

DRAFT, 2020

Source ID No. 1070005

Ms. Stephanie Hirner
Manager, Air Permitting and Compliance
Evergy, Inc
818 S. Kansas Avenue
Topeka, KS 66601

Re: Air Emission Source Operating Permit Significant Modification

Dear Ms. Hirner:

The Kansas Department of Health and Environment (KDHE) reviewed Evergy, Inc's (Evergy) proposal to consolidate the performance testing scheduling at the La Cygne Generating Station, Kansas City, Kansas. Evergy previously requested that the carbon monoxide testing required by amended construction permit C-13198 (or CSP00305v1.0) and the Relative Accuracy Testing Audit (RATA) required by the facility's Acid Rain Permit both be conducted during one annual event. An Air Emission Source Construction Permit Modification was prepared and concurrently, this Significant Modification to Evergy's Class I Operating Permit has also been prepared.

Please review the permit carefully since it obligates Evergy to certain requirements.

Currently, Evergy operates under a Class I Air Operating Permit renewed on May 14, 2018. The change in the performance testing requirement is considered a significant modification to the operating permit as specified under **K.A.R. 28-19-513, Class I operating permits; permit amendment, modification or reopening and changes not requiring a permit action**. Consequently, Evergy has submitted an application to be issued a significant modification of the Class I Operating Permit in order for the changes to the performance testing requirement to take effect.

For the transition period between the previous permit and the enclosed significant modification to the previous operating permit, please comply with the following requirements. The certification due on January 30, 2021 should cite both the May 14, 2018 permit and the enclosed permit. The semi-annual report due on January 31, 2021 shall contain two separate reports: one covering the May 14, 2018 permit requirements from July 1, 2020 to **Draft**, 2020, and one covering the enclosed permit requirements from **Draft**, 2020 to December 31, 2020.

As provided for in K.S.A. 65-3008b(e), an owner or operator may request a hearing within 15 days after affirmation, modification, or reversal of a permit decision pursuant to subsection (b) of K.S.A. 65-3008a. In the Request for Hearing, the owner or operator shall specify the provision of this act or rule and regulation allegedly violated, the facts constituting the alleged violation, and secretary's intended action. Such request must be submitted to the Director, Office of Administrative Hearings, 1020 S. Kansas Avenue, Topeka, Kansas 66612-1327. Failure to submit a timely request shall result in a waiver of the right to hearing.

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Dean I. Williams, P.E.
Draft 2020

Include the above source ID number in all communications with the KDHE regarding this facility.

If you have any questions regarding this document, please contact me at (785) 296-5231.

Sincerely,

Dean I. Williams, P.E.
Professional Environmental Engineer
Air Permitting Section

DIW:jh
Enclosure
c: SEDO
OP100182v5.1 (Revises O-11952)

Division of Environment
Curtis State Office Building
1000 SW Jackson St., Suite 400
Topeka, KS 66612-1367



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Lee A. Norman, M.D., Secretary

Laura Kelly, Governor

AIR EMISSION SOURCE CLASS I OPERATING PERMIT

Source ID No.: 1070005

Initial Date: February 20, 2004

Renewal Dates: July 31, 2009
May 14, 2018 (modified **DATE, 2020**)

Expiration Date: May 13, 2023

Source Name: Evergy, Inc. – La Cygne Generating Station

SIC Code: 4911, Electric Services – Electric Power Generation, Transmission, or Distribution

NAICS Code: 221112, Fossil fuel electric power generation

Source Location: 25166 East 2200 Road
La Cygne, Kansas 66040-9138

Mailing Address: P.O. Box 889, 818 S. Kansas Ave
Topeka, KS 66601

I. **Authority**

This permit, developed in accordance with the provisions of K.A.R. 28-19-500 et seq., “Operating Permit,” meets the requirements of K.A.R. 28-19-510 et seq., Class I Operating Permits, and Title V of the federal Clean Air Act.

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Attachment C: Acid Rain Phase II Requirements

Attachment D: Cross-State Air Pollution Rule (CSAPR) Requirements, 40 CFR Part 97

II. Permit Intent

The purpose of this Class I Air Operating Permit is to identify the emission sources, types of regulated air pollutants emitted from the facility, the emission limitations, standards and requirements applicable to each emission source and the monitoring, recordkeeping and reporting requirements applicable to each source as of the effective date of this permit. At the time of permit issuance, a Class I operating permit was required because the facility’s potential-to emit (PTE) for nitrogen oxides (NO_x), sulfur dioxide (SO₂), carbon monoxide (CO), volatile organic compounds (VOCs) and particulate matter with aerodynamic diameter equal to or less than 10 microns (PM₁₀) were above 100 tons per year; and the facility’s PTE for a single Hazardous Air Pollutant (HAP) and combined HAPs were above 10 tons per year and 25 tons per year, respectively; therefore the facility meets the definition of a major source as defined under K.A.R. 28-19-200.

III. Facility Description

Evergy, Inc. - La Cygne Generating Station (Evergy) is a fossil fuel power plant located east of La Cygne, Kansas. The facility consists of two (2) steam electric generating units which are capable of combusting coal and/or liquid fossil fuel. The units may also combust small quantities of used oil. Each of the steam electric generating unit is equipped with a wet limestone scrubber and selective catalytic reduction and fabric filter system. The facility also has three (3) auxiliary boilers which combust fuel oil. The majority of air emissions from this source are NO_x, SO₂, PM, and VOCs.

Insignificant activities at the plant include, but are not limited to the diesel-fired welding units; portable kerosene-fired space heaters; used motor oil heaters; Unit 1 bottom ash drop; Unit 1 and 2 economizer ash drops; conveyors; drag conveyors; cascade conveyors; limestone hoppers; rock bins; and truck unloading to coal piles.

IV. Summary of Applicable Requirements

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V. Emission Source Information

Emission Source ID	Emission Source Description	Stack/ Vent ID	Control Equipment Description (Control Equipment ID)	Applicable Requirements
EU-AUXBOILER1	Auxiliary Boiler 1 with a maximum design rated heat input of 202.7 MMBtu/hr – combusts fuel oil	SV-AB-03	N/A	<p>K.A.R. 28-19-31</p> <p>40 CFR Part 60, Subpart Db</p> <p>40 CFR Part 63, Subpart DDDDD</p> <p>Air Emission Construction Permit dated December 9, 1992 (NPL 92-203)</p> <p>Air Emission Source Construction Permit dated September 9, 2015 (C-12838)</p>
EU-AUXBOILER2	Auxiliary Boiler 2 with a maximum design rated heat input of 229.5 MMBtu/hr – combusts fuel oil	SV-AB-04	N/A	<p>K.A.R. 28-19-31</p> <p>40 CFR Part 60, Subpart Db</p> <p>40 CFR Part 63, Subpart DDDDD</p> <p>Air Emission Construction Permit dated December 9, 1992 (NPL 92-203)</p> <p>Air Emission Source Construction Permit dated September 9, 2015 (C-12838)</p>

Emission Source ID	Emission Source Description	Stack/ Vent ID	Control Equipment Description (Control Equipment ID)	Applicable Requirements
EU-AUXBOILER3	Auxiliary Boiler 3 with a maximum design rated heat input of 229.5 MMBtu/hr – combusts fuel oil	SV-AB-05	N/A	<p>K.A.R. 28-19-31 40 CFR Part 60, Subpart Db 40 CFR Part 63, Subpart DDDDD</p> <p>Air Emission Source Construction Permit dated December 9, 1992 (NPL 92-203)</p> <p>Air Emission Source Construction Permit dated September 9, 2015 (C-12838)</p>
EU-BOILER01	Unit 1 – Combustion Engineering steam boiler with a maximum design rated heat input of 8,850 MMBtu/hr. Primary fuel is coal and fuel oil.	SV-BOILER01	<p>Wet Limestone Scrubber (CE-21)</p> <p>Overfire Air (CE-OFA01)</p> <p>Selective Catalytic Reduction (CE-22-SCR)</p> <p>Fabric Filter Baghouse (CE-FF01)</p> <p>Activated Carbon Injection System (CE-ACI01)</p>	<p>K.A.R. 28-19-19 K.A.R. 28-19-31 Title IV Acid Rain 40 CFR Part 63, Subpart UUUUU</p> <p>40 CFR Part 64</p> <p>40 CFR Part 97 Cross State Air Pollution Rule</p> <p>Air Emission Source Construction Approval dated November 18, 2005 (C-6497)</p> <p>Air Emission Source Construction Permit dated March 16, 2011 (C-9046)</p> <p>Air Emission Construction Permit dated March 25, 2014 (C-11968)</p> <p>Air Emission Source Construction Permit Dated March 15, 2016 (C-13198)</p> <p>40 CFR Part 51, Regional Haze Agreement</p>

Emission Source ID	Emission Source Description	Stack/ Vent ID	Control Equipment Description (Control Equipment ID)	Applicable Requirements
EU-BOILER02	Unit 2 - Combustion Engineering steam boiler with a maximum design rated heat input of 7,700 MMBtu/hr. Primary fuel is coal and fuel oil.	SV-BOILER02	Wet Limestone Scrubber (CE-21.02) Overfire Air (CE-OFA02) Selective Catalytic Reduction (CE-22.02-SCR) Fabric Filter Baghouse (CE-FF02) Activated Carbon Injection System (CE-ACI02)	K.A.R. 28-19-31 Title IV Acid Rain 40 CFR Part 51, Regional Haze Agreement 40 CFR Part 60 Subpart D 40 CFR Part 63, Subpart UUUUU 40 CFR Part 64 40 CFR Par 97 Cross State Air Pollution Rule Air Emission Source Construction Permit dated March 16, 2011 (C-9046) Air Emission Construction Permit dated March 25, 2014 (C-11968) Air Emission Source Construction Permit Dated March 15, 2016 (C-13198)
IA-COAL-1	Rotary Car Dumper Building	SV-11 & SV-12	CE-1, CE-2, CE-3 & CE-4 – Dust Collector	K.A.R. 28-19-20 K.A.R. 28-19-650
IA-COAL-2	Conveyor 201	SV-11 & SV-12	CE-1, CE-2, CE-3 & CE-4- Dust Collector	K.A.R. 28-19-20 K.A.R. 28-19-650

Emission Source ID	Emission Source Description	Stack/ Vent ID	Control Equipment Description (Control Equipment ID)	Applicable Requirements
IA-COAL-3	Conveyor 202	SV-11, SV-12 & SV-13	CE-1, CE-2, CE-3, CE-4 & CE-5 – Dust Collector	K.A.R. 28-19-20 K.A.R. 28-19-650
IA-COAL-4	Transfer Tower 201	SV-13	CE-5– Dust Collector	K.A.R. 28-19-20 K.A.R. 28-19-650
IA-COAL-5	Conveyor 203	SV-13 & SV-15	CE-5 & CE-8– Dust Collector	K.A.R. 28-19-20 K.A.R. 28-19-650
EU-COAL-6	Conveyor 300	SV-14	CE-6-Dust Collector	K.A.R. 28-19-20 K.A.R. 28-19-650 K.A.R. 28-19-720 and NSPS Subpart Y
EU-COAL-7	Conveyor 300 Reclaim	SV-14	CE-6-Dust Collector	K.A.R. 28-19-20 K.A.R. 28-19-650 K.A.R. 28-19-720 and NSPS Subpart Y

Emission Source ID	Emission Source Description	Stack/ Vent ID	Control Equipment Description (Control Equipment ID)	Applicable Requirements
EU-COAL-8	Yard Silo 3F	SV-16	CE-7– Dust Collector	K.A.R. 28-19-20 K.A.R. 28-19-650 K.A.R. 28-19-720 and NSPS Subpart Y
EU-COAL-9	Conveyor 301	SV-15 & SV-16	CE-8 & CE-7– Dust Collector	K.A.R. 28-19-20 K.A.R. 28-19-650 K.A.R. 28-19-720 and NSPS Subpart Y
EU-COAL-10	Yard Silo 3E	SV-16	CE-7– Dust Collector	K.A.R. 28-19-20 K.A.R. 28-19-650 K.A.R. 28-19-720 and NSPS Subpart Y
EU-COAL-11	Conveyor 302	SV-16	CE-7– Dust Collector	K.A.R. 28-19-20 K.A.R. 28-19-650 K.A.R. 28-19-720 and NSPS Subpart Y

Emission Source ID	Emission Source Description	Stack/ Vent ID	Control Equipment Description (Control Equipment ID)	Applicable Requirements
IA-COAL-12	Yard Silo 2A	SV-15	CE-8– Dust Collector	K.A.R. 28-19-20 K.A.R. 28-19-650
IA-COAL-13	Conveyor 209	SV-15 & 16	CE-7 & 8	K.A.R. 28-19-20 K.A.R. 28-19-650
IA-COAL-14	Conveyor 204	SV-15, SV- 16 & SV- 21	CE-8, CE-7 & CE-9– Dust Collector	K.A.R. 28-19-20 K.A.R. 28-19-650
IA-COAL-15	Conveyor 3	SV-15 & SV-21	CE-8 & CE-9– Dust Collector	K.A.R. 28-19-20 K.A.R. 28-19-650
IA-COAL-16	Stacker/Reclaimer	N/A	N/A	K.A.R. 28-19-20 K.A.R. 28-19-650
IA-COAL-17	Conveyor 4	N/A	N/A	K.A.R. 28-19-20 K.A.R. 28-19-650
IA-COAL-18	Transfer Tower 1	SV-21	CE-9-Dust Collector	K.A.R. 28-19-20 K.A.R. 28-19-650
IA-COAL-19	Unit 1 Emergency Reclaim Conveyor	SV-21	CE-9-Dust Collector	K.A.R. 28-19-20 K.A.R. 28-19-650
IA-COAL-20	Unit 1 Emergency Reclaim	SV-21	CE-9-Dust Collector	K.A.R. 28-19-20 K.A.R. 28-19-650

Emission Source ID	Emission Source Description	Stack/ Vent ID	Control Equipment Description (Control Equipment ID)	Applicable Requirements
IA-COAL-21	Unit 2 Emergency Reclaim	SV-21	CE-9-Dust Collector	K.A.R. 28-19-20 K.A.R. 28-19-650
IA-COAL-22	Conveyor 205	SV-21 & SV- 22	CE-9 & CE-10- Dust Collector	K.A.R. 28-19-20 K.A.R. 28-19-650
IA-COAL-23	Conveyor 5	SV-21 & SV-23	CE-9 & CE-11– Dust Collector	K.A.R. 28-19-20 K.A.R. 28-19-650
IA-COAL-24	Secondary Crusher House	SV-22 & SV-23	CE-10 & CE-11– Dust Collector	K.A.R. 28-19-20 K.A.R. 28-19-650
IA-COAL-25	Conveyor 208	SV-22	CE-10– Dust Collector	K.A.R. 28-19-20 K.A.R. 28-19-650
IA-COAL-26	Conveyor 6	SV-23	CE-11– Dust Collector	K.A.R. 28-19-20 K.A.R. 28-19-650
IA-COAL-27	Conveyor 206	SV-22	CE-10– Dust Collector	K.A.R. 28-19-20 K.A.R. 28-19-650
IA-COAL-28	Transfer Tower 2	N/A	N/A	K.A.R. 28-19-20 K.A.R. 28-19-650

Emission Source ID	Emission Source Description	Stack/ Vent ID	Control Equipment Description (Control Equipment ID)	Applicable Requirements
IA-COAL-29	Conveyor 7	SV-20	CE-12– Dust Collector	K.A.R. 28-19-20 K.A.R. 28-19-650
IA-COAL-30	Conveyor 207	SV-20	CE-12– Dust Collector	K.A.R. 28-19-20 K.A.R. 28-19-650
IA-COAL-31	Transfer Tower 3	SV-20	CE-12– Dust Collector	K.A.R. 28-19-20 K.A.R. 28-19-650
IA-COAL-32	Conveyor 8	SV-20 & SV-25	CE-12 & CE-13– Dust Collector	K.A.R. 28-19-20 K.A.R. 28-19-650
IA-COAL-33	Conveyor 9	SV-20 & SV-25	CE-12 & CE-13– Dust Collector	K.A.R. 28-19-20 K.A.R. 28-19-650
IA-COAL-34	Drag Conveyor 10A	SV-25	CE-13– Dust Collector	K.A.R. 28-19-20 K.A.R. 28-19-650
IA-COAL-35	Drag Conveyor 10B	SV-25	CE-13– Dust Collector	K.A.R. 28-19-20 K.A.R. 28-19-650
IA-COAL-36	Drag Conveyor 11A	SV-25	CE-13-Dust Collector	K.A.R. 28-19-20 K.A.R. 28-19-650
IA-COAL-37	Drag Conveyor 11B	SV-25	CE-13-Dust Collector	K.A.R. 28-19-20 K.A.R. 28-19-650

Emission Source ID	Emission Source Description	Stack/ Vent ID	Control Equipment Description (Control Equipment ID)	Applicable Requirements
IA-COAL-38	Cascade Conveyor 2A	SV-18 & SV-20	CE-14 & CE-12– Dust Collector	K.A.R. 28-19-20 K.A.R. 28-19-650
IA-COAL-39	Cascade conveyor 2B	SV-18	CE-14-Dust Collector	K.A.R. 28-19-20 K.A.R. 28-19-650
IA-COAL-40	Cascade Conveyor 2C	SV-18	CE-14– Dust Collector	K.A.R. 28-19-20 K.A.R. 28-19-650
IA-COAL-41	Cascade Conveyor 2D	SV-18	CE-14– Dust Collector	K.A.R. 28-19-20 K.A.R. 28-19-650
IA-COAL-42	Cascade Conveyor 2E	SV-19	CE-15– Dust Collector	K.A.R. 28-19-20 K.A.R. 28-19-650
IA-COAL-43	Cascade Conveyor 2F	SV-19	CE-15– Dust Collector	K.A.R. 28-19-20 K.A.R. 28-19-650
IA-COAL-44	Cascade Conveyor 2G	SV-19	CE-15– Dust Collector	K.A.R. 28-19-20 K.A.R. 28-19-650
IA-COAL-45	Trucked Coal Unloading to Coal Pile	N/A	N/A	K.A.R. 28-19-20 K.A.R. 28-19-650
IA-LS-50	Limestone Hopper	N/A	N/A	K.A.R. 28-19-20 K.A.R. 28-19-650
IA-LS-52	A & B Limestone Rock Bins	N/A	N/A	K.A.R. 28-19-20 K.A.R. 28-19-650
IA-FLYASH-100	Fly Ash Silo Transfer	SV-46	CE-16-Dust Collector	K.A.R. 28-19-20 K.A.R. 28-19-650

