



JOSEPH T. DUENAS
Chairman

GUAM POWER AUTHORITY
ATURIDAT ILEKTRESEDAT GUAHAN
P.O. BOX 2977 * AGANA, GUAM U.S.A. 96932-2977



JOHN M. BENAVENTE, P.E.
General Manager

Telephone Nos.: (671) 648-3054/55 or Facsimile (671) 648-3165

Accountability	Impartiality	Competence	Openness	Value
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REQUEST FOR PROPOSAL: GPA-RFP-18-007

DESCRIPTION: Professional/Technical Services for Annual Emission Testing

SPECIAL REMINDER TO PROSPECTIVE INDIVIDUALS/FIRMS

Firms/Individuals are reminded to read Proposal Instructions to ascertain that all of the following requirements checked below are submitted in their technical proposal envelope, one (1) bound paper original, five (5) bound paper copies, and one (1) electronic PDF copy in CD, DVD, and/or USB Flashdrive at the date and time for proposal remittance.

- [XX] STATEMENT OF QUALIFICATION;
- [XX] AFFIDAVIT OF DISCLOSURE OF MAJOR SHAREHOLDERS;
- [XX] NO GRATUITIES OR KICKBACKS AFFIDAVIT;
- [XX] ETHICAL STANDARDS AFFIDAVIT;
- [XX] WAGE DETERMINATION AFFIDAVIT;
- [XX] RESTRICTIONS AGAINST SEX OFFENDERS AFFIDAVIT;
- [XX] NON-COLLUSION AFFIDAVIT;

***Note:** The above Affidavits must comply with the following requirements;

- a. The affidavit must be signed within 60 days of the date the bid is due;
- b. Date of signature of the person authorized to sign the bid and the notary date must be the same.
- c. First time affidavit **must** be an **original** – If copy, indicate Bid Number/Agency where original can be obtained.

[XX] OTHERS: **A Guam Business License is not required in order to provide a proposal for this engagement, but is a pre-condition for entering into a contract with the Authority. Offerors MUST comply with PL 26-111 dated June 18, 2002, PL 28-165 dated January 04, 2007 and Wage Determination under the Service Contract Act (www.wdol.gov).**
Additionally, upon award the successful firm/individual must provide to GPA the most recently issued Wage Determination by the US Dept. of Labor.

*****Restriction against Sex Offenders Employed by Service Providers to Government of Guam from Working on Government of Guam Property, 5GCA Section 5253, enacted by P.L. 28-24 and amended by P.L. 28-98:**

If a contract for services is awarded to the bidder or offeror, then the service provider must warrant that no person in its employment who has been convicted of a sex offense under the provisions of Chapter 25 of Title 9 of the Guam Code Annotated or of an offense defined in Article 2 of Chapter 28 of Title 9 of the Guam Code Annotated, or who has been convicted in any other jurisdiction of an offense with the same elements as heretofore defined, or who is listed on the Sex Offender Registry, shall provide services on behalf of the service provider while on government of Guam property, with the exception of public highways. If any employee of a service provider is providing services on government property and is convicted subsequent to an award of a contract, then the service provider warrants that it will notify the Government of the conviction within twenty-four hours of the conviction, and will immediately remove such convicted person from providing services on government property. If the service provider is found to be in violation of any of the provisions of this paragraph, then the Government will give notice to the service provider to take corrective action. The service provider shall take corrective action within twenty-four hours of notice from the Government, and the service provider shall notify the Government when action has been taken. If the service provider fails to take corrective steps within twenty-four hours of notice from the Government, then the Government in its sole discretion may suspend temporarily any contract for services until corrective action has been taken.

This reminder must be signed and returned in the proposal envelope together with the proposal. Failure to comply with the above requirements will mean a disqualification and rejection of the proposal.

on this _____ day of _____, 20____, I, authorized representative of _____
_____ acknowledge receipt of this special reminder to PROSPECTIVE Individual/Firm with the above referenced RFP.

Individual/Firm Representative's Signature

REQUEST FOR PROPOSAL NO.: GPA-RFP-18-007

FOR

ANNUAL EMISSION TESTING



John J. Cruz, Jr., P.E.

Asst. General Manager of Eng'g and Technical Services

John M. Benavente, P.E.

General Manager

March 2018

Guam Power Authority

P.O. Box 2977

Hagatna, Guam 96932

TABLE OF CONTENTS

1	INSTRUCTIONS TO OFFEROR	5
1.1	DEFINITIONS	5
1.2	PROPOSALS.....	5
1.3	PROPRIETARY PORTIONS OF PROPOSALS	5
1.4	PREPARATION AND SUBMISSION OF PROPOSALS	5
1.5	EXPLANATION TO OFFERORS.....	6
1.6	CLARIFICATION ON REQUEST FOR PROPOSAL	6
1.7	ALTERNATE PROPOSALS	7
1.8	MODIFICATION OR WITHDRAWAL OF PROPOSALS	7
1.9	COMPLETE PROPOSALS.....	7
1.10	POST-PROPOSAL MEETING.....	8
1.11	PROPOSAL INCONSISTENCIES	8
1.12	SUBCONTRACTOR	8
1.13	SUBMITTAL FORMAT	8
1.14	SIGNATURE	8
1.15	INQUIRIES.....	9
2	GENERAL TERMS AND CONDITIONS	10
2.1	AUTHORITY	10
2.2	GENERAL INTENTION	10
2.3	STANDARDS FOR DETERMINATION OF MOST QUALIFIED OFFEROR.....	10
2.4	AWARD OR REJECTION OF PROPOSALS	10
2.5	EXECUTION OF THE ORDER	11
2.6	MODIFICATION / ALTERATION.....	11
2.7	CONTACT FOR CONTRACT ADMINISTRATION	12
2.8	DETERMINATION OF RESPONSIBILITY OF OFFEROR	12
2.9	LIMITATIONS	12
2.10	ACCEPTANCE OF PROPOSAL CONTENTS.....	12
2.11	CONTROL	12
2.12	REQUIRED FORMS	12
2.13	CONTRACT TERM.....	13
2.14	JUSTIFICATION OF DELAY	13
2.15	INVOICING AND PAYMENT TERMS & CONDITIONS.....	13
2.16	TAXES.....	13
2.17	LICENSING.....	13
2.18	COVENANT AGAINST CONTINGENT FEES	14
2.19	ASSIGNMENTS.....	14
2.20	EQUAL EMPLOYMENT OPPORTUNITY.....	14
2.21	AMERICAN DISABILITIES ACT	14
2.22	PROHIBITION AGAINST GRATUITIES, KICKBACKS AND FAVORS TO THE TERRITORY ..	14
2.23	RESTRICTION AGAINST CONVICTED SEX OFFENDERS.....	14
2.24	MAJOR SHAREHOLDERS DISCLOSURE AND NON-COLLUSION	15
2.25	NON-COLLUSION.....	15
2.26	ETHICAL STANDARDS	16
2.27	COMPLIANCE WITH U.S. DOL WAGE DETERMINATION.....	16
3	FORM OF CONTRACT	17
4	SCOPE OF WORK	21
4.1	INTRODUCTION AND SUMMARY.....	21
4.2	PROJECT DESCRIPTION.....	21

4.3	REGULATORY GUIDANCE	22
4.4	DELIVERABLES AND WORK PRODUCTS.....	22
4.5	COST SCHEDULE FORM	22
5	PROPOSAL SUBMITTAL CONTENT	23
6	EVALUATION PROPOSAL.....	24
6.1	EVALUATION CRITERIA AND PROPOSAL SCORING.....	24
6.2	NEGOTIATION AND AWARD.....	24
ATTACHMENT 1	COST SCHEDULE FORM	25
ATTACHMENT 2	TITLE V AIR PERMITS	27
ATTACHMENT 3	EVALUATION AND SCORING FORM	28
APPENDIX A	MAJOR SHAREHOLDERS DISCLOSURE AFFIDAVIT	30
APPENDIX B	NON-COLLUSION AFFIDAVIT	32
APPENDIX C	NO GRATUITIES OR KICKBACKS AFFIDAVIT	34
APPENDIX D	ETHICAL STANDARDS AFFIDAVIT	36
APPENDIX E	DECLARATION RE-COMPLIANCE WITH U.S. DOL WAGE DETERMINATION.....	38
APPENDIX F	RESTRICTION AGAINST CONVICTED SEX OFFENDERS	40

1 INSTRUCTIONS TO OFFEROR

1.1 DEFINITIONS

OFFEROR: The individual, partnership, corporation, or joint venture submitting a written or documented response to this subject RFP.

OWNER: The Guam Power Authority (GPA) General Manager or designated representative.

ADDENDA: Any amendment, modification or addenda issued by OWNER, prior to the opening of the RFP's, for the purpose of changing the intent of the plans and technical specifications, clarifying the meaning of the same, or changing any of the provisions of this RFP, shall be binding to the same extent as if written in the Specifications.

1.2 PROPOSALS

The OFFEROR is required to read each and every page of the Request for Proposal and by the act of submitting a proposal shall be deemed to have accepted all conditions contained therein. In no case will failure to inspect constitute grounds for a claim or for the withdrawal of a proposal after opening.

Proposals shall be filled out in ink or typewritten and signed in black ink. Erasures or other changes in a proposal must be explained or noted over the signature of the OFFEROR. Proposals containing any conditions, omission, unexplained erasure or alterations or items not called for in the Proposal, or irregularities of any kind shall be rejected by the Guam Power Authority as being incomplete.

1.3 PROPRIETARY PORTIONS OF PROPOSALS

The OFFEROR may designate any proprietary portions of the proposal which contain trade secrets or other proprietary data to remain confidential.

1.4 PREPARATION AND SUBMISSION OF PROPOSALS

Envelopes containing proposals shall be sealed and marked on the face with the name and address of the OFFEROR, the Proposal Number and the time and date of submission. Telegraphic proposals will not be considered, nor modification by telegraph of proposals already submitted.

Only non-priced proposals are to be submitted by the proposal deadline. Priced proposals will be requested of the selected vendor or vendors at a later time.

Proposals shall be hand-carried and received at the place of opening on or before the opening date and time. Proposals received through mail will not be accepted if such mail is received at the address showing after the submission date and time. Proposals will not be opened publicly.

All submittals must strictly conform to the Request for Proposal and any addenda.

One (1) bound paper original, five (5) bound paper copies, and one (1) electronic PDF format copy of each proposal, consisting of technical and commercial sections, must be submitted, including all addenda, if any.

Any and all sample documentation (reports of similar jobs, brochures, etc.) that will assist towards OFFEROR's evaluation may be furnished with each proposal.

No submittal shall be considered complete unless accompanied by all items specified in these submittal instructions.

Request for Proposal No.: GPA-RFP-18-007 must be submitted before 4:00 P.M., May 01, 2018, in a sealed envelope indicating the RFP number and addressed as follows:

**To: Guam Power Authority
GPA Procurement Office
Gloria B. Nelson Public Service Building
688 Route 15
1st. Floor, Room 101
Fadian, GU 96913**

**Attn: Jamie L.C. Pangelinan
Supply Management Administrator**

Examination of RFP Documents: OFFEROR shall examine the RFP documents to inform himself of all conditions and requirements for the execution of the proposed work. Ignorance on the part of OFFEROR of any part of the Request for Proposal will in no way relieve him/her of the obligations and responsibilities assumed under the Contract.

Interpretation of the Approximate Quantities: OFFEROR's attention is called to the fact that any estimate of quantities of work to be done and materials to be furnished under the Contract as shown on the technical requirements section or elsewhere, is approximate only and not guaranteed. OWNER does not assume any responsibility that the final quantities shall remain in strict accordance with the estimated quantities, nor shall OFFEROR plead misunderstanding or deception because of such estimate of quantities or of the character, location of the work or other conditions pertaining thereto.

Familiarity with Laws: OFFEROR is assumed to be familiar with Federal and Local laws, ordinances, rules and regulations that in any manner affect the work. Ignorance on the part of OFFEROR will in no way relieve him/her from responsibility. The preparation and submission of a proposal will be by and at the expense of the OFFEROR.

1.5 EXPLANATION TO OFFERORS

No oral explanation in regard to the meaning of the specification will be made and no oral instructions will be given before the award of the proposal. Discrepancies, omissions, or doubts as to the meaning of the specifications must be communicated in writing to the named contact individual of the Guam Power Authority requesting for interpretation. OFFERORS should act promptly and allow sufficient time for a reply to reach them before the submission of their proposals. Interpretation, if required, shall be made in the form of an amendment to the specifications, which will be forwarded to all prospective OFFERORS, and its receipt by the OFFEROR should be acknowledged on the proposal form.

1.6 CLARIFICATION ON REQUEST FOR PROPOSAL

Each OFFEROR must carefully examine the Request for Proposal and all addenda. If any OFFEROR (a) finds any discrepancies, omissions or ambiguities in the RFP documents, (b) is uncertain as to the intent or meaning of any provision of the request for Proposal, or (c) has any question regarding the Request for Proposal, the OFFEROR must promptly notify GPA in writing no later than (4) four working days prior to the closing date of this RFP thereof in writing at the address specified for submission of proposals. Replies to such notices may be made in the form of addenda, which will be issued simultaneously to all prospective OFFERORS. GPA further reserves the right to respond to any and all inquiries to this RFP, as any amendments issued may impact the project completion schedule.

1.7 ALTERNATE PROPOSALS

GPA reserves the right to withhold its approval of any or all alternates proposed by OFFERORS and to deny any or all requests for such approvals.

1.8 MODIFICATION OR WITHDRAWAL OF PROPOSALS

An OFFEROR may modify or withdraw its proposal by written request, provided that the request is received by GPA at the address indicated and prior to the time specified for the submission of proposals. Any proposals or submittals received after the time and date set for receipt of proposals or submittals will be considered late. No late modification or withdrawal will be considered unless received before the date of opening. Following withdrawal of its proposal, an OFFEROR may submit a new proposal, provided the new proposal is received by GPA prior to the time specified for the submission of proposals. There shall be no modifications or withdrawals after the opening date.

GPA may modify any provision of the Request for Proposal at any time prior to the time specified for the submission of proposals. Such modifications may be made in the form of addenda, which will be issued simultaneously to all OFFERORS.

Any addenda issued will be mailed to all OFFERORS in duplicate. OFFEROR shall acknowledge receipt of same by his signature on copy, which is to be returned to OWNER. The other copy shall accompany the proposal or submittal. Acknowledgement may also be made in writing or by telex or telegram.

Negligence on the part of the OFFEROR in preparing the proposal confers no right for the withdrawal of the proposal after it has been opened.

1.9 COMPLETE PROPOSALS

OFFERORS are requested to submit proposals, which are complete and unambiguous without the need for additional explanation or information. GPA may make a final determination as to whether a proposal is acceptable or unacceptable solely on the basis of the proposal as submitted, and proceed with proposal evaluation without requesting further information from any OFFEROR. GPA may, in its sole discretion, request from OFFERORS additional information clarifying or supplementing, but not basically changing any proposal as submitted.

All Proposals shall remain the property of GPA.

Time for Acceptance: All submittals shall be valid for 60 days from date of RFP opening.

Completion Date: OFFEROR shall realize that satisfactory completion of this work within the period shown on the Contract form is a critical requirement. Failure to do so may cause the imposition of liquidated damages as specified therein.

1.10 POST-PROPOSAL MEETING

After the receipt of proposals, GPA may request additional information over the telephone or in individual meetings with selected OFFERORS to clarify and discuss their proposals. Failure by an OFFEROR to attend such requested meeting(s) shall be cause for disqualification.

GPA reserves the right to request clarifications from only those OFFERORS whom it deems in its best interest.

All clarifications shall be documented by OFFERORS as addenda to the submittals.

1.11 PROPOSAL INCONSISTENCIES

Any provisions in the proposal which are inconsistent with the provisions of this Request for Proposal, unless expressly described as being exceptions or alternates, are deemed waived by the OFFERORS. In the event the proposal is awarded to OFFEROR, any claim of inconsistency between the proposal and these RFP documents will be resolved in favor of these RFP documents unless otherwise agreed to in writing by GPA.

1.12 SUBCONTRACTOR

If the OFFEROR plans to enter into contracts with subcontractors in order to complete this project, the identification and location of the possible subcontractors with a comprehensive description of their offering shall be submitted with the proposal. GPA reserves the right to disapprove any subcontractor, or a subcontractor's offering proposed by the OFFEROR. This right applies to the original submittal as well as submittals subsequent to the original proposal.

1.13 SUBMITTAL FORMAT

All responses to this subject RFP shall be written in the ENGLISH language.

The submittal information shall be in 8-1/2 inch by 11-inch report binders with the covers identifying the respective OFFEROR. Large sheets or drawings shall be bound in the binder so that they can be unfolded for easy review.

1.14 SIGNATURE

The proposals shall be signed by an official authorized to contractually bind the OFFEROR. The proposal shall also provide the following information:

Signature on Proposal: OFFEROR must sign his proposal correctly. If the proposal is made by an individual, his name and post office address must be shown. If made by a firm or partnership, the name and post office

address of each member of the firm or partnership must be shown. If made by a corporation, the person signing the proposal shall show the name of the State or Territory under the laws of which the corporation was chartered, also the names and business address of its president, secretary and treasurer.

1.15 INQUIRIES

Prospective OFFERORS should address inquiries, questions or clarifications in writing to:

John M. Benavente, P.E.
General Manager
Guam Power Authority
Gloria B. Nelson Public Service Building
688 Route 15
Mangilao, Guam 96913

Attn: Jamie L.C. Pangelinan
Supply Management Administrator
GPA Procurement Division
1st. Floor, Room 101
Telephone No: (671) 648-3054/3055
Facsimile: (671) 648-3165
Email: jpangelinan@gpagwa.com

Note: Cut-Off Date for Receipt of Questions shall be 4:00 P.M., April 17, 2018.
Inquiries received after the deadline shall not be entertained.

2 GENERAL TERMS AND CONDITIONS

2.1 AUTHORITY

This Request for Proposals (RFP) solicitation is issued subject to all of the provisions of the Guam Procurement Act (Public Law 16-124) and the Guam Procurement Regulations (copies are available for inspection at the Guam Power Authority). The RFP requires all parties involved in the preparation, negotiation, performance, or administration of contracts to act in good faith.

2.2 GENERAL INTENTION

Unless otherwise specified, it is the declared and acknowledged intention and meaning of these General Terms and Conditions for the OFFEROR to provide the Guam Power Authority with specified services.

2.3 STANDARDS FOR DETERMINATION OF MOST QUALIFIED OFFEROR

In determining the most qualified OFFEROR, the Agency/Department shall be guided by the following:

- A. The ability, capacity and skill of the OFFEROR to perform the work specified.
- B. Whether the OFFEROR can perform promptly or within the specified time.
- C. The quality of performance of the OFFEROR with regard to awards previously made to him.
- D. The previous and existing compliance by the OFFEROR with laws and regulations relative to procurement.

2.4 AWARD OR REJECTION OF PROPOSALS

The right is reserved as the interest of the Guam Power Authority may require waiving any minor informalities or irregularities in proposals received. The Guam Power Authority reserves the right and shall have the prerogative to award, amend, or reject proposals in whole or in part. It is the policy of the Guam Power Authority to award proposals to OFFERORS duly authorized and licensed to conduct business in Guam.

GPA reserves the right to award a Contract for the entire RFP scope or for subsets of the RFP scope to one, none, or any OFFERORS.

Proposals will be opened privately, and GPA reserves the right to keep any or all proposals confidential.

- A. Cancellation of Solicitation, Delays: GPA reserves the right to cancel or to withdraw this RFP, to delay determination on this RFP, or to reject all submittals or any individual submittal in whole or in part at any time prior to the final award. The reasons for the cancellation, delay or rejection shall be made a part of the project file and shall be available for public inspection.

After opening, but prior to award, all proposals may be rejected in whole or in part when the Procurement Authority of GPA determines in writing that such action is in the Territory's best interest for reasons including but not limited to:

- 1) The supplies and services being procured are no longer required;

- 2) Ambiguous or otherwise inadequate Specifications were part of the solicitation;
- 3) The solicitation did not provide consideration of all factors of significance to the Territory;
- 4) Price(s) exceed available funds and it would not be appropriate to adjust quantities to come within available funds;
- 5) Inability of the selected OFFEROR and GPA to successfully negotiate contract terms for the scope of services requested.

When a solicitation is cancelled or rejected prior to final award, notice of cancellation or rejection shall be sent to all OFFERORS. The reasons for cancellation or rejection shall be made a part of the project file and shall be available for public inspection.

- B. Rejection of Individual Proposal or Submittal: Any individual proposal or submittal may be rejected in whole or in part when in the best interest of the Authority. Reasons for rejecting a proposal or submittal include but are not limited to:

- 1) OFFEROR is not responsive;
- 2) The proposal or submittal is non-responsive as it does not conform in all respects to the RFP;
- 3) The construction, supply or service offered in the proposal is unacceptable by reason of its failure to meet the requirements of the specifications or technical requirements set forth in the RFP;
- 4) The proposal or submittal does not meet the requirements or criteria set forth in the RFP. Upon request, unsuccessful OFFERORS shall be advised of the reasons for rejection.

Any or all proposals or submittals will be rejected if there is reason to believe that collusion exists among OFFERORS and no participants in such collusion will be considered in future projects for the same work.

2.5 EXECUTION OF THE ORDER

The OFFEROR to whom the Order is awarded (the "successful OFFEROR") shall execute and deliver to GPA the Contract prior to performing any services on GPA premises. A written notice will be issued to the most successful OFFEROR indicating commencement of the project.

Award of Contract: The award of the Contract, if awarded, will be to the most responsive OFFEROR whose qualifications indicate that award thereto will be in the best interest of OWNER, and whose proposal shall comply with the requirements of the Contract Documents. In no case will the award be made until all necessary investigations have been made into the responsibility of the OFFEROR, and the OWNER is satisfied that the OFFEROR is qualified to do the work and has the necessary equipment to carry out the provisions of the Contract to the satisfaction of OWNER within the time specified. OWNER may award separate contracts for each project scope or for any combination of project scope.

Execution of Contract: The individual, firm or corporation to which this Contract has been awarded shall sign the necessary agreement entering into Contract with OWNER, and return it to OWNER within ten (10) days after date of award.

Failure to Execute Contract: Failure on the part of OFFEROR to execute the Contract as required will be just cause for the annulment of the award. The award may then be made to the next most qualified OFFEROR or the work re-advertised, as OWNER may elect.

2.6 MODIFICATION / ALTERATION

After the receipt and opening of proposals, and at its option, the Guam Power Authority may conduct discussions with the OFFEROR who has submitted a proposal reasonably susceptible of being selected for award with the purpose of clarification to assure full understanding and responsiveness to the Proposal requirements. OFFERORS shall be accorded fair and equal treatment with respect to any opportunity for discussion and revision to proposals and such revisions shall be permitted after submission and prior to award for the purpose of obtaining best and final offers. In conducting discussions, there shall be no disclosure of any information derived from proposals submitted by competing OFFERORS.

2.7 CONTACT FOR CONTRACT ADMINISTRATION

If your firm receives a contract as a result of this Proposal, designate a person whom we may contact for prompt administration, showing:

NAME: _____ TITLE: _____
ADDRESS: _____ PHONE: _____

2.8 DETERMINATION OF RESPONSIBILITY OF OFFEROR

The Guam Power Authority reserves the right to secure from OFFERORS information necessary to determine whether or not they are responsible and to determine their responsibility in accordance with Section 2.3 of the General Terms and Conditions.

2.9 LIMITATIONS

This RFP does not commit the Guam Power Authority to award a contract, to pay any costs incurred in the preparation of a proposal by the OFFEROR under this request, or to procure a contract for services. The Guam Power Authority reserves the right to reject any and all proposals received under this request, to negotiate with all qualified sources, or to cancel the whole or any part of this RFP at any time.

2.10 ACCEPTANCE OF PROPOSAL CONTENTS

The contents of the Proposal of the successful firm will become contractual obligations if a contract ensues. Failure of the successful firm to accept these obligations will result in a disqualification of the Proposal.

2.11 CONTROL

The successful OFFEROR will carry out this assignment under the direction and control of the Guam Power Authority and/or his/her designee(s).

2.12 REQUIRED FORMS

All OFFERORS are required to submit current affidavits, as required below. Failure to do so will mean disqualification and rejection of the proposal.

- A. Major Shareholders Disclosure Affidavit
- B. Non-Collusion Affidavit
- C. No Gratuities or Kickbacks Affidavit
- D. Ethical Standards Affidavit
- E. Declaration Re-Compliance with U.S. DOL Wage Determination
- F. Restriction Against Convicted Sex Offenders

2.13 CONTRACT TERM

GPA and the CONTRACTOR agree this CONTRACT will be for a base contract period of three (3) years. Upon mutual agreement, the CONTRACT may be extended for two (2) additional 1 year periods beyond the base contract term (for a maximum contract length of five (5) years), subject to the availability of funds.

2.14 JUSTIFICATION OF DELAY

The OFFEROR who is awarded the proposal guarantees that the services will be completed within the agreed upon completion date. If, however, the OFFEROR cannot comply with the completion requirement, it is the OFFEROR's responsibility to advise the Guam Power Authority in writing explaining the cause and reasons for the delay.

Section 6-101.09.1 of the Guam Procurement Regulations, "Liquidated Damages", will be in effect if the OFFEROR fails to meet the completion requirement.

2.15 INVOICING AND PAYMENT TERMS & CONDITIONS

All invoices shall include supporting documents (i.e. timesheets, shipping invoices, consumable listings, etc.). All supporting documents must be reviewed and approved by the GPA Project Manager prior to invoice submittals. All invoices will be paid net 30 days from the date the invoice is received at the GPA Accounting Department. Payment shall be made using a method mutually agreed upon by the Guam Power Authority and the successful OFFEROR.

2.16 TAXES

OFFEROR shall be liable for Guam Gross Receipt Taxes and all other applicable taxes and duties. The Guam Power Authority shall have no tax liability under this order. Specific information on taxes may be obtained from the Director of Revenue and Taxation.

GPA is a government agency exempted from all government taxes as stipulated in the Guam Code Annotated.

2.17 LICENSING

OFFERORS are reminded that the Guam Power Authority will not consider for award any offer submitted by an OFFEROR who has not complied with the Guam Licensing Law by the time of contract signing. Specific information on licenses may be obtained from the Director of Revenue and Taxation.

2.18 COVENANT AGAINST CONTINGENT FEES

The OFFEROR warrants that he has not employed any person to solicit or secure any resultant contract upon agreement for a commission, percentage, brokerage, or contingent fee. Breach of this warranty shall give the Guam Power Authority the right to terminate the Contractor, or in its discretion to deduct from the contract price or consideration the amount of such commission, percentage, brokerage, or contingent fees. This warranty shall not apply to commission payable by contractors upon contracts or sales secured or made through, bona fide established commercial or selling agencies maintained by the Contractor for the purpose of securing business.

2.19 ASSIGNMENTS

Contractor may not assign this CONTRACT or any sum becoming due under the provisions of this CONTRACT without the prior written consent of the Guam Power Authority.

2.20 EQUAL EMPLOYMENT OPPORTUNITY

Section 3.01 of the Executive Order 10935 dated March 07, 1965 requires the OFFEROR not to discriminate against an employee or applicant for employment because of race, creed, color or national origin. The OFFEROR will take affirmative action to ensure that applicants are employed and that employees are treated equally during employment without regard to race, creed, color or national origin.

2.21 AMERICAN DISABILITIES ACT

If requested, the OFFEROR must meet all ADA regulations and requirements.

2.22 PROHIBITION AGAINST GRATUITIES, KICKBACKS AND FAVORS TO THE TERRITORY

All OFFERORS are required to submit a current No Gratuities of Kickbacks Affidavit. Failure to do so will mean disqualification and rejection of the proposal.

Pursuant to GCA 5 section 5630 (c), this clause is conspicuously set forth to alert all parties in this procurement that Guam Public Law Title 5 §5630. Gratuities and Kickbacks, prohibits against gratuities, kickbacks, and favors to the Territory.

2.23 RESTRICTION AGAINST CONVICTED SEX OFFENDERS

All OFFERORS are required to submit a current Restriction against Sex Offenders Affidavit. Failure to do so will mean disqualification and rejection of the proposal.

GCA 5 §5253(b) restricts the OFFEROR against employing convicted sex offenders from working at Government of Guam venues. It states:

(b) All contracts for services to agencies listed herein shall include the following provisions: (1) warranties that no person providing services on behalf of the contractor has been convicted of a sex offense under the provisions of Chapter 25 of Title 9 GCA or an offense as defined in Article 2 of Chapter 28, Title 9 GCA, or an offense in another jurisdiction with, at a minimum, the same elements as such offenses, or who is listed on the Sex Offender Registry; and (2) that if any person providing services on behalf of the contractor is convicted of a sex offense under the provisions of Chapter 25 of Title 9 GCA or an offense as defined in Article 2 of Chapter 28, Title 9 GCA or an offense in another jurisdiction with, at a minimum, the same elements as such offenses, or who is listed on the Sex Offender Registry, that such person will be immediately removed from working at said agency and that the administrator of said agency be informed of such within twenty-four (24) hours of such conviction.

2.24 MAJOR SHAREHOLDERS DISCLOSURE AND NON-COLLUSION

All OFFERORS are required to submit a current Major Shareholders Disclosure Affidavit as required below. Failure to do so will mean disqualification and rejection of the proposal.

5 GCA §5233 (Title 5, Section 5233) states:

"Section 5233 Disclosure of Major Shareholders. As a condition of submitting a bid or offer, any partnership, sole proprietorship or corporation doing business with the Government of Guam shall submit an affidavit executed under oath that lists the name and address of any person who has held more than ten percent (10%) of the outstanding interest or shares in said partnership, sole proprietorship or corporation at any time during the twelve (12) month period immediately preceding submission of a bid, or, that it is a not for profit organization that qualifies for tax exemption under the Internal Revenue Code of the United States or the Business Privilege Tax law of Guam, Title 12, Guam Code Annotated, Section 26203©. With the exception of not for profit organizations, the affidavit shall contain the number of shares or the percentage of all assets of such partnership, sole proprietorship or corporation which have been held by each such person during the twelve (12) month period. In addition, the affidavit shall contain the name and address of any person who has received or is entitled to receive a commission, gratuity or other compensation for procuring or assisting in obtaining business related to the bid or offer and shall also contain the amounts of any such commission, gratuity or other compensation. The affidavit shall be open and available to the public for inspection and copying."

1. If the affidavit is a copy, indicate the RFP number and where it is filed.
2. Affidavits must be signed within 60 days of the date the proposals are due.

2.25 NON-COLLUSION

All OFFERORS are required to submit a current Non-Collusion Affidavit. Failure to do so will mean disqualification and rejection of the proposal.

2.26 ETHICAL STANDARDS

All OFFERORS are required to submit a current Ethical Standards Affidavit. Failure to do so will mean disqualification and rejection of the proposal.

2.27 COMPLIANCE WITH U.S. DOL WAGE DETERMINATION

All OFFERORS are required to submit a Declaration Re-Compliance with U.S. DOL Wage Determination. Failure to do so will mean disqualification and rejection of the proposal.

3 FORM OF CONTRACT

CONTRACT FOR TECHNICAL AND PROFESSIONAL SERVICES

THIS CONTRACT is made and entered into on the ____ day of _____, 2018, by PROPONENT NAME, hereinafter called the CONTRACTOR, and the Guam Power Authority, hereinafter called GPA.

GPA engages the CONTRACTOR to perform professional services for a project known and described as “**Annual Emissions Testing**”, **GPA-RFP-18-007**, hereinafter called the “Project”.

RECITALS

WHEREAS, the Guam Power Authority (GPA) is required to comply with its Title V Air Permit and Federal and Local Regulations at all its Power Generating Facilities; and

WHEREAS, GPA is required to conduct Annual Emission Testing to ensure and verify compliance of its power generating units with its permitted emission limits; and

WHEREAS, GPA seeks CONTRACTOR services to perform Annual Emission Testing on all its Power Generating Facilities; and

WHEREAS, the Guam Power Authority has prepared a scope of work and request for proposal to accomplish this; and

WHEREAS, the Guam Power Authority will enter into a contract for Professional and Technical Services for **Annual Emission Testing** at all its Power Generating Facilities based on the established scope of work; and

NOW, THEREFORE, the Guam Power Authority, and the CONTRACTOR for the considerations set forth, agree as follows:

SECTION I - SERVICES OF THE CONTRACTOR

The CONTRACTOR shall perform the following professional services in accordance with the degree of care and skill that a registered professional in Guam would exercise under similar conditions:

- A. The CONTRACTOR shall provide services as described in the detailed scope of work provided in the Scope of work in GPA-RFP-18-007.
- B. The CONTRACTOR has assigned _____ as the Project Manager for this Contract. Prior written approval is required in the event the CONTRACTOR needs to change the Project Manager. The CONTRACTOR shall submit the qualifications of the proposed substituted personnel to GPA for approval.
- C. The CONTRACTOR shall submit all final documents in both hard copy and electronic format. All documents shall be Microsoft Office compatible or in an alternate format approved by GPA. The software version used shall be compatible to current GPA standards.

SECTION II - PERIOD OF SERVICE

GPA and the CONTRACTOR agree this CONTRACT will be effective commencing _____, 2018 for a base contract period of three (3) years. Upon mutual agreement, the CONTRACT may be extended for two (2) additional one (1) year periods beyond the base contract term (for a maximum contract length of five (5) years), subject to the availability of funds.

SECTION III - CONTRACTOR'S COMPENSATION

A. The total compensation to CONTRACTOR for services in this CONTRACT is the lump sum of: _____, plus approved adjustments.

B. GPA shall pay the CONTRACTOR using a method mutually agreed upon by GPA and the successful Offeror.

SECTION IV - CONTRACTOR'S STATUS

CONTRACTOR agrees that there shall be no employee benefits occurring from this Agreement, such as:

- A. Insurance coverage provided by GPA;
- B. Participation in the Government of Guam retirement system;
- C. Accumulation of vacation or sick leave;
- D. There shall be no withholding of taxes by GPA;
- E. That it is expressly understood and agreed that, in the performance of services under this Agreement, CONTRACTOR and its employees shall at all times act as independent contractors with respect to GPA, and not as an employee or agent of GPA. Further, it is expressly understood and agreed by the parties that nothing contained in this Agreement shall be construed to create a joint venture, partnership, association, or other affiliation or like relationship is and shall remain that of independent parties to a contractual relationship set forth in this Agreement.

SECTION V – GUAM POWER AUTHORITY'S RESPONSIBILITIES

- A. GPA shall designate a Project Manager during the term of this CONTRACT. The Project Manager has the authority to administer this CONTRACT and shall monitor compliance with all terms and conditions stated herein. All requests for information from or a decision by GPA on any aspect of the work shall be directed to the Project Manager.
- B. GPA shall review submittals by the CONTRACTOR and provide prompt responses to questions and rendering of decisions pertaining thereto, to minimize delays in the progress of the CONTRACTOR'S work. GPA will keep the CONTRACTOR advised concerning the progress of GPA's review of the work. The CONTRACTOR agrees that GPA's inspection, review, acceptance or approval of CONTRACTOR'S work shall not relieve CONTRACTOR'S responsibility for errors or omissions of the CONTRACTOR or its sub-CONTRACTOR(s).

SECTION VI - INVOICING AND PAYMENT TERMS & CONDITIONS

All Invoices shall include supporting documents (i.e. timesheets, shipping invoices, consumable listings). All supporting documents must be reviewed and approved by GPA Project Manager prior to invoice submittal for charges. All invoices will be paid NET 30 Days from date invoice is received at the GPA Accounting Department. Payment shall be made using a method mutually agreed upon by the Guam Power Authority and the CONTRACTOR.

SECTION VII - TERMINATION

GPA, at its sole discretion, may terminate this CONTRACT for convenience or abandon any portion of the Project for which services have not been performed by the CONTRACTOR, upon thirty (30) days written notice delivered to CONTRACTOR personally, via email, or by certified mail at the address provided.

Immediately after receiving such notice, the CONTRACTOR shall discontinue advancing the services under this CONTRACT and proceed to close said operations under this CONTRACT. The CONTRACTOR shall appraise the services it has completed and submit an appraisal to GPA for evaluation. GPA shall have the right to inspect the CONTRACTOR'S work to appraise the services completed.

In the event of such termination or abandonment, the CONTRACTOR shall be paid for services performed prior to receipt of said notice of termination including reimbursable expenses then incurred.

GPA shall make final payment within thirty (30) days after the CONTRACTOR has delivered the last of the partially completed items and the final fee has been agreed upon.

In the event this CONTRACT is terminated, GPA shall have the option of completing the work, or entering into a CONTRACT with another party for the completion of the work according to the provisions and agreements herein.

SECTION VIII - CHANGES

GPA may at any time, by written order, make any changes or deletions in the services to be performed hereunder. If such changes or deletions cause an increase or decrease in the cost of doing work under this Agreement, or in the time required for this performance, an equitable adjustment shall be made as agreed to by the parties and the Agreement shall be modified in writing accordingly.

SECTION IX - ASSIGNMENT OF AGREEMENT

CONTRACTOR may not assign this Agreement, or any sum becoming due to under the provisions of this Agreement, without the prior written consent of GPA.

SECTION X - FORCE MAJEURE

Neither party shall be liable for any delay in meeting or failure to meet its obligations under this Agreement due to a force majeure.

SECTION XI - TAXES

OFFEROR shall be liable for Guam Gross Receipt Taxes and all other applicable taxes and duties. Guam Power Authority shall have no tax liability under this contract. Specific information on taxes may be obtained from the Director of the Guam Department of Revenue and Taxation.

GPA is a government agency exempted from ALL government taxes as stipulated in the Guam Code Annotated.

SECTION XII – NOTICES

Any notice, demand or other document required or permitted to be delivered hereunder shall be in writing and may be delivered personally (not to include facsimile transmission) or shall be deemed to be delivered when received postage prepaid, registered or certified mail, return receipt requested, addressed to the parties at their respective address as specified herein:

TO:	Name and Address
COPY:	If applicable, Name and address
FAX:	Fax number

TO:	Guam Power Authority P.O. Box 2977 Hagatna, Guam 96932-2977
ATTN:	General Manager
FAX:	(671) 648-3165

SECTION XIII – GOVERNING LAW

The validity of this Agreement and any of its terms or provisions, as well as the rights and duties of the parties to this Agreement, shall be governed by the laws of Guam.

SECTION XIV - SUPPLEMENTAL CONTRACT PROVISIONS

The supplemental contract provisions to this CONTRACT are attached hereto and incorporated herein by reference as if fully set forth.

SECTION XV – INDEMNIFICATION

The CONTRACTOR shall indemnify and hold GPA harmless from any claim, liability or product liability, loss, damage, demand, cause of action or suit, expense or reasonable fee of legal counsel arising out of or in connection with the goods or services the CONTRACTOR provides.

SECTION XVI – DISPUTES

All controversies between GPA and the CONTRACTOR which arise under, or are by virtue of this CONTRACT and which are not resolved by mutual agreement shall be resolved under Guam Procurement Law and the Government Claims Act, and pursuant to the laws of Guam.

SECTION XVII – RELEASE OF INFORMATION

The CONTRACTOR shall not release any information, including the contract price; concerning this project or any part thereof in any form, including advertising, news releases, or professional articles, without written permission from GPA.

SECTION XVIII – INSURANCE

The CONTRACTOR shall not commence work under this CONTRACT until he has obtained reasonable insurance for Auto Liability and Worker's Compensation and Employer's Liability up to the statutory limits. The CONTRACTOR shall maintain all insurance required during the course of the work.

IN WITNESS WHEREOF, the parties hereto have executed this CONTRACT this ____ day _____, 2018. The CONTRACTOR warrants that the person who is signing this CONTRACT on behalf of the CONTRACTOR is authorized to do so and to execute all other documents necessary to carry out the terms of this CONTRACT.

 Offeror
 Title
 Company Name
 Federal I.D. No. /Social Security No.

 DATE

 JOHN M. BENAVENTE, P.E.
 GENERAL MANAGER
 GUAM POWER AUTHORITY

 DATE

APPROVED AS TO FORM:

 D.GRAHAM BOTHA, ESQ.
 STAFF ATTORNEY
 GUAM POWER AUTHORITY

 DATE

4 SCOPE OF WORK

Annual Emission Testing

4.1 INTRODUCTION AND SUMMARY

The Guam Power Authority is seeking the services of qualified contractors to provide emission test plans, conduct emission testing, provide emission test reports, identify causes of excess emissions of the above units and provide recommendations to mitigate, and retesting, if necessary. It is emphasized that all emission test plans, emission testing, and emission test reports and other task must meet the requirements of applicable local, federal, and permitting requirements. Proposals that do not meet these requirements will be rejected.

GPA is required to ensure and verify compliance of its power generating units with its permitted emission limits on an annual basis. Complying with these emission limits or verifying non-compliance allows GPA to annually review its maintenance and operation program to ensure effective and efficient operation of these units. GPA operates the following facilities:

- a. Tenjo Power Plant Generating Facility - Tenjo Medium Speed Diesel Units 1 to 6
- b. Talofofo Power Generating Facility - Talofofo Medium Speed Diesel Units 1 and 2
- c. Manenggon Hills Power Generating Facility - Manenggon Medium Speed Diesel Units 1 and 2
- d. Piti Generating Facility – Piti Combustion Turbine Unit no. 7

IMPORTANT: *The following facilities will be tested by the contractor at GPA's discretion. While Piti Units 8 & 9 is still operated by MEC until it's turnover to the Authority in Fiscal Year 2019, the remaining Combustion Turbine units may or may not be tested by the contractor during the contract period (3 – 5 years):*

- e. Option to add *Piti Generating Facility – Slow Speed Diesel Engines 8 & 9.*
- f. Option to add *Macheche Generating Facility – Combustion Turbine Engine 1*
- g. Option to add *Yigo Generating Facility – Combustion Turbine Engine 1*
- h. Option to add *Dededo Generating Facility – Combustion Turbine Engines 1 and 2*

4.2 PROJECT DESCRIPTION

The scope of this project is to provide emission test plans, conduct emission testing, provide emission test reports, identify causes of excess emissions of the above units and provide recommendations to mitigate, and retest, if necessary. The required emission test plans, emission testing, and reporting must be in accordance to the applicable local, federal, and permit requirements for all affected GPA power generating units.

Equipment, materials, labor, and all other incidental work and apparatus needed to properly implement the testing requirements shall be the responsibility of the contractor. All testing shall be coordinated and approved by GPA plant personnel or assigned GPA representative(s) prior to the start of work.

1. **Pollutants To Be Tested and Methods Used:** The pollutants to be tested and methods to be used are specified within the attached permits (Appendix B.) for each affected facility.
2. **Time Period:** The emission testing for all units must be completed by **September 30, 2018**, unless otherwise not possible due to repair or complete shutdown of the facility. Contractor must show capability in the

coordination, scheduling, and planning of all testing required to ensure that all units be tested within this time frame.

3. **Emission Test Plans and Reports:** The contractor shall prepare and submit the required emission test plans and any required reports to Generation and Planning & Regulatory for comments and review prior to the start of the test and final submittal to GEPA or USEPA. Contractor must be aware of the specific timeline required for submittal of these reports to GEPA and USEPA to ensure that Generation and Planning & Regulatory are given ample time for review and comment and still meet the due dates for submittal. Emission Test Plans and Reports shall be prepared individually and site specific for each facility to include all units within that facility. Each emission test plan and reports must be written to ensure compliance with all applicable requirements.
4. **Emission Testing and Data Collection Quality:** Complete documentation of the emission test plans, emission testing and data collection, emission test reports, and all other pertinent documentation for emission testing shall be provided. Any required testing data shall be documented. The documents provided shall include the unit being tested, procedures and equipment used in the testing, and identification and certification of the test, interpretation and recommendations regarding the test and test results.

4.3 REGULATORY GUIDANCE

- 4.3.1 Compliance with Guam EPA and USEPA Permit Requirements with various sections of 40 CFR Part 60

Existing permits are attached for your review. (Attachment 2.)

- 4.3.2 Guam EPA/USEPA Approval

All proposed test plans, emission testing, and emission test reports must meet Guam EPA and USEPA Region 9 approval, whichever applicable.

4.4 DELIVERABLES AND WORK PRODUCTS

The contractor is expected to prepare and submit emission test plans, emission test data, and emission test reports. If necessary, the contractor may also be required to identify, interpret and make recommendations of the test results and mitigation. Following submittal of these reports, the contractor may be asked by GPA to make certain revisions or otherwise edit these materials. After revision of reports, if necessary, the contractor will be required to resubmit copies of the final reports to GPA within 10 days or earlier to ensure submittal to Guam EPA and USEPA meets the required time frame. The final report shall consist of (2) soft copies on CD in PDF format. All deliverables must comply with all applicable local, federal, and permit requirements.

4.5 COST SCHEDULE FORM

The Contractor must complete and submit the cost schedule form as defined per unit on each facility (Attachment 1). Each test shall consist of the parameters specified in each individual permit, and an average of three tests per parameter. This cost shall include emission test plan, emission testing, emission test report, identification of cause of excess emission and recommendation to mitigate, if necessary. GPA will only be charged for the Units that are tested, since GPA cannot guarantee the availability of all listed units (due to repair, complete shutdown of a Unit, or other unforeseen circumstances).

Included in the table, is the cost for mobilization per series of testing, and retesting of individual units, if necessary.

Modifications or alterations of the Cost Schedule Form to include cost not mentioned may be included, but should be highlighted with an accompanying explanation.

5 PROPOSAL SUBMITTAL CONTENT

NON-PRICED PROPOSAL CONTENT

PROPONENTS must submit non-priced proposals that include:

1. Detailed description of OFFERORS qualifications to deliver on the scope of work and projects addressed in this RFP.
2. Three client references on projects completed within the last five years related to the projects and scope of work addressed in this RFP. Refer to Evaluation Worksheets (Appendix A).
3. Detailed description of the processes and services that the OFFERORS will use to deliver on the scope of work and projects addressed in this RFP. Refer to Evaluation Worksheets (Appendix A).
4. Describe in detail the team and organizational structure that the OFFERORS will use for this project including curriculum vitae. Describe what each team member is responsible for and how they will provide value.

Provision of this information in the proposal means that the individuals identified will be assigned to perform the scope and projects addressed in this RFP. GPA reserves the right to approve substitutions.

6 EVALUATION PROPOSAL

The evaluation format is a two-step process. In the first step, GPA evaluates each OFFERORS qualifications and non-priced proposal for quality, reasonableness, completeness and applicability towards GPA's business needs and goals. During the evaluation process, GPA shall score each OFFERORS submittal and rank each from most acceptable to least acceptable. GPA may choose to select one, any or none of the OFFERORS for the second step in the procurement process: contract negotiations.

GPA reserves the right to select one or more or none of these OFFERORS to negotiate a contract for communication services, installation and operations and maintenance services for GPA's internal communication and network infrastructure.

GPA will begin negotiations with the OFFERORS having the most acceptable proposal for the work scope under consideration. If it fails to successfully conclude negotiations with this OFFERORS, it may terminate negotiations with this OFFERORS and begin negotiations with the OFFERORS having the next most acceptable proposal. GPA may continue in this fashion until it awards a contract or runs out of OFFERORS to negotiate with.

6.1 EVALUATION CRITERIA AND PROPOSAL SCORING

Below are the steps in the Evaluation and Scoring of Proposal. GPA will convene a committee of no less than three people. These people will elect a committee chairperson.

Scoring and evaluation shall occur in two steps:

Step 1: Individual Committee Member Evaluation and Scoring of Proposal

Each committee member will score each PROPONENT'S proposal using the *Step One Evaluation Form* with 5 points as the maximum score and by multiplying it to the raw score weight will get the weighted score for each evaluation factor. The weighted scores will be totaled to determine the evaluation scores for each proponent then proceed to Step 2.

Step 2: Final Evaluation of Bidder Qualifications

After all the proposals have been scored under Step One, the Committee Chair will request the Committee to evaluate on Step 2 under Individual Scope Scoring.

Each committee member will rank each proposal from highest weighted to lowest score using the *Step Two Evaluation Form*. Total points will be gathered and will be categorized as A = Acceptable if rating is greater than or equal to 860 points; PA = Potential Acceptable if score is greater than or equal to 752 points and U=Unacceptable is score is less than 752 points for each proponent. In the event of ties, the Chairman breaks the tie.

The Evaluation and Scoring form is under Attachment 3.

6.2 NEGOTIATION AND AWARD

The committee will negotiate with the top scoring proponent(s) from Step 2.

If negotiations fail with the top scoring proposal, the committee will negotiate price with the next highest scoring proponent from Step 2. If there are no next proposals from Step 2, the committee may repeat Steps 2 and 3 or terminate the procurement.

Each committee member will score each OFFERORS proposal using the Step One Evaluation Form with 5 points as the maximum score and by multiplying it to the raw score weight will get the weighted score for each evaluation factor. The weighted scores will be totaled to determine the evaluation scores for each proponent then proceed to Step 2.

ATTACHMENT 1	COST SCHEDULE FORM
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COST SCHEDULE FORM

Emission Unit to be Tested	Description	Amount
Tenjo Diesel Unit 1	Emission Test Plan, Emission Test, and Emission Test Report	
Tenjo Diesel Unit 2	Emission Test Plan, Emission Test, and Emission Test Report	
Tenjo Diesel Unit 3	Emission Test Plan, Emission Test, and Emission Test Report	
Tenjo Diesel Unit 4	Emission Test Plan, Emission Test, and Emission Test Report	
Tenjo Diesel Unit 5	Emission Test Plan, Emission Test, and Emission Test Report	
Tenjo Diesel Unit 6	Emission Test Plan, Emission Test, and Emission Test Report	
Talofofo Diesel Unit 1	Emission Test Plan, Emission Test, and Emission Test Report	
Talofofo Diesel Unit 2	Emission Test Plan, Emission Test, and Emission Test Report	
Manenggon Diesel Unit 1	Emission Test Plan, Emission Test, and Emission Test Report	
Manenggon Diesel Unit 2	Emission Test Plan, Emission Test, and Emission Test Report	
Piti Unit no. 7 Combustion Turbine	Emission Test Plan, Emission Test and Emission Test Report	
Option to Add Piti Unit no. 8 Diesel Unit	Emission Test Plan, Emission Test and Emission Test Report	
Option to Add Piti Unit no. 9 Diesel Unit	Emission Test Plan, Emission Test and Emission Test Report	
Option to Add Macheche Combustion Turbine Unit1	Emission Test Plan, Emission Test and Emission Test Report	
Option to Add Dededo Combustion Turbine Unit 1	Emission Test Plan, Emission Test and Emission Test Report	

Emission Unit to be Tested	Description	Amount
Option to Add Dededo Combustion Turbine Unit 2	Emission Test Plan, Emission Test and Emission Test Report	
Other Costs:		
Re-testing per individual Unit		
Mobilization per series of testing		

IMPORTANT: The facilities listed will be tested by the contractor at GPA's discretion. While Piti Units 8 & 9 is still operated by MEC until it's turnover to the Authority in Fiscal Year 2019, the remaining Combustion Turbine units may or may not be tested by the contractor during the contract period (3 – 5 years).

*****Offeror's must provide a quote for ALL units to be eligible to participate in this RFP*****

ATTACHMENT 2	TITLE V AIR PERMITS
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GUAM ENVIRONMENTAL PROTECTION AGENCY AIR POLLUTION CONTROL PERMIT

Permit No. FO-003

IS HERBY ISSUED TO

Guam Power Authority

LOCATED AT


Dededo Power Generating Facility, Dededo

in accordance with the Guam Air Pollution Control Standards and Regulations (GAPCSR),
Public Law 24-20, 10 Guam Code Annotated (GCA), Chapter 49.

This Permit is non-transferable and the permittee is subject to the requirements for holding and transfer of permits in Section 1104.4 of the GAPCSR.

No person shall willfully deface, alter, forge, counterfeit, or falsify this Permit.

This Permit shall expire **03/01/2014**. The renewal application shall be submitted no later than **09/01/2013**.


LORILEE T. CRISOSTOMO
Administrator
Date: 11 MAY 2009





GUAM ENVIRONMENTAL PROTECTION AGENCY

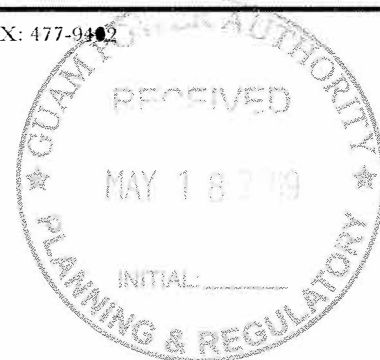


AHENSIAN PRUTEKSION LINA'LA GUAHAN

P.O. Box 22439 GMF • BARRIGADA, GUAM 96921 • TEL: 475-1658 /9 • FAX: 477-9402

TITLE V PERMIT TO OPERATE

Permit Number: **FO-003**
 Issue Date: **March 2, 2009**
 Expiration Date: **March 1, 2014**



In accordance with the provisions of Title V of the Clean Air Act (CAA) and the Guam Air Pollution Control Standards and Regulations (GAPCSR), Public Law 24-322, and the Guam Air Pollution Control Act (GAPCA), Public Law 24-20, 10 Guam Code Annotated (GCA), Chapter 49,

**Guam Power Authority
 Dededo Power Generating Facility
 Dededo, Guam**

is authorized to operate air emission units and to conduct other air pollutant emitting activities in accordance with the permit conditions listed in this permit. Terms and conditions not otherwise defined in this permit have the meaning assigned to them in the referenced regulations. All terms and conditions of the permit are enforceable by the United States Environmental Protection Agency (USEPA), the Guam Environmental Protection Agency (GEPA), and citizens under the CAA. The issuance of this permit is based on the plans, specifications, and additional information submitted as part of the application dated May 7, 2004.

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.

Acceptance of this permit constitutes an agreement and acknowledgement that the holder will comply with all the rules and regulations of GEPA and these permit conditions.

This permit, (a) does not in any manner affect the title of the premises upon which the equipment is located, (b) does not release the permittee from any liability for any loss due to personal injury or property damage caused by, resulting from or arising out of the design, installation, maintenance, or operation of the equipment, and (c) in no manner implies or suggests that GEPA, or its officers, agents, or employees assumes any liability, directly or indirectly, for any loss due to personal injury or property damage caused by, resulting from or arising out of the design, installation, maintenance, or operation of the equipment.

Guam EPA

Title V Federal Operating Permit

Guam Power Authority – Dededo

Permit No. F-003

Expires: March 1, 2014

This permit is valid for a period of five (5) years and shall expire at midnight on the date specified above unless a timely and complete renewal application has been submitted at least 6 months but not more than 18 months prior to the date of expiration. The permit number cited above should be referenced in future correspondence regarding this facility.

11 MAY 2009

Date

LORILEE J. CRISOSTOMO
Administrator
Guam EPA

Guam EPA

Title V Federal Operating Permit
Guam Power Authority – Dededo

Abbreviations and Acronyms

ASTM	American Society for Testing and Materials
CAA	Clean Air Act [42 U.S.C. Section 7401 et seq.]
CAM	Compliance Assurance Monitoring
CFR	Code of Federal Regulations
CO	Carbon Monoxide
g	grams
GAPCSR	Guam Air Pollution Control Standards and Regulations
GCA	Guam Code Annotated
GEPA	Guam Environmental Protection Agency
H ₂ O	water
hr	hour
HRSG	Heat Recovery Steam Generator
ISO	International Organization for Standardization
K	degrees Kelvin
lb	pound
mm Hg	millimeters mercury
MMBtu	Million British thermal units
MW	Megawatt
NAAQS	National Ambient Air Quality Standard
NO _x	Nitrogen Oxides
NSPS	New Source Performance Standards
O ₂	Oxygen
PM ₁₀	Particulate matter less than 10 microns in diameter
ppmdv	parts per million dry volume
PSD	Prevention of Significant Deterioration
QIP	Quality Improvement Plan
SIC	Standard Industrial Classification
SIP	State Implementation Plan
SO ₂	Sulfur Dioxide
USEPA	United States Environmental Protection Agency
VOC	Volatile Organic Compounds

TABLE OF CONTENTS

Cover Page
Abbreviations and Acronyms

I. Source Identification

II. Facility-wide and Unit Specific Permit Conditions

- A. Equipment Description
- B. Emission Limits
- C. Work Practice and Operational Requirements
- D. Monitoring and Testing Requirements
- E. Recordkeeping Requirements
- F. Reporting Requirements
- G. NSPS General Provisions
- H. Compliance Assurance Monitoring
- I. Compliance Schedule
- J. Compliance Certifications
- K. General Air Quality Protections
- L. Annual Emissions Reporting Requirements
- M. Fee Payment

IV. Title V Administrative Requirements

- A. Blanket Compliance Statement
- B. Duty to Provide and Supplement Information
- C. Submissions
- D. Severability Clause
- E. Circumvention
- F. Permit Actions
- G. Reopening for Cause
- H. Property Rights
- I. Inspection and Entry
- J. Emergency Provisions
- K. Transfer of Ownership or Operation
- L. Permit Expiration and Renewal
- M. Permit Modifications
- N. Malfunctions
- O. Agency Notifications
- P. Miscellaneous Conditions

Guam EPA
Title V Federal Operating Permit
Guam Power Authority – Dededo

I. Source Identification

Facility Name: Guam Power Authority – Dededo Power Generating Facility
Facility Location: Marine Drive
City: Dededo
Territory: Guam
USEPA Region: 9
SIC Code: 4911

Responsible Official: Joaquin C. Flores, P.E., General Manager
Phone Number: (671) 648-3202

Facility Manager/Contact: Andriano E. Balajadia
Phone Number: (671) 648-3204

Person Responsible for Recordkeeping: Sylvia L. Ipanag
Phone Number: (671) 648-3217

Description of Process:

Guam Power Authority Dededo facility is a power generating plant. Sources that have the potential to cause significant emissions of air pollutants primarily result from two 23 megawatt (MW) combustion turbine electric generators, four 2.5 MW diesel engine generators, a 1.2 MW diesel generator, and two 150,000 gallons diesel fuel oil storage tanks. Other insignificant emission sources include two 40,000 gallon fuel oil storage tanks, two 1,700 gallon lube oil storage tanks, four 500 day tanks, two 5,000 gallon transformer oil storage tanks, a 100 gallon fire pump day tanks, and a 300 gallon black start generator day tank.

II. Facility-wide and Unit Specific Permit Conditions

II.A. Equipment Description

II.A.1 This permit encompasses the following equipment and associated appurtenances that are considered significant sources of emissions. [GAPCSR, Section 1104.12(12)]

Emission Unit ID	Description	Manufacturer	Model	Serial Number
CT-1	23 MW combustion turbine electric generator	General Electric	PG 5371	05620 N.P.
CT-2	23 MW combustion turbine electric generator	General Electric	PG 5361	05528 N.P.
DEG-1	2.5 MW diesel engine generator	General Motors	EMD-20-645-E4	69-G1-1051
DEG-2	2.5 MW diesel engine generator	General Motors	EMD-20-645-E4	69-G1-1104
DEG-3	2.5 MW diesel engine generator	General Motors	EMD-20-645-E4	70-C1-1130
DEG-4	2.5 MW diesel engine generator	General Motors	EMD-20-645-E4	71-F1-1136
BSG	1.2 MW black start diesel generator	Cummins	KTA-0-G1	93513/18
FODT-1	150,000 gallon diesel fuel oil storage tank			
FODT-2	150,000 gallon diesel fuel oil storage tank			

II.A.2 The permittee shall have installed an identification tag or nameplate on each piece of equipment that identifies the model number, serial number, and manufacturer. The identification tag or nameplate shall be permanently attached to the equipment at a conspicuous location. [Section 49107(7)(B) of Chapter 49, Part 2, Division 2, Part 1 of Title 10 of the GCA]

II.B. Emission Limits

II.B.1 Combustion Turbine Generators (Units CT-1 and CT-2)

II.B.1.a Particulate emissions from these emission units shall not exceed 0.46 lb/MMBtu. [State Implementation Plan (SIP), Section 7.5]

II.B.1.b The permittee shall not discharge or cause the discharge into the atmosphere the following pollutants in excess of the specified limits from each of the combustion turbines (Units CT-1 and CT-2):

Pollutant	Emission Limit
Opacity	10%
Particulate matter less than 10 microns (PM ₁₀)	19.8 pounds per hour (lb/hr)
Carbon monoxide (CO)	25 parts per million dry volume (ppmdv) (full-load)
	170 ppmdv (50% load)
	21.0 lb/hr (full-load)
	86.0 lb/hr (50% load)
Nitrogen oxides (NO _x)	59 ppmdv
	83.0 lb/hr (full-load)
	49.0 lb/hr (50% load)
Volatile organic compounds (VOC) expressed as lb/hr methane	4.0 lb/hr (full-load)
	14.0 lb/hr (50% load)
Sulfur dioxide (SO ₂)	218.0 lb/hr

[GEPA Permit GPA-689, Conditions 4 and 6, Issued October 27, 1997; USEPA PSD Permit GU 92-01, Condition IX.E.1, Issued April 16, 1993; 40 CFR 60.332(a)(1)]

II.B.1.c The NO_x and CO emission limits expressed in units of ppmdv in Condition II.B.1.b of this permit shall be corrected to 15% oxygen. [USEPA PSD Permit GU 92-01, Condition IX.E.3, Issued April 16, 1993]

II.B.1.d Compliance with the pound per hour emission limits specified in Condition II.B.1.b of this permit shall be determined using 3-hour rolling averages. [USEPA PSD Permit GU 92-01, Condition IX.E.4, Issued April 16, 1993]

II.B.1.e The combustion turbines (Units CT-1 and CT-2) are exempt from NO_x emission limits in Condition II.B.1.b of this permit when ice fog is deemed a traffic hazard by the permittee. [40 CFR 60.332(f)]

II.B.2 Diesel Engine Generators (Units DEG-1, DEG-2, DEG-3, and DEG-4)

II.B.2.a Particulate emissions from these emission units shall not exceed 0.77 lb/MMBtu. [SIP, Section 7.5]

- II.B.2.b The total emissions from the diesel engine generators (Units DEG-1, DEG-2, DEG-3, and DEG-4) shall not exceed the limits specified in the table below:

Pollutant	Emission Limit
PM ₁₀	32.0 lb/hr
NO _x	320.0 lb/hr
SO ₂	57.6 lb/hr

[GEPA Permit GPA-689, Condition 6, Issued October 27, 1997]

- II.B.2.c The permittee shall not cause or permit the continuous emission of visible air pollutants with a density equal to or darker than twenty (20) percent opacity from any emission unit nor the emission of visible air pollutants of a density darker than sixty (60) percent opacity for a period aggregating more than three (3) minutes in any sixty (60) minute period. [GAPCSR, Section 1103.3; SIP, Section 10.1]

II.B.3 Black Start Diesel Generator (Unit BSG)

- II.B.3.a Particulate emissions from this emission unit shall not exceed 0.91 lb/MMBtu. [SIP, Section 7.5]

- II.B.3.b The permittee shall not cause or permit the continuous emission of visible air pollutants with a density equal to or darker than twenty (20) percent opacity from any emission unit nor the emission of visible air pollutants of a density darker than sixty (60) percent opacity for a period aggregating more than three (3) minutes in any sixty (60) minute period. [GAPCSR, Section 1103.3; SIP, Section 10.1]

II.C. Work Practice and Operational Requirements

- II.C.1 All equipment, facilities, and systems installed or used to achieve compliance with terms and conditions of this permit shall at all times including periods of startup, shutdown and malfunction, be maintained in good working order and be operated as efficiently as possible so as to minimize air pollutant emissions. The permittee shall conduct proper preventative maintenance procedures for the combustion turbines, the diesel engine generators, the black start diesel generator, and the fuel oil storage tank in accordance with the manufacturer's recommendations [GEPA Permit GPA-689, Condition 15, Issued October 27, 1997; GAPCSR, Section 1104.12(12)]

II.C.2 Adequate control measures approved by GEPA shall be implemented to prevent exceedences of any applicable air quality standards during the operation of the facility. [GAPCSR, Section 1104.12(8)]

II.C.3 The emission limits for the combustion turbines (Units CT-1 and CT-2) in Condition II.B.1 of this permit are based upon 7,760 hours per year of full-load operation and 1,000 hours per year of part-load operation of each combustion turbine.

II.C.3.a Part-load operation of the combustion turbines (Units CT-1 and CT-2) shall not exceed 1,000 hours per calendar year for each combustion turbine.

