



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 6
1445 ROSS AVENUE
DALLAS, TEXAS 75202-2733

Date: October 5, 2003

STATEMENT OF BASIS

Minor New Source Review (NSR)/Title V No. R6DPA-GM1

I. NOTICE OF INTENT TO ISSUE A PERMIT.

The Environmental Protection Agency has made a tentative determination to issue a minor New Source Review (NSR) construction permit/Title V operating permit to Port Pelican Project, Gulf of Mexico. This is a new project and has never received either a Federal construction or operating permit in the past.

II. APPLICANT.

The applicant is: Port Pelican Project, Gulf of Mexico
Port Pelican, LLC
Suite 2700
1111 Bagby
Houston, TX 77002

Contact: Mr. Roland Borey
Project Manager
(713) 752-7132

III. PERMITTING AUTHORITY.

The permitting authority is: U.S. Environmental Protection Agency
Region 6, Air Permitting Section (6PD-R)
1445 Ross Avenue
Dallas, Texas 75202-2733

The EPA does not normally administer the Clean Air Act (CAA) in the Gulf of Mexico west of longitude 80 degrees 30 minutes; the Minerals Management Service is responsible for regulating Outer Continental Shelf (OCS) sources in that area pursuant to CAA Section 328. EPA Region 6 has established that this proposed facility is not an OCS source.

EPA regards a provision of the "the Deepwater Port Act of 1974, as amended" (DPA) as the primary source of its authority to apply the CAA to activities associated with deepwater ports.

The DPA at Sec. 1518 (a)(1) requires the Constitution, laws, and treaties of the United States to apply to a deepwater port licensed under this chapter and to activities connected, associated, or potentially interfering with the use or operation of any such port, in the same manner as if such port were an area of exclusive Federal jurisdiction located within a State. The Secretary of Transportation interprets the DPA as requiring a unified application for all necessary federal permits and close coordination between responsible federal agencies, but not as requiring issuance of a single permit. “Federal Agencies with permit responsibilities such as the EPA and MMS will retain all distinct permit issuance authority.” USCG Memorandum, “Environmental Planning Aspects of the Deepwater Port Act” (1 April 2003). Sec. 1502 (9) (D) of the DPA states that a “deepwater port” shall be considered a 'new source' for purposes of the Clean Air Act (42 U.S.C. 7401 et seq.). Therefore, before a deepwater port may be constructed and operated, the owner or operator must receive a Title I preconstruction permit and a Title V operating permit from the EPA.

Since these two permits are required to be issued by the EPA, we must decide which requirements should be reviewed and evaluated during the permit review process. Pursuant to section 1502 (1) of the DPA, the State of Louisiana has been designated as the “adjacent coastal State.” In addition, the DPA at Sec. 1518 (b) requires the law of the “nearest adjacent coastal State”, now in effect or hereafter adopted, amended, or repealed, to be declared the law of the United States, and shall apply to any deepwater port licensed pursuant to this chapter, to the extent applicable and not inconsistent with any provision or regulation under this chapter or other Federal laws and regulations now in effect or hereafter adopted, amended, or repealed. All such applicable laws shall be administered and enforced by the appropriate officers and courts of the United States. Under this subsection, the “nearest adjacent coastal State” shall be that State whose seaward boundaries, if extended beyond 3 miles, would encompass the site of the deepwater port. This state is the State of Louisiana.

Therefore, in accordance with the DPA and consistent with the provisions of Title I and Title V of the CAA, and applicable rules and regulations, the EPA has prepared a combined Title I minor preconstruction and Title V operating permit. Louisiana’s EPA-approved rules and regulations were followed in determining NSR and Title V applicability and the combined permits’ proposed conditions, except EPA is performing the public participation requirements, and establishing the Federal permit fee, Federal submittal addresses, and Federal permit appeal procedures.

This facility is new. No other permits have been issued to this facility.

IV. EPA PERMIT WRITER.

The permit writer is: Stephanie D. Kordzi
 Air Permitting Section (6PD-R)
 (214) 665-7520

V. FACILITY BACKGROUND AND/OR CONSTRUCTION HISTORY.

The Port Pelican Terminal will be a liquefied natural gas receiving, storage, and regasification

facility located offshore of Louisiana in the Gulf of Mexico. It will deliver a peak 2.0 billion standard cubic feet per day of pipeline quality natural gas. The 800 million cubic feet per day Phase I of the Project will include construction of a Terminal consisting of two gravity based structures plus process equipment, a meter/pressure regulation station, utility equipment, and ancillaries mounted on top of the gravity based structures which are large concrete structures specially designed to provide a secure enclosure for the liquified natural gas tanks and a supportive deck for the vaporizing equipment. Berthing facilities will allow accommodation of two liquified natural gas carriers, one on either side of the terminal. Port Pelican LLC will also construct a new 37-nautical mile, 42" diameter subsea interconnection pipeline connecting the terminal to the existing Tiger Shoal "A" platform in South Marsh Island Block 217. This pipeline will support gas delivery ultimately to the existing onshore natural gas pipeline infrastructure for the life of the project.

The process consists of offloading the liquified natural gas (LNG) from ocean going LNG carriers to storage tanks, lifting the LNG from storage tanks, pumping the cold liquid to pipeline pressure, subsequent vaporization across heat exchange equipment and finally sending out through custody transfer metering to the US gas pipeline network. Gas will enter the Pelican Interconnection Pipeline directly with no conditioning.

At the time of permit issuance, the facility will not be constructed. The permittee has indicated in the permit application that Phase I operations (operations average 0.8 billion standard cubic feet per day, or BSCFD) will begin on July 1, 2006. The second year of operations would consist of six months of Phase I operations from January 1 through June 30, 2007. In July 2007, Phase II would increase operations to 1.6 BSCFD, doubling the average LNG vaporization throughput and increasing LNG tanker berthing and unloading from 2.3 days to 4.7 days a week. In 2008, operations would continue under the Phase II operating scenario, and would continue as such until decommissioning. LNG tankers would berth and unload a total of 244 days per year. Phase I includes the installation of 2 gravity based structures with internal storage tanks and facilities for LNG offloading, send out and vaporization. Additional vaporization equipment and associated support equipment and facilities will be installed during Phase II to increase the facility vaporization and send out. The permittee has indicated that installation of Phase II equipment is dependent on available supply of LNG and natural gas demand. Two turbines would operate at 95% utilization, and the third standby turbine at 10%. The Potential to Emit (PTE) identified in the permit application includes controls and operational limits reflecting the emission rates being limited to 95% utilization to ensure the facility does not exceed the 250 ton per year major source definition threshold. Phased construction requirements identified by EPA guidance requires that the plans for all phases are certain and well-defined. By limiting its emissions to not exceed the 250 ton per year definition, the permittee has met these criteria.

VI. EFFECTIVE DATE AND PERMIT DURATION.

Compliance with the final combined permit's conditions, is required on the effective date of the permit. The permit will expire five years from the effective date of the permit.

VII. FACILITY LOCATION.

The Terminal will be located approximately 37 nautical miles off the coast of Cameron Parish, Louisiana in the Gulf of Mexico.

Latitude: 29° 01' 33.41" N
Longitude: 92° 32' 11.85" W

VIII. FACILITY INFORMATION.

a. Identification

Category: This facility is an off-shore gas delivery system which will vaporize liquefied natural gas using regasification equipment for delivery to a downstream infrastructure. EPA has made a determination that this facility is not a PSD source category “fuel conversion plants” found in 40 CFR Subpart 52.21. The determination was made in the memorandum Request for Guidance on the Definition of Fuel Conversion Plants for Purposes of Prevention of Significant Deterioration (PSD), dated July 31, 2003, from Racqueline Shelton to Guy Donaldson. Specifically, this category was intended to only cover processes where chemical changes occur. The vaporization of liquefied natural gas (LNG) to natural gas naturally occurs at ambient temperature without the need for chemical/combustion conversion. Since the proposed facility does not fall under the listed PSD source categories, the applicable PSD threshold is 250 tpy. The proposed facility is not a major PSD source, since the emissions from this facility are limited to 235 tpy. Therefore, the proposed facility is a minor source subject to minor new source review requirements

SIC Code: 4491

b. Emission Units

Port Pelican LLC provided in its Port Pelican Project’s application, the information contained in Tables 1 and 2. Table 1 lists emission units and emission generating activities, including any air pollution control devices.

Emission units identified as “insignificant” are listed separately in Table 2. Louisiana’s EPA-approved Title V operating permit program allows sources to separately list in the permit application units or activities that qualify as “insignificant” based on potential emissions below 2 tons/year for all regulated pollutants that are not listed as hazardous air pollutants (“HAPs”) under section 112(b) and below 1000 lbs/year or the de minimus level established under section 112(g), whichever is lower, for HAPs. However, the application may not omit information needed to determine the applicability of, or to impose, any applicable requirement, or to calculate the fee. Units that qualify as “insignificant” for the purposes of the Title V application are in no way exempt from applicable requirements or any requirements of the operating permit.

Port Pelican LLC stated in its permit application that the emission units in Table 2 below qualified as “insignificant” and EPA agrees that these emission units meet the State’s definition for “insignificant” for Title V purposes.

Table 1 - Emission Units
Port Pelican Project

Emission Unit Id. No.	Description
GEN-001	GE-LM 2000 Turbine Generator No. 1 - 23,555 HP, or equivalent, 95% utilization with dry low NOx incorporated
GEN-002	GE-LM 2000 Turbine Generator No. 2 - 23,555 HP, or equivalent, 95% utilization with dry low NOx incorporated
GEN-003	GE-LM 2000 Turbine Generator No. 3 - 23,555 HP, or equivalent, 10% utilization with dry low NOx incorporated
GEN-004	Diesel Emergency Generator No. 1 - Caterpillar 3412, 670 HP, or equivalent, 10% utilization
GEN-005	Diesel Emergency Generator No. 2 - Caterpillar 3412, 670 HP, or equivalent, 5% utilization
CRA-001	Jib Crane, Diesel Engine (50-Ton) - 550 HP, 40% utilization
CRA-002	Cherry Picker Crane, Diesel engine, (20 ton) - 274 HP, 40% utilization
CRA-003	Mobile Crane, Diesel Engine, Telescopic - 200 HP, 20% utilization
FWP-001	Firewater Pump, Diesel Engine 1 - (300 hp), 5% utilization
FWP-002	Firewater Pump, Diesel Engine 2 - (300 hp), 5% utilization
FWP-003	Firewater Pump, Diesel Engine 3 - (300 hp), 5% utilization
FWP-004	Firewater Pump, Diesel Engine 4 - (300 hp), 5% utilization
FLR-001	Flare Tips, High, Low and Continuous - emergency and pilot usage only

Table 2 - Insignificant Emission Units
Port Pelican Project

Description
Diesel-powered fork lift

2 John Deere gator vehicles, 25 hp each
1 diesel storage tank (750 bbl (31,500 gal))
2 JP-4 (aviation fuel) storage tanks for helicopter fueling (700 gallons each)
Waste oil tanks
Open Drain System
4 Emergency lifeboat engines (75 hp each)
Fugitive emissions, predominately methane, from piping flanges, valves, pump and compressor seals, (uncontrolled?)

Table 3 - Mobile Sources

LNG Carriers (Ocean going vessels transporting LNG)
4 assist tugs
1 supply boat
1 crewboat
Helicopter

c. Permitted Emissions

Table 4 includes emissions data provided by the Port Pelican Project. Typically, the Potential to Emit (PTE) means the maximum capacity of the Port Pelican Project to emit any air pollutant under its physical and operational design. However, the PTE identified in the permit application includes controls and operational limits reflecting the emission rates being limited to 95% utilization to ensure the facility does not exceed the 250 ton per year major source definition threshold. Any physical or operational limitation on the capacity of the Port Pelican Project to emit an air pollutant, including air pollution control equipment and restrictions on hours of operation or on the type or amount of material combusted, stored, or processed, will be treated as part of its design and the limitation is enforceable by EPA. PTE is meant to be a worse case emissions calculation. Actual emissions may be much lower.

EPA has determined that fugitives from the process are negligible because the LM 2000 turbines use LNG for fuel, resulting in low Volatile Organic Compounds.

The PTE or air emission calculations were developed for Angola Lean fuel, which would be

combusted in the LM 2000 turbines (or equivalent) utilizing vendor data in lieu of AP-42 emissions factors. The emission factors for Angola Lean fuel were calculated based upon a fuel nitrogen content of 0.19 percent, a methane content of 89.94 percent, ethane content of 9.42 percent and propane at 0.45 percent.

The AP-42 emission factors were utilized to calculate emissions from the diesel engines. The sulfur factor was calculated based on maximum sulfur specification for off-road diesel.

The applicant submitted the Form MMS 139 spreadsheets, located in Appendix C of the application, for the next four years. The spreadsheets calculate the estimated maximum pounds per hour and estimated tons per year of emissions. The EPA reviewed the spreadsheets and the methodology behind them and found it adequate for PTE estimates.

Port Pelican LLC must also submit annual estimates of *actual* emissions from the Port Pelican Project for all regulated pollutants as part of the requirement to pay an annual fee required by Title V. EPA will review these submittals for accuracy.