Emission Source ID	Emission Source Description	Stack/ Vent ID	Control Equipment Description (Control Equipment ID)	Applicable Requirements
FS-LS03	Wind Erosion & Maintenance of Limestone Pile	N/A	N/A	N/A
FS-COAL06	Coal Pile Maintenance of Limestone Pile	N/A	N/A	N/A
FS-VEHICLE07	Vehicle Travel on Gravel Roads	N/A	N/A	N/A
FS-ASH09	Fly ash Unloading to Disposal Area	N/A	N/A	N/A
EU-EMGEN-U1	Emergency Generator with a maximum rated capacity of 2,304 HP with diesel-fired compression ignition engine which commenced construction prior to 12/19/2002.	N/A	N/A	KAR 28-19-650(a)(3) 40 CFR Part 63, Subpart ZZZZ
EU-EMGEN-U2	Emergency Generator with a diesel-fired compression ignition engine with a maximum rated capacity of 2,304 HP, and which commenced construction prior to 12/19/2002.	N/A	N/A	KAR 28-19-650(a)(3) 40 CFR Part 63, Subpart ZZZZ
EU-TAINTER-90	Tainter gate emergency generator with propane-fired spark ignition engine with a maximum rated capacity < 250 HP, manufactured and commenced construction prior to 2006.	N/A	N/A	40 CFR Part 60, Subpart ZZZZ
EU-CUMMINS	Model QSK50-G5 NR2 emergency generator with a diesel-fired compression ignition engine having a maximum rated capacity of 1,850 HP and displacement of 3.14 liters per cylinder, manufactured by Cummins, Inc. in 2013, installed in December 2014, and started operation in March 2015.	N/A	N/A	KAR 28-19-650(a)(3) 40 CFR Part 63, Subpart ZZZZ Air Emission Source Construction Permit as revised on March 15, 2016 (C-13198)

Emission Source ID	Emission Source Description	Stack/ Vent ID	Control Equipment Description (Control Equipment ID)	Applicable Requirements
EU-TELECOM	TeleCom Tower Emergency Generator with a LPG-fired spark ignition engine having a maximum rated capacity of 71 HP, manufactured on 11/09/2015 and commenced construction on 06/16/2015.	N/A	N/A	Construction Approval dated December 22, 2015 (C-13195)
EU-WATERPUMP	Emergency Water Pump Engine with maximum rated capacity of 617 HP, model 6135HFG85 manufactured by John Deere, manufactured after January 1, 2014 and commenced construction after October 1, 2014.	N/A	N/A	40 CFR Part 60, Subpart IIII
EU-LIMESTONE	New Limestone and Storage Handling System	N/A	N/A	40 CFR Part 60, Subpart OOO
EU-GYPSUM	New Gypsum Storage and Handling Equipment	N/A	N/A	K.A.R. 28-19-20
EU- FLYASHSTORAGE	New Fly Ash Storage Silo	N/A	N/A	K.A.R. 28-19-20 Air Emission Source Construction Permit date March 16, 2011 (C-9046)
EU-SV-VACUUM-1	Vacuum Systems rated at 100 lbs per hour each (99.9% efficiency at 2.5- and 10-micron carbon particles) to address spillage near carbon silos at the facility.	N/A	N/A	K.A.R. 28-19-20 K.A.R. 28-19-650(a)(3)
EU-SV-VACUUM-2	Vacuum Systems rated at 100 lbs per hour each (99.9% efficiency at 2.5- and 10-micron carbon particles) to address spillage near carbon silos at the facility.	N/A	N/A	K.A.R. 28-19-20 K.A.R. 28-19-650(a)(3)

VI. Applicable Requirements

A. Units 1 and 2 – Boilers 1 and 2

The following emission source is subject to the requirements listed below:

EU-BOILER01/SV-BOILER01/CE-21, CE-OFA01, CE-22-SCR, CE-FF01, CE-ACI01	Combustion Engineering supercritical cyclone-fired boiler, burning blend of Powder River Basin (PRB) and local Missouri coal, with a maximum heat input rate of 8,850 MMBtu/hr, installed in 1973.
EU-BOILER02/SV-BOILER02/ CE-21, CE-OFA02, CE-22.02-SCR, CE-FF02, CE-ACI02	Combustion Engineering wall-fired dry bottom boiler, burning coal, with a maximum heat input rate of 7,750 MMBtu/hr, installed in 1977.

1. Limitation or Standard – Acid Rain

K.A.R. 28-19-275 which adopted by reference 40 CFR Part 72, Acid Rain.

These units are subject to the Title IV Acid Rain Requirements [40 CFR Part 72, 73, 75, and 76 as applicable to the unit]. Where an applicable requirement of this permit is more stringent than an applicable requirement of the regulations promulgated under Title IV, both provisions shall be incorporated into this permit.

[40 CFR 70.6(a)(1)(ii)]

Emissions from the units shall not exceed any allowances that the source lawfully holds under Title IV of the Act or its regulations.

[40 CFR 70.6(a)(4)]

As specified in 40 CFR Part 72.72 (b)(1)(viii), the acid rain permit requirements shall be a complete and segregable portion of the Operating Permit. As such, the requirements are found in Attachment C of this permit. The unit is subject to and must comply with all the terms and conditions of Attachment C.

2. Limitation of Standard –Regional Haze

Every shall limit the NOx and/or SO₂ emissions for Units 1 and 2 as follows:

Boiler [Emission Unit ID]	NOx rate (lb/MMBtu)	SO ₂ rate ^[1] (lb/MMBtu)	PM10 Filterable ^[3] (lb/MMBtu)	PM10 Total ^[4] (lb/MMBtu)
Unit 1 [EU-BOILER01]	0.13 ^[1] 0.10 ^[2]	0.10	0.015	0.024
Unit 2 [EU-BOILER02]	0.13 ^[1]	0.10	0.015	0.024

^[1] Based on a 30-day rolling weighted average of Unit 1 and Unit 2, excluding periods of startup and shutdown.

^[2] During an extended outage of Unit 2 (duration in excess of 10 weeks), Every shall submit a plan for Unit 1 to KDHE to achieve compliance with the presumptive NOx limit of 0.10 lb/MMBtu on a 30-day rolling average, excluding periods of startup and shut down.

^[3] Based on either an average of 3 one-hour stack tests annually⁵ using an approved test method for filterable PM₁₀ or PM CEMS based on a 3-hour average.

^[4] Based on either an average of 3 one-hour stack tests annually⁵ using an approved test method for filterable PM₁₀ and either Method 202, or an approved test method for condensable PM.

^[5] In accordance with KDHE’s July 9, 2020 Response, “For the purpose of the Regional Haze PM₁₀ testing, “annually” is understood to require the testing on the same frequency as the PM CEMS Relative Response Audit (RRA) correlation testing provided in 40 CFR 63, Subpart UUUUU.” Per §63.10010(I), RRA’s are required annually and Relative Correlation Audits (RCA’s) are required every three (3) years. In accordance with 40 CFR

60, Appendix F, Procedure 2, Section 10.3(5), in years when the RCA is required, you may conduct the RCA instead of an RRA. Evergy may deviate from this schedule for the Regional Haze PM₁₀ performance testing upon pre-approval by KDHE.

Evergy shall minimize excess emission of air pollutants during startup, shutdown and malfunction situation by committing to the following actions:

- During startup, pollution control equipment will be activated as soon as practical with the manufacturer's recommendation or following best engineering practices in the industry,
- During shutdown, pollution control equipment will be operated as long as practical, within the manufacturer's recommendations or following best engineering practices in the industry, and
- Good combustion and operating practices will be utilized to minimize excess air pollutants emissions during all startup, shutdown and malfunction conditions.

Monitoring

Evergy shall have in place monitoring and data collection equipment capable of continuously recording the 30-day rolling average for NO_x and SO₂ emission limits listed in the table above.

Pursuant to K.S.A 65-3007, Evergy shall either conduct annual stack tests or rely on CEMS which will verify compliance with the emission limits listed above.

Compliance verification procedures in accordance with 40 CFR 51.308(e)(1)(v) and 40 CFR Part 51, Appendix Y shall be followed.

Recordkeeping and Reporting

Evergy shall follow the recordkeeping and reporting requirements in accordance with 40 CFR Part 51.308(e)(1)(v) and 40 CFR Part 51, Subpart Y and the Regional Haze Agreement.

Pursuant to K.S.A. 65-3007, Evergy shall begin continuously monitoring and maintaining records of NO_x and SO₂ which will verify the emission limits as described in the table above.

Pursuant to K.S.A. 65-3007, Evergy shall conduct and maintain records of annual stack tests or other methods on Units 1 and 2 which will verify compliance with the emission limits as described in the table above.

Evergy Unit 1 and 2 stacks shall rely on a Particulate Matter Continuous Emissions Monitoring System (CEMS) for continuous particulate matter compliance instead of opacity monitors. Records shall include data required pursuant to 40 CFR Part 75 for Continuous Emissions Monitoring.

Reports of excess emission shall be submitted in accordance with existing excess emissions reporting requirements under 40 CFR Part 75 or 40 CFR Part 60 as applicable.

Deviations from the terms of the Regional Haze Agreement shall be reported as described in the **Section XIII. Reporting of Deviations from Permit Terms** of this permit.

The owner or operator shall maintain a file of these records in a format suitable and maintain this record for 5 years from the date of each record.

3. Limitation or Standard – CSAPR

The owner or operator shall comply with the applicable requirements of 40 CFR Part 97 for the Cross-State Air Pollution Rule (CSAPR) NO_x Annual Trading Program found at 40 CFR Part 97 Subpart AAAAA, and CSAPR SO₂ Group 2 Trading Program found at 40 CFR Part 97 Subpart DDDDD and the CSAPR NO_x Ozone Season Group 2 Trading Program as found at 40 CFR Part 97, Subpart EEEEE, as provided in Attachment D.

Monitoring, Recordkeeping and Reporting

The owner or operator shall conduct monitoring, maintain records and submit reports in accordance with 40 CFR Part 97, as outlined in Attachment D.

4. Limitation or Standard – MATS

The owner or operator shall comply with the applicable requirements of 40 CFR Part 63, Subpart UUUUU (Mercury and Air Toxics Standards or MATS), National Emission Standards for Hazardous Air Pollutants: Coal- and Oil-Fired Electric Utility Steam Generating Units.

On February 16, 2012, the U.S. Environmental Protection Agency (EPA) promulgated MATS NESHAP to limit mercury, acid gases and other toxic pollution from power plants. The rule became effective on April 16, 2012. According to KDHE's letter dated June 22, 2012, Evergy was to achieve final compliance with the MATS rule for La Cygne Units 1 and 2 by December 1, 2015.

[Air Emissions Source Construction Permit, dated March 25, 2014]

Monitoring

Monitoring shall be performed in accordance with the applicable requirements of 40 FR Part 63, Subpart UUUUU.

5. Limitation or Standard – Particulate Matter (PM)

Evergy shall not cause or permit the emission of particulate matter exceeding a plant-wide limit of 0.12 lb per million Btu (MMBtu) except as provided in K.A.R. 28-19-11. [K.A.R. 28-19-31(a)]

Compliance Assurance Monitoring (CAM)

PM CEMS for Units 1 and 2 that meets the requirements of 40 CFR 63 Subpart UUUUU is the compliance assurance monitoring for Units 1 and 2 to meet the requirement of K.A.R. 28-19-31(a). PM CEMS for Units 1 and 2 shall be calibrated pursuant to procedures and requirements in 40 CFR 60 Appendix B, Performance Specifications 11 – Specification and Test Procedures for Particulate Matter Continuous Emission Monitoring Systems at Stationary Sources and 40 CFR 60 Appendix F, Procedure 2 - Quality Assurance Requirements for Particulate Matter Continuous Emission Monitoring Systems at Stationary Sources.

Recordkeeping and Reporting

Records and reports shall be maintained and submitted in accordance with the requirements of 40 CFR Part 60, Subpart A.

B. Unit 1 – Cyclone-Fired Boiler

The following emission source is subject to the requirements listed below:

EU-BOILER01/SV-BOILER01/CE-21, CE-OFA01, CE-22-SCR, CE-FF01, CE-ACI01	Combustion Engineering supercritical cyclone-fired boiler, burning blend of Powder River Basin (PRB) and local Missouri coal, with a maximum heat input rate of 8,850 MMBtu/hr, installed in 1973.
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1. Limitation or Standard – Opacity

Every shall not cause or permit visible contaminant emissions from any indirect heating equipment which equals or exceeds 40 percent opacity except as provided in K.A.R. 28-19-11. Periodic monitoring will be performed as provided in the Opacity and Limitations and Monitoring section of this permit.

[K.A.R. 28-19-31(b)(1)]

Monitoring

On October 31, 2012 KDHE concluded that, with respect to Unit 1, it is permissible and appropriate to approve under K.A.R. 28-19-19(o) the use of the PM-CEMS in lieu of the Continuous Opacity Monitoring Systems (COMS) unit on Unit 1. [KDHE Letter to KCPL, dated October 31, 2012]

Recordkeeping and Reporting

Records and reports shall be maintained and submitted in accordance with the requirements of 40 CFR Part 60, Subpart A.

2. Limitation or Standard – Sulfur Dioxide (SO₂)

The owner or operator of any indirect heating equipment having an input capacity of 250 MMBtu/hr or greater shall not cause or permit the emission of more than 3.0 pounds of SO₂ per million Btu (MMBtu) of heat input.

[K.A.R. 28-19-31(c)]

Monitoring

Every shall install, maintain, calibrate, and operate a Continuous Monitoring System as required by 40 CFR 75.11(a). Compliance with 40 CFR Part 75 shall constitute compliance with K.A.R. 28-19-19.

Recordkeeping and Reporting

Records and reports shall be maintained and submitted in accordance with the requirements of 40 CFR Part 75. Compliance with 40 CFR Part 75 shall constitute compliance with K.A.R. 28-19-19.

3. Limitation or Standard – Nitrogen Oxides (NO_x)

Emissions of NO_x are limited to 0.15 lb/MMBtu on a 12-month rolling average, recalculated monthly. [Construction Permit: C-6497, dated November 18, 2005]

Monitoring

Evergy shall install, maintain, calibrate, and operate a Continuous Monitoring System as required by 40 CFR 75.10.

Recordkeeping and Reporting

Evergy shall develop and maintain records of the monthly average NOx emissions and the 12-month rolling average NOx emissions. The records shall be kept on site in a form suitable for inspection.

If the 12-month rolling average NOx emission exceeds 0.1275 lb/MMBtu, Evergy shall submit a report to the KDHE on a quarterly basis containing the calculated 12 month rolling average NOx emissions for each month in the quarter. The report shall be postmarked by the 30th day following the end of the semi-annual reporting period to which the record relates. If the quarter contains no averages exceeding 0.1275 lb/MMBtu, the quarterly reports may be discontinued.

C. Unit 2 – Wall-Fired Dry Bottom Boiler

The following emission source is subject to the requirements listed below:

EU- BOILER02/SV-BOILER02/ CE-21, CE-OFA02, CE-22.02-SCR, CE-FF02, CE-ACI02	Combustion Engineering wall-fired dry bottom boiler, burning coal, with a maximum heat input rate of 7,750 MMBtu/hr, installed in 1977.
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1. Limitation or Standard – Particulate Matter

Evergy shall not cause or permit the emission of any gases from Unit 2 which contain particulate matter exceeding 0.10 lb/MMBtu as derived from fossil fuel. [40 CFR 60.42(a)(1), K.A.R. 28-19-720 (NSPS Subpart D)].

Recordkeeping and Reporting

Records and reports shall be maintained and submitted in accordance with the requirements of 40 CFR Part 60 Subpart D.

2. Limitation or Standard – Opacity

Evergy shall not cause to be discharged into the atmosphere any gases which exhibit greater than 20 percent opacity except for one six-minute period per hour of not more than 27 percent opacity. [40 CFR 60.42(a)(2), K.A.R. 28-19-720 NSPS Subpart D)]

This unit is also subject to the opacity limitations of K.A.R. 28-19-31(b)(2), which states that the owner or operator shall not cause or permit visible contaminant emissions from any indirect heating equipment which equals or exceeds 20 percent opacity.

Monitoring

Units 1 and 2 shall rely on PM CEMS for continuous particulate matter compliance instead of opacity monitors.

Recordkeeping and Reporting

Submit semi-annual excess emission reports and monitoring systems performance report in accordance with 40 CFR 60.7(c). All semi-annual reports shall be postmarked by the 30th day following the end of each semi-annual calendar period.

3. Limitation or Standard – Sulfur Dioxide (SO₂)

Every shall not cause to be discharged into the atmosphere any gases which contain sulfur dioxide in excess of 0.80 lb/MMBtu derived from liquid fossil fuel [40 CFR 60.43(a)(1)] and 1.2 lb/MMBtu derived from solid fossil fuel (40 CFR 60.43(a)(2)]. When different fossil fuels are burned simultaneously in any combination, the applicable standard shall be determined in accordance with 40 CFR 60.43(b) [K.A.R. 28-19-720 (NSPS Subpart D)]

This unit is also subject to the sulfur dioxide limitations of 3.0 lbs/MMBtu of heat input, per K.A.R. 28-19-31(c).

