

Draft/Proposed

OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY AIR QUALITY DIVISION

MEMORANDUM

May 12, 2022

TO: Phillip Fielder, P.E., Chief Engineer

THROUGH: Rick Groshong, Compliance and Enforcement Group Manager

THROUGH: Phil Martin, P.E., Engineering Manager, Existing Source Permits Section

THROUGH: Iftekhar Hossain, P.E., New Source Permits Section

FROM: Vivek Rajaraman, E.I., Existing Source Permits Section

SUBJECT: Evaluation of Permit Application No. **2022-0053-TVR3**
Cushing Municipal Authority
Cushing Municipal Power Plant (Facility ID: 244)
SIC 4911/ NAICS 221112
Section 4, Township 17N, Range 5E; Payne County
Latitude: 35.98302°N and Longitude: 96.77606°W
Driving Directions: 300 N. Seay St., Cushing-74023. At the intersection of Oak St and Depot St in Cushing.

SECTION I. INTRODUCTION

The Cushing Municipal Authority has requested a renewal of the Part 70 operating permit for the Cushing Municipal Power Plant. The facility is currently operating under Part 70 operating permit, Permit No. 2016-0339-TVR2, issued on March 21, 2017.

The facility is a PSD-major source for emissions of NO_x and CO, with PTE in excess of 250 TPY each. PTE for VOC exceeds the 100 TPY threshold for a Title V major source. Source testing has determined that the facility-wide PTE for formaldehyde exceeds the 10 TPY threshold, and the facility is therefore a major source for emissions of HAPs. The facility is subject to Part 70 permitting requirements and will go through **Tier II** permitting process. Therefore, public notice and EPA review will be required.

SECTION II. FACILITY DESCRIPTION

The Cushing Municipal Power Plant supplies electricity to the city and the connecting power grid. The facility operates eleven electric generators driven by dual-fuel compression-ignition internal combustion engines. The units' capacities vary with a total of 34,522 horsepower and 24,585 kilowatts. These units currently operate only when the City Engineer determines it is economically feasible, such as during peak demand. However, the operator has requested to be permitted to operate all units continuously.

Units 1-10 are grandfathered sources constructed before May 31, 1972. Unit 11, authorized under Permit No. 95-362-C (PSD), may operate continuously. BACT was determined to be clean burn technology for CO, VOC, NOx, and use of gaseous or liquid distillate fuels for SO₂ and PM₁₀.

Diesel fuel is stored in two 19,500 gallon storage tanks. Each engine also has a smaller “day tank” that can store enough fuel to run for a limited period. Based on storage of VOC with negligible vapor pressure (diesel fuel), these tanks are Insignificant Activities and will be listed as such.

There are two operating scenarios for the facility:

1. In Scenario I, the facility operates in a dual-fuel mode using pipeline-grade natural gas and diesel fuel. In this mode the engines can operate on a fuel mix that ranges from 6% to 99% diesel (based on heat input), with the balance being natural gas.
2. In Scenario II, 100% diesel is used.

SECTION III. PERMIT HISTORY

Permits	Date Issued	Description
96-236-TV PSD	6/2/1997	Initial Title V Permit.
2002-055-TVR	10/7/2011	Applicant requests renewal to 96-236-TV PSD.
2016-0339-TVR2	3/21/2017	Applicant requests to renew their 2002-055-TVR operating permit with no physical changes other than change in RO.

SECTION IV. REQUESTED CHANGES

No changes have been requested by the applicant; however, AQD uses this opportunity to update applicable state rules and federal regulations related to the facility.

SECTION V. EQUIPMENT

EUG A Grandfathered Internal Combustion Engines

EU	Point	Manufacturer & Model	Rated KW	Rated hp	BSFC ¹ (BTU/hp-hr)	MMBtu/hr	Serial #	Const Date
1	1	Cooper-Bessemer LSV-16	2,500	3,560	7,764	27.6	5339	1955
2	2	Fulton-Diesel 6BGSSD	1,000	1,420	7,101	10.1	2035	1948
3	3	McIntosh/ Seymour 6-17.5-25	500	750	8,167	6.13	2354	1936
4	4	McIntosh/ Seymour 6-17.5X25S	500	750	7,862	5.90	2355	1936
5	5	McIntosh/ Seymour 6-17.5X25S	500	750	7,802	5.85	2356	1936

EU	Point	Manufacturer & Model	Rated KW	Rated hp	BSFC ¹ (BTU/hp-hr)	MMBtu/hr	Serial #	Const Date
6	6	McIntosh/ Seymour 4-cycle 8-171/2X25	800	1,170	8,105	9.48	2547	1939
7	7	Fairbanks/Morse 31-AD-18	2,500	3,500	7,170	25.1	968316	1955
8	8	Fairbanks/Morse 31-AD-18	2,500	3,500	7,053	24.7	968261	1955
9	9	Cooper-Bessemer LSV-16-GDT	3,000	4,210	7,776	32.7	6957	1965
10	10	Cooper-Bessemer LSV-16-GDT	4,485	6,206	7,060	43.8	7117	1972

1 – Fuel use data from source testing conducted November 2004.

EUG B Permitted Internal Combustion Engine

EU	Point	Manufacturer & Model	Rated KW	Rated hp	BSFC ¹ (Btu/hp-hr)	MMBtu/h	Serial #	Const Date
11	11	Cooper-Bessemer LSVB-20-GDT	6,300	8,706	6,976	60.7	7241	1988

STACK PARAMETERS

Point	Height (feet)	Diameter (inches)	Flow (ACFM)	Velocity (FPS)	Temperature (°F)
1	38	18	10671	100.5	750
2	37	16	4268	50.8	750
3	35	11	2250	56.8	750
4	35	11	2250	56.8	750
5	35	11	2250	56.8	750
6	35	13	2510	63.6	750
7	50	30	10499	35.6	750
8	50	30	10499	35.6	750
9	50	23	10499	72.8	750
10	39	26	18617	84.1	750
11	84	64	54727	43.5	850

EUG C Fugitive VOC Emissions

Equipment Count (Valves, flanges, etc)	%C3+
389	6.8

SECTION VI. AIR EMISSIONS

For the two operating scenarios, emission estimates were developed based on the following factors and assumptions for EUG A and EUG B.

EUG A, Diesel Operation

- Emission estimates reflect continuous operations (8,760 hr/yr).
- Emission estimates for NO_x and VOC are based on AP-42 (10/96), Table 3.4-1.
- Emissions estimates for CO are based on AP-42 (10/96), Table 3.4-1 and include a 70% reduction for use of a catalyst.
- SO₂ emission estimates are based on an engineering analysis with an allowed diesel sulfur content of 0.5 weight percent for Units 1 through 10.
- Emissions estimates for PM₁₀ are based on AP-42 (10/96), Table 3.4-2.

EUG A, Dual-fuel Operation

- Emissions estimates reflect continuous operations (8,760 hr/yr).
- Emission estimates for NO_x and VOC are based on AP-42 (10/96), Table 3.4-1.
- Emissions estimates for CO are based on AP-42 (10/96), Table 3.4-1 and include a 70% reduction for use of a catalyst.
- SO₂ emission estimates are based on an engineering analysis assuming 6% of the heat input is provided by diesel with a sulfur content of 0.5 weight percent for Units 1 through 10. Natural gas is assumed to have negligible sulfur content.
- PM₁₀: Emissions estimates for PM are listed in AP-42 (10/96), Table 3.4-1 for stationary dual-fuel engines as “not determined”.

EUG B, Diesel Operation

- Emission estimates reflect operation with an annual diesel fuel use limit of 3.605 x 10⁶ gallons per year for Unit 11, equivalent to 8,136 hours of operation at full power. (This limitation was requested by the applicant to ensure that the permit limit for emissions of SO₂ is not exceeded.)
- Emission estimates for NO_x and VOC are based on emission factors provided by the manufacturer.
- CO emissions are based on the manufacturer supplied emission factor and include a 70% reduction for use of a catalyst.
- SO₂ emission estimates are based on the emission limits in the initial Title V permit, which in turn were based on an engineering analysis with a diesel sulfur content of 0.15 weight percent. It has been determined that the analysis was based on an incorrect maximum engine heat input rate; however, the associated limit will be retained, along with the new annual diesel fuel use limit, to ensure that SO₂ emissions do not exceed the PSD SER for this unit.
- Emission estimates for PM₁₀ are based on AP-42 (10/96), Table 3.4-2. PM₁₀ emission limits listed in the original Title V permit will be reduced, in order to correct a transcription error in that permit. The PM₁₀ permit limit is based on manufacturer data, and is higher than the AP-42 estimate.

EUG B, Dual-fuel Operation

- Emissions estimates reflect continuous operations (8,760 hr/yr).
- Emission estimates for NO_x and VOC are based on AP-42 (10/96), Table 3.4-1.
- Emissions estimates for CO are based on AP-42 (10/96), Table 3.4-1 and include a 70% reduction for use of a catalyst.

- SO₂ emission estimates are based on an engineering analysis assuming 6% of the heat input is provided by diesel with a sulfur content of 0.15 weight percent. Natural gas is assumed to have negligible sulfur content.
- AP-42 (10/96), Table 3.4-1 lists emissions factors for PM₁₀ for dual-fuel engines as “not determined”. Since the engines are allowed to burn up to 99% diesel in the dual fuel mode, to be conservative PM₁₀ emissions are calculated as 100% diesel fuel.

Scenario I Estimated Emissions With Diesel Fuel Only

EU	PM ₁₀		SO ₂		NO _x		VOC		CO	
	lb/hr	TPY	lb/hr	TPY	lb/hr	TPY	lb/hr	TPY	lb/hr	TPY
1	0.62	2.71	1.44	6.32	85.43	374.18	2.61	11.44	7.05	30.87
2	0.68	2.98	0.54	2.38	34.01	148.98	1.09	4.77	2.57	11.26
3	0.39	1.72	0.39	1.72	18.04	79.01	0.59	2.58	1.56	6.84
4	0.66	2.87	0.33	1.44	18.03	78.98	0.49	2.15	1.50	6.59
5	0.82	3.59	0.33	1.44	21.31	93.34	0.66	2.87	1.49	6.54
6	0.56	2.43	0.56	2.43	36.81	161.21	1.11	4.87	2.42	10.59
7	0.32	1.39	0.42	1.85	47.51	208.11	1.38	6.03	6.40	28.03
8	1.87	8.19	2.06	9.01	247.29	1083.13	7.48	32.75	6.29	27.57
9	0.38	1.67	0.44	1.95	61.27	268.36	1.84	8.06	8.35	36.56
10	0.63	2.75	2.30	10.09	136.44	597.61	4.19	18.35	11.17	48.94
11	0.11	0.50	0.46	2.00	31.09	136.16	0.91	4.00	2.06	9.01
Total	7.03	30.80	9.28	40.63	737.23	3229.07	22.34	97.86	50.87	222.80

Scenario II Estimated Emissions In Dual Fuel Mode

EU	PM ₁₀		SO ₂		NO _x		VOC		CO	
	lb/hr	TPY	lb/hr	TPY	lb/hr	TPY	lb/hr	TPY	lb/hr	TPY
1	0.62	2.71	0.20	0.86	71.16	311.67	4.70	20.57	9.62	42.13
2	0.68	2.98	0.08	0.34	28.27	123.84	1.87	8.18	3.51	15.37
3	0.39	1.72	0.04	0.16	15.00	65.70	1.01	4.41	2.13	9.34
4	0.66	2.87	0.03	0.14	15.01	65.73	1.00	4.37	2.05	8.99
5	0.82	3.59	0.05	0.23	15.01	65.73	0.98	4.30	2.04	8.92
6	0.56	2.43	0.06	0.26	23.40	102.49	1.55	6.79	3.30	14.45
7	0.32	1.39	0.11	0.47	70.02	306.68	4.62	20.23	8.73	38.25
8	1.87	8.19	0.08	0.37	70.00	306.60	4.62	20.26	8.59	37.63
9	0.38	1.67	0.10	0.44	84.20	368.81	5.56	24.34	11.39	49.90
10	0.63	2.75	0.33	1.43	124.12	543.65	8.20	35.92	15.25	66.78
11	0.11	0.50	0.43	1.89	174.10	762.56	11.51	50.42	21.14	92.57
Total	7.03	30.80	1.51	6.60	690.29	3023.48	45.61	199.79	87.75	384.33

Fugitive VOC Emissions

Equipment	%C3+	Emission Factor	lb/hr	TPY
389 items	6.8	0.139 lb/item-hr	3.68	16.10

(Source: EPA Protocol for Equipment Leak Emission Estimate, EPA Document 453/R-93-026, June 1993, Tables 2-3 and 2-6. Emissions are based on the highest factor multiplied by the total number of items (valves, seals, etc.).