The emission rates in Table 4 may not be exceeded by the permittee.

**Table 4 - Permitted Emissions in Tons per Year
Port Pelican Project, Gulf of Mexico**

Permitted Emissions Listed in Maximum Pounds Per Hour and Annual Tons Per Year											
ID No.	Description	PM10		SO2		NOx		CO		VOC	
		lbs/hr	TPY	lbs/hr	TPY	lbs/hr	TPY	lbs/hr	TPY	lbs/hr	TPY
GEN-001	GE-LM 2000 Turbine Generator No. 1 - 23,555 HP, or equivalent, 95% utilization ¹	0.0	0.0	0.02	0.07	17.21	71.61	10.57	44.0	0.36	1.49
GEN-002	GE-LM 2000 Turbine Generator No. 2 - 23,555 HP, or equivalent, 95% utilization ¹	0.0	0.0	0.02	0.07	17.21	71.61	10.57	44.0	0.36	1.49
GEN-003	GE-LM 2000 Turbine Generator No. 3 - 23,555 HP, or equivalent, 10% utilization ¹	0.0	0.0	0.04	0.0	17.21	7.54	10.57	4.63	0.36	0.16
GEN-004	Diesel Emergency Generator No. 1 - Caterpillar 3412, 670 HP, or equivalent, 10% utilization ²	0.47	0.10	1.18	0.26	16.07	3.52	3.69	0.81	0.47	0.1
GEN-005	Diesel Emergency Generator No. 2 - Caterpillar 3412, 670 HP, or equivalent, 5% utilization ²	0.47	0.10	1.18	0.26	16.07	3.52	3.69	0.81	0.47	0.1
CRA-001	Jib Crane, Diesel Engine (50-Ton) - 550 HP, 40% utilization ²	1.21	2.12	0.97	1.7	17.03	29.84	3.67	6.43	1.36	2.4
CRA-002	Cherry Picker Crane, Diesel engine, (20 ton) - 274 HP, 40% utilization ²	0.60	1.06	0.48	0.85	8.49	14.87	1.83	3.20	0.68	1.2
CRA-003	Mobile Crane, Diesel Engine, Telescopic - 200 HP, 20% utilization ²	0.44	0.39	0.35	0.31	6.19	5.43	1.33	1.17	0.49	0.43
FWP-001	Firewater Pump, Diesel Engine 1 - (300 hp), 5% utilization ²	0.66	0.14	0.53	0.12	9.29	2.03	2.00	0.44	0.74	0.16

FWP-002	Firewater Pump, Diesel Engine 2 - (300 hp), 5% utilization ²	0.66	0.14	0.53	0.12	9.29	2.03	2.00	0.44	0.74	0.16
FWP-003	Firewater Pump, Diesel Engine 3 - (300 hp), 5% utilization ²	0.66	0.14	0.53	0.12	9.29	2.03	2.00	0.44	0.74	0.16
FWP-004	Firewater Pump, Diesel Engine 4 - (300 hp), 5% utilization ²	0.66	0.14	0.53	0.12	9.29	2.03	2.00	0.44	0.74	0.16
FLR-001	Flare Tips, High, Low and Continuous - emergency and pilot usage only ²	0.0	0.0	0.01	0.04	3.62	15.86	19.71	86.35	0.20	0.89
Totals		6.61	4.6	6.96	4.17	167.11	234.69	75.99	193.74	8.57	9.09

¹ Emission rates based on vendor data in lieu of AP-42 emission factors for Angola Lean fuel.

² Emission rates based on AP-42 emission factors.

**Table 5 -- Hazardous Air Pollutant Potential Emission
Port Pelican LLC
Port Pelican Project**

Emission Unit Id.	Hazardous Air Pollutant (tons per year)									
	Formaldehyde	Napthalene	Benzene	Acrolein	Toluene	Acetaldehyde	Ethyl benzene	1,3 Butadiene	Xylenes	Propylene Oxide
GEN-001	0.72	0.0013	0.0122	0.0065	0.1325	0.0408	0.0326	0.0004	0.0652	0.0295
GEN-002	0.72	0.0013	0.0122	0.0065	0.1325	0.0408	0.0326	0.0004	0.0652	0.0295
GEN-003	0.72	0.0001	0.0013	0.0007	0.0139	0.0043	0.0034	0.000	0.0069	0.0031
GEN-004	0.00008	0.00013	0.00078	0.00001	0.00028	0.00003	0.000	0.000	0.00019	0.000
GEN-005	0.000160	0.0001	0.00078	0.00001	0.00028	0.00003	0.000	0.000	0.00019	0.000
CRA-001	0.0077	0.0006	0.0061	0.0006	0.0027	0.0050	0.000	0.0003	0.0019	0.0169

CRA-002	0.0039	0.0003	0.0031	0.0003	0.0013	0.0025	0.000	0.0001	0.0009	0.0084
CRA-003	0.0028	0.0002	0.0022	0.0002	0.0010	0.0018	0.000	0.0001	0.0007	0.0062
FWP-001	0.0005	0.000	0.0004	0.000	0.0002	0.0003	0.000	0.000	0.0001	0.0011
FWP-002	0.0005	0.000	0.0004	0.000	0.0002	0.0003	0.000	0.000	0.0001	0.0011
FWP-003	0.0005	0.000	0.0004	0.000	0.0002	0.0003	0.000	0.000	0.0001	0.0011
FWP-004	0.0005	0.000	0.0004	0.000	0.0002	0.0003	0.000	0.000	0.0001	0.0011
TOTAL (tpy)	1.541	.000169	.04026	.01482	.28526	.09646	.0686	.0013	.14158	.098

IX. PERMIT MONITORING/TESTING REQUIREMENTS.

The Port Pelican Project, Gulf of Mexico permit application was reviewed for compliance with Title I and Title V of the Clean Air Act. Based on the information provided by Port Pelican in their application, it will also be subject to the following permit requirements:

- a. The amount of natural gas burned in emission units GEN-001, GEN-002, GEN-003 and FLR-001 shall not exceed the following at the maximum heat input of 1092 BTU/scf.

GEN-001 - 1,868 MMSCF/year;
GEN-002 - 1,868 MMSCF/year;
GEN-003 - 196.52 MMSCF/year;
FLR-001 - 427,566,840 scf/year

- b. The amount of diesel burned in emission units GEN-004, GEN-005, CRA-001, CRA-002, CRA-003, FWP-001, FWP-002, FWP-003, and FWP-004 shall not exceed the following at the maximum heat input of 141,000 BTU/gal at 0.4% weight sulfur:

GEN-004 - 14,174 gal/year;
GEN-005 - 14,174 gal/year;
CRA-001 - 93,084 gal/year;
CRA-002 - 46,373 gal/year;
CRA-003 - 33,849 gal/year;
FWP-001 - 6,260 gal/year;
FWP-002 - 6,260 gal/year;
FWP-003 - 6,260 gal/year;
FWP-004 - 6,260 gal/year

- c. Performance Testing Requirements

The permittee shall comply with the following performance testing requirements. Within 60 days after achieving the maximum production rate at which the affected facility will be operated, but not later than 180 days after initial startup of such facility, performance tests(s) shall be conducted and a written report of the performance testing results furnished to the EPA. In accordance with 40 CFR Subpart 60.335, the owner or operator shall use as reference methods and procedures the test methods in appendix A of Part 60. Performance tests shall be conducted and data reduced in accordance with the test methods and procedures contained in 40 CFR Part 60, Subpart GG. Specifically the standard for nitrogen oxides, 40 CFR Subpart 60.332 and the standard for sulfur dioxide, 40 CFR Subpart 60.333.

- d. Monitoring requirements for the NAAQS pollutants, PM₁₀, SO₂, NO_x, CO and VOC, shall be as follows:

- (i) The permittee shall comply with all applicable requirements listed in the permit's attached tables. Failure to comply with any of the federal applicable requirements or compliance monitoring devices, activities, or methods listed in Tables 2, 3, and 4 of the permit will represent a violation of this permit.
- (ii) Permittee shall ensure compliance with the opacity and particulate emission limits of this permit by visually inspecting Emission Units GEN-001, GEN-002, GEN-003, GEN-004, GEN-005, CRA-001, CRA-002, CRA-003, FWP-001, FWP-002, FWP-003, FWP-004, and FLR-001 for opacity on a weekly basis. If visible emissions are detected, then, within three (3) working days, the permittee shall conduct a six-minute opacity reading in accordance with EPA Reference Method 9. Records of visible emission checks shall include the emission point ID number, the date the visual check was performed, a record if visible emissions were detected, and a record and results of any Method 9 testing conducted. These records shall be kept on site and available for inspection.
- (iii) Permittee shall demonstrate compliance with the PM, SO₂, NO_x, and opacity limits of this permit by performing stack tests once per year on Emission Units GEN-001, GEN-002, GEN-003, GEN-004, GEN-005, CRA-001, CRA-002, CRA-003, FWP-001, FWP-002, FWP-003, FWP-004, and FLR-001. These stack tests shall be repeated after each major overhaul. The following test methods and procedures from New Source Performance Standards, 40 CFR 60, Appendix A, shall be used:
 - (A) PM, NO_x, and SO₂ by methods and procedures specified by 40 CFR 60.48a(f) and 60.335(c) (Methods 19 and 20); and
 - (B) Opacity by Method 9-Visual Determination of Opacity of Emissions from Stationary Sources.
- (iv) Failure to comply with any of the following conditions listed in Tables 2, 3, and 4 in the permit and any of the state's applicable requirements will represent a violation of this permit.

The permittee shall demonstrate compliance with the CO and VOC emission limits of this permit, as applicable, by performing stack tests once per year on Emission Units GEN-001, GEN-002, GEN-003, GEN-004, GEN-005, CRA-001, CRA-002, CRA-003, FWP-001, FWP-002, FWP-003, FWP-004, and FLR-001. These stack tests shall be repeated after each major overhaul. The following test methods and procedures from New Source Performance Standards, 40 CFR 60, Appendix A, shall be used:

- (A) Carbon Monoxide by Method 10-Determination of Carbon Monoxide Emissions from Stationary Sources;
- (B) VOC by Method 25A-Determination of Total Gaseous Organic

Concentration using a Flame Ionization Analyzer ;

e. Operational Flexibility

The draft permit for Port Pelican does not contain provisions that allow for operational flexibility since the facility did not request a need for such a Title V permit provision in its permit application. Operational flexibility means that units are permitted to operate under multiple operating conditions. The applicable requirements for each operating condition are different, and are determined by differing unit attributes.

f. Permit Shield

An operating permit applicant has the opportunity to specifically request a permit shield to document that specific applicable requirements do not apply to emission units in the permit. A permit shield is a special condition stating that compliance with the conditions of the permit shall be deemed compliance with the specified potentially applicable requirements. The facility did not request a Title V permit shield in its application.

X. REPORTING REQUIREMENTS.

- a. The permittee shall submit to the EPA Regional Office all reports of any required monitoring under this permit every six months following the anniversary of permit issuance. Reports shall also include repair and maintenance records of the emission units identified in the permit. All required reports must be certified by a responsible official consistent with **section IV.F.(a)** of this permit. See Reporting Form "SIXMON" found on EPA website at: <http://www.epa.gov/air/oaqps/permits/p71forms.html>]

All instances of deviations from permit requirements must be clearly identified in such reports. "Deviation," means any situation in which an emissions unit fails to meet a permit term or condition. A deviation is not always a violation. A deviation can be determined by observation or through review of data obtained from any testing, monitoring, or record keeping. For a situation lasting more than 24 hours which constitutes a deviation, each 24 hour period is considered a separate deviation. Included in the meaning of deviation are any of the following:

- (i) A situation where emissions exceed an emission limitation or standard;
- (ii) A situation where process or emissions control device parameter values indicate that an emission limitation or standard has not been met;
- (iii) A situation in which observations or data collected demonstrates noncompliance with an emission limitation or standard or any work practice or operating condition required by the permit; or

- (iv) A situation in which an exceedance or an excursion, as defined in 40 CFR part 64 occurs.
- b. The permittee shall promptly report to the EPA Regional Office deviations from permit requirements, including those attributable to upset conditions as defined in this permit, the probable cause of such deviations, and any corrective actions or preventive measures taken. “Prompt” is defined as follows:
 - (i) Any definition of “prompt” or a specific time frame for reporting deviations provided in an underlying applicable requirement as identified in this permit; or
 - (ii) Where the underlying applicable requirement fails to address the time frame for reporting deviations, reports of deviations will be submitted based on the following schedule:
 - (A) For emissions of a hazardous air pollutant or a toxic air pollutant(as identified in the applicable regulation) that continue for more than an hour in excess of permit requirements, the report must be made within 24 hours of the occurrence;
 - (B) For emissions of any regulated air pollutant, excluding a hazardous air pollutant or a toxic air pollutant that continue for more than two hours in excess of permit requirements, the report must be made within 48 hours;
 - (C) For all other deviations from permit requirements, the report shall be submitted with the semi-annual monitoring report required in paragraph (a) of this section.
- c. A written notice, certified consistent with **section IV.F.** of this permit must be submitted within 10 working days of the occurrence. All deviations reported under this section must also be identified in the 6-month report required under paragraph (a) of this section. EPA has developed a form “PDR” for prompt deviation reporting. The form may be found on EPA website at: <http://www.epa.gov/air/oaqps/permits/p71forms.html>

