

BEFORE THE ENVIRONMENTAL QUALITY COUNCIL
STATE OF WYOMING

FILED

MAY 28 2003

In the Matter of the Appeal of Air)
Quality Permit No. CT-1352A (Corrected),)
Two Elk Generating Station-Unit 1)

Docket No. 02-2601

Terri A. Lorenzon, Director
Environmental Quality Council

**PARTIES' JOINT STIPULATION FOR
DISPOSITION OF THIS CONTESTED CASE**

Petitioner Two Elk Generation Partners, Limited Partnership (TEGP) initiated this contested case by filing with the Wyoming Environmental Quality Council (Council) a Petition for Review and Request for Immediate Stay dated October 23, 2002 to contest a decision by Respondent Wyoming Department of Environmental Quality (DEQ), Air Quality Division (AQD), regarding Air Quality Permit No. CT-1352A (corrected). Since then the parties have engaged in discovery and preparation for the hearing, set for May 29-30, 2003, and also have engaged in negotiations for disposition of this contested case by stipulation. Wyo. Stat. 16-3-107(n) and Chapter I, §11 of the DEQ Rules of Practice & Procedure provide for disposition of contested cases by stipulation of the parties upon approval of the Council. The parties have now reached agreement for disposition of this contested case and to that end jointly stipulate as follows:



1. The parties request that the Council enter an Order approving and binding them to the terms of this Joint Stipulation for disposition of this matter.
2. The parties reserve their respective positions on the issues raised in TEGP's Petition for Review in this matter, however, they agree that disposition of this contested case under the terms of this stipulation, upon approval by the Council, will serve the purposes of the

Wyoming Environmental Quality Act and make it unnecessary to adjudicate those particular issues in this matter. The parties also recognize that this settlement was negotiated for these specific circumstances and does not constitute an adjudication of the issues with precedential value for future cases.

3. Wyo. Stat. 35-11-112(c)(ii) provides that the Council may order that any permit be modified, and the parties agree to modification of Air Quality Permit No. CT-1352A (corrected) as Air Quality Permit No. CT-1352B (in the form attached hereto and incorporated herein), upon the Council's entry of an Order approving this Joint Stipulation.



4. The parties stipulate that, prior to August 20, 2002, TEGP had driven three pilings intended for use in the main boiler foundation. TEGP had planned additional work at the site, which was halted after AQD's September 27, 2002 decision. Permit No. CT-1352B will authorize TEGP to continue work at the site, subject to the conditions contained therein. Nothing in this Joint Stipulation relieves TEGP of any obligations it may have to comply with such other provisions of statutes and regulations that may be applicable but are not addressed through this stipulation.

5. (a) In the event that TEGP determines that it is necessary to construct a facility smaller ("the smaller Facility") than the facility with a heat input of 2960 MMBtu/hr authorized by Permit CT-1352B, it will inform the AQD in writing, and submit a written proposed protocol for determining compliance with National Ambient Air Quality Standards (NAAQS) and for reviewing increment consumption. AQD will respond in writing approving or rejecting the proposed protocol, within thirty (30) calendar days (or the first business day thereafter) after receiving the proposed protocol. If the proposed protocol is not approved, then TEGP may



subsequently submit another written proposed protocol, to which the AQD will respond in writing within thirty days. If the AQD takes longer than thirty days to respond to a written proposed protocol submitted by TEGP, then the time limit for commencing construction as set forth in Condition #4 of Permit No. 1352B shall be extended by the same number of calendar days by which AQD exceeded the thirty day response period.