II.C.3.b "Full-load" operation is defined as 100% maximum rated capacity of a combustion turbine. "Part-load" operation is defined as any operation of a combustion turbine at less than 80% of the rated capacity of the combustion turbine. In addition, "percentage of load" operation means a percentage of rated capacity. (Example: "50% load" means 50% of rated capacity).

II.C.3.c Part-load operation of each combustion turbine (Units CT-1 and CT-2) for more than 1,000 hours in any calendar year shall be considered a violation of the applicable CO emission limitation for that combustion turbine for each day the combustion turbine is operated at part-load beyond the 1,000 hour limitation.

II.C.3.d Upon written request by the permittee, USEPA may review for revision Conditions II.C.3.a and II.C.3.c of this permit. However, such a written request by the permittee will not relieve the permittee from compliance with these conditions.

[USEPA PSD Permit GU 92-01, Condition IX.B.4, Issued April 16, 1993]

II.C.4 Water injection shall be used to control NO_x emissions from the combustion turbines (Units CT-1 and CT-2). Based on initial performance testing, the water-to-fuel ratio shall be at least 0.63 at 50% load and at least 0.59 at 100% load. The minimum water-to-fuel ratio for loads between 50% and 100% shall be adjusted accordingly, but in no case shall the water-to-fuel ratio be less than 0.59. The water injection system shall be in service and operating at the water-to-fuel ratio determined during compliance testing whenever the combustion turbines are in operation. Failure to operate the water injection system during combustion turbine operation shall be considered a violation of the applicable NO_x emission limitation for that combustion turbine. [GEPA Permit GPA-689, Condition 5, Issued October 27, 1997; USEPA PSD Permit GU 92-01, Conditions IX.B.1, IX.B.3, IX.G.4, and IX.G.5, Issued April 16, 1993]

- II.C.5 Only No. 2 fuel oil shall be combusted in the combustion turbines (Units CT-1 and CT-2), the diesel engine generators (Units DEG-1, DEG-2, DEG-3, and DEG-4), and the black start generator (Unit BSG). [USEPA PSD Permit GU 92-01, Condition IX.F.1, Issued April 16, 1993]
- II.C.6 Failure to operate the water-to-fuel ratio monitoring system or failure to record water or fuel flow data whenever either of the combustion turbines (Units CT-1 and CT-2) is in operation shall be considered a violation of the applicable NO_x emission limit for that combustion turbine. [USEPA PSD Permit GU 92-01, Condition IX.G.6, Issued April 16, 1993]
- II.C.7 The maximum sulfur content by weight of the No. 2 fuel oil used by the combustion turbines (Units CT-1 and CT-2), the diesel engine generators (Units DEG-1, DEG-2, DEG-3, and DEG-4), and the black start generator (Unit BSG) shall not exceed 0.6 percent. The use of fuel oil that contains sulfur in excess of 0.6% by weight shall be considered a violation of the applicable SO₂ emission limit for the units in which this fuel is fired. The fuel analysis data shall be recorded and submitted to GEPA with the monthly report. [GEPA Permit GPA-689, Condition 8, Issued October 27, 1997; USEPA PSD Permit GU 92-01, Conditions IX.F.2 and IX.F.3, Issued April 16, 1993; GAPCSR, Sections 1103.10 and 1104.12(8); 40 CFR 60.333(b)]
- II.C.8 At all times, including periods of startup, shutdown, and malfunction of the combustion turbines (Units CT-1 and CT-2), the permittee shall, to the extent practicable, maintain and operate the combustion turbines and water injection system in a manner consistent with good air pollution control practice for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to GEPA. This may include, but is not limited to, monitoring results, review of operating and maintenance procedures, and inspection of the source. [GEPA Permit GPA-689, Condition 10, Issued October 27, 1997]
- II.C.9 The black start generator (Unit BSG) shall only be used during times of island-wide power system failure to provide power for the Dededo facility and to start either of the combustion turbines (Units CT-1 and CT-2). [USEPA PSD Permit GU 92-01, Condition IX.D.1, Issued April 16, 1993]
- II.C.10 The black start generator (Unit BSG) shall not be operated when either of the combustion turbines (Units CT-1 and CT-2) is operating and is providing station power and the black start generator shall not provide power to the island-wide power system. [USEPA PSD Permit GU 92-01, Condition IX.D.2, Issued April 16, 1993]
- II.C.11 To keep the black start generator (Unit BSG) immediately available for use in case of an island-wide power system failure, the unit may be

operated for approximately one hour per week. [USEPA PSD Permit GU 92-01, Condition IX.D.3, Issued April 16, 1993]

II.C.12 Excess emissions (for NO_x and SO₂) shall be defined as any period during which:

II.C.12.a The water-to-fuel ratio for either of the combustion turbines (Units CT-1 and CT-2) fall below the levels specified in Condition II.C.4 of this permit.

II.C.12.b The combustion turbines (Units CT-1 and CT-2), the diesel engine generators (Units DEG-1, DEG-2, DEG-3, and DEG-4), or the black start generator (Unit BSG) are operated while firing a shipment of fuel oil containing a sulfur content which exceeds 0.6% by weight.

[USEPA PSD Permit GU 92-01, Condition IX.I.3, Issued April 16, 1993]

II.C.13 The permittee shall not cause or permit visible fugitive dust to become airborne without taking reasonable precautions. Examples of reasonable precautions are [GAPCSR, Section 1103.4(a); SIP, Sections 8.1, 8.4, and 8.7]:

II.C.13.a Use of water or suitable chemicals for control of fugitive dust in the demolition of existing buildings or structures, construction and retrofitting operations, the grading of roads, or the clearing of land;

II.C.13.b Application of asphalt, water, or suitable chemicals on roads, material stockpiles, and other surfaces which may allow release of fugitive dust;

II.C.13.c Installation of appurtenances that provide an enclosure and ventilation for all crushing, aggregate screening, and conveying of material likely to become airborne;

II.C.13.d Installation and use of hoods, fans, and fabric filters to enclose and vent the handling of dusty materials. Reasonable containment methods shall be employed during sandblasting, spray painting, or other similar operations;

II.C.13.e Covering all moving, open-bodied trucks transporting materials which may release fugitive dust;

II.C.13.f Conducting agricultural operations, such as tilling of land and the application of fertilizers, in such manner as to reasonably minimize fugitive dust;

- II.C.13.g Maintenance and sealing of road-ways and parking lots so as to prevent the exposure of such surfaces to wind, water, or vehicular travel erosion; and
- II.C.13.h Prompt removal of earth or other materials from paved streets which have been transported there by trucking, earth-moving equipment, erosion, or other means.
- II.C.14 Except for persons engaged in agricultural operations or persons who can demonstrate to the Administrator that the best practical operation or treatment is being implemented, no person shall cause or permit the discharge of visible fugitive dust beyond the property lot line on which the fugitive dust originates. [GAPCSR, Section 1103.4(b); SIP, Section 8.2]
- II.C.15 Any modification to the combustion turbines (Unit CT-1 and CT-2) that increases this source's potential to emit pollutants above the applicable Prevention of Significant Deterioration (PSD) threshold level will require a full PSD review (as per 40 CFR 52.21(r)(4)). This will apply to all criteria pollutants including the PM₁₀. [GEPA Permit GPA-680, Condition 17, Issued October 27, 1997]

II.D. Monitoring and Testing Requirements

- II.D.1 The permittee shall provide sampling and testing facilities at its own expense. The tests shall be conducted at the maximum expected operating capacity of the equipment at this facility and GEPA may monitor the tests. For performance test purposes, sampling ports, platforms and access shall be provided by the permittee on the diesel exhaust systems in accordance with 40 CFR 60.8(e). [GAPCSR, Section 1102.4; SIP, Sections 3.6(a), 3.9, and 4.1]
- II.D.2 At least thirty (30) days prior to performance a test, the permittee shall submit a written performance test plan to GEPA that describes the test date(s), duration, locations, and methods, source operation and other parameters that may affect test results. Such a plan shall conform to USEPA guidelines including quality assurance procedures. [GAPCSR, Section 1102.4]
- II.D.3 Within sixty (60) days after completion of the performance test, the permittee shall submit to GEPA and USEPA Regional Administrator, the test report which shall include the operating conditions of the equipment at the time of the test, the analyses of the fuel, the summarized test results, comparative results with the permit emissions limits, and other pertinent field and laboratory data. [GAPCSR, Section 1102.4; SIP, Section 4.2]
- II.D.4 Performance tests for the emissions of PM₁₀, NO_x, SO₂, VOC, and CO from the combustion turbines (Units CT-1 and CT-2) and the diesel engine generators (Units DEG-1, DEG-2, DEG-3, and DEG-4) shall be conducted

on an annual basis in accordance with the test methods set forth in 40 CFR 60.8 and Appendix A, and the results shall be reported to GEPA. The following test methods shall be used:

II.D.4.a Performance test for the emissions of PM₁₀ shall be conducted using USEPA Methods 1-4 and 5 or 5B. (During PM₁₀ performance testing, opacity observations shall be conducted by a certified visual emissions observer pursuant to requirements contained in 40 CFR 60.11(b) and 40 CFR Part 60, Appendix A, Reference Method 9.)

II.D.4.b Performance test for the emissions of NO_x from the turbines (CT-1 and CT-2) shall be conducted using USEPA Method 20. Performance test for the emissions of NO_x from the diesel engine generators (DEG-1 through DEG-4) shall be conducted using USEPA Method 7E.

II.D.4.c Performance test for opacity shall be conducted using USEPA Method 9.

II.D.4.d Performance test for the emissions VOCs shall be conducted using USEPA Methods 1-4 and 25A.

II.D.4.e Performance test for the emissions of CO shall be conducted using USEPA Methods 1-4 and 10 or 10B.

II.D.4.f Performance test for the emissions of SO₂ from the turbines (CT-1 and CT-2) shall be conducted using USEPA Method 20. Performance test for the emissions of SO₂ from the diesel engine generators (DEG-1 through DEG-4) shall be conducted using USEPA Method 6C.

[GEPA Permit GPA-689, Condition 13, Issued October 27, 1997; USEPA PSD Permit GU 92-01, Condition IX.H.7, Issued April 16, 1993; 40 CFR 60.335(a)(1); 40 CFR 60.335(b)]

II.D.5 Any deviations from these conditions, test methods, or procedures may be cause for rejections of the test results unless such deviations are approved by GEPA before the tests are conducted. [GAPCSR, Section 1102.4]

II.D.6 Upon written request and adequate justification by the permittee, GEPA may waive the requirement for a specific annual source test. The waiver request must be submitted at least sixty (60) days prior to the required test and must include documentation justifying such action. Documentation should include, but is not limited to, the results of the prior test indicating compliance by a wide margin, documentation of continuing compliance, and further that operations of the source have not changed since the

previous source test. [USEPA PSD Permit GU 92-01, Condition IX.H.2, Issued April 16, 1993; GAPCSR, Section 1102.4]

- II.D.7 For performance tests conducted as required by this permit, sampling traverse points are to be selected following Method 20 or Method 1 (non-particulate procedures) and sampled for equal time intervals. The sampling shall be performed with a traversing single-hole probe or, if feasible, with a stationary multi-hole probe that samples each of the points sequentially. Alternatively, a multi-hole probe designed and documented to sample equal volumes from each hole may be used to sample simultaneously at the required points. [40 CFR 60.335(a)(4)]
- II.D.8 Notwithstanding Condition II.D.7 of this permit, the permittee may test at fewer points than are specified in Method 1 or Method 20 if the following conditions are met [40 CFR 60.335(a)(5)]:
- II.D.8.a The permittee may perform a stratification test for NO_x and diluent pursuant to the procedures specified in Section 6.5.6.1(a) through (e) of Appendix A to 40 CFR 75.
- II.D.8.b Once the stratification sampling is completed, the permittee may use the following alternative sample point selection criteria for the performance test:
- II.D.8.b.1.a If each of the individual traverse point NO_x concentrations, normalized to 15 percent oxygen (O₂), is within ± 10 percent of the mean normalized concentration for all traverse points, then the permittee may use three (3) points (located either 16.7, 50.0, and 83.3 percent of the way across the stack or duct, or, for circular stacks or ducts greater than 2.4 meters (7.8 feet) in diameter, at 0.4, 1.2, and 2.0 meters from the wall). The three (3) points shall be located along the measurement line that exhibited the highest average normalized NO_x concentration during the stratification test; or
- II.D.8.b.1.b If each of the individual traverse point NO_x concentrations, normalized to 15 percent O₂, is within ± 5 percent of the mean normalized concentration for all traverse points, then the permittee may sample at a single point, located at least 1 meter from the stack wall or at the stack centroid.
- II.D.9 For purposes of complying with the New Source Performance Standards (NSPS) NO_x limit in Condition II.B.1 of this permit, the NO_x emission rate shall be computed for each run using the following equation.

Notwithstanding this requirement, use of the International Organization for Standardization (ISO) correction equation is optional for: lean premix stationary combustion turbines; units used in association with heat recovery steam generators (HRSG) equipped with duct burners; and units equipped with add-on emission control devices. [40 CFR 60.335(b)(1)]:

$$\text{NO}_x = (\text{NO}_{x,o}) (P_r/P_o)^{0.5} e^{19(H_o - 0.00633)} (288^\circ\text{K}/T_a)^{1.53}$$

where:

NO_x = Emission rate of NO_x at 15 percent O_2 and ISO standard ambient conditions, ppm_{dv}

$\text{NO}_{x,o}$ = Mean observed NO_x concentration, ppm_{dv}, at 15% O_2

P_r = Reference combustor inlet absolute pressure at 101.3 kilopascals ambient pressure, millimeters mercury (mm Hg)

P_o = Observed combustor inlet absolute pressure at test, mm Hg

H_o = Observed humidity of ambient air, grams (g) water (H_2O)/g air

e = Transcendental constant, 2.718

T_a = Ambient temperature, degrees Kelvin (K)

II.D.10 Instead of using the equation listed in Condition II.D.9 of this permit, manufacturers may develop ambient condition correction factors to adjust the NO_x emission level measured by the performance test as provided in 40 CFR 60.8 to ISO standard day conditions. [40 CFR 60.335(a)(6) and 40 CFR 60.335(c)(1)]

II.D.11 The permittee shall install, calibrate, maintain, and operate a continuous monitoring system to monitor and record the fuel consumption and the ratio of water-to-fuel being fired in the combustion turbines (Units CT-1 and CT-2). The monitoring system shall be in operation whenever either combustion turbine is in operation. These systems shall be maintained to within $\pm 5\%$ and shall be approved by UESPA. Failure to operate the fuel and water monitoring system during the combustion turbine operation shall be considered a violation of the applicable NO_x emission limitation for that combustion turbine. [GEPA Permit GPA-689, Condition 3, Issued October 27, 1997; USEPA PSD Permit GU 92-01, Conditions IX.B.2 and IX.B.3, Issued April 16, 1993; 40 CFR 60.334(a)]

II.D.12 The continuous water-to-fuel ratio monitoring system must be operated concurrently with each USEPA Method 20 or American Society for Testing and Materials (ASTM) D6522-00 run and shall be used to determine the fuel consumption and the water-to-fuel ratio necessary to comply with the applicable NO_x emission limit. [40 CFR 60.335(b)(4)]

- II.D.13 The water-to-fuel ratio shall be monitored to establish acceptable values and ranges. The permittee may supplement the performance test data with engineering analyses, design specifications, manufacturer's recommendations, and other relevant information to define the acceptable parametric ranges more precisely. The permittee shall develop and keep on-site a parameter monitoring plan which explains the procedures used to document proper operation of the NO_x emission controls. The plan shall include the parameter(s) monitored and the acceptable range(s) of the parameter(s), as well as the basis for designating the parameter(s) and acceptable range(s). Any supplemental data such as engineering analyses, design specifications, manufacturer's recommendations, and other relevant information shall be included in the monitoring plan. [40 CFR 60.334(g)]
- II.D.14 The sulfur content of the No. 2 fuel oil to be used in the combustion turbines (Units CT-1 and CT-2) shall be monitored using one of the total sulfur sampling options and the associated sampling frequency described in Sections 2.2.3, 2.2.4.1, 2.2.4.2, and 2.2.4.3 of Appendix D to 40 CFR 75 (i.e., flow proportional sampling, daily sampling, sampling from the unit's storage tank after each addition of fuel to the tank, or sampling each delivery prior to combining it with fuel oil already in the intended storage tank). Failure to determine fuel oil sulfur content or failure to keep records shall be considered a violation of the applicable SO₂ emissions limit for the units in which such fuel oil is fired. [USEPA PSD Permit GU 92-01, Conditions IX.F.4, Issued April 16, 1993; GEPA Permit GPA-689, Condition 9, Issued October 27, 1997; 40 CFR 60.334(i)]
- II.D.15 If the option to sample each delivery of fuel oil has been selected, the permittee shall immediately switch to one of the other oil sampling options (i.e., daily sampling, flow proportional sampling, or sampling from the unit's storage tank) if the sulfur content of a delivery exceeds 0.8 weight percent. The permittee shall continue to use one of the other sampling options until all of the oil from the delivery has been combusted, and shall evaluate excess emissions according to Condition II.F.9.b.1 of this permit. When all of the fuel from the delivery has been burned, the permittee may resume using the as-delivered sampling option. [40 CFR 60.334(j)(2)(ii)]
- II.D.16 The permittee shall determine the fuel sulfur content of the fuel combusted in the combustion turbines (Unit CT-1 and CT-2) using a minimum of three samples collected during the performance test. The fuel samples shall be analyzed for the total sulfur content of the fuel using ASTM D129-00, D2622-98, D4294-02, D1266-98, D5453-00 or D1552-01 (all of which are incorporated by reference). [40 CFR 60.335(b)(10)]
- II.D.17 The fuel sulfur content analysis required by this permit may be performed by the permittee, a service contractor retained by the permittee, the fuel vendor, or any other qualified agency. [40 CFR 60.335(b)(11)]

- II.D.18 The permittee shall conduct weekly monitoring for opacity on the combustion turbines (Units CT-1 and CT-2) and the diesel engine generators (Units DEG-1, DEG-2, DEG-3, and DEG-4) following USEPA Method 22 in order to validate compliance with Conditions II.B.1.b and II.B.2.c of this permit. The visible emissions inspection shall be conducted by a Method 9-certified observer. If a visible emissions inspection conducted following USEPA Method 22 documents an instantaneous opacity reading of 10% or higher, a USEPA Method 9 "Visible Emissions Evaluation" shall be completed within three (3) working days, or during the next scheduled operating period if the unit ceases firing on diesel fuel within the three working day time frame. [GAPCSR, Section 1104.12(7)]
- II.D.19 The permittee shall conduct periodic monitoring for opacity on the black start diesel generator (Unit BSG) following USEPA Method 22 in order to validate compliance with Conditions II.B.3.a and II.B.3.b of this permit. Visible emissions inspection is required every three months if the unit is operated more than 50 hours per quarter. If a visible emissions inspection conducted following USEPA Method 22 documents opacity, a USEPA Method 9 "Visible Emissions Evaluation" shall be completed within three (3) working days, or during the next scheduled operating period if the unit ceases firing on diesel fuel within the three working day time frame. [GAPCSR, Section 1104.12(7)]

II.E. Recordkeeping Requirements

- II.E.1 The permittee shall maintain a file of all measurements, including continuous monitoring system, monitoring device, and performance testing measurements; all continuous monitoring performance evaluations; all continuous monitoring system or monitoring device calibration checks; adjustments and maintenance performed on these systems or devices; quarterly excess emission reports; fuel usage and fuel sulfur content records; and all other information required by this permit or by NSPS recorded in a permanent form suitable for inspection and made available to GEPA or their representative upon request. This file shall be retained for at least five (5) years following the date of such measurements, maintenance, reports, and records. [USEPA PSD Permit GU 92-01, Condition IX.I.1, Issued April 16, 1993; GAPCSR, Section 1104.12(7)(H)]
- II.E.2 The permittee shall maintain a log of the date and nature of all inspections and maintenance activities performed at the facility [GAPCSR Section 1104.12(12)].
- II.E.3 The permittee shall maintain records of fuel deliveries identifying the delivery dates and the type and amount of fuel received and including copies of the supplier's certificate of analysis showing the sulfur content of the fuel delivered. Fuel consumption records shall be maintained annually

for the combustion turbine generators (Unit CT-1 and CT-2), the diesel engine generators (Unit DEG-1, DEG-2, DEG-3, and DEG-4), and black start diesel generator (Unit BSG). [GAPCSR, Section 1102.4(c)]

II.E.4 The permittee shall maintain records of the following for the combustion turbines (Units CT-1 and CT-2), the diesel engine generators (Units DEG-1, DEG-2, DEG-3, and DEG-4) and black start diesel generator (Unit BSG), recorded in a permanent form suitable for inspection [GAPCSR, Section 1104.12(7)]:

II.E.4.a All measurements, including operating load and annual hours of operation

II.E.4.b All monitoring device calibration checks

II.E.4.c Inspections, maintenance, adjustments, and any other repair work

II.E.4.d Performance test results

II.E.5 The records required in Condition II.E.4 of this permit shall be in a permanent form suitable for inspection and shall be retained for at least five years following the date of measurements, maintenance, reports, and records. As a minimum, these records shall include the date of the measurement or inspection, a short description of the action and/or any such repair work, and a description of the part(s) inspected or repaired. [GAPCSR, Section 1104.12(7)]

II.E.6 The permittee shall install non-resetting fuel meters to record the amount of No. 2 diesel fuel burned by the diesel engine generators (Units DEG-1, DEG-2, DEG-3, and DEG-4) and the combustion turbines (Units CT-1 and CT-2). [GEPA Permit GPA-689, Condition 7, Issued October 27, 1997; USEPA PSD Permit GU 92-01, Condition IX.G.1, Issued April 16, 1993; GAPCSR, Section 1102.4(c)]

II.E.7 The permittee shall install water meters to record the amount of water injected into each of the combustion turbines (Units CT-1 and CT-2). The recording system must meet the requirements of Condition II.D.11 of this permit. [USEPA PSD Permit GU 92-01, Condition IX.G.1, Issued April 16, 1993; GAPCSR, Section 1102.4(c)]

II.F. Reporting Requirements

II.F.1 As required in Section II.L and in conjunction with the requirements of Section of this permit the permittee shall report annually the total tons per year emitted of each regulated air pollutant, including hazardous air pollutants. The reporting of annual emissions is due within sixty (60) days following the end of the each calendar year. Upon the written request of the permittee, the deadline for reporting of annual emissions may be

extended, if GEPA determines that reasonable justification exists for the extension. [GAPCSR, Section 1104.24(c)]

- II.F.2 The permittee shall report in writing within thirty (30) days the modification, relocation, discontinuance of operation or dismantlement of the emission units identified in Condition II.A.1 of this permit. [GAPCSR, Section 1104.5(a)]
- II.F.3 The permittee shall provide a report to GEPA of the results of all monitoring and recordkeeping required by this permit at least once every six (6) months. Reports shall be submitted for monitoring and recordkeeping performed between January 1st and June 30th and between July 1st and December 31st and shall be postmarked by the 30th day following the end of the reporting period. The first monitoring and recordkeeping report will cover the period from the date of issuance of this permit to December 31, 2008. [GAPCSR, Section 1104.12(7)(I)]
- II.F.4 The permittee shall submit to GEPA monthly summary reports indicating the quantity of fuel combusted in the subject year by the diesel engine generators (Units DEG-1, DEG-2, DEG-3, and DEG-4) and the combustion turbines (Units CT-1 and CT-2). [GEPA Permit GPA-689, Condition 7, Issued October 27, 1997]
- II.F.5 The permittee shall report for the combustion turbines (Units CT-1 and CT-2) the date and time of all instances when the water-to-fuel ratio falls the minimum levels required in Condition II.C.4 of this permit in the monthly report. For these instances, the permittee shall report all information as specified in 40 CFR 60.7(c). For the purposes of this permit, all times when the water-to-fuel ratio falls below the values specified in this permit will be considered as times when the turbines are operating in violation of the permitted applicable emission limits for NO_x. [GEPA Permit GPA-689, Condition 11, Issued October 27, 1997]
- II.F.6 The permittee shall submit a written report of all excess emissions to USEPA (Attn: A-3-3) for every calendar quarter, postmarked within 30 days of the end of that calendar quarter. The report shall include the following information:
 - II.F.6.a Equations and/or conversion factors used to calculate the water-to-fuel ratio for each of the combustion turbines (Units CT-1 and CT-2).
 - II.F.6.b The date and time of commencement and completion of each time period of excess emissions.
 - II.F.6.c Specific identification of each period of excess emissions that occurs during startups, shutdowns, or malfunctions of each of the combustion turbines (Units CT-1 and CT-2) or water injection

system. The nature and cause of any malfunction (if known) and the corrective action taken or preventative measures adopted shall be reported.

II.F.6.d The date and time identifying each period during which the continuous monitoring system was inoperative except for calibration checks, and the nature of the system repairs or adjustments.

II.F.6.e The date and time when either of the combustion turbines (Units CT-1 and CT-2), the diesel engine generators (Units DEG-1, DEG-2, DEG-3, and DEG-4), or the black start generator (Unit BSG) are operated firing fuel oil with a sulfur content which exceeds 0.6% by weight.

II.F.6.f The number of hours during the quarter when either of the combustion turbines (Units CT-1 and CT-2) operated at part-load operation as defined in Condition II.C.3.b of this permit.

II.F.6.g The number of hours the black start generator (Unit BSG) operated during the quarter except as provided in Condition II.C.11 of this permit.

II.F.6.h Chemical analysis reports for all fuel oil shipments received for that calendar quarter. The permittee shall also state whether all chemical analyses required by NSPS were performed during the calendar quarter.

II.F.6.i When no excess emissions have occurred or the continuous monitoring system has not been inoperative, repaired, or adjusted, such information shall be stated in the report.

II.F.6.j When the combustion turbines (Units CT-1 and CT-2) have not been operated at part-load or the black start generator (Units BSG) has not been operated, such information shall be stated in the report.

[USEPA PSD Permit GU 92-01, Condition IX.I.3, Issued April 16, 1993]

II.F.7 In the event of excess emission or malfunction of the combustion turbines (Units CT-1 and CT-2) or the diesel engine generators (Units DEG-1, DEG-2, DEG-3, and DEG-4), the permittee shall notify GEPA within twenty-four (24) hours by telephone of such events. These events shall be followed with a submission of a written notice to GEPA within two (2) weeks from the date of occurrence. [GEPA Permit GPA-689, Condition 12, Issued October 27, 1997]

II.F.8 Any release of NO_x, SO₂, or PM₁₀ into the atmosphere above the acceptable emission limits of the combustion turbines (Units CT-1 and CT-2) or the diesel engine generators (Units DEG-1, DEG-2, DEG-3, and DEG-4) identified in Conditions II.B.1 and II.B.2 of this permit due to equipment breakdown or malfunction shall be immediately reported to the Administrator of GEPA. [GEPA Permit GPA-689, Condition 14, Issued October 27, 1997]

II.F.9 The permittee shall submit reports for the combustion turbines (Units CT-1 and CT-2) of excess emissions and monitor downtime, in accordance with 40 CFR 60.7(c). Excess emissions shall be reported for all periods of unit operation, including startup, shutdown, and malfunction. For the purpose of reports required for the combustion turbines (Units CT-1 and CT-2) under 40 CFR 60.7(c), periods of excess emissions and monitor downtime that shall be reported are defined below. [40 CFR 60.334(j)]

II.F.9.a *Excess Emissions of Nitrogen Oxides*

II.F.9.a.1 An excess emission shall be any unit operating hour for which the average water-to-fuel ratio, as measured by the continuous monitoring system, falls below the acceptable water-to-fuel ratio determined to demonstrate compliance with 40 CFR 60.332, as established during the performance test required in 40 CFR 60.8. Any unit operating hour in which no water is injected into the turbine shall be considered an excess emission.

[40 CFR 60.334(j)(1)(i)(A)]

II.F.9.a.2 A period of monitor downtime shall be any unit operating hour in which water is injected into the turbine, but the essential parametric data needed to determine the water-to-fuel ratio are unavailable or invalid.

[40 CFR 60.334(j)(1)(i)(B)]

II.F.9.a.3 Each report shall include the average water-to-fuel ratio, average fuel consumption, ambient conditions (temperature, pressure, and humidity), and gas turbine load. The permittee does not have to report ambient conditions if the permittee opts to use the worst case ISO correction factor as specified in 40 CFR 60.334(b)(3)(ii), or if the permittee is not using the ISO correction equation under the provisions of 40 CFR 60.335(b)(1).

[40 CFR 60.334(j)(1)(i)(C)]

II.F.9.b *Excess Emissions of Sulfur Dioxide*

- II.F.9.b.1 For fuel oil samples obtained using daily sampling, flow proportional sampling, or sampling from the unit's storage tank, an excess emission occurs each unit operating hour included in the period beginning on the date and hour of any sample for which the sulfur content of the fuel being fired in the gas turbine exceeds 0.8 weight percent and ending on the date and hour that a subsequent sample is taken that demonstrates compliance with the sulfur limit. [40 CFR 60.334(j)(2)(i)]
- II.F.9.b.2 A period of monitor downtime begins when a required sample is not taken by its due date. A period of monitor downtime also begins on the date and hour of a required sample, if invalid results are obtained. The period of monitor downtime shall include only unit operating hours, and ends on the date and hour of the next valid sample. [40 CFR 60.334(j)(2)(iii)]

II.F.9.c *Excess Emissions during Periods of Ice Fog.* Each period during which an exemption provided in 40 CFR 60.332(f) is in effect shall be reported in writing to the Administrator quarterly. For each period the ambient conditions existing during the period, the date and time the air pollution control system was deactivated, and the date and time the air pollution control system was reactivated shall be reported. All quarterly reports shall be postmarked by the 30th day following the end of each calendar quarter. [40 CFR 60.334(j)(3)]

II.F.9.d *Excess Emissions during Periods of Emergency Fuel Use.* Each period during which an exemption provided in 40 CFR 60.332(k) is in effect shall be included in the report required in 40 CFR 60.7(c). For each period, the type, reasons, and duration of the firing of the emergency fuel shall be reported. [40 CFR 60.334(j)(4)]

II.G. **NSPS General Provisions**

For the combustion turbines (Units CT-1 and CT-2), the permittee shall comply with all applicable requirements in Subpart A of 40 CFR 60. [USEPA PSD Permit GU 92-01, Condition IX.J, Issued April 16, 1993; 40 CFR 60, Subpart A].

II.H. **Compliance Assurance Monitoring (CAM)**

- II.H.1 The permittee shall control NO_x emissions from the combustion turbines (Unit CT-1 and CT-2) using a water injection system operated in accordance of the requirements in Conditions II.D.11, II.D.12, and II.D.13. The water-to-fuel ratio of the water injection system shall be used as an indicator of the NO_x control efficiency for the combustion turbines (Units

CT-1 and CT-2). The water-to-fuel ratio shall be maintained at the level required in Condition II.C.4 of this permit. [40 CFR 64.2(a)]

II.H.2 The permittee shall conduct the monitoring required in Condition II.H.1 of this permit upon issuance of the permit. [40 CFR 64.7(a)]

II.H.3 At all times, the permittee shall maintain the monitoring, including but not limited to, maintaining necessary parts for routine repairs of the monitoring equipment. [40 CFR 64.7(b)]

II.H.4 Except for, as applicable, monitoring malfunctions, associated repairs, and required quality assurance or control activities (including, as applicable, calibration checks and required zero and span adjustments), the permittee shall conduct all water-to-fuel ratio monitoring on the combustion turbines (Units CT-1 and CT-2) in continuous operation at all times that the unit is operating. Data recorded during monitoring malfunctions, associated reports, and required quality assurance or control activities shall not be used for the purposes of 40 CFR 64, including data averages and calculations, or fulfilling a minimum data availability requirement, if applicable. The permittee shall use all the data collected during all other periods in assessing the operation of the control device and associated control system. A monitoring malfunction is any sudden, infrequent, not reasonably preventable failure of the monitoring to provide valid data. Monitoring failures that are caused in part by poor maintenance or careless operation are not malfunctions. [40 CFR 64.7(c)]

II.H.5 An excursion is defined to be a period when the water-to-fuel ratio falls below the required level in Condition II.C.4 of this permit for more than one hour. The continuous water-to-fuel ratio monitoring system is required to be accurate to within $\pm 5\%$. [40 CFR 64.1]

II.H.6 Upon detecting an excursion or exceedance, the permittee shall restore operation of the pollutant-specific emission unit (including the control device and associated capture system) to its normal or usual manner of operation as expeditiously as practicable in accordance with good air pollution control practices for minimizing emissions. The response shall include minimizing the period of any startup, shutdown, or malfunction and taking any necessary corrective actions to restore normal operation and prevent the likely recurrence of the cause of an excursion or exceedance (other than those caused by excused startup or shutdown conditions). Such actions may include initial inspection and evaluation, recording that operations returned to normal without operator action (such as through response by a computerized distribution control system), or any necessary follow-up actions to return operation to within the indicator range, designated condition, or below the applicable emission limitation or standard, as applicable. [40 CFR 64.7(d)(1)]

II.H.7 Determination of whether the permittee has used acceptable procedures in response to an excursion or exceedance will be based on information available, which may include but is not limited to, monitoring results, review of operation and maintenance procedures and records, and inspection of the control device, associated capture system, and the process. [40 CFR 64.7(d)(2)]

II.H.8 Based on the results of a determination made under Condition II.H.7 of this permit, the Administrator of the USEPA or GEPA may require the permittee to develop and implement a quality improvement plan (QIP). The QIP threshold for the combustion turbines (Units CT-1 and CT-2) shall be 10 excursions in a six-month reporting period. [40 CFR 64.8(a)]

II.H.9 If required under Condition II.H.8 of this permit, the permittee shall maintain a written QIP and have it available for inspection. The plan shall initially include procedures for evaluating the control performance problems and, based on the results of the evaluation procedures, the permittee shall modify the plan to include procedures for conducting one or more of the following actions, as appropriate:

II.H.9.a Improved preventative maintenance procedures

II.H.9.b Process operation changes

II.H.9.c Appropriate improvements to control methods

II.H.9.d Other steps appropriate to correct control performance

II.H.9.e More frequent or improved monitoring, in conjunction with one or more of the preceding actions

[40 CFR 64.8(b)]

II.H.10 If a QIP is required under Condition II.H.8 of this permit, the permittee shall develop and implement a QIP as expeditiously as practicable and shall notify the GEPA if the period for completing the improvements contained in the QIP exceeds 180 days from the date on which the need to implement the QIP was determined. [40 CFR 64.8(c)]

II.H.11 Following the implementation of a QIP, upon any subsequent determination pursuant to Condition II.H.7 of this permit the Administrator of the USEPA or GEPA may require that the permittee make reasonable changes to the QIP if the QIP is found to have:

II.H.11.a Failed to address the cause of the control device performance problems; or

II.H.11.b Failed to provide adequate procedures for correcting control device performance problems as expeditiously as practicable in accordance with good air pollution control practices for minimizing emissions.

[40 CFR 64.8(d)]

II.H.12 Implementation of a QIP shall not excuse the permittee from compliance with any existing emission limitation or standard, or any existing monitoring, testing, reporting, or recordkeeping requirement that may apply under federal, state, or local law, or any other applicable requirements under the CAA. [40 CFR 64.8(e)]

II.H.13 The permittee shall submit monitoring reports for the water injection system to GEPA in accordance with 40 CFR 70.6(a)(3)(iii). [40 CFR 64.9(a)(1)]

II.H.14 The monitoring reports required pursuant to Condition II.H.13 of this permit shall include, at a minimum, the information required under 40 CFR 70.6(a)(3)(iii) and the following information, as applicable:

II.H.14.a Summary information on the number, duration, and cause (including unknown cause, if applicable) of excursions or exceedances, as applicable, and the corrective actions taken;

II.H.14.b Summary information on the number, duration, and cause (including unknown cause, if applicable) for monitoring downtime incidents (other than downtime associated with zero and span or other daily calibration checks, if applicable); and

II.H.14.c A description of the actions taken to implement a QIP during the reporting period as specified in 40 CFR 64.8. Upon completion of a QIP, the permittee shall include in the next summary report documentation that the implementation of the plan has been completed and reduced the likelihood of similar levels of excursions or exceedances occurring.

[40 CFR 64.9(a)(2)]

II.H.15 The permittee shall comply with the recordkeeping requirements specified in 40 CFR 70.6(a)(3)(ii). The permittee shall maintain records of monitoring data, monitor performance data, corrective actions taken, any written QIP requirements pursuant to 40 CFR 64.8 and any activities undertaken to implement a QIP, and other supporting information required to be maintained under 40 CFR 64 (such as data used to document the adequacy of monitoring or records of monitoring maintenance or corrective actions). [40 CFR 64.9(b)(1)]

II.H.16 Instead of paper records, the permittee may maintain records on alternative media, such as microfilm, computer files, magnetic tape disks, or microfiche, provided that the use of such alternative media allows for expeditious inspection and review, and does not conflict with other applicable recordkeeping requirements. [40 CFR 64.9(b)(2)]

II.I. Compliance Schedule

II.I.1 For applicable requirements with which the source is in compliance, the source will continue to comply with such requirements. [GAPCSR, Section 1104.8(b)(2)(A)]

II.I.2 For applicable requirements which become applicable during the permit term, the source shall meet such applicable requirements on a timely basis. [GAPCSR, Section 1104.8(b)(2)(B)]

II.J. Compliance Certifications

II.J.1 The compliance plan and compliance certification submittal requirements shall be in accordance with Sections 1104.8 and 1104.9 of the GAPCSR. The compliance certification shall be submitted to GEPA and the USEPA Regional Administrator once per year, or more frequently as set by any applicable requirement. [GAPCSR, Sections 1104.8 and 1104.9]

II.J.2 During the permit term, the permittee shall submit at least annually to GEPA, a compliance certification pursuant to Section 1104.9 of the GAPCSR. This certification shall be postmarked by January 30th of each year, and shall cover the previous calendar year (January 1 through December 31). The first compliance certification will cover the period from the date of issuance of this permit to December 31, 2008. The permittee shall indicate whether or not compliance is being met with each term or condition of this permit. The annual compliance certifications shall identify as possible exceptions to compliance any periods during which compliance is required and in which an excursion or exceedance as defined under 40 CFR 64 occurred. [GAPCSR, Section 1104.9; 40 CFR 70.6(c)(5)(iii)]

II.K. General Air Quality Protections

II.K.1 The permittee shall not dispose of combustible material by open burning, or cause, suffer, allow, or permit open burning of combustible material within Guam, except as provided in Sections 1103.11 (b) through (e) of the GAPCSR. [GAPCSR, Section 1103.11; SIP, Section 6.1]

II.K.2 Control of Odors in Ambient Air

II.K.2.a The permittee shall not discharge or cause to be discharged into the atmosphere from any source whatsoever, such quantities of odorous emissions which is injurious to health, or is indecent or

offensive to the senses, which affects at the same time an entire community or neighborhood, or any considerable number of persons, so as to unduly interfere with the comfortable enjoyment of life or property of such community, neighborhood or persons. It is a creation of a condition which causes injury to the public welfare. [GAPCSR, Section 1103.12(a); SIP, Section 11.1]

II.K.2.b An odor occurrence shall be deemed a violation when a complaint is received by the Administrator and the Administrator is able to detect the odor. This detection must be verified by the Department of Public Health, Environmental Health Section for a person to be found in violation of subsection (a) of this condition. [GAPCSR, Section 1103.12(b); SIP, Section 11.2]

II.K.2.c The odor of growing vegetation, and chemical fertilizers and insecticides when used properly, or when persons can demonstrate to the Administrator that the best practical operation or treatment is being implemented, shall not be considered objectionable for the purposes of this requirement. [GAPCSR, Section 1103.12(c); SIP, Section 11.3]

II.K.3 The permittee shall comply with the asbestos requirements of 40 CFR 61, Subpart M (as amended and incorporated in Section 1103.13 of the GAPCSR), including requirements for demolition and renovation projects. [GAPCSR, Section 1103.13]

II.L. Annual Emissions Reporting Requirements

II.L.1 The reporting period for the annual emissions, including emissions from the emission units identified in Condition II.A.1 of this permit, shall be from January 1 to December 31 of each calendar year. All reports shall be submitted to GEPA along with the annual fee due. The report shall be mailed to [GAPCSR, Section 1104.24(c)]:

**Administrator
Guam Environmental Protection Agency
Air and Land Division
Air Pollution Control Program
P.O. Box 22439 GMF
Barrigada, Guam 96921**

All applicable correspondences and records with this permit submitted to GEPA shall have duplicate copies forwarded to:

Director, Air Division (Attn: AIR-5)
U.S. Environmental Protection Agency
75 Hawthorne Street
San Francisco, CA 94105

- II.L.2 The permittee shall retain the information submitted, including all emissions calculations. These records shall be in a permanent form suitable for inspection, retained for a minimum of five (5) years, and made available to GEPA upon request. [GAPCSR, Section 1104.12(7)(H)]
- II.L.3 Any information submitted to GEPA without a request for confidentiality shall be considered public record. [GAPCSR, Section 1102.7]
- II.L.4 The permittee may request confidential treatment of specific information by submitting a written request to the Administrator identifying the specific information that is to be accorded confidential treatment. [GAPCSR, Section 1102.7(b)]

II.M. Fee Payment

- II.M.1 The permittee shall submit fees in accordance with GAPCSR, Sections 1104.21 through 1104.24. [GAPCSR, Section 1104.12(9)(K)]
- II.M.2 The permittee shall complete and submit the Annual Fee Calculation Worksheet, including all emissions calculations, with the required annual fee. The permittee shall make copies for future use. [GAPCSR, Section 1104.24(l)]
- II.M.3 Annual fees shall be paid in full: [GAPCSR, Section 1104.24(a)]
 - II.M.3.a Within sixty (60) days after the end of each calendar year;
 - II.M.3.b Within thirty (30) days after permanent discontinuance of the air emission source.
- II.M.4 The permittee shall be assessed a Six Dollars (\$6.00) per ton per pollutant base rate of the total annual emission. However, the minimum annual fee due shall be Five Hundred Dollars (\$500.00) for each valid permit held during the prior calendar year; or Forty-Two Dollars (\$42.00) per month for any fraction of the year the permit is valid after the last calendar year for which annual fee was paid. [GAPCSR, Section 1104.24(g)]
- II.M.5 If any part of the annual fee is not paid within thirty (30) days after the due date, a late penalty of five percent (5%) of the amount due shall at once accrue and be added thereto. Thereafter, on the first day of each calendar

month during which part of the annual fee or any prior accrued late payment penalty remains unpaid, an additional late payment penalty of five percent (5%) of the then unpaid balance shall accrue and be added thereto. [GAPCSR, Section 1104.25(b)]

- II.M.6 If any annual fee, including the late payment penalty required by the GAPCSR is not paid in full within thirty (30) days after the due date, the Administrator may terminate or suspend any or all of the owner or operator's air pollution control permit, after affording the opportunity for a hearing in accordance with Section 1104.19 or Section 1102.14 of the GAPCSR. [GAPCSR, Section 1104.25(c)]
- II.M.7 The annual emissions data for which the annual fees are based shall accompany the submittal of any annual fees and submitted on forms furnished by GEPA. [GAPCSR, Section 1104.24(c)]
- II.M.8 Check payments shall be made payable to the Treasurer of Guam along with a notation that the funds be deposited into GEPA's Air Pollution Control Special Fund. [GAPCSR, Section 1104.21(d)]
- II.M.9 The annual fees and emissions data shall be mailed to [GAPCSR, Section 1104.24]:

**Administrator
Guam Environmental Protection Agency
Air and Land Division
Air Pollution Control Program
P.O. Box 22439 GMF
Barrigada, Guam 96921**

All applicable correspondences and records with this permit submitted to GEPA shall have duplicate copies forwarded to:

**Director, Air Division (Attn: AIR-5)
U.S. Environmental Protection Agency
75 Hawthorne Street
San Francisco, CA 94105**

Guam EPA
Title V Federal Operating Permit
Guam Power Authority ~ Dededo

III. Title V Administrative Requirements

III.A. Blanket Compliance Statement

The permittee shall comply with all the terms and conditions of this permit. Any permit noncompliance constitutes a violation of the GAPCSR and, for all federally enforceable terms and conditions, the CAA, and is grounds for enforcement action, permit termination, suspension, reopening, or amendment, or for denial of a permit renewal application. Permit noncompliance shall be subject to the penalties and remedies provided for in Section 49116 of Chapter 49, Part 2, Division 2, Part 1 of Title 10 of the GCA. [GAPCSR, Section 1104.12(9)(A) and 1102.12; SIP, Section 4.4]

III.B. Duty to Provide and Supplement Information

The permittee shall furnish, in a timely manner, any information or record requested in writing by GEPA to determine whether cause exists for terminating, suspending, reopening, or amending the permit, or to determine compliance with the permit. Upon request, the permittee shall also furnish to GEPA copies of records required to be kept by the permit. For information claimed confidential, the permittee shall furnish such records to GEPA with a claim of confidentiality. [GAPCSR, Section 1104.12(9)(H)]

III.C. Submissions

Any document (including reports, compliance plans and compliance certifications) required to be submitted by this permit shall be certified by a responsible official. This certification shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete in accordance with 1102.3 and shall be mailed or forwarded to the following address [GAPCSR, Sections 1102.3 and 1104.12(9)(L)]:

**Administrator
Guam Environmental Protection Agency
Air and Land Division
Air Pollution Control Program
P.O. Box 22439 GMF
Barrigada, Guam 96921**

All applicable correspondences and records with this permit submitted to GEPA shall have duplicate copies forwarded to:

**Director, Air Division (Attn: AIR-5)
U.S. Environmental Protection Agency
75 Hawthorne Street
San Francisco, CA 94105**

III.D. Severability Clause

If any term or condition of this permit becomes invalid as a result of a challenge to a portion of this permit, the other terms and conditions of this permit shall not be affected and remain valid. [GAPCSR, Section 1104.12(9)(B)]

III.E. Circumvention

The permittee shall not cause or permit the installation or use of any device or any means which, without resulting in reduction in the total amount of air contaminant emitted, conceals or dilutes an emission of air contaminant which would otherwise violate these regulations. This provision does not prohibit recycling, burning as fuel or otherwise further processing material which would violate an emission regulation if released to the atmosphere, so long as the facility in which that material is used does not violate applicable emission regulations. [SIP, Section 17.2]

III.F. Permit Actions

This permit will be revoked if the Agency finds willful or continued violations of the standards and regulations. [GAPCSR, Sections 1104.12(9)(A), 1104.18(a)(4), and 1104.18(b)(3); SIP, Section 3.7(c)]

III.G. Reopening for Cause

This permit may be terminated, suspended, reopened, or amended for cause pursuant to Section 1104.18 of the GAPCSR, after affording the permittee an opportunity for a hearing in accordance with Section 1102.14 or 10 GCA 49111. [GAPCSR, Section 1104.12(9)(D)]

III.H. Property Rights

This permit does not convey any property rights of any sort, or any exclusive privilege. [GAPCSR, Section 1104.12(9)(E)]

III.I. Inspection and Entry

III.I.1 The permittee shall allow GEPA, the Regional Administrator for the USEPA, and/or an authorized representative, upon presentation of credentials or other documents required by law:

III.I.1.a To enter the premises where a source is located or emission-related activity is conducted, or where records must be kept under the conditions of the permit and inspect at reasonable times all facilities, equipment, practices, operations, or records covered under the terms and conditions of the permit and request copies of records or copy records required by the permit; and

III.I.1.b To sample or monitor at reasonable times substances or parameters to assure compliance with the permit or applicable requirements. [GAPCSR, Section 1104.12(9)(M)]

III.J. Emergency Provisions

III.J.1 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 to the Administrator the affirmative defense of emergency through properly signed, contemporaneous operating logs, or other relevant evidence that:

III.J.1.a An emergency occurred and the permittee can identify the cause(s) of the emergency;

III.J.1.b The permitted facility was at the time being properly operated;

III.J.1.c During the period of the emergency, the permittee took all reasonable steps to minimize levels of emissions that exceeded the emission limitations or other requirements in this permit; and

III.J.1.d The permittee submitted notice of the emergency to the Administrator within two (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 prompt reporting of deviations pursuant to Section 1102.9 of the GAPCSR. [GAPCSR, Sections 1104.17(a) and 1104.1(c)]

III.J.1.e In any enforcement proceeding the permittee attempting to establish the occurrence of an emergency has the burden of proof. [GAPCSR, Section 1104.17(b)]

III.K. Transfer of Ownership or Operation

III.K.1 This permit is not transferable, whether by operation of law or otherwise, either from one location to another or from one piece of equipment to another. [GAPCSR, Section 1104.4(c); SIP Section 3.8]

III.K.2 This permit shall not be transferable, whether by operation of law or otherwise, from person to person without the approval of the Administrator. [GAPCSR, Section 1104.4(d); SIP Section 3.8]

III.K.3 In the event of any changes in control or ownership of facilities to be operated or modified, the resulting modification of this permit shall be made as an administrative amendment pursuant to Section 1104.20 of the GAPCSR. [GAPCSR, Section 1104.20]

III.L. Permit Expiration and Renewal

III.L.1 This permit is issued for a fixed term of five years from the date of issuance. [GAPCSR, Section 1104.11; SIP Section 3.1(b)(4)]

III.L.2 Application for permit renewal shall be submitted no more than eighteen (18) months prior to the date of permit expiration. Application for permit renewal shall be submitted no later than six (6) months prior to the date of permit expiration. Late applications shall be subject to penalties pursuant to Section 1104.25 of the GAPCSR. [GAPCSR, Section 1104.6(d); SIP Section 3.1(b)(4)]

III.L.3 This permit shall remain valid past the expiration date and the air pollution emission source shall not be in violation for failing to have an air pollution control permit, until the Administrator has issued or denied the renewal of the air pollution control permit, provided [GAPCSR, Section 1104.2(d)]:

III.L.3.a A complete renewal application has been submitted and the owner or operator acts consistently with the permit previously granted, and the application on which it was based, and all plans, specifications, and other information submitted as part of the application; and

III.L.3.b The owner or operator has submitted to the Administrator within the specified deadlines, all requested additional information deemed necessary to evaluate or take final action on the renewal application as described in Section 1104.6 of the GAPCSR.

III.M. Permit Modifications

III.M.1 Applications for modification of this permit are subject to the same requirements as the initial application including all requirements pursuant to Section 1104.6(c) of the GAPCSR. The permittee shall submit a description of the modification, identifying all proposed changes, including any changes to the source operations, work practices, equipment design, source emissions, or any monitoring, record keeping, and reporting procedures. Each change from the permit application for this permit shall be identified on the application for the permit modification. [GAPCSR, Section 1104.6(f)]

III.N. Malfunction

III.N.1 Except for emergencies which result in noncompliance with any technology-based emission limitation in accordance with Section 1104.17 of the GAPCSR, in the event any emission unit, air pollution control equipment, or related equipment breaks down in such a manner as to cause the emission of air pollutants in violation of the GAPCSR, or this permit, the permittee shall immediately notify, within twenty-four (24) hours,

GEPA of the failure or breakdown, unless the protection of personnel or public health or safety demands immediate attention to the failure or breakdown and makes such notification infeasible. In the latter case, the notice shall be provided as soon as practicable. The submittal of these notices shall not be a defense to an enforcement action. Within five (5) working days of this initial notification, the permittee shall also submit, in writing, the following information:

- III.N.1.a Identification of emission points;
- III.N.1.b Magnitude of the excess emissions;
- III.N.1.c Time and duration of the excess emissions;
- III.N.1.d Identity of the process or control equipment causing the excess emissions;
- III.N.1.e Cause and nature of the excess emissions;
- III.N.1.f Description of the steps taken to remedy the situation, prevent a recurrence, limit the excessive emissions, and assure that the breakdown does not interfere with the attainment and maintenance of the National Ambient Air Quality Standards (NAAQS) and Guam ambient air quality standards;
- III.N.1.g Documentation that the equipment or process was at all times maintained and operated in a manner consistent with good practice for minimizing emissions; and
- III.N.1.h A statement that the excess emissions are not part of a recurring pattern indicative of inadequate design, operation, or maintenance. [GAPCSR, Section 1102.9]

III.O. Agency Notifications

- III.O.1 The permittee shall notify the Administrator in writing of the following dates:
 - III.O.1.a The anticipated date of initial start-up for each emission unit of a new source or significant modification not more than sixty (60) days or less than thirty (30) days prior to such date.
 - III.O.1.b The actual date of construction commencement within fifteen (15) days after such date.
 - III.O.1.c The actual date of start-up within fifteen (15) days after such date. [GAPCSR, Section 1104.12(9)(G)]

III.O.2 The permittee shall notify GEPA in writing, of the intent to shut down air pollution control equipment for necessary scheduled maintenance at least twenty-four (24) hours prior to the planned shutdown. The submittal of this notice shall not be a defense to an enforcement action. The notice shall include the following:

III.O.2.a Identification of the specific equipment to be taken out of service, as well as its location and permit number;

III.O.2.b The expected length of time that the air pollution control equipment will be out of service;

III.O.2.c The nature and quantity of emissions of air pollutants likely to be emitted during the shutdown period;

III.O.2.d Measures such as the use of off-shift labor and equipment that will be taken to minimize the length of the shutdown period; and

III.O.2.e The reasons why it would be impossible or impractical to shut down the source operation during the maintenance period.
[GAPCSR, Section 1102.8; SIP, Section 4.3]

III.O.3 A copy of applicable correspondence or records submitted to GEPA shall be provided to the USEPA pursuant to Section 1104.15 of the GAPCSR.
[GAPCSR, Section 1104.12(9)(I)]

III.O.4 Within thirty (30) days of permanent discontinuance of the operation, modification, relocation, or construction of any of the above units, the responsible official shall report the discontinuance in writing to the Administrator. [GAPCSR, Section 1104.5(a)]

III.P. Miscellaneous Conditions

III.P.1 Unless specifically identified, the terms and conditions contained in this permit are consistent with the applicable requirement on which each term or condition is based. [Section 49107(7)(c)(2) of Chapter 49, Part 2, Division 2, Part 1 of Title 10 of the GCA]

III.P.2 This permit, or a copy thereof, shall be maintained at or near the source for which this permit was issued and shall be made available for inspection upon request. [GAPCSR, Section 1104.4(a); SIP, Section 3.12]

III.P.3 This permit shall not be willfully defaced, altered, forged, counterfeited, or falsified. [GAPCSR, Section 1104.4(b); SIP, Section 3.13]

III.P.4 The facility covered by this permit shall be constructed and operated in accordance with the application, and any information submitted as part of the application, for this permit. There shall be no deviation from this permit

condition unless additional or revised plans are submitted to and approved by GEPA, and the permit is amended to allow for such deviation. [GAPCSR, Section 1104.12(12)]

III.P.5 This permit (a) does not release the permittee from compliance with other applicable statutes of Guam, or with applicable local or federal laws, regulations, or ordinances, and (b) shall not constitute, nor be construed to be an approval of the design of the source. [GAPCSR, Sections 1104.2(e) and 1104.12(11)]

III.P.6 The permittee shall not use as a defense in an enforcement action that it would have been necessary to halt or reduce the permitted activity to maintain compliance with the terms and conditions of this permit. [GAPCSR, Section 1104.12(9)(C)]

III.P.7 The filing of a request by the permittee for a permit termination, suspension, reopening, or amendment, or a notification of planned changes or anticipated noncompliance does not stay any permit condition. [GAPCSR, Section 1104.12(9)(D)]

III.P.8 This permit shall become invalid with respect to any authorized construction if construction is not commenced as follows:

III.P.8.a Within thirty (30) days of permanent discontinuance of the construction, modification, relocation or operation of any permitted air pollution emission source, the responsible official shall report the discontinuance in writing to the Administrator.

III.P.8.b For phased construction projects, each phase shall commence construction within eighteen (18) months of the projected and approved commencement dates in the permit. [GAPCSR, Sections 1104.5(b), 1104.5(c), and 1104.12(9)(F)]

III.P.9 GEPA may extend the time periods specified in Condition III.P.8 of this permit upon a satisfactory showing that an extension is justified. Request for an extension shall be submitted in writing to GEPA. [GAPCSR, Section 1104.5(d)]

III.P.10 The permittee may request confidential treatment of any records in accordance with Section 1102.7 of the GAPCSR. [GAPCSR, Section 1104.12(9)(J)]

III.P.11 The terms and conditions included in this permit, including any provision designed to limit a source's potential to emit, are federally enforceable unless such terms, conditions, or requirements are specifically designated as not federally enforceable. [GAPCSR, Section 1104.14]

GUAM ENVIRONMENTAL PROTECTION AGENCY AIR POLLUTION CONTROL PERMIT

Permit No. FO-004



IS HERBY ISSUED TO

Guam Power Authority

LOCATED AT



Macheche Combustion Turbine Power Generating Facility, Dededo

in accordance with the Guam Air Pollution Control Standards and Regulations (GAPCSR),
Public Law 24-20, 10 Guam Code Annotated (GCA), Chapter 49.

This Permit is non-transferable and the permittee is subject to the requirements for holding and transfer of permits in Section 1104.4 of the GAPCSR.

No person shall willfully deface, alter, forge, counterfeit, or falsify this Permit.

This Permit shall expire **03/01/2014**. The renewal application shall be submitted no later than **09/01/2013**.

A handwritten signature in black ink, appearing to read "Lorilee T. Crisostomo".

LORILEE T. CRISOSTOMO

Administrator

Date: 11 MAY 2009



GUAM ENVIRONMENTAL PROTECTION AGENCY



AHENSIAN PRUTEKSION LINA'LA GUAHAN

P.O. Box 22439 GMF • BARRIGADA, GUAM 96921 • TEL: 475-1658 /9 • FAX: 477-9402

TITLE V PERMIT TO OPERATE

Permit Number: **FO-004**
 Issue Date: **March 2, 2009**
 Expiration Date: **March 1, 2014**



In accordance with the provisions of Title V of the Clean Air Act (CAA) and the Guam Air Pollution Control Standards and Regulations (GAPCSR), Public Law 24-322, and the Guam Air Pollution Control Act (GAPCA), Public Law 24-20, 10 Guam Code Annotated (GCA), Chapter 49,

**Guam Power Authority
 Macheche Combustion Turbine Power Generating Facility
 Dededo, Guam**

is authorized to operate air emission units and to conduct other air pollutant emitting activities in accordance with the permit conditions listed in this permit. Terms and conditions not otherwise defined in this permit have the meaning assigned to them in the referenced regulations. All terms and conditions of the permit are enforceable by the United States Environmental Protection Agency (USEPA), the Guam Environmental Protection Agency (GEPA), and citizens under the CAA. The issuance of this permit is based on the plans, specifications, and additional information submitted as part of the application dated August 22, 2003.

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.

Acceptance of this permit constitutes an agreement and acknowledgement that the holder will comply with all the rules and regulations of GEPA and these permit conditions.

This permit, (a) does not in any manner affect the title of the premises upon which the equipment is located, (b) does not release the permittee from any liability for any loss due to personal injury or property damage caused by, resulting from or arising out of the design, installation, maintenance, or operation of the equipment, and (c) in no manner implies or suggests that GEPA, or its officers, agents, or employees assumes any liability, directly or indirectly, for any loss due to personal injury or property damage caused by, resulting from or arising out of the design, installation, maintenance, or operation of the equipment.


Guam EPA

Title V Federal Operating Permit
Guam Power Authority – Macheche
Permit No. F●-004
Expires: March 1, 2014

This permit is valid for a period of five (5) years and shall expire at midnight on the date specified above unless a timely and complete renewal application has been submitted at least 6 months but not more than 18 months prior to the date of expiration. The permit number cited above should be referenced in future correspondence regarding this facility.

11 MAY 2009

Date



LORILEE T. CRISOSTOMO
Administrator
Guam EPA

Guam EPA

Title V Federal Operating Permit
 Guam Power Authority – Macheche
 Permit No. FO-004
 Expires: March 1, 2014

Abbreviations and Acronyms

ASTM	American Society for Testing and Materials
CAA	Clean Air Act [42 U.S.C. Section 7401 et seq.]
CAM	Compliance Assurance Monitoring
CFR	Code of Federal Regulations
CO	Carbon Monoxide
°F	degrees Fahrenheit
g	grams
GAPCSR	Guam Air Pollution Control Standards and Regulations
GCA	Guam Code Annotated
GEPA	Guam Environmental Protection Agency
H ₂ O	water
hr	hour
HRSG	Heat Recovery Steam Generator
ISO	International Organization for Standardization
K	degrees Kelvin
kW	kilowatt
lb	pound
mm Hg	millimeters mercury
MMBtu	Million British thermal units
MW	Megawatt
NAAQS	National Ambient Air Quality Standard
NO _x	Nitrogen Oxides
NSPS	New Source Performance Standards
O ₂	Oxygen
PM ₁₀	Particulate matter less than 10 microns in diameter
ppmdv	parts per million dry volume
PSD	Prevention of Significant Deterioration
QIP	Quality Improvement Plan
SIC	Standard Industrial Classification
SIP	State Implementation Plan
SO ₂	Sulfur Dioxide
UHC	Unburned Hydrocarbons
USEPA	United States Environmental Protection Agency
VOC	Volatile Organic Compounds

Guam EPA
Title V Federal Operating Permit
Guam Power Authority – Macheche
Permit No. FO-004
Expires: March 1, 2014

TABLE OF CONTENTS

Cover Page
Abbreviations and Acronyms

I. Source Identification

II. Facility-wide and Unit Specific Permit Conditions

- A. Equipment Description
- B. Emission Limits
- C. Work Practice and Operational Requirements
- D. Monitoring and Testing Requirements
- E. Recordkeeping Requirements
- F. Reporting Requirements
- G. NSPS General Provisions
- H. Compliance Assurance Monitoring
- I. Compliance Schedule
- J. Compliance Certifications
- K. General Air Quality Protections
- L. Annual Emissions Reporting Requirements
- M. Fee Payment

IV. Title V Administrative Requirements

- A. Blanket Compliance Statement
- B. Duty to Provide and Supplement Information
- C. Submissions
- D. Severability Clause
- E. Circumvention
- F. Permit Actions
- G. Reopening for Cause
- H. Property Rights
- I. Inspection and Entry
- J. Emergency Provisions
- K. Transfer of Ownership or Operation
- L. Permit Expiration and Renewal
- M. Permit Modifications
- N. Malfunctions
- O. Agency Notifications
- P. Miscellaneous Conditions

Guam EPA
Title V Federal Operating Permit
Guam Power Authority – Macheche
Permit No. FO-004
Expires: March 1, 2014

I. Source Identification

Facility Name: Guam Power Authority – Macheche Power Generating Facility
Facility Location: Harmon Loop Road (Route 27)
City: Dededo
Territory: Guam
USEPA Region: 9
SIC Code: 4911

Responsible Official: Joaquin C. Flores, P.E., General Manager
Phone Number: (671) 648-3202

Facility Manager/Contact: Andriano E. Balajadia
Phone Number: (671) 648-3204

Person Responsible for Recordkeeping: Sylvia L. Ipanag
Phone Number: (671) 648-3217

Description of Process:

Guam Power Authority Macheche facility is a power generating plant. Sources that have the potential to cause significant emissions of air pollutants are the 23 megawatt (MW) combustion turbine, a 575 kilowatt (kW) black start generator, and two 88,000 gallons diesel fuel oil storage tanks. Other insignificant emission sources include two 24,000 gallon fuel oil storage tanks and a black start diesel generator service tank.