Monitoring

Every has installed, and shall calibrate, operate, and maintain a Continuous Emissions Monitoring (CEMS) for this unit. [40 CFR 75.11(a), 40 CFR 60.45(a)]

Recordkeeping and Reporting

Submit semi-annual excess emission reports and monitoring systems performance report in accordance with 40 CFR 60.7(c). All semi-annual reports shall be postmarked by the 30th day following the end of each semi-annual calendar period. Excess sulfur dioxide emissions for the purpose of excess emission reports are defined as any three-hour period during which the average emissions as measured by the CEMS exceed the limitations specified. Average emissions are the arithmetic average of three contiguous one-hour periods as defined in 40 CFR 60.13(h). [40 CFR 60.45(g)(2)]

4. Limitation or Standard – NO_x

Every shall not cause to be discharged into the atmosphere any gases which contain nitrogen oxides, expressed as NO₂, in excess of 0.30 lb/MMBtu derived from liquid fossil fuel [40 CFR 60.44(a)(2)] and 0.7 lb/MMBtu derived from solid fossil fuel (40 CFR 60.44(a)(3)]. When different fossil fuels are burned simultaneously in any combination, the applicable standard shall be determined in accordance with 40 CFR 60.44(b) [K.A.R. 28-19-720 (NSPS Subpart D)]

This unit is also subject to the nitrogen oxides (calculated as NO₂) limitations of K.A.R. 28-19-31(e).

Monitoring

Every has installed, and shall calibrate, operate, and maintain a CEMS for this unit. [40 CFR 75.12(a), 40 CFR 60.45(a)]

Recordkeeping and Reporting

Submit semi-annual excess emission reports and monitoring systems performance report in accordance with 40 CFR 60.7(c). All semi-annual reports shall be postmarked by the 30th day following the end of each semi-annual calendar period. Excess nitrogen oxide emissions for the purpose of excess emission reports are defined as any three-hour period during which the average emissions as measured by the CEMS exceed the limitations specified. Average emissions are the arithmetic average of three contiguous one-hour periods as defined in 40 CFR 60.13(h). [40 CFR 60.45(g)(3)]

5. Limitation or Standard – CO

Every shall not cause to be discharged into the atmosphere any gases which contain carbon monoxide in excess of 0.319 lb/MMBtu.

[Construction Permit issued on 3/16/2011, amended on 4/20/2011, 3/15/2016 and DATE, 2020]

Performance Testing

Compliance with the CO emission limit of 0.319 lb/MMBtu on Unit 2 shall be demonstrated with performance tests. Performance testing shall be conducted at the same frequency as and in conjunction with the Relative Accuracy Test Audits (RATA) of the NO_x continuous emissions monitoring as required for Acid Rain Program compliance.

Monitoring, Recordkeeping, and Reporting

Every shall maintain records in accordance with **Section XII. Testing, Monitoring, Record Keeping and Reporting** of this permit including the probable cause of any malfunction and any corrective action taken.

6. Limitation or Standard – Startup, Shutdown, or Malfunction

The owner or operator shall maintain records of the occurrences and duration of any startup, shutdown, or malfunction in the operation of any boiler and any of the air pollution control equipment; or any periods during which the continuous monitoring system is inoperative. [40 CFR 60.7(b)]

Recordkeeping and Reporting

The owner or operator shall maintain records in accordance with **Section XII. Testing, Monitoring, Record Keeping and Reporting** of this permit including the probable cause of any malfunction and any corrective action taken.

D. Auxiliary Boilers

The following emission sources are subject to the requirements listed below:

EU-AUXBOILER1/ SV-AB-03	Auxiliary Boiler, 202.7 MMBtu/hr
EU-AUXBOILER2/ SV-AB-04	Auxiliary Boiler, 229.5 MMBtu/hr
EU-AUXBOILER3/SV-AB-05	Auxiliary Boiler, 229.5 MMBtu/hr

1. Limitation or Standard – Particulate Matter (PM)

Particulate matter emissions are limited to the amount determined by the following equation: [K.A.R. 28-19-31(a)]

$$A = 1.026 / I^{0.233}$$

Where: A = the allowable emission rate in lb/10⁶ Btu
I = the total heat input in 10⁶ Btu (10 < I < 10,000 10⁶ Btu/hr)

Monitoring

Evergy shall re-evaluate the particulate emission rate limitation when either the process changes or an emission factor changes.

Recordkeeping and Reporting

Records shall be maintained of any recalculations and evaluations. These records shall include the design rate capacity of the unit, emission factors used in calculations and potential/allowable emission rates.

2. Limitation or Standard - Opacity

Evergy shall not cause to be discharged into the atmosphere any gases which exhibit greater than 20 percent opacity except for one six-minute period per hour of not more than 27 percent opacity. [40 CFR 60.42(a)(2), K.A.R. 28-19-720 (NSPS Subpart Db)]

These units are also subject to the opacity limitations of K.A.R. 28-19-31(b)(2). Compliance with K.A.R. 28-19-31(b) constitutes compliance with the opacity limitation required under 40 CFR 60.42(a)(2).

Monitoring

Periodic monitoring maybe performed as provided in **Section IX. Opacity Limitations and Monitoring** section of this permit.

Recordkeeping and Reporting

Evergy shall maintain records of the occurrence and duration of any startup, shutdown, or malfunction in the operation of the boilers. (40 CFR 60.7(b))

Records of periodic monitoring will be maintained as specified in the **Section IX. Opacity Limitations and Monitoring** section of this permit.

3. Limitation or Standard – Fuel Oil

The boilers shall only combust No. 2 fuel oil with no more than 0.30 weight percent nitrogen. The boilers are limited to combusting 4,140,400 gallons or less of No. 2 fuel oil during any consecutive twelve-month period. [40 CFR 60.44b(j)(3) and 40 CFR 60.44b(k)]

Each of the auxiliary boilers shall have an annual capacity factor of 10 percent or less for No. 2 fuel oil. This shall be accomplished by complying with the limitation on the consumption of No. 2 fuel oil for each boiler [40 CFR 63.7495(b) and 40 CFR 63.7575 (MACT Subpart DDDDD)] [Air Emission Source Construction Permit C-12838, dated September 9, 2015].

Emission Unit ID	Maximum Heat Input Capacity (lb/MMBtu)	Annual No. 2 Fuel Oil Consumption Limit (gallons)
EU-AUXBOILER1	202.7	1,294,000
EU-AUXBOILER2	229.5	1,465,000
EU-AUXBOILER3	229.5	1,465,000

Monitoring, Recordkeeping and Reporting

Every shall record the daily No. 2 fuel oil consumption for each of the three auxiliary boilers and the average nitrogen content percentage. Submit this information to KDHE as semi-annual reports by the 30th of each January and July. The report shall be for the past immediate semi-annual calendar period.

4. Limitation or Standard – Fuel Oil

The boilers are limited to burn the number of gallons of No. 2 fuel oil, of not more than 0.33 weight percent sulfur, which will result in both the following inequalities being valid (Construction Permit dated December 9, 1992, Permit Condition #1 and Air Emission Technical Specifications):

$$(7.1 \times 10^{-5}) (x) (y) \leq 58.6 \text{ tons SO}_2/\text{year}$$
$$(1.41 \times 10^{-5}) (y) \leq 31.9 \text{ ton NOx/year}$$

Where:

x = % sulfur content in No. 2 fuel oil burned, not expressed as a decimal value
y = gallons of No. 2 fuel oil burned during a year, a year being any consecutive 365-day period.

The NOx equation above effectively limits the sum of oil through the auxiliary boilers to less than 2,262,411 gallons on a 365-day rolling average.

Monitoring, Recordkeeping and Reporting

Every shall record the daily No. 2 fuel oil consumption and the average sulfur content percentage. Submit this information to KDHE as semi-annual reports by the 30th of each January and July. The report shall be for the past immediate semi-annual calendar period.

E. Coal Handling – 40 CFR 60 Subpart Y:

EU-COAL-6/SV-14/CE-6	Conveyor 300
EU-COAL-7/SV-14/CE-6	Conveyor 300 Reclaim
EU-COAL-8/SV-16/CE-7	Yard Silo 3F
EU-COAL-9/SV-15 & 16/CE-7 & 8	Conveyor 301
EU-COAL-10/SV-16/CE-7	Yard Silo 3E
EU-COAL-11/SV-16/CE-7	Conveyor 302

1. Limitation or Standard – Opacity

The opacity of visible emissions shall not exceed 20 percent. [40 CFR 60.254(a) and K.A.R. 28-19-650]

Monitoring

Periodic monitoring shall be performed as provided in **Section IX. Opacity Limitations and Monitoring** section of the permit.

Record keeping and Reporting

Record of periodic monitoring shall be maintained as specified in the **Section IX. Opacity Limitations and Monitoring** section of this permit. Records shall be maintained at the plant and made available for inspection of the start-up, shut-down, malfunction of the coal handling equipment (Air Emission Source Construction/Conditional Operating Permit dated September 14, 1992]

F. Coal Handling Equipment – Particulate Matter:

IA-COAL-1/SV-11 & 12/CE-1, 2, 3 & 4	Rotary Car Dumper Building
IA-COAL-2/SV-11 & 12/CE-1, 2, 3 & 4	Conveyor 201
IA-COAL-3/SV-11, 12, & 13/CE-1, 2, 3, 4 & 5	Conveyor 202
IA-COAL-4/SV-13/CE-5	Transfer Tower 201
IA-COAL-5/SV-13 & 15/CE-5 & 8	Conveyor 203
EU-COAL-6/SV-14/CE-6	Conveyor 300
EU-COAL-7/SV-14/CE-6	Conveyor 300 Reclaim
EU-COAL-8/SV-16/CE-7	Yard Silo 3F
EU-COAL-9/SV-15 & 16/CE-7 & 8	Conveyor 301
EU-COAL-10/SV-16/CE-7	Yard Silo 3E
EU-COAL-11/SV-16/CE-7	Conveyor 302
IA-COAL-12/SV-15/CE-8	Yard Silo 2A
IA-COAL-13/SV-15 & 16/CE-7 & 8	Conveyor 209
IA-COAL-14/SV-15, 16 & 21/CE-7, 8 & 9	Conveyor 204
IA-COAL-15/SV-15 & 21/CE-7 & 8	Conveyor 3
IA-COAL-16	Stacker/Reclaiming
IA-COAL-17	Conveyor 4
IA-COAL-18/SV-21/CE-9	Transfer Tower 1
IA-COAL-19/SV-21/CE-9	Unit 1 Emergency Reclaim Conveyor
IA-COAL-20/SV-21/CE-9	Unit 1 Emergency Reclaim
IA-COAL-21/SV-21/CE-9	Unit 2 Emergency Reclaim
IA-COAL-22/SV-21 & 22/CE-9 & 10	Conveyor 205
IA-COAL-23/SV-21 & 23/CE-9 & 11	Conveyor 5
IA-COAL-24/SV-22 & 23/CE-10 & 11	Secondary Crusher House
IA-COAL-25/SV-22/CE-10	Conveyor 208
IA-COAL-26/SV-23/CE-11	Conveyor 6

IA-COAL-27/SV-22/CE-10	Conveyor 206
IA-COAL-28	Transfer Tower 2
IA-COAL-29/SV-20/CE-12	Conveyor 7
IA-COAL-30/SV-20/CE-12	Conveyor 207
IA-COAL-31/SV-20/CE-12	Transfer Tower 3
EU-FLYASH-100/SV-46/CE-16	Fly Ash Silo Transfer
IA-COAL-32	Conveyor 8
IA-COAL-33	Conveyor 9
IA-COAL-34	Drag Conveyor 10A
IA-COAL-35	Drag Conveyor 10B
IA-COAL-36	Drag Conveyor 11A
IA-COAL-37	Drag Conveyor 11B
IA-COAL-38	Cascade conveyor 2A
IA-COAL-39	Cascade conveyor 2B
IA-COAL-40	Cascade Conveyor 2C
IA-COAL-41	Cascade Conveyor 2D
IA-COAL-42	Cascade Conveyor 2E
IA-COAL-43	Cascade Conveyor 2F
IA-COAL-44	Cascade Conveyor 2G
IA-COAL-45	Trucked Coal Unloading to Coal Pile
EU -LS-50	Limestone Hopper
EU -LS-52	A & B Limestone Rock Bins
EU-FLYASH-100/SV-46/CE-16	Fly Ash Silo Transfer

1. Limitation or Standard – Particulate Matter

Particulate matter emissions are limited to the amounts determined by the following equations [K.A.R. 28-19-20]:

$$E = (4.1)(P^{0.67}) \quad \text{for process weight rates } \leq 30 \text{ tons/hour}$$

$$E = (5.5)(P^{0.11}) - 40 \quad \text{for process weight rates } \geq 30 \text{ tons/hour}$$

Where: = the rate of emissions in lbs/hr
P = process weight rate in tons/hr

Monitoring

The owner or operator shall re-evaluate the particulate emission rate limit when either the process changes or an emission factor changes.

Recordkeeping and Reporting

Records shall be maintained of any recalculations and evaluations. These records shall include the design rate capacity of the unit, emission factors used in calculations and potential/allowable emissions rates.

G. 40 CFR Part 63, Subpart ZZZZ >500 Horsepower

The following emission source is subject to the requirements listed below:

EU-EMGEN-U1	Emergency Generator with a maximum rated capacity of 2,304 HP with diesel-fired compression ignition engine which commenced construction prior to 12/19/2002
EU-EMGEN-U2	Emergency Generator with a diesel-fired compression ignition engine with a maximum rated capacity of 2,304 HP, and which commenced construction prior to 12/19/2002.
EU-CUMMINS	Model QSK50-G5 NR2 emergency generator with a diesel-fired compression ignition engine having a maximum rated capacity of 1,850 HP and displacement of 3.14 liters per cylinder, manufactured by Cummins, Inc. in 2013, installed in December 2014, and started operation in March 2015

1. Limitation or Standard

- a. Comply with the applicable requirements of 40 CFR Part 63, Subpart ZZZZ – National Emission Standards for Hazardous Air Pollutants (NESHAP) for Stationary Reciprocating Internal Combustion Engines (RICE). These engines are existing stationary emergency engines per 40 CFR 63.6590, 40 CFR 63.6675.
- b. At all times, Evergy must operate and maintain any affected source, including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions. This may include maintaining engines according to manufacturer's recommendations and keeping maintenance records available for regulatory inspections. [40 CFR 63.6605]
- c. Emergency stationary RICE may be operated up to 100 hours per year for maintenance checks and readiness testing, provided that the tests are recommended by the manufacturer or other authority. If necessary, Evergy may petition the Administrator for additional hours.
[40 CFR 63.6640(f)(2)(i)]
- d. Emergency stationary RICE may be operated for up to 50 hours per calendar year in non-emergency situations as part of the 100 hours per calendar year for maintenance and testing. The 50 hours per year for non-emergency situations cannot be used for peak shaving or non-emergency demand response, or to generate income for a facility to supply power to an electric grid.
[40 CFR 63.6640(f)(3)]

H. 40 CFR Part 63, Subpart ZZZZ ≤500 Horsepower

The following emission source is subject to the requirements listed below:

EU-TAINTER-90	Tainter Gate Emergency Generator with propane-fired spark ignition engine with a maximum rated capacity < 250 HP, manufactured and commenced construction prior to 2006.
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1. Limitation or Standard

- a. The owner or operator of the reciprocating internal combustion engine (RICE) shall comply with the following requirements of 40 CFR 63 Subpart ZZZZ, unless superseded by changes to 40 CFR 63, Subpart ZZZZ. If superseded, the owner or operator will comply with the new applicable requirements upon the applicable compliance date.
- b. Maintain the engine in a manner consistent with safety and good air pollution control practices for minimizing emissions.
[40 CFR 63.6605(b)]
- c. Minimize the engine's time spent at idle and minimize the engine's startup time to a period needed for appropriate and safe loading of the engine, not to exceed 30 minutes, after which time the non-startup emission limitations apply. [40 CFR 63.6625(h) and Table 2c]
- d. Work Practice Standards
 - i. Change oil and filter every 500 hours of operation or annually, whichever comes first OR use oil analysis program as described in 40 CFR 63.6625(j).
 - ii. Inspect air cleaner every 1000 hours of operation or annually, whichever comes first, and replace as necessary.
 - iii. Inspect all hoses and belts every 500 hours of operation or annually, whichever comes first, and replace as necessary.
[40 CFR 63.6602 and Table 2c]
- e. Operating Limitations

Operate according to the requirements for emergency stationary RICE as provided in 40 CFR 63.6640(f), as applicable.
- f. Compliance Demonstration
 - i. The engine shall be operated and maintained according to the manufacturer's instructions, or an alternative which must provide for the maintenance and operation of the engine in a manner consistent with good air pollution control practices.
[40 CFR 63.6625(e)]
 - ii. The engine shall have a non-resettable hour meter. [40 CFR 63.6625(f)(1), (2)(i), and (f)(3)]

g. Recordkeeping and Reporting

- i. Report each instance in which Evergy did not meet the emission limitation or operating limitation in Table 2c, in accordance with 40 CFR 63.6650. [40 CFR 63.6640(b)]
- ii. Maintain records in compliance with emission and operating limitations. [40 CFR 63.6655(a)]
- iii. Maintain records of the maintenance conducted on the engine in order to demonstrate that the engine was operated and maintained according to the maintenance plan. [40 CFR 63.6655(e)]
- iv. Keep records of hours of operation of the engine that is recorded through the non-resettable hour meter. Document how many hours are spent for emergency operation, including what classified the operation as emergency and how many hours are spent for non-emergency operation (i.e., maintenance checks and readiness testing). [40 CFR 63.6655(f)]

I. 40 CFR Part 60, Subpart IIII

The following emission source is subject to the requirements listed below:

EU-WATERPUMP	Emergency Water Pump Engine with maximum rated capacity of 617 HP, model 6135HFG85 manufactured by John Deere, manufactured after January 1, 2014 and commenced construction after October 1, 2014
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1. Limitation or Standard

- a. The owner or operator shall comply with the following requirements of 40 CFR 60 Subpart IIII, unless superseded by changes to 40 CFR 60, Subpart IIII. If superseded, the owner or operator will comply with the new applicable requirements upon the applicable compliance date.
- b. The subject engine may run in non-emergency conditions for 50 hours per year. Non-emergency, maintenance and testing run time is limited to 100 hours per year.

J. 40 CFR Part 60, Subpart JJJJ

The following emission source is subject to the requirements listed below:

EU-TELECOM	TeleCom Tower Emergency Generator with a LPG-fired spark ignition engine having a maximum rated capacity of 71 HP, manufactured on 11/09/2015 and commenced construction on 06/16/2015.
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1. Limitations or Standard

- a. The owner or operator shall comply with the following requirements of 40 CFR 60 Subpart JJJJ, unless superseded by changes to 40 CFR 60, Subpart JJJJ. If superseded, the owner or operator will comply with the new applicable requirements upon the applicable compliance date.

