Colorado Department
of Public Health
and Environment

OPERATING PERMIT

Public Service Company of Colorado – Cherokee Station

First Issued: February 1, 2002

Renewed: August 1, 2020

Last Revised: December 29, 2020

AIR POLLUTION CONTROL DIVISION
COLORADO OPERATING PERMIT

FACILITY NAME: Cherokee Station

OPERATING PERMIT NUMBER

96OPAD130

FACILITY ID: 0010001
RENEWED: August 1, 2020
EXPIRATION DATE: August 1, 2025
MODIFICATIONS: See Appendix F of Permit

Issued in accordance with the provisions of Colorado Air Pollution Prevention and Control Act, 25-7-101 et seq. and applicable rules and regulations.

ISSUED TO:

Public Service Company of Colorado
1800 Larimer Street
Suite 1300
Denver, CO 80202

PLANT SITE LOCATION:

6198 Franklin Street
Denver, CO 80216
Adams County

INFORMATION RELIED UPON

Operating Permit Renewal Application Received: March 31, 2014

And Additional Information Received: February 3, June 10, July 5 & September 21, 2016, April 17 & August 31, 2017, January 2 & December 31, 2019 and February 19 & 26, March 3, & April 23, 2020

Nature of Business: Natural Gas-Fired Electric Generating Station
Primary SIC: 4911

RESPONSIBLE OFFICIAL
Name: Jeffrey West
Title: Senior Director, Environmental Services
Phone: (303) 571-2762

FACILITY CONTACT PERSON
Name: Chad Campbell
Title: Manager, Environmental Services – Air & Water Quality Compliance
Phone: (303) 294-2177

SUBMITTAL DEADLINES

First Semi-Annual Monitoring Period:	August 1 – December 31
Subsequent Semi-Annual Monitoring Periods:	January 1 – June 30, July 1 – December 31
Semi-Annual Monitoring Report:	Due February 1, 2021 & August 1, 2021 & subsequent years
First Annual Compliance Period:	August 1 – December 31
Subsequent Annual Compliance Periods:	January 1 – December 31
Annual Compliance Certification:	Due February 1, 2021 & subsequent years

Note that the Semi-Annual Monitoring Reports and Annual Compliance Certifications must be received at the Division office by 5:00 p.m. on the due date. Postmarked dates will not be accepted for the purposes of determining the timely receipt of those reports/certifications.

FOR ACID RAIN SUBMITTAL DEADLINES SEE SECTION III.4 OF THIS PERMIT

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SECTION I - General Activities and Summary

1. Permitted Activities

1.1 This facility is an electric generating facility. Electricity is produced through one natural gas-fired boiler and two natural gas-fired combined cycle combustion turbines. The natural gas-fired boiler, Unit 4, is a 388 MW boiler. Unit 4 previously burned coal as its primary fuel but converted to natural gas only on October 1, 2017. Note that three (3) coal fired boilers have been retired at this facility: Unit 1, a 115 MW unit last operated on April 30, 2012, Unit 2, a 114 MW unit last operated on October 15, 2011 and Unit 3, a 168 MW unit that last operated on August 15, 2015.

The two combined cycle combustion turbines began operation in July 2015. The total output of the combined cycle combustion turbines is approximately 524 MW. Each combustion turbine serves a generator rated at 175 MW. Each turbine is equipped with a heat recovery steam generator (HRSG) and duct burners to generate steam to generate additional power through a steam turbine (rated at 240 MW). The combustion turbines/HRSGs utilize dry low NO_X (DLN) combustion systems and selective catalytic reduction (SCR) to reduce NO_X emissions and oxidation catalysts to reduce CO and VOC emissions. The turbines are not equipped with by-pass stacks and only run in combined cycle mode.

In addition to the turbines and boiler, other emission units included in Section II of the permit include a cooling tower to support Unit 4, a cooling tower to support the combustion turbines, two service water towers, an emergency generator, an emergency fire pump, a gasoline storage tank and cold cleaner solvent vats.

The facility is located at 6198 Franklin Street in Adams County, within the Denver metro area. The Denver Metro Area is classified as attainment/maintenance for particulate matter less than 10 microns in diameter (PM_{10}) and carbon monoxide (CO). Under that classification, all SIP-approved requirements for PM_{10} and CO will continue to apply in order to prevent backsliding under the provisions of Section 110(l) of the Federal Clean Air Act. The Denver Metro Area is classified as non-attainment for the 8-hr ozone standard and is part of the 8-hr Ozone Control Area as defined in Regulation No. 7, Part A, Section II.A.1. The 8-hr Ozone Control Area has been classified as a serious non-attainment area effective January 27, 2020.

There are no affected states within 50 miles of the plant. Rocky Mountain National Park and Eagle's Nest National Wilderness Area, both Federal Class I designated area, is within 100 kilometers of the plant.

1.2 Until such time as this permit expires or is modified or revoked, the permittee is allowed to discharge air pollutants from this facility in accordance with the requirements, limitations, and conditions of this permit.

1.3 This Operating Permit incorporates the applicable requirements contained in the underlying construction permits, and does not affect those applicable requirements, except as modified

during review of the application or as modified subsequent to permit issuance using the modification procedures found in Regulation No. 3, Part C. These Part C procedures meet all applicable substantive New Source Review requirements of Part B. Any revisions made using the provisions of Regulation No. 3, Part C shall become new applicable requirements for purposes of this operating permit and shall survive reissuance. This Operating Permit incorporates the applicable requirements (except as noted in Section II) from the following Colorado Construction Permit(s): 86AD352-2, 12AD2345, 12AD2346, 12AD2347 and 12AD2348.

1.4 All conditions in this permit are enforceable by US Environmental Protection Agency, Colorado Air Pollution Control Division (hereinafter Division) and its agents, and citizens unless otherwise specified. State-only enforceable conditions are: Permit Condition Number(s): Section II – Conditions 2.18 (Opacity) and 9.7 (Mark AIRS Id on equipment) and Section V - Conditions 3.g (last paragraph), 14, 18 (as noted) and 30 (as noted).

1.5 All information gathered pursuant to the requirements of this permit is subject to the Recordkeeping and Reporting requirements listed under Condition 22 of the General Conditions in Section V of this permit. Either electronic or hard copy records are acceptable.

2. Alternative Operating Scenarios

2.1 The permittee shall be allowed to make the following changes to its method of operation without applying for a revision of this permit.

2.1.1 No separate operating scenarios have been specified.

3. Nonattainment Area New Source Review (NANSR) and Prevention Of Significant Deterioration (PSD)

3.1 This facility is categorized as a NANSR major stationary source for ozone (Potential to Emit of VOC and $NO_X \geq 50$ tons/year). Future modifications at this facility resulting in a significant net emissions increase (see Regulation No. 3, Part D, Sections II.A.27 and 44) for VOC or NO_X or a modification which is major by itself (Potential to Emit $\geq$ 50 tons/year of either VOC or NO_X) may result in the application of the NANSR review requirements.

3.2 This source is categorized as a PSD major stationary source (Potential to Emit $\geq$ 100 tons/year) for PM, PM_{10}, NO_X CO and VOC. Future modifications at this facility resulting in a significant net emissions increase (see Regulation No. 3, Part D, Sections II.A.27 and 44) or a modification that is major by itself (Potential to Emit $\geq$ 100 tons/yr) for any pollutant listed in Regulation No. 3, Part D, Section II.A.44 for which the area is in attainment or attainment/maintenance may result in the application of the PSD review requirements.

3.3 There are no other Operating Permits associated with this facility for purposes of determining the applicability or non-applicability of NANSR and PSD regulations.

4. Accidental Release Prevention Program (112(r))

4.1 Based upon the information provided by the applicant, this facility is not subject to the provisions of the Accidental Release Prevention Program (section 112(r) of the Federal Clean Air Act).

5. Compliance Assurance Monitoring (CAM)

5.1 The following emission points at this facility use a control device to achieve compliance with an emission limitation or standard to which they are subject and have pre-control emissions that exceed or are equivalent to the major source threshold. They are therefore subject to the provisions of the CAM program as set forth in 40 CFR Part 64, as adopted by reference in Colorado Regulation No. 3, Part C, Section XIV:

CT05 and CT06 – Combustion Turbines

See Section II, Condition 2.15 for compliance assurance monitoring requirements.

6. Summary of Emission Units

6.1 The emissions units regulated by this permit are the following:

Emission Unit No./ Facility ID	AIRS Point No.	Colorado Construction Permit No.	Description	Startup Date	Pollution Control Device
B004	004	86AD352-2	Boiler No. 4 (Unit 4), Combustion Engineering, Model No. 12465, Serial No. C400016, Tangentially Fired Boiler, Rated at 3,520 MMBtu/hr. Natural Gas Fired. This boiler previously burned coal and was equipped with a baghouse (installed 1989) and lime spray dryer (installed August 2002). This boiler converted to burning natural gas only on October 1, 2017 and as a result the baghouse and lime spray dryer were removed.	November 1968 LNB-OFA – 1990	**NO_X** – Low NOx Burners and Over-Fire Air (LNB-OFA)
M001	015		One (1) Cooling Towers (Unit 4) and Two (2) Service Water Towers	August 1955 – November 1968	Drift Eliminators
T001	024[1]		Gasoline Aboveground Storage Tank (1,000 gal)		Stage I Vapor Control System and Submerged Fill Pipe
E003	027[1]		Cummins, Model No. CFG9E-F20, Diesel Fuel-Fired Internal Combustion Engine, Rated at 282 hp and 14.6 gal/hr. Serial No. 73335121. This Engine Drives an Emergency Fire Pump.	September 2012	Uncontrolled
M002	N/A[2]		Safety Kleen Cold Cleaner Solvent Vats		Uncontrolled

Emission Unit No./ Facility ID	AIRS Point No.	Colorado Construction Permit No.	Description	Startup Date	Pollution Control Device
M003	N/A[2]		General Solvent Use		
CT05	028	12AD2345	General Electric Model No. 7FA.05, Combustion Turbine rated at 1906 MMBtu/hr (175 MW), serial No. 229212. The combustion turbine is equipped with a heat recovery steam generator (HRSG), equipped with a duct burner rated at 310 MMBtu/hr. The turbine and duct burner are natural gas fired.	July 2015	**NOx:** Dry Low (DLN) Burners, and Selective Catalytic Reduction (SCR) **CO and VOC:** Oxidation Catalyst
CT06	029	12AD2346	General Electric Model No. 7FA.05, Combustion Turbine rated at 1906 MMBtu/hr (175 MW), serial No. 229213. The combustion turbine is equipped with a heat recovery steam generator (HRSG), equipped with a duct burner rated at 310 MMBtu/hr. The turbine and duct burner are natural gas fired.	July 2015	**NOx:** DLN Burners and SCR **CO and VOC:** Oxidation Catalyst
CW01	030	12AD2347	Internal Cooling Tower, Model No. CFF-484832-10-33-6, Custom Built (no serial no.) 10-Cell Cooling Tower, Rated at 9.3 MMgal/hr.	June 2015	Drift Eliminators
EG01	031	12AD2348	Cummins, Model No. QSK60-G14, Serial No. 33199317, Diesel Fuel-Fired Internal Combustion Engine Rated at 3280 hp and 157.9 gal/hr (21.6 MMBtu/hr). This Engine Drives an Emergency Generator. The engine was manufactured in 2013 (displacement 3.76 liters/cylinder) and first located in Colorado in 2015.	February 2015	Uncontrolled
P012	032		Soda Ash Storage Silo. Silo 28.8 ton capacity with WAMGROUP, Model No. FNC3V22PH, Serial No. TBD Bin Vent Filter	October 2021	Bin Vent Filter

[1]These emission points were previously subject to APEN reporting requirements under the "catch-all" provisions so an AIRS point number was assigned. Due to changes and/or the removal of the "catch-all" provisions, the APENs were cancelled because actual, uncontrolled emissions were below the APEN de minimis level (1 ton/year of NO_X or VOC).

[2]An APEN is not required as long as actual, uncontrolled emissions do not exceed the APEN de minimis level (1 ton/year of VOC).

SECTION II - Specific Permit Terms

1. B004 - Boiler No. 4 (Unit 4), Natural Gas Fired

Parameter	Permit Condition Number	Limitations		Compliance Emission Factor	Monitoring	
		Short Term	Long Term		Method	Interval
Particulate Matter (PM)	1.1	0.03 lb/MMBtu		N/A	Performance Test	Annually
					Fuel Restriction	Only Natural Gas is Used as Fuel
Particulate Matter (PM and PM_{10}) – Annual Emission Calculations	1.2	N/A	N/A	<u>in lbs/MMscf</u> PM 1.9 PM_{10} 1.9	Recordkeeping and Calculation	Annually
SO_2	1.3	1.1 lb/MMBtu, on a 3-Hour Rolling Average		N/A	Fuel Restriction	Only Natural Gas is Used as Fuel
		0.88 lb/MMBtu, on a 30-Day Rolling Average Limitation Applies From November 1 – March 1				
		7.81 tons/year			Continuous Emission Monitor	Continuously, 12-Month Rolling Average
NO_X	1.4	0.12 lb/MMBtu, on a 30-day rolling average		N/A	Continuous Emission Monitor	Continuously, 30-Day Rolling Average
Annual Emission Calculations	1.5	N/A	N/A	<u>in lbs/MMscf</u> NO_X CEM CO 24 VOC 5.5	Recordkeeping and Calculation	Annually
Natural Gas Usage	1.6	N/A	N/A	N/A	Recordkeeping	Annually
Continuous Emission Monitoring Requirements	1.7	N/A	N/A	N/A	See Condition 1.7	

Parameter	Permit Condition Number	Limitations		Compliance Emission Factor	Monitoring	
		Short Term	Long Term		Method	Interval
Opacity	1.8	Not to Exceed 20% Except as Provided for below		N/A	Method 9	Annually
			For Certain Operational Activities - Not to Exceed 30% for a Period or Periods Aggregating More than Six (6) Consecutive Minutes in Any 60 Consecutive Minutes		Fuel Restriction	Only Natural Gas is Used as Fuel
Acid Rain Requirements	1.9	See Section III of this Permit			Certification	Annually
Regional Haze Requirements	1.10	Switch Unit 4 to Natural Gas Only by 12/31/2017		N/A	See Condition 1.10	
Regulation No. 7, Part E, Section II.A	1.11	Combustion Process Adjustment and Recordkeeping Requirements		N/A	See Condition 1.11	

1.1 Particulate Matter (PM) emissions shall not exceed 0.03 lb/MMBtu. (Colorado Regulation No. 23, Section IV.C.2) Compliance with the PM limit shall be monitored as follows:

1.1.1 Unless particulate compliance testing was completed within the previous 6 months, within 60 days of the compliance deadline [December 31, 2017], the owner/operator shall conduct a stack test to measure particulate emissions in accordance with the requirements and procedures set forth in EPA Test Method 5 as set forth in 40 CFR Part 60, Appendix A. Stack testing for particulate matter shall be performed annually, except that: (1) if any test results indicate emissions are less than or equal to 50% of the emission limit, another test is required within five years; (2) if any test results indicate emissions are more than 50%, but less than or equal to 75% of the emission limit, another test is required within three years; and (3) if any test results indicate emissions are greater than 75% of the emission limit, an annual test is required until the provisions of (1) or (2) are met. A test run shall consist of three test runs, with each run at least 120 minutes in duration. Test results shall be converted to the applicable units and compliance will be based on the average of the three test runs. (Colorado Regulation No. 23, Section V.B.1)

Note that performance tests were conducted on July 17 & 18, 2017 and the results (PM = 0.003 lb/MMBtu) indicated emissions were less than 50% of the limit, therefore, the next test is due in five (5) years.

The test protocol, test, and test report must be in accordance with the requirements of the APCD Compliance Test Manual (https://www.colorado.gov/pacific/cdphe/air/compliance-enforcement). A stack testing protocol shall be submitted for Division approval at least forty-five (45)

calendar days prior to any performance of the test required under this condition. No stack test required herein shall be performed without prior approval of the protocol by the Division. The Division reserves the right to witness the test. In order to facilitate the Division's ability to make plans to witness the test, notice of the date(s) for the stack test shall be submitted to the Division at least thirty (30) calendar days prior to the test. The Division may for good cause shown, waive this thirty (30) day notice requirement. In instances when a scheduling conflict is presented, the Division shall immediately contact the permittee in order to explore the possibility of making modifications to the stack test schedule. The compliance test results shall be submitted to the Division within forty-five (45) calendar days of the completion of the test unless a longer period is approved by the Division.

1.2 The emission factors listed above have been approved by the Division and shall be used to calculate emissions from the boiler (EPA's Compilation of Emission Factors (AP-42), dated March 1998, Section 1.4). Annual emissions of PM and PM_{10} for the purposes of APEN reporting and payment of annual fees will be determined using the emission factors above and the annual natural gas usage, as required by Condition 1.6, in the following equation:

$$\text{Tons/yr} = \frac{[\text{EF (lbs/MMscf)} \times \text{annual natural gas usage (MMscf/yr)}]}{2000 \text{ lbs/ton}}$$

1.3 Sulfur Dioxide (SO_2) emissions shall not exceed the following limitations:

1.3.1 SO_2 emissions shall not exceed 1.1 lbs/MMBtu on a 3 hour rolling average (Colorado Regulation No. 1, Section VII.A.1).

1.3.2 SO_2 emissions shall not exceed 0.88 lbs/MMBtu, based on a 30-day rolling average. Such emission limit shall apply seasonally from November 1 through March 1 (Colorado Regulation No. 1, Section VII.A.1.c).

1.3.3 SO_2 emissions shall not exceed 7.81 tons/yr on a rolling 12 month average. (Colorado Regulation No. 23, Section IV.C.2)

Compliance with the above limitations shall be monitored as follows:

1.3.4 In the absence of credible evidence to the contrary, compliance with the SO_2 emission limitations in Conditions 1.3.1 and 1.3.2 shall be presumed since only natural gas is permitted to be used as fuel.

1.3.5 Compliance with the SO_2 emission limitation in Condition 1.3.3 shall be monitored using the continuous emission monitoring systems (CEMS) required by Condition 1.7.

For purposes of monitoring compliance with the emission limitation in Condition 1.3.3 for any hour in which fuel is combusted in the unit, the permittee shall calculate

the hourly average SO_2 mass emissions in units of lb/hr in accordance with the requirements in 40 CFR Part 75, except that replaced data shall not be included and the data shall not have been bias-adjusted. Replaced data shall be reported as monitor downtime in the quarterly reports required by Condition 5.3. Hourly averages shall be used as follows to monitor compliance with the emission limitations in Condition 1.3.3.

1.3.5.1 Before the end of each month, the owner/operator shall calculate and record the 12-month rolling average emission rate in tons/year from all valid hourly emission values from the CEMS for the previous 12 months. (Colorado Regulation No. 23, Section V.A.1.a.(i)(4), revised to replace "lb/MMBtu" with "tons/year" as that is the unit of the standard)

In determining compliance with the SO_2 limit, all periods of emissions shall be included, including startups, shutdowns, emergencies, and malfunctions. (Colorado Regulation No. 23, Section V.A.1.a, last paragraph)

1.3.5.2 The owner/operator of a BART, RP or BART alternative program unit shall submit quarterly excess emissions reports no later than the 30th day following the end of each quarterly period unless more frequent reporting is required. Excess emissions means emissions that exceed the Regional Haze emissions limits. Excess emission reports shall include the information specified in 40 CFR Part 60, Section 60.7(c) (see Condition 5.3). (Colorado Regulation No. 23, Section V.D, first paragraph, revised to require quarterly reporting. Section V.D allows for more frequent reporting, since the source must submit quarterly Acid Rain Reports, frequency was set to quarterly.)

1.4 Nitrogen Oxide emissions shall not exceed 0.12 lb/MMBtu on a 30-day rolling average (Colorado Regulation No. 23, Section IV.C.2).

Compliance with the NO_X limitation shall be monitored using the CEMS required by Condition 1.7 of this permit.

For purposes of monitoring compliance with the emission limitation in Condition 1.4, for any hour in which fuel is combusted in the unit, the permittee shall calculate the hourly average NO_X concentrations in units of lb/MMBtu in accordance with the requirements in 40 CFR Part 75, except that replaced data shall not be included and the data shall not have been bias-adjusted. Replaced data shall be reported as monitor downtime in the quarterly reports required by Condition 5.3. Hourly averages shall be used as follows to monitor compliance with the emission limitations in Condition 1.4.

1.4.1 Before the end of each operating day, the owner/operator shall calculate and record the 30-day rolling average emission rate in lb/MMBtu from all valid hourly emission values from the CEMS for the previous 30 operating days. (Colorado Regulation No.

23, Section V.A.1.a.(i)(2)) The 30-day rolling averages shall be used to monitor compliance with the emission limitation in Condition 1.4.

In determining compliance with the NO_X limit, all periods of emissions shall be included, including startups, shutdowns, emergencies, and malfunctions. (Colorado Regulation No. 23, Section V.A.1.a, last paragraph)

1.4.2 "Operating day" means any twenty-four-hour period between midnight and the following midnight during which any fuel is combusted at any time in a BART unit, BART alternative program unit, or Reasonable Progress unit. (Colorado Regulation No. 23, Section II.S)

1.4.3 The owner/operator of a BART, RP or BART alternative program unit shall submit quarterly excess emissions reports no later than the 30th day following the end of each quarterly period unless more frequent reporting is required. Excess emissions means emissions that exceed the Regional Haze emissions limits. Excess emission reports shall include the information specified in 40 CFR Part 60, Section 60.7(c) (see Condition 5.3). (Colorado Regulation No. 23, Section V.D, first paragraph, revised to require quarterly reporting. Section V.D allows for more frequent reporting, since the source must submit quarterly Acid Rain Reports, frequency was set to quarterly.)

1.5 The emission factors listed above have been approved by the Division and shall be used to calculate emissions from the boiler (EPA's Compilation of Emission Factors (AP-42), dated March 1998, Section 1.4). Annual emissions for the purposes of APEN reporting and payment of annual fees will be determined using the emission factors above and the annual natural gas usage, as required by Condition 1.6, in the following equation:

$$\text{Tons/yr} = \frac{[\text{EF (lbs/MMscf)} \times \text{annual natural gas usage (MMscf/yr)}]}{2000 \text{ lbs/ton}}$$

Annual emissions of SO_2 shall be determined as required by Condition 1.3.5. Annual emissions of SO_2 and NO_X shall be determined using the CEMs required in Condition 1.7.

1.6 Natural Gas Usage shall be monitored annually and recorded and maintained to be made available to the Division upon request. Natural gas usage shall be determined using fuel meters and corporate records as necessary.

1.7 **For this unit**, the source shall install, certify and operate continuous emission monitoring systems (CEMS) for measuring SO_2, NO_X (including diluent gas either CO_2 or O_2), CO_2, and volumetric flow (40 CFR Part 75). The CEM systems shall meet the requirements in Condition 5.

1.8 This unit is subject to the following opacity requirements:

1.8.1 Except as provided for in Condition 1.8.2 below, no owner or operator of a source shall allow or cause the emission into the atmosphere of any air pollutant which is in excess of 20% opacity (Colorado Regulation No. 1, Section II.A.1).

1.8.2 No owner or operator of a source shall allow or cause to be emitted into the atmosphere any air pollutant resulting from the building of a new fire, cleaning of fire boxes, soot blowing, start-up, process modifications, or adjustment or occasional cleaning of control equipment which is in excess of 30% opacity for a period or periods aggregating more than six (6) minutes in any sixty (60) consecutive minutes (Colorado Regulation No. 1, Section II.A.4).

Compliance with the opacity requirements shall be monitored as follows:

1.8.3 In the absence of credible evidence to the contrary, compliance with the opacity limit in Condition 1.8.2 shall be presumed since only natural gas is permitted to be used as fuel.

1.8.4 A method 9 opacity observation shall be conducted annually (calendar year period) to monitor compliance with the opacity limit in Condition 1.8.1.

1.8.5 If the boiler is not operated during the annual (calendar year) period, then no opacity observations are required.

1.8.6 Subject to the provisions of C.R.S. 25-7-123.1 and in the absence of credible evidence to the contrary, exceedance of the opacity limit shall be considered to exist from the time a Method 9 reading is taken that shows an exceedance of the opacity limit until a Method 9 reading is taken that shows the opacity is less than the opacity limit.

1.8.7 All Method 9 opacity observations shall be performed by an observer with current and valid Method 9 certification. Results of Method 9 readings and a copy of the certified Method 9 reader's certificate shall be kept on site and made available to the Division upon request.

1.9 This unit is subject to the Title IV Acid Rain Requirements. As specified in 40 CFR Part 72.72(b)(1)(viii), the acid rain permit requirements shall be a complete and segregable portion of the Operating Permit. As such the requirements are found in Section III of this permit.

1.10 This unit is subject to the following Regional Haze Requirements:

1.10.1 Unit 4 shall switch to natural gas no later than December 31, 2017. (Colorado Regulation No. 23, Section IV.C.2). Unit 4 permanently converted to natural gas only operation on October 1, 2017.

1.11 This unit subject to requirements in Colorado Regulation No. 7, Part E, Section II.A for combustion equipment located in the 8-hour Ozone Control Area, as follows:

Note that the language below is from Colorado Regulation No. 7, adopted by the Colorado Air Quality Control Commissions (AQCC) on September 23, 2020 (effective November 14, 2020). However, if revisions to Colorado Regulation No. 7, Part E, Section II.A are published at a later date, the owner or operator is subject to the requirements contained in the revised version of Section II.A.

1.11.1 **Combustion Process Adjustment Requirements.** As of January 1, 2017, this Section II.A.6. applies to boilers, duct burners, process heaters, stationary combustion turbines, and stationary reciprocating internal combustion engines with uncontrolled actual emissions of NOx equal to or greater than five (5) tons per year that existed at major sources of NOx (greater than or equal to 100 tpy NO_X) as of June 3, 2016. (Regulation No. 7, Part E, Section II.A.6.a.(i))

1.11.1.1 When burning the fuel that provides the majority of the heat input since the last combustion process adjustment and when operating at a firing rate typical of normal operation, the owner or operator must conduct the following inspections and adjustments of boilers and process heaters, as applicable (Regulation No, 7, Part E, Section II.A.6.b.(i)):

a. Inspect the burner and combustion controls and clean or replace components as necessary. (Regulation No, 7, Part E, Section II.A.6.b.(i)(A))

b. Inspect the flame pattern and adjust the burner or combustion controls as necessary to optimize the flame pattern. (Regulation No, 7, Section XVI.D.6.b.(i)(B))

c. Inspect the system controlling the air-to-fuel ratio and ensure that it is correctly calibrated and functioning properly. (Regulation No, 7, Part E, Section II.A.6.b.(i)(C))

d. Measure the concentration in the effluent stream of carbon monoxide and nitrogen oxide in ppm, by volume, before and after the adjustments in Sections II.A.6.b.(i)(A) through (C). Measurements may be taken using a portable analyzer. (Regulation No, 7, Part E, Section II.A.6.b.(i)(D))

1.11.1.2 The owner or operator must operate and maintain the boiler, duct burner, process heater, stationary combustion turbine, stationary internal combustion engine, dryer, furnace, or ceramic kiln consistent with manufacturer's specifications, if available, or good engineering and maintenance practices. (Regulation No, 7, Part E, Section II.A.6.b.(vii))

1.11.1.3 Frequency (Regulation No, 7, Part E, Section II.A.6.b.(viii))

a. The owner or operator of boilers, duct burners, process heaters, stationary combustion turbines, and stationary reciprocating internal combustion engines with uncontrolled actual emissions of NOx equal to or greater than five (5) tons per year that existed at major sources of NOx (greater than or equal to 100 tpy NOx) as of June 3, 2016, must conduct the initial combustion process adjustment by April 1, 2017. An owner or operator may rely on a combustion process adjustment conducted in accordance with applicable requirements and schedule of a New Source Performance Standard in 40 CFR Part 60 (November 17, 2016) or National Emission Standard for Hazardous Air Pollutants in 40 CFR Part 63 (November 17, 2016) to satisfy the requirement to conduct an initial combustion process adjustment by April 1, 2017. (Regulation No, 7, Part E, Section II.A.6.b.(viii)(A))

b. The owner or operator must conduct subsequent combustion process adjustments at least once every twelve (12) months after the initial combustion adjustment, or on the applicable schedule according to Sections II.A.6.c.(i). or II.A.6.c.(ii). (Regulation No, 7, Part E, Section II.A.6.b.(viii)(C))

1.11.1.4 As an alternative to the requirements described in Sections II.A.6.b.(i) through II.A.6.b.(viii) (Regulation No. 7, Part E, Section II.A.6.c):

a. The owner or operator may conduct the combustion process adjustment according to the manufacturer recommended procedures and schedule; (Regulation No. 7, Part E, Section II.A.6.c.(i)); or

b. The owner or operator of combustion equipment that is subject to and required to conduct a periodic tune-up or combustion adjustment by the applicable requirements of a New Source Performance Standard in 40 CFR Part 60 (December 19, 2019) or National Emission Standard for Hazardous Air Pollutants in 40 CFR Part 63 (December 19, 2019) may conduct tune-ups or adjustments according to the schedule and procedures of the applicable requirements of 40 CFR Part 60 (December 19, 2019) or 40 CFR Part 63 (December 19, 2019). (Regulation No. 7, Part E, Section II.A.6.c.(ii))

1.11.2 **Recordkeeping Requirements.** The following records must be kept for a period of five years and made available to the Division upon request (Regulation No. 7, Part E, Section II.A.7):

1.11.2.1 The type and amount of fuel used. (Regulation No. 7, Part E, Section II.A.7.c) The recordkeeping required by Condition 1.6 is sufficient to meet the requirements in this condition.

1.11.2.2 The stationary combustion equipment's annual capacity factor on a calendar year basis. (Regulation No. 7, Part E, Section II.A.7.d)

1.11.2.3 For stationary combustion equipment subject to the **combustion process adjustment requirements** in Section II.A.6., the following recordkeeping requirements apply (Regulation No. 7, Part E, Section II.A.7.f):

a. The owner or operator must create a record once every calendar year identifying the combustion equipment at the source subject to Section II.A. and including for each combustion equipment: (Regulation No. 7, Part E, Section II.A.7.f .(i)):

(i) The date of the adjustment (Regulation No. 7, Part E, Section II.A.7.f .(i)(A));

(ii) Whether the combustion process adjustment under Sections II.A.6.b.(i) through II.A.6.b.(vi) was followed, and what procedures were performed (Regulation No. 7, Part E, Section II.A.7.f .(i)(B));

(iii) Whether a combustion process adjustment under Sections II.A.6.c.(i). and II.A.6.c.(ii). was followed, what procedures were performed, and what New Source Performance or National Emission Standard for Hazardous Air Pollutants applied, if any; (Regulation No. 7, Part E, Section II.A.7.f.(i)(C)); and

(iv) A description of any corrective action taken. (Regulation No. 7, Part E, Section II.A.7.f.(i)(D))

(v) If the owner or operator conducts the combustion process adjustment according to the manufacturer recommended procedures and schedule and the manufacturer specifies a combustion process adjustment on an operation time schedule, the hours of operation. (Regulation No. 7, Part E, Section II.A.7.f.(i)(E))

b. The owner or operator must retain manufacturer recommended procedures, specifications, and maintenance schedule if utilized under Section II.A.6.c.(i). for the life of the equipment. (Regulation No. 7, Part E, Section II.A.7.f .(ii))

c. As an alternative to the requirements described in Section II.A.7.f.(i), the owner or operator may comply with applicable recordkeeping requirements related to combustion process adjustments conducted according to a New Source Performance Standard in 40 CFR Part 60 (November 17, 2016) or National Emission Standard for Hazardous Air Pollutants in 40 CFR Part 63

(November 17, 2016). (Regulation No. 7, Part E, Section II.A.7.f.(iii)

2. CT05 and CT06 – Two (2) Combustion Turbines, Each Equipped with HRSG and Duct Burner

Unless Otherwise Specified Limits are for Each Combustion Turbine.
Unless Otherwise Specified "Combustion Turbine" Means the Combustion Turbine, HRSG and Duct Burner Combined.