Guam EPA
 Title V Federal Operating Permit
 Guam Power Authority --- Macheche
 Permit No. FO-004
 Expires: March 1, 2014

II. Facility-wide and Unit Specific Permit Conditions

II.A. Equipment Description

II.A.1 This permit encompasses the following equipment and associated appurtenances that are considered significant sources of emissions. [GAPCSR, Section 1104.12(12)]

Emission Unit ID	Description	Manufacturer	Model	Serial Number
CT-1	Nominal 23 MW simple cycle combustion turbine	General Electric	LM2500	05620 N.P.
FOST-110	88,000 gallon diesel fuel oil storage tank			
FOST-120	88,000 gallon diesel fuel oil storage tank			
BSG-1	575 kW black start diesel generator	Detroit Diesel	81237405	ITRXE005942

II.A.2 The permittee shall have installed an identification tag or nameplate on each piece of equipment that identifies the model number, serial number, and manufacturer. The identification tag or nameplate shall be permanently attached to the equipment at a conspicuous location. [Section 49107(7)(B) of Chapter 49, Part 2, Division 2, Part 1 of Title 10 of the GCA]

II.B. Emission Limits

II.B.1 Combustion Turbine (Unit CT-1)

II.B.1.a The permittee shall not discharge or cause the discharge into the atmosphere from the combustion turbine (Unit CT-1) the following pollutants in excess of the specified short-term limits, referenced to 59 degrees Fahrenheit (°F) and 100 percent load:

Pollutant	Emission Limit
Particulate matter less than 10 microns (PM ₁₀)	20 pounds per hour (lb/hr) at 100% load

Guam EPA

Title V Federal Operating Permit
 Guam Power Authority – Macheche
 Permit No. FO-004
 Expires: March 1, 2014

Carbon monoxide (CO)	21.8 lb/hr at 100% load
Nitrogen oxides (NO _x)	55.8 lb/hr at 100% load
Unburned hydrocarbons (UHC)	4.0 lb/hr at 50% load
Sulfur dioxide (SO ₂)	125.0 lb/hr at 100% load

[GEPA Permit GPA-680, Condition 7, Issued September 10, 1997]

II.B.1.b The NO_x emissions from the combustion turbine (Unit CT-1) shall not exceed 59 parts per million dry volume (ppmdv) at 15 percent oxygen for No. 2 fuel oil. [GEPA Permit GPA-680, Condition 4, Issued September 10, 1997; 40 CFR 60.332(a)(1)]

II.B.1.c Particulate emissions from this emission unit shall not exceed 0.46 lb/MMBtu. [SIP, Section 7.5]

II.B.1.d The permittee shall not cause or permit the continuous emission of visible air pollutants with a density equal to or darker than twenty (20) percent opacity from any emission unit nor the emission of visible air pollutants of a density darker than sixty (60) percent opacity for a period aggregating more than three (3) minutes in any sixty (60) minute period. [GAPCSR, Section 1103.3; State Implementation Plan (SIP), Section 10.1]

II.B.1.e The combustion turbine (Unit CT-1) is exempt from Condition II.B.1.b of this permit when ice fog is deemed a traffic hazard by the permittee. [40 CFR 60.332(f)]

II.B.2 Black Start Diesel Generator (Unit BSG-1)

II.B.2.a Particulate emissions from this emission unit shall not exceed 1.1 lb/MMBtu. [SIP, Section 7.5]

II.B.2.b The permittee shall not cause or permit the continuous emission of visible air pollutants with a density equal to or darker than twenty (20) percent opacity from any emission unit nor the emission of visible air pollutants of a density darker than sixty (60) percent opacity for a period aggregating more than three (3) minutes in any sixty (60) minute period. [GAPCSR, Section 1103.3; State Implementation Plan (SIP), Section 10.1]

II.C. Work Practice and Operational Requirements

II.C.1 All equipment, facilities, and systems installed or used to achieve compliance with terms and conditions of this permit shall at all times, including periods of startup, shutdown and malfunction, be maintained in

Guam EPA
Title V Federal Operating Permit
Guam Power Authority – Macheche
Permit No. FO-004
Expires: March 1, 2014

good working order and be operated as efficiently as possible so as to minimize air pollutant emissions. The permittee shall conduct proper preventative maintenance procedures for the combustion turbine, the black start diesel generator, and the fuel oil storage tank in accordance with the manufacturer's recommendations. [GAPCSR, Section 1104.12(12)]

- II.C.2 Adequate control measures approved by GEPA shall be implemented to prevent exceedences of any applicable air quality standards during the operation of the facility. [GEPA Permit GPA-680, Condition 2, Issued September 10, 1997; GAPCSR, Section 1104.12(8)]
- II.C.3 Water injection shall be used to control NO_x emissions from the combustion turbine (Unit CT-1). Based on initial performance testing, the water-to-fuel shall be at least 0.73 at 30% load and at least 0.82 at 100% load. The minimum water-to-fuel ratio for loads between 30% and 100% shall be adjusted accordingly, but in no case shall the water-to-fuel ratio be less than 0.73. The water injection system shall be in service and operating at the specified water-to-fuel ratios whenever the combustion turbine is in operation. [GEPA Permit GPA-680, Condition 5, September 10, 1997]
- II.C.4 The amount of No. 2 diesel fuel oil burned by the combustion turbine (Unit CT-1) shall not exceed 7,140,000 gallons per year. This equates to 4,280 full load hours of operation per year at 85°F for the combustion turbine. [GEPA Permit GPA-680, Condition 8, September 10, 1997]
- II.C.5 The maximum sulfur content by weight of the No. 2 fuel oil used by the combustion turbine (Unit CT-1) shall not exceed 0.5 percent. The fuel analysis data shall be recorded and submitted to GEPA with the monthly report. [GEPA Permit GPA-680, Condition 10, September 10, 1997; 40 CFR 60.333(b); GAPCSR, Section 1103.10]
- II.C.6 The maximum sulfur content by weight of the No. 2 fuel oil used by the black start diesel generator (Unit BSG-1) shall not exceed 2 percent. [GAPCSR, Section 1103.10]
- II.C.7 At all times, including periods of startup, shutdown, and malfunction of the combustion turbine (Unit CT-1), the permittee shall, to the extent practicable, maintain and operate the combustion turbine and water injection system in a manner consistent with good air pollution control proactive for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to GEPA. This may include, but is not limited to, monitoring results, review of operating and maintenance procedures, and inspection of the source. [GEPA Permit GPA-680, Condition 12, September 10, 1997]

Guam EPA

Title V Federal Operating Permit
Guam Power Authority – Macheche
Permit No. FO-004
Expires: March 1, 2014

- II.C.8 Any modification to the combustion turbine (Unit CT-1) that increases this source's potential to emit pollutants above the applicable Prevention of Significant Deterioration (PSD) threshold level will require a full PSD review (as per 40 CFR 52.21(r)(4)). This condition applies to all criteria pollutants including the PM₁₀. [GEPA Permit GPA-680, Condition 17, September 10, 1997]
- II.C.9 Proper preventive maintenance procedures for the combustion turbine (Unit CT-1) shall be followed in accordance with the manufacturer's recommendations. [GEPA Permit GPA-680, Condition 19, September 10, 1997]
- II.C.10 The permittee shall not cause or permit visible fugitive dust to become airborne without taking reasonable precautions. Examples of reasonable precautions are [GAPCSR, Section 1103.4(a); SIP, Sections 8.1, 8.4, and 8.7]:
- II.C.10.a Use of water or suitable chemicals for control of fugitive dust in the demolition of existing buildings or structures, construction and retrofitting operations, the grading of roads, or the clearing of land;
 - II.C.10.b Application of asphalt, water, or suitable chemicals on roads, material stockpiles, and other surfaces which may allow release of fugitive dust;
 - II.C.10.c Installation of appurtenances that provide an enclosure and ventilation for all crushing, aggregate screening, and conveying of material likely to become airborne;
 - II.C.10.d Installation and use of hoods, fans, and fabric filters to enclose and vent the handling of dusty materials. Reasonable containment methods shall be employed during sandblasting, spray painting, or other similar operations;
 - II.C.10.e Covering all moving, open-bodied trucks transporting materials which may release fugitive dust;
 - II.C.10.f Conducting agricultural operations, such as tilling of land and the application of fertilizers, in such manner as to reasonably minimize fugitive dust;
 - II.C.10.g Maintenance and sealing of road-ways and parking lots so as to prevent the exposure of such surfaces to wind, water, or vehicular travel erosion; and

Guam EPA
Title V Federal Operating Permit
Guam Power Authority – Macheche
Permit No. FO-004
Expires: March 1, 2014

II.C.10.h Prompt removal of earth or other materials from paved streets which have been transported there by trucking, earth-moving equipment, erosion, or other means.

II.C.11 Except for persons engaged in agricultural operations or persons who can demonstrate to the Administrator that the best practical operation or treatment is being implemented, no person shall cause or permit the discharge of visible fugitive dust beyond the property lot line on which the fugitive dust originates. [GAPCSR, Section 1103.4(b); SIP, Section 8.2]

II.D. Monitoring and Testing Requirements

II.D.1 The permittee shall provide sampling and testing facilities at its own expense. The tests shall be conducted at the maximum expected operating capacity of the equipment at this facility and GEPA may monitor the tests. For performance test purposes, sampling ports, platforms and access shall be provided by the permittee on the diesel exhaust systems in accordance with 40 CFR 60.8(e). [GAPCSR, Section 1102.4; SIP, Sections 3.6(a), 3.9, and 4.1]

II.D.2 At least thirty (30) days prior to performance a test, the permittee shall submit a written performance test plan to GEPA that describes the test date(s), duration, locations, and methods, source operation and other parameters that may affect test results. Such a plan shall conform to USEPA guidelines including quality assurance procedures. [GAPCSR, Section 1102.4]

II.D.3 Within sixty (60) days after completion of the performance test, the permittee shall submit to GEPA and USEPA Regional Administrator, the test report which shall include the operating conditions of the equipment at the time of the test, the analyses of the fuel, the summarized test results, comparative results with the permit emissions limits, and other pertinent field and laboratory data. [GAPCSR, Section 1102.4; SIP, Section 4.2]

II.D.4 Performance tests for the emissions of PM₁₀, NO_x, SO₂, CO, and volatile organic compounds (VOC) from the combustion turbine (Unit CT-1) shall be conducted on an annual basis in accordance with the test methods set forth in 40 CFR 60.8 and Appendix A, and the results shall be reported to GEPA. The following test methods shall be used:

II.D.4.a Performance test for the emissions of PM₁₀ shall be conducted using USEPA Methods 1-4 and 5.

II.D.4.b Performance test for the emissions of NO_x shall be conducted using USEPA Methods 1-4 and 20.

Guam EPA
Title V Federal Operating Permit
Guam Power Authority – Macheche
Permit No. FO-004
Expires: March 1, 2014

II.D.4.c Performance test for the emissions of SO₂ shall be conducted using USEPA Methods 1-4 and 20.

II.D.4.d Performance test for the emissions of CO shall be conducted using USEPA Methods 1-4 and 10 or 10B.

II.D.4.e Performance test for the emissions VOCs shall be conducted using USEPA Methods 1-4 and 25A.

Upon prior written request and with adequate justification from the permittee, GEPA may waive a specific annual performance test. Such requests must be submitted so later than 60 days prior to the annual performance test date.

[GEPA Permit GPA-680, Conditions 15 and 16, September 10, 1997; 40 CFR 60.335(a)(1); 40 CFR 60.335(b); GAPCSR, Section 1102.4]

II.D.5 For the combustion turbine (Unit CT-1) and the black start diesel generator (Unit BSG-1), the permittee shall conduct performance tests for opacity on an annual basis to determine compliance with the opacity limits specified in this permit. Performance tests for opacity shall be conducted using USEPA Method 9 as set forth in 40 CFR 60.8 and Appendix A. [GAPCSR, Section 1104.12(7)]

II.D.6 Any deviations from these conditions, test methods, or procedures may be cause for rejections of the test results unless such deviations are approved by GEPA before the tests are conducted. [GAPCSR, Section 1102.4]

II.D.7 Upon written request and adequate justification by the permittee, GEPA may waive the requirement for a specific annual source test. The waiver request must be submitted at least sixty (60) days prior to the required test and must include documentation justifying such action. Documentation should include, but is not limited to, the results of the prior test indicating compliance by a wide margin, documentation of continuing compliance, and further that operations of the source have not changed since the previous source test. [GEPA Permit GPA-680, Condition 16, September 10, 1997; GAPCSR, Section 1102.4]

II.D.8 For performance tests conducted as required by this permit, sampling traverse points are to be selected following Method 20 or Method 1 (non-particulate procedures) and sampled for equal time intervals. The sampling shall be performed with a traversing single-hole probe or, if feasible, with a stationary multi-hole probe that samples each of the points sequentially. Alternatively, a multi-hole probe designed and documented to

Guam EPA
 Title V Federal Operating Permit
 Guam Power Authority – Macheche
 Permit No. FO-004
 Expires: March 1, 2014

sample equal volumes from each hole may be used to sample simultaneously at the required points. [40 CFR 60.335(a)(4)]

II.D.9 Notwithstanding Condition II.D.8 of this permit, the permittee may test at fewer points than are specified in Method 1 or Method 20 if the following conditions are met [40 CFR 60.335(a)(5)]:

II.D.9.a The permittee may perform a stratification test for NO_x and diluent pursuant to the procedures specified in Section 6.5.6.1(a) through (e) of Appendix A to 40 CFR 75.

II.D.9.b Once the stratification sampling is completed, the permittee may use the following alternative sample point selection criteria for the performance test:

II.D.9.b.1.a If each of the individual traverse point NO_x concentrations, normalized to 15 percent oxygen (O₂), is within ± 10 percent of the mean normalized concentration for all traverse points, then the permittee may use three (3) points (located either 16.7, 50.0, and 83.3 percent of the way across the stack or duct, or, for circular stacks or ducts greater than 2.4 meters (7.8 feet) in diameter, at 0.4, 1.2, and 2.0 meters from the wall). The three (3) points shall be located along the measurement line that exhibited the highest average normalized NO_x concentration during the stratification test; or

II.D.9.b.1.b If each of the individual traverse point NO_x concentrations, normalized to 15 percent O₂, is within ± 5 percent of the mean normalized concentration for all traverse points, then the permittee may sample at a single point, located at least 1 meter from the stack wall or at the stack centroid.

II.D.10 For purposes of complying with the New Source Performance Standards (NSPS) NO_x limit in Condition II.B.1 of this permit, the NO_x emission rate shall be computed for each run using the following equation. Notwithstanding this requirement, use of the International Organization for Standardization (ISO) correction equation is optional for: lean premix stationary combustion turbines; units used in association with heat recovery steam generators (HRSG) equipped with duct burners; and units equipped with add-on emission control devices. [40 CFR 60.335(b)(1)]:

Guam EPA

Title V Federal Operating Permit
 Guam Power Authority – Macheche
 Permit No. FO-004
 Expires: March 1, 2014

$$\text{NO}_x = (\text{NO}_{x,0}) (P_r/P_o)^{0.5} e^{19(H_o - 0.00633)} (288^\circ\text{K}/T_a)^{1.53}$$

where:

NO_x = Emission rate of NO_x at 15 percent O_2 and ISO standard ambient conditions, ppm_{dv}

$\text{NO}_{x,0}$ = Mean observed NO_x concentration, ppm_{dv}, at 15% O_2

P_r = Reference combustor inlet absolute pressure at 101.3 kilopascals ambient pressure, millimeters mercury (mm Hg)

P_o = Observed combustor inlet absolute pressure at test, mm Hg

H_o = Observed humidity of ambient air, grams (g) water (H_2O)/g air

e = Transcendental constant, 2.718

T_a = Ambient temperature, degrees Kelvin (K)

- II.D.11 Instead of using the equation listed in Condition II.D.10 of this permit, manufacturers may develop ambient condition correction factors to adjust the NO_x emission level measured by the performance test as provided in 40 CFR 60.8 to ISO standard day conditions. [40 CFR 60.335(a)(6) and 40 CFR 60.335(c)(1)]
- II.D.12 The permittee shall install, calibrate, maintain, and operate a continuous monitoring system to monitor and record the fuel consumption and the ratio of water-to-fuel being fired in the combustion turbine (Unit CT-1). [40 CFR 60.334(a)]
- II.D.13 The continuous water-to-fuel ratio monitoring system must be operated concurrently with each USEPA Method 20 or American Society for Testing and Materials (ASTM) D6522-00 run and shall be used to determine the fuel consumption and the water-to-fuel ratio necessary to comply with the applicable NO_x emission limit. [40 CFR 60.335(b)(4)]
- II.D.14 The water-to-fuel ratio shall be monitored to establish acceptable values and ranges. The permittee may supplement the performance test data with engineering analyses, design specifications, manufacturer's recommendations, and other relevant information to define the acceptable parametric ranges more precisely. The permittee shall develop and keep on-site a parameter monitoring plan which explains the procedures used to document proper operation of the NO_x emission controls. The plan shall include the parameter(s) monitored and the acceptable range(s) of the parameter(s), as well as the basis for designating the parameter(s) and acceptable range(s). Any supplemental data such as engineering analyses, design specifications, manufacturer's recommendations, and

Guam EPA
 Title V Federal Operating Permit
 Guam Power Authority – Macheche
 Permit No. FO-004
 Expires: March 1, 2014

other relevant information shall be included in the monitoring plan. [40 CFR 60.334(g)]

- II.D.15 The sulfur content of the No. 2 fuel oil to be used in the combustion turbine (Unit CT-1) shall be monitored using one of the total sulfur sampling options and the associated sampling frequency described in Sections 2.2.3, 2.2.4.1, 2.2.4.2, and 2.2.4.3 of Appendix D to 40 CFR 75 (i.e., flow proportional sampling, daily sampling, sampling from the unit's storage tank after each addition of fuel to the tank, or sampling each delivery prior to combining it with fuel oil already in the intended storage tank). [GEPA Permit GPA-680, Condition 11, September 10, 1997; 40 CFR 60.334(i)]
- II.D.16 If the option to sample each delivery of fuel oil has been selected, the permittee shall immediately switch to one of the other oil sampling options (i.e., daily sampling, flow proportional sampling, or sampling from the unit's storage tank) if the sulfur content of a delivery exceeds 0.8 weight percent. The permittee shall continue to use one of the other sampling options until all of the oil from the delivery has been combusted, and shall evaluate excess emissions according to Condition II.F.8.b.1 of this permit. When all of the fuel from the delivery has been burned, the permittee may resume using the as-delivered sampling option. [40 CFR 60.334(j)(2)(ii)]
- II.D.17 The permittee shall determine the fuel sulfur content of the fuel combusted in the combustion turbine (Unit CT-1) using a minimum of three samples collected during the performance test. The fuel samples shall be analyzed for the total sulfur content of the fuel using ASTM D129-00, D2622-98, D4294-02, D1266-98, D5453-00 or D1552-01 (all of which are incorporated by reference). [40 CFR 60.335(b)(10)]
- II.D.18 The fuel sulfur content analysis required by this permit may be performed by the permittee, a service contractor retained by the permittee, the fuel vendor, or any other qualified agency. [40 CFR 60.335(b)(11)]
- II.D.19 The permittee shall conduct weekly monitoring for opacity on the combustion turbine (Unit CT-1) following USEPA Method 22 in order to validate compliance with Condition II.B.1.d of this permit. The visible emissions inspection shall be conducted by a Method 9-certified observer. If a visible emissions inspection conducted following USEPA Method 22 documents an instantaneous opacity reading of 10% or higher, a USEPA Method 9 "Visible Emissions Evaluation" shall be completed within three (3) working days, or during the next scheduled operating period if the unit ceases firing on diesel fuel within the three working day time frame. [GAPCSR, Section 1104.12(7)]

Guam EPA
Title V Federal Operating Permit
Guam Power Authority – Macheche
Permit No. FO-004
Expires: March 1, 2014

II.D.20 The permittee shall conduct periodic monitoring for opacity on the black start generator (Unit BSG-1) following USEPA Method 22 in order to validate compliance with Condition II.B.2.b of this permit. Visible emissions inspection is required every three months if this unit is operated more than 50 hours per quarter. If a visible emissions inspection conducted following USEPA Method 22 documents opacity, a USEPA Method 9 “Visible Emissions Evaluation” shall be completed within three (3) working days, or during the next scheduled operating period if the unit ceases firing on diesel fuel within the three working day time frame. [GAPCSR, Section 1104.12(7)]

II.E. Recordkeeping Requirements

II.E.1 All records, including support information, shall be maintained for at least five (5) years following the date of such records compiled in a permanent form suitable for inspection and made available to GEPA or their representative upon request. [GAPCSR, Section 1104.12(7)(H)]

II.E.2 A system shall be operated to continuously monitor and record the fuel consumption and the ratio of water-to-fuel being fired into the combustion turbine (Unit CT-1). These records shall be retained for five years and made available to GEPA. [GEPA Permit GPA-680, Condition 6, September 10, 1997; 40 CFR 60.7(c); 40 CFR 60.334(a); GAPCSR, Section 1104.12(7)(H)]

II.E.3 The sulfur content of No. 2 fuel oil used in the diesel engine generator (Unit BSG-1) shall either be obtained from the fuel vendor or monitored pursuant to 40 CFR 60.334(b) using the method described in 40 CFR 60.335(d). [GAPCSR, Section 1103.10(a)]

II.E.4 The permittee shall maintain a log of the date and nature of all inspections and maintenance activities performed at the facility [GAPCSR Section 1104.12(12)].

II.F. Reporting Requirements

II.F.1 As required in Section II.L and in conjunction with the requirements of Section II.M of this permit the permittee shall report annually the total tons per year emitted of each regulated air pollutant, including hazardous air pollutants. The reporting of annual emissions is due within sixty (60) days following the end of the each calendar year. Upon the written request of the permittee, the deadline for reporting of annual emissions may be extended, if GEPA determines that reasonable justification exists for the extension. [GAPCSR, Section 1104.24(c)]

Guam EPA

Title V Federal Operating Permit

Guam Power Authority – Macheche

Permit No. FO-004

Expires: March 1, 2014

- II.F.2 The permittee shall report in writing within thirty (30) days the modification, relocation, discontinuance of operation or dismantlement of the emission units identified in Condition II.A.1 of this permit. [GAPCSR, Section 1104.5(a)]
- II.F.3 The permittee shall provide a report to GEPA of the results of all monitoring and recordkeeping required by this permit at least once every six (6) months. Reports shall be submitted for monitoring and recordkeeping performed between January 1st and June 30th and between July 1st and December 31st and shall be postmarked by the 30th day following the end of the reporting period. The first monitoring and recordkeeping report will cover the period from the date of issuance of this permit to December 31, 2008. [GAPCSR, Section 1104.12(7)(I)]
- II.F.4 The permittee shall submit to GEPA monthly summary reports indicating the quantity of fuel combusted by the combustion turbine (Unit CT-1) in the subject month to verify the diesel fuel consumption. Compliance with the yearly maximum fuel consumption will be determined by a 12-month rolling average. A rolling average calculated monthly is actually a running total of fuel consumption over 12 consecutive months. This will be calculated by adding the total gallons of fuel consumed in the subject month to the gallons consumed in the 11 months immediately preceding the subject month. The rolling average fuel consumption shall also be recorded and submitted with the monthly report. [GEPA Permit GPA-680, Condition 9, September 10, 1997]
- II.F.5 The permittee shall submit monthly report for the combustion turbine (Unit CT-1) with the date and time of all instances when the water-to-fuel ratio falls below the minimum levels required in Condition II.C.3 of this permit. For these instances, the permittee shall report all information as specified in 40 CFR 60.7(c). For the purposes of this permit, all times when the water-to-fuel ratio falls below the values specified in this permit will be considered as times when the turbine is operating in violation of the permitted applicable emission limit for NO_x. [GEPA Permit GPA-680, Condition 13, September 10, 1997]
- II.F.6 In the event of excess emission or malfunction of the combustion turbine (Unit CT-1), the permittee shall notify GEPA within twenty-four (24) hours by telephone of such events. These events shall be followed with a submission of a written notice to GEPA within two (2) weeks from the date of occurrence. [GEPA Permit GPA-680, Condition 14, September 10, 1997]
- II.F.7 Any release of NO_x, SO₂, or PM₁₀ into the atmosphere above the acceptable emission limits of the combustion turbine (Unit CT-1) identified

Guam EPA

Title V Federal Operating Permit
 Guam Power Authority – Macheche
 Permit No. FO-004
 Expires: March 1, 2014

in Condition II.B.1 of this permit due to equipment breakdown or malfunction shall be immediately reported to the Administrator of GEPA. [GEPA Permit GPA-680, Condition 18, September 10, 1997]

II.F.8 The permittee shall submit reports for the combustion turbine (Unit CT-1) of excess emissions and monitor downtime, in accordance with 40 CFR 60.7(c). Excess emissions shall be reported for all periods of unit operation, including startup, shutdown, and malfunction. For the purpose of reports required for the combustion turbine (Unit CT-1) under 40 CFR 60.7(c), periods of excess emissions and monitor downtime that shall be reported are defined below. [40 CFR 60.334(j)]

II.F.8.a *Excess Emissions of Nitrogen Oxides*

II.F.8.a.1 An excess emission shall be any unit operating hour for which the average water-to-fuel ratio, as measured by the continuous monitoring system, falls below the acceptable water-to-fuel ratio determined to demonstrate compliance with 40 CFR 60.332, as established during the performance test required in 40 CFR 60.8. Any unit operating hour in which no water is injected into the turbine shall be considered an excess emission.

[40 CFR 60.334(j)(1)(i)(A)]

II.F.8.a.2 A period of monitor downtime shall be any unit operating hour in which water is injected into the turbine, but the essential parametric data needed to determine the water-to-fuel ratio are unavailable or invalid.

[40 CFR 60.334(j)(1)(i)(B)]

II.F.8.a.3 Each report shall include the average water-to-fuel ratio, average fuel consumption, ambient conditions (temperature, pressure, and humidity), and gas turbine load. The permittee does not have to report ambient conditions if the permittee opts to use the worst case ISO correction factor as specified in 40 CFR 60.334(b)(3)(ii), or if the permittee is not using the ISO correction equation under the provisions of 40 CFR 60.335(b)(1).

[40 CFR 60.334(j)(1)(i)(C)]

II.F.8.b *Excess Emissions of Sulfur Dioxide*

II.F.8.b.1 For fuel oil samples obtained using daily sampling, flow proportional sampling, or sampling from the unit's

Guam EPA
 Title V Federal Operating Permit
 Guam Power Authority – Macheche
 Permit No. F●-004
 Expires: March 1, 2014

storage tank, an excess emission occurs each unit operating hour included in the period beginning on the date and hour of any sample for which the sulfur content of the fuel being fired in the gas turbine exceeds 0.8 weight percent and ending on the date and hour that a subsequent sample is taken that demonstrates compliance with the sulfur limit. [40 CFR 60.334(j)(2)(i)]

II.F.8.b.2 A period of monitor downtime begins when a required sample is not taken by its due date. A period of monitor downtime also begins on the date and hour of a required sample, if invalid results are obtained. The period of monitor downtime shall include only unit operating hours, and ends on the date and hour of the next valid sample. [40 CFR 60.334(j)(2)(iii)]

II.F.8.c *Excess Emissions during Periods of Ice Fog.* Each period during which an exemption provided in 40 CFR 60.332(f) is in effect shall be reported in writing to the Administrator quarterly. For each period the ambient conditions existing during the period, the date and time the air pollution control system was deactivated, and the date and time the air pollution control system was reactivated shall be reported. All quarterly reports shall be postmarked by the 30th day following the end of each calendar quarter. [40 CFR 60.334(j)(3)]

II.F.8.d *Excess Emissions during Periods of Emergency Fuel Use.* Each period during which an exemption provided in 40 CFR 60.332(k) is in effect shall be included in the report required in 40 CFR 60.7(c). For each period, the type, reasons, and duration of the firing of the emergency fuel shall be reported. [40 CFR 60.334(j)(4)]

II.G. NSPS General Provisions

For the combustion turbine (Unit CT-1), the permittee shall comply with all applicable requirements in Subpart A of 40 CFR 60. [40 CFR 60, Subpart A].

II.H. Compliance Assurance Monitoring (CAM)

II.H.1 The permittee shall control NO_x emissions from the combustion turbine (Unit CT-1) using a water injection system operated in accordance of the requirements in Conditions II.D.12, II.D.13, and II.D.14. The water-to-fuel ratio of the water injection system shall be used as an indicator of the NO_x control efficiency for the combustion turbine (Unit CT-1). The water-to-fuel ratio shall be maintained at the level required in Condition II.C.3 of this permit. [40 CFR 64.2(a)]

Guam EPA

Title V Federal Operating Permit
Guam Power Authority – Macheche
Permit No. FO-004
Expires: March 1, 2014

- II.H.2 The permittee shall conduct the monitoring required in Condition II.H.1 of this permit upon issuance of the permit. [40 CFR 64.7(a)]
- II.H.3 At all times, the permittee shall maintain the monitoring, including but not limited to, maintaining necessary parts for routine repairs of the monitoring equipment. [40 CFR 64.7(b)]
- II.H.4 Except for, as applicable, monitoring malfunctions, associated repairs, and required quality assurance or control activities (including, as applicable, calibration checks and required zero and span adjustments), the permittee shall conduct all water-to-fuel ratio monitoring on the combustion turbine (Unit CT-1) in continuous operation at all times that the unit is operating. Data recorded during monitoring malfunctions, associated reports, and required quality assurance or control activities shall not be used for the purposes of 40 CFR 64, including data averages and calculations, or fulfilling a minimum data availability requirement, if applicable. The permittee shall use all the data collected during all other periods in assessing the operation of the control device and associated control system. A monitoring malfunction is any sudden, infrequent, not reasonably preventable failure of the monitoring to provide valid data. Monitoring failures that are caused in part by poor maintenance or careless operation are not malfunctions. [40 CFR 64.7(c)]
- II.H.5 An excursion is defined to be a period when the water-to-fuel ratio falls below the required level in Condition II.C.3 of this permit for more than one hour. The continuous water-to-fuel ratio monitoring system is required to be accurate to within $\pm 5\%$. [40 CFR 64.1]
- II.H.6 Upon detecting an excursion or exceedance, the permittee shall restore operation of the pollutant-specific emission unit (including the control device and associated capture system) to its normal or usual manner of operation as expeditiously as practicable in accordance with good air pollution control practices for minimizing emissions. The response shall include minimizing the period of any startup, shutdown, or malfunction and taking any necessary corrective actions to restore normal operation and prevent the likely recurrence of the cause of an excursion or exceedance (other than those caused by excused startup or shutdown conditions). Such actions may include initial inspection and evaluation, recording that operations returned to normal without operator action (such as through response by a computerized distribution control system), or any necessary follow-up actions to return operation to within the indicator range, designated condition, or below the applicable emission limitation or standard, as applicable. [40 CFR 64.7(d)(1)]

Guam EPA

Title V Federal Operating Permit

Guam Power Authority – Macheche

Permit No. FO-004

Expires: March 1, 2014

II.H.7 Determination of whether the permittee has used acceptable procedures in response to an excursion or exceedance will be based on information available, which may include but is not limited to, monitoring results, review of operation and maintenance procedures and records, and inspection of the control device, associated capture system, and the process. [40 CFR 64.7(d)(2)]

II.H.8 Based on the results of a determination made under Condition II.H.7 of this permit, the Administrator of the USEPA or GEPA may require the permittee to develop and implement a quality improvement plan (QIP). The QIP threshold for the combustion turbine (Unit CT-1) shall be 10 excursions in a six-month reporting period. [40 CFR 64.8(a)]

II.H.9 If required under Condition II.H.8 of this permit, the permittee shall maintain a written QIP and have it available for inspection. The plan shall initially include procedures for evaluating the control performance problems and, based on the results of the evaluation procedures, the permittee shall modify the plan to include procedures for conducting one or more of the following actions, as appropriate:

II.H.9.a Improved preventative maintenance procedures

II.H.9.b Process operation changes

II.H.9.c Appropriate improvements to control methods

II.H.9.d Other steps appropriate to correct control performance

II.H.9.e More frequent or improved monitoring, in conjunction with one or more of the preceding actions

[40 CFR 64.8(b)]

II.H.10 If a QIP is required under Condition II.H.8 of this permit, the permittee shall develop and implement a QIP as expeditiously as practicable and shall notify the GEPA if the period for completing the improvements contained in the QIP exceeds 180 days from the date on which the need to implement the QIP was determined. [40 CFR 64.8(c)]

II.H.11 Following the implementation of a QIP, upon any subsequent determination pursuant to Condition II.H.7 of this permit the Administrator of the USEPA or GEPA may require that the permittee make reasonable changes to the QIP if the QIP is found to have:

Guam EPA
Title V Federal Operating Permit
Guam Power Authority – Macheche
Permit No. FO-004
Expires: March 1, 2014

II.H.11.a Failed to address the cause of the control device performance problems; or

II.H.11.b Failed to provide adequate procedures for correcting control device performance problems as expeditiously as practicable in accordance with good air pollution control practices for minimizing emissions.

[40 CFR 64.8(d)]

II.H.12 Implementation of a QIP shall not excuse the permittee from compliance with any existing emission limitation or standard, or any existing monitoring, testing, reporting, or recordkeeping requirement that may apply under federal, state, or local law, or any other applicable requirements under the CAA. [40 CFR 64.8(e)]

II.H.13 The permittee shall submit monitoring reports for the water injection system to GEPA in accordance with 40 CFR 70.6(a)(3)(iii). [40 CFR 64.9(a)(1)]

II.H.14 The monitoring reports required pursuant to Condition II.H.13 of this permit shall include, at a minimum, the information required under 40 CFR 70.6(a)(3)(iii) and the following information, as applicable:

II.H.14.a Summary information on the number, duration, and cause (including unknown cause, if applicable) of excursions or exceedances, as applicable, and the corrective actions taken;

II.H.14.b Summary information on the number, duration, and cause (including unknown cause, if applicable) for monitoring downtime incidents (other than downtime associated with zero and span or other daily calibration checks, if applicable); and

II.H.14.c A description of the actions taken to implement a QIP during the reporting period as specified in 40 CFR 64.8. Upon completion of a QIP, the permittee shall include in the next summary report documentation that the implementation of the plan has been completed and reduced the likelihood of similar levels of excursions or exceedances occurring.

[40 CFR 64.9(a)(2)]

II.H.15 The permittee shall comply with the recordkeeping requirements specified in 40 CFR 70.6(a)(3)(ii). The permittee shall maintain records of monitoring data, monitor performance data, corrective actions taken, any

Guam EPA
Title V Federal Operating Permit
Guam Power Authority – Macheche
Permit No. FO-004
Expires: March 1, 2014

written QIP requirements pursuant to 40 CFR 64.8 and any activities undertaken to implement a QIP, and other supporting information required to be maintained under 40 CFR 64 (such as data used to document the adequacy of monitoring or records of monitoring maintenance or corrective actions). [40 CFR 64.9(b)(1)]

II.H.16 Instead of paper records, the permittee may maintain records on alternative media, such as microfilm, computer files, magnetic tape disks, or microfiche, provided that the use of such alternative media allows for expeditious inspection and review, and does not conflict with other applicable recordkeeping requirements. [40 CFR 64.9(b)(2)]

II.I. Compliance Schedule

II.I.1 For applicable requirements with which the source is in compliance, the source will continue to comply with such requirements. [GAPCSR, Section 1104.8(b)(2)(A)]

II.I.2 For applicable requirements which become applicable during the permit term, the source shall meet such applicable requirements on a timely basis. [GAPCSR, Section 1104.8(b)(2)(B)]

II.J. Compliance Certifications

II.J.1 The compliance plan and compliance certification submittal requirements shall be in accordance with Sections 1104.8 and 1104.9 of the GAPCSR. The compliance certification shall be submitted to GEPA and the USEPA Regional Administrator once per year, or more frequently as set by any applicable requirement. [GAPCSR, Sections 1104.8 and 1104.9]

II.J.2 During the permit term, the permittee shall submit at least annually to GEPA, a compliance certification pursuant to Section 1104.9 of the GAPCSR. This certification shall be postmarked by January 30th of each year, and shall cover the previous calendar year (January 1 through December 31). The first compliance certification will cover the period from the date of issuance of this permit to December 31, 2008. The permittee shall indicate whether or not compliance is being met with each term or condition of this permit. [GAPCSR, Section 1104.9]

II.K. General Air Quality Protections

II.K.1 The permittee shall not dispose of combustible material by open burning, or cause, suffer, allow, or permit open burning of combustible material within Guam, except as provided in Sections 1103.11 (b) through (e) of the GAPCSR. [GAPCSR, Section 1103.11; SIP, Section 6.1]

Guam EPA
Title V Federal Operating Permit
Guam Power Authority – Macheche
Permit No. FO-004
Expires: March 1, 2014

II.K.2 Control of Odors in Ambient Air

II.K.2.a The permittee shall not discharge or cause to be discharged into the atmosphere from any source whatsoever, such quantities of odorous emissions which is injurious to health, or is indecent or offensive to the senses, which affects at the same time an entire community or neighborhood, or any considerable number of persons, so as to unduly interfere with the comfortable enjoyment of life or property of such community, neighborhood or persons. It is a creation of a condition which causes injury to the public welfare. [GAPCSR, Section 1103.12(a); SIP, Section 11.1]

II.K.2.b An odor occurrence shall be deemed a violation when a complaint is received by the Administrator and the Administrator is able to detect the odor. This detection must be verified by the Department of Public Health, Environmental Health Section for a person to be found in violation of subsection (a) of this condition. [GAPCSR, Section 1103.12(b); SIP, Section 11.2]

II.K.2.c The odor of growing vegetation, and chemical fertilizers and insecticides when used properly, or when persons can demonstrate to the Administrator that the best practical operation or treatment is being implemented, shall not be considered objectionable for the purposes of this requirement. [GAPCSR, Section 1103.12(c); SIP, Section 11.3]

II.K.3 The permittee shall comply with the asbestos requirements of 40 CFR 61, Subpart M (as amended and incorporated in Section 1103.13 of the GAPCSR), including requirements for demolition and renovation projects. [GAPCSR, Section 1103.13]

Guam EPA
 Title V Federal Operating Permit
 Guam Power Authority — Macheche
 Permit No. FO-004
 Expires: March 1, 2014

II.L. Annual Emissions Reporting Requirements

II.L.1 The reporting period for the annual emissions, including emissions from the emission units identified in Condition II.A.1 of this permit, shall be from January 1 to December 31 of each calendar year. All reports shall be submitted to GEPA along with the annual fee due. The report shall be mailed to [GAPCSR, Section 1104.24(c)]:

**Administrator
 Guam Environmental Protection Agency
 Air and Land Division
 Air Pollution Control Program
 P.O. Box 22439 GMF
 Barrigada, Guam 96921**

All applicable correspondences and records with this permit submitted to GEPA shall have duplicate copies forwarded to:

**Director, Air Division (Attn: AIR-5)
 U.S. Environmental Protection Agency
 75 Hawthorne Street
 San Francisco, CA 94105**

II.L.2 The permittee shall retain the information submitted, including all emissions calculations. These records shall be in a permanent form suitable for inspection, retained for a minimum of five (5) years, and made available to GEPA upon request. [GAPCSR, Section 1104.12(7)(H)]

II.L.3 Any information submitted to GEPA without a request for confidentiality shall be considered public record. [GAPCSR, Section 1102.7]

II.L.4 The permittee may request confidential treatment of specific information by submitting a written request to the Administrator identifying the specific information that is to be accorded confidential treatment. [GAPCSR, Section 1102.7(b)]

II.M. Fee Payment

II.M.1 The permittee shall submit fees in accordance with GAPCSR, Sections 1104.21 through 1104.24. [GAPCSR, Section 1104.12(9)(K)]

II.M.2 The permittee shall complete and submit the Annual Fee Calculation Worksheet, including all emissions calculations, with the required annual fee. The permittee shall make copies for future use. [GAPCSR, Section 1104.24(I)]

Guam EPA
Title V Federal Operating Permit
Guam Power Authority – Macheche
Permit No. FO-004
Expires: March 1, 2014

II.M.3 Annual fees shall be paid in full: [GAPCSR, Section 1104.24(a)]

II.M.3.a Within sixty (60) days after the end of each calendar year;

II.M.3.b Within thirty (30) days after permanent discontinuance of the air emission source.

II.M.4 The permittee shall be assessed a Six Dollars (\$6.00) per ton per pollutant base rate of the total annual emission. However, the minimum annual fee due shall be Five Hundred Dollars (\$500.00) for each valid permit held during the prior calendar year; or Forty-Two Dollars (\$42.00) per month for any fraction of the year the permit is valid after the last calendar year for which annual fee was paid. [GAPCSR, Section 1104.24(g)]

II.M.5 If any part of the annual fee is not paid within thirty (30) days after the due date, a late penalty of five percent (5%) of the amount due shall at once accrue and be added thereto. Thereafter, on the first day of each calendar month during which part of the annual fee or any prior accrued late payment penalty remains unpaid, an additional late payment penalty of five percent (5%) of the then unpaid balance shall accrue and be added thereto. [GAPCSR, Section 1104.25(b)]

II.M.6 If any annual fee, including the late payment penalty required by the GAPCSR is not paid in full within thirty (30) days after the due date, the Administrator may terminate or suspend any or all of the owner or operator's air pollution control permit, after affording the opportunity for a hearing in accordance with Section 1104.19 or Section 1102.14 of the GAPCSR. [GAPCSR, Section 1104.25(c)]

II.M.7 The annual emissions data for which the annual fees are based shall accompany the submittal of any annual fees and submitted on forms furnished by GEPA. [GAPCSR, Section 1104.24(c)]

II.M.8 Check payments shall be made payable to the Treasurer of Guam along with a notation that the funds be deposited into GEPA's Air Pollution Control Special Fund. [GAPCSR, Section 1104.21(d)]

Guam EPA
Title V Federal Operating Permit
Guam Power Authority – Macheche
Permit No. FO-004
Expires: March 1, 2014

II.M.9 The annual fees and emissions data shall be mailed to [GAPCSR, Section 1104.24]:

**Administrator
Guam Environmental Protection Agency
Air and Land Division
Air Pollution Control Program
P.O. Box 22439 GMF
Barrigada, Guam 96921**

All applicable correspondences and records with this permit submitted to GEPA shall have duplicate copies forwarded to:

**Director, Air Division (Attn: AIR-5)
U.S. Environmental Protection Agency
75 Hawthorne Street
San Francisco, CA 94105**

Guam EPA
Title V Federal Operating Permit
Guam Power Authority – Macheche
Permit No. FO-004
Expires: March 1, 2014

III. Title V Administrative Requirements

III.A. Blanket Compliance Statement

The permittee shall comply with all the terms and conditions of this permit. Any permit noncompliance constitutes a violation of the GAPCSR and, for all federally enforceable terms and conditions, the CAA, and is grounds for enforcement action, permit termination, suspension, reopening, or amendment, or for denial of a permit renewal application. Permit noncompliance shall be subject to the penalties and remedies provided for in Section 49116 of Chapter 49, Part 2, Division 2, Part 1 of Title 10 of the GCA. [GAPCSR, Section 1104.12(9)(A) and 1102.12; SIP, Section 4.4]

III.B. Duty to Provide and Supplement Information

The permittee shall furnish, in a timely manner, any information or record requested in writing by GEPA to determine whether cause exists for terminating, suspending, reopening, or amending the permit, or to determine compliance with the permit. Upon request, the permittee shall also furnish to GEPA copies of records required to be kept by the permit. For information claimed confidential, the permittee shall furnish such records to GEPA with a claim of confidentiality. [GAPCSR, Section 1104.12(9)(H)]

III.C. Submissions

Any document (including reports, compliance plans and compliance certifications) required to be submitted by this permit shall be certified by a responsible official. This certification shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete in accordance with 1102.3 and shall be mailed or forwarded to the following address [GAPCSR, Sections 1102.3 and 1104.12(9)(L)]:

**Administrator
Guam Environmental Protection Agency
Air and Land Division
Air Pollution Control Program
P.O. Box 22439 GMF
Barrigada, Guam 96921**

All applicable correspondences and records with this permit submitted to GEPA shall have duplicate copies forwarded to:

**Director, Air Division (Attn: AIR-5)
U.S. Environmental Protection Agency
75 Hawthorne Street
San Francisco, CA 94105**

Guam EPA
 Title V Federal Operating Permit
 Guam Power Authority – Macheche
 Permit No. FO-004
 Expires: March 1, 2014

III.D. Severability Clause

If any term or condition of this permit becomes invalid as a result of a challenge to a portion of this permit, the other terms and conditions of this permit shall not be affected and remain valid. [GAPCSR, Section 1104.12(9)(B)]

III.E. Circumvention

The permittee shall not cause or permit the installation or use of any device or any means which, without resulting in reduction in the total amount of air contaminant emitted, conceals or dilutes an emission of air contaminant which would otherwise violate these regulations. This provision does not prohibit recycling, burning as fuel or otherwise further processing material which would violate an emission regulation if released to the atmosphere, so long as the facility in which that material is used does not violate applicable emission regulations. [SIP, Section 17.2]

III.F. Permit Actions

This permit will be revoked if the Agency finds willful or continued violations of the standards and regulations. [GAPCSR, Sections 1104.12(9)(A), 1104.18(a)(4), and 1104.18(b)(3); SIP, Section 3.7(c)]

III.G. Reopening for Cause

This permit may be terminated, suspended, reopened, or amended for cause pursuant to Section 1104.18 of the GAPCSR, after affording the permittee an opportunity for a hearing in accordance with Section 1102.14 or 10 GCA 49111. [GAPCSR, Section 1104.12(9)(D)]

III.H. Property Rights

This permit does not convey any property rights of any sort, or any exclusive privilege. [GAPCSR, Section 1104.12(9)(E)]

III.I. Inspection and Entry

III.I.1 The permittee shall allow GEPA, the Regional Administrator for the USEPA, and/or an authorized representative, upon presentation of credentials or other documents required by law:

III.I.1.a To enter the premises where a source is located or emission-related activity is conducted, or where records must be kept under the conditions of the permit and inspect at reasonable times all facilities, equipment, practices, operations, or records covered under the terms and conditions of the permit and request copies of records or copy records required by the permit; and

Guam EPA
 Title V Federal Operating Permit
 Guam Power Authority – Macheche
 Permit No. FO-004
 Expires: March 1, 2014

III.I.1.b To sample or monitor at reasonable times substances or parameters to assure compliance with the permit or applicable requirements. [GAPCSR, Section 1104.12(9)(M)]

III.J. Emergency Provisions

III.J.1 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 to the Administrator the affirmative defense of emergency through properly signed, contemporaneous operating logs, or other relevant evidence that:

III.J.1.a An emergency occurred and the permittee can identify the cause(s) of the emergency;

III.J.1.b The permitted facility was at the time being properly operated;

III.J.1.c During the period of the emergency, the permittee took all reasonable steps to minimize levels of emissions that exceeded the emission limitations or other requirements in this permit; and

III.J.1.d The permittee submitted notice of the emergency to the Administrator within two (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 prompt reporting of deviations pursuant to Section 1102.9 of the GAPCSR. [GAPCSR, Sections 1104.17(a) and 1104.1(c)]

III.J.1.e In any enforcement proceeding the permittee attempting to establish the occurrence of an emergency has the burden of proof. [GAPCSR, Section 1104.17(b)]

III.K. Transfer of Ownership or Operation

III.K.1 This permit is not transferable, whether by operation of law or otherwise, either from one location to another or from one piece of equipment to another. [GAPCSR, Section 1104.4(c); SIP Section 3.8]

III.K.2 This permit shall not be transferable, whether by operation of law or otherwise, from person to person without the approval of the Administrator. [GAPCSR, Section 1104.4(d); SIP Section 3.8]

Guam EPA
Title V Federal Operating Permit
Guam Power Authority – Macheche
Permit No. FO-004
Expires: March 1, 2014

III.K.3 In the event of any changes in control or ownership of facilities to be operated or modified, the resulting modification of this permit shall be made as an administrative amendment pursuant to Section 1104.20 of the GAPCSR. [GAPCSR, Section 1104.20]

III.L. Permit Expiration and Renewal

III.L.1 This permit is issued for a fixed term of five years from the date of issuance. [GAPCSR, Section 1104.11; SIP Section 3.1(b)(4)]

III.L.2 Application for permit renewal shall be submitted no more than eighteen (18) months prior to the date of permit expiration. Application for permit renewal shall be submitted no later than six (6) months prior to the date of permit expiration. Late applications shall be subject to penalties pursuant to Section 1104.25 of the GAPCSR. [GAPCSR, Section 1104.6(d); SIP Section 3.1(b)(4)]

III.L.3 This permit shall remain valid past the expiration date and the air pollution emission source shall not be in violation for failing to have an air pollution control permit, until the Administrator has issued or denied the renewal of the air pollution control permit, provided [GAPCSR, Section 1104.2(d)]:

III.L.3.a A complete renewal application has been submitted and the owner or operator acts consistently with the permit previously granted, and the application on which it was based, and all plans, specifications, and other information submitted as part of the application; and

III.L.3.b The owner or operator has submitted to the Administrator within the specified deadlines, all requested additional information deemed necessary to evaluate or take final action on the renewal application as described in Section 1104.6 of the GAPCSR.

III.M. Permit Modifications

Applications for modification of this permit are subject to the same requirements as the initial application including all requirements pursuant to Section 1104.6(c) of the GAPCSR. The permittee shall submit a description of the modification, identifying all proposed changes, including any changes to the source operations, work practices, equipment design, source emissions, or any monitoring, record keeping, and reporting procedures. Each change from the permit application for this permit shall be identified on the application for the permit modification. [GAPCSR, Section 1104.6(f)]

Guam EPA
Title V Federal Operating Permit
Guam Power Authority – Macheche
Permit No. FO-004
Expires: March 1, 2014

III.N. Malfunction

III.N.1 Except for emergencies which result in noncompliance with any technology-based emission limitation in accordance with Section 1104.17 of the GAPCSR, in the event any emission unit, air pollution control equipment, or related equipment breaks down in such a manner as to cause the emission of air pollutants in violation of the GAPCSR, or this permit, the permittee shall immediately notify, within twenty-four (24) hours, GEPA of the failure or breakdown, unless the protection of personnel or public health or safety demands immediate attention to the failure or breakdown and makes such notification infeasible. In the latter case, the notice shall be provided as soon as practicable. The submittal of these notices shall not be a defense to an enforcement action. Within five (5) working days of this initial notification, the permittee shall also submit, in writing, the following information:

III.N.1.a Identification of emission points;

III.N.1.b Magnitude of the excess emissions;

III.N.1.c Time and duration of the excess emissions;

III.N.1.d Identity of the process or control equipment causing the excess emissions;

III.N.1.e Cause and nature of the excess emissions;

III.N.1.f Description of the steps taken to remedy the situation, prevent a recurrence, limit the excessive emissions, and assure that the breakdown does not interfere with the attainment and maintenance of the National Ambient Air Quality Standards (NAAQS) and Guam ambient air quality standards;

III.N.1.g Documentation that the equipment or process was at all times maintained and operated in a manner consistent with good practice for minimizing emissions; and

III.N.1.h A statement that the excess emissions are not part of a recurring pattern indicative of inadequate design, operation, or maintenance. [GAPCSR, Section 1102.9]

III.O. Agency Notifications

III.O.1 The permittee shall notify the Administrator in writing of the following dates:

Guam EPA

Title V Federal Operating Permit
 Guam Power Authority – Macheche
 Permit No. FO-004
 Expires: March 1, 2014

- III.O.1.a The anticipated date of initial start-up for each emission unit of a new source or significant modification not more than sixty (60) days or less than thirty (30) days prior to such date.
- III.O.1.b The actual date of construction commencement within fifteen (15) days after such date.
- III.O.1.c The actual date of start-up within fifteen (15) days after such date.
 [GAPCSR, Section 1104.12(9)(G)]
- III.O.2 The permittee shall notify GEPA in writing, of the intent to shut down air pollution control equipment for necessary scheduled maintenance at least twenty-four (24) hours prior to the planned shutdown. The submittal of this notice shall not be a defense to an enforcement action. The notice shall include the following:
 - III.O.2.a Identification of the specific equipment to be taken out of service, as well as its location and permit number;
 - III.O.2.b The expected length of time that the air pollution control equipment will be out of service;
 - III.O.2.c The nature and quantity of emissions of air pollutants likely to be emitted during the shutdown period;
 - III.O.2.d Measures such as the use of off-shift labor and equipment that will be taken to minimize the length of the shutdown period; and
 - III.O.2.e The reasons why it would be impossible or impractical to shut down the source operation during the maintenance period.
 [GAPCSR, Section 1102.8; SIP, Section 4.3]
- III.O.3 A copy of applicable correspondence or records submitted to GEPA shall be provided to the USEPA pursuant to Section 1104.15 of the GAPCSR.
 [GAPCSR, Section 1104.12(9)(I)]
- III.O.4 Within thirty (30) days of permanent discontinuance of the operation, modification, relocation, or construction of any of the above units, the responsible official shall report the discontinuance in writing to the Administrator. [GAPCSR, Section 1104.5(a)]

III.P. Miscellaneous Conditions

- III.P.1 Unless specifically identified, the terms and conditions contained in this permit are consistent with the applicable requirement on which each term

Guam EPA
 Title V Federal Operating Permit
 Guam Power Authority – Macheche
 Permit No. FO-004
 Expires: March 1, 2014

or condition is based. [Section 49107(7)(c)(2) of Chapter 49, Part 2, Division 2, Part 1 of Title 10 of the GCA]

- III.P.2 This permit, or a copy thereof, shall be maintained at or near the source for which this permit was issued and shall be made available for inspection upon request. [GAPCSR, Section 1104.4(a); SIP, Section 3.12]
- III.P.3 This permit shall not be willfully defaced, altered, forged, counterfeited, or falsified. [GAPCSR, Section 1104.4(b); SIP, Section 3.13]
- III.P.4 The facility covered by this permit shall be constructed and operated in accordance with the application, and any information submitted as part of the application, for this permit. There shall be no deviation from this permit condition unless additional or revised plans are submitted to and approved by GEPA, and the permit is amended to allow for such deviation. [GAPCSR, Section 1104.12(12)]
- III.P.5 This permit (a) does not release the permittee from compliance with other applicable statutes of Guam, or with applicable local or federal laws, regulations, or ordinances, and (b) shall not constitute, nor be construed to be an approval of the design of the source. [GAPCSR, Sections 1104.2(e) and 1104.12(11)]
- III.P.6 The permittee shall not use as a defense in an enforcement action that it would have been necessary to halt or reduce the permitted activity to maintain compliance with the terms and conditions of this permit. [GAPCSR, Section 1104.12(9)(C)]
- III.P.7 The filing of a request by the permittee for a permit termination, suspension, reopening, or amendment, or a notification of planned changes or anticipated noncompliance does not stay any permit condition. [GAPCSR, Section 1104.12(9)(D)]
- III.P.8 This permit shall become invalid with respect to any authorized construction if construction is not commenced as follows:
 - III.P.8.a Within thirty (30) days of permanent discontinuance of the construction, modification, relocation or operation of any permitted air pollution emission source, the responsible official shall report the discontinuance in writing to the Administrator.
 - III.P.8.b For phased construction projects, each phase shall commence construction within eighteen (18) months of the projected and approved commencement dates in the permit. [GAPCSR, Sections 1104.5(b), 1104.5(c), and 1104.12(9)(F)]

Guam EPA
Title V Federal Operating Permit
Guam Power Authority – Macheche
Permit No. F-004
Expires: March 1, 2014

- III.P.9 GEPA may extend the time periods specified in Condition III.P.8 of this permit upon a satisfactory showing that an extension is justified. Request for an extension shall be submitted in writing to GEPA. [GAPCSR, Section 1104.5(d)]
- III.P.10 The permittee may request confidential treatment of any records in accordance with Section 1102.7 of the GAPCSR. [GAPCSR, Section 1104.12(9)(J)]
- III.P.11 The terms and conditions included in this permit, including any provision designed to limit a source's potential to emit, are federally enforceable unless such terms, conditions, or requirements are specifically designated as not federally enforceable. [GAPCSR, Section 1104.14]

GUAM ENVIRONMENTAL PROTECTION AGENCY AIR POLLUTION CONTROL PERMIT

Permit No. FO-005

IS HERBY ISSUED TO

Guam Power Authority

LOCATED AT

Manengon Diesel Engine Generating Facility, Yona

in accordance with the Guam Air Pollution Control Standards and Regulations (GAPCSR),
Public Law 24-20, 10 Guam Code Annotated (GCA), Chapter 49.

This Permit is non-transferable and the permittee is subject to the requirements for holding and transfer of permits in Section 1104.4 of the GAPCSR.

No person shall willfully deface, alter, forge, counterfeit, or falsify this Permit.

This Permit shall expire **03/01/2014**. The renewal application shall be submitted no later than **09/01/2013**.



LORILEE T. CRISOSTOMO

Administrator

Date: 11 MAY 2009





GUAM ENVIRONMENTAL PROTECTION AGENCY

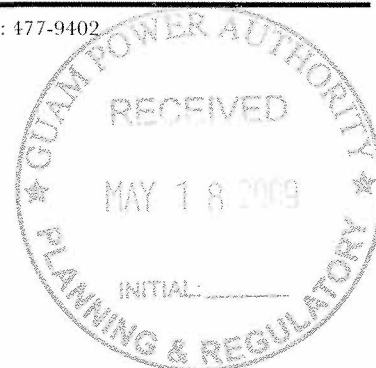


AHENSIAN PRUTEKSION LINA'LA GUAHAN

P.O. Box 22439 GMF • BARRIGADA, GUAM 96921 • TEL: 475-1658 /9 • FAX: 477-9402

TITLE V PERMIT TO OPERATE

Permit Number: **FO-005**
 Issue Date: **March 2, 2009**
 Expiration Date: **March 1, 2014**



In accordance with the provisions of Title V of the Clean Air Act (CAA) and the Guam Air Pollution Control Standards and Regulations (GAPCSR), Public Law 24-322, and the Guam Air Pollution Control Act (GAPCA), Public Law 24-20, 10 Guam Code Annotated (GCA), Chapter 49,

**Guam Power Authority
 Manengon Diesel Engine Generating Facility
 Yona, Guam**

is authorized to operate air emission units and to conduct other air pollutant emitting activities in accordance with the permit conditions listed in this permit. Terms and conditions not otherwise defined in this permit have the meaning assigned to them in the referenced regulations. All terms and conditions of the permit are enforceable by the United States Environmental Protection Agency (USEPA), the Guam Environmental Protection Agency (GEPA), and citizens under the CAA. The issuance of this permit is based on the plans, specifications, and additional information submitted as part of the application dated August 22, 2003.

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.

Acceptance of this permit constitutes an agreement and acknowledgement that the holder will comply with all the rules and regulations of GEPA and these permit conditions.

This permit, (a) does not in any manner affect the title of the premises upon which the equipment is located, (b) does not release the permittee from any liability for any loss due to personal injury or property damage caused by, resulting from or arising out of the design, installation, maintenance, or operation of the equipment, and (c) in no manner implies or suggests that GEPA, or its officers, agents, or employees assumes any liability, directly or indirectly, for any loss due to personal injury or property damage caused by, resulting from or arising out of the design, installation, maintenance, or operation of the equipment.


Guam EPA

Title V Federal Operating Permit
Guam Power Authority – Manengon
Permit No. FO-005
Expires: March 1, 2014

This permit is valid for a period of five (5) years and shall expire at midnight on the date specified above unless a timely and complete renewal application has been submitted at least 6 months but not more than 18 months prior to the date of expiration. The permit number cited above should be referenced in future correspondence regarding this facility.

11 MAY 2009

Date



LORILEE T. CRISOSTOMO
Administrator
Guam EPA

Guam EPA

Title V Federal Operating Permit

Guam Power Authority -- Manengon

Permit No. FO-005

Expires: March 1, 2014

Abbreviations and Acronyms

CAA	Clean Air Act [42 U.S.C. Section 7401 et seq.]
CFR	Code of Federal Regulations
CO	Carbon Monoxide
GAPCSR	Guam Air Pollution Control Standards and Regulations
GCA	Guam Code Annotated
GEPA	Guam Environmental Protection Agency
hr	hour
kW	kilowatt
lb	pound
MMBtu	Million British thermal units
MW	Megawatt
NAAQS	National Ambient Air Quality Standard
NO _x	Nitrogen Oxides
PM ₁₀	Particulate matter less than 10 microns in diameter
SIC	Standard Industrial Classification
SIP	State Implementation Plan
SO ₂	Sulfur Dioxide
UHC	Unburned Hydrocarbons
USEPA	United States Environmental Protection Agency
VOC	Volatile Organic Compounds

Guam EPA
Title V Federal Operating Permit
Guam Power Authority – Manengon
Permit No. FO-005
Expires: March 1, 2014

TABLE OF CONTENTS

Cover Page
Abbreviations and Acronyms

I. Source Identification

II. Facility-wide and Unit Specific Permit Conditions

- A. Equipment Description
- B. Emission Limits
- C. Work Practice and Operational Requirements
- D. Monitoring and Testing Requirements
- E. Recordkeeping Requirements
- F. Reporting Requirements
- G. Compliance Schedule
- H. Compliance Certifications
- I. General Air Quality Protections
- J. Annual Emissions Reporting Requirements
- K. Fee Payment

IV. Title V Administrative Requirements

- A. Blanket Compliance Statement
- B. Duty to Provide and Supplement Information
- C. Submissions
- D. Severability Clause
- E. Circumvention
- F. Permit Actions
- G. Reopening for Cause
- H. Property Rights
- I. Inspection and Entry
- J. Emergency Provisions
- K. Transfer of Ownership or Operation
- L. Permit Expiration and Renewal
- M. Permit Modifications
- N. Malfunctions
- O. Agency Notifications
- P. Miscellaneous Conditions

Guam EPA
Title V Federal Operating Permit
Guam Power Authority – Manengon
Permit No. FO-005
Expires: March 1, 2014

I. Source Identification

Facility Name: Guam Power Authority - Manengon Diesel Engine
Generating Facility
Facility Location: Manengon Hills
City: Yona
Territory: Guam
USEPA Region: 9
SIC Code: 4911

Responsible Official: Joaquin C. Flores
Phone Number: (671) 648-3202

Facility Manager/Contact: Andriano E. Balajadia
Phone Number: (671) 648-3204

Person Responsible for Recordkeeping: Sylvia L. Ipanag
Phone Number: (671) 648-3217

Description of Process:

Guam Power Authority Manengon facility is a power generating plant. Sources that have the potential to cause significant emissions of air pollutants are the two 5.3 megawatt (MW) diesel engine generators and three 50,000 gallon fuel oil storage tanks. Other insignificant emission sources include a 3,000 gallon diesel fuel oil storage day tank, a 75 kilowatt (kW) black start diesel generator, and a 66 gallon black start diesel generator service tank.

