

**NORTH CAROLINA DIVISION OF  
AIR QUALITY**

**Air Permit Review**

Permit Issue Date: **date, 2008**

**Region:** Mooresville Regional Office  
**County:** Rowan  
**NC Facility ID:** 8000163  
**Inspector's Name:** Bruce Ingle  
**Date of Last Inspection:** 03/23/2007  
**Compliance Code:** C/In Compliance With  
 Procedural Reqr

<b>Facility Data</b>			<b>Permit Applicability (this application only)</b>		
<b>Applicant (Facility's Name):</b> Plant Rowan County  <b>Facility Address:</b> Plant Rowan County 5755 NC 801 Highway Salisbury, NC 28147  <b>SIC:</b> 4911 / Electric Services <b>NAICS:</b> 221112 / Fossil Fuel Electric Power Generation  <b>Facility Classification: Before:</b> Title V <b>After:</b> Title V <b>Fee Classification: Before:</b> Title V <b>After:</b> Title V			<b>SIP:</b> <b>NSPS:</b> <b>NESHAP:</b> <b>PSD:</b> <b>PSD Avoidance:</b> <b>NC Toxics:</b> <b>112(r):</b> <b>Other:</b>		
<b>Contact Data</b>			<b>Application Data</b>		
<b>Facility Contact</b>	<b>Authorized Contact</b>	<b>Technical Contact</b>	<b>Application Number:</b> 8000163.07A <b>Date Received:</b> 04/02/2007 <b>Application Type:</b> Renewal <b>Application Schedule:</b> TV-Renewal <b>Existing Permit Data</b> <b>Existing Permit Number:</b> 08758/T09 <b>Existing Permit Issue Date:</b> 03/01/2007 <b>Existing Permit Expiration Date:</b> 12/31/2007		
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<b>Review Engineer:</b> Mark Cuilla  <b>Review Engineer's Signature:</b> <b>Date:</b> <b>date, 2008</b>			<b>Comments / Recommendations:</b> <b>Issue</b> 08758/T10 <b>Permit Issue Date:</b> <b>date, 2008</b> <b>Permit Expiration Date:</b> <b>date, 2013</b>		

**I. Purpose of Application**

This permitting action is a renewal of an existing Title V permit pursuant to 2Q .0513. The existing Title V permit (**08758T09**) was issued on **March 1, 2007**, and is currently scheduled to expire on **December 31, 2007**. The renewal application was received on **April 2, 2007**, or at least nine months prior to the expiration date. Therefore, the existing permit shall not expire until the renewal permit has been issued or denied. All terms and conditions of the existing permit shall remain in effect until the renewal permit has been issued or denied.

In addition to the request for renewal, the Permittee has proposed the following permit condition modifications to ensure clarification of various monitoring, recordkeeping, or reporting conditions. The Permittee also notes that based upon an operational decision, it plans on installing NOx and diluent continuous emissions monitoring systems (CEMs) on Units 1, 2, and 3. These monitors will be used to demonstrate compliance with both the NSPS and BACT emission limitations delineated in the permit.

1. Condition 2.1 A.2.d.iii – the term “elected” should be changed to ensure that this is one of two options for the facility. Due to the proposed installation of CEMs on Units 1, 2, and 3, the permit should not indicate that water injection “is” the elected approach to monitoring.
2. Condition 2.1 A.3.k.ii and 2.1 A.3.l.ii – these monitoring/recordkeeping/reporting conditions should be changed to reflect that the use of NO<sub>x</sub> CEMs is an option for compliance demonstration.
3. Condition 2.1 A.3.a.ii, 2.1 A.3.1.ii, 2.1 B.3.a.ii, and 2.1 B.3.1.ii – Although the presumption has been made that Mode 6 is reached at 50% load, there could be occasions where when this is not the case. For example, 50% load fluctuates based upon ambient conditions. Startup is completed when the unit achieves Mode 6 operation and not when the unit reaches a certain percentage of full load operation. We request that the end of startup be specified as the point at which the turbine goes into Mode 6 operation. In addition, the start of shutdown would be designated as the point at which the turbine drops out of (or below) Mode 6 operation.

While these requests may be appropriate, they constitute a permit modification outside of this renewal process. In order to proceed with these suggested modifications, the Permittee will have to provide a complete application package for modification. No changes in this permit renewal are necessary at this time.