XI. RECORD KEEPING REQUIREMENTS.

The permittee shall comply with the following generally applicable record keeping requirements at a site accessible to the EPA Inspector or available upon request from the regulatory authority:

- a. The permittee shall keep records of required monitoring information that include the following:
 - (i) The date, place, and time of sampling or measurements;

- (ii) The date(s) analyses were performed;
 - (iii) The company or entity that performed the analyses;
 - (iv) The analytical techniques or methods used;
 - (v) The results of such analyses; and
 - (vi) The operating conditions as existing at the time of sampling or measurement.
- b. The permittee shall retain records of all required monitoring data and support information for a period of at least 5 years from the date of the monitoring sample, measurement, report, or application. Support information includes all calibration and maintenance records, all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by this permit.
 - c. The permittee shall keep records on all repair and maintenance activities performed on all emission units. These records shall identify the relevant emission unit and describe the work performed.
 - d. The fuel flow/consumption for each emission unit (GEN-001; GEN-002; GEN-003; GEN-004; GEN-005; CRA-001; CRA-002; CRA-003; FWP-001; FWP-002; FWP-003; FWP-004; FLR-001) shall be recorded on a monthly basis.
 - e. The records of fuel consumption shall be maintained for emission units GEN-001; GEN-002; GEN-003; GEN-004; GEN-005; CRA-001; CRA-002; CRA-003; FWP-001; FWP-002; FWP-003; FWP-004; FLR-001.
 - f. The permittee shall keep records of the serial numbers for each emission unit and submit that information to EPA as the equipment is purchased. A change in serial numbers should also be reflected in the report submitted to EPA.

XII. BASIS FOR APPLICABLE REQUIREMENTS.

The permit application was reviewed to determine applicability of the following regulatory requirements which are summarized in Table 5 below. Details of each regulatory program follow Table 5.

Table 6

Regulatory Program	Definition	Applicability
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Title I	NSPS - Standards of Performance for New Stationary Sources (40 CFR Part 60 Subpart GG)	Yes
	NAAQS	Yes
	Minor New Source Review permit	Yes
	EPA-approved Louisiana SIP	Yes
	PSD permit	No
	NESHAP - National Emission Standards for Hazardous Air Pollutants for Source Categories (40 CFR Part 63)	No
	Nonattainment areas permit	Yes
LDEQ Environmental Regulatory Code Title 33, Part III Chapter 11	Control of Emissions of Smoke	Yes
LDEQ Environmental Regulatory Code Title 33, Part III Chapter 13	Emission Standards for Particulate Matter	Yes
Title IV	Acid Deposition Control	No
Title V	EPA-approved Louisiana operating permit program	Yes
Title VI	Stratospheric Ozone Protection	Yes

- a. Based on the information provided by Port Pelican LLC in their application, the facility is subject to the following applicable requirements for the following reasons:

Federal New Source Performance Standards (NSPS)

40 CFR Part 60, Subpart A: General Provisions. This subpart applies to the owner or operator of any stationary source which contains an affected facility, the construction or modification of which is commenced after the date of publication of any standard in part 60. The general provisions under subpart A apply to sources that are subject to the specific subpart of part 60. NSPS Subpart GG, “Standards for Stationary Gas Turbines”, applies to facilities with a heat input at peak load equal to or greater than 10 million

Btu/hour. NO_x and SO₂ emission restrictions apply.

National Ambient Air Quality Standards (NAAQS)

The permittee's emissions were evaluated against the NAAQS standards. The emissions for the applicable pollutants are not expected to adversely impact any onshore non-attainment areas, interfere with any non-attainment area's rate of progress requirements, or any onshore attainment area's PSD increments, based on the proposed location of the facility, approximately 37 nautical miles off the coast of Cameron Parish, Louisiana in the Gulf of Mexico.

New Source Review (NSR) Requirements

A federal review process was established in accordance with Title I of the Clean Air Act. Because the proposed Terminal will not be located within the boundaries of a non-attainment area, the project would not be subject to the Non-Attainment New Source Review Permitting. Instead, the Terminal will be permitted as a minor New Source Review facility because the criteria pollutants present in the emissions are limited below the threshold amount of 250 tons per year and therefore the facility is not classified as a major stationary source for Prevention of Significant Deterioration (PSD). As stated earlier, EPA has made a determination that this facility is not a PSD source category "fuel conversion plants" found in LAC Title 33, Part III, Section 509, Table A, approved by EPA as meeting 40 CFR Subpart 52.21(b)(1)(i)(a), which has a major threshold of 100 tons per year. Specifically, this category was intended to only cover processes where chemical changes occur. The vaporization of liquefied natural gas (LNG) to natural gas naturally occurs at ambient temperature without the need for chemical/combustion conversion. The proposed conditions of the minor NSR permit are derived from the EPA-approved Louisiana State Implementation Plan, as well as the Federal NSPS requirements, EPA proposes the Federal submittal addresses and the Federal minor NSR permit appeal procedures.

State Implementation Plan - LDEQ Environmental Reg. Code Title 33, Part III

- (i) Chapter 11, Section 1101.B. - Control of Emissions of Smoke - Opacity #20%, except during the cleaning of a fire box or building of a new fire, soot blowing or lancing, charging of an incinerator, equipment changes, ash removal or rapping of precipitators, which may have an opacity in excess of 20% or not more than one six-minute period in any 60 consecutive minutes as determined by approvable methods in 40 CFR Part 60, Appendix A.
- (ii) Chapter 13, Section 1311.C. - Emission Standards for Particulate Matter - Opacity #20%; except emissions may have an average opacity in excess of 20% for not more than one six-minute period in any 60 consecutive minutes (Complies by using sweet natural gas as fuel).

Title V

A federal review process was established in accordance with Title V of the Clean Air Act. The source's PTE for NO_x and CO is over 100 tpy and made it a major source subject to the requirements of Title V. The proposed conditions of the operating permit are derived from the EPA-approved Louisiana Operating Permit Program. EPA proposes the Federal permit fee, Federal submittal addresses, and Federal operating permit appeal procedures.

Title VI

The following requirements apply to any air conditioning appliances at the source ("appliance" as defined in 40 CFR 82.152) that contain Class I or Class II refrigerants, and in an amount less than 50 pounds:]

- (i) The permittee shall comply with the applicable standards for recycling and emissions reduction pursuant to 40 CFR part 82, subpart F, except as provided for motor vehicle air conditioners (MVACs) in subpart B:
- (i) Persons opening appliances for maintenance, service, repair, or disposal must comply with the applicable required practices pursuant to 40 CFR 82.156.
- (iii) Equipment used during the maintenance, service, repair, or disposal of appliances must comply with the applicable standards for recycling and recovery equipment pursuant to 40 CFR 82.158.
- (iv) Persons performing maintenance, service, repair, or disposal of appliances must be certified by an approved technician certification program pursuant to 40 CFR 82.161.
- (v) Persons disposing of small appliances, MVACs, and MVAC-like appliances must comply with recordkeeping requirements pursuant to 40 CFR 82.166(i). ("MVAC-like appliance" as defined at 40 CFR 82.152)
- (vi) Persons owning commercial or industrial process refrigeration equipment must comply with the leak repair requirements pursuant to 40 CFR 82.156.
- (vii) 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 40 CFR 82.166.
- (viii) If the permittee manufactures, transforms, destroys, imports, or exports a class I or class II substance, the permittee is subject to all the requirements as specified in 40 CFR part 82, subpart A, Production and Consumption Controls.

- (ix) If the permittee performs a service on motor (fleet) vehicles when this service involves ozone-depleting substance refrigerant (or regulated substitute substance) in the MVAC, the permittee is subject to all the applicable requirements as specified in 40 CFR part 82, subpart B, Servicing of Motor Vehicle Air Conditioners.

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 system used on passenger buses using HCFC-22 refrigerant.

- (x) The permittee shall be allowed to switch from any ozone-depleting substance to any alternative that is listed in the Significant New Alternatives Program (SNAP) promulgated pursuant to 40 CFR part 82, subpart G.

- b. The following federally applicable requirements have been considered, but were determined to not be applicable :

Prevention of Significant Deterioration (PSD) - Major Source:

A review of the Port Pelican Project application indicates the potential to emit (PTE) of any pollutant regulated under the Clean Air Act [not including pollutants listed under Section 112(r)] is less than the 250 tons per year major source threshold. Therefore, PSD requirements are not applicable.

Non-Attainment New Source Review

The facility will not be located in a non-attainment area. Therefore, non-attainment requirements are not applicable.

National Emissions Standards for Hazardous Air Pollutants (NESHAP)

40 CFR Part 62: The facility does not have any emissions units subject to a NESHAP.

Maximum Achievable Control Technology

40 CFR Part 63, Subpart A: General Provisions. This subpart contains national emissions standards for hazardous air pollutants (HAP) that regulate specific categories of sources that emit one or more HAP regulated pollutants under the Clean Air Act. The general provisions under Subpart A apply to sources that are subject to the specific subpart of part 63. Stationary gas turbines are listed among the source categories.

The proposed project is not a major source of HAPs. A major source is any contiguous

area under common control of the permittee that emits or has the potential to emit considering controls, in the aggregate, at least 10 tons per year of any single HAP or 25 tons per year total HAPs. -The application identified several HAPs as being present in the emissions. However, the total HAPs to be emitted from this facility is 2.3 tons per year, well below the thresholds, therefore, 40 CFR Part 63 does not apply.

Compliance Assurance Monitoring (CAM) Rule

In accordance with 40 CFR Subpart 64.2(a), the CAM rule applies to each Pollutant Specific Emission Unit (PSEU) that meets a three-part test. The PSEU must be 1) subject to an emission limitation or standard, and 2) use add-on control devices to achieve compliance, and 3) have a pre-control emissions that exceed or are equivalent to the Title V (250 tpy) major source threshold. The monitoring requirements outlined in 40 CFR Part 60.334 (Subpart GG) are not subject to CAM requirements since the PSEUs do not use add-on control devices to achieve compliance.

c. Conclusion

Based on the information provided in the Port Pelican LLC application for the Port Pelican Project, EPA has no evidence that this source is subject to any existing applicable federal CAA programs except those discussed in III.a. above.

XIII. ENDANGERED SPECIES ACT.

The Summary of Impacts to Threatened and Endangered Species of the proposed project are discussed in the Final Environmental Impact Statement (EIS) for the Port Pelican LLC Deepwater Port License Application, Section 4.2.3, page 4-36, dated August 2003. The U.S. Coast Guard entered into informal Endangered Species Act Section 7 consultation with the U.S. Fish and Wildlife Service through its letter of April 14, 2003. The scope of that consultation should be broad enough to include all effects of the project, including effects attributable to emissions EPA is regulating. By the time EPA issues this permit, its action will be part of the “environmental baseline” for which no independent consultation is required.

XIV. MAGNUSON-STEVENSON FISHERIES CONSERVATION ACT

The Summary of Impacts to Essential Fish Habitat in the Region of Influence and marine mammals of the proposed project are discussed in the Final Environmental Impact Statement (EIS) for the Port Pelican LLC Deepwater Port License Application, dated August 2003.

XV. USE OF ALL CREDIBLE EVIDENCE.

Determinations of deviations, continuous or intermittent compliance status, or violations of the permit are not limited to the testing or monitoring methods required by the underlying regulations or this permit; other credible evidence (including any evidence admissible under the Federal Rules of Evidence) must be considered by the source and EPA in such determinations.

XVI. COMPLIANCE HISTORY

Since this facility has not been constructed, no noncompliance issues exist at this time.

XVII. PUBLIC NOTICE/PUBLIC PARTICIPATION.

a. Public Notice

Under Titles I and V, permits shall be publicly noticed in the *Lafayette Daily Advertiser* and made available for public comment for 30 days.

There will be a 30 day public comment period for actions pertaining to a draft permit. Public notice has been given for this draft permit by mailing a copy of the notice to the permit applicant, the U.S. Coast Guard, the U.S. Fish and Wildlife Service, the National Marine Fisheries Service, Minerals Management Service, the states of Louisiana and Texas, the city and county executives, and the state and federal land managers which have jurisdiction over the area where the source is located. A copy of the notice has also been provided to all persons who have submitted a written request to be included on the mailing list. If you would like to be added to our mailing list to be informed of future actions on these or other Clean Air Act permits, please send your name and address to the contact listed below:

Stephanie Kordzi, Part 71 Permit Contact
U.S. Environmental Protection Agency, Region VI
1445 Ross Avenue (6PD-R)
Dallas, TX 75202-2733

b. Opportunity for Comment

Members of the public may review a copy of the draft permit prepared by EPA, the application, this statement of basis for the draft permit, and all supporting materials for the draft permit. Copies of these documents are available at:

Lafayette Public Library
301 West Congress Street
Lafayette, Louisiana 70501

Cameron Parish Library

498 Marshall Street
Cameron, Louisiana 70631-2016

US EPA Region VI
Multi-Media Division
1445 Ross Avenue (6PD-R)
Dallas, TX 75202-2733

Copies of the draft permit and this statement of basis are also available electronically on the EPA Region 6 website, , <http://www.epa.gov/earth1r6/6pd/air/pd-r/portpelican-gm.pdf>.

