

**Operating Permit for an Emission Source under Title V
Part VI - Regulation for the Control of Atmospheric Pollution**

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Section I - General Information

Permit Number: TV-4911-19-0796-0004
Permit Application Received: July 24, 1996
Issue Date: December 10, 2001
Expiration Date: December 10, 2006

In accordance with the provisions of Part VI of the Regulation for the Control of Atmospheric Pollution (RCAP) and the Code of Federal Regulations, Title 40, Part 70

**Puerto Rico Electric Power Authority
Daguao Gas Turbine Power Block (PREPA-DAGUAO)**

hereinafter referred to as "permittee" or **PREPA-DAGUAO**, is authorized to operate a stationary source of air pollutants limited to the emission units and conditions described in this permit. Until such time as this permit expires, is modified or revoked, the permittee is allowed to discharge air pollutants from those processes and activities directly related to or associated with air pollutant sources in accordance with the requirements, limitations and conditions of this permit.

The conditions in this permit are federally and state enforceable. Requirements which are only state enforceable are identified as such in the permit. A copy of this permit shall be kept on-site at the above mentioned facility at all times

Facility Information:

Name: Puerto Rico Electric Power Authority

Mailing Address: P. O. Box 364267

City: San Juan

State: Puerto Rico

Zip Code:00936-4267

Plant Name: Daguao Gas Turbine Power Block (PREPA-DAGUAO)

Plant Mailing Address: P. O. Box 364267, San Juan, Puerto Rico 00936-4267

Facility Contact Person: Mr. Enrique López Ortíz

Phone Number:(787) 885-1660

Primary SIC Code: 4911

Description of Process:

Daguao Gas Turbine Power Block (PREPA-DAGUAO) is located in the eastern part of Puerto Rico adjacent to the town of Ceiba (PR-3, Km. 58.3) and it is used to produce electric energy. The emission sources are the following: two gas turbines or two combustion turbines. PREPA-DAGUAO utilizes energy that consists of two gas turbines or two combustion turbines which burn diesel to generate electric

energy. The no.2 fuel oil is received by truck, stored in a tank and then pumped to the turbines.

PREPA-DAGUAO is allowed to operate units DAGT1-1 and DAGT1-2 with propane gas or natural gas (alternate operating scenarios).

Section II - Description of Emission Units

The emission units regulated by this permit are the following:

Emission Unit ID	Description
DAGT1-1 DAGT1-2	Each emission unit is combustion turbine of simple cycle. The capacity is 301.5 MMBTU/hr.

Section III - General Permit Conditions

- 1- **Sanctions and Penalties:** The permittee accepts and is bound by all terms, conditions, requirements, limitations and restrictions set forth in this permit. Any violation of such terms will be grounds for prosecution on a felony charge, as established in the Puerto Rico Environmental Public Policy Act, Article 17 (Act Number 9, June 18, 1970, as amended). Also, any administrative, civil or criminal measures may be taken to enforce the conditions set forth in this permit.

- 2- **Right of Entry:** As specified under Rules 103 and 603(C)(2) of the RCAP, the permittee shall allow the EQB, through its authorized representatives, upon presentation of credentials and other documents as may be required by law, to perform the following activities:
 - (A) Enter upon the permittee's premises where an emission source is located or where emission related activities are conducted, or where records must be kept under the conditions of this permit, under the RCAP, or under the Clean Air Act;
 - (B) Have access to and copy, at reasonable times, any records that must be kept under the conditions of the permit, under the RCAP, or under the Clean Air Act;
 - (C) Inspect and examine any facility, equipment (including monitoring and air pollution control equipment), practices or operations (including QA/QC methods) regulated or required under this permit; as well as sampling emission fuels;
 - (D) As authorized by the Clean Air Act and the RCAP, to sample or monitor, at reasonable times, substances or parameters for the purpose of assuring compliance with the permit or other applicable requirements.