## **II. Facility Description**

The facility is a combustion turbine electric generation facility. Current permitted equipment includes three dual fuel simple cycle combustion turbines using dry low NO<sub>x</sub> (DLN) combustors and having water injection capability for NO<sub>x</sub> control, two dual fuel combined cycle combustion turbines using DLN combustors, and having selective catalytic reduction (SCR) control and water injection capability for NO<sub>x</sub> control, two No. 2 fuel oil storage tanks, one cooling tower with drift eliminator, and one natural gas-fired auxiliary boiler.

## **III. History/Background/Application Chronology**

**January 30, 2003** – Permit **08758T06** was issued as an initial Title V permit.

**January 18, 2006** – Permit **08758T07** was issued as a Title IV renewal.

**November 8, 2006** – Permit **08758T08** was issued as an ownership change.

**March 1, 2007** – Permit **08758T09** was issued as a reopen for cause to amend the NSPS Subpart GG language.

**April 2, 2007** – Application **8000163.07A** was received for renewal of the Title V air permit. Application was deemed complete for processing.

**April 26, 2007** – Received MRO comments on permit application via email. See Section IX of this Document for a discussion.

**April 25, 2008** – DRAFT permit sent to Permittee, Regional Office, and Title V Coordinator for comment prior to public notice and EPA review. MRO comments received via email on April 28, 2008. They indicated no needed changes. Permittee comments received via email on May 15, 2008. See Section IX of this Document for a discussion.

**date, 2008** – DRAFT permit sent to 30-day public notice and 45-day EPA review.

#### IV. Permit Modifications/Changes and ESM Discussion

The following table describes the modifications to the current permit as part of the renewal process.

Page(s)	Section	Description of Change(s)
Attachment	Insignificant Activities	-amended permit revision number
Cover	-	-amended all dates and permit revision numbers
TOC	-	-removed reference to Part II
All	Header	-amended permit revision number
3-4	Equipment Table	-added MACT Subpart YYYY references -amended tank ID numbers to match ESM -amended description of boiler to reflect “firetube” design -added asterisk language for no applicable requirements
4	2.1 A 2.1 A (table)	-amended description of applicable equipment -added list of regulated pollutants -added reference to applicable MACT standard -removed reference to 112(g) -corrected cross-references
5	2.1 A.1.a 2.1 A.1.b 2.1 A.1.c 2.1 A.1.d 2.1 A.1.f 2.1 A.1.g	-added ID numbers and updated shell language -updated shell language -added “no monitoring/recordkeeping” language -updated shell language -added “no reporting” language -updated shell language
11	2.1 A.3.h 2.1 A.3.j 2.1 A.3.k.i	-added ID numbers -added ID numbers -added ID numbers
12	2.1 A.3.l	-changed quarterly reporting to semi-annual
13	2.1 B 2.1 B (table)  2.1 B.1.a 2.1 B.1.b 2.1 B.1.c	-amended description of applicable equipment -added reference to applicable MACT standard -removed reference to 112(g) -corrected cross references -added ID numbers and updated shell language -updated shell language -added “no monitoring/recordkeeping” language
14	2.1 B.1.d 2.1 B.1.f 2.1 B.1.g	-updated shell language -added “no reporting” language -updated shell language
16	2.1 B.2.d.iv 2.1 B.2.d.v	-added ID numbers -added ID numbers
17	2.1 B.2.e.i.E	-corrected cross reference
18	2.1 B.3.a.ii	-added ID numbers
19	2.1 B.3.g 2.1 B.3.i	-added ID numbers -added ID numbers
20	2.1 B.3.l	-changed quarterly reporting to semi-annual
-	2.1 C (old)	-removed Section formerly reserved for the tanks as tanks no longer have any requirements (renumbered all subsequent paragraphs)

Page(s)	Section	Description of Change(s)
21	2.1 C (table) 2.1 C.1.a 2.1 C.1.b 2.1 C.1.d 2.1 C.2.a 2.1 C.2.b	-clarified particulate emission limit -added ID numbers -updated shell language -added ID numbers -updated shell language -added ID numbers
22	2.1 D 2.1 D.1.a 2.1 D.1.b 2.1 D.1.c 2.1 D.2.a 2.1 D.2.b 2.1 D.2.c	-amended description of applicable equipment -added ID numbers -updated shell language -added ID numbers -added ID numbers -updated shell language -added ID numbers
23	2.1 D.3.a 2.1 D.3.b 2.1 D.3.c 2.2 A	-added ID numbers and updated shell language -updated shell language -added ID numbers -amended description of applicable equipment
23-24	2.2 A.1	-removed reference to 112(g) -added combined Section for 2D .1417
25	2.2 A.2	-rule citation correction
26-35	General Conditions	-updated shell conditions (v2.20)

It should be noted that there were no emission source additions, deletions or modifications requested as part of this permit renewal.