2. Compliance Requirements

- a. Yearly runtime and maintenance records must be kept for the subject engine. [40 CFR 60.4243(a)(1)]
- b. Maintenance will be pursuant to manufacturer's recommendations, and records of same must be kept.
[40 CFR 60.4243(a)(2)(i)]
- c. Every must keep a maintenance plan and records of conducted maintenance to demonstrate compliance and must, to the extent practicable, maintain and operate the engine in a manner consistent with good air pollution control practice for minimizing emissions, but no performance testing is required if you are an owner or operator. [40 CFR 60.4243(a)(2)(i)]
- d. Emergency stationary ICE may be operated for maintenance checks and readiness testing, provided that the tests are recommended by federal, state or local government, the manufacturer, the vendor, the regional transmission organization or equivalent balancing authority and transmission operator, or the insurance company associated with the engine. The owner or operator may petition the Administrator for approval of additional hours to be used for maintenance checks and readiness testing, but a petition is not required if the owner or operator maintains records indicating that federal, state, or local standards require maintenance and testing of emergency ICE beyond 100 hours per calendar year.
[40 CFR 60.4243(d)(2)(i)]
- e. The Emergency stationary ICE may be operated for up to 50 hours per calendar year in non-emergency situations, as provided in this subsection. [40 CFR 60.4243(d)(3)].

K. Limestone Handling and Storage System – NSPS Subpart OOO

The following emission source is subject to the requirements listed below:

EU-LIMESTONE	New Limestone and Storage Handling System.
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1. Limitations and Standards – Particulate Matter, 40 CFR Subpart OOO

[Air Emission Source Construction Permit C-9046, dated September 9, 2015 (Amended as C-9537, April 20, 2011 and C-13198, March 15, 2016)].

- a. The owner or operator shall not cause to be discharged into the atmosphere particulate matter stack emissions greater than 0.032 g/dscm from any affected facility with capture systems used to capture and transport particulate matter to a control device.
[40 CFR 60.672(a)]
- b. The owner or operator shall not cause to be discharged into the atmosphere particulate matter fugitive emissions which exhibit greater than 7 percent opacity from any affected facility without capture systems and for fugitive emissions escaping from the capture systems. [40 CFR 60.672(b)]
- c. Truck dumping of limestone into any screening operation, feed hopper or crusher is exempt from the requirements of 40 CFR 60, Subpart OOO. [40 CFR 60.672(d)]
- d. For new or modified portions of the limestone handling system not subject to the requirements of 40 CFR 60, Subpart OOO, opacity shall not exceed 20 percent except as provided in K.A.R. 28-19-11. [K.A.R. 28-19-650(a)(3)]

- e. For new or modified portions of the limestone handling system not subject to the requirements of 40 CFR 60, Subpart OOO, particulate matter emissions are limited to the amounts determined by the following equations [K.A.R. 28-19-20]:

$$E = (4.1)(P^{0.67}) \quad \text{for process weight rates } \leq 30 \text{ tons/hour}$$

$$E = (5.5)(P^{0.11}) - 40 \quad \text{for process weight rates } \geq 30 \text{ tons/hour}$$

Where: E= the rate of emissions in lbs/hr
P = process weight rate in tons/hr

L. Fly Ash Storage and Handling System

The following emission source is subject to the requirements listed below:

EU-FLYASHSTORAGE	Fly Ash Storage and Handling System
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1. Limitations and Standards – Particulate Matter

- a. Particulate matter emissions are limited to the amounts determined by the following equations [K.A.R. 28-19-20]:

$$E = (4.1)(P^{0.67}) \quad \text{for process weight rates } \leq 30 \text{ tons/hour}$$

$$E = (5.5)(P^{0.11}) - 40 \quad \text{for process weight rates } \geq 30 \text{ tons/hour}$$

Where: E= the rate of emissions in lbs/hr
P = process weight rate in tons/hr

2. Limitations and Standards - Controls

- a. Newly constructed or modified equipment for fly ash shall be enclosed and vented to a baghouse or bin vent filter with a manufacturers’ guarantee of 99% control efficiency.
- b. Baghouses and bin vent filters for the newly constructed or modified material handling equipment shall be in place and continuously operated, except during periods of malfunction, breakdown, or necessary repairs, to control emissions of PM and PM₁₀ whenever the associated material handling equipment is in operation. Maintenance and repair of the baghouses and bin vent filters shall be conducted in a manner to minimize emissions.

[Air Emission Source Construction Permit dated March 16, 2011 (C-9046)]

M. Other Materials

The following emission source is subject to the requirements listed below:

EU-GYPSUM	Gypsum Handling and Storage
EU-SV-VACUUM-1	Vacuum System To Address Spillage at Carbon Silos
EU-SV-VACUUM-2	Vacuum System To Address Spillage at Carbon Silos

1. Limitation or Standard – Particulate Matter

Particulate matter emissions are limited to the amounts determined by the following equation [K.A.R. 28-19-20]:

$$E = (4.1)(P^{0.67}) \quad \text{for process weight rates } \leq 30 \text{ tons/hour}$$

$$E = (5.5)(P^{0.11}) - 40 \quad \text{for process weight rates } \geq 30 \text{ tons/hour}$$

Where: E= the rate of emissions in lbs/hr

P = process weight rate in tons/hr

Since monitoring, recordkeeping, and reporting requirements are required in **Section VI. Applicable Requirements**, the facility is required to submit a semi-annual report every six months.

VII. Opacity Summary

All emission units other than those listed below are limited to 20% opacity:

Stack/Vent ID No.	Emission Source ID No.	Emission Source Opacity Requirement
SV-BOILER01	EU-BOILER01	<40%
SV-BOILER02	EU-BOILER02	<20%

VIII. Facility-Wide Applicable Requirements

The permittee shall comply with the following when required by the relevant regulation:

A. K.A.R. 28-19-30 through K.A.R. 28-19-32, Indirect Heating Equipment Emissions

Except as provided in K.A.R. 28-19-32, aggregated emissions of particulate matter from indirect heating equipment shall not exceed those specified in table H-1 of K.A.R. 28-19-31(a), or for equipment having intermediate heat input between 10 MMBtu/hr and 10,000 MMBtu/hr, the allowable emission rate may be determined by the equation provided at K.A.R. 28-19-31(a).

Records shall be maintained of any recalculations and evaluations. These records shall include the design rate capacity of the unit, emission factors used in calculations and potential/allowable emission rates.

B. K.A.R. 28-19-55 through K.A.R. 28-19-58, Air Pollution Emergency Episode Plans

The permittee shall comply with the requirements of K.A.R. 28-19-55 through 28-19-58, Air Pollution Emergency Episode Plans, and shall maintain on site an emergency episode plan if the KDHE requires an emergency episode plan be developed pursuant to K.A.R. 28-19-58.

C. K.A.R. 28-19-210, Calculation of Actual Emissions

The following applies to emission control equipment not otherwise addressed in this permit:

If the owner or operator uses air emission control equipment, not otherwise addressed in this permit, to calculate actual emissions, the air emission control equipment shall be maintained in accordance with the manufacturer's recommendation. The owner or operator shall keep a written log recording the date and type of action taken when performing preventive or other maintenance on the air emission control equipment.

D. K.A.R. 28-19-517, Annual Emissions Inventory and Fees

1. Annual Emissions Inventory:

The owner or operator shall submit all operating or relevant information to estimate emissions for the preceding year to the KDHE. This information shall be submitted on or before the date specified at K.A.R. 28-19-517 or amendments thereto.

2. Annual Emissions Fee:

The owner or operator of a permitted emissions unit or stationary source is required to pay fees to the permitting authority consistent with the fee schedule set out in the regulations pursuant to K.A.R. 28-19-517(b).

3. Submittal:

Each annual emissions inventory and each annual emissions fee shall be submitted on forms provided or approved by the KDHE as specified in K.A.R. 28-19-517(c). At the time of permit issuance, the due date for submittal of this information is April 1.

4. Late Fee and refund:

Each owner or operator who fails to submit the annual emission inventory and pay the annual emissions fee by the due date specified shall pay a late fee as specified in K.A.R. 28-19-517(d) and any overpayment of \$100.00 or more made by the owner or operator of a stationary source may be refunded.

E. K.A.R. 28-19-645, Open Burning

The permittee is prohibited from conducting open burning, except as allowed by K.A.R. 28-19-647 and K.A.R. 28-19-648.

F. K.A.R. 28-19-735, Which Adopts by Reference 40 CFR Part 61 Subpart A, General Provisions, and Subpart M, NESHAP for Asbestos

The permittee shall comply with the National Emission Standard for Hazardous Air Pollutants (NESHAP) 40 CFR Part 61 Subpart A, General Provisions, and Subpart M, National Emission Standard for Asbestos, adopted by K.A.R. 28-19-735 and K.A.R. 28-50-1 et seq., when conducting any renovation or demolition activities at the facility.

G. 40 CFR Part 68, Chemical Accident Prevention Provisions

Chemical Accident Prevention Provisions, 40 CFR Part 68, is applicable to an owner or operator of a stationary source that has more than a threshold quantity of a regulated substance in a process, as determined in 40 CFR 68.115.

If the stationary source is subject to 40 CFR Part 68, but is not required to comply with those requirements as of the effective date of this operating permit, the stationary source shall be in compliance with the requirements of 40 CFR Part 68 no later than the latest of the following dates:

1. Three years after the date on which a regulated substance is first listed in 40 CFR 68.130; or
2. The date on which a regulated substance is first present above a threshold quantity in a process.

H. 40 CFR Part 82, Protection of Stratospheric Ozone

The permittee shall comply with 40 CFR Part 82, Protection of Stratospheric Ozone. Affected controlled substances include, but are not limited to, chlorofluorocarbons, hydrochlorofluorocarbon refrigerants, halons, carbon tetrachloride, and methyl chloroform (specific affected controlled substances are listed in 40 CFR Part 82, Subpart A, appendices A {Class I} and B {Class II}).

The following subparts and sections of 40 CFR Part 82 are conditions of this permit:

- Subpart A - Production and Consumption Controls
- Subpart B - Servicing of Motor Vehicle Air Conditioners
- Subpart E - Labeling of Products Using Ozone-Depleting Substances: Section; 82.106 Warning statement requirements, 82.108 Placement of warning statement, 82.110 Form of label bearing warning statement, and 82.112 Removal of label bearing warning statement
- Subpart F - Recycling and Emissions Reduction: Sections; 82.156 Required practices, 82.158 Standards for recycling and recovery equipment, 82.161 Technician certification, and 82.166 Reporting and recordkeeping requirements
- Subpart G - Significant New Alternatives Policy Program

IX. Opacity Limitations and Monitoring

Except as otherwise provided in K.A.R. 28-19-9, K.A.R. 28-19-11, and K.A.R. 28-19-650(c) or as otherwise identified in the Applicable Requirements portion of this permit, K.A.R. 28-19-650(a)(3) limits visible air emissions from each emission unit to 20%. K.A.R. 28-19-31(b)(2) limits visible air emissions from any indirect heating equipment to less than 20%.

Except as otherwise provided in the applicable requirements portion of this permit, emissions from the following or similar activities do not require routine periodic monitoring: emissions vented inside an enclosed building or structure, from cooling towers, and from evaporative VOC sources; and emissions from turbines, reciprocating internal combustion engines, burners in indirect heating applications, and space heaters when burning natural gas, propane/LPG, or refinery gas.

Routine periodic monitoring requirements: Except as otherwise provided in the applicable requirements portion of this permit or as provided above, the owner or operator shall perform a qualitative assessment at least once per calendar month, with at least one week between assessments. The monthly qualitative assessment shall include each activity at the facility, which is operating at the time scheduled. For each activity from which the opacity of visible emissions appears to exceed the limit, the permittee shall take appropriate action to correct process operating parameters, after which the permittee shall perform an additional qualitative assessment for that unit. If, at the end of ten operating days from the date of the possible exceedance, opacity of visible emissions appears to continue to exceed the limit, the owner or operator shall notify the agency, within seven days of the end of the ten operating day period, and shall schedule a test utilizing EPA Method 9, of visible emissions from the unit appearing to exceed the limit, within 30 days of the end of the ten operating day period.

The person responsible for making qualitative opacity assessments shall be knowledgeable about the effects on visibility of emissions caused by background contrast, ambient lighting, observer position relative to lighting and wind, and the presence of uncombined water in the plume.¹ The permittee shall keep records of each qualitative assessment, which shall include the time and date of the assessment, a description of the emission point from which any unusual emissions emanated, the steps taken to correct any abnormal emissions, and the name of the person conducting the assessment.

¹ For basic information about opacity observations, refer to 40 CFR Part 60 Appendix A, Method 9.

The KDHE Bureau of Air does not consider a qualitative assessment in which emissions appear to exceed the applicable opacity limits to be a violation or deviation subject to reporting in accordance with Section **XIII. Reporting of Deviations from Permit Terms**. A Method 9 evaluation that shows opacity exceeding the emission limit would be subject to reporting in accordance with Section **XIII. Reporting of Deviations from Permit Terms**.

X. Requirements Which Will Become Applicable During the Permit Term

The owner or operator, in accordance with the provisions of K.A.R. 28-19-511(b)(16)(C)(ii) and K.A.R. 28-19-512(a)(23) shall comply in a timely manner with those applicable requirements that become effective during the permit term.

XI. Permit Shield

Compliance with the conditions of this permit shall be deemed in compliance with the applicable requirements of the Kansas air quality program as of the date of permit issuance. This shield applies only to:

- A. Applicable requirements included, and specifically identified in the permit; and
- B. Applicable requirements that the KDHE has specifically identified in writing as not being applicable to the emissions unit or stationary sources and the determination or a concise summary thereof is included in the permit.

Nothing in this permit shall alter or affect:

- A. The liability of a permittee for any violation of an applicable requirement occurring prior to or at the time of issuance of this permit;
- B. U.S. EPA's ability to obtain information under Section 114 of the Clean Air Act
- C. The provisions of Section 303, Emergency orders, of the Clean Air Act, including the authority of the administrator of the U.S. EPA under that section or the air pollution emergency provisions of the Kansas air quality program regulations, K.A.R. 28-19-55 through 28-19-58; or
- D. The applicable requirements of the acid rain program, consistent with section 408(a) of the Act. [K.A.R. 28-19-512(b)]

XII. Testing, Monitoring, Recordkeeping and Reporting

Testing, monitoring, recordkeeping and reporting requirements sufficient to assure compliance with the terms and conditions of the permit are required. [K.A.R. 28-19-512(a)(21)]

In addition to any testing, monitoring, recordkeeping, or reporting requirement contained in Section **VI. Applicable Requirements**, monitoring and reporting may be required under the provisions of K.A.R. 28-19-12, Measurement of Emissions, or as required by any other provision of the federal Clean Air Act.

Records to support all monitoring and copies of all reports required by the permit must be maintained for a period of at least five years from the date of the activity. [K.A.R. 28-19-512(a)(10)(G)]

Summary reports of any routine, continuous, or periodic monitoring must continue to be submitted at six-month intervals for the duration of the permit. The reporting periods and due dates for these reports are identified in **Section XIV. G. Compliance Certification**. All instances of deviations from permit requirements, **including perceived opacity exceedances**, shall be clearly identified in the report. All reports shall be certified by a responsible official. [K.A.R. 28-19-512(a)(11)(A)]

Submission of quarterly or semi-annual reports required by any applicable requirement which duplicate the reporting required in the previous paragraph will satisfy the reporting requirements of the previous paragraph if noted on the submitted report. [K.A.R. 28-19-512(a)(9)]

Records of required monitoring shall include:

- A. The date, place, and time of sampling or measurement;
- B. The date(s) analyses were performed;
- C. The company or entity which performed the analyses;
- D. The analytical techniques or methods used;
- E. The results of the analyses;
- F. The operating conditions that existed at the time of sampling or measurement; and
- G. The retention of records of all required monitoring data and support information for a period of at least five years from the date of the monitoring sample, measurement, report, or application. Support information shall include all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the permit. [K.A.R. 28-19-512(a)(10)]

XIII. Reporting of Deviations from Permit Terms

Unless a different time period is specified in this permit, deviations from the requirements of this permit shall be reported to the KDHE as follows:

- A. Deviations which result in emissions exceeding those allowed in this permit shall be reported the next business day following the discovery of the release, with follow-up written notice within five business days following discovery of the release. The report shall include the probable cause of such deviations and any corrective actions or preventive measures taken.
- B. Deviations which do not result in emissions exceeding those allowed in this permit shall be reported in writing within ten business days following discovery of the deviation.

Oral notification shall be made to the air program compliance staff in the KDHE central office in Topeka. Written notifications shall also be made to the KDHE central office (KDHE.BOAcpliance@ks.gov) with a copy to the Southeast District. [K.A.R. 28-19-512(a)(11)]

XIV. General Provisions

A. K.A.R. 28-19-11, Enforcement Discretion Due to Startup, Shutdown, Malfunctions, or Scheduled Maintenance

Maintenance of control or processing equipment and appurtenances may be exempt from An emission source having emissions that are in excess of the applicable emission limitation and standard specified at K.A.R. 28-19-20 through 26, K.A.R. 28-19-30 through 32, K.A.R. 28-19-61 through 77, K.A.R. 28-19-717 through 719, and K.A.R. 28-19-650, and result from startup, shutdown, malfunctions, or scheduled enforcement action at the secretary's discretion if both of the following conditions are met:

1. The person responsible for the operation of the emission source notifies the KDHE of the occurrence and nature of the excess emissions resulting from startup, shutdown, malfunctions, or scheduled maintenance, in writing, within ten (10) days of discovery of the excess emissions.

2. Reasonable action is taken regarding the occurrence specified in paragraph (a)(1) to initiate and complete any necessary repairs and place the equipment back in operation as quickly as possible.

Emissions that are in excess of the applicable emission source emission limitation and standard specified at K.A.R. 28-19-20 through 26, K.A.R. 28-19-30 through 32, K.A.R. 28-19-61 through 77, K.A.R. 28-19-717 through 719, and K.A.R. 28-19-650, and result from startup, shutdown, or malfunctions shall be evaluated by the secretary for potential enforcement action based on the frequency and severity of the excess emissions.