Guam EPA

Title V Federal Operating Permit

Guam Power Authority – Manengon

Permit No. FO-005

Expires: March 1, 2014

II. Facility-wide and Unit Specific Permit Conditions**II.A. Equipment Description**

II.A.1 This permit encompasses the following equipment and associated appurtenances that are considered significant sources of emissions. [GAPCSR, Section 1104.12(12)]

Emission Unit ID	Description	Manufacturer	Model	Serial Number
DEG-1	Nominal 5.3 MW medium speed diesel engine generator	Wartsila	16V32	5999
DEG-2	Nominal 5.3 MW medium speed diesel engine generator	Wartsila	16V32	5998
FOST-1	50,000 gallon diesel fuel oil storage tank			
FOST-2	50,000 gallon diesel fuel oil storage tank			
FOST-3	50,000 gallon diesel fuel oil storage tank			

II.A.2 The permittee shall have installed an identification tag or nameplate on each piece of equipment that identifies the model number, serial number, and manufacturer. The identification tag or nameplate shall be permanently attached to the equipment at a conspicuous location. [Section 49107(7)(B) of Chapter 49, Part 2, Division 2, Part 1 of Title 10 of the GCA]

II.B. Emission Limits**II.B.1 Diesel Engine Generators (Units DEG-1 and DEG-2)**

II.B.1.a Particulate emissions from these emission units shall not exceed 0.65 lb/MMBtu. [State Implementation Plan (SIP), Section 7.5]

II.B.1.b The permittee shall not cause or permit the continuous emission of visible air pollutants with a density equal to or darker than twenty (20) percent opacity from any emission unit nor the emission of visible air pollutants of a density darker than sixty (60) percent opacity for a period aggregating more than three (3) minutes in any sixty (60) minute period. [GAPCSR, Section 1103.3; SIP, Section 10.1]

Guam EPA
 Title V Federal Operating Permit
 Guam Power Authority – Manengon
 Permit No. FO-005
 Expires: March 1, 2014

II.B.1.c The permittee shall not discharge or cause the discharge into the atmosphere from each diesel engine generator (Units DEG-1 and DEG-2) the following pollutants in excess of the specified short-term limits, referenced to 100 percent load:

Pollutant	Emission Limit
Particulate matter less than 10 microns (PM ₁₀)	4.95 pounds per hour (lb/hr)
Carbon monoxide (CO)	17.10 lb/hr
Nitrogen oxides (NO _x)	127.85 lb/hr
Unburned hydrocarbons (UHC)	6.10 lb/hr
Sulfur dioxide (SO ₂)	29.8 lb/hr

[GEPA Permit GPA-685, Condition 6, Issued October 7, 1997]

II.C. Work Practice and Operational Requirements

II.C.1 All equipment, facilities, and systems installed or used to achieve compliance with terms and conditions of this permit shall at all times, including periods of startup, shutdown and malfunction, be maintained in good working order and be operated as efficiently as possible so as to minimize air pollutant emissions. The permittee shall conduct proper preventative maintenance procedures for the diesel engines, the black start diesel generator, and the fuel oil storage tanks in accordance with the manufacturer's recommendations. [GAPCSR, Section 1104.12(12)]

II.C.2 Adequate control measures approved by GEPA shall be implemented to prevent exceedences of any applicable air quality standards during the operation of the facility. [GEPA Permit GPA-685, Condition 2, Issued October 7, 1997; GAPCSR, Section 1104.12(8)]

II.C.3 The amount of No. 2 diesel fuel burned by the diesel engine generators (Units DEG-1 and DEG-2) shall not exceed 1,305,543 gallons per year. [GEPA Permit GPA-685, Condition 3, Issued October 7, 1997]

II.C.4 Non-resetting fuel meters must be installed to record the amount of No. 2 diesel fuel burned by the diesel engine generators (Units DEG-1 and DEG-2). [GEPA Permit GPA-685, Condition 4, Issued October 7, 1997]

II.C.5 The maximum sulfur content by weight of the No. 2 fuel oil burned by the diesel engine generators (Units DEG-1 and DEG-2) shall not exceed 0.6 percent. [GEPA Permit GPA-685, Condition 5, Issued October 7, 1997; 40 CFR 60.333]

Guam EPA

Title V Federal Operating Permit

Guam Power Authority – Manengon

Permit No. F●-005

Expires: March 1, 2014

- II.C.6 Retarding the fuel injection timing by 3 degrees from the standard fuel injection timing of 22 degrees will be used to control NO_x emissions from the diesel engine generators (Units DEG-1 and DEG-2) with approximately 40 percent reduction of the expected emissions. The engines for the diesel engine generators (Units DEG-1 and DEG-2) shall be timed at 19 degrees top dead center (BTCD). [GEPA Permit GPA-685, Condition 9, Issued October 7, 1997]
- II.C.7 The permittee shall not cause or permit visible fugitive dust to become airborne without taking reasonable precautions. Examples of reasonable precautions are [GAPCSR, Section 1103.4(a); SIP, Sections 8.1, 8.4, and 8.7]:
- II.C.7.a Use of water or suitable chemicals for control of fugitive dust in the demolition of existing buildings or structures, construction and retrofitting operations, the grading of roads, or the clearing of land;
 - II.C.7.b Application of asphalt, water, or suitable chemicals on roads, material stockpiles, and other surfaces which may allow release of fugitive dust;
 - II.C.7.c Installation of appurtenances that provide an enclosure and ventilation for all crushing, aggregate screening, and conveying of material likely to become airborne;
 - II.C.7.d Installation and use of hoods, fans, and fabric filters to enclose and vent the handling of dusty materials. Reasonable containment methods shall be employed during sandblasting, spray painting, or other similar operations;
 - II.C.7.e Covering all moving, open-bodied trucks transporting materials which may release fugitive dust;
 - II.C.7.f Conducting agricultural operations, such as tilling of land and the application of fertilizers, in such manner as to reasonably minimize fugitive dust;
 - II.C.7.g Maintenance and sealing of road-ways and parking lots so as to prevent the exposure of such surfaces to wind, water, or vehicular travel erosion; and
 - II.C.7.h Prompt removal of earth or other materials from paved streets which have been transported there by trucking, earth-moving equipment, erosion, or other means.

Guam EPA
Title V Federal Operating Permit
Guam Power Authority – Manengon
Permit No. FO-005
Expires: March 1, 2014

II.C.8 Except for persons engaged in agricultural operations or persons who can demonstrate to the Administrator that the best practical operation or treatment is being implemented, no person shall cause or permit the discharge of visible fugitive dust beyond the property lot line on which the fugitive dust originates. [GAPCSR, Section 1103.4(b); SIP, Section 8.2]

II.D. Monitoring and Testing Requirements

II.D.1 The permittee shall provide sampling and testing facilities at its own expense. The tests shall be conducted at the maximum expected operating capacity of the equipment at this facility and GEPA may monitor the tests. For performance test purposes, sampling ports, platforms and access shall be provided by the permittee on the diesel exhaust systems in accordance with 40 CFR 60.8 (e). [GAPCSR, Section 1102.4; SIP, Sections 3.6(a), 3.9, and 4.1]

II.D.2 At least thirty (30) days prior to a performance test, the permittee shall submit a written performance test plan to GEPA that describes the test date(s), duration, locations, and methods, source operation and other parameters that may affect test results. Such a plan shall conform to USEPA guidelines including quality assurance procedures. [GAPCSR, Section 1102.4]

II.D.3 Within sixty (60) days after completion of the performance test, the permittee shall submit to GEPA and USEPA Regional Administrator, the test report which shall include the operating conditions of the equipment at the time of the test, the analyses of the fuel, the summarized test results, comparative results with the permit emissions limits, and other pertinent field and laboratory data. [GAPCSR, Section 1102.4; SIP, Section 4.2]

II.D.4 Performance tests for the emissions of NO_x, PM₁₀, SO₂, CO, and volatile organic compounds (VOC) from the diesel engine generators (Units DEG-1 and DEG-2) shall be conducted on an annual basis in accordance with the test methods set forth in 40 CFR 60.8 and Appendix A and the results shall be reported to GEPA. The following test methods shall be used:

II.D.4.a Performance test for the emissions of PM₁₀ shall be conducted using USEPA Methods 1-4 and 5.

II.D.4.b Performance test for the emissions of NO_x shall be conducted using USEPA Methods 1-4 and 7.

II.D.4.c Performance test for the emissions of SO₂ shall be conducted using USEPA Methods 1-4 and 20.

Guam EPA

Title V Federal Operating Permit
Guam Power Authority – Manengon
Permit No. FO-005
Expires: March 1, 2014

II.D.4.d Performance test for the emissions of CO shall be conducted using USEPA Methods 1-4 and 10 or 10B.

II.D.4.e Performance test for the emissions of VOCs shall be conducted using USEPA Methods 1-4 and 25A.

[GEPA Permit GPA-685, Conditions 7 and 8, Issued October 7, 1997;
GAPCSR, Section 1102.4]

II.D.5 For the diesel engine generators (Units DEG-1 and DEG-2), the permittee shall conduct performance tests for opacity on an annual basis to determine compliance with the opacity limits specified in this permit. Performance tests for opacity shall be conducted using USEPA Method 9 as set forth in 40 CFR 60.8 and Appendix A. [GAPCSR, Section 1104.12(7)]

II.D.6 Any deviations from these conditions, test methods, or procedures may be cause for rejections of the test results unless such deviations are approved by GEPA before the tests are conducted. [GAPCSR, Section 1102.4]

II.D.7 Upon prior written request and adequate justification by the permittee, GEPA may waive the requirement for a specific annual source test. The waiver request is to be submitted at least sixty (60) days prior to the required test and must include documentation justifying such action. Documentation should include, but is not limited to, the results of the prior test indicating compliance by a wide margin, documentation of continuing compliance, and further that operations of the source have not changed since the previous source test. [GEPA Permit GPA-685, Condition 8; GAPCSR, Section 1102.4]

II.D.8 The sulfur content of the No. 2 fuel oil to be used in the diesel engine generators (Units DEG-1 and DEG-2) shall be analyzed by the frequency and the method described in 40 CFR 60.334(b)(1) and 60.335(d), respectively. [GEPA Permit GPA-685, Condition 5, Issued October 7, 1997]

II.D.9 The permittee shall conduct weekly monitoring for opacity on the diesel engine generators (Units DEG-1 and DEG-2) following USEPA Method 22 in order to validate compliance with Conditions II.B.1.a and II.B.1.b of this permit. The visible emissions inspection shall be conducted by a Method 9-certified observer. If a visible emissions inspection conducted following USEPA Method 22 documents an instantaneous opacity reading of 10% or higher, an USEPA Method 9 “Visible Emissions Evaluation” shall be completed within three (3) working days, or during the next scheduled

Guam EPA
Title V Federal Operating Permit
Guam Power Authority – Manengon
Permit No. FO-005
Expires: March 1, 2014

operating period if the unit ceases firing on diesel fuel within the three working day time frame. [GAPCSR, Section 1104.12(7)]

II.E. Recordkeeping Requirements

II.E.1 All records, including support information, shall be maintained for at least five (5) years following the date of such records compiled in a permanent form suitable for inspection and made available to GEPA or their representative upon request. [GAPCSR, Section 1104.12(7)(H)]

II.E.2 The permittee shall maintain records of the amount of No. 2 diesel fuel burned by the diesel engine generators (Units DEG-1 and DEG-2). [GAPCSR, Section 1102.4(c)]

II.E.3 The permittee shall maintain a log of the date and nature of all inspections and maintenance activities performed at the facility [GAPCSR Section 1104.12(12)].

II.F. Reporting Requirements

II.F.1 As required in Section II.J and in conjunction with the requirements of Section II.K of this permit the permittee shall report annually the total tons per year emitted of each regulated air pollutant, including hazardous air pollutants. The reporting of annual emissions is due within sixty (60) days following the end of the each calendar year. Upon the written request of the permittee, the deadline for reporting of annual emissions may be extended, if GEPA determines that reasonable justification exists for the extension. [GAPCSR, Section 1104.24(c)]

II.F.2 The permittee shall report in writing within thirty (30) days the modification, relocation, discontinuance of operation or dismantlement of the diesel engine generators, the black start diesel generators, and the fuel oil storage tanks identified in Condition II.A.1 of this permit. [GAPCSR, Section 1104.5(a)]

II.F.3 The permittee shall provide a report to GEPA of the results of all monitoring and recordkeeping required by this permit at least once every six (6) months. Reports shall be submitted for monitoring and recordkeeping performed between January 1st and June 30th and between July 1st and December 31st and shall be postmarked by the 30th day following the end of the reporting period. The first monitoring and recordkeeping report will cover the period from the date of issuance of this permit to December 31, 2008. [GAPCSR, Section 1104.12(7)(I)]

Guam EPA
Title V Federal Operating Permit
Guam Power Authority – Manengon
Permit No. FO-005
Expires: March 1, 2014

II.F.4 The permittee shall submit to GEPA monthly summary reports indicating the quantity of fuel combusted by the diesel engine generators (Units DEG-1 and DEG-2) in the subject month to verify the diesel fuel consumption. Compliance with the yearly maximum fuel consumption will be determined by a 12-month rolling average. A rolling average calculated monthly is actually a running total of fuel consumption over 12 consecutive months. This will be calculated by adding the total gallons of fuel consumed in the subject month to the gallons consumed in the 11 months immediately preceding the subject month. The rolling average fuel consumption shall also be recorded and submitted with the monthly report. [GEPA Permit GPA-685, Condition 4, Issued October 7, 1997]

II.F.5 The permittee shall record and report the fuel analysis data described in Condition II.D.8 of this permit to GEPA on a quarterly basis. [GEPA Permit GPA-685, Condition 5, Issued October 7, 1997]

II.F.6 In the event of excess emissions or malfunction of the diesel engine generators (Units DEG-1 and DEG-2), the permittee shall notify GEPA within twenty-four (24) hours by telephone of such events. These events shall be followed with a submission of a written notice to GEPA within two (2) weeks from the date of occurrence. [GEPA Permit GPA-685, Condition 10, Issued October 7, 1997]

II.G. Compliance Schedule

II.G.1 For applicable requirements with which the source is in compliance, the source will continue to comply with such requirements. [GAPCSR, Section 1104.8(b)(2)(A)]

II.G.2 For applicable requirements which become applicable during the permit term, the source shall meet such applicable requirements on a timely basis. [GAPCSR, Section 1104.8(b)(2)(B)]

II.H. Compliance Certifications

II.H.1 The compliance plan and compliance certification submittal requirements shall be in accordance with Sections 1104.8 and 1104.9 of the GAPCSR. The compliance certification shall be submitted to GEPA and the USEPA Regional Administrator once per year, or more frequently as set by any applicable requirement. [GAPCSR, Sections 1104.8 and 1104.9]

II.H.2 During the permit term, the permittee shall submit at least annually to GEPA, a compliance certification pursuant to Section 1104.9 of the GAPCSR. This certification shall be postmarked by January 30th of each year, and shall cover the previous calendar year (January 1 through

Guam EPA
Title V Federal Operating Permit
Guam Power Authority – Manengon
Permit No. FO-005
Expires: March 1, 2014

December 31). The first compliance certification will cover the period from the date of issuance of this permit to December 31, 2008. The permittee shall indicate whether or not compliance is being met with each term or condition of this permit. [GAPCSR, Section 1104.9]

II.I. General Air Quality Protections

II.I.1 The permittee shall not dispose of combustible material by open burning, or cause, suffer, allow, or permit open burning of combustible material within Guam, except as provided in Sections 1103.11 (b) through (e) of the GAPCSR. [GAPCSR, Section 1103.11; SIP, Section 6.1]

II.I.2 Control of Odors in Ambient Air

II.I.2.a The permittee shall not discharge or cause to be discharged into the atmosphere from any source whatsoever, such quantities of odorous emissions which is injurious to health, or is indecent or offensive to the senses, which affects at the same time an entire community or neighborhood, or any considerable number of persons, so as to unduly interfere with the comfortable enjoyment of life or property of such community, neighborhood or persons. It is a creation of a condition which causes injury to the public welfare. [GAPCSR, Section 1103.12(a); SIP, Section 11.1]

II.I.2.b An odor occurrence shall be deemed a violation when a complaint is received by the Administrator and the Administrator is able to detect the odor. This detection must be verified by the Department of Public Health, Environmental Health Section for a person to be found in violation of subsection (a) of this condition. [GAPCSR, Section 1103.12(b); SIP, Section 11.2]

II.I.2.c The odor of growing vegetation, and chemical fertilizers and insecticides when used properly, or when persons can demonstrate to the Administrator that the best practical operation or treatment is being implemented, shall not be considered objectionable for the purposes of this requirement. [GAPCSR, Section 1103.12(c); SIP, Section 11.3]

II.I.3 The permittee shall comply with the asbestos requirements of 40 CFR 61, Subpart M (as amended and incorporated in Section 1103.13 of the GAPCSR), including requirements for demolition and renovation projects. [GAPCSR, Section 1103.13]

Guam EPA
 Title V Federal Operating Permit
 Guam Power Authority – Manengon
 Permit No. FO-005
 Expires: March 1, 2014

II.J. Annual Emissions Reporting Requirements

II.J.1 The reporting period for the annual emissions, including emissions from the emission units identified in Condition II.A.1 of this permit, shall be from January 1 to December 31 of each calendar year. All reports shall be submitted to GEPA along with the annual fee due. The report shall be mailed to [GAPCSR, Section 1104.24(c)]:

**Administrator
 Guam Environmental Protection Agency
 Air and Land Division
 Air Pollution Control Program
 P.O. Box 22439 GMF
 Barrigada, Guam 96921**

All applicable correspondences and records with this permit submitted to GEPA shall have duplicate copies forwarded to:

**Director, Air Division (Attn: AIR-5)
 U.S. Environmental Protection Agency
 75 Hawthorne Street
 San Francisco, CA 94105**

II.J.2 The permittee shall retain the information submitted, including all emissions calculations. These records shall be in a permanent form suitable for inspection, retained for a minimum of five (5) years, and made available to GEPA upon request. [GAPCSR, Section 1104.12(7)(H)]

II.J.3 Any information submitted to GEPA without a request for confidentiality shall be considered public record. [GAPCSR, Section 1102.7]

II.J.4 The permittee may request confidential treatment of specific information by submitting a written request to the Administrator identifying the specific information that is to be accorded confidential treatment. [GAPCSR, Section 1102.7(b)]

II.K. Fee Payment

II.K.1 The permittee shall submit fees in accordance with GAPCSR, Sections 1104.21 through 1104.24. [GAPCSR, Section 1104.12(9)(K)]

II.K.2 The permittee shall complete and submit the Annual Fee Calculation Worksheet, including all emissions calculations, with the required annual fee. The permittee shall make copies for future use. [GAPCSR, Section 1104.24(I)]

Guam EPA

Title V Federal Operating Permit

Guam Power Authority – Manengon

Permit No. FO-005

Expires: March 1, 2014

II.K.3 Annual fees shall be paid in full: [GAPCSR, Section 1104.24 (a)]

II.K.3.a Within sixty (60) days after the end of each calendar year;

II.K.3.b Within thirty (30) days after permanent discontinuance of the air emission source.

II.K.4 The permittee shall be assessed a Six Dollars (\$6.00) per ton per pollutant base rate of the total annual emission. However, the minimum annual fee due shall be Five Hundred Dollars (\$500.00) for each valid permit held during the prior calendar year; or Forty-Two Dollars (\$42.00) per month for any fraction of the year the permit is valid after the last calendar year for which annual fee was paid. [GAPCSR, Section 1104.24(g)]

II.K.5 If any part of the annual fee is not paid within thirty (30) days after the due date, a late penalty of five percent (5%) of the amount due shall at once accrue and be added thereto. Thereafter, on the first day of each calendar month during which part of the annual fee or any prior accrued late payment penalty remains unpaid, an additional late payment penalty of five percent (5%) of the then unpaid balance shall accrue and be added thereto. [GAPCSR, Section 1104.25(b)]

II.K.6 If any annual fee, including the late payment penalty required by the GAPCSR is not paid in full within thirty (30) days after the due date, the Administrator may terminate or suspend any or all of the owner or operator's air pollution control permit, after affording the opportunity for a hearing in accordance with Section 1104.19 or Section 1102.14 of the GAPCSR [GAPCSR, Section 1104.25(c)]

II.K.7 The annual emissions data for which the annual fees are based shall accompany the submittal of any annual fees and submitted on forms furnished by GEPA. [GAPCSR, Section 1104.24(c)]

II.K.8 Check payments shall be made payable to the Treasurer of Guam along with a notation that the funds be deposited into GEPA's Air Pollution Control Special Fund. [GAPCSR, Section 1104.21(d)]

Guam EPA

Title V Federal Operating Permit

Guam Power Authority – Manengon

Permit No. FO-005

Expires: March 1, 2014

II.K.9 The annual fees and emissions data shall be mailed to [GAPCSR, Section 1104.24]:

**Administrator
Guam Environmental Protection Agency
Air and Land Division
Air Pollution Control Program
P.O. Box 22439 GMF
Barrigada, Guam 96921**

All applicable correspondences and records with this permit submitted to GEPA shall have duplicate copies forwarded to:

**Director, Air Division (Attn: AIR-5)
U.S. Environmental Protection Agency
75 Hawthorne Street
San Francisco, CA 94105**

Guam EPA
Title V Federal Operating Permit
Guam Power Authority – Manengon
Permit No. FO-005
Expires: March 1, 2014

III. Title V Administrative Requirements

III.A. Blanket Compliance Statement

The permittee shall comply with all the terms and conditions of this permit. Any permit noncompliance constitutes a violation of the GAPCSR and, for all federally enforceable terms and conditions, the CAA, and is grounds for enforcement action, permit termination, suspension, reopening, or amendment, or for denial of a permit renewal application. Permit noncompliance shall be subject to the penalties and remedies provided for in Section 49116 of Chapter 49, Part 2, Division 2, Part 1 of Title 10 of the GCA. [GAPCSR, Section 1104.12(9)(A) and 1102.12; SIP, Section 4.4]

III.B. Duty to Provide and Supplement Information

The permittee shall furnish, in a timely manner, any information or record requested in writing by GEPA to determine whether cause exists for terminating, suspending, reopening, or amending the permit, or to determine compliance with the permit. Upon request, the permittee shall also furnish to GEPA copies of records required to be kept by the permit. For information claimed confidential, the permittee shall furnish such records to GEPA with a claim of confidentiality. [GAPCSR, Section 1104.12(9)(H)]

III.C. Submissions

Any document (including reports, compliance plans and compliance certifications) required to be submitted by this permit shall be certified by a responsible official. This certification shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete in accordance with 1102.3 and shall be mailed or forwarded to the following address [GAPCSR, Sections 1102.3 and 1104.12(9)(L)]:

**Administrator
Guam Environmental Protection Agency
Air and Land Division
Air Pollution Control Program
P.O. Box 22439 GMF
Barrigada, Guam 96921**

All applicable correspondences and records with this permit submitted to GEPA shall have duplicate copies forwarded to:

**Director, Air Division (Attn: AIR-5)
U.S. Environmental Protection Agency
75 Hawthorne Street
San Francisco, CA 94105**

Guam EPA
Title V Federal Operating Permit
Guam Power Authority – Manengon
Permit No. FO-005
Expires: March 1, 2014

III.D. Severability Clause

If any term or condition of this permit becomes invalid as a result of a challenge to a portion of this permit, the other terms and conditions of this permit shall not be affected and remain valid. [GAPCSR, Section 1104.12(9)(B)]

III.E. Circumvention

The permittee shall not cause or permit the installation or use of any device or any means which, without resulting in reduction in the total amount of air contaminant emitted, conceals or dilutes an emission of air contaminant which would otherwise violate these regulations. This provision does not prohibit recycling, burning as fuel or otherwise further processing material which would violate an emission regulation if released to the atmosphere, so long as the facility in which that material is used does not violate applicable emission regulations. [SIP, Section 17.2]

III.F. Permit Actions

This permit will be revoked if the Agency finds willful or continued violations of the standards and regulations. [GAPCSR, Sections 1104.12(9)(A), 1104.18(a)(4), and 1104.18(b)(3); SIP, Section 3.7(c)]

III.G. Reopening for Cause

This permit may be terminated, suspended, reopened, or amended for cause pursuant to Section 1104.18 of the GAPCSR, after affording the permittee an opportunity for a hearing in accordance with Section 1102.14 or 10 GCA 49111. [GAPCSR, Section 1104.12(9)(D)]

III.H. Property Rights

This permit does not convey any property rights of any sort, or any exclusive privilege. [GAPCSR, Section 1104.12(9)(E)]

III.I. Inspection and Entry

III.I.1 The permittee shall allow GEPA, the Regional Administrator for the USEPA and/or an authorized representative, upon presentation of credentials or other documents required by law:

III.I.1.a To enter the premises where a source is located or emission-related activity is conducted, or where records must be kept under the conditions of the permit and inspect at reasonable times all facilities, equipment, practices, operations, or records covered under the terms and conditions of the permit and request copies of records or copy records required by the permit; and

Guam EPA
 Title V Federal Operating Permit
 Guam Power Authority – Manengon
 Permit No. FO-005
 Expires: March 1, 2014

III.I.1.b To sample or monitor at reasonable times substances or parameters to assure compliance with the permit or applicable requirements. [GAPCSR, Section 1104.12(9)(M)]

III.J. Emergency Provisions

III.J.1 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 to the Administrator the affirmative defense of emergency through properly signed, contemporaneous operating logs, or other relevant evidence that:

III.J.1.a An emergency occurred and the permittee can identify the cause(s) of the emergency;

III.J.1.b The permitted facility was at the time being properly operated;

III.J.1.c During the period of the emergency, the permittee took all reasonable steps to minimize levels of emissions that exceeded the emission limitations or other requirements in this permit; and

III.J.1.d The permittee submitted notice of the emergency to the Administrator within two (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 prompt reporting of deviations pursuant to Section 1102.9 of the GAPCSR. [GAPCSR, Sections 1104.17(a) and 1104.1(c)]

III.J.1.e In any enforcement proceeding the permittee attempting to establish the occurrence of an emergency has the burden of proof. [GAPCSR, Section 1104.17(b)]

III.K. Transfer of Ownership or Operation

III.K.1 This permit is not transferable, whether by operation of law or otherwise, either from one location to another or from one piece of equipment to another. [GAPCSR, Section 1104.4(c); SIP Section 3.8]

III.K.2 This permit shall not be transferable, whether by operation of law or otherwise, from person to person without the approval of the Administrator. [GAPCSR, Section 1104.4(d); SIP Section 3.8]

Guam EPA

Title V Federal Operating Permit

Guam Power Authority – Manengon

Permit No. FO-005

Expires: March 1, 2014

III.K.3 In the event of any changes in control or ownership of facilities to be operated or modified, the resulting modification of this permit shall be made as an administrative amendment pursuant to Section 1104.20 of the GAPCSR. [GAPCSR, Section 1104.20]

III.L. Permit Expiration and Renewal

III.L.1 This permit is issued for a fixed term of five years from the date of issuance. [GAPCSR, Section 1104.11; SIP Section 3.1(b)(4)]

III.L.2 Application for permit renewal shall be submitted no more than eighteen (18) months prior to the date of permit expiration. Application for permit renewal shall be submitted no later than six (6) months prior to the date of permit expiration. Late applications shall be subject to penalties pursuant to Section 1104.25 of the GAPCSR. [GAPCSR, Section 1104.6(d); SIP Section 3.1(b)(4)]

III.L.3 This permit shall remain valid past the expiration date and the air pollution emission source shall not be in violation for failing to have an air pollution control permit, until the Administrator has issued or denied the renewal of the air pollution control permit, provided [GAPCSR, Section 1104.2(d)]:

III.L.3.a A complete renewal application has been submitted and the owner or operator acts consistently with the permit previously granted, and the application on which it was based, and all plans, specifications, and other information submitted as part of the application; and

III.L.3.b The owner or operator has submitted to the Administrator within the specified deadlines, all requested additional information deemed necessary to evaluate or take final action on the renewal application as described in Section 1104.6 of the GAPCSR.

III.M. Permit Modifications

Applications for modification of this permit are subject to the same requirements as the initial application including all requirements pursuant to Section 1104.6 (c) of the GAPCSR. The permittee shall submit a description of the modification, identifying all proposed changes, including any changes to the source operations, work practices, equipment design, source emissions, or any monitoring, record keeping, and reporting procedures. Each change from the permit application for this permit shall be identified on the application for the permit modification. [GAPCSR, Section 1104.6(f)]

Guam EPA

Title V Federal Operating Permit
 Guam Power Authority – Manengon
 Permit No. FO-005
 Expires: March 1, 2014

III.N. Malfunction

III.N.1 Except for emergencies which result in noncompliance with any technology-based emission limitation in accordance with Section 1104.17 of the GAPCSR, in the event any emission unit, air pollution control equipment, or related equipment breaks down in such a manner as to cause the emission of air pollutants in violation of GAPCSR, or this permit, the permittee shall immediately notify, within twenty-four (24) hours, GEPA of the failure or breakdown, unless the protection of personnel or public health or safety demands immediate attention to the failure or breakdown and makes such notification infeasible. In the latter case, the notice shall be provided as soon as practicable. The submittal of these notices shall not be a defense to an enforcement action. Within five (5) working days of this initial notification, the permittee shall also submit, in writing, the following information:

III.N.1.a Identification of emission points;

III.N.1.b Magnitude of the excess emissions;

III.N.1.c Time and duration of the excess emissions;

III.N.1.d Identity of the process or control equipment causing the excess emissions;

III.N.1.e Cause and nature of the excess emissions;

III.N.1.f Description of the steps taken to remedy the situation, prevent a recurrence, limit the excessive emissions, and assure that the breakdown does not interfere with the attainment and maintenance of the National Ambient Air Quality Standards (NAAQS) and Guam ambient air quality standards;

III.N.1.g Documentation that the equipment or process was at all times maintained and operated in a manner consistent with good practice for minimizing emissions; and

III.N.1.h A statement that the excess emissions are not part of a recurring pattern indicative of inadequate design, operation, or maintenance. [GAPCSR, Section 1102.9]

III.O. Agency Notifications

III.O.1 The permittee shall notify the Administrator in writing of the following dates:

Guam EPA

Title V Federal Operating Permit

Guam Power Authority – Manengon

Permit No. FO-005

Expires: March 1, 2014

- III.O.1.a The anticipated date of initial start-up for each emission unit of a new source or significant modification not more than sixty (60) days or less than thirty (30) days prior to such date.
- III.O.1.b The actual date of construction commencement within fifteen (15) days after such date.
- III.O.1.c The actual date of start-up within fifteen (15) days after such date. [GAPCSR, Section 1104.12(9)(G)]
- III.O.2 The permittee shall notify GEPA in writing, of the intent to shut down air pollution control equipment for necessary scheduled maintenance at least twenty-four (24) hours prior to the planned shutdown. The submittal of this notice shall not be a defense to an enforcement action. The notice shall include the following:
 - III.O.2.a Identification of the specific equipment to be taken out of service, as well as its location and permit number;
 - III.O.2.b The expected length of time that the air pollution control equipment will be out of service;
 - III.O.2.c The nature and quantity of emissions of air pollutants likely to be emitted during the shutdown period;
 - III.O.2.d Measures such as the use of off-shift labor and equipment that will be taken to minimize the length of the shutdown period; and
 - III.O.2.e The reasons why it would be impossible or impractical to shut down the source operation during the maintenance period. [GAPCSR, Section 1102.8; SIP, Section 4.3]
- III.O.3 A copy of applicable correspondence or records submitted to GEPA shall be provided to the USEPA pursuant to Section 1104.15 of the GAPCSR. [GAPCSR, Section 1104.12(9)(I)]
- III.O.4 Within thirty (30) days of permanent discontinuance of the operation, modification, relocation, or construction of any of the above units, the responsible official shall report the discontinuance in writing to the Administrator. [GAPCSR, Section 1104.5(a)]

III.P. Miscellaneous Conditions

- III.P.1 Unless specifically identified, the terms and conditions contained in this permit are consistent with the applicable requirement on which each term

Guam EPA

Title V Federal Operating Permit

Guam Power Authority – Manengon

Permit No. FO-005

Expires: March 1, 2014

or condition is based. [Section 49107(7)(c)(2) of Chapter 49, Part 2, Division 2, Part 1 of Title 10 of the GCA]

III.P.2 This permit, or a copy thereof, shall be maintained at or near the source for which this permit was issued and shall be made available for inspection upon request. [GAPCSR, Section 1104.4(a); SIP, Section 3.12]

III.P.3 This permit shall not be willfully defaced, altered, forged, counterfeited, or falsified. [GAPCSR, Section 1104.4(b); SIP, Section 3.13]

III.P.4 The facility covered by this permit shall be constructed and operated in accordance with the application, and any information submitted as part of the application, for this permit. There shall be no deviation from this permit condition unless additional or revised plans are submitted to and approved by GEPA, and the permit is amended to allow for such deviation. [GAPCSR, Section 1104.12(12)]

III.P.5 This permit (a) does not release the permittee from compliance with other applicable statutes of Guam, or with applicable local or federal laws, regulations, or ordinances, and (b) shall not constitute, nor be construed to be an approval of the design of the source. [GAPCSR, Sections 1104.2(e) and 1104.12(11)]

III.P.6 The permittee shall not use as a defense in an enforcement action that it would have been necessary to halt or reduce the permitted activity to maintain compliance with the terms and conditions of this permit. [GAPCSR, Section 1104.12(9)(C)]

III.P.7 The filing of a request by the permittee for a permit termination, suspension, reopening, or amendment, or a notification of planned changes or anticipated noncompliance does not stay any permit condition. [GAPCSR, Section 1104.12(9)(D)]

III.P.8 This permit shall become invalid with respect to any authorized construction if construction is not commenced as follows:

III.P.8.a Within thirty (30) days of permanent discontinuance of the construction, modification, relocation or operation of any permitted air pollution emission source, the responsible official shall report the discontinuance in writing to the Administrator.

III.P.8.b For phased construction projects, each phase shall commence construction within eighteen (18) months of the projected and approved commencement dates in the permit. [GAPCSR, Sections 1104.5(b), 1104.5(c), and 1104.12(9)(F)]

Guam EPA
Title V Federal Operating Permit
Guam Power Authority – Manengon
Permit No. FO-005
Expires: March 1, 2014

- III.P.9 GEPA may extend the time periods specified in Condition III.P.8 of this permit upon a satisfactory showing that an extension is justified. Request for an extension shall be submitted in writing to GEPA. [GAPCSR, Section 1104.5(d)]
- III.P.10 The permittee may request confidential treatment of any records in accordance with Section 1102.7 of the GAPCSR. [GAPCSR, Section 1104.12(9)(J)]
- III.P.11 The terms and conditions included in this permit, including any provision designed to limit a source's potential to emit, are federally enforceable unless such terms, conditions, or requirements are specifically designated as not federally enforceable. [GAPCSR, Section 1104.14]

GUAM ENVIRONMENTAL PROTECTION AGENCY AIR POLLUTION CONTROL PERMIT

Permit No. 01-MAJFOPP0329.12



IS HERBY ISSUED TO

Marianas Energy Company

LOCATED AT


#150 Cabras Highway, Rt. 11

in accordance with the Guam Air Pollution Control Standards and Regulations (GAPCSR),
Public Law 24-20, 10 Guam Code Annotated (GCA), Chapter 49.

This Permit is non-transferable and the permittee is subject to the requirements for holding and transfer of permits in Section 1104.4 of the GAPCSR.

No person shall willfully deface, alter, forge, counterfeit, or falsify this Permit.

This Permit shall expire **03/29/12**. The renewal application shall be submitted no later than **10/29/11**.


LORILEE T. CRISOSTOMO
Administrator
Date: 4-3-2007





GUAM ENVIRONMENTAL PROTECTION AGENCY



AHENSIAN PRUTEKSION LINA'LA GUAHAN

P.O. BOX 22439 GMF • BARRIGADA, GUAM 96921 • TEL: 475-1658/9 • FAX: 477-9402

TITLE V PERMIT TO OPERATE

Permit Number: **01-MAJFOPP0329.12**
 Issue Date: **March 29, 2007**
 Expiration Date: **March 29, 2012** **APR 03 2007**

In accordance with the provisions of Title V of the Clean Air Act (CAA) and the Guam Air Pollution Control Standards and Regulations (GAPCSR), Public Law 24-20, 10 Guam Code Annotated (GCA), Chapter 49,

Marianas Energy Company – Piti Power Plant Piti, Guam

is authorized to operate air emission units and to conduct other air pollutant emitting activities in accordance with the permit conditions listed in this permit. Terms and conditions not otherwise defined in this permit have the meaning assigned to them in the referenced regulations. All terms and conditions of the permit are enforceable by the United States Environmental Protection Agency (USEPA) and citizens under the CAA. The issuance of this permit is based on the plans, specifications, and additional information that was submitted as part of the application dated January 20, 2003.

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.

Acceptance of this permit constitutes an agreement and acknowledgement that the holder will comply with all the rules and regulations of the Guam Environmental Protection Agency (GEPA) and these permit conditions.

This permit, (a) does not in any manner affect the title of the premises upon which the equipment is located, (b) does not release the permittee from any liability for any loss due to personal injury or property damage caused by, resulting from or arising out of the design, installation, maintenance, or operation of the equipment, and (c) in no manner implies or suggests that GEPA, or its officers, agents, or employees assumes any liability, directly or indirectly, for any loss due to personal injury or property damage caused by, resulting from or arising out of the design, installation, maintenance, or operation of the equipment.

Guam EPA

Title V Federal Operating Permit

Marianas Energy Company – Piti Power Plant

Permit No. 01-MAJFOPP0329.12

Expires: March 29, 2012

This permit is valid for a period of five (5) years and shall expire at midnight on the date specified above unless a timely and complete renewal application has been submitted at least 6 months but not more than 18 months prior to the date of expiration. The permit number cited above should be referenced in future correspondence regarding this facility.

APR 03 2007

Date



LORILEE T. CRISOSTOMO

Administrator

Guam EPA

Guam EPA

Title V Federal Operating Permit

Marianas Energy Company – Piti Power Plant

Permit No. 01-MAJFOPP0329.12

Expires: March 29, 2012

Abbreviations and Acronyms

Btu	British thermal units
CAA	Clean Air Act [42 U.S.C. Section 7401 et seq.]
CFR	Code of Federal Regulations
CO	Carbon Monoxide
CPAICS	Cabras-Piti Area Intermittent Control Strategy
GAPCSR	Guam Air Pollution Control Standards and Regulations
GCA	Guam Code Annotated
GEPA	Guam Environmental Protection Agency
GPA	Guam Power Authority
HP	horsepower
hr	hour
kW	kilowatt
lb	pound
MMBtu	Million British thermal units
MW	Megawatt
NAAQS	National Ambient Air Quality Standard
NO _x	Nitrogen Oxides
O ₂	Oxygen
PM	Particulate Matter
PM ₁₀	Particulate matter less than 10 microns in diameter
ppm	parts per million
ppmdv	parts per million dry volume
PSD	Prevention of Significant Deterioration
SIC	Standard Industrial Classification
SIP	State Implementation Plan
SO ₂	Sulfur Dioxide
USEPA	United States Environmental Protection Agency
VOC	Volatile Organic Compounds

Guam EPA

Title V Federal Operating Permit

Marianas Energy Company – Piti Power Plant

Permit No. 01-MAJFOPP0329.12

Expires: March 29, 2012

TABLE OF CONTENTS

Cover Page

Abbreviations and Acronyms

I. Source Identification

II. Facility-wide and Unit Specific Permit Conditions

- A. Equipment Description
- B. Emission Limits
- C. Work Practice and Operational Requirements
- D. Monitoring and Testing Requirements
- E. Performance Testing Requirements
- F. Recordkeeping Requirements
- G. Reporting Requirements
- H. Compliance Schedule
- I. Compliance Certifications
- J. General Air Quality Protections
- K. Annual Emissions Reporting Requirements
- L. Fee Payment

IV. Title V Administrative Requirements

- A. Blanket Compliance Statement
- B. Duty to Provide and Supplement Information
- C. Submissions
- D. Severability Clause
- E. Circumvention
- F. Permit Actions
- G. Reopening for Cause
- H. Property Rights
- I. Inspection and Entry
- J. Emergency Provisions
- K. Transfer of Ownership or Operation
- L. Permit Expiration and Renewal
- M. Permit Modifications
- N. Malfunctions
- O. Agency Notifications
- P. Miscellaneous Conditions

Guam EPA

Title V Federal Operating Permit

Marianas Energy Company – Piti Power Plant

Permit No. 01-MAJFOPP0329.12

Expires: March 29, 2012

I. Source Identification

Facility Name: Piti Power Plant
Facility Location: 150 Cabras Highway, Rt. 11
City: Piti
Territory: Guam
USEPA Region: 9
SIC Code: 4911

Responsible Official: Rino T. Manzano
Phone Number: (671) 477-3060

Facility Manager/Contact: Irineo M. Acain
Phone Number: (671) 477-3060

Person Responsible for Recordkeeping: Carmelito Sigua
Phone Number: (671) 477-3060 Ext. 220

Description of Process:

Piti Power Plant generates electric power by burning residual fuel oil and diesel oil in two diesel engines. The facility also recovers waste heat with boilers installed on both diesel engines and stores fuel in two large storage tanks

Activities that have the potential to cause significant emissions of air pollutants include burning of fossil fuel in the two diesel engines and an emergency generator, and evaporation from fuel storage tanks.

Guam EPA

Title V Federal Operating Permit

Marianas Energy Company – Piti Power Plant

Permit No. 01-MAJFOPP0329.12

Expires: March 29, 2012

II. Facility-wide and Unit Specific Permit Conditions**II.A. Equipment Description**

II.A.1 This permit encompasses the following equipment and associated appurtenances that are considered significant sources of emissions. [GAPCSR, Section 1104.12(12)]

Emission Unit ID	Description	Manufacturer	Model	Serial Number
DE 8	45,200 kilowatt (kW) diesel engine with waste heat recovery boiler	Mitsui – Man B&W	10K 90 MC-S Mark VI	3709
DE 9	45,200 kW diesel engine with waste heat recovery boiler	Mitsui - Man B&W	10K 90 MC-S Mark VI	3710
GO-X57	1 megawatt (MW) standby emergency “blackstart” diesel engine generator	Caterpillar	3512PGS	24Z08673
TA-FO-04	408,100 gallon residual fuel oil storage tank			
TA-FO-05	408,100 gallon residual fuel oil storage tank			

This permit also encompasses the following equipment and associated appurtenances that are considered insignificant sources of emissions.

Emission Unit ID	Description
TA-FO-06	39,600 gallon diesel oil storage tank
TA-FO-26	5,800 gallon heavy fuel oil buffer tank
TA-FO-01	39,600 gallon high sulfur heavy fuel oil service tank
TA-FO-03	39,600 gallon low sulfur heavy fuel oil service tank
TA-LO-06	18,480 gallon main lubricating oil storage tank
TA-LO-05	13,200 gallon cylinder oil storage tank
TA-100-21	6,600 gallon sludge holding tank
N/A	300 gallon fire pump fuel tank
TA-FO-25	Black start diesel generator service tank
TA-L8-34, TA-L9-34	Lube oil header tank
N/A	145,000 British thermal unit per hour (Btu/hr) steam cleaner
N/A	240 horsepower (HP) diesel engine fire pump

Guam EPA

Title V Federal Operating Permit

Marianas Energy Company – Piti Power Plant

Permit No. 01-MAJFOPP0329.12

Expires: March 29, 2012

II.A.2 The permittee shall have installed an identification tag or nameplate on each piece of equipment that identifies the model number, serial number, and manufacturer. The identification tag or nameplate shall be permanently attached to the equipment at a conspicuous location. [Section 49107(7)(B) of Chapter 49, Part 2, Division 2, Part 1 of Title 10 of the GCA]

II.B. Emission Limits**II.B.1 Fuel Burning Equipment (Units DE 8, DE 9, and GO-X57)**

II.B.1.a For fuel burning equipment with a heat input greater than one (1) million British thermal units per hour (MMBtu/hr) but less than 1,000 MMBtu/hr, the allowable particulate emissions shall be calculated using the following equation [State Implementation Plan (SIP) Section 7.5]:

$$Y = 1.02 X^{-0.231}$$

Where: Y = Allowable particulate emission rate (lb/MMBtu)
X = Operating rate (MMBtu/hr)

II.B.2 Emergency Blackstart Diesel Engine Generator (Unit GO-X57)

II.B.2.a The permittee shall not cause or permit the continuous emission of visible air pollutants with a density equal to or darker than twenty (20) percent opacity from any emission unit nor the emission of visible air pollutants of a density darker than sixty (60) percent opacity for a period aggregating more than three (3) minutes in any sixty (60) minute period. [GAPCSR, Section 1103.3; SIP Section 10.1]

II.B.3 Diesel Engines (Units DE 8 and DE 9)

II.B.3.a The permittee shall not discharge or cause the discharge into the atmosphere the following pollutants in excess of the specified limits from each of the diesel engines (Units DE 8 and DE 9), averaged over a three hour period:

Pollutant	Emission Limit
Particulate matter less than 10 microns (PM ₁₀)	168 pounds per hour (lb/hr)
Carbon monoxide (CO)	140 parts per million dry volume (ppmdv) at 15% oxygen (O ₂) at full load
	125 lb/hr at full load

Guam EPA

Title V Federal Operating Permit

Marianas Energy Company – Piti Power Plant

Permit No. 01-MAJFOPP0329.12

Expires: March 29, 2012

	299 ppm _{dv} at 15% O ₂ at less than full load
	135 lb/hr at less than full load
Nitrogen oxides (NO _x)	950 parts per million (ppm) at 15% O ₂
	1,366 lb/hr
Volatile organic compounds (VOC)	154 lb/hr at full load
	175 lb/hr at less than full load
Sulfur dioxide (SO ₂)	780 lb/hr

[USEPA PSD Permit GU 97-01, Conditions X.E, X.F, X.G, X.H, and X.I, Issued November 24, 1998; GEPA Permit ENR-679, Conditions 12, 13, 14, and 15, Issued August 18, 1997]

II.B.3.b The USEPA may set new lower allowable emission rates for the PM₁₀, NO_x, CO, and VOC emission limits specified in the table in Condition II.B.3.a of this permit after reviewing the performance test results required under Condition II.E.7 of this permit. If an emission limit is revised, the difference between the emission limit set forth above and the revised lower emission limit shall not be allowed as an emission offset for future construction or modification. [USEPA Permit GU 97-01, Conditions X.F, X.G, X.H, and X.I, Issued November 24, 1998]

II.B.3.c The permittee shall not discharge or cause the discharge into the atmosphere from the diesel engine exhaust stack (Units DE 8 and DE 9) gases which exhibit an opacity of 20% or greater for any period of periods aggregating more than three minutes in any one hour except during periods of startup or shutdown. The opacity may not exceed 60 percent during equipment startup or shutdown. [USEPA PSD Permit GU 97-01, Condition X.F, Issued November 24, 1998; GEPA Permit ENR-679, Condition 16, Issued August 18, 1997; GAPCSR, Section 1103.3; SIP, Section 10.1]

II.C. Work Practice and Operational Requirements

II.C.1 All equipment, facilities, and systems installed or used to achieve compliance with terms and conditions of this permit shall at all times, including periods of startup, shutdown, and malfunction, be maintained in good working order and be operated as efficiently as possible so as to minimize air pollutant emissions. [USEPA PSD Permit GU 97-01, Condition III, Issued November 24, 1998]

Guam EPA

Title V Federal Operating Permit

Marianas Energy Company – Piti Power Plant

Permit No. 01-MAJFOPP0329.12

Expires: March 29, 2012

- II.C.2 At all times, including periods of startup, shutdown, and malfunction, the permittee shall, to the extent practicable, maintain and operate the diesel engines (Units DE 8 and DE 9) and water emulsification system in a manner consistent with good air pollution control practices for minimizing emissions. Determinations of whether acceptable operating and maintenance procedures are being used will be based on information available to GEPA which may include, but is not limited to, monitoring results, review of operating and maintenance procedures, and inspection of the source. [GEPA Permit ENR-679, Condition 25, Issued August 18, 1997]
- II.C.3 The permittee shall conduct proper preventative maintenance procedures for the diesel engines (Units DE 8 and DE 9) and emergency blackstart diesel engine generator (Unit G0-X57) in accordance with the manufacturer's recommendations. [GEPA Permit ENR-679, Condition 1, Issued August 18, 1997; GEPA Permit ENR-756, Condition 1, Issued November 25, 1998; GAPCSR, Section 1104.12(12)]
- II.C.4 Except as described in Condition II.C.7 of this permit, the sulfur content of the fuel oil used to fire the diesel engines (Units DE 8 and DE 9) shall not exceed 2.00 percent by weight during periods when the wind is blowing off-shore and 1.19 percent by weight when the wind is blowing on-shore. Off-shore and on-shore wind directions are defined in the protocol for fuel switching titled *Cabras-Piti Area Intermittent Control Strategy* and referenced in 40 CFR 69.11(a)(3)(i). [USEPA PSD Permit GU 97-01, Condition X.D.1, Issued November 24, 1998; GEPA Permit ENR-679, Condition 18, Issued August 18, 1997; Cabras-Piti Area Intermittent Control Strategy, Island-Wide Power System, Cabras-Piti Complex (Fuel-Switching Protocol), August 15, 1997]
- II.C.5 For the purposes of the *Cabras-Piti Area Intermittent Control Strategy*, the following shall constitute an on-shore wind condition: whenever, on two consecutive fifteen minute averages, the wind is either less than 1.0 meters per second or is from a direction outside an arc between 240 degrees from true north and 20 degrees from true north in a counterclockwise direction, using the Guam Power Authority's Cabras-Piti meteorological station as the apex of the arc. [Cabras-Piti Area Intermittent Control Strategy, Island-Wide Power System, Cabras-Piti Complex (Fuel-Switching Protocol), August 15, 1997]
- II.C.6 The diesel engines (Units DE 8 and DE 9) must be switched to low sulfur fuel oil within 15 minutes of notification of an on-shore wind condition by the Guam Power Authority (GPA) Power System Dispatcher. [Cabras-Piti Area Intermittent Control Strategy, Island-Wide Power System, Cabras-Piti Complex (Fuel-Switching Protocol), August 15, 1997]
- II.C.6.a Switching from low sulfur fuel oil to high sulfur fuel oil used at the Piti Power Plant may occur at any time after notification from the GPA Power System Dispatcher that the wind direction and speed average is outside on-shore conditions parameters.

Guam EPA

Title V Federal Operating Permit
 Marianas Energy Company – Piti Power Plant
 Permit No. 01-MAJFOPP0329.12
 Expires: March 29, 2012

II.C.7 In order to ensure compliance with the 3-hour SO₂ National Ambient Air Quality Standard (NAAQS) during on-shore winds conditions, the permittee must comply with one of the following conditions [USEPA PSD Permit GU 97-01, Condition X.D.2, Issued November 24, 1998; GEPA Permit ENR-679, Condition 20, Issued August 18, 1997]:

II.C.7.a The permittee shall burn No. 6 fuel oil in the diesel engines (Units DE 8 and DE 9) with a maximum sulfur content not to exceed 0.5 percent by weight if all other Cabras-Piti units are operating and burning 1.19 percent fuel; or,

II.C.7.b The permittee may operate and burn No. 6 fuel oil, with a maximum sulfur content of 1.19 percent by weight, in the diesel engines (Units DE 8 and DE 9) when:

II.C.7.b.1 Both Piti Units 4 and 5 are not operating; or,

II.C.7.b.2 Either Cabras Units 1 or 2 are not operating.

Should only one of the Piti Units 4 or 5 be operating then at least one of the Cabras Units 1 or 2 must also be shutdown in order for the diesel engines (Units DE 8 and DE 9) to operate; or,

II.C.7.c The permittee must comply with an alternative fuel switching protocol approved by the Administrator of the GEPA and by the USEPA.

II.C.8 Water/fuel emulsification shall be used to control nitrogen oxide emissions from the diesel engines (Units DE 8 and DE 9) whenever the units are in operation. The water injection rate shall not be less than 20% water in the total water/fuel mixture by volume (not less than 25% water to fuel oil by weight) prior to optimization testing. Upon completion of optimization testing, USEPA or GEPA may set a new water/fuel injection ratio. [USEPA PSD Permit GU 97-01, Condition X.B, Issued November 24, 1998; GEPA Permit ENR-679, Condition 17, Issued August 18, 1997]

II.C.9 The permittee shall not operate the diesel engines (Units DE 8 and DE 9) below 50 percent of rated load except during periods of startup, shutdown, testing, or maintenance. [USEPA PSD Permit GU 97-01, Condition X.D.4, Issued November 24, 1998]

II.C.10 The operation of the emergency standby blackstart diesel engine generator (Unit GO-X57) shall be limited to standby emergency operation, blackstart operation of the facility, power outages, and testing of the generator. A request to operate the generator other than the above limitation must be submitted to GEPA ten (10) days prior to the scheduled operation for review and approval. [GEPA Permit ENR-756, Condition 2, Issued November 25, 1998]

Guam EPA

Title V Federal Operating Permit
 Marianas Energy Company – Piti Power Plant
 Permit No. 01-MAJFOPP0329.12
 Expires: March 29, 2012

- II.C.11 The standby emergency blackstart diesel engine generator (Unit GO-X57) shall use fuel oil that does not exceed 1.0% sulfur content (maximum) by weight at any time. In addition, the average over the past twelve (12) month period (including the last month reading) shall not exceed 1.0% sulfur content by weight, provided the smokestack(s) is of sufficient height as determined by the Administrator of GEPA. [GEPA Permit ENR-756, Condition 3, Issued November 25, 1998; GAPCSR, Sections 1103.10 and 1104.12(8)]
- II.C.12 Scheduled inspection and preventive maintenance of the vents on the storage tanks (Units TA-FO-04 and TA-FO-05) shall be adhered to in accordance with the manufacturer's recommendations. [GEPA Permit ENR-679, Condition 32, Issued August 18, 1997; GAPCSR, Section 1104.12(8)]
- II.C.13 A sufficient supply of the fire fighting foam shall be maintained to suppress hydrocarbon emissions from the storage tanks TA-FO-04 and TA-FO-05 in the event of abnormal conditions. [GEPA Permit ENR-679, Condition 33; GAPCSR, Section 1104.12(8)]
- II.C.14 Adequate control measures approved by GEPA shall be implemented to prevent exceedences of any applicable air quality standards during the operation of the facility. [GAPCSR, Section 1104.12(8)]
- II.C.15 The permittee shall not cause or permit visible fugitive dust to become airborne without taking reasonable precautions. Examples of reasonable precautions are [GAPCSR, Section 1103.4(a); SIP Sections 8.1, 8.4, and 8.7]:
- II.C.15.a Use of water or suitable chemicals for control of fugitive dust in the demolition of existing buildings or structures, construction and retrofitting operations, the grading of roads, or the clearing of land;
 - II.C.15.b Application of asphalt, water, or suitable chemicals on roads, material stockpiles, and other surfaces which may allow release of fugitive dust;
 - II.C.15.c Installation of appurtenances that provide an enclosure and ventilation for all crushing, aggregate screening, and conveying of material likely to become airborne;
 - II.C.15.d Installation and use of hoods, fans, and fabric filters to enclose and vent the handling of dusty materials. Reasonable containment methods shall be employed during sandblasting, spray painting, or other similar operations;
 - II.C.15.e Covering all moving, open-bodied trucks transporting materials which may release fugitive dust;

Guam EPA

Title V Federal Operating Permit

Marianas Energy Company – Piti Power Plant

Permit No. 01-MAJFOPP0329.12

Expires: March 29, 2012

- II.C.15.f Conducting agricultural operations, such as tilling of land and the application of fertilizers, in such manner as to reasonably minimize fugitive dust;
- II.C.15.g Maintenance and sealing of road-ways and parking lots so as to prevent the exposure of such surfaces to wind, water, or vehicular travel erosion; and
- II.C.15.h Prompt removal of earth or other materials from paved streets which have been transported there by trucking, earth-moving equipment, erosion, or other means.

II.C.16 Except for persons engaged in agricultural operations or persons who can demonstrate to the Administrator that the best practical operation or treatment is being implemented, no person shall cause or permit the discharge of visible fugitive dust beyond the property lot line on which the fugitive dust originates. [GAPCSR, Section 1103.4(b); SIP Section 8.2]

II.D. Monitoring Requirements

II.D.1 The permittee shall maintain and operate the following continuous emission monitoring (CEM) systems in the main stack of the diesel engines (Units DE 8 and DE 9).

- II.D.1.a A continuous monitoring system to measure stack gas NO_x concentrations. The system shall meet USEPA monitoring performance specifications (40 CFR 60.13 and 40 CFR 60, Appendix B, Performance Specifications 2 and 3).
- II.D.1.b A continuous monitoring system to measure stack gas volumetric flow rates. The system shall meet USEPA performance specifications (40 CFR 52, Appendix E).

[USEPA PSD Permit GU 97-01, Condition X.J.1, Issued November 24, 1998]

II.D.2 Excess emissions indicated by the CEM system shall be considered violations of the applicable emission limits for the purposes of this permit. [USEPA PSD Permit GU 97-01, Condition X.J.6, Issued November 24, 1998]

II.D.3 The quality assurance project plan used by the permittee for the certification and operations of the continuous emissions monitors, which meets the requirements of 40 CFR 60, Appendix F, shall be available upon request to USEPA. [USEPA PSD Permit GU 97-01, Condition X.J.7, Issued November 24, 1998]

II.D.4 The permittee shall conduct weekly visible emission observations for each diesel engine (Units DE 8 and DE 9) in accordance with 40 CFR 60, Appendix A, Method 9 or by use of a Ringlemann chart. For each period two (2) observations shall be taken at fifteen (15)

Guam EPA

Title V Federal Operating Permit

Marianas Energy Company – Piti Power Plant

Permit No. 01-MAJFOPP0329.12

Expires: March 29, 2012

second intervals for six (6) consecutive minutes for each engine. [USEPA PSD Permit GU 97-01, Condition X.J.2, Issued November 24, 1998]

II.D.5 The permittee shall maintain and operate water meters and non-resetting fuel meters to continuously monitor and record the fuel consumption and the percent of water-to-fuel mix being fired in the diesel engines (Units DE 8 and DE 9). [USEPA PSD Permit GU 97-01, Condition X.D.3, Issued November 24, 1998; GEPA Permit ENR-679, Conditions 22 and 23, Issued August 18, 1997]

II.D.6 The sulfur content of No. 6 fuel oil to be used in the diesel engines (Units DE 8 and DE 9) shall be monitored pursuant to 40 CFR 60.334(b) using the method described in 40 CFR 60.335(d). [GEPA Permit ENR-679, Condition 21, Issued August 18, 1997]

II.D.7 The permittee shall take samples of both high and low sulfur fuel oil to determine sulfur content as follows:

II.D.7.a On each occasion that fuel oil is transferred to the storage tank from any other source, or

II.D.7.b Daily if a unit is supplied fuel oil without intermediate bulk storage.

[Cabras-Piti Area Intermittent Control Strategy, Island-Wide Power System, Cabras-Piti Complex (Fuel-Switching Protocol), August 15, 1997]

II.D.8 The permittee shall continuously monitor and record the operating load of the diesel engines (Units DE 8 and DE 9). [GEPA Permit ENR-679, Condition 24, Issued August 18, 1997]

II.E. Performance Testing Requirements

II.E.1 The permittee shall provide sampling and testing facilities at its own expense. The tests shall be conducted at the maximum expected operating capacity of the equipment at this facility and GEPA may monitor the tests. For performance test purposes, sampling ports, platforms and access shall be provided by the permittee on the diesel exhaust systems in accordance with 40 CFR 60.8 (e). [GAPCSR, Section 1102.4; SIP Sections 3.6(a), 3.9, and 4.1]

II.E.2 Performance tests for NO_x, SO₂, PM, CO, VOC and opacity for the diesel engines (Units DE 8 and DE 9) shall be conducted on an annual basis and at the maximum operating capacity of the units. Upon written request from the permittee, USEPA may approve conducting particular tests at a lower specified production rate. Upon prior written request and with adequate justification from the permittee, GEPA and/or USEPA may waive a specific annual performance test. Documentation should include, but is not limited to, the results of the prior test indicating compliance by a wide margin, documentation of continuing compliance, and further that operations of the source have

Guam EPA

Title V Federal Operating Permit

Marianas Energy Company – Piti Power Plant

Permit No. 01-MAJFOPP0329.12

Expires: March 29, 2012

not changed since the previous source test. Such requests must be submitted no later than 60 days prior to the annual performance test date. [USEPA PSD Permit GU 97-01, Condition X.C.1, Issued November 24, 1998; GEPA Permit ENR-679, Condition 29, Issued August 18, 1997; GAPCSR, Section 1102.4]

II.E.3 At least 30 days prior to actual testing, the permittee shall submit to GEPA and USEPA a written performance test plan that describes the test date(s), duration, locations, and methods, source operation and other parameters that may affect test results. Such a plan shall conform to USEPA guidelines including quality assurance procedures. A test plan or quality assurance plan that does not have the approval of GEPA shall be grounds to invalidate any test and require a retest. [USEPA PSD Permit GU 97-01, Condition X.C.2, Issued November 24, 1998; GEPA Permit ENR-679, Condition 30, Issued August 18, 1997; GAPCSR, Section 1102.4]

II.E.4 Within sixty (60) days after completion of the performance test, the permittee shall submit to GEPA and USEPA Regional Administrator, the test report which shall include the operating conditions of the equipment at the time of the test, the analyses of the fuel, the summarized test results, comparative results with the permit emissions limits, and other pertinent field and laboratory data. [GAPCSR, Section 1102.4; SIP Section 4.2]

II.E.5 Any deviations from these conditions, test methods, or procedures may be cause for rejections of the test results unless such deviations are approved by GEPA before the tests are conducted. [GAPCSR, Section 1102.4]

II.E.6 Compliance with Condition II.B.3 of this permit shall be demonstrated during performance testing. The average of three one-hour tests per pollutant, as specified in Condition II.E.7 of this permit, shall be used to determine compliance. [GEPA Permit ENR-679, Condition 27, Issued August 18, 1997]

II.E.7 Annual performance tests for the emissions of NO_x, SO₂, PM, CO, VOC, and opacity shall be conducted on the diesel engines (Units DE 8 and DE 9) and the written report of such tests submitted to GEPA and USEPA. Testing shall be conducted and results reported in accordance with the test methods set forth in 40 CFR 60.8 and 40 CFR 60 Appendix A. Performance tests shall be conducted using the methods specified below. In lieu of these test methods, equivalent methods may be used with prior written approval from the USEPA.

II.E.7.a Performance tests for the emissions of SO₂ shall be conducted using USEPA Methods 1-4 and 6C.

II.E.7.b Performance tests for the emission of PM shall be conducted using USEPA Methods 1-4 and 5B.

II.E.7.c Performance tests for the emission of NO_x shall be conducted using USEPA Methods 1-4 and 7E.

Guam EPA

Title V Federal Operating Permit

Marianas Energy Company – Piti Power Plant

Permit No. 01-MAJFOPP0329.12

Expires: March 29, 2012

II.E.7.d Performance tests for the emission of CO shall be conducted using USEPA Methods 1-4 and Method 10.

II.E.7.e Performance tests for emissions of VOC shall be conducted using USEPA Methods 1-4 and 25A.

II.E.7.f Performance tests for opacity shall be conducted using USEPA Method 9.

[USEPA PSD Permit GU 97-01, Condition X.C.2, Issued November 24, 1998; GEPA Permit ENR-679, Condition 28, Issued August 18, 1997]

II.E.8 For performance test purposes, sampling ports, platforms, and access shall be provided by the permittee on the diesel engine exhaust systems (Units DE 8 and DE 9) in accordance with 40 CFR 60.8(e). [USEPA PSD Permit GU 97-01, Condition X.C.3, Issued November 24, 1998]

II.F. Recordkeeping Requirements

II.F.1 All records, including support information, shall be maintained for at least five years following the date of such records compiled in a permanent form suitable for inspection and made available to GEPA or their representative upon request. [GAPCSR, Section 1104.12(7)(H)]

II.F.2 The permittee shall maintain a file of all measurements, including continuous monitoring systems evaluations; all continuous monitoring systems or monitoring device calibration checks; adjustments and maintenance performed on these systems or devices; performance and all other information required by 40 CFR 60 recorded in a permanent form suitable for inspection. The files shall be retained for at least five years following the date of such measurements, maintenance reports, and records. [USEPA PSD Permit GU 97-01, Condition X.J.3, Issued November 24, 1998; GAPCSR, Section 1104.12(7)(H)]

II.F.3 The permittee shall record in a permanent form suitable for inspection all information, including:

II.F.3.a Fuel sulfur content (as specified in Condition II.D.6 of this permit);

II.F.3.b Fuel use, percent water in the fuel mix and hours of operation from the water meters and non-resetting fuel meters (as specified in Condition II.D.5 of this permit); and

II.F.3.c Operating load of the diesel engine generator (as specified in Condition II.D.8 of this permit).

Guam EPA

Title V Federal Operating Permit

Marianas Energy Company – Piti Power Plant

Permit No. 01-MAJFOPP0329.12

Expires: March 29, 2012

The file shall be retained for at least five years following the date of such measurements, calculation, and recording and made available to GEPA pursuant to 40 CFR 60.7(c) and Section 4.2 of the GAPCSR. [USEPA PSD Permit GU 97-01, Condition X.D.3, Issued November 24, 1998; GEPA Permit ENR-679, Conditions 21, 22, 23, and 24, Issued August 18, 1997]

II.F.4 The permittee Plant Control Board Operators or Shift Supervisors shall log the following information:

II.F.4.a The date and time fuel switching instructions were received from the GPA Power System Dispatcher;

II.F.4.b Date and time fuel switching actually occurred at Piti Units 8 and 9;

II.F.4.c The name of the GPA Power System Dispatcher giving the fuel switching instructions; and

II.F.4.d The name of the IPP Piti Power Plant Control Board Operators or shift Supervisors logging the information

[Cabras-Piti Area Intermittent Control Strategy, Island-Wide Power System, Cabras-Piti Complex (Fuel-Switching Protocol), August 15, 1997]

II.F.5 The permittee shall maintain a file of the quarterly reports, logs, fuel oil sulfur analyses, and other information required by Condition II.G.10 of this permit recorded in a permanent form suitable for inspection. This file shall be retained for at least five (5) years following the date of such report, log, measurement, or analysis. [Cabras-Piti Area Intermittent Control Strategy, Island-Wide Power System, Cabras-Piti Complex (Fuel-Switching Protocol), August 15, 1997]

II.F.6 The permittee shall maintain a log of the date and nature of all inspections and maintenance activities performed at the facility. [GAPCSR Section 1104.12(12)]

II.G. Reporting Requirements

II.G.1 As required in Section II.K and in conjunction with the requirements of Section II.L of this permit the permittee shall report annually the total tons per year emitted of each regulated air pollutant, including hazardous air pollutants. The reporting of annual emissions is due within sixty days following the end of the each calendar year. Upon the written request of the permittee, the deadline for reporting of annual emissions may be extended, if GEPA determines that reasonable justification exists for the extension. [GAPCSR Section 1104.24(c)]

II.G.2 The permittee shall report in writing within thirty days the modification, relocation, discontinuance of operation or dismantlement of the significant emission sources regulated by this permit. [GAPCSR Section 1104.5]

Guam EPA

Title V Federal Operating Permit
 Marianas Energy Company – Piti Power Plant
 Permit No. 01-MAJFOPP0329.12
 Expires: March 29, 2012

II.G.3 The permittee shall provide a report of the results of all monitoring and recordkeeping required by this permit at least once every six (6) months, starting from the date of issuance of this permit. [GAPCSR, Section 1104.12(7)(I)]

II.G.4 The permittee shall submit a monthly summary report to GEPA containing the following material:

- II.G.4.a Fuel analysis data, including sulfur content (as specified in Condition II.D.6 of this permit);
- II.G.4.b Fuel consumption data (as specified in Condition II.D.5 of this permit);
- II.G.4.c Operating load of the diesel engines (as specified in Condition II.D.7 of this permit); and
- II.G.4.d The date and time of all instances when the percent water in the total water/fuel mixture drops below the optimum ratio determined at the time of initial performance testing. For the purposes of this permit, all times when the percent water in the water/fuel mixture falls below the optimum ratio, excluding periods of startup and shutdown, will be considered times when the diesel engines are operating in violation of the permitted applicable emission limit for NO_x.