## V. Regulatory Review

The facility is currently subject to the following regulations:

15A NCAC 2D .0503, Particulates from Fuel Burning Indirect Heat Exchangers  
15A NCAC 2D .0515, Particulates from Miscellaneous Industrial Processes  
15A NCAC 2D .0516, Sulfur Dioxide Emissions from Combustion Sources  
15A NCAC 2D .0521, Control of Visible Emissions  
15A NCAC 2D .0524, New Source Performance Standards (40 CFR 60, Subparts GG, Kb, and Dc)  
15A NCAC 2D .1417, Emission Allocations for Large Combustion Sources  
15A NCAC 2D .0530, Prevention of Significant Deterioration  
15A NCAC 2D .1100, Control of Toxic Air Pollutants  
15A NCAC 2D .1112, 112(g) Case-By-Case Maximum Achievable Control Technology

A regulatory review for these existing requirements will not be included in this document.

As a result of this permit renewal, the following regulations have been added:

15A NCAC 2D .0614, Compliance Assurance Monitoring  
15A NCAC 2D .1111, Maximum Achievable Control Technology

As a result of this permit renewal, the following regulation has been removed:

15A NCAC 2D .1112, 112(g) Case-By-Case Maximum Achievable Control Technology

## VI. NSPS, NESHAPS/MACT, PSD, 112(r), CAM

**NSPS** – The Permittee is currently subject to three separate New Source Performance Standards as follows:

1. Five combustion turbines (**ID Nos. Unit 1 through Unit 5**) are each subject to 40 CFR 60, Subpart GG, Standards of Performance for Stationary Gas Turbines. This regulation applies to all stationary combustion turbines having a heat input at peak load equal to or greater than 10.7 gigajoules per hour (10 million Btu per hour) based on the lower heating value of the fuel and constructed after October 3, 1977. Emission limits for NO<sub>x</sub> and SO<sub>2</sub> are specified under this Subpart. All performance testing, continuous emissions monitoring, and recordkeeping for the combustion turbines are conducted in accordance with the Subpart or DAQ/EPA approved alternative. Reporting of continuous monitoring data and other data required by NSPS is required to be submitted to DAQ for review. The emission rates for each applicable pollutant are calculated to comply with the NSPS emissions limits.
2. Two No. 2 fuel oil storage tanks (**ID Nos. TK-1 and TK-2**) are each currently subject to 40 CFR 60, Subpart Kb, Standards of Performance for Volatile Organic Liquid Storage Vessels (including Petroleum Liquid Storage Vessels) for Which Construction, Reconstruction, or Modification Commenced After July 23, 1984. This regulation applies to storage tanks with a capacity greater than or equal to 75 cubic meters (approximately 20,000 gallons), storing a volatile organic liquid from which VOCs can be emitted to the atmosphere, for which construction commenced after July 23, 1984. However, since the true vapor pressure of the liquid stored (0.0077 kPa) is below the vapor pressure of 3.5 kPa for which emission control requirements apply, the tanks are exempt from Subpart Kb emission limits. The facility is required to comply with the recordkeeping requirements of Subpart Kb regulations for the life of the equipment.

This Subpart was amended on October 15, 2003. The applicability threshold as written in 40 CFR 60.110b(b), using maximum true vapor pressure for tanks greater than 151 cubic meters (approximately 39,800 gallons), is that if these tanks store a liquid with a true vapor pressure of less than 3.5 kPa (0.5 psia) they are not subject to this regulation. These tanks are not subject to this Subpart because the true vapor pressure of the No. 2 fuel oil (0.0077kPa) is well below the applicability threshold. The recordkeeping requirements will be removed from the permit during this renewal and replaced with “no applicable requirements”.