(b) If a protocol proposed by TEGP is approved by the AQD, then TEGP will submit to AQD, in writing, information demonstrating that the smaller Facility : (a) utilizes the same boiler technology, (b) utilizes the same air emissions control technology, (c) can achieve the same or lower emissions rates (in terms of pounds of pollutant per MMBtu), with, therefore, correspondingly lower total emissions (in terms of tons per year), (d) has no greater NAAQS impacts than the permitted larger unit, and (e) has no greater impact on increment consumption than the permitted larger unit. TEGP will also provide the AQD with information on the facility design at the time. If, using the approved protocol, TEGP demonstrates that it meets elements (a) through (e) listed above, then the AQD will approve an administrative amendment to Permit No. 1352B authorizing the smaller Facility, subject to Condition #4 therein. The AQD will issue its approval and inform TEGP in writing within sixty (60) calendar days (or the first business day thereafter) after receiving TEGP's submittal. If the AQD takes longer than sixty days to make and inform TEGP of such determination in writing, then the time limit for commencing construction as set forth in Condition #4 of Permit No. 1352B shall be extended by the same number of calendar days by which AQD exceeded the sixty day response period. Permit No. 1352B, including Condition # 4, will remain in effect pending the review of TEGP's request for an administrative amendment, unless stayed as set forth in this section 5.



(c) If the AQD determines that TEGP has not demonstrated compliance with elements (a) through (e) above, then it will identify how TEGP has failed to comply with the protocol or to otherwise satisfy the elements listed in (a) through (e) and whether additional information or analysis would be needed to satisfy those elements. The AQD will make such determination and inform TEGP in writing within sixty (60) calendar days (or the first business day thereafter) after receiving TEGP's submittal. If the AQD takes longer than sixty days to make and inform TEGP of such determination in writing, then the time limit for commencing construction as set forth in Condition #4 of Permit No. 1352B shall be extended by the same number of calendar days by which AQD exceeded the sixty day response period.

(d) TEGP has the right to petition the Council regarding any decision of the AQD under this section. TEGP may also file a motion to stay the deadlines contained in Condition #4 until the Council makes a decision on the permit amendment dispute. If the Council takes longer than fifteen (15) days to make a decision on the motion to stay, then the deadlines contained in Condition #4 shall automatically be extended by the same number of calendar days by which the Council's decision on the motion for stay exceeds fifteen (15) days.

6. The Council retains jurisdiction for purposes of making determinations relating to compliance with the terms of this Joint Stipulation and the Council's Order approving it. In the event TEGP seeks any change to Condition #4 of Permit No. 1352B, TEGP shall petition directly to the Council for approval of the requested change. Unless AQD and TEGP agree in writing to such requested change, TEGP and AQD shall present to the Council their respective positions on the requested change. In order to expedite the process, TEGP shall provide the AQD with all information and documentation relevant to the requested change at the time TEGP

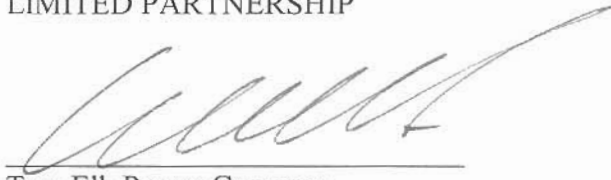
files its request with the Council. In addition to filing a request to change Condition #4, TEGP may also file a motion to stay the deadlines contained in Condition #4 until the Council makes a decision on the request to change Condition #4. If the Council takes longer than fifteen (15) days to make a decision on the motion to stay, then the deadlines contained in Condition #4 shall automatically be extended by the same number of calendar days by which the Council's decision on the motion for stay exceeds fifteen (15) days.

7. Each party shall bear its own costs and attorney fees incurred through the entry of an Order by the Council approving and incorporating this Joint Stipulation.

8. The signatories certify that they are authorized to bind their respective parties to this Joint Stipulation

DATED this 28th day of May, 2003.