- 3- **Data Availability:** As specified under Rule 104 of the RCAP, all emission data obtained by or submitted to the EQB, including data reported pursuant to Rule 103 of the RCAP, as well as that obtained in any other way, shall be available for public inspection and may also be made available to the public in any additional manner that the EQB may deem appropriate.
- 4- **Emergency Plan:** As specified under Rule 107 of the RCAP, the permittee shall have an Emergency Plan which must be consistent with adequate safety practices, and provide for the reduction or retention of the emissions from the plant during periods classified by the EQB as alerts, warnings or emergencies. These plans shall identify the emission sources, include the reduction to be accomplished for each source and the means by which such reduction will be accomplished. These plans shall be available for inspection, as required by representatives of the EQB, at all times.
- 5- **Compliance Certification:** As specified under Rule 112(B) of the RCAP, the permittee shall submit a compliance certification, including the actual emission calculations for the previous year, on the first day of April of each year. The compliance certification shall be sent to both the EQB and the EPA¹. It shall include, but is not limited to, the following information:
 - (A) identification of the applicable requirement that is the basis for the certification;
 - (B) the method used for determining the compliance status of the source;
 - (C) the compliance status;
 - (D) whether compliance is continuous or intermittent; and
 - (E) such other facts as the EQB may require.
- 6- **Regulation Compliance:** As specified under Rule 115 of the RCAP, any violation to said Regulation, or to any other applicable rule or regulation, shall be grounds for the EQB to suspend, modify, or revoke any relevant permit, approval, variance or other authorization issued by the EQB.
- 7- **Location Approval:** As specified under Rule 201 of the RCAP, nothing in this permit shall be interpreted as authorizing the location or construction of a major source, or the modification of a stationary major source, or a major modification of a significant source, without prior authorization from the EQB and without first demonstrating compliance with the National Ambient Air Quality Standards (NAAQS). Nor shall it be interpreted as authorizing the construction of minor sources without prior authorization by the EQB, as specified under Rule 203 of the RCAP.

¹ The certification to the EQB shall be mailed to: Director, Air Quality Program, P O Box 11488, Santurce, PR, 00910. The certification to the EPA shall be mailed to: Chief, Permitting Section, Air Program Branch, EPA Region II, 290 Broadway, New York, NY, 10007.

- 8- **Open Burning:** As specified under the Rule 402 of the RCAP, the permittee shall not cause or permit the open burning of refuse.
- 9- **Objectionable Odors:** As specified under Rule 420 of the RCAP, the permittee shall not cause or permit emissions to the atmosphere of any matter which produces "objectionable" odors that can be perceived in an area other than that designated for industrial purposes. (This condition is enforceable only by the State.)
- 10- **Permit Applications:** As specified under the Rule 602(A)(1)(iv) of the RCAP, the permittee shall submit its permit renewal application to the EQB twelve (12) months prior to the permit expiration date. Every application form, report or compliance certification submitted pursuant to the RCAP shall be certified by a responsible official, who will attest to his/her appointment as such, as well as of the truth, accuracy and completeness of the submitted documents.
- 11- **Permit Duration:** As specified under Rule 603 of the RCAP, the following terms will apply during the duration of this permit:
- (A) **Effective Date:** The permit shall become valid and effective once it is signed by the Governing Board of the Environmental Quality Board.
 - (B) **Expiration:** This authorization shall have a fixed term of five (5) years. The expiration date will be automatically extended until the EQB approves or denies a renewal application but only in those cases where the permittee submits a complete application twelve (12) months before the expiration date Rule 603 (A)(2) and Rule 605 (C)(2), (C)(4) & (C)(4)(i) of the RCAP
 - (C) **Permit Shield:** As specified under Rule 605 (C)(4)(i) of the RCAP, the permit shield may be extended until the time it is renewed.
 - (D) **In the event that this permit is attacked by a third party, the permit shall remain in effect until the time it is revoked by a court of law with jurisdiction in the matter.**
- 12- **Record-keeping Requirement:** As specified under Rule 603(A)(4)(ii) of the RCAP, the permittee shall retain all required monitoring data and supporting information for a period of five (5) years from the date of the monitoring sample, measurement, report or application.
- 13- **Reporting Requirement:** As specified under Rule 603(A)(5)(i) of the RCAP, the permittee shall submit reports of all required monitoring every six (6) months, or more frequently if required by the EQB or any other underlying applicable requirement. All instances of deviations from permit requirements must be clearly identified in such reports. All required reports shall be certified by a responsible official, pursuant to Rule 602 (C)(3) of the RCAP.
- 14- **Reporting of Deviations due to Emergencies:** As specified under Rule 603(A)(5)(ii)(a) of the RCAP, any deviation resulting from an upset (such as sudden malfunction or break-down) or emergency conditions, as defined in Rule 603(E) of the RCAP, must be reported within the next two (2) working days if the permittee is to assert the affirmative defense authorized

under such section. The permittee shall have the burden of proof in establishing a defense due to an emergency in an enforcement action.