3. One natural gas-fired auxiliary boiler (**ID No. ES-6**) is subject to 40 CFR 60, Subpart Dc, Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units. This Subpart applies to each steam generating unit for which construction, modification, or reconstruction is commenced after June 9, 1989 and that has a maximum design heat input capacity of 29 megawatts (100 million Btu per hour) or less, but greater than or equal to 2.9 megawatts (10 million Btu per hour). The facility is required to comply with the recordkeeping requirements of Subpart Dc regulations for the life of the equipment.

The Subpart was amended on June 13, 2007. 40 CFR 60.48c(g) was amended to require that the Permittee record and maintain records of the amount of each fuel combusted during each operating day [(g)(1)] with the following exceptions:

1. as an alternative, for a facility that combusts only natural gas, the Permittee may elect to record and maintain records of the amount of fuel combusted during each calendar month [(g)(2)]; or
2. as an alternative, for a facility that combusts only natural gas, the Permittee may elect to record and maintain records of the total amount of each steam generating unit fuel delivered to that property during each calendar month [(g)(3)].

The current permit condition requires that monthly records of fuel combusted be maintained. The renewed permit will not modify this requirement.

**NESHAPS/MACT** – The facility’s five combustion turbines (**ID Nos. Unit 1 through Unit 5**) are currently subject to 40 CFR 63.43 Maximum Achievable Control Technology Determinations for Constructed and Reconstructed Major Sources. This permit condition was part of the original permit established for the facility in August 1999. The associated case-by-case MACT analysis completed as part of that permit application determined that Section 112(g) of the Clean Air Act applied to the facility because its potential of any single hazardous air pollutants were greater than 10 tons per year and that the total potential of all hazardous air pollutants combined exceeded 25 tons per year. In addition it was expected that the facility would be subject to the future combustion gas turbine MACT. In the original application it was estimated that total HAP emissions would exceed 48 tons per year (hydrogen chloride @ ~25 tons per year individually). Section 112(g) applies to the construction or reconstruction of major sources of HAPs for which air quality permits are received on or after July 1, 1998 and where no applicable federal MACT standard has been promulgated pursuant to Section 112(d). In these cases, Section 112(g) requires that the permitting authority determine MACT emissions limitations. Using the procedures for making these decisions as described in 40 CFR 63.43(c), DAQ reviewed the cost evaluation of control for volatile organic compound/hazardous air pollutants, particulate matter/hazardous air pollutants, and hydrogen chloride as provided by the Permittee. In each case, DAQ concluded that the cost of control would be economically prohibitive on a \$/ton basis. DAQ’s conclusion was that because similar sources have not used control, “combustion control” is MACT for these sources.

On **March 5, 2004**, EPA promulgated National Emission Standards for Hazardous Air Pollutants for Stationary Combustion Turbines (40 CFR 63, Subpart YYYY). This Subpart defines an affected source as any existing, new, or reconstructed stationary combustion turbine located at a major source of HAP emissions. Existing turbines are further defined as any turbine in which the Permittee commenced construction or reconstruction on or before **January 14, 2003**. 40 CFR 63.6090(b)(4) [Subcategories with limited requirements] states that *“existing stationary combustion turbines in all subcategories do not have to meet the requirements of this Subpart and of Subpart A of this part. No initial notification is necessary for any existing stationary combustion turbine, even if a new or reconstructed turbine in the same category would require an initial notification.”*

15A NCAC 2D .1112 “112(g) Case-by-Case MACT”, Paragraph (h) states the requirements for constructed or reconstructed major source subject to a subsequently promulgated MACT under Section 112(d). Specifically (h)(2) states that after a source has been subject to a prior case-by-case MACT under this rule, and the Permittee operates under a federally enforceable case-by-case MACT determination, the Division shall revise the permit to incorporate the emission standard. It should also be noted paragraph (i) states that DAQ must establish the compliance date (but no more than 8 years). In this case where no requirements are necessary, the compliance date is the issuance date of this renewed permit. The renewed permit has been modified to replace the current 112(g) standard with a note that Subpart YYYY applies but has no requirements.