[GEPA Permit ENR-679, Conditions 19, 21, 23, 24, 26, and 34, Issued August 18, 1997]

II.G.5 The USEPA Regional Administrator shall be notified by telephone within 48 hours following any failure of air pollution control equipment, process equipment, or of a process to operate in a normal manner which results in an increase in emissions above any allowable emissions limit stated in Condition II.B.3 of this permit. In addition, the USEPA Regional Administrator shall be notified in writing within fifteen (15) days of any such failure. This notification shall include a description of the malfunctioning equipment or abnormal operation, the date of the initial failure, the period of time over which emissions in excess of those allowed in Condition II.B.3 of this permit, and the methods utilized to restore normal operations. Compliance with this malfunction notification provision shall not excuse or otherwise constitute a defense to any violations of this permit or of any law or regulations that such malfunction may cause. [USEPA PSD Permit GU 97-01, Condition IV, Issued November 24, 1998]

II.G.6 The permittee shall notify GEPA within 24 hours of any equipment malfunctions or any other occurrence that causes any emission violations. These events shall be followed with a submission of a written notice within two (2) weeks from the date of occurrence. This notification shall include a description of the malfunctioning equipment or abnormal operation, the date and duration of failure, the magnitude of excess emissions, the cause

Guam EPA

Title V Federal Operating Permit

Marianas Energy Company – Piti Power Plant

Permit No. 01-MAJFOPP0329.12

Expires: March 29, 2012

of the failure, and the methods utilized to restore operations. [GEPA Permit ENR-679, Condition 7, Issued August 18, 1997]

II.G.7 The permittee shall submit a written report of all excess emissions to USEPA (Attn: AIR-5) for every calendar quarter. The report shall include the following:

- II.G.7.a The magnitude of the excess emissions computed in accordance with 40 CFR 60.13(h), any conversion factors used, and the date and time of commencement and compilation of each time period of excess emissions.
- II.G.7.b Specific identification of each period of excess emissions that occurs during startups, shutdowns, and malfunctions of the engine exhaust systems. The nature and cause of any malfunction (if known) and the corrective action taken or preventative measures adopted shall also be reported.
- II.G.7.c The date and time identifying each period during which the continuous monitoring system was inoperative except for zero and span checks, and the nature of the system repairs or adjustments.
- II.G.7.d When no excess emissions have occurred or the continuous monitoring system has not been inoperative, repaired, or adjusted, such information shall be stated in the report.
- II.G.7.e Excess emissions shall be defined as any three-hour period during which the average emissions of NO_x, as measured by the continuous emissions monitoring system exceed the maximum emission limits set forth in Condition II.B.3.a of this permit.

[USEPA PSD Permit GU 97-01, Condition X.J.5, Issued November 24, 1998]

II.G.8 Annual fuel consumption and hours of operation for the standby emergency blackstart diesel engine generator (Unit GO-X57) for a period from January 1 through December 31 must be accurately measured and reported to GEPA by the 15th of January of the following year. [GEPA Permit ENR-756, Condition 4, Issued August 18, 1997]

II.G.9 The permittee shall notify GEPA immediately on any occasion when petroleum products are discharged into the environment. A follow-up report must be submitted to GEPA within ten (10) days after the event. The report shall describe the circumstances of the incident and corrective/preventative measures undertaken to prevent future occurrences. [GEPA Permit ENR-679, Condition 31, Issued August 18, 1997]

II.G.10 The permittee shall submit written reports to the USEPA and GEPA, for every calendar quarter. The reports shall be sent by overnight mail with return receipt requested and

Guam EPA

Title V Federal Operating Permit

Marianas Energy Company – Piti Power Plant

Permit No. 01-MAJFOPP0329.12

Expires: March 29, 2012

shall be postmarked within 30 days of the end of the calendar quarter. The report shall be signed by permittee Plant Manager. As necessary, the permittee report can refer to the GPA report. The report shall contain the following information:

- II.G.10.a The date, time, and duration of all adverse wind conditions as described by in Condition II.C.5 of this permit;
- II.G.10.b The date, time, and duration of the firing of low sulfur fuel oil in any unit, including the identity of each unit in which low sulfur fuel oil was fired;
- II.G.10.c If no adverse wind conditions occur and no low sulfur fuel oil was fired during the quarter, such information shall be stated in the report;
- II.G.10.d The fuel oil sulfur content analyses required by Condition II.D.7 of this permit (including dates of the analyses) for all fuel oil fired at the Piti Power Plant for the calendar quarter;
- II.G.10.e The date(s), time(s), and identity of each unit for which the fuel switching procedures required by this permit were not met; and
- II.G.10.f Any information required by Section VII.1 of the CPAICS, if such information is different from the information provided in the initial report.

[Cabras-Piti Area Intermittent Control Strategy (CPAICS), Island-Wide Power System, Cabras-Piti Complex (Fuel-Switching Protocol), August 15, 1997]

II.H. Compliance Schedule

- II.H.1 For applicable requirements with which the source is in compliance, the source will continue to comply with such requirements. [GAPCSR, Section 1104.8(b)(2)(A)]
- II.H.2 For applicable requirements that become applicable during the permit term, the source shall meet such applicable requirements on a timely basis. [GAPCSR, Section 1104.8(b)(2)(B)]

II.I. Compliance Certifications

- II.I.1 The compliance plan and compliance certification submittal requirements shall be in accordance with Sections 1104.8 and 1104.9 of the GAPCSR. The compliance certification shall be submitted to GEPA and the USEPA Regional Administrator once per year, or more frequently as set by any applicable requirement.
- II.I.2 During the permit term, the permittee shall submit at least annually to GEPA, a compliance certification pursuant to Section 1104.9 of the GAPCSR. The permittee shall

Guam EPA

Title V Federal Operating Permit

Marianas Energy Company – Piti Power Plant

Permit No. 01-MAJFOPP0329.12

Expires: March 29, 2012

indicate whether or not compliance is being met with each term or condition of this permit. [GAPCSR, Section 1104.9]

II.J. General Air Quality Protections

II.J.1 The permittee shall not dispose of combustible material by open burning, or cause, suffer, allow, or permit open burning of combustible material within Guam, except as provided in Sections 1103.11 (b) through (e) of the GAPCSR. [GAPCSR, Section 1103.11; SIP Section 6.1]

II.J.2 Control of Odors in Ambient Air

II.J.2.a The permittee shall not discharge or cause to be discharged into the atmosphere from any source whatsoever, such quantities of odorous emissions which is injurious to health, or is indecent or offensive to the senses, which affects at the same time an entire community or neighborhood, or any considerable number of persons, so as to unduly interfere with the comfortable enjoyment of life or property of such community, neighborhood or persons. It is a creation of a condition that causes injury to the public welfare. [GAPCSR, Section 1103.12(a); SIP Section 11.1]

II.J.2.b An odor occurrence shall be deemed a violation when the Administrator receives a complaint and the Administrator is able to detect the odor. This detection must be verified by the Department of Public Health, Environmental Health Section for a person to be found in violation of subsection (a) of this condition. [GAPCSR, Section 1103.12(b); SIP Section 11.2]

II.J.2.c The odor of growing vegetation, and chemical fertilizers and insecticides when used properly, or when persons can demonstrate to the Administrator that the best practical operation or treatment is being implemented, shall not be considered objectionable for the purposes of this requirement. [GAPCSR, Section 1103.12(c); SIP Section 11.3]

II.J.3 The permittee shall comply with the asbestos requirements of 40 CFR 61, Subpart M (as amended and incorporated in Section 1103.13 of the GAPCSR), including requirements for demolition and renovation projects. [GAPCSR, Section 1103.13]

II.K. Annual Emissions Reporting Requirements

II.K.1 The reporting period for the annual emissions, detailing the total tons per year emitted of each regulated air pollutant, including hazardous air pollutants, shall be from January 1 to December 31 of each calendar year. All reports shall be submitted to GEPA along with the annual fee due. The report shall be mailed to [GAPCSR, Section 1104.24(c)]:

Guam EPA

Title V Federal Operating Permit
 Marianas Energy Company – Piti Power Plant
 Permit No. 01-MAJFOPP0329.12
 Expires: March 29, 2012

**Administrator
 Guam Environmental Protection Agency
 Air and Land Division
 Air Pollution Control Program
 P.O. Box 22439 GMF
 Barrigada, Guam 96921**

All applicable correspondences and records with this permit submitted to GEPA shall have duplicate copies forwarded to:

**Director, Air Division (Attn: AIR-5)
 U.S. Environmental Protection Agency
 75 Hawthorne Street
 San Francisco, CA 94105**

- II.K.2 The permittee shall retain the information submitted, including all emissions calculations. These records shall be in a permanent form suitable for inspection, retained for a minimum of five (5) years, and made available to GEPA upon request. [GAPCSR, Section 1104.12(7)(H)]
- II.K.3 Any information submitted to GEPA without a request for confidentiality shall be considered public record. [GAPCSR, Section 1102.7]
- II.K.4 In accordance with GAPCSR, Section 1102.7(b), the permittee may request confidential treatment of specific information by submitting a written request to the Administrator identifying the specific information that is to be accorded confidential treatment. [GAPCSR, Section 1102.7(b)]

II.L. Fee Payment

- II.L.1 The permittee shall submit fees in accordance with GAPCSR, Sections 1104.21 through 1104.24. [GAPCSR, Section 1104.12(9)(K)]
- II.L.2 The permittee shall complete and submit the Annual Fee Calculation Worksheet, including all emissions calculations, with the required annual fee. The permittee shall make copies for future use. [GAPCSR, Section 1104.24(l)]
- II.L.3 Annual fees shall be paid in full: [GAPCSR, Section 1104.24 (a)]
 - II.L.3.a Within sixty (60) days after the end of each calendar year;
 - II.L.3.b Within thirty (30) days after permanent discontinuance of the air emission source.

Guam EPA

Title V Federal Operating Permit

Marianas Energy Company – Piti Power Plant

Permit No. 01-MAJFOPP0329.12

Expires: March 29, 2012

- II.L.4 The permittee shall be assessed a Six Dollars (\$6.00) per ton per pollutant base rate of the total annual emission. However, the minimum annual fee due shall be Five Hundred Dollars (\$500.00) for each valid permit held during the prior calendar year; or Forty-Two Dollars (\$42.00) per month for any fraction of the year the permit is valid after the last calendar year for which annual fee was paid. [GAPCSR, Section 1104.24(g)]
- II.L.5 If any part of the annual fee is not paid within thirty (30) days after the due date, a late penalty of five percent (5%) of the amount due shall at once accrue and be added thereto. Thereafter, on the first day of each calendar month during which part of the annual fee or any prior accrued late payment penalty remains unpaid, an additional late payment penalty of five percent (5%) of the then unpaid balance shall accrue and be added thereto. [GAPCSR, Section 1104.25(b)]
- II.L.6 If any annual fee, including the late payment penalty required by the GAPCSR is not paid in full within thirty (30) days after the due date, the Administrator may terminate or suspend any or all of the owner or operator's air pollution control permit, after affording the opportunity for a hearing in accordance with Section 1104.19 or Section 1102.14 of the GAPCSR [GAPCSR, Section 1104.25(c)]
- II.L.7 The annual emissions data for which the annual fees are based shall accompany the submittal of any annual fees and submitted on forms furnished by GEPA. [GAPCSR, Section 1104.24(c)]
- II.L.8 Check payments shall be made payable to the Treasurer of Guam along with a notation that the funds be deposited into GEPA's Air Pollution Control Special Fund. [GAPCSR, Section 1104.21(d)]
- II.L.9 The annual fees and emissions data shall be mailed to [GAPCSR, Section 1104.24]:

**Administrator
Guam Environmental Protection Agency
Air and Land Division
Air Pollution Control Program
P.O. Box 22439 GMF
Barrigada, Guam 96921**

All applicable correspondences and records with this permit submitted to GEPA shall have duplicate copies forwarded to:

**Director, Air Division (Attn: AIR-5)
U.S. Environmental Protection Agency
75 Hawthorne Street
San Francisco, CA 94105**

Guam EPA

Title V Federal Operating Permit

Marianas Energy Company – Piti Power Plant

Permit No. 01-MAJFOPP0329.12

Expires: March 29, 2012

III. Title V Administrative Requirements**III.A. Blanket Compliance Statement**

The permittee shall comply with all the terms and conditions of this permit. Any permit noncompliance constitutes a violation of the GAPCSR and, for all federally enforceable terms and conditions, the CAA, and is grounds for enforcement action, permit termination, suspension, reopening, or amendment, or for denial of a permit renewal application. Permit noncompliance shall be subject to the penalties and remedies provided for in Section 49116 of Chapter 49, Part 2, Division 2, Part 1 of Title 10 of the GCA. [GAPCSR, Section 1104.12(9)(A) and 1102.12; SIP Section 4.4]

III.B. Duty to Provide and Supplement Information

The permittee shall furnish, in a timely manner, any information or record requested in writing by GEPA to determine whether cause exists for terminating, suspending, reopening, or amending the permit, or to determine compliance with the permit. Upon request, the permittee shall also furnish to GEPA copies of records required to be kept by the permit. For information claimed confidential, the permittee shall furnish such records to GEPA with a claim of confidentiality. [GAPCSR, Section 1104.12(9)(H)]

III.C. Submissions

Any document (including reports, compliance plans and compliance certifications) required to be submitted by this permit shall be certified by a responsible official. This certification shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete in accordance with 1102.3 and shall be mailed or forwarded to the following address [GAPCSR, Sections 1102.3 and 1104.12(9)(L)]:

**Administrator
Guam Environmental Protection Agency
Air and Land Division
Air Pollution Control Program
P.O. Box 22439 GMF
Barrigada, Guam 96921**

All applicable correspondences and records with this permit submitted to GEPA shall have duplicate copies forwarded to:

**Director, Air Division (Attn: AIR-5)
U.S. Environmental Protection Agency
75 Hawthorne Street
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Guam EPA

Title V Federal Operating Permit

Marianas Energy Company – Piti Power Plant

Permit No. 01-MAJFOPP0329.12

Expires: March 29, 2012

III.D. Severability Clause

If any term or condition of this permit becomes invalid as a result of a challenge to a portion of this permit, the other terms and conditions of this permit shall not be affected and remain valid. [GAPCSR, Section 1104.12(9)(B)]

III.E. Circumvention

The permittee shall not cause or permit the installation or use of any device or any means which, without resulting in reduction in the total amount of air contaminant emitted, conceals or dilutes an emission of air contaminant which would otherwise violate these regulations. This provision does not prohibit recycling, burning as fuel or otherwise further processing material which would violate an emission regulation if released to the atmosphere, so long as the facility in which that material is used does not violate applicable emission regulations. [SIP Section 17.2]

III.F. Permit Actions

This permit will be revoked if the Agency finds willful or continued violations of the standards and regulations. [GAPCSR, Sections 1104.12(9)(A), 1104.18(a)(4), and 1104.18(b)(3); SIP Section 3.7(c)]

III.G. Reopening for Cause

This permit may be terminated, suspended, reopened, or amended for cause pursuant to Section 1104.18 of the GAPCSR, after affording the permittee an opportunity for a hearing in accordance with Section 1102.14 or 10 GCA 49111. [GAPCSR, Section 1104.12(9)(D)]

III.H. Property Rights

This permit does not convey any property rights of any sort, or any exclusive privilege. [GAPCSR, Section 1104.12(9)(E)]

III.I. Inspection and Entry

III.I.1 The permittee shall allow GEPA, the Regional Administrator for the USEPA and/or an authorized representative, upon presentation of credentials or other documents required by law:

III.I.1.a To enter the premises where a source is located or emission-related activity is conducted, or where records must be kept under the conditions of the permit and inspect at reasonable times all facilities, equipment, practices, operations, or records covered under the terms and conditions of the permit and request copies of records or copy records required by the permit; and

III.I.1.b To sample or monitor at reasonable times substances or parameters to assure compliance with the permit or applicable requirements. [GAPCSR, Section 1104.12(9)(M)]

Guam EPA

Title V Federal Operating Permit

Marianas Energy Company – Piti Power Plant

Permit No. 01-MAJFOPP0329.12

Expires: March 29, 2012

III.J. Emergency Provisions

III.J.1 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 to the Administrator the affirmative defense of emergency through properly signed, contemporaneous operating logs, or other relevant evidence that:

III.J.1.a An emergency occurred and the permittee can identify the cause(s) of the emergency;

III.J.1.b The permitted facility was at the time being properly operated;

III.J.1.c During the period of the emergency, the permittee took all reasonable steps to minimize levels of emissions that exceeded the emission limitations or other requirements in this permit; and

III.J.1.d The permittee submitted notice of the emergency to the Administrator within two (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 prompt reporting of deviations pursuant to Section 1102.9 of the GAPCSR. [GAPCSR, Sections 1104.17(a) and 1104.1(c)]

III.J.1.e In any enforcement proceeding the permittee attempting to establish the occurrence of an emergency has the burden of proof. [GAPCSR, Section 1104.17(b)]

III.K. Transfer of Ownership or Operation

III.K.1 This permit is not transferable, whether by operation of law or otherwise, either from one location to another or from one piece of equipment to another. [GAPCSR, Section 1104.4(c); SIP Section 3.8]

III.K.2 This permit shall not be transferable, whether by operation of law or otherwise, from person to person without the approval of the Administrator. [GAPCSR, Section 1104.4(d); SIP Section 3.8]

III.K.3 In the event of any changes in control or ownership of facilities to be operated or modified, the resulting modification of this permit shall be made as an administrative amendment pursuant to Section 1104.20 of the GAPCSR. [GAPCSR, Section 1104.20]

Guam EPA

Title V Federal Operating Permit

Marianas Energy Company – Piti Power Plant

Permit No. 01-MAJFOPP0329.12

Expires: March 29, 2012

III.L. Permit Expiration and Renewal

III.L.1 This permit is issued for a fixed term of five years from the date of issuance. [GAPCSR, Section 1104.11; SIP Section 3.1(b)(4)]

III.L.2 Application for permit renewal shall be submitted no more than eighteen (18) months prior to the date of permit expiration. Application for permit renewal shall be submitted no later than six (6) months prior to the date of permit expiration. Late applications shall be subject to penalties pursuant to Section 1104.25 of the GAPCSR. [GAPCSR, Section 1104.6(d); SIP Section 3.1(b)(4)]

III.L.3 This permit shall remain valid past the expiration date and the air pollution emission source shall not be in violation for failing to have an air pollution control permit, until the Administrator has issued or denied the renewal of the air pollution control permit, provided [GAPCSR, Section 1104.2(d)]:

III.L.3.a A complete renewal application has been submitted and the owner or operator acts consistently with the permit previously granted, and the application on which it was based, and all plans, specifications, and other information submitted as part of the application; and

III.L.3.b The owner or operator has submitted to the Administrator within the specified deadlines, all requested additional information deemed necessary to evaluate or take final action on the renewal application as described in Section 1104.6 of the GAPCSR.

III.M. Permit Modifications

Applications for modification of this permit are subject to the same requirements as the initial application including all requirements pursuant to Section 1104.6 (c) of the GAPCSR. The permittee shall submit a description of the modification, identifying all proposed changes, including any changes to the source operations, work practices, equipment design, source emissions, or any monitoring, record keeping, and reporting procedures. Each change from the permit application for this permit shall be identified on the application for the permit modification. [GAPCSR, Section 1104.6(f)]

III.N. Malfunction

III.N.1 Except for emergencies which result in noncompliance with any technology-based emission limitation in accordance with Section 1104.17 of the GAPCSR, in the event any emission unit, air pollution control equipment, or related equipment breaks down in such a manner as to cause the emission of air pollutants in violation of GAPCSR, or this permit, the permittee shall immediately notify, within twenty-four (24) hours, GEPA of the failure or breakdown, unless the protection of personnel or public health or safety demands immediate attention to the failure or breakdown and makes such notification infeasible. In the latter case,

Guam EPA

Title V Federal Operating Permit

Marianas Energy Company – Piti Power Plant

Permit No. 01-MAJFOPP0329.12

Expires: March 29, 2012

the notice shall be provided as soon as practicable. The submittal of these notices shall not be a defense to an enforcement action. Within five (5) working days of this initial notification, the permittee shall also submit, in writing, the following information:

- III.N.1.a Identification of emission points;
- III.N.1.b Magnitude of the excess emissions;
- III.N.1.c Time and duration of the excess emissions;
- III.N.1.d Identity of the process or control equipment causing the excess emissions;
- III.N.1.e Cause and nature of the excess emissions;
- III.N.1.f Description of the steps taken to remedy the situation, prevent a recurrence, limit the excessive emissions, and assure that the breakdown does not interfere with the attainment and maintenance of the NAAQS and Guam ambient air quality standards;
- III.N.1.g Documentation that the equipment or process was at all times maintained and operated in a manner consistent with good practice for minimizing emissions; and
- III.N.1.h A statement that the excess emissions are not part of a recurring pattern indicative of inadequate design, operation, or maintenance. [GAPCSR, Section 1102.9]

III.O. Agency Notifications

III.O.1 The permittee shall notify the Administrator in writing of the following dates:

- III.O.1.a The anticipated date of initial start-up for each emission unit of a new source or significant modification not more than sixty (60) days or less than thirty (30) days prior to such date.
- III.O.1.b The actual date of construction commencement within fifteen (15) days after such date.
- III.O.1.c The actual date of start-up within fifteen (15) days after such date. [GAPCSR, Section 1104.12(9)(G)]

III.O.2 The permittee shall notify GEPA in writing, of the intent to shut down air pollution control equipment for necessary scheduled maintenance at least twenty-

Guam EPA

Title V Federal Operating Permit

Marianas Energy Company – Piti Power Plant

Permit No. 01-MAJFOPP0329.12

Expires: March 29, 2012

four (24) hours prior to the planned shutdown. The submittal of this notice shall not be a defense to an enforcement action. The notice shall include the following:

III.O.2.a Identification of the specific equipment to be taken out of service, as well as its location and permit number;

III.O.2.b The expected length of time that the air pollution control equipment will be out of service;

III.O.2.c The nature and quantity of emissions of air pollutants likely to be emitted during the shutdown period;

III.O.2.d Measures such as the use of off-shift labor and equipment that will be taken to minimize the length of the shutdown period; and

III.O.2.e The reasons why it would be impossible or impractical to shut down the source operation during the maintenance period. [GAPCSR, Section 1102.8; SIP, Section 4.3]

III.O.3 A copy of applicable correspondence or records submitted to GEPA shall be provided to the USEPA pursuant to Section 1104.15 of the GAPCSR. [GAPCSR, Section 1104.12(9)(I)]

III.O.4 Within thirty (30) days of permanent discontinuance of the operation, modification, relocation, or construction of any of the above units, the responsible official shall report the discontinuance in writing to the Administrator. [GAPCSR, Section 1104.5(a)]

III.P. Miscellaneous Conditions

III.P.1 Unless specifically identified, the terms and conditions contained in this permit are consistent with the applicable requirement on which each term or condition is based. [Section 49107(7)(c)(2) of Chapter 49, Part 2, Division 2, Part 1 of Title 10 of the GCA]

III.P.2 This permit, or a copy thereof, shall be maintained at or near the source for which this permit was issued and shall be made available for inspection upon request. [GAPCSR, Section 1104.4(a); SIP, Section 3.12]

III.P.3 This permit shall not be willfully defaced, altered, forged, counterfeited, or falsified. [GAPCSR, Section 1104.4(b); SIP, Section 3.13]

III.P.4 The facility covered by this permit shall be constructed and operated in accordance with the application, and any information submitted as part of the application, for this permit. There shall be no deviation from this permit condition

Guam EPA

Title V Federal Operating Permit

Marianas Energy Company – Piti Power Plant

Permit No. 01-MAJFOPP0329.12

Expires: March 29, 2012

unless additional or revised plans are submitted to and approved by GEPA, and the permit is amended to allow for such deviation. [GAPCSR, Section 1104.12(12)]

III.P.5 This permit (a) does not release the permittee from compliance with other applicable statutes of Guam, or with applicable local or federal laws, regulations, or ordinances, and (b) shall not constitute, nor be construed to be an approval of the design of the source. [GAPCSR, Sections 1104.2(e) and 1104.12(11)]

III.P.6 The permittee shall not use as a defense in an enforcement action that it would have been necessary to halt or reduce the permitted activity to maintain compliance with the terms and conditions of this permit. [GAPCSR, Section 1104.12(9)(C)]

III.P.7 The filing of a request by the permittee for a permit termination, suspension, reopening, or amendment, or a notification of planned changes or anticipated noncompliance does not stay any permit condition. [GAPCSR, Section 1104.12(9)(D)]

III.P.8 This permit shall become invalid with respect to any authorized construction if construction is not commenced as follows:

III.P.8.a Within thirty (30) days of permanent discontinuance of the construction, modification, relocation or operation of any permitted air pollution emission source, the responsible official shall report the discontinuance in writing to the Administrator.

III.P.8.b For phased construction projects, each phase shall commence construction within eighteen (18) months of the projected and approved commencement dates in the permit. [GAPCSR, Sections 1104.5(b), 1104.5(c), and 1104.12(9)(F)]

III.P.9 GEPA may extend the time periods specified in Condition III.P.8 of this permit upon a satisfactory showing that an extension is justified. Request for an extension shall be submitted in writing to GEPA. [GAPCSR, Section 1104.5(d)]

III.P.10 The permittee may request confidential treatment of any records in accordance with Section 1102.7 of the GAPCSR. [GAPCSR, Section 1104.12(9)(J)]

III.P.11 The terms and conditions included in this permit, including any provision designed to limit a source's potential to emit, are federally enforceable unless such terms, conditions, or requirements are specifically designated as not federally enforceable. [GAPCSR, Section 1104.14]

GUAM ENVIRONMENTAL PROTECTION AGENCY AIR POLLUTION CONTROL PERMIT

Permit No. 02-MAJFOPP0329.12

IS HERBY ISSUED TO

Taiwan Electrical & Mechanical Engineering
Services, Inc. (TEMES Guam)

LOCATED AT


Route 11

in accordance with the Guam Air Pollution Control Standards and Regulations (GAPCSR),
Public Law 24-20, 10 Guam Code Annotated (GCA), Chapter 49.

This Permit is non-transferable and the permittee is subject to the requirements for holding and transfer of
permits in Section 1104.4 of the GAPCSR.

No person shall willfully deface, alter, forge, counterfeit, or falsify this Permit.

This Permit shall expire 03/29/12. The renewal application shall be submitted no later than 10/29/11.


LORILEE T. CRISOSTOMO
Administrator
Date: 4-3-2007



GUAM ENVIRONMENTAL PROTECTION AGENCY



AHENSIAN PRUTEKSION LINA'LA GUAHAN

P.O. BOX 22439 GMF • BARRIGADA, GUAM 96921 • TEL: 475-1658/9 • FAX: 477-9402

TITLE V PERMIT TO OPERATE

Permit Number: **02-MAJFOPP0329.12**
 Issue Date: **March 29, 2007**
 Expiration Date: **March 29, 2012** APR 03 2007

*Renew application
 9/29/2011 ~ 9/29/2012*

In accordance with the provisions of Title V of the Clean Air Act (CAA) and the Guam Air Pollution Control Standards and Regulations (GAPCSR), Public Law 24-20, 10 Guam Code Annotated (GCA), Chapter 49,

**Taiwan Electrical & Mechanical Engineering Services,
 Inc. (TEMES Guam)
 Piti, Guam**

is authorized to operate air emission units and to conduct other air pollutant emitting activities in accordance with the permit conditions listed in this permit. Terms and conditions not otherwise defined in this permit have the meaning assigned to them in the referenced regulations. All terms and conditions of the permit are enforceable by the United States Environmental Protection Agency (USEPA) and citizens under the CAA. The issuance of this permit is based on the plans, specifications, and additional information submitted as part of the application dated February 23, 2000 and application revisions dated April 13, 2004.

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.

Acceptance of this permit constitutes an agreement and acknowledgement that the holder will comply with all the rules and regulations of the Guam Environmental Protection Agency (GEPA) and these permit conditions.

This permit, (a) does not in any manner affect the title of the premises upon which the equipment is located, (b) does not release the permittee from any liability for any loss due to personal injury or property damage caused by, resulting from or arising out of the design, installation, maintenance, or operation of the equipment, and (c) in no manner implies or suggests that GEPA, or its officers, agents, or employees assumes any liability, directly or indirectly, for any loss due to personal injury or property damage caused by, resulting from or arising out of the design, installation, maintenance, or operation of the equipment.

① Mr. Ho Bring 1 copy to Taipei (5/92)

② Original Filed

"ALL LIVING THINGS OF THE EARTH ARE ONE"

③ 1 copy to T.A. & ...

Renew on

Guam EPA

Title V Operating Permit

Taiwan Electrical & Mechanical Services, Inc. (TEMES Guam)

Permit No. 02-MAJFOPP0329.12

Expires: March 29, 2012

This permit is valid for a period of five (5) years and shall expire at midnight on the date specified above unless a timely and complete renewal application has been submitted at least 6 months but not more than 18 months prior to the date of expiration. The permit number cited above should be referenced in future correspondence regarding this facility.

4-3-2007
Date


LORILEE T. CRISOSTOMO
Administrator
Guam EPA

Guam EPA

Title V Operating Permit

Taiwan Electrical & Mechanical Services, Inc. (TEMES Guam)

Permit No. 02-MAJFOPP0329.12

Expires: March 29, 2012

Abbreviations and Acronyms

ASTM	American Society for Testing and Materials
CAA	Clean Air Act [42 U.S.C. Section 7401 et seq.]
CAM	Compliance Assurance Monitoring
CEM	Continuous Emission Monitoring
CFR	Code of Federal Regulations
CO	Carbon Monoxide
°F	degrees Fahrenheit
g	grams
GAPCSR	Guam Air Pollution Control Standards and Regulations
GCA	Guam Code Annotated
GEPA	Guam Environmental Protection Agency
H ₂ O	water
hr	hour
HRSG	Heat Recovery Steam Generator
ISO	International Organization for Standardization
kW	kilowatt
lb	pound
mm Hg	millimeters mercury
MMBtu	Million British thermal units
MW	Megawatt
NAAQS	National Ambient Air Quality Standard
NO _x	Nitrogen Oxides
NSPS	New Source Performance Standards
O ₂	Oxygen
PEM	Predictive Emission Monitoring
PM ₁₀	Particulate matter less than 10 microns in diameter
ppmdv	parts per million, dry volume
PSD	Prevention of Significant Deterioration
QIP	Quality Improvement Plan
SIC	Standard Industrial Classification
SIP	State Implementation Plan
SO ₂	Sulfur Dioxide
UHC	Unburned Hydrocarbons
USEPA	United States Environmental Protection Agency

Guam EPA
Title V Operating Permit
Taiwan Electrical & Mechanical Services, Inc. (TEMES Guam)
Permit No. 02-MAJFOPP0329.12
Expires: March 29, 2012

TABLE OF CONTENTS

Cover Page
Abbreviations and Acronyms

I. Source Identification

II. Facility-wide and Unit Specific Permit Conditions

- A. Equipment Description
- B. Emission Limits
- C. Work Practice and Operational Requirements
- D. Monitoring and Testing Requirements
- E. Recordkeeping Requirements
- F. Reporting Requirements
- G. NSPS General Provisions
- H. Compliance Assurance Monitoring
- I. Compliance Schedule
- J. Compliance Certifications
- K. General Air Quality Protections
- L. Annual Emissions Reporting Requirements
- M. Fee Payment

III. Title V Administrative Requirements

- A. Blanket Compliance Statement
- B. Duty to Provide and Supplement Information
- C. Submissions
- D. Severability Clause
- E. Circumvention
- F. Permit Actions
- G. Reopening for Cause
- H. Property Rights
- I. Inspection and Entry
- J. Emergency Provisions
- K. Transfer of Ownership or Operation
- L. Permit Expiration and Renewal
- M. Permit Modifications
- N. Malfunctions
- O. Agency Notifications
- P. Miscellaneous Conditions

Guam EPA

Title V Operating Permit

Taiwan Electrical & Mechanical Services, Inc. (TEMES Guam)

Permit No. 02-MAJFOPP0329.12

Expires: March 29, 2012

I. Source Identification

Facility Name: TEMES Guam
Facility Location: Route 11, near Piti Channel
City: Piti
Territory: Guam
USEPA Region: 9
SIC Code: 4911

Responsible Official: T.R. Ho
Phone Number: (671) 477-5327

Facility Manager/Contact: T.R. Ho
Phone Number: (671) 477-5327

Person Responsible for
Recordkeeping: T.R. Ho
Phone Number: (671) 477-5327

Description of Process:

The TEMES Guam facility is an electric power generating station. The facility consists of one 40 megawatt (MW) turbine, used to provide peaking power, a 600 kilowatt (kW) emergency generator, and three diesel storage tanks.

Guam EPA

Title V Operating Permit

Taiwan Electrical & Mechanical Services, Inc. (TEMES Guam)

Permit No. 02-MAJFOPP0329.12

Expires: March 29, 2012

II. Facility-wide and Unit Specific Permit Conditions**II.A. Equipment Description**

II.A.1 This permit encompasses the following equipment and associated appurtenances that are considered significant sources of emissions. [GAPCSR, Section 1104.12(12)]:

Emission Unit ID	Description	Manufacturer	Model	Serial Number
Piti #7	40 MW combustion turbine peaking unit	General Electric	Pg6551B	296989
Genset1	600 kW diesel-fired emergency generator	Onan	600DFGB	B970630752
Bulk Tank	500,000 liter (132,000 gallon) aboveground diesel fuel storage tank			
Day Tank 1	50,000 liter (13,200 gallon) aboveground diesel fuel storage tank			
Day Tank 2	50,000 liter (13,200 gallon) aboveground diesel fuel storage tank			

II.A.2 The permittee shall have installed an identification tag or nameplate on each piece of equipment that identifies the model number, serial number, and manufacturer. The identification tag or nameplate shall be permanently attached to the equipment at a conspicuous location. [Section 49107(7)(B) of Chapter 49, Part 2, Division 2, Part 1 of Title 10 of the GCA]

II.B. Emission Limits**II.B.1 Fuel Burning Equipment (Units Piti #7 and Genset 1)**

For fuel burning equipment with a heat input greater than one (1) million British thermal units per hour (MMBtu/hr) but less than 1,000 MMBtu/hr, the allowable particulate emissions shall be calculated using the following equation [State Implementation Plan (SIP), Section 7.5]:

$$Y = 1.02 X^{-0.231}$$

Where: Y = Allowable particulate emission rate (lb/MMBtu)
X = Operating rate (MMBtu/hr)

Guam EPA

Title V Operating Permit

Taiwan Electrical & Mechanical Services, Inc. (TEMES Guam)

Permit No. 02-MAJFOPP0329.12

Expires: March 29, 2012

II.B.2 Emergency Generator (Unit Genset 1)

The permittee shall not cause or permit the continuous emission of visible air pollutants from the emergency generator (Unit Genset 1) with a density equal to or darker than twenty (20) percent opacity from any emission unit nor the emission of visible air pollutants of a density darker than sixty (60) percent opacity for a period aggregating more than three (3) minutes in any sixty (60) minute period. [GAPCSR, Section 1103.3; SIP, Section 10.1]

II.B.3 Combustion Turbine (Unit Piti #7)

II.B.3.a The maximum short-term emissions of the following pollutants shall not exceed the specified limits from the combustion turbine (Unit Piti #7), referenced to 59 degrees Fahrenheit (°F) and 100 percent load.

Pollutant	Emission Limit
Particulate matter less than 10 microns (PM ₁₀)	18 pounds per hour (lb/hr)
Carbon monoxide (CO)	8.8 lb/hr
Nitrogen oxides (NO _x)	73 lb/hr
	42 parts per million dry volume (ppmdv) at 15% oxygen
Unburned hydrocarbons (UHC)	4.4 lb/hr
Sulfur dioxide (SO ₂)	229 lb/hr

[GEPA Permit TCT-691, Conditions 7 and 11, Issued October 22, 1997; 40 CFR 60.332(a)(1)]

II.B.3.b The permittee shall not discharge or cause the discharge into the atmosphere from the combustion turbine (Unit Piti #7) gases which exhibit an opacity of 20% or greater. [GEPA Permit TCT-691, Condition 8, Issued October 22, 1997; GAPCSR, Section 1103.3; SIP, Section 10.1]

II.B.3.c The combustion turbine (Unit Piti #7) is exempt from the ppmdv emission limit for NO_x in Condition II.B.3.a of this permit when ice fog is deemed a traffic hazard by the permittee. [40 CFR Part 60.332(f)]

II.C. Work Practice and Operational Requirements

II.C.1 All equipment, facilities, and systems installed or used to achieve compliance with terms and conditions of this permit shall at all times, including periods of startup, shutdown and malfunction, be maintained in good working order and be operated

Guam EPA

Title V Operating Permit

Taiwan Electrical & Mechanical Services, Inc. (TEMES Guam)

Permit No. 02-MAJFOPP0329.12

Expires: March 29, 2012

as efficiently as possible so as to minimize air pollutant emissions. The permittee shall conduct proper preventative maintenance procedures for the combustion turbine (Unit Piti #7), the diesel emergency generator (Unit Genset1), the storage tanks (Units Bulk Tank, Day Tank 1, and Day Tank 2), and air pollution control systems in accordance with the manufacturer's recommendations. [GAPCSR, Section 1104.12(12); GEPA Permit TCT-691, Condition 20, Issued October 22, 1997]

II.C.2 Adequate control measures approved by GEPA shall be implemented to prevent exceedences of any applicable air quality standards during the operation of the facility. [GAPCSR, Section 1104.12(8); GEPA Permit TCT-691, Condition 2, Issued October 22, 1997]

II.C.3 Water injection shall be used whenever the combustion turbine (Unit Piti #7) is in operation to control NO_x emissions. The water-to-fuel ratio shall not fall below the levels listed in the table below. [GEPA Permit TCT-691, Condition 12, Issued October 22, 1997]:

Operating Load (MW)	Water-to-Fuel Ratio
15 to 19	0.4
20 to 24	0.5
25 to 29	0.6
30 to 32	0.7
33 to 39 (base load)	0.8
40 (peak load)	1.0

II.C.4 The combustion turbine (Unit Piti #7) shall not exceed 6,273 hours per year of operation on a twelve (12) month rolling average. This equates to 22,363,245 gallons per year fuel consumption on a twelve (12) month rolling average. [GEPA Amended Permit TCT-691, Condition 1, Issued September 6, 2000]

II.C.5 The maximum sulfur content by weight of the No. 2 fuel oil used by the combustion turbine (Unit Piti #7) shall not exceed 0.5 percent. The fuel analyses shall be recorded and submitted to GEPA with the monthly reports. [GAPCSR, Section 1103.10; GEPA Permit TCT-691, Condition 15, Issued October 22, 1997; 40 CFR 60.333(b)]

II.C.6 The maximum sulfur content by weight of the No. 2 fuel oil used by the diesel emergency generator (Unit Genset 1) shall not exceed 2 percent. [GAPCSR, Section 1103.10]

Guam EPA

Title V Operating Permit

Taiwan Electrical & Mechanical Services, Inc. (TEMES Guam)

Permit No. 02-MAJFOFP0329.12

Expires: March 29, 2012

- II.C.7 Scheduled inspection and preventive maintenance of the vents on the storage tanks identified in Condition II.A.1 of this permit shall be adhered to as required by the maintenance manual. [GAPCSR, Section 1104.12(7)]
- II.C.8 A sufficient supply of the fire fighting foam shall be maintained to suppress hydrocarbon emissions from the storage tanks identified in Condition II.A.1 of this permit in the event of abnormal conditions. [GAPCSR, Section 1104.12(8)]
- II.C.9 The operation of the diesel emergency generator (Unit Genset 1) shall be limited to standby emergency operation, power outages, and testing of the generator. A written request to operate the generator other than during these periods must be submitted to the Administrator ten (10) days prior to the scheduled operation for review and approval. [GAPCSR, Section 1104.12(8)]
- II.C.10 At all times including periods of startup, shutdown, and malfunction, the permittee shall, to the extent practicable, maintain and operate the combustion turbine (Unit Piti #7) and the water injection system in a manner consistent with good air pollution control practices for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to GEPA which may include, but is not limited to, monitoring results, review of operating and maintenance procedures, and inspection of the source. [GEPA Permit TCT-691, Condition 17, Issued October 22, 1997]
- II.C.11 The permittee shall not cause or permit visible fugitive dust to become airborne without taking reasonable precautions. Examples of reasonable precautions are [GAPCSR, Section 1103.4(a); SIP, Sections 8.1, 8.4, and 8.7]:
- II.C.11.a Use of water or suitable chemicals for control of fugitive dust in the demolition of existing buildings or structures, construction and retrofitting operations, the grading of roads, or the clearing of land;
 - II.C.11.b Application of asphalt, water, or suitable chemicals on roads, material stockpiles, and other surfaces which may allow release of fugitive dust;
 - II.C.11.c Installation of appurtenances that provide an enclosure and ventilation for all crushing, aggregate screening, and conveying of material likely to become airborne;
 - II.C.11.d Installation and use of hoods, fans, and fabric filters to enclose and vent the handling of dusty materials. Reasonable containment methods shall be employed during sandblasting, spray painting, or other similar operations;

Guam EPA

Title V Operating Permit

Taiwan Electrical & Mechanical Services, Inc. (TEMES Guam)

Permit No. 02-MAJFOPP0329.12

Expires: March 29, 2012

II.C.11.e Covering all moving, open-bodied trucks transporting materials which may release fugitive dust;

II.C.11.f Conducting agricultural operations, such as tilling of land and the application of fertilizers, in such manner as to reasonably minimize fugitive dust;

II.C.11.g Maintenance and sealing of road-ways and parking lots so as to prevent the exposure of such surfaces to wind, water, or vehicular travel erosion; and

II.C.11.h Prompt removal of earth or other materials from paved streets which have been transported there by trucking, earth-moving equipment, erosion, or other means.

II.C.12 Except for persons engaged in agricultural operations or persons who can demonstrate to the Administrator that the best practical operation or treatment is being implemented, no person shall cause or permit the discharge of visible fugitive dust beyond the property lot line on which the fugitive dust originates. [GAPCSR, Section 1103.4(b); SIP, Section 8.2]

II.D. Monitoring and Testing Requirements

II.D.1 The permittee shall provide sampling and testing facilities at its own expense. The tests shall be conducted at the maximum expected operating capacity of the equipment at the facility and GEPA may monitor the tests. For performance test purposes, sampling ports, platforms, and access shall be provided by the permittee on the diesel exhaust systems in accordance with 40 CFR 60.8 (e). [GAPCSR, Section 1102.4; SIP, Sections 3.6(a), 3.9, and 4.1]

II.D.2 At least thirty (30) days prior to a performance test, the permittee shall submit a written performance test plan to GEPA that describes the test date(s), duration, locations, and methods, source operation and other parameters that may affect test results. Such a plan shall conform to USEPA guidelines including quality assurance procedures. A test plan or quality assurance plan that does not have the approval of GEPA shall be grounds to invalidate any test and require a retest. [GAPCSR, Section 1102.4; 40 CFR Part 60.8(d)]

II.D.3 Within sixty (60) days after completion of the performance test, the permittee shall submit to GEPA and USEPA Regional Administrator, the test report which shall include the operating conditions of the equipment at the time of the test, the analyses of the fuel, the summarized test results, comparative results with the permit emissions limits, and other pertinent field and laboratory data. [GAPCSR, Section 1102.4; SIP, Section 4.2]

Guam EPA

Title V Operating Permit

Taiwan Electrical & Mechanical Services, Inc. (TEMES Guam)

Permit No. 02-MAJFOPP0329.12

Expires: March 29, 2012

Performance test.
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II.D.4 Performance tests for the emissions of NO_x, CO, PM₁₀, UHC, SO₂, and opacity from the combustion turbine (Unit Piti #7) shall be conducted on an annual basis and at the maximum operating capacity of the equipment being tested in accordance with the test methods set forth in 40 CFR Part 60.8 and Appendix A. A written report of the results shall be submitted to GEPA within 30 days after the permittee receives the results. The NO_x emissions shall be determined at each of the load conditions specified in Condition II.D.12 of this permit. The following test methods shall be used:

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II.D.4.a Performance test for the emissions of NO_x shall be conducted using USEPA Methods 1-4 and 20.

II.D.4.b Performance test for the emissions of CO shall be conducted using USEPA Methods 1-4 and Method 10 or 10B.

II.D.4.c Performance test for the emissions of PM₁₀ shall be conducted using USEPA Methods 1-4 and 5 or 5B. (During PM₁₀ performance testing, opacity observations shall be conducted by a certified visual emissions observer pursuant to requirements contained in 40 CFR 60.11(b) and 40 CFR Part 60, Appendix A, Reference Method 9.)

II.D.4.d Performance test for the emissions of UHC shall be conducted using USEPA Methods 1-4 and Method 25A.

II.D.4.e Performance test for the emissions of SO₂ shall be conducted using USEPA Methods 1-4 and 20.

II.D.4.f Performance test for opacity shall be conducted using USEPA Method 9 or Method 9 Alternate Method 1.

GEPA shall be notified in writing at least 30 days prior to performance testing to allow for the development of an approvable performance test plan and to arrange for an observer to be present at the test.

[GEPA Permit TCT-691, Conditions 9 and 10, Issued October 22, 1997; 40 CFR 335(a)(1); 40 CFR 60.335(b)]

II.D.5 Any deviations from these conditions, test methods, or procedures may be cause for rejections of the test results unless such deviations are approved by GEPA before the tests are conducted. [GAPCSR, Section 1102.4]

II.D.6 Upon written request and justification by the permittee, GEPA may waive the requirement for a specific annual source test. The waiver request is to be submitted at least sixty (60) days prior to the required test and must include documentation justifying such action. Documentation should include, but is not

Guam EPA
 Title V Operating Permit
 Taiwan Electrical & Mechanical Services, Inc. (TEMES Guam)
 Permit No. 02-MAJFOPP0329.12
 Expires: March 29, 2012

limited to, the results of the prior test indicating compliance by a wide margin, documentation of continuing compliance, and further that operations of the source have not changed since the previous source test. [GAPCSR, Section 1102.4]

II.D.7 For performance tests conducted as required by this permit, sampling traverse points are to be selected following Method 20 or Method 1 (non-particulate procedures) and sampled for equal time intervals. The sampling shall be performed with a traversing single-hole probe or, if feasible, with a stationary multi-hole probe that samples each of the points sequentially. Alternatively, a multi-hole probe designed and documented to sample equal volumes from each hole may be used to sample simultaneously at the required points. [40 CFR 60.335(a)(4)]

II.D.8 Notwithstanding Condition II.D.7 of this permit, the permittee may test at fewer points than are specified in Method 1 or Method 20 if the following conditions are met [40 CFR 60.335(a)(5)]:

II.D.8.a The permittee may perform a stratification test for NO_x and diluent pursuant to the procedures specified in Section 6.5.6.1(a) through (e) of Appendix A to 40 CFR Part 75.

II.D.8.b Once the stratification sampling is completed, the permittee may use the following alternative sample point selection criteria for the performance test:

II.D.8.b.1 If each of the individual traverse point NO_x concentrations, normalized to 15 percent oxygen (O_2), is within ± 10 percent of the mean normalized concentration for all traverse points, then the permittee may use three (3) points (located either 16.7, 50.0, and 83.3 percent of the way across the stack or duct, or, for circular stacks or ducts greater than 2.4 meters (7.8 feet) in diameter, at 0.4, 1.2, and 2.0 meters from the wall). The three (3) points shall be located along the measurement line that exhibited the highest average normalized NO_x concentration during the stratification test; or

II.D.8.b.2 If each of the individual traverse point NO_x concentrations, normalized to 15 percent O_2 , is within ± 5 percent of the mean normalized concentration for all traverse points, then the permittee may sample at a single point, located at least 1 meter from the stack wall or at the stack centroid.

II.D.9 For purposes of complying with the New Source Performance Standard (NSPS) NO_x limit in Condition II.B.3.a of this permit, the NO_x emission rate shall be computed for each run using the following equation. Notwithstanding this

Guam EPA

Title V Operating Permit

Taiwan Electrical & Mechanical Services, Inc. (TEMES Guam)

Permit No. 02-MAJFOPP0329.12

Expires: March 29, 2012

requirement, use of the International Organization for Standardization (ISO) correction equation is optional for: lean premix stationary combustion turbines; units used in association with heat recovery steam generators (HRSG) equipped with duct burners; and units equipped with add-on emission control devices. [40 CFR 60.335(b)(1)]:

$$\text{NO}_x = (\text{NO}_{x,0}) (P_r/P_0)^{0.5} e^{19(H_0 - 0.00633)} (288^\circ\text{K}/T_a)^{1.53}$$

where:

NO_x = Emission rate of NO_x at 15 percent O_2 and ISO standard ambient conditions, ppm_{dv}

$\text{NO}_{x,0}$ = Mean observed NO_x concentration, ppm_{dv}, at 15% O_2

P_r = Reference combustor inlet absolute pressure at 101.3 kilopascals ambient pressure, millimeters mercury (mm Hg)

P_0 = Observed combustor inlet absolute pressure at test, mm Hg

H_0 = Observed humidity of ambient air, grams (g) water (H_2O)/g air

e = Transcendental constant, 2.718

T_a = Ambient temperature, degrees Kelvin (K)

II.D.10 Instead of using the equation listed in Condition II.D.9 of this permit, manufacturers may develop ambient condition correction factors to adjust the NO_x emission level measured by the performance test as provided in 40 CFR 60.8 to ISO standard day conditions. [40 CFR 60.335(a)(6) and 40 CFR 60.335(c)(1)]

II.D.11 The permittee shall install, calibrate, maintain, and operate a continuous monitoring system to monitor and record the fuel consumption and the ratio of water-to-fuel being fired in the combustion turbine (Unit Piti #7). [40 CFR 60.334(a); GEPA Permit TCT-691, Condition 13, Issued October 22, 1997]

II.D.12 The 3-run performance test required by 40 CFR 60.8 must be performed within ± 5 percent at 30, 50, 75, and 90-to-100 percent of peak load or at four evenly-spaced load points in the normal operating range of the combustion turbine (Unit Piti #7), including the minimum point in the operating range and 90-to-100 percent of peak load, or at the highest achievable load point if 90-to-100 percent of peak load cannot be physically achieved in practice. Notwithstanding these requirements, performance testing is not required for any emergency fuel, as defined in 40 CFR 60.331. [40 CFR 60.335(b)(2)]

II.D.13 The continuous water-to-fuel ratio monitoring system must be operated concurrently with each USEPA Method 20 or American Society for Testing and Materials (ASTM) D6522-00 run and shall be used to determine the fuel

Guam EPA

Title V Operating Permit

Taiwan Electrical & Mechanical Services, Inc. (TEMES Guam)

Permit No. 02-MAJFOPP0329.12

Expires: March 29, 2012

consumption and the water-to-fuel ratio necessary to comply with the applicable NO_x emission limit. [40 CFR 60.335(b)(4)]

II.D.14 The water-to-fuel ratio shall be monitored to establish acceptable values and ranges. The permittee may supplement the performance test data with engineering analyses, design specifications, manufacturer's recommendations, and other relevant information to define the acceptable parametric ranges more precisely. The permittee shall develop and keep on-site a parameter monitoring plan which explains the procedures used to document proper operation of the NO_x emission controls. The plan shall include the parameter(s) monitored and the acceptable range(s) of the parameter(s), as well as the basis for designating the parameter(s) and acceptable range(s). Any supplemental data such as engineering analyses, design specifications, manufacturer's recommendations, and other relevant information shall be included in the monitoring plan. [40 CFR 60.334(g)]

II.D.15 The sulfur content of the No. 2 fuel oil to be used in the combustion turbine (Unit Piti #7) shall be monitored using one of the total sulfur sampling options and the associated sampling frequency described in Sections 2.2.3, 2.2.4.1, 2.2.4.2, and 2.2.4.3 of Appendix D to 40 CFR Part 75 (i.e., flow proportional sampling, daily sampling, sampling from the unit's storage tank after each addition of fuel to the tank, or sampling each delivery prior to combining it with fuel oil already in the intended storage tank). [40 CFR 60.334(i); GEPA Permit TCT-691, Condition 15, Issued October 22, 1997]

II.D.16 If the option to sample each delivery of fuel oil has been selected, the permittee shall immediately switch to one of the other oil sampling options (i.e., daily sampling, flow proportional sampling, or sampling from the unit's storage tank) if the sulfur content of a delivery exceeds 0.8 weight percent. The permittee shall continue to use one of the other sampling options until all of the oil from the delivery has been combusted, and shall evaluate excess emissions according to Condition II.F.8.b.1 of this permit. When all of the fuel from the delivery has been burned, the permittee may resume using the as-delivered sampling option. [40 CFR 60.334(j)(2)(ii)]

II.D.17 The permittee shall determine the fuel sulfur content of the fuel combusted in the combustion turbine (Unit Piti #7) using a minimum of three samples collected during the performance test. The fuel samples shall be analyzed for the total sulfur content of the fuel using ASTM D129-00, D2622-98, D4294-02, D1266-98, D5453-00 or D1552-01 (all of which are incorporated by reference). [40 CFR Part 60.335(b)(10)]

II.D.18 The fuel sulfur content analysis required by this permit may be performed by the permittee, a service contractor retained by the permittee, the fuel vendor, or any other qualified agency. [40 CFR Part 60.335(b)(11)]

Guam EPA

Title V Operating Permit

Taiwan Electrical & Mechanical Services, Inc. (TEMES Guam)

Permit No. 02-MAJFOPP0329.12

Expires: March 29, 2012

II.D.19 The permittee shall conduct weekly monitoring for opacity on the combustion turbine (Unit Piti #7) following USEPA Method 22 in order to validate compliance with Condition II.B.3.b of this permit. Visible emissions inspection is required every three months if this unit is operated more than 50 hours per quarter. If a visible emissions inspection conducted following USEPA Method 22 documents opacity, a USEPA Method 9 "Visible Emissions Evaluation" shall be completed within three (3) working days, or during the next scheduled operating period if the unit ceases firing on diesel fuel within the three working day time frame. [GAPCSR, Section 1104.12(7)]

II.D.20 If the annual fuel consumption of the combustion turbine (Unit Piti #7) exceeds 22,363,245 gallons per year on a twelve-month rolling average, or 6,273 full load hours of operation, and the total calculated emissions of SO₂ exceed 250 tons per year, then within 180 days of such exceedance, the permittee shall install, maintain, and operate continuous emissions monitoring (CEM) systems, or alternatively, a predictive emissions monitoring (PEM) system. If a CEM or PEM system is to be installed, then within 90 days prior to the startup of either system the permittee shall submit to GEPA a quality assurance project plan for the certification and operation of the system to be used. Such a plan shall conform to the USEPA document "Guideline for Developing a Quality Assurance Project Plan" (OAMS 0005/80). [GEPA Permit TCT-691, Condition 5, Issued October 22, 1997 and amended September 6, 2000]

II.E. Recordkeeping Requirements

II.E.1 All records, including support information, shall be maintained for at least five (5) years following the date of such records compiled in a permanent form suitable for inspection and made available to GEPA or their representative upon request. [GAPCSR, Section 1104.12(7)(H)]

II.E.2 The permittee shall install a continuous monitoring system with a non-resettable system to monitor and record the fuel consumption and the ratio of water-to-fuel being fired into the combustion turbine (Unit Piti #7). These records shall be retained for five years and made available to GEPA. [40 CFR 60.7(c); 40 CFR 60.334(a); GAPCSR Section 1104.12(7)(H); GEPA Permit TCT-691, Condition 13, Issued October 22, 1997]

II.E.3 The permittee shall maintain records of fuel deliveries identifying the delivery dates and the type and amount of fuel received and including copies of the supplier's certificate of analysis showing the sulfur content of the fuel delivered. Fuel consumption records shall be maintained annually for the combustion turbine generator (Unit Piti #7) and emergency standby generator (Unit Genset 1). [GAPCSR, Section 1102.4(c)]

Guam EPA

Title V Operating Permit

Taiwan Electrical & Mechanical Services, Inc. (TEMES Guam)

Permit No. 02-MAJFOPP0329.12

Expires: March 29, 2012

II.E.4 The permittee shall maintain records of the following for the combustion turbine generator (Unit Piti #7) and emergency standby generator (Unit Genset 1), recorded in a permanent form suitable for inspection [GAPCSR, Section 1104.12(7)]:

II.E.4.a All measurements, including operating load and annual hours of operation

II.E.4.b All monitoring device calibration checks

II.E.4.c Inspections, maintenance, adjustments, and any other repair work

II.E.4.d Performance test results

II.E.5 The permittee shall maintain records of all inspections, maintenance, adjustments, and any other repair work conducted on the storage tanks identified in Condition II.A.1 of this permit. [GAPCSR, Section 1104.12(7)]

II.E.6 The records required in Condition II.E.4 and II.E.5 of this permit shall be in a permanent form suitable for inspection and shall be retained for at least five years following the date of measurements, maintenance, reports, and records. As a minimum, these records shall include the date of the measurement or inspection, a short description of the action and/or any such repair work, and a description of the part(s) inspected or repaired. [GAPCSR, Section 1104.12(7)]

II.F. Reporting Requirements

II.F.1 As required in Section II.L of this permit and in conjunction with the requirements of Section II.M of this permit the permittee shall report annually the total tons per year emitted of each regulated air pollutant, including hazardous air pollutants. The reporting of annual emissions is due within sixty (60) days following the end of the each calendar year. Upon the written request of the permittee, the deadline for reporting of annual emissions may be extended, if GEPA determines that reasonable justification exists for the extension. [GAPCSR, Section 1104.12(7)]

II.F.2 The permittee shall report in writing within thirty (30) days the modification, relocation, discontinuance of operation or dismantlement of the emission units identified in Condition II.A.1 of this permit. [GAPCSR, Section 1104.5(a)]

II.F.3 The permittee shall provide a report to GEPA of the results of all monitoring and recordkeeping required by this permit at least once every six (6) months, starting from the date of issuance of this permit. [GAPCSR, Section 1104.12(7)(I)]

II.F.4 Any modification to the combustion turbine (Unit Piti #7) that increases this source's potential to emit pollutants above the Prevention of Significant Deterioration (PSD) threshold level will require a full PSD review (as per 40 CFR

Guam EPA

Title V Operating Permit

Taiwan Electrical & Mechanical Services, Inc. (TEMES Guam)

Permit No. 02-MAJFOPP0329.12

Expires: March 29, 2012

52.21(r)(4)). This will apply to all criteria pollutants including PM₁₀. [GEPA Permit TCT-691, Condition 19, Issued October 22, 1997]

- II.F.5 The permittee shall submit to GEPA monthly summary reports indicating the quantity of fuel combusted in the combustion turbine (Unit Piti #7) in the subject month to verify diesel fuel consumption. Compliance with the yearly maximum fuel consumption limit in Condition II.C.4 of this permit will be determined by a 12-month rolling average. A rolling average calculated monthly is a running total of fuel consumption over 12 consecutive months. This will be calculated by adding the total gallons of fuel consumed in the reported month to the gallons consumed in the 11 months immediately preceding the reported month. The rolling average fuel consumption shall also be recorded and submitted with the monthly report [GEPA Permit TCT-691, Condition 6, Issued October 22, 1997]
- II.F.6 The permittee shall maintain a log of the date and nature of all inspections and maintenance activities performed at the facility. [GAPCSR, Section 1104.12(7)]
- II.F.7 The permittee shall submit written reports to GEPA on a semi-annual basis for all monitoring (including recordkeeping) requirements. The reports shall be submitted within fifteen (15) days after each recording period (January 1 to June 30 and July 1 to December 31), and shall be signed and dated by the responsible official. These reports shall include, but are not limited to, the following: [GAPCSR, Sections 1102.4 and 1104.12(7)]
- II.F.7.a Annual fuel consumption and hours of operation for the combustion turbine generator and emergency standby generator identified in Condition II.A.1 of this permit.
- II.F.7.b Annual throughput, by type of fuel, for each storage tank identified in Condition II.A.1 of this permit.
- II.F.7.c Those analyses of the sulfur contents in diesel fuel No. 2 for which there are exceedances of the limits specified in Condition II.C.2 of this permit. If there were no exceedances, the permittee shall submit in writing a statement indicating that there were no exceedances for that recording period.
- II.F.7.d Quarterly capacity test results.
- II.F.8 The permittee shall submit reports for the combustion turbine (Unit Piti #7) of excess emissions and monitor downtime, in accordance with 40 CFR 60.7(c). Excess emissions shall be reported for all periods of unit operation, including startup, shutdown, and malfunction. For the purpose of reports required for the combustion turbine (Unit Piti #7) under 40 CFR 60.7(c), periods of excess

Guam EPA

Title V Operating Permit

Taiwan Electrical & Mechanical Services, Inc. (TEMES Guam)

Permit No. 02-MAJFOPP0329.12

Expires: March 29, 2012

emissions and monitor downtime that shall be reported are defined below. [40 CFR 60.334(j)]

II.F.8.a Excess Emissions of Nitrogen Oxides

II.F.8.a.1 An excess emission shall be any unit operating hour for which the average water-to-fuel ratio, as measured by the continuous monitoring system, falls below the acceptable water-to-fuel ratio determined to demonstrate compliance with 40 CFR 60.332, as established during the performance test required in 40 CFR 60.8. Any unit operating hour in which no water is injected into the turbine shall be considered an excess emission. [40 CFR 60.334(j)(1)(i)(A)]

II.F.8.a.2 A period of monitor downtime shall be any unit operating hour in which water is injected into the turbine, but the essential parametric data needed to determine the water-to-fuel ratio are unavailable or invalid. [40 CFR 60.334(j)(1)(i)(B)]

II.F.8.a.3 Each report shall include the average water-to-fuel ratio, average fuel consumption, ambient conditions (temperature, pressure, and humidity), and gas turbine load. The permittee does not have to report ambient conditions if the permittee opts to use the worst case ISO correction factor as specified in 40 CFR 60.334(b)(3)(ii), or if the permittee is not using the ISO correction equation under the provisions of 40 CFR 60.335(b)(1). [40 CFR 60.334(j)(1)(i)(C)]

II.F.8.b Excess Emissions of Sulfur Dioxide

II.F.8.b.1 For fuel oil samples obtained using daily sampling, flow proportional sampling, or sampling from the unit's storage tank, an excess emission occurs each unit operating hour included in the period beginning on the date and hour of any sample for which the sulfur content of the fuel being fired in the gas turbine exceeds 0.8 weight percent and ending on the date and hour that a subsequent sample is taken that demonstrates compliance with the sulfur limit. [40 CFR 60.334(j)(2)(i)]

II.F.8.b.2 A period of monitor downtime begins when a required sample is not taken by its due date. A period of monitor downtime also begins on the date and hour of a required sample, if invalid results are obtained. The period of monitor downtime shall include only unit operating hours, and ends on the date and hour of the next valid sample. [40 CFR 60.334(j)(2)(iii)]

II.F.8.c *Excess Emissions during Periods of Ice Fog.* Each period during which an exemption provided in 40 CFR 60.332(f) is in effect shall be reported

Guam EPA

Title V Operating Permit

Taiwan Electrical & Mechanical Services, Inc. (TEMES Guam)

Permit No. 02-MAJFOPP0329.12

Expires: March 29, 2012

in writing to the Administrator quarterly. For each period the ambient conditions existing during the period, the date and time the air pollution control system was deactivated, and the date and time the air pollution control system was reactivated shall be reported. All quarterly reports shall be postmarked by the 30th day following the end of each calendar quarter. [40 CFR 60.334(j)(3)]

II.F.8.d *Excess Emissions during Periods of Emergency Fuel Use.* Each period during which an exemption provided in 40 CFR 60.332(k) is in effect shall be included in the report required in 40 CFR 60.7(c). For each period, the type, reasons, and duration of the firing of the emergency fuel shall be reported. [40 CFR 60.334(j)(4)]

II.F.9 The permittee shall report in the monthly report the date and time of all instances when the water-to-fuel ratio falls below any of the levels listed in Condition II.C.3 of this permit. For these instances, the permittee shall report all information as specified in 40 CFR 60.7(c). For the purposes for this permit, all times when the water-to-fuel ratio falls below levels listed in Condition II.C.3 of this permit shall be considered a violation of the permitted applicable emission limit for NO_x. [GEPA Permit TCT-691, Condition 14, Issued October 22, 1997]

II.F.10 The permittee shall notify GEPA by telephone within forty-eight (48) hours following any failure of air pollution control equipment, process equipment, or of a process to operate in a normal manner which results in emissions above any allowable emissions limit stated in this permit. In addition, GEPA shall be notified in writing within fifteen (15) days of any such failure. This notification shall include a description of the malfunctioning equipment or abnormal operation, the date of the initial failure, the period of time over which emissions were increased due to the failure, the cause of the failure, the estimated resultant emissions in excess of those allowed, and the methods utilized to restore normal operations. Compliance with this malfunction notification provision shall not excuse or otherwise constitute a defense for any violations of this permit or of any law or regulations that such a malfunction may cause. [GEPA Amended Permit TCT-691, Condition 18, Issued October 22, 1997]

II.F.11

II.G. NSPS General Provisions

For the combustion turbine (Unit Piti #7), the permittee shall comply with all applicable requirements in Subpart A of 40 CFR Part 60. [40 CFR Part 60, Subpart A]

II.H. Compliance Assurance Monitoring (CAM)

II.H.1 The permittee shall control NO_x emissions from the combustion turbine (Unit Piti #7) using a water injection system operated in accordance of the requirements in

Guam EPA
 Title V Operating Permit
 Taiwan Electrical & Mechanical Services, Inc. (TEMES Guam)
 Permit No. 02-MAJFOPP0329.12
 Expires: March 29, 2012

Conditions II.D.11, II.D.13, and II.D.14. The water-to-fuel ratio of the water injection system shall be used as an indicator of the NO_x control efficiency for the combustion turbine (Unit Piti #7). The water-to-fuel ratio shall be maintained at the level required in Condition II.C.3 of this permit. [40 CFR 64.2(a)]

II.H.2 The permittee shall conduct the monitoring required in Condition II.H.1 of this permit upon issuance of the permit. [40 CFR 64.7(a)]

II.H.3 At all times, the permittee shall maintain the monitoring, including but not limited to, maintaining necessary parts for routine repairs of the monitoring equipment. [40 CFR 64.7(b)]

II.H.4 Except for, as applicable, monitoring malfunctions, associated repairs, and required quality assurance or control activities (including, as applicable, calibration checks and required zero and span adjustments), the permittee shall conduct all water-to-fuel ratio monitoring on the combustion turbine (Unit Piti #7) in continuous operation at all times that the unit is operating. Data recorded during monitoring malfunctions, associated reports, and required quality assurance or control activities shall not be used for the purposes of 40 CFR 64, including data averages and calculations, or fulfilling a minimum data availability requirement, if applicable. The permittee shall use all the data collected during all other periods in assessing the operation of the control device and associated control system. A monitoring malfunction is any sudden, infrequent, not reasonably preventable failure of the monitoring to provide valid data. Monitoring failures that are caused in part by poor maintenance or careless operation are not malfunctions. [40 CFR 64.7(c)]

II.H.5 An excursion is defined to be a period when the water-to-fuel ratio falls below the required level in Condition II.C.3 of this permit for more than one hour. The continuous water-to-fuel ratio monitoring system is required to be accurate to within $\pm 5\%$. [40 CFR 64.1]

II.H.6 Upon detecting an excursion or exceedance, the permittee shall restore operation of the pollutant-specific emission unit (including the control device and associated capture system) to its normal or usual manner of operation as expeditiously as practicable in accordance with good air pollution control practices for minimizing emissions. The response shall include minimizing the period of any startup, shutdown, or malfunction and taking any necessary corrective actions to restore normal operation and prevent the likely recurrence of the cause of an excursion or exceedance (other than those caused by excused startup or shutdown conditions). Such actions may include initial inspection and evaluation, recording that operations returned to normal without operator action (such as through response by a computerized distribution control system), or any necessary follow-up actions to return operation to within the indicator range, designated condition, or below the applicable emission limitation or standard, as applicable. [40 CFR 64.7(d)(1)]

Guam EPA

Title V Operating Permit

Taiwan Electrical & Mechanical Services, Inc. (TEMES Guam)

Permit No. 02-MAJFOPP0329.12

Expires: March 29, 2012

II.H.7 Determination of whether the permittee has used acceptable procedures in response to an excursion or exceedance will be based on information available, which may include but is not limited to, monitoring results, review of operation and maintenance procedures and records, and inspection of the control device, associated capture system, and the process. [40 CFR 64.7(d)(2)]

II.H.8 Based on the results of a determination made under Condition II.H.7 of this permit, the Administrator of the USEPA or GEPA may require the permittee to develop and implement a quality improvement plan (QIP). The QIP threshold for the combustion turbine (Unit Piti #7) shall be 10 excursions in a six-month reporting period. [40 CFR 64.8(a)]

II.H.9 If required under Condition II.H.8 of this permit, the permittee shall maintain a written QIP and have it available for inspection. The plan shall initially include procedures for evaluating the control performance problems and, based on the results of the evaluation procedures, the permittee shall modify the plan to include procedures for conducting one or more of the following actions, as appropriate:

II.H.9.a Improved preventative maintenance procedures

II.H.9.b Process operation changes

II.H.9.c Appropriate improvements to control methods

II.H.9.d Other steps appropriate to correct control performance

II.H.9.e More frequent or improved monitoring, in conjunction with one or more of the preceding actions

[40 CFR 64.8(b)]

II.H.10 If a QIP is required under Condition II.H.8 of this permit, the permittee shall develop and implement a QIP as expeditiously as practicable and shall notify the GEPA if the period for completing the improvements contained in the QIP exceeds 180 days from the date on which the need to implement the QIP was determined. [40 CFR 64.8(c)]

II.H.11 Following the implementation of a QIP, upon any subsequent determination pursuant to Condition II.H.7 of this permit the Administrator of the USEPA or GEPA may require that the permittee make reasonable changes to the QIP if the QIP is found to have:

II.H.11.a Failed to address the cause of the control device performance problems;
or

Guam EPA
 Title V Operating Permit
 Taiwan Electrical & Mechanical Services, Inc. (TEMES Guam)
 Permit No. 02-MAJFOPP0329.12
 Expires: March 29, 2012

II.H.11.b Failed to provide adequate procedures for correcting control device performance problems as expeditiously as practicable in accordance with good air pollution control practices for minimizing emissions.