- 15- **Deviation Reporting (Hazardous Air Pollutants):** As specified under Rule 603(A)(5)(ii)(b) of the RCAP, in case of any deviation that results in emissions of a hazardous air pollutant that continues for more than an hour in excess of the applicable limit or in the release of any other regulated air pollutant that continues for more than two (2) hours in excess of the applicable limit, the permittee shall notify the EQB within 24 hours of such deviation. The permittee shall also submit to the EQB, within seven (7) days of the deviation, a detailed written report including probable causes, time and duration of the deviation, remedial action taken, and steps which are being taken to prevent a reoccurrence.
- 16- **Severability Clause:** As specified under Rule 603(A)(6) of the RCAP, the clauses in this permit are severable. In the event of a successful challenge to any portion of the permit in an administrative or judicial forum, or in the event any of its clauses is held to be invalid, all other portions of the permit shall remain valid and effective, including those related to emission limits, terms and conditions, be they specific or general, as well as monitoring, record keeping and reporting requirements
- 17- **Permit Noncompliance:** As specified under Rule 603(A)(7)(i) of the RCAP, the permittee must comply with all conditions of the permit. Permit noncompliance constitutes a violation of the RCAP and will be grounds for taking the appropriate enforcement action, impose sanctions, revoke, terminate, modify, and/or reissue the permit, or to deny a permit renewal application.
- 18- **Defense not Allowed:** As specified under Rule 603(A)(7)(ii) of the RCAP, 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.
- 19- **Permit Modification and Revocation:** As specified under Rule 603(A)(7)(iii) of the RCAP, the 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.
- 20- **Property Rights:** As specified under Rule 603(A)(7)(iv) of the RCAP, this permit does not convey any property rights of any sort, nor does it grant any exclusive privilege.
- 21- **Obligation to Furnish Information:** As specified under Rule 603(A)(7)(v) of the RCAP, the permittee shall furnish to the EQB, within a reasonable time, any information that the EQB may request 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 EQB copies of documents related to this permit.

- 22- **Changes in Operating Scenarios:** As specified under Rule 603(A)(10)(i) of the RCAP, the permittee shall record in a log book, contemporaneously with making a change from one operating scenario to another authorized in Section I, the scenario under which it is operating. This log book must be kept at the permittee's facility at all times.
- 23- **Prohibition on Default Issuance:** As specified under Rule 605(D) of the RCAP, it shall never be considered that a permit has been issued by default as a result of the EQB's failure to take final action on a permit application within eighteen (18) months. The EQB's failure to issue a final permit within eighteen (18) months should be treated as a final action solely for the purpose of obtaining judicial review in a state court.
- 24- **Administrative Permit Amendments and Permit Modifications:** As specified under Rule 606 of the RCAP, the permit shall not be amended nor modified unless the permittee complies with the requirements for administrative permit amendments and permit modifications as described in the RCAP.
- 25- **Permit Reopenings:** As specified under Rule 608(A)(1), this permit shall be reopened and revised under the following circumstances:
- (A) Whenever additional applicable requirements under any law or regulation become applicable to the permittee, when the remaining permit term is of three (3) or more years. Such reopening shall be completed eighteen (18) months after promulgation of said 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 pursuant to Rule 605(C)(4)(i) or Rule 605(C)(4)(ii) of the RCAP.
 - (B) Whenever the EQB or the EPA determine that the permit contains a material mistake or that inaccurate statements were made in establishing the emission standards or other terms or conditions of the permit.
 - (C) Whenever the EQB or the EPA determine that the permit must be revised or revoked to assure compliance with the applicable requirements.
- 26- **Changes in Name and/or Ownership:** This permit is issued to **Daguao Gas Turbine Power Block (PREPA-DAGUAO)** and/or **Puerto Rico Electric Power Authority**. In the event that the company and/or installation changes its name or is transferred to a different owner, the new responsible official must submit a sworn statement in which he/she accepts and validates compliance with all conditions of this permit.
- 27- **Renovation Work:** The permittee shall comply with the provisions set forth in 40 CFR 61.150 when doing renovation or demolition work at the installation.
- 28- **Requirements for Refrigerants (Climatologic and Stratospheric Ozone Protection):** In the event that the permittee has equipment or appliances, including air conditioning units, which use Class I or II refrigerants as defined in 40 CFR 82, Subpart A, Appendices A and B, he/she shall take the necessary measures to ensure that all maintenance, service or repair services performed are done so according to the practices, certification and personnel