Parameter	Permit Condition Number	Limitations Short Term	Limitations Long Term	Compliance Emission Factor	Monitoring Method	Monitoring Interval
RACT Requirements	2.1	See Condition 2.1		N/A	See Condition 2.1	
NO_X	2.2	**For Each Combustion Turbine:** 4 ppmvd @ 15% O_2 on a 24-hr rolling average, except as provided for below. During Combustion Tuning and Testing (not to exceed 60 hrs/yr **for the turbines combined**): 100 ppmvd @ 15% O_2 on a 1-hr average The above limit does not apply during periods of startup and shutdown.		N/A	Continuous Emission Monitoring System	Continuously
		For Each Combustion Turbine: 15 ppm @ 15% O_2, except as provided for below: 96 ppm @ 15% O_2 when operating at less than 75% of peak load 96 ppm @ 15% O_2 when operating at temperatures less than 0°F Averaging time is 30-day rolling. For periods when multiple standards apply, the applicable standard is the average of applicable standards during each hour				
		N/A	148.1 tons/yr			
CO	2.3	**For Each Combustion Turbine:** **9** ppmvd @ 15% O_2 on a 24-hr rolling average, except as provided for below. During Combustion Tuning and Testing (not to exceed 60 hrs/yr **for the turbines combined**): 1,000 ppmvd @ 15% O_2 on a 1-hr average The above limit does not apply during periods of startup and shutdown.		N/A	Continuous Emission Monitoring System	Continuously
		N/A	172.4 tons/yr			

Parameter	Permit Condition Number	Limitations Short Term	Limitations Long Term	Compliance Emission Factor	Monitoring Method	Monitoring Interval
SO_2	2.4	**For Each Combustion Turbine**: 0.06 lb/MMBtu		N/A	See Condition 2.4	
		N/A	5.3 tons/yr		Continuous Monitoring System	Continuously
VOC	2.5	1.6 ppmvd @ 15% O_2, based on the average of three (3) test runs		N/A	See Condition 2.5.1	
		N/A	34.6 tons/yr	3.64 lb/MMscf	Recordkeeping and Calculation	Monthly
PM	2.6	**For Each Combustion Turbine (<u>no</u> fuel fired in duct burner):** 0.1 lb/MMBtu, the average of three (3) 1-hr tests **For Each Combustion Turbine (<u>with</u> fuel fired in duct burner):** 0.1 lb/MMBtu, the average of three (3) 1-hr tests		N/A	Fuel Restriction	Only Pipeline Quality Natural Gas is Used as Fuel
		N/A	45.2 tons/yr	4.75 lb/MMscf	Recordkeeping and Calculation	Monthly
PM_{10}	2.7	N/A	45.2 tons/yr	4.75 lb/MMscf	Recordkeeping and Calculation	Monthly
$PM_{2.5}$		N/A	45.2 tons/yr	4.75 lb/MMscf		
Natural Gas Consumption	2.8	N/A	19,033 MMscf/yr	N/A	Recordkeeping	Monthly
Sulfur Content of Natural Gas	2.9	N/A	N/A	N/A	See Condition 2.9	
Continuous Emission Monitoring System Requirements	2.10	N/A	N/A	N/A	See Condition 2.10	
Fuel Flow Meter	2.11	N/A	N/A	N/A	See Condition 2.11	
Control Device Requirements	2.12	Each Combustion Turbine is Equipped with Selective Catalytic Reduction (SCR) and an Oxidation Catalyst.		N/A	See Condition 2.12	
NSPS Subpart KKKK General Requirements	2.13	N/A	N/A	N/A	See Condition 2.13	
NSPS General Provisions	2.14	N/A	N/A	N/A	As Required by NSPS General Provisions	Subject to NSPS General Provisions
Compliance Assurance Monitoring Requirements	2.15	N/A	N/A	N/A	See Condition 2.15	

Parameter	Permit Condition Number	Limitations Short Term	Limitations Long Term	Compliance Emission Factor	Monitoring Method	Monitoring Interval
Opacity	2.16	Not to Exceed 20% Except as Provided for in Condition 2.17 Below		N/A	Fuel Restriction	Only Pipeline Quality Natural Gas is Used as Fuel
Opacity	2.17	For Certain Operational Activities - Not to Exceed 30%, for a Period or Periods Aggregating More than Six (6) Minutes in any 60 Consecutive Minutes		N/A		
Opacity – **State Only**	2.18	Not to Exceed 20%		N/A		
Acid Rain Requirements	2.19	See Section III of this Permit			Certification	Annually
Regulation No. 7, Part E, Section II.A Requirements	2.20	Combustion Process Adjustment and Recordkeeping Requirements		N/A	See Condition 2.20	

2.1 The combustion turbines are subject to the Reasonably Available Control Technology Requirements (RACT) for NO_X, PM_{10}, CO and VOC emissions. (Colorado Regulation No. 3, Part B, Section III.D.2.a and Colorado Regulation No. 7, Part A, Section II.C.2). RACT has been determined as follows:

2.1.1 RACT for NO_X is met with dry low NO_X (DLN) combustion systems and selective catalytic reduction (SCR) and the emission limits identified in Condition 2.2.1. (Colorado Construction Permit 12AD2345 and 12AD2346, as modified under the provisions in Section I, Condition 1.3 to include the DLN combustion systems as RACT)

2.1.2 RACT for CO is met with an oxidation catalyst and the emission limits identified in Condition 2.3.1. (Colorado Construction Permits 12AD2345 and 12AD2346, as modified under the provisions of Section I, Condition 1.3 to include CO RACT requirements (RACT required for CO per Colorado Regulation No. 3, Part B, Section III.D.2.a))

2.1.3 RACT for VOC is met with an oxidation catalyst and the emission limits identified in Condition 2.5.1. (Colorado Construction Permit 12AD2345 and 12AD2346, as modified under the provisions in Section I, Condition 1.3 to include only the dry VOC limit and to specify the control technology)

2.1.4 RACT for PM_{10} is met by using only pipeline quality natural gas as fuel. The pipeline quality natural gas shall meet the requirements in Condition 2.9. (Colorado Construction Permits 12AD2345 and 12AD2346, as modified under the provisions of Section I, Condition 1.3 to include PM_{10} RACT requirements (RACT required for PM_{10} per Colorado Regulation No. 3, Part B, Section III.D.2.a))

2.2 Emissions of Nitrogen Oxides (NO_X) shall not exceed the following limitations:

2.2.1 For purposes of RACT, Nitrogen Oxide (NO_X) emissions **from each combustion turbine** shall not exceed the following limitations (Colorado Construction Permit 12AD2345 and 12AD2346, as modified under the provisions of Section I, Condition 1.3 to include definitions of startup and shutdown and alternative limits for combustion tuning and testing):

2.2.1.1 Except as provided for below, emissions of NO_X shall not exceed 4 ppmvd at 15% O_2, on a 24-hour rolling average.

2.2.1.2 During periods of combustion tuning and testing, emissions of NO_X shall not exceed 100 ppmvd at 15% O_2, on a 1-hour average. Use of this NO_X emission limit for purposes of combustion tuning and testing shall not exceed 60 hours in any calendar year **for both turbines combined**. Records of the number of hours each turbine undergoes combustion tuning and/or testing shall be recorded and maintained and made available to the Division upon request.

2.2.1.3 The emission limitations above do not apply during periods of startup and shutdown; however, emissions during startup and shutdown shall be included in determining compliance with the annual limitation in Condition 2.2.3.

2.2.1.4 "Startup" means the setting in operation of any air pollution source for any purpose. Setting in operation for these turbines begins when flame is detected in the turbine. Setting in operation for these turbines ends 30 minutes after the turbine reaches Mode 6.3 operation.

2.2.1.5 "Shutdown" means the cessation of operation of any air pollution source for any purpose. The cessation of operation for these combustion turbines begins when the command signal is initiated to shutdown the unit and ends when fuel is no longer being fired in the turbine.

2.2.1.6 "Combustion Tuning and Testing" means the operation of the unit for the purpose of performing combustion tuning and testing operations after a unit overhaul or as part of routine maintenance operations. Combustion tuning and testing includes testing and tuning of the selective catalytic reduction (SCR) system and can occur throughout the range of the operating conditions.

Compliance with the NO_X RACT emission limitations in Conditions 2.2.1.1 and 2.2.1.2 shall be monitored using the continuous emission monitoring systems (CEMS) required by Condition 2.10, as follows:

2.2.1.7 Except as provided for in Condition 2.2.1.8, all valid CEMS concentration (ppm) data points, excluding startup and shutdown data points, shall at the

end of each clock hour, be summarized to generate the average NO_X concentration in accordance with the requirements in 40 CFR Part 75 and Condition 5.1.3.2 of this permit. Data used to generate the one-hour average NO_X concentration shall not include replaced data, nor shall the data be bias-adjusted. Replaced data shall be reported as monitor down time in the quarterly reports required by Condition 5.3. The one-hour averages shall be used in the 24-hour rolling averages described in this Condition 2.2.1.7 or compared to the limitation in Condition 2.2.1.2, as appropriate. Compliance with the limitation in Condition 2.2.1.1 shall be based on a 24-hour rolling average, except that compliance with the limitations cannot be assessed until 24 hours of operation have occurred. It is not necessary for hours of operation to be consecutive (i.e. the rolling 24-hour average would resume after the unit has shutdown and is re-started) in order for those hours to be included in the 24-hour rolling averages.

2.2.1.8 In the event that the startup ends within a clock hour or the shutdown begins within a clock hour, all non-startup and/or non-shutdown concentration (ppm) data points within that clock hour shall be averaged together to generate the average NO_X concentration in accordance with the requirements in 40 CFR Part 75 and Condition 5.1.3.2 of this permit. Data used to generate the one-hour average NO_X concentration shall not include replaced data, nor shall the data be bias-adjusted. Replaced data shall be reported as monitor down time in the quarterly reports required by Condition 5.3. These partial hour average NO_X concentrations shall be included in the 24-hour rolling averages to monitor compliance with the limitation in Condition 2.2.1.1 or compared to the limitation in Condition 2.2.1.2.

2.2.1.9 The emission limitation in Condition 2.2.1.2 applies to any clock hour in which combustion tuning and testing activities occur.

2.2.2 For purposes of 40 CFR Part 60 Subpart KKKK, NO_X emissions **from each combustion turbine** are subject to the following requirements (Colorado Construction Permits 12AD2345 and 12AD2346):

The requirements in this Condition 2.2.2, as well as Conditions 2.4.1 and 2.13 reflect the rule language in 40 CFR Part 60 Subpart KKKK as of the latest revisions to 40 CFR Part 60 Subpart KKKK published in the Federal Register on March 20, 2009. However, if revisions to this Subpart are promulgated at a later date, the owner or operator is subject to the requirements contained in the revised version of 40 CFR Part 60 Subpart KKKK.

Please note that proposed revisions to 40 CFR Part 63 Subpart KKKK were published in the Federal Register on August 29, 2012 to address a petition for reconsideration filed by the Utility Air Regulatory Group (UARG) on September 5, 2006 regarding

the July 2006 final rule and to address other technical and editorial issues. Therefore, the requirements below may change in the future.

You must meet the emission limits for NO_X specified in Table 1 to this subpart. (§ 60.4320(a)). The requirements in Table 1 that apply to these units are as follows:

2.2.2.1 Except as provided for below, NO_X emissions shall not exceed 15 ppm at 15 % O_2.

2.2.2.2 When operating at less than 75% of the peak load, NO_X emissions shall not exceed 96 ppm at 15% O_2,

2.2.2.3 When operating at temperatures less than on 0 °F, NO_X emissions shall not exceed 96 ppm at 15% O_2.

2.2.2.4 For operating periods during which multiple emissions standards apply, the applicable standard is the average of the applicable standards during each hour. For hours with multiple emissions standards, the applicable limit for that hour is determined based on the condition that corresponded to the highest emissions standard. (§ 60.4380(b)(3))

Compliance with the above NSPS KKKK NO_X emission shall be monitored using the continuous emission monitoring systems (CEMS) required by Condition 2.10, as follows:

2.2.2.5 All CEMS data must be reduced to hourly averages as specified in §60.13(h). (§ 60.4350(a))

2.2.2.6 For each unit operating hour in which a valid hourly average is obtained for both NO_X and diluent monitors, the data acquisition and handling system must calculate and record the hourly NO_X emission rate in units of ppm or lb/MMBtu, using the appropriate equation from method 19 in appendix A of this part. For any hour in which the hourly average O_2 concentration exceeds 19.0 percent O_2 (or the hourly average CO_2 concentration is less than 1.0 percent CO_2), a diluent cap value of 19.0 percent O_2 or 1.0 percent CO_2 (as applicable) may be used in the emission calculations. (§ 60.4350(b))

2.2.2.7 If you have installed and certified a NO_X diluent CEMS to meet the requirements of part 75 of this chapter, states can approve that only quality assured data from the CEMS shall be used to identify excess emissions under this subpart. Periods where the missing data substitution procedures in subpart D of part 75 are applied are to be reported as monitor downtime in the excess emissions and monitoring performance report required under §60.7(c) (Condition 5.3). (§ 60.4350(d))

2.2.2.8 Calculate the hourly average NO_X emission rates, in units of the emission standards under §60.4320, using either ppm for units complying with the

concentration limit or the equations in § 60.4350(f)) for units complying with the output based standard. (§ 60.4350(f))

2.2.2.9 For combined cycle and combined heat and power units with heat recovery, use the calculated hourly average emission rates from § 60.4350(f) (Condition 2.2.2.8) to assess excess emissions on a 30 unit operating day rolling average basis, as described in §60.4380(b)(1) (Condition 5.5.3.1). (§ 60.4350(h))

2.2.2.10 Further provisions regarding reporting excess emissions are provided for in Condition 5.5.3.

Note that the NO_X emission limits in this Condition 2.2.2 are not applicable during times of startup, shutdown and malfunction. However, those instances during startup, shutdown and malfunction when the NO_X limitation is exceeded shall be identified in the excess emission reports required by Condition 5.5.

2.2.3 Annual emissions of NO_X **from each combustion turbine** shall not exceed the above limitation (Colorado Construction Permits 12AD2345 and 12AD2346, as modified under the provisions of Section I, Condition 1.3 to remove the quarterly limitations). Monthly emissions from each turbine shall be determined using the continuous emission monitoring system required by Condition 2.10. For any hour in which fuel is combusted in the turbines, including periods of startup, shutdown and malfunction, the permittee shall program the DAHs to calculate lb/hr NO_X emissions in accordance with the requirements in Condition 5.1.3.2 of this permit and 40 CFR Part 75, including any replaced data and the data shall be bias-adjusted, if warranted.

Specifically hourly mass NO_X emissions (in lb/hr) shall be calculated by multiplying the hourly NO_X lb/MMBtu value (which includes replaced or bias-adjusted data, as applicable) by the hourly heat input value (MMBtu/hr) (which includes replaced data from the fuel flow measurement, as applicable). The hourly NO_X lb/MMBtu and heat input values shall be determined using equations F-5 or F-6, as appropriate for the diluent monitored by the CEMS and F-20 in Appendix F of 40 CFR Part 75. The resulting NO_X lb/hr value is then multiplied by the unit operating time for that hour to produce a NO_X lbs value. Hourly NO_X mass emissions (lbs) shall be summed and divided by 2000 lb/ton to determine monthly NO_X emissions (in tons).

Monthly emissions (in tons) **from each combustion turbine** shall be used in a twelve month rolling total to monitor compliance with the annual emission limitation. Each month a new twelve month total shall be calculated using the previous twelve months total.

2.3 Emissions of Carbon Monoxide (CO) shall not exceed the following limitations:

2.3.1 For purposes of RACT, Carbon Monoxide (CO) emissions **from each combustion turbine** shall not exceed the following limitations (Colorado Construction Permits

12AD2345 and 12AD2346, as modified under the provisions of Section I, Condition 1.3 to include short-term CO RACT emission limitations (RACT required for CO per Colorado Regulation No. 3, Part B, Section III.D.2.a)):

2.3.1.1 Except as provided for below, emissions of CO shall not exceed 9 ppmvd at 15% O_2, on a 24-hr rolling average.

2.3.1.2 During periods of combustion tuning and testing, emissions of CO shall not exceed 1,000 ppmvd at 15% O_2, on a 1-hour average. Use of this CO emission limit for purposes of combustion tuning and testing shall not exceed 60 hours in any calendar year **for both turbines combined**. Records of the number of hours each turbine undergoes combustion tuning and/or testing shall be recorded and maintained and made available to the Division upon request.

2.3.1.3 The emission limitations above do not apply during periods of startup and shutdown; however, emissions during startup and shutdown shall be included in determining compliance with the annual limitation in Condition 2.3.2.

2.3.1.4 "Startup" shall have the same definition as provided for in Condition 2.2.1.4.

2.3.1.5 "Shutdown" shall have the same definition as provided for in Condition 2.2.1.5.

2.3.1.6 "Combustion Tuning and Testing" shall have the same definition as provided for in Condition 2.2.1.6.

Compliance with the CO RACT emission limitations in Conditions 2.3.1.1 and 2.3.1.2 shall be monitored using the continuous emission monitoring systems (CEMS) required by Condition 2.10, as follows:

2.3.1.7 Except as provided for in Condition 2.3.1.8, all valid CEMS concentration (ppm) data points, excluding startup and shutdown data points, shall at the end of each clock hour, be summarized to generate the average CO concentration in accordance with the requirements in 40 CFR Part 75 and Condition 5.1.3.2 of this permit. Data used to generate the one-hour average CO concentration shall not include replaced data, nor shall the data be bias-adjusted. Replaced data shall be reported as monitor down time in the quarterly reports required by Condition 5.3. The one-hour averages shall be used in the 24-hour rolling averages described in this Condition 2.3.1.7 or compared to the limitation in Condition 2.3.1.2, as appropriate. Compliance with the limitation in Condition 2.3.1.1 shall be based on a 24-hour rolling average, except that compliance with the limitations cannot be assessed until 24 hours of operation have occurred. It is not necessary for hours of operation to be consecutive (i.e. the rolling

24-hour average would resume after the unit has shutdown and is re-started) in order for those hours to be included in the 24-hour rolling averages.

2.3.1.8 In the event that the startup ends within a clock hour or the shutdown begins within a clock hour, all non-startup and/or non-shutdown concentration (ppm) data points within that clock hour shall be averaged together to generate the average CO concentration in accordance with the requirements in 40 CFR Part 75 and Condition 5.1.3.2 of this permit. Data used to generate the one-hour average CO concentration shall not include replaced data, nor shall the data be bias-adjusted. Replaced data shall be reported as monitor down time in the quarterly reports required by Condition 5.3. These partial hour average NO_X concentrations shall be included in the 24-hour rolling averages to monitor compliance with the limitation in Condition 2.3.1.1 or compared to the limitation in Condition 2.3.1.2.

2.3.1.9 The emission limitation in Condition 2.3.1.2 applies to any clock hour in which combustion tuning and testing activities occur.

2.3.2 Annual emissions for CO **from each combustion turbine** shall not exceed 172.4 tons/yr. (Colorado Construction Permits 12AD2345 and 12AD2346, as modified under the provisions of Section I, Condition 1.3 to remove the quarterly limitations). Monthly emissions from each turbine shall be determined using the continuous emission monitoring system required by Condition 2.10. For any hour in which fuel is combusted in the turbines, including periods of startup, shutdown and malfunction, the permittee shall program the DAHs to calculate lb/hr CO emissions in accordance with the requirements in Condition 5.1.3.2 of this permit and 40 CFR Part 75, including any replaced data, if warranted.

Specifically hourly mass CO emissions (in lb/hr) shall be calculated by multiplying the hourly CO lb/MMBtu value (which includes replaced date in accordance with the provisions in Part 75 for NO_X replacement, as applicable) by the hourly heat input value (MMBtu/hr) (which includes replaced data from the stack flow measurement, as applicable). The hourly CO lb/MMBtu and heat input values shall be determined using equations F-5 or F-6 (for NO_X), as appropriate for the diluent monitored by the CEMS and F-20 in Appendix F of 40 CFR Part 75. The resulting CO lb/hr value is then multiplied by the unit operating time for that hour to produce a CO lbs value. Hourly CO mass emissions (lbs) shall be summed and divided by 2000 lb/ton to determine monthly CO emissions (in tons).

Monthly emissions (in tons) **from each combustion turbine** shall be used in a twelve month rolling total to monitor compliance with the annual emission limitation. Each month a new twelve month total shall be calculated using the previous twelve months total.

2.4 Sulfur Dioxide (SO_2) emissions shall not exceed the following limitations:

2.4.1 For purposes of 40 CFR Part 60 Subpart KKKK, SO_2 emissions **from each combustion turbine** are subject to the following requirements (Colorado Construction Permits 12AD2345 and 12AD2346):

If your turbine is located in a continental area, you must comply with 60.4330(a)(1), (a)(2), or (a)(3). (60.4330(a))

You must not burn in the subject stationary combustion turbine any fuel which contains total potential sulfur emissions in excess of 26 ng SO_2/J (0.060 lb SO_2/MMBtu) heat input. If your turbine simultaneously fires multiple fuels, each fuel must meet this requirement. (60.4330(a)(2))

In the absence of credible evidence to the contrary, compliance with the fuel gas sulfur limit is presumed since only pipeline quality natural gas is used as fuel in these turbines. The natural gas used as fuel shall meet the requirements in Condition 2.9.

2.4.2 Annual Sulfur Dioxide (SO_2) emissions **from each combustion turbine** shall not exceed 5.3 tons/yr. (Colorado Construction Permits 12AD2345 and 12AD2346, as modified under the provisions of Section I, Condition 1.3 to remove the quarterly limitations) Compliance with the annual SO_2 emission limitations shall be monitored using the continuous monitoring system specified in 40 CFR Part 75 Appendix D.

Monthly emissions **from each combustion turbine** shall be used in a twelve month rolling total to monitor compliance with the annual limitations. Each month a new twelve month total shall be calculated using the previous twelve months data.

2.5 VOC emissions shall not exceed the following limitations:

2.5.1 For purposes of RACT, VOC emissions from **each combustion turbine** shall not exceed 1.6 ppmvd at 15% O_2, based on the average of three (3) test runs. (Colorado Construction Permits 12AD2345 and 12AD2346, as modified under the provisions of Section I, Condition 1.3 to correct the averaging time) In the absence of credible evidence to the contrary, compliance with the VOC RACT emission limit is presumed provided the requirements in Condition 2.3.1 (CO RACT limits) are met.

2.5.2 Annual emissions of VOC **from each combustion turbine** shall not exceed 34.6 tons/yr. (Colorado Construction Permits 12AD2345 and 12AD2346, as modified under the provisions of Section I, Condition 1.3 to remove the quarterly limits) Monthly emissions **from each combustion turbine** shall be calculated by the end of the subsequent month using the above emission factors (based on annual emission limitation divided by allowable throughput) and the natural gas consumption for the month as determined by Condition 2.8 in the following equation:

$$\text{tons.mo} = \frac{\text{EF (lb/MMscf) x monthly fuel use (MMscf/mo)}}{\text{2000 lbs/ton}}$$

Monthly emissions **from each combustion turbine** shall be used in a twelve month rolling total to monitor compliance with the annual limitations. Each month a new twelve month total shall be calculated using the previous twelve months data.

2.6 Particulate Matter (PM) emissions shall not exceed the following limitations:

2.6.1 Particulate Matter (PM) emissions **from each combustion turbine when no fuel is fired in the duct burner** shall not exceed 0.1 lbs/MMBtu, the average of three (3) 1-hr tests. (Colorado Regulation No. 1, Section III.A.1.c) In the absence of credible evidence to the contrary, compliance with the particulate matter limitation is presumed since only pipeline quality natural gas is permitted to be used as fuel in the turbines.

2.6.2 Particulate Matter (PM) emissions **from each combustion turbine when fuel is fired in the duct burner** shall not exceed 0.1 lb/MMBtu, the average of three (3) 1-hr tests. (Colorado Regulation No. 1, Sections III.A.1.b and III.A.1.c) In the absence of credible evidence to the contrary, compliance with the particulate matter limitation is presumed since only pipeline quality natural gas is permitted to be used as fuel in the turbines.

Note that the numeric PM standards for combined cycle operation were determined using the design heat input for the turbines (each 1,906 MMBtu/hr) and duct burners (each 310 MMBtu) in the following equation:

$$\text{PE (turbine + duct burner)} = \frac{PE_T \text{ x } FI_T + PE_{DB} \text{ x } FI_{DB}}{FI_T + FI_{DB}}$$

Where PE = particulate standard in lbs/MMBtu
$PE_{DB} = 0.5 \text{ x } (FI)^{-0.26}$ lbs/MMBtu
$PE_T = 0.1$ lbs/MMBtu
FI = fuel input in MMBtu/hr

2.6.3 Annual emissions of Particulate Matter (PM) **from each combustion turbine** shall not exceed 45.2 tons/yr. (Colorado Construction Permits 12AD2345 and 12AD2346, as modified under the provisions of Section I, Condition 1.3 to remove the quarterly limits) Monthly emissions **from each combustion turbine** shall be calculated by the end of the subsequent month using the above emission factors (based on annual emission limitation divided by allowable throughput) and the natural gas consumption for the month as determined by Condition 2.8 in the following equation:

$$\text{tons.mo} = \frac{\text{EF (lb/MMscf) x monthly fuel use (MMscf/mo)}}{\text{2000 lb/ton}}$$

Monthly emissions **from each combustion turbine** shall be used in a twelve month rolling total to monitor compliance with the annual limitations. Each month a new twelve month total shall be calculated using the previous twelve months data.

2.7 Annual emissions of Particulate Matter less than 10 microns (PM_{10}) and Particulate Matter less than 2.5 microns ($PM_{2.5}$) **from each combustion turbine** shall not exceed 45.2 tons/yr. (Colorado Construction Permits 12AD2345 and 12AD2346, as modified under the provisions of Section I, Condition 1.3 to remove the quarterly limits) Monthly emissions **from each combustion turbine** shall be calculated by the end of the subsequent month using the above emission factors (based on annual emission limitation divided by allowable throughput) and the natural gas consumption for the month as determined by Condition 2.8 in the following equation:

$$\text{tons.mo} = \frac{\text{EF (lb/MMscf) x monthly fuel use (MMscf/mo)}}{\text{2000 lb/ton}}$$

Monthly emissions **from each combustion turbine** shall be used in a twelve month rolling total to monitor compliance with the annual limitations. Each month a new twelve month total shall be calculated using the previous twelve months data.

2.8 Natural gas consumption **from each combustion turbine** shall not exceed 19,033 MMscf/yr. (Colorado Construction Permits 12AD2345 and 12AD2346, as modified under the provisions of Section I, Condition 1.3, to remove the quarterly limits) The natural gas consumption from each combustion turbine shall be monitored and recorded monthly using the fuel flowmeters required by Condition 2.11. Monthly natural gas consumption **from each combustion turbine** shall be used in a twelve month rolling total to monitor compliance with the annual limitations. Each month a new twelve month total shall be calculated using the previous twelve months data.

2.9 The permittee shall maintain records demonstrating that the natural gas burned has a total sulfur content less than 0.5 grains/100 SCF. Natural gas that meets this sulfur limitation is considered pipeline quality natural gas as defined in 40 CFR Part 72. The demonstration shall be made using any of the methods identified in 40 CFR Part 75 Appendix D, Section 2.3.1.4. These records shall be made available to the Division upon request.

2.10 **Each of the combustion turbine exhaust stacks** shall be equipped with continuous emission monitoring systems to measure and record the following:

2.10.1 Concentration of Oxides of Nitrogen; ppmvd corrected to 15 % O_2, hourly and 24-hour rolling averages;

2.10.2 Emissions of Oxides of Nitrogen; pounds per hour, tons per month;

2.10.3 Concentration of Carbon Monoxide; ppmvd corrected to 15% O_2, hourly averages;

2.10.4 Emissions of Carbon Monoxide, pounds per hour, tons per month;

2.10.5 Concentration of Oxygen, percent hourly average; and

2.10.6 Operating mode – startup, shutdown and/or standard operation.

The continuous emission monitoring systems shall meet the requirements in Condition 5 of this permit. (40 CFR Part 75 and Colorado Construction Permits 12AD2345 and 12AD2346) Monthly emissions of NO_X and CO from the continuous emission monitoring system shall be used as specified by Conditions 2.2.3 and 2.3.2 to monitor compliance with the annual NO_X and CO emission limitations.

2.11 **Each combustion turbine** shall be equipped with an in-line fuel flow meter that meets the requirements in 40 CFR Part 75 Appendix D to measure fuel combusted in each turbine. Fuel flow data shall be recorded on a data acquisition and handling system as specified in 40 CFR Part 75 Appendix D. (40 CFR Part 75)

2.12 **Each combustion turbine** shall be equipped with an oxidation catalyst and SCR system. The oxidation catalysts and SCR systems shall be operated and maintained in accordance with manufacturer's recommendations and good engineering practices. Good engineering practices include the following:

2.12.1 The source shall clean, recondition and replace the catalyst in accordance with the manufacturer's and/or packager's recommendations. Records of the catalyst cleaning, reconditioning or replacement shall be documented and made available to the Division upon request.

2.12.2 Maintenance and/or inspections shall be conducted in accordance with the manufacturer's and/or packager's recommendations and records of routine maintenance and/or inspections shall be retained. A copy of the operation and maintenance procedures, schedules for maintenance and/or inspection activities and the records of routine maintenance and/or inspections shall be maintained and made available to the Division upon request.

2.12.3 If maintenance activities or actions are dependent upon hours of operation, then combustion turbine operating hours shall be recorded and made available to the Division upon request.

2.13 You must operate and maintain your stationary combustion turbine, air pollution control equipment, and monitoring equipment in a manner consistent with good air pollution control practices for minimizing emissions at all times including during startup, shutdown, and malfunction. (40 CFR Part 60 Subpart KKKK § 60.4333(a))

2.14 These **combustion turbines** are subject to 40 CFR Part 60, Subpart A - General Provisions, as adopted by reference in Colorado Regulation No. 6, Part A. Specifically, these units are subject to the following requirements:

2.14.1 No owner or operator subject to the provisions of this part shall build, erect, install, or use any article, machine, equipment or process, the use of which conceals an emission which would otherwise constitute a violation of an applicable standard. Such concealment includes, but is not limited to, the use of gaseous diluents to achieve compliance with an opacity standard or with a standard which is based on the concentration of a pollutant in the gases discharged to the atmosphere. (60.12)

2.14.2 At all times, including periods of startup, shutdown, and malfunction, owners and operators shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with good air pollution control practice for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the Administrator which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source. (60.11(d))

2.15 The Compliance Assurance Monitoring (CAM) requirements in 40 CFR Part 64, as adopted by reference in Colorado Regulation No. 3, Part C, Section XIV, apply with respect to the NO_X and CO emission limitations identified in Conditions 2.2.1, 2.2.3 and 2.3 as follows:

2.15.1 The permittee shall monitor the exhaust gas NO_X and CO concentration (ppmvd at 15% O_2) and mass (lbs/hr) emissions using the continuous emission monitoring system required by Condition 2.10.

2.15.1.1 With respect to the NO_X and CO emission limitations, exceedances, for purposes of CAM, shall be

a. Any 24-hr rolling average where the NO_X concentration exceeds the limit identified in Condition 2.2.1.1;

b. Any 24-hr rolling average where the CO concentration exceeds the limit identified in Condition 2.3.1.1.

c. During combustion tuning and testing (defined in Condition 2.2.1.6), any 1-hr average where the NO_X and/or CO concentration exceeds the limits identified in Conditions 2.2.1.2 and 2.3.1.2; and

d. Any twelve month period that NO_X and/or CO emissions (tons/yr) exceeds the limits identified in Condition 2.2.3 and 2.3.2.

2.15.1.2 Exceedances and/or excursions shall be reported as required by Section II, Condition 5.3 and Section V, Conditions 21 and 22.d of this permit.

2.15.2 Operation of Approved Monitoring

2.15.2.1 At all times, the owner or operator shall maintain the monitoring, including but not limited to, maintaining necessary parts for routine

repairs of the monitoring equipment (40 CFR Part 64 § 64.7(b), as adopted by reference in Colorado Regulation No. 3, Part C, Section XIV).

2.15.2.2 Except for, as applicable, monitoring malfunctions, associated repairs, and required quality assurance or control activities (including, as applicable, calibration checks and required zero and span adjustments), the owner or operator shall conduct all monitoring in continuous operation (or shall collect data at all required intervals) at all times that the pollutant-specific emissions unit is operating. Data recorded during monitoring malfunctions, associated repairs, and required quality assurance or control activities shall not be used for purposes of these CAM requirements, including data averages and calculations, or fulfilling a minimum data availability requirement, if applicable. The owner or operator shall use all the data collected during all other periods in assessing the operation of the control device and associated control system. A monitoring malfunction is any sudden, infrequent, not reasonably preventable failure of the monitoring to provide valid data. Monitoring failures that are caused in part by poor maintenance or careless operation are not malfunctions (40 CFR Part 64 § 64.7(c), as adopted by reference in Colorado Regulation No. 3, Part C, Section XIV).

2.15.2.3 Response to excursions or exceedances

a. Upon detecting an excursion or exceedance, the owner or operator shall restore operation of the pollutant-specific emissions unit (including the control device and associated capture system) to its normal or usual manner of operation as expeditiously as practicable in accordance with good air pollution control practices for minimizing emissions. The response shall include minimizing the period of any startup, shutdown or malfunction and taking any necessary corrective actions to restore normal operation and prevent the likely recurrence of the cause of an excursion or exceedance (other than those caused by excused startup or shutdown conditions). Such actions may include initial inspection and evaluation, recording that operations returned to normal without operator action (such as through response by a computerized distribution control system), or any necessary follow-up actions to return operation to within the indicator range, designated condition, or below the applicable emission limitation or standard, as applicable (40 CFR Part 64 § 64.7(d)(1), as adopted by reference in Colorado Regulation No. 3, Part C, Section XIV).

b. Determination of whether the owner of operator has used acceptable procedures in response to an excursion or exceedance will be based on information available, which may include but is not limited to, monitoring results, review of operation and

maintenance procedures and records, and inspection of the control device, associated capture system, and the process (40 CFR Part 64 § 64.7(d)(2), as adopted by reference in Colorado Regulation No. 3, Part C, Section XIV).