FOR PETITIONER TWO ELK
GENERATION PARTNERS,
LIMITED PARTNERSHIP



Two Elk Power Company,
General Partner

By: Michael Ruffatto, *Pres*

FOR RESPONDENT WYOMING
DEPARTMENT OF
ENVIRONMENTAL QUALITY:



Dan Olson
Administrator, Air Quality Division



The State
of Wyoming



Department of Environmental Quality

Herschler Building • 122 West 25th Street • Cheyenne, Wyoming 82002

ADMIN/OUTREACH
(307) 777-7758
FAX 777-3610

ABANDONED MINES
(307) 777-6145
FAX 777-6462

AIR QUALITY
(307) 777-7391
FAX 777-5616

INDUSTRIAL SITING
(307) 777-7368
FAX 777-6937

LAND QUALITY
(307) 777-7756
FAX 777-5864

SOLID & HAZ. WASTE
(307) 777-7752
FAX 777-5973

WATER QUALITY
(307) 777-7781
FAX 777-5973

May 29, 2003

Mr. Daniel D. Yueh
Two Elk Generation Partners, Limited Partnership
8480 East Orchard Road, Suite 4000
Greenwood Village, CO 80111

Permit No. **CT-1352B**

Dear Mr. Yueh:

By Order of the Environmental Quality Council (EQC) in *In the Matter of the Appeal Involving Air Quality Permit No. CT-1352A Corrected, Docket No. 02-2601*, the Division of Air Quality of the Wyoming Department of Environmental Quality issues Air Quality Permit CT-1352B authorizing construction of a nominal 280 Mw coal fired power plant, known as the Two Elk Power Plant, located in Section 36 of T43N, R70W adjacent to the Black Thunder Mine approximately fifteen (15) miles southeast of Wright, in Campbell County, Wyoming.

Based on the EQC Order in Docket No. 02-2601 and the information contained in applications for Permits CT-1352 and CT-1352A, approval to construct the Two Elk Power Plant is hereby granted pursuant to Chapter 6, Section 2 and Section 4 of the Wyoming Air Quality Standards and Regulations with the following conditions:

1. That authorized representatives of the Division of Air Quality be given permission to enter and inspect any property, premise or place on or at which an air pollution source is located or is being constructed or installed for the purpose of investigating actual or potential sources of air pollution, and for determining compliance or non-compliance with any rules, regulations, standards, permits or orders.
2. That all substantive commitments and descriptions set forth in the application for this permit, unless superseded by a specific condition of this permit, are incorporated herein by this reference and are enforceable as conditions of this permit.
3. For a major source, as defined by WAQSR Chapter 6, Section 3(b)(xvii), an application for an operating permit, in accordance with WAQSR Chapter 6, Section 3(c)(i)(A), is required within 12 months of commencing operation.

4. The date of commencement of construction shall be reported to the Administrator within 30 days of commencement. If construction or modification does not commence within 24 months of the date of the Council's Order approving the stipulated modification of this permit or construction is discontinued for a period of 24 months or more, in accordance with WAQSR Chapter 6, Section 2(h), the permit will become invalid. To satisfy the condition that construction commence within 24 months, Two Elk Generation Partners, Limited Partnership (TEGP) shall, within 24 months:
 - a) complete on-site construction of any one (1) of the following foundations:
 - i) Main Boiler
 - ii) Main Stack
 - iii) Steam Turbine, or
 - iv) Air-Cooled Condenser, and
 - b) enter into a binding written contract to purchase a site-specific main boiler or steam turbine, which is not contingent upon any additional notice to proceed or exercise of an option, etc.
5. Written notification of the anticipated date of initial start-up of each source, in accordance with WAQSR Chapter 6, Section 2(i), is required 60 days prior to such date. Notification of the actual date of initial start-up is required 15 days after start-up.
6. Required performance tests shall be conducted, in accordance with WAQSR Chapter 6, Section 2(j), within 30 days of achieving maximum design rate but not later than 90 days after initial start-up. Two copies of the written report shall be submitted to the Division within 30 days of testing. A test protocol shall be submitted to this office for review and approval prior to testing, and the Division shall be given at least 15 days notice prior to the test. If a maximum design production rate is not achieved within 90 days of start-up, the Administrator may require testing be done at the rate achieved and again when a maximum rate is achieved.
7. That allowable pollutant emission rates shall be assigned as follows.