All documents will be available for review at the US EPA Region VI office Monday through Friday from 8:00 a.m. to 5:00 p.m. (excluding federal holidays).

Any interested person may submit written comments on the draft construction and operating permit during the public comment period to the Permit Contact at the address listed in section 6.a above. All comments shall be considered and answered by EPA in making the final decision on the permit. EPA will keep a record of the commenters and of the issues raised during the public participation process.

Anyone, including the applicant, who believes any condition of the draft permit is inappropriate must raise all reasonable ascertainable issues and submit all arguments supporting their position by the close of the public comment period. Any supporting materials submitted must be included in full and may not be incorporated by reference, unless the material has been already submitted as part of the administrative record in the same proceeding or consists of state or federal statutes and regulations, EPA documents of general applicability, or other generally available reference material.

c. Opportunity to Request a Hearing

A person may submit a written request for a public hearing to the Permit Contact, at the address listed in section 6.a above, by stating the nature of the issues to be raised at the public hearing. Based on the number of hearing requests received, EPA will hold a public hearing whenever it finds there is a significant degree of public interest in a draft permit. EPA will provide public notice of the public hearing. If a public hearing is held, any person may submit oral or written statements and data concerning the draft permit.

d. Appeal of Minor Preconstruction Permits

EPA's issuance of the final minor NSR permit is a final agency action for purposes of judicial review.

e. Appeal of Operating Permits

A petition to the Environmental Appeals Board is a prerequisite to seeking judicial review of the final agency action. For purposes of judicial review, final agency action occurs when a final operating permit is issued or denied and agency review procedures are exhausted.

f. Notice to Affected States/Tribes

As required by Titles I and V, public notice shall be given by mailing a copy of the notice to the air pollution control agencies of affected states, tribal and local air pollution control agencies which have jurisdiction over the area in which the source is located, the chief executives of the city and county where the source is located, any comprehensive regional land use planning agency and any state or federal land manager whose lands may be affected by emissions from the source. There were no Tribes identified that would be affected by this operation. The following States have been notified:

Ms. Linda Korn Levy, Assistant Secretary
Office of Environmental Services
Louisiana Department of Environmental Quality
P. O. Box 4301
Baton Rouge, LA 70821-4301

Mr. Steve Hagle, Special Assistant
Air Permits Division (MC-163)
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, TX 78711-3087



**EPA Region 6
Federal Clean Air Act
Minor New Source Review (NSR) Construction Permit
Title V Operating Permit**

for

**Port Pelican Project, Gulf of Mexico
Port Pelican, LLC
Houston, Harris Co., TX**

Permit No. R6DPA-GM1

**United States Environmental Protection Agency
Region 6
1445 Ross Avenue
Dallas, TX 75202-2733**

**AIR POLLUTION CONTROL
TITLE I PERMIT TO CONSTRUCT
TITLE V PERMIT TO OPERATE**

Permit Number: R6DPA-GM1

Issue Date:

Effective Date:

Pursuant to the Deepwater Ports Act and in accordance with the provisions of Title I and Title V of the Federal Clean Air Act, and applicable pertinent rules and regulations approved or promulgated under the Clean Air Act,

Port Pelican Project
Port Pelican LLC

is authorized to construct and operate air emission units and to conduct other air pollutant emitting activities in accordance with the permit conditions listed in this permit.

This source is authorized to construct and operate at the following location: Approximately 37 nautical miles off the coast of Cameron Parish, Louisiana in the Gulf of Mexico.

Latitude: 29° 01' 33.41" N

Longitude: 92° 32' 11.85" W

Terms not otherwise defined in this permit have the meaning assigned to them in the referenced CAA provisions and EPA and Louisiana regulations. All terms and conditions of the permit are enforceable by EPA and citizens under the Clean Air Act. If all proposed control measures and/or equipment are not installed and properly operated and maintained, this will be considered a violation of the permit. The permit number cited above should be referenced in future correspondence regarding this facility.

Carl E. Edlund, P.E.

Director

Multimedia Planning and Permitting Division (6PD)

United States Environmental Protection Agency, Region 6

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Appendix A.1.

Federally Listed Threatened and/or Endangered Species Off the Coast of Cameron Louisiana

Abbreviations and Acronyms

AR	Acid Rain
ARP	Acid Rain Program
CAA	Clean Air Act [42 U.S.C. section 7401 et seq.]
CAM	Compliance Assurance Monitoring
CEM	Continuous Emission Monitor
COM	Continuous Opacity Monitor
CFR	Code of Federal Regulations
EIP	Economic Incentives Programs
EPA	Environmental Protection Agency
gal	gallon
HAP	Hazardous Air Pollutant
hr	hour
Id. No.	Identification Number
kg	kilogram
lb	pound
MACT	Maximum Achievable Control Technology
MVAC	Motor Vehicle Air Conditioner
Mg	megagram
mmBtu million	British Thermal Units
mo	month
NESHAP	National Emission Standards for Hazardous Air Pollutants
NO _x	Nitrogen Oxides
NSPS	New Source Performance Standard
NSR	New Source Review
PM	Particulate Matter
PM ₁₀	Particulate matter less than 10 microns in diameter
ppm	parts per million
PSD	Prevention of Significant Deterioration
PTE	Potential to Emit
psia	pounds per square inch absolute
RMP	Risk Management Plan
SNAP	Significant New Alternatives Program
SO ₂	Sulfur Dioxide
tpy	Tons per Year
US EPA	United States Environmental Protection Agency
VOC	Volatile Organic Compounds

I. Source Identification and Unit-Specific Information

I.A. General Source Information

Parent Company name: Port Pelican LLC

Parent Company Mailing Address: Port Pelican LLC
Suite 2700
1111 Bagby
Houston, TX 77002

Plant Name: Port Pelican Project, Gulf of Mexico

Plant Mailing Address: Port Pelican LLC
1111 Bagby, Suite 2700
Houston, TX 77002-2543

Plant Location: Latitude: 29° 01' 33.41" N
Longitude: 92° 32' 11.85" W
Offshore Cameron Parish, Louisiana, Gulf of Mexico -
37 miles

Company Contact: Roland Borey
Project Manager
Phone: (713) 752-7132

Responsible Official: Richard A. Lammons
Vice-President

SIC Code (4 digit, if available): 4491

Other Clean Air Act Permits: New facility - None issued

Description of Process: The Port Pelican Terminal will be a liquefied natural gas (LNG) receiving, storage, and regasification facility located approximately 37 nautical miles offshore of Louisiana in the Gulf of Mexico.

I.B. Source Emission Points

Table 1. Source Emission Points

The following table identifies and describes each emission unit, including process units.

Table 1

Emission Unit Id. No.	Description
GEN-001	GE-LM 2000 Turbine Generator No. 1 - 23,555 HP, or equivalent, 95% utilization with dry low NOx incorporated
GEN-002	GE-LM 2000 Turbine Generator No. 2 - 23,555 HP, or equivalent, 95% utilization with dry low NOx incorporated
GEN-003	GE-LM 2000 Turbine Generator No. 3 - 23,555 HP, or equivalent, 10% utilization with dry low NOx incorporated
GEN-004	Diesel Emergency Generator No. 1 - Caterpillar 3412, 670 HP, or equivalent, 10% utilization
GEN-005	Diesel Emergency Generator No. 2 - Caterpillar 3412, 670 HP, or equivalent, 5% utilization
CRA-001	Jib Crane, Diesel Engine (50-Ton) - 550 HP, 40% utilization
CRA-002	Cherry Picker Crane, Diesel engine, (20 ton) - 274 HP, 40% utilization
CRA-003	Mobile Crane, Diesel Engine, Telescopic - 200 HP, 20% utilization
FWP-001	Firewater Pump, Diesel Engine 1 - (300 hp), 5% utilization
FWP-002	Firewater Pump, Diesel Engine 2 - (300 hp), 5% utilization
FWP-003	Firewater Pump, Diesel Engine 3 - (300 hp), 5% utilization
FWP-004	Firewater Pump, Diesel Engine 4 - (300 hp), 5% utilization
FLR-001	Flare Tips, High, Low and Continuous - emergency and pilot usage only

I.C. Applicable Federal Air Quality Requirements

Table 2. Association of Emissions Units to Applicable Requirements

The following table is a summary of the general types of applicable requirements to which this source is subject and associates these requirements with the specific emissions units. More specific information on the association of requirements to units (applicability) is found in sections II and III of this permit. This table only reflects those emissions units subject to the unit-specific requirements. This table is not designed to define the applicability or non-applicability of any permit shield.

Table 2

Applicable Requirement	Emission Unit Identification Numbers												
	GEN-001	GEN-002	GEN-003	GEN-004	GEN-005	CRA-001	CRA-002	CRA-003	FWP-001	FWP-002	FWP-003	FWP-004	FLR-001
NSR/PSD Title I	Title I and Louisiana SIP rules approved under 40 CFR Part 51.	Title I and Louisiana SIP rules approved under 40 CFR Part 51.	Title I and Louisiana SIP rules approved under 40 CFR Part 51.	Title I and Louisiana SIP rules approved under 40 CFR Part 51.	Title I and Louisiana SIP rules approved under 40 CFR Part 51.	Title I and Louisiana SIP rules approved under 40 CFR Part 51.	Title I and Louisiana SIP rules approved under 40 CFR Part 51.	Title I and Louisiana SIP rules approved under 40 CFR Part 51.	Title I and Louisiana SIP rules approved under 40 CFR Part 51.	Title I and Louisiana SIP rules approved under 40 CFR Part 51.	Title I and Louisiana SIP rules approved under 40 CFR Part 51.	Title I and Louisiana SIP rules approved under 40 CFR Part 51.	Title I and Louisiana SIP rules approved under 40 CFR Part 51.
NSPS 40 CFR Part 60, Subpart GG	40 CFR Part 60.332 (a)(2) & 40 CFR Part 60.333(a) & (b)	40 CFR Part 60.332 (a)(2) & 40 CFR Part 60.333(a) & (b)	40 CFR Part 60.332 (a)(2) & 40 CFR Part 60.333(a) & (b)	N/A									
NESHAP Part 61, Subpart	N/A												
NESHAP / MACT Part 63, Subpart	N/A												
CAM, Part 64	N/A												

Title V	Title V and Louisiana rules approved under 40 CFR Subpart 70.6 - Permit Content	Title V and Louisiana rules approved under 40 CFR Subpart 70.6 - Permit Content	Title V and Louisiana rules approved under 40 CFR Subpart 70.6 - Permit Content	Title V and Louisiana rules approved under 40 CFR Subpart 70.6 - Permit Content	Title V and Louisiana rules approved under 40 CFR Subpart 70.6 - Permit Content	Title V and Louisiana rules approved under 40 CFR Subpart 70.6 - Permit Content	Title V and Louisiana rules approved under 40 CFR Subpart 70.6 - Permit Content	Title V and Louisiana rules approved under 40 CFR Subpart 70.6 - Permit Content	Title V and Louisiana rules approved under 40 CFR Subpart 70.6 - Permit Content	Title V and Louisiana rules approved under 40 CFR Subpart 70.6 - Permit Content	Title V and Louisiana rules approved under 40 CFR Subpart 70.6 - Permit Content	Title V and Louisiana rules approved under 40 CFR Subpart 70.6 - Permit Content	Title V and Louisiana rules approved under 40 CFR Subpart 70.6 - Permit Content
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II. Requirements for Specific Units - The following emission rates are based on the permittee’s projected operation times. Since the source without physical and operating restrictions would be “major”, the permittee is required to maintain compliance with the following emission rate limits in order to remain a “minor source”.

