

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

[EPA Proposed - April 02, 2026]

Cordova Electric Cooperative

Orca Power Plant

**STATEMENT OF BASIS
for the terms and conditions of
Permit No. AQ0221TVP05**

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INTRODUCTION

This document sets forth the statement of basis for the terms and conditions of Operating Permit No. AQ0221TVP05.

STATIONARY SOURCE IDENTIFICATION

Section 1 of Operating Permit No. AQ0221TVP05 contains information on the stationary source as provided in the Title V permit application.

The Orca Power Plant is owned and operated by Cordova Electric Cooperative (CEC) and CEC is the Permittee for the stationary source's operating permit. The SIC code for this stationary source is 4911 – Electrical Services. The NAICS code for the stationary source is 221112 – Electric Power Generation.

The stationary source is a diesel-electric generating facility that provides electric power to private, municipal, and industrial customers in the City of Cordova, Alaska. The Orca Power Plant is an area source of hazardous air pollutants (HAP) located in a remote area of Alaska because: (1) the only connection to the Federal Aid Highway System (FAHS) is through the Alaska Marine Highway System (AMHS); (2) more than 10 percent of the power generated is used for residential purposes; and (3) the generating capacity of this source is less than 12 megawatts.

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 C.F.R. 71.5(c)(3).

The emissions units at the Orca Power Plant that have specific monitoring, recordkeeping, and reporting requirements are listed in Table 1 of Operating Permit No. AQ0221TVP05.

Table 1 of Operating Permit No. AQ0221TVP05 contains information on the emissions units regulated by this 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 as indicated in the application and revised by the Department for the Orca Power Plant is shown in the table below.

Table A – Emissions Summary, in Tons Per Year (TPY)

Emissions	NO _x	CO	PM ₁₀	SO ₂	VOC	CO _{2e} ¹	HAPs	Total ²
PTE	248	61.16	4.52	0.21	8.03	10,584.33	4.77E-03	321.93
Assessable PTE	248	61.16	4.52	0.21	8.03	0	0	321.93

¹ "Potential to Emit" or "PTE", as defined in AS 46.14.990(22), 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.

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.
3. HAP emissions are a subset of either VOC emissions or PM₁₀ emissions and are excluded from the assessable emissions total to avoid double counting.

The assessable PTE listed under Condition 39.1 is the sum of the PTE of each individual air pollutant, other than greenhouse gases (GHGs). The emissions listed in Table A are estimates that are for informational use only. The listing of the emissions does not create an enforceable limit for the stationary source.

For criteria pollutants and GHGs, emissions calculations were provided in Excel file corresponding to Forms D1 & D2 in the application addendum submitted to the Department on January 9, 2025 for the Title V permit renewal and the emissions calculations from Minor Permit No. AQ0221MSS06. The applicant estimated PTE values for NO_x, CO, PM, VOC, and HAPs based on AP-42 emissions factors (EFs) current as of the date of the permit renewal application submittal, vendor supplied EFs, and any allowed emission rates and/or operational limits applicable to emissions units at the stationary source. The applicant estimated potential emissions of SO₂ based on mass balance and allowable fuel sulfur content limits. VOC PTE for the insignificant diesel storage tank (EU ID 7) were calculated using equations found in EPA AP-42 Chapter 7 for estimating VOC emissions (TANKS 4.09d) from storage tanks, provided in the renewal application for Operating Permit No. AQ0221TVP03. For GHG emissions, the applicant estimated CO_{2e} emissions using the EFs found in 40 C.F.R. 98, Subpart C, Tables C-1 and C-2. For HAPs, the applicant used EPA AP-42 EFs from Tables 3.4-3 and 3.4-4. Each individual HAP has a PTE less than 10 TPY with the highest individual HAP (Propylene Oxide) at 4.72 lbs per year. The aggregated HAPs total is 4.77E-03 TPY. Based on these results, the Orca Power Plant is not a major source of HAPs since HAP emissions are less than the thresholds of 10 (individual) / 25 (aggregated) TPY.

BASIS FOR REQUIRING AN OPERATING PERMIT

In accordance with AS 46.14.130(b), an owner or operator of a Title V source² must obtain a Title V permit consistent with 40 C.F.R. 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 CAA;
- Another stationary source designated by the Federal Administrator by regulation.

The Permittee is required to obtain an operating permit for the Orca Power Plant as specified under 18 AAC 50.326(a) and 40 C.F.R. 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,

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)].

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

Permit No. 9422-AA008. On March 29, 1996, the Department issued Permit-to-Operate (PTO) No. 9422-AA008. This permit established ORLs to avoid Prevention of Significant Deterioration (PSD) review. This PTO included all construction authorizations since it was issued before January 18, 1997 (the effective date of the divided Title I/Title V permitting program).

Title I (Construction and Minor) Permits

Permit No. 0022-AC022. The Department issued Construction Permit No. 0022-AC022 to this stationary source on January 31, 2001. The Department established stationary source-specific requirements in this Title I permit to avoid PSD review by limiting the NO_x emissions in EU IDs 1, 2, 5, and 6. In addition, operation restrictions were established for EU IDs 1 – 4 and 10 to protect the Alaska Ambient Air Quality Standards (AAAQS). This permit was subsequently rescinded and replaced by Minor Permit No. AQ0221MSS02 on July 13, 2009.

Minor Permit No. AQ0221MSS02. On December 12, 2008, CEC submitted a minor permit application to authorize the construction and operation of an Electro-Motive Diesel, Inc. (EMD) electric diesel generated rated at 3,580 kW, and included in the NO_x PSD avoidance limit carried over from Construction Permit No. 0022-AC022. The operational restriction from Permit No. 0022-AC022 was carried over to this minor permit. The Department issued Minor Permit No. AQ0221MSS02 to this stationary source on July 13, 2009. This permit was subsequently rescinded and replaced by Minor Permit No. AQ0221MSS03.

Minor Permit No. AQ0221MSS03. On March 1, 2013, CEC submitted a minor permit application to restrict the sulfur content of all diesel fuel burned at the stationary source to 0.0015 percent sulfur by weight (wt%_{Fuel}). As a result, operational restrictions imposed on EU IDs 1 – 4 and 10 were no longer necessary. The Department issued Minor Permit No. AQ0221MSS03 to this stationary source on October 1, 2013. This permit was subsequently rescinded and replaced by Minor Permit No. AQ0221MSS04.

Minor Permit No. AQ0221MSS04. On September 18, 2014, CEC submitted a minor permit application to revise terms and conditions of Minor Permit No. AQ0221MSS03 under 18 AAC 50.508(6). The minor permit modified the NO_x PSD avoidance MR&R by revising the submission requirements for the rolling 12-month NO_x emissions from 45 days after the source test was conducted to 30 days after the source test was approved. This eliminated potential totaling errors because calculations were not required until after the Department had approved the results of the source test. The Department issued Minor Permit No. AQ0221MSS04 to this stationary source on December 3, 2014. This permit was subsequently rescinded and replaced by Minor Permit No. AQ0221MSS05.

Minor Permit No. AQ0221MSS05. On April 18, 2023, CEC submitted a minor permit application to revise terms and conditions of Minor Permit No. AQ0221MSS05 under 18 AAC 50.508(6) due to the catastrophic failure of EU ID 4. The EF for EU ID 4 was replaced with EU ID 4a, and the option to use the most conservative NO_x EF (in lb/hr) for all operating loads to determine emissions was added as an alternative to calculate the NO_x emissions over the 12-

month rolling period since it results in the most conservative emissions total. The Department issued Minor Permit No. AQ0221MSS05 to this stationary source on July 31, 2023. This permit was subsequently rescinded and replaced by Minor Permit No. AQ0221MSS06.