requirements, disposition requirements, and recycling and/or recovery equipment certification requirements specified under 40 CFR 82, Subpart F.

- 29- **Compliance Clause:** Compliance with this permit does not waive permittee's obligation to comply with all other applicable laws, regulations, permits, administrative orders, and/or decrees, be they state or federally enforceable.
- 30- **Emissions Calculation:** The permittee shall submit, on the first day of April each year, the actual or permissible emissions calculation for the previous natural year. The emissions calculation shall be submitted on the forms prepared by the EQB for this purpose and the responsible official shall certify all the information submitted as true, correct and representative of the permitted activity.
- 31- **Annual Fee:** As specified under Rule 610 of the RCAP, Puerto Rico Electric Power Authority shall pay an annual fee of \$1,000,000.00, for all of the facilities included in the agreement between the Environmental Quality Board and Puerto Rico Electric Power Authority. This annual fee shall be effect in two terms, the first pay, on or before June 30 and the second pay, on or before January 1 of each year.
- 32- **Risk Management Plan (RMP):** If the threshold quantity of any substance regulated by 40 CFR Part 68 is exceeded while the permit is in effect, a risk management plan (RMP) shall be presented. The RMP will be done according to the compliance itinerary established in 40 CFR Part 68.10. The permittee shall certify compliance with these requirements in the annual compliance certification as required by 40 CFR Part 70.

Section IV - Emission Caps

- 1- The permittee shall not exceed the emission caps specified below in any consecutive twelve (12) month period. The emissions for any consecutive twelve (12) month period shall be calculated by adding the monthly emission caps of each unit to the total unit emissions for the previous eleven (11) months.

Criteria Pollutant	Emission Cap (tons/year)
PM ₁₀	48
SO ₂	396
NO _x	547
CO	38
VOC	13

Section V - Fuel Consumption Limits

- 1- Under the normal operating scenario, the permittee shall not exceed **11,613,334** gals./year of diesel (number 2) consumption in any given consecutive twelve (12) month period. The fuel consumption for any consecutive twelve (12) month period shall be calculated by adding the monthly fuel consumption of each unit to the total unit fuel consumption for the previous eleven (11) months.
- 2- Under the alternate operating scenario, the permittee shall not exceed **821,340,000** scf/year for natural gas and **317,119,400** scf/year for propane gas in any given consecutive twelve (12) month period. The fuel consumption for any consecutive twelve (12) month period shall be calculated by adding the monthly fuel consumption of each unit to the total unit fuel consumption for the previous eleven (11) months.
- 3- The permittee shall not exceed the emission caps in any given consecutive twelve (12) month period. The emissions for any consecutive twelve (12) month period shall be calculated by adding the monthly emission caps of each unit to the total unit emissions for the previous eleven (11) months.

Section VI - Recordkeeping Requirements

- 1- In order to verify compliance with Section V of this permit, the permittee shall keep at the facility, for each consecutive twelve (12) month period, a monthly log book recording the amount of consumption of Number 2 fuel, as well as other fuels (such as propane gas and natural gas).
- 2- The levels of the fuel tank must be measured monthly and the amount of fuel that is received must be measured and recorded each time that the fuel is received. The amount of fuel is received during this month.
- 3- Any non-compliance to the conditions established for fuel limits must be notified, in writing, to both the EQB and the EPA, within thirty (30) days beginning with the record of fuel consumption and the sulfur content by weight in the fuels burning in each unit.