Two Elk Allowable Emissions			
PC Boiler Emissions - Main Stack (2960 MMBtu/hr)			
Pollutant	lb/MMBtu	lb/hr¹	TPY
PM ₁₀	0.018	53.3	233.4
SO ₂	0.15 (3-hr fixed) 0.132 (30-day rolling) 70% minimum removal efficiency (30 day rolling)	444.0 (3-hr fixed) 390.7 (30-day rolling)	1,711.4
NO _x	0.09 (30-day rolling)	266.4 (30-day rolling)	1,166.8
CO	0.135	399.6	1,750.2
VOCs	0.0135	40.1	175.6

¹ Based on lb/MMBtu emission rate and 2,960 MMBtu/hr heat input.

Auxiliary Boiler Emissions (180 MMBtu/hr)			
Pollutant	lb/MMBtu	lb/hr	TPY¹
NO _x	0.05	9.0	2.3

¹ Based on 500 hours per year operation

Natural Gas Turbine Emissions			
Pollutant	ppm	lb/hr	TPY
NO _x	25.0 @ 15% O ₂ (1-hr)	62.6	24.1
CO	25.0 @ 15% O ₂ (1-hr)	38.1	NA

2,200 hp Diesel Emergency Generator Sets (Allowables for Each of Two Units)			
Pollutant	g/hp-hr	lb/hr	TPY¹
NO _x	6.9	33.5	8.4
CO	8.5	41.2	10.3

¹ - Based on 500 hours of operation

600 hp Diesel Fire Pump			
Pollutant	g/hp-hr	lb/hr	TPY¹
NO _x	8.8	11.7	2.9
CO	1.9	2.5	0.6

¹ - Based on 500 hours of operation

Two Elk Allowable PM Emissions Material Handling Collectors			
Source	gr/dscf (dscfm)	lb/hr ¹	TPY ²
Dump Pocket & Crusher Baghouse	0.01 (6,000)	0.5	2.3
Coal Barn & Handling Facilities Baghouse	0.01 (13,200)	1.1	5.1
Plant Coal Boiler Silo Baghouse	0.01 (8,500)	0.7	3.2
Lime Silo Baghouse	0.01 (850)	0.1	0.3
Fly Ash Building Silo Baghouse	0.01 (1,000)	0.1	0.4
Fly Ash Product Silo Baghouse "A"	0.01 (2,200)	0.2	0.8
Fly Ash Product Silo Baghouse "B"	0.01 (2,200)	0.2	0.8
¹ Emissions based on 0.01 gr/dscf. ² Based on 8,760 operating hours per year.			

8. That initial performance tests to determine compliance with the above listed permit limits shall consist of the following:

PC Boiler

- A) Particulate - Testing shall follow 40 CFR 60.48a.
- B) SO₂ - EPA Method 6C or equivalent shall be employed to determine initial compliance with the SO₂ 3 hour emission limit. Tests shall consist of 3 runs of 3 hours each.
- C) SO₂/NO_x 30-day rolling average/Sulfur Percent Reduction Requirements - Initial testing and compliance determination shall follow methodologies established in NSPS 40 CFR Part 60, Subpart Da, 60.46a, 60.47a, and 60.48a.
- D) CO - EPA Reference Method 10 shall be employed to determine initial compliance with the CO emission limit established by this permit.
- E) VOCs - EPA Reference Method 18 and Reference Method 25 or equivalent shall be employed to determine initial compliance with the VOC emission limits established by this permit.

- F) Opacity -EPA Method 9 and the procedures in WAQSR, Chapter 5, Section 2(i) shall be employed to determine initial compliance with opacity limits established by this permit.
- G) NH_3 -EPA Conditional Method 27 (CTM-027) or equivalent methods. Results of the tests shall be reported in units of lb/hr and ppm, on a dry basis corrected to 3% O_2 .

Auxiliary Boiler

- A). Compliance with the NO_x limits for the shall be determined by EPA Reference Methods 1-4 and 7E, Appendix A, 40 CFR Part 60 consisting of 3-1 hour tests.