Emissions of formaldehyde are based on emission testing at the facility conducted by Air Hygiene, Incorporated in 2004. The results are summarized in the following table. The engines were

equipped with catalysts in 2014. The catalysts reduce formaldehyde emissions. However, additional formaldehyde testing has not been conducted. Therefore, it is assumed the facility remains a major source of formaldehyde emissions.

Potential Formaldehyde Emission Estimates

EU	Manufacturer & Model	hp	lb/hr	TPY
1	Cooper-Bessemer LSV-16	3,560	2.64	11.56
2	Fulton-Diesel 6BGSSD	1,420	1.31	5.72
3	McIntosh/ Seymour 6-17.5-25	750	1.36	5.96
4	McIntosh/ Seymour 6-17.5X25S	750	0.87	3.80
5	McIntosh/ Seymour 6-17.5X25S	750	1.03	4.52
6	McIntosh/ Seymour 4-cycle 8-171/2X25	1,170	1.62	7.09
7	Fairbanks/Morse 31-AD-18	3,500	3.67	16.1
8	Fairbanks/Morse 31-AD-18	3,500	3.74	16.4
9	Cooper-Bessemer LSV-16-GDT	4,210	2.72	11.9
10	Cooper-Bessemer LSV-16-GDT	6,206	3.77	16.5
11	Cooper-Bessemer LSV-16-GDT	8,706	6.58	28.8
Total			29.3	128.3

Greenhouse Gas Emissions

The facility is a potential major source of greenhouse gas emissions.

SECTION VII. INSIGNIFICANT ACTIVITIES

The insignificant activities identified and justified on Part 1b of the forms in the application and duplicated below were confirmed by the initial operating permit inspection. The facility uses a total of 20 natural gas-fired space heaters and facility water heaters. The maximum rating of these units is 250,000 BTU/hr and the total heat input capacity of all units is 1,987,000 BTU/hr. An old natural gas-fired boiler is on site but has not operated in five years and is inoperable. Two above ground 19,500 gallon diesel tanks are used to store diesel fuel. These tanks supply diesel for the dual-fuel mixture for the internal combustion engines. Records are available which confirm the insignificance of the activities. Appropriate recordkeeping on activities indicated below with “*”, is required.

- Space heaters, boilers and emergency flares less than or equal to 5 MMBTU/hr heat input (commercial natural gas).
- Storage tanks with less than or equal to 10,000 gallons capacity that store volatile organic liquids with a true vapor pressure less than or equal to 1.0 psia at maximum storage temperature. *
- Emissions from storage tanks constructed with a capacity less than 39,894 gallons which store VOC with a vapor pressure less than 1.5 psia at maximum storage temperature. *
- Activities with emissions of 5 TPY or less. *

SECTION VIII. OKLAHOMA AIR QUALITY RULES

OAC 252:100-1 (General Provisions) [Applicable]
Subchapter 1 includes definitions but there are no regulatory requirements.

OAC 252:100-2 (Incorporation by Reference) [Applicable]
This subchapter incorporates by reference applicable provisions of Title 40 of the Code of Federal Regulations listed in OAC 252:100, Appendix Q. These requirements are addressed in the “Federal Regulations” section.

OAC 252:100-3 (Air Quality Standards and Increments) [Applicable]
Subchapter 3 enumerates the primary and secondary ambient air quality standards and the significant deterioration increments. At this time, all of Oklahoma is in “attainment” of these standards.

OAC 252:100-5 (Registration, Emission Inventory, and Annual Fees) [Applicable]
Subchapter 5 requires sources of air contaminants to register with Air Quality, file emission inventories annually, and pay annual operating fees based upon total annual emissions of regulated pollutants. Emission inventories were submitted, and fees paid for previous years as required.

OAC 252:100-8 (Permits for Part 70 Sources) [Applicable]
This facility meets the definition of a major source since it has the potential to emit regulated pollutants in excess of 100 TPY. As such, a Title V (Part 70) operating permit is required. Any planned changes in the operation of the facility which result in emissions not authorized in the permit and which exceed the “Insignificant Activities” or “Trivial Activities” thresholds require prior notification to AQD and may require a permit modification. Insignificant activities mean individual emission units that either are on the list in Appendix I (OAC 252:100) or whose actual calendar year emissions do not exceed the following limits:

- 5 TPY of any one criteria pollutant
- 2 TPY of any one hazardous air pollutant (HAP) or 5 TPY of multiple HAPs or 20% of any threshold less than 10 TPY for a HAP that the EPA may establish by rule

Emission limitations and operational requirements necessary to assure compliance with all applicable requirements for all sources are taken from the permit application, the previous permit, or developed from the applicable requirement.

OAC 252:100-9 (Excess Emission Reporting Requirements) [Applicable]
Except as provided in OAC 252:100-9-7(a)(1), the owner or operator of a source of excess emissions shall notify the Director as soon as possible but no later than 4:30 p.m. the following working day of the first occurrence of excess emissions in each excess emission event. No later than thirty (30) calendar days after the start of any excess emission event, the owner or operator of an air contaminant source from which excess emissions have occurred shall submit a report for each excess emission event describing the extent of the event and the actions taken by the owner or operator of the facility in response to this event. Request for mitigation, as described in OAC 252:100-9-8, shall be included in the excess emission event report. Additional reporting may be required in the case of ongoing emission events and in the case of excess emissions reporting required by 40 CFR Parts 60, 61, or 63.

OAC 252:100-13 (Open Burning) [Applicable]

Open burning of refuse and other combustible material is prohibited except as authorized in the specific examples and under the conditions listed in this subchapter.

OAC 252:100-19 (Particulate Matter From Fuel-burning Equipment) [Applicable]
Section 19-4 regulates emissions of PM from new and existing fuel-burning equipment, with emission limits based on maximum design heat input rating. Appendix C specifies a PM emission limitation of 0.60 lbs/MMBtu for all equipment at this facility with a heat input rating of 10 Million BTU per hour (MMBTUH) or less and sets a progressively more restrictive rating of up to 0.38 lb/MMBTU for equipment rated between 60 and 70 MMBTUH, such as Unit 11 [60.7 MMBTUH]. Fuel-burning equipment is defined in OAC 252:100-1 as “combustion devices used to convert fuel or wastes to usable heat or power.” Thus, the fuel-burning equipment listed in this permit is subject to the requirements of this subchapter. The engines burn either pure diesel, or diesel-natural gas mixtures ranging as low as 6% diesel. Emissions of particulate matter from dual-fuel engines will be highest when burning exclusively liquid [diesel] fuel. The emission factor for PM listed in AP-42 (10/96), Table 3.4-2, for large diesel engines is 0.1 lb/MMBtu, well below the relevant limit from Appendix C for any of the equipment at this facility. Compliance with this subchapter is thus assured.

This subchapter also limits emissions of PM from industrial processes. Per AP-42 factors, there are no significant PM emissions from any other industrial activities at this facility.

OAC 252:100-25 (Visible Emissions and Particulates) [Applicable]
No discharge of greater than 20% opacity is allowed except for short-term occurrences that consist of not more than one six-minute period in any consecutive 60 minutes, not to exceed three such periods in any consecutive 24 hours. In no case shall the average of any six-minute period exceed 60% opacity. When burning natural gas there is very little possibility of exceeding the opacity standards. However, when burning a significant proportion of diesel fuel there is a possibility of exceedance. EPA Reference Method 9 opacity observations will be used to verify compliance.

OAC 252:100-29 (Fugitive Dust) [Applicable]
No person shall cause or permit the discharge of any visible fugitive dust emissions beyond the property line on which the emissions originate in such a manner as to damage or to interfere with the use of adjacent properties, or cause air quality standards to be exceeded, or interfere with the maintenance of air quality standards. Since there is minimal vehicle traffic and no dust producing processes, this facility will not cause a problem in this area, therefore it is not necessary to require specific precautions to be taken.

OAC 252:100-31 (Sulfur Compounds) [Applicable]
Part 2 limits the ambient air impact of hydrogen sulfide (H₂S) emissions from any existing source or new source to 0.2-ppm for a 24-hour average at standard conditions which is equivalent to 283 ug/m³. Fuel-burning equipment fired with commercial natural gas will not have the potential to exceed the ambient standard. There are negligible emissions of H₂S from burning diesel fuel.
Part 5 limits sulfur dioxide emissions from new fuel-burning equipment (constructed after July 1, 1972). Unit 11 is subject to Part 5 which limits SO₂ emissions to 0.2 lb/MMBTU for gas fuel, and 0.8 lb/MMBTU for liquid fuel. Pipeline-grade natural gas has SO₂ emissions of 0.0006 lb/MMBTU. The facility is required to use diesel fuel that complies with NESHAP Subpart ZZZZ requirements found in 40 CFR 80.510(b). The facility is required to use pipeline-grade natural gas fuel and diesel fuel that is compliant with the fuel-burning requirements of OAC 252:100-31-25.

OAC 252:100-33 (Nitrogen Oxides)

[Not applicable]

This subchapter limits new gas-fired fuel-burning equipment with rated heat input greater than or equal to 50 MMBTUH to emissions of 0.2 lb of NO_x per MMBTU. None of the units in EUG A exceed this threshold. EUG B (Unit 11) has a potential heat input of 60.7 MMBTU/hr. AQD has conducted a review of the limitation in Subchapter 33 of 0.2 lb/MMBtu of NO_x that might be viewed as being applicable to Unit 11. It has been determined that this rule was never intended to apply to RICE, based upon the following factors:

- Older versions of the Oklahoma Air Rules indicate that the group of subject “fuel-burning” equipment was intended to be heaters, boilers, etc and not for internal combustion engines of any type, except turbines. The numerical limits of the Subchapter remained the same through the past years but the definition of fuel-burning equipment has been unintentionally expanded.
- The EPA categorization for fuel-burning equipment in AP-42 also indicates that RICE are fundamentally different from boilers/heaters and that external combustion sources should not be subject to the same emission limitations as internal combustion sources.
- For an engine to comply with the Subchapter 33 standard today is achievable but very costly. Further, the NO_x emissions limits would have been impossible to meet for new engines in 1972 when the state rule was first written.
- NSPS Subparts IIII and JJJJ standards for new engines are higher than the equivalent limits of Subchapter 33.
- Review of comparable EPA regulations being finalized in 1972 indicate that Subchapter 33 standards were most likely set to reflect then-current EPA standards.