**PSD** – The facility’s five combustion turbines (**ID Nos. Unit 1 through Unit 5**) are currently subject to two separate PSD BACT permit conditions (one each for the simple cycle and combined cycle turbine groupings). In each case, the Permittee is required to comply with emission limitations for opacity, nitrogen oxides, sulfur dioxide, carbon monoxide, VOCs, particulates/PM10, and sulfuric acid. In addition to these limits, the combined cycle turbines have an additional limit for ammonia. The permit conditions require monitoring, recordkeeping and reporting. This permit renewal does not affect the status of these conditions. However, as part of the renewal, the quarterly reporting requirement has been modified to semi-annual.

**112(r)** – The Permittee is not currently subject to the 112(r) “Prevention of Accidental Releases” requirements because it does not store any chemicals in amounts greater than the applicability threshold.

**CAM** – 40 CFR 64 requires that a continuous compliance assurance monitoring plan be developed for all equipment located at a major facility, that have pre-controlled emissions above the major source threshold, and use a control device to meet an applicable standard. The following table indicates all equipment/control device relationships:

<b>Emission Source ID No.</b>	<b>Emission Source Description</b>	<b>Control Device ID No.</b>	<b>Control Device</b>
Unit 1, Unit 2, and Unit 3	Three natural gas/No. 2 fuel oil-fired simple-cycle internal combustion turbines (1,628 million Btu per hour heat input rate each, when firing natural gas, 1,875 million Btu per hour heat input rate each, when firing No. 2 fuel oil), each equipped with dual fuel dry Low-NO <sub>x</sub> combustors and having water injection capability for NO <sub>x</sub> control	NA	NA
Unit 4	One natural gas/No. 2 fuel oil-fired combined-cycle internal combustion turbine (1,628 million Btu per hour heat input rate, when firing natural gas, 1,875 million Btu per hour heat input rate, when firing No. 2 fuel oil), equipped with a heat recovery steam generator and a steam turbine, and dual fuel dry Low-NO <sub>x</sub> combustors and having water injection capability for NO <sub>x</sub> control	Unit 4 SCR	Selective catalytic reduction (SCR)
Unit 5	One natural gas-fired combined-cycle internal combustion turbine (1,628 million Btu per hour heat input), equipped with a heat recovery steam generator and a steam turbine, and dual fuel dry Low-NO <sub>x</sub> combustors	Unit 5 SCR	Selective catalytic reduction (SCR)

It should be noted that although not specifically listed as a “control device”, the water injection systems on Units 1 through Unit 4 are considered control devices and are potentially subject to CAM applicability.

The following table indicates all current applicable standards and if the control device is installed specifically to meet that standard:

Regulated Pollutant	Applicable Regulation	Control Device installed for compliance?
Visible emissions	15A NCAC 2D .0521	No
Sulfur dioxide	15A NCAC 2D .0524	No
Nitrogen oxides	(40 CFR 60 Subpart GG)	Yes
Opacity	15A NCAC 2D .0530	No
Nitrogen oxides		Yes
Sulfur dioxide		No
Carbon monoxide		No
Volatile organic compounds		No
Particulates/PM <sub>10</sub>		No
Sulfuric acid		No
Ammonia (Units 4 and 5 only)		No
Hazardous air pollutants	15A NCAC 2D .1111 (40 CFR 63, Subpart YYYY)	No
Nitrogen oxides	15A NCAC 2D .1417	Yes
Toxic air pollutants	15A NCAC 2D .1104	No

Part 64.1 defines continuous compliance determination method (CCDM) as a method, specified by the applicable standard or an applicable permit condition, which (1) is used to determine compliance with an emission limitation or standard on a continuous basis, consistent with the averaging period established for the emission limitation or standard; and (2) provides data either in units of the standard or correlated directly with the compliance limit.

As per 60.334(a) for combustion turbines (**ID Nos. Unit 1, Unit 2, and Unit 3**), which are using water injection to control NO<sub>x</sub> emissions as part of the NSPS (Subpart GG), the Permittee is required to install, calibrate, maintain, and operate a continuous monitoring system to monitor and record fuel consumption and the ratio of water to fuel being fired. This monitoring system meets the definition of a CCDM as defined and therefore, CAM is not applicable.

As per 60.334(b) for combustion turbines (**ID Nos. Unit 4 and Unit 5**), which are using water injection to control NO<sub>x</sub> emissions as part of the NSPS (Subpart GG), the Permittee, as an alternate to operating continuous monitoring system described in 60.334(a), has elected to install, certify, maintain, operate, and quality-assure a continuous emissions monitoring system (CEMs) consisting of NO<sub>x</sub> and O<sub>2</sub> monitors according to the requirements of 40 CFR 60 Appendix B or 40 CFR 75. These CEMs meet the definition of a CCDM as defined and therefore, CAM is not applicable.