Minor Permit No. AQ0221MSS06. On September 20, 2024, CEC submitted a minor permit application to revise terms and conditions of Minor Permit No. AQ0221MSS05 under 18 AAC 50.508(6). The EFs for EU IDs 2 and 3 were removed and replaced with EFs for the new engines (EU IDs 2a, 3a, and 11). CEC also requested the modification of the NO_x tracking requirements for operation of a kilowatt-hour meter on EU IDs 1, 2a, 3a, 4a, 10, and 11. In addition, an addendum was received on January 3, 2025 pertaining to the engines selected for EU IDs 2a and 11. The stationary source-specific requirements established in this minor permit are included in this renewal operating permit as described in Table B.

Title V Operating Permits

Permit No. AQ0221TVP01. The Department issued initial Operating Permit No. AQ0221TVP01 to CEC on April 14, 2003, to continue operating the Orca Power Plant.

In 2006, CEC installed a nonroad engine (NRE) (Caterpillar XQ2000 (rated 2 MW)) at the Orca Power Plant with the intent of providing temporary power generation capacity to the industries and community served by CEC during the 2006 fishing season. The Department approved the installation and operation of this engine in a letter dated July 21, 2006. In accordance with 18 AAC 50.100, the emissions of a NRE are not considered in determining the classification of a modification. Therefore, the installation of the NRE did not require an air quality construction permit or minor permit. CEC removed the temporary NRE at the end of the 2006 fishing season, and it has not been reinstalled since.

Permit No. AQ0221TVP02. The Permittee submitted an application to renew Operating Permit No. AQ0221TVP01 dated November 9, 2007. The Department issued Operating Permit No. AQ0221TVP02 on December 12, 2008.

- Revision No. 1. On December 12, 2008, CEC requested that the Department administratively amend Operating Permit No. AQ0221TVP02 to incorporate the revisions made in Minor Permit No. AQ0221MSS02. The Department issued this revision to CEC on September 8, 2009.

Permit No. AQ0221TVP03. CEC submitted an application to renew Operating Permit No. AQ0221TVP02 Rev. 1 on February 28, 2013. The Department issued Operating Permit No. AQ0221TVP03 on October 1, 2013.

- Revision No. 1. On September 18, 2014, CEC requested permit revisions under 40 C.F.R. 71.7(e) as well as an integrated review with Minor Permit No. AQ0221MSS04 to incorporate revisions made to Minor Permit No. AQ0221MSS03. The Department issued this revision to CEC on January 26, 2015.

Permit No. AQ0221TVP04. CEC submitted an application to renew Operating Permit No. AQ0221TVP03 Rev. 1 on April 14, 2018. The Department issued Operating Permit No. AQ0221TVP04 on December 12, 2019.

- Revision No. 1. On April 18, 2023, CEC requested that the Department administratively amend Operating Permit No. AQ0221TVP04 to incorporate the revisions made in Minor

Permit No. AQ0221MSS05. The Department issued this revision to CEC on September 21, 2023.

- Revision No. 2. On April 7, 2025, CEC requested that the Department administratively amend Operating Permit No. AQ0221TVP04 to incorporate the revisions made in Minor Permit No. AQ0221MSS06. The Department issued this revision to CEC on June 13, 2025.

Permit No. AQ0221TVP05. CEC submitted an application to renew Operating Permit No. AQ0221TVP04 Revision 1 on June 12, 2024. Additional information for the selection of engines and applicable requirements for EU IDs 2a and 11 was received on January 9, 2025. The Department also incorporated the conditions of Minor Permit No. AQ0221MSS06 that are in effect from AQ0221TVP04 Revision 2. The Department issued Operating Permit No. AQ0221TVP05 on [DATE].

COMPLIANCE HISTORY

The stationary source has operated at its current location since 1984. Review of the permit files for this stationary source, which includes the past inspection reports and compliance evaluations, indicates the stationary source had several violations on procedural aspects of monitoring, reporting, and recordkeeping, as well as violations on excess emissions/permit deviations. As of the processing of this permit, the Permittee has already addressed the compliance issues and taken corrective actions, as stated below.

Review of the most recent Full Compliance Evaluation (FCE) and recent Facility Operating Reports (FORs) indicate a stationary source operating in compliance with the terms and conditions of Air Quality Operating Permit No. AQ0221TVP04 Revision 2 and Alaska Air Quality Control Regulations. There was one procedural violation in the FOR covering July 1, 2025 through December 31, 2025 for EU ID 3 exceeding the annual minimum oil sample requirement (1,000 hours of operation + 30 days, or annually, whichever comes first) when it resumed operation in July 2025 after being out of operation two months prior. CEC implemented a notification into the maintenance system to notify operators to take oil samples on April 15 of each year for all the engines as a corrective action.

APPLICABLE REQUIREMENTS FROM PRECONSTRUCTION PERMITS

Incorporated by reference at 18 AAC 50.326(j), 40 C.F.R. 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:

- Permit 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. AQ0221TVP05.

Table B below lists the requirements carried forward in Operating Permit No. AQ0221TVP05 to ensure compliance with the preconstruction permit requirements.

Table B – Comparison of Minor Permit No. AQ0221MSS06 Conditions to Operating Permit No. AQ0221TVP05 Conditions¹

AQ0221MSS06 Condition No.	Description of Requirement	AQ0221TVP05 Condition No.	How Condition was Revised
Table A	Emissions Unit Inventory	Table 1	Insignificant EUs not included.
Section 2	Fee Requirements	38 through 40	No change.
5	Visible Emissions Standard	1	MR&R specified for EU IDs 2a, 4a, and 11.
6	PM Emissions Standard	5	MR&R specified for EU IDs 2a, 4a, and 11.
7	Sulfur Compound Emissions Standard	9	MR&R specified for EU IDs 2a, 4a, and 11.
8	Protection of the 3-hr, 24-hr, and annual SO ₂ AAAQS	11	<p>Same requirements, except as follows:</p> <p>Condition 11.1 – Replaced “weight percentage sulfur” with “wt%S_{fuel}” and corrected punctuation listing out ASTM approved testing methods.</p> <p>Condition 11.3 – Revised to “Include in each operating report required by Condition 62, a list of all fuel grades recorded under Condition 11.1 during the reporting period.” to improve flow.</p> <p>Condition 11.4 – Revised to “...if the fuel sulfur content of any fuel shipment recorded under Condition 11.1...” for clarity.</p> <p>Referenced conditions pertaining to operating report and excess emissions/permit deviation.</p>
9	Protection of the annual NO ₂ AAAQS	12	No change.
10	ORL to avoid 18 AAC 50.502(c)(3)(A) classification for EU ID 10.	13	No change.