AQD has determined therefore that RICE are exempt from the requirements of this subpart.

OAC 252:100-35 (Carbon Monoxide)

[Not applicable]

None of the following affected processes are located at this facility: gray iron cupola, blast furnace, basic oxygen furnace, petroleum catalytic cracking unit, or petroleum catalytic reforming unit.

OAC 252:100-37 (Volatile Organic Compounds)

[Applicable]

Part 3 requires VOC storage tanks constructed after December 28, 1974, with a capacity of 400 gallons or more and storing a VOC with a vapor pressure greater than 1.5-psia to be equipped with a permanent submerged fill pipe or with an organic vapor recovery system. However, the diesel fuel has a vapor pressure that is below the exemption level of 1.5 psia. Therefore, this part does not apply.

Part 3 requires VOC loading facilities with a throughput equal to or less than 40,000 gallons per day to be equipped with a system for submerged filling of tank trucks or trailers if the capacity of the vehicle is greater than 200 gallons. This facility does not have the physical equipment (loading arm and pump) to conduct this type of loading and is not subject to this requirement.

Part 5 limits the organic solvent content of coating or other operations. This facility does not normally conduct coating or painting operations except for routine maintenance of the facility and equipment. Any emissions will be below the exemption level of 100 pounds per day.

Part 7 requires fuel-burning equipment to be operated and maintained so as to minimize emissions. Temperature and available air must be sufficient to provide essentially complete combustion.

Part 7 requires all effluent water separator openings, which receive water containing more than 200 gallons per day of any VOC, to be sealed or the separator to be equipped with an external floating

roof or a fixed roof with an internal floating roof or a vapor recovery system. No effluent water separators are located at this facility.

OAC 252:100-42 (Toxic Air Contaminants (TAC)) [Applicable]

This subchapter regulates toxic air contaminants (TAC) that are emitted into the ambient air in areas of concern (AOC). Any work practice, material substitution, or control equipment required by the Department prior to June 11, 2004, to control a TAC, shall be retained, unless a modification is approved by the Director. Since no AOC has been designated there are no specific requirements for this facility at this time.

OAC 252:100-43 (Testing, Monitoring, and Recordkeeping) [Applicable]

This subchapter provides general requirements for testing, monitoring and recordkeeping and applies to any testing, monitoring or recordkeeping activity conducted at any stationary source. To determine compliance with emissions limitations or standards, the Air Quality Director may require the owner or operator of any source in the state of Oklahoma to install, maintain and operate monitoring equipment or to conduct tests, including stack tests, of the air contaminant source. All required testing must be conducted by methods approved by the Air Quality Director and under the direction of qualified personnel. A notice-of-intent to test and a testing protocol shall be submitted to Air Quality at least 30 days prior to any EPA Reference Method stack tests. Emissions and other data to demonstrate compliance with any federal or state emission limit or standard, or any requirement set forth in a valid permit shall be recorded, maintained, and submitted as required by this subchapter, an applicable rule, or permit requirement. Data from any required testing or monitoring not conducted in accordance with the provisions of this subchapter shall be considered invalid. Nothing 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.

The following Oklahoma Air Pollution Control Rules are not applicable to this facility:

OAC 252:100-7	Permits For Minor Facilities	Not in source category
OAC 252:100-11	Alternative Reduction	not eligible
OAC 252:100-15	Mobile Sources	not in source category
OAC 252:100-17	Incinerators	not type of emission unit
OAC 252:100-23	Cotton Gins	not type of emission unit
OAC 252:100-24	Feed & Grain Facility	not in source category
OAC 252:100-39	Nonattainment Areas	not in a subject area
OAC 252:100-47	Landfills	not type of source category

SECTION IX. FEDERAL REGULATIONS

PSD, 40 CFR Part 52 [Applicable]

The facility is a PSD major source with potential emission in excess of 250 TPY for both NO_x and CO. Any future increases must be evaluated in the context of PSD significance levels: 40 TPY NO_x, 100 TPY CO, 40 TPY SO₂, 40 TPY VOC, 15 TPY PM₁₀, 10 TPY PM_{2.5}, 10 TPY Total Reduced Sulfur, 0.6 TPY lead, or 75,000 TPY CO₂ equivalent.

NSPS, 40 CFR Part 60

[Not Applicable]

NSPS is not applicable as summarized in the following evaluation.

Subparts K and Ka, Storage Vessels for Petroleum Liquids. The two 19,500-gallon diesel tanks store material with vapor pressure below the threshold of 1.5 psia.

Subparts Kb, Volatile Organic Liquid (VOL) Storage Vessels (Including Petroleum Liquid Storage Vessels) for Which Construction, Reconstruction, or Modification Commenced After July 23, 1984. This subpart applies to tanks with a capacity greater than 75 cubic meters (m³) that is used to store volatile organic liquids after custody transfer. The two 19,500-gallon diesel tanks store material with vapor pressure below the threshold of 1.5 psia.

Subpart GG, Stationary Gas Turbines. There are none at this facility.

Subpart VVa, Equipment Leaks of VOC in the Synthetic Organic Chemical Manufacturing Industry for Which Construction, Reconstruction, or Modification Commenced After November 7, 2006. The equipment is not in a SOCOMI plant.

Subpart KKK, Equipment Leaks of VOC from Onshore Natural Gas Processing Plants. The facility does not engage in natural gas processing.

Subpart LLL, Onshore Natural Gas Processing: SO₂ Emissions. There is no natural gas sweetening operation at this site.

Subpart IIII, Stationary Compression Ignition Internal Combustion Engines. This subpart affects stationary compression ignition (CI) internal combustion engines (ICE) based on power and displacement ratings, depending on date of construction, beginning with those constructed after July 11, 2005. For the purposes of this subpart, the date that construction commences is the date the engine is ordered by the owner or operator. The CI engines at this facility were manufactured prior to the applicability date of this subpart, and are therefore not subject to this subpart..

Subpart JJJJ, Stationary Spark Ignition Internal Combustion Engines (SI-ICE). There are no SI-ICE at this facility.

NESHAP, 40 CFR Part 61

[Not Applicable]

NESHAP is not applicable because there are no emissions of any of the regulated pollutants: arsenic, asbestos, beryllium, benzene, coke oven emissions, mercury, radionuclides or vinyl chloride except for trace amounts of benzene. Subpart J, Equipment Leaks of Benzene, only applies to process streams which contain more than 10% benzene by weight.

NESHAP, 40 CFR Part 63

[Subpart ZZZZ Applicable]

Subpart ZZZZ, Reciprocating Internal Combustion Engines (RICE). This subpart originally affected RICE with a site-rating greater than 500 brake horsepower that are located at a major source of HAP emissions, and was amended to cover new and reconstructed engines (after June 12, 2006) with a site rating less than or equal to 500 HP located at major sources, and for new and reconstructed engines (after June 12, 2006) located at area sources. This subpart was further amended in 2010 to affect practically all RICE.

§ 63.6595 When do I have to comply with this subpart?

- (a) If you have an existing non-emergency CI stationary RICE with a site rating of more than 500 brake HP located at a major source of HAP emissions, an existing stationary CI RICE with a site rating of less than or equal to 500 brake HP located at a major source of HAP emissions, or an existing stationary CI RICE located at an area source of HAP emissions, you must comply with the applicable emission limitations and operating limitations no later than May 3, 2013.

The existing CI units at this facility are existing engines subject to the requirements of this subpart. The requirements for existing CI engines with greater than 500-hp located at major sources of HAP emissions include, but are not limited to the following:

1. Limit concentration of CO exhaust to 23 ppmvd or less at 15 percent O₂; or
2. Reduce CO emissions by 70 percent or more.

The facility equipped the engines with catalysts that reduce CO emissions by 70 percent or more. Compliance tests were performed to demonstrate compliance with Subpart ZZZZ requirements.

Carbon Monoxide Test Results

EU	Point	Date	CO Inlet (ppm @15% O ₂)	CO Outlet (ppm @15% O ₂)	Reduction (%)
1	1	05/6/2020	430.62	19.7	95.42
2	2	08/05/2020	242.43	29.52	97.84
3	3	05/06/2020	704.16	49.17	93.02
4	4	05/05/2020	619.49	39	93.71
5	5	05/05/2020	609.16	29.43	95.17
6	6	05/05/2020	649.59	32.81	94.95
7	7	05/05/2020	370.42	45.81	87.63
8	8	05/04/2020	425.74	40.12	90.68
9	9	05/04/2020	220.90	15.80	92.84
10	10	05/07/2020	276.76	12.54	95.47
11	11	05/07/2020	61.78	6.59	89.34

CAM, 40 CFR Part 64

[Not Applicable]

Compliance Assurance Monitoring, as published in the Federal Register on October 22, 1997, applies to any pollutant specific emission unit at a major source that is required to obtain a Title V permit, if it meets all of the following criteria:

- It is subject to an emission limit or standard for an applicable regulated air pollutant.
- It uses a control device to achieve compliance with the applicable emission limit or standard.
- It has potential emissions, prior to the control device, of the applicable regulated air pollutant of 100 TPY.

There are no individual emission units at this facility that meet all of the above criteria at the present time. As noted above, the facility is subject to NESHAP Subpart ZZZZ. However, control equipment required because of emission limitations or standards proposed by the Administrator after November 15, 1990 pursuant to section 111 [NSPS] or 112 [NESHAP] of the Act is exempt from CAM requirements.

Chemical Accident Prevention Provisions, 40 CFR Part 68

[Not Applicable]

The facility uses commercial natural gas fuel which is comprised of mainly methane, a listed substance in CAAA 90 Section 112(r). However, this substance is not stored on site. The small quantity which is in the pipelines on the facility is much less than the 10,000 pound threshold and therefore is excluded from all requirements including the Risk Management Plan. More information on this federal program is available on the web page: www.epa.gov/rmp.

Stratospheric Ozone Protection, 40 CFR Part 82 [Subparts A and F Applicable]
 These standards require phase out of Class I & II substances, reductions of emissions of Class I & II substances to the lowest achievable level in all use sectors, and banning use of nonessential products containing ozone-depleting substances (Subparts A & C); control servicing of motor vehicle air conditioners (Subpart B); require Federal agencies to adopt procurement regulations which meet phase out requirements and which maximize the substitution of safe alternatives to Class I and Class II substances (Subpart D); require warning labels on products made with or containing Class I or II substances (Subpart E); maximize the use of recycling and recovery upon disposal (Subpart F); require producers to identify substitutes for ozone-depleting compounds under the Significant New Alternatives Program (Subpart G); and reduce the emissions of halons (Subpart H).

Subpart A identifies ozone-depleting substances and divides them into two classes. Class I controlled substances are divided into seven groups; the chemicals typically used by the manufacturing industry include carbon tetrachloride (Class I, Group IV) and methyl chloroform (Class I, Group V). A complete phase-out of production of Class I substances is required by January 1, 2000 (January 1, 2002, for methyl chloroform). Class II chemicals, which are hydrochlorofluorocarbons (HCFCs), are generally seen as interim substitutes for Class I CFCs. Class II substances consist of 33 HCFCs. A complete phase-out of Class II substances, scheduled in phases starting by 2002, is required by January 1, 2030.