Section VII - Reporting Requirements

- 1- As specified under Rule 112(B) of the RCAP, the permittee must submit a compliance certification, incorporating all requirements specified in this permit, on first of April of each year. Such certification shall include a copy of all records required under Section VI of this permit and must contain a certification by the responsible official of its truth, accuracy and completeness, as specified under Rule 602(C)(3) of the RCAP.

Section VIII - Permit Terms

The following table contains a summary of all applicable requirements, as well as the test methods, for all emission units identified in Section II of this permit.

Condition	Parameter	Value	Units	Test Method	Method Frequency	Record Keeping Requirements	Reporting Frequency
Emission limit for particulate matter	Particulate matter	0.3	Lbs /MMBTU	Fuel type	Monthly	Fuel type	Monthly
Opacity limit	Opacity	20	Percent 6 minutes average	Method 9	Once during first year of permit by the permittee and a minimum of once annually by the EQB	Visible emissions reading	Sixty (60) days after testing
SO ₂ emission limit	Sulfur Content	≤0.5	Percent by weight	Fuel sample	Monthly	Sulfur percent records	Monthly

1- PARTICULATE MATTER EMISSION LIMITS:

- (A) The permittee shall not cause nor permit the emission of particulate matter, from any equipment burning solid or liquid fuel, in excess of 0.3 lb/MMBTU.
- (B) In order to verify compliance with the established limit, the permittee shall keep a monthly log book at the facility in which to record fuel types used. These records shall be submitted to the EQB every six (6) months.
- (C) As specified in Rule 603(A)(4)(ii) of the RCAP, the permittee shall retain all records for required monitoring and supporting information for a period of five (5) years from the date of the monitoring sample, measurement, report or application.
- (D) The permittee shall submit, along with the annual compliance certification, copies of all records describing fuels types.

2- OPACITY LIMITS:

- (A) The permittee shall not exceed the opacity limits defined in Section VIII of this permit. Nevertheless, and as specified under Rule 403(A) of the RCAP, the permittee may discharge into the atmosphere visible emissions of an opacity of up to 60 percent for a period of no more than four (4) minutes in any consecutive thirty (30) minute interval.

- (B) The permittee shall perform a visible emissions reading once during the first year of the permit using Method 9, as established under 40 CFR 60, Appendix A. The EQB shall also perform these readings at least once annually.
- (C) The permittee shall submit to the EQB and the EPA copies of the visible emissions readings reports every six (6) months.
- (D) As specified under Rule 603(A)(4)(ii) of the RCAP, the permittee shall keep all records of required monitoring data and supporting information for a period of five (5) years from the date of the monitoring sample, measurement, report or application. This includes a record of visible emissions which contains the dates and times of inspections, as well as information about any corrective measures taken.
- (E) The permittee shall submit, along with the annual compliance certification, copies of all visible emissions readings records.

3- SO₂ EMISSION LIMITS:

- (A) As specified under Rule 410 of the RCAP, the permittee shall not burn or allow the use of any fuel, in any fuel burning equipment, with a sulfur content, by weight, which exceeds 0.5 percent.
- (B) As specified under Rule 603(A)(4)(ii) of the RCAP, the permittee shall keep all records of required monitoring data and supporting information for a period of five (5) years from the date of the monitoring sample, measurement, report or application. This includes a record of monthly fuel consumption and sulfur contents of consumed fuels.
- (C) The permittee shall submit, within the first thirty (30) days of the month following the one being reported, a monthly report indicating fuel consumption and the sulfur content, by weight, for the fuels consumed in each unit.
- (D) The permittee shall submit, with each annual compliance certification, a copy of all reports for that year indicating the sulfur content, by weight, for the fuels consumed. They shall also submit records of all required monitoring information including:
 1. The date, place -as defined in the permit- and time of sampling or measurements;
 2. The dates analyses were performed;
 3. The company or entity that performed the analyses;
 4. The analytical techniques or methods used;
 5. The results of such analyses and
 6. The operating conditions as existing at the time of sampling or measurement.

Section IX - Insignificant Emission Units

Note: The following list of insignificant activities was provided by the permittee for a better understanding of its operations and layout. Since there is no requirement to update this list, activities may have changed since this filing.