Natural Gas Turbine

- A) NO_x : EPA Reference Methods 1-4 and 20 and the requirements of 40 CFR 60, Subpart GG. Compliance with the lb/hr emissions limits shall be determined with three 1 hour tests conducted while the turbine is operating near full load.
- B) CO: EPA Reference Methods 1-4 and 10. Testing on a ppm basis shall follow the testing methodology in 40 CFR 60, Subpart GG. Compliance with the lb/hr emissions limits shall be determined with three 1 hour tests conducted while the turbine is operating near full load.

Emergency Generators and Pump Engines

- A) NO_x : EPA Reference Methods 1-4 and 7E consisting 3-1 hour tests.
- B) CO: EPA Reference Methods 1-4 and 10 consisting of 3-1hour tests.

Coal Handling Baghouses

- A) Particulate - EPA Reference Methods 1-5, front half only, shall be employed to determine initial compliance with the particulate emission limits established by this permit.
 - B) Opacity -EPA Method 9 and the procedures in WAQSR, Chapter 5, Section 2(i) shall be employed to determine initial compliance with opacity limits established by this permit.
9. That prior to any performance testing or monitor certification testing required by this permit, a test protocol be submitted to the Division for approval, at least 30 days prior to testing.
10. Opacity shall be limited as follows:
- A) Visible emissions from the PC boiler shall be limited to 20% opacity (6-minute average) except for one 6-minute period per hour of not more than 27 percent opacity in accordance with NSPS, Subpart Da, 40 CFR 60.42a(b).
 - B) Opacity shall be limited to less than 20% from all coal processing and conveying equipment (including breakers and crushers), coal storage systems, truck dump and coal transfer and loading systems in accordance with NSPS, Subpart Y, 40 CFR 60.252(c) as determined by 40 CFR Part 60, Appendix A, Method 9.

- C) Opacity from any other source of emissions at this facility shall be limited to 20% opacity in accordance with WAQSR, Chapter 3, Section 2(a) as determined by 40 CFR Part 60, Appendix A, Method 9.
11. That the stilling shed for the truck dump shall be maintained and operated to minimize fugitive dust emissions. Repair measures must be initiated by the operator in an expeditious manner when the control device is determined to be improperly maintained or operated.
12. TEGP shall use the following in-stack continuous emission monitoring (CEM) equipment on the PC Boiler stack to demonstrate continuous compliance with the emission limits set forth in this permit:
- A) TEGP shall install, calibrate, operate, and maintain a monitoring system, and record the output of the system, for measuring NO_x emissions discharged to the atmosphere in units lb/MW-hr, lb/MMBtu and lb/hr. The NO_x monitoring system shall consist of the following:
 - i) A continuous emission NO_x monitor located in the PC boiler stack
 - ii) A continuous flow monitoring system for measuring the flow of exhaust gases discharged into the atmosphere.
 - iii) A watt meter to measure gross electrical output in megawatt-hours on a continuous basis.
 - iv) An in-stack oxygen or carbon dioxide monitor for measuring oxygen or carbon dioxide content of the flue gas at the location NO_x emissions are monitored.
 - B) TEGP shall install, calibrate, operate, and maintain a SO₂ monitoring system, and record the output of the system, for measuring emissions discharged to the atmosphere in units of lb/MMBtu, lb/hr and measuring the control efficiency of the SO₂ control device. The SO₂ monitoring system shall consist of the following:
 - i) Continuous emission SO₂ monitors located at the inlet and outlet to the SO₂ control device.
 - ii) A continuous flow monitoring system for measuring the flow of exhaust gases discharged into the atmosphere.
 - iii) An in-stack oxygen or carbon dioxide monitor for measuring oxygen or carbon dioxide content of the flue gas at the location of each SO₂ monitor.
 - C) TEGP shall install, calibrate, operate, and maintain a monitoring system, and record the output of the system, for measuring the opacity of the emissions discharged to the atmosphere.