This facility does not utilize any Class I & II substances.

Subpart F requires that any persons servicing, maintaining, or repairing appliances except for motor vehicle air conditioners; persons disposing of appliances, including motor vehicle air conditioners; refrigerant reclaimers, appliance owners, and manufacturers of appliances and recycling and recovery equipment comply with the standards for recycling and emissions reduction.

The Standard Conditions of the permit address the requirements specified at §82.156 for persons opening appliances for maintenance, service, repair, or disposal; §82.158 for equipment used during the maintenance, service, repair, or disposal of appliances; §82.161 for certification by an approved technician certification program of persons performing maintenance, service, repair, or disposal of appliances; §82.166 for recordkeeping; § 82.158 for leak repair requirements; and §82.166 for refrigerant purchase records for appliances normally containing 50 or more pounds of refrigerant.

SECTION X. COMPLIANCE

The Specific Conditions of this permit contain various testing, monitoring, recordkeeping, and reporting requirements in order to document on-going compliance with emission limits. The specific method used to document compliance was based on the type of emission unit, the type of process equipment, the specific pollutants emitted, and the amount of permitted emissions taking into account other regulatory requirements that an emission unit may be subject to.

In addition to the permitting requirements, the following periodic inspections were conducted since issuance of the last Title V renewal permit.

Inspection Type	Date	Summary/Results
FCE Inspection	03/17/2022	Results of inspection under review

FCE Inspection	6/29/2020	Conducted an off-site FCE via telephone and e-mail. No violation. In compliance.
FCE Inspection	9/8/2017	No violation. In compliance.

SECTION XI. TIER CLASSIFICATION, PUBLIC AND EPA REVIEW

Tier Classification

This application has been determined to be **Tier II** based on the request for renewal of a Part 70 operating permit.

Landowner Affidavit

The permittee has submitted an affidavit that they are not seeking a permit for land use or for any operation upon land owned by others without their knowledge. The affidavit certifies that the applicant is the sole owner of the land involved.

Public and EPA Review

The applicant published the “Notice of Filing a Tier II Application” in the *Cushing Citizen*, a twice-weekly newspaper in Payne County, on February 16, 2022. The notice stated that the application was available for public review at the Cushing City Library, 215 N. Steele Ave., Cushing, OK 74023 and the Air Quality Division’s main office at 707 North Robinson, Oklahoma City, Oklahoma 73102.

The applicant will publish the “Notice of Tier II Draft Permit” as a legal notice in a newspaper of general circulation in the area where the source is located. A draft of this permit will be made available for public review for a period of 30 days as stated in another newspaper announcement and available at a local site within the county and on DEQ Web site.

This permit has been approved for concurrent public and EPA review at the request of the applicant. The EPA review will be conducted concurrently with the public review and if no comments are received from the public, then, the draft permit will be deemed the proposed permit. Public review period will be 30 days and EPA review period will be 45 days. This facility is not located within 50 miles of the border of Oklahoma and any other state. Information on all permit actions is available for review by the public in the Air Quality Section of DEQ Web Page: <https://www.deq.ok.gov>.

The EPA review period may be extended so that the EPA review period does not end before the public review period ends. Tribal Nations will be notified of the draft permit

If the Administrator does not object in writing during the 45-day EPA review period, any person that meets the requirements of OAC 252:100-8-8 may petition the Administrator within 60 days after the expiration of the Administrator's 45-day review period to make such objection. Any such petition shall be based only on objections to the permit that the petitioner raised with reasonable specificity during the public comment period provided for in 27A O.S. § 2-14-302.A.2., unless the petitioner demonstrates that it was impracticable to raise such objections within such period, or unless the grounds for such objection arose after such period. If the Administrator objects to the permit as a result of a petition filed under OAC 252:100-8-8, the DEQ shall not issue the permit

until EPA's objection has been resolved, except that a petition for review does not stay the effectiveness of a permit or its requirements if the permit was issued after the end of the 45-day review period and prior to an EPA objection. If the DEQ has issued a permit prior to receipt of an EPA objection under OAC 252:100-8-8, the DEQ will modify, terminate, or revoke such permit, and shall do so consistent with the procedures in 40 CFR §§ 70.7(g)(4) or (5)(i) and (ii) except in unusual circumstances. If the DEQ revokes the permit, it may thereafter issue only a revised permit that satisfies EPA's objection. In any case, the source will not be in violation of the requirement to have submitted a timely and complete application.

Fees Paid

Part 70 operating permit renewal fee of \$7,500 has been paid.

SECTION XII. SUMMARY

The applicant has demonstrated compliance with all applicable Air Quality rules and regulations. Ambient air quality standards are not threatened at this site. There are no active Air Quality compliance or enforcement issues pending with this facility that would prevent the issuance of this permit. Issuance of the permit is recommended, contingent upon public and EPA review.

Draft/Proposed

**PERMIT TO OPERATE
AIR POLLUTION CONTROL FACILITY
SPECIFIC CONDITIONS**

**Cushing Municipal Authority
Cushing Municipal Power Plant**

Permit Number 2022-0053-TVR3

The permittee is authorized to operate in conformity with the specifications submitted to Air Quality on February 14, 2022. The Evaluation Memorandum, dated May 12, 2022, explains the derivation of applicable permit requirements and estimates of emissions; however, it does not contain operating limitations or permit requirements. Continuing operations under this permit constitutes acceptance of, and consent to, the conditions contained herein:

1. Points of emissions and emissions limitations for each point: [OAC 252:100-8-6(a)]

EUG A: Grandfathered Internal Combustion Engines

Units 1 through 10 are grandfathered (constructed prior to any applicable rule) internal combustion engines. There are no emission limits applied to these units under Title V but they are limited to the existing equipment as they are.

EU	Point	Manufacturer & Model	Rated KW	Rated hp	BSFC (Btu/hp-hr)	MMBtu/hr	Serial #	Const Date
1	1	Cooper-Bessemer LSV-16	2,500	3,560	7,764	27.6	5339	1955
2	2	Fulton-Diesel 6BGSSD	1,000	1,420	7,101	10.1	2035	1948
3	3	McIntosh/ Seymour 6-17.5-25	500	750	8,167	6.13	2354	1936
4	4	McIntosh/ Seymour 6-17.5X25S	500	750	7,862	5.90	2355	1936
5	5	McIntosh/ Seymour 6-17.5X25S	500	750	7,802	5.85	2356	1936
6	6	McIntosh/ Seymour 4-cycle 8-171/2X25	800	1,170	8,105	9.48	2547	1939
7	7	Fairbanks/Morse 31-AD-18	2,500	3,500	7,170	25.1	968316	1955
8	8	Fairbanks/Morse 31-AD-18	2,500	3,500	7,053	24.7	968261	1955
9	9	Cooper-Bessemer LSV-16-GDT	3,000	4,210	7,776	32.7	6957	1965
10	10	Cooper-Bessemer LSV-16-GDT	4,485	6,206	7,060	43.8	7117	1972

EUG B: Unit 11 emission limitations.

Unit Information	Permitted Emissions					
		PM ₁₀	SO ₂	NO _x	VOC	CO
Cooper-Bessemer	lb/hr	3.03	8.76	383.8	19.19	84.44
LSVB -20 8706 HP	TPY	13.3	38.40	1681.00	84.10	369.90

EUG C: Fugitive VOC emissions are estimated based on existing equipment items but do not have a specific limitation.

2. For Units 1-10, the permittee shall use pipeline-grade natural gas and diesel as a dual fuel mixture or 100% diesel. Diesel fuel used shall have a maximum of 0.50 weight percent sulfur.
 For Unit 11, the permittee shall use pipeline-grade natural gas and diesel as a dual fuel mixture or 100% diesel. Diesel fuel for Unit 11 shall have a maximum of 0.15 weight percent sulfur, and shall be limited to an annual total of not more than 3.605 x 10⁶ gallons per year
 [OAC 252:100-31]
3. The permittee shall be authorized to operate this facility continuously (24 hours per day, every day of the year). [OAC 252:100-8-6(a)]
4. Each engine at the facility (Units 1 through 11) shall have a permanent identification plate attached which shows the make, model number, and serial number. [OAC 252:100-43]
5. The exhaust stack of Unit 11 shall be maintained at a minimum height of 84 feet above grade. [OAC 252:100-7 Part 5]
6. At least once per calendar quarter, the permittee shall conduct tests of NO_x and CO emissions in exhaust gases from the engines/turbines in EUG B and from each replacement engine/turbine when operating under representative conditions for that period. Testing is required for any engines/turbines that runs for more than 220 hours during that calendar quarter. The engine/turbine shall be tested no sooner than 20 calendar days after the last test. Testing shall be conducted using a portable analyzer in accordance with a protocol meeting the requirements of the “AQD Portable Analyzer Guidance” document or an equivalent method approved by Air Quality. When four consecutive quarterly tests show the engine/turbine to be in compliance with the emissions limitations shown in the permit, then the testing frequency may be reduced to semi-annual testing. A semi-annual test may be conducted no sooner than 60 calendar days nor later than 180 calendar days after the most recent test. Likewise, when the following two consecutive semi-annual tests show compliance, the testing frequency may be reduced to annual testing. An annual test may be conducted no sooner than 120 calendar days nor later than 365 calendar days after the most recent test. Upon any showing of non-compliance with emissions limitations or testing that indicates that emissions are within 10% of the emission limitations, the testing frequency shall revert to quarterly. Reduced testing frequency does not apply to engines with catalytic converters. Testing is not required for EUG A emission units that have not been modified. [OAC 252:100-8-6 (a)(3)(A)]

7. The permittee shall at all times properly operate and maintain all engines and associated emissions control systems, in a manner that will minimize emissions of hydrocarbons or other organic materials. Permittee shall maintain operation and maintenance records for all engines, including at a minimum the work performed, the date on which it was performed, and any associated increase in emissions. [OAC 252:100-37-36]
8. The permittee is authorized to replace any internal combustion engine or turbine with emissions limitations specified in this permit with an engine or turbine that meets the following requirements: [OAC 252:100-8-6(f)(2)]
 - a. The replacement engine or turbine shall comply with the same emissions limits as the engine or turbine that it replaced. This applies to lb/hr and TPY limits specified in this permit.
 - b. The authorization of replacement of an engine or turbine includes temporary periods of 6 months or less for maintenance purposes.
 - c. The permittee shall notify AQD in writing not later than 7 days prior to start-up of the replacement engine or turbine. Said notice shall identify the old engine/turbine and shall include the new engine/turbine make and model, serial number, horsepower rating, and pollutant emission rates (g/hp-hr, lb/hr, and TPY) at maximum horsepower for the altitude/location.
 - d. Quarterly emissions tests for the replacement engine(s)/turbine(s) shall be conducted to confirm continued compliance with NO_x and CO emission limitations. A copy of the first quarter testing shall be provided to AQD within 60 days of start-up of each replacement engine/turbine. The test report shall include the engine/turbine fuel usage, stack flow (ACFM), stack temperature (°F), and pollutant emission rates (g/hp-hr, lbs/hr, and TPY) at maximum rated horsepower for the altitude/location.
 - e. Replacement equipment and emissions are limited to equipment and emissions which are not a modification under NSPS or NESHAP.
 - f. Engines whose installation and operation are authorized under this Specific Condition which are subject to 40 CFR Part 63, Subpart ZZZZ and/or 40 CFR Part 60, Subpart JJJJ shall comply with all applicable requirements.
 - g. Turbines whose installation and operation are authorized under this Specific Condition which are subject to 40 CFR Part 60, Subpart KKKK shall comply with all applicable requirements.
9. The facility is subject to 40 CFR Part 63, Subpart ZZZZ, and shall comply with all applicable requirements. The facility shall take adequate measures to ensure compliance with the requirements of this subpart, including permit modification, on or before the applicable initial compliance date of May 3, 2013. [40 CFR 63.6580 – 6675]
 - a. 63.6580: What is the purpose of Subpart ZZZZ?
 - b. 63.6585: Am I subject to this subpart?
 - c. 63.6590: What parts of my plant does this subpart cover
 - d. 63.6595: When do I have to comply with this subpart
 - e. 63.6600: What emissions limitations and operating limitations must I meet
 - f. 63.6605: What are my general requirements for complying with this subpart?