<p>11 and 12</p>	<p>248 TPY NO_x ORL to avoid classification as a PSD major stationary source.</p>	<p>14 and 15</p>	<p>Same requirements, except as follows:</p> <p>Condition 14.3 through 14.8 (throughout) – Added “calendar” in front of “month” for clarity and replaced “electric kilowatt hours” with “ekW-hr”, abbreviation already spelled out in Condition 14.1.</p> <p>Condition 14.5 – Revised to “No later than the end of each calendar month, calculate and record the rolling 12-month total NO_x emissions from each of EU IDs 1, 2a, 3a, 4a, 10, and 11 by using the emissions factors shown in Table 2 (or as superseded in Condition 15) and multiplying the previous calendar month’s rolling 12-month ekW-hr total calculated under Condition 14.3.b for each engine.” for clarity.</p> <p>Condition 14.7 – Revised to “Include each operating report required by Condition 62, the monthly and rolling 12-month total NO_x emissions from each of EU IDs 1, 2a, 3a, 4a, 10, and 11, obtained in Conditions 14.5 and 14.6.” to clarify that monthly and rolling 12-month total NO_x emissions are calculated in Conditions 14.5 and 14.6 (Conditions 11.5 and 11.6 of the minor permit).</p> <p>Condition 14.8 – Revised to “Report as excess emissions and/or permit deviation in accordance with Condition 61 if the rolling 12-month NO_x emissions calculated under Condition 14.6 exceeds the limit in Condition 14, or if any of the requirements in Conditions 14.1 through 14.7 are not met.” to improve flow and to correct cross-reference when EE/PD reporting is required for the rolling 12-month total NO_x emissions.</p> <p>Referenced conditions pertaining to operating report and excess emissions/permit deviation.</p>
<p>Section 6</p>	<p>Federal requirements</p>	<p>None</p>	<p>Not carried over, requirements addressed in operating permit.</p>

Note:

1. This table does not include all standard and general conditions.

NON-APPLICABLE REQUIREMENTS

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

- **40 C.F.R. 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.
- **40 C.F.R. 68 Chemical Accident Prevention Provisions:** The Risk Management Plan (RMP) requirements do not apply because the stationary source has no threshold quantities of a regulated substance used in a process as defined in 40 C.F.R. 68.10.
- **Good Air Pollution Control Practices (18 AAC 50.346(b)(5), State GAPCP):** All significant emissions units at the stationary source are subject to Federal GAPCP requirements under 40 C.F.R. 60 Subpart IIII and 40 C.F.R. 63 Subpart ZZZZ.

STATEMENT OF BASIS FOR THE PERMIT CONDITIONS

The Department adopted regulations from 40 C.F.R. 71, as specified in 18 AAC 50.040(j), to establish operating permit regulations. The EPA fully approved the Alaska Operating Permit Program on November 30, 2001, as noted in Appendix A to 40 C.F.R. 70. This Statement of Basis, required under 40 C.F.R. 71.11(b), provides the legal and factual basis for each condition of Operating Permit No. AQ0221TVP05. Additionally, and as required by 40 C.F.R. 71.6(a)(1)(i), the state and federal regulations for each permit condition are cited in the permit. Nothing in the permit supersedes the Federal rule language in places where the Department may seek to improve clarity or readability by paraphrasing rule text.

Conditions 1, 2 through 4, Visible Emissions Standard and MR&R

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

- 18 AAC 50.055(a) applies to the operation of fuel-burning equipment and industrial processes. EU IDs 1, 2a, 3a, 4a, 10, and 11 are fuel-burning equipment.

U.S. EPA approved the addition of these standards to the SIP, as noted in 40 C.F.R. 52.70. The Department included permit conditions for MR&R as required by 40 C.F.R. 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 (for liquid fuel-burning equipment) of the permit. These conditions have been adopted into regulation as Standard Permit Condition (SPC) IX – Visible Emissions and Particulate Matter Monitoring Plan for Liquid Fuel-Burning Equipment and Flares.

The Department has determined that the standard conditions adequately meet the requirements of 40 C.F.R. 71.6(a)(3). No additional emissions unit or stationary source operational or compliance factors indicate that unit-specific or stationary-source-specific

conditions would better meet the requirements. Therefore, the Department concludes that the standard conditions meet the requirements of 40 C.F.R. 71.6(a)(3).

The Permittee must establish by visual observations of emissions unit exhaust, which may be supplemented by other means (e.g., a defined stationary source operation and maintenance program), that the stationary source is in continuous compliance with the state emission standards for visible emissions.

These conditions detail a stepwise process for monitoring to determine compliance with the state's visible emissions standard for liquid fuel-burning equipment. Equipment types covered by these conditions are stationary 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 either through maintenance programs and/or more rigorous tests that will quantify whether a specific emission standard has been exceeded.

Liquid Fuel-Burning Equipment:

Monitoring – The emissions unit exhaust must be observed by either the Method 9 Plan or the Smoke/No Smoke 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.

Recordkeeping – The Permittee is required to record the results of all observations of emissions unit exhaust 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 deviations from permit conditions. The Permittee is also required to include in the operating report a statement of which visible emissions plan was used for each emissions unit and copies of the results of all visible emission observations.

Conditions 5 and 6 through 8, PM 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, 2a, 3a, 4a, 10, and 11 are fuel-burning equipment.

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

Factual Basis: Condition 5 prohibits emissions in excess of the applicable state PM standard. MR&R requirements are listed in Conditions 6 through 8 of the permit. These conditions have been adopted into regulation as SPC IX. The Department has modified these conditions, as follows:

- Modified reporting of exhaust stacks within 30 days of the issuance of the permit instead of upon startup in Condition 7.1 for EU ID 3a, since it has already been installed and is operating.

Beyond as noted above, the Department has determined that the standard conditions adequately meet the requirements of 40 C.F.R. 71.6(a)(3). No additional emissions unit or stationary source operational or compliance factors indicate that unit-specific or stationary-source-specific conditions would better meet the requirements. Therefore, the Department concludes that the standard conditions, as modified, meet the requirements of 40 C.F.R. 71.6(a)(3).

Liquid Fuel-Burning 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 PM source tests and visible emissions observations conducted during the source tests.

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

Conditions 9 and 10, Sulfur Compound Emissions Standard and MR&R

Legal Basis: This condition requires compliance with the sulfur compound emissions standard 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, 2a, 3a, 4a, 10, and 11 are fuel-burning equipment.

The sulfur compound standard applies because it is contained in the federally-approved SIP. The Department included permit conditions for MR&R as required by 40 C.F.R. 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 EU IDs 1, 2a, 3a, 4a, 10, and 11, to protect the SO₂ ambient air quality standards, the Permittee is required to limit sulfur contents of diesel fuel burned in the emissions units to concentrations lower than necessary, as shown in Condition 11. Therefore, the MR&R requirements in Condition 10 for compliance with the state SO₂ standard in Condition 9 have been streamlined based on the more stringent fuel sulfur content limit of 0.0015 percent by weight rather than have two sets of MR&R.

Beyond as noted above, the Department has determined that the standard permit conditions adequately meet the requirements of 40 C.F.R. 71.6(a)(3). No additional emissions unit or stationary source operational or compliance factors indicate the unit-specific or stationary-source-specific conditions would better meet the requirements. Therefore, the Department concludes that the standard conditions, as modified, meet the requirements of 40 C.F.R. 71.6(a)(3).

Conditions 11 through 15, 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 (PTO) 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 (ORLs) established under 18 AAC 50.225. These requirements include Best Available Control Technology (BACT), 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:

Conditions 11 and 12 are ambient air quality protection requirements for SO₂ and NO₂ originally established in Construction Permit No. 0022-AC022 and carried over into Minor Permit AQ0221MSS06 as Conditions 8 and 9. The ambient air quality protection requirements were imposed by the Department in lieu of modeling, which were revised in subsequent Title I permits. They limit the amount of emissions from EU IDs 1, 2a, 3a, 4a, 10,

and 11. Because the existing NO_x PSD avoidance limit is more stringent than Condition 7 in Minor Permit No. AQ0221MSS02, the NO₂ AAAQS is protected through the NO_x avoidance limit in Condition 14. The SO₂ AAAQS is protected with the requirement to fire ULSD at the stationary source.