II.A. Emission Rate Limits

Table 3

Permitted Emissions Listed in Maximum Pounds Per Hour and Annual Tons Per Year											
ID No.	Description	PM10		SO2		NOx		CO		VOC	
		lbs/hr	TPY	lbs/hr	TPY	lbs/hr	TPY	lbs/hr	TPY	lbs/hr	TPY
GEN-001 ¹	GE-LM 2000 Turbine Generator No. 1 - 23,555 HP, or equivalent, 95% utilization	0.0	0.0	0.02	0.07	17.21	71.61	10.57	44.0	0.36	1.49
GEN-002 ¹	GE-LM 2000 Turbine Generator No. 2 - 23,555 HP, or equivalent, 95% utilization	0.0	0.0	0.02	0.07	17.21	71.61	10.57	44.0	0.36	1.49
GEN-003 ¹	GE-LM 2000 Turbine Generator No. 3 - 23,555 HP, or equivalent, 10% utilization	0.0	0.0	0.04	0.0	17.21	7.54	10.57	2.28	0.36	1.5

GEN-004 ²	Diesel Emergency Generator No. 1 - Caterpillar 3412, 670 HP, or equivalent, 10% utilization	0.47	0.10	1.18	0.26	16.07	3.52	3.54	0.81	0.47	0.1
GEN-005 ²	Diesel Emergency Generator No. 2 - Caterpillar 3412, 670 HP, or equivalent, 5% utilization	0.47	0.10	1.18	0.26	16.07	3.52	3.69	0.81	0.47	0.1
CRA-001 ²	Jib Crane, Diesel Engine (50-Ton) - 550 HP, 40% utilization	1.21	2.12	0.97	1.70	17.03	29.84	3.67	6.43	1.36	2.4
CRA-002 ²	Cherry Picker Crane, Diesel engine, (20 ton) - 274 HP, 40% utilization	0.60	1.06	0.48	0.85	8.49	14.87	1.83	3.20	0.68	1.2
CRA-003 ²	Mobile Crane, Diesel Engine, Telescopic - 200 HP, 20% utilization	0.44	0.39	0.35	0.31	6.19	5.43	1.33	1.17	0.49	0.43
FWP-001 ²	Firewater Pump, Diesel Engine 1 - (300 hp), 5% utilization	0.66	0.14	0.53	0.12	9.29	2.03	2.00	0.44	0.74	0.16
FWP-002 ²	Firewater Pump, Diesel Engine 2 - (300 hp), 5% utilization	0.66	0.14	0.53	0.12	9.29	2.03	2.00	0.44	0.74	0.16
FWP-003 ²	Firewater Pump, Diesel Engine 3 - (300 hp), 5% utilization	0.66	0.14	0.53	0.12	9.29	2.03	2.00	0.44	0.74	0.16
FWP-004 ²	Firewater Pump, Diesel Engine 4 - (300 hp), 5% utilization	0.66	0.14	0.53	0.12	9.29	2.03	2.00	0.44	0.74	0.16
FLR-001 ²	Flare Tips, High, Low and Continuous - emergency and pilot usage only	0.0	0.0	0.01	0.04	3.62	15.86	19.71	86.35	0.20	0.89
Totals		10.44	15.73	6.96	4.17	167.11	234.69	75.99	193.74	8.57	9.09

¹ Emission rates based on vendor data in lieu of AP-42 emission factors for Angola Lean fuel.

² Emission rates based on AP-42 emission factors.

II.B. Work Practice and Operational Requirements

The permittee shall keep records of the maintenance activities performed at the source and make them available for review. Such records should be sufficient to establish the level of maintenance performed and may be maintained at either the field location or at the permittee's nearest regularly manned facility. These records will be maintained for a period of at least five (5) years from the date of the engine replacement.

II.C. General Provisions of NSPS [See 40 CFR part 60]

The permittee is subject to the requirements of 40 CFR part 60, Subpart GG, Standards of Performance for Stationary Gas Turbines, as it applies to the source for such conditions as emission units, emission limits testing, monitoring conditions, recordkeeping and reporting, and facility wide operating conditions.

- (a) The permittee shall comply with NO_x standards utilizing the equation specified in 40 CFR Part 60.332(a)(2) as indicated in the equation below:

$$\text{STD} = 0.0150 \times [(14.4)/Y] + F$$

where: STD = allowable NO_x emissions (% by volume at 15% oxygen and on a dry basis).
 Y = manufacturer's rated heat rate at manufacturer's rated peak load (kilojoules per watt hour), or actual measured heat rate based on lower heating value of fuel as measured at actual peak load for the facility. The value of Y shall not exceed 14.4 kilojoules per watt hour.
 F = NO_x emission allowance for fuel-bound nitrogen as defined in 40 CFR Part 60.332(3).

- (b) The permittee shall maintain SO₂ emissions <0.015 percent by volume at 15% oxygen on dry basis [40 CFR Part 60.333(a)].
- (c) The permittee shall only burn fuel with sulfur <0.8% by weight [(40 CFR Part 60.333(b))].

II.D. General Requirements for Air Conditioning Appliances [See 40 CFR part 82]

The following requirements apply to any air conditioning appliances at the source ("appliance" as defined in 40 CFR 82.152) that contain Class I or Class II refrigerants, and in an amount less than 50 pounds:]

- (a) The permittee shall comply with the applicable standards for recycling and emissions reduction pursuant to 40 CFR part 82, subpart F, except as provided for motor vehicle air conditioners (MVACs) in subpart B:
- (b) Persons opening appliances for maintenance, service, repair, or disposal must comply with the applicable required practices pursuant to 40 CFR 82.156.

- (c) Equipment used during the maintenance, service, repair, or disposal of appliances must comply with the applicable standards for recycling and recovery equipment pursuant to 40 CFR 82.158.
- (d) Persons performing maintenance, service, repair, or disposal of appliances must be certified by an approved technician certification program pursuant to 40 CFR 82.161.
- (e) Persons disposing of small appliances, MVACs, and MVAC-like appliances must comply with recordkeeping requirements pursuant to 40 CFR 82.166(i). ("MVAC-like appliance" as defined at 40 CFR 82.152)
- (f) Persons owning commercial or industrial process refrigeration equipment must comply with the leak repair requirements pursuant to 40 CFR 82.156.
- (g) 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 40 CFR 82.166.
- (h) If the permittee manufactures, transforms, destroys, imports, or exports a class I or class II substance, the permittee is subject to all the requirements as specified in 40 CFR part 82, subpart A, Production and Consumption Controls.
- (i) If the permittee performs a service on motor (fleet) vehicles when this service involves ozone-depleting substance refrigerant (or regulated substitute substance) in the MVAC, the permittee is subject to all the applicable requirements as specified in 40 CFR part 82, subpart B, Servicing of Motor Vehicle Air Conditioners.

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 system used on passenger buses using HCFC-22 refrigerant.

- (j) The permittee shall be allowed to switch from any ozone-depleting substance to any alternative that is listed in the Significant New Alternatives Program (SNAP) promulgated pursuant to 40 CFR part 82, subpart G.

III. Facility-Wide Permit Requirements

- (a) Conditions in this section of the permit apply to all emissions units located at the facility, including any units not specifically listed in Table 1 of Section I.B. Compliance must be determined, at a minimum, on a 12-month rolling sum basis. This means that each month the emissions of the current month + the 11 previous months are summed. The permittee is required to keep records of the emissions for each month as well as the

calculation of the 12-month rolling total of emissions for each month.

- (b) The amount of natural gas burned in emission units GEN-001, GEN-002, GEN-003 and FLR-001 shall not exceed the following at the maximum heat input of 1092 BTU/scf.

GEN-001 - 1,868 MMSCF/year;
GEN-002 - 1,868 MMSCF/year;
GEN-003 - 196.52 MMSCF/year;
FLR-001 - 427,566,840 scf/year

- (c) The amount of diesel burned in emission units GEN-004, GEN-005, CRA-001, CRA-002, CRA-003, FWP-001, FWP-002, FWP-003, and FWP-004 shall not exceed the following at the maximum heat input of 141,000 BTU/gal at 0.4% weight sulphur:

GEN-004 - 14,174 gal/year;
GEN-005 - 14,174 gal/year;
CRA-001 - 93,084 gal/year;
CRA-002 - 46,373 gal/year;
CRA-003 - 33,849 gal/year;
FWP-001 - 6,260 gal/year;
FWP-002 - 6,260 gal/year;
FWP-003 - 6,260 gal/year;
FWP-004 - 6,260 gal/year

III.A. Permit Shield

- (a) Nothing in this permit shall alter or affect the following:
- (i) The liability of a permittee for any violation of applicable requirements prior to or at the time of permit issuance;
 - (ii) The ability of the EPA to obtain information under section 114 of the Clean Air Act; or
 - (iii) The provisions of section 303 of the Clean Air Act (emergency orders), including the authority of the Administrator under that section.
- (b) Compliance with conditions of this permit shall be deemed compliance with any applicable requirements specifically identified in the permit as of the date of permit issuance.

III.B. Monitoring and Testing Requirements

(a)

Table 4

Monitoring Requirements					
ID No.	Description	Sulfur content of fuel	Nitrogen content of fuel	SO ₂	NO _x
GEN-001	GE-LM 2000 Turbine Generator No. 1 - 23,555 HP, or equivalent, 95% utilization	Limited to Natural Gas	Values recorded daily - Use analytical methods and procedures that are accurate to within 5% and are approved by EPA to determine the nitrogen content of the fuel being fired.	This unit is restricted to the use of natural gas only as indicated in the permit application.	40 CFR Part 60.335(c)(1) $NO_x = [NO_xo][Pr/Po]^{0.5} e^{19(Ho-0.00633)(288^\circ K/Ta)^{1.53}}$ - See Note Testing in accordance with 40 CFR Subpart 60.8 and 40 CFR Subpart 60.335(b).
GEN-002	GE-LM 2000 Turbine Generator No. 2 - 23,555 HP, or equivalent, 95% utilization	Limited to Natural Gas	Values recorded daily - Use analytical methods and procedures that are accurate to within 5% and are approved by EPA to determine the nitrogen content of the fuel being fired.	This unit is restricted to the use of natural gas only as indicated in the permit application.	40 CFR Part 60.335(c)(1) $NO_x = [NO_xo][Pr/Po]^{0.5} e^{19(Ho-0.00633)(288^\circ K/Ta)^{1.53}}$ - See Note Testing in accordance with 40 CFR Subpart 60.8 and 40 CFR Subpart 60.335(b).
GEN-003	GE-LM 2000 Turbine Generator No. 3 - 23,555 HP, or equivalent, 10% utilization	Limited to Natural Gas	Values recorded daily - Use analytical methods and procedures that are accurate to within 5% and are approved by EPA to determine the nitrogen content of the fuel being fired.	This unit is restricted to the use of natural gas only as indicated in the permit application.	40 CFR Part 60.335(c)(1) $NO_x = [NO_xo][Pr/Po]^{0.5} e^{19(Ho-0.00633)(288^\circ K/Ta)^{1.53}}$ - See Note Testing in accordance with 40 CFR Subpart 60.8 and 40 CFR Subpart 60.335(b).
GEN-004	Diesel Emergency Generator No. 1 - Caterpillar 3412, 670 HP, or equivalent, 10% utilization	0.4%	Exempt from 40 CFR Part 60.332(a) in accordance with 40 CFR Part 60.332(g)	No discharge into the atmosphere of any gases which contain sulfur dioxide in excess of 0.015% by volume at 15% oxygen and on a dry basis. No burning of fuel which contains sulfur in excess of 0.4% by weight.	Exempt from 40 CFR Part 60.332(a) in accordance with 40 CFR Part 60.332(g) since this is an emergency unit.

GEN-005	Diesel Emergency Generator No. 2 - Caterpillar 3412, 670 HP, or equivalent, 5% utilization	0.4%	Exempt from 40 CFR Part 60.332(a) in accordance with 40 CFR Part 60.332(g)	No discharge into the atmosphere of any gases which contain sulfur dioxide in excess of 0.015% by volume at 15% oxygen and on a dry basis. No burning of fuel which contains sulfur in excess of 0.4% by weight.	Exempt from 40 CFR Part 60.332(a) in accordance with 40 CFR Part 60.332(g) since this is an emergency unit.
CRA-001	Jib Crane, Diesel Engine (50-Ton) - 550 HP, 40% utilization	0.4%	Values recorded daily - Use analytical methods and procedures that are accurate to within 5% and are approved by EPA to determine the nitrogen content of the fuel being fired.	No discharge into the atmosphere of any gases which contain sulfur dioxide in excess of 0.015% by volume at 15% oxygen and on a dry basis. No burning of fuel which contains sulfur in excess of 0.4% by weight.	40 CFR Part 60.335(c)(1) $NO_x = [NO_x] [Pr/Po]^{0.5e^{19(Ho-0.00633)(288^\circ K/Ta)^{1.53}}}$ - See Note
CRA-002	Cherry Picker Crane, Diesel engine, (20 ton) - 274 HP, 40% utilization	0.4%	Values recorded daily - Use analytical methods and procedures that are accurate to within 5% and are approved by EPA to determine the nitrogen content of the fuel being fired.	No discharge into the atmosphere of any gases which contain sulfur dioxide in excess of 0.015% by volume at 15% oxygen and on a dry basis. No burning of fuel which contains sulfur in excess of 0.4% by weight.	40 CFR Part 60.335(c)(1) $NO_x = [NO_x] [Pr/Po]^{0.5e^{19(Ho-0.00633)(288^\circ K/Ta)^{1.53}}}$ - See Note
CRA-003	Mobile Crane, Diesel Engine, Telescopic - 200 HP, 20% utilization	0.4%	Values recorded daily - Use analytical methods and procedures that are accurate to within 5% and are approved by EPA to determine the nitrogen content of the fuel being fired.	No discharge into the atmosphere of any gases which contain sulfur dioxide in excess of 0.015% by volume at 15% oxygen and on a dry basis. No burning of fuel which contains sulfur in excess of 0.4% by weight.	40 CFR Part 60.335(c)(1) $NO_x = [NO_x] [Pr/Po]^{0.5e^{19(Ho-0.00633)(288^\circ K/Ta)^{1.53}}}$ - See Note
FWP-001	Firewater Pump, Diesel Engine 1 - (300 hp), 5% utilization	0.4%	Values recorded daily - Use analytical methods and procedures that are accurate to within 5% and are approved by EPA to determine the nitrogen content of the fuel being fired.	No discharge into the atmosphere of any gases which contain sulfur dioxide in excess of 0.015% by volume at 15% oxygen and on a dry basis. No burning of fuel which contains sulfur in excess of 0.4% by weight.	40 CFR Part 60.335(c)(1) $NO_x = [NO_x] [Pr/Po]^{0.5e^{19(Ho-0.00633)(288^\circ K/Ta)^{1.53}}}$ - See Note