- g. 63.6610: By what date must I conduct the initial performance tests or other initial compliance demonstrations?
 - h. 63.6615: When must I conduct subsequent performance tests?
 - i. 63.6620: What performance tests and other procedures must I use?
 - j. 63.6625: What are my monitoring, installation, operation, and maintenance requirements?
 - k. 63.6630: How do I demonstrate initial compliance with the emission limitations and operating limitations?
 - l. 63.6635: How do I monitor and collect data to demonstrate continuous compliance?
 - m. 63.6640: How do I demonstrate continuous compliance with the emission limitations and operating limitations?
 - n. 63.6645: What notifications must I submit and when?
 - o. 63.6650: What reports must I submit and when?
 - p. 63.6655: What records must I keep?
 - q. 63.6660: In what form and how long must I keep my records?
 - r. 63.6665: What parts of the General Provisions apply to me?
 - s. 63.6670: Who implements and enforces this subpart?
 - t. 63.6675: What definitions apply to this subpart?
10. The permittee shall maintain records of operations as listed below. These records shall be maintained on site or at a local field office for at least five years after the date of recording and shall be provided to regulatory personnel upon request. [OAC 252:100-43]
- a. Total usage of each type of fuel (monthly and cumulative annual).
 - b. Operating hours for each engine (monthly and cumulative annual).
 - c. Sulfur content of each delivery of diesel fuel.
 - d. Quarterly testing for Unit 11 or hours of operation if less than 220 per quarter.
 - e. Log of operating scenario changes.
 - f. Operations and maintenance log for Units 1 through 10.
 - g. Reference Method 9 opacity observations as required by Specific Condition #12.
 - f. Records required by 40 CFR Part 63, Subpart ZZZZ.
11. The following records shall be maintained on site to verify insignificant activities. [OAC 252:100-43]
- a. For storage tanks with a capacity of 10,000 gallons or less storing a fluid with a true vapor pressure less than 1.0 psia: records of capacity of the tanks, and for each delivery of fluid, the type and quantity.
 - b. For fluid storage tanks with a capacity of less than 39,894 gallons and a true vapor pressure less than 1.5 psia: records of capacity of the tanks, and for each delivery of fluid, the type and quantity.
 - c. Activities with emissions of 5 TPY or less.
12. At least once per calendar quarter, an opacity observation in accordance with EPA Reference Method 9 shall be conducted for any engine which runs for more than 220 hours during that calendar quarter while burning with more than 50% heat input from diesel fuel. When four

consecutive quarterly tests show the engine to be in compliance with the opacity limitations shown in the permit, then the testing frequency may be reduced to semi-annual testing. Likewise, when the following two consecutive semi-annual tests show compliance, the testing frequency may be reduced to annual testing. Upon any showing of non-compliance with opacity limitations, the testing frequency shall revert to quarterly. Any reduction in the testing frequency shall be noted in the next required compliance certification.

[OAC 252:100-8-6 (a)(3)(A) and OAC 252:100-25]

13. No later than 30 days after each anniversary date of the issuance of the initial Title V permit [June 2, 1997], the permittee shall submit to Air Quality Division of DEQ, with a copy to the US EPA, Region 6, a certification of compliance with the terms and conditions of this permit.

[OAC 252:100-8-6 (c)(5)(A) & (D)]

14. This facility is considered an existing Prevention of Significant Deterioration (PSD) facility. As such, the facility is subject to the provisions of OAC 252:100-8-36.2(c) for any project as defined therein.

[OAC 252:100-8-36.2(c)]

15. This permit supersedes all previous operating permits for this facility, which are now cancelled.



PART 70 PERMIT

AIR QUALITY DIVISION
STATE OF OKLAHOMA
DEPARTMENT OF ENVIRONMENTAL QUALITY
707 N. ROBINSON, SUITE 4100
P.O. BOX 1677

OKLAHOMA CITY, OKLAHOMA 73101-1677

Permit No. 2022-0053-TV3

City of Cushing

having complied with the requirements of the law, is hereby granted permission to operate the Cushing Municipal Power Plant, Section 4, T17N, R5E, Payne County, Oklahoma subject to Standard Conditions dated June 21, 2016 and Specific Conditions both attached.

This permit shall expire five (5) years from the date below, except as authorized under Section VIII of the Standard Conditions.

Draft/Proposed

Division Director, Air Quality Division

Date

**MAJOR SOURCE AIR QUALITY PERMIT
STANDARD CONDITIONS
(June 21, 2016)**

SECTION I. DUTY TO COMPLY

A. This is a permit to operate / construct this specific facility in accordance with the federal Clean Air Act (42 U.S.C. 7401, et al.) and under the authority of the Oklahoma Clean Air Act and the rules promulgated there under. [Oklahoma Clean Air Act, 27A O.S. § 2-5-112]

B. The issuing Authority for the permit is the Air Quality Division (AQD) of the Oklahoma Department of Environmental Quality (DEQ). The permit does not relieve the holder of the obligation to comply with other applicable federal, state, or local statutes, regulations, rules, or ordinances. [Oklahoma Clean Air Act, 27A O.S. § 2-5-112]

C. The permittee shall comply with all conditions of this permit. Any permit noncompliance shall constitute a violation of the Oklahoma Clean Air Act and shall be grounds for enforcement action, permit termination, revocation and reissuance, or modification, or for denial of a permit renewal application. All terms and conditions are enforceable by the DEQ, by the Environmental Protection Agency (EPA), and by citizens under section 304 of the Federal Clean Air Act (excluding state-only requirements). This permit is valid for operations only at the specific location listed.

[40 C.F.R. §70.6(b), OAC 252:100-8-1.3 and OAC 252:100-8-6(a)(7)(A) and (b)(1)]

D. It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of the permit. However, nothing in this paragraph shall be construed as precluding consideration of a need to halt or reduce activity as a mitigating factor in assessing penalties for noncompliance if the health, safety, or environmental impacts of halting or reducing operations would be more serious than the impacts of continuing operations. [OAC 252:100-8-6(a)(7)(B)]

SECTION II. REPORTING OF DEVIATIONS FROM PERMIT TERMS

A. Any exceedance resulting from an emergency and/or posing an imminent and substantial danger to public health, safety, or the environment shall be reported in accordance with Section XIV (Emergencies). [OAC 252:100-8-6(a)(3)(C)(iii)(I) & (II)]

B. Deviations that result in emissions exceeding those allowed in this permit shall be reported consistent with the requirements of OAC 252:100-9, Excess Emission Reporting Requirements. [OAC 252:100-8-6(a)(3)(C)(iv)]

C. Every written report submitted under this section shall be certified as required by Section III (Monitoring, Testing, Recordkeeping & Reporting), Paragraph F. [OAC 252:100-8-6(a)(3)(C)(iv)]

SECTION III. MONITORING, TESTING, RECORDKEEPING & REPORTING

A. The permittee shall keep records as specified in this permit. These records, including monitoring data and necessary support information, shall be retained on-site or at a nearby field office for a period of at least five years from the date of the monitoring sample, measurement, report, or application, and shall be made available for inspection by regulatory personnel upon request. Support information includes all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by this permit. Where appropriate, the permit may specify that records may be maintained in computerized form.

[OAC 252:100-8-6 (a)(3)(B)(ii), OAC 252:100-8-6(c)(1), and OAC 252:100-8-6(c)(2)(B)]

B. Records of required monitoring shall include:

- (1) the date, place and time of sampling or measurement;
- (2) the date or dates analyses were performed;
- (3) the company or entity which performed the analyses;
- (4) the analytical techniques or methods used;
- (5) the results of such analyses; and
- (6) the operating conditions existing at the time of sampling or measurement.

[OAC 252:100-8-6(a)(3)(B)(i)]

C. No later than 30 days after each six (6) month period, after the date of the issuance of the original Part 70 operating permit or alternative date as specifically identified in a subsequent Part 70 operating permit, the permittee shall submit to AQD a report of the results of any required monitoring. All instances of deviations from permit requirements since the previous report shall be clearly identified in the report. Submission of these periodic reports will satisfy any reporting requirement of Paragraph E below that is duplicative of the periodic reports, if so noted on the submitted report.

[OAC 252:100-8-6(a)(3)(C)(i) and (ii)]

D. If any testing shows emissions in excess of limitations specified in this permit, the owner or operator shall comply with the provisions of Section II (Reporting Of Deviations From Permit Terms) of these standard conditions.

[OAC 252:100-8-6(a)(3)(C)(iii)]

E. In addition to any monitoring, recordkeeping or reporting requirement specified in this permit, monitoring and reporting may be required under the provisions of OAC 252:100-43, Testing, Monitoring, and Recordkeeping, or as required by any provision of the Federal Clean Air Act or Oklahoma Clean Air Act.

[OAC 252:100-43]

F. Any Annual Certification of Compliance, Semi Annual Monitoring and Deviation Report, Excess Emission Report, and Annual Emission Inventory submitted in accordance with this permit shall be certified by a responsible official. This certification shall be signed by a responsible official, and shall contain the following language: "I certify, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete."

[OAC 252:100-8-5(f), OAC 252:100-8-6(a)(3)(C)(iv), OAC 252:100-8-6(c)(1), OAC 252:100-9-7(e), and OAC 252:100-5-2.1(f)]

G. Any owner or operator subject to the provisions of New Source Performance Standards (“NSPS”) under 40 CFR Part 60 or National Emission Standards for Hazardous Air Pollutants (“NESHAPs”) under 40 CFR Parts 61 and 63 shall maintain a file of all measurements and other information required by the applicable general provisions and subpart(s). These records shall be maintained in a permanent file suitable for inspection, shall be retained for a period of at least five years as required by Paragraph A of this Section, and shall include records of the occurrence and duration of any start-up, shutdown, or malfunction in the operation of an affected facility, any malfunction of the air pollution control equipment; and any periods during which a continuous monitoring system or monitoring device is inoperative.

[40 C.F.R. §§60.7 and 63.10, 40 CFR Parts 61, Subpart A, and OAC 252:100, Appendix Q]

H. The permittee of a facility that is operating subject to a schedule of compliance shall submit to the DEQ a progress report at least semi-annually. The progress reports shall contain dates for achieving the activities, milestones or compliance required in the schedule of compliance and the dates when such activities, milestones or compliance was achieved. The progress reports shall also contain 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. [OAC 252:100-8-6(c)(4)]

I. All testing must be conducted under the direction of qualified personnel by methods approved by the Division Director. All tests shall be made and the results calculated in accordance with standard test procedures. The use of alternative test procedures must be approved by EPA. When a portable analyzer is used to measure emissions it shall be setup, calibrated, and operated in accordance with the manufacturer’s instructions and in accordance with a protocol meeting the requirements of the “AQD Portable Analyzer Guidance” document or an equivalent method approved by Air Quality.