Condition 13 is an ORL. In the application for Minor Permit No. AQ0221MSS02, the Permittee requested that sulfur content of the fuel for EU ID 10 be limited to ultra-low sulfur diesel (ULSD) (15 ppm, or 0.0015 wt%_{S_{fuel}}). This restriction limited the increase in PTE to less than 10 TPY of SO₂ to avoid permit classification under 18 AAC 50.502(c)(3)(A). This ORL has been carried over into Minor Permit AQ0221MSS06 as Condition 10.

Conditions 14 and 15 are PSD avoidance limits for NO_x established in Permit to Operate No. 9422-AA008. Conditions requiring source testing and tracking of NO_x emissions are included from Construction Permit No. 0022-AC022. These conditions contain requirements to monitor daily fuel consumption and calculate daily NO_x emissions. The Permittee requested that EU ID 10 be included under operational limits established by the Department in Permit No. 0022-AC022 to avoid ambient modeling. Minor Permit No. AQ0221MSS02 and Operating Permit No. AQ0221TVP02 Rev. 1 revised the permit to include NO_x emissions from EU ID 10 in this limit. This limits source-wide emissions of NO_x. Therefore, the source remains under the PSD threshold of 250 TPY. These limits have been carried over into Minor Permit No. AQ0221MSS06 as Conditions 11 and 12.

These conditions contain a 248 TPY limit on NO_x emissions on a rolling 12-consecutive month basis from the generator engines (EU IDs 1, 2a, 3a, 4a, 10, and 11), and requirements to monitor, record, and report hours of operation and daily production of energy (ekW-hr) for each of the generators, calculate the average daily load, calculate the NO_x emissions using vendor data for EU IDs 1, 2a, 3a, 4a, 10, and 11 or source testing under Condition 15, and report the daily average, monthly, and rolling 12-month total NO_x emissions to determine compliance with the 250 TPY PSD threshold. The remaining 2 TPY of NO_x is allocated to the insignificant units.

Condition 15 requires NO_x emissions testing on EU IDs 1, 2a, 3a, 4a, 10, and 11 if the 12-month rolling total NO_x emissions obtained in accordance with Condition 14.6 exceeds 225 tons to verify the EFs in Table 2, with source test EFs succeeding the vendor data. Along with data on engine operating time and daily energy production, these EFs will be used to calculate NO_x emissions and compliance with the 248 TPY of NO_x limit, as specified in Condition 14.

Condition 16, Insignificant Emissions Units

Legal Basis: The Permittee is required to meet the state emission standards in 18 AAC 50.055 for all industrial processes and fuel-burning equipment regardless of size. 18 AAC 50.050(a) and 50.055 are contained in the federally-approved SIP. The Department also added permit conditions for MR&R as required by 40 C.F.R. 71.6(a)(3) & 71.6(c)(1).

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 with the state emission standards. However, the Permittee may not cause or

allow insignificant emissions 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 emissions units at this stationary source do not require specific monitoring, recordkeeping, and reporting to ensure compliance under these conditions.

Condition 16.4.a requires certification that the insignificant emissions units did not exceed state emission standards during the previous year and did not emit any prohibited air pollution, based on reasonable inquiry.

The Department used the language in SPC V, adopted by reference under 18 AAC 50.346(b)(4), for the permit condition.

Conditions 17 and 18, NSPS Subpart A Requirements

Legal Basis: The EPA approved Alaska’s Part 70 Program granted on November 30, 2001 (40 C.F.R. 70 Appendix A). The Department is the permitting authority for the Part 70 program. As the permitting authority, the Department requires compliance with all permit conditions. Although the EPA has not delegated to the Department the authority to administer the New Source Performance Standard (NSPS) program, NSPS requirements are included in the definition for “applicable requirement” under 40 C.F.R. 71.2, which has been adopted by the Department under 18 AAC 50.040(j)(1).

The NSPS provisions under Subpart IIII apply to the stationary source. Therefore, the Department requires compliance with those standards in a Part 70 permit issued under the approved program. However, the Department is unable to change the actual wording of the relevant standard to substitute “the Department” for “the Administrator” in those standards. Since the Department expects access to any permit-related information provided by the Permittee to the EPA, the Department will act on its responsibility as the permitting authority to determine compliance with the standard. To reflect this relationship and for the purposes of this permit, the Department has defined “the Administrator” to mean the “EPA and the Department” for conditions implementing the federal emission standards under Section 4.

Most affected facilities (with the exception of some storage tanks) subject to an NSPS are subject to Subpart A. At this stationary source, EUs ID 2a, 10, and 11 are subject to NSPS Subpart IIII and therefore subject to Subpart A as specified in Table 8 to Subpart IIII.

Conditions 17.1 through 17.3 – The Permittee has already complied with the notification requirements in 40 C.F.R. 60.7(a)(1)-(4) for EU ID 10. However, the Permittee is still subject to these requirements in the event of a new NSPS affected facility³ or a modification or reconstruction of an existing facility⁴ into an affected facility.

Condition 17.4 – The requirements to notify the EPA and the Department of any proposed replacement of components of an existing facility (40 C.F.R. 60.15) apply in the event that

³ “Affected facility” means, with reference to a stationary source, any apparatus to which a standard applies, as defined in 40 C.F.R. 60.2.

⁴ “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 C.F.R. 60.2.

the fixed capital cost of the new components exceeds 50 percent of the fixed capital cost that would be required to construct a comparable entirely new facility.

Condition 18 – Concealment of emissions prohibitions in 40 C.F.R. 60.12 are applicable to EU IDs 2a, 10, and 11.

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.

Conditions 19 through 23, NSPS Subpart III Requirements

Legal Basis: NSPS Subpart III applies to stationary compression ignition internal combustion engines (CI ICE) that commence construction, modification, or reconstruction after July 11, 2005 where the stationary CI ICEs are manufactured after April 1, 2006 for non-fire pump engines and manufactured as a certified National Fire Protection Association (NFPA) fire pump engine after July 1, 2006 for fire pump engines.

EU IDs 2a, 10 and 11 are non-emergency CI ICE. These EUs meet the applicability criteria of Subpart III under 40 C.F.R. 60.4200(a)(2)(i).

Factual Basis: These conditions incorporate the Subpart III emissions standards applicable to EU IDs 2a, 10, and 11. The Permittee may not cause or allow these emissions units to violate these standards. These conditions also provide MR&R specifically called out for the EUs within the Subpart. The Permittee is required to operate and maintain the stationary CI ICE according to the manufacturer's written instructions and change only those settings that are permitted by the engine manufacturer, unless complying with Condition 22.2, in which the performance testing provisions in 40 C.F.R. 60.4211(g) & 60.4212 will apply.

Emission standards that apply to Subpart III-affected CI ICE depend on several factors, including, but not limited to, the unit's purpose (whether emergency or non-emergency), model year, displacement in liters/cylinder (L/cyl), and location. Some of this information is provided in Table 1 of the permit.