2.15.2.4 After approval of the monitoring required under the CAM requirements, if the owner or operator identifies a failure to achieve compliance with an emission limitation or standard for which the approved monitoring did not provide an indication of an excursion or exceedance while providing valid data, or the results of compliance or performance testing document a need to modify the existing indicator ranges or designated conditions, the owner or operator shall promptly notify the Division and, if necessary submit a proposed modification for this permit to address the necessary monitoring changes. Such a modification may include, but is not limited to, reestablishing indicator ranges or designated conditions, modifying the frequency of conducting monitoring and collecting data, or the monitoring of additional parameters (40 CFR Part 64 § 64.7(e), as adopted by reference in Colorado Regulation No. 3, Part C, Section XIV).

2.15.3 Quality Improvement Plan (QIP) Requirements

2.15.3.1 Based on the results of a determination made under the provisions of Condition 2.15.2.3.b, the Division may require the owner or operator to develop and implement a QIP (40 CFR Part 64 § 64.8(a), as adopted by reference in Colorado Regulation No. 3, Part C, Section XIV).

2.15.3.2 The owner or operator shall maintain a written QIP, if required, and have it available for inspection (40 CFR Part 64 § 64.8(b)(1), as adopted by reference in Colorado Regulation No. 3, Part C, Section XIV).

2.15.3.3 The QIP initially shall include procedures for evaluating the control performance problems and, based on the results of the evaluation procedures, the owner or operator shall modify the plan to include procedures for conducting one or more of the following actions, as appropriate:

a. Improved preventative maintenance practices (40 CFR Part 64 § 64.8(b)(2)(i), as adopted by reference in Colorado Regulation No. 3, Part C, Section XIV).

b. Process operation changes (40 CFR Part 64 § 64.8(b)(2)(ii), as adopted by reference in Colorado Regulation No. 3, Part C, Section XIV).

c. Appropriate improvements to control methods (40 CFR Part 64 § 64.8(b)(2)(iii), as adopted by reference in Colorado Regulation No. 3, Part C, Section XIV).

d. Other steps appropriate to correct control performance (40 CFR Part 64 § 64.8(b)(2)(iv), as adopted by reference in Colorado Regulation No. 3, Part C, Section XIV).

e. More frequent or improved monitoring (only in conjunction with one or more steps under Conditions 2.15.3.3.a through d above) (40 CFR Part 64 § 64.8(b)(2)(v), as adopted by reference in Colorado Regulation No. 3, Part C, Section XIV).

2.15.3.4 If a QIP is required, the owner or operator shall develop and implement a QIP as expeditiously as practicable and shall notify the Division if the period for completing the improvements contained in the QIP exceeds 180 days from the date on which the need to implement the QIP was determined (40 CFR Part 64 § 64.8(c), as adopted by reference in Colorado Regulation No. 3, Part C, Section XIV).

2.15.3.5 Following implementation of a QIP, upon any subsequent determination pursuant to Condition 2.15.2.3.b, the Division or the U.S. EPA may require that an owner or operator make reasonable changes to the QIP if the QIP is found to have:

a. Failed to address the cause of the control device performance problems (40 CFR Part 64 § 64.8(d)(1), as adopted by reference in Colorado Regulation No. 3, Part C, Section XIV); or

b. Failed to provide adequate procedures for correcting control device performance problems as expeditiously as practicable in accordance with good air pollution control practices for minimizing emissions (40 CFR Part 64 § 64.8(d)(2), as adopted by reference in Colorado Regulation No. 3, Part C, Section XIV).

2.15.3.6 Implementation of a QIP shall not excuse the owner or operator of a source from compliance with any existing emission limitation or standard, or any existing monitoring, testing, reporting or recordkeeping requirement that may apply under federal, state, or local law, or any other applicable requirements under the federal clean air act (40 CFR Part 64 § 64.8(e), as adopted by reference in Colorado Regulation No. 3, Part C, Section XIV).

2.15.4 Reporting and Recordkeeping Requirements

2.15.4.1 <u>Reporting Requirements:</u> The reports required by Section V, Condition 22.d, shall contain the information specified in Appendix B of the permit and the following information, as applicable:

a. Summary information on the number, duration and cause (including unknown cause, if applicable), for monitor downtime incidents (other than downtime associated with zero and span or

other daily calibration checks, if applicable) ((40 CFR Part 64 § 64.9(a)(2)(ii), as adopted by reference in Colorado Regulation No. 3, Part C, Section XIV); and

b. The owner or operator shall submit, if necessary, a description of the actions taken to implement a QIP during the reporting period as specified in Condition 2.15.3 of this permit. Upon completion of a QIP, the owner or operator shall include in the next summary report documentation that the implementation of the plan has been completed and reduced the likelihood of similar levels of excursions or exceedances occurring (40 CFR Part 64 § 64.9(a)(2)(iii), as adopted by reference in Colorado Regulation No. 3, Part C, Section XIV).

2.15.4.2 General Recordkeeping Requirements: In addition to the recordkeeping requirements in Section V, Condition 22.a through c.

a. The owner or operator shall maintain records of any written QIP required pursuant to Condition 2.15.3 and any activities undertaken to implement a QIP, and any supporting information required to be maintained under these CAM requirements (such as data used to document the adequacy of monitoring, or records of monitoring maintenance or corrective actions) (40 CFR Part 64 § 64.9(b)(1), as adopted by reference in Colorado Regulation No. 3, Part C, Section XIV).

b. Instead of paper records, the owner or operator may maintain records on alternative media, such as microfilm, computer files, magnetic tape disks, or microfiche, provided that the use of such alternative media allows for expeditious inspection and review, and does not conflict with other applicable recordkeeping requirements (40 CFR Part 64 § 64.9(b)(2), as adopted by reference in Colorado Regulation No. 3, Part C, Section XIV).

2.15.5 Savings Provisions

2.15.5.1 Nothing in these CAM requirements shall excuse the owner or operator of a source from compliance with any existing emission limitation or standard, or any existing monitoring, testing, reporting or recordkeeping requirement that may apply under federal, state, or local law, or any other applicable requirements under the federal clean air act. These CAM requirements shall not be used to justify the approval of monitoring less stringent than the monitoring which is required under separate legal authority and are not intended to establish minimum requirements for the purposes of determining the monitoring to be imposed under separate authority under the federal clean air act, including monitoring in permits issued pursuant to title I of the federal clean air act. The purpose of the

CAM requirements is to require, as part of the issuance of this Title V operating permit, improved or new monitoring at those emissions units where monitoring requirements do not exist or are inadequate to meet the requirements of CAM (40 CFR Part 64 § 64.10(a)(1), as adopted by reference in Colorado Regulation No. 3, Part C, Section XIV).

2.15.5.2 Nothing in these CAM requirements shall restrict or abrogate the authority of the U.S. EPA or the Division to impose additional or more stringent monitoring, recordkeeping, testing or reporting requirements on any owner or operator of a source under any provision of the federal clean air act, including but not limited to sections 114(a)(1) and 504(b), or state law, as applicable (40 CFR Part 64 § 64.10(a)(2), as adopted by reference in Colorado Regulation No. 3, Part C, Section XIV).

2.15.5.3 Nothing in these CAM requirements shall restrict or abrogate the authority of the U.S. EPA or the Division to take any enforcement action under the federal clean air act for any violation of an applicable requirement or of any person to take action under section 304 of the federal clean air act (40 CFR Part 64 § 64.10(a)(2), as adopted by reference in Colorado Regulation No. 3, Part C, Section XIV).

2.16 Except as provided for in Condition 2.17 below, no owner or operator of a source shall allow or cause the emission into the atmosphere of any air pollutant which is in excess of 20% opacity (Colorado Construction Permits 12AD2345 and 12AD2346 and Colorado Regulation No. 1, Section II.A.1). This opacity standard applies to **each combustion turbine**. In the absence of credible evidence to the contrary, compliance with the 20% opacity limit shall be presumed since only pipeline quality natural gas is permitted to be used as fuel in the turbines.

2.17 No owner or operator of a source shall allow or cause to be emitted into the atmosphere any air pollutant resulting from the building of a new fire, cleaning of fire boxes, soot blowing, start-up, process modifications, or adjustment or occasional cleaning of control equipment which is in excess of 30% opacity for a period or periods aggregating more than six (6) minutes in any sixty (60) consecutive minutes (Colorado Construction Permits 12AD2345 and 12AD2346 and Colorado Regulation No. 1, Section II.A.4). This opacity standard applies to **each combustion turbine.** In the absence of credible evidence to the contrary, compliance with the 30% opacity limit shall be presumed since only pipeline quality natural gas is permitted to be used as fuel in the turbines.

2.18 **State-Only Requirement:** No owner or operator may discharge, or cause the discharge into the atmosphere of any particulate matter which is greater than 20% opacity (Colorado Regulation No. 6, Part B, Section II.C.3). This opacity standard applies to **each combustion turbine.** In the absence of credible evidence to the contrary, compliance with the 20% opacity requirement is presumed since only pipeline quality natural gas is permitted to be used as fuel in the turbines.

2.19 These combustion turbines are subject to the Title IV Acid Rain Requirements. As specified in 40 CFR Part 72.72(b)(1)(viii), the acid rain permit requirements shall be complete and

segregable portion of the Operating Permit. As such the requirements are found in Section III of this permit.

2.20 These **combustion turbines** are subject to requirements in Colorado Regulation No. 7, Part E, Section II.A for combustion equipment located in the 8-hour Ozone Control Area, as follows:

Note that the language below is from Colorado Regulation No. 7, adopted by the Colorado Air Quality Control Commissions (AQCC) on September 23, 2020 (effective November 14, 2020). However, if revisions to Colorado Regulation No. 7, Part E, Section II.A are published at a later date, the owner or operator is subject to the requirements contained in the revised version of Section II.A.

2.20.1 **Combustion Process Adjustment Requirements.** As of January 1, 2017, this Section II.A.6. applies to boilers, duct burners, process heaters, stationary combustion turbines, and stationary reciprocating internal combustion engines with uncontrolled actual emissions of NOx equal to or greater than five (5) tons per year that existed at major sources of NOx (greater than or equal to 100 tpy NOx) as of June 3, 2016. (Regulation No. 7, Part E, Section II.A.6.a.(i))

2.20.1.1 The owner or operator of a **duct burner** must inspect duct burner elements, baffles, support structures, and liners and clean, repair, or replace components as necessary. (Regulation No, 7, Part E, Section II.A.6.b.(ii))

2.20.1.2 The owner or operator of a **stationary combustion turbine** must conduct the following inspections and adjustments, as applicable (Regulation No, 7, Part E, Section II.A.6.b.(iii)):

a. Inspect turbine inlet systems and align, repair, or replace components as necessary. (Regulation No. 7, Part E, Section II.A.6.b.(iii)(A))

b. Inspect the combustion chamber components, combustion liners, transition pieces, and fuel nozzle assemblies and clean, repair, or replace components as necessary. (Regulation No, 7, Part E, Section II.A.6.b.(iii)(B))

c. When burning the fuel that provides the majority of the heat input since the last combustion process adjustment and when operating at a firing rate typical of normal operation, confirm proper setting and calibration of the combustion controls. (Regulation No, 7, Part E, Section II.A.6.b.(iii)(C))

2.20.1.3 The owner or operator must operate and maintain the boiler, duct burner, process heater, stationary combustion turbine, stationary internal combustion engine, dryer, furnace, or ceramic kiln consistent with

manufacturer's specifications, if available, or good engineering and maintenance practices. (Regulation No, 7, Part E, Section II.A.6.b.(vii))

2.20.1.4 Frequency (Regulation No, 7, Part E, Section II.A.6.b.(viii))

a. The owner or operator of boilers, duct burners, process heaters, stationary combustion turbines, and stationary reciprocating internal combustion engines with uncontrolled actual emissions of NOx equal to or greater than five (5) tons per year that existed at major sources of NOx (greater than or equal to 100 tpy NOx) as of June 3, 2016, must conduct the initial combustion process adjustment by April 1, 2017. An owner or operator may rely on a combustion process adjustment conducted in accordance with applicable requirements and schedule of a New Source Performance Standard in 40 CFR Part 60 (November 17, 2016) or National Emission Standard for Hazardous Air Pollutants in 40 CFR Part 63 (November 17, 2016) to satisfy the requirement to conduct an initial combustion process adjustment by April 1, 2017. (Regulation No, 7, Part E, Section II.A.6.b.(viii)(A))

b. The owner or operator must conduct subsequent combustion process adjustments at least once every twelve (12) months after the initial combustion adjustment, or on the applicable schedule according to Sections II.A.6.c.(i). or II.A.6.c.(ii). (Regulation No, 7, Part E, Section II.A.6.b.(viii)(C))

2.20.1.5 As an alternative to the requirements described in Sections II.A.6.b.(i) through II.A.6.b.(viii) (Regulation No. 7, Part E, Section II.A.6.c):

a. The owner or operator may conduct the combustion process adjustment according to the manufacturer recommended procedures and schedule; (Regulation No. 7, Part E, Section II.A.6.c.(i)); or

b. The owner or operator of combustion equipment that is subject to and required to conduct a periodic tune-up or combustion adjustment by the applicable requirements of a New Source Performance Standard in 40 CFR Part 60 (December 19, 2019) or National Emission Standard for Hazardous Air Pollutants in 40 CFR Part 63 (December 19, 2019) may conduct tune-ups or adjustments according to the schedule and procedures of the applicable requirements of 40 CFR Part 60 (December 19, 2019) or 40 CFR Part 63 (December 19, 2019). (Regulation No. 7, Part E, Section II.A.6.c.(ii))

2.20.2 **Recordkeeping Requirements.** The following records must be kept for a period of five years and made available to the Division upon request (Regulation No. 7, Part E, Section II.A.7):

2.20.2.1 The stationary combustion equipment's annual capacity factor on a calendar year basis. (Regulation No. 7, Part E, Section II.A.7.d)

2.20.2.2 For stationary combustion equipment subject to the **combustion process adjustment requirements** in Section II.A.6., the following recordkeeping requirements apply (Regulation No. 7, Part E, Section II.A.7.f):

a. The owner or operator must create a record once every calendar year identifying the combustion equipment at the source subject to Section II.A. and including for each combustion equipment: (Regulation No. 7, Part E, Section II.A.7.f .(i)):

(i) The date of the adjustment (Regulation No. 7, Part E, Section II.A.7.f .(i)(A));

(ii) Whether the combustion process adjustment under Sections II.A.6.b.(i) through II.A.6.b.(vi) was followed, and what procedures were performed (Regulation No. 7, Part E, Section II.A.7.f .(i)(B));

(iii) Whether a combustion process adjustment under Sections II.A.6.c.(i). and II.A.6.c.(ii). was followed, what procedures were performed, and what New Source Performance or National Emission Standard for Hazardous Air Pollutants applied, if any; (Regulation No. 7, Part E, Section II.A.7.f.(i)(C)); and

(iv) A description of any corrective action taken. (Regulation No. 7, Part E, Section II.A.7.f.(i)(D))

(v) If the owner or operator conducts the combustion process adjustment according to the manufacturer recommended procedures and schedule and the manufacturer specifies a combustion process adjustment on an operation time schedule, the hours of operation. (Regulation No. 7, Part E, Section II.A.7.f.(i)(E))

b. The owner or operator must retain manufacturer recommended procedures, specifications, and maintenance schedule if utilized under Section II.A.6.c.(i). for the life of the equipment. (Regulation No. 7, Part E, Section II.A.7.f .(ii))

c. As an alternative to the requirements described in Section II.A.7.f.(i), the owner or operator may comply with applicable recordkeeping requirements related to combustion process adjustments conducted according to a New Source Performance Standard in 40 CFR Part 60 (November 17, 2016) or National Emission Standard for Hazardous Air Pollutants in 40 CFR Part 63

(November 17, 2016) (Regulation No. 7, Part E, Section II.A.7.f.(iii))

3. Cooling and Service Water Towers

M001 – Permit Exempt Towers: One (1) Cooling (Unit 4) and Two (2) Service Water Towers

Parameter	Permit Condition Number	Limitations		Compliance Emission Factor	Monitoring	
		Short Term	Long Term		Method	Interval
PM	3.1	N/A	N/A	See Condition 3.1.1.	Recordkeeping and Calculation	Annually
PM_{10}						
$PM_{2.5}$						
VOC				0.0527 lbs/MMgal (as $CHCl_3$)		
Water Circulated	3.2	N/A	N/A	N/A	Recordkeeping	Annually
Total Solids Concentration	3.3	N/A	N/A	N/A	Laboratory Analysis	Annually
Opacity	3.5	Not to Exceed 20%		N/A	See Condition 3.5	

CW01 – Combustion Turbine Cooling Water Tower

Parameter	Permit Condition Number	Limitations		Compliance Emission Factor	Monitoring	
		Short Term	Long Term		Method	Interval
PM	3.1	N/A	10.2 tons/yr	See Condition 3.1.2	Recordkeeping and Calculation	Monthly
PM_{10}		N/A	2.4 tons/yr			
$PM_{2.5}$		N/A	2.4 tons/yr			
VOC		N/A	2.15 tons/yr	0.0527 lbs/MMgal (as $CHCl_3$)		
Water Circulated	3.2	N/A	81,468 MMgal/yr	N/A	Recordkeeping	Monthly
Total Dissolved Solids Analysis	3.3	N/A	N/A	N/A	Laboratory Analysis	Quarterly
Operation and Maintenance Requirements	3.4	See Condition 3.4		N/A	See Condition 3.4	
Opacity	3.5	Not to Exceed 20%		N/A	See Condition 3.5	
RACT Requirements	3.6	VOC – No Control RACT – Drift Eliminators		N/A	See Condition 3.6	

3.1 Emissions of Particulate Matter (PM, PM_{10} and $PM_{2.5}$) and Volatile Organic Compound (VOC) are subject to the following requirements:

3.1.1 Emissions of PM, PM_{10}, $PM_{2.5}$ and VOC **from each permit exempt cooling and service water tower (M001)** shall be calculated annually for the purposes of APEN reporting and payment of annual fees using the following equations:

$$PM = PM_{10} = PM_{2.5}\ (Tons/yr) = \frac{Q \times d \times \%\ drift \times 31.3\%\ drift\ dispersed \times Total\ Solids\ Concentration}{2000\ lbs/ton}$$

Where: Q = water circulated, gal/yr - to be determined by Condition 3.2.1
d = density of water, lbs/gal (from T5 application d = 8.34 lbs/gal)
% drift = 0.001% (from T5 application)
31.3% drift dispersed (from EPA-600/7-79-251a, November 1979, "Effects of Pathogenic and Toxic Materials Transported Via Cooling Device Drift - Volume1 - Technical Report", Page 63)
Total Solids Concentration = total solids concentration, in ppm (lbs solids/10^6 lbs water) - to be determined by Condition 3.3.

$$VOC = CHCl_3\ (tons/yr) = \frac{Q \times EF \times (1\ MMgal/10^6\ gal)}{2000\ lbs/ton}$$

Where: Q = water circulated, gal/yr
EF = 0.0527 lbs/MMgal (from letter from Wayne C. Micheletti to Ed Lasnic, dated November 11, 1992)

3.1.2 Emissions of PM, PM_{10}, $PM_{2.5}$ and VOC from the **combustion turbine cooling tower (CW01)** shall not exceed the limitations listed in the above summary table. (Colorado Construction Permit 12AD2347, as modified under the provisions of Section I, Condition 1.3 to remove the monthly limits and include VOC limits as requested on the APEN received March 3, 2020) Compliance with the annual limitations shall be monitored by calculating emissions monthly using the following equations:

$$PM\ (tons/month) = \frac{Q \times d \times \%\ drift \times total\ solids\ concentration}{2000\ lbs/ton}$$

Where: Q = water circulated, gal/month
d = density of water, lb/gal (8.34 lb/gal)
% drift = 0.0005% (RACT – see Condition 3.6)
Total solids concentration = total solids concentration, in ppm (lb solids/10^6 lb water) - to be determined by Condition 3.3.

$$PM_{10} = PM_{2.5}\ (tons/month) = 0.24 \times PM\ (tons/month)$$

Where: 0.236 = weight fraction of PM_{10} to PM, per "Calculating Realistic PM_{10} Emissions from Cooling towers", J. Reisman, G. Frisbie, Presented at 2001 AWMA Annual Meeting

VOC shall be calculated using the equation in Condition 3.1.1.

Monthly emissions shall be used in a twelve month rolling total to monitor compliance with the annual limitations. Each month a new twelve month total shall be calculated using the previous twelve months data.

3.2 Water circulated through the cooling and service water towers are subject to the following requirements:

3.2.1 The total quantity of water circulated **through each permit exempt cooling and service water tower (M001)** shall be monitored and recorded annually. The annual quantity of water circulated shall be used to calculate emissions in accordance with the requirements in Condition 3.1.1.

3.2.2 The quantity of water circulated **through the combustion turbine cooling tower (CW01)** shall not exceed 81,468 MMgal/yr. (Colorado Construction Permit 12AD2347, as modified under the provisions of Section I, Condition 1.3 to remove the monthly limits) The quantity of water circulated through the tower shall be monitored and recorded monthly. The monthly quantity of water circulated shall be used in a twelve rolling total to monitor compliance with the annual limitation. Each month a new twelve month total shall be calculated using the previous twelve months data.

3.3 Samples of water circulated through each tower shall be taken and analyzed in accordance with the following schedule to determine the total solids concentration:

3.3.1 **Permit exempt cooling and service water towers (M001):** annually

3.3.2 **Combustion turbine cooling tower (CW01):** quarterly

The total solids concentration shall be used to calculate particulate matter emissions as required by Condition 3.1.

3.4 The **combustion turbine cooling tower (CW01)** and associated drift eliminators are subject to the following requirements:

3.4.1 The cooling tower and associated drift eliminators shall be operated in accordance with manufacturer's recommendations and good engineering practices.

3.4.2 Inspection and maintenance of the cooling tower shall be conducted in accordance with manufacturer's recommendations.

3.4.3 The drift eliminators shall be inspected annually and any missing or damaged panels shall be replaced.

A copy of the operating and maintenance procedures, schedules for maintenance and/or inspection activities and records related to operation and maintenance of the cooling tower and drift eliminators, such as annual inspection results or routine maintenance shall be maintained and made available to the Division upon request.

3.5 Opacity of emissions **from each cooling and service water tower** shall not exceed 20% (Colorado Regulation No. 1, Section II.A.1). Compliance with the opacity requirements shall be monitored as follows:

3.5.1 **For the permit exempt cooling and service water towers (M001).** In the absence of credible evidence to the contrary, compliance with the opacity standard shall be presumed, provided the drift eliminators on the towers are maintained and operated in accordance with manufacturers' requirements and good engineering practices. A copy of operating and maintenance procedures, schedules for maintenance and/or inspection activities and records related to operation and maintenance of the drift eliminators and good engineering practices such as records of routine maintenance and/or inspection shall be maintained and made available to the Division upon request.

3.5.2 **For the combustion turbine cooling tower (CW01).** In the absence of credible evidence to the contrary, compliance with the opacity standard shall be presumed, provided the drift eliminators on the towers are maintained and operated in accordance with the requirements in Condition 3.4.

3.6 The **combustion turbine cooling tower (CW01)** is subject to RACT requirements as follows:

3.6.1 The **combustion turbine cooling tower (CW01)** is subject to RACT requirements for VOC emissions (Colorado Regulation No. 3, Part B, Section III.D.2.a and Colorado Regulation No. 7, Part A, Section II.C.2). RACT for VOC is determined to be no control and the emission limitation in Condition 3.1.2.

3.6.2 The **combustion turbine cooling tower (CW01)** is subject to RACT requirements for PM_{10} emissions (Colorado Regulation No. 3, Part B, Section III.D.2.a). RACT for PM_{10} shall be met with drift eliminators that achieve drift levels of 0.0005% or less. The drift eliminators shall be operated and maintained in accordance with the requirements in Condition 3.4.

4. T001 - Gasoline Aboveground Storage Tank (1,000 gal)

Parameter	Permit Condition Number	Limitations		Compliance Emission Factor	Monitoring	
		Short Term	Long Term		Method	Interval
Transfer of Gasoline	4.1	N/A	N/A	N/A	See Condition 4.1	
Equipment Requirements	4.2	N/A	N/A	N/A	Certification	Annually
Vapor Control System	4.3	N/A	N/A	N/A	Certification	Annually
Disposal of Gasoline	4.4	N/A	N/A	N/A	Certification	Annually

Note that this emission unit is exempt from the APEN reporting requirements in Regulation No.3, Part A and the construction permit requirements in Regulation No. 3, Part B provided actual, uncontrolled emissions are less than the APEN de minimis level.

4.1 The owner or operator of storage tanks at a gasoline dispensing facility (service station) or other facility not addressed in Sections IV.C.2. or IV.C.3., which receives and stores petroleum liquid, shall not allow the transfer of petroleum liquid from any delivery vessel into any tank unless the tank is equipped with a submerged fill pipe and all vapors displaced from the storage tank are transferred to the delivery vessel being unloaded using a properly maintained, functioning, and leak-tight vapor collection system, as in accordance with applicable provisions of Appendix B and Section VII (Colorado Regulation No. 7, Part B, Section IV.B.3.b). Compliance with this requirement shall be monitored by meeting the requirements in Conditions 4.2 and 4.3.

4.2 Tanks equipped with a submerged fill pipe shall meet the specifications of Regulation No. 7, Appendix B (Colorado Regulation No. 7, Part B, Section IV.B.3.c).

4.3 The vapor control system identified in Condition 4.3 of this permit is subject to the following requirements:

4.3.1 A vapor collection system designed and operated in accordance with a vapor-tight line from the storage tank to delivery vessel. (Colorado Regulation No. 7, Part B, Section IV.B.3.d.(i)).

4.3.2 The owner or operator shall ensure that operating procedures are used so that gasoline cannot be transferred into the tank unless the vapor collection system is installed and operated to ensure the system is leak-tight during gasoline transfer. (Colorado Regulation No. 7, Part B, Section IV.B.3.e).

4.3.3 This tank shall only be filled with gasoline from a certified (in accordance with Colorado Regulation No. 7, Part B, Section IV.D) delivery truck equipped with an approved gasoline vapor collection system. The permittee's operating procedures shall include this requirement.

4.4 No owner or operator of a bulk gasoline terminal, bulk gasoline plant, or gasoline dispensing facility as defined in Part B, Sections IV.C.2., IV.C.3. and VII.A.3., shall permit gasoline to be intentionally spilled, discarded in sewers, stored in open containers, or disposed of in any other manner that would result in evaporation. (Colorado Regulation No. 7, Part B, Section III.B). The permittee's operating procedures for gasoline dispensing shall include these requirements.

5. Continuous Emission Monitoring System (CEMS) Requirements

The following requirements apply to the NO_X, SO_2, CO and diluent (either O_2 or CO_2) continuous emission monitoring systems (CEMS) and volumetric flow monitors required by Conditions 1.7 and 2.10. Note that the continuous emission monitoring requirements identified in this Condition, are in addition to the continuous emission monitoring requirements required by the Acid Rain Program, which are identified in Section III of this permit.

5.1 Equipment and QA/QC Requirements

5.1.1 Except as provided for below, **the CO monitors for the combustion turbines** are subject to the applicable requirements of 40 CFR Part 60 (Colorado Construction Permits 12AD2345 and 12AD2346). The monitoring systems shall meet the equipment, installation and performance specifications of 40 CFR Part 60 Appendix B, Performance Specification 4/4A. These CEMS are subject to the quality assurance/quality control requirements in 40 CFR Part 60 Appendix F and Subpart A § 60.13 and Condition 5.1.3 of this permit.

5.1.1.1 The CO CEMS data shall meet the applicable "primary equipment hourly operating requirements" for hourly average calculation methodology specified in 40 CFR Part 75 Subpart B § 75.10(d).

5.1.1.2 Annual CO monitor relative accuracy (RA) testing will be performed in ppm @ 15 % O_2 measurement units, and will be performed according to 40 CFR Part 60, Appendix B, Performance Specification 4A.

5.1.1.3 Relative accuracy test audit (RATA) frequency will be determined according to 40 CFR Part 60 Appendix F.

5.1.2 The **SO_2, NO_X (and diluent) and flow monitors for Unit 4 and the combustion turbines** are subject to the applicable requirements of 40 CFR Part 75. The monitoring systems shall meet the equipment, installation and performance specification requirements in 40 CFR Part 75, Appendix A. These CEMS shall meet the quality assurance/quality control requirements in 40 CFR Part 75, Appendix B and the conversion procedures of Appendix F and the provisions in Condition 5.1.3 of this permit. (40 CFR Part 75 and Colorado Construction Permits 12AD2345 &12AD2346)

5.1.3 The **SO_2, NO_X and CO CEMS** are subject to the following requirements:

5.1.3.1 Relative Accuracy Test Audits (RATAs): RATAs shall be conducted in the units (e.g., lb/MMBtu) of the emission limitation for all of the emission limitations that are applicable to the emissions unit. The RATAs for emissions units that have annual emission limitations (tons/yr) will be conducted in terms of pounds per hour (lb/hr).

5.1.3.2 The DAHS shall be able to record and manipulate the data in the units (e.g., lb/MMBtu) of the emission limitation and meet the reporting requirements for all for the emissions limitations that are applicable to the emissions unit.

5.1.4 Quality assurance/quality control plans shall be prepared for the continuous emission monitoring systems as follows:

5.1.4.1 The quality assurance/quality control plan for the **CO monitors for the combustion turbines** shall be prepared in accordance with the applicable requirements in 40 CFR Part 75, Appendix B.

5.1.4.2 The quality assurance /quality control plan for the **SO_2, NO_X (and diluent) and flow monitors for Unit 4 and the combustion turbines** shall be prepared in accordance with the applicable requirements in 40 CFR Part 75, Appendix B.

The quality assurance/quality control plans shall be made available to the Division upon request. Revisions shall be made to the plans at the request of the Division.

5.2 General Provisions

5.2.1 **CO monitors for the combustion turbines:** The permittee shall ensure that all continuous emission monitoring systems required are in operation and monitoring unit emissions at all times except for monitoring system breakdowns, repairs, calibration checks and zero and span adjustments required under 40 CFR Part 60 Subpart A § 60.13(d) (40 CFR Part 60 Subpart A § 60.13(e)).

5.2.2 **SO_2, NO_X (and diluent) and flow monitors for Unit 4 and the combustion turbines:** The permittee shall ensure that all continuous emission monitoring systems required are in operation and monitoring unit emissions at all times that the affected unit combusts any fuel except as provided in 40 CFR § 75.11(e) and during periods of calibration, quality assurance, or preventative maintenance performed pursuant to 40 CFR Part 75, § 75.21 and Appendix B, periods of repair, periods of backups of data from the data acquisition and handling system or recertification performed pursuant to 40 CFR § 75.20 (40 CFR Part 75 § 75.10(d)).

5.2.3 Alternative monitoring systems, alternative reference methods, or any other alternatives for the required continuous emission monitoring systems shall not be used without having obtained prior written approval from the appropriate agency, either the Division or the U. S. EPA, depending on which agency is authorized to

approve such alternative under applicable law. Any alternative continuous emission monitoring systems or continuous opacity monitoring systems must be certified in accordance with the applicable requirements of 40 CFR Part 60 or 40 CFR Part 75 prior to use.

5.2.4 All test and monitoring equipment, methods, procedures and reporting shall be subject to the review and approval by the appropriate agency, either the Division or the U. S. EPA, depending on which agency is authorized to approve such item under applicable law, prior to any official use. The Division shall have the right to inspect such equipment, methods and procedures and data obtained at any time. The Division may provide a witness(s) for any and all tests as Division resources permit.

5.2.5 A file shall be maintained of all measurements, including continuous monitoring system, monitoring device, and performance testing measurements; all continuous monitoring system performance evaluations; all continuous monitoring system or monitoring device calibration checks; adjustments and maintenance performed on these systems or devices; and all other information required by applicable portions of 40 CFR Part 60 Subpart A and Appendices B and F and 40 CFR Part 75.

5.2.6 Records shall be maintained of the occurrence and duration of any startup, shutdown, or malfunction in the operation of the source; any malfunction of the air pollution control equipment; or any periods during which a continuous monitoring system or monitoring device is inoperative (40 CFR Part 60 Subpart A § 60.7(b) and Colorado Construction Permits 12AD2345 & 12AD2346).