[OAC 252:100-8-6(a)(3)(A)(iv), and OAC 252:100-43]

J. The reporting of total particulate matter emissions as required in Part 7 of OAC 252:100-8 (Permits for Part 70 Sources), OAC 252:100-19 (Control of Emission of Particulate Matter), and OAC 252:100-5 (Emission Inventory), shall be conducted in accordance with applicable testing or calculation procedures, modified to include back-half condensables, for the concentration of particulate matter less than 10 microns in diameter (PM₁₀). NSPS may allow reporting of only particulate matter emissions caught in the filter (obtained using Reference Method 5).

K. The permittee shall submit to the AQD a copy of all reports submitted to the EPA as required by 40 C.F.R. Part 60, 61, and 63, for all equipment constructed or operated under this permit subject to such standards. [OAC 252:100-8-6(c)(1) and OAC 252:100, Appendix Q]

SECTION IV. COMPLIANCE CERTIFICATIONS

A. No later than 30 days after each anniversary date of the issuance of the original Part 70 operating permit or alternative date as specifically identified in a subsequent Part 70 operating permit, the permittee shall submit to the AQD, with a copy to the US EPA, Region 6, a certification of compliance with the terms and conditions of this permit and of any other applicable requirements which have become effective since the issuance of this permit.

[OAC 252:100-8-6(c)(5)(A), and (D)]

B. The compliance certification shall describe the operating permit term or condition that is the basis of the certification; the current compliance status; whether compliance was continuous or intermittent; the methods used for determining compliance, currently and over the reporting period. The compliance certification shall also include such other facts as the permitting authority may require to determine the compliance status of the source.

[OAC 252:100-8-6(c)(5)(C)(i)-(v)]

C. The compliance certification shall contain a certification by a responsible official as to the results of the required monitoring. This certification shall be signed by a responsible official, and shall contain the following language: "I certify, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete."

[OAC 252:100-8-5(f) and OAC 252:100-8-6(c)(1)]

D. Any facility reporting noncompliance shall submit a schedule of compliance for emissions units or stationary sources that are not in compliance with all applicable requirements. This schedule shall include a schedule of remedial measures, including an enforceable sequence of actions with milestones, leading to compliance with any applicable requirements for which the emissions unit or stationary source is in noncompliance. This compliance schedule shall resemble and be at least as stringent as that contained in any judicial consent decree or administrative order to which the emissions unit or stationary source is subject. Any such schedule of compliance shall be supplemental to, and shall not sanction noncompliance with, the applicable requirements on which it is based, except that a compliance plan shall not be required for any noncompliance condition which is corrected within 24 hours of discovery.

[OAC 252:100-8-5(e)(8)(B) and OAC 252:100-8-6(c)(3)]

SECTION V. REQUIREMENTS THAT BECOME APPLICABLE DURING THE PERMIT TERM

The permittee shall comply with any additional requirements that become effective during the permit term and that are applicable to the facility. Compliance with all new requirements shall be certified in the next annual certification.

[OAC 252:100-8-6(c)(6)]

SECTION VI. PERMIT SHIELD

A. Compliance with the terms and conditions of this permit (including terms and conditions established for alternate operating scenarios, emissions trading, and emissions averaging, but excluding terms and conditions for which the permit shield is expressly prohibited under OAC 252:100-8) shall be deemed compliance with the applicable requirements identified and included in this permit.

[OAC 252:100-8-6(d)(1)]

B. Those requirements that are applicable are listed in the Standard Conditions and the Specific Conditions of this permit. Those requirements that the applicant requested be determined as not applicable are summarized in the Specific Conditions of this permit.

[OAC 252:100-8-6(d)(2)]

SECTION VII. ANNUAL EMISSIONS INVENTORY & FEE PAYMENT

The permittee shall file with the AQD an annual emission inventory and shall pay annual fees based on emissions inventories. The methods used to calculate emissions for inventory purposes shall be based on the best available information accepted by AQD.

[OAC 252:100-5-2.1, OAC 252:100-5-2.2, and OAC 252:100-8-6(a)(8)]

SECTION VIII. TERM OF PERMIT

A. Unless specified otherwise, the term of an operating permit shall be five years from the date of issuance. [OAC 252:100-8-6(a)(2)(A)]

B. A source's right to operate shall terminate upon the expiration of its permit unless a timely and complete renewal application has been submitted at least 180 days before the date of expiration. [OAC 252:100-8-7.1(d)(1)]

C. A duly issued construction permit or authorization to construct or modify will terminate and become null and void (unless extended as provided in OAC 252:100-8-1.4(b)) if the construction is not commenced within 18 months after the date the permit or authorization was issued, or if work is suspended for more than 18 months after it is commenced. [OAC 252:100-8-1.4(a)]

D. The recipient of a construction permit shall apply for a permit to operate (or modified operating permit) within 180 days following the first day of operation. [OAC 252:100-8-4(b)(5)]

SECTION IX. SEVERABILITY

The provisions of this permit are severable and if any provision of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.

[OAC 252:100-8-6 (a)(6)]

SECTION X. PROPERTY RIGHTS

A. This permit does not convey any property rights of any sort, or any exclusive privilege. [OAC 252:100-8-6(a)(7)(D)]

B. This permit shall not be considered in any manner affecting the title of the premises upon which the equipment is located and does not release the permittee from any liability for damage to persons or property caused by or resulting from the maintenance or operation of the equipment for which the permit is issued. [OAC 252:100-8-6(c)(6)]

SECTION XI. DUTY TO PROVIDE INFORMATION

A. The permittee shall furnish to the DEQ, upon receipt of a written request and within sixty (60) days of the request unless the DEQ specifies another time period, any information that the DEQ may request to determine whether cause exists for modifying, reopening, revoking, reissuing, terminating the permit or to determine compliance with the permit. Upon request, the permittee shall also furnish to the DEQ copies of records required to be kept by the permit.

[OAC 252:100-8-6(a)(7)(E)]

B. The permittee may make a claim of confidentiality for any information or records submitted pursuant to 27A O.S. § 2-5-105(18). Confidential information shall be clearly labeled as such and shall be separable from the main body of the document such as in an attachment.

[OAC 252:100-8-6(a)(7)(E)]

C. Notification to the AQD of the sale or transfer of ownership of this facility is required and shall be made in writing within thirty (30) days after such sale or transfer.

[Oklahoma Clean Air Act, 27A O.S. § 2-5-112(G)]

SECTION XII. REOPENING, MODIFICATION & REVOCATION

A. The permit may be modified, revoked, reopened and reissued, or terminated for cause. Except as provided for minor permit modifications, the filing of a request by the permittee for a permit modification, revocation and reissuance, termination, notification of planned changes, or anticipated noncompliance does not stay any permit condition.

[OAC 252:100-8-6(a)(7)(C) and OAC 252:100-8-7.2(b)]

B. The DEQ will reopen and revise or revoke this permit prior to the expiration date in the following circumstances:

[OAC 252:100-8-7.3 and OAC 252:100-8-7.4(a)(2)]

- (1) Additional requirements under the Clean Air Act become applicable to a major source category three or more years prior to the expiration date of this permit. No such reopening is required if the effective date of the requirement is later than the expiration date of this permit.
- (2) The DEQ or the EPA determines that this permit contains a material mistake or that the permit must be revised or revoked to assure compliance with the applicable requirements.
- (3) The DEQ or the EPA determines that inaccurate information was used in establishing the emission standards, limitations, or other conditions of this permit. The DEQ may revoke and not reissue this permit if it determines that the permittee has submitted false or misleading information to the DEQ.
- (4) DEQ determines that the permit should be amended under the discretionary reopening provisions of OAC 252:100-8-7.3(b).

C. The permit may be reopened for cause by EPA, pursuant to the provisions of OAC 100-8-7.3(d).

[OAC 100-8-7.3(d)]

D. The permittee shall notify AQD before making changes other than those described in Section XVIII (Operational Flexibility), those qualifying for administrative permit amendments, or those defined as an Insignificant Activity (Section XVI) or Trivial Activity (Section XVII). The notification should include any changes which may alter the status of a “grandfathered source,” as defined under AQD rules. Such changes may require a permit modification.

[OAC 252:100-8-7.2(b) and OAC 252:100-5-1.1]

E. Activities that will result in air emissions that exceed the trivial/insignificant levels and that are not specifically approved by this permit are prohibited.

[OAC 252:100-8-6(c)(6)]

SECTION XIII. INSPECTION & ENTRY

A. Upon presentation of credentials and other documents as may be required by law, the permittee shall allow authorized regulatory officials to perform the following (subject to the permittee's right to seek confidential treatment pursuant to 27A O.S. Supp. 1998, § 2-5-105(17) for confidential information submitted to or obtained by the DEQ under this section):

- (1) enter upon the permittee's premises during reasonable/normal working hours where a source is located or emissions-related activity is conducted, or where records must be kept under the conditions of the permit;
- (2) have access to and copy, at reasonable times, any records that must be kept under the conditions of the permit;
- (3) inspect, at reasonable times and using reasonable safety practices, any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the permit; and
- (4) as authorized by the Oklahoma Clean Air Act, sample or monitor at reasonable times substances or parameters for the purpose of assuring compliance with the permit.

[OAC 252:100-8-6(c)(2)]

SECTION XIV. EMERGENCIES

A. Any exceedance resulting from an emergency shall be reported to AQD promptly but no later than 4:30 p.m. on the next working day after the permittee first becomes aware of the exceedance. This notice shall contain a description of the emergency, the probable cause of the exceedance, any steps taken to mitigate emissions, and corrective actions taken.

[OAC 252:100-8-6 (a)(3)(C)(iii)(I) and (IV)]

B. Any exceedance that poses an imminent and substantial danger to public health, safety, or the environment shall be reported to AQD as soon as is practicable; but under no circumstance shall notification be more than 24 hours after the exceedance. [OAC 252:100-8-6(a)(3)(C)(iii)(II)]

C. 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 a technology-based emission limitation under this 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 preventive maintenance, careless or improper operation, or operator error. [OAC 252:100-8-2]

D. The affirmative defense of emergency shall be demonstrated through properly signed, contemporaneous operating logs or other relevant evidence that: [OAC 252:100-8-6 (e)(2)]

- (1) an emergency occurred and the permittee can identify the cause or causes of the emergency;
- (2) the permitted facility was at the time being properly operated;
- (3) 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 this permit.

E. In any enforcement proceeding, the permittee seeking to establish the occurrence of an emergency shall have the burden of proof. [OAC 252:100-8-6(e)(3)]

F. Every written report or document submitted under this section shall be certified as required by Section III (Monitoring, Testing, Recordkeeping & Reporting), Paragraph F.

[OAC 252:100-8-6(a)(3)(C)(iv)]

SECTION XV. RISK MANAGEMENT PLAN

The permittee, if subject to the provision of Section 112(r) of the Clean Air Act, shall develop and register with the appropriate agency a risk management plan by June 20, 1999, or the applicable effective date.

[OAC 252:100-8-6(a)(4)]

SECTION XVI. INSIGNIFICANT ACTIVITIES

Except as otherwise prohibited or limited by this permit, the permittee is hereby authorized to operate individual emissions units that are either on the list in Appendix I to OAC Title 252, Chapter 100, or whose actual calendar year emissions do not exceed any of the limits below. Any activity to which a State or Federal applicable requirement applies is not insignificant even if it meets the criteria below or is included on the insignificant activities list.

