, WWWWWW, XXXXXX, YYYYYY, ZZZZZZ, AAAAAAA, BBBBBBB, CCCCCCC, DDDDDDD, EEEEEEE, HHHHHHH	No affected facility.	The reason provided for the shield requests does not clearly explain why each requirement does not apply. Additionally, a shield is not necessary for requirements that are clearly not applicable.
40 CFR 63 Subpart ZZZZ	According to 40 CFR 63.6590(c)(1), EU ID 4, a new CI RICE, is not subject to any of the requirements of Subpart ZZZZ.	40 CFR 63.6590(c)(1) states the requirements of 40 CFR 63 must be met by meeting the NSPS requirements, and no further requirements apply under 40 CFR 63.
40 CFR 64 – Compliance Assurance Monitoring	No pollutant-specific emission unit uses a control device to achieve compliance with any emission limitation or standard that was proposed by the Administrator before November 15, 1990. The stationary source is exempted from CAM associated with any rule that was proposed under CAA 111 and 112 by the Administrator after November 15, 1990, as specified in 40 CFR 64.2(b)(1)(i).	CAM requirements apply to limits established after November 15, 1990 other than those proposed by the Administrator pursuant to section 111 or 112 of the Act.

Shield Requested for:	Reason for Shield Request:	Reason for Denial
40 CFR 68 – Risk Management Programs	Naturally occurring hydrocarbon mixtures: (crude oil, condensate, natural gas and produced water) prior to entry into a petroleum refining process unit (NAICS code 32411) or a natural gas processing plant (NAICS code 211112) are exempt from the threshold determination. (see final Rule exempting from threshold determination regulated flammable substances in naturally occurring hydrocarbons mixtures prior to initial processing, 63 FR 640 [January 6, 1998]). Less than 10,000 lb of other mixtures containing regulated flammable substances that meet the criteria for an NFPA rating of 4 for flammability are stored at the stationary source. Therefore, MPU L-Pad, a crude petroleum and natural gas production stationary source, (NAICS code 211111) does not process or store regulated flammable or toxic substances in excess of threshold quantities.	40 CFR 68 applies to more substances than just mixtures containing regulated flammable substances that meet the criteria for an NFPA rating of 4 for flammability. Also, several substances have thresholds less than 10,000 lb.
40 CFR 82 Subpart A: §82.1	Stationary source does not produce, transform, destroy, import, or export Class I or Group I or II substances or products.	A shield is not necessary for regulations that are clearly not applicable.
40 CFR 82 Subpart B: §82.30	Stationary source does not service motor vehicle air conditioners.	A shield is not necessary for regulations that are clearly not applicable.
40 CFR 82 Subpart C: §82.60	Stationary source is not the ultimate consumer and not a manufacturer or distributor of Class I or II products or substances.	A shield is not necessary for regulations that are clearly not applicable.
40 CFR 82 Subpart D: §82.80	Subpart applies only to Federal departments, agencies, and instrumentalities.	A shield is not necessary for regulations that are clearly not applicable.
40 CFR 82 Subpart E: §82.100	Stationary source is not the ultimate consumer and not a manufacturer or distributor of Class I or II products or substances.	A shield is not necessary for regulations 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 regulations 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 regulations that are clearly not applicable.

Shield Requested for:	Reason for Shield Request:	Reason for Denial
40 CFR 82 Subpart F: §82.164	Stationary source does not sell reclaimed refrigerant.	A shield is not necessary for regulations 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 regulations that are clearly not applicable.
40 CFR 82 Subpart F: Appendix D	Stationary source does not have technician certification programs.	A shield is not necessary for regulations that are clearly not applicable.
40 CFR 82 Subpart F: 82.174(a)	Stationary source does not manufacture substitute chemicals or products for ozone-depleting substances.	A shield is not necessary for regulations that are clearly not applicable.
40 CFR 82 Subpart F: §82.270(a)	Stationary source does not manufacture halon.	A shield is not necessary for regulations that are clearly not applicable.
40 CFR 82 Subpart I: §82.304	Stationary source does not sell or distribute any identified banned products.	A shield is not necessary for regulations that are clearly not applicable.
18 AAC 50.055(a)(2), (3), (7), and (8)	No affected emission units within the permitted stationary source.	Regulation was repealed 8/20/2016.
18 AAC 50.055(a)(4), (5), (6), and (9)	No affected emission units within the permitted 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 the permitted 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 the permitted stationary source.	Regulation was repealed 8/20/2016.
18 AAC 50.060 and 50.070	Not an affected emission unit, operation, or industry.	A shield is not necessary for requirements that are clearly not applicable.
18 AAC 50.075	No affected emission units within the permitted stationary source.	A shield is not necessary for requirements that are clearly not applicable.
18 AAC 50.085 and 50.090	Regulations only apply to facilities within the Port of Anchorage.	A shield is not necessary for requirements that are clearly not applicable.