FWP-002	Firewater Pump, Diesel Engine 2 - (300 hp), 5% utilization	0.4%	Values recorded daily - Use analytical methods and procedures that are accurate to within 5% and are approved by EPA to determine the nitrogen content of the fuel being fired.	No discharge into the atmosphere of any gases which contain sulfur dioxide in excess of 0.015% by volume at 15% oxygen and on a dry basis. No burning of fuel which contains sulfur in excess of 0.4% by weight.	40 CFR Part 60.335(c)(1) $NO_x = [NO_{x0}] \left[\frac{Pr}{Po} \right]^{0.5} e^{19(Ho - 0.00633)(288^\circ K / Ta)^{1.53}}$ - See Note
FWP-003	Firewater Pump, Diesel Engine 3 - (300 hp), 5% utilization	0.4%	Values recorded daily - Use analytical methods and procedures that are accurate to within 5% and are approved by EPA to determine the nitrogen content of the fuel being fired.	No discharge into the atmosphere of any gases which contain sulfur dioxide in excess of 0.015% by volume at 15% oxygen and on a dry basis. No burning of fuel which contains sulfur in excess of 0.4% by weight.	40 CFR Part 60.335(c)(1) $NO_x = [NO_{x0}] \left[\frac{Pr}{Po} \right]^{0.5} e^{19(Ho - 0.00633)(288^\circ K / Ta)^{1.53}}$ - See Note
FWP-004	Firewater Pump, Diesel Engine 4 - (300 hp), 5% utilization	0.4%	Values recorded daily - Use analytical methods and procedures that are accurate to within 5% and are approved by EPA to determine the nitrogen content of the fuel being fired.	No discharge into the atmosphere of any gases which contain sulfur dioxide in excess of 0.015% by volume at 15% oxygen and on a dry basis. No burning of fuel which contains sulfur in excess of 0.4% by weight.	40 CFR Part 60.335(c)(1) $NO_x = [NO_{x0}] \left[\frac{Pr}{Po} \right]^{0.5} e^{19(Ho - 0.00633)(288^\circ K / Ta)^{1.53}}$ - See Note
FLR-001	Flare Tips, High, Low and Continuous - emergency and pilot usage only	<0.1%	Values recorded daily - Use analytical methods and procedures that are accurate to within 5% and are approved by EPA to determine the nitrogen content of the fuel being fired.	No discharge into the atmosphere of any gases which contain sulfur dioxide in excess of 0.015% by volume at 15% oxygen and on a dry basis. No burning of fuel which contains sulfur in excess of 0.4% by weight.	40 CFR Part 60.335(c)(1) $NO_x = [NO_{x0}] \left[\frac{Pr}{Po} \right]^{0.5} e^{19(Ho - 0.00633)(288^\circ K / Ta)^{1.53}}$ - See Note

Note: Where -

NO_x =emission rate of NO_x at 15% O_2 and ISO standard ambient conditions, volume %.

NO_{x0} =observed NO_x concentration, ppm by volume.

Pr =reference combustor inlet absolute pressure at 101.3kilopascals ambient pressure, mm Hg

Po =observed combustor inlet absolute pressure at test, mm Hg.

Ho =observed humidity of ambient air, g H_2O /g air.

e =transcendental constant, 2.718.

Ta =ambient temperature °K.

- (b) Monitoring requirements for the following NAAQS pollutants, PM₁₀, SO₂, NO_x, CO and VOC, shall be as follows. The permittee shall comply with all applicable requirements listed in Tables 2, 3, and 4. Failure to comply with any of the applicable requirements or compliance monitoring devices, activities, or methods listed in Tables 2, 3, and 4 will represent a violation of this permit.
- (i) The permittee shall ensure compliance with the opacity and particulate emission limits of this permit by visually inspecting Emission Units GEN-001, GEN-002, GEN-003, GEN-004, GEN-005, CRA-001, CRA-002, CRA-003, FWP-001, FWP-002, FWP-003, FWP-004, and FLR-001 for opacity on a weekly basis. If visible emissions are detected, then, within three (3) working days, the permittee shall conduct a six-minute opacity reading in accordance with EPA Reference Method 9. Records of visible emission checks shall include the emission point ID number, the date the visual check was performed, a record if visible emissions were detected, and a record and results of any Method 9 testing conducted. These records shall be kept on site and available for inspection.
 - (ii) The permittee shall demonstrate compliance with the PM, SO₂, NO_x, and opacity limits of this permit by performing stack tests once per year on Emission Units GEN-001, GEN-002, GEN-003, GEN-004, GEN-005, CRA-001, CRA-002, CRA-003, FWP-001, FWP-002, FWP-003, FWP-004, and FLR-001. These stack tests shall be repeated after each major overhaul. The following test methods and procedures from New Source Performance Standards, 40 CFR 60, Appendix A, shall be used:
 - (A) PM, NO_x, and SO₂ by methods and procedures specified by 40 CFR 60.48a(f) and 60.335(c) (Methods 19 and 20); and
 - (B) Opacity by Method 9-Visual Determination of Opacity of Emissions from Stationary Sources.
 - (iii) The permittee shall demonstrate compliance with the CO and VOC emission limits of this permit, as applicable, by performing stack tests once per year on Emission Units GEN-001, GEN-002, GEN-003, GEN-004, GEN-005, CRA-001, CRA-002, CRA-003, FWP-001, FWP-002, FWP-003, FWP-004, and FLR-001. These stack tests shall be repeated after each major overhaul. The following test methods and procedures from New Source Performance Standards, 40 CFR 60, Appendix A, shall be used:
 - (A) Carbon Monoxide by Method 10-Determination of Carbon Monoxide Emissions from Stationary Sources;
 - (B) VOC by Method 25A-Determination of Total Gaseous Organic Concentration using a Flame Ionization Analyzer;

III.C. Performance Testing Requirements [40 CFR 60.8]

The permittee shall comply with the following performance testing requirements:

- (a) Within 60 days after achieving the maximum production rate at which the affected facility will be operated, but not later than 180 days after initial startup of such facility, performance tests(s) shall be conducted and a written report of the performance testing results furnished to the EPA. In accordance with 40 CFR Subpart 60.335, the owner or operator shall use as reference methods and procedures the test methods in appendix A of Part 60. In addition, performance testing shall be conducted at any time following the revision/renewal of this permit.
- (b) Performance tests shall be conducted and data reduced in accordance with the test methods and procedures contained in 40 CFR Part 60, Subpart GG. Specifically the standard for nitrogen oxides, 40 CFR Subpart 60.332 and the standard for sulfur dioxide, 40 CFR Subpart 60.333.
- (c) Performance tests shall be conducted under such conditions to ensure representative performance of the affected facility. The owner or operator shall make available to the EPA such records as may be necessary to determine the conditions of the performance tests. Operations during periods of startup, shutdown, and malfunction shall not constitute representative conditions for the purpose of a performance test nor shall emissions in excess of the level of the applicable emission limit during periods of startup, shutdown, and malfunction be considered a violation of the applicable emission unit.
- (d) The owner or operator shall provide the EPA at least 30 days prior notice of any performance test, except as specified under other subparts, to afford the EPA the opportunity to have an observer present and/or to attend a pre-test meeting. If there is a delay in the original test date, the facility shall provide at least 7 days prior notice of the rescheduled date of the performance test.
- (e) The owner or operator shall provide, or cause to be provided, performance testing facilities as follows:
 - (i) Sampling ports adequate for test methods applicable to this facility.
 - (ii) Safe sampling platform(s).
 - (iii) Safe access to sampling platform(s).
 - (iv) Utilities for sampling and testing equipment.
 - (v) Unless otherwise specified in the applicable subpart, each performance test shall consist of three separate runs using the applicable test method. Each run shall be conducted for the time and under the conditions specified in the applicable

standard. For purposes of determining compliance with an applicable standard, the arithmetic mean of the results of the three runs shall apply.

III.D. Recordkeeping Requirements

The permittee shall comply with the following generally applicable recordkeeping requirements:

- (a) The permittee shall keep records of required monitoring information that include the following:
 - (i) The date, place, and time of sampling or measurements;
 - (ii) The date(s) analyses were performed;
 - (iii) The company or entity that performed the analyses;
 - (iv) The analytical techniques or methods used;
 - (v) The results of such analyses; and
 - (vi) The operating conditions as existing at the time of sampling or measurement.
- (b) The permittee shall retain records of all required monitoring data and support information for a period of at least 5 years from the date of the monitoring sample, measurement, report, or application. Support information includes all calibration and maintenance records, all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by this permit.
- (c) The permittee shall keep records on all repair and maintenance activities performed on all emission units. These records shall identify the relevant emission unit and describe the work performed.
- (d) The fuel flow/consumption for each emission unit (GEN-001; GEN-002; GEN-003; GEN-004; GEN-005; CRA-001; CRA-002; CRA-003; FWP-001; FWP-002; FWP-003; FWP-004; FLR-001) shall be recorded on a monthly basis.
- (e) The records of fuel consumption shall be maintained for emission units GEN-001; GEN-002; GEN-003; GEN-004; GEN-005; CRA-001; CRA-002; CRA-003; FWP-001; FWP-002; FWP-003; FWP-004; FLR-001.
- (f) The permittee shall keep records of the serial numbers for each emission unit and submit that information to EPA as the equipment is purchased. A change in serial numbers should also be reflected in the report submitted to EPA.

III.E. Reporting Requirements

- (a) The permittee shall submit to the EPA Regional Office all reports of any required monitoring under this permit every six months following the anniversary of permit issuance. Reports

shall include 1. Fuel flow/consumption records showing monthly and yearly average of fuel usage; and 2. Repair and maintenance records of the emission units identified in the permit.

Reports shall also include repair and maintenance records of the emission units identified in the permit. All instances of deviations from permit requirements must be clearly identified in such reports. All required reports must be certified by a responsible official consistent with **section IV.F.(a)** of this permit. See Reporting Form “SIXMON” found on EPA website at: <http://www.epa.gov/air/oaqps/permits/p71forms.html>]

“Deviation,” means any situation in which an emissions unit fails to meet a permit term or condition. A deviation is not always a violation. A deviation can be determined by observation or through review of data obtained from any testing, monitoring, or recordkeeping. For a situation lasting more than 24 hours which constitutes a deviation, each 24 hour period is considered a separate deviation. Included in the meaning of deviation are any of the following:

- (i) A situation where emissions exceed an emission limitation or standard;
- (ii) A situation where process or emissions control device parameter values indicate that an emission limitation or standard has not been met;
- (iii) A situation in which observations or data collected demonstrates noncompliance with an emission limitation or standard or any work practice or operating condition required by the permit; or
- (iv) A situation in which an exceedance or an excursion, as defined in 40 CFR part 64 occurs.
- (v) The permittee shall promptly report to the EPA Regional Office deviations from permit requirements, including those attributable to upset conditions as defined in this permit, the probable cause of such deviations, and any corrective actions or preventive measures taken. “Prompt” is defined as follows:
 - (A) Any definition of “prompt” or a specific timeframe for reporting deviations provided in an underlying applicable requirement as identified in this permit; or
 - (B) Where the underlying applicable requirement fails to address the time frame

for reporting deviations, reports of deviations will be submitted based on the following schedule:

- (1) For emissions of a hazardous air pollutant or a toxic air pollutant (as identified in the applicable regulation) that continue for more than an hour in excess of permit requirements, the report must be made within 24 hours of the occurrence;
- (2) For emissions of any regulated air pollutant, excluding a hazardous air pollutant or a toxic air pollutant that continue for more than two hours in excess of permit requirements, the report must be made within 48 hours;
- (3) For all other deviations from permit requirements, the report shall be submitted with the semi-annual monitoring report required in paragraph (a) of this section.