- (1) 5 tons per year of any one criteria pollutant.
- (2) 2 tons per year for any one hazardous air pollutant (HAP) or 5 tons per year for an aggregate of two or more HAP's, or 20 percent of any threshold less than 10 tons per year for single HAP that the EPA may establish by rule.

[OAC 252:100-8-2 and OAC 252:100, Appendix I]

SECTION XVII. TRIVIAL ACTIVITIES

Except as otherwise prohibited or limited by this permit, the permittee is hereby authorized to operate any individual or combination of air emissions units that are considered inconsequential and are on the list in Appendix J. Any activity to which a State or Federal applicable requirement applies is not trivial even if included on the trivial activities list.

[OAC 252:100-8-2 and OAC 252:100, Appendix J]

SECTION XVIII. OPERATIONAL FLEXIBILITY

A. A facility may implement any operating scenario allowed for in its Part 70 permit without the need for any permit revision or any notification to the DEQ (unless specified otherwise in the permit). When an operating scenario is changed, the permittee shall record in a log at the facility the scenario under which it is operating.

[OAC 252:100-8-6(a)(10) and (f)(1)]

B. The permittee may make changes within the facility that:

- (1) result in no net emissions increases,
- (2) are not modifications under any provision of Title I of the federal Clean Air Act, and
- (3) do not cause any hourly or annual permitted emission rate of any existing emissions unit to be exceeded;

provided that the facility provides the EPA and the DEQ with written notification as required below in advance of the proposed changes, which shall be a minimum of seven (7) days, or twenty

four (24) hours for emergencies as defined in OAC 252:100-8-6 (e). The permittee, the DEQ, and the EPA shall attach each such notice to their copy of the permit. For each such change, the written notification required above shall include a brief description of the change within the permitted facility, the date on which the change will occur, any change in emissions, and any permit term or condition that is no longer applicable as a result of the change. The permit shield provided by this permit does not apply to any change made pursuant to this paragraph. [OAC 252:100-8-6(f)(2)]

SECTION XIX. OTHER APPLICABLE & STATE-ONLY REQUIREMENTS

A. The following applicable requirements and state-only requirements apply to the facility unless elsewhere covered by a more restrictive requirement:

- (1) Open burning of refuse and other combustible material is prohibited except as authorized in the specific examples and under the conditions listed in the Open Burning Subchapter. [OAC 252:100-13]
- (2) No particulate emissions from any fuel-burning equipment with a rated heat input of 10 MMBTUH or less shall exceed 0.6 lb/MMBTU. [OAC 252:100-19]
- (3) For all emissions units not subject to an opacity limit promulgated under 40 C.F.R., Part 60, NSPS, no discharge of greater than 20% opacity is allowed except for: [OAC 252:100-25]
 - (a) Short-term occurrences which consist of not more than one six-minute period in any consecutive 60 minutes, not to exceed three such periods in any consecutive 24 hours. In no case shall the average of any six-minute period exceed 60% opacity;
 - (b) Smoke resulting from fires covered by the exceptions outlined in OAC 252:100-13-7;
 - (c) An emission, where the presence of uncombined water is the only reason for failure to meet the requirements of OAC 252:100-25-3(a); or
 - (d) Smoke generated due to a malfunction in a facility, when the source of the fuel producing the smoke is not under the direct and immediate control of the facility and the immediate constriction of the fuel flow at the facility would produce a hazard to life and/or property.
- (4) No visible fugitive dust emissions shall be discharged beyond the property line on which the emissions originate in such a manner as to damage or to interfere with the use of adjacent properties, or cause air quality standards to be exceeded, or interfere with the maintenance of air quality standards. [OAC 252:100-29]
- (5) No sulfur oxide emissions from new gas-fired fuel-burning equipment shall exceed 0.2 lb/MMBTU. No existing source shall exceed the listed ambient air standards for sulfur dioxide. [OAC 252:100-31]
- (6) Volatile Organic Compound (VOC) storage tanks built after December 28, 1974, and with a capacity of 400 gallons or more storing a liquid with a vapor pressure of 1.5 psia or greater under actual conditions shall be equipped with a permanent submerged fill pipe or with a vapor-recovery system. [OAC 252:100-37-15(b)]

- (7) All fuel-burning equipment shall at all times be properly operated and maintained in a manner that will minimize emissions of VOCs. [OAC 252:100-37-36]

SECTION XX. STRATOSPHERIC OZONE PROTECTION

A. The permittee shall comply with the following standards for production and consumption of ozone-depleting substances: [40 CFR 82, Subpart A]

- (1) Persons producing, importing, or placing an order for production or importation of certain class I and class II substances, HCFC-22, or HCFC-141b shall be subject to the requirements of §82.4;
- (2) Producers, importers, exporters, purchasers, and persons who transform or destroy certain class I and class II substances, HCFC-22, or HCFC-141b are subject to the recordkeeping requirements at §82.13; and
- (3) Class I substances (listed at Appendix A to Subpart A) include certain CFCs, Halons, HBFCs, carbon tetrachloride, trichloroethane (methyl chloroform), and bromomethane (Methyl Bromide). Class II substances (listed at Appendix B to Subpart A) include HCFCs.

B. If the permittee performs a service on motor (fleet) vehicles when this service involves an ozone-depleting substance refrigerant (or regulated substitute substance) in the motor vehicle air conditioner (MVAC), the permittee is subject to all applicable requirements. Note: The term “motor vehicle” as used in Subpart B does not include a vehicle in which final assembly of the vehicle has not been completed. The term “MVAC” as used in Subpart B does not include the air-tight sealed refrigeration system used as refrigerated cargo, or the system used on passenger buses using HCFC-22 refrigerant. [40 CFR 82, Subpart B]

C. The permittee shall comply with the following standards for recycling and emissions reduction except as provided for MVACs in Subpart B: [40 CFR 82, Subpart F]

- (1) Persons opening appliances for maintenance, service, repair, or disposal must comply with the required practices pursuant to § 82.156;
- (2) Equipment used during the maintenance, service, repair, or disposal of appliances must comply with the standards for recycling and recovery equipment pursuant to § 82.158;
- (3) Persons performing maintenance, service, repair, or disposal of appliances must be certified by an approved technician certification program pursuant to § 82.161;
- (4) Persons disposing of small appliances, MVACs, and MVAC-like appliances must comply with record-keeping requirements pursuant to § 82.166;
- (5) Persons owning commercial or industrial process refrigeration equipment must comply with leak repair requirements pursuant to § 82.158; and
- (6) Owners/operators of appliances normally containing 50 or more pounds of refrigerant must keep records of refrigerant purchased and added to such appliances pursuant to § 82.166.

SECTION XXI. TITLE V APPROVAL LANGUAGE

A. DEQ wishes to reduce the time and work associated with permit review and, wherever it is not inconsistent with Federal requirements, to provide for incorporation of requirements established through construction permitting into the Source’s Title V permit without causing redundant

review. Requirements from construction permits may be incorporated into the Title V permit through the administrative amendment process set forth in OAC 252:100-8-7.2(a) only if the following procedures are followed:

- (1) The construction permit goes out for a 30-day public notice and comment using the procedures set forth in 40 C.F.R. § 70.7(h)(1). This public notice shall include notice to the public that this permit is subject to EPA review, EPA objection, and petition to EPA, as provided by 40 C.F.R. § 70.8; that the requirements of the construction permit will be incorporated into the Title V permit through the administrative amendment process; that the public will not receive another opportunity to provide comments when the requirements are incorporated into the Title V permit; and that EPA review, EPA objection, and petitions to EPA will not be available to the public when requirements from the construction permit are incorporated into the Title V permit.
- (2) A copy of the construction permit application is sent to EPA, as provided by 40 CFR § 70.8(a)(1).
- (3) A copy of the draft construction permit is sent to any affected State, as provided by 40 C.F.R. § 70.8(b).
- (4) A copy of the proposed construction permit is sent to EPA for a 45-day review period as provided by 40 C.F.R. § 70.8(a) and (c).
- (5) The DEQ complies with 40 C.F.R. § 70.8(c) upon the written receipt within the 45-day comment period of any EPA objection to the construction permit. The DEQ shall not issue the permit until EPA's objections are resolved to the satisfaction of EPA.
- (6) The DEQ complies with 40 C.F.R. § 70.8(d).
- (7) A copy of the final construction permit is sent to EPA as provided by 40 CFR § 70.8(a).
- (8) The DEQ shall not issue the proposed construction permit until any affected State and EPA have had an opportunity to review the proposed permit, as provided by these permit conditions.
- (9) Any requirements of the construction permit may be reopened for cause after incorporation into the Title V permit by the administrative amendment process, by DEQ as provided in OAC 252:100-8-7.3(a), (b), and (c), and by EPA as provided in 40 C.F.R. § 70.7(f) and (g).
- (10) The DEQ shall not issue the administrative permit amendment if performance tests fail to demonstrate that the source is operating in substantial compliance with all permit requirements.

B. To the extent that these conditions are not followed, the Title V permit must go through the Title V review process.

SECTION XXII. CREDIBLE EVIDENCE

For the purpose of submitting compliance certifications or establishing whether or not a person has violated or is in violation of any provision of the Oklahoma implementation plan, nothing 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.

[OAC 252:100-43-6]

Cushing Municipal Authority
Attn: Mr. Robert Linder., Superintendent
P O Box 311
Cushing, OK 74023-0311

SUBJECT: Permit Number: **2022-0053-TVR3**
Cushing Municipal Power Plant (Facility ID: 244)
Section 4, Township 17N, Range 5E; Payne County, Oklahoma

Dear Mr. Linder:

Air Quality has received the permit application for the referenced facility and completed initial review. This application has been determined to be a Tier II application. In accordance with 27A O.S. 2-14-301 and 302 and OAC 252:4-7-13(c), the enclosed draft permit is now ready for public review. The requirements for public review of the draft permit include the following steps, which **you** must accomplish:

1. Publish at least one legal notice (one day) in at least one newspaper of general circulation within the county where the facility is located (Instructions enclosed).
2. Submit sample notice and provide date of publication to **AQD 5 days prior to notice publishing;**
3. Provide for public review, for a period of 30 days following the date of the newspaper announcement, a copy of the application and draft permit at a convenient location (preferentially at a public location) within the county of the facility;
4. Send AQD a signed affidavit of publication for the notice(s) from Item #1 above within 20 days of publication of the draft permit. Any additional comments or requested changes you have for the draft permit or the application should be submitted within 30 days of publication.

Thank you for your cooperation. If you have any questions, please refer to the permit number above and contact the permit writer at Vivek.Rajaraman@deq.ok.gov or at (405) 702-4100.

Sincerely,



Phillip Fielder, P.E.
Chief Engineer
AIR QUALITY DIVISION

Enclosures

NOTICE OF DRAFT PERMIT TIER II or TIER III AIR QUALITY PERMIT APPLICATION

APPLICANT RESPONSIBILITIES

Permit applicants are required to give public notice that a Tier II or Tier III draft permit has been prepared by DEQ. The notice must be published in one newspaper local to the site or facility. Note that if either the applicant or the public requests a public meeting, this must be arranged by the DEQ.