The stationary source location meets the definition of "remote Alaska" in 40 C.F.R. 60.4219. Consequently, 40 C.F.R. 60.4216(c) allows the Permittee to comply with the applicable emission standards for emergency engines in 40 C.F.R. 60.4202 & 60.4205, and not those for non-emergency engines in 40 C.F.R. 60.4201 & 60.4204, whether the unit is operated as emergency or non-emergency CI ICE. The Permittee has opted to use this provision for EU ID 2a. For EU IDs 10 and 11, the Permittee chooses to comply with the non-emergency standards in 40 C.F.R. 60.4201 & 60.4204.

EU ID 2a is subject to EPA Tier 2 for new CI engines specified in Table 2 to 40 C.F.R. 1039 Appendix I (Condition 21.1). EU ID 10 is subject to EPA Tier 2 for new marine CI engines as specified in Table 2 to 40 C.F.R. 1042 Appendix I (Condition 21.2). EU ID 11 is subject to EPA Tier 4i for generator sets > 900 kW (Condition 21.3), as specified in Table 7 to 40 C.F.R. 1039.102.

EU IDs 2a and 10 do not need and are not equipped with diesel particulate filter to comply with the applicable PM standards. However, for EU ID 11, the provisions regarding diesel

particulate filter in 40 C.F.R. 60.4209(b) & 60.4214(c) are included as Condition 22.3, since the EU is equipped with a diesel particulate filter to comply with the applicable emission standards in 40 C.F.R. 60.4204 (i.e., the PM standard for EPA Tier 4 Interim).

Pursuant to 40 C.F.R. 60.4216(d), the provisions of 60.4207 (fuel requirements) do not apply to EU IDs 2a, 10, and 11 because these EUs are pre-2014 model year CI ICE located in a remote area of Alaska (defined in 40 C.F.R. 60.4219). In addition, the used fuel provisions in 40 C.F.R. 60.4216(f) are not included because EU IDs 2a, 10, and 11 are subject to a more stringent fuel sulfur content limit of 0.0015 wt% S_{fuel} in Condition 11.

The NSPS Subpart IIII GAPCP requirements provided in 40 C.F.R. 60.4211(a), as reflected in Condition 20, suffices the State GAPCP requirement under 18 AAC 50.346(b)(5). MR&R requirements are provided in Conditions 22 and 23.

40 C.F.R. 60.4214 contains notification, reporting, and recordkeeping requirements of NSPS Subpart IIII. In accordance with Table 8 to NSPS Subpart IIII and 40 C.F.R. 60.4214(a)(2), owners and operators of non-emergency stationary CI ICE that have a displacement of greater than or equal to 10 liters per cylinder must keep records of the information specified in 40 C.F.R. 60.4214(a)(2)(i)-(iv). The information specified include the following: all notifications to comply with this subpart and all documentation supporting any notification; maintenance conducted on the engine; if the stationary CI internal combustion is a certified engine, documentation from the manufacturer that the engine is certified to meet the emission standards; and if the stationary CI internal combustion is not a certified engine, documentation that the engine meets the emission standards. EU ID 10 is an engine with displacement greater than or equal to 10 liters per cylinder. Consequently, the Department has included these requirements for EU ID 10 in Condition 22.4.

Condition 23.1 requires that the Permittee submit the results of performance tests required under NSPS Subpart IIII within 60 days after the date of completing the performance test, in accordance with C.F.R. 60.4214(f). Condition 23.2 provides the option for the Permittee to assert a claim of EPA system outage or force majeure for failure to timely comply with electronic reporting requirements, in accordance with 40 C.F.R. 60.4214(h) & (i).

Condition 23.3 provides an option for the Permittee to maintain records that are required to be maintained by NSPS Subpart IIII and that are submitted electronically via EPA's CEDRI, in an electronic format, in accordance with 40 C.F.R. 60.4214(j). The provisions of 40 C.F.R. 60.4214(f) & (h)-(j) in Condition 23 apply any time performance testing is triggered in Condition 22.2.

The provisions of NSPS Subpart IIII listed in Conditions 19 through 23 are current as amended through August 30, 2024. Should EPA promulgate revisions to this subpart, the Permittee shall be subject to the revised final provisions as promulgated and not the superseded provisions summarized in these conditions.

Condition 24, NESHAP Subpart A Requirements

Legal Basis: Most sources subject to National Emission Standards for Hazardous Air Pollutants (NESHAP) requirements are subject to NESHAP Subpart A. This stationary source is subject to 40 C.F.R. 63 Subpart ZZZZ and therefore is subject to the general provisions of Subpart A as specified in the provisions for the applicability of NESHAP Subpart A in Table 8 to NESHAP Subpart ZZZZ.

Factual Basis: Subpart A contains the general requirements applicable to all affected sources subject to NESHAP. In general, the intent of NESHAP is to regulate specific categories of stationary sources that emit or have the potential to emit one or more hazardous air pollutants.

Conditions 25 through 29, NESHAP 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), whose construction commenced before June 12, 2006, located at major and area sources of HAP emissions, excluding stationary RICE units being tested at a stationary RICE test cell/stand.

Orca Power Plant is an area source that owns and operates RICE units, EU IDs 1, 3a, and 4a, subject to NESHAP Subpart ZZZZ. EU IDs 2a, 10, and 11 also meet the criteria for new stationary RICE subject to NESHAP Subpart ZZZZ, per 40 C.F.R. 63.6590(a)(2)(iii); however, per 40 C.F.R. 63.6690(c)(1), compliance with the requirements of Subpart ZZZZ for the new stationary RICE units, EU IDs 2a, 10, and 11, is achieved by meeting the requirements of 40 C.F.R. 60 Subpart IIII (Conditions 19 through 22) and no further requirements apply under NESHAP Subparts A and ZZZZ.

Factual Basis: Orca Power Plant is located in an area of Alaska that is accessible by the FAHS only through the AMHS. Per 40 C.F.R. 63.6603(b)(2), existing non-emergency compression ignition (CI) RICE rated greater than 300 hp (as in the case of EU IDs 1, 3a, and 4a located in areas of Alaska whose only connection to FAHS is through the AMHS, with more than 10 percent of the power is used for residential purposes, and the generating capacity is less than 12 megawatts do not have to meet the numerical CO emission limitations (therefore, no operational limitations apply as well) under Subpart ZZZZ but must meet the work and management practices for stationary non-emergency CI RICE with a rating of less than or equal to 300 hp under Table 2d item 1, provided in Condition 27.

For EU IDs 1, 3a, and 4a, the Permittee is required to perform inspections and maintenance at intervals specified by the subpart (see Conditions 27.1 through 27.4); The NESHAP Subpart ZZZZ GAPCP requirements, as reflected in Condition 26, suffices the State GAPCP requirement under 18 AAC 50.346(b)(5).

The Permittee must comply with the recordkeeping requirements of 40 C.F.R. 63.6655(e), 63.6625(i), & 63.6660, as set out in Condition 28. The reporting requirements are provided in Condition 29. The Permittee is required to include reports of deviations from NESHAP Subparts A and ZZZZ requirements with the semiannual operating reports, per 40 C.F.R. 63.6650(f).

The Permittee is exempt from the subpart's fuel requirements per 40 C.F.R. 63.6604(d), and from the notification requirements per 40 C.F.R. 63.6645(a)(5), since none of the affected emissions units are subject to numerical emission standards.

The provisions of NESHAP Subpart ZZZZ listed in Conditions 24 through 29 are current as amended through August 30, 2024. Should EPA promulgate revisions to this subpart, the Permittee shall be subject to the revised final provisions as promulgated and not the superseded provisions summarized in these conditions.