- D) Each continuous monitor system listed in this condition shall comply with the following:
- i) NSPS Subpart Da, Standards of Performance for Electric Utility Steam Generating Units (40 CFR 60.47a).
 - ii) Monitoring requirements of WAQSR, Chapter 5, Section 2(j) including the following:
 - a) 40 CFR 60, Appendix B, Performance Specification 1 for opacity, Performance Specification 2 for NO_x and SO₂, and Performance Specification 3 for O₂ or CO₂. The monitoring systems must demonstrate linearity in accordance with Division requirements and be certified in both concentration (ppm) and units of the standard (lb/MMBtu, lb/MW-hr and lb/hr).
 - b) Quality Assurance requirements of 40 CFR 60, Appendix F.
 - c) TEGP shall develop and submit for the Division's approval a Quality Assurance plan for the monitoring systems listed in this condition.

13. Following the initial performance tests, compliance with the limits set forth in this permit for the PC boiler shall be determined with data from the continuous monitoring systems required by Condition 12 of this permit as follows:

- A) Exceedances of the limits shall be defined as follows:
- i) Any 30-day rolling average of NO_x emissions which exceeds the lb/MW-hr output-based standard or lb/MMBtu limit calculated in accordance 40 CFR Part 60, Subpart Da, 60.46a, 60.47a, and 60.48a. Any 30-day rolling average which exceeds the lb/hr NO_x limit as calculated following the methodology in Subpart Da for the lb/MMBtu emission limit.
 - ii) Any calculated 3-hour block average of SO₂ emissions as measured by the PC Boiler stack SO₂ outlet CEM which exceeds the lb/MMBtu or lb/hr limit established in this permit. The 3-hour average emission rate shall be determined at the end of each 3-hour operating block, and calculated as the arithmetic average of the previous three operating hours SO₂ stack emission rates.
 - iii) Any 30-day rolling average which exceeds the lb/MMBtu SO₂ limit and the percent reduction requirements calculated in accordance 40 CFR Part 60, Subpart Da, 60.46a, 60.47a, and 60.48a. Any 30-day rolling average which exceeds the lb/hr SO₂ limit as calculated following the methodology in Subpart Da for the lb/MMBtu emission limit.
 - iv) Any 6-minute average opacity, except for one 6-minute period per hour of not more than 27 percent opacity, in excess of 20 percent in accordance with NSPS, Subpart Da, 40 CFR 60.42a(b).

- B) TEGP will comply with all reporting and record keeping requirements as specified in WAQSR, Chapter 5, Section 2(g) and 40 CFR Part 60, Subpart Da. Reporting and record keeping requirements for the 30-day rolling 1b/hr NO_x and SO₂ and 3-hour fixed SO₂ emission rates shall follow the same requirements as the NSPS lb/MMBtu standards.
14. TEGP shall install, operate, and maintain a telescoping loading spout designed to minimize fugitive dust from unloading flyash and desulfurization byproducts from the silo and while loading the trucks. The loading spout shall have an outer sleeve for dust withdrawal or equivalent and shall be connected to a baghouse to minimize fugitive dust from the system.
15. That to minimize transport emissions, the flyash and desulfurization byproducts will be entirely enclosed in the haul trucks. Haul road routes will be treated with suitable chemical dust suppressants in addition to water to control fugitive dust emissions. All treated roads will be maintained on a continuous basis to the extent that the surface treatment remains viable as a control measure.
16. That the design documents for the ammonia feed system shall be maintained on site and available to Division personnel during facility inspections.
17. The emergency coal stockpile will only be used in the event the coal supply is temporarily interrupted. The pile will not exceed the capacity of 25,000 tons of coal. The stockpile will be covered at all times except during the emergency use. Dust control chemicals will be used to limit the fugitive dust emissions during construction and reclamation of the stockpile.
18. That the natural gas turbine shall comply with all applicable requirements of Chapter 5, Section 2, WAQSR, NSPS, Subpart GG, "Standards of Performance for Stationary Gas Turbines." TEGP shall monitor the sulfur and nitrogen contents of the fuel(s) being fired and record the values daily in accordance with 40 CFR 60.334(b)(2) using the test methods and procedures in 40 CFR 60.335 unless a custom fuel monitoring schedule or waiver from fuel monitoring requirements is obtained from EPA Region VIII.
19. That the natural gas turbine shall only be fired with pipeline quality natural gas with a sulfur content less than 0.04 grains per dry standard cubic foot.
20. The following continuous emission monitoring (CEM) equipment shall be used to demonstrate continuous compliance with the NO_x emission limits set forth in this permit for the natural gas turbine:
- A) TEGP shall install, calibrate, operate, and maintain a CEM system, and record the output, for measuring NO_x emissions discharged to the atmosphere in units of ppm_v and lb/hr. The CEM system shall consist of the following:
- i) A continuous emission NO_x monitor located in the turbine stack.
 - ii) An in-stack monitor for measuring oxygen content of the flue gas at the location NO_x emissions are monitored.
 - iii) A continuous flow monitoring system for measuring the flow of exhaust gases discharged into the atmosphere.