1. Complete the public notice using the samples provided by AQD below. Please use the version applicable to the requested permit action;
Version 1 – Traditional NSR process for a construction permit
Version 2 – Enhanced NSR process for a construction permit
Version 3 – initial Title V (Part 70 Source) operating permit, Title V operating permit renewal, Significant Modification to a Title V operating permit, and any Title V operating permit modification incorporating a construction permit that followed Traditional NSR process
2. Determine appropriate newspaper local to facility for publishing;
3. Submit sample notice and provide date of publication to AQD 5 days prior to notice publishing;
4. Upon publication, a signed affidavit of publication must be obtained from the newspaper and sent to AQD.

REQUIRED CONTENT (27A O.S. § 2-14-302 and OAC 252:4-7-13(c))

1. A statement that a Tier II or Tier III draft permit has been prepared by DEQ;
2. Name and address of the applicant;
3. Name, address, driving directions, legal description and county of the site or facility;
4. The type of permit or permit action being sought;
5. A description of activities to be regulated, including an estimate of emissions from the facility;
6. Location(s) where the application and draft permit may be reviewed (a location in the county where the site/facility is located must be included);
7. Name, address, and telephone number of the applicant and DEQ contacts;
8. Any additional information required by DEQ rules or deemed relevant by applicant;
9. A 30-day opportunity to request a formal public meeting on the draft permit.

SAMPLE NOTICE on page 2.

SAMPLE NOTICE (*Italicized print is to be filled in by the applicant.*):

DEQ NOTICE OF TIER ...II or III... DRAFT PERMIT

A Tier ...II or III... application for an air quality ...type of permit or permit action being sought (e.g., significant modification to a Title V permit or Title V/Title V renewal permit)... has been filed with the Oklahoma Department of Environmental Quality (DEQ) by applicant, ...name and address.

The applicant requests approval to ...brief description of purpose of application... at the ...site/facility name ... [proposed to be] located at ...physical address (if any), driving directions, and legal description including county....

In response to the application, DEQ has prepared a draft operating permit [modification] (Permit Number: ...xxxx-xxxx-x...), which may be reviewed at ...locations (one must be in the county where the site/facility is located)... or at the Air Quality Division's main office (see address below). The draft permit is also available for review under Permits for Public Review on the DEQ Web Page: <http://www.deq.ok.gov/>

This draft permit would authorize the facility to emit the following regulated pollutants: (*list each pollutant and amounts in tons per year (TPY)*) [For facility modifications only, either add: , which represents (*identify the emissions change involved in the modification*), or add: . The modification will not result in a change in emissions]

The public comment period ends 30 days after the date of publication of this notice. Any person may submit written comments concerning the draft permit to the Air Quality Division contact listed below or as directed through the corresponding online notice. [Modifications only, add: Only those issues relevant to the proposed modification(s) are open for comment.] A public meeting on the draft permit [modification] may also be requested in writing at the same address. Note that all public meetings are to be arranged and conducted by DEQ staff.

In addition to the public comment opportunity offered under this notice, this draft permit is subject to U.S. Environmental Protection Agency (EPA) review, EPA objection, and petition to EPA, as provided by 40 CFR § 70.8.

If the Administrator (EPA) does not object to the proposed permit, the public has 60 days following the Administrator's 45-day review period to petition the Administrator to make such an objection as provided in 40 CFR 70.8(d) and in OAC 252:100-8-8(j).

Information on all permit actions including draft permits, proposed permits, final issued permits and applicable review timelines are available in the Air Quality section of the DEQ Web page:
<https://www.deq.ok.gov/>.

For additional information, contact ...names, addresses and telephone numbers of contact persons for the applicant, or contact DEQ at: Chief Engineer, Air Quality Division, 707 N. Robinson, Suite 4100, P.O. Box 1677, Oklahoma City, OK, 73101-1677. Phone No. (405) 702-4100.

Cushing Municipal Authority
Attn: Mr. Robert Linder., Superintendent
P O Box 311
Cushing, OK 74023-0311

SUBJECT: Permit Number: **2022-0053-TV3**
Cushing Municipal Power Plant (Facility ID: 244)
Section 4, Township 17N, Range 5E; Payne County, Oklahoma

Dear Mr. Linder:

Enclosed is the permit authorizing operation of the referenced facility. Please note that this permit is issued subject to the certain standard and specific conditions which are attached. These conditions must be carefully followed since they define the limits of the permit and will be confirmed by periodic inspections.

Also note that you are required to annually submit an emissions inventory for this facility. An emissions inventory must be completed through DEQ's electronic reporting system by April 1st of every year. Any questions concerning the submittal process should be referred to the Emissions Inventory Staff at (405) 702-4100.

Thank you for your cooperation. If you have any questions, please refer to the permit number above and contact the permit writer at Vivek.Rajaraman@deq.ok.gov or at (405) 702-4195.

Sincerely,

Draft/Proposed

Phillip Fielder, P.E.
Chief Engineer
AIR QUALITY DIVISION

Enclosures

Department of Environmental Quality (DEQ)
Air Quality Division (AQD)
Acronym List
9-10-21

ACFM	Actual Cubic Feet per Minute	GAL	Gallon (gal)
AD	Applicability Determination	GDF	Gasoline Dispensing Facility
AFRC	Air-to-Fuel Ratio Controller	GEP	Good Engineering Practice
API	American Petroleum Institute	GHG	Greenhouse Gases
ASTM	American Society for Testing and Materials	GR	Grain(s) (gr)
BACT	Best Available Control Technology	H₂CO	Formaldehyde
BAE	Baseline Actual Emissions	H₂S	Hydrogen Sulfide
BBL	Barrel(s)	HAP	Hazardous Air Pollutants
BHP	Brake Horsepower (bhp)	HC	Hydrocarbon
BTU	British thermal unit (Btu)	HCFC	Hydrochlorofluorocarbon
C&E	Compliance and Enforcement	HFR	Horizontal Fixed Roof
CAA	Clean Air Act	HON	Hazardous Organic NESHAP
CAM	Compliance Assurance Monitoring	HP	Horsepower (hp)
CAS	Chemical Abstract Service	HR	Hour (hr)
CAAA	Clean Air Act Amendments	I&M	Inspection and Maintenance
CC	Catalytic Converter	IBR	Incorporation by Reference
CCR	Continuous Catalyst Regeneration	ICE	Internal Combustion Engine
CD	Consent Decree	LAER	Lowest Achievable Emission Rate
CEM	Continuous Emission Monitor	LB	Pound(s) [Mass] (lb, lbs, lbm)
CFC	Chlorofluorocarbon	LB/HR	Pound(s) per Hour (lb/hr)
CFR	Code of Federal Regulations	LDAR	Leak Detection and Repair
CI	Compression Ignition	LNG	Liquefied Natural Gas
CNG	Compressed Natural Gas	LT	Long Ton(s) (metric)
CO	Carbon Monoxide or Consent Order	M	Thousand (Roman Numeral)
COA	Capable of Accommodating	MAAC	Maximum Acceptable Ambient Concentration
COM	Continuous Opacity Monitor	MACT	Maximum Achievable Control Technology
D	Day	MM	Prefix used for Million (Thousand-Thousand)
DEF	Diesel Exhaust Fluid	MMBTU	Million British Thermal Units (MMBtu)
DG	Demand Growth	MMBTUH	Million British Thermal Units per Hour (MMBtu/hr)
DSCF	Dry Standard (At Standard Conditions) Cubic Foot (Feet)	MMSCF	Million Standard Cubic Feet (MMscf)
EGU	Electric Generating Unit	MMSCFD	Million Standard Cubic Feet per Day
EI	Emissions Inventory	MSDS	Material Safety Data Sheet
EPA	Environmental Protection Agency	MWC	Municipal Waste Combustor
ESP	Electrostatic Precipitator	MWe	Megawatt Electrical
EUG	Emissions Unit Group	NA	Nonattainment
EUSGU	Electric Utility Steam Generating Unit	NAAQS	National Ambient Air Quality Standards
FCE	Full Compliance Evaluation	NAICS	North American Industry Classification System
FCCU	Fluid Catalytic Cracking Unit	NESHAP	National Emission Standards for Hazardous Air Pollutants
FESOP	Federally Enforceable State Operating Permit	NH₃	Ammonia
FIP	Federal Implementation Plan	NMHC	Non-methane Hydrocarbon
FR	Federal Register	NGL	Natural Gas Liquids
GACT	Generally Achievable Control Technology		

NO₂	Nitrogen Dioxide	SER	Significant Emission Rate
NO_x	Nitrogen Oxides	SI	Spark Ignition
NOI	Notice of Intent	SIC	Standard Industrial Classification
NSCR	Non-Selective Catalytic Reduction	SIP	State Implementation Plan
NSPS	New Source Performance Standards	SNCR	Selective Non-Catalytic Reduction
NSR	New Source Review	SO₂	Sulfur Dioxide
		SO_x	Sulfur Oxides
O₃	Ozone	SOP	Standard Operating Procedure
O&G	Oil and Gas	SRU	Sulfur Recovery Unit
O&M	Operation and Maintenance		
O&NG	Oil and Natural Gas	T	Tons
OAC	Oklahoma Administrative Code	TAC	Toxic Air Contaminant
OC	Oxidation Catalyst	TEG	Triethylene Glycol
		THC	Total Hydrocarbons
PAH	Polycyclic Aromatic Hydrocarbons	TPY	Tons per Year
PAE	Projected Actual Emissions	TRS	Total Reduced Sulfur
PAL	Plant-wide Applicability Limit	TSP	Total Suspended Particulates
Pb	Lead	TV	Title V of the Federal Clean Air Act
PBR	Permit by Rule		
PCB	Polychlorinated Biphenyls	µg/m³	Micrograms per Cubic Meter
PCE	Partial Compliance Evaluation	US EPA	U. S. Environmental Protection Agency
PEA	Portable Emissions Analyzer		
PFAS	Per- and Polyfluoroalkyl Substance	VFR	Vertical Fixed Roof
PM	Particulate Matter	VMT	Vehicle Miles Traveled
PM_{2.5}	Particulate Matter with an Aerodynamic Diameter <= 2.5 Micrometers	VOC	Volatile Organic Compound
PM₁₀	Particulate Matter with an Aerodynamic Diameter <= 10 Micrometers	VOL	Volatile Organic Liquid
POM	Particulate Organic Matter or Polycyclic Organic Matter	VRT	Vapor Recovery Tower
		VRU	Vapor Recovery Unit
ppb	Parts per Billion	YR	Year
ppm	Parts per Million		
ppmv	Parts per Million Volume	2SLB	2-Stroke Lean Burn
ppmvd	Parts per Million Dry Volume	4SLB	4-Stroke Lean Burn
PSD	Prevention of Significant Deterioration	4SRB	4-Stroke Rich Burn
psi	Pounds per Square Inch		
psia	Pounds per Square Inch Absolute		
psig	Pounds per Square Inch Gage		
RACT	Reasonably Available Control Technology		
RATA	Relative Accuracy Test Audit		
RAP	Regulated Air Pollutant or Reclaimed Asphalt Pavement		
RFG	Refinery Fuel Gas		
RICE	Reciprocating Internal Combustion Engine		
RO	Responsible Official		
ROAT	Regional Office at Tulsa		
RVP	Reid Vapor Pressure		
SCC	Source Classification Code		
SCF	Standard Cubic Foot		
SCFD	Standard Cubic Feet per Day		
SCFM	Standard Cubic Feet per Minute		
SCR	Selective Catalytic Reduction		