A written notice, certified consistent with **section IV.F.** of this permit must be submitted within 10 working days of the occurrence. All deviations reported under this section must also be identified in the 6-month report required under paragraph (a) of this section. EPA has developed a form "PDR" for prompt deviation reporting. The form may be found on EPA website at: <http://www.epa.gov/air/oaqps/permits/p71forms.html>]

- (b) If for any reason the permittee does not comply with, or will not be able to comply with, the emission limitations specified in this permit, the permittee shall provide the U.S. EPA Region 6, Air Enforcement Section, with a written report as specified below.
 - (i) A written report shall be submitted within 7 days of any emission in excess of permit requirements by an amount greater than the Reportable Quantity established for that pollutant in LAC 33.I.Chapter 39.
 - (ii) A written report shall be submitted within 7 days of the initial occurrence of any emission in excess of permit requirements, regardless of the amount, where such emission occurs over a period of seven days or longer.
 - (iii) A written report shall be submitted quarterly to address all emission limitation exceedances not included in paragraphs 1 or 2 above. The schedule for submittal of quarterly reports shall be no later than the dates specified below for any emission limitation exceedances occurring during the corresponding specified calendar quarter:
 - (A) Report by June 30 to cover January through March
 - (B) Report by September 30 to cover April through June
 - (C) Report by December 31 to cover July through September
 - (D) Report by March 31 to cover October through December

- (iv) Each report submitted in accordance with this condition shall contain the following information:
 - (A) Description of noncomplying emission(s);
 - (B) Cause of noncompliance;
 - (C) Anticipated time the noncompliance is expected to continue, or if corrected, the duration of the period of noncompliance;
 - (D) Steps taken by the permittee to reduce and eliminate the noncomplying emissions; and
 - (E) Steps taken by the permittee to prevent recurrences of the noncomplying emissions.

III.F. LDEQ Environmental Regulatory Code Title 33, Part III

- (a) Chapter 11, Section 1101.B. - Control of Emissions of Smoke - The emission of smoke from any combustion unit (other than a flare) shall be controlled so that the shade or appearance of the emission is not darker than 20% average opacity as to obscure vision to a degree equivalent; except during the cleaning of a fire box or building of a new fire, soot blowing or lancing, charging of an incinerator, equipment changes, ash removal or rapping of precipitators, which may have an opacity in excess of 20% or not more than one six-minute period in any 60 consecutive minutes as determined by approvable methods in 40 CFR Part 60, Appendix A.
- (b) Chapter 13, Section 1311.C. - Emission Standards for Particulate Matter - The emission of particulate matter shall be controlled so that the shade or appearance of the emission is not denser than 20% average opacity; except emissions may have an average opacity in excess of 20% for not more than one six-minute period in any 60 consecutive minutes (Complies by using sweet natural gas as fuel).

IV. Administrative Requirements

IV.A. Annual Fee Payment Section 502 (b)(3)(C) of the CAA]

- (a) The permittee shall pay an annual permit fee in accordance with the procedures outlined below.
- (b) The permittee shall pay the annual permit fee each year:

The fee shall be received no later than July 20 of each year.
- (c) The fee payment shall be in United States currency and shall be paid by money order, bank draft, certified check, corporate check, or electronic funds transfer payable to the order of EPA.

- (d) The permittee shall send fee payment and a completed fee filing form to:

EPA Region 6
P. O. Box 360582M
Pittsburgh, PA 15251

- (e) The permittee shall send an updated fee calculation worksheet form and a photocopy of each fee payment check (or other confirmation of actual fee paid) submitted annually by the same deadline as required for fee payment to the address listed in Section 5.5. of this permit. [Note-that an annual emissions report, required at the same time as the fee calculation worksheet, has been incorporated into the fee calculation worksheet form as a convenience.]

- (f) Basis for calculating annual fee:

Multiply the total tons of “actual emissions” of all “regulated pollutants” emitted from the source by the emissions fee (in dollars/ton) in effect at the time of calculation.

“Actual emissions” shall mean: the actual rate of emissions in tons per year of any regulated pollutant (for fee calculation) emitted from the source over the preceding calendar year. Calculate actual emissions by using each emissions unit’s actual operating hours, production rates, in-place control equipment, and types of materials processed, stored, or combusted during the preceding calendar year.

“Regulated pollutants” shall mean: (I) a volatile organic compound; (II) each pollutant regulated under section 7411 or 7412 of the CAA; and (III) each pollutant for which a national primary ambient air quality standard has been promulgated (except for carbon monoxide). Do not include any amount of regulated pollutant emitted from the source in excess of 4,000 tons per year of that regulated pollutant.

The fee (in dollars/ton) in effect at the time of this permit’s date of issuance is \$37.43. The fee of \$37.43, above, shall increase each calendar year, by the percentage, if any, by which the Consumer Price Index for the most recent calendar year ending before the beginning of such year exceeds the Consumer Price Index for for the calendar year 1989. The Consumer Price Index for any calendar year is the average of the Consumer Price Index for all-urban consumers published by the Department of Labor, as of the close of the 12-month period ending on August 31 of each calendar year, and revision of the Consumer Price Index which is most consistent with the Consumer Price Index for calendar year 1989 shall be used.

For convenience, the permittee may obtain the revised-for-inflation fee (in dollars/ton) from EPA at the address listed in provision IV.F of this permit.

- (g) The insignificant quantities of actual emissions not required to be listed or calculated in a permit application shall be excluded from the calculation of fees. These include mobile

sources, air-conditioning units used for human comfort, ventilating units used for human comfort, heating units used for human comfort, noncommercial food preparation, consumer use of office equipment and products, janitorial services and consumer use of janitorial products and internal combustion engines used for landscaping purposes. In addition, some insignificant activities are exempted because of size or production rate. These emission levels include emission criteria for regulated air pollutants, excluding hazardous air pollutants shall not exceed 2 tons per year. Exemptions for emission criteria for hazardous air pollutants require that any hap from any single emissions unit shall not exceed 1000 lbs per year or the de minimis level established under 112(g) of the Clean Air Act, whichever is less.

- (h) Fee calculation worksheets shall be certified as to truth, accuracy, and completeness by a responsible official.
- (i) The permittee shall retain fee calculation worksheets and other emissions-related data used to determine fee payment for five years following submittal of fee payment. Emission-related data include, for example, emissions-related forms provided by EPA and used by the permittee for fee calculation purposes, emissions-related spreadsheets, and emissions-related data, such as records of emissions monitoring data and related support information required to be kept.
- (j) Failure of the permittee to pay fees in a timely manner shall subject the permittee to assessment of penalties and interest in accordance with section 502(b)(3)(C)(ii) of the CAA.
- (k) The EPA will not act on applications for permit renewal or modification if the permittee fails to pay all fees, interest, and penalties owed in full.
- (l) When notified by EPA of underpayment of fees, the permittee shall remit full payment within 30 days of receipt of notification.
- (m) If the permittee thinks that the EPA-assessed fee is in error and wishes to challenge the fee, the permittee shall provide a written explanation of the alleged error to EPA along with full payment of the assessed fee.

IV.B. Annual Emissions Inventory

The permittee shall submit an annual emissions report of its actual emissions for both criteria pollutants and regulated HAPS for this facility for the preceding calendar year for fee assessment purposes. The annual emissions report shall be certified by a responsible official and shall be submitted each year to EPA on

October 1st.

or

April 1. *(for sources who submitted their application between 1/1 and 3/31)*

The annual emissions report shall be submitted to EPA at the address listed in provision **IV.F** of this permit.

IV.C. Compliance Requirements

- (a) The permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the Clean Air Act and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application.
- (b) It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.
- (c) For the purpose of submitting compliance certifications in accordance with **Section VI.D.** of this permit, or establishing whether or not a person has violated or is in violation of any requirement of this permit, 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.
- (d) Issuance of this permit does not relieve the owner or operator of the responsibility to comply fully with applicable provisions of the Louisiana SIP and any other requirements under local, State or Federal law.

IV.D. Compliance Certifications

The permittee shall submit to EPA a certification of compliance with permit terms and conditions, including emission limitations, standards, or work practices, fuel usage and heat input, annually on the anniversary of the date of issuance of this permit. The compliance certification shall be certified as to truth, accuracy, and completeness by a responsible official.

- (i) The certification shall include the following:
 - (i) Identification of each permit term or condition that is the basis of the certification.
 - (ii) Identification of the method(s) or other means used for determining the compliance status with each term and condition during the certification period, and whether such methods or other means provide continuous or intermittent data. If necessary, the owner or operator also shall identify any other material information, e.g., operating hours records, that must be included in the certification, which prohibits knowingly making a false certification or omitting material information.

- (iii) The compliance status of each term and condition of the permit for the period covered by the certification based on the method or means designated above. The certification shall identify each deviation and take it into account in the compliance certification.
- (iv) Any other requirements sufficient to assure or determine compliance.

IV.E. Duty to Provide and Supplement Information

- (a) The permittee shall furnish to EPA, within a reasonable time, any information that EPA may request in writing to determine whether cause exists for modifying, revoking, and reissuing, or terminating the permit, or to determine compliance with the permit. Upon request, the permittee shall also furnish to the EPA copies of records that are required to be kept pursuant to the terms of the permit, including information claimed to be confidential. Information claimed to be confidential must be accompanied by a claim of confidentiality according to the provisions of 40 CFR part 2, subpart B.
- (b) The permittee, upon becoming aware that any relevant facts were omitted or incorrect information was submitted in the permit application, shall promptly submit such supplementary facts or corrected information. In addition, a permittee shall provide additional information as necessary to address any requirements that become applicable after the date a complete application is filed, but prior to release of a draft permit.

IV.F. Submissions

Any document required to be submitted by this permit shall be certified by a responsible official as to truth, accuracy, and completeness. Such certifications shall state that based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete. All documents required to be submitted, including records, reports, test data, monitoring data, emissions-related data, notifications, and compliance certifications, shall be submitted to:

Air Enforcement Section, (6EN-A)
1445 Ross Avenue
Dallas, TX 75202-2733

while the fee calculation worksheets,(that include the annual emissions worksheet and report), and applications for renewals and permit modifications shall be submitted to:

Air Permits Section, (6PD-R)
1445 Ross Avenue
Dallas, TX 75202-2733

EPA has developed a reporting form “CTAC” for certifying truth, accuracy and completeness.

The form may be found on EPA website at: <http://www.epa.gov/air/oaqps/permits/p71forms.html>] and is also attached to the permit document.

IV.G. Severability Clause

The provisions of this permit are severable, and in the event of any challenge to any portion of this permit, or if any portion is held invalid, the remaining permit conditions shall remain valid and in force.

IV.H. Permit Actions

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

IV.I Administrative Permit Amendments

The permittee may request the use of administrative permit amendment procedures for a permit revision that:

- (a) Corrects typographical errors;
- (b) Identifies a change in the name, address, or phone number of any person identified in the permit, or provides a similar minor administrative change at the source;
- (c) Requires more frequent monitoring or reporting by the permittee;
- (d) Allows for a change in ownership or operational control of a source where the EPA determines that no other change in the permit is necessary, provided that a written agreement containing a specific date for transfer of permit responsibility, coverage, and liability between the current and new permittee has been submitted to the EPA;
- (e) Incorporates any other type of change which EPA has determined to be similar to those listed above. [Note to permittee: If subparagraphs (a) through (d) above do not apply, please contact EPA for a determination of similarity prior to submitting your request for an administrative permit amendment under this provision].

IV.J. Minor Permit Modifications

- (a) The permittee may request the use of minor permit modification procedures only for those modifications that:
 - (i) Do not violate any applicable requirement;

- (ii) Do not involve significant changes to existing monitoring, reporting, or recordkeeping requirements in the permit;
 - (iii) Do not require or change a case-by-case determination of an emission limitation or other standard, or a source-specific determination for temporary sources of ambient impacts, or a visibility or increment analysis;
 - (iv) Do not seek to establish or change a permit term or condition for which there is no corresponding underlying applicable requirement and that the source has assumed to avoid an applicable requirement to which the source would otherwise be subject. Such terms and conditions include:
 - (A) A federally enforceable emissions cap assumed to avoid classification as a modification under any provision of title I; and
 - (B) An alternative emissions limit approved pursuant to regulations promulgated under section 112(i)(5) of the Clean Air Act;
 - (v) Are not modifications under any provision of title I of the Clean Air Act; and
 - (vi) Are not required to be processed as a significant modification.
- (b) Notwithstanding the list of changes ineligible for minor permit modification procedures in **paragraph (a)** above, minor permit modification procedures may be used for permit modifications involving the use of economic incentives, marketable permits, emissions trading, and other similar approaches, to the extent that such minor permit modification procedures are explicitly provided for in an applicable implementation plan or in applicable requirements promulgated by EPA.
- (c) An application requesting the use of minor permit modification procedures shall meet the requirements including the following:
- (i) A description of the change, the emissions resulting from the change, and any new applicable requirements that will apply if the change occurs;
 - (ii) The source's suggested draft permit;
 - (iii) Certification by a responsible official, that the proposed modification meets the criteria for use of minor permit modification procedures and a request that such procedures be used; and
 - (iv) Completed forms for the permitting authority to use to notify affected States.
- (d) The source may make the change proposed in its minor permit modification application immediately after it files such application. After the source makes the change allowed by the preceding sentence, and until the permitting authority takes any of the actions, the source

must comply with both the applicable requirements governing the change and the proposed permit terms and conditions. During this time period, the source need not comply with the existing permit terms and conditions it seeks to modify. However, if the source fails to comply with its proposed permit terms and conditions during this time period, the existing permit terms and conditions it seeks to modify may be enforced against it.