- B) The continuous monitor system listed in this condition shall comply with the monitoring requirements of WAQSR, Chapter 5, Section 2(j) including the following:
 - i) 40 CFR 60, Appendix B, Performance Specification 2 for NO_x and Performance Specification 3 for O₂. The monitoring systems must demonstrate linearity in accordance with Division requirements and be certified in both concentration (ppm_v) and units of lb/hr and lb/MMBtu.
 - ii) Quality Assurance requirements of 40 CFR 60, Appendix F.
 - iii) TEGP shall develop and submit for the Division's approval a Quality Assurance plan for the monitoring systems listed in this condition.
21. Following the initial performance tests, compliance with the limits set forth in this permit for the natural gas turbine shall be determined with data from the CEM systems required by Condition 20 of this permit as follows:
- A) Exceedances of the limits shall be defined as follows:
 - i) Any calculated 1-hour average of NO_x emissions which exceeds the ppm_v or lb/hr limits established in this permit using data meeting the requirements of WAQSR, Chapter 5, Section 2(j). Data (and associated monitoring data hours) which do not meet the requirements of WAQSR, Chapter 5, Section 2(j) shall not be included.
 - ii) Any calculated calendar year average of NO_x emissions as measured by the turbine stack NO_x CEM which exceeds the TPY limit established in this permit. All 1-hour averages meeting the requirements of WAQSR, Chapter 5, Section 2(j) shall be included in the average. The allowable hourly NO_x emission rate shall be used for all periods of monitor downtime during turbine operation.
 - B) TEGP shall comply with all reporting and record keeping requirements as specified in Chapter 5, Section 2(g). Excess NO_x emissions shall be reported in units of ppm_v, lb/hr, and TPY. Quarterly excess emission reports are required per Chapter 5, Section 2(g). The quarterly report shall include an hourly summation of the NO_x emissions and a year to date summation of NO_x emissions to determine compliance with the TPY limitation on the turbine.
22. The Auxiliary Boiler shall be limited to 500 hours per year of operation, and its usage shall be limited to incidents when the PC Boiler is out of service. Hours of operation for the Auxiliary Boiler shall be submitted with the quarterly NO_x report for the gas turbine.
23. The two (2) 2,200 hp diesel fired emergency generators and one (1) 600 hp diesel fired emergency fire pump shall each be limited to 500 hours of operation per year. Hours of operation for the emergency generators and fire pump shall be submitted with the quarterly NO_x report for the gas turbine.
24. TEGP shall comply with all acid rain programs as defined by Chapter 11, Section 2 of the WAQSR.
25. TEGP shall comply with all applicable requirements of 40 CFR 60 Subparts Da and Y.

26. Records required by any applicable regulation or permit condition shall be maintained for a minimum period of 5 years and shall be readily accessible to Division representatives.

It must be noted that this approval does not relieve you of your obligation to comply with all applicable county, state, and federal standards, regulations or ordinances. Special attention must be given to Section 21 of the Wyoming Air Quality Standards and Regulations, which details the requirements for compliance with conditions 3, 4, 5 and 6.

If we may be of further assistance to you, please feel free to contact this office.

Sincerely,

Dan Olson
Administrator
Air Quality Division

John V. Corra
Director
Dept. of Environmental Quality

cc: Mike Warren