## VII. Facility Wide Air Toxics

The Permittee is currently required to comply with a modeled emission rate for ammonia of less than 7440 pounds per hour for its five combustion turbines (**ID Nos. Unit 1 through Unit 5**). This permit renewal does not affect this status.

With the renewal of this permit, the Permittee will now be subject to MACT standards for its applicable equipment. Per 15A NCAC 2Q .0705, the Permittee must also now be in compliance with NC Air Toxics by the same deadline as the last MACT applicable to the facility for all non-exempt sources. It should be noted that this regulation will not apply to this facility as all its toxic emission sources meet the definition of combustion sources and are therefore exempt.

### VIII. Facility Emissions Review

There is no change in emissions for this renewal.

The following table represents the latest years emission inventory from the facility:

Pollutant(s)	2005 Actual Emissions (tpy)	2006 Actual Emissions (tpy)
CO	40.72	54.71
NO <sub>x</sub>	246.55	114.73
PM <sub>10</sub>	13.03	17.37
SO <sub>2</sub>	6.79	2.51
VOC	4.19	5.04
Total HAP/TAP	3.23	19.83

### IX. Stipulation Review

Bruce Ingle of the MRO provided the following comments on the renewal application via email:

1. Permit **08758T09** was issued on **March 1, 2007**. All stipulations appear to be current.
2. The facility was last inspected on **March 23, 2007**. The facility appears to be in compliance with applicable air quality regulations.
3. MACT status – (Subpart DDDDD) – facility is subject but has no applicable requirements.
4. MACT status – (Subpart YYYY) – the existing turbines are subject but have no applicable requirements.

The following comments were provided by the Permittee during the drafting stage of the renewed permit:

1. List of Insignificant Activities – The 4 million Btu per hour natural gas heater is listed twice (**as I-7 and ING-1**). There is only one natural gas heater located at the facility and described in the original Title V permit application. *Agree, change will be made to permit to remove extra source.*
2. Page 4 Emission Source Table – We believe the No. 2 fuel oil storage tanks (**TK-1 and TK-2**) qualify as insignificant activities based on size or production rate under 15A NCAC 2Q .0503(8). The potential emissions as shown in the original Title V permit application, of particulate, sulfur dioxide, nitrogen oxides, volatile organic compounds, and carbon monoxide are each less than 5 tons per year. Additionally the potential emissions of HAP are each below 1,000 pounds per year. *The tanks were originally subject to NSPS, Subpart Kb because of their size. However, because of recent modifications to the federal rule, the tanks are no longer subject. The tanks remain on the permit equipment list with an asterisk indicating that they are listed for information purposes only and have no requirements.*
3. Page 4 Emission Source Table – We believe the auxiliary boiler (**ID No. ES-6**) qualifies as an insignificant activity based on size or production rate under 15A NCAC 2Q .0503(8). The potential emissions as shown in the original Title V Permit application, of particulate, sulfur dioxide, nitrogen oxides, volatile organic compounds, and carbon monoxide are each less than 5 tons per year. Additionally the potential emissions of HAP are each below 1,000 pounds per year. *No change. The 16.74 million Btu per hour boiler is subject to NSPS Subpart Dc which lists applicability to steam generating units for which construction commenced after June 9, 1989 and that has a maximum design heat input capacity of 100 million Btu per hour or less, but greater than or equal to 10 million Btu per hour.*