Emission Unit ID	Description (Basis for exemption)
Tank DAIK1 (11,221 Bbls)	Less than 1 ton./yr. of VOC (Appendix B(2) of RCAP).
Lube oil and diesel oil within turbine housing	Less than 10,000 gallons (Appendix B (3) (ii) (N) of RCAP).
Fuel oil truck unloading	Less than 1 ton./yr. of VOC (Appendix B (2) of RCAP).
Gas turbine start-up engines (2)	Less than 1 ton./yr. of VOC, CO, PM-10 and No _x and less than 2 ton /yr. SO ₂ (Appendix B (2) of RCAP).
Gas turbine fuel tank (2)	Less than 10,000 gallons (Appendix B (3) (ii) (N) of RCAP).

Section X - Permit Shield

- 1- As specified under Rule 603(D) of the RCAP, compliance with the conditions of the permit shall be deemed compliance with any applicable requirement as of the date of permit issuance, but only if such applicable requirement is included and specifically identified in the permit. Moreover, the permittee shall be deemed in compliance with any other requirement specifically identified in the permit as "Non Applicable".

(A) Non Applicable Requirements

Non applicable requirements		
State	Federal	Reason
	Hazardous Air Pollutant Limits	See Section X, Part (B) of this Permit
	Standards of Performance for Stationary Gas Turbines (40 CFR 60, Subpart GG)	See Section X, Part (B) of this Permit

(B) Reasons for Non Applicability

Coding for Non Applicability	
Code	Reason
Hazardous Air Pollutant Limits	No applicable requirements
40 CFR 60 Subpart GG	Not applicable to sources built before October 13, 1977 Emission units no. DAG11-1 and DAG11-2 are not affected by this standard because they were built in 1974.

- 2- The permit shield covers any alternate scenario as long as it is defined and allowed under the conditions of this permit.

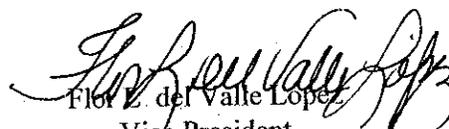
Section XI - Permit Approval

By virtue of the authority conferred upon the Environmental Quality Board by the Public Policy Environmental Act, Law No. 9, June 18, 1970, as amended, and after verifying the administrative record and compliance with the Uniform Administrative Procedure Act, Law No. 170, August 12, 1988, as amended, the Clean Air Act, the Public Policy Environmental Act and the Regulation for the Control of Atmospheric Pollution, the Environmental Quality Board approves this permit subject to all the terms and conditions herein established.

In San Juan, Puerto Rico, *September 24, 2001.*

ENVIRONMENTAL QUALITY BOARD


Jorge Marrero Huertas
Associate Member


Flor E. del Valle Lopez
Vice President


Dra. Gladys M. González Martínez
Chairman

APPENDICES

Appendix A - Definitions and Abbreviations

I. Definitions:

1. **Permittee**-Person and/or entity to which the Puerto Rico Environmental Quality Board has emitted an Operating Permit for an Emission Source under Title V.
2. **Regulation**-Regulation for the Control of Atmospheric Pollution of the Environmental Quality Board.
3. **Responsible Official**-As defined in the Regulation for the Control of Atmospheric Pollution of the Environmental Quality Board.
4. **Title V**-Title V of the Clean Air Act (42 U.S.C. 7661)

II. Abbreviations

1. **Btu**-British Thermic Unit
2. **CFR**-United States Code of Federal Regulations
3. **CO**-Carbon Monoxide
4. **EPA**-Environmental Protection Agency
5. **EQB**-Puerto Rico Environmental Quality Board
6. **NAAQS**-National Ambient Air Quality Standards
7. **NO_x**-Nitrogen oxides
8. **PM₁₀**-Particulate matter whose particulate diameter has a size of aerodynamic mass equal or less than ten (10) microns
9. **QA/QC**-Quality Assurance/ Quality Control
10. **RCAP**-Regulation for the Control of Atmospheric Pollution of the Environmental Quality Board
11. **SIC**-Standard Industrial Classification
12. **SO₂**-Carbon Dioxide
13. **VOC**-Volatile Organic Compound