5.3 Recordkeeping and Reporting Requirements

5.3.1 Each owner or operator required to install a continuous monitoring device shall submit excess emissions and monitoring systems performance report (excess emissions are defined in applicable subparts and this permit) and/or summary report form (see Condition 5.3.2) to the Division quarterly. All reports shall be postmarked by the 30th day following the end of each calendar quarter. (§ 60.7(c), revised to stipulate quarterly reporting. The source requested quarterly reporting to be consistent with the Acid Rain reporting requirements). Written reports of excess emissions shall include the information:

5.3.1.1 The magnitude of excess emissions computed in accordance with 40 CFR Part 60 Subpart A § 60.13(h) and Division guidelines, as applicable, any conversion factor(s) used, and the date and time of commencement and completion of each time period of excess emissions and the process operating time during the reporting period. (§ 60.7(c)(1))

5.3.1.2 Specific identification of each period of excess emissions that occurs Specific identification of each period of excess emissions that occurs during startups, shutdowns, and malfunctions of the affected facility. The

nature and cause of any malfunction (if known), the corrective action taken or preventative measures adopted. (§ 60.7(c)(2))

5.3.1.3 The date and time identifying each period during which the continuous monitoring system was inoperative except for zero and span checks and the nature of the system repairs or adjustments (§ 60.7(c)(3)).

5.3.1.4 When no excess emissions have occurred or the continuous monitoring system(s) have not been inoperative, repaired, or adjusted, such information shall be stated in the report (§ 60.7(c)(4)).

5.3.2 The summary report form shall contain the information and be in the format shown in figure 1 of § 60.7 unless otherwise specified by the Division. One summary report form shall be submitted for each pollutant monitored at each affected facility. (§ 60.7(d))

If the total duration of excess emissions for the reporting period is less than 1 percent of the total operating time for the reporting period and CMS downtime for the reporting period is less than 5 percent of the total operating time for the reporting period, only the summary report form shall be submitted and the excess emission report described in Condition 5.3.1 need not be submitted unless requested by the Division. (§ 60.7(d)(1))

If the total duration of excess emissions for the reporting period is 1 percent or greater of the total operating time for the reporting period or the total CMS downtime for the reporting period is 5 percent or greater of the total operating time for the reporting period, the summary report form and the excess emission report described in Condition 5.3.1 shall both be submitted. (§ 60.7(d)(2)).

5.3.3 Further provisions regarding reporting excess emissions are provided for in Condition 5.5.3.

5.4 Data Replacement Requirements

5.4.1 For the **combustion turbines**: For periods when quality assured data is not available from the continuous emission monitoring systems the data replacement procedures in 40 CFR Part 75 Subpart D shall be used for determining the total (annual) emissions. Although carbon monoxide emissions are not specifically referenced in the Subpart D procedures, the CEM data acquisition system will be programmed to substitute carbon monoxide emissions using the same procedures specified for oxides of nitrogen. For purposes of monitoring compliance with the annual emission limitations (tons/yr) replaced and bias-adjusted data shall be included when assessing compliance with the annual limitations. Note that since CO emissions are not subject to requirements in 40 CFR Part 75 the CO emission data is not required to be bias-adjusted.

5.4.2 For **Unit 4**: For periods when quality assured data is not available from the continuous emission monitoring systems the data replacement procedures in 40 CFR Part 75 Subpart D shall be used for determining the total (annual) emissions for purposes of APEN reporting. Note that for purposes of determining compliance with the annual SO_2 limit in Condition 1.3.3, using replaced and bias-adjusted data is not required as specified in Condition 1.3.5.

5.5 Specific Provisions for NSPS Subpart KKKK

The following requirements apply to Turbines CT05 and CT06 only.

The requirements in this Condition 5.5 reflect the rule language in 40 CFR Part 60 Subpart KKKK as of the latest revisions to 40 CFR Part 60 Subpart KKKK published in the Federal Register on March 20, 2009. However, if revisions to this Subpart are promulgated at a later date, the owner or operator is subject to the requirements contained in the revised version of 40 CFR Part 60 Subpart KKKK.

Please note that proposed revisions to 40 CFR Part 63 Subpart KKKK were published in the Federal Register on August 29, 2012 to address a petition for reconsideration filed by the Utility Air Regulatory Group (UARG) on September 5, 2006 regarding the July 2006 final rule and to address other technical and editorial issues. Therefore, the requirements below may change in the future.

5.5.1 As specified in § 60.4345(a), if a Part 75 NO_X CEMS is used, the RATA shall be performed on a lb/MMBtu basis.

5.5.2 As specified in § 60.4350(d) (Condition 2.2.2.7) and approved by the Division, only quality assured data from the CEMS shall be used to identify excess emissions. Periods where the missing data substitution procedures in Subpart D of Part 75 are applied are to be reported as monitor downtime in the excess emission reports specified in Condition 5.3.

5.5.3 For the purpose of reports required under Condition 5.3, periods of excess emissions and monitor downtime that must be reported are defined as follows:

5.5.3.1 Excess emissions is any unit operating period in which the 30-day rolling average NO_X emission rate exceeds the applicable emission limit in §60.4320. For the purposes of this subpart, a "30-day rolling average NO_X emission rate" is the arithmetic average of all hourly NO_X emission data in ppm or ng/J (lb/MWh) measured by the continuous emission monitoring equipment for a given day and the twenty-nine unit operating days immediately preceding that unit operating day. A new 30-day average is calculated each unit operating day as the average of all hourly NO_X emissions rates for the preceding 30 unit operating days if a valid NO_X emission rate is obtained for at least 75 percent of all operating hours. (§

60.4380(b)(1), includes just the language for 30-day rolling average, as that applies to these turbines)

5.5.3.2 A period of monitor downtime is any unit operating hour in which the data for any of the following parameters are either missing or invalid: NO_X concentration, CO_2 or O_2 concentration, fuel flow rate, steam flow rate, steam temperature, steam pressure, or megawatts. The steam flow rate, steam temperature, and steam pressure are only required if you will use this information for compliance purposes. (§ 60.4380(b)(2))

5.5.3.3 For operating periods during which multiple emissions standards apply, the applicable standard is the average of the applicable standards during each hour. For hours with multiple emissions standards, the applicable limit for that hour is determined based on the condition that corresponded to the highest emissions standard. (§ 60.4380(b)(3))

6. Emission Factors

The permittee shall comply with the provisions of Regulation No. 3 concerning APEN reporting. Emission factors that are approved compliance factors specified within this permit can not be adjusted without requiring a permit modification. Emission factors and/or other emission estimating methods used only to comply with the reporting requirements of this regulation can be updated and modified as specified. These changes by themselves, do not require any permitting activities though the resulting emission estimate may trigger permitting activities.

7. Diesel Fuel-Fired Internal Combustion Engines

EG01 – Emergency Generator Rated at 3,280 hp

Parameter	Permit Condition Number	Limitations Short Term	Limitations Long Term	Compliance Emission Factor	Monitoring Method	Monitoring Interval
NSPS Subpart IIII Requirements	7.1	NO_X + NMHC – 4.8 g/hp-hr CO – 2.6 g/hp-hr PM – 0.15 g/hp-hr		N/A	See Condition 7.1	
Hours of Operation	7.2	N/A	100 hrs/yr	N/A	Recordkeeping	Monthly
NO_X	7.3	N/A	2.2 tons/yr	6.2 g/hp-hr	Recordkeeping and Calculation	Monthly
RACT – VOC emissions	7.4	Compliance with the NSPS Subpart IIII Requirements is Determined to be RACT		N/A	Certification	Annually
RACT – NO_X, PM_{10} and CO	7.5	Compliance with the NSPS Subpart IIII Requirements is Determined to be RACT		N/A	Certification	Annually
Opacity	7.6	Not to Exceed 20% Except as Provided for Below		N/A	EPA Method 9	See Condition 7.6
		For Startup – Not to Exceed 30%, for a Period or Periods Aggregating More than Six (6) Minutes in any 60 Consecutive Minutes				
Subpart ZZZZ Requirements	7.8	Initial Notification		N/A	See Condition 7.8	

E003 - Emergency Fire Pump Rated at 282 hp

Parameter	Permit Condition Number	Limitations		Compliance Emission Factor	Monitoring	
		Short Term	Long Term		Method	Interval
NSPS Subpart IIII Requirements	7.1	NO_X + NMHC – 3.0 g/hp-hr PM – 0.15 g/hp-hr		N/A	See Condition 7.1.	
Hours of Operation	7.2	N/A	N/A	N/A	Recordkeeping	Annually
Opacity	7.6	Not to Exceed 20% Except as Provided for Below		N/A	EPA Method 9	See Condition 7.6
		For Startup – Not to Exceed 30%, for a Period or Periods Aggregating More than Six (6) Minutes in any 60 Consecutive Minutes				
MACT Subpart ZZZZ Requirements	7.7	Compliance with MACT met by complying with NSPS Subpart IIII		N/A	See Condition 7.7	

Note that this emission unit is exempt from the APEN reporting requirements in Regulation No. 3, Part A and the minor source construction permit requirements provided actual, uncontrolled emissions do not exceed the APEN de minimis level (1 ton/yr of NO_X) per Colorado Regulation No. 3, Part A, Section II.D.1.a and Part B, Section II.D.1.a. Based on the NSPS NO_X limit (3.0 g/hp-hr) and design rate (282 hp), emissions exceed the APEN de minimis level at 1,072 hrs/yr.

7.1 **Engines EG01 (emergency generator) and E003 (emergency fire pump)** are subject to the requirements in 40 CFR Part 60 Subpart IIII, "Standards of Performance for Stationary Compression Ignition Internal Combustion Engines", as adopted by reference in Colorado Regulation No. 6, Part A, including but not limited to the following requirements:

The requirements below reflect the rule language in 40 CFR Part 60 Subpart IIII as of the latest revisions to 40 CFR Part 60 Subpart IIII published in the Federal Register on November 13, 2019. However, if revisions to this Subpart are promulgated at a later date, the owner or operator is subject to the requirements contained in the revised version of 40 CFR Part 60 Subpart IIII.

The D. C. Circuit Court issued a mandate on May 4, 2016 for vacatur for certain requirements allowing emergency engines to operate for limited hours for demand response. Upon issuance of the mandate § 60.4211(f)(2)(ii)-(iii) (Conditions 7.1.9.2.b and 7.1.9.2.c) have no legal effect. Operation of emergency engines is limited to emergency situations specified in 60.4211(f)(1) (Condition 7.1.9.1); maintenance checks and readiness testing for a limited number of hours per year as specified in 60.4211(f)(2)(i) (Condition 7.1.9.2.a); and certain non-emergency situations for a limited number of hours per year as specified in 60.4211(f)(3) (Condition 7.1.9.3). See EPA memorandum dated April 15, 2016 regarding "Guidance on Vacatur of RICE NESHAP and NSPS Provisions for Emergency Engines" for more information.

It should be noted that additional revisions to the requirements in 40 CFR Part 60 Subpart IIII are expected to be made in response to issues related to the vacatur or requirements associated with the allowable hours of operation provisions for emergency engines discussed in the above paragraph. If such revisions are finalized prior to issuance of the permit, they will be included in the permit.

What emission standards must I meet for emergency engines if I am an owner or operator of a stationary CI internal combustion engine? (§ 60.4205)

7.1.1 **Engine EG01 (emergency generator)**. Owners and operators of 2007 model year and later emergency stationary CI ICE with a displacement of less than 30 liters per cylinder that are not fire pump engines must comply with the emission standards for new nonroad CI engines in §60.4202, for all pollutants, for the same model year and maximum engine power for their 2007 model year and later emergency stationary CI ICE. (§ 60.4205(b))

Stationary CI internal combustion engine manufacturers must certify their 2007 model year and later emergency stationary CI ICE with a maximum engine power less than or equal to 2,237 KW (3,000 HP) and a displacement of less than 10 liters per cylinder that are not fire pump engines to the emission standards specified in paragraphs (a)(1) through (2) of this section. (§ 60.4202(a))

For engines with a maximum engine power greater than or equal to 37 KW (50 HP), the certification emission standards for new nonroad CI engines for the same model year and maximum engine power in 40 CFR 89.112 and 40 CFR 89.113 for all pollutants beginning in model year 2007. (§ 60.4202(a)(2))

The specific emission limitations in 40 CFR 89.112 that apply to this unit are as follows:

Tier II requirements for Model Engines Greater than 560 kW					
Emission Standards (g/kW-hr)			Emission Standards (g/hp-hr)		
NMHC + NOX	CO	PM	NMHC + NOX	CO	PM
6.4	3.5	0.20	4.8	2.6	0.15

Note that the smoke standards in 40 CFR 89.113 do not apply because the engine is a constant speed engine (89.113(c)(3)).

7.1.2 **Engine E003 (Emergency Fire Pump).** Owners and operators of fire pump engines with a displacement of less than 30 liters per cylinder must comply with the emission standards in table 4 to this subpart, for all pollutants. (§ 60.4205(c))

The specific emission limitations in table 4 that apply to this engine are as follows:

Requirements for Model Engines 130 ≤ kW< 225 (175≤ Hp <300) Model Year 2009 +					
Emission Standards (g/kW-hr)			Emission Standards (g/hp-hr)		
NMHC + NOX	CO	PM	NMHC + NOX	CO	PM
4.0	---	0.20	3.0	---	0.15

How long must I meet the emission standards if I am an owner or operator of a stationary CI internal combustion engine? (§ 60.4206)

7.1.3 Owners and operators of stationary CI ICE must operate and maintain stationary CI ICE that achieve the emission standards as required in §§60.4204 and 60.4205 over the entire life of the engine. (§ 60.4206)

What fuel requirements must I meet if I am an owner or operator of a stationary CI internal combustion engine subject to this subpart? (§ 60.4207)

7.1.4 Beginning October 1, 2010, owners and operators of stationary CI ICE subject to this subpart with a displacement of less than 30 liters per cylinder that use diesel fuel must use diesel fuel that meets the requirements of 40 CFR 80.510(b) for nonroad diesel fuel, except that any existing diesel fuel purchased (or otherwise obtained) prior to October 1, 2010, may be used until depleted. ((§ 60.4207(b))

The fuel limitations in 80.510(b) are: sulfur content of 15 ppm maximum for NR diesel fuel and 500 ppm maximum for LM diesel fuel and a minimum cetane index of 40 or a maximum aromatic content of 35 volume percent.

Compliance with the fuel limitations shall be monitored by sampling and analyzing each shipment of diesel fuel to determine the sulfur and cetane and/or aromatic content using appropriate ASTM methods, or equivalent if approved in advance by the Division. In lieu of sampling, vendor data may be used to verify that the diesel fuel delivered meets the sulfur and cetane and/or aromatic requirements.

What are the monitoring requirements if I am an owner or operator of a stationary CI internal combustion engine? (§ 60.4209)

If you are an owner or operator, you must meet the monitoring requirements of this section. In addition, you must also meet the monitoring requirements specified in §60.4211.

7.1.5 If you are an owner or operator of an emergency stationary CI internal combustion engine that does not meet the standards applicable to non-emergency engines, you must install a non-resettable hour meter prior to startup of the engine. (§ 60.4209(a))

7.1.6 If you are an owner or operator of a stationary CI internal combustion engine equipped with a diesel particulate filter to comply with the emission standards in

§60.4204, the diesel particulate filter must be installed with a backpressure monitor that notifies the owner or operator when the high backpressure limit of the engine is approached. (§ 60.4209(b))

What are my compliance requirements if I am an owner or operator of a stationary CI internal combustion engine? (§ 60.4211)

7.1.7 If you are an owner or operator and must comply with the emission standards specified in this subpart, you must do all of the following, except as permitted under § 60.4211(g) (Condition 7.1.10):

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

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

7.1.7.3 Meet the requirements of 40 CFR parts 89, 94 and/or 1068, as they apply to you. (§ 60.4211(a)(1) – (3))

7.1.8 If you are an owner or operator of a 2007 model year and later stationary CI internal combustion engine and must comply with the emission standards specified in §60.4204(b) or §60.4205(b), or if you are an owner or operator of a CI fire pump engine that is manufactured during or after the model year that applies to your fire pump engine power rating in table 3 to this subpart and must comply with the emission standards specified in §60.4205(c), you must comply by purchasing an engine certified to the emission standards in §60.4204(b), or §60.4205(b) or (c), as applicable, for the same model year and maximum (or in the case of fire pumps, NFPA nameplate) engine power. The engine must be installed and configured according to the manufacturer's emission-related specifications, except as permitted in 60.4211(g) (Condition 7.1.10). (§ 60.4211(c))

7.1.9 If you own or operate an emergency stationary ICE, you must operate the emergency stationary ICE according to the requirements in 60.4211(f)(1) through (3) (Conditions 7.1.9.1 through 7.1.9.3). In order for the engine to be considered an emergency stationary ICE under this subpart, any operation other than emergency operation, maintenance and testing, emergency demand response, and operation in non-emergency situations for 50 hours per year, as described in 60.4211(f)(1) through (3) (Conditions 7.1.9.1 through 7.1.9.3), is prohibited. If you do not operate the engine according to the requirements in 60.4211(f)(1) through (3) (Conditions 7.1.9.1 through 7.1.9.3), the engine will not be considered an emergency engine under this subpart and must meet all requirements for non-emergency engines. (§ 60.4211(f))

7.1.9.1 There is no time limit on the use of emergency stationary ICE in emergency situations. (§ 60.4211(f)(1))

7.1.9.2 You may operate your emergency stationary ICE for any combination of the purposes specified in 60.4211(f)(2)(i) through (iii) for a maximum of 100 hours per calendar year. Any operation for non-emergency situations as allowed by 60.4211(f)(3) (Condition 7.1.9.3) counts as part of the 100 hours per calendar year allowed by this paragraph (f)(2). (§ 60.4211(f)(2))

a. Emergency stationary ICE may be operated for maintenance checks and readiness testing, provided that the tests are recommended by federal, state or local government, the manufacturer, the vendor, the regional transmission organization or equivalent balancing authority and transmission operator, or the insurance company associated with the engine. The owner or operator may petition the Administrator for approval of additional hours to be used for maintenance checks and readiness testing, but a petition is not required if the owner or operator maintains records indicating that federal, state, or local standards require maintenance and testing of emergency ICE beyond 100 hours per calendar year. (§ 60.4211(f)(2)(i))

b. Emergency stationary ICE may be operated for emergency demand response for periods in which the Reliability Coordinator under the North American Electric Reliability Corporation (NERC) Reliability Standard EOP-002-3, Capacity and Energy Emergencies (incorporated by reference, see §60.17), or other authorized entity as determined by the Reliability Coordinator, has declared an Energy Emergency Alert Level 2 as defined in the NERC Reliability Standard EOP-002-3. (§ 60.4211(f)(2)(ii))

c. Emergency stationary ICE may be operated for periods where there is a deviation of voltage or frequency of 5 percent or greater below standard voltage or frequency. (§ 60.4211(f)(2)(iii))

7.1.9.3 Emergency stationary ICE may be operated for up to 50 hours per calendar year in non-emergency situations. The 50 hours of operation in non-emergency situations are counted as part of the 100 hours per calendar year for maintenance and testing and emergency demand response provided in 60.4211(f)(2) (Condition 7.1.9.2). Except as provided in 60.4211(f)(3)(i), the 50 hours per calendar year for non-emergency situations cannot be used for peak shaving or non-emergency demand response, or to generate income for a facility to an electric grid or otherwise supply power as part of a financial arrangement with another entity. (§ 60.4211(f)(3))

a. The 50 hours per year for non-emergency situations can be used to supply power as part of a financial arrangement with another entity if all of the requirements in 60.4211(f)(3)(i)(A) through (E) are met. (60.4211(f)(3)(i))

7.1.10 If you do not install, configure, operate, and maintain your engine and control device according to the manufacturer's emission-related written instructions, or you change emission-related settings in a way that is not permitted by the manufacturer, you must demonstrate compliance as specified in § 60.4211(g)(1) through (3), as applicable. (§ 60.4211(g))

What are my notification, reporting, and recordkeeping requirements if I am an owner or operator of a stationary CI internal combustion engine? (§ 60.4214)

7.1.11 If the stationary CI internal combustion engine is an emergency stationary internal combustion engine, the owner or operator is not required to submit an initial notification. Starting with the model years in table 5 to this subpart, if the emergency engine does not meet the standards applicable to non-emergency engines in the applicable model year, the owner or operator must keep records of the operation of the engine in emergency and non-emergency service that are recorded through the non-resettable hour meter. The owner must record the time of operation of the engine and the reason the engine was in operation during that time. (§ 60.4214(b))

7.1.12 If the stationary CI internal combustion engine is equipped with a diesel particulate filter, the owner or operator must keep records of any corrective action taken after the backpressure monitor has notified the owner or operator that the high backpressure limit of the engine is approached. (§ 60.4214(c))

7.1.13 If you own or operate an emergency stationary CI ICE with a maximum engine power more than 100 HP that operates or is contractually obligated to be available for more than 15 hours per calendar year for the purposes specified in §60.4211(f)(2)(ii) and (iii) (Conditions 7.1.9.2.b and 7.1.9.2.c) or that operates for the purposes specified in §60.4211(f)(3)(i) (Condition 7.1.9.3.a), you must submit an annual report according to the requirements in 60.4214(d)(1) through (3). (60.4214(d))

What parts of the general provisions apply to me? (§ 60.4218)

7.1.14 Table 8 to this subpart shows which parts of the General Provisions in §§60.1 through 60.19 apply to you. (§ 60.4218) The relevant general provisions are as follows:

7.1.14.1 No article, machine, equipment or process shall be used to conceal an emission which would otherwise constitute a violation of an applicable standard. Such concealment includes, but is not limited to, the use of gaseous diluents to achieve compliance with an opacity standard or with a standard which is based on the concentration of a pollutant in the gasses discharged to the atmosphere (§ 60.12).

7.2 Hours of operation for these engines are subject to the following requirements:

7.2.1 Hours of operation for **EG01 (Emergency Generator)** shall not exceed 100 hours per year. (Colorado Construction Permit 12AD2348) Hours of operation shall be recorded monthly and used in a twelve month rolling total to monitor compliance with the annual limitation. Each month a new twelve month total shall be calculated using the previous twelve months data.

7.2.2 Hours of operation for **E003 (Emergency Fire Pump)** shall be monitored and recorded annually (calendar year). If annual hours of operation exceed 1,072 an APEN is required for the engine and an APEN shall be filed.

7.3 NO_X emissions from **EG01 (Emergency Generator)** shall not exceed 2.2 tons per year (Colorado Construction Permit 12AD2348, as modified under the provisions of Section I, Condition 1.3, based on requested emissions indicated on the APEN received on March 3, 2020) Compliance with the emission limitations shall be monitored by calculating emissions monthly using the emission factors listed in the above summary table (NO_X from manufacturer at full standby), hours of operation (as required by Condition 7.2.1) and maximum horsepower (3,280 hp) in the following equation:

$$\text{Tons/month} = \frac{\text{EF (g-hp-hr)} \times 3{,}280 \text{ hp} \times \text{hours of operation (hr/mo)}}{453.6 \text{ g/lb} \times 2000 \text{ lb/ton}}$$

Monthly emissions shall be used in a twelve month rolling total to monitor compliance with the annual limitation. Each month a new twelve month total shall be calculated using the previous twelve months data.

7.4 **EG-01 (Emergency Generator)** is subject to RACT requirements for VOC emissions (Colorado Construction Permit 12AD2348, Colorado Regulation No. 3, Part B, Section III.D.2.a and Colorado Regulation No. 7, Part A, Section II.C.2). RACT for VOC shall be met by complying with the requirements in 40 CFR Part 60 Subpart IIII (Condition 7.1 of this permit).

7.5 **EG-01 (Emergency Generator)** is subject to RACT requirements for NO_X, PM_{10} and CO emissions (Colorado Regulation No. 3, Part B, Section III.D.2.a). RACT for NO_X, PM_{10} and CO shall be met by complying with the requirements in 40 CFR Part 60 Subpart IIII (Condition 7.1 of this permit).

7.6 Opacity of emissions **from each engine** shall not exceed the following:

7.6.1 Except as provided for in Condition 7.6.2 below, no owner or operator of a source shall allow or cause the emission into the atmosphere of any air pollutant which is in excess of 20% opacity (12AD2348 (EG01 only) and Colorado Regulation No. 1, Section II.A.1).

7.6.2 No owner or operator of a source shall allow or cause to be emitted into the atmosphere any air pollutant resulting from startup which is in excess of 30% opacity for a period or periods aggregating more than six (6) minutes in any sixty (60)

consecutive minutes (12AD2348 (EG01 only) and Colorado Regulation No. 1, Section II.A.4).

Compliance with these limitations shall be monitored by conducting visual emission observations in accordance with EPA Reference Method 9 as follows:

7.6.3 Engine startup shall not exceed 30 minutes. An engine startup period of less than 30 minutes shall not require an opacity observation to monitor compliance with the opacity limit in Condition 7.6.2. A record shall be kept of the date and time the engine started and when it was shutdown.

7.6.4 An opacity observation shall be conducted annually (calendar year period) **on each engine** to monitor compliance with the opacity limit in Condition 7.6.1. Annual opacity observations for an individual engine shall be separated by a period of four (4) months.

If an engine is operated more than 250 hours in any calendar year period, a second opacity observation shall be conducted. If two opacity readings are conducted in the annual (calendar year) period, such readings shall be conducted at least thirty days apart.

7.6.5 If an engine is not operated during the annual (calendar year) period, then no opacity observations are required.

7.6.6 Subject to the provisions of C.R.S. 25-7-123.1 and in the absence of credible evidence to the contrary, exceedance of the opacity limit shall be considered to exist from the time a Method 9 reading is taken that shows an exceedance of the opacity limit until a Method 9 reading is taken that shows the opacity is less than the opacity limit.

7.6.7 All Method 9 opacity observations shall be performed by an observer with current and valid Method 9 certification. Results of Method 9 readings and a copy of the certified Method 9 reader's certificate shall be kept on site and made available to the Division upon request.

7.7 **Engine E003 (Emergency Fire Pump)** is subject to the requirements in 40 CF Part 63 Subpart ZZZZ, "National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines." The specific applicable requirements are as follows:

Note that as of the date of renewal permit issuance [August 1, 2020], the requirements in 40 CFR Part 63 Subpart ZZZZ promulgated after July 1, 2007 have not been adopted into Colorado Regulation No. 8, Part E by the Division and are therefore not state-enforceable. In the event that the Division adopts these requirements they will be state-enforceable.

A new or reconstructed emergency or limited use stationary RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions must meet the requirements of this part by meeting the requirements of 40 CFR part 60 subpart IIII, for compression ignition engines. No further requirements apply for such engines under this part. (63.6590(c) and (c)(6))

7.8 **Engine EG01 (Emergency Generator)** is subject to the requirements in 40 CF Part 63 Subpart ZZZZ, "National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines." The specific applicable requirements are as follows:

A new or reconstructed emergency stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions that does not operate or is not contractually obligated to be available for more than 15 hours per calendar year for the purposes specified in §63.6640(f)(2)(ii) and (iii) does not have to meet the requirements of this subpart and of subpart A of this part except for the initial notification requirements of §63.6645(f). (63.6590(b)(1)(i))

If you are required to submit an Initial Notification but are otherwise not affected by the requirements of this subpart, in accordance with §63.6590(b), your notification should include the information in §63.9(b)(2)(i) through (v), and a statement that your stationary RICE has no additional requirements and explain the basis of the exclusion (for example, that it operates exclusively as an emergency stationary RICE if it has a site rating of more than 500 brake HP located at a major source of HAP emissions). (63.6645(f))

8. Solvent Usage: M002 – Safety Kleen Cold Cleaner Solvent Vats and M003 – General Solvent Use

Parameter	Permit Condition Number	Limitations		Compliance Emission Factor	Monitoring	
		Short Term	Long Term		Method	Interval
Work Practice Standards for	8.1	N/A	N/A	N/A	Internal Audit	Annually
Transfer and Storage of Waste/Used Solvents	8.2	N/A	N/A	N/A	Certification	Annually
Restrictions on Solvent Use	8.3	Use only solvents that do not contain VOCs.		N/A	Certification	Annually

Note that this emission unit is exempt from the APEN reporting requirements in Regulation No. 3, Part A and the construction permit requirements in Regulation No. 3, Part B provided actual, uncontrolled emissions are less than the APEN de minimis level (see Regulation No. 3, Part B, Section II.D.1.a).

8.1 Operation of the **cold cleaner solvent vats** shall meet the standards defined in Colorado Regulation No. 7, Part C, Section II.B. Compliance shall be monitored by following the work practices defined in Public Service Company's Policy Manual regarding operation, maintenance and design of the cold cleaner solvent vats. The Policy Manual shall include, at a minimum the requirements defined in Colorado Regulation No. 7, Part C, Section II.B and shall be made available to the inspector upon request**.** Audits of the vat operations and/or the policy manual shall be performed annually to ensure that operations are performed within the requirements of the policy manual and that the policy manual incorporates the requirements of Regulation No. 7, Part C, Section II.B. Audit reports are to be maintained and made available to the Division upon request.

8.2 The transfer and storage of waste and used solvents **from the cold cleaner solvent vats** is subject to the following requirements (Colorado Regulation No. 7, Part C, Section II.A.3 and 4):

8.2.1 In any disposal or transfer of waste or used solvent, at least 80 percent by weight of the solvent/waste liquid shall be retained (i.e., no more than 20 percent of the liquid solvent/solute mixture shall evaporate or otherwise be lost during transfers).

8.2.2 Waste or used solvents shall be stored in closed containers unless otherwise required by law.

8.3 After May 1, 2021, solvent use at this facility is subject to the following restrictions:

8.3.1 Except as provided for in Condition 8.3.2, only solvents that do not contain VOC may be used.

8.3.2 Solvents containing VOC may be used in the cold cleaner solvent vat provided the requirements in Conditions 8.1 and 8.2 are met.

9. P012 – Soda Ash Storage Silo

Parameter	Permit Condition Number	Limitations		Compliance Emission Factor	Monitoring	
		Short Term	Long Term		Method	Interval
PM	9.1	N/A	0.003 tons/yr	1.7 lbs/ton	Recordkeeping and Calculation	Monthly
PM_{10}		N/A	0.003 tons/yr	1.7 lbs/ton		
$PM_{2.5}$		N/A	0.003 tons/yr	1.7 lbs/ton		
Soda Ash Processed	9.2	N/A	3,350 tons/yr	N/A	Recordkeeping	Monthly
Control Device Requirements	9.3	Silo Shall be Equipped with a Bin Vent Filter		N/A	See Condition 9.3	
Opacity	9.4	Not to Exceed 20%		N/A	See Condition 9.4	
Commence Construction	9.5	Construction Must Commence within 18 Months		N/A	See Condition 9.5	
Startup Notice	9.6	Notify Division within 15 Days After Startup		N/A	Notification	Within 15 Days
Mark AIRS Id on Silo – **State-Only**	9.7	Mark AIRS Id on Equipment within 15 Days after Startup		N/A	See Condition 9.7	
Compliance Certification	9.8	Certify Compliance within 180 Days of Startup of Each Unit		N/A	Certification	See Condition 9.8

9.1 Particulate Matter (PM, PM_{10} and $PM_{2.5}$) emissions from the soda ash silo shall not exceed the above limitations (as provided for under the provisions of Section I, Condition 1.3 and Colorado Regulation No. 3, Part C, Sections I.A.7 and III.B.7, based on the requested emissions provided on the APEN received on October 1, 2020, redlined October 23, 2020). Monthly emissions shall be calculated by the end of the subsequent month using the above emission factors (Background Document for AP-42, Sodium Carbonate Production (formerly Section 5.16, now Section 8.12), dated January 1996, average stack test results for test 23b) and the quantity of soda ash processed through the soda ash silo, as determined by Condition 9.2, in the following equation:

$$\text{tons/mo} = \frac{\text{EF (lbs/ton) x soda ash processed (tons/mo)}}{\text{2000 lb/ton}}$$

A control efficiency of 99.9% can be applied to these calculations provided the bin vent filter on the silo is operated and maintained in accordance with the requirements in Condition 9.3.

Monthly emissions from soda ash silo shall be used in a rolling twelve month total to monitor compliance with the annual limitations. Each month a new twelve month total shall be calculated using the previous twelve months data.

9.2 The quantity of soda ash processed through the soda ash silo shall not exceed the limitation listed in the above summary table. (As provided for under the provisions of Section I, Condition 1.3 and Colorado Regulation No. 3, Part C, Sections I.A.7 and III.B.7, based on the requested throughput provided in the APEN received on October 1, 2020, redlined October 23, 2020) The quantity of soda ash handled through the silo shall be monitored and recorded monthly. Monthly quantities of soda ash processed through the silo shall be used in a twelve month rolling total to monitor compliance with the annual limitations. Each month a new twelve month total shall be calculated using the previous twelve months data.

9.3 The soda ash silo shall be equipped with a bin vent filter to control particulate matter emissions. The bin vent filter shall be operated and maintained in accordance with manufacturer's recommendations and good engineering practices. A copy of operating and maintenance procedures, schedules for maintenance and/or inspection activities and records related to the operation and maintenance of the bin vent filter and good engineering practices such as records of routine maintenance and/or inspection shall be made available to the Division upon request.