[40 CFR 64.8(d)]

II.H.12 Implementation of a QIP shall not excuse the permittee from compliance with any existing emission limitation or standard, or any existing monitoring, testing, reporting, or recordkeeping requirement that may apply under federal, state, or local law, or any other applicable requirements under the CAA. [40 CFR 64.8(e)]

II.H.13 The permittee shall submit monitoring reports for the water injection system to GEPA in accordance with 40 CFR 70.6(a)(3)(iii). [40 CFR 64.9(a)(1)]

II.H.14 The monitoring reports required pursuant to Condition II.H.13 of this permit shall include, at a minimum, the information required under 40 CFR 70.6(a)(3)(iii) and the following information, as applicable:

II.H.14.a Summary information on the number, duration, and cause (including unknown cause, if applicable) of excursions or exceedances, as applicable, and the corrective actions taken;

II.H.14.b Summary information on the number, duration, and cause (including unknown cause, if applicable) for monitoring downtime incidents (other than downtime associated with zero and span or other daily calibration checks, if applicable); and

II.H.14.c A description of the actions taken to implement a QIP during the reporting period as specified in 40 CFR 64.8. Upon completion of a QIP, the permittee shall include in the next summary report documentation that the implementation of the plan has been completed and reduced the likelihood of similar levels of excursions or exceedances occurring.

[40 CFR 64.9(a)(2)]

II.H.15 The permittee shall comply with the recordkeeping requirements specified in 40 CFR 70.6(a)(3)(ii). The permittee shall maintain records of monitoring data, monitor performance data, corrective actions taken, any written QIP requirements pursuant to 40 CFR 64.8 and any activities undertaken to implement a QIP, and other supporting information required to be maintained under 40 CFR 64 (such as data used to document the adequacy of monitoring or records of monitoring maintenance or corrective actions). [40 CFR 64.9(b)(1)]

II.H.16 Instead of paper records, the permittee may maintain records on alternative media, such as microfilm, computer files, magnetic tape disks, or microfiche,

Guam EPA
 Title V Operating Permit
 Taiwan Electrical & Mechanical Services, Inc. (TEMES Guam)
 Permit No. 02-MAJFOPP0329.12
 Expires: March 29, 2012

provided that the use of such alternative media allows for expeditious inspection and review, and does not conflict with other applicable recordkeeping requirements. [40 CFR 64.9(b)(2)]

II.I. Compliance Schedule

II.I.1 For applicable requirements with which the source is in compliance, the source will continue to comply with such requirements. [GAPCSR, Section 1104.8(b)(2)(A)]

II.I.2 For applicable requirements which become applicable during the permit term, the source shall meet such applicable requirements on a timely basis. [GAPCSR, Section 1104.8(b)(2)(B)]

II.J. Compliance Certifications

II.J.1 The compliance plan and compliance certification submittal requirements shall be in accordance with Sections 1104.8 and 1104.9 of the GAPCSR. The compliance certification shall be submitted to GEPA and the USEPA Regional Administrator once per year, or more frequently as set by any applicable requirement.

II.J.2 During the permit term, the permittee shall submit at least annually to GEPA, a compliance certification pursuant to Section 1104.9 of the GAPCSR. The permittee shall indicate whether or not compliance is being met with each term or condition of this permit. [GAPCSR, Section 1104.9]

II.K. General Air Quality Protections

II.K.1 The permittee shall not dispose of combustible material by open burning, or cause, suffer, allow, or permit open burning of combustible material within Guam, except as provided in Sections 1103.11 (b) through (e) of the GAPCSR. [GAPCSR, Section 1103.11; SIP, Section 6.1]

II.K.2 Control of Odors in Ambient Air

II.K.2.a The permittee shall not discharge or cause to be discharged into the atmosphere from any source whatsoever, such quantities of odorous emissions which is injurious to health, or is indecent or offensive to the senses, which affects at the same time an entire community or neighborhood, or any considerable number of persons, so as to unduly interfere with the comfortable enjoyment of life or property of such community, neighborhood or persons. It is a creation of a condition which causes injury to the public welfare. [GAPCSR, Section 1103.12(a); SIP, Section 11.1]

Guam EPA

Title V Operating Permit

Taiwan Electrical & Mechanical Services, Inc. (TEMES Guam)

Permit No. 02-MAJFOPP0329.12

Expires: March 29, 2012

II.K.2.b An odor occurrence shall be deemed a violation when a complaint is received by the Administrator and the Administrator is able to detect the odor. This detection must be verified by the Department of Public Health, Environmental Health Section for a person to be found in violation of subsection (a) of this condition. [GAPCSR, Section 1103.12(b); SIP, Section 11.2]

II.K.2.c The odor of growing vegetation, and chemical fertilizers and insecticides when used properly, or when persons can demonstrate to the Administrator that the best practical operation or treatment is being implemented, shall not be considered objectionable for the purposes of this requirement. [GAPCSR, Section 1103.12(c); SIP, Section 11.3]

II.K.3 The permittee shall comply with the asbestos requirements of 40 CFR Part 61, Subpart M (as amended and incorporated in Section 1103.13 of the GAPCSR), including requirements for demolition and renovation projects. [GAPCSR, Section 1103.13]

II.L. Annual Emissions Reporting Requirements

II.L.1 The reporting period for the annual emissions, including emissions from the emission units identified in Condition II.A.1 of this permit, shall be from January 1 to December 31 of each calendar year. All reports shall be submitted to GEPA along with the annual fee due. The report shall be mailed to [GAPCSR, Section 1104.24(c)]:

**Administrator
Guam Environmental Protection Agency
Air and Land Division
Air Pollution Control Program
P.O. Box 22439 GMF
Barrigada, Guam 96921**

All applicable correspondences and records with this permit submitted to GEPA shall have duplicate copies forwarded to:

**Director, Air Division (Attn: AIR-5)
U.S. Environmental Protection Agency
75 Hawthorne Street
San Francisco, CA 94105**

II.L.2 The permittee shall retain the information submitted, including all emissions calculations. These records shall be in a permanent form suitable for inspection.

Guam EPA

Title V Operating Permit

Taiwan Electrical & Mechanical Services, Inc. (TEMES Guam)

Permit No. 02-MAJFOPP0329.12

Expires: March 29, 2012

retained for a minimum of five (5) years, and made available to GEPA upon request. [GAPCSR, Section 1104.12(7)(H)]

II.L.3 Any information submitted to GEPA without a request for confidentiality shall be considered public record. [GAPCSR, Section 1102.7]

II.L.4 The permittee may request confidential treatment of specific information by submitting a written request to the Administrator identifying the specific information that is to be accorded confidential treatment. [GAPCSR, Section 1102.7(b)]

II.M. Fee Payment

II.M.1 The permittee shall submit fees in accordance with GAPCSR, Sections 1104.21 through 1104.24. [GAPCSR, Section 1104.12(9)(K)]

II.M.2 The permittee shall complete and submit the Annual Fee Calculation Worksheet, including all emissions calculations, with the required annual fee. [GAPCSR, Section 1104.24(l)]

II.M.3 Annual fees shall be paid in full: [GAPCSR, Section 1104.24 (a)]

II.M.3.a Within sixty (60) days after the end of each calendar year;

II.M.3.b Within thirty (30) days after permanent discontinuance of the air emission source.

II.M.4 The permittee shall be assessed a Six Dollars (\$6.00) per ton per pollutant base rate of the total annual emission. However, the minimum annual fee due shall be Five Hundred Dollars (\$500.00) for each valid permit held during the prior calendar year; or Forty-Two Dollars (\$42.00) per month for any fraction of the year the permit is valid after the last calendar year for which annual fee was paid. [GAPCSR, Section 1104.24(g)]

II.M.5 If any part of the annual fee is not paid within thirty (30) days after the due date, a late penalty of five percent (5%) of the amount due shall at once accrue and be added thereto. Thereafter, on the first day of each calendar month during which part of the annual fee or any prior accrued late payment penalty remains unpaid, an additional late payment penalty of five percent (5%) of the then unpaid balance shall accrue and be added thereto. [GAPCSR, Section 1104.25(b)]

II.M.6 If any annual fee, including the late payment penalty required by the GAPCSR is not paid in full within thirty (30) days after the due date, the Administrator may terminate or suspend any or all of the owner or operator's air pollution control

Guam EPA

Title V Operating Permit

Taiwan Electrical & Mechanical Services, Inc. (TEMES Guam)

Permit No. 02-MAJFOPP0329.12

Expires: March 29, 2012

permit, after affording the opportunity for a hearing in accordance with Section 1104.19 or Section 1102.14 of the GAPCSR [GAPCSR, Section 1104.25(c)]

II.M.7 The annual emissions data for which the annual fees are based shall accompany the submittal of any annual fees and submitted on forms furnished by GEPA. [GAPCSR, Section 1104.24(c)]

II.M.8 Check payments shall be made payable to the Treasurer of Guam along with a notation that the funds be deposited into GEPA's Air Pollution Control Special Fund. [GAPCSR, Section 1104.21(d)]

II.M.9 The annual fees and emissions data shall be mailed to [GAPCSR, Section 1104.24]:

**Administrator
Guam Environmental Protection Agency
Air and Land Division
Air Pollution Control Program
P.O. Box 22439 GMF
Barrigada, Guam 96921**

All applicable correspondences and records with this permit submitted to GEPA shall have duplicate copies forwarded to:

**Director, Air Division (Attn: AIR-5)
U.S. Environmental Protection Agency
75 Hawthorne Street
San Francisco, CA 94105**

III. Title V Administrative Requirements

III.A. Blanket Compliance Statement

The permittee shall comply with all the terms and conditions of this permit. Any permit noncompliance constitutes a violation of the GAPCSR and, for all federally enforceable terms and conditions, the CAA, and is grounds for enforcement action, permit termination, suspension, reopening, or amendment, or for denial of a permit renewal application. Permit noncompliance shall be subject to the penalties and remedies provided for in Section 49116 of Chapter 49, Part 2, Division 2, Part 1 of Title 10 of the GCA. [GAPCSR, Section 1104.12(9)(A) and 1102.12; SIP, Section 4.4]

III.B. Duty to Provide and Supplement Information

The permittee shall furnish, in a timely manner, any information or record requested in writing by GEPA to determine whether cause exists for terminating, suspending, reopening, or amending the permit, or to determine compliance with the permit. Upon request, the permittee shall also furnish to GEPA copies of records required to be kept by the permit. For information claimed confidential, the permittee shall furnish such records to GEPA with a claim of confidentiality. [GAPCSR, Section 1104.12(9)(H)]

III.C. Submissions

Any document (including reports, compliance plans and compliance certifications) required to be submitted by this permit shall be certified by a responsible official. This certification shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete in accordance with 1102.3 and shall be mailed or forwarded to the following address [GAPCSR, Sections 1102.3 and 1104.12(9)(L)]:

**Administrator
Guam Environmental Protection Agency
Air and Land Division
Air Pollution Control Program
P.O. Box 22439 GMF
Barrigada, Guam 96921**

All applicable correspondences and records with this permit submitted to GEPA shall have duplicate copies forwarded to:

**Director, Air Division (Attn: AIR-5)
U.S. Environmental Protection Agency
75 Hawthorne Street
San Francisco, CA 94105**

III.D. Severability Clause

If any term or condition of this permit becomes invalid as a result of a challenge to a portion of this permit, the other terms and conditions of this permit shall not be affected and remain valid. [GAPCSR, Section 1104.12(9)(B)]

III.E. Circumvention

The permittee shall not cause or permit the installation or use of any device or any means which, without resulting in reduction in the total amount of air contaminant emitted, conceals or dilutes an emission of air contaminant which would otherwise violate these regulations. This provision does not prohibit recycling, burning as fuel or otherwise further processing material which would violate an emission regulation if released to the atmosphere, so long as the facility in which that material is used does not violate applicable emission regulations. [SIP, Section 17.2]

III.F. Permit Actions

This permit will be revoked if the Agency finds willful or continued violations of the standards and regulations. [GAPCSR, Sections 1104.12(9)(A), 1104.18(a)(4), and 1104.18(b)(3); SIP, Section 3.7(c)]

III.G. Reopening for Cause

This permit may be terminated, suspended, reopened, or amended for cause pursuant to Section 1104.18 of the GAPCSR, after affording the permittee an opportunity for a hearing in accordance with Section 1102.14 or 10 GCA 49111. [GAPCSR, Section 1104.12(9)(D)]

III.H. Property Rights

This permit does not convey any property rights of any sort, or any exclusive privilege. [GAPCSR, Section 1104.12(9)(E)]

III.I. Inspection and Entry

III.I.1 The permittee shall allow GEPA, the Regional Administrator for the USEPA and/or an authorized representative, upon presentation of credentials or other documents required by law:

III.I.1.a To enter the premises where a source is located or emission-related activity is conducted, or where records must be kept under the conditions of the permit and inspect at reasonable times all facilities, equipment, practices, operations, or records covered under the terms and conditions of the permit and request copies of records or copy records required by the permit; and

III.I.1.b To sample or monitor at reasonable times substances or parameters to assure compliance with the permit or applicable requirements. [GAPCSR, Section 1104.12(9)(M)]

III.J. Emergency Provisions

III.J.1 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 to the Administrator the affirmative defense of emergency through properly signed, contemporaneous operating logs, or other relevant evidence that:

III.J.1.a An emergency occurred and the permittee can identify the cause(s) of the emergency;

III.J.1.b The permitted facility was at the time being properly operated;

III.J.1.c During the period of the emergency, the permittee took all reasonable steps to minimize levels of emissions that exceeded the emission limitations or other requirements in this permit; and

III.J.1.d The permittee submitted notice of the emergency to the Administrator within two (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 prompt reporting of deviations pursuant to Section 1102.9 of the GAPCSR. [GAPCSR, Sections 1104.17(a) and 1104.1(c)]

III.J.1.e In any enforcement proceeding the permittee attempting to establish the occurrence of an emergency has the burden of proof. [GAPCSR, Section 1104.17(b)]

III.K. Transfer of Ownership or Operation

III.K.1 This permit is not transferable, whether by operation of law or otherwise, either from one location to another or from one piece of equipment to another. [GAPCSR, Section 1104.4(c); SIP Section 3.8]

III.K.2 This permit shall not be transferable, whether by operation of law or otherwise, from person to person without the approval of the Administrator. [GAPCSR, Section 1104.4(d); SIP Section 3.8]

III.K.3 In the event of any changes in control or ownership of facilities to be operated or modified, the resulting modification of this permit shall be made as an administrative amendment pursuant to Section 1104.20 of the GAPCSR. [GAPCSR, Section 1104.20]

III.L. Permit Expiration and Renewal

III.L.1 This permit is issued for a fixed term of five years from the date of issuance. [GAPCSR, Section 1104.11; SIP Section 3.1(b)(4)]

III.L.2 Application for permit renewal shall be submitted no more than eighteen (18) months prior to the date of permit expiration. Application for permit renewal shall be submitted no later than six (6) months prior to the date of permit expiration. Late applications shall be subject to penalties pursuant to Section 1104.25 of the GAPCSR. [GAPCSR, Section 1104.6(d); SIP Section 3.1(b)(4)]

III.L.3 This permit shall remain valid past the expiration date and the air pollution emission source shall not be in violation for failing to have an air pollution control permit, until the Administrator has issued or denied the renewal of the air pollution control permit, provided [GAPCSR, Section 1104.2(d)]:

III.L.3.a A complete renewal application has been submitted and the owner or operator acts consistently with the permit previously granted, and the application on which it was based, and all plans, specifications, and other information submitted as part of the application; and

III.L.3.b The owner or operator has submitted to the Administrator within the specified deadlines, all requested additional information deemed necessary to evaluate or take final action on the renewal application as described in Section 1104.6 of the GAPCSR.

III.M. Permit Modifications

Applications for modification of this permit are subject to the same requirements as the initial application including all requirements pursuant to Section 1104.6(c) of the GAPCSR. The permittee shall submit a description of the modification, identifying all proposed changes, including any changes to the source operations, work practices, equipment design, source emissions, or any monitoring, record keeping, and reporting procedures. Each change from the permit application for this permit shall be identified on the application for the permit modification. [GAPCSR, Section 1104.6(f)]

III.N. Malfunction

III.N.1 Except for emergencies which result in noncompliance with any technology-based emission limitation in accordance with Section 1104.17 of the GAPCSR, in the event any emission unit, air pollution control equipment, or related equipment breaks down in such a manner as to cause the emission of air pollutants in violation of GAPCSR, or this permit, the permittee shall immediately notify, within twenty-four (24) hours, GEPA of the failure or breakdown, unless the protection of personnel or public health or safety demands immediate attention to the failure or breakdown and makes such notification infeasible. In the latter case, the notice shall be provided as soon as practicable. The submittal of these notices shall not be a defense to an enforcement action. Within five (5) working days of this initial notification, the permittee shall also submit, in writing, the following information:

III.N.1.a Identification of emission points;

III.N.1.b Magnitude of the excess emissions;

III.N.1.c Time and duration of the excess emissions;

III.N.1.d Identity of the process or control equipment causing the excess emissions;

III.N.1.e Cause and nature of the excess emissions;

III.N.1.f Description of the steps taken to remedy the situation, prevent a recurrence, limit the excessive emissions, and assure that the breakdown does not interfere with the attainment and maintenance of the National Ambient Air Quality Standards (NAAQS) and Guam ambient air quality standards;

III.N.1.g Documentation that the equipment or process was at all times maintained and operated in a manner consistent with good practice for minimizing emissions; and

III.N.1.h A statement that the excess emissions are not part of a recurring pattern indicative of inadequate design, operation, or maintenance. [GAPCSR, Section 1102.9]

III.O. Agency Notifications

III.O.1 The permittee shall notify the Administrator in writing of the following dates:

- III.O.1.a The anticipated date of initial start-up for each emission unit of a new source or significant modification not more than sixty (60) days or less than thirty (30) days prior to such date.
- III.O.1.b The actual date of construction commencement within fifteen (15) days after such date.
- III.O.1.c The actual date of start-up within fifteen (15) days after such date. [GAPCSR, Section 1104.12(9)(G)]
- III.O.2 The permittee shall notify GEPA in writing, of the intent to shut down air pollution control equipment for necessary scheduled maintenance at least twenty-four (24) hours prior to the planned shutdown. The submittal of this notice shall not be a defense to an enforcement action. The notice shall include the following:
 - III.O.2.a Identification of the specific equipment to be taken out of service, as well as its location and permit number;
 - III.O.2.b The expected length of time that the air pollution control equipment will be out of service;
 - III.O.2.c The nature and quantity of emissions of air pollutants likely to be emitted during the shutdown period;
 - III.O.2.d Measures such as the use of off-shift labor and equipment that will be taken to minimize the length of the shutdown period; and
 - III.O.2.e The reasons why it would be impossible or impractical to shut down the source operation during the maintenance period. [GAPCSR, Section 1102.8; SIP, Section 4.3]
- III.O.3 A copy of applicable correspondence or records submitted to GEPA shall be provided to the USEPA pursuant to Section 1104.15 of the GAPCSR. [GAPCSR, Section 1104.12(9)(I)]
- III.O.4 Within thirty (30) days of permanent discontinuance of the operation, modification, relocation, or construction of any of the above units, the responsible official shall report the discontinuance in writing to the Administrator. [GAPCSR, Section 1104.5(a)]

III.P. Miscellaneous Conditions

- III.P.1 Unless specifically identified, the terms and conditions contained in this permit are consistent with the applicable requirement on which each term or condition is based. [Section 49107(7)(c)(2) of Chapter 49, Part 2, Division 2, Part 1 of Title 10 of the GCA]
- III.P.2 This permit, or a copy thereof, shall be maintained at or near the source for which this permit was issued and shall be made available for inspection upon request. [GAPCSR, Section 1104.4(a); SIP, Section 3.12]
- III.P.3 This permit shall not be willfully defaced, altered, forged, counterfeited, or falsified. [GAPCSR, Section 1104.4(b); SIP, Section 3.13]

- III.P.4 The facility covered by this permit shall be constructed and operated in accordance with the application, and any information submitted as part of the application, for this permit. There shall be no deviation from this permit condition unless additional or revised plans are submitted to and approved by GEPA, and the permit is amended to allow for such deviation. [GAPCSR, Section 1104.12(12)]
- III.P.5 This permit (a) does not release the permittee from compliance with other applicable statutes of Guam, or with applicable local or federal laws, regulations, or ordinances, and (b) shall not constitute, nor be construed to be an approval of the design of the source. [GAPCSR, Sections 1104.2(e) and 1104.12(11)]
- III.P.6 The permittee shall not use as a defense in an enforcement action that it would have been necessary to halt or reduce the permitted activity to maintain compliance with the terms and conditions of this permit. [GAPCSR, Section 1104.12(9)(C)]
- III.P.7 The filing of a request by the permittee for a permit termination, suspension, reopening, or amendment, or a notification of planned changes or anticipated noncompliance does not stay any permit condition. [GAPCSR, Section 1104.12(9)(D)]
- III.P.8 This permit shall become invalid with respect to any authorized construction if construction is not commenced as follows:
- III.P.8.a Within thirty (30) days of permanent discontinuance of the construction, modification, relocation or operation of any permitted air pollution emission source, the responsible official shall report the discontinuance in writing to the Administrator.
- III.P.8.b For phased construction projects, each phase shall commence construction within eighteen (18) months of the projected and approved commencement dates in the permit. [GAPCSR, Sections 1104.5(b), 1104.5(c), and 1104.12(9)(F)]
- III.P.9 GEPA may extend the time periods specified in Condition III.P.8 of this permit upon a satisfactory showing that an extension is justified. Request for an extension shall be submitted in writing to GEPA. [GAPCSR, Section 1104.5(d)]
- III.P.10 The permittee may request confidential treatment of any records in accordance with Section 1102.7 of the GAPCSR. [GAPCSR, Section 1104.12(9)(J)]
- III.P.11 The terms and conditions included in this permit, including any provision designed to limit a source's potential to emit, are federally enforceable unless such terms, conditions, or requirements are specifically designated as not federally enforceable. [GAPCSR, Section 1104.14]

GUAM ENVIRONMENTAL PROTECTION AGENCY AIR POLLUTION CONTROL PERMIT

Permit No. FO-007

IS HERBY ISSUED TO

Guam Power Authority

LOCATED AT


Talofofo Diesel Engine Power Generating Facility, Talofofo

in accordance with the Guam Air Pollution Control Standards and Regulations (GAPCSR),
Public Law 24-20, 10 Guam Code Annotated (GCA), Chapter 49.

This Permit is non-transferable and the permittee is subject to the requirements for holding and transfer of permits in Section 1104.4 of the GAPCSR.

No person shall willfully deface, alter, forge, counterfeit, or falsify this Permit.

This Permit shall expire **03/01/2014**. The renewal application shall be submitted no later than **09/01/2013**.


LORILEE T. CRISOSTOMO
Administrator
Date: 11 MAY 2009





GUAM ENVIRONMENTAL PROTECTION AGENCY

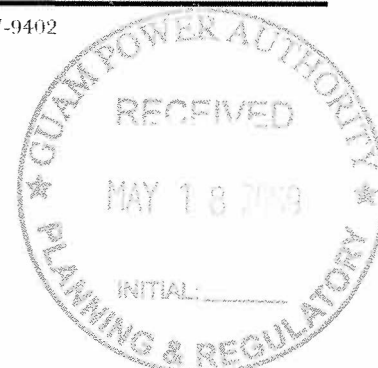


AHENSIAN PRUTEKSION LINA'LA GUAHAN

P.O. Box 22439 GMF • BARRIGADA, GUAM 96921 • TEL: 475-1658 /9 • FAX: 477-9402

TITLE V PERMIT TO OPERATE

Permit Number: **FO-007**
 Issue Date: **March 2, 2009**
 Expiration Date: **March 1, 2014**



In accordance with the provisions of Title V of the Clean Air Act (CAA) and the Guam Air Pollution Control Standards and Regulations (GAPCSR), Public Law 24-322, and the Guam Air Pollution Control Act (GAPCA), Public Law 24-20, 10 Guam Code Annotated (GCA), Chapter 49,

**Guam Power Authority
 Talofof Diesel Engine Power Generating Facility
 Talofof, Guam**

is authorized to operate air emission units and to conduct other air pollutant emitting activities in accordance with the permit conditions listed in this permit. Terms and conditions not otherwise defined in this permit have the meaning assigned to them in the referenced regulations. All terms and conditions of the permit are enforceable by the United States Environmental Protection Agency (USEPA), the Guam Environmental Protection Agency (GEPA), and citizens under the CAA. The issuance of this permit is based on the plans, specifications, and additional information submitted as part of the application dated August 22, 2003.

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.

Acceptance of this permit constitutes an agreement and acknowledgement that the holder will comply with all the rules and regulations of GEPA and these permit conditions.

This permit, (a) does not in any manner affect the title of the premises upon which the equipment is located, (b) does not release the permittee from any liability for any loss due to personal injury or property damage caused by, resulting from or arising out of the design, installation, maintenance, or operation of the equipment, and (c) in no manner implies or suggests that GEPA, or its officers, agents, or employees assumes any liability, directly or indirectly, for any loss due to personal injury or property damage caused by, resulting from or arising out of the design, installation, maintenance, or operation of the equipment.

Guam EPA

Title V Federal Operating Permit
Guam Power Authority – Talofofo
Permit No. FO-007
Expires: March 1, 2014

This permit is valid for a period of five (5) years and shall expire at midnight on the date specified above unless a timely and complete renewal application has been submitted at least 6 months but not more than 18 months prior to the date of expiration. The permit number cited above should be referenced in future correspondence regarding this facility.

11 MAY 2009

Date



LORILEE T. CRISOSTOMO
Administrator
Guam EPA

Guam EPA

Title V Federal Operating Permit
 Guam Power Authority – Talofofo
 Permit No. FO-007
 Expires: March 1, 2014

Abbreviations and Acronyms

CAA	Clean Air Act [42 U.S.C. Section 7401 et seq.]
CFR	Code of Federal Regulations
CO	Carbon Monoxide
°F	degrees Fahrenheit
GAPCSR	Guam Air Pollution Control Standards and Regulations
GCA	Guam Code Annotated
GEPA	Guam Environmental Protection Agency
hr	hour
kW	kilowatt
lb	pound
MMBtu	Million British thermal units
MW	Megawatt
NAAQS	National Ambient Air Quality Standard
NO _x	Nitrogen Oxides
PM ₁₀	Particulate matter less than 10 microns in diameter
SIC	Standard Industrial Classification
SIP	State Implementation Plan
SO ₂	Sulfur Dioxide
UHC	Unburned Hydrocarbons
USEPA	United States Environmental Protection Agency
VOC	Volatile Organic Compounds

Guam EPA
Title V Federal Operating Permit
Guam Power Authority – Talofofo
Permit No. FO-007
Expires: March 1, 2014

TABLE OF CONTENTS

Cover Page
Abbreviations and Acronyms

I. Source Identification

II. Facility-wide and Unit Specific Permit Conditions

- A. Equipment Description
- B. Emission Limits
- C. Work Practice and Operational Requirements
- D. Monitoring and Testing Requirements
- E. Recordkeeping Requirements
- F. Reporting Requirements
- G. Compliance Schedule
- H. Compliance Certifications
- I. General Air Quality Protections
- J. Annual Emissions Reporting Requirements
- K. Fee Payment

IV. Title V Administrative Requirements

- A. Blanket Compliance Statement
- B. Duty to Provide and Supplement Information
- C. Submissions
- D. Severability Clause
- E. Circumvention
- F. Permit Actions
- G. Reopening for Cause
- H. Property Rights
- I. Inspection and Entry
- J. Emergency Provisions
- K. Transfer of Ownership or Operation
- L. Permit Expiration and Renewal
- M. Permit Modifications
- N. Malfunctions
- O. Agency Notifications
- P. Miscellaneous Conditions

Guam EPA

Title V Federal Operating Permit
Guam Power Authority – Talofoto
Permit No. FO-007
Expires: March 1, 2014

I. Source Identification

Facility Name: Guam Power Authority - Talofoto Facility
Facility Location: Route 4A
City: Talofoto
Territory: Guam
USEPA Region: 9
SIC Code: 4911

Responsible Official: Joaquin C. Flores, P.E., General Manager
Phone Number: (671) 648-3202

Facility Manager/Contact: Andriano E. Balajadia
Phone Number: (671) 648-3204

Person Responsible for Recordkeeping: Sylvia L. Ipanag
Phone Number: (671) 648-3217

Description of Process:

Guam Power Authority Talofoto facility is a power generating plant. The significant sources of emissions of air pollutants are two 4.88 megawatt (MW) diesel engine generators and one 40 kilowatt (kW) black start diesel engine generator. Other insignificant emission sources include a 30,000 gallon diesel fuel storage tank, two 400 gallon diesel fuel storage day tanks, and a black start diesel generator service tank.

Guam EPA
 Title V Federal Operating Permit
 Guam Power Authority – Talofofo
 Permit No. FO-007
 Expires: March 1, 2014

II. Facility-wide and Unit Specific Permit Conditions

II.A. Equipment Description

II.A.1 This permit encompasses the following equipment and associated appurtenances that are considered significant sources of emissions. [GAPCSR, Section 1104.12(12)]

Emission Unit ID	Description	Manufacturer	Model	Serial Number
DEG-1	4.88 MW diesel engine generator	Caterpillar	3616	1PD00059
DEG-2	4.88 MW diesel engine generator	Caterpillar	3616	1PD00070
BSG-1	40 kW black start diesel engine generator	Generac Engine	92A04229S/SD040-K364	21224

II.A.2 The permittee shall have installed an identification tag or nameplate on each piece of equipment that identifies the model number, serial number, and manufacturer. The identification tag or nameplate shall be permanently attached to the equipment at a conspicuous location. [Section 49107(7)(B) of Chapter 49, Part 2, Division 2, Part 1 of Title 10 of the GCA]

II.B. Emission Limits

II.B.1 Fuel Burning Equipment (Units DEG-1, DEG-2, and BSG-1)

II.B.1.a The permittee shall not cause or permit the continuous emission of visible air pollutants with a density equal to or darker than twenty (20) percent opacity from any emission unit nor the emission of visible air pollutants of a density darker than sixty (60) percent opacity for a period aggregating more than three (3) minutes in any sixty (60) minute period. [GAPCSR, Section 1103.3; State Implementation Plan (SIP), Section 10.1]

II.B.2 Diesel Engine Generators (Units DEG-1 and DEG-2)

II.B.2.a Particulate emissions from these emission units shall not exceed 0.66 lb/MMBtu. [SIP, Section 7.5]

II.B.2.b The permittee shall not discharge or cause the discharge into the atmosphere the following pollutants in excess of the specified limits

Guam EPA
 Title V Federal Operating Permit
 Guam Power Authority – Talofof
 Permit No. FO-007
 Expires: March 1, 2014

from each of the diesel engine generators (Units DEG-1 and DEG-2) based on 100 percent load operation:

Pollutant	Emission Limit
Particulate matter less than 10 microns (PM ₁₀)	9.27 pounds per hour (lb/hr)
Carbon monoxide (CO)	23.94 lb/hr
Nitrogen oxides (NO _x)	107.7 lb/hr
Unburned hydrocarbons (UHC)	5.24 lb/hr
Sulfur dioxide (SO ₂)	27 lb/hr

[GEPA Permit GPA-681, Condition 6, Issued September 25, 1997]

II.C. Work Practice and Operational Requirements

- II.C.1 All equipment, facilities, and systems installed or used to achieve compliance with terms and conditions of this permit shall at all times, including periods of startup, shutdown and malfunction, be maintained in good working order and be operated as efficiently as possible so as to minimize air pollutant emissions. The permittee shall conduct proper preventative maintenance procedures for the diesel engine generators (Units DEG-1 and DEG-2) and the black start generator (Unit BSG-1) in accordance with the manufacturer's recommendations. [GAPCSR, Section 1104.12(12)]
- II.C.2 Adequate control measures approved by GEPA shall be implemented to prevent exceedences of any applicable air quality standards during the operation of the facility. [GAPCSR, Section 1104.12(8)]
- II.C.3 The amount of No. 2 diesel fuel burned by the diesel engine generators (Units DEG-1 and DEG-2) shall not exceed 1,480,851 gallons per year. This equates to 2,320 full load hours of operation at 85 degrees Fahrenheit (°F) for two diesel units or 4,640 full load hours for one unit. [GEPA Permit GPA-681, Condition 3, Issued September 25, 1997]
- II.C.4 The maximum sulfur content by weight of the No. 2 fuel oil used in the diesel engine generators (Units DEG-1 and DEG-2) shall not exceed 0.6 percent. The No. 2 fuel used in the diesel engine generators shall be analyzed by the frequency and the method described in 40 CFR 60.334(b)(1) and 60.335(d), respectively. The fuel analysis data shall be recorded and submitted to GEPA with the quarterly report. [GEPA Permit GPA-681, Condition 5, Issued September 25, 1997; GAPCSR, Sections 1103.10 and 1104.12(8)]

Guam EPA

Title V Federal Operating Permit
Guam Power Authority – Talofofo
Permit No. FO-007
Expires: March 1, 2014

- II.C.5 The maximum sulfur content by weight of the No. 2 fuel oil used by the black start diesel generator (Unit BSG-1) shall not exceed 2 percent. [GAPCSR, Section 1103.10]
- II.C.6 Retarding the fuel injection timing shall be used to control NO_x emissions from the diesel engine generators (Units DEG-1 and DEG-2) by 45 percent reduction of the uncontrolled emission levels at base load operation. [GEPA Permit GPA-681, Condition 9, Issued September 25, 1997]
- II.C.7 The permittee shall not cause or permit visible fugitive dust to become airborne without taking reasonable precautions. Examples of reasonable precautions are [GAPCSR, Section 1103.4(a); SIP, Sections 8.1, 8.4, and 8.7]:
- II.C.7.a Use of water or suitable chemicals for control of fugitive dust in the demolition of existing buildings or structures, construction and retrofitting operations, the grading of roads, or the clearing of land;
 - II.C.7.b Application of asphalt, water, or suitable chemicals on roads, material stockpiles, and other surfaces which may allow release of fugitive dust;
 - II.C.7.c Installation of appurtenances that provide an enclosure and ventilation for all crushing, aggregate screening, and conveying of material likely to become airborne;
 - II.C.7.d Installation and use of hoods, fans, and fabric filters to enclose and vent the handling of dusty materials. Reasonable containment methods shall be employed during sandblasting, spray painting, or other similar operations;
 - II.C.7.e Covering all moving, open-bodied trucks transporting materials which may release fugitive dust;
 - II.C.7.f Conducting agricultural operations, such as tilling of land and the application of fertilizers, in such manner as to reasonably minimize fugitive dust;
 - II.C.7.g Maintenance and sealing of road-ways and parking lots so as to prevent the exposure of such surfaces to wind, water, or vehicular travel erosion; and
 - II.C.7.h Prompt removal of earth or other materials from paved streets which have been transported there by trucking, earth-moving equipment, erosion, or other means.

Guam EPA
Title V Federal Operating Permit
Guam Power Authority – Talofofo
Permit No. FO-007
Expires: March 1, 2014

II.C.8 Except for persons engaged in agricultural operations or persons who can demonstrate to the Administrator that the best practical operation or treatment is being implemented, no person shall cause or permit the discharge of visible fugitive dust beyond the property lot line on which the fugitive dust originates. [GAPCSR, Section 1103.4(b); SIP, Section 8.2]

II.D. Monitoring and Testing Requirements

II.D.1 The permittee shall provide sampling and testing facilities at its own expense. The tests shall be conducted at the maximum expected operating capacity of the diesel engine generators and GEPA may monitor the tests. For performance test purposes, sampling ports, platforms and access shall be provided by the permittee on the diesel exhaust systems in accordance with 40 CFR 60.8 (e). [GAPCSR, Section 1102.4; SIP, Sections 3.6(a), 3.9, and 4.1]

II.D.2 At least thirty (30) days prior to performance a test, the permittee shall submit a written performance test plan to GEPA that describes the test date(s), duration, locations, and methods, source operation and other parameters that may affect test results. Such a plan shall conform to USEPA guidelines including quality assurance procedures. [GAPCSR, Section 1102.4]

II.D.3 Within sixty (60) days after completion of the performance test, the permittee shall submit to GEPA and USEPA Regional Administrator, the test report which shall include the operating conditions of the equipment at the time of the test, the analyses of the fuel, the summarized test results, comparative results with the permit emissions limits, and other pertinent field and laboratory data. [GAPCSR, Section 1102.4; SIP, Section 4.2]

II.D.4 Performance tests for the emissions of PM₁₀, NO_x, SO₂, CO, and volatile organic compounds (VOC) from the diesel engine generators (Units DEG-1 and DEG-2) shall be conducted on an annual basis in accordance with the test methods set forth in 40 CFR 60.8 and Appendix A, and the results shall be reported to GEPA. The following test methods shall be used:

II.D.4.a Performance test for the emissions of PM₁₀ shall be conducted using USEPA Methods 1-4 and 5.

II.D.4.b Performance test for the emissions of NO_x shall be conducted using USEPA Methods 1-4 and 7.

II.D.4.c Performance test for the emissions of SO₂ shall be conducted using USEPA Methods 1-4 and 20.

Guam EPA
Title V Federal Operating Permit
Guam Power Authority – Talofofu
Permit No. FO-007
Expires: March 1, 2014

II.D.4.d Performance test for the emissions of CO shall be conducted using USEPA Methods 1-4 and 10 or 10B.

II.D.4.e Performance test for the emissions of VOCs shall be conducted using USEPA Methods 1-4 and 25A.

[GEPA Permit GPA-681, Conditions 7 and 8, Issued September 25, 1997; GAPCSR, Section 1102.4]

II.D.5 For the diesel engine generators (Units DEG-1 and DEG-2) and the black start diesel generator (Unit BSG-1), the permittee shall conduct performance tests for opacity on an annual basis to determine compliance with the opacity limits specified in this permit. Performance tests for opacity shall be conducted using USEPA Method 9 as set forth in 40 CFR 60.8 and Appendix A. [GAPCSR, Section 1104.12(7)]

II.D.6 Any deviations from these conditions, test methods, or procedures may be cause for rejections of the test results unless such deviations are approved by GEPA before the tests are conducted. [GAPCSR, Section 1102.4]

II.D.7 Performance tests in accordance to 40 CFR 60.8 and Appendix A shall be conducted on an annual basis for the diesel engine generators (Units DEG-1 and DEG-2) to verify compliance with hourly emission rates. Upon written request and justification by the permittee, GEPA may waive the requirement for a specific annual source test. The waiver request is to be submitted at least sixty (60) days prior to the required test and must include documentation justifying such action. Documentation should include, but is not limited to, the results of the prior test indicating compliance by a wide margin, documentation of continuing compliance, and further that operations of the source have not changed since the previous source test. [GAPCSR, Section 1102.4]

II.D.8 The permittee shall conduct weekly monitoring for opacity on the diesel engine generators (Units DEG-1 and DEG-2) following USEPA Method 22 in order to validate compliance Conditions II.B.1.a and II.B.2.a of this permit. Hourly visible emission inspections are required during the operation of any of the diesel engine generators identified in Condition II.A.1 of this permit. The visible emissions inspection shall be conducted by a Method 9-certified observer. If a visible emissions inspection conducted following USEPA Method 22 documents an instantaneous opacity reading of 10% or higher, an USEPA Method 9 "Visible Emissions Evaluation" shall be completed within three (3) working days, or during the next scheduled operating period if the unit ceases firing on diesel fuel within the three working day time frame. [GAPCSR, Section 1104.12(7)]

Guam EPA
Title V Federal Operating Permit
Guam Power Authority – Talofofo
Permit No. FO-007
Expires: March 1, 2014

II.E. Recordkeeping Requirements

- II.E.1 All records, including support information, shall be maintained for at least five (5) years following the date of such records compiled in a permanent form suitable for inspection and made available to GEPA or their representative upon request. [GAPCSR, Section 1104.12(7)(H)]
- II.E.2 The sulfur content of No. 2 fuel oil used in the diesel engine generators (Units DEG-1 and DEG-2) and the black start generator (Unit BSG-1) shall either be obtained from the fuel vendor or monitored pursuant to 40 CFR 60.334(b) using the method described in 40 CFR 60.335(d). [GAPCSR, Section 1103.10(a)]
- II.E.3 The permittee shall maintain records of fuel deliveries identifying the delivery dates and the type and amount of fuel received and including copies of the supplier's certificate of analysis showing the sulfur content of the fuel delivered. Fuel consumption records shall be maintained annually for the diesel engine generators (Units DEG-1 and DEG-2) and the black start generator (Unit BSG-1). [GAPCSR, Section 1102.4(c)]
- II.E.4 To verify the diesel fuel consumption, the permittee shall submit to GEPA monthly summary reports indicating the quantity of fuel combusted by the diesel engine generators (Units DEG-1 and DEG-2) in the subject month. Compliance with the yearly maximum fuel consumption will be determined by a 12-month rolling average. A rolling average calculated monthly is actually a running total of fuel consumption over 12 consecutive months. This will be calculated by adding the total gallons of fuel consumed in the subject month to the gallons consumed in the 11 months immediately preceding the subject month. The rolling average fuel consumption shall also be recorded and submitted with the monthly report. [GEPA Permit GPA-681, Condition 4, Issued September 25, 1997]
- II.E.5 The permittee shall maintain a log of the date and nature of all inspections and maintenance activities performed at the facility [GAPCSR Section 1104.12(12)].

II.F. Reporting Requirements

- II.F.1 As required in Section II.J and in conjunction with the requirements of Section II.K of this permit the permittee shall report annually the total tons per year emitted of each regulated air pollutant, including hazardous air pollutants. The reporting of annual emissions is due within sixty (60) days following the end of the each calendar year. Upon the written request of the permittee, the deadline for reporting of annual emissions may be

Guam EPA
Title V Federal Operating Permit
Guam Power Authority – Talofoto
Permit No. FO-007
Expires: March 1, 2014

extended, if GEPA determines that reasonable justification exists for the extension. [GAPCSR, Section 1104.12(7)]

II.F.2 The permittee shall report in writing within thirty (30) days the modification, relocation, discontinuance of operation or dismantlement of the emission units identified in Condition II.A.1 of this permit. [GAPCSR, Section 1104.5(a)]

II.F.3 The permittee shall provide a report to GEPA of the results of all monitoring and recordkeeping required by this permit at least once every six (6) months. Reports shall be submitted for monitoring and recordkeeping performed between January 1st and June 30th and between July 1st and December 31st and shall be postmarked by the 30th day following the end of the reporting period. The first monitoring and recordkeeping report will cover the period from the date of issuance of this permit to December 31, 2008. [GAPCSR, Section 1104.12(7)(I)]

II.F.4 In the event of excess emission or malfunction of the diesel engine generators (Units DEG-1 and DEG-2), the permittee shall notify GEPA within twenty-four (24) hours by telephone of such events. These events shall be followed with a submission of a written notice to GEPA within two (2) weeks from the date of occurrence. [GEPA Permit GPA-681, Condition 10, Issued September 25, 1997]

II.G. Compliance Schedule

II.G.1 For applicable requirements with which the source is in compliance, the source will continue to comply with such requirements. [GAPCSR, Section 1104.8(b)(2)(A)]

II.G.2 For applicable requirements which become applicable during the permit term, the source shall meet such applicable requirements on a timely basis. [GAPCSR, Section 1104.8(b)(2)(B)]

II.H. Compliance Certifications

II.H.1 The compliance plan and compliance certification submittal requirements shall be in accordance with Sections 1104.8 and 1104.9 of the GAPCSR. The compliance certification shall be submitted to GEPA and the USEPA Regional Administrator once per year, or more frequently as set by any applicable requirement. [GAPCSR, Sections 1104.8 and 1104.9]

II.H.2 During the permit term, the permittee shall submit at least annually to GEPA, a compliance certification pursuant to Section 1104.9 of the GAPCSR. This certification shall be postmarked by January 30th of each

Guam EPA
Title V Federal Operating Permit
Guam Power Authority - Tafolofol
Permit No. FO-007
Expires: March 1, 2014

year, and shall cover the previous calendar year (January 1 through December 31). The first compliance certification will cover the period from the date of issuance of this permit to December 31, 2008. The permittee shall indicate whether or not compliance is being met with each term or condition of this permit. [GAPCSR, Section 1104.9]

II.I. General Air Quality Protections

II.I.1 The permittee shall not dispose of combustible material by open burning, or cause, suffer, allow, or permit open burning of combustible material within Guam, except as provided in Sections 1103.11 (b) through (e) of the GAPCSR. [GAPCSR, Section 1103.11; SIP, Section 6.1]

II.I.2 Control of Odors in Ambient Air

II.I.2.a The permittee shall not discharge or cause to be discharged into the atmosphere from any source whatsoever, such quantities of odorous emissions which is injurious to health, or is indecent or offensive to the senses, which affects at the same time an entire community or neighborhood, or any considerable number of persons, so as to unduly interfere with the comfortable enjoyment of life or property of such community, neighborhood or persons. It is a creation of a condition which causes injury to the public welfare. [GAPCSR, Section 1103.12(a); SIP, Section 11.1]

II.I.2.b An odor occurrence shall be deemed a violation when a complaint is received by the Administrator and the Administrator is able to detect the odor. This detection must be verified by the Department of Public Health, Environmental Health Section for a person to be found in violation of subsection (a) of this condition. [GAPCSR, Section 1103.12(b); SIP, Section 11.2]

II.I.2.c The odor of growing vegetation, and chemical fertilizers and insecticides when used properly, or when persons can demonstrate to the Administrator that the best practical operation or treatment is being implemented, shall not be considered objectionable for the purposes of this requirement. [GAPCSR, Section 1103.12(c); SIP, Section 11.3]

II.I.3 The permittee shall comply with the asbestos requirements of 40 CFR 61, Subpart M (as amended and incorporated in Section 1103.13 of the GAPCSR), including requirements for demolition and renovation projects. [GAPCSR, Section 1103.13]

Guam EPA
 Title V Federal Operating Permit
 Guam Power Authority – Talofof
 Permit No. FO-007
 Expires: March 1, 2014

II.J. Annual Emissions Reporting Requirements

II.J.1 The reporting period for the annual emissions, including emissions from the diesel engine generators (Units DEG-1 and DEG-2) and the black start generator (Unit BSG-1), shall be from January 1 to December 31 of each calendar year. All reports shall be submitted to GEPA along with the annual fee due. The report shall be mailed to [GAPCSR, Section 1104.24(c)]:

**Administrator
 Guam Environmental Protection Agency
 Air and Land Division
 Air Pollution Control Program
 P.O. Box 22439 GMF
 Barrigada, Guam 96921**

All applicable correspondences and records with this permit submitted to GEPA shall have duplicate copies forwarded to:

**Director, Air Division (Attn: AIR-5)
 U.S. Environmental Protection Agency
 75 Hawthorne Street
 San Francisco, CA 94105**

II.J.2 The permittee shall retain the information submitted, including all emissions calculations. These records shall be in a permanent form suitable for inspection, retained for a minimum of five (5) years, and made available to GEPA upon request. [GAPCSR, Section 1104.12(7)(H)]

II.J.3 Any information submitted to GEPA without a request for confidentiality shall be considered public record. [GAPCSR, Section 1102.7]

II.J.4 The permittee may request confidential treatment of specific information by submitting a written request to the Administrator identifying the specific information that is to be accorded confidential treatment. [GAPCSR, Section 1102.7(b)]

II.K. Fee Payment

II.K.1 The permittee shall submit fees in accordance with GAPCSR, Sections 1104.21 through 1104.24. [GAPCSR, Section 1104.12(9)(K)]

II.K.2 The permittee shall complete and submit the Annual Fee Calculation Worksheet, including all emissions calculations, with the required annual

Guam EPA
Title V Federal Operating Permit
Guam Power Authority – Talofofo
Permit No. FO-007
Expires: March 1, 2014

fee. The permittee shall make copies for future use. [GAPCSR, Section 1104.24(l)]

II.K.3 Annual fees shall be paid in full: [GAPCSR, Section 1104.24 (a)]

II.K.3.a Within sixty (60) days after the end of each calendar year;

II.K.3.b Within thirty (30) days after permanent discontinuance of the air emission source.

II.K.4 The permittee shall be assessed a Six Dollars (\$6.00) per ton per pollutant base rate of the total annual emission. However, the minimum annual fee due shall be Five Hundred Dollars (\$500.00) for each valid permit held during the prior calendar year; or Forty-Two Dollars (\$42.00) per month for any fraction of the year the permit is valid after the last calendar year for which annual fee was paid. [GAPCSR, Section 1104.24(g)]

II.K.5 If any part of the annual fee is not paid within thirty (30) days after the due date, a late penalty of five percent (5%) of the amount due shall at once accrue and be added thereto. Thereafter, on the first day of each calendar month during which part of the annual fee or any prior accrued late payment penalty remains unpaid, an additional late payment penalty of five percent (5%) of the then unpaid balance shall accrue and be added thereto. [GAPCSR, Section 1104.25(b)]

II.K.6 If any annual fee, including the late payment penalty required by the GAPCSR is not paid in full within thirty (30) days after the due date, the Administrator may terminate or suspend any or all of the owner or operator's air pollution control permit, after affording the opportunity for a hearing in accordance with Section 1104.19 or Section 1102.14 of the GAPCSR [GAPCSR, Section 1104.25(c)]

II.K.7 The annual emissions data for which the annual fees are based shall accompany the submittal of any annual fees and submitted on forms furnished by GEPA. [GAPCSR, Section 1104.24(c)]

II.K.8 Check payments shall be made payable to the Treasurer of Guam along with a notation that the funds be deposited into GEPA's Air Pollution Control Special Fund. [GAPCSR, Section 1104.21(d)]

Guam EPA

Title V Federal Operating Permit
Guam Power Authority – Talofoto
Permit No. FO-007
Expires: March 1, 2014

II.K.9 The annual fees and emissions data shall be mailed to [GAPCSR, Section 1104.24]:

**Administrator
Guam Environmental Protection Agency
Air and Land Division
Air Pollution Control Program
P.O. Box 22439 GMF
Barrigada, Guam 96921**

All applicable correspondences and records with this permit submitted to GEPA shall have duplicate copies forwarded to:

**Director, Air Division (Attn: AIR-5)
U.S. Environmental Protection Agency
75 Hawthorne Street
San Francisco, CA 94105**

Guam EPA
 Title V Federal Operating Permit
 Guam Power Authority – Talofofo
 Permit No. FO-007
 Expires: March 1, 2014

III. Title V Administrative Requirements

III.A. Blanket Compliance Statement

The permittee shall comply with all the terms and conditions of this permit. Any permit noncompliance constitutes a violation of the GAPCSR and, for all federally enforceable terms and conditions, the CAA, and is grounds for enforcement action, permit termination, suspension, reopening, or amendment, or for denial of a permit renewal application. Permit noncompliance shall be subject to the penalties and remedies provided for in Section 49116 of Chapter 49, Part 2, Division 2, Part 1 of Title 10 of the GCA. [GAPCSR, Section 1104.12(9)(A) and 1102.12; SIP, Section 4.4]

III.B. Duty to Provide and Supplement Information

The permittee shall furnish, in a timely manner, any information or record requested in writing by GEPA to determine whether cause exists for terminating, suspending, reopening, or amending the permit, or to determine compliance with the permit. Upon request, the permittee shall also furnish to GEPA copies of records required to be kept by the permit. For information claimed confidential, the permittee shall furnish such records to GEPA with a claim of confidentiality. [GAPCSR, Section 1104.12(9)(H)]

III.C. Submissions

Any document (including reports, compliance plans and compliance certifications) required to be submitted by this permit shall be certified by a responsible official. This certification shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete in accordance with 1102.3 and shall be mailed or forwarded to the following address [GAPCSR, Sections 1102.3 and 1104.12(9)(L)]:

**Administrator
 Guam Environmental Protection Agency
 Air and Land Division
 Air Pollution Control Program
 P.O. Box 22439 GMF
 Barrigada, Guam 96921**

All applicable correspondences and records with this permit submitted to GEPA shall have duplicate copies forwarded to:

**Director, Air Division (Attn: AIR-5)
 U.S. Environmental Protection Agency
 75 Hawthorne Street
 San Francisco, CA 94105**

Guam EPA
Title V Federal Operating Permit
Guam Power Authority – Talofoto
Permit No. FO-007
Expires: March 1, 2014

III.D. Severability Clause

If any term or condition of this permit becomes invalid as a result of a challenge to a portion of this permit, the other terms and conditions of this permit shall not be affected and remain valid. [GAPCSR, Section 1104.12(9)(B)]

III.E. Circumvention

The permittee shall not cause or permit the installation or use of any device or any means which, without resulting in reduction in the total amount of air contaminant emitted, conceals or dilutes an emission of air contaminant which would otherwise violate these regulations. This provision does not prohibit recycling, burning as fuel or otherwise further processing material which would violate an emission regulation if released to the atmosphere, so long as the facility in which that material is used does not violate applicable emission regulations. [SIP, Section 17.2]

III.F. Permit Actions

This permit will be revoked if the Agency finds willful or continued violations of the standards and regulations. [GAPCSR, Sections 1104.12(9)(A), 1104.18(a)(4), and 1104.18(b)(3); SIP, Section 3.7(c)]

III.G. Reopening for Cause

This permit may be terminated, suspended, reopened, or amended for cause pursuant to Section 1104.18 of the GAPCSR, after affording the permittee an opportunity for a hearing in accordance with Section 1102.14 or 10 GCA 49111. [GAPCSR, Section 1104.12(9)(D)]

III.H. Property Rights

This permit does not convey any property rights of any sort, or any exclusive privilege. [GAPCSR, Section 1104.12(9)(E)]

III.I. Inspection and Entry

III.I.1 The permittee shall allow GEPA, the Regional Administrator for the USEPA and/or an authorized representative, upon presentation of credentials or other documents required by law:

III.I.1.a To enter the premises where a source is located or emission-related activity is conducted, or where records must be kept under the conditions of the permit and inspect at reasonable times all facilities, equipment, practices, operations, or records covered under the terms and conditions of the permit and request copies of records or copy records required by the permit; and

Guam EPA
 Title V Federal Operating Permit
 Guam Power Authority – Talofofo
 Permit No. FO-007
 Expires: March 1, 2014

III.I.1.b To sample or monitor at reasonable times substances or parameters to assure compliance with the permit or applicable requirements. [GAPCSR, Section 1104.12(9)(M)]

III.J. Emergency Provisions

III.J.1 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 to the Administrator the affirmative defense of emergency through properly signed, contemporaneous operating logs, or other relevant evidence that:

III.J.1.a An emergency occurred and the permittee can identify the cause(s) of the emergency;

III.J.1.b The permitted facility was at the time being properly operated;

III.J.1.c During the period of the emergency, the permittee took all reasonable steps to minimize levels of emissions that exceeded the emission limitations or other requirements in this permit; and

III.J.1.d The permittee submitted notice of the emergency to the Administrator within two (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 prompt reporting of deviations pursuant to Section 1102.9 of the GAPCSR. [GAPCSR, Sections 1104.17(a) and 1104.1(c)]

III.J.1.e In any enforcement proceeding the permittee attempting to establish the occurrence of an emergency has the burden of proof. [GAPCSR, Section 1104.17(b)]

III.K. Transfer of Ownership or Operation

III.K.1 This permit is not transferable, whether by operation of law or otherwise, either from one location to another or from one piece of equipment to another. [GAPCSR, Section 1104.4(c); SIP Section 3.8]

III.K.2 This permit shall not be transferable, whether by operation of law or otherwise, from person to person without the approval of the Administrator. [GAPCSR, Section 1104.4(d); SIP Section 3.8]

Guam EPA
 Title V Federal Operating Permit
 Guam Power Authority – Talofofo
 Permit No. FO-007
 Expires: March 1, 2014

III.K.3 In the event of any changes in control or ownership of facilities to be operated or modified, the resulting modification of this permit shall be made as an administrative amendment pursuant to Section 1104.20 of the GAPCSR. [GAPCSR, Section 1104.20]

III.L. Permit Expiration and Renewal

III.L.1 This permit is issued for a fixed term of five years from the date of issuance. [GAPCSR, Section 1104.11; SIP Section 3.1(b)(4)]

III.L.2 Application for permit renewal shall be submitted no more than eighteen (18) months prior to the date of permit expiration. Application for permit renewal shall be submitted no later than six (6) months prior to the date of permit expiration. Late applications shall be subject to penalties pursuant to Section 1104.25 of the GAPCSR. [GAPCSR, Section 1104.6(d); SIP Section 3.1(b)(4)]

III.L.3 This permit shall remain valid past the expiration date and the air pollution emission source shall not be in violation for failing to have an air pollution control permit, until the Administrator has issued or denied the renewal of the air pollution control permit, provided [GAPCSR, Section 1104.2(d)]:

III.L.3.a A complete renewal application has been submitted and the owner or operator acts consistently with the permit previously granted, and the application on which it was based, and all plans, specifications, and other information submitted as part of the application; and

III.L.3.b The owner or operator has submitted to the Administrator within the specified deadlines, all requested additional information deemed necessary to evaluate or take final action on the renewal application as described in Section 1104.6 of the GAPCSR.