Emissions that are in excess of the applicable emission source emission limitation and standard and result from scheduled maintenance of control or processing equipment and appurtenances shall be evaluated by the secretary for potential enforcement action based on the following: (1) the severity of the excess emissions; (2) any prior approval for scheduled maintenance by the secretary; and (3) demonstration that the scheduled maintenance cannot be accomplished by maximum reasonable effort, including off-shift labor where required, during periods of shutdown of any related control or processing equipment.

Any exemption granted under this regulation may be rescinded if the secretary obtains additional information and deems enforcement action necessary based upon this information.

Lack of enforcement for excess emissions under this regulation shall not preclude the taking of enforcement action by USEPA or through private citizen lawsuits.

B. K.A.R. 28-19-752a, Hazardous Air Pollutants; Limitations Applicable to Construction of New Major Sources or Reconstruction of Existing Major Sources

This regulation shall continue in effect for an emissions unit or stationary source until a standard has been promulgated which is applicable to such source pursuant to section 112(d) of the federal Clean Air Act.

This regulation shall apply whenever construction of a new major source or reconstruction of an existing major source of hazardous air pollutants is proposed.

C. Permit Term and Renewal

This permit has a term of five years unless otherwise stated in this permit. A complete application, as defined in K.A.R. 28-19-518, and any applicable fee must be submitted to the KDHE not less than six months and not more than 18 months prior to the expiration date. This operating permit shall not expire on the expiration date if a complete and timely application has been filed with the KDHE. [K.A.R. 28-19-512(a)(8) and K.A.R. 28-19-514]

D. Severability

The provisions of this permit are severable, and if any portion of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstance, and the remainder of this permit, shall not be affected thereby. [K.A.R. 28-19-512(a)(13)]

E. Property Rights

This permit does not convey any property rights of any sort or any exclusive privilege. [K.A.R. 28-19-512(a)(14)(D)]

F. Compliance

The owner or operator shall comply with all conditions of the permit and shall continue to comply with applicable requirements with which the owner or operator is in compliance, in accordance with K.A.R. 28-19-511(b)(16)(C)(i). Any permit noncompliance shall constitute a violation of the Kansas Air Quality Act and shall be grounds for enforcement action, for permit revocation or amendment, or for denial of a permit renewal application. All permit terms and conditions are federally enforceable.

It shall not be a defense for a permittee in an enforcement action to contend that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of the permit.

This permit may contain provisions which require that data from specific test methods, monitoring, or recordkeeping be used as a demonstration of compliance with permit limits. On February 24, 1997, the U.S. EPA promulgated revisions to the following federal regulations: 40 CFR Sec. 51.212; 40 CFR Sec.52.12; 40 CFR Sec. 60.11; 40 CFR Sec. 61.12; and incorporation of 40 CFR Sec. 52.33, that allow the use of any credible evidence to establish compliance with applicable requirements. At the issuance of this permit, the State of Kansas has incorporated these provisions in its air quality regulations K.A.R. 28- 19-212(c) and (d), K.A.R. 28-19-350, K.A.R. 28-19-720 and K.A.R. 28-19-735. [K.A.R. 28-19-512(a)(14)]

G. Compliance Certification

The permittee shall annually submit a certification of compliance (Form CR-02, “Annual Certification”) to the system or address required in **Section XIV. N. Submissions**.

The due date of the certification will continue to be January 31 of each year for the period from January 1 to December 31 of the previous year.

The semiannual summary reports required by Section **XII. Testing, Monitoring, Recordkeeping and Reporting** shall be submitted by the dates specified below for each subsequent reporting period:

- The report covering the period from July 1 to December 31 shall be submitted by January 31 of each year, and
- The report covering the period from January 1 to June 30 shall be submitted by July 31 of each year.

The certification shall include the permit term or condition that is the basis of the certification; the current compliance status; whether compliance was continuous or intermittent; the method or methods used for determining the compliance, currently and over the reporting period; and such other facts as the KDHE may require to determine the compliance status of the source. The certification shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the certification are true, accurate and complete. [K.A.R. 28-19-512(a)(26) and K.A.R. 28-19-512(a)(27)]

H. Emergency

An “emergency” means any situation arising from sudden and reasonably unforeseeable events beyond the control of the source, including acts of God, which situation requires immediate corrective action to restore normal operation, and that causes the source to exceed a technology-based emission limitation under this permit, due to unavoidable increases in emissions attributable to the emergency. An emergency shall not include noncompliance to the extent caused by improperly designed equipment, lack of preventative maintenance, careless or improper operation, or operator error.

An emergency shall constitute an affirmative defense to an action brought for noncompliance with such technology-based emission limitation if the conditions below are met. The affirmative defense of emergency shall be demonstrated through properly signed, contemporaneous operating logs or relevant evidence that:

1. An emergency occurred and that the permittee can identify the cause or causes of the emergency;
2. The permitted facility was at the time being properly operated;
3. During the period of the emergency the permittee took all reasonable steps to minimize levels of emissions that exceeded the emission standards or other requirements in the permit; and
4. The permittee submitted notice of the emergency, containing a description of the emergency, any steps taken to mitigate emissions, and corrective actions taken, to the KDHE within two working days of the time when emission limitations were exceeded due to the emergency.

In any enforcement proceeding, the permittee seeking to establish the occurrence of an emergency shall have the burden of proof.

These emergency provisions are in addition to any emergency or upset provisions contained in any applicable requirement. Whenever these emergency provisions conflict with the provisions of K.A.R. 28-19-11, these emergency provisions shall control. [K.A.R. 28-19-512(d)]

I. Inspection and Entry

Upon presentation of credentials and other documents as may be required by law, representatives of the KDHE, including authorized contractors of the KDHE, shall be allowed by the permittee to:

1. enter upon the premises where a regulated facility or activity is located or conducted or where records are kept under conditions of this document;
2. have access to and copies of, at reasonable times, any records that must be kept under conditions of this document;
3. inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this document; and
4. as authorized by the Kansas Air Quality Act, sample or monitor at reasonable times substances or parameters for the purpose of assuring compliance with the permit or applicable requirements.

[K.A.R. 28-19-512(a)(22)]

J. Permit Amendment, Modification, Reopening, and Changes Not Requiring a Permit Action

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

The permitting authority will reopen and revise or revoke this permit as necessary to remedy deficiencies in the following circumstances:

1. Additional requirements under the Clean Air Act become applicable to the source three or more years prior to the expiration date of this permit. Such a reopening shall be completed no later than 18 months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the expiration date of this permit.
2. It is determined by the KDHE that this permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of this permit.

3. It is determined by the KDHE that it is necessary to revise or revoke this permit in order to assure compliance with applicable requirements.

This document is subject to periodic review and amending as deemed necessary to fulfill the intent and purpose of the Kansas Air Quality Statutes and the Kansas Air Quality Regulations.

No permit revision shall be required under any approved economic incentives, pollution prevention incentives, marketable permits, emissions trading, and other similar programs or processes for changes that are provided for in the permit.

[K.A.R. 28-19-513]

K. Duty to Provide Information

Unless a different time frame is specified in this permit, the permittee shall furnish to the KDHE any information that the KDHE may request in writing within 60 days of the request, unless the KDHE specifies another time period. Submittal of confidential business information must be in accordance with the KDHE procedures. [K.A.R. 28-19-518(c) and K.A.R. 28-19-512(a)(14)(E)]

L. Duty to Supplement

The permittee, upon becoming aware that any relevant facts were omitted from or incorrect information was included in any submittal, shall promptly submit such supplementary facts or corrected information. [K.A.R. 28-19-518(e)]

M. Other Permits and Approvals; Applicability

A construction permit or approval must be obtained from the KDHE prior to commencing any construction or modification of equipment or processes which results in potential emission increases equal to or greater than the thresholds specified at K.A.R. 28-19-300.

This document does not relieve the permittee of the obligation to obtain any approvals, permits, licenses, or documents of sanction which may be required by other federal, state, or local government agencies. [K.A.R. 28-19-512(a)(29)]

N. Submissions

Written notification of malfunctions, exceedances, and deviations may be submitted to the following email address: KDHE.BOAcpliance@ks.gov

EPA regulations codified in 40 CFR Part 60, 62, and 63 require affected sources to electronically submit performance test reports, notification reports, and periodic reports to EPA, as specified in the affected regulations. As a result, the EPA has developed the Compliance and Emissions Data Reporting Interface (CEDRI), which is accessed through the EPA's **Central Data Exchange (CDX)** (<https://cdx.epa.gov/>).

The CDX Web is the application used by EPA programs and various stakeholders to manage environmental data transmitted to EPA in order to meet EPA's electronic reporting requirements. However, if the reporting form is not available in CEDRI at the time that the report is due, the source must submit the report to the Administrator [address listed in 40 CFR 63.13]:

Kansas Compliance Officer
Air Permitting and Compliance Branch
U.S. EPA, Region 7
11201 Renner Blvd.
Lenexa, Kansas
66219

All other reports, notifications, information, and other correspondence (including submission of the Annual Certification Form CR-02) shall be submitted through the Kansas Environmental Information Management System (KEIMS):

<http://www.kdheks.gov/bar/keims-BOA.html>

A copy of each Annual Certification Form CR-02 shall be submitted to either CEDRI, unless it contains confidential business information, or the address below:

Kansas Compliance Officer
Air Branch
Enforcement and Compliance Assurance Division
U.S. EPA, Region 7
11201 Renner Blvd.
Lenexa, Kansas 66219

The Annual Certification shall be certified by a responsible official. This certification shall state that, based on the information and belief formed after reasonable inquiry, the statements and information in the certification are true, accurate, and complete.

[K.A.R. 28-19-512(a)(21) and K.A.R. 28-19-512(a)(27)]

When specified in the permit, contact the Southeast District Office at:

Southeast District Office
308 West 14th Street
Chanute, Kansas 66720
(620) 860-7235

Permit Writer

Dean I. Williams, P.E.
Professional Environmental
Engineer Air Permitting Section

DIW:jh
C: SEDO
OP100182 v5.1 (Revises O-11952)

**Attachment A:
List of Acronyms and Symbols**

List of Acronyms and Symbols

Acronym or Symbol	Description
2SLB	2-stroke lean burn
4SLB	4-stroke lean burn
4SRB	4-stroke rich burn
μm	micrometer (or micron, 10 ⁻⁶ meter)
acfm	actual cubic feet per minute
ANSI	American National Standards Institute
AP-42	compilation of air pollutant emission factors (U.S. EPA)
AQI	Air Quality Index
ASTM	American Society for Testing and Materials (now ASTM International)
BACT	best available control technology
BOA	KDHE Bureau of Air
Btu	British thermal unit
CAA	Clean Air Act (1970)
CAAA	Clean Air Act Amendments (1990)
CAS	Chemical Abstracts Service
CBSA	Core-Based Statistical Area
CD	compliance demonstration (form)
CDE	control device efficiency
CE	capture efficiency
CEM	continuous emission monitor(ing)
CEMS	continuous emission monitoring system
CFC	chlorofluorocarbon
cfm	cubic feet per minute
CFR	Code of Federal Regulations
CISWI	commercial/industrial solid waste incinerator
CMS	continuous monitoring system
CO	carbon monoxide
COM	continuous opacity monitor(ing)
COMS	continuous opacity monitoring system
CPM	continuous parameter monitor(ing)
CPMS	continuous parameter monitoring system
CR	certification (form)
CSAPR	Cross-State Air Pollution Rule
CTG	Control Techniques Guideline (U.S. EPA)
DDGS	distillers dry grain solubles
dscf	dry standard cubic foot
dscm	dry standard cubic meter
DSI	dry sorbent injection

E10	10% ethanol blend (10% ethanol, 90% gasoline by volume)
EF	emission factor
EG	emission guideline
EGU	electric generating unit
EI	emissions inventory
EM	emission calculations (form)
EPA	Environmental Protection Agency (or U.S. EPA)
EU	emission unit
FE	fugitive emission
FESOP	federally enforceable state operating permit
FGD	flue gas desulfurization
FGR	flue gas recirculation
FIP	federal implementation plan
g	gram
GDF	gasoline dispensing facility
GDV	gasoline delivery vessel
GEP	good engineering practice
GI	general information (form)
GOP	General Operating Permit
gph	gallons per hour
gpm	gallons per minute
gr	grain (1/7000 lb avoirdupois)
HAP	hazardous air pollutant
HC	hydrocarbon
HCFC	hydrochlorofluorocarbon
HMIWI	hospital/medical/infectious waste incinerator
HON	hazardous organic NESHAP
hp	horsepower
IA	insignificant activity
ICE	internal combustion engine
JCDHE	Johnson County Department of Health and Environment
K.A.R.	Kansas Administrative Regulation
KDHE	Kansas Department of Health and Environment
K.S.A.	Kansas Statutes Annotated
kW	kilowatt
LAER	lowest achievable emission rate
LFGE	landfill gas-to-energy
LNB	low NO _x burner
MACT	maximum achievable control technology
MATS	Mercury and Air Toxics Standards (rule)
MBtu	thousand Btu
ME	monitoring equipment (form)
Mg	megagram (10 ⁶ grams, 1 metric ton, 1 tonne)

MMBtu	million Btu
MOD	modification (form)
MON	miscellaneous organic NESHAP
MSDS	material safety data sheet
MSW	municipal solid waste
MWC	municipal waste combustor
MWI	medical waste incinerator
NAAQS	National Ambient Air Quality Standards
NAICS	North American Industry Classification System
NCDO	North Central District Office (KDHE)
NEDO	Northeast District Office (KDHE)
NESHAP	national emission standard(s) for hazardous air pollutants
NMOC	non-methane organic compound
NO _x , NOX	nitrogen oxides
NSPS	new source performance standard
NSR	new source review
NWDO	Northwest District Office (KDHE)
OAQPS	Office of Air Quality Planning and Standards (U.S. EPA)
OM&M	operation, maintenance, and monitoring
OSHA	Occupational Safety and Health Administration (U.S. Dept. of Labor)
P2	pollution prevention
PAL	plant-wide applicability limitation
PCB	polychlorinated biphenyl
PCD	pollution control device
PM	particulate matter
PM ₁₀ , PM10	PM with an aerodynamic diameter of less than or equal to 10 μm
PM _{2.5} , PM2.5	PM with an aerodynamic diameter of less than or equal to 2.5 μm
PMD	portable monitoring device
ppmv	parts per million, volumetric basis
ppmw	parts per million, weight basis
PSD	prevention of significant deterioration
psia	pounds per square inch, absolute
psig	pounds per square inch, gauge or gage
PTE	potential to emit, potential-to-emit
QA/QC	quality assurance / quality control
RACM	reasonably available control measure(s)
RACT	reasonable available control technology
RATA	relative accuracy test audit
RICE	reciprocating internal combustion engine
RMP	risk management plan
RTO	regenerative thermal oxidizer
RVP	Reid vapor pressure (psia at 100 °F)
SBEAP	(Kansas) Small Business Environmental Assistance Program

SCDO	South Central District Office (KDHE)
scfm	standard cubic feet per minute
SCR	selective catalytic reduction
SEDO	Southeast District Office (KDHE)
SEP	supplemental environmental project
SIC	Standard Industrial Classification (code)
SIP	state implementation plan
SLEIS	State and Local Emissions Inventory System (emissions inventory database)
SNCR	selective non-catalytic reduction
SOCMI	synthetic organic chemical manufacturing industry
SO _x , SOX	sulfur oxides (typically measured as sulfur dioxide, SO ₂)
SPP	Southwest Power Pool (electric grid operator for Kansas)
SWDO	Southwest District Office (KDHE)
TCO	thermal catalytic oxidizer
TDF	tire-derived fuel
THC	total hydrocarbons
TO	thermal oxidizer
TOC	total organic carbon; total organic compounds
TOG	total organic gases
tph	tons per hour
tpy	tons per year
TR	Transport Rule
TRS	total reduced sulfur
TSP	total suspended particulate(s)
ULSD	ultra low sulfur diesel
U.S. EPA, USEPA	United States Environmental Protection Agency
USC	United States Code
VOC	volatile organic compound
VOL	volatile organic liquid
VRU	vapor recovery unit
WDEH	Wichita Department of Environmental Health
WDF	waste-derived fuel
WDGS	wet distiller's grains with solubles
WTE	waste to energy
WYCO-KCK	Unified Government of Wyandotte County and Kansas City, Kansas Health Department

Attachment B:
Site Diagrams

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Attachment C

ACID RAIN REQUIREMENTS

I. SO₂ Allocations and NO_x Emission Limits for each affected unit

SO₂ Allowances from 40 CFR Part 73, Table 2					
Unit	Allowances				
	2020*	2021*	2022*	2023*	2024*
1	14,405	14,405	14,405	14,405	14,405
2	15,087	15,087	15,087	15,087	15,087

* The number of allowances allocated to Phase II affected units by U.S. EPA may change in future revisions to 40 CFR part 73 Table 2. In addition, the number of allowances actually held by an affected source in a unit account may differ from the number allocated by U.S. EPA. Neither of the aforementioned conditions necessitates a revision to the unit SO₂ allowance allocations identified in this permit (See 40 CFR 72.84).

NO_x Emission Limits from 40 CFR Part 76	
Unit	NO_x Emission Limit (Annual Average)
1**	0.86 lbs/MMBtu
2**	0.50 lbs/MMBtu

** Pursuant to 40 CFR 72.40(d)(1), the Kansas Department of Health and Environment, Bureau of Air has terminated the approved NO_x emissions averaging plan for this unit effective January 1, 2016, after the facility has submitted a withdrawal notification before October 1, 2016 in accordance with 40

CFR 76.11(d)(3). The designated representative of Westar Energy, Inc. has also submitted a signed and certified revised Acid Rain NO_x Compliance Plan.

Under the revised NO_x Compliance Plan, the NO_x emissions for Units 1 and 2 shall not exceed the standard annual average emission limitation for Phase II cyclone boilers and Phase I dry bottom wall-fired boilers, respectively. The owner or operator shall also determine the annual average NO_x emission rate, in lb/mmBTU, using the methods and procedures in 40 CFR Part 75, as specified in 40 CFR 76.7.

In addition to the described NO_x Compliance Plan, this unit shall comply with all other applicable requirements of 40 CFR Part 76, including the duty to reapply for a NO_x Compliance Plan and requirements covering excess emissions.