- (e) The permit shield may not extend to minor permit modifications.

IV.K. Significant Permit Modifications

- (a) The permittee must request the use of significant permit modification procedures for those modifications that:
 - (i) Do not qualify as minor permit modifications or as administrative amendments;
 - (ii) Are significant changes in existing monitoring permit terms or conditions; or
 - (iii) Are relaxations of reporting or recordkeeping permit terms or conditions.
- (b) Nothing herein shall be construed to preclude the permittee from making changes that would render existing permit compliance terms and conditions irrelevant.
- (c) Permittees must meet all requirements for applications, public participation, and review by affected states and tribes for significant permit modifications. For the application to be determined complete, the permittee must supply all information that is required for permit issuance and renewal, but only that information that is related to the proposed change.

IV.L. Reopening for Cause

- (a) The permit may be reopened and revised prior to expiration under any of the following circumstances:
 - (i) Additional applicable requirements under the Act become applicable to a major source with a remaining permit term of 3 or more years. Such a reopening shall be completed not later than 18 months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the date on which the permit is due to expire, unless the original permit or any of its terms and conditions have been extended;
 - (ii) Additional requirements (including excess emissions requirements) become applicable to an affected source under the acid rain program. Upon approval by the EPA, excess emissions offset plans shall be deemed to be incorporated into the permit;
 - (iii) EPA determines that the permit contains a material mistake or that inaccurate

statements were made in establishing the emissions standards or other terms or conditions of the permit; or

- (iv) EPA determines that the permit must be revised or revoked to assure compliance with the applicable requirements.

IV.M. Property Rights

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

IV.N. Inspection and Entry

Upon presentation of credentials and other documents as may be required by law, the permittee shall allow EPA or an authorized representative to perform the following:

- (a) Enter upon the permittee's premises where a source is located or emissions-related activity is conducted, or where records must be kept under the conditions of the permit;
- (b) Have access to and copy, at reasonable times, any records that must be kept under the conditions of the permit;
- (c) Inspect at reasonable times any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the permit; and
- (d) As authorized by the Clean Air Act, sample or monitor at reasonable times substances or parameters for the purpose of assuring compliance with the permit or applicable requirements.

IV.O. Emergency Provisions

- (a) In addition to any emergency or upset provision contained in any applicable requirement, the permittee may seek to establish that noncompliance with a technology-based emission limitation under this permit was due to an emergency. To do so, the permittee shall demonstrate the affirmative defense of emergency through properly signed, contemporaneous operating logs, or other relevant evidence that:
 - (i) An emergency occurred and that the permittee can identify the cause(s) of the emergency;
 - (ii) The permitted facility was at the time being properly operated;
 - (iii) During the period of the emergency the permittee took all reasonable steps to

minimize levels of emissions that exceeded the emissions standards, or other requirements in this permit; and

- (iv) The permittee submitted notice of the emergency to EPA within 2 working days of the time when emission limitations were exceeded due to the emergency. This notice must contain a description of the emergency, any steps taken to mitigate emissions, and corrective actions taken. This notice fulfills the requirements of **Section II.F.(b)** of this permit, concerning prompt notification of deviations.
- (b) In any enforcement proceeding the permittee attempting to establish the occurrence of an emergency has the burden of proof.
- (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 the permit due to unavoidable increases in emissions attributable to the emergency. An emergency shall not include noncompliance to the extent caused by improperly designed equipment, lack of preventive maintenance, careless or improper operation, or operator error.

IV.P. Transfer of Ownership or Operation

In the event of any change in ownership of the facility described in this permit, the permittee and the succeeding owner shall notify the EPA at the submission address found in Section IV.F., within ninety (90) days after the event, to amend this permit.

A change in ownership or operational control of this facility may be treated as an administrative permit amendment if the EPA determines no other change in this permit is necessary and provided that a written agreement containing a specific date for transfer of permit responsibility, coverage, and liability between the current and new permittee has been submitted to EPA.

IV.Q. Off Permit Changes

The permittee is allowed to make certain changes without a permit revision, provided that the following requirements are met:

- (a) Each change is addressed or not prohibited by this permit;
- (b) Each change shall comply with all applicable requirements and may not violate any existing permit term or condition;
- (c) Changes under this provision may not include changes or activities subject to any requirement under Title IV or that are modifications under any provision of Title I of the

CAA;

- (d) The permittee shall provide contemporaneous written notice to EPA of each change, except for changes that qualify as insignificant activities. The written notice must describe each change, the date of the change, any change in emissions, pollutants emitted, and any applicable requirements that would apply as a result of the change;
- (e) The permit shield does not apply to changes made under this provision;
- (f) The permittee must keep a record describing all changes that result in emissions of any regulated air pollutant subject to any applicable requirement not otherwise regulated under this permit, and the emissions resulting from those changes.

IV.R. Permit Expiration and Renewal

- (a) This permit shall expire upon five years from the date of issuance of this permit.
- (b) Expiration of this permit terminates the permittee's right to operate unless a timely and complete permit renewal application has been submitted at least six months (180 days), but not more than 18 months, prior to the expiration of this permit.
- (c) If the permittee submits a timely and complete permit application for renewal, but the permitting authority has failed to issue or deny the renewal permit, then the permit shall not expire until the renewal permit has been issued or denied and any permit shield granted may extend beyond the original permit term until renewal. Operation may continue under the conditions of this permit during the period of review of the application for renewal.
- (d) The permittee's failure to have a permit, where timely and complete application for renewal was submitted, is not a violation of this part until EPA takes final action on the permit renewal application. This protection shall cease to apply if, subsequent to the completeness determination, the permittee fails to submit any additional information identified as being needed to process the application by the deadline specified in writing by EPA.
- (e) Renewal of this permit is subject to the same procedural requirements that apply to initial permit issuance, including those for public participation and affected State and tribal review.
- (f) The application for renewal shall include the current permit number, description of permit revisions and off-permit changes that occurred during the permit term, any applicable requirements that were promulgated and not incorporated into the permit during the permit term, and other information required by the application form.

IV.S. Compliance Schedule and Progress Reports

- (a) At the date of issuance of this permit, the facility will not be constructed. The permittee

has indicated in the permit application that construction will begin December 1, 2005. The facility will be constructed in two phases. Phase I includes the installation of 2 gravity based structures with internal storage tanks and facilities for LNG offloading, send out and vaporization. Additional vaporization equipment and associated support equipment and facilities will be installed during Phase II to increase the facility vaporization and send out.

- (i) Within 180 days from December 1, 2005, the permittee will begin construction activities.
 - (ii) The permittee will notify EPA within 90 days that construction of the facility has begun.
 - (iii) The permittee shall complete construction within a reasonable time frame.
 - (iv) The permittee shall notify the EPA within ten (10) calendar days from the date that construction is certified as complete and the estimated start-up of operation. Within 180 days after operations commence, the permittee shall notify EPA that it is in compliance with all applicable permit requirements.
- (b) For applicable requirements with which the source will be in compliance upon operation start-up, the source will comply with such requirements. For applicable requirements that will become effective during the permit term, the source shall meet such requirements on a timely basis.
- (c) The permittee shall submit progress reports consistent with this schedule of compliance at least once every 6 months from the date of issue of this permit. Such progress reports shall be certified and contain the following:
- (i) Dates for achieving the activities, milestones, or compliance required in the schedule of compliance, and dates when such activities, milestones, or compliance were achieved; and
 - (ii) An explanation of why any dates in the schedule of compliance were not or will not be met, and any preventive or corrective measures adopted.

V. Additional Requirements to be Implemented in Future Activities Under the Permit

V.A. Endangered Species Act

The Summary of Impacts to Threatened and Endangered Species of the proposed project are discussed in the Final Environmental Impact Statement (EIS) for the Port Pelican LLC Deepwater Port License Application, Section 4.2.3, page 4-36, dated August 2003. The U.S. Coast Guard entered into informal Endangered Species Act Section 7 consultation with the U.S. Fish and Wildlife Service through its letter of April 14, 2003. The scope of that consultation should be

broad enough to include all effects of the project, including effects attributable to emissions EPA is regulating. By the time EPA issues this permit, its action will be part of the “environmental baseline” for which no independent consultation is required.

V.B. Magnuson-Stevens Fisheries Conservation Act

The Summary of Impacts to Essential Fish Habitat in the Region of Influence and marine mammals of the proposed project are discussed in the Final Environmental Impact Statement (EIS) for the Port Pelican LLC Deepwater Port License Application, dated August 2003.

Appendix A.1.

**Federally Listed Threatened and/or Endangered Species
Off the Coast of Cameron, Louisiana**

<u>SPECIES</u>	<u>GROUP</u>	<u>STATUS</u>
Bald Eagle	Bird	Threatened
West Indian Manatee	Mammal	Endangered
Piping Plover	Bird	Threatened
Brown Pelican	Bird	Endangered
Gulf Sturgeon	Fish	Threatened
Green Sea Turtle	Reptile	Threatened
Hawksbill Sea Turtle	Reptile	Endangered
Kemp's Ridley Sea Turtle	Reptile	Endangered
Leatherback Sea Turtle	Reptile	Endangered
Loggerhead Sea Turtle	Reptile	Threatened

Notice of Intent to Issue a Clean Air Act
Minor New Source Review Construction Permit
Title V Federal Operating Permit
United States Environmental Protection Agency
Region 6, Multimedia Planning and Permitting Division

Take notice that the United States Environmental Protection Agency (EPA) has received an application for a preconstruction permit and an operating permit that regulate air pollution emissions from the following source:

The Port Pelican Project Terminal - Permit No. R6DPA-GM1

The facility will be located approximately 37 nautical miles off the Louisiana coast in the Gulf of Mexico at the following coordinates:

Latitude: 29° 01' 33.41" N
Longitude: 92° 32' 11.85" W

The mailing address is:

Port Pelican LLC
1111 Bagby, Suite 2700
Houston, TX 77002-2543

The Port Pelican Terminal will be a liquefied natural gas receiving, storage, and regasification facility located offshore of Louisiana in the Gulf of Mexico. It will deliver a peak 2.0 billion standard cubic feet per day of pipeline quality natural gas for delivery to a downstream infrastructure. The facility is restricted by specific conditions to limit emissions to the following rates: carbon monoxide - 193.74 tons per year, particulate matter with a diameter 10 microns or less - 4.6 tons per year, oxides of nitrogen - 234.60 tons per year, volatile organic compounds - 9.09 tons per year, and sulfur dioxide - 4.17 tons per year.

This source is required to obtain a Clean Air Act Minor New Source Review Construction Permit in accordance with Title I of the Clean Air Act and an operating permit in accordance with Title V. The combined permit will contain all the Clean Air Act requirements that apply to the source.

Members of the public may review a copy of the draft permit prepared by EPA, the statement of basis for the draft permit, the application, and all supporting materials submitted by the source at Lafayette Public Library, 301 West Congress Street, (337) 261-5778, and at the Cameron Parish Library, 498 Marshall Street, Cameron, Louisiana 70631-2016. Copies of these documents can also be obtained at no cost at the US EPA Region 6 Web Site, <http://www.epa.gov/earth1r6/6pd/air/pd-r/portpelican-gm.pdf> or by contacting Stephanie Kordzi, Environmental Engineer, 1445 Ross Avenue, Dallas, TX 75202, (214) 665-7520 or

kordzi.stephanie@epa.gov. All documents will be available for review at the US EPA Region 6 library, Monday - Friday, from 7:30 a.m - 4:30 p.m, excluding Federal holidays.

If you have comments on the draft permit, you must submit them on or before November 4, 2003. All comments can be submitted in either writing, FAX, or via e-mail. All comments and public hearing requests should be addressed to EPA, Region 6, Attention: Stephanie Kordzi, Multimedia Planning and Permitting Division, 1445 Ross Avenue, Dallas, TX 75202, (214) 665-7520, FAX 214-665-6762, or kordzi.stephanie@epa.gov.

You have the right to request a public hearing on the draft permit. Requests for a public hearing must be made by November 4, 2003, and must contain your reasons for requesting a hearing. If a public hearing is granted, the comment period will be extended through the date of the public hearing. All comments received prior to November 4, 2003, and all comments made during a public hearing will be considered in arriving at a final decision on the permit. The final permit is a public record that can be obtained upon request. A statement of reasons for changes made to the draft permit and responses to comments received will be sent to persons who commented on the draft permit.

Persons wishing to be included on the mailing list for permit actions involving liquefied natural gas facilities in their areas should contact Stephanie Kordzi listed above. Written comments or written request for notification of the final permit decision regarding this permit may also be submitted to Stephanie Kordzi listed above.

If you believe any condition of the draft permit is inappropriate or that our initial decision to deny an application, terminate a permit, or prepare a draft permit is inappropriate, you must raise all reasonably ascertainable issues and submit all reasonably ascertainable arguments supporting your position by the end of the comment period. Any supporting materials that you submit must be included in full and may not be incorporated by reference, unless they are already part of the administrative record for this permit proceeding or consist of State, tribal, or Federal statutes and regulations, EPA documents of general availability, or other generally available referenced materials.