Condition 30, Asbestos NESHAP

Legal Basis: The requirements of 40 C.F.R. 61 are applicable requirements for Title V permitting purposes, as stated in item 4 of the “applicable requirement” definition under 40 C.F.R. 71.2. The condition requires the Permittee to comply with asbestos demolition or renovation requirements in 40 C.F.R. 61, Subpart M and associated general provisions under Subpart A, as adopted by reference under 18 AAC 50.040(b)(1) & (2)(F). The asbestos demolition and renovation requirements apply if the Permittee engages in asbestos demolition or renovation. ADEC received delegation for §61.145 & §61.154 of Subpart M (Asbestos), along with other sections and appendices which are referenced in §61.145, as §61.145 applies to sources required to obtain an operating permit under Alaska's regulations. ADEC has not received delegation for Subpart M for sources not required to obtain an operating permit under Alaska's regulations.

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.

Conditions 31 through 33, Protection of Stratospheric Ozone, 40 C.F.R. 82

Legal Basis: The requirements of 40 C.F.R. 82 are applicable requirements for Title V permitting purposes, as stated in item 12 of the “applicable requirement” definition under 40 C.F.R. 71.2.

Condition 31 requires compliance with the applicable requirements in 40 C.F.R. 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 C.F.R. 82, Subpart F.

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

Factual Basis: These conditions incorporate applicable 40 C.F.R. 82 requirements. 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 require compliance with this federal regulation.

Condition 34, NESHAP Applicability Determinations

Legal Basis: This condition requires the Permittee to determine NESHAP rule applicability and requires record keeping for those determinations if required by the source classification.

Factual Basis: The Permittee has conducted an analysis of the stationary source and determined that it is not a major HAPs stationary source based on emissions. This condition requires the Permittee to notify the Department and EPA if the stationary source becomes an affected source subject to a standard promulgated by EPA under 40 C.F.R. 63, comply with

any NESHAP standard that becomes applicable to the source by the compliance date established in the applicable subpart, and to keep records of applicability determinations and make those records available to the Department.

Conditions 35 through 37, Standard Terms and Conditions

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

Factual Basis: These are standard conditions that apply to all permits.

Condition 38, Administration Fees

Legal Basis: This condition requires compliance with the applicable fee requirements in 18 AAC 50.400-403. As stated in 18 AAC 50.326(j)(1), the provisions of 18 AAC 50.400 through 50.430 are applicable and 40 C.F.R. 71.9 is not applicable.

Factual Basis: Paying administration fees is required as part of obtaining and holding a permit with the Department or as a fee for a Department action. The regulations in 18 AAC 50.400-403 specify the amount, payment period, and the frequency of fees applicable to a permit action.

Conditions 39 and 40, Emission Fees

Legal Basis: These conditions require compliance with the applicable fee requirements in 18 AAC 50.410-420. 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 C.F.R. 71.9 is not applicable.

Factual Basis: Except as noted in the last paragraph, the Department used the language in SPC I, adopted by reference under 18 AAC 50.346(b), for the permit. SPC I requires 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.

SPC I also allows the Permittee to recalculate the stationary source's 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 must be based on actual emissions 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.

The Department has modified Condition 39 by deleting the phrase "in quantities 10 tons per year or greater" to match the revision made in 18 AAC 50.410, effective September 7, 2022. Beyond as noted, the Department has determined that the standard conditions adequately meet the requirements of 40 C.F.R. 71.6(a)(3).

Condition 41, Dilution

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

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

Condition 42, 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. 18 AAC 50.045 is included in the SIP approved by EPA and, therefore, is an applicable requirement, per 40 C.F.R. 71.2.

Factual Basis: The Department used the language in SPC 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 43, Stack Injection

Legal Basis: This condition reiterates 18 AAC 50.055(g), which 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). 18 AAC 50.055 is included in the SIP approved by EPA and, therefore, is an applicable requirement, per 40 C.F.R. 71.2.

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 verified by inspections, because the emissions unit or stack would need to be modified to accommodate stack injection.

Condition 44, Air Pollution Prohibited

Legal Basis: This condition requires compliance with 18 AAC 50.110. 18 AAC 50.110 is included in the SIP approved by EPA and, therefore, is an applicable requirement, per 40 C.F.R. 71.2. 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 C.F.R. 71.6(a)(3) & 71.6(c)(1).

Factual Basis: The Department used the language in SPC 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 45, Technology-Based Emission Standard

Legal Basis: The Permittee is required to take reasonable steps to minimize emissions if unavoidable emergency, malfunction, or non-routine repair 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 61. Excess emission reporting under Condition 61 requires information on the steps taken to minimize emissions. Monitoring of compliance for this condition consists of the report required under Condition 61.

Condition 46, Open Burning

Legal Basis: The condition requires the Permittee to comply with the regulatory requirements in 18 AAC 50.065 when conducting open burning at the stationary source. 18 AAC 50.065 is included in the SIP approved by EPA and, therefore, is an applicable requirement, per 40 C.F.R. 71.2. The 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-info>. Condition 46.1 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. Compliance is demonstrated through annual certification required under Condition 63.

Condition 47, 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) & 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). Compliance is demonstrated through the submission of the required source test plan and report.

Conditions 48 through 50, Operating Conditions, Reference Test Methods, Excess Air Requirements

Legal Basis: Conditions 48 and 50 require compliance with the applicable requirements in 18 AAC 50.220(b) & (c)(3), which are included in the SIP approved by EPA. Condition

49 specifies source test methods, as required by 40 C.F.R. 71.6(a)(3)(i) & 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 48 through 50.

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

Condition 51, 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 52 through 55, Test Deadline Extension, Test Plans, Notifications and Reports

Legal Basis: Condition 52 contains the requirement in 18 AAC 50.345(l), while Conditions 53 through 55 require compliance with the applicable requirements in 18 AAC 50.345(m)-(o). The requirements in 18 AAC 50.345(l)-(o) are included in the SIP approved by the EPA. These requirements constitute standard conditions that must be included in each operating permit, as specified in 18 AAC 50.345(a). Additionally, 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 56, 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 57, Recordkeeping Requirements

Legal Basis: This condition requires the Permittee to keep records in accordance with 40 C.F.R. 71.6(a)(3)(ii), which the Department adopted by reference under 18 AAC 50.040(j)(4). It also incorporates the general NSPS recordkeeping requirement under 40 C.F.R. 60.7(f), which the Department adopted by reference under 18 AAC 50.040(a)(1).

Factual Basis: The condition restates the regulatory requirements for recordkeeping, and supplements the recordkeeping defined for specific conditions in the permit. The records being kept provide evidence of compliance with this requirement.

40 C.F.R. 60.7(f) requires records retention for at least two years of the measurements required to be maintained by this Part while 40 C.F.R. 71.6(a)(3)(ii) requires at least five years of records retention. The five-year records retention requirement in Condition 57 satisfies both 40 C.F.R. 60.7(f) & 40 C.F.R. 71.6(a)(3)(ii).

Condition 58, Certification

Legal Basis: All operating permits must contain a requirement to certify permit applications, reports, affirmations, or compliance certification, per 18 AAC 50.345(j). The requirement is a part of the SIP approved by EPA.