II. Standard Requirements

A. Permit Requirements

1. The designated representative of each affected source and each affected unit at the source shall:
 - a. Submit a complete Acid Rain permit application (including a compliance plan) under 40 CFR part 72 in accordance with the deadlines specified in 40 CFR 72.30; and

- b. Submit in a timely manner any supplemental information that the permitting authority determines is necessary in order to review an Acid Rain permit application and issue or deny an Acid Rain permit;
2. The owners and operators of each affected source and each affected unit at the source shall:
 - a. Operate the unit in compliance with a complete Acid Rain permit application or a superseding Acid Rain permit issued by the permitting authority; and
 - b. Have an Acid Rain Permit.

B. Monitoring Requirements

1. The owners and operators and, to the extent applicable, designated representative of each affected source and each affected unit at the source shall comply with the monitoring requirements as provided in 40 CFR part 75.
2. The emissions measurements recorded and reported in accordance with 40 CFR part 75 shall be used to determine compliance by the unit with the Acid Rain emissions limitations and emissions reduction requirements for sulfur dioxide and nitrogen oxides under the Acid Rain Program.
3. The requirements of 40 CFR part 75 shall not affect the responsibility of the owners and operators to monitor emissions of other pollutants or other emissions characteristics at the unit under other applicable requirements of the Act and other provisions of the operating permit for the source.

C. Sulfur Dioxide Requirements

1. The owners and operators of each source and each affected unit at the source shall:
 - a. Hold allowances, as of the allowance transfer deadline, in the unit's compliance subaccount (after deductions under 40 CFR 73.34(c)) or in the compliance subaccount of another affected unit at the same source to the extent provided in 40 CFR 73.35 (b)(3), not less than the total annual emissions of sulfur dioxide for the previous calendar year from the unit; and
 - b. Comply with the applicable Acid Rain emissions limitations for sulfur dioxide.
2. Each ton of sulfur dioxide emitted in excess of the Acid Rain emissions limitations for sulfur dioxide shall constitute a separate violation of the Act.
3. An affected unit shall be subject to the requirements under paragraph (1) of the sulfur dioxide requirements as follows:
 - a. Starting January 1, 2000, an affected unit under 40 CFR 72.6(a)(2); or
 - b. Starting on the later of January 1, 2000 or the deadline for monitor certification under 40 CFR part 75, an affected unit under 40 CFR 72.6(a)(3).
4. Allowances shall be held in, deducted from, or transferred among Allowance Tracking System accounts in accordance with the Acid Rain Program.
5. An allowance shall not be deducted in order to comply with the requirements under paragraph (1) of the sulfur dioxide requirements prior to the calendar year for which the allowance was allocated.

6. An allowance allocated by the Administrator under the Acid Rain Program is a limited authorization to emit sulfur dioxide in accordance with the Acid Rain Program. No provision of the Acid Rain Program, the Acid Rain permit application, the Acid Rain permit, or an exemption under 40 CFR 72.7 and 72.8 and no provision of law shall be construed to limit the authority of the United States to terminate or limit such authorization.
7. An allowance allocated by the Administrator under the Acid Rain Program does not constitute property right.

D. Nitrogen Oxides Requirements

1. The owners and operators of the source and each affected unit at the source shall comply with the applicable Acid Rain emissions limitation for nitrogen oxides.

E. Excess Emissions Requirements

1. The designated representative of an affected unit that has excess emissions in any calendar year shall submit a proposed offset plan, as required under 40 CFR part 77.
2. The owners and operators of an affected unit that has excess emissions in any calendar year shall:
 - a. Pay without demand the penalty required, and pay upon demand the interest on that penalty, as required by 40 CFR part 77; and
 - b. Comply with the terms of an approved offset plan, as required by 40 CFR part 77.

F. Recordkeeping and Reporting Requirements

1. Unless otherwise provided, the owners and operators of the source and each affected unit at the source shall keep on site at the source each of the following documents for a period of 5 years from the date the document is created. This period may be extended for cause, at any time prior to the end of 5 years, in writing by the Administrator or permitting authority:
 - a. The certificate of representation for the designated representative for the source and each affected unit at the source and all documents that demonstrate the truth of the statements in the certificate of representation, in accordance with 40 CFR 72.24; provided that the certificate and documents shall be retained on site at the source beyond such 5-year period until such documents are superseded because of the submission of a new certificate of representation changing the designated representative;
 - b. All emissions monitoring information, in accordance with 40 CFR part 75, provided that to the extent that 40 CFR part 75 provides for a 3-year period for recordkeeping, the 3-year period shall apply.
 - c. Copies of all reports, compliance certifications, and other submissions and all records made or required under the Acid Rain Program; and,
 - d. Copies of all documents used to complete an Acid Rain permit application and any other submission under the Acid Rain Program or to demonstrate compliance with the requirements of the Acid Rain Program.
 - e. The designated representative of an affected source and each affected unit at the source shall submit the reports and compliance certifications required under the Acid Rain Program, including those under 40 CFR part 72 subpart I and 40 CFR part 75.

G. Liability

1. Any person who knowingly violates any requirement or prohibition of the Acid Rain Program, a complete Acid Rain permit application, an Acid Rain permit, or an exemption under 40 CFR 72.7 or 72.8, including any requirement for the payment of any penalty owed to the United States, shall be subject to enforcement pursuant to section 113(c) of the Act.
2. Any person who knowingly makes a false, material statement in any record, submission, or report under the Acid Rain Program shall be subject to criminal enforcement pursuant to section 113(c) of the Act and 18 U.S.C. 1001.
3. No permit revision shall excuse any violation of the requirements of the Acid Rain Program that occurs prior to the date that the revision takes effect.
4. Each affected source and each affected unit shall meet the requirements of the Acid Rain Program.
5. Any provision of the Acid Rain Program that applies to an affected source (including a provision applicable to the designated representative of an affected source) shall also apply to the owners and operators of such source and of the affected units at the source.
6. Any provision of the Acid Rain Program that applies to an affected unit (including a provision applicable to the designated representative of an affected unit) shall also apply to the owners and operators of such unit. Except as provided under 40 CFR 72.44 (Phase II repowering extension plans) and 40 CFR 76.11 (NO_x averaging plans), and except with regard to the requirements applicable to units with a common stack under 40 CFR part 75 (including 40 CFR 75.16, 75.17, and 75.18), the owners and operators and the designated representative of one affected unit shall not be liable for any violation by any other affected unit of which they are not owners or operators or the designated representative and that is located at a source of which they are not owners or operators or the designated representative.
7. Each violation of a provision of 40 CFR parts 72, 73, 74, 75, 76, 77, and 78 by an affected source or affected unit, or by an owner or operator or designated representative of such source or unit, shall be a separate violation of the Act.

H. Effect on Other Authorities

1. No provision of the Acid Rain Program, an Acid Rain permit application, an Acid Rain permit, or an exemption under 40 CFR 72.7 or 72.8 shall be construed as:
 - a. Except as expressly provided in title IV of the Act, exempting or excluding the owners and operators and, to the extent applicable, the designated representative of an affected source or affected unit from compliance with any other provision of the Act, including the provisions of title I of the Act relating to applicable National Ambient Air Quality Standards or State Implementation Plans;
 - b. Limiting the number of allowances a unit can hold; *provided*, that the number of allowances held by the unit shall not affect the source's obligation to comply with any other provisions of the Act;
 - c. Requiring a change of any kind in any State law regulating electric utility rates and charges, affecting any State law regarding such State regulation, or limiting such State regulation, including any prudence review requirements under such State law;
 - d. Modifying the Federal Power Act or affecting the authority of the Federal Energy Regulatory Commission under the Federal Power Act; or,

- e. Interfering with or impairing any program for competitive bidding for power supply in a State in which such program is established.

III. Reporting Requirements

A. The following reports shall be submitted to the Air Permit Section of KDHE:

1. Pursuant to 40 CFR Part 75.14, coal and oil-fired units are required to have a continuous opacity meter installed. As required by 40 CFR Part 75.65, excess emission of opacity shall be reported to KDHE. The format for these semiannual reports shall be as specified in 40 CFR 60.7. An excess emission is determined from one cycle of sampling and analyzing for each successive 10-second period and one cycle of data recording for each successive 6-minute period. An excess emission is defined as any 6-minute period in excess of the opacity limit specified for that emission unit, except for one 6-minute period per hour of not more than the opacity limit plus 35% (27% opacity if the limit is 20% or 54% opacity if the limit is 40%). This standard applies at all times except during periods of startup, shutdown, and malfunction. These reports shall be submitted as specified under periodic monitoring in the Testing, Monitoring, Record keeping, and Reporting section of the operating permit,
2. Any revisions to the Acid Rain permit shall be made in accordance with 40 CFR Part 72, Subpart H, ' 72.80 through ' 72.85. Permit modification requests shall be submitted to KDHE.
3. Changes to the Designated Representative of Alternate Designated Representative shall be made in accordance with 40 CFR 72.23. A copy of the complete certificate of representation shall be submitted to KDHE within thirty (30) days of submittal to the Administrator of the EPA.

Attachment D: CROSS-STATE AIR POLLUTION RULE

Cross-State Air Pollution Rule (CSAPR) Trading Program Title V Requirements

Description of CSAPR Monitoring Provisions

The CSAPR subject unit, and the unit-specific monitoring provisions at this source, are identified in the following tables. This unit is subject to the requirements for the CSAPR NO_x Annual Trading Program, the CSAPR SO₂ Group 2 Trading Program, and the CSAPR NO_x Ozone Season Group 2 Trading Program.

Unit ID: EU-BOILER01					
Parameter	Continuous emission monitoring system or systems (CEMS) requirements pursuant to 40 CFR part 75, subpart B (for SO ₂ and NO _x monitoring) and 40 CFR part 75, subpart H (for NO _x mass emissions monitoring)	Excepted monitoring system requirements for gas- and oil-fired units pursuant to 40 CFR part 75, appendix D	Excepted monitoring system requirements for gas- and oil-fired peaking units pursuant to 40 CFR part 75, appendix E	Low Mass Emissions excepted monitoring (LME) requirements for gas- and oil-fired units pursuant to 40 CFR 75.19	EPA-approved alternative monitoring system requirements pursuant to 40 CFR part 75, subpart E
SO ₂	X				
NO _x	X				
Heat input	X				

Unit ID: EU-BOILER02					
Parameter	Continuous emission monitoring system or systems (CEMS) requirements pursuant to 40 CFR part 75, subpart B (for SO ₂ and NO _x monitoring) and 40 CFR part 75, subpart H (for NO _x mass emissions monitoring)	Excepted monitoring system requirements for gas- and oil-fired units pursuant to 40 CFR part 75, appendix D	Excepted monitoring system requirements for gas- and oil-fired peaking units pursuant to 40 CFR part 75, appendix E	Low Mass Emissions excepted monitoring (LME) requirements for gas- and oil-fired units pursuant to 40 CFR 75.19	EPA-approved alternative monitoring system requirements pursuant to 40 CFR part 75, subpart E
SO ₂	X				
NO _x	X				
Heat input	X				

1. The above description of the monitoring used by a unit does not change, create an exemption from, or otherwise affect the monitoring, recordkeeping, and reporting requirements applicable to the unit under 40 CFR 97.430 through 97.435 for the CSAPR NO_x Annual Trading Program, 40 CFR 97.730 through 97.735 for the CSAPR SO₂ Group 2 Trading Program, and 40 CFR 97.830 through 97.835 for the CSAPR NO_x Ozone Season Group 2 Trading Program, as applicable. The monitoring, recordkeeping and reporting requirements applicable to each unit are included below in the standard conditions for the applicable CSAPR trading programs.
2. Owners and operators must submit to the Administrator a monitoring plan for each unit in accordance with 40 CFR 75.53, 75.62 and 75.73, as applicable. The monitoring plan for each unit is available at the EPA's website at <https://www.epa.gov/airmarkets/clean-air-markets-emissions-monitoring>.
3. Owners and operators that want to use an alternative monitoring system must submit to the Administrator a petition requesting approval of the alternative monitoring system in accordance with 40 CFR Part 75, Subpart E and 40 CFR 75.66 and 97.435 for the CSAPR NO_x Annual Trading Program, 40 CFR 97.735 for the CSAPR SO₂ Group 2 Trading Program, and 40 CFR 97.835 for the CSAPR NO_x Ozone Season Group 2 Trading Program, as applicable. The Administrator's response approving or disapproving any petition for an alternative monitoring system is available on the EPA's website at <https://www.epa.gov/airmarkets/part-75-petition-responses>.
4. Owners and operators that want to use an alternative to any monitoring, recordkeeping, or reporting requirement under 40 CFR 97.430 through 97.434 for the CSAPR NO_x Annual Trading Program, 97.730 through 97.734 for the CSAPR SO₂ Group 2 Trading Program, and/or 40 CFR 97.830 through 97.834 for the CSAPR NO_x Ozone Season Group 2 Trading Program, as applicable, must submit to the Administrator a petition requesting approval of the alternative in accordance with 40 CFR 75.66 and 97.435 for the CSAPR NO_x Annual Trading Program, 40 CFR 97.735 for the CSAPR SO₂ Group 2 Trading Program, and 40 CFR 97.835 for the CSAPR NO_x Ozone Season Group 2 Trading Program, as applicable. The Administrator's response approving or disapproving any petition for an alternative to a monitoring, recordkeeping, or reporting requirement is available on EPA's website at <https://www.epa.gov/airmarkets/part-75-petition-responses>.
5. The descriptions of monitoring applicable to the unit included above meet the requirement of 40 CFR 97.430 through 97.434 for the CSAPR NO_x Annual Trading Program, 40 CFR 97.730 through 97.734 for the CSAPR SO₂ Group 2 Trading Program, and 40 CFR 97.830 through 97.834 for the CSAPR NO_x Ozone Season Group 2 Trading Program, as applicable, and therefore minor permit modification procedures, in accordance with 40 CFR 70.7(e)(2)(i)(B) or 71.7(e)(1)(i)(B), may be used to add to or change this unit's monitoring system description.

40 CFR Part 97, Subpart AAAAA – CSAPR NO_x Annual Trading Program

40 CFR 97.406 Standard requirements:

(a) Designated representative requirements.

The owners and operators shall comply with the requirement to have a designated representative, and may have an alternate designated representative, in accordance with 40 CFR 97.413 through 97.418.

(b) Emissions monitoring, reporting, and recordkeeping requirements.

- (1) The owners and operators, and the designated representative, of each CSAPR NO_x Annual source and each CSAPR NO_x Annual unit at the source shall comply with the monitoring, reporting, and recordkeeping requirements of 40 CFR 97.430 (general monitoring, recordkeeping, and reporting requirements, including installation, certification, and data accounting, compliance deadlines, reporting data, prohibitions, and long-term cold storage), 97.431 (initial monitoring system certification and recertification procedures), 97.432 (monitoring system out-of-control periods), 97.433 (notifications concerning monitoring), 97.434 (recordkeeping and reporting, including monitoring plans, certification applications, quarterly reports, and compliance certification), and 97.435 (petitions for alternatives to monitoring, recordkeeping, or reporting requirements).

- (2) The emissions data determined in accordance with 40 CFR 97.430 through 97.435 shall be used to calculate allocations of CSAPR NO_x Annual allowances under 40 CFR 97.411(a)(2) and (b) and 97.412 and to determine compliance with the CSAPR NO_x Annual emissions limitation and assurance provisions under paragraph (c) below, provided that, for each monitoring location from which mass emissions are reported, the mass emissions amount used in calculating such allocations and determining such compliance shall be the mass emissions amount for the monitoring location determined in accordance with 40 CFR 97.430 through 97.435 and rounded to the nearest ton, with any fraction of a ton less than 0.50 being deemed to be zero.

(c) NO_x emissions requirements.

(1) CSAPR NO_x Annual emissions limitation.

- (i). As of the allowance transfer deadline for a control period in a given year, the owners and operators of each CSAPR NO_x Annual source and each CSAPR NO_x Annual unit at the source shall hold, in the source's compliance account, CSAPR NO_x Annual allowances available for deduction for such control period under 40 CFR 97.424(a) in an amount not less than the tons of total NO_x emissions for such control period from all CSAPR NO_x Annual units at the source.
- (ii). If total NO_x emissions during a control period in a given year from the CSAPR NO_x Annual units at a CSAPR NO_x Annual source are in excess of the CSAPR NO_x Annual emissions limitation set forth in paragraph (c)(1)(i) above, then:
- (A). The owners and operators of the source and each CSAPR NO_x Annual unit at the source shall hold the CSAPR NO_x Annual allowances required for deduction under 40 CFR 97.424(d); and
- (B). The owners and operators of the source and each CSAPR NO_x Annual unit at the source shall pay any fine, penalty, or assessment or comply with any other remedy imposed, for the same violations, under the Clean Air Act, and each ton of such excess emissions and each day of such control period shall constitute a separate violation of 40 CFR Part 97, Subpart AAAAA and the Clean Air Act.

(2) CSAPR NO_x Annual assurance provisions.