APPENDIX A: CONTESTED ISSUES AND DEPARTMENT'S RESPONSES

Appendix A - Contested Issues and Department's Responses

On January 3, 2024 the Permittee submitted an informal review request contesting Conditions 28.5, 28.8, 28.11, and 29.14.c of the Title V Operating Permit AQ1527TVP01 issued on December 15, 2024. The Department granted the Informal Review and, on June 24, 2024, remanded the issued permit under 18 AAC 15.185(d)(2) for further consideration. Following are details of the relevant permitting actions associated with Operating Permit AQ1527TVP01 issued December 15, 2023, issues raised by Hilcorp, and the Department's responses.

A. Permit Background

Hilcorp applied for an initial Title V Operating Permit on April 3, 2019 as required by Alaska Statute AS 46.14.130(b). The Department issued a draft public notice version of the permit as Draft Permit AQ1527TVP01 on September 17, 2019, with a 30-day public comment period ending October 17, 2019; subsequent revisions to the permit required a second 30-day public notice beginning June 8, 2023 and ending July 10, 2023. Hilcorp submitted public comments during these respective public comment periods on October 22, 2019 and July 10, 2023 in regard to various issues, which were carried into the Department's corresponding Response to Comments (RTC) documents. The proposed permit, statement of basis (SOB), and RTC were submitted to EPA for 45-day review on October 18, 2023 and received no comment. The final permit, SOB, and RTC were issued December 15, 2023.

B. Description of Issues Raised

Hilcorp's informal review submission reiterated comments received during the public comment periods for Conditions 28.5, 28.8, 28.11, and 29.14.c. The Department declined the revisions requested in the comments with reasons for denial provided in the RTC. Hilcorp provided additional information in its informal review submission, including attachments with a Certificate of Conformity for EU ID 4; the October 30, 2015 letter from Steffan M. Johnson (EPA) approving use of an alternative test method for Alyeska Pipeline Service Company; and relevant passages from the Federal Register. The Department's review of Hilcorp's submittal, and the Department's responses, follow below.

C. Regarding Conditions 28.5, 28.8, and 28.11:

Hilcorp Alaska, LLC (Hilcorp) requested the removal of Conditions 28.5, 28.8, and 28.11 in Comment Nos. 15, 19, and 20 of the second public notice. These conditions include emergency engine requirements from 40 CFR 60 Subpart IIII for EU ID 4. Although EU ID 4 is permitted as an emergency engine, it is certified as a non-emergency engine (2008 model year, kW > 560, Tier 2 certified). In accordance with 40 CFR 60.4209(a), "If you are an owner or operator of an emergency stationary CI internal combustion engine that does not meet the standards applicable to nonemergency engines, you must install a non-resettable hour meter prior to startup of the engine." EPA clarified this decision in the rule amendment dated June 28, 2011. EPA stated, "The EPA is making several minor revisions in this rule to correct mistakes in the initial rule or to clarify the rule. The revisions are listed below… Revising the requirement for emergency engines to

install non-resettable hour meters such that emergency engines that meet the requirements for nonemergency engines do not have to install the hour meters."

DEC's denied this request and their response was: "Hilcorp addresses the standards in 40 CFR 1039 Appendix I, which are the same for both emergency and non-emergency engines with the horsepower and model year of EU ID 4. However, Hilcorp does not address the other standards, such as 40 CFR 1039.115, which is a requirement for nonemergency engines with the horsepower and model year of EU ID 4 but not required for emergency engines. Therefore, the condition remains as written in the draft operating permit."

According to the rule, manufacturers are responsible for certifying engines to the applicable requirements of 40 CFR 60 Subpart IIII, including 40 CFR 1039.115 if required. Owners and operators are responsible for purchasing certified engines. As indicated in the public comments, EU ID 4 is certified as a non-emergency engine (2008 model year, kW > 560, Tier 2). The Certificate of Conformity is attached.

1. Review of the requirements of Condition 28.5

Condition 28.5 requires Hilcorp to install a non-resettable hour meter on EU ID 4, prior to startup of the EU, to fulfill the requirements of 40 CFR 60.4209(a). Hilcorp asserts that the requirement to install a non-resettable hour meter prior to the startup of EU ID 4 is not applicable under 40 CFR 60.4209(a), because EU ID 4 is an emergency engine which *is* certified to the standards applicable to nonemergency engines. EPA's July 28, 2011 rule amendment clarifies that the requirement to install an hour meter under 40 CFR 60.4209(a) applies to emergency engines which *are not* certified to nonemergency standards. Therefore, the Department agrees to remove this condition from the Operating Permit.