Factual Basis: The Department used the language in SPC XVII, adopted by reference under 18 AAC 50.346(b)(10), for the permit condition. The requirement in 18 AAC 50.345(j) is a standard condition that must be included in each operating permit, as specified in 18 AAC 50.345(a). 18 AAC 50.345(j) allows the excess emissions reports to be certified with the operating report. However, the Department reminds the Permittee that excess emissions reports must be submitted according to the applicable deadline given in Condition 61 and must not be withheld from the Department until the deadline for submittal of an operating report. This condition supplements the reporting requirements of this permit. The certification statement through electronic signature and options for submittal provide paperless options for reporting without compelling Permittees to any specific means of submission.

Condition 59, Submittals

Legal Basis: This condition applies because the Permittee is required to send reports to the Department and supplements the standard reporting and notification requirements of this permit.

Factual Basis: The Department used the language in SPC XVII, adopted by reference under 18 AAC 50.346(b)(10), for the permit condition. This condition lists the Department's appropriate address for reports and written notices. This condition states that the Department requires one certified copy of submitted reports (except as otherwise required by the Department or other conditions of the permit) and provides an allowance for either electronic or hard copy document submittals. The condition also directs the Permittee to refer to the submission instructions on the Department's Standard Permit Conditions webpage for additional information regarding document submittals (e.g., the appropriate Department address).

Condition 60, 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 61 and Section 12, Excess Emission and Permit Deviation Reports and Notification Form

Legal Basis: This condition requires the Permittee to comply with the requirements in 18 AAC 50.235(a)(2) & 18 AAC 50.240(c). 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.

Except as noted in the last paragraph, the Department used the language in SPCs III and IV, adopted by reference under 18 AAC 50.346(b)(2), for the permit condition. The Department used the Notification Form in SPC IV adopted by reference under 18 AAC 50.346(b)(3), for the notification requirements (see Section 12).

The Department has modified Condition 61.3 and the Notification Form in Section 12 to reflect the electronic submittal requirements in 18 AAC 50.270 using the Department's online form to submit notification of excess emissions and permit deviations beginning September 7, 2023. The electronic notification form is 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. Submittal through other methods may be allowed only upon written Department approval. Beyond as noted, the Department has determined that the standard conditions adequately meet the requirements of 40 C.F.R. 71.6(a)(3).

Condition 62, Operating Reports

Legal Basis: The condition specifies reporting requirements as required by 40 C.F.R. 71.6(a)(3)(iii)(A) which the Department has adopted by reference under 18 AAC 50.040(j)(4).

Factual Basis: The Department used the language in SPC VII, adopted by reference under 18 AAC 50.346(b)(6), for the permit condition. The condition restates the requirements for reports listed in regulation. The condition supplements the specific reporting requirements identified elsewhere in the permit.

The condition specifies that for the transition periods between an expiring permit and a renewal permit, the Permittee shall ensure that there is date-to-date continuity between the expired permit and the renewal permit such that the Permittee reports against the permit terms and conditions of the permit that was in effect during those partial date periods of the transition. No format is specified. The Permittee may provide one report accounting for each permit term or condition and the effective permit at that time. Alternatively, the Permittee may choose to provide two reports: one accounting for reporting elements of permit terms and conditions from the end date of the previous operating report until the date of expiration of the old permit, and a second operating report accounting for reporting elements of terms and conditions in effect from the effective date of the renewal permit until the end of the reporting period.

Condition 63, Annual Compliance Certification

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

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

Condition 63.2 provides clarification of transition periods between an expiring permit and a renewal permit to ensure that the Permittee certifies compliance with the permit terms and conditions of the permit that was in effect during those partial date periods involved in the transition. No format is specified. The Permittee may provide one report certifying compliance with each permit term or condition for each of the effective permits during the certification period, or may choose to provide two reports: one certifying compliance with permit terms and conditions from January 1 until the date of expiration of the old permit, and a second report certifying compliance with terms and conditions in effect from the effective date of the renewal permit until December 31.

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

Condition 64, Triennial Emission Inventory Reporting

Legal Basis: This condition requires the Permittee to submit emissions data to the state so the state is able to satisfy the federal requirement to submit emission inventory data from point sources to the EPA as required under 40 C.F.R. 51.15 & 51.321. The federal emission inventory requirement applies to sources defined as point sources in 40 C.F.R. 51.50. Under 18 AAC 50.275, the state also requires reporting of emissions triennially for stationary sources with an air quality permit, regardless of permit classification. This includes sources that do not meet the federal emission thresholds in Table 1 to Appendix A of 40 C.F.R. 51 Subpart A. The state must report emissions data as described in 40 C.F.R. 51.15 and the data elements in Tables 2a and 2b to Appendix A of 40 C.F.R. 51 Subpart A to EPA.

Factual Basis: Except as noted in the last paragraph, 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 C.F.R. 51.30(a)(1) & (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 <http://dec.alaska.gov/Applications/Air/airtoolsweb/>. 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 page <http://dec.alaska.gov/Applications/Air/airtoolsweb/PointSourceEmissionInventory> 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, stationary sources with air quality permits are required to submit with each report emissions data described in 40 C.F.R. 51.15 and the data elements in Tables 2a and 2b to Appendix A of 40 C.F.R. 51 Subpart A, as applicable. Title V stationary sources with potential annual emissions greater than or equal to any of the emission thresholds shown for Type A (large) sources, as listed in Table 1 to Appendix A of 40 C.F.R. 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.

Stationary sources, excluding owner requested limits (ORLs) issued under 18 AAC 50.225 and preapproved emission limits (PAELs) issued under 18 AAC 50.230, that do not meet any of the emission thresholds for Type A (large) sources are required to report emission inventory data every third year (i.e., triennially) for the previous inventory year under Condition 64. As of the issue date of this permit, the Orca Power Plant is required to report every three years under Condition 64.

The Department has modified the triennial reporting requirements under Condition 64 by including stationary sources' PTEs that are below the thresholds for annual reporting for Type A (large) sources, instead of pollutant-specific thresholds for attainment and non-attainment areas. Thus, all stationary sources regardless of permit classification (excluding ORLs and PAELs) are covered under this condition, to capture the new requirements found in 18 AAC 50.275, effective September 7, 2022. Because the stationary source's PTE for criteria pollutants are below the thresholds for every-year emissions inventory reporting, the Department has streamlined SPC XV to include only triennial reporting requirements. Beyond as noted, the Department has determined that the standard conditions adequately meet the requirements of 40 C.F.R. 71.6(a)(3).

Condition 65, Consistency of Reporting Methodologies

Legal Basis: Condition 65 is from 18 AAC 50.275(a) and requires all stationary sources, regardless of permit classification (with the exception of owner requested limits (ORLs) issued under 18 AAC 50.225 and preapproved emission limits (PAELs) issued under 18 AAC 50.230), to report actual emissions to the state so that the state can meet its obligation under 40 C.F.R. 51. Condition 65.1 is from 18 AAC 50.275(b) and requires consistency on the stationary sources' actual emissions reports submitted for NEI and the state's assessable emissions.

Factual Basis: The regulation was added to 18 AAC 50 on September 7, 2022 so as to include all stationary sources required to report actual emissions for the purpose of federal emissions inventory and to avoid inconsistencies in actual emissions reports submitted. When reporting actual emissions under Condition 64 or assessable emissions under Condition 39.2, consistent emission factors and calculation methods shall be used for all reporting requirements for the stationary source.