- (i). If total NO_x emissions during a control period in a given year from all CSAPR NO_x Annual units at CSAPR NO_x Annual sources in a State (and Indian country within the borders of such State) exceed the State assurance level, then the owners and operators of such sources and units in each group of one or more sources and units having a common designated representative for such control period, where the common designated representative's share of such NO_x emissions during such control period exceeds the common designated representative's assurance level for the State and such control period, shall hold (in the assurance account established for the owners and operators of such group) CSAPR NO_x Annual allowances available for deduction for such control period under 40 CFR 97.425(a) in an amount equal to two times the product (rounded to the nearest whole number), as determined by the Administrator in accordance with 40 CFR 97.425(b), of multiplying—
- (A). The quotient of the amount by which the common designated representative's share of such NO_x emissions exceeds the common designated representative's assurance level divided by the sum of the amounts, determined for all common designated representatives for such sources and units in the State (and Indian country within the borders of such State) for such control period, by which each common designated representative's share of such NO_x emissions exceeds the respective common designated representative's assurance level; and

- (B). The amount by which total NO_x emissions from all CSAPR NO_x Annual units at CSAPR NO_x Annual sources in the State (and Indian country within the borders of such State) for such control period exceed the State assurance level.
 - (ii). The owners and operators shall hold the CSAPR NO_x Annual allowances required under paragraph (c)(2)(i) above, as of midnight of November 1 (if it is a business day), or midnight of the first business day thereafter (if November 1 is not a business day), immediately after the year of such control period.
 - (iii). Total NO_x emissions from all CSAPR NO_x Annual units at CSAPR NO_x Annual sources in a State (and Indian country within the borders of such State) during a control period in a given year exceed the State assurance level if such total NO_x emissions exceed the sum, for such control period, of the State NO_x Annual trading budget under 40 CFR 97.410(a) and the State's variability limit under 40 CFR 97.410(b).
 - (iv). It shall not be a violation of 40 CFR Part 97, Subpart AAAAA or of the Clean Air Act if total NO_x emissions from all CSAPR NO_x Annual units at CSAPR NO_x Annual sources in a State (and Indian country within the borders of such State) during a control period exceed the State assurance level or if a common designated representative's share of total NO_x emissions from the CSAPR NO_x Annual units at CSAPR NO_x Annual sources in a State (and Indian country within the borders of such State) during a control period exceeds the common designated representative's assurance level.
 - (v). To the extent the owners and operators fail to hold CSAPR NO_x Annual allowances for a control period in a given year in accordance with paragraphs (c)(2)(i) through (iii) above,
 - (A). The owners and operators shall pay any fine, penalty, or assessment or comply with any other remedy imposed under the Clean Air Act; and
 - (B). Each CSAPR NO_x Annual allowance that the owners and operators fail to hold for such control period in accordance with paragraphs (c)(2)(i) through (iii) above and each day of such control period shall constitute a separate violation of 40 CFR Part 97, Subpart AAAAA and the Clean Air Act.
- (3) Compliance periods.
- (i). A CSAPR NO_x Annual unit shall be subject to the requirements under paragraph (c)(1) above for the control period starting on the later of January 1, 2015 or the deadline for meeting the unit's monitor certification requirements under 40 CFR 97.430(b) and for each control period thereafter.
 - (ii). A CSAPR NO_x Annual unit shall be subject to the requirements under paragraph (c)(2) above for the control period starting on the later of January 1, 2017 or the deadline for meeting the unit's monitor certification requirements under 40 CFR 97.430(b) and for each control period thereafter.
- (4) Vintage of CSAPR NO_x Annual allowances held for compliance.
- (i). A CSAPR NO_x Annual allowance held for compliance with the requirements under paragraph (c)(1)(i) above for a control period in a given year must be a CSAPR NO_x Annual allowance that was allocated or auctioned for such control period or a control period in a prior year.
 - (ii). A CSAPR NO_x Annual allowance held for compliance with the requirements under paragraphs (c)(1)(ii)(A) and (2)(i) through (iii) above for a control period in a given year must be a CSAPR NO_x Annual allowance that was allocated or auctioned for a control period in a prior year or the control period in the given year or in the immediately following year.

- (5) Allowance Management System requirements.

Each CSAPR NO_x Annual allowance shall be held in, deducted from, or transferred into, out of, or between Allowance Management System accounts in accordance with 40 CFR Part 97, Subpart AAAAA.

- (6) Limited authorization.

A CSAPR NO_x Annual allowance is a limited authorization to emit one ton of NO_x during the control period in one year. Such authorization is limited in its use and duration as follows:

- (i). Such authorization shall only be used in accordance with the CSAPR NO_x Annual Trading Program; and
- (ii). Notwithstanding any other provision of 40 CFR Part 97, Subpart AAAAA, the Administrator has the authority to terminate or limit the use and duration of such authorization to the extent the Administrator determines is necessary or appropriate to implement any provision of the Clean Air Act.

- (7) Property right.

A CSAPR NO_x Annual allowance does not constitute a property right.

(d) Title V permit requirements.

- (1) No title V permit revision shall be required for any allocation, holding, deduction, or transfer of CSAPR NO_x Annual allowances in accordance with 40 CFR Part 97, Subpart AAAAA.
- (2) A description of whether a unit is required to monitor and report NO_x emissions using a continuous emission monitoring system (pursuant to 40 CFR Part 75, Subparts B and H), an excepted monitoring system (pursuant to 40 CFR Part 75, Appendices D and E), a low mass emissions excepted monitoring methodology (pursuant to 40 CFR 75.19), or an alternative monitoring system (pursuant to 40 CFR Part 75, Subpart E) in accordance with 40 CFR 97.430 through 97.435 may be added to, or changed in, a title V permit using minor permit modification procedures in accordance with 40 CFR 70.7(e)(2) and 71.7(e)(1), provided that the requirements applicable to the described monitoring and reporting (as added or changed, respectively) are already incorporated in such permit. This paragraph explicitly provides that the addition of, or change to, a unit's description as described in the prior sentence is eligible for Title V minor permit modification procedures in accordance with 40 CFR 97.406(d)(2), 40 CFR 70.7(e)(2)(i)(B) and 40 CFR 71.7(e)(1)(i)(B).

(e) Additional recordkeeping and reporting requirements.

- (1) Unless otherwise provided, the owners and operators of each CSAPR NO_x Annual source and each CSAPR NO_x Annual unit at the source shall keep on site at the source each of the following documents (in hardcopy or electronic format) for a period of 5 years from the date the document is created. This period may be extended for cause, at any time before the end of 5 years, in writing by the Administrator.
 - (i). The certificate of representation under 40 CFR 97.416 for the designated representative for the source and each CSAPR NO_x Annual unit at the source and all documents that demonstrate the truth of the statements in the certificate of representation; provided that the certificate and documents shall be retained on site at the source beyond such 5-year period until such certificate of representation and documents are superseded because of the submission of a new certificate of representation under 40 CFR 97.416 changing the designated representative.
 - (ii). All emissions monitoring information, in accordance with 40 CFR Part 97, Subpart AAAAA.

(iii). Copies of all reports, compliance certifications, and other submissions and all records made or required under, or to demonstrate compliance with the requirements of, the CSAPR NO_x Annual Trading Program.

(2) The designated representative of a CSAPR NO_x Annual source and each CSAPR NO_x Annual unit at the source shall make all submissions required under the CSAPR NO_x Annual Trading Program, except as provided in 40 CFR 97.418. This requirement does not change, create an exemption from, or otherwise affect the responsible official submission requirements under a title V operating permit program in 40 CFR Parts 70 and 71.

(f) Liability.

(1) Any provision of the CSAPR NO_x Annual Trading Program that applies to a CSAPR NO_x Annual source or the designated representative of a CSAPR NO_x Annual source shall also apply to the owners and operators of such source and of the CSAPR NO_x Annual units at the source.

(2) Any provision of the CSAPR NO_x Annual Trading Program that applies to a CSAPR NO_x Annual unit or the designated representative of a CSAPR NO_x Annual unit shall also apply to the owners and operators of such unit.

(g) Effect on other authorities.

No provision of the CSAPR NO_x Annual Trading Program or exemption under 40 CFR 97.405 shall be construed as exempting or excluding the owners and operators, and the designated representative, of a CSAPR NO_x Annual source or CSAPR NO_x Annual unit from compliance with any other provision of the applicable, approved State Implementation Plan, a federally enforceable permit, or the Clean Air Act.

(h) Effect on units in Indian country.

Notwithstanding the provisions of paragraphs (a) through (g) above, paragraphs (a) through (g) shall be deemed not to impose any requirements on any source or unit, or any owner, operator, or designated representative with regard to any source or unit, in Indian country within the borders of the State.

40 CFR Part 97. Subpart DDDDD – CSAPR SO₂ Group 2 Trading Program

40 CFR 97.706 Standard requirements:

(a) Designated representative requirements.

The owners and operators shall comply with the requirement to have a designated representative, and may have an alternate designated representative, in accordance with 40 CFR 97.713 through 97.718.

(b) Emissions monitoring, reporting, and recordkeeping requirements.

(1) The owners and operators, and the designated representative, of each CSAPR SO₂ Group 2 source and each CSAPR SO₂ Group 2 unit at the source shall comply with the monitoring, reporting, and recordkeeping requirements of 40 CFR 97.730 (general monitoring, recordkeeping, and reporting requirements, including installation, certification, and data accounting, compliance deadlines, reporting data, prohibitions, and long-term cold storage), 97.731 (initial monitoring system certification and recertification procedures), 97.732 (monitoring system out-of-control periods), 97.733 (notifications concerning monitoring), 97.734 (recordkeeping and reporting, including monitoring plans, certification applications, quarterly reports, and compliance certification), and 97.735 (petitions for alternatives to monitoring, recordkeeping, or reporting requirements).

- (2) The emissions data determined in accordance with 40 CFR 97.730 through 97.735 shall be used to calculate allocations of CSAPR SO₂ Group 2 allowances under 40 CFR 97.711(a)(2) and (b) and 97.712 and to determine compliance with the CSAPR SO₂ Group 2 emissions limitation and assurance provisions under paragraph (c) below, provided that, for each monitoring location from which mass emissions are reported, the mass emissions amount used in calculating such allocations and determining such compliance shall be the mass emissions amount for the monitoring location determined in accordance with 40 CFR 97.730 through 97.735 and rounded to the nearest ton, with any fraction of a ton less than 0.50 being deemed to be zero.

(c) **SO₂ emissions requirements.**

(1) CSAPR SO₂ Group 2 emissions limitation.

- (i). As of the allowance transfer deadline for a control period in a given year, the owners and operators of each CSAPR SO₂ Group 2 source and each CSAPR SO₂ Group 2 unit at the source shall hold, in the source's compliance account, CSAPR SO₂ Group 2 allowances available for deduction for such control period under 40 CFR 97.724(a) in an amount not less than the tons of total SO₂ emissions for such control period from all CSAPR SO₂ Group 2 units at the source.
- (ii). If total SO₂ emissions during a control period in a given year from the CSAPR SO₂ Group 2 units at a CSAPR SO₂ Group 2 source are in excess of the CSAPR SO₂ Group 2 emissions limitation set forth in paragraph (c)(1)(i) above, then:
- (A). The owners and operators of the source and each CSAPR SO₂ Group 2 unit at the source shall hold the CSAPR SO₂ Group 2 allowances required for deduction under 40 CFR 97.724(d); and
- (B). The owners and operators of the source and each CSAPR SO₂ Group 2 unit at the source shall pay any fine, penalty, or assessment or comply with any other remedy imposed, for the same violations, under the Clean Air Act, and each ton of such excess emissions and each day of such control period shall constitute a separate violation of 40 CFR Part 97, Subpart DDDDD and the Clean Air Act.

(2) CSAPR SO₂ Group 2 assurance provisions.

- (i). If total SO₂ emissions during a control period in a given year from all CSAPR SO₂ Group 2 units at CSAPR SO₂ Group 2 sources in a State (and Indian country within the borders of such State) exceed the State assurance level, then the owners and operators of such sources and units in each group of one or more sources and units having a common designated representative for such control period, where the common designated representative's share of such SO₂ emissions during such control period exceeds the common designated representative's assurance level for the State and such control period, shall hold (in the assurance account established for the owners and operators of such group) CSAPR SO₂ Group 2 allowances available for deduction for such control period under 40 CFR 97.725(a) in an amount equal to two times the product (rounded to the nearest whole number), as determined by the Administrator in accordance with 40 CFR 97.725(b), of multiplying—
- (A). The quotient of the amount by which the common designated representative's share of such SO₂ emissions exceeds the common designated representative's assurance level divided by the sum of the amounts, determined for all common designated representatives for such sources and units in the State (and Indian country within the borders of such State) for such control period, by which each common designated representative's share of such SO₂ emissions exceeds the respective common designated representative's assurance level; and

- (B). The amount by which total SO₂ emissions from all CSAPR SO₂ Group 2 units at CSAPR SO₂ Group 2 sources in the State (and Indian country within the borders of such State) for such control period exceed the State assurance level.
 - (ii). The owners and operators shall hold the CSAPR SO₂ Group 2 allowances required under paragraph (c)(2)(i) above, as of midnight of November 1 (if it is a business day), or midnight of the first business day thereafter (if November 1 is not a business day), immediately after the year of such control period.
 - (iii). Total SO₂ emissions from all CSAPR SO₂ Group 2 units at CSAPR SO₂ Group 2 sources in a State (and Indian country within the borders of such State) during a control period in a given year exceed the State assurance level if such total SO₂ emissions exceed the sum, for such control period, of the State SO₂ Group 2 trading budget under 40 CFR 97.710(a) and the State's variability limit under 40 CFR 97.710(b).
 - (iv). It shall not be a violation of 40 CFR Part 97, Subpart DDDDD or of the Clean Air Act if total SO₂ emissions from all CSAPR SO₂ Group 2 units at CSAPR SO₂ Group 2 sources in a State (and Indian country within the borders of such State) during a control period exceed the State assurance level or if a common designated representative's share of total SO₂ emissions from the CSAPR SO₂ Group 2 units at CSAPR SO₂ Group 2 sources in a State (and Indian country within the borders of such State) during a control period exceeds the common designated representative's assurance level.
 - (v). To the extent the owners and operators fail to hold CSAPR SO₂ Group 2 allowances for a control period in a given year in accordance with paragraphs (c)(2)(i) through (iii) above,
 - (A). The owners and operators shall pay any fine, penalty, or assessment or comply with any other remedy imposed under the Clean Air Act; and
 - (B). Each CSAPR SO₂ Group 2 allowance that the owners and operators fail to hold for such control period in accordance with paragraphs (c)(2)(i) through (iii) above and each day of such control period shall constitute a separate violation of 40 CFR Part 97, Subpart DDDDD and the Clean Air Act.
- (3) Compliance periods.
- (i). A CSAPR SO₂ Group 2 unit shall be subject to the requirements under paragraph (c)(1) above for the control period starting on the later of January 1, 2015 or the deadline for meeting the unit's monitor certification requirements under 40 CFR 97.730(b) and for each control period thereafter.
 - (ii). A CSAPR SO₂ Group 2 unit shall be subject to the requirements under paragraph (c)(2) above for the control period starting on the later of January 1, 2017 or the deadline for meeting the unit's monitor certification requirements under 40 CFR 97.730(b) and for each control period thereafter.
- (4) Vintage of CSAPR SO₂ Group 2 allowances held for compliance.
- (i). A CSAPR SO₂ Group 2 allowance held for compliance with the requirements under paragraph (c)(1)(i) above for a control period in a given year must be a CSAPR SO₂ Group 2 allowance that was allocated or auctioned for such control period or a control period in a prior year.
 - (ii). A CSAPR SO₂ Group 2 allowance held for compliance with the requirements under paragraphs (c)(1)(ii)(A) and (2)(i) through (iii) above for a control period in a given year must be a CSAPR SO₂ Group 2 allowance that was allocated or auctioned for a control period in a prior year or the control period in the given year or in the immediately following year.

(5) Allowance Management System requirements.

Each CSAPR SO₂ Group 2 allowance shall be held in, deducted from, or transferred into, out of, or between Allowance Management System accounts in accordance with 40 CFR Part 97, Subpart DDDDD.

(6) Limited authorization.

A CSAPR SO₂ Group 2 allowance is a limited authorization to emit one ton of SO₂ during the control period in one year. Such authorization is limited in its use and duration as follows:

- (i). Such authorization shall only be used in accordance with the CSAPR SO₂ Group 2 Trading Program; and
- (ii). Notwithstanding any other provision of 40 CFR Part 97, Subpart DDDDD, the Administrator has the authority to terminate or limit the use and duration of such authorization to the extent the Administrator determines is necessary or appropriate to implement any provision of the Clean Air Act.

(7) Property right.

A CSAPR SO₂ Group 2 allowance does not constitute a property right.

(d) Title V permit requirements.

- (1) No title V permit revision shall be required for any allocation, holding, deduction, or transfer of CSAPR SO₂ Group 2 allowances in accordance with 40 CFR Part 97, Subpart DDDDD.
- (2) A description of whether a unit is required to monitor and report SO₂ emissions using a continuous emission monitoring system (pursuant to 40 CFR Part 75, Subpart B), an excepted monitoring system (pursuant to 40 CFR Part 75, Appendices D and E), a low mass emissions excepted monitoring methodology (pursuant to 40 CFR 75.19), and an alternative monitoring system (pursuant to 40 CFR Part 75, Subpart E) in accordance with 40 CFR 97.730 through 97.735 may be added to, or changed in, a title V permit using minor permit modification procedures in accordance with 40 CFR 70.7(e)(2) and 71.7(e)(1), provided that the requirements applicable to the described monitoring and reporting (as added or changed, respectively) are already incorporated in such permit. This paragraph explicitly provides that the addition of, or change to, a unit's description as described in the prior sentence is eligible for Title V minor permit modification procedures in accordance with 40 CFR 97.706(d)(2), 40 CFR 70.7(e)(2)(i)(B), and 40 CFR 71.7(e)(1)(i)(B).

(e) Additional recordkeeping and reporting requirements.

- (1) Unless otherwise provided, the owners and operators of each CSAPR SO₂ Group 2 source and each CSAPR SO₂ Group 2 unit at the source shall keep on site at the source each of the following documents (in hardcopy or electronic format) for a period of 5 years from the date the document is created. This period may be extended for cause, at any time before the end of 5 years, in writing by the Administrator.
 - (i). The certificate of representation under 40 CFR 97.716 for the designated representative for the source and each CSAPR SO₂ Group 2 unit at the source and all documents that demonstrate the truth of the statements in the certificate of representation; provided that the certificate and documents shall be retained on site at the source beyond such 5-year period until such certificate of representation and documents are superseded because of the submission of a new certificate of representation under 40 CFR 97.716 changing the designated representative.
 - (ii). All emissions monitoring information, in accordance with 40 CFR Part 97, Subpart DDDDD.

(iii). Copies of all reports, compliance certifications, and other submissions and all records made or required under, or to demonstrate compliance with the requirements of, the CSAPR SO₂ Group 2 Trading Program.

(2) The designated representative of a CSAPR SO₂ Group 2 source and each CSAPR SO₂ Group 2 unit at the source shall make all submissions required under the CSAPR SO₂ Group 2 Trading Program, except as provided in 40 CFR 97.718. This requirement does not change, create an exemption from, or otherwise affect the responsible official submission requirements under a title V operating permit program in Parts 70 and 71.

(f) Liability.