9.4 Opacity of emissions from the soda ash silo shall not exceed 20% (Colorado Regulation No. 1, Section II.A.1). Compliance with the opacity limitation shall be monitored as follows:

9.4.1 Within 180 days of startup of the soda ash silo, the permittee shall conduct a visual emission observation in accordance with EPA Reference Method 9. The Method 9 opacity observation shall be performed by an observer with current and valid Method 9 certification. Results of the Method 9 reading and a copy of the certified Method 9 reader's certificate shall be kept on site and made available to the Division upon request.

9.4.2 Thereafter, in the absence of credible evidence to the contrary, soda ash silo shall be presumed to be in compliance with the 20% opacity limit provided the bin vent filter is operated and maintained in accordance with the requirements in Condition 9.3.

9.5 The permit conditions in this Section II.9 of this permit shall expire if construction does not commence within 18 months of issuance of the revised permit issuance [December 29, 2020]; construction is discontinued for a period of 18 months of more; or construction is not completed within a reasonable time of the estimated completion date (Colorado Regulation No. 3, Part B, Section III.F.4.a.(i) thru (ii)).

9.6 Unless prior and mutually acceptable arrangements have been made, the applicant shall give notice to the Division within fifteen calendar days after the date on which commencement of operation takes place. (Colorado Regulation No. 3, Part B, Section III.G.1) The permittee shall include with the startup notice, the following information:

9.6.1 The serial number of the equipment, and

9.6.2 Documentation indicating that the requirements in Condition 9.7 have been met.

9.7 **State-Only Requirement:** Within fifteen (15) days after commencement of operation, the AIRS ID number must be marked on the soda ash silo for ease of identification. (Colorado Regulation Number 3, Part B, III.E.)

9.8 Within 180 calendar days after commencement of operation, the source shall demonstrate to the Division compliance with the terms and conditions in this Section II.9. (Colorado Regulation No. 3, Part B, Section III.G.2) Submittal of the first required semi-annual monitoring report (Appendix B), after startup of the soda ash silo and completion of the opacity observation required by Condition 9.4.1 shall serve as the self-certification that the newly installed equipment can comply with the conditions in this Section II.9.

SECTION III - Acid Rain Requirements

1. Designated Representative and Alternate Designated Representative

Designated Representative		Alternate Designated Representative	
Name:	Jeffrey West	Name:	Chad Campbell
Title:	Senior Director, Environmental Services	Title:	Manager, Environmental Services – Air & Water Compliance
Phone:	(303) 571-2762	Phone:	(303) 294-2177

2. Sulfur Dioxide Emission Allowances and Nitrogen Oxide Emission Limitations

Unit	2020	2021	2022	2023	2024	2025
Unit 4 - SO_2 Allowances, per 40 CFR Part 73.10(b), Table 2	7475*	7475*	7475*	7475*	7475*	7475*
Unit 4 - NO_X Limits, per 40 CFR Part 76.7 (See Section 5)	0.40 lbs/MMBtu	0.40 lbs/MMBtu	0.40 lbs/MMBtu	0.40 lbs/MMBtu	0.40 lbs/MMBtu	0.40 lbs/MMBtu
Unit 5 (CT05) - SO_2 Allowances, per 40 CFR Part 73.10(b), Table 2	0*	0*	0*	0*	0*	0*
Unit 5 (CT05) - NO_X Limits	This Unit Has No NO_X Limits (See Section 5)					
Unit 6 (CT06) - SO_2 Allowances, per 40 CFR Part 73.10(b), Table 2	0*	0*	0*	0*	0*	0*
Unit 6 (CT06)- NO_X Limits	This Unit Has No NO_X Limits (See Section 5)					

* Under the provisions of §72.84(a) any allowance allocations to, transfers to and deductions from an affected unit's Allowance Tracking System account is considered an automatic permit amendment and as such no revision to the permit is necessary. Numerical allowances shown in this table are from the 1996 edition of the CFR.

3. Standard Requirements

Unit 4 and CT05 and CT06 of this facility are subject to and the source has certified that they will comply with the following standard conditions(from Acid Rain Permit Application, EPA Form 7610-16 (Revised 8-2019), with some clarifying language added (e.g. "permitting authority" replaced with "Division" and "Act" replaced with "Federal Clean Air Act").

Permit Requirements

(1) The designated representative of each affected source and each affected unit at the source shall:

(i) Submit a complete Acid Rain permit application (including a compliance plan) under 40 CFR part 72 in accordance with the deadlines specified in 40 CFR 72.30; and

(ii) Submit in a timely manner any supplemental information that the Division determines is necessary in order to review an Acid Rain permit application and issue or deny an Acid Rain permit;

(2) The owners and operators of each affected source and each affected unit at the source shall:

(i) Operate the unit in compliance with a complete Acid Rain permit application or a superseding Acid Rain permit issued by the Division; and

(ii) Have an Acid Rain Permit.

Monitoring Requirements

(1) The owners and operators and, to the extent applicable, designated representative of each affected source and each affected unit at the source shall comply with the monitoring requirements as provided in 40 CFR part 75.

(2) The emissions measurements recorded and reported in accordance with 40 CFR part 75 shall be used to determine compliance by the source or unit, as appropriate, with the Acid Rain emissions limitations and emissions reduction requirements for sulfur dioxide and nitrogen oxides under the Acid Rain Program.

(3) The requirements of 40 CFR part 75 shall not affect the responsibility of the owners and operators to monitor emissions of other pollutants or other emissions characteristics at the unit under other applicable requirements of the Federal Clean Air Act and other provisions of the operating permit for the source.

Sulfur Dioxide Requirements

(1) The owners and operators of each source and each affected unit at the source shall:

(i) Hold allowances, as of the allowance transfer deadline, in the source's compliance account (after deductions under 40 CFR 73.34(c)), not less than the total annual emissions of sulfur dioxide for the previous calendar year from the affected units at the source; and

(ii) Comply with the applicable Acid Rain emissions limitations for sulfur dioxide.

(2) Each ton of sulfur dioxide emitted in excess of the Acid Rain emissions limitations for sulfur dioxide shall constitute a separate violation of the Federal Clean Air Act.

(3) An affected unit shall be subject to the requirements under paragraph (1) of the sulfur dioxide requirements as follows:

(i) Starting January 1, 2000, an affected unit under 40 CFR 72.6(a)(2); or

(ii) Starting on the later of January 1, 2000 or the deadline for monitor certification under 40 CFR part 75, an affected unit under 40 CFR 72.6(a)(3).

(4) Allowances shall be held in, deducted from, or transferred among Allowance Tracking System accounts in accordance with the Acid Rain Program.

(5) An allowance shall not be deducted in order to comply with the requirements under paragraph (1) of the sulfur dioxide requirements prior to the calendar year for which the allowance was allocated.

(6) An allowance allocated by the Administrator under the Acid Rain Program is a limited authorization to emit sulfur dioxide in accordance with the Acid Rain Program. No provision of the Acid Rain Program, the Acid Rain permit application, the Acid Rain permit, or an exemption under 40 CFR 72.7 or 72.8 and

no provision of law shall be construed to limit the authority of the United States to terminate or limit such authorization.

(7) An allowance allocated by the Administrator under the Acid Rain Program does not constitute a property right.

Nitrogen Oxides Requirements

The owners and operators of the source and each affected unit at the source shall comply with the applicable Acid Rain emissions limitation for nitrogen oxides.

Excess Emissions Requirements

(1) The designated representative of an affected source that has excess emissions in any calendar year shall submit a proposed offset plan to the Administrator of the U. S. EPA, as required under 40 CFR part 77.

(2) The owners and operators of an affected source that has excess emissions in any calendar year shall:
   (i) Pay without demand, to the Administrator of the U. S. EPA, the penalty required, and pay upon demand the interest on that penalty, as required by 40 CFR part 77; and
   (ii) Comply with the terms of an approved offset plan, as required by 40 CFR part 77.

Recordkeeping and Reporting Requirements

(1) Unless otherwise provided, the owners and operators of the source and each affected unit at the source shall keep on site at the source each of the following documents for a period of 5 years from the date the document is created. This period may be extended for cause, at any time prior to the end of 5 years, in writing by the Administrator or the Division:
   (i) The certificate of representation for the designated representative for the source and each affected unit at the source and all documents that demonstrate the truth of the statements in the certificate of representation, in accordance with 40 CFR 72.24; provided that the certificate and documents shall be retained on site at the source beyond such 5-year period until such documents are superseded because of the submission of a new certificate of representation changing the designated representative;
   (ii) All emissions monitoring information, in accordance with 40 CFR part 75, provided that to the extent that 40 CFR provides for a 3-year period of recordkeeping, the 3-year period shall apply.
   (iii) Copies of all reports, compliance certifications, and other submissions and all records made or required under the Acid Rain Program; and,
   (iv) Copies of all documents used to complete an Acid Rain permit application and any other submission under the Acid Rain Program or to demonstrate compliance with the requirements of the Acid Rain Program.

(2) The designated representative of an affected source and each affected unit at the source shall submit the reports and compliance certifications required under the Acid Rain Program, including those under 40 CFR part 72 subpart I and 40 CFR part 75.

Liability

(1) Any person who knowingly violates any requirement or prohibition of the Acid Rain Program, a complete Acid Rain permit application, an Acid Rain permit, or an exemption under 40 CFR 72.7 or 72.8, including any requirement for the payment of any penalty owed to the United States, shall be subject to enforcement pursuant to section 113(c) of the Federal Clean Air Act.

(2) Any person who knowingly makes a false, material statement in any record, submission, or report under the Acid Rain Program shall be subject to criminal enforcement pursuant to section 113(c) of the Federal Clean Air Act and 18 U.S.C. 1001.

(3) No permit revision shall excuse any violation of the requirements of the Acid Rain Program that occurs prior to the date that the revision takes effect.

(4) Each affected source and each affected unit shall meet the requirements of the Acid Rain Program.

(5) Any provision of the Acid Rain Program that applies to an affected source (including a provision applicable to the designated representative of an affected source) shall also apply to the owners and operators of such source and of the affected units at the source.

(6) Any provision of the Acid Rain Program that applies to an affected unit (including a provision applicable to the designated representative of an affected unit) shall also apply to the owners and operators of such unit.

(7) Each violation of a provision of 40 CFR parts 72, 73, 74, 75, 76, 77, and 78 by an affected source or affected unit, or by an owner or operator or designated representative of such source or unit, shall be a separate violation of the Federal Clean Air Act.

Effect on Other Authorities

No provision of the Acid Rain Program, an Acid Rain permit application, an Acid Rain permit, or an exemption under 40 CFR 72.7 or 72.8 shall be construed as:

(1) Except as expressly provided in title IV of the Federal Clean Air Act, exempting or excluding the owners and operators and, to the extent applicable, the designated representative of an affected source or affected unit from compliance with any other provision of the Federal Clean Air Act, including the provisions of title I of the Federal Clean Air Act relating to applicable National Ambient Air Quality Standards or State Implementation Plans;

(2) Limiting the number of allowances a unit can hold; provided, that the number of allowances held by the source shall not affect the source's obligation to comply with any other provisions of the Federal Clean Air Act;

(3) Requiring a change of any kind in any State law regulating electric utility rates and charges, affecting any State law regarding such State regulation, or limiting such State regulation, including any prudence review requirements under such State law;

(4) Modifying the Federal Power Act or affecting the authority of the Federal Energy Regulatory Commission under the Federal Power Act; or, such program is established.

(5) Interfering with or impairing any program for competitive bidding for power supply in a State in which such program is established.

4. Reporting Requirements

Reports shall be submitted to the addresses identified in Appendix D.

Pursuant to 40 CFR Part 75.64 quarterly reports and compliance certification requirements shall be submitted to the Administrator **within 30 days after the end of the calendar quarter**. The contents of these reports shall meet the requirements of 40 CFR 75.64.

Revisions to this permit shall be made in accordance with 40 CFR Part 72, Subpart H, §§ 72.80 through 72.85 (as adopted by reference in Colorado Regulation 18). Permit modification requests shall be submitted to the Division at the address identified in Appendix D.

Changes to the Designated Representative or Alternate Designated Representative shall be made in accordance with 40 CFR 72.23.

5. Comments, Notes and Justifications

Combustion Turbines CT05 and CT06 burn natural gas as fuel. The NO_X limitations in 40 CFR Part 76 are only applicable to coal-fired utility units and thus do not apply to CT05 and CT06.

In addition, although Unit 4 permanently converted to burning natural gas, this unit still meets the definition of a coal-fired unit in 40 CFR Part 76, § 76.2 (for a phase II unit, a unit that burned coal for 50% of its annual heat input in 1995).

SECTION IV - Permit Shield

Regulation No. 3, 5 CCR 1001-5, Part C, §§ I.A.4, V.D., & XIII.B and § 25-7-114.4(3)(a), C.R.S.

1. Specific Non-Applicable Requirements

Based on the information available to the Division and supplied by the applicant, the following parameters and requirements have been specifically identified as non-applicable to the facility to which this permit has been issued. This shield does not protect the source from any violations that occurred prior to or at the time of permit issuance. In addition, this shield does not protect the source from any violations that occur as a result of any modifications or reconstruction on which construction commenced prior to permit issuance.

Emission Unit Description & Number	Applicable Requirement	Justification
B004	40 CFR Part 60, Subparts D, Da, Db, and Dc (as adopted by reference in Colorado Regulation No. 6, Part A)	These requirements are not applicable as construction commenced prior to August 17, 1971 (D, Da, Db and Dc) and the boilers at this facility are not small industrial-commercial-institutional steam generating units (Dc).
EG01 and E003	Colorado Regulation No. 6, Part B, Section II	These requirements are not applicable as emergency generators are not, by definition, “fuel burning equipment”.
M001 and CW01	40 CFR Part 63, Subpart Q (as adopted by reference in Colorado Regulation No. 8, Part E)	These requirements are not applicable because the cooling towers do not use chromium-based water treatment chemicals.

2. General Conditions

Compliance with this Operating Permit shall be deemed compliance with all applicable requirements specifically identified in the permit and other requirements specifically identified in the permit as not applicable to the source. This permit shield shall not alter or affect the following:

2.1 The provisions of §§ 25-7-112 and 25-7-113, C.R.S., or § 303 of the federal act, concerning enforcement in cases of emergency;

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

2.3 The applicable requirements of the federal Acid Rain Program, consistent with § 408(a) of the federal act;

2.4 The ability of the Air Pollution Control Division to obtain information from a source pursuant to § 25-7-111(2)(I), C.R.S., or the ability of the Administrator to obtain information pursuant to § 114 of the federal act;

2.5 The ability of the Air Pollution Control Division to reopen the Operating Permit for cause pursuant to Regulation No. 3, Part C, § XIII.

2.6 Sources are not shielded from terms and conditions that become applicable to the source subsequent to permit issuance.

3. Streamlined Conditions

The following applicable requirements have been subsumed within this operating permit using the pertinent streamlining procedures approved by the U.S. EPA. For purposes of the permit shield, compliance with the listed permit conditions will also serve as a compliance demonstration for purposes of the associated subsumed requirements.

Permit Condition(s)	Streamlined (Subsumed) Requirements
Boiler 4 (Unit 4)	
Section II, Condition 1.1	Colorado Regulation No. 1, Section III.A.1.c [PM emissions not to exceed 0.1 lb/MMBtu]
Section II, Condition 1.7	Colorado Regulation No. 1, Sections IV.B.2 [Install SO_2 CEMS or in lieu of an SO_2 CEMS rely on a Division-approved fuel sampling plan]
Section II, Condition 1.3.1	Colorado Regulation No. 1, Section VI.A.3.a.(ii) [SO_2 emissions not to exceed 1.2 lbs/MMBtu]
Section II, Condition 1.4	Colorado Regulation No. 1, Section VII.A.1.a [NO_X emissions shall not exceed 0.45 lb/MMBtu, on a 30-day rolling average]
Section II, Conditions 1.7, 5.1, 5.2, 5.3, and 5.4	Colorado Regulation No. 1, Section VII.A.1.a [continuous emission monitoring system requirements]
Section II, Conditions 1.3.5, 1.4 and 1.7	Colorado Regulation No. 23, Sections V.A.1.a (excluding the last paragraph) and V.A.1.a.(i) [NO_X and SO_2 CEMS requirements]
Section V, Conditions 22.a thru c	Colorado Regulation No. 23, Section V.C [recordkeeping requirements]
Section II, Condition 1.1.1	Colorado Regulation No. 23, Section V.D [ONLY the paragraph related to submittal of PM performance test results within 60 days]
Section II, Condition 1.1	Colorado Construction Permit No. 86AD352-2, condition 2 [PM emissions not to exceed 0.1 lb/MMBtu]
Section II, Conditions 5.1, 5.2, and 5.4	Colorado Construction Permit 86AD352-2, condition 5 [operating requirements for continuous emission monitoring systems, as they relate to SO_2 monitors]
Section II, Condition 1.3.1	Colorado Construction Permit No. 86AD352-2, condition 6 [SO_2 emissions not to exceed 1.2 lbs/MMBtu]
Section II, Condition 1.3.3	Colorado Construction Permit No. 86AD352-2, condition 7 [Total annual (calendar year) SO_2 emissions from Units 1 and 4 not to exceed 24 tons/yr plus 80% of uncontrolled SO_2 emissions which would be emitted by both boilers]
Section II, Condition 1.7	Colorado Construction Permit No. 86AD352-2, condition 8 [operate a monitoring system capable of calculating and recording mass SO_2 emissions after the control device. Language related to monitoring before the control device no relevant, since no SO_2 control device]
Section II, Condition 1.3.3	Voluntary Emission Reduction Agreement Requirements [SO_2 emission limitation for PSCo Metro Units (Cherokee, Arapahoe and Valmont)] – **State-only Requirement**

Permit Condition(s)	Streamlined (Subsumed) Requirements
Section II, Conditions 1.4 and Section V, Conditions 22.a thru c	Regulation No. 7, Part E, Sections II.A.2, II.A.2.f and IIlA.7.g [sources qualifying for an exemption from emission limitation, compliance demonstration, recordkeeping and reporting requirements must maintain records, **as it applies to Unit 4**]
Diesel Engines EG01 and E003	
Section II, Condition 7.1.4.	Colorado Regulation No. 1, Section VI.B.4.b.(i) [SO_2 emissions not to exceed 0.8 lb/MMBtu]
Section II, Condition 7.3	Regulation No. 7, Part E, Sections II.A.2 and II.A.7.g [sources qualifying for an exemption from emission limitation, compliance demonstration, recordkeeping and reporting requirements must maintain records, **as it applies to engine EG01**]
Section II, Condition 7.1	Regulation No. 7, Part E, Section III.A.1.i [Engine EG01 shall meet the requirements in 40 CR Part 60 Subpart IIII]
Combustion Turbines CT05 and CT06	
Section II, Condition 2.4.1	Colorado Regulation No. 1, Section VI.B.4.c.(ii) and VI.B.2 [SO_2 emissions shall not exceed 0.35 lbs/MMBtu on a 3-hr rolling average]
Section II, Condition 2.4.1	Colorado Regulation No. 6, Part B, Section II.D.3.b [SO_2 emissions shall not exceed 0.35 lbs/MMBtu] - **State-only requirement**
Section II, Condition 2.2.2	Regulation No. 7, Part E, Sections II.A.4, II.A.4.b.(ii) and XVI.D.5.a [turbines must meet NSPS KKKK NO_X limit, comply with limit by October 1, 2021]
Section II, Conditions 2.2.2 and 2.10	Regulation No. 7, Part E, Sections II.A.5.c.(i)(A) and XVI.D.5.c.(i)(A)(1) [turbines may use CEMS to monitor compliance w/emission limit, if subject to Part 75 must use Part 75 CEMS]
Section II, Condition 2.11	Regulation No. 7, Part E, Section II.A.5.c.(iv) [fuel flow meter]
Section II, Condition 2.8	Regulation No. 7, Part E, Section II.A.7.c [keep records of type and amount of fuel used]
Section V, Conditions 22.b and c	Regulation No. 7, Part E, Section II.A.7.e [maintain all records generated to comply with reporting requirements for 5 years]
Section II, Condition 5.3	Regulation No. 7, Part E, Sections II.A.8.a and a(i) [sources using a CEMS shall submit quarterly or semi-annual excess emission reports]
Section II, Conditions 5.1 and 5.2	40 CFR Part 60 Subpart KKKK § 60.6340(b)(1), as adopted by referenced in Colorado Regulation No. 6, Part A [use a NO_X CEMS]
Section II, Condition 5.1.2	40 CFR Part 60 Subpart KKKK § 60.4345(a), as adopted by reference in Colorado Regulation No. 6, Part A [performance specification requirements]
Section II, Conditions 5.1 and 5.2	40 CFR Part 60 Subpart KKKK § 60.4345(b), as adopted by reference in Colorado Regulation No. 6, Part A [valid hour]
Section II, Condition 2.11	40 CFR Part 60 Subpart KKKK § 60.4345(c), as adopted by reference in Colorado Regulation No. 6, Part A [fuel flow meter]
Section II, Condition 5.1.4.2	40 CFR Part 60 Subpart KKKK § 60.4345(e), as adopted by reference in Colorado Regulation No. 6, Part A [QA/QC plan]
Section II, Condition 2.9	40 CFR Part 60 Subpart KKKK § 60.4365(a) and (b), as adopted by reference in Colorado Regulation No. 6, Part A [use purchase contract/tariff sheet or sampling to demonstration sulfur monitoring not required]
Section II, Condition 5.3	40 CFR Part 60 Subpart KKKK § 60.4395, as adopted by reference in Colorado Regulation No. 6, Part A [submit reports semi-annually]

SECTION V - General Permit Conditions

1/21/2020 version

1. Administrative Changes

Regulation No. 3, 5 CCR 1001-5, Part A, § III.

The permittee shall submit an application for an administrative permit amendment to the Division for those permit changes that are described in Regulation No. 3, Part A, § I.B.1. The permittee may immediately make the change upon submission of the application to the Division.

2. Certification Requirements

Regulation No. 3, 5 CCR 1001-5, Part C, §§ III.B.9., V.C.16.a.& e. and V.C.17.

a. Any application, report, document and compliance certification submitted to the Air Pollution Control Division pursuant to Regulation No. 3 or the Operating Permit shall contain a certification by a responsible official of the truth, accuracy and completeness of such form, report or certification stating that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate and complete.

b. All compliance certifications for terms and conditions in the Operating Permit shall be submitted to the Air Pollution Control Division at least annually unless a more frequent period is specified in the applicable requirement or by the Division in the Operating Permit.

c. Compliance certifications shall contain:

(i) the identification of each permit term and condition that is the basis of the certification;

(ii) the compliance status of the source;

(iii) whether compliance was continuous or intermittent;

(iv) method(s) used for determining the compliance status of the source, currently and over the reporting period; and

(v) such other facts as the Air Pollution Control Division may require to determine the compliance status of the source.

d. All compliance certifications shall be submitted to the Air Pollution Control Division and to the Environmental Protection Agency at the addresses listed in Appendix D of this Permit.

e. If the permittee is required to develop and register a risk management plan pursuant to § 112(r) of the federal act, the permittee shall certify its compliance with that requirement; the Operating Permit shall not incorporate the contents of the risk management plan as a permit term or condition.

3. Common Provisions

Common Provisions Regulation, 5 CCR 1001-2 §§ II.A., II.B., II.C., II,.E., II.F., II.I, and II.J

a. To Control Emissions Leaving Colorado

When emissions generated from sources in Colorado cross the State boundary line, such emissions shall not cause the air quality standards of the receiving State to be exceeded, provided reciprocal action is taken by the receiving State.

b. Emission Monitoring Requirements

The Division may require owners or operators of stationary air pollution sources to install, maintain, and use instrumentation to monitor and record emission data as a basis for periodic reports to the Division.

c. Performance Testing

The owner or operator of any air pollution source shall, upon request of the Division, conduct performance test(s) and furnish the Division a written report of the results of such test(s) in order to determine compliance with applicable emission control regulations.

Performance test(s) shall be conducted and the data reduced in accordance with the applicable reference test methods unless the Division:

(i) specifies or approves, in specific cases, the use of a test method with minor changes in methodology;

(ii) approves the use of an equivalent method;

(iii) approves the use of an alternative method the results of which the Division has determined to be adequate for indicating where a specific source is in compliance; or

(iv) waives the requirement for performance test(s) because the owner or operator of a source has demonstrated by other means to the Division's satisfaction that the affected facility is in compliance with the standard. Nothing in this paragraph shall be construed to abrogate the Commission's or Division's authority to require testing under the Colorado Revised Statutes, Title 25, Article 7, and pursuant to regulations promulgated by the Commission.

Compliance test(s) shall be conducted under such conditions as the Division shall specify to the plant operator based on representative performance of the affected facility. The owner or operator shall make available to the Division such records as may be necessary to determine the conditions of the performance test(s). Operations during period of startup, shutdown, and malfunction shall not constitute representative conditions of performance test(s) unless otherwise specified in the applicable standard.

The owner or operator of an affected facility shall provide the Division thirty days prior notice of the performance test to afford the Division the opportunity to have an observer present. The Division may waive the thirty day notice requirement provided that arrangements satisfactory to the Division are made for earlier testing.

The owner or operator of an affected facility shall provide, or cause to be provided, performance testing facilities as follows:

(i) Sampling ports adequate for test methods applicable to such facility;

(ii) Safe sampling platform(s);

(iii) Safe access to sampling platform(s); and

(iv) Utilities for sampling and testing equipment.

Each performance test shall consist of at least three separate runs using the applicable test method. Each run shall be conducted for the time and under the conditions specified in the applicable standard. For the purpose of determining compliance with an applicable standard, the arithmetic mean of results of at least three runs shall apply. In the event that a sample is accidentally lost or conditions occur in which one of the runs must be discontinued because of forced shutdown, failure of an irreplaceable portion of the sample train, extreme meteorological conditions, or other

circumstances beyond the owner or operator's control, compliance may, upon the Division's approval, be determined using the arithmetic mean of the results of the two other runs.

Nothing in this section shall abrogate the Division's authority to conduct its own performance test(s) if so warranted.

d. Affirmative Defense Provision for Excess Emissions during Malfunctions

An affirmative defense to a claim of violation under these regulations is provided to owners and operators for civil penalty actions for excess emissions during periods of malfunction. To establish the affirmative defense and to be relieved of a civil penalty in any action to enforce an applicable requirement, the owner or operator of the facility must meet the notification requirements below in a timely manner and prove by a preponderance of evidence that:

(i) The excess emissions were caused by a sudden, unavoidable breakdown of equipment, or a sudden, unavoidable failure of a process to operate in the normal or usual manner, beyond the reasonable control of the owner or operator;

(ii) The excess emissions did not stem from any activity or event that could have reasonably been foreseen and avoided, or planned for, and could not have been avoided by better operation and maintenance practices;

(iii) Repairs were made as expeditiously as possible when the applicable emission limitations were being exceeded;

(iv) The amount and duration of the excess emissions (including any bypass) were minimized to the maximum extent practicable during periods of such emissions;

(v) All reasonably possible steps were taken to minimize the impact of the excess emissions on ambient air quality;

(vi) All emissions monitoring systems were kept in operation (if at all possible);

(vii) The owner or operator's actions during the period of excess emissions were documented by properly signed, contemporaneous operating logs or other relevant evidence;

(viii) The excess emissions were not part of a recurring pattern indicative of inadequate design, operation, or maintenance;

(ix) At all times, the facility was operated in a manner consistent with good practices for minimizing emissions. This section is intended solely to be a factor in determining whether an affirmative defense is available to an owner or operator, and shall not constitute an additional applicable requirement; and

(x) During the period of excess emissions, there were no exceedances of the relevant ambient air quality standards established in the Commissions' Regulations that could be attributed to the emitting source.

The owner or operator of the facility experiencing excess emissions during a malfunction shall notify the division verbally as soon as possible, but no later than noon of the Division's next working day, and shall submit written notification following the initial occurrence of the excess emissions by the end of the source's next reporting period. The notification shall address the criteria set forth above.

The Affirmative Defense Provision contained in this section shall not be available to claims for injunctive relief.

The Affirmative Defense Provision does not apply to failures to meet federally promulgated performance standards or emission limits, including, but not limited to, new source performance standards and national emission standards for hazardous air pollutants. The affirmative defense provision does not apply to state implementation plan (sip) limits or permit limits that have been set taking into account potential emissions during malfunctions, including, but

not necessarily limited to, certain limits with 30-day or longer averaging times, limits that indicate they apply during malfunctions, and limits that indicate they apply at all times or without exception.

e. Circumvention Clause

A person shall not build, erect, install, or use any article, machine, equipment, condition, or any contrivance, the use of which, without resulting in a reduction in the total release of air pollutants to the atmosphere, reduces or conceals an emission which would otherwise constitute a violation of this regulation. No person shall circumvent this regulation by using more openings than is considered normal practice by the industry or activity in question.

f. Compliance Certifications

For the purpose of submitting compliance certifications or establishing whether or not a person has violated or is in violation of any standard in the Colorado State Implementation Plan, nothing in the Colorado State Implementation Plan shall preclude the use, including the exclusive use, of any credible evidence or information, relevant to whether a source would have been in compliance with applicable requirements if the appropriate performance or compliance test or procedure had been performed. Evidence that has the effect of making any relevant standard or permit term more stringent shall not be credible for proving a violation of the standard or permit term.

When compliance or non-compliance is demonstrated by a test or procedure provided by permit or other applicable requirement, the owner or operator shall be presumed to be in compliance or non-compliance unless other relevant credible evidence overcomes that presumption.

g. Affirmative Defense Provision for Excess Emissions During Startup and Shutdown

An affirmative defense is provided to owners and operators for civil penalty actions for excess emissions during periods of startup and shutdown. To establish the affirmative defense and to be relieved of a civil penalty in any action to enforce an applicable requirement, the owner or operator of the facility must meet the notification requirements below in a timely manner and prove by a preponderance of the evidence that:

(i) The periods of excess emissions that occurred during startup and shutdown were short and infrequent and could not have been prevented through careful planning and design;

(ii) The excess emissions were not part of a recurring pattern indicative of inadequate design, operation or maintenance;

(iii) If the excess emissions were caused by a bypass (an intentional diversion of control equipment), then the bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;

(iv) The frequency and duration of operation in startup and shutdown periods were minimized to the maximum extent practicable;

(v) All possible steps were taken to minimize the impact of excess emissions on ambient air quality;

(vi) All emissions monitoring systems were kept in operation (if at all possible);

(vii) The owner or operator's actions during the period of excess emissions were documented by properly signed, contemporaneous operating logs or other relevant evidence; and,

(viii) At all times, the facility was operated in a manner consistent with good practices for minimizing emissions. This subparagraph is intended solely to be a factor in determining whether an affirmative defense is available to an owner or operator, and shall not constitute an additional applicable requirement.

The owner or operator of the facility experiencing excess emissions during startup and shutdown shall notify the Division verbally as soon as possible, but no later than two (2) hours after the start of the next working day, and shall

submit written quarterly notification following the initial occurrence of the excess emissions. The notification shall address the criteria set forth above.

The Affirmative Defense Provision contained in this section shall not be available to claims for injunctive relief.

The Affirmative Defense Provision does not apply to State Implementation Plan provisions or other requirements that derive from new source performance standards or national emissions standards for hazardous air pollutants, or any other federally enforceable performance standard or emission limit with an averaging time greater than twenty-four hours. In addition, an affirmative defense cannot be used by a single source or small group of sources where the excess emissions have the potential to cause an exceedance of the ambient air quality standards or Prevention of Significant Deterioration (PSD) increments.

In making any determination whether a source established an affirmative defense, the Division shall consider the information within the notification required above and any other information the Division deems necessary, which may include, but is not limited to, physical inspection of the facility and review of documentation pertaining to the maintenance and operation of process and air pollution control equipment.

4. Compliance Requirements

Regulation No. 3, 5 CCR 1001-5, Part C, §§ III.C.9., V.C.11. & 16.d. and § 25-7-122.1(2), C.R.S.

a. The permittee must comply with all conditions of the Operating Permit. Any permit noncompliance relating to federally-enforceable terms or conditions constitutes a violation of the federal act, as well as the state act and Regulation No. 3. Any permit noncompliance relating to state-only terms or conditions constitutes a violation of the state act and Regulation No. 3, shall be enforceable pursuant to state law, and shall not be enforceable by citizens under § 304 of the federal act. Any such violation of the federal act, the state act or regulations implementing either statute is grounds for enforcement action, for permit termination, revocation and reissuance or modification or for denial of a permit renewal application.

b. It shall not be a defense for a permittee in an enforcement action or a consideration in favor of a permittee in a permit termination, revocation or modification action or action denying a permit renewal application that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of the permit.

c. The permit may be modified, revoked, reopened, and reissued, or terminated for cause. The filing of any request by the permittee for a permit modification, revocation and reissuance, or termination, or any notification of planned changes or anticipated noncompliance does not stay any permit condition, except as provided in §§ X. and XI. of Regulation No. 3, Part C.

d. The permittee shall furnish to the Air Pollution Control Division, within a reasonable time as specified by the Division, any information that the Division may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. Upon request, the permittee shall also furnish to the Division copies of records required to be kept by the permittee, including information claimed to be confidential. Any information subject to a claim of confidentiality shall be specifically identified and submitted separately from information not subject to the claim.

e. Any schedule for compliance for applicable requirements with which the source is not in compliance at the time of permit issuance shall be supplemental, and shall not sanction noncompliance with, the applicable requirements on which it is based.

f. For any compliance schedule for applicable requirements with which the source is not in compliance at the time of permit issuance, the permittee shall submit, at least every 6 months unless a more frequent period is specified in the applicable requirement or by the Air Pollution Control Division, progress reports which contain the following:

(i) dates for achieving the activities, milestones, or compliance required in the schedule for compliance, and dates when such activities, milestones, or compliance were achieved; and

(ii) an explanation of why any dates in the schedule of compliance were not or will not be met, and any preventive or corrective measures adopted.

g. The permittee shall not knowingly falsify, tamper with, or render inaccurate any monitoring device or method required to be maintained or followed under the terms and conditions of the Operating Permit.