III.M. Permit Modifications

Applications for modification of this permit are subject to the same requirements as the initial application including all requirements pursuant to Section 1104.6 (c) of the GAPCSR. The permittee shall submit a description of the modification, identifying all proposed changes, including any changes to the source operations, work practices, equipment design, source emissions, or any monitoring, record keeping, and reporting procedures. Each change from the permit application for this permit shall be identified on the application for the permit modification. [GAPCSR, Section 1104.6(f)]

Guam EPA
 Title V Federal Operating Permit
 Guam Power Authority – Talofof
 Permit No. FO-007
 Expires: March 1, 2014

III.N. Malfunction

III.N.1 Except for emergencies which result in noncompliance with any technology-based emission limitation in accordance with Section 1104.17 of the GAPCSR, in the event any emission unit, air pollution control equipment, or related equipment breaks down in such a manner as to cause the emission of air pollutants in violation of GAPCSR, or this permit, the permittee shall immediately notify, within twenty-four (24) hours, GEPA of the failure or breakdown, unless the protection of personnel or public health or safety demands immediate attention to the failure or breakdown and makes such notification infeasible. In the latter case, the notice shall be provided as soon as practicable. The submittal of these notices shall not be a defense to an enforcement action. Within five (5) working days of this initial notification, the permittee shall also submit, in writing, the following information:

III.N.1.a Identification of emission points;

III.N.1.b Magnitude of the excess emissions;

III.N.1.c Time and duration of the excess emissions;

III.N.1.d Identity of the process or control equipment causing the excess emissions;

III.N.1.e Cause and nature of the excess emissions;

III.N.1.f Description of the steps taken to remedy the situation, prevent a recurrence, limit the excessive emissions, and assure that the breakdown does not interfere with the attainment and maintenance of the National Ambient Air Quality Standards (NAAQS) and Guam ambient air quality standards;

III.N.1.g Documentation that the equipment or process was at all times maintained and operated in a manner consistent with good practice for minimizing emissions; and

III.N.1.h A statement that the excess emissions are not part of a recurring pattern indicative of inadequate design, operation, or maintenance. [GAPCSR, Section 1102.9]

III.O. Agency Notifications

III.O.1 The permittee shall notify the Administrator in writing of the following dates:

Guam EPA

Title V Federal Operating Permit

Guam Power Authority – Talofof

Permit No. FO-007

Expires: March 1, 2014

- III.O.1.a The anticipated date of initial start-up for each emission unit of a new source or significant modification not more than sixty (60) days or less than thirty (30) days prior to such date.
- III.O.1.b The actual date of construction commencement within fifteen (15) days after such date.
- III.O.1.c The actual date of start-up within fifteen (15) days after such date. [GAPCSR, Section 1104.12(9)(G)]
- III.O.2 The permittee shall notify GEPA in writing, of the intent to shut down air pollution control equipment for necessary scheduled maintenance at least twenty-four (24) hours prior to the planned shutdown. The submittal of this notice shall not be a defense to an enforcement action. The notice shall include the following:
 - III.O.2.a Identification of the specific equipment to be taken out of service, as well as its location and permit number;
 - III.O.2.b The expected length of time that the air pollution control equipment will be out of service;
 - III.O.2.c The nature and quantity of emissions of air pollutants likely to be emitted during the shutdown period;
 - III.O.2.d Measures such as the use of off-shift labor and equipment that will be taken to minimize the length of the shutdown period; and
 - III.O.2.e The reasons why it would be impossible or impractical to shut down the source operation during the maintenance period. [GAPCSR, Section 1102.8; SIP, Section 4.3]
- III.O.3 A copy of applicable correspondence or records submitted to GEPA shall be provided to the USEPA pursuant to Section 1104.15 of the GAPCSR. [GAPCSR, Section 1104.12(9)(I)]
- III.O.4 Within thirty (30) days of permanent discontinuance of the operation, modification, relocation, or construction of any of the above units, the responsible official shall report the discontinuance in writing to the Administrator. [GAPCSR, Section 1104.5(a)]

III.P. Miscellaneous Conditions

- III.P.1 Unless specifically identified, the terms and conditions contained in this permit are consistent with the applicable requirement on which each term

Guam EPA
 Title V Federal Operating Permit
 Guam Power Authority – Talofofo
 Permit No. F-007
 Expires: March 1, 2014

or condition is based. [Section 49107(7)(c)(2) of Chapter 49, Part 2, Division 2, Part 1 of Title 10 of the GCA]

III.P.2 This permit, or a copy thereof, shall be maintained at or near the source for which this permit was issued and shall be made available for inspection upon request. [GAPCSR, Section 1104.4(a); SIP, Section 3.12]

III.P.3 This permit shall not be willfully defaced, altered, forged, counterfeited, or falsified. [GAPCSR, Section 1104.4(b); SIP, Section 3.13]

III.P.4 The facility covered by this permit shall be constructed and operated in accordance with the application, and any information submitted as part of the application, for this permit. There shall be no deviation from this permit condition unless additional or revised plans are submitted to and approved by GEPA, and the permit is amended to allow for such deviation. [GAPCSR, Section 1104.12(12)]

III.P.5 This permit (a) does not release the permittee from compliance with other applicable statutes of Guam, or with applicable local or federal laws, regulations, or ordinances, and (b) shall not constitute, nor be construed to be an approval of the design of the source. [GAPCSR, Sections 1104.2(e) and 1104.12(11)]

III.P.6 The permittee shall not use as a defense in an enforcement action that it would have been necessary to halt or reduce the permitted activity to maintain compliance with the terms and conditions of this permit. [GAPCSR, Section 1104.12(9)(C)]

III.P.7 The filing of a request by the permittee for a permit termination, suspension, reopening, or amendment, or a notification of planned changes or anticipated noncompliance does not stay any permit condition. [GAPCSR, Section 1104.12(9)(D)]

III.P.8 This permit shall become invalid with respect to any authorized construction if construction is not commenced as follows:

III.P.8.a Within thirty (30) days of permanent discontinuance of the construction, modification, relocation or operation of any permitted air pollution emission source, the responsible official shall report the discontinuance in writing to the Administrator.

III.P.8.b For phased construction projects, each phase shall commence construction within eighteen (18) months of the projected and approved commencement dates in the permit. [GAPCSR, Sections 1104.5(b), 1104.5(c), and 1104.12(9)(F)]

Guam EPA

Title V Federal Operating Permit
Guam Power Authority – Talofofu
Permit No. FO-007
Expires: March 1, 2014

- III.P.9 GEPA may extend the time periods specified in Condition III.P.8 of this permit upon a satisfactory showing that an extension is justified. Request for an extension shall be submitted in writing to GEPA. [GAPCSR, Section 1104.5(d)]
- III.P.10 The permittee may request confidential treatment of any records in accordance with Section 1102.7 of the GAPCSR. [GAPCSR, Section 1104.12(9)(J)]
- III.P.11 The terms and conditions included in this permit, including any provision designed to limit a source's potential to emit, are federally enforceable unless such terms, conditions, or requirements are specifically designated as not federally enforceable. [GAPCSR, Section 1104.14]

GUAM ENVIRONMENTAL PROTECTION AGENCY AIR POLLUTION CONTROL PERMIT

Permit No. FO-008

IS HERBY ISSUED TO

Guam Power Authority

LOCATED AT

Tenjo Diesel Engine Power Generating Facility, Tenjo

in accordance with the Guam Air Pollution Control Standards and Regulations (GAPCSR),
Public Law 24-20, 10 Guam Code Annotated (GCA), Chapter 49.

This Permit is non-transferable and the permittee is subject to the requirements for holding and transfer of permits in Section 1104.4 of the GAPCSR.

No person shall willfully deface, alter, forge, counterfeit, or falsify this Permit.

This Permit shall expire **03/01/2014**. The renewal application shall be submitted no later than **09/01/2013**.



LORILEE T. CRISOSTOMO

Administrator

Date: 11 MAY 2009





GUAM ENVIRONMENTAL PROTECTION AGENCY



AHENSIAN PRUTEKSION LINA'LA GUAHAN

P.O. Box 22439 GMF • BARRIGADA, GUAM 96921 • TEL: 475-1658 /9 • FAX: 477-9402

TITLE V PERMIT TO OPERATE

Permit Number: **FO-008**
 Issue Date: **March 2, 2009**
 Expiration Date: **March 1, 2014**



In accordance with the provisions of Title V of the Clean Air Act (CAA) and the Guam Air Pollution Control Standards and Regulations (GAPCSR), Public Law 24-322, and the Guam Air Pollution Control Act (GAPCA), Public Law 24-20, 10 Guam Code Annotated (GCA), Chapter 49,

**Guam Power Authority
 Tenjo Diesel Engine Power Generating Facility
 Tenjo, Guam**

is authorized to operate air emission units and to conduct other air pollutant emitting activities in accordance with the permit conditions listed in this permit. Terms and conditions not otherwise defined in this permit have the meaning assigned to them in the referenced regulations. All terms and conditions of the permit are enforceable by the United States Environmental Protection Agency (USEPA), the Guam Environmental Protection Agency (GEPA), and citizens under the CAA. The issuance of this permit is based on the plans, specifications, and additional information submitted as part of the application dated December 1, 2003.

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.

Acceptance of this permit constitutes an agreement and acknowledgement that the holder will comply with all the rules and regulations of GEPA and these permit conditions.

This permit, (a) does not in any manner affect the title of the premises upon which the equipment is located, (b) does not release the permittee from any liability for any loss due to personal injury or property damage caused by, resulting from or arising out of the design, installation, maintenance, or operation of the equipment, and (c) in no manner implies or suggests that GEPA, or its officers, agents, or employees assumes any liability, directly or indirectly, for any loss due to personal injury or property damage caused by, resulting from or arising out of the design, installation, maintenance, or operation of the equipment.

Guam EPA

Title V Federal Operating Permit
Guam Power Authority – Tenjo
Permit No. F●-008
Expires: March 1, 2014

This permit is valid for a period of five (5) years and shall expire at midnight on the date specified above unless a timely and complete renewal application has been submitted at least 6 months but not more than 18 months prior to the date of expiration. The permit number cited above should be referenced in future correspondence regarding this facility.

11 MAY 2009
Date


LORILEE T. CRISOSTOMO
Administrator
Guam EPA

Guam EPA

Title V Federal Operating Permit

Guam Power Authority – Tenjo

Permit No. FO-008

Expires: March 1, 2014

Abbreviations and Acronyms

CAA	Clean Air Act [42 U.S.C. Section 7401 et seq.]
CEM	Continuous Emission Monitoring
CFR	Code of Federal Regulations
CO	Carbon Monoxide
GAPCSR	Guam Air Pollution Control Standards and Regulations
GCA	Guam Code Annotated
GEPA	Guam Environmental Protection Agency
hr	hour
lb	pound
MMBtu	Million British thermal units
MW	Megawatt
NAAQS	National Ambient Air Quality Standard
NO _x	Nitrogen Oxides
NSPS	New Source Performance Standards
O ₂	Oxygen
PEM	Predictive Emissions Monitoring
PM	Particulate Matter
PM ₁₀	Particulate matter less than 10 microns in diameter
ppm	parts per million
PSD	Prevention of Significant Deterioration
SIC	Standard Industrial Classification
SIP	State Implementation Plan
SO ₂	Sulfur Dioxide
USEPA	United States Environmental Protection Agency
VOC	Volatile Organic Compounds

Guam EPA
Title V Federal Operating Permit
Guam Power Authority – Tenjo
Permit No. F●-008
Expires: March 1, 2014

TABLE OF CONTENTS

Cover Page
Abbreviations and Acronyms

I. Source Identification

II. Facility-wide and Unit Specific Permit Conditions

- A. Equipment Description
- B. Emission Limits
- C. Work Practice and Operational Requirements
- D. Monitoring and Testing Requirements
- E. Recordkeeping Requirements
- F. Reporting Requirements
- G. Compliance Schedule
- H. Compliance Certifications
- I. General Air Quality Protections
- J. Annual Emissions Reporting Requirements
- K. Fee Payment

IV. Title V Administrative Requirements

- A. Blanket Compliance Statement
- B. Duty to Provide and Supplement Information
- C. Submissions
- D. Severability Clause
- E. Circumvention
- F. Permit Actions
- G. Reopening for Cause
- H. Property Rights
- I. Inspection and Entry
- J. Emergency Provisions
- K. Transfer of Ownership or Operation
- L. Permit Expiration and Renewal
- M. Permit Modifications
- N. Malfunctions
- O. Agency Notifications
- P. Miscellaneous Conditions

Guam EPA
 Title V Federal Operating Permit
 Guam Power Authority – Tenjo
 Permit No. FO-008
 Expires: March 1, 2014

I. Source Identification

Facility Name: Guam Power Authority - Tenjo Diesel Engine Power
 Generating Facility
 Facility Location: Lot 19, Tract 2411, off Route 2A, Tenjo Vista,
 (UTM_x: 249,479.1 m, UTM_y: 1,484,389.6 m)
 City: Tenjo
 Territory: Guam
 USEPA Region: 9
 SIC Code: 4911

Responsible Official: Joaquin C. Flores, P.E., General Manager
 Phone Number: (671) 648-3202

Facility Manager/Contact: Andriano E. Balajadia
 Phone Number: (671) 648-3204

Person Responsible for Recordkeeping: Sylvia L. Ipanag
 Phone Number: (671) 648-3217

Description of Process:

Guam Power Authority Tenjo facility is a power generating plant. Activities that have the potential to cause significant emissions of air pollutants are the six 5 megawatt (MW) medium speed diesel engine generators, a 250 kW black start diesel generator unit, and a 125,000 gallon vertical, fixed roof diesel fuel storage tank. Other insignificant emission sources include two 30,000 gallon capacity fuel storage tanks, six 400 gallon capacity fuel storage day tanks, a 2,000 gallon capacity waste oil tank, a 1,000 gallon capacity lube oil tank, and a black start diesel generator service tank.

Guam EPA
 Title V Federal Operating Permit
 Guam Power Authority – Tenjo
 Permit No. F-008
 Expires: March 1, 2014

II. Facility-wide and Unit Specific Permit Conditions

II.A. Equipment Description

II.A.1 This permit encompasses the following equipment and associated appurtenances that are considered significant sources of emissions. [GAPCSR, Section 1104.12(12)]

Emission Unit ID	Description	Manufacturer	Model	Serial Number
DEG-1	4.88 MW diesel engine generator	Caterpillar	3616	01PD00069
DEG-2	4.88 MW diesel engine generator	Caterpillar	3616	01PD00051
DEG-3	4.88 MW diesel engine generator	Caterpillar	3616	01PD00072
DEG-4	4.88 MW diesel engine generator	Caterpillar	3616	01PD00068
DEG-5	4.88 MW diesel engine generator	Caterpillar	3616	01PD00067
DEG-6	4.88 MW diesel engine generator	Caterpillar	3616	01PD00071
BSG-1	250 kW black start diesel generator	Caterpillar	3306	9NR01289
DFST-1	125,000 gallon diesel fuel storage tank			

II.A.2 The permittee shall have installed an identification tag or nameplate on each piece of equipment that identifies the model number, serial number, and manufacturer. The identification tag or nameplate shall be permanently attached to the equipment at a conspicuous location. [Section 49107(7)(B) of Chapter 49, Part 2, Division 2, Part 1 of Title 10 of the GCA]

II.B. Emission Limits

II.B.1 Black Start Diesel Generator (Unit BSG-1)

II.B.1.a Particulate emissions from this emission unit shall not exceed 1.3 lb/MMBtu. [State Implementation Plan (SIP), Section 7.5]

II.B.1.b The permittee shall not cause or permit the continuous emission of visible air pollutants with a density equal to or darker than twenty (20) percent opacity from any emission unit nor the emission of visible air pollutants of a density darker than sixty (60) percent

Guam EPA

Title V Federal Operating Permit

Guam Power Authority – Tenjo

Permit No. F●-008

Expires: March 1, 2014

opacity for a period aggregating more than three (3) minutes in any sixty (60) minute period. [GAPCSR, Section 1103.3; SIP, Section 10.1]

II.B.2 Diesel-Electric Generators (Units DEG-1 through DEG-6)

II.B.2.a The permittee shall not discharge or cause the discharge into the atmosphere the following pollutants in excess of the specified limits from each of the diesel-electric generators (Units DEG-1 through DEG-6), averaged over a three hour period:

Pollutant	Emission Limit
Particulate matter less than 10 microns (PM ₁₀)	6.5 pounds per hour (lb/hr)
Carbon monoxide (CO)	240 parts per million (ppm) at 15% oxygen 24 lb/hr
Nitrogen oxides (NO _x)	660 ppm at 15% oxygen 120 lb/hr
Volatile organic compounds (VOC)	5 lb/hr
Sulfur dioxide (SO ₂)	13.5 lb/hr

[USEPA PSD Permit GU 93-02, Conditions X.E, X.F, X.G, X.H, and X.I, Issued May 16, 1996 and Revised October 7, 1998; USEPA PSD Permit GU 98-01, Conditions X.E, X.F, X.G, X.H, and X.I, Issued November 24, 1998]

II.B.2.b The USEPA may set new lower allowable emission rates for the PM₁₀, NO_x, CO, and VOC emission limits specified in the table in Condition II.B.2.a of this permit after reviewing the performance test results. If an emission limit is revised, the difference between the emission limit set forth above and the revised lower emission limit shall not be allowed as an emission offset for future construction or modification. [USEPA PSD Permit GU 93-02, Conditions X.F, X.G, X.H, and X.I, Issued May 16, 1996; USEPA PSD Permit GU 98-01, Conditions X.F, X.G, X.H, and X.I, Issued November 24, 1998]

II.B.2.c Particulate emissions from these emission units shall not exceed 0.66 lb/MMBtu. [SIP, Section 7.5]

II.B.2.d The permittee shall not discharge or cause the discharge into the atmosphere from the diesel engine generator exhaust stack gases which exhibit an opacity of 20% or greater for any period or periods

Guam EPA

Title V Federal Operating Permit

Guam Power Authority – Tenjo

Permit No. FO-008

Expires: March 1, 2014

aggregating more than six (6) minutes in any one hour, except during periods of startup and shutdown. [GAPCSR, Section 1103.3; SIP, Section 10.1; USEPA PSD Permit GU 93-02, Condition X.F, Issued May 16, 1996; USEPA PSD Permit GU 98-01, Condition X.F, Issued November 24, 1998]

II.C. Work Practice and Operational Requirements

II.C.1 All equipment, facilities, and systems installed or used to achieve compliance with terms and conditions of this permit shall at all times, including periods of startup, shutdown and malfunction, be maintained in good working order and be operated as efficiently as possible so as to minimize air pollutant emissions. The permittee shall conduct proper preventative maintenance procedures for the diesel engine generators (Units DEG-1 through DEG-6) and the 125,000 gallon diesel fuel storage tank (DFST-1) in accordance with the manufacturer's recommendations. [GAPCSR, Section 1104.12(12); USEPA PSD Permit GU 93-02, Condition III, Issued May 16, 1996; USEPA PSD Permit GU 98-01, Condition III, Issued November 24, 1998]

II.C.2 Adequate control measures approved by GEPA shall be implemented to prevent exceedences of any applicable air quality standards during the operation of the facility. [GAPCSR, Section 1104.12(8); GEPA Permit TNJ-672, Condition 6, Issued July 8, 1997]

II.C.3 The permittee shall not cause or permit visible fugitive dust to become airborne without taking reasonable precautions. Examples of reasonable precautions are [GAPCSR, Section 1103.4(a); SIP, Sections 8.1, 8.4, and 8.7]:

II.C.3.a Use of water or suitable chemicals for control of fugitive dust in the demolition of existing buildings or structures, construction and retrofitting operations, the grading of roads, or the clearing of land;

II.C.3.b Application of asphalt, water, or suitable chemicals on roads, material stockpiles, and other surfaces which may allow release of fugitive dust;

II.C.3.c Installation of appurtenances that provide an enclosure and ventilation for all crushing, aggregate screening, and conveying of material likely to become airborne;

II.C.3.d Installation and use of hoods, fans, and fabric filters to enclose and vent the handling of dusty materials. Reasonable containment

Guam EPA
 Title V Federal Operating Permit
 Guam Power Authority – Tenjo
 Permit No. FO-008
 Expires: March 1, 2014

methods shall be employed during sandblasting, spray painting, or other similar operations;

II.C.3.e Covering all moving, open-bodied trucks transporting materials which may release fugitive dust;

II.C.3.f Conducting agricultural operations, such as tilling of land and the application of fertilizers, in such manner as to reasonably minimize fugitive dust;

II.C.3.g Maintenance and sealing of road-ways and parking lots so as to prevent the exposure of such surfaces to wind, water, or vehicular travel erosion; and

II.C.3.h Prompt removal of earth or other materials from paved streets which have been transported there by trucking, earth-moving equipment, erosion, or other means.

II.C.4 Except for persons engaged in agricultural operations or persons who can demonstrate to the Administrator that the best practical operation or treatment is being implemented, no person shall cause or permit the discharge of visible fugitive dust beyond the property lot line on which the fugitive dust originates. [GAPCSR, Section 1103.4(b); SIP, Section 8.2]

II.C.5 The permittee shall install, continuously operate, and maintain 8° fuel injection timing retard on the diesel engine generators (Units DEG-1 through DEG-6) to control NO_x emissions. [USEPA PSD Permit GU 93-02, Condition X.B, Issued May 16, 1996; USEPA PSD Permit GU 98-01, Condition X.B, Issued November 24, 1998]

II.C.6 The sulfur content of the fuel oil used to fire the diesel engine generators (Units DEG-1 through DEG-6) shall not exceed 0.3 percent by weight. [USEPA PSD Permit GU 93-02, Condition X.D.1, Issued May 16, 1996 and Revised October 7, 1998; USEPA PSD Permit GU 98-01, Condition X.D.1, Issued November 24, 1998]

II.C.7 The permittee shall not operate the diesel engine generators (Units DEG-1 through DEG-6) below 50 percent of rated load except during periods of startup, shutdown, testing, or maintenance. [USEPA PSD Permit GU 93-02, Condition X.D.3, Issued May 16, 1996; USEPA PSD Permit GU 98-01, Condition X.D.3, Issued November 24, 1998]

Guam EPA
Title V Federal Operating Permit
Guam Power Authority – Tenjo
Permit No. FO-008
Expires: March 1, 2014

II.D. Monitoring and Testing Requirements

- II.D.1 The permittee shall provide sampling and testing facilities at its own expense. The tests shall be conducted at the maximum expected operating capacity of the diesel engine generators (Units DEG-1 through DEG-6) and GEPA may monitor the tests. For performance test purposes, sampling ports, platforms, and access shall be provided by the permittee on the diesel exhaust systems in accordance with 40 CFR 60.8 (e). [GAPCSR, Section 1102.4; SIP, Sections 3.6(a), 3.9, and 4.1; USEPA PSD Permit GU 93-02, Condition X.C.3, Issued May 16, 1996; USEPA PSD Permit GU 98-01, Condition X.C.3, Issued November 24, 1998]
- II.D.2 At least thirty (30) days prior to a performance test, the permittee shall submit a written performance test plan to GEPA that describes the test date(s), duration, locations, and methods, source operation and other parameters that may affect test results. Such a plan shall conform to USEPA guidelines including quality assurance procedures. The USEPA shall also be notified in writing at least thirty (30) days prior to a performance test to allow time for the development of an approvable performance test plan and to arrange for an observer to be present at the test. [GAPCSR, Section 1102.4; USEPA PSD Permit GU 93-02, Condition X.C.2, Issued May 16, 1996; USEPA PSD Permit GU 98-01, Condition X.C.2, Issued November 24, 1998]
- II.D.3 The permittee shall conduct performance tests for NO_x, SO₂, CO, VOC, and PM for the diesel engine generators (Units DEG-1 through DEG-6) on an annual basis and furnish the USEPA with a written report of the results of such test. The tests for NO_x, SO₂, CO, VOC, and PM shall be conducted at the maximum operating capacity of the facilities being tested. Upon written request from the permittee, the USEPA may approve the conducting of performance tests at a lower specified production rate. Upon written request and adequate justification from the permittee, the USEPA may waive a specified annual test for the facility. [USEPA PSD Permit GU 93-02, Condition X.C.1, Issued May 16, 1996; USEPA PSD Permit GU 98-01, Condition X.C.1, Issued November 24, 1998; GAPCSR Section 1104.12(12)]
- II.D.4 Performance tests for the emissions of NO_x, SO₂, CO, VOC, and PM for the diesel engine generators (Units DEG-1 through DEG-6) shall be conducted and the results reported in accordance with the test methods set forth in 40 CFR 60.8 and Appendix A. The test methods listed below shall be used. In lieu of these test methods, equivalent methods may be used with prior written approval from the USEPA.

Guam EPA
Title V Federal Operating Permit
Guam Power Authority – Tenjo
Permit No. F●-008
Expires: March 1, 2014

II.D.4.a Performance tests for the emissions of SO₂ shall be conducted using USEPA Methods 1-4 and 6C.

II.D.4.b Performance tests for the emissions of PM shall be conducted using USEPA Methods 1-5.

II.D.4.c Performance tests for the emissions of NO_x shall be conducted using USEPA Methods 1-4 and 7E.

II.D.4.d Performance tests for the emissions of CO shall be conducted using USEPA Methods 1-4 and 10.

II.D.4.e Performance tests for the emissions of VOC shall be conducted using USEPA Methods 1-4 and 25A.

II.D.4.f Performance test for opacity shall be conducted using USEPA Method 9.

[USEPA PSD Permit GU 93-02, Condition X.C.2, Issued May 16, 1996; USEPA PSD Permit GU 98-01, Condition X.C.2, Issued November 24, 1998]

II.D.5 Within sixty (60) days after completion of the performance test, the permittee shall submit to GEPA and the USEPA Regional Administrator, the test report which shall include the operating conditions of the equipment at the time of the test, the analyses of the fuel, the summarized test results, comparative results with the permit emissions limits, and other pertinent field and laboratory data. [GAPCSR, Section 1102.4; SIP, Section 4.2]

II.D.6 Any deviations from these conditions, test methods, or procedures may be cause for rejections of the test results unless such deviations are approved by GEPA before the tests are conducted. [GAPCSR, Section 1102.4]

II.D.7 Upon written request and justification by the permittee, GEPA may waive the requirement for a specific annual source test. The waiver request is to be submitted at least sixty (60) days prior to the required test and must include documentation justifying such action. Documentation should include, but is not limited to, the results of the prior test indicating compliance by a wide margin, documentation of continuing compliance, and further that operations of the source have not changed since the previous source test. [GAPCSR, Section 1102.4]

II.D.8 The permittee shall install, maintain, and operate either a continuous emission monitoring (CEM) or predictive emissions monitoring (PEM)

Guam EPA
 Title V Federal Operating Permit
 Guam Power Authority – Tenjo
 Permit No. FO-008
 Expires: March 1, 2014

system on select diesel engine generators (Units DEG-1 through DEG-4) as described in Conditions II.D.9 and II.D.10, respectively, of this permit. Excess emission indicated by the CEM or PEM system shall be considered violations of the applicable permit limit for the purpose of this permit. [USEPA PSD Permit GU 93-02, Conditions X.J.1, X.J.2, and X.J.6, Issued May 16, 1996]

II.D.9 If the permittee elects to install, maintain, and operate a CEM system in the exhaust stacks of the diesel engine generators specified in Condition II.D.8 of this permit (Units DEG-1 through DEG-4) to comply with Condition II.D.8 of this permit, the CEM system shall include:

II.D.9.a A continuous monitoring system to measure stack gas NO_x concentrations. The system shall meet USEPA monitoring performance specifications (40 CFR 60.13 and 40 CFR 60, Appendix B, Performance Specifications 2 and 3).

II.D.9.b A continuous monitoring system to measure stack gas volumetric flow rates. The system shall meet USEPA performance specifications (40 CFR 52, Appendix E).

II.D.9.c The quality assurance project plan used by the permittee for the certification and operation of the CEM, which meets the requirements of 40 CFR 60, Appendix F and the document "Guidelines for Developing a Quality Assurance Project Plan" (QAMS 005/80), shall be available upon request to the USEPA.

[USEPA PSD Permit GU 93-02, Condition X.J, Issued May 16, 1996; GAPCSR Section 1104.12(12)]

II.D.10 If the permittee elects to install, maintain, and operate a PEM system for determining stack gas volumetric flow rates and NO_x concentrations in the exhaust stacks of the diesel engine generators specified in Condition II.D.8 of this permit (Units DEG-1 through DEG-4) to comply with Condition II.D.8 of this permit, the system shall monitor engine operating conditions and predict NO_x emission rates as specified in a plan submitted to the USEPA for approval. The plan shall identify the operating conditions to be monitored and meet all the requirements of 40 CFR 75, Subpart E, including an application for certification of an alternative monitoring system. [USEPA PSD Permit GU 93-02, Condition X.J.2, Issued May 16, 1996]

II.D.11 The permittee shall conduct weekly visible emission observations for selected diesel engine generators (Units DEG-5 and DEG-6) in accordance with 40 CFR 60, Appendix A, Method 9 or by use of a Ringlemann chart. For each period, two (2) observations shall be taken at fifteen (15) second

Guam EPA
 Title V Federal Operating Permit
 Guam Power Authority – Tenjo
 Permit No. FO-008
 Expires: March 1, 2014

intervals for six (6) consecutive minutes for each engine. [USEPA PSD Permit GU 98-01, Condition X.J.2, Issued November 24, 1998; GAPCSR Section 1104.12(12)]

II.D.12 The permittee shall install, maintain, and operate a CEM system in the exhaust stacks of selected diesel engine generators (Units DEG-5 and DEG-6). Excess emissions indicated by the CEM system shall be considered violations of the applicable emission limit for the purpose of this permit. The CEM system shall include:

II.D.12.a A continuous monitoring system to measure stack gas NO_x concentrations. The system shall meet USEPA monitoring performance specifications (40 CFR 60.13 and 40 CFR 60, Appendix B, Performance Specifications 2 and 3).

II.D.12.b A continuous monitoring system to measure stack gas volumetric flow rates. The system shall meet USEPA performance specifications (40 CFR 52, Appendix E).

[USEPA PSD Permit GU 98-01, Conditions X.J.1 and X.J.6, Issued November 24, 1998; GAPCSR Section 1104.12(12)]

II.E. Recordkeeping Requirements

II.E.1 All records, including support information, shall be maintained for at least five (5) years following the date of such records compiled in a permanent form suitable for inspection and made available to GEPA or their representative upon request. [GAPCSR, Section 1104.12(7)(H)]

II.E.2 The permittee shall record and maintain records of the amounts of fuel oil fired, fuel sulfur content, and the plant hours of operation for each calendar quarter. All information shall be recorded in a permanent form suitable for inspection. The file shall be retained for at least five years for the diesel engine generators (Units DEG-1 through DEG-6) following the date of such measurements, calculation, and record. [USEPA PSD Permit GU 93-02, Condition X.D.2, Issued May 16, 1996; USEPA PSD Permit GU 98-01, Condition X.D.2, Issued November 24, 1998; GAPCSR, Section 1104.12(7)(H)]

II.E.3 The permittee shall maintain a file of all measurements, including continuous monitoring systems evaluations; all continuous monitoring systems or monitoring device calibration checks; adjustments and maintenance performed on these systems or devices; performance and all other information required by 40 CFR 60 recorded in a permanent form suitable for inspection. The file shall be retained for at least five years

Guam EPA

Title V Federal Operating Permit

Guam Power Authority – Tenjo

Permit No. FO-008

Expires: March 1, 2014

following the date of such measurements, maintenance, reports, and records. [USEPA PSD Permit GU 93-02, Condition X.J.3, Issued May 16, 1996; USEPA PSD Permit GU 98-01, Condition X.J.3, Issued November 24, 1998; GAPCSR, Section 1104.12(7)(H)]

II.E.4 The permittee shall maintain a log of the date and nature of all inspections and maintenance activities performed at the facility [GAPCSR Section 1104.12(12)].

II.F. Reporting Requirements

II.F.1 As required in Section II.J and in conjunction with the requirements of Section II.K of this permit the permittee shall report annually the total tons per year emitted of each regulated air pollutant, including hazardous air pollutants. The reporting of annual emissions is due within sixty (60) days following the end of the each calendar year. Upon the written request of the permittee, the deadline for reporting of annual emissions may be extended, if GEPA determines that reasonable justification exists for the extension. [GAPCSR Section 1104.24(c)]

II.F.2 The permittee shall report in writing within thirty (30) days the modification, relocation, discontinuance of operation or dismantlement of the diesel engine generators (Units DEG-1 through DEG-6). [GEPA Permit TNJ-672, Condition 11, Issued July 8, 1997]

II.F.3 The permittee shall provide a report to GEPA of the results of all monitoring and recordkeeping required by this permit at least once every six (6) months. Reports shall be submitted for monitoring and recordkeeping performed between January 1st and June 30th and between July 1st and December 31st and shall be postmarked by the 30th day following the end of the reporting period. The first monitoring and recordkeeping report will cover the period from the date of issuance of this permit to December 31, 2008. [GAPCSR, Section 1104.12(7)(I)]

II.F.4 The permittee shall submit a written report of all excess emissions from the diesel engine generators (Units DEG-1 through DEG-6) to the USEPA for every calendar quarter. The report shall include the following:

II.F.4.a The magnitude of the excess emissions computed in accordance with 40 CFR 60.13(h), any conversion factors used, and the date and time of commencement and compilation of each time period of excess emissions.

II.F.4.b Specific identification of each period of excess emissions that occurs during startups, shutdowns, and malfunctions of the engine

Guam EPA
 Title V Federal Operating Permit
 Guam Power Authority – Tenjo
 Permit No. FO-008
 Expires: March 1, 2014

exhaust systems. The nature and cause of any malfunction (if known) and the corrective action taken or preventative measures adopted shall also be reported.

II.F.4.c The date and time identifying each period during which the CEM or PEM system was inoperative except for zero and span checks, and the nature of the system repairs or adjustments.

II.F.4.d When no excess emissions have occurred or the CEM or PEM system has not been imperative, repaired, or adjusted, such information shall be stated in the report.

II.F.4.e Excess emissions shall be defined as any 3-hour period during which the average emissions of NO_x, as measured by the CEM or predicted by the PEM, exceed the maximum NO_x emission limits set forth in Condition II.B.2.a of this permit.

[USEPA PSD Permit GU 93-02, Condition X.J.5, Issued May 16, 1996; USEPA PSD Permit GU 98-01, Condition X.J.5, Issued November 24, 1998]

II.F.5 By the 15th of February of every year, the permittee shall record and submit to the Administrator of the GEPA the annual fuel consumption, average sulfur content by weight, and the plant hours of operation of the previous year for diesel engine generators (Units DEG-1 through DEG-4). [GEPA Permit TNJ-672, Condition 5, Issued July 8, 1997]

II.G. Compliance Schedule

II.G.1 For applicable requirements with which the source is in compliance, the source will continue to comply with such requirements. [GAPCSR, Section 1104.8(b)(2)(A)]

II.G.2 For applicable requirements which become applicable during the permit term, the source shall meet such applicable requirements on a timely basis. [GAPCSR, Section 1104.8(b)(2)(B)]

II.G.3 Within 90 days of the issuance of this permit, the permittee shall have the CEMS unit operational as required by Conditions II.D.8 and II.D.12 of this permit. [GAPCSR, Section 1104.8(b)(2)(C)]

II.H. Compliance Certifications

II.H.1 The compliance plan and compliance certification submittal requirements shall be in accordance with Sections 1104.8 and 1104.9 of the GAPCSR.

Guam EPA
 Title V Federal Operating Permit
 Guam Power Authority – Tenjo
 Permit No. F●-008
 Expires: March 1, 2014

The compliance certification shall be submitted to GEPA and the USEPA Regional Administrator once per year, or more frequently as set by any applicable requirement. [GAPCSR, Sections 1104.8 and 1104.9]

II.H.2 During the permit term, the permittee shall submit at least annually to GEPA, a compliance certification pursuant to Section 1104.9 of the GAPCSR. This certification shall be postmarked by January 30th of each year, and shall cover the previous calendar year (January 1 through December 31). The first compliance certification will cover the period from the date of issuance of this permit to December 31, 2008. The permittee shall indicate whether or not compliance is being met with each term or condition of this permit. [GAPCSR, Section 1104.9]

II.I. General Air Quality Protections

II.I.1 The permittee shall not dispose of combustible material by open burning, or cause, suffer, allow, or permit open burning of combustible material within Guam, except as provided in Sections 1103.11 (b) through (e) of the GAPCSR. [GAPCSR, Section 1103.11; SIP, Section 6.1]

II.I.2 Control of Odors in Ambient Air

II.I.2.a The permittee shall not discharge or cause to be discharged into the atmosphere from any source whatsoever, such quantities of odorous emissions which is injurious to health, or is indecent or offensive to the senses, which affects at the same time an entire community or neighborhood, or any considerable number of persons, so as to unduly interfere with the comfortable enjoyment of life or property of such community, neighborhood or persons. It is a creation of a condition which causes injury to the public welfare. [GAPCSR, Section 1103.12(a); SIP, Section 11.1]

II.I.2.b An odor occurrence shall be deemed a violation when a complaint is received by the Administrator and the Administrator is able to detect the odor. This detection must be verified by the Department of Public Health, Environmental Health Section for a person to be found in violation of Subsection (a) of this Condition. [GAPCSR, Section 1103.12(b); SIP, Section 11.2]

II.I.2.c The odor of growing vegetation, and chemical fertilizers and insecticides when used properly, or when persons can demonstrate to the Administrator that the best practical operation or treatment is being implemented, shall not be considered objectionable for the purposes of this requirement. [GAPCSR, Section 1103.12(c); SIP, Section 11.3]

Guam EPA
 Title V Federal Operating Permit
 Guam Power Authority – Tenjo
 Permit No. FO-008
 Expires: March 1, 2014

II.I.3 The permittee shall comply with the asbestos requirements of 40 CFR 61, Subpart M (as amended and incorporated in Section 1103.13 of the GAPCSR), including requirements for demolition and renovation projects. [GAPCSR, Section 1103.13]

II.J. Annual Emissions Reporting Requirements

II.J.1 The reporting period for the annual emissions, including total tons per year emitted of each regulated air pollutant (including hazardous air pollutants), shall be from January 1 to December 31 of each calendar year. All reports shall be submitted to GEPA along with the annual fee due. The report shall be mailed to [GAPCSR, Section 1104.24(c)]:

**Administrator
 Guam Environmental Protection Agency
 Air and Land Division
 Air Pollution Control Program
 P.O. Box 22439 GMF
 Barrigada, Guam 96921**

All applicable correspondences and records with this permit submitted to GEPA shall have duplicate copies forwarded to:

**Director, Air Division (Attn: AIR-5)
 U.S. Environmental Protection Agency
 75 Hawthorne Street
 San Francisco, CA 94105**

II.J.2 The permittee shall retain the information submitted, including all emissions calculations. These records shall be in a permanent form suitable for inspection, retained for a minimum of five (5) years, and made available to GEPA upon request. [GAPCSR, Section 1104.12(7)(H)]

II.J.3 Any information submitted to GEPA without a request for confidentiality shall be considered public record. [GAPCSR, Section 1102.7]

II.J.4 The permittee may request confidential treatment of specific information by submitting a written request to the Administrator identifying the specific information that is to be accorded confidential treatment. [GAPCSR, Section 1102.7(b)]

II.K. Fee Payment

II.K.1 The permittee shall submit fees in accordance with GAPCSR, Sections 1104.21 through 1104.24. [GAPCSR, Section 1104.12(9)(K)]

Guam EPA
Title V Federal Operating Permit
Guam Power Authority – Tenjo
Permit No. FO-008
Expires: March 1, 2014

- II.K.2 The permittee shall complete and submit the Annual Fee Calculation Worksheet, including all emissions calculations, with the required annual fee. The permittee shall make copies for future use. [GAPCSR, Section 1104.24(l)]
- II.K.3 Annual fees shall be paid in full: [GAPCSR, Section 1104.24 (a)]
- II.K.3.a Within sixty (60) days after the end of each calendar year;
- II.K.3.b Within thirty (30) days after permanent discontinuance of the air emission source.
- II.K.4 The permittee shall be assessed a Six Dollars (\$6.00) per ton per pollutant base rate of the total annual emission. However, the minimum annual fee due shall be Five Hundred Dollars (\$500.00) for each valid permit held during the prior calendar year; or Forty-Two Dollars (\$42.00) per month for any fraction of the year the permit is valid after the last calendar year for which annual fee was paid. [GAPCSR, Section 1104.24(g)]
- II.K.5 If any part of the annual fee is not paid within thirty (30) days after the due date, a late penalty of five percent (5%) of the amount due shall at once accrue and be added thereto. Thereafter, on the first day of each calendar month during which part of the annual fee or any prior accrued late payment penalty remains unpaid, an additional late payment penalty of five percent (5%) of the then unpaid balance shall accrue and be added thereto. [GAPCSR, Section 1104.25(b)]
- II.K.6 If any annual fee, including the late payment penalty required by the GAPCSR is not paid in full within thirty (30) days after the due date, the Administrator may terminate or suspend any or all of the owner or operator's air pollution control permit, after affording the opportunity for a hearing in accordance with Section 1104.19 or Section 1102.14 of the GAPCSR [GAPCSR, Section 1104.25(c)]
- II.K.7 The annual emissions data for which the annual fees are based shall accompany the submittal of any annual fees and submitted on forms furnished by GEPA. [GAPCSR, Section 1104.24(c)]
- II.K.8 Check payments shall be made payable to the Treasurer of Guam along with a notation that the funds be deposited into GEPA's Air Pollution Control Special Fund. [GAPCSR, Section 1104.21(d)]

Guam EPA
Title V Federal Operating Permit
Guam Power Authority – Tenjo
Permit No. F●-008
Expires: March 1, 2014

II.K.9 The annual fees and emissions data shall be mailed to [GAPCSR, Section 1104.24]:

**Administrator
Guam Environmental Protection Agency
Air and Land Division
Air Pollution Control Program
P.O. Box 22439 GMF
Barrigada, Guam 96921**

All applicable correspondences and records with this permit submitted to GEPA shall have duplicate copies forwarded to:

**Director, Air Division (Attn: AIR-5)
U.S. Environmental Protection Agency
75 Hawthorne Street
San Francisco, CA 94105**

Guam EPA
Title V Federal Operating Permit
Guam Power Authority – Tenjo
Permit No. FO-008
Expires: March 1, 2014

III. Title V Administrative Requirements

III.A. Blanket Compliance Statement

III.A.1 The permittee shall comply with all the terms and conditions of this permit. Any permit noncompliance constitutes a violation of the GAPCSR and, for all federally enforceable terms and conditions, the CAA, and is grounds for enforcement action, permit termination, suspension, reopening, or amendment, or for denial of a permit renewal application. Permit noncompliance shall be subject to the penalties and remedies provided for in Section 49116 of Chapter 49, Part 2, Division 2, Part 1 of Title 10 of the GCA. [GAPCSR, Section 1104.12(9)(A) and 1102.12; SIP, Section 4.4]

III.A.2 The owner and operator of the facility shall construct and operate the diesel engine generators (Units DEG-1 through DEG-6) in compliance with all other applicable provisions of 40 CFR Parts 52, 60, and 61 and all other applicable federal, state, and local air quality regulations. [USEPA PSD Permit GU 93-02, Condition VIII, Issued May 16, 1996; USEPA PSD Permit GU 98-01, Condition VIII, Issued November 24, 1998]

III.B. Duty to Provide and Supplement Information

The permittee shall furnish, in a timely manner, any information or record requested in writing by GEPA to determine whether cause exists for terminating, suspending, reopening, or amending the permit, or to determine compliance with the permit. Upon request, the permittee shall also furnish to GEPA copies of records required to be kept by the permit. For information claimed confidential, the permittee shall furnish such records to GEPA with a claim of confidentiality. [GAPCSR, Section 1104.12(9)(H)]

III.C. Submissions

Any document (including reports, compliance plans and compliance certifications) required to be submitted by this permit shall be certified by a responsible official. This certification shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete in accordance with 1102.3 and shall be mailed or forwarded to the following address [GAPCSR, Sections 1102.3 and 1104.12(9)(L)]:

**Administrator
Guam Environmental Protection Agency
Air and Land Division
Air Pollution Control Program
P.O. Box 22439 GMF
Barrigada, Guam 96921**

Guam EPA
 Title V Federal Operating Permit
 Guam Power Authority – Tenjo
 Permit No. FO-008
 Expires: March 1, 2014

All applicable correspondences and records with this permit submitted to GEPA shall have duplicate copies forwarded to:

Director, Air Division (Attn: AIR-5)
U.S. Environmental Protection Agency
75 Hawthorne Street
San Francisco, CA 94105

III.D. Severability Clause

If any term or condition of this permit becomes invalid as a result of a challenge to a portion of this permit, the other terms and conditions of this permit shall not be affected and remain valid. [GAPCSR, Section 1104.12(9)(B); USEPA PSD Permit GU 93-02, Condition VII, Issued May 16, 1996; USEPA PSD Permit GU 98-01, Condition VII, Issued November 24, 1998]

III.E. Circumvention

The permittee shall not cause or permit the installation or use of any device or any means which, without resulting in reduction in the total amount of air contaminant emitted, conceals or dilutes an emission of air contaminant which would otherwise violate these regulations. This provision does not prohibit recycling, burning as fuel or otherwise further processing material which would violate an emission regulation if released to the atmosphere, so long as the facility in which that material is used does not violate applicable emission regulations. [SIP, Section 17.2]

III.F. Permit Actions

This permit will be revoked if the Agency finds willful or continued violations of the standards and regulations. [GAPCSR, Sections 1104.12(9)(A), 1104.18(a)(4), and 1104.18(b)(3); SIP, Section 3.7(c)]

III.G. Reopening for Cause

This permit may be terminated, suspended, reopened, or amended for cause pursuant to Section 1104.18 of the GAPCSR, after affording the permittee an opportunity for a hearing in accordance with GAPCSR, Section 1102.14 or 10 GCA 49111. [GAPCSR, Section 1104.12(9)(D)]

III.H. Property Rights

This permit does not convey any property rights of any sort, or any exclusive privilege. [GAPCSR, Section 1104.12(9)(E)]

III.I. Inspection and Entry

III.I.1 The permittee shall allow GEPA, the Regional Administrator for the USEPA and/or an authorized representative, upon presentation of credentials or other documents required by law:

Guam EPA
 Title V Federal Operating Permit
 Guam Power Authority – Tenjo
 Permit No. FO-008
 Expires: March 1, 2014

III.I.1.a To enter the premises where a source is located or emission-related activity is conducted, or where records must be kept under the conditions of the permit and inspect at reasonable times all facilities, equipment, practices, operations, or records covered under the terms and conditions of the permit and request copies of records or copy records required by the permit; and

III.I.1.b To sample or monitor at reasonable times substances or parameters to assure compliance with the permit or applicable requirements.

[GAPCSR, Section 1104.12(9)(M); USEPA PSD Permit GU 93-02, Condition V, Issued May 16, 1996; USEPA PSD Permit GU 98-01, Condition V, Issued November 24, 1998]

III.J. Emergency Provisions

III.J.1 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 to the Administrator the affirmative defense of emergency through properly signed, contemporaneous operating logs, or other relevant evidence that:

III.J.1.a An emergency occurred and the permittee can identify the cause(s) of the emergency;

III.J.1.b The permitted facility was at the time being properly operated;

III.J.1.c During the period of the emergency, the permittee took all reasonable steps to minimize levels of emissions that exceeded the emission limitations or other requirements in this permit; and

III.J.1.d The permittee submitted notice of the emergency to the Administrator within two (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 prompt reporting of deviations pursuant to Section 1102.9 of the GAPCSR. [GAPCSR, Sections 1104.17(a) and 1104.1(c)]

Guam EPA
 Title V Federal Operating Permit
 Guam Power Authority – Tenjo
 Permit No. F●-008
 Expires: March 1, 2014

III.J.1.e In any enforcement proceeding the permittee attempting to establish the occurrence of an emergency has the burden of proof. [GAPCSR, Section 1104.17(b)]

III.K. Transfer of Ownership or Operation

III.K.1 This permit is not transferable, whether by operation of law or otherwise, either from one location to another or from one piece of equipment to another. [GAPCSR, Section 1104.4(c); SIP Section 3.8; GEPA Permit TNJ-672, Condition 7, Issued July 8, 1997]

III.K.2 This permit shall not be transferable, whether by operation of law or otherwise, from person to person without the approval of the Administrator. [GAPCSR, Section 1104.4(d); SIP Section 3.8; GEPA Permit TNJ-672, Condition 7, Issued July 8, 1997]

III.K.3 In the event of any changes in control or ownership of facilities to be operated or modified, the resulting modification of this permit shall be made as an administrative amendment pursuant to Section 1104.20 of the GAPCSR. [GAPCSR, Section 1104.20]

III.K.4 In the event of any changes in control or ownership of facilities to be constructed or modified, this permit shall be binding on all subsequent owners and operators. The applicant shall notify the succeeding owner and operator of the existence of this permit and its conditions by letter, a copy of which shall be forwarded to the Regional Administrator and the State and local Air Pollution Control Agency. [USEPA PSD Permit GU 93-02, Condition VI, Issued May 16, 1996; USEPA PSD Permit GU 98-01, Condition VI, Issued November 24, 1998]

III.L. Permit Expiration and Renewal

III.L.1 This permit is issued for a fixed term of five years from the date of issuance. [GAPCSR, Section 1104.11; SIP Section 3.1(b)(4)]

III.L.2 Application for permit renewal shall be submitted no more than eighteen (18) months prior to the date of permit expiration. Application for permit renewal shall be submitted no later than six (6) months prior to the date of permit expiration. Late applications shall be subject to penalties pursuant to Section 1104.25 of the GAPCSR. [GAPCSR, Section 1104.6(d); SIP Section 3.1(b)(4)]

III.L.3 This permit shall remain valid past the expiration date and the air pollution emission source shall not be in violation for failing to have an air pollution

Guam EPA

Title V Federal Operating Permit

Guam Power Authority – Tenjo

Permit No. FO-008

Expires: March 1, 2014

control permit, until the Administrator has issued or denied the renewal of the air pollution control permit, provided [GAPCSR, Section 1104.2(d)]:

III.L.3.a A complete renewal application has been submitted and the owner or operator acts consistently with the permit previously granted, and the application on which it was based, and all plans, specifications, and other information submitted as part of the application; and

III.L.3.b The owner or operator has submitted to the Administrator within the specified deadlines, all requested additional information deemed necessary to evaluate or take final action on the renewal application as described in Section 1104.6 of the GAPCSR.

III.M. Permit Modifications

Applications for modification of this permit are subject to the same requirements as the initial application including all requirements pursuant to Section 1104.6(c) of the GAPCSR. The permittee shall submit a description of the modification, identifying all proposed changes, including any changes to the source operations, work practices, equipment design, source emissions, or any monitoring, record keeping, and reporting procedures. Each change from the permit application for this permit shall be identified on the application for the permit modification. [GAPCSR, Section 1104.6(f)]

III.N. Malfunction

III.N.1 Except for emergencies which result in noncompliance with any technology-based emission limitation in accordance with Section 1104.17 of the GAPCSR, in the event any emission unit, air pollution control equipment, or related equipment breaks down in such a manner as to cause the emission of air pollutants in violation of GAPCSR, or this permit, the permittee shall immediately notify, within twenty-four (24) hours, GEPA of the failure or breakdown, unless the protection of personnel or public health or safety demands immediate attention to the failure or breakdown and makes such notification infeasible. In the latter case, the notice shall be provided as soon as practicable. The submittal of these notices shall not be a defense to an enforcement action. Within five (5) working days of this initial notification, the permittee shall also submit, in writing, the following information:

III.N.1.a Identification of emission points;

III.N.1.b Magnitude of the excess emissions;

III.N.1.c Time and duration of the excess emissions;

Guam EPA
 Title V Federal Operating Permit
 Guam Power Authority – Tenjo
 Permit No. FO-008
 Expires: March 1, 2014

III.N.1.d Identity of the process or control equipment causing the excess emissions;

III.N.1.e Cause and nature of the excess emissions;

III.N.1.f Description of the steps taken to remedy the situation, prevent a recurrence, limit the excessive emissions, and assure that the breakdown does not interfere with the attainment and maintenance of the National Ambient Air Quality Standards (NAAQS) and Guam ambient air quality standards;

III.N.1.g Documentation that the equipment or process was at all times maintained and operated in a manner consistent with good practice for minimizing emissions; and

III.N.1.h A statement that the excess emissions are not part of a recurring pattern indicative of inadequate design, operation, or maintenance.

[GAPCSR, Section 1102.9, USEPA PSD Permit GU 93-02, Condition IV, Issued May 16, 1996; USEPA PSD Permit GU 98-01, Condition IV, Issued November 24, 1998]

III.O. Agency Notifications

III.O.1 The permittee shall notify the Administrator in writing of the following dates:

III.O.1.a The anticipated date of initial start-up for each emission unit of a new source or significant modification not more than sixty (60) days or less than thirty (30) days prior to such date.

III.O.1.b The actual date of construction commencement within fifteen (15) days after such date.

III.O.1.c The actual date of start-up within fifteen (15) days after such date.
 [GAPCSR, Section 1104.12(9)(G); USEPA PSD Permit GU 93-02, Condition II, Issued May 16, 1996; USEPA PSD Permit GU 98-01, Condition II, Issued November 24, 1998]

III.O.2 The permittee shall notify GEPA in writing, of the intent to shut down air pollution control equipment for necessary scheduled maintenance at least twenty-four (24) hours prior to the planned shutdown. The submittal of this notice shall not be a defense to an enforcement action. The notice shall include the following:

Guam EPA

Title V Federal Operating Permit

Guam Power Authority – Tenjo

Permit No. FO-008

Expires: March 1, 2014

- III.O.2.a Identification of the specific equipment to be taken out of service, as well as its location and permit number;
- III.O.2.b The expected length of time that the air pollution control equipment will be out of service;
- III.O.2.c The nature and quantity of emissions of air pollutants likely to be emitted during the shutdown period;
- III.O.2.d Measures such as the use of off-shift labor and equipment that will be taken to minimize the length of the shutdown period; and
- III.O.2.e The reasons why it would be impossible or impractical to shut down the source operation during the maintenance period. [GAPCSR, Section 1102.8; SIP, Section 4.3]
- III.O.3 A copy of applicable correspondence or records submitted to GEPA shall be provided to the USEPA pursuant to Section 1104.15 of the GAPCSR. [GAPCSR, Section 1104.12(9)(I)]
- III.O.4 Within thirty (30) days of permanent discontinuance of the operation, modification, relocation, or construction of any of the units, the responsible official shall report the discontinuance in writing to the Administrator. [GAPCSR, Section 1104.5(a); [GEPA Permit TNJ-672, Condition 11, Issued July 8, 1997]

III.P. Miscellaneous Conditions

- III.P.1 Unless specifically identified, the terms and conditions contained in this permit are consistent with the applicable requirement on which each term or condition is based. [Section 49107(7)(c)(2) of Chapter 49, Part 2, Division 2, Part 1 of Title 10 of the GCA]
- III.P.2 This permit, or a copy thereof, shall be maintained at or near the source for which this permit was issued and shall be made available for inspection upon request. [GAPCSR, Section 1104.4(a); SIP, Section 3.12]
- III.P.3 This permit shall not be willfully defaced, altered, forged, counterfeited, or falsified. [GAPCSR, Section 1104.4(b); SIP, Section 3.13]
- III.P.4 The facility covered by this permit shall be constructed and operated in accordance with the application, and any information submitted as part of the application, for this permit. There shall be no deviation from this permit condition unless additional or revised plans are submitted to and approved

Guam EPA
Title V Federal Operating Permit
Guam Power Authority – Tenjo
Permit No. FO-008
Expires: March 1, 2014

by GEPA, and the permit is amended to allow for such deviation.
[GAPCSR, Section 1104.12(12)]

- III.P.5 The conditions contained in this permit to operate may at any time be revised by the USEPA if the Administrator deems necessary in response to changes of the applicable law, regulations, upon receipt of the performance testing or other requested documents, or other factors affecting the compliance of the source or facility with the standards or conditions of this permit. [GEPA Permit TNJ-672, Condition 9, Issued July 8, 1997]
- III.P.6 This permit (a) does not release the permittee from compliance with other applicable statutes of Guam, or with applicable local or federal laws, regulations, or ordinances, and (b) shall not constitute, nor be construed to be an approval of the design of the source. [GAPCSR, Sections 1104.2(e) and 1104.12(11); GEPA Permit TNJ-672, Conditions 8 and 12, Issued July 8, 1997]
- III.P.7 The permittee shall not use as a defense in an enforcement action that it would have been necessary to halt or reduce the permitted activity to maintain compliance with the terms and conditions of this permit. [GAPCSR, Section 1104.12(9)(C)]
- III.P.8 The filing of a request by the permittee for a permit termination, suspension, reopening, or amendment, or a notification of planned changes or anticipated noncompliance does not stay any permit condition. [GAPCSR, Section 1104.12(9)(D)]
- III.P.9 The permittee may request confidential treatment of any records in accordance with Section 1102.7 of the GAPCSR. [GAPCSR, Section 1104.12(9)(J)]
- III.P.10 The terms and conditions included in this permit, including any provision designed to limit a source's potential to emit, are federally enforceable unless such terms, conditions, or requirements are specifically designated as not federally enforceable. [GAPCSR, Section 1104.14]

GUAM ENVIRONMENTAL PROTECTION AGENCY AIR POLLUTION CONTROL PERMIT

Permit No. FO-009

IS HERBY ISSUED TO

Guam Power Authority

LOCATED AT


Yigo Combustion Turbine Power Generating Facility, Yigo

in accordance with the Guam Air Pollution Control Standards and Regulations (GAPCSR),
Public Law 24-20, 10 Guam Code Annotated (GCA), Chapter 49.

This Permit is non-transferable and the permittee is subject to the requirements for holding and transfer of permits in Section 1104.4 of the GAPCSR.

No person shall willfully deface, alter, forge, counterfeit, or falsify this Permit.

This Permit shall expire **03/01/2014**. The renewal application shall be submitted no later than **09/01/2013**.


LORILEE T. CRISOSTOMO
Administrator
Date: 11 MAY 2009





GUAM ENVIRONMENTAL PROTECTION AGENCY



AHENSIAN PRUTEKSION LINA'LA GUAHAN

P.O. Box 22439 GMF • BARRIGADA, GUAM 96921 • TEL: 475-1658 /9 • FAX: 477-9402

TITLE V PERMIT TO OPERATE

Permit Number: **FO-009**
 Issue Date: **March 2, 2009**
 Expiration Date: **March 1, 2014**



In accordance with the provisions of Title V of the Clean Air Act (CAA) and the Guam Air Pollution Control Standards and Regulations (GAPCSR), Public Law 24-322, and the Guam Air Pollution Control Act (GAPCA), Public Law 24-20, 10 Guam Code Annotated (GCA), Chapter 49,

**Guam Power Authority
 Yigo Combustion Turbine Power Generating Facility
 Yigo, Guam**

is authorized to operate air emission units and to conduct other air pollutant emitting activities in accordance with the permit conditions listed in this permit. Terms and conditions not otherwise defined in this permit have the meaning assigned to them in the referenced regulations. All terms and conditions of this permit are enforceable by the United States Environmental Protection Agency (USEPA), the Guam Environmental Protection Agency (GEPA), and citizens under the CAA. The issuance of this permit is based on the plans, specifications, and additional information submitted as part of the application dated August 22, 2003.

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.

Acceptance of this permit constitutes an agreement and acknowledgement that the holder will comply with all the rules and regulations of GEPA and these permit conditions.

This permit, (a) does not in any manner affect the title of the premises upon which the equipment is located, (b) does not release the permittee from any liability for any loss due to personal injury or property damage caused by, resulting from or arising out of the design, installation, maintenance, or operation of the equipment, and (c) in no manner implies or suggests that GEPA, or its officers, agents, or employees assumes any liability, directly or indirectly, for any loss due to personal injury or property damage

Guam EPA

Title V Federal Operating Permit
Guam Power Authority – Yigo
Permit No. F-009
Expires: March 1, 2014

caused by, resulting from or arising out of the design, installation, maintenance, or operation of the equipment.

This permit is valid for a period of five (5) years and shall expire at midnight on the date specified above unless a timely and complete renewal application has been submitted at least 6 months but not more than 18 months prior to the date of expiration. The permit number cited above should be referenced in future correspondence regarding this facility.

11 MAY 2009

Date



LORILEE J. CRISOSTOMO
Administrator
Guam EPA

Guam EPA

Title V Federal Operating Permit

Guam Power Authority – Yigo

Permit No. FO-009

Expires: March 1, 2014

Abbreviations and Acronyms

ASTM	American Society for Testing and Materials
CAA	Clean Air Act [42 U.S.C. Section 7401 et seq.]
CAM	Compliance Assurance Monitoring
CFR	Code of Federal Regulations
CO	Carbon Monoxide
°F	degrees Fahrenheit
GAPCSR	Guam Air Pollution Control Standards and Regulations
GCA	Guam Code Annotated
GEPA	Guam Environmental Protection Agency
hr	hour
HRSG	Heat Recovery Steam Generator
ISO	International Organization for Standardization
kW	kilowatt
lb	pound
mm Hg	millimeters mercury
MMBtu	Million British thermal units
MW	Megawatt
NAAQS	National Ambient Air Quality Standard
NO _x	Nitrogen Oxides
NSPS	New Source Performance Standards
O ₂	Oxygen
PM ₁₀	Particulate matter less than 10 microns in diameter
ppm	parts per million
ppmdv	parts per million dry volume
PSD	Prevention of Significant Deterioration
QIP	Quality Improvement Plan
SIC	Standard Industrial Classification
SIP	State Implementation Plan
SO ₂	Sulfur Dioxide
UHC	Unburned Hydrocarbons
USEPA	United States Environmental Protection Agency

Guam EPA
 Title V Federal Operating Permit
 Guam Power Authority – Yigo
 Permit No. FO-009
 Expires: March 1, 2014

TABLE OF CONTENTS

Cover Page
 Abbreviations and Acronyms

I. Source Identification

II. Facility-wide and Unit Specific Permit Conditions

- A. Equipment Description
- B. Emission Limits
- C. Work Practice and Operational Requirements
- D. Monitoring and Testing Requirements
- E. Recordkeeping Requirements
- F. Reporting Requirements
- G. NSPS General Provisions
- H. Compliance Assurance Monitoring
- I. Compliance Schedule
- J. Compliance Certifications
- K. General Air Quality Protections
- L. Annual Emissions Reporting Requirements
- M. Fee Payment

IV. Title V Administrative Requirements

- A. Blanket Compliance Statement
- B. Duty to Provide and Supplement Information
- C. Submissions
- D. Severability Clause
- E. Circumvention
- F. Permit Actions
- G. Reopening for Cause
- H. Property Rights
- I. Inspection and Entry
- J. Emergency Provisions
- K. Transfer of Ownership or Operation
- L. Permit Expiration and Renewal
- M. Permit Modifications
- N. Malfunctions
- O. Agency Notifications
- P. Miscellaneous Conditions

Guam EPA
 Title V Federal Operating Permit
 Guam Power Authority – Yigo
 Permit No. FO-009
 Expires: March 1, 2014

I. Source Identification

Facility Name:	Guam Power Authority – Yigo Combustion Turbine Facility
Facility Location:	Route 1
City:	Yigo
Territory:	Guam
USEPA Region:	9
SIC Code:	4911

Responsible Official:	Joaquin C. Flores, P.E., General Manager
Phone Number:	(671) 648-3202

Facility Manager/Contact:	Andriano E. Balajadia
Phone Number:	(671) 648-3204

Person Responsible for Recordkeeping:	Sylvia L. Ipanag
Phone Number:	(671) 648-3217

Description of Process:

The Guam Power Authority Yigo facility is a power generating plant. The significant sources of emissions of air pollutants are the 22 megawatt (MW) combustion turbine and a 575 kilowatt (kW) black start generator. Other insignificant emission sources include two 24,000 gallon raw fuel oil storage tanks, two 30,000 gallon clean fuel oil storage tank, and a black start diesel generator service tank.

Guam EPA
 Title V Federal Operating Permit
 Guam Power Authority – Yigo
 Permit No. FO-009
 Expires: March 1, 2014

II. Facility-wide and Unit Specific Permit Conditions

II.A. Equipment Description

II.A.1 This permit encompasses the following equipment and associated appurtenances that are considered significant sources of emissions. [GAPCSR, Section 1104.12(12)]

Emission Unit ID	Description	Manufacturer	Model	Serial Number
CT-1	22 MW simple cycle combustion turbine	General Electric	LM2500	481-632
BSG-1	575 kW black start diesel generator			

II.A.2 The permittee shall have installed an identification tag or nameplate on each piece of equipment that identifies the model number, serial number, and manufacturer. The identification tag or nameplate shall be permanently attached to the equipment at a conspicuous location. [Section 49107(7)(B) of Chapter 49, Part 2, Division 2, Part 1 of Title 10 of the GCA]

II.B. Emission Limits

II.B.1 Combustion Turbine (Unit CT-1)

II.B.1.a The maximum short-term emissions of the following pollutants shall not exceed the specified limits from the combustion turbine (Unit CT-1), referenced to 59 degrees Fahrenheit (°F).