Condition 66, NSPS and NESHAP Reports and Waivers

Legal Basis: The Permittee is required to provide the Department a copy of each report submitted to EPA as required for emissions units subject to NSPS or NESHAP federal

regulations under 18 AAC 50.326(j)(4). Appendix A to 40 C.F.R. 70 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 C.F.R. 60, 40 C.F.R. 61, and 40 C.F.R. 63. The reports themselves provide monitoring for compliance with this condition. For those notices and reports submitted through EPA's online reporting system, CDX-CEDRI, the Permittee is not required to submit a duplicate copy to the Department; a statement about the online submittal in the operating report would suffice.

Condition 67, Federal Electronic Reporting Allowance

Legal Basis: On September 25, 2024, EPA published a notice in the Federal Register (Vol. 89, No. 186, page 78300) allowing stationary sources subject to federal rules to electronically submit reports, notifications, or other submission types to CEDRI, consistent with the provisions of the Cross-Media Electronic Reporting Rule (CROMERR), codified under 40 C.F.R. 3.

Factual Basis: The electronic reporting provisions in Condition 67 is a general advisory option for stationary sources subject to federal rules to facilitate and streamline reporting requirements, in lieu of paper or email format. CROMERR establishes electronic reporting as an acceptable regulatory alternative to paper reporting and establishes requirements to assure that electronic documents are as legally dependable as their paper counterparts. The submittals must be in acceptable digital formats. *Acceptable digital formats* are file types that are compatible with CEDRI or other EPA electronic document receiving system that the Administrator may designate.

Condition 68, Permit Applications and Submittals

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

Factual Basis: The Department used the language in SPC XIV, adopted by reference under 18 AAC 50.346(b)(7), for the permit condition. The condition directs the applicant to send a copy of each application for modification or renewal of this permit to the EPA. Condition 68.2 lists the methods, in EPA's preferred order, to which the applicant may submit the application documents, as specified in the EPA's February 12, 2024 memorandum guidance for Submitting Air Permits to EPA Region 10. This condition shifts the burden of compliance with 40 C.F.R. 71.10(d)(1) from the Department to the Permittee as allowed under 40 C.F.R. 71.10(d)(1).

Conditions 69 through 71, Permit Changes and Revisions Requirements

Legal Basis: The Permittee is obligated to notify the Department of certain off-permit source changes and operational changes under 18 AAC 50.326(j)(4), 40 C.F.R. 71.6(a)(8), (12), & (13), incorporated by reference under 18 AAC 50.040(j), require that these provisions be included in operating permits.

Factual Basis: 40 C.F.R. 71.6(a)(12) & (13), as reflected in Conditions 70 and 71, respectively, specify changes that may be made without a permit revision, and 40 C.F.R. 71.6(a)(8) (Condition 69) 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 C.F.R. 71.6(a)(13)(iii); therefore, language addressing these provisions has not been included in this permit as part of Condition 69.

Condition 72, Permit Renewal

Legal Basis: The Permittee must submit a timely and complete operating permit renewal application if the Permittee intends to continue source operations in accordance with the operating permit program. The obligations for a timely and complete operating permit application are in 40 C.F.R. 71.5(a)-(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 C.F.R. 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 C.F.R. 71.5(a)(2), a complete renewal application is one that provides all information required pursuant to 40 C.F.R. 71.5(c) and remits payment of fees owed under the fee schedule established pursuant to 18 AAC 50.400. 40 C.F.R. 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 C.F.R. 71.5(a)(1)(iii) and is complete before the expiration date of the existing permit, then the expiration of the existing permit is extended and the Permittee has the right to operate under that permit until the effective date of the new permit. However, this protection shall cease to apply if, subsequent to the completeness determination, the applicant fails to submit by the deadline specified in writing by the Department any additional information needed to process the application.

Conditions 73 through 78, General Compliance Requirements and Schedule

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

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

Conditions 79 and 80, Permit Shield

Legal Basis: These conditions require compliance with the requirements in 40 C.F.R. 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 3 of Operating Permit No. AQ0221TVP05 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, Title I permits, and inspection reports. Should any of the shielded requirements become applicable during the permit term, the Permittee is required to take necessary steps to comply with all applicable requirements in a timely manner.

Table C – Permit Shields Denied

Shield Requested for:	Reason for Shield Request:	Reason for Denial
EU IDs 1, 3a, and 4a		
40 C.F.R. 63 Subpart ZZZZ <ul style="list-style-type: none"> §63.6625 – Monitoring, Installation, Collection, Operation, and Maintenance Requirements 	These engines are existing, non-emergency, stationary compression ignition RICE located at an area source of HAP with no applicable emission standards. These requirements do not apply.	Permittee has the option to utilize an oil analysis program in Table 2d – Item 1, per §63.6625(i).
<ul style="list-style-type: none"> §63.6640 – Continuous Compliance Requirements 		Remote engines located in an area source of HAP in Alaska that are not accessible by the Federal Aid Highway System (FAHS) (whose only connection is through the Alaska Marine Highway System (AMHS)) must meet the management practices in Table 2d, in accordance with §63.6640(a). §63.6640(e) requires reporting of each instance in which an affected source does not meet any of the requirements of NESHAP Subpart A in Table 8, required for engines subject to Subpart ZZZZ.
<ul style="list-style-type: none"> §63.6645 – Notification Requirements 		§63.6645(a)(5) lists the exemption for §63.6645. A shield is not necessary for an exemption provision.
<ul style="list-style-type: none"> §63.6650 – Reporting Requirements 		§63.6650(f) requires the reporting of deviations in Subpart ZZZZ, applicable to all RICE.
<ul style="list-style-type: none"> §63.6603(a) – Emission Limitations, Operating Limitations, and Other Requirements 	These engines are existing, non-emergency, stationary compression ignition RICE located at an area source of HAP with no applicable emission standards. These requirements do not apply.	In accordance with §63.6603(b)(2), EU IDs 1, 3a, and 4a (non-emergency RICE > 300 hp) must meet the management practices requirements in Table 2d to Subpart ZZZZ for non-emergency RICE < 300 hp.
EU ID 7		
Standard Permit Condition V (SPC V) – Insignificant Emission Units (IEUs).	SPC V does not apply to diesel fuel storage tanks because such tanks are not an industrial process.	SPC V applies for IEUs as defined in 18 AAC 50.326(d)-(i). The EU is classified as an IEU under 18 AAC 50.326(g)(21).

Shield Requested for:	Reason for Shield Request:	Reason for Denial
	<p>Per 18 AAC 50.990(49): "Industrial process" means "the extraction of raw material or the physical or chemical transformation of raw material in either composition or character." Fuel storage is not an industrial process because it does not extract raw material or transform the physical or chemical composition or character of a raw material.</p>	
EU ID 10		
<p>40 C.F.R. 63 Subpart ZZZZ</p>	<p>Per 40 C.F.R. 63.6590(a)(2)(iii) & (c)(1), this emission unit has no requirements under 40 C.F.R. 63 Subpart ZZZZ because it is a new RICE located at an area source of HAP. The emissions unit meets the requirements of 40 C.F.R. 63 Subpart ZZZZ by meeting the requirements of 40 C.F.R. 60 Subpart IIII.</p>	<p>EU ID 10 is subject to 40 C.F.R. 63 Subpart ZZZZ in accordance with §63.6590(a)(2)(iii) & (c)(1). EU ID 10 will meet the requirements of Subpart ZZZZ by complying with NSPS Subpart IIII, per §63.6590(c)(1).</p>