5. Emergency Provisions

Regulation No. 3, 5 CCR 1001-5, Part C, § VII.

An emergency means any situation arising from sudden and reasonably unforeseeable events beyond the control of the source, including acts of God, which situation requires immediate corrective action to restore normal operation, and that causes the source to exceed the technology-based emission limitation under the permit due to unavoidable increases in emissions attributable to the emergency. "Emergency" does not include noncompliance to the extent caused by improperly designed equipment, lack of preventative maintenance, careless or improper operation, or operator error. An emergency constitutes an affirmative defense to an enforcement action brought for noncompliance with a technology-based emission limitation if the permittee demonstrates, through properly signed, contemporaneous operating logs, or other relevant evidence that:

a. an emergency occurred and that the permittee can identify the cause(s) of the emergency;

b. the permitted facility was at the time being properly operated;

c. during the period of the emergency the permittee took all reasonable steps to minimize levels of emissions that exceeded the emission standards, or other requirements in the permit; and

d. the permittee submitted oral notice of the emergency to the Air Pollution Control Division no later than noon of the next working day following the emergency, and followed by written notice within one month of the time when emissions limitations were exceeded due to the emergency. This notice must contain a description of the emergency, any steps taken to mitigate emissions, and corrective actions taken.

This emergency provision is in addition to any emergency or malfunction contained in any applicable requirement.

6. Emission Controls for Asbestos

Regulation No. 8, 5 CCR 1001-10, Part B

The permittee shall not conduct any asbestos abatement activities except in accordance with the provisions of Regulation No. 8, Part B, “asbestos control.”

7. Emissions Trading, Marketable Permits, Economic Incentives

Regulation No. 3, 5 CCR 1001-5, Part C, § V.C.13.

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

8. Fee Payment

C.R.S §§ 25-7-114.1(6) and 25-7-114.7

a. The permittee shall pay an annual emissions fee in accordance with the provisions of C.R.S. § 24-7-114.7. A 1% per month late payment fee shall be assessed against any invoice amounts not paid in full on the 91st day after the date of invoice, unless a permittee has filed a timely protest to the invoice amount.

b. The permittee shall pay a permit processing fee in accordance with the provisions of C.R.S. § 25-7-114.7. If the Division estimates that processing of the permit will take more than 30 hours, it will notify the permittee of its estimate of what the actual charges may be prior to commencing any work exceeding the 30 hour limit.

c. The permittee shall pay an APEN fee in accordance with the provisions of C.R.S. § 25-7-114.1(6) for each APEN or revised APEN filed.

9. Fugitive Particulate Emissions

Regulation No. 1, 5 CCR 1001-3, § III.D.1.

The permittee shall employ such control measures and operating procedures as are necessary to minimize fugitive particulate emissions into the atmosphere, in accordance with the provisions of Regulation No. 1, § III.D.1.

10. Inspection and Entry

Regulation No. 3, 5 CCR 1001-5, Part C, § V.C.16.b.

Upon presentation of credentials and other documents as may be required by law, the permittee shall allow the Air Pollution Control Division, or any authorized representative, to perform the following:

a. enter upon the permittee's premises where an Operating Permit source is located, or emissions-related activity is conducted, or where records must be kept under the terms of the permit;

b. have access to, and copy, at reasonable times, any records that must be kept under the conditions of the permit;

c. inspect at reasonable times any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the Operating Permit;

d. sample or monitor at reasonable times, for the purposes of assuring compliance with the Operating Permit or applicable requirements, any substances or parameters.

11. Minor Permit Modifications

Regulation No. 3, 5 CCR 1001-5, Part C, §§ X. & XI.

The permittee shall submit an application for a minor permit modification before making the change requested in the application. The permit shield shall not extend to minor permit modifications.

12. New Source Review

Regulation No. 3, 5 CCR 1001-5, Parts B & D

The permittee shall not commence construction or modification of a source required to be reviewed under the New Source Review provisions of Regulation No. 3, Parts B and/or D, as applicable, without first receiving a construction permit.

13. No Property Rights Conveyed

Regulation No. 3, 5 CCR 1001-5, Part C, § V.C.11.d.

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

14. Odor

Regulation No. 2, 5 CCR 1001-4, Part A

As a matter of state law only, the permittee shall comply with the provisions of Regulation No. 2 concerning odorous emissions.

15. Off-Permit Changes to the Source

Regulation No. 3, 5 CCR 1001-5, Part C, § XII.B.

The permittee shall record any off-permit change to the source that causes the emissions of a regulated pollutant subject to an applicable requirement, but not otherwise regulated under the permit, and the emissions resulting from the change, including any other data necessary to show compliance with applicable ambient air quality standards. The permittee shall provide contemporaneous notification to the Air Pollution Control Division and to the Environmental Protection Agency at the addresses listed in Appendix D of this Permit . The permit shield shall not apply to any off-permit change.

16. Opacity

Regulation No. 1, 5 CCR 1001-3, §§ I., II.

The permittee shall comply with the opacity emissions limitation set forth in Regulation No. 1, §§ I.-II.

17. Open Burning

Regulation No. 9, 5 CCR 1001-11

The permittee shall obtain a permit from the Division for any regulated open burning activities in accordance with provisions of Regulation No. 9.

18. Ozone Depleting Compounds

Regulation No. 15, 5 CCR 1001-19

The permittee shall comply with the provisions of Regulation No. 15 concerning emissions of ozone depleting compounds. Sections I., II.C., II.D., III. IV., and V. of Regulation No. 15 shall be enforced as a matter of state law only.

19. Permit Expiration and Renewal

Regulation No. 3, 5 CCR 1001-5, Part C, §§ III.B.6., IV.C., V.C.2.

a. The permit term shall be five (5) years. The permit shall expire at the end of its term. Permit expiration terminates the permittee's right to operate unless a timely and complete renewal application is submitted.

b. Applications for renewal shall be submitted at least twelve months, but not more than 18 months, prior to the expiration of the Operating Permit. An application for permit renewal may address only those portions of the permit that require revision, supplementing, or deletion, incorporating the remaining permit terms by reference from the previous permit. A copy of any materials incorporated by reference must be included with the application.

20. Portable Sources

Regulation No. 3, 5 CCR 1001-5, Part C, § II.D.

Portable Source permittees shall notify the Air Pollution Control Division at least 10 days in advance of each change in location.

21. Prompt Deviation Reporting

Regulation No. 3, 5 CCR 1001-5, Part C, § V.C.7.b.

The permittee shall promptly report any deviation from permit requirements, including those attributable to malfunction as defined in the permit, the probable cause of such deviations, and any corrective actions or preventive measures taken.

"Prompt" is defined as follows:

a. Any definition of "prompt" or a specific timeframe for reporting deviations provided in an underlying applicable requirement as identified in this permit; or

b. Where the underlying applicable requirement fails to address the time frame for reporting deviations, reports of deviations will be submitted based on the following schedule:

(i) For emissions of a hazardous air pollutant or a toxic air pollutant (as identified in the applicable regulation) that continue for more than an hour in excess of permit requirements, the report shall be made within 24 hours of the occurrence;

(ii) For emissions of any regulated air pollutant, excluding a hazardous air pollutant or a toxic air pollutant that continue for more than two hours in excess of permit requirements, the report shall be made within 48 hours; and

(iii) For all other deviations from permit requirements, the report shall be submitted every six (6) months, except as otherwise specified by the Division in the permit in accordance with paragraph 22.d. below.

c. If any of the conditions in paragraphs b.(i) or b.(ii) above are met, the source shall notify the Division by telephone (303-692-3155) or facsimile (303-782-0278) based on the timetables listed above. *[Explanatory note: Notification by telephone or facsimile must specify that this notification is a deviation report for an Operating Permit.]* A written notice, certified consistent with General Condition 2.a. above (Certification Requirements), shall be submitted within 10 working days of the occurrence. All deviations reported under this section shall also be identified in the 6-month report required above.

"Prompt reporting" does not constitute an exception to the requirements of "Emergency Provisions" for the purpose of avoiding enforcement actions.

22. Record Keeping and Reporting Requirements

Regulation No. 3, 5 CCR 1001-5, Part A, § II.; Part C, §§ V.C.6., V.C.7.

a. Unless otherwise provided in the source specific conditions of this Operating Permit, the permittee shall maintain compliance monitoring records that include the following information:

(i) date, place as defined in the Operating Permit, and time of sampling or measurements;

(ii) date(s) on which analyses were performed;

(iii) the company or entity that performed the analysis;

(iv) the analytical techniques or methods used;

(v) the results of such analysis; and

(vi) the operating conditions at the time of sampling or measurement.

b. The permittee shall retain records of all required monitoring data and support information for a period of at least five (5) years from the date of the monitoring sample, measurement, report or application. Support information, for this purpose, includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the Operating Permit. With prior approval of the Air Pollution Control Division, the permittee may maintain any of the above records in a computerized form.

c. Permittees must retain records of all required monitoring data and support information for the most recent twelve (12) month period, as well as compliance certifications for the past five (5) years on-site at all times. A permittee shall make available for the Air Pollution Control Division's review all other records of required monitoring data and support information required to be retained by the permittee upon 48 hours advance notice by the Division.

d. The permittee shall submit to the Air Pollution Control Division all reports of any required monitoring at least every six (6) months, unless an applicable requirement, the compliance assurance monitoring rule, or the Division requires submission on a more frequent basis. All instances of deviations from any permit requirements must be clearly identified in such reports.

e. The permittee shall file an Air Pollutant Emissions Notice ("APEN") prior to constructing, modifying, or altering any facility, process, activity which constitutes a stationary source from which air pollutants are or are to be emitted, unless such source is exempt from the APEN filing requirements of Regulation No. 3, Part A, § II.D or as provided for in Regulation No. 3, Part A, § II.A.2 for oil and gas well production facilities. A revised APEN shall be filed annually whenever a significant change in emissions, as defined in Regulation No. 3, Part A, § II.C.2., occurs; whenever there is a change in owner or operator of any facility, process, or activity; whenever new control equipment is installed; whenever a different type of control equipment replaces an existing type of control equipment; whenever a permit limitation must be modified; or before the APEN expires. An APEN is valid for a period of five years. The five-year period recommences when a revised APEN is received by the Air Pollution Control Division. Revised APENs shall be submitted no later than 30 days before the five-year term expires. Permittees submitting revised APENs to inform the Division of a change in actual emission rates must do so by April 30 of the following year. Where a permit revision is required, the revised APEN must be filed along with a request for permit revision. APENs for changes in control equipment must be submitted before the change occurs, except an APEN shall be filed once per year for control equipment at condensate storage tanks located at oil and gas exploration and production facilities subject to Regulation No. 7, Part D § I. Annual fees are based on the most recent APEN on file with the Division.

23. Reopenings for Cause

Regulation No. 3, 5 CCR 1001-5, Part C, § XIII.

a. The Air Pollution Control Division shall reopen, revise, and reissue Operating Permits; permit reopenings and reissuance shall be processed using the procedures set forth in Regulation No. 3, Part C, § III., except that proceedings to reopen and reissue permits affect only those parts of the permit for which cause to reopen exists.

b. The Division shall reopen a permit whenever additional applicable requirements become applicable to a major source with a remaining permit term of three or more years, unless the effective date of the requirements is later than the date on which the permit expires, or unless a general permit is obtained to address the new requirements; whenever additional requirements (including excess emissions requirements) become applicable to an affected source under the acid rain program; whenever the Division determines the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit;

or whenever the Division determines that the permit must be revised or revoked to assure compliance with an applicable requirement.

c. The Division shall provide 30 days' advance notice to the permittee of its intent to reopen the permit, except that a shorter notice may be provided in the case of an emergency.

d. The permit shield shall extend to those parts of the permit that have been changed pursuant to the reopening and reissuance procedure.

24. Requirements for Major Stationary Sources

Regulation No. 3, 5 CCR 1001-5, Part D, §§ V.A.7.c & d, VI.B.5 & VI.B.6

The following provisions apply to projects at existing emissions units at a major stationary source (other than projects at a source with a PAL) that are not part of a major modification and where the owner or operator relies on projected actual emissions. The definitions of baseline actual emissions, major modification, major stationary source, PAL, projected actual emissions, regulated NSR pollutant and significant can be found in Regulation No. 3, Part D, § II.A.

a. Before beginning actual construction of the project, the owner or operator shall document and maintain a record of the following information:

(i) a description of the project;

(ii) identification of the emissions unit(s) whose emissions of a regulated NSR pollutant could be affected by the project; and

(iii) a description of the applicability test used to determine the project is not a major modification for any regulated NSR pollutants, including the baseline actual emissions, the projected actual emissions, the amount of emissions excluded and an explanation for why such amount was excluded, and any netting calculations, if applicable.

b. The owner or operator shall monitor emissions of any regulated NSR pollutant that could increase as a result of the project from any emissions units identified in paragraph a.(ii) and calculate and maintain a record of the annual emissions, in tons per year on a calendar year basis, for a period of five (5) years following resumption of regular operation after the change, or for a period of ten (10) years following resumption of regular operation after the change if the project increases the design capacity or potential to emit of that regulated NSR pollutant at such emissions unit.

c. For existing electric utility steam generating units the following requirements apply:

(i) Before beginning actual construction, the owner or operator shall provide a copy of the information required by paragraph a above to the Division. The owner or operator is not required to obtain a determination from the Division prior to beginning actual construction.

(ii) The owner or operate shall submit a report to the Division within sixty days after the end of each year during which records must be generated under paragraph b above setting out the unit's annual emissions during the calendar year that preceded submission of the report.

d. For existing emissions units that are not electric utility steam generating units, the owner or operator shall submit a report to the Division if the annual emissions from the project, in tons per year, exceed the baseline actual emissions (documented and maintained per paragraph a(iii)) by a significant amount for that regulated NSR pollutant, and if such emissions differ from the preconstruction projection (documented and maintained per paragraph a.(iii)). Such report shall be submitted to the Division within sixty days after the end of such year. The report shall contain the following:

(i) The name, address and telephone number of the owner or operator;

(ii) The annual emissions as calculated per paragraph b; and

(iii) Any other information that the owner or operator wishes to include in the report.

e. The owner of operation of the source shall make the information in paragraph a available for review upon request to the Division or the general public.

25. Section 502(b)(10) Changes

Regulation No. 3, 5 CCR 1001-5, Part C, § XII.A.

The permittee shall provide a minimum 7-day advance notification to the Air Pollution Control Division and to the Environmental Protection Agency at the addresses listed in Appendix D of this Permit. The permittee shall attach a copy of each such notice given to its Operating Permit.

26. Severability Clause

Regulation No. 3, 5 CCR 1001-5, Part C, § V.C.10.

In the event of a challenge to any portion of the permit, all emissions limits, specific and general conditions, monitoring, record keeping and reporting requirements of the permit, except those being challenged, remain valid and enforceable.

27. Significant Permit Modifications

Regulation No. 3, 5 CCR 1001-5, Part C, § III.B.2.

The permittee shall not make a significant modification required to be reviewed under Regulation No. 3, Part B ("Construction Permit" requirements) without first receiving a construction permit. The permittee shall submit a complete Operating Permit application or application for an Operating Permit revision for any new or modified source within twelve months of commencing operation, to the address listed in Item 1 in Appendix D of this permit. If the permittee chooses to use the "Combined Construction/Operating Permit" application procedures of Regulation No. 3, Part C, then the Operating Permit must be received prior to commencing construction of the new or modified source.

28. Special Provisions Concerning the Acid Rain Program

Regulation No. 3, 5 CCR 1001-5, Part C, §§ V.C.1.b. & 8

a. Where an applicable requirement of the federal act is more stringent than an applicable requirement of regulations promulgated under Title IV of the federal act, 40 Code of Federal Regulations (CFR) Part 72, both provisions shall be incorporated into the permit and shall be federally enforceable.

b. Emissions exceeding any allowances that the source lawfully holds under Title IV of the federal act or the regulations promulgated thereunder, 40 CFR Part 72, are expressly prohibited.

29. Transfer or Assignment of Ownership

Regulation No. 3, 5 CCR 1001-5, Part C, § II.C.

No transfer or assignment of ownership of the Operating Permit source will be effective unless the prospective owner or operator applies to the Air Pollution Control Division on Division-supplied Administrative Permit Amendment forms, for reissuance of the existing Operating Permit. No administrative permit shall be complete until a written agreement containing a specific date for transfer of permit, responsibility, coverage, and liability between the permittee and the prospective owner or operator has been submitted to the Division.

30. Volatile Organic Compounds

Regulation No. 7, 5 CCR 1001-9, Part B, §§ I & III.

The requirements in paragraphs a, b and e apply to sources located in the Denver 1-hour ozone attainment/maintenance area, any nonattainment area for the 1-hour ozone standard and to the 8-hour Ozone Control Area and on a state-only basis to sources located in any ozone nonattainment area, which includes areas designated nonattainment for either the 1-hour or 8-hour ozone standard, unless otherwise specified in Regulation No. 7, Part A, Section I.A.1.c. The requirements in paragraphs c and d apply statewide.

a. All storage tank gauging devices, anti-rotation devices, accesses, seals, hatches, roof drainage systems, support structures, and pressure relief valves shall be maintained and operated to prevent detectable vapor loss except when opened, actuated, or used for necessary and proper activities (e.g. maintenance). Such opening, actuation, or use shall be limited so as to minimize vapor loss.

   Detectable vapor loss shall be determined visually, by touch, by presence of odor, or using a portable hydrocarbon analyzer. When an analyzer is used, detectable vapor loss means a VOC concentration exceeding 10,000 ppm. Testing shall be conducted as in Regulation No. 7, Part B, Section VI.C.3.

b. Except as otherwise provided by Regulation No. 7, all volatile organic compounds, excluding petroleum liquids, transferred to any tank, container, or vehicle compartment with a capacity exceeding 212 liters (56 gallons), shall be transferred using submerged or bottom filling equipment. For top loading, the fill tube shall reach within six inches of the bottom of the tank compartment. For bottom-fill operations, the inlet shall be flush with the tank bottom.

c. No person shall dispose of volatile organic compounds by evaporation or spillage unless Reasonably Available Control Technology (RACT) is utilized.

d. No owner or operator of a bulk gasoline terminal, bulk gasoline plant, or gasoline dispensing facility as defined in Colorado Regulation No. 7, Part B, Sections IV.C.2., IV.C.3. and VII.A.3., shall permit gasoline to be intentionally spilled, discarded in sewers, stored in open containers, or disposed of in any other manner that would result in evaporation.

e. Beer production and associated beer container storage and transfer operations involving volatile organic compounds with a true vapor pressure of less than 1.5 psia actual conditions are exempt from the provisions of paragraph b, above.

31. Wood Stoves and Wood burning Appliances

Regulation No. 4, 5 CCR 1001-6

The permittee shall comply with the provisions of Regulation No. 4 concerning the advertisement, sale, installation, and use of wood stoves and wood burning appliances.

OPERATING PERMIT APPENDICES

A - INSPECTION INFORMATION
B - MONITORING AND PERMIT DEVIATION REPORT
C - COMPLIANCE CERTIFICATION REPORT
D - NOTIFICATION ADDRESSES
E - PERMIT ACRONYMS
F - PERMIT MODIFICATIONS
G - RETIRED UNIT EXEMPTION FORMS

*DISCLAIMER:

None of the information found in these Appendices, except as otherwise provided in the permit, shall be considered to be State or Federally enforceable, except as otherwise provided in the permit, and is presented to assist the source, permitting authority, inspectors, and citizens.

APPENDIX A - Inspection Information

Directions to Plant:

The facility is located at 6198 Franklin Street. The plant access gate is on the east side of Franklin Street at 62nd Avenue.

Safety Equipment Required:

Eye Protection
Hard Hat
Safety Shoes
Hearing Protection

Facility Plot Plan:

Figure 1 (following page) shows the plot plan as submitted on February 15, 1996 with the source's Title V Operating Permit Application (historic facility). Figure 2 (following page) shows the site layout of the new equipment as submitted on the December 13, 2012 with the revised construction permit application.

List of Insignificant Activities:

The following list of insignificant activities was provided by the source to assist in the understanding of the facility layout. Since there is no requirement to update such a list, activities may have changed since the last filing.

The asterisk (*) denotes an insignificant activity source category based on the size of the activity, emissions levels from the activity or the production rate of the activity. The owner or operator of individual emission points in insignificant activity source categories marked with an asterisk (*) must maintain sufficient record keeping verifying that the exemption applies. Such records shall be made available for Division review upon request. (Colorado Regulation No. 3, Part C, Section II.E)

Units/activities with emissions less than APEN de minimis (Reg 3 Part C.II.E.3.a)*

VOC leaks from natural gas valves and flanges (VOC < 1 tpy)
Lime handling system for wastewater treatment system (PM and PM_{10} emissions < 1 tpy)

Units with emissions less than APEN de minimis – non-criteria reportable pollutants (Reg 3 Part C.II.E.3.b)

Fluorescent bulb crusher

Air conditioning or ventilation systems (Reg 3 Part C.II.E.3.c)

In-house experimental and/or analytical laboratories (Reg 3 Part C.II.E.3.i)

Plant laboratory

Fuel burning equipment less than 5 MMBtu/hr (Reg 3 Part C.II.E.3.k)*

propane portable heaters

Chemical storage tanks less than 500 gal (Reg 3 Part C.II.E.3.n)*

Brazing, soldering and welding operations - non-lead based (Reg 3 Part C.II.E.3.r)

Welding machine

Battery recharging areas (Reg 3 Part C.II.E.3.t)

Landscaping/site housekeeping devices less than 10 HP (Reg 3 Part C.II.E.3.bb)*

Mowers, snowblowers, etc...

Fugitive emissions from landscaping (Reg 3 Part C.II.E.3.cc)

Emergency events (Reg 3 Part C.II.E.3.ff)

Operations involving acetylene and other flame cutting torches (Reg 3 Part C.II.E.3.kk)

Acetylene welding

Chemical storage areas less than 5,000 gal capacity (Reg 3 Part C.II.E.3.mm)*

Oil drum storage area(s)

Emissions of air pollutants not criteria or non-criteria reportable (Reg 3 Part C.II.E.3.oo)

Turbine hydrogen vents
Wastewater operations
Boiler steam vents

Janitorial activities and products (Reg 3 Part C.II.E.3.pp)

Office emissions (Reg 3 Part C.II.E.3.tt)

Restrooms, copiers, etc...

Storage tanks < 400,000 gas containing specific contents (Reg 3 Part C.II.E.3.fff)*

Diesel fuel tank for general plant operations (500 gal above ground)
Turbine lube oil batch tank

Sandblast equipment when blast media is recycled and blasted material collected (Reg 3 Part C.II.E.3.www)

Non-road engines

John Deere, Model No. 4024HF285C, Serial No. 1114203, portable water pump engine (80 hp)

Not sources of emissions

Unit No. 2 turbine lube oil system (closed system)
Unit No. 3 turbine lube oil system (closed system)
Unit No. 4 turbine lube oil system (closed system)

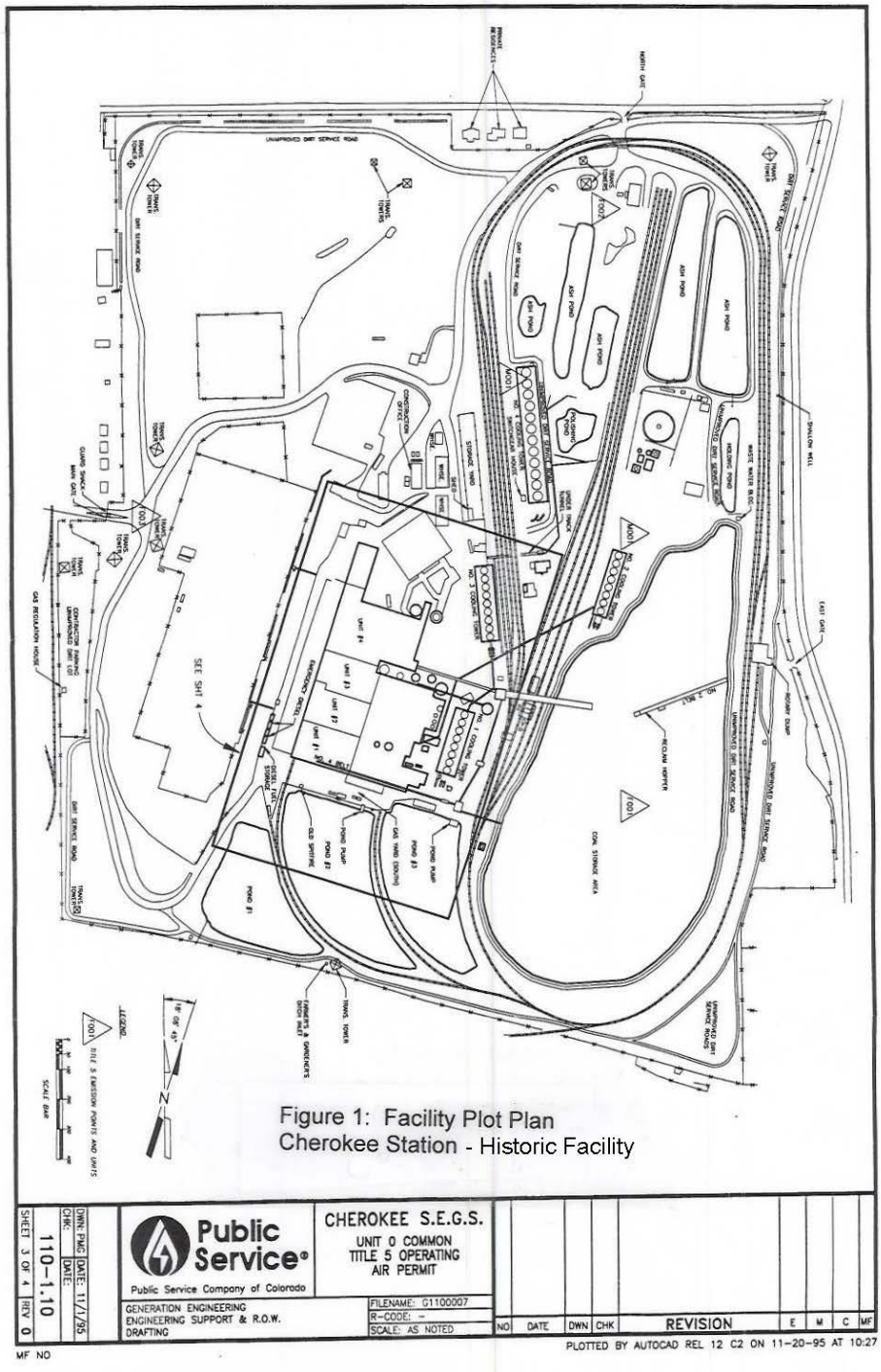
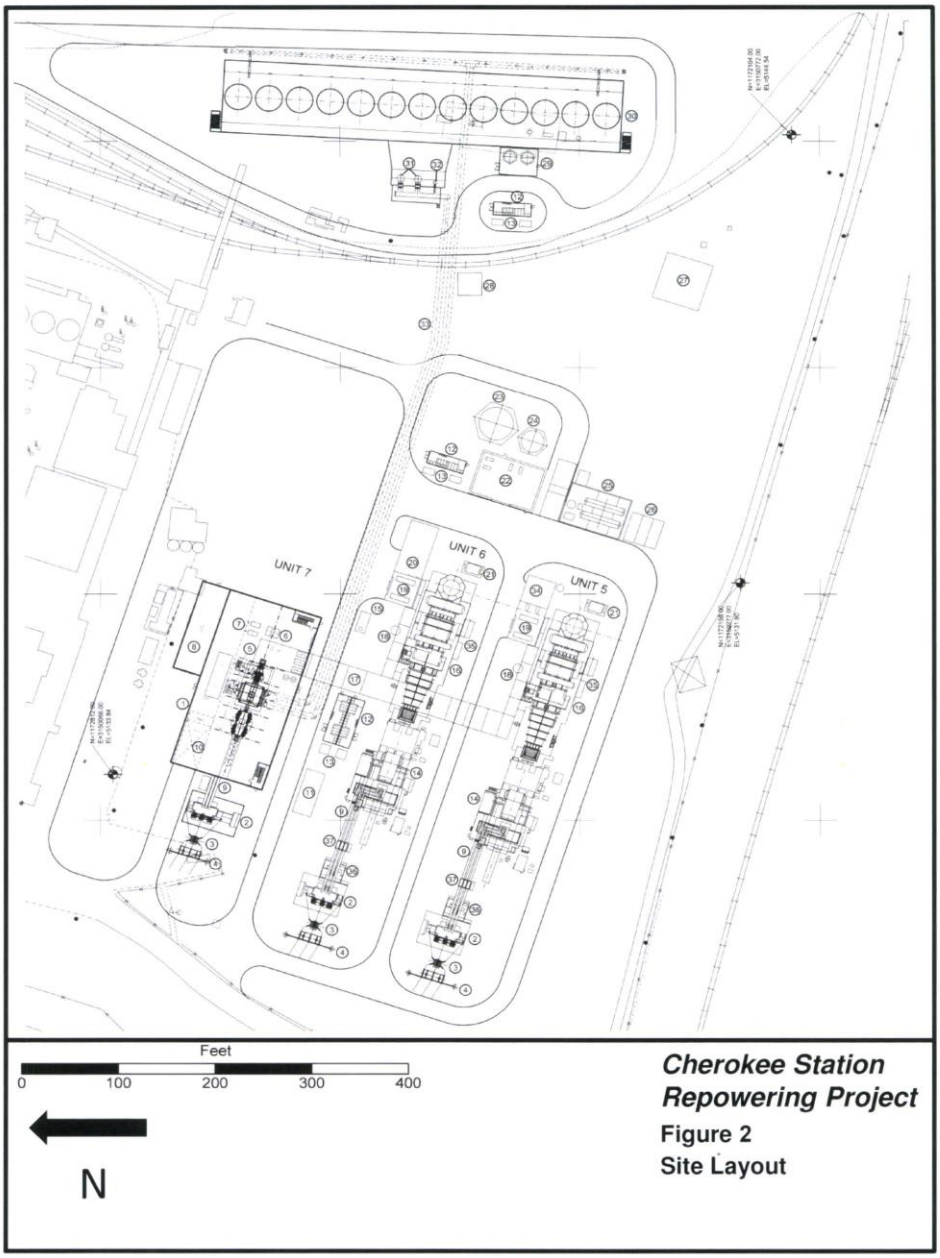


Figure 1: Facility Plot Plan
Cherokee Station - Historic Facility



APPENDIX B

Reporting Requirements and Definitions

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Please note that, pursuant to 113(c)(2) of the federal Clean Air Act, any person who knowingly:

(A) makes any false material statement, representation, or certification in, or omits material information from, or knowingly alters, conceals, or fails to file or maintain any notice, application, record, report, plan, or other document required pursuant to the Act to be either filed or maintained (whether with respect to the requirements imposed by the Administrator or by a State);

(B) fails to notify or report as required under the Act; or

(C) falsifies, tampers with, renders inaccurate, or fails to install any monitoring device or method required to be maintained or followed under the Act shall, upon conviction, be punished by a fine pursuant to title 18 of the United States Code, or by imprisonment for not more than 2 years, or both. If a conviction of any person under this paragraph is for a violation committed after a first conviction of such person under this paragraph, the maximum punishment shall be doubled with respect to both the fine and imprisonment.

The permittee must comply with all conditions of this operating permit. Any permit noncompliance constitutes a violation of the Act and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application.

The Part 70 Operating Permit program requires three types of reports to be filed for all permits.
All required reports must be certified by a responsible official.

Report #1: Monitoring Deviation Report (due at least every six months)

For purposes of this operating permit, the Division is requiring that the monitoring reports are due every six months unless otherwise noted in the permit. All instances of deviations from permit monitoring requirements must be clearly identified in such reports.

For purposes of this operating permit, monitoring means any condition determined by observation, by data from any monitoring protocol, or by any other monitoring which is required by the permit as well as the recordkeeping associated with that monitoring. This would include, for example, fuel use or process rate monitoring, fuel analyses, and operational or control device parameter monitoring.