Pollutant	Emission Limit
Particulate matter less than 10 microns (PM ₁₀)	20 pounds per hour (lb/hr) at 100% load
Carbon monoxide (CO)	21.8 lb/hr at 50% load
Nitrogen oxides (NO _x)	59 parts per million (ppm) at 15% oxygen for No. 2 fuel oil
	55.8 lb/hr at 100% load
Unburned hydrocarbons (UHC)	4 lb/hr at 50% load
Sulfur dioxide (SO ₂)	125.0 lb/hr at 100% load

Guam EPA
 Title V Federal Operating Permit
 Guam Power Authority – Yigo
 Permit No. FO-009
 Expires: March 1, 2014

[GEPA Permit GPAT-661, Conditions 4 and 7, Issued June 10, 1997; 40 CFR 60.332(a)(1)]

II.B.1.b The combustion turbine (Unit CT-1) is exempt from the ppm emission limit for NO_x in Condition II.B.1.a of this permit when ice fog is deemed a traffic hazard by the permittee. [40 CFR 60.332(f)]

II.B.1.c Particulate emissions from this emission unit shall not exceed 0.46 lb/MMBtu. [State Implementation Plan (SIP), Section 7.5]

II.B.1.d The permittee shall not cause or permit the continuous emission of visible air pollutants with a density equal to or darker than twenty (20) percent opacity from any emission unit nor the emission of visible air pollutants of a density darker than sixty (60) percent opacity for a period aggregating more than three (3) minutes in any sixty (60) minute period. [GAPCSR, Section 1103.3; SIP, Section 10.1]

II.B.2 Black Start Diesel Generator (Unit BSG-1)

II.B.2.a Particulate emissions from this emission unit shall not exceed 1.1 lb/MMBtu. [SIP, Section 7.5]

II.B.2.b The permittee shall not cause or permit the continuous emission of visible air pollutants with a density equal to or darker than twenty (20) percent opacity from any emission unit nor the emission of visible air pollutants of a density darker than sixty (60) percent opacity for a period aggregating more than three (3) minutes in any sixty (60) minute period. [GAPCSR, Section 1103.3; SIP, Section 10.1]

II.C. Work Practice and Operational Requirements

II.C.1 All equipment, facilities, and systems installed or used to achieve compliance with terms and conditions of this permit shall at all times, including periods of startup, shutdown and malfunction, be maintained in good working order and be operated as efficiently as possible so as to minimize air pollutant emissions. The permittee shall conduct proper preventative maintenance procedures for the combustion turbine (Unit CT-1), the black start diesel generator (Unit BSG-1), and the fuel oil storage tanks (Units FOST-110, FOST-120, FOST-130, and FOST-140) in accordance with the manufacturer's recommendations. [GEPA Permit GPAT-661, Condition 18, Issued June 10, 1997; GAPCSR, Section 1104.12(12)]

Guam EPA
Title V Federal Operating Permit
Guam Power Authority – Yigo
Permit No. FO-009
Expires: March 1, 2014

- II.C.2 Adequate control measures approved by GEPA shall be implemented to prevent exceedences of any applicable air quality standards during the operation of the facility. [GEPA Permit GPAT-661, Condition 2, Issued June 10, 1997; GAPCSR, Section 1104.12(8)]
- II.C.3 Water injection will be used to control NO_x emissions from the combustion turbine (Unit CT-1). Based on initial performance testing, the water-to-fuel shall be at least 0.77 at 50% load and at least 0.91 at 100% load. The minimum water-to-fuel ratio for loads between 50% and 100% shall be adjusted accordingly, but in no case shall the water-to-fuel ratio be less than 0.77. The water injection system shall be in service and operating at these water-to-fuel ratios whenever the combustion turbine is in operation. [GEPA Permit GPAT-661, Condition 5, Issued June 10, 1997]
- II.C.4 The amount of No. 2 diesel fuel oil burned by the combustion turbine (Unit CT-1) shall not exceed 7,140,000 gallons per year. This equates to 4,280 full load hours of operation per year at 85°F for the combustion turbine. [GEPA Permit GPAT-661, Condition 8, Issued June 10, 1997]
- II.C.5 The maximum sulfur content by weight of the No. 2 fuel oil used by the combustion turbine (Unit CT-1) shall not exceed 0.5 percent. [GEPA Permit GPAT-661, Condition 10, Issued June 10, 1997; 40 CFR 60.333(b); GAPCSR, Section 1103.10]
- II.C.6 The maximum sulfur content by weight of the No. 2 fuel oil used by the black start diesel generator (Unit BSG-1) shall not exceed 2 percent. [GAPCSR, Section 1103.10]
- II.C.7 At all times, including periods of startup, shutdown, and malfunction, the permittee shall, to the extent practicable, maintain and operate the combustion turbine (Unit CT-1) and water injection system in a manner consistent with good air pollution control practice for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to GEPA, which may include, but is not limited to, monitoring results, review of operating and maintenance procedures, and inspection of the source. [GEPA Permit GPAT-661, Condition 12, Issued June 10, 1997]
- II.C.8 The permittee shall not cause or permit visible fugitive dust to become airborne without taking reasonable precautions. Examples of reasonable precautions are [GAPCSR, Section 1103.4(a); SIP, Sections 8.1, 8.4, and 8.7]:

Guam EPA
 Title V Federal Operating Permit
 Guam Power Authority – Yigo
 Permit No. FO-009
 Expires: March 1, 2014

II.C.8.a Use of water or suitable chemicals for control of fugitive dust in the demolition of existing buildings or structures, construction and retrofitting operations, the grading of roads, or the clearing of land;

II.C.8.b Application of asphalt, water, or suitable chemicals on roads, material stockpiles, and other surfaces which may allow release of fugitive dust;

II.C.8.c Installation of appurtenances that provide an enclosure and ventilation for all crushing, aggregate screening, and conveying of material likely to become airborne;

II.C.8.d Installation and use of hoods, fans, and fabric filters to enclose and vent the handling of dusty materials. Reasonable containment methods shall be employed during sandblasting, spray painting, or other similar operations;

II.C.8.e Covering all moving, open-bodied trucks transporting materials which may release fugitive dust;

II.C.8.f Conducting agricultural operations, such as tilling of land and the application of fertilizers, in such manner as to reasonably minimize fugitive dust;

II.C.8.g Maintenance and sealing of road-ways and parking lots so as to prevent the exposure of such surfaces to wind, water, or vehicular travel erosion; and

II.C.8.h Prompt removal of earth or other materials from paved streets which have been transported there by trucking, earth-moving equipment, erosion, or other means.

II.C.9 Except for persons engaged in agricultural operations or persons who can demonstrate to the Administrator that the best practical operation or treatment is being implemented, no person shall cause or permit the discharge of visible fugitive dust beyond the property lot line on which the fugitive dust originates. [GAPCSR, Section 1103.4(b); SIP, Section 8.2]

II.D. Monitoring and Testing Requirements

II.D.1 The permittee shall provide sampling and testing facilities at its own expense. The tests shall be conducted at the maximum expected operating capacity of the equipment at this facility and GEPA may monitor the tests. For performance test purposes, sampling ports, platforms, and access shall be provided by the permittee on the diesel exhaust systems in

Guam EPA
Title V Federal Operating Permit
Guam Power Authority – Yigo
Permit No. FO-009
Expires: March 1, 2014

accordance with 40 CFR 60.8 (e). [GAPCSR, Section 1102.4; SIP, Sections 3.6(a), 3.9, and 4.1]

II.D.2 At least thirty (30) days prior to a performance test, the permittee shall submit a written performance test plan to GEPA that describes the test date(s), duration, locations, and methods, source operation and other parameters that may affect test results. Such a plan shall conform to USEPA guidelines including quality assurance procedures. [GAPCSR, Section 1102.4; 40 CFR 60.8(d)]

II.D.3 Within sixty (60) days after completion of the performance test, the permittee shall submit to GEPA and USEPA Regional Administrator, the test report which shall include the operating conditions of the equipment at the time of the test, the analyses of the fuel, the summarized test results, comparative results with the permit emissions limits, and other pertinent field and laboratory data. [GAPCSR, Section 1102.4; SIP, Section 4.2]

II.D.4 Performance tests for the emissions of NO_x and PM₁₀ from the combustion turbine (Unit CT-1) shall be conducted on an annual basis in accordance with the test methods set forth in 40 CFR 60.8 and Appendix A and the results shall be reported to GEPA. The following test methods shall be used:

II.D.4.a Performance test for the emissions of PM₁₀ shall be conducted using USEPA Methods 1-4 and 5.

II.D.4.b Performance test for the emissions of NO_x shall be conducted using USEPA Methods 1-4 and 20.

[GEPA Permit GPAT-661, Condition 15, Issued June 10, 1997; 40 CFR 335(a)(1); 40 CFR 60.335(b)]

II.D.5 For the combustion turbine (Unit CT-1) and the black start diesel generator (Unit BSG-1), the permittee shall conduct performance tests for opacity on an annual basis to determine compliance with the opacity limits specified in this permit. Performance tests for opacity shall be conducted using USEPA Method 9 as set forth in 40 CFR 60.8 and Appendix A. [GAPCSR, Section 1104.12(7)]

II.D.6 Any deviations from these conditions, test methods, or procedures may be cause for rejections of the test results unless such deviations are approved by GEPA before the tests are conducted. [GAPCSR, Section 1102.4]

II.D.7 Upon written request and justification by the permittee, GEPA may waive the requirement for a specific annual source test. The waiver request is to

Guam EPA
 Title V Federal Operating Permit
 Guam Power Authority – Yigo
 Permit No. FO-009
 Expires: March 1, 2014

be submitted at least sixty (60) days prior to the required test and must include documentation justifying such action. Documentation should include, but is not limited to, the results of the prior test indicating compliance by a wide margin, documentation of continuing compliance, and further that operations of the source have not changed since the previous source test. [GAPCSR, Section 1102.4]

II.D.8 For performance tests conducted as required by this permit, sampling traverse points are to be selected following Method 20 or Method 1 (non-particulate procedures) and sampled for equal time intervals. The sampling shall be performed with a traversing single-hole probe or, if feasible, with a stationary multi-hole probe that samples each of the points sequentially. Alternatively, a multi-hole probe designed and documented to sample equal volumes from each hole may be used to sample simultaneously at the required points. [40 CFR 60.335(a)(4)]

II.D.9 Notwithstanding Condition II.D.8 of this permit, the permittee may test at fewer points than are specified in Method 1 or Method 20 if the following conditions are met [40 CFR 60.335(a)(5)]:

II.D.9.a The permittee may perform a stratification test for NO_x and diluent pursuant to the procedures specified in Section 6.5.6.1(a) through (e) of Appendix A to 40 CFR 75.

II.D.9.b Once the stratification sampling is completed, the permittee may use the following alternative sample point selection criteria for the performance test:

II.D.9.b.1 If each of the individual traverse point NO_x concentrations, normalized to 15 percent oxygen (O_2), is within ± 10 percent of the mean normalized concentration for all traverse points, then the permittee may use three (3) points (located either 16.7, 50.0, and 83.3 percent of the way across the stack or duct, or, for circular stacks or ducts greater than 2.4 meters (7.8 feet) in diameter, at 0.4, 1.2, and 2.0 meters from the wall). The three (3) points shall be located along the measurement line that exhibited the highest average normalized NO_x concentration during the stratification test; or

II.D.9.b.2 If each of the individual traverse point NO_x concentrations, normalized to 15 percent O_2 , is within ± 5 percent of the mean normalized concentration for all traverse points, then the permittee may sample at a single point,

Guam EPA

Title V Federal Operating Permit

Guam Power Authority – Yigo

Permit No. FO-009

Expires: March 1, 2014

located at least 1 meter from the stack wall or at the stack centroid.

II.D.10 For purposes of complying with the New Source Performance Standard (NSPS) NO_x limit in Condition II.B.1 of this permit, the NO_x emission rate shall be computed for each run using the following equation. Notwithstanding this requirement, use of the International Organization for Standardization (ISO) correction equation is optional for: lean premix stationary combustion turbines; units used in association with heat recovery steam generators (HRSG) equipped with duct burners; and units equipped with add-on emission control devices. [40 CFR 60.335(b)(1)]:

$$\text{NO}_x = (\text{NO}_{x,0}) (P_r/P_o)^{0.5} e^{19(H_o - 0.00633)} (288^\circ\text{K}/T_a)^{1.53}$$

where:

NO_x = Emission rate of NO_x at 15 percent O₂ and ISO standard ambient conditions, ppm_{dv}

NO_{x,0} = Mean observed NO_x concentration, ppm by volume, dry basis, at 15% O₂

P_r = Reference combustor inlet absolute pressure at 101.3 kilopascals ambient pressure, millimeters mercury (mm Hg)

P_o = Observed combustor inlet absolute pressure at test, mm Hg

H_o = Observed humidity of ambient air, g H₂O/g air

e = Transcendental constant, 2.718

T_a = Ambient temperature, °K

II.D.11 Instead of using the equation listed in Condition II.D.10 of this permit, manufacturers may develop ambient condition correction factors to adjust the NO_x emission level measured by the performance test as provided in 40 CFR 60.8 to ISO standard day conditions. [40 CFR 60.335(a)(6); 40 CFR 60.335(c)(1)]

II.D.12 The permittee shall install, calibrate, maintain, and operate a continuous monitoring system to monitor and record the fuel consumption and the ratio of water-to-fuel being fired in the combustion turbine (Unit CT-1). [40 CFR 60.334(a)]

II.D.13 The continuous water-to-fuel ratio monitoring system must be operated concurrently with each USEPA Method 20 or American Society for Testing and Materials (ASTM) D6522-00 run and shall be used to determine the

Guam EPA
 Title V Federal Operating Permit
 Guam Power Authority – Yigo
 Permit No. F-009
 Expires: March 1, 2014

fuel consumption and the water-to-fuel ratio necessary to comply with the applicable NO_x emission limit. [40 CFR 60.335(b)(4)]

II.D.14 The water-to-fuel ratio shall be monitored to establish acceptable values and ranges. The permittee may supplement the performance test data with engineering analyses, design specifications, manufacturer's recommendations, and other relevant information to define the acceptable parametric ranges more precisely. The permittee shall develop and keep on-site a parameter monitoring plan which explains the procedures used to document proper operation of the NO_x emission controls. The plan shall include the parameter(s) monitored and the acceptable range(s) of the parameter(s), as well as the basis for designating the parameter(s) and acceptable range(s). Any supplemental data such as engineering analyses, design specifications, manufacturer's recommendations, and other relevant information shall be included in the monitoring plan. [40 CFR 60.334(g)]

II.D.15 The sulfur content of the No. 2 fuel oil to be used in the combustion turbine (Unit CT-1) shall be monitored using one of the total sulfur sampling options and the associated sampling frequency described in Sections 2.2.3, 2.2.4.1, 2.2.4.2, and 2.2.4.3 of Appendix D to 40 CFR 75 (i.e., flow proportional sampling, daily sampling, sampling from the unit's storage tank after each addition of fuel to the tank, or sampling each delivery prior to combining it with fuel oil already in the intended storage tank). [GEPA Permit GPAT-661, Condition 11, Issued June 10, 1997; 40 CFR 60.334(i)]

II.D.16 If the option to sample each delivery of fuel oil has been selected, the permittee shall immediately switch to one of the other oil sampling options (i.e., daily sampling, flow proportional sampling, or sampling from the unit's storage tank) if the sulfur content of a delivery exceeds 0.8 weight percent. The permittee shall continue to use one of the other sampling options until all of the oil from the delivery has been combusted, and shall evaluate excess emissions according to Condition II.F.9.b.1 of this permit. When all of the fuel from the delivery has been burned, the permittee may resume using the as-delivered sampling option. [40 CFR 60.334(j)(2)(ii)]

II.D.17 The permittee shall determine the fuel sulfur content of the fuel combusted in the combustion turbine (Unit CT-1) using a minimum of three samples collected during the performance test. The fuel samples shall be analyzed for the total sulfur content of the fuel using ASTM D129-00, D2622-98, D4294-02, D1266-98, D5453-00 or D1552-01 (all of which are incorporated by reference). [40 CFR 60.335(b)(10)]

Guam EPA
Title V Federal Operating Permit
Guam Power Authority – Yigo
Permit No. FO-009
Expires: March 1, 2014

II.D.18 The fuel sulfur content analysis required by this permit may be performed by the permittee, a service contractor retained by the permittee, the fuel vendor, or any other qualified agency. [40 CFR 60.335(b)(11)]

II.D.19 The permittee shall conduct weekly monitoring for opacity on the combustion turbine (Unit CT-1) following USEPA Method 22 in order to validate compliance with Conditions II.B.1.c and II.B.1.d of this permit. The visible emissions inspection shall be conducted by a Method 9-certified observer. If a visible emissions inspection conducted following USEPA Method 22 documents an instantaneous opacity reading of 10% or higher, an USEPA Method 9 “Visible Emissions Evaluation” shall be completed within three (3) working days, or during the next scheduled operating period if the unit ceases firing on diesel fuel within the three working day time frame. [GAPCSR, Section 1104.12(7)]

II.E. Recordkeeping Requirements

II.E.1 All records, including support information, shall be maintained for at least five (5) years following the date of such records compiled in a permanent form suitable for inspection and made available to GEPA or their representative upon request. [GAPCSR, Section 1104.12(7)(H)]

II.E.2 A system shall be operated to continuously monitor and record the fuel consumption and the ratio of water-to-fuel being fired into the combustion turbine (Unit CT-1). These records shall be retained for five years and made available to GEPA. [40 CFR 60.7(c); 40 CFR 60.334(a); GAPCSR, Section 4.2; GEPA Permit GPAT-661, Condition 6, Issued June 10, 1997]

II.E.3 The permittee shall maintain a log of the date and nature of all inspections and maintenance activities performed at the facility. [GAPCSR Section 1104.12(12)]

II.F. Reporting Requirements

II.F.1 As required in Section II.L of this permit and in conjunction with the requirements of Section II.M of this permit the permittee shall report annually the total tons per year emitted of each regulated air pollutant, including hazardous air pollutants. The reporting of annual emissions is due within sixty (60) days following the end of the each calendar year. Upon the written request of the permittee, the deadline for reporting of annual emissions may be extended, if GEPA determines that reasonable justification exists for the extension. [GAPCSR, Section 1104.12(7)]

II.F.2 The permittee shall report in writing within thirty (30) days the modification, relocation, discontinuance of operation or dismantlement of the combustion

Guam EPA
 Title V Federal Operating Permit
 Guam Power Authority – Yigo
 Permit No. F●-009
 Expires: March 1, 2014

turbine, the black start diesel generators, and the fuel oil storage tanks identified in Condition II.A.1 of this permit. [GAPCSR, Section 1104.5(a)]

- II.F.3 The permittee shall provide a report to GEPA of the results of all monitoring and recordkeeping required by this permit at least once every six (6) months. Reports shall be submitted for monitoring and recordkeeping performed between January 1st and June 30th and between July 1st and December 31st and shall be postmarked by the 30th day following the end of the reporting period. The first monitoring and recordkeeping report will cover the period from the date of issuance of this permit to December 31, 2008. [GAPCSR, Section 1104.12(7)(I)]
- II.F.4 Any modification to the combustion turbine (Unit CT-1) that increases this source's potential to emit pollutants above the applicable Prevention of Significant Deterioration (PSD) threshold level will require a full PSD review (as per 40 CFR 52.21(r)(4)). This condition applies to all criteria pollutants including PM₁₀. [GEPA Permit GPAT-661, Condition 16, Issued June 10, 1997]
- II.F.5 The permittee shall submit to GEPA monthly summary reports indicating the quantity of fuel combusted by the combustion turbine (Unit CT-1) in the subject month to verify the diesel fuel consumption. Compliance with the yearly maximum fuel consumption will be determined by a 12-month rolling average. A rolling average calculated monthly is actually a running total of fuel consumption over 12 consecutive months. This will be calculated by adding the total gallons of fuel consumed in the subject month to the gallons consumed in the 11 months immediately preceding the subject month. The rolling average fuel consumption shall also be recorded and submitted with the monthly report. [GEPA Permit GPAT-661, Condition 9, Issued June 10, 1997]
- II.F.6 The permittee shall report in the monthly report for the combustion turbine (Unit CT-1) the date and time of all instances when the water-to-fuel ratio falls below the minimum levels required in Condition II.C.3 of this permit. For these instances, the permittee shall report all information as specified in 40 CFR 60.7(c). For the purposes of this permit, all times when the water-to-fuel ratio falls below the values specified Condition II.C.3 of in this permit will be considered as times when the turbine is operating in violation of the permitted applicable emission limit for NO_x. [GEPA Permit GPAT-661, Condition 13, Issued June 10, 1997]
- II.F.7 In the event of excess emission or malfunction of the combustion turbine (Unit CT-1), the permittee shall notify GEPA within twenty-four (24) hours by telephone of such events. These events shall be followed with a submission of a written notice to GEPA within two (2) weeks from the date

Guam EPA
 Title V Federal Operating Permit
 Guam Power Authority – Yigo
 Permit No. FO-009
 Expires: March 1, 2014

of occurrence. [GEPA Permit GPAT-661, Condition 14, Issued June 10, 1997]

II.F.8 Any release of NO_x, SO₂, or PM₁₀ into the atmosphere above the emission limits in Condition II.B.1 of this permit due to equipment breakdown or malfunction shall be immediately reported to the Administrator of the GEPA. [GEPA Permit GPAT-661, Condition 17, Issued June 10, 1997]

II.F.9 The permittee shall submit reports for the combustion turbine (Unit CT-1) of excess emissions and monitor downtime, in accordance with 40 CFR 60.7(c). Excess emissions shall be reported for all periods of unit operation, including startup, shutdown, and malfunction. For the purpose of reports required for the combustion turbine (Unit CT-1) under 40 CFR 60.7(c), periods of excess emissions and monitor downtime that shall be reported are defined below. [40 CFR 60.334(j)]

II.F.9.a *Excess Emissions of Nitrogen Oxides*

II.F.9.a.1 An excess emission shall be any unit operating hour for which the average water-to-fuel ratio, as measured by the continuous monitoring system, falls below the acceptable water-to-fuel ratio determined to demonstrate compliance with 40 CFR 60.332, as established during the performance test required in 40 CFR 60.8. Any unit operating hour in which no water is injected into the turbine shall be considered an excess emission. [40 CFR 60.334(j)(1)(i)(A)]

II.F.9.a.2 A period of monitor downtime shall be any unit operating hour in which water is injected into the turbine, but the essential parametric data needed to determine the water-to-fuel ratio are unavailable or invalid. [40 CFR 60.334(j)(1)(i)(B)]

II.F.9.a.3 Each report shall include the average water-to-fuel ratio, average fuel consumption, ambient conditions (temperature, pressure, and humidity), and gas turbine load. The permittee does not have to report ambient conditions if the permittee opts to use the worst case ISO correction factor as specified in 40 CFR 60.334(b)(3)(ii), or if the permittee is not using the ISO correction equation under the provisions of 40 CFR 60.335(b)(1). [40 CFR 60.334(j)(1)(i)(C)]

II.F.9.b *Excess Emissions of Sulfur Dioxide*

II.F.9.b.1 For fuel oil samples obtained using daily sampling, flow proportional sampling, or sampling from the unit's storage tank, an excess emission occurs each unit operating

Guam EPA
 Title V Federal Operating Permit
 Guam Power Authority ~ Yigo
 Permit No. FO-009
 Expires: March 1, 2014

hour included in the period beginning on the date and hour of any sample for which the sulfur content of the fuel being fired in the gas turbine exceeds 0.8 weight percent and ending on the date and hour that a subsequent sample is taken that demonstrates compliance with the sulfur limit. [40 CFR 60.334(j)(2)(i)]

II.F.9.b.2 A period of monitor downtime begins when a required sample is not taken by its due date. A period of monitor downtime also begins on the date and hour of a required sample, if invalid results are obtained. The period of monitor downtime shall include only unit operating hours, and ends on the date and hour of the next valid sample. [40 CFR 60.334(j)(2)(iii)]

II.F.9.c *Excess Emissions during Periods of Ice Fog.* Each period during which an exemption provided in 40 CFR 60.332(f) is in effect shall be reported in writing to the Administrator quarterly. For each period the ambient conditions existing during the period, the date and time the air pollution control system was deactivated, and the date and time the air pollution control system was reactivated shall be reported. All quarterly reports shall be postmarked by the 30th day following the end of each calendar quarter. [40 CFR 60.334(j)(3)]

II.F.9.d *Excess Emissions during Periods of Emergency Fuel Use.* Each period during which an exemption provided in 40 CFR 60.332(k) is in effect shall be included in the report required in 40 CFR 60.7(c). For each period, the type, reasons, and duration of the firing of the emergency fuel shall be reported. [40 CFR 60.334(j)(4)]

II.G. NSPS General Provisions

For the combustion turbine (Unit CT-1), the permittee shall comply with all applicable requirements in Subpart A of 40 CFR 60. [40 CFR 60, Subpart A]

II.H. Compliance Assurance Monitoring (CAM)

II.H.1 The permittee shall control NO_x emissions from the combustion turbine (Unit CT-1) using a water injection system operated in accordance of the requirements in Conditions II.D.12, II.D.13, and II.D.14. The water-to-fuel ratio of the water injection system shall be used as an indicator of the NO_x control efficiency for the combustion turbine (Unit CT-1). The water-to-fuel ratio shall be maintained at the level required in Condition II.C.3 of this permit. [40 CFR 64.2(a)]

Guam EPA

Title V Federal Operating Permit

Guam Power Authority – Yigo

Permit No. FO-009

Expires: March 1, 2014

- II.H.2 The permittee shall conduct the monitoring required in Condition II.H.1 of this permit upon issuance of the permit. [40 CFR 64.7(a)]
- II.H.3 At all times, the permittee shall maintain the monitoring, including but not limited to, maintaining necessary parts for routine repairs of the monitoring equipment. [40 CFR 64.7(b)]
- II.H.4 Except for, as applicable, monitoring malfunctions, associated repairs, and required quality assurance or control activities (including, as applicable, calibration checks and required zero and span adjustments), the permittee shall conduct all water-to-fuel ratio monitoring on the combustion turbine (Unit CT-1) in continuous operation at all times that the unit is operating. Data recorded during monitoring malfunctions, associated reports, and required quality assurance or control activities shall not be used for the purposes of 40 CFR 64, including data averages and calculations, or fulfilling a minimum data availability requirement, if applicable. The permittee shall use all the data collected during all other periods in assessing the operation of the control device and associated control system. A monitoring malfunction is any sudden, infrequent, not reasonably preventable failure of the monitoring to provide valid data. Monitoring failures that are caused in part by poor maintenance or careless operation are not malfunctions. [40 CFR 64.7(c)]
- II.H.5 An excursion is defined to be a period when the water-to-fuel ratio falls below the required level in Condition II.C.3 of this permit for more than one hour. The continuous water-to-fuel ratio monitoring system is required to be accurate to within $\pm 5\%$. [40 CFR 64.1]
- II.H.6 Upon detecting an excursion or exceedance, the permittee shall restore operation of the pollutant-specific emission unit (including the control device and associated capture system) to its normal or usual manner of operation as expeditiously as practicable in accordance with good air pollution control practices for minimizing emissions. The response shall include minimizing the period of any startup, shutdown, or malfunction and taking any necessary corrective actions to restore normal operation and prevent the likely recurrence of the cause of an excursion or exceedance (other than those caused by excused startup or shutdown conditions). Such actions may include initial inspection and evaluation, recording that operations returned to normal without operator action (such as through response by a computerized distribution control system), or any necessary follow-up actions to return operation to within the indicator range, designated condition, or below the applicable emission limitation or standard, as applicable. [40 CFR 64.7(d)(1)]

Guam EPA
Title V Federal Operating Permit
Guam Power Authority – Yigo
Permit No. FO-009
Expires: March 1, 2014

II.H.7 Determination of whether the permittee has used acceptable procedures in response to an excursion or exceedance will be based on information available, which may include but is not limited to, monitoring results, review of operation and maintenance procedures and records, and inspection of the control device, associated capture system, and the process. [40 CFR 64.7(d)(2)]

II.H.8 Based on the results of a determination made under Condition II.H.7 of this permit, the Administrator of the USEPA or GEPA may require the permittee to develop and implement a quality improvement plan (QIP). The QIP threshold for the combustion turbine (Unit CT-1) shall be 10 excursions in a six-month reporting period. [40 CFR 64.8(a)]

II.H.9 If required under Condition II.H.8 of this permit, the permittee shall maintain a written QIP and have it available for inspection. The plan shall initially include procedures for evaluating the control performance problems and, based on the results of the evaluation procedures, the permittee shall modify the plan to include procedures for conducting one or more of the following actions, as appropriate:

II.H.9.a Improved preventative maintenance procedures

II.H.9.b Process operation changes

II.H.9.c Appropriate improvements to control methods

II.H.9.d Other steps appropriate to correct control performance

II.H.9.e More frequent or improved monitoring, in conjunction with one or more of the preceding actions

[40 CFR 64.8(b)]

II.H.10 If a QIP is required under Condition II.H.8 of this permit, the permittee shall develop and implement a QIP as expeditiously as practicable and shall notify the GEPA if the period for completing the improvements contained in the QIP exceeds 180 days from the date on which the need to implement the QIP was determined. [40 CFR 64.8(c)]

II.H.11 Following the implementation of a QIP, upon any subsequent determination pursuant to Condition II.H.7 of this permit the Administrator of the USEPA or GEPA may require that the permittee make reasonable changes to the QIP if the QIP is found to have:

Guam EPA
Title V Federal Operating Permit
Guam Power Authority – Yigo
Permit No. FO-009
Expires: March 1, 2014

II.H.11.a Failed to address the cause of the control device performance problems; or

II.H.11.b Failed to provide adequate procedures for correcting control device performance problems as expeditiously as practicable in accordance with good air pollution control practices for minimizing emissions.

[40 CFR 64.8(d)]

II.H.12 Implementation of a QIP shall not excuse the permittee from compliance with any existing emission limitation or standard, or any existing monitoring, testing, reporting, or recordkeeping requirement that may apply under federal, state, or local law, or any other applicable requirements under the CAA. [40 CFR 64.8(e)]

II.H.13 The permittee shall submit monitoring reports for the water injection system to GEPA in accordance with 40 CFR 70.6(a)(3)(iii). [40 CFR 64.9(a)(1)]

II.H.14 The monitoring reports required pursuant to Condition II.H.13 of this permit shall include, at a minimum, the information required under 40 CFR 70.6(a)(3)(iii) and the following information, as applicable:

II.H.14.a Summary information on the number, duration, and cause (including unknown cause, if applicable) of excursions or exceedances, as applicable, and the corrective actions taken;

II.H.14.b Summary information on the number, duration, and cause (including unknown cause, if applicable) for monitoring downtime incidents (other than downtime associated with zero and span or other daily calibration checks, if applicable); and

II.H.14.c A description of the actions taken to implement a QIP during the reporting period as specified in 40 CFR 64.8. Upon completion of a QIP, the permittee shall include in the next summary report documentation that the implementation of the plan has been completed and reduced the likelihood of similar levels of excursions or exceedances occurring.

[40 CFR 64.9(a)(2)]

II.H.15 The permittee shall comply with the recordkeeping requirements specified in 40 CFR 70.6(a)(3)(ii). The permittee shall maintain records of monitoring data, monitor performance data, corrective actions taken, any

Guam EPA
Title V Federal Operating Permit
Guam Power Authority – Yigo
Permit No. FO-009
Expires: March 1, 2014

written QIP requirements pursuant to 40 CFR 64.8 and any activities undertaken to implement a QIP, and other supporting information required to be maintained under 40 CFR 64 (such as data used to document the adequacy of monitoring or records of monitoring maintenance or corrective actions). [40 CFR 64.9(b)(1)]

II.H.16 Instead of paper records, the permittee may maintain records on alternative media, such as microfilm, computer files, magnetic tape disks, or microfiche, provided that the use of such alternative media allows for expeditious inspection and review, and does not conflict with other applicable recordkeeping requirements. [40 CFR 64.9(b)(2)]

II.I. Compliance Schedule

II.I.1 For applicable requirements with which the source is in compliance, the source will continue to comply with such requirements. [GAPCSR, Section 1104.8(b)(2)(A)]

II.I.2 For applicable requirements which become applicable during the permit term, the source shall meet such applicable requirements on a timely basis. [GAPCSR, Section 1104.8(b)(2)(B)]

II.J. Compliance Certifications

II.J.1 The compliance plan and compliance certification submittal requirements shall be in accordance with Sections 1104.8 and 1104.9 of the GAPCSR. The compliance certification shall be submitted to GEPA and the USEPA Regional Administrator once per year, or more frequently as set by any applicable requirement. [GAPCSR, Sections 1104.8 and 1104.9]

II.J.2 During the permit term, the permittee shall submit at least annually to GEPA, a compliance certification pursuant to Section 1104.9 of the GAPCSR. This certification shall be postmarked by January 30th of each year, and shall cover the previous calendar year (January 1 through December 31). The first compliance certification will cover the period from the date of issuance of this permit to December 31, 2008. The permittee shall indicate whether or not compliance is being met with each term or condition of this permit. [GAPCSR, Section 1104.9]

II.K. General Air Quality Protections

II.K.1 The permittee shall not dispose of combustible material by open burning, or cause, suffer, allow, or permit open burning of combustible material within Guam, except as provided in Sections 1103.11 (b) through (e) of the GAPCSR. [GAPCSR, Section 1103.11; SIP, Section 6.1]

Guam EPA

Title V Federal Operating Permit

Guam Power Authority – Yigo

Permit No. F-009

Expires: March 1, 2014

II.K.2 Control of Odors in Ambient Air

II.K.2.a The permittee shall not discharge or cause to be discharged into the atmosphere from any source whatsoever, such quantities of odorous emissions which is injurious to health, or is indecent or offensive to the senses, which affects at the same time an entire community or neighborhood, or any considerable number of persons, so as to unduly interfere with the comfortable enjoyment of life or property of such community, neighborhood or persons. It is a creation of a condition which causes injury to the public welfare. [GAPCSR, Section 1103.12(a); SIP, Section 11.1]

II.K.2.b An odor occurrence shall be deemed a violation when a complaint is received by the Administrator and the Administrator is able to detect the odor. This detection must be verified by the Department of Public Health, Environmental Health Section for a person to be found in violation of subsection (a) of this condition. [GAPCSR, Section 1103.12(b); SIP, Section 11.2]

II.K.2.c The odor of growing vegetation, and chemical fertilizers and insecticides when used properly, or when persons can demonstrate to the Administrator that the best practical operation or treatment is being implemented, shall not be considered objectionable for the purposes of this requirement. [GAPCSR, Section 1103.12(c); SIP, Section 11.3]

II.K.3 The permittee shall comply with the asbestos requirements of 40 CFR 61, Subpart M (as amended and incorporated in Section 1103.13 of the GAPCSR), including requirements for demolition and renovation projects. [GAPCSR, Section 1103.13]

Guam EPA
 Title V Federal Operating Permit
 Guam Power Authority – Yigo
 Permit No. FO-009
 Expires: March 1, 2014

II.L. Annual Emissions Reporting Requirements

II.L.1 The reporting period for the annual emissions, including emissions from the emission units identified in Condition II.A.1 of this permit, shall be from January 1 to December 31 of each calendar year. All reports shall be submitted to GEPA along with the annual fee due. The report shall be mailed to [GAPCSR, Section 1104.24(c)]:

**Administrator
 Guam Environmental Protection Agency
 Air and Land Division
 Air Pollution Control Program
 P.O. Box 22439 GMF
 Barrigada, Guam 96921**

All applicable correspondences and records with this permit submitted to GEPA shall have duplicate copies forwarded to:

**Director, Air Division (Attn: AIR-5)
 U.S. Environmental Protection Agency
 75 Hawthorne Street
 San Francisco, CA 94105**

II.L.2 The permittee shall retain the information submitted, including all emissions calculations. These records shall be in a permanent form suitable for inspection, retained for a minimum of five (5) years, and made available to GEPA upon request. [GAPCSR, Section 1104.12(7)(H)]

II.L.3 Any information submitted to GEPA without a request for confidentiality shall be considered public record. [GAPCSR, Section 1102.7]

II.L.4 The permittee may request confidential treatment of specific information by submitting a written request to the Administrator identifying the specific information that is to be accorded confidential treatment. [GAPCSR, Section 1102.7(b)]

II.M. Fee Payment

II.M.1 The permittee shall submit fees in accordance with GAPCSR, Sections 1104.21 through 1104.24. [GAPCSR, Section 1104.12(9)(K)]

II.M.2 The permittee shall complete and submit the Annual Fee Calculation Worksheet, including all emissions calculations, with the required annual fee. The permittee shall make copies for future use. [GAPCSR, Section 1104.24(I)]

Guam EPA
Title V Federal Operating Permit
Guam Power Authority -- Yigo
Permit No. FO-009
Expires: March 1, 2014

II.M.3 Annual fees shall be paid in full: [GAPCSR, Section 1104.24 (a)]

II.M.3.a Within sixty (60) days after the end of each calendar year;

II.M.3.b Within thirty (30) days after permanent discontinuance of the air emission source.

II.M.4 The permittee shall be assessed a Six Dollars (\$6.00) per ton per pollutant base rate of the total annual emission. However, the minimum annual fee due shall be Five Hundred Dollars (\$500.00) for each valid permit held during the prior calendar year; or Forty-Two Dollars (\$42.00) per month for any fraction of the year the permit is valid after the last calendar year for which annual fee was paid. [GAPCSR, Section 1104.24(g)]

II.M.5 If any part of the annual fee is not paid within thirty (30) days after the due date, a late penalty of five percent (5%) of the amount due shall at once accrue and be added thereto. Thereafter, on the first day of each calendar month during which part of the annual fee or any prior accrued late payment penalty remains unpaid, an additional late payment penalty of five percent (5%) of the then unpaid balance shall accrue and be added thereto. [GAPCSR, Section 1104.25(b)]

II.M.6 If any annual fee, including the late payment penalty required by GAPCSR is not paid in full within thirty (30) days after the due date, the Administrator may terminate or suspend any or all of the owner or operator's air pollution control permit, after affording the opportunity for a hearing in accordance with Section 1104.19 or Section 1102.14 of the GAPCSR. [GAPCSR, Section 1104.25(c)]

II.M.7 The annual emissions data for which the annual fees are based shall accompany the submittal of any annual fees and submitted on forms furnished by GEPA. [GAPCSR, Section 1104.24(c)]

II.M.8 Check payments shall be made payable to the Treasurer of Guam along with a notation that the funds be deposited into GEPA's Air Pollution Control Special Fund. [GAPCSR, Section 1104.21(d)]

Guam EPA
Title V Federal Operating Permit
Guam Power Authority – Yigo
Permit No. F-009
Expires: March 1, 2014

II.M.9 The annual fees and emissions data shall be mailed to [GAPCSR, Section 1104.24]:

**Administrator
Guam Environmental Protection Agency
Air and Land Division
Air Pollution Control Program
P.O. Box 22439 GMF
Barrigada, Guam 96921**

All applicable correspondences and records with this permit submitted to GEPA shall have duplicate copies forwarded to:

**Director, Air Division (Attn: AIR-5)
U.S. Environmental Protection Agency
75 Hawthorne Street
San Francisco, CA 94105**

Guam EPA
 Title V Federal Operating Permit
 Guam Power Authority – Yigo
 Permit No. FO-009
 Expires: March 1, 2014

III. Title V Administrative Requirements

III.A. Blanket Compliance Statement

The permittee shall comply with all the terms and conditions of this permit. Any permit noncompliance constitutes a violation of the GAPCSR and, for all federally enforceable terms and conditions, the CAA, and is grounds for enforcement action, permit termination, suspension, reopening, or amendment, or for denial of a permit renewal application. Permit noncompliance shall be subject to the penalties and remedies provided for in Section 49116 of Chapter 49, Part 2, Division 2, Part 1 of Title 10 of the GCA. [GAPCSR, Sections 1104.12(9)(A) and 1102.12; SIP, Section 4.4]

III.B. Duty to Provide and Supplement Information

The permittee shall furnish, in a timely manner, any information or record requested in writing by GEPA to determine whether cause exists for terminating, suspending, reopening, or amending the permit, or to determine compliance with the permit. Upon request, the permittee shall also furnish to GEPA copies of records required to be kept by the permit. For information claimed confidential, the permittee shall furnish such records to GEPA with a claim of confidentiality. [GAPCSR, Section 1104.12(9)(H)]

III.C. Submissions

Any document (including reports, compliance plans and compliance certifications) required to be submitted by this permit shall be certified by a responsible official. This certification shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete in accordance with 1102.3 and shall be mailed or forwarded to the following address [GAPCSR, Sections 1102.3 and 1104.12(9)(L)]:

**Administrator
 Guam Environmental Protection Agency
 Air and Land Division
 Air Pollution Control Program
 P.O. Box 22439 GMF
 Barrigada, Guam 96921**

All applicable correspondences and records with this permit submitted to GEPA shall have duplicate copies forwarded to:

**Director, Air Division (Attn: AIR-5)
 U.S. Environmental Protection Agency
 75 Hawthorne Street
 San Francisco, CA 94105**

Guam EPA
 Title V Federal Operating Permit
 Guam Power Authority – Yigo
 Permit No. F-009
 Expires: March 1, 2014

III.D. Severability Clause

If any term or condition of this permit becomes invalid as a result of a challenge to a portion of this permit, the other terms and conditions of this permit shall not be affected and remain valid. [GAPCSR, Section 1104.12(9)(B)]

III.E. Circumvention

The permittee shall not cause or permit the installation or use of any device or any means which, without resulting in reduction in the total amount of air contaminant emitted, conceals or dilutes an emission of air contaminant which would otherwise violate these regulations. This provision does not prohibit recycling, burning as fuel or otherwise further processing material which would violate an emission regulation if released to the atmosphere, so long as the facility in which that material is used does not violate applicable emission regulations. [SIP, Section 17.2]

III.F. Permit Actions

This permit will be revoked if GEPA finds willful or continued violations of the standards and regulations. [GAPCSR, Sections 1104.12(9)(A), 1104.18(a)(4), and 1104.18(b)(3); SIP, Section 3.7(c)]

III.G. Reopening for Cause

This permit may be terminated, suspended, reopened, or amended for cause pursuant to Section 1104.18 of the GAPCSR, after affording the permittee an opportunity for a hearing in accordance with GAPCSR, Section 1102.14 or 10 GCA 49111. [GAPCSR, Section 1104.12(9)(D)]

III.H. Property Rights

This permit does not convey any property rights of any sort, or any exclusive privilege. [GAPCSR, Section 1104.12(9)(E)]

III.I. Inspection and Entry

III.I.1 The permittee shall allow GEPA, the Regional Administrator for the USEPA, and/or an authorized representative, upon presentation of credentials or other documents required by law:

III.I.1.a To enter the premises where a source is located or emission-related activity is conducted, or where records must be kept under the conditions of the permit and inspect at reasonable times all facilities, equipment, practices, operations, or records covered under the terms and conditions of the permit and request copies of records or copy records required by the permit; and

Guam EPA
 Title V Federal Operating Permit
 Guam Power Authority – Yigo
 Permit No. FO-009
 Expires: March 1, 2014

III.I.1.b To sample or monitor at reasonable times substances or parameters to assure compliance with the permit or applicable requirements. [GAPCSR, Section 1104.12(9)(M)]

III.J. Emergency Provisions

III.J.1 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 to the Administrator the affirmative defense of emergency through properly signed, contemporaneous operating logs, or other relevant evidence that:

III.J.1.a An emergency occurred and the permittee can identify the cause(s) of the emergency;

III.J.1.b The permitted facility was at the time being properly operated;

III.J.1.c During the period of the emergency, the permittee took all reasonable steps to minimize levels of emissions that exceeded the emission limitations or other requirements in this permit; and

III.J.1.d The permittee submitted notice of the emergency to the Administrator within two (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 prompt reporting of deviations pursuant to Section 1102.9 of the GAPCSR. [GAPCSR, Sections 1104.17(a) and 1104.1(c)]

III.J.1.e In any enforcement proceeding the permittee attempting to establish the occurrence of an emergency has the burden of proof. [GAPCSR, Section 1104.17(b)]

III.K. Transfer of Ownership or Operation

III.K.1 This permit is not transferable, whether by operation of law or otherwise, either from one location to another or from one piece of equipment to another. [GAPCSR, Section 1104.4(c); SIP Section 3.8]

III.K.2 This permit shall not be transferable, whether by operation of law or otherwise, from person to person without the approval of the Administrator. [GAPCSR, Section 1104.4(d); SIP Section 3.8]

Guam EPA
Title V Federal Operating Permit
Guam Power Authority – Yigo
Permit No. FO-009
Expires: March 1, 2014

III.K.3 In the event of any changes in control or ownership of facilities to be operated or modified, the resulting modification of this permit shall be made as an administrative amendment pursuant to Section 1104.20 of the GAPCSR. [GAPCSR, Section 1104.20]

III.L. Permit Expiration and Renewal

III.L.1 This permit is issued for a fixed term of five years from the date of issuance. [GAPCSR, Section 1104.11; SIP Section 3.1(b)(4)]

III.L.2 Application for permit renewal shall be submitted no more than eighteen (18) months prior to the date of permit expiration. Application for permit renewal shall be submitted no later than six (6) months prior to the date of permit expiration. Late applications shall be subject to penalties pursuant to Section 1104.25 of the GAPCSR. [GAPCSR, Section 1104.6(d); SIP Section 3.1(b)(4)]

III.L.3 This permit shall remain valid past the expiration date and the air pollution emission source shall not be in violation for failing to have an air pollution control permit, until the Administrator has issued or denied the renewal of the air pollution control permit, provided [GAPCSR, Section 1104.2(d)]:

III.L.3.a A complete renewal application has been submitted and the owner or operator acts consistently with the permit previously granted, and the application on which it was based, and all plans, specifications, and other information submitted as part of the application; and

III.L.3.b The owner or operator has submitted to the Administrator within the specified deadlines, all requested additional information deemed necessary to evaluate or take final action on the renewal application as described in Section 1104.6 of the GAPCSR.

III.M. Permit Modifications

Applications for modification of this permit are subject to the same requirements as the initial application including all requirements pursuant to Section 1104.6(c) of the GAPCSR. The permittee shall submit a description of the modification, identifying all proposed changes, including any changes to the source operations, work practices, equipment design, source emissions, or any monitoring, record keeping, and reporting procedures. Each change from the permit application for this permit shall be identified on the application for the permit modification. [GAPCSR, Section 1104.6(f)]

Guam EPA
 Title V Federal Operating Permit
 Guam Power Authority – Yigo
 Permit No. FO-009
 Expires: March 1, 2014

III.N. Malfunction

III.N.1 Except for emergencies which result in noncompliance with any technology-based emission limitation in accordance with Section 1104.17 of the GAPCSR, in the event any emission unit, air pollution control equipment, or related equipment breaks down in such a manner as to cause the emission of air pollutants in violation of GAPCSR, or this permit, the permittee shall immediately notify, within twenty-four (24) hours, GEPA of the failure or breakdown, unless the protection of personnel or public health or safety demands immediate attention to the failure or breakdown and makes such notification infeasible. In the latter case, the notice shall be provided as soon as practicable. The submittal of these notices shall not be a defense to an enforcement action. Within five (5) working days of this initial notification, the permittee shall also submit, in writing, the following information:

III.N.1.a Identification of emission points;

III.N.1.b Magnitude of the excess emissions;

III.N.1.c Time and duration of the excess emissions;

III.N.1.d Identity of the process or control equipment causing the excess emissions;

III.N.1.e Cause and nature of the excess emissions;

III.N.1.f Description of the steps taken to remedy the situation, prevent a recurrence, limit the excessive emissions, and assure that the breakdown does not interfere with the attainment and maintenance of the National Ambient Air Quality Standards (NAAQS) and Guam ambient air quality standards;

III.N.1.g Documentation that the equipment or process was at all times maintained and operated in a manner consistent with good practice for minimizing emissions; and

III.N.1.h A statement that the excess emissions are not part of a recurring pattern indicative of inadequate design, operation, or maintenance. [GAPCSR, Section 1102.9]

III.O. Agency Notifications

III.O.1 The permittee shall notify the Administrator in writing of the following dates:

Guam EPA
 Title V Federal Operating Permit
 Guam Power Authority – Yigo
 Permit No. FO-009
 Expires: March 1, 2014

III.O.1.a The anticipated date of initial start-up for each emission unit of a new source or significant modification not more than sixty (60) days or less than thirty (30) days prior to such date.

III.O.1.b The actual date of construction commencement within fifteen (15) days after such date.

III.O.1.c The actual date of start-up within fifteen (15) days after such date. [GAPCSR, Section 1104.12(9)(G)]

III.O.2 The permittee shall notify GEPA in writing, of the intent to shut down air pollution control equipment for necessary scheduled maintenance at least twenty-four (24) hours prior to the planned shutdown. The submittal of this notice shall not be a defense to an enforcement action. The notice shall include the following:

III.O.2.a Identification of the specific equipment to be taken out of service, as well as its location and permit number;

III.O.2.b The expected length of time that the air pollution control equipment will be out of service;

III.O.2.c The nature and quantity of emissions of air pollutants likely to be emitted during the shutdown period;

III.O.2.d Measures such as the use of off-shift labor and equipment that will be taken to minimize the length of the shutdown period; and

III.O.2.e The reasons why it would be impossible or impractical to shut down the source operation during the maintenance period. [GAPCSR, Section 1102.8; SIP, Section 4.3]

III.O.3 A copy of applicable correspondence or records submitted to GEPA shall be provided to the USEPA pursuant to Section 1104.15 of the GAPCSR. [GAPCSR, Section 1104.12(9)(I)]

III.O.4 Within thirty (30) days of permanent discontinuance of the operation, modification, relocation, or construction of any of the above units, the responsible official shall report the discontinuance in writing to the Administrator. [GAPCSR, Section 1104.5(a)]

III.P. Miscellaneous Conditions

III.P.1 Unless specifically identified, the terms and conditions contained in this permit are consistent with the applicable requirement on which each term

Guam EPA

Title V Federal Operating Permit

Guam Power Authority – Yigo

Permit No. FO-009

Expires: March 1, 2014

or condition is based. [Section 49107(7)(c)(2) of Chapter 49, Part 2, Division 2, Part 1 of Title 10 of the GCA]

III.P.2 This permit, or a copy thereof, shall be maintained at or near the source for which this permit was issued and shall be made available for inspection upon request. [GAPCSR, Section 1104.4(a); SIP, Section 3.12]

III.P.3 This permit shall not be willfully defaced, altered, forged, counterfeited, or falsified. [GAPCSR, Section 1104.4(b); SIP, Section 3.13]

III.P.4 The facility covered by this permit shall be constructed and operated in accordance with the application, and any information submitted as part of the application, for this permit. There shall be no deviation from this permit condition unless additional or revised plans are submitted to and approved by GEPA, and the permit is amended to allow for such deviation. [GAPCSR, Section 1104.12(12)]

III.P.5 This permit (a) does not release the permittee from compliance with other applicable statutes of Guam, or with applicable local or federal laws, regulations, or ordinances, and (b) shall not constitute, nor be construed to be an approval of the design of the source. [GAPCSR, Sections 1104.2(e) and 1104.12(11)]

III.P.6 The permittee shall not use as a defense in an enforcement action that it would have been necessary to halt or reduce the permitted activity to maintain compliance with the terms and conditions of this permit. [GAPCSR, Section 1104.12(9)(C)]

III.P.7 The filing of a request by the permittee for a permit termination, suspension, reopening, or amendment, or a notification of planned changes or anticipated noncompliance does not stay any permit condition. [GAPCSR, Section 1104.12(9)(D)]

III.P.8 This permit shall become invalid with respect to any authorized construction if construction is not commenced as follows:

III.P.8.a Within thirty (30) days of permanent discontinuance of the construction, modification, relocation or operation of any permitted air pollution emission source, the responsible official shall report the discontinuance in writing to the Administrator.

III.P.8.b For phased construction projects, each phase shall commence construction within eighteen (18) months of the projected and approved commencement dates in the permit. [GAPCSR, Sections 1104.5(b), 1104.5(c), and 1104.12(9)(F)]

Guam EPA

Title V Federal Operating Permit

Guam Power Authority – Yigo

Permit No. FO-009

Expires: March 1, 2014

- III.P.9 GEPA may extend the time periods specified in Condition III.P.8 of this permit upon a satisfactory showing that an extension is justified. Request for an extension shall be submitted in writing to GEPA. [GAPCSR, Section 1104.5(d)]
- III.P.10 The permittee may request confidential treatment of any records in accordance with Section 1102.7 of the GAPCSR. [GAPCSR, Section 1104.12(9)(J)]
- III.P.11 The terms and conditions included in this permit, including any provision designed to limit a source's potential to emit, are federally enforceable unless such terms, conditions, or requirements are specifically designated as not federally enforceable. [GAPCSR, Section 1104.14]

ATTACHMENT 3	EVALUATION AND SCORING FORM
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Individual Committee Member Evaluation and Scoring of Proposal						
EVALUATION FACTORS		Raw Score Weight	MAX Possible Score	MAX Weighted Possible Score	RAW SCORE	WEIGHTED SCORE
A. CONTRACTOR'S KNOWLEDGE AND UNDERSTANDING		20	20	400	0	
A.1	Must have the Knowledge of the different test methods required on the Title V permit for the emission testing and are able to provide valuable guidance to help ensure permit compliance.		5			
A.2	Understanding of the technical objectives and requirements for preparing and submitting of an emission test plan, conducting the emission test, preparing and submitting emission test reports		5			
A.3	The ability of interpreting test results, identifying causes of excess emission and making recommendations to mitigate		5			
A.4	Ability to provide accurate reliable emissions tests results and report promptly.		5			
B. EXPERIENCE OF FIRM		20	15	300	0	
B.1	Experience of the firm in emissions testing requirements of various GPA facilities as required in the Title V operating permit		5			
B.2	Years of experience in the operation, and experience in executing complex air emission testing programs with other clients.		5			
B.3	Equipment inventory and the firm's ability to maintain and operate the emission testing equipment and data processing system		5			
C. EXPERIENCE OF KEY PERSONNEL		15	10	150	0	
C.1	Identified key personnel must be committed to the project for the duration of work and will be unacceptable for other staff to later be substituted for identified key personnel.		5			
C.2	Firm must have skilled competent personnel, experienced to work on the specific type of equipment and required certifications/accreditations		5			
D. COST EFFECTIVENESS AND EFFICIENCY		15	5	75	0	
D.1	Demonstration of management's ability to effectuate the project in a cost effective and efficient manner.		5			
E. COORDINATION AND ENVIRONMENTAL COMPLIANCE		15	10	150	0	
E.1	Ability to work with and coordinate all tasks with GPA personnel, USEPA, Guam EPA to ensure compliance with all federal, local and permitting requirements		5			
E.2	Ability to communicate with clients to avoid problems and unexpected delays and providing high quality customer service		5			
TOTALS		85	60	1075		
EVALUATION RATING:						

ACCEPTABLE - Scores Greater Than or Equal to:	860
POTENTIALLY ACCEPTABLE: - Less than Acceptable but Greater Than or Equal to:	752
UNACCEPTABLE- Scores are less than:	752

APPENDIX A	MAJOR SHAREHOLDERS DISCLOSURE AFFIDAVIT
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MAJOR SHAREHOLDERS DISCLOSURE AFFIDAVIT

TERRITORY OF GUAM)
)ss.
 HAGATNA, GUAM)

I, the undersigned, _____, being first
 (partner or officer of the company of, etc.)
 duly sworn, depose and say:

1. That the persons who have held more than ten percent (10%) of the company's shares during the past twelve months are as follows:

<u>Name</u>	<u>Address</u>	<u>Percentage of Shares Held</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
Total Number of Shares:		_____

2. Persons who have received or are entitled to receive a commission, gratuity or other compensation for procuring or assisting in obtaining business related to the bid/rfp for which this Affidavit is submitted are as follows:

<u>Name</u>	<u>Address</u>	<u>Amount of Commission Gratuity or Other Compensation</u>
_____	_____	_____
_____	_____	_____

Further, affiant sayeth naught.

Date: _____

 Signature of individual if bidder/offeror is a sole proprietorship;
 Partner, if the bidder is a partnership; Officer, if the bidder is a
 corporation.

Subscribed and sworn to before me this _____ day of _____, 20____.

Notary Public _____
 In and for the Territory of Guam

My Commission expires: _____

APPENDIX B NON-COLLUSION AFFIDAVIT
--

NON-COLLUSION AFFIDAVIT

TERRITORY OF GUAM)
)ss.
HAGATNA, GUAM)

I, _____, first being duly sworn, depose and say:
(Name of Declarant)

1. That I am the _____ of the _____.
(Title) (Name of Bidding/RFP Company)
2. That in making the foregoing proposal or bid, that such proposal or bid is genuine and not collusive or sham, that said bidder/offeror has not colluded, conspired or agreed, directly or indirectly, with any bidder or person, to put in a sham or to refrain from bidding or submitting a proposal and has not in any manner, directly or indirectly, sought by agreement or collusion, or communication or conference, with any person, to fix the bid price of affiant or any other bidder, or to secure any overhead, project or cost element of said bid price, or of that of any bidder, or to secure any advantage against the GUAM POWER AUTHORITY or any person interested in the proposed contract; and
3. That all statements in said proposal or bid are true.
4. This affidavit is made in compliance with 2 Guam Administrative Rules and Regulations §3126(b).

(Declarant)

Subscribed and sworn to before me this _____ day of _____, 20_____.

Notary Public _____
In and for the Territory of Guam

My commission expires: _____

APPENDIX C	NO GRATUITIES OR KICKBACKS AFFIDAVIT
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NO GRATUITIES OR KICKBACKS AFFIDAVIT

AFFIDAVIT

(Offeror)

TERRITORY OF GUAM)
)ss:
 HAGATNA, GUAM)

_____, being first duly sworn, deposes and says:

As the duly authorized representative of the Offeror, that neither I nor of the Offeror's officers, representatives, agents, subcontractors, or employees has or have offered, given or agreed to give any government of Guam employee or former employee, any payment, gift, kickback, gratuity or offer of employment in connection with Offeror's proposal.

 Signature of Individual if Offeror is a Sole Proprietorship;
 Partner, if the Offeror is a Partnership;
 Officer, if the Offeror is a Corporation

SUBSCRIBED AND SWORN to before me this ____day of _____, 20_____.

Notary Public _____
 In and for the Territory of Guam

My commission expires: _____

APPENDIX D ETHICAL STANDARDS AFFIDAVIT

ETHICAL STANDARDS AFFIDAVIT

AFFIDAVIT

(Offeror)

TERRITORY OF GUAM)
)ss:
 HAGATNA, GUAM)

_____, being first duly sworn, deposes and says:

That I am (the Sole Proprietor, a Partner or Officer of the Offeror)

That Offeror making the foregoing Proposal, that neither he or nor of the Offeror's officers, representatives, agents, subcontractors, or employees of the Offeror have knowingly influenced any government of Guam employee to breach any of the ethical standards set forth in 5 GCA Chapter 5 Article 11, and promises that neither he nor any officer, representative, agent, subcontractor, or employee of Offeror will knowingly influence any government of Guam employee to breach any ethical standard set for in 5 GCA Chapter 5 Article 11.

 Signature of Individual if Offeror is a Sole Proprietorship;
 Partner, if the Offeror is a Partnership;
 Officer, if the Offeror is a Corporation

SUBCRIBED AND SWORN to before me this ____day of _____, 20_____.

Notary Public _____
 In and for the Territory of Guam

My commission expires: _____

APPENDIX E	DECLARATION RE-COMPLIANCE WITH U.S. DOL WAGE DETERMINATION
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DECLARATION RE-COMPLIANCE WITH U.S. DOL WAGE DETERMINATION

Procurement No.: _____

Name of Offeror Company: _____

_____ hereby certifies under penalty of perjury:

(1) That I am _____ (the offeror, a partner of the offeror, an officer of the offeror) making the bid or proposal in the foregoing identified procurement;

(2) That I have read and understand the provisions of 5 GCA § 5801 and § 5802 which read:

§ 5801. Wage Determination Established.

In such cases where the government of Guam enters into contractual arrangements with a sole proprietorship, a partnership or a corporation ('contractor') for the provision of a service to the government of Guam, and in such cases where the contractor employs a person(s) whose purpose, in whole or in part, is the direct delivery of service contracted by the government of Guam, then the contractor shall pay such employee(s) in accordance with the Wage Determination for Guam and the Northern Mariana Islands issued and promulgated by the U.S. Department of Labor for such labor as is employed in the direct delivery of contract deliverables to the government of Guam.

The Wage Determination most recently issued by the U.S. Department of Labor at the time a contract is awarded to a contractor by the government of Guam shall be used to determine wages, which shall be paid to employees pursuant to this Article. Should any contract contain a renewal clause, then at the time of renewal adjustments, there shall be made stipulations contained in that contract for applying the Wage Determination, as required by this Article, so that the Wage Determination promulgated by the U.S. Department of Labor on a date most recent to the renewal date shall apply.

§ 5802. Benefits.

In addition to the Wage Determination detailed in this Article, any contract to which this Article applies shall also contain provisions mandating health and similar benefits for employees covered by this Article, such benefits having a minimum value as detailed in the Wage Determination issued and promulgated by the U.S. Department of Labor, and shall contain provisions guaranteeing a minimum of ten (10) paid holidays per annum per employee.

(3) That the offeror is in full compliance with 5 GCA § 5801 and § 5802, as may be applicable to the procurement referenced herein;

(4) That I have attached the most recent wage determination applicable to Guam issued by the U.S. Department of Labor.

Signature of Individual if Proposer is a Sole Proprietorship;
Partner, if the Proposer is a Partnership;
Officer, if the Proposer is a Corporation

SUBSCRIBED AND SWORN to before me this ____ day of _____, 2018.

Notary Public
In and for the Territory of Guam
My Commission Expires:

APPENDIX F RESTRICTION AGAINST CONVICTED SEX OFFENDERS

SPECIAL PROVISIONS**Restriction Against Sex Offenders Employed by Service Providers to Government of Guam from Working on Government of Guam Property**

GCA 5 §5253 Restriction Against Contractors Employing Convicted Sex Offenders from Working at Government of Guam Venues:

- (a) No person convicted of a sex offense under the provisions of Chapter 25 of Title 9 Guam Code Annotated, or an offense as defined in Article 2 of Chapter 28, Title 9 GCA in Guam, or an offense in any jurisdiction which includes, at a minimum, all of the elements of said offenses, or who is listed on the Sex Offender Registry, and who is employed by a business contracted to perform services for an agency or instrumentality of the government of Guam, shall work for his employer on the property of the Government of Guam other than public highway.
- (b) All contracts for services to agencies listed herein shall include the following provisions: (1) warranties that no person providing services on behalf of the contractor has been convicted of a sex offense under the provisions of Chapter 25 of Title 9 GCA or an offense as defined in Article 2 of Chapter 28, Title 9 GCA, or an offense in another jurisdiction with, at a minimum, the same elements as such offenses, or who is listed on the Sex Offender Registry; and (2) that if any person providing services on behalf of the contractor is convicted of a sex offense under the provisions of Chapter 25 of Title 9 GCA or an offense as defined in Article 2 of Chapter 28, Title 9 GCA or an offense in another jurisdiction with, at a minimum, the same elements as such offenses, or who is listed on the Sex Offender Registry, that such person will be immediately removed from working at said agency and that the administrator of said agency be informed of such within twenty-four (24) hours of such conviction.
- (c) Duties of the General Services Agency or Procurement Administrators. All contracts, bids, or Requests for Proposals shall state all the conditions in § 5253(b).
- (d) Any contractor found in violation of § 5253(b), after notice from the contracting authority of such violation, shall, within twenty-four (24) hours, take corrective action and shall report such action to the contracting authority. Failure to take corrective action within the stipulated period may result in the temporary suspension of the contract at the discretion of the contracting authority.

SOURCE: *Added by P.L. 28-024:2 ((Apr. 21, 2005). Amended by P.L. 28-098:2 (Feb. 7, 2XXX).*

Signature of Bidder Date

Proposer, if an individual;
Partner, if a partnership;
Officer, if a corporation.

Subscribed and sworn before me this _____ day of _____, 2018.

Notary Public