4. Page 4 Emission Source Table – The auxiliary boiler (**ID No. ES-6**) could be more accurately described as a “16.74 million Btu per hour **nominal** maximum heat input capacity”. *No change. Boilerplate identification indicates maximum design input capacity not nominal size.*
5. Pages 5, 13, and 23 (Sections 2.1 A.1.a, B.1.a, and D.3.a, respectively) – The language “except during startup, shutdown, and malfunction” was included in the previous version of the permit but has been removed from this version. As stated in 15A NCAC 2D .0521(a), the visible emissions limitation is not applicable during periods of startup, shutdown, or malfunction. We request retaining this language in the permit. *No change. While DAQ agrees that VE emissions during these periods are not included, the language in the specific Sections is redundant. Section 3, General Condition I.B specifically covers these periods for the entire permit.*
- 6/7. Page 7 Section 2.1 A.2.d.iii/Page 12 Sections 2.1 A.3.k.ii and 2.1 A.3.l.ii – As described in the Title V renewal application dated March 30, 2007, SPC believes the term “elected” should be changed to ensure that this is one of two options for the facility. Due to the installation of CEMS on Units 1-3, the permit should not indicate that water injection is the elected approach to monitoring. The proposed change is not intended to substantively change or diminish the underlying requirement rather to provide the facility with the ability to use the proposed CEMs for the required compliance demonstration. Also in conjunction with SPC comment, these additional Sections should be modified to reflect the use of NO<sub>x</sub> CEMs as an option for compliance demonstration. *No change. These suggested changes, while appropriate, can not be handled as part of this Title V renewal application. They need to be the subject of a separate permit application. The suggested changes are more than administrative amendments offering the Permittee flexibility, they modify current federally approved monitoring, recordkeeping, and reporting requirements. Such changes need full permit modification.*
8. Page 11 Section 2.1 A.3.a.ii and Page 18 Section 2.1 B.3.a.ii – As described in the March 30, 2007 Title V Renewal Application, start-up of the turbines ends when the units reach Mode 6 operation, not at 50% turbine load. The assumption has been made in the PSD application and the existing permit that Mode 6 operation is reached at 50% turbine load; however, the actual turbine loads at the start of Mode 6 operation will fluctuate based on the ambient conditions. Therefore, we request that the end of startup be defined as when the turbines reach Mode 6 operation not 50% load. As a result, shutdown would be defined as the period when the turbines drop out of Mode 6 operation until flame out. *No change. These suggested changes, while appropriate, can not be handled as part of this Title V renewal application. They need to be the subject of a separate permit application. The suggested changes are more than administrative amendments offering the Permittee flexibility, they modify current federally approved monitoring, recordkeeping, and reporting requirements. Such changes need full permit modification.*
9. Page 11 Sections 2.1 A.3.h, 2.1 A.3.j, and 2.1 A.3.k.i and Page 19 Sections 2.1 B.3.g and 2.1 B.3.i – The applicable sources should be modified as “ID Nos. Unit 1 through Unit 4” because Unit 5 is only permitted to burn natural gas. *Agree, change will be made in renewed permit.*
10. General Comment – SPC is concerned with the application of the “deemed in noncompliance” language that appears in a number of areas throughout the draft permit. We are especially concerned with its use in relation to rule 15A NCAC 2D .0524. As you are aware, 15A NCAC 2D .0524 generically incorporates by reference the federal New Source Performance Standards. However, the use of “deemed in noncompliance” language in this context is overbroad because any deviation in monitoring /recordkeeping could be construed as deeming a facility in noncompliance with the entire slate of NSPS requirements. SPC does not believe that a gap in monitoring or recordkeeping should lead to being “deemed in noncompliance” with an entire NSPS. As such, its application in this context is overbroad. *No change. Part 70 requires that DAQ write permits that enforce requirements which ensure compliance with an applicable standard. Therefore, a lapse in monitoring or recordkeeping and reporting can be deemed in noncompliance with an applicable emission standard.*

**X. Public Notice/EPA and Affected State(s) Review**

Pursuant to 15A NCAC 2Q .0521, a notice of the DRAFT Title V Permit shall be placed in a newspaper of general circulation in the area where the facility is located. The notice will provide for a 30-day comment period, with an opportunity for a public hearing. Copies of the public notice shall be sent to persons on the Title V mailing list and EPA. Pursuant to 15A NCAC 2Q .0522, a copy of each permit application, each proposed permit and each final permit shall be provided to EPA. Also pursuant to 2Q .0522, a notice of the DRAFT Title V Permit shall be provided to each affected State at or before the time notice provided to the public under 2Q .0521 above. South Carolina is an affected State and Mecklenburg and Forsyth Counties are affected Local Programs within 50 miles of this facility.

**XI. Conclusions, Comments, and Recommendations**

A professional engineer's seal was not required for this renewal.

A consistency determination was not required for this renewal.

MRO recommends issuance of the permit and was presented with a DRAFT permit prior to notice and issuance (See History Section above).

RCO concurs with MRO's recommendation to issue the renewed air permit.