Report #2: Permit Deviation Report (must be reported "promptly")

In addition to the monitoring requirements set forth in the permits as discussed above, each and every requirement of the permit is subject to deviation reporting. The reports must address deviations from permit

requirements, including those attributable to upset conditions and malfunctions as defined in this Appendix, the probable cause of such deviations, and any corrective actions or preventive measures taken. All deviations from any term or condition of the permit are required to be summarized or referenced in the annual compliance certification.

For purposes of this operating permit, "malfunction" shall refer to both emergency conditions and malfunctions. Additional discussion on these conditions is provided later in this Appendix.

For purposes of this operating permit, the Division is requiring that the permit deviation reports are due as set forth in General Condition 21. Where the underlying applicable requirement contains a definition of prompt or otherwise specifies a time frame for reporting deviations, that definition or time frame shall govern. For example, quarterly Excess Emission Reports required by an NSPS or Regulation No. 1, Section IV.

In addition to the monitoring deviations discussed above, included in the meaning of deviation for the purposes of this operating permit are any of the following:

(1) A situation where emissions exceed an emission limitation or standard contained in the permit;

(2) A situation where process or control device parameter values demonstrate that an emission limitation or standard contained in the permit has not been met;

(3) A situation in which observations or data collected demonstrates noncompliance with an emission limitation or standard or any work practice or operating condition required by the permit; or,

(4) A situation in which an excursion or exceedance as defined in 40CFR Part 64 (the Compliance Assurance Monitoring (CAM) Rule) has occurred. (only if the emission point is subject to CAM)

For reporting purposes, the Division has combined the Monitoring Deviation Report with the Permit Deviation Report.

Report #3: Compliance Certification (annually, as defined in the permit)

Submission of compliance certifications with terms and conditions in the permit, including emission limitations, standards, or work practices, is required not less than annually.

Compliance Certifications are intended to state the compliance status of each requirement of the permit over the certification period. They must be based, at a minimum, on the testing and monitoring methods specified in the permit that were conducted during the relevant time period. In addition, if the owner or operator knows of other material information (i.e. information beyond required monitoring that has been specifically assessed in relation to how the information potentially affects compliance status), that information must be identified and addressed in the compliance certification. The compliance certification must include the following:

- The identification of each term or condition of the permit that is the basis of the certification;

- Whether or not the method(s) used by the owner or operator for determining the compliance status with each permit term and condition during the certification period was the method(s) specified in the permit. Such methods and other means shall include, at a minimum, the methods and means required in the permit. If necessary, the owner or operator also shall identify any other material information that must be included in the certification to comply with section 113(c)(2) of the Federal Clean Air Act, which prohibits knowingly making a false certification or omitting material information;

- The status of compliance with the terms and conditions of the permit, and whether compliance was continuous or intermittent. The certification shall identify each deviation and take it into account in the compliance certification. Note that not all deviations are considered violations.[1]

- Such other facts as the Division may require, consistent with the applicable requirements to which the source is subject, to determine the compliance status of the source.

The Certification shall also identify as possible exceptions to compliance any periods during which compliance is required and in which an excursion or exceedance as defined under 40 CFR Part 64 (the Compliance Assurance Monitoring (CAM) Rule) has occurred. (only for emission points subject to CAM)

Note the requirement that the certification shall identify each deviation and take it into account in the compliance certification. Previously submitted deviation reports, including the deviation report submitted at the time of the annual certification, may be referenced in the compliance certification.

Startup, Shutdown, Malfunctions and Emergencies

Understanding the application of Startup, Shutdown, Malfunctions and Emergency Provisions, is very important in both the deviation reports and the annual compliance certifications.

Startup, Shutdown, and Malfunctions

Please note that exceedances of some New Source Performance Standards (NSPS) and Maximum Achievable Control Technology (MACT) standards that occur during Startup, Shutdown or Malfunctions may not be considered to be non-compliance since emission limits or standards often do not apply unless specifically stated in the NSPS. Such exceedances must, however, be reported as excess emissions per the NSPS/MACT rules and would still be noted in the deviation report. In regard to compliance certifications, the permittee should be confident of the information related to those deviations when making compliance determinations since they are subject to Division review. The concepts of Startup, Shutdown and Malfunctions also exist for Best Available Control Technology (BACT) sources, but are not applied in the same fashion as for NSPS and MACT sources.

Emergency Provisions

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i)[1] For example, given the various emissions limitations and monitoring requirements to which a source may be subject, a deviation from one requirement may not be a deviation under another requirement which recognizes an exception and/or special circumstances relating to that same event.

Under the Emergency provisions of Part 70, certain operational conditions may act as an affirmative defense against enforcement action if they are properly reported.

DEFINITIONS

Malfunction (NSPS) means any sudden, infrequent, and not reasonably preventable failure of air pollution control equipment, process equipment, or a process to operate in a normal or usual manner. Failures that are caused in part by poor maintenance or careless operation are not malfunctions.

Malfunction (SIP) means any sudden and unavoidable failure of air pollution control equipment or process equipment or unintended failure of a process to operate in a normal or usual manner. Failures that are primarily caused by poor maintenance, careless operation, or any other preventable upset condition or preventable equipment breakdown shall not be considered malfunctions.

Emergency means any situation arising from sudden and reasonably unforeseeable events beyond the control of the source, including acts of God, which situation requires immediate corrective action to restore normal operation, and that causes the source to exceed a technology-based emission limitation under the permit, due to unavoidable increases in emissions attributable to the emergency. An emergency shall not include noncompliance to the extent caused by improperly designed equipment, lack of preventative maintenance, careless or improper operation, or operator error.

Monitoring and Permit Deviation Report - Part I

1. Following is the **required** format for the Monitoring and Permit Deviation report to be submitted to the Division as set forth in General Condition 21. The Table below must be completed for all equipment or processes for which specific Operating Permit terms exist.

2. Part II of this Appendix B shows the format and information the Division will require for describing periods of monitoring and permit deviations, or malfunction or emergency conditions as indicated in the Table below. One Part II Form must be completed for each Deviation. Previously submitted reports (e.g. EER's or malfunctions) may be referenced and the form need not be filled out in its entirety.

FACILITY NAME: Public Service Company of Colorado– Cherokee Station
OPERATING PERMIT NO: 96OPAD130
REPORTING PERIOD:_____ (see first page of the permit for specific reporting period and dates)

Operating Permit Unit ID	Unit Description	Deviations noted During Period?[1]		Malfunction/ Emergency Condition Reported During Period?	
		YES	NO	YES	NO
B004	Boiler No. 4 (Unit 4), Combustion Engineering, Model No. 12465, Serial No. C400016, Tangentially Fired Boiler, Rated at 3,520 MMBtu/hr. Natural Gas Fired.				
M001	One (1) Cooling Water Tower (Unit 4) and Two (2) Service Water Towers				
T001	Gasoline Aboveground Storage Tank (1,000 gal)				
CT05	General Electric Model No. 7FA.05, Combustion Turbine rated at 1906 MMBtu/hr (175 MW), Serial No. 229212. The combustion turbine is equipped with a HRSG and a duct burner rated at 310 MMBtu/hr. The turbine and duct burner are natural gas fired.				
CT06	General Electric Model No. 7FA.05, Combustion Turbine rated at 1906 MMBtu/hr (175 MW), serial No. 229213. The combustion turbine is equipped with a HRSG and a duct burner rated at 310 MMBtu/hr. The turbine and duct burner are natural gas fired.				
CW01	Internal Cooling Tower, Model No. CFF-484832-10-33-6, Custom Built (no serial no.) 10-Cell Cooling Tower, Rated at 9.3 MMgal/hr.				
E003	Cummins, Model No. CFG9E-F20, Diesel Fuel-Fired Internal Combustion Engine, Rated at 282 hp and 14.6 gal/hr. Serial No. 73335121. This Engine Drives an Emergency Fire Pump.				

Operating Permit Unit ID	Unit Description	Deviations noted During Period?[1]		Malfunction/ Emergency Condition Reported During Period?	
		YES	NO	YES	NO
EG01	Cummins, Model No. QSK60-G14, Serial No. 33199317, Diesel Fuel-Fired Internal Combustion Engine Rated at 3280 hp and 157.9 gal/hr (21.6 MMBtu/hr). This Engine Drives an Emergency Generator.				
M002	Safety Kleen Cold Cleaner Solvent Vats				
M003	General Solvent Use				
P012	Soda Ash Storage Silo				
	General Conditions				
	Insignificant Activities				

[1] See previous discussion regarding what is considered to be a deviation. Determination of whether or not a deviation has occurred shall be based on a reasonable inquiry using readily available information.

Monitoring and Permit Deviation Report - Part II

FACILITY NAME: Public Service Company of Colorado – Cherokee Station
OPERATING PERMIT NO: 96OPAD130
REPORTING PERIOD:

Is the deviation being claimed as an: Emergency _____ Malfunction _____ N/A _____

(For NSPS/MACT) Did the deviation occur during: Startup _____ Shutdown _____ Malfunction ____
Normal Operation _____

OPERATING PERMIT UNIT IDENTIFICATION:

Operating Permit Condition Number Citation

Explanation of Period of Deviation

Duration (start/stop date & time)

Action Taken to Correct the Problem

Measures Taken to Prevent a Reoccurrence of the Problem

Dates of Malfunctions/Emergencies Reported (if applicable)

Deviation Code (for Division Use Only)

SEE EXAMPLE ON THE NEXT PAGE

EXAMPLE

FACILITY NAME: Acme Corp.
OPERATING PERMIT NO: 96OPZZXXX
REPORTING PERIOD: 1/1/06 - 6/30/06

Is the deviation being claimed as an: Emergency _____ Malfunction __XX____ N/A ____

(For NSPS/MACT) Did the deviation occur during: Startup _____ Shutdown _____ Malfunction ____
Normal Operation _____

OPERATING PERMIT UNIT IDENTIFICATION:

Asphalt Plant with a Scrubber for Particulate Control - Unit XXX

Operating Permit Condition Number Citation

Section II, Condition 3.1 - Opacity Limitation

Explanation of Period of Deviation

Slurry Line Feed Plugged

Duration

START- 1730 4/10/06
END- 1800 4/10/06

Action Taken to Correct the Problem

Line Blown Out

Measures Taken to Prevent Reoccurrence of the Problem

Replaced Line Filter

Dates of Malfunction/Emergencies Reported (if applicable)

5/30/06 to A. Einstein, APCD

Deviation Code (for Division Use Only)

Monitoring and Permit Deviation Report - Part III

REPORT CERTIFICATION

SOURCE NAME: Public Service Company of Colorado– Cherokee Station

FACILITY IDENTIFICATION NUMBER: 0010001

PERMIT NUMBER: 96OPAD130

REPORTING PERIOD:_____ (see first page of the permit for specific reporting period and dates)

All information for the Title V Semi-Annual Deviation Reports must be certified by a responsible official as defined in Colorado Regulation No. 3, Part A, Section I.B. This signed certification document must be packaged with the documents being submitted.

STATEMENT OF COMPLETENESS

I have reviewed the information being submitted in its entirety and, based on information and belief formed after reasonable inquiry, I certify that the statements and information contained in this submittal are true, accurate and complete.

Please note that the Colorado Statutes state that any person who knowingly, as defined in Sub-Section 18-1-501(6), C.R.S., makes any false material statement, representation, or certification in this document is guilty of a misdemeanor and may be punished in accordance with the provisions of Sub-Section 25-7 122.1, C.R.S.

Printed or Typed Name Title

Signature Date Signed

Note: Deviation reports shall be submitted to the Division at the address given in Appendix D of this permit. No copies need be sent to the U.S. EPA.

APPENDIX C

Required Format for Annual Compliance Certification Report

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Following is the format for the Compliance Certification report to be submitted to the Division and the U.S. EPA annually based on the effective date of the permit. The Table below must be completed for all equipment or processes for which specific Operating Permit terms exist.

FACILITY NAME: Public Service Company of Colorado– Cherokee Station

OPERATING PERMIT NO: 96OPAD130
REPORTING PERIOD:

I. Facility Status

___ During the entire reporting period, this source was in compliance with **ALL** terms and conditions contained in the Permit, each term and condition of which is identified and included by this reference. The method(s) used to determine compliance is/are the method(s) specified in the Permit.

___ With the possible exception of the deviations identified in the table below, this source was in compliance with all terms and conditions contained in the Permit, each term and condition of which is identified and included by this reference, during the entire reporting period. The method used to determine compliance for each term and condition is the method specified in the Permit, unless otherwise indicated and described in the deviation report(s). Note that not all deviations are considered violations.

Operating Permit Unit ID	Unit Description	Deviations Reported [1]		Monitoring Method per Permit?[2]		Was compliance continuous or intermittent?[3]	
		Previous	Current	YES	NO	continuous	intermittent
B004	Boiler No. 4 (Unit 4), Combustion Engineering, Model No. 12465, Serial No. C400016, Tangentially Fired Boiler, Rated at 3,520 MMBtu/hr. Coal, Natural Gas or Combination Fired.						
M001	One (1) Cooling Water Tower (Unit 4) and Two (2) Service Water Towers						
T001	Gasoline Aboveground Storage Tank (1,000 gal)						

Operating Permit Unit ID	Unit Description	Deviations Reported [1]		Monitoring Method per Permit?[2]		Was compliance continuous or intermittent?[3]	
		Previous	Current	YES	NO	continuous	intermittent
CT05	General Electric Model No. 7FA.05, Combustion Turbine rated at 1906 MMBtu/hr (175 MW), Serial No. 229212. The combustion turbine is equipped with a HRSG and a duct burner rated at 310 MMBtu/hr. The turbine and duct burner are natural gas fired.						
CT06	General Electric Model No. 7FA.05, Combustion Turbine rated at 1906 MMBtu/hr (175 MW), serial No. 229213. The combustion turbine is equipped with a HRSG and a duct burner rated at 310 MMBtu/hr. The turbine and duct burner are natural gas fired.						
CW01	Internal Cooling Tower, Model No. CFF-484832-10-33-6, Custom Built (no serial no.) 10-Cell Cooling Tower, Rated at 9.3 MMgal/hr.						
E003	Cummins, Model No. CFG9E-F20, Diesel Fuel-Fired Internal Combustion Engine, Rated at 282 hp and 14.6 gal/hr. Serial No. 73335121. This Engine Drives an Emergency Fire Pump.						
EG01	Cummins, Model No. QSK60-G14, Serial No. 33199317, Diesel Fuel-Fired Internal Combustion Engine Rated at 3280 hp and 157.9 gal/hr (21.6 MMBtu/hr). This Engine Drives an Emergency Generator.						
M002	Safety Kleen Cold Cleaner Solvent Vats						
M003	General Solvent Use						
P012	Soda Ash Storage Silo						
	General Conditions						
	Insignificant Activities [4]						

[1] If deviations were noted in a previous deviation report, put an "X" under "previous". If deviations were noted in the current deviation report (i.e. for the last six months of the annual reporting period), put an "X" under "current". Mark both columns if both apply.

[2] Note whether the method(s) used to determine the compliance status with each term and condition was the method(s) specified in the permit. If it was not, mark "no" and attach additional information/explanation.

[3] Note whether the compliance status with of each term and condition provided was continuous or intermittent. "Intermittent Compliance" can mean either that noncompliance has occurred or that the owner or operator has data sufficient to certify compliance only on an intermittent basis. Certification of intermittent compliance therefore does not necessarily mean that any noncompliance has occurred.

NOTE:

The Periodic Monitoring requirements of the Operating Permit program rule are intended to provide assurance that even in the absence of a continuous system of monitoring the Title V source can demonstrate whether it has operated in continuous compliance for the duration of the reporting period. Therefore, if a source 1) conducts all of the monitoring and recordkeeping required in its permit, even if such activities are done periodically and not continuously, and if 2) such monitoring and recordkeeping does not indicate non-compliance, and if 3) the Responsible Official is not aware of any credible evidence that indicates non-compliance, then the Responsible Official can certify that the emission point(s) in question were in continuous compliance during the applicable time period.

[4] Compliance status for these sources shall be based on a reasonable inquiry using readily available information.

II. Status for Accidental Release Prevention Program:

A. This facility _____ is subject _____ is not subject to the provisions of the Accidental Release Prevention Program (Section 112(r) of the Federal Clean Air Act)

B. If subject: The facility _____ is _____ is not in compliance with all the requirements of section 112(r).

1. A Risk Management Plan _____ will be _____ has been submitted to the appropriate authority and/or the designated central location by the required date.

III. Certification

All information for the Title V Semi-Annual Deviation Reports must be certified by a responsible official as defined in Colorado Regulation No. 3, Part A, Section I.B. This signed certification document must be packaged with the documents being submitted.

I have reviewed this certification in its entirety and, based on information and belief formed after reasonable inquiry, I certify that the statements and information contained in this certification are true, accurate and complete.

Please note that the Colorado Statutes state that any person who knowingly, as defined in § 18-1-501(6), C.R.S., makes any false material statement, representation, or certification in this document is guilty of a misdemeanor and may be punished in accordance with the provisions of § 25-7 122.1, C.R.S.

Printed or Typed Name Title

Signature Date Signed

NOTE: All compliance certifications shall be submitted to the Air Pollution Control Division and to the Environmental Protection Agency at the addresses listed in Appendix D of this Permit.

APPENDIX D

Notification Addresses

January 27, 2020 version

1. **Air Pollution Control Division**

Colorado Department of Public Health and Environment
Air Pollution Control Division
Operating Permits Unit
APCD-SS-B1
4300 Cherry Creek Drive S.
Denver, CO 80246-1530

ATTN: Title V Permit Unit Supervisor

2. **United States Environmental Protection Agency**

Compliance Notifications:

Enforcement and Compliance Assurance Division
Air and Toxics Enforcement Branch
Mail Code 8ENF-AT
U.S. Environmental Protection Agency, Region VIII
1595 Wynkoop Street
Denver, CO 80202-1129

502(b)(10) Changes, Off Permit Changes:

Air and Radiation Division
Air Permitting and Monitoring Branch
Mail Code 8ARD-PM
U.S. Environmental Protection Agency, Region VIII
1595 Wynkoop Street
Denver, CO 80202-1129

APPENDIX E

Permit Acronyms

Listed Alphabetically:

AIRS -	Aerometric Information Retrieval System
AP-42 -	EPA Document Compiling Air Pollutant Emission Factors
APEN -	Air Pollution Emission Notice (State of Colorado)
APCD -	Air Pollution Control Division (State of Colorado)
ASTM -	American Society for Testing and Materials
BACT -	Best Available Control Technology
BTU -	British Thermal Unit
CAA -	Clean Air Act (CAAA = Clean Air Act Amendments)
CCR -	Colorado Code of Regulations
CEM -	Continuous Emissions Monitor
CF -	Cubic Feet (SCF = Standard Cubic Feet)
CFR -	Code of Federal Regulations
CO -	Carbon Monoxide
COM -	Continuous Opacity Monitor
CRS -	Colorado Revised Statute
EF -	Emission Factor
EPA -	Environmental Protection Agency
FI -	Fuel Input Rate in MMBtu/hr
FR -	Federal Register
G -	Grams
Gal -	Gallon
GPM -	Gallons per Minute
HAPs -	Hazardous Air Pollutants
HP -	Horsepower
HP-HR -	Horsepower Hour (G/HP-HR = Grams per Horsepower Hour)
LAER -	Lowest Achievable Emission Rate
LBS -	Pounds
M -	Thousand
MM -	Million
MMscf -	Million Standard Cubic Feet
MMscfd -	Million Standard Cubic Feet per Day
N/A or NA -	Not Applicable
NOx -	Nitrogen Oxides
NESHAP -	National Emission Standards for Hazardous Air Pollutants
NSPS -	New Source Performance Standards
P -	Process Weight Rate in Tons/Hr
PE -	Particulate Emissions
PM -	Particulate Matter

PM_{10} -	Particulate Matter Under 10 Microns
PSD -	Prevention of Significant Deterioration
PTE -	Potential To Emit
RACT -	Reasonably Available Control Technology
SCC -	Source Classification Code
SCF -	Standard Cubic Feet
SIC -	Standard Industrial Classification
SO_2 -	Sulfur Dioxide
TPY -	Tons Per Year
TSP -	Total Suspended Particulate
VOC -	Volatile Organic Compounds

APPENDIX F

Permit Modifications

DATE OF REVISION	TYPE OF MODIFICATION	SECTION NUMBER, CONDITION NUMBER	DESCRIPTION OF REVISION
December 29, 2020	Minor Modification	Section I	Included the requirement to mark the AIRS id number on the soda ash silo (Condition 9.7) in the list of state-only requirements in Condition 1.4. Included the soda ash storage silo in the table in Condition 6.1.
		Section II.1	Revised the second paragraph in Condition 1.11 to indicate the version date of the Reg 7, Part E, Section II.A. requirements. Revised the citations for the Regional Haze (RH) requirements in Conditions 1.1, 1.3.3, 1.3.5 and 1.10, since they have been moved from Regulation No. 3, Part F to Regulation No. 23.
		Section II.2	Revised the second paragraph in Condition 2.20 to indicate the version date of the Reg 7, Part E, Section II.A. requirements.
		Section II.5	Corrected the citation in Condition 5.5.3.3
		Section II.9	Included provisions for the soda ash storage silo in this section.
		Section III	Revised the citations for the RH requirements in the table in Section III.3 (RH requirements moved from Regulation No. 3, Part F to Regulation No. 23).
		Appendices	Included the lime handling system in the insignificant activity list in Appendix A. The soda ash storage silo was included in the tables in Appendices B and C.

APPENDIX G

Retired Unit Exemption Forms

United States Environmental Protection Agency
Acid Rain, CAIR, and Transport Rule Programs

OMB Nos. 2060-0258, 2060-0570, and 2060-0667
Approval Expires 07/31/2014

EPA

Retired Unit Exemption

For more information, see instructions and refer to 40 CFR 72.8, 96.105, 96.205, 96.305, 97.405, 97.505, 97.605, and 97.705, or a comparable state regulation, as applicable.

This submission is: ☒ New ☐ Revised

STEP 1
Identify the unit by facility (source) name, State, ORIS/plant code and unit ID#.

Facility (Source) Name	State	ORIS/Plant Code	Unit ID#
Cherokee Station	CO	469	1

STEP 2
Indicate the program(s) that the unit is subject to

- ☒ Acid Rain
- ☐ CAIR NO_x Annual
- ☐ CAIR SO_2
- ☐ CAIR NO_x Ozone Season
- ☐ Transport Rule NO_x Annual
- ☐ Transport Rule NO_x Ozone Season
- ☐ Transport Rule SO_2 Annual

STEP 3
Identify the date on which the unit was (or will be) permanently retired.

April 30, 2012

STEP 4
If the unit is subject to the Acid Rain Program, identify the first full calendar year in which the unit meets (or will meet) the requirements of 40 CFR 72.8(d).

January 1, 2013

STEP 5
Read the appropriate special provisions.

Acid Rain Program Special Provisions

(1) A unit exempt under 40 CFR 72.8 shall not emit any sulfur dioxide and nitrogen oxides starting on the date that the exemption takes effect. The owners and operators of the unit will be allocated allowances in accordance with 40 CFR part 73 subpart B.
(2) A unit exempt under 40 CFR 72.8 shall not resume operation unless the designated representative of the source that includes the unit submits a complete Acid Rain permit application under 40 CFR 72.31 for the unit not less than 24 months prior to the date on which the unit is first to resume operation.
(3) The owners and operators and, to the extent applicable, the designated representative of a unit exempt under 40 CFR 72.8 shall comply with the requirements of the Acid Rain Program concerning all periods for which the exemption is not in effect, even if such requirements arise, or must be complied with, after the exemption takes effect.
(4) For any period for which a unit is exempt under 40 CFR 72.8, the unit is not an affected unit under the Acid Rain Program and 40 CFR part 70 and 71 and is not eligible to be an opt-in source under 40 CFR part 74. As an unaffected unit, the unit shall continue to be subject to any other applicable requirements under 40 CFR parts 70 and 71.
(5) For a period of 5 years from the date the records are created, the owners and operators of a unit exempt under 40 CFR 72.8 shall retain, at the source that includes the unit, records demonstrating that the unit is permanently retired. The 5-year period for keeping records may be extended for cause, at any time prior to the end of the period, in writing by the Administrator or the permitting authority. The owners and operators bear the burden of proof that the unit is permanently retired.
(6) On the earlier of the following dates, a unit exempt under 40 CFR 72.8(b) or (c) shall lose its exemption and become an affected unit under the Acid Rain Program and 40 CFR part 70 and 71: (i) the date on which the designated representative submits an Acid Rain permit application under paragraph (2); or (ii) the date on which the designated representative is required under paragraph (2) to submit an Acid Rain permit application. For the purpose of applying monitoring requirements under 40 CFR part 75, a unit that loses its exemption under 40 CFR 72.8 shall be treated as a new unit that commenced commercial operation on the first date on which the unit resumes operation.

EPA Form 7610-20 (Revised 8-2011)

CAIR NO_X Annual Trading Program Special Provisions

(1) A unit exempt under 40 CFR 96.105(a) shall not emit any nitrogen oxides, starting on the date that the exemption takes effect.
(2) The permitting authority will allocate CAIR NO_X allowances under 40 CFR 96 subpart EE to a unit exempt under 40 CFR 96.105(a).
(3) For a period of 5 years from the date the records are created, the owners and operators of a unit exempt under 40 CFR 96.105(a) shall retain, at the source that includes the unit, records demonstrating that the unit is permanently retired. The 5-year period for keeping records may be extended for cause, at any time before the end of the period, in writing by the permitting authority or the Administrator. The owners and operators bear the burden of proof that the unit is permanently retired.
(4) The owners and operators and, to the extent applicable, the CAIR designated representative of a unit exempt under 40 CFR 96.105(a) shall comply with the requirements of the CAIR NO_X Annual Trading Program concerning all periods for which the exemption is not in effect, even if such requirements arise, or must be complied with, after the exemption takes effect.
(5) A unit exempt under 40 CFR 96.105(a) and located at a source that is required, or but for this exemption would be required, to have a title V operating permit shall not resume operation unless the CAIR designated representative of the source submits a complete CAIR permit application under 40 CFR 96.122 for the unit not less than 18 months (or such lesser time provided by the permitting authority) before the later of January 1, 2009 or the date on which the unit resumes operation.
(6) On the earlier of the following dates, a unit exempt under 40 CFR 96.105(a) shall lose its exemption:
(i) The date on which the CAIR designated representative submits a CAIR permit application for the unit under 40 CFR 96.105(b)(5);
(ii) The date on which the CAIR designated representative is required under 40 CFR 96.105(b)(5) to submit a CAIR permit application for the unit; or
(iii) The date on which the unit resumes operation, if the CAIR designated representative is not required to submit a CAIR permit application for the unit.
(7) For the purpose of applying monitoring, reporting, and recordkeeping requirements under 40 CFR 96 subpart HH, a unit that loses its exemption under 40 CFR 96.105(a) shall be treated as a unit that commences commercial operation on the first date on which the unit resumes operation.

CAIR SO_2 Trading Program Special Provisions

(1) A unit exempt under 40 CFR 96.205(a) shall not emit any sulfur dioxide, starting on the date that the exemption takes effect.
(2) For a period of 5 years from the date the records are created, the owners and operators of a unit exempt under 40 CFR 96.205(a) shall retain, at the source that includes the unit, records demonstrating that the unit is permanently retired. The 5-year period for keeping records may be extended for cause, at any time before the end of the period, in writing by the permitting authority or the Administrator. The owners and operators bear the burden of proof that the unit is permanently retired.
(3) The owners and operators and, to the extent applicable, the CAIR designated representative of a unit exempt under 40 CFR 96.205(a) shall comply with the requirements of the CAIR SO_2 Trading Program concerning all periods for which the exemption is not in effect, even if such requirements arise, or must be complied with, after the exemption takes effect.
(4) A unit exempt under 40 CFR 96.205(a) and located at a source that is required, or but for this exemption would be required, to have a title V operating permit shall not resume operation unless the CAIR designated representative of the source submits a complete CAIR permit application under 40 CFR 96.222 for the unit not less than 18 months (or such lesser time provided by the permitting authority) before the later of January 1, 2010 or the date on which the unit resumes operation.
(5) On the earlier of the following dates, a unit exempt under 40 CFR 96.205(a) shall lose its exemption:
(i) The date on which the CAIR designated representative submits a CAIR permit application for the unit under 40 CFR 96.205(b)(4);
(ii) The date on which the CAIR designated representative is required under 40 CFR 96.205(b)(4) to submit a CAIR permit application for the unit; or
(iii) The date on which the unit resumes operation, if the CAIR designated representative is not required to submit a CAIR permit application for the unit.
(6) For the purpose of applying monitoring, reporting, and recordkeeping requirements under 40 CFR 96 subpart HHH, a unit that loses its exemption under 40 CFR 96.205(a) shall be treated as a unit that commences commercial operation on the first date on which the unit resumes operation.

EPA Form 7610-20 (Revised 8-2011)

CAIR NO_X Ozone Season Trading Program Special Provisions

(1) A unit exempt under 40 CFR 96.305(a) shall not emit any nitrogen oxides, starting on the date that the exemption takes effect.
(2) The permitting authority will allocate CAIR NO_X Ozone Season allowances under 40 CFR 96 subpart EEEE to a unit exempt under 40 CFR 96.305(a). **Transport Rule NO_X Annual Trading Program Special Provisions**
(1) A unit exempt under 40 CFR 97.405 shall not emit any NO_X, starting on the date that the exemption takes effect.
(2) For a period of 5 years from the date the records are created, the owners and operators of a unit exempt under 40 CFR 97.405 shall retain, at the source that includes the unit, records demonstrating that the unit is permanently retired. The 5-year period for keeping records may be extended for cause, at any time before the end of the period, in writing by the Administrator. The owners and operators bear the burden of proof that the unit is permanently retired.
(3) The owners and operators and, to the extent applicable, the designated representative of a unit exempt 40 CFR 97.405 shall comply with the requirements of the TR NO_X Annual Trading Program concerning all periods for which the exemption is not in effect, even if such requirements arise, or must be complied with, after the exemption takes effect.
(4) A unit exempt under 40 CFR 97.405 shall lose its exemption on the first date on which the unit resumes operation. Such unit shall be treated, for purposes of applying allocation, monitoring, reporting, and recordkeeping requirements under this subpart, as a unit that commences commercial operation on the first date on which the unit resumes operation.

Transport Rule NO_X Annual Trading Program Special Provisions

(1) A unit exempt under 40 CFR 97.405 shall not emit any NO_X, starting on the date that the exemption takes effect.
(2) For a period of 5 years from the date the records are created, the owners and operators of a unit exempt under 40 CFR 97.405 shall retain, at the source that includes the unit, records demonstrating that the unit is permanently retired. The 5-year period for keeping records may be extended for cause, at any time before the end of the period, in writing by the Administrator. The owners and operators bear the burden of proof that the unit is permanently retired.
(3) The owners and operators and, to the extent applicable, the designated representative of a unit exempt 40 CFR 97.405 shall comply with the requirements of the TR NO_X Annual Trading Program concerning all periods for which the exemption is not in effect, even if such requirements arise, or must be complied with, after the exemption takes effect.
(4) A unit exempt under 40 CFR 97.405 shall lose its exemption on the first date on which the unit resumes operation. Such unit shall be treated, for purposes of applying allocation, monitoring, reporting, and recordkeeping requirements under this subpart, as a unit that commences commercial operation on the first date on which the unit resumes operation.

Transport Rule NO_X Ozone Season Trading Program Special Provisions

(1) A unit exempt under 40 CFR 97.505 shall not emit any NO_X, starting on the date that the exemption takes effect.
(2) For a period of 5 years from the date the records are created, the owners and operators of a unit exempt under 40 CFR 97.505 shall retain, at the source that includes the unit, records demonstrating that the unit is permanently retired. The 5-year period for keeping records may be extended for cause, at any time before the end of the period, in writing by the Administrator. The owners and operators bear the burden of proof that the unit is permanently retired.
(3) The owners and operators and, to the extent applicable, the designated representative of a unit exempt under 40 CFR 97.505 shall comply with the requirements of the TR NO_X Ozone Season Trading Program concerning all periods for which the exemption is not in effect, even if such requirements arise, or must be complied with, after the exemption takes effect.
(4) A unit exempt under 40 CFR 97.505 shall lose its exemption on the first date on which the unit resumes operation. Such unit shall be treated, for purposes of applying allocation, monitoring, reporting, and recordkeeping requirements under this subpart, as a unit that commences commercial operation on the first date on which the unit resumes operation.