2. Review of the requirements of Conditions 28.8 and 28.11

Condition 28.8 requires Hilcorp to continue operating EU ID 4 in accordance with the requirements for emergency stationary ICE under NSPS Subpart IIII, in order to continue to be classified as an emergency engine. It also includes requirements for maintaining this status. Condition 28.11 includes annual reporting requirements imposed to verify compliance with Condition 28.8.

Hilcorp asserts that because EU ID 4 is permitted as an emergency engine, but is *certified* as a non-emergency engine, and because the onus for meeting certification requirements falls upon the manufacturer, that these conditions are not applicable. The Department disagrees. Regardless of the certification status of a particular engine, the Department understands the requirements of 40 CFR 60.4211 to refer to the manner in which the EU is *operated*, not to the manner in which it is certified, with respect to emergency or nonemergency status (in contrast to 40 CFR 60.4209(a) discussed above, in which the Subpart specifies requirements for emergency *certified* engines and distinguishes certification from operation). Therefore, the emergency/nonemergency status of an engine is potentially subject to change, and it is incumbent upon Hilcorp to either continue operating EU ID 4 in accordance with the emergency engine requirements, or to

designate the engine as nonemergency and comply with the applicable requirements for nonemergency engines.

The Department also notes that the requirements of 40 CFR 60.4211 specifically state that they are applicable to the *owner or operator* of the engine (not the manufacturer). Therefore, the Department continues to view the requirements of 40 CFR 60.4211(f) (and, thereby, 40 CFR 4214(d)) as an applicable operating requirement for Hilcorp with respect to EU ID 4.

However, the Department acknowledges that it is its practice when writing permits to include as conditions the requirements from such Federal Subparts that are required at the time that the permit is written, rather than what may potentially become required under future circumstances. Conditions 28.8 and 28.11, therefore, are beyond the scope of what is necessary for the Title V Operating Permit, and the Department agrees to remove these conditions.

D. Regarding Condition 29.14.c:

Hilcorp requested that this condition be revised in Comment No. 26 of the first public notice. The condition includes the 40 CFR 60 Subpart KKKK testing requirements and states that the ambient temperature must be greater than 0 °F during the turbine performance test. Hilcorp requested the words "ambient temperature" be changed to "turbine inlet air temperature" in accordance with an EPA approved alternative test method.

DEC's denied this request and their response was "An alternative test method for Alyeska Pipeline Service Company does not apply to Hilcorp. The condition language is from 40 CFR 60.4400(b)(6). ADEC uses the exact language of NSPS and NESHAP subparts whenever possible when including the requirements in the operating permit to prevent inadvertently changing the requirements of a subpart and to more efficiently draft operating permit conditions. The condition remains as written in the draft operating permit."

As stated in the EPA approved alternative test method issued to Alyeska Pipeline Service Company on December 30, 2015, "Since this alternative method could be applicable to other similar facilities subject to the requirement found in 40 CFR 60.4400(b)(6), we will be posting this letter on our website at http://www.epa.gov/ttr/emc/aproalt.html so that after the date of this letter other interested parties may make use of this alternative method. A copy of the letter and formal rulemaking for this alternative test method (i.e., Alt-113) are attached.

1. Review of the requirements of Condition 29.14.c

Condition 29.14 contains requirements for NOx performance tests required to demonstrate compliance with 40 CFR 60.4415, Subpart KKKK. 29.14.c requires the test to be performed when ambient temperatures are greater than 0 °F. Hilcorp asserts that the alternative test method (ATM) ALT-113 is applicable to their stationary source, and thus, the language of the condition should be changed to allow testing when the turbine inlet air temperature (rather than the ambient air temperature) is greater than 0 °F.

As stated in the RTC, the Department generally transcribes Federal requirements into Operating Permit conditions as close as practicable to verbatim; and in most cases, does not presume that

an ATM approved by EPA for use at one stationary source would necessarily be approved for use at another. However, in this case, EPA has explicitly stated that "other interested parties may make use of" ALT-113 – which Hilcorp pointed out in their informal review request. The Department agrees that ALT-113 would be appropriate for the Milne Point L-Pad stationary source, given its location on Alaska's north slope; and in light of EPA's consent to apply this test method to other similar sources, the Department agrees to revise Condition 29.14.c.

E. Summary of Findings and Decision

Based on reviews of the contested decision, the information provided in the informal review request, as well as the relevant background information, permit records, and the rationale provided above, the Department has made the revisions below:

1. For Conditions 28.5, 28.8, and 28.11, the Department agrees to Hilcorp's request to remove these Conditions.
2. For Condition 29.14.c, the Department agrees to Hilcorp's request to revise these Conditions; changing "ambient temperature" to "turbine inlet air temperature".