Transport Rule SO2 Group 1 Trading Program Special Provisions

(1) A unit exempt under 40 CFR 97.605 shall not emit any SO_2, starting on the date that the exemption takes effect.
(2) For a period of 5 years from the date the records are created, the owners and operators of a unit exempt under 40 CFR 97.605 shall retain, at the source that includes the unit, records demonstrating that the unit is permanently retired. The 5-year period for keeping records may be extended for cause, at any time before the end of the period, in writing by the Administrator. The owners and operators bear the burden of proof that the unit is permanently retired.
(3) The owners and operators and, to the extent applicable, the designated representative of a unit exempt under 40 CFR 97.605 shall comply with the requirements of the TR SO_2 Group 1 Trading Program concerning all periods for which the exemption is not in effect, even if such requirements arise, or must be complied with, after the exemption takes effect.
(4) A unit exempt under 40 CFR 97.605 shall lose its exemption on the first date on which the unit resumes operation. Such unit shall be treated, for purposes of applying allocation, monitoring, reporting, and recordkeeping requirements under this subpart, as a unit that commences commercial operation on the first date on which the unit resumes operation.

Transport Rule SO2 Group 2 Trading Program Special Provisions

(1) A unit exempt under 40 CFR 97.705 shall not emit any SO_2, starting on the date that the exemption takes effect.
(2) For a period of 5 years from the date the records are created, the owners and operators of a unit exempt under 40 CFR 97.705 shall retain, at the source that includes the unit, records demonstrating that the unit is permanently retired. The 5-year period for keeping records may be extended for cause, at any time before the end of the period, in writing by the Administrator. The owners and operators bear the burden of proof that the unit is permanently retired.
(3) The owners and operators and, to the extent applicable, the designated representative of a unit exempt under 40 CFR 97.705 shall comply with the requirements of the TR SO_2 Group 2 Trading Program concerning all periods for which the exemption is not in effect, even if such requirements arise, or must be complied with, after the exemption takes effect.
(4) A unit exempt under 40 CFR 97.705 shall lose its exemption on the first date on which the unit resumes operation. Such unit shall be treated, for purposes of applying allocation, monitoring, reporting, and recordkeeping requirements under this subpart, as a unit that commences commercial operation on the first date on which the unit resumes operation.

EPA Form 7610-20 (Revised 8-2011)

STEP 6
Read the statement of compliance and the appropriate certification statements and sign and date.

Statement of Compliance
I certify that the unit identified above at STEP 1 was (or will be) permanently retired on the date identified at STEP 3 and will comply with the appropriate Special Provisions listed at STEP 5.

Certification (for Acid Rain, CAIR, or Transport Rule designated representatives or alternate Acid Rain, CAIR, or Transport Rule designated representatives only)
I am authorized to make this submission on behalf of the owners and operators of the source and unit for which the submission is made. I certify under penalty of law that I have personally examined, and am familiar with, the statements and information submitted in this document and all its attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are to the best of my knowledge and belief true, accurate, and complete. I am aware that there are significant penalties for submitting false statements and information or omitting required statements and information, including the possibility of fine or imprisonment.

Name	Title
Owner Company Name	
Phone	Email
Signature	Date

Certification (for certifying officials of units subject to the Acid Rain Program only)
I certify under penalty of law that I have personally examined, and am familiar with, the statements and information submitted in this document and all its attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are to the best of my knowledge and belief true, accurate, and complete. I am aware that there are significant penalties for submitting false statements and information or omitting required statements and information, including the possibility of fine or imprisonment.

Name: George Hess	Title: General Manager CO Power Generation
Owner Company Name: Public Service Company of Colorado	
Phone: 303-628-2679	Email: George.Hess@xcelenergy.com
Signature: [signature]	Date: 6-18-12

EPA Form 7610-20 (Revised 8-2011)

United States Environmental Protection Agency
Acid Rain, CAIR, and Transport Rule Programs

OMB Nos. 2060-0258, 2060-0570, and 2060-0667
Approval Expires 07/31/2014

Retired Unit Exemption

For more information, see instructions and refer to 40 CFR 72.8, 96.105, 96.205, 96.305, 97.405, 97.505, 97.605, and 97.705, or a comparable state regulation, as applicable.

This submission is: ☒ New ☐ Revised

STEP 1
Identify the unit by facility (source) name, State, ORIS/plant code and unit ID#.

Facility (Source) Name	State	ORIS/Plant Code	Unit ID#
Cherokee Station	CO	469	2

STEP 2
Indicate the program(s) that the unit is subject to

- ☒ Acid Rain
- ☐ CAIR NO_X Annual
- ☐ CAIR SO_2
- ☐ CAIR NO_X Ozone Season
- ☐ Transport Rule NO_X Annual
- ☐ Transport Rule NO_X Ozone Season
- ☐ Transport Rule SO_2 Annual

STEP 3
Identify the date on which the unit was (or will be) permanently retired.

October 15, 2011

STEP 4
If the unit is subject to the Acid Rain Program, identify the first full calendar year in which the unit meets (or will meet) the requirements of 40 CFR 72.8(d).

January 1, 2012

STEP 5
Read the appropriate special provisions.

Acid Rain Program Special Provisions

(1) A unit exempt under 40 CFR 72.8 shall not emit any sulfur dioxide and nitrogen oxides starting on the date that the exemption takes effect. The owners and operators of the unit will be allocated allowances in accordance with 40 CFR part 73 subpart B.
(2) A unit exempt under 40 CFR 72.8 shall not resume operation unless the designated representative of the source that includes the unit submits a complete Acid Rain permit application under 40 CFR 72.31 for the unit not less than 24 months prior to the date on which the unit is first to resume operation.
(3) The owners and operators and, to the extent applicable, the designated representative of a unit exempt under 40 CFR 72.8 shall comply with the requirements of the Acid Rain Program concerning all periods for which the exemption is not in effect, even if such requirements arise, or must be complied with, after the exemption takes effect.
(4) For any period for which a unit is exempt under 40 CFR 72.8, the unit is not an affected unit under the Acid Rain Program and 40 CFR part 70 and 71 and is not eligible to be an opt-in source under 40 CFR part 74. As an unaffected unit, the unit shall continue to be subject to any other applicable requirements under 40 CFR parts 70 and 71.
(5) For a period of 5 years from the date the records are created, the owners and operators of a unit exempt under 40 CFR 72.8 shall retain, at the source that includes the unit, records demonstrating that the unit is permanently retired. The 5-year period for keeping records may be extended for cause, at any time prior to the end of the period, in writing by the Administrator or the permitting authority. The owners and operators bear the burden of proof that the unit is permanently retired.
(6) On the earlier of the following dates, a unit exempt under 40 CFR 72.8(b) or (c) shall lose its exemption and become an affected unit under the Acid Rain Program and 40 CFR part 70 and 71: (i) the date on which the designated representative submits an Acid Rain permit application under paragraph (2); or (ii) the date on which the designated representative is required under paragraph (2) to submit an Acid Rain permit application. For the purpose of applying monitoring requirements under 40 CFR part 75, a unit that loses its exemption under 40 CFR 72.8 shall be treated as a new unit that commenced commercial operation on the first date on which the unit resumes operation.

EPA Form 7610-20 (Revised 8-2011)

CAIR NO_X Annual Trading Program Special Provisions

(1) A unit exempt under 40 CFR 96.105(a) shall not emit any nitrogen oxides, starting on the date that the exemption takes effect.
(2) The permitting authority will allocate CAIR NO_X allowances under 40 CFR 96 subpart EE to a unit exempt under 40 CFR 96.105(a).
(3) For a period of 5 years from the date the records are created, the owners and operators of a unit exempt under 40 CFR 96.105(a) shall retain, at the source that includes the unit, records demonstrating that the unit is permanently retired. The 5-year period for keeping records may be extended for cause, at any time before the end of the period, in writing by the permitting authority or the Administrator. The owners and operators bear the burden of proof that the unit is permanently retired.
(4) The owners and operators and, to the extent applicable, the CAIR designated representative of a unit exempt under 40 CFR 96.105(a) shall comply with the requirements of the CAIR NO_X Annual Trading Program concerning all periods for which the exemption is not in effect, even if such requirements arise, or must be complied with, after the exemption takes effect.
(5) A unit exempt under 40 CFR 96.105(a) and located at a source that is required, or but for this exemption would be required, to have a title V operating permit shall not resume operation unless the CAIR designated representative of the source submits a complete CAIR permit application under 40 CFR 96.122 for the unit not less than 18 months (or such lesser time provided by the permitting authority) before the later of January 1, 2009 or the date on which the unit resumes operation.
(6) On the earlier of the following dates, a unit exempt under 40 CFR 96.105(a) shall lose its exemption:
(i) The date on which the CAIR designated representative submits a CAIR permit application for the unit under 40 CFR 96.105(b)(5);
(ii) The date on which the CAIR designated representative is required under 40 CFR 96.105(b)(5) to submit a CAIR permit application for the unit; or
(iii) The date on which the unit resumes operation, if the CAIR designated representative is not required to submit a CAIR permit application for the unit.
(7) For the purpose of applying monitoring, reporting, and recordkeeping requirements under 40 CFR 96 subpart HH, a unit that loses its exemption under 40 CFR 96.105(a) shall be treated as a unit that commences commercial operation on the first date on which the unit resumes operation.

CAIR SO_2 Trading Program Special Provisions

(1) A unit exempt under 40 CFR 96.205(a) shall not emit any sulfur dioxide, starting on the date that the exemption takes effect.
(2) For a period of 5 years from the date the records are created, the owners and operators of a unit exempt under 40 CFR 96.205(a) shall retain, at the source that includes the unit, records demonstrating that the unit is permanently retired. The 5-year period for keeping records may be extended for cause, at any time before the end of the period, in writing by the permitting authority or the Administrator. The owners and operators bear the burden of proof that the unit is permanently retired.
(3) The owners and operators and, to the extent applicable, the CAIR designated representative of a unit exempt under 40 CFR 96.205(a) shall comply with the requirements of the CAIR SO_2 Trading Program concerning all periods for which the exemption is not in effect, even if such requirements arise, or must be complied with, after the exemption takes effect.
(4) A unit exempt under 40 CFR 96.205(a) and located at a source that is required, or but for this exemption would be required, to have a title V operating permit shall not resume operation unless the CAIR designated representative of the source submits a complete CAIR permit application under 40 CFR 96.222 for the unit not less than 18 months (or such lesser time provided by the permitting authority) before the later of January 1, 2010 or the date on which the unit resumes operation.
(5) On the earlier of the following dates, a unit exempt under 40 CFR 96.205(a) shall lose its exemption:
(i) The date on which the CAIR designated representative submits a CAIR permit application for the unit under 40 CFR 96.205(b)(4);
(ii) The date on which the CAIR designated representative is required under 40 CFR 96.205(b)(4) to submit a CAIR permit application for the unit; or
(iii) The date on which the unit resumes operation, if the CAIR designated representative is not required to submit a CAIR permit application for the unit.
(6) For the purpose of applying monitoring, reporting, and recordkeeping requirements under 40 CFR 96 subpart HHH, a unit that loses its exemption under 40 CFR 96.205(a) shall be treated as a unit that commences commercial operation on the first date on which the unit resumes operation.

EPA Form 7610-20 (Revised 8-2011)

CAIR NO_X Ozone Season Trading Program Special Provisions

(1) A unit exempt under 40 CFR 96.305(a) shall not emit any nitrogen oxides, starting on the date that the exemption takes effect.
(2) The permitting authority will allocate CAIR NO_X Ozone Season allowances under 40 CFR 96 subpart EEEE to a unit exempt under 40 CFR 96.305(a). **Transport Rule NO_X Annual Trading Program Special Provisions**
(1) A unit exempt under 40 CFR 97.405 shall not emit any NO_X, starting on the date that the exemption takes effect.
(2) For a period of 5 years from the date the records are created, the owners and operators of a unit exempt under 40 CFR 97.405 shall retain, at the source that includes the unit, records demonstrating that the unit is permanently retired. The 5-year period for keeping records may be extended for cause, at any time before the end of the period, in writing by the Administrator. The owners and operators bear the burden of proof that the unit is permanently retired.
(3) The owners and operators and, to the extent applicable, the designated representative of a unit exempt 40 CFR 97.405 shall comply with the requirements of the TR NO_X Annual Trading Program concerning all periods for which the exemption is not in effect, even if such requirements arise, or must be complied with, after the exemption takes effect.
(4) A unit exempt under 40 CFR 97.405 shall lose its exemption on the first date on which the unit resumes operation. Such unit shall be treated, for purposes of applying allocation, monitoring, reporting, and recordkeeping requirements under this subpart, as a unit that commences commercial operation on the first date on which the unit resumes operation.

Transport Rule NO_X Annual Trading Program Special Provisions

(1) A unit exempt under 40 CFR 97.405 shall not emit any NO_X, starting on the date that the exemption takes effect.
(2) For a period of 5 years from the date the records are created, the owners and operators of a unit exempt under 40 CFR 97.405 shall retain, at the source that includes the unit, records demonstrating that the unit is permanently retired. The 5-year period for keeping records may be extended for cause, at any time before the end of the period, in writing by the Administrator. The owners and operators bear the burden of proof that the unit is permanently retired.
(3) The owners and operators and, to the extent applicable, the designated representative of a unit exempt 40 CFR 97.405 shall comply with the requirements of the TR NO_X Annual Trading Program concerning all periods for which the exemption is not in effect, even if such requirements arise, or must be complied with, after the exemption takes effect.
(4) A unit exempt under 40 CFR 97.405 shall lose its exemption on the first date on which the unit resumes operation. Such unit shall be treated, for purposes of applying allocation, monitoring, reporting, and recordkeeping requirements under this subpart, as a unit that commences commercial operation on the first date on which the unit resumes operation.

Transport Rule NO_X Ozone Season Trading Program Special Provisions

(1) A unit exempt under 40 CFR 97.505 shall not emit any NO_X, starting on the date that the exemption takes effect.
(2) For a period of 5 years from the date the records are created, the owners and operators of a unit exempt under 40 CFR 97.505 shall retain, at the source that includes the unit, records demonstrating that the unit is permanently retired. The 5-year period for keeping records may be extended for cause, at any time before the end of the period, in writing by the Administrator. The owners and operators bear the burden of proof that the unit is permanently retired.
(3) The owners and operators and, to the extent applicable, the designated representative of a unit exempt under 40 CFR 97.505 shall comply with the requirements of the TR NO_X Ozone Season Trading Program concerning all periods for which the exemption is not in effect, even if such requirements arise, or must be complied with, after the exemption takes effect.
(4) A unit exempt under 40 CFR 97.505 shall lose its exemption on the first date on which the unit resumes operation. Such unit shall be treated, for purposes of applying allocation, monitoring, reporting, and recordkeeping requirements under this subpart, as a unit that commences commercial operation on the first date on which the unit resumes operation.

EPA Form 7610-20 (Revised 8-2011)

Transport Rule SO2 Group 1 Trading Program Special Provisions

(1) A unit exempt under 40 CFR 97.605 shall not emit any SO_2, starting on the date that the exemption takes effect.
(2) For a period of 5 years from the date the records are created, the owners and operators of a unit exempt under 40 CFR 97.605 shall retain, at the source that includes the unit, records demonstrating that the unit is permanently retired. The 5-year period for keeping records may be extended for cause, at any time before the end of the period, in writing by the Administrator. The owners and operators bear the burden of proof that the unit is permanently retired.
(3) The owners and operators and, to the extent applicable, the designated representative of a unit exempt under 40 CFR 97.605 shall comply with the requirements of the TR SO_2 Group 1 Trading Program concerning all periods for which the exemption is not in effect, even if such requirements arise, or must be complied with, after the exemption takes effect.
(4) A unit exempt under 40 CFR 97.605 shall lose its exemption on the first date on which the unit resumes operation. Such unit shall be treated, for purposes of applying allocation, monitoring, reporting, and recordkeeping requirements under this subpart, as a unit that commences commercial operation on the first date on which the unit resumes operation.

Transport Rule SO2 Group 2 Trading Program Special Provisions

(1) A unit exempt under 40 CFR 97.705 shall not emit any SO_2, starting on the date that the exemption takes effect.
(2) For a period of 5 years from the date the records are created, the owners and operators of a unit exempt under 40 CFR 97.705 shall retain, at the source that includes the unit, records demonstrating that the unit is permanently retired. The 5-year period for keeping records may be extended for cause, at any time before the end of the period, in writing by the Administrator. The owners and operators bear the burden of proof that the unit is permanently retired.
(3) The owners and operators and, to the extent applicable, the designated representative of a unit exempt under 40 CFR 97.705 shall comply with the requirements of the TR SO_2 Group 2 Trading Program concerning all periods for which the exemption is not in effect, even if such requirements arise, or must be complied with, after the exemption takes effect.
(4) A unit exempt under 40 CFR 97.705 shall lose its exemption on the first date on which the unit resumes operation. Such unit shall be treated, for purposes of applying allocation, monitoring, reporting, and recordkeeping requirements under this subpart, as a unit that commences commercial operation on the first date on which the unit resumes operation.

Retired Unit Exemption

Page 5 of 5

STEP 6
Read the statement of compliance and the appropriate certification statements and sign and date.

Statement of Compliance
I certify that the unit identified above at STEP 1 was (or will be) permanently retired on the date identified at STEP 3 and will comply with the appropriate Special Provisions listed at STEP 5.

Certification (for Acid Rain, CAIR, or Transport Rule designated representatives or alternate Acid Rain, CAIR, or Transport Rule designated representatives only)
I am authorized to make this submission on behalf of the owners and operators of the source and unit for which the submission is made. I certify under penalty of law that I have personally examined, and am familiar with, the statements and information submitted in this document and all its attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are to the best of my knowledge and belief true, accurate, and complete. I am aware that there are significant penalties for submitting false statements and information or omitting required statements and information, including the possibility of fine or imprisonment.

Name	Title
Owner Company Name	
Phone	Email
Signature	Date

Certification (for certifying officials of units subject to the Acid Rain Program only)
I certify under penalty of law that I have personally examined, and am familiar with, the statements and information submitted in this document and all its attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are to the best of my knowledge and belief true, accurate, and complete. I am aware that there are significant penalties for submitting false statements and information or omitting required statements and information, including the possibility of fine or imprisonment.

Name	Title
George Hess	General Manager CO Power Generation
Owner Company Name	
Public Service Company of Colorado	
Phone	Email
303-628-2679	George.Hess@xcelenergy.com
Signature	Date
	3-19-12

EPA Form 7610-20 (Revised 8-2011)

United States Environmental Protection Agency
Acid Rain, CAIR, and Transport Rule Programs

OMB Nos. 2060-0258, 2060-0570, and 2060-0667
Approval Expires 07/31/2014

Retired Unit Exemption

For more information, see instructions and refer to 40 CFR 72.8, 96.105, 96.205, 96.305, 97.405, 97.505, 97.605, and 97.705, or a comparable state regulation, as applicable.

This submission is: ☒ New ☐ Revised

STEP 1
Identify the unit by plant (source) name, State, ORIS/plant code and unit ID#.

Plant (Source) Name	State	ORIS/Plant Code	Unit ID#
Cherokee	CO	469	3

STEP 2
Indicate the program(s) that the unit is subject to

☒ Acid Rain
☐ CAIR NO_x Annual
☐ CAIR SO_2
☐ CAIR NO_x Ozone Season
☐ Transport Rule NO_x Annual
☐ Transport Rule NO_x Ozone Season
☐ Transport Rule SO_2 Annual

STEP 3
Identify the date on which the unit was (or will be) permanently retired.

August 15, 2015

STEP 4
If the unit is subject to the Acid Rain Program, identify the first full calendar year in which the unit meets (or will meet) the requirements of 40 CFR 72.8(d).

January 1, 2016

STEP 5
Read the appropriate special provisions.

Acid Rain Program Special Provisions

(1) A unit exempt under 40 CFR 72.8 shall not emit any sulfur dioxide and nitrogen oxides starting on the date that the exemption takes effect. The owners and operators of the unit will be allocated allowances in accordance with 40 CFR part 73 subpart B.
(2) A unit exempt under 40 CFR 72.8 shall not resume operation unless the designated representative of the source that includes the unit submits a complete Acid Rain permit application under 40 CFR 72.31 for the unit not less than 24 months prior to the date on which the unit is first to resume operation.
(3) The owners and operators and, to the extent applicable, the designated representative of a unit exempt under 40 CFR 72.8 shall comply with the requirements of the Acid Rain Program concerning all periods for which the exemption is not in effect, even if such requirements arise, or must be complied with, after the exemption takes effect.
(4) For any period for which a unit is exempt under 40 CFR 72.8, the unit is not an affected unit under the Acid Rain Program and 40 CFR part 70 and 71 and is not eligible to be an opt-in source under 40 CFR part 74. As an unaffected unit, the unit shall continue to be subject to any other applicable requirements under 40 CFR parts 70 and 71.
(5) For a period of 5 years from the date the records are created, the owners and operators of a unit exempt under 40 CFR 72.8 shall retain, at the source that includes the unit, records demonstrating that the unit is permanently retired. The 5-year period for keeping records may be extended for cause, at any time prior to the end of the period, in writing by the Administrator or the permitting authority. The owners and operators bear the burden of proof that the unit is permanently retired.
(6) On the earlier of the following dates, a unit exempt under 40 CFR 72.8(b) or (c) shall lose its exemption and become an affected unit under the Acid Rain Program and 40 CFR part 70 and 71: (i) the date on which the designated representative submits an Acid Rain permit application under paragraph (2); or (ii) the date on which the designated representative is required under paragraph (2) to submit an Acid Rain permit application. For the purpose of applying monitoring requirements under 40 CFR part 75, a unit that loses its exemption under 40 CFR 72.8 shall be treated as a new unit that commenced commercial operation on the first date on which the unit resumes operation.

EPA Form 7610-20 (Revised 7-2014)

CAIR NO_x Annual Trading Program Special Provisions

(1) A unit exempt under 40 CFR 96.105(a) shall not emit any nitrogen oxides, starting on the date that the exemption takes effect.
(2) The permitting authority will allocate CAIR NO_x allowances under 40 CFR 96 subpart EE to a unit exempt under 40 CFR 96.105(a).
(3) For a period of 5 years from the date the records are created, the owners and operators of a unit exempt under 40 CFR 96.105(a) shall retain, at the source that includes the unit, records demonstrating that the unit is permanently retired. The 5-year period for keeping records may be extended for cause, at any time before the end of the period, in writing by the permitting authority or the Administrator. The owners and operators bear the burden of proof that the unit is permanently retired.
(4) The owners and operators and, to the extent applicable, the CAIR designated representative of a unit exempt under 40 CFR 96.105(a) shall comply with the requirements of the CAIR NO_x Annual Trading Program concerning all periods for which the exemption is not in effect, even if such requirements arise, or must be complied with, after the exemption takes effect.
(5) A unit exempt under 40 CFR 96.105(a) and located at a source that is required, or but for this exemption would be required, to have a title V operating permit shall not resume operation unless the CAIR designated representative of the source submits a complete CAIR permit application under 40 CFR 96.122 for the unit not less than 18 months (or such lesser time provided by the permitting authority) before the later of January 1, 2009 or the date on which the unit resumes operation.
(6) On the earlier of the following dates, a unit exempt under 40 CFR 96.105(a) shall lose its exemption:
(i) The date on which the CAIR designated representative submits a CAIR permit application for the unit under 40 CFR 96.105(b)(5);
(ii) The date on which the CAIR designated representative is required under 40 CFR 96.105(b)(5) to submit a CAIR permit application for the unit; or
(iii) The date on which the unit resumes operation, if the CAIR designated representative is not required to submit a CAIR permit application for the unit.
(7) For the purpose of applying monitoring, reporting, and recordkeeping requirements under 40 CFR 96 subpart HH, a unit that loses its exemption under 40 CFR 96.105(a) shall be treated as a unit that commences commercial operation on the first date on which the unit resumes operation.

CAIR SO_2 Trading Program Special Provisions

(1) A unit exempt under 40 CFR 96.205(a) shall not emit any sulfur dioxide, starting on the date that the exemption takes effect.
(2) For a period of 5 years from the date the records are created, the owners and operators of a unit exempt under 40 CFR 96.205(a) shall retain, at the source that includes the unit, records demonstrating that the unit is permanently retired. The 5-year period for keeping records may be extended for cause, at any time before the end of the period, in writing by the permitting authority or the Administrator. The owners and operators bear the burden of proof that the unit is permanently retired.
(3) The owners and operators and, to the extent applicable, the CAIR designated representative of a unit exempt under 40 CFR 96.205(a) shall comply with the requirements of the CAIR SO_2 Trading Program concerning all periods for which the exemption is not in effect, even if such requirements arise, or must be complied with, after the exemption takes effect.
(4) A unit exempt under 40 CFR 96.205(a) and located at a source that is required, or but for this exemption would be required, to have a title V operating permit shall not resume operation unless the CAIR designated representative of the source submits a complete CAIR permit application under 40 CFR 96.222 for the unit not less than 18 months (or such lesser time provided by the permitting authority) before the later of January 1, 2010 or the date on which the unit resumes operation.
(5) On the earlier of the following dates, a unit exempt under 40 CFR 96.205(a) shall lose its exemption:
(i) The date on which the CAIR designated representative submits a CAIR permit application for the unit under 40 CFR 96.205(b)(4);
(ii) The date on which the CAIR designated representative is required under 40 CFR 96.205(b)(4) to submit a CAIR permit application for the unit; or
(iii) The date on which the unit resumes operation, if the CAIR designated representative is not required to submit a CAIR permit application for the unit.
(6) For the purpose of applying monitoring, reporting, and recordkeeping requirements under 40 CFR 96 subpart HHH, a unit that loses its exemption under 40 CFR 96.205(a) shall be treated as a unit that commences commercial operation on the first date on which the unit resumes operation.

CAIR NOx Ozone Season Trading Program Special Provisions

(1) A unit exempt under 40 CFR 96.305(a) shall not emit any nitrogen oxides, starting on the date that the exemption takes effect.
(2) The Administrator or the permitting authority will allocate CAIR NOx Ozone Season allowances under 40 CFR 96 subpart EEEE to a unit exempt under 40 CFR 96.305(a).
(3) For a period of 5 years from the date the records are created, the owners and operators of a unit exempt under 40 CFR 96.305(a) shall retain at the source that includes the unit, records demonstrating that the unit is permanently retired. The 5-year period for keeping records may be extended for cause, at any time before the end of the period, in writing by the permitting authority or the Administrator. The owners and operators bear the burden of proof that the unit is permanently retired.
(4) The owners and operators and, to the extent applicable, the CAIR designated representative of a unit exempt under 40 CFR 96.305(a) shall comply with the requirements of the CAIR NOX Ozone Season Trading Program concerning all periods for which the exemption is not in effect, even if such requirements arise, or must be complied with, after the exemption takes effect.
(5) A unit exempt under 40 CFR 96.305(a) and located at a source that is required, or but for this exemption would be required, to have a title V operating permit shall not resume operation unless the CAIR designated representative of the source submits a complete CAIR permit application under § 97.322 for the unit not less than 18 months (or such lesser time provided by the permitting authority) before the later of January 1, 2009 or the date on which the unit resumes operation.
(6) On the earlier of the following dates, a unit exempt under paragraph (a) of this section shall lose its exemption:(i) The date on which the CAIR designated representative submits a CAIR permit application for the unit under paragraph (b)(5) of this section;(ii) The date on which the CAIR designated representative is required under paragraph (b)(5) of this section to submit a CAIR permit application for the unit; or (iii) The date on which the unit resumes operation, if the CAIR designated representative is not required to submit a CAIR permit application for the unit.
(7) For the purpose of applying monitoring, reporting, and recordkeeping requirements under subpart HHHH of this part, a unit that loses its exemption under paragraph (a) of this section shall be treated as a unit that commences commercial operation on the first date on which the unit resumes operation.

Transport Rule NOx Annual Trading Program Special Provisions

(1) A unit exempt under 40 CFR 97.405 shall not emit any NOx, starting on the date that the exemption takes effect.
(2) For a period of 5 years from the date the records are created, the owners and operators of a unit exempt under 40 CFR 97.405 shall retain, at the source that includes the unit, records demonstrating that the unit is permanently retired. The 5-year period for keeping records may be extended for cause, at any time before the end of the period, in writing by the Administrator. The owners and operators bear the burden of proof that the unit is permanently retired.
(3) The owners and operators and, to the extent applicable, the designated representative of a unit exempt 40 CFR 97.405 shall comply with the requirements of the TR NO_x Annual Trading Program concerning all periods for which the exemption is not in effect, even if such requirements arise, or must be complied with, after the exemption takes effect.
(4) A unit exempt under 40 CFR 97.405 shall lose its exemption on the first date on which the unit resumes operation. Such unit shall be treated, for purposes of applying allocation, monitoring, reporting, and recordkeeping requirements under this subpart, as a unit that commences commercial operation on the first date on which the unit resumes operation.

Transport Rule NOX Ozone Season Trading Program Special Provisions

(1) A unit exempt under 40 CFR 97.505 shall not emit any NO_x, starting on the date that the exemption takes effect.
(2) For a period of 5 years from the date the records are created, the owners and operators of a unit exempt under 40 CFR 97.505 shall retain, at the source that includes the unit, records demonstrating that the unit is permanently retired. The 5-year period for keeping records may be extended for cause, at any time before the end of the period, in writing by the Administrator. The owners and operators bear the burden of proof that the unit is permanently retired.
(3) The owners and operators and, to the extent applicable, the designated representative of a unit exempt under 40 CFR 97.505 shall comply with the requirements of the TR NO_x Ozone Season Trading Program concerning all periods for which the exemption is not in effect, even if such requirements arise, or must be complied with, after the exemption takes effect.
(4) A unit exempt under 40 CFR 97.505 shall lose its exemption on the first date on which the unit resumes operation. Such unit shall be treated, for purposes of applying allocation, monitoring, reporting, and

recordkeeping requirements under this subpart, as a unit that commences commercial operation on the first date on which the unit resumes operation.

Transport Rule SO2 Group 1 Trading Program Special Provisions

(1) A unit exempt under 40 CFR 97.605 shall not emit any SO_2, starting on the date that the exemption takes effect.
(2) For a period of 5 years from the date the records are created, the owners and operators of a unit exempt under 40 CFR 97.605 shall retain, at the source that includes the unit, records demonstrating that the unit is permanently retired. The 5-year period for keeping records may be extended for cause, at any time before the end of the period, in writing by the Administrator. The owners and operators bear the burden of proof that the unit is permanently retired.
(3) The owners and operators and, to the extent applicable, the designated representative of a unit exempt under 40 CFR 97.605 shall comply with the requirements of the TR SO_2 Group 1 Trading Program concerning all periods for which the exemption is not in effect, even if such requirements arise, or must be complied with, after the exemption takes effect.
(4) A unit exempt under 40 CFR 97.605 shall lose its exemption on the first date on which the unit resumes operation. Such unit shall be treated, for purposes of applying allocation, monitoring, reporting, and recordkeeping requirements under this subpart, as a unit that commences commercial operation on the first date on which the unit resumes operation.

Transport Rule SO2 Group 2 Trading Program Special Provisions

(1) A unit exempt under 40 CFR 97.705 shall not emit any SO_2, starting on the date that the exemption takes effect.
(2) For a period of 5 years from the date the records are created, the owners and operators of a unit exempt under 40 CFR 97.705 shall retain, at the source that includes the unit, records demonstrating that the unit is permanently retired. The 5-year period for keeping records may be extended for cause, at any time before the end of the period, in writing by the Administrator. The owners and operators bear the burden of proof that the unit is permanently retired.
(3) The owners and operators and, to the extent applicable, the designated representative of a unit exempt under 40 CFR 97.705 shall comply with the requirements of the TR SO_2 Group 2 Trading Program concerning all periods for which the exemption is not in effect, even if such requirements arise, or must be complied with, after the exemption takes effect.
(4) A unit exempt under 40 CFR 97.705 shall lose its exemption on the first date on which the unit resumes operation. Such unit shall be treated, for purposes of applying allocation, monitoring, reporting, and recordkeeping requirements under this subpart, as a unit that commences commercial operation on the first date on which the unit resumes operation.

STEP 6
Read the statement of compliance and the appropriate certification statements and sign and date.

Statement of Compliance
I certify that the unit identified above at STEP 1 was (or will be) permanently retired on the date identified at STEP 3 and will comply with the appropriate Special Provisions listed at STEP 5.

Certification (for Acid Rain, CAIR, or Transport Rule designated representatives or alternate Acid Rain, CAIR, or Transport Rule designated representatives only)
I am authorized to make this submission on behalf of the owners and operators of the source and unit for which the submission is made. I certify under penalty of law that I have personally examined, and am familiar with, the statements and information submitted in this document and all its attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are to the best of my knowledge and belief true, accurate, and complete. I am aware that there are significant penalties for submitting false statements and information or omitting required statements and information, including the possibility of fine or imprisonment.

Name	Title
Owner Company Name	
Phone	Email
Signature	Date

Certification (for certifying officials of units subject to the Acid Rain Program only)
I certify under penalty of law that I have personally examined, and am familiar with, the statements and information submitted in this document and all its attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are to the best of my knowledge and belief true, accurate, and complete. I am aware that there are significant penalties for submitting false statements and information or omitting required statements and information, including the possibility of fine or imprisonment.

Name Mark Fox	Title GM-Power Generation
Owner Company Name Public Service Company of Colorado	
Phone 303-425-3779	Email mark.r.fox@xcelenergy.com
Signature Mark Fox	Date 1-25-16

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