(1) Any provision of the CSAPR SO₂ Group 2 Trading Program that applies to a CSAPR SO₂ Group 2 source or the designated representative of a CSAPR SO₂ Group 2 source shall also apply to the owners and operators of such source and of the CSAPR SO₂ Group 2 units at the source.

(2) Any provision of the CSAPR SO₂ Group 2 Trading Program that applies to a CSAPR SO₂ Group 2 unit or the designated representative of a CSAPR SO₂ Group 2 unit shall also apply to the owners and operators of such unit.

(g) Effect on other authorities.

No provision of the CSAPR SO₂ Group 2 Trading Program or exemption under 40 CFR 97.705 shall be construed as exempting or excluding the owners and operators, and the designated representative, of a CSAPR SO₂ Group 2 source or CSAPR SO₂ Group 2 unit from compliance with any other provision of the applicable, approved State Implementation Plan, a federally enforceable permit, or the Clean Air Act.

(h) Effect on units in Indian country.

Notwithstanding the provisions of paragraphs (a) through (g) above, paragraphs (a) through (g) shall be deemed not to impose any requirements on any source or unit, or any owner, operator, or designated representative with regard to any source or unit, in Indian country within the borders of the State.

40 CFR Part 97, Subpart EEEEE – CSAPR NO_x Ozone Season Group 2 Trading Program

40 CFR 97.806 Standard requirements:

(a) Designated representative requirements.

The owners and operators shall comply with the requirement to have a designated representative, and may have an alternate designated representative, in accordance with 40 CFR 97.813 through 97.818.

(b) Emissions monitoring, reporting, and recordkeeping requirements.

(1) The owners and operators, and the designated representative, of each CSAPR NO_x Ozone Season Group 2 source and each CSAPR NO_x Ozone Season Group 2 unit at the source shall comply with the monitoring, reporting, and recordkeeping requirements of 40 CFR 97.830 (general monitoring, recordkeeping, and reporting requirements, including installation, certification, and data accounting, compliance deadlines, reporting data, prohibitions, and long-term cold storage), 97.831 (initial monitoring system certification and recertification procedures), 97.832 (monitoring system out-of-control periods), 97.833 (notifications concerning monitoring), 97.834 (recordkeeping and reporting, including monitoring plans, certification applications, quarterly reports, and compliance certification), and 97.835 (petitions for alternatives to monitoring, recordkeeping, or reporting requirements).

- (2) The emissions data determined in accordance with 40 CFR 97.830 through 97.835 shall be used to calculate allocations of CSAPR NO_x Ozone Season Group 2 allowances under 40 CFR 97.811(a)(2) and (b) and 97.812 and to determine compliance with the CSAPR NO_x Ozone Season Group 2 emissions limitation and assurance provisions under paragraph (c) below, provided that, for each monitoring location from which mass emissions are reported, the mass emissions amount used in calculating such allocations and determining such compliance shall be the mass emissions amount for the monitoring location determined in accordance with 40 CFR 97.830 through 97.835 and rounded to the nearest ton, with any fraction of a ton less than 0.50 being deemed to be zero.

(c) NO_x emissions requirements.

- (1) CSAPR NO_x Ozone Season Group 2 emissions limitation.
- (i). As of the allowance transfer deadline for a control period in a given year, the owners and operators of each CSAPR NO_x Ozone Season Group 2 source and each CSAPR NO_x Ozone Season Group 2 unit at the source shall hold, in the source's compliance account, CSAPR NO_x Ozone Season Group 2 allowances available for deduction for such control period under 40 CFR 97.824(a) in an amount not less than the tons of total NO_x emissions for such control period from all CSAPR NO_x Ozone Season Group 2 units at the source.
- (ii). If total NO_x emissions during a control period in a given year from the CSAPR NO_x Ozone Season Group 2 units at a CSAPR NO_x Ozone Season Group 2 source are in excess of the CSAPR NO_x Ozone Season Group 2 emissions limitation set forth in paragraph (c)(1)(i) above, then:
- (A). The owners and operators of the source and each CSAPR NO_x Ozone Season Group 2 unit at the source shall hold the CSAPR NO_x Ozone Season Group 2 allowances required for deduction under 40 CFR 97.824(d); and
- (B). The owners and operators of the source and each CSAPR NO_x Ozone Season Group 2 unit at the source shall pay any fine, penalty, or assessment or comply with any other remedy imposed, for the same violations, under the Clean Air Act, and each ton of such excess emissions and each day of such control period shall constitute a separate violation of 40 CFR Part 97, Subpart EEEEE and the Clean Air Act.
- (2) CSAPR NO_x Ozone Season Group 2 assurance provisions.
- (i). If total NO_x emissions during a control period in a given year from all base CSAPR NO_x Ozone Season Group 2 units at base CSAPR NO_x Ozone Season Group 2 sources in a State (and Indian country within the borders of such State) exceed the State assurance level, then the owners and operators of such sources and units in each group of one or more sources and units having a common designated representative for such control period, where the common designated representative's share of such NO_x emissions during such control period exceeds the common designated representative's assurance level for the State and such control period, shall hold (in the assurance account established for the owners and operators of such group) CSAPR NO_x Ozone Season Group 2 allowances available for deduction for such control period under 40 CFR 97.825(a) in an amount equal to two times the product (rounded to the nearest whole number), as determined by the Administrator in accordance with 40 CFR 97.825(b), of multiplying—
- (A). The quotient of the amount by which the common designated representative's share of such NO_x emissions exceeds the common designated representative's assurance level divided by the sum of the amounts, determined for all common designated representatives for such sources and units in the State (and Indian country within the borders of such State) for such control period, by which each common designated

representative's share of such NO_x emissions exceeds the respective common designated representative's assurance level; and

- (B). The amount by which total NO_x emissions from all base CSAPR NO_x Ozone Season Group 2 units at base CSAPR NO_x Ozone Season Group 2 sources in the State (and Indian country within the borders of such State) for such control period exceed the State assurance level.
 - (ii). The owners and operators shall hold the CSAPR NO_x Ozone Season Group 2 allowances required under paragraph (c)(2)(i) above, as of midnight of November 1 (if it is a business day), or midnight of the first business day thereafter (if November 1 is not a business day), immediately after the year of such control period.
 - (iii). Total NO_x emissions from all base CSAPR NO_x Ozone Season Group 2 units at base CSAPR NO_x Ozone Season Group 2 sources in a State (and Indian country within the borders of such State) during a control period in a given year exceed the State assurance level if such total NO_x emissions exceed the sum, for such control period, of the State NO_x Ozone Season Group 2 trading budget under 40 CFR 97.810(a) and the State's variability limit under 40 CFR 97.810(b).
 - (iv). It shall not be a violation of 40 CFR Part 97, Subpart EEEEE or of the Clean Air Act if total NO_x emissions from all base CSAPR NO_x Ozone Season Group 2 units at base CSAPR NO_x Ozone Season Group 2 sources in a State (and Indian country within the borders of such State) during a control period exceed the State assurance level or if a common designated representative's share of total NO_x emissions from the base CSAPR NO_x Ozone Season Group 2 units at base CSAPR NO_x Ozone Season Group 2 sources in a State (and Indian country within the borders of such State) during a control period exceeds the common designated representative's assurance level.
 - (v). To the extent the owners and operators fail to hold CSAPR NO_x Ozone Season Group 2 allowances for a control period in a given year in accordance with paragraphs (c)(2)(i) through (i) above,
 - (A). The owners and operators shall pay any fine, penalty, or assessment or comply with any other remedy imposed under the Clean Air Act; and
 - (B). Each CSAPR NO_x Ozone Season Group 2 allowance that the owners and operators fail to hold for such control period in accordance with paragraphs (c)(2)(i) through (iii) above and each day of such control period shall constitute a separate violation of 40 CFR Part 97, Subpart EEEEE and the Clean Air Act.
- (3) Compliance periods.
- (i). A CSAPR NO_x Ozone Season Group 2 unit shall be subject to the requirements under paragraph (c)(1) above for the control period starting on the later of May 1, 2017, or the deadline for meeting the unit's monitor certification requirements under 40 CFR 97.830(b) and for each control period thereafter.
 - (ii). A base CSAPR NO_x Ozone Season Group 2 unit shall be subject to the requirements under paragraph (c)(2) above for the control period starting on the later of May 1, 2017 or the deadline for meeting the unit's monitor certification requirements under 40 CFR 97.830(b) and for each control period thereafter.
- (4) Vintage of CSAPR NO_x Ozone Season Group 2 allowances held for compliance.
- (i). A CSAPR NO_x Ozone Season Group 2 allowance held for compliance with the requirements

under paragraph (c)(1)(i) above for a control period in a given year must be a CSAPR NO_x

Ozone Season Group 2 allowance that was allocated or auctioned for such control period or a control period in a prior year.

- (ii). A CSAPR NO_x Ozone Season Group 2 allowance held for compliance with the requirements under paragraphs (c)(1)(ii)(A) and (c)(2)(i) through (iii) above for a control period in a given year must be a CSAPR NO_x Ozone Season Group 2 allowance that was allocated or auctioned for a control period in a prior year or the control period in the given year or in the immediately following year.

(5) Allowance Management System requirements.

Each CSAPR NO_x Ozone Season Group 2 allowance shall be held in, deducted from, or transferred into, out of, or between Allowance Management System accounts in accordance with 40 CFR Part 97, Subpart EEEEE.

(6) Limited authorization.

A CSAPR NO_x Ozone Season Group 2 allowance is a limited authorization to emit one ton of NO_x during the control period in one year. Such authorization is limited in its use and duration as follows:

- (i). Such authorization shall only be used in accordance with the CSAPR NO_x Ozone Season Group 2 Trading Program; and
- (ii). Notwithstanding any other provision of 40 CFR Part 97, Subpart EEEEE, the Administrator has the authority to terminate or limit the use and duration of such authorization to the extent the Administrator determines is necessary or appropriate to implement any provision of the Clean Air Act.

(7) Property right.

A CSAPR NO_x Ozone Season Group 2 allowance does not constitute a property right.

(d) Title V permit requirements.

- (1) No title V permit revision shall be required for any allocation, holding, deduction, or transfer of CSAPR NO_x Ozone Season Group 2 allowances in accordance with 40 CFR Part 97, Subpart EEEEE.
- (2) A description of whether a unit is required to monitor and report NO_x emissions using a continuous emission monitoring system (pursuant to 40 CFR Part 75, Subparts B and H), an excepted monitoring system (pursuant to 40 CFR Part 75, Appendices D and E), a low mass emissions excepted monitoring methodology (pursuant to 40 CFR 75.19), or an alternative monitoring system (pursuant to 40 CFR Part 75, Subpart E) in accordance with 40 CFR 97.830 through 97.835 may be added to, or changed in, a title V permit using minor permit modification procedures in accordance with 40 CFR 70.7(e)(2) and 71.7(e)(1), provided that the requirements applicable to the described monitoring and reporting (as added or changed, respectively) are already incorporated in such permit. This paragraph explicitly provides that the addition of, or change to, a unit's description as described in the prior sentence is eligible for Title V minor permit modification procedures in accordance with 40 CFR 97.806(d)(2), 40 CFR 70.7(e)(2)(i)(B), and 40 CFR 71.7(e)(1)(i)(B).

(e) Additional recordkeeping and reporting requirements.

- (1) Unless otherwise provided, the owners and operators of each CSAPR NO_x Ozone Season Group 2 source and each CSAPR NO_x Ozone Season Group 2 unit at the source shall keep on site at the source each of the following documents (in hardcopy or electronic format) for a period of 5 years from the date the

document is created. This period may be extended for cause, at any time before the end of 5 years, in writing by the Administrator.

- (i). The certificate of representation under 40 CFR 97.816 for the designated representative for the source and each CSAPR NO_x Ozone Season Group 2 unit at the source and all documents that demonstrate the truth of the statements in the certificate of representation; provided that the certificate and documents shall be retained on site at the source beyond such 5-year period until such certificate of representation and documents are superseded because of the submission of a new certificate of representation under 40 CFR 97.816 changing the designated representative.
 - (ii). All emissions monitoring information, in accordance with 40 CFR Part 97, Subpart EEEEE.
 - (iii). Copies of all reports, compliance certifications, and other submissions and all records made or required under, or to demonstrate compliance with the requirements of, the CSAPR NO_x Ozone Season Group 2 Trading Program.
- (2) The designated representative of a CSAPR NO_x Ozone Season Group 2 source and each CSAPR NO_x Ozone Season Group 2 unit at the source shall make all submissions required under the CSAPR NO_x Ozone Season Group 2 Trading Program, except as provided in 40 CFR 97.818. This requirement does not change, create an exemption from, or otherwise affect the responsible official submission requirements under a title V operating permit program in 40 CFR Part 70 and 71.

(f) Liability.

- (1) Any provision of the CSAPR NO_x Ozone Season Group 2 Trading Program that applies to a CSAPR NO_x Ozone Season Group 2 source or the designated representative of a CSAPR NO_x Ozone Season Group 2 source shall also apply to the owners and operators of such source and of the CSAPR NO_x Ozone Season Group 2 units at the source.
- (2) Any provision of the CSAPR NO_x Ozone Season Group 2 Trading Program that applies to a CSAPR NO_x Ozone Season Group 2 unit or the designated representative of a CSAPR NO_x Ozone Season Group 2 unit shall also apply to the owners and operators of such unit.

(g) Effect on other authorities.

No provision of the CSAPR NO_x Ozone Season Group 2 Trading Program or exemption under 40 CFR 97.805 shall be construed as exempting or excluding the owners and operators, and the designated representative, of a CSAPR NO_x Ozone Season Group 2 source or CSAPR NO_x Ozone Season Group 2 unit from compliance with any other provision of the applicable, approved State Implementation Plan, a federally enforceable permit, or the Clean Air Act.

(h) Effect on units in Indian country.

Notwithstanding the provisions of paragraphs (a) through (g) above, paragraphs (a) through (g) shall be deemed not to impose any requirements on any source or unit, or any owner, operator, or designated representative with regard to any source or unit, in Indian country within the borders of the State.

STATEMENT OF BASIS

by the Kansas Department of Health and Environment
for Evergy – La Cygne Generating Station
Source ID 1070005, Tracking No. OP100182 v5.1
Date, 2020

This statement of basis sets forth the legal and factual basis for the proposed permit conditions, including references to the applicable statutory or regulatory provisions. Determinations were made based upon the application submitted, file review and reasonable inquiry.

I. Facility Description

The Evergy La Cygne Generating Station (KCPL) is a fossil fuel power plant located east of La Cygne, Kansas. The facility consists of two (2) steam electric generating units which are capable of combusting coal and/or liquid fossil fuel. The units may also combust small quantities of used oil, and paper waste. Each of the steam electric generating units is equipped with a wet limestone scrubber and selective catalytic reduction and fabric filter system. The facility also has three (3) auxiliary boilers which combust fuel oil. The majority of air emissions from this source are nitrogen oxides (NO_x), sulfur dioxide (SO₂), particulate matter (PM), and volatile organic compounds (VOCs).

Insignificant activities at the plant include, but are not limited to, the diesel-fired welding units; portable kerosene-fired space heaters; used motor oil heaters; Unit 1 bottom ash drop; Unit 1 and 2 economizer ash drops; conveyors; drag conveyors; cascade conveyors; limestone hoppers; rock bins; and truck unloading to coal piles.

A Regional Haze Agreement between the prior owner/operator, KCPL, and KDHE was signed December 5, 2007 and amended February 24, 2009 for Units 1 and 2. No later than 5 years after the date of the approval of the SIP, or June 1, 2015, which ever date comes first, KCPL was required to limit the NO_x and/or SO₂ emissions on a 30-day rolling average for Units 1 and 2 as follows:

	NO_x rate (lb/MMBtu) 30- day rolling average excluding periods of startup and shutdown	SO₂ rate (lb/MMBtu) 30- day rolling average excluding periods of startup and shutdown	PM₁₀ Filterable³ (lb/MMBtu)	PM₁₀ Total⁴ (lb/MMBtu)
Unit 1	0.13 ^a 0.10 ^b	0.1	0.015	0.024
Unit 2	0.13 ¹	0.1	0.015	0.024

^a Based on a 30-day rolling weighted average of Unit 1 and Unit 2, excluding periods of startup and shutdown.

^b During an extended outage of Unit 2 (duration in excess of 10 weeks), Evergy will submit a plan for Unit 1 to KDHE to achieve compliance with the presumptive NO_x limit of 0.10 lb/MMBtu on a 30-day rolling average, excluding periods of startup and shutdown.

³ Based on either an average of 3 one-hour stack tests annually using an approved method for filterable PM₁₀ or PM CEMS.

⁴ Based on either an average of 3 one-hour stack tests annually using an approved method for filterable PM₁₀ and Method 202, or an approved test method for condensable PM.

II. Facility Equipment – Updates (through the Class I Operating Permit Renewal in 2017)

Emission Source ID No.	Emission Source Description	Type of Change
EU-AUXBOILER1	Auxiliary Boiler 1 with a maximum design rated heat input of 202.7 MMBtu/hr – combusts fuel oil	Modified Federally enforceable operational restrictions to limit average annual capacity factor to no more than 10 percent.
EU-AUXBOILER2	Auxiliary Boiler 2 with a maximum design rated heat input of 229.5 MMBtu/hr – combusts fuel oil	Modified Federally enforceable operational restrictions to limit average annual capacity factor to no more than 10 percent.
EU-AUXBOILER3	Auxiliary Boiler 3 with a maximum design rated heat input of 229.5 MMBtu/hr – combusts fuel oil	Modified Federally enforceable operational restrictions to limit average annual capacity factor to no more than 10 percent.
EU-BOILER01	Unit 1 – Combustion Engineering steam boiler with a maximum design rated heat input of 8,850 MMBtu/hr. Primary fuel is coal and fuel oil.	Modified Addition of wet flue gas desulfurization (FGD) scrubber Addition of fabric filter baghouse Addition of activated carbon injection (ACI) system. Replacement of various equipment items.

Emission Source ID No.	Emission Source Description	Type of Change
EU-BOILER02	Unit 2 - Combustion Engineering steam boiler with a maximum design rated heat input of 7,700 MMBtu/hr. Primary fuel is coal and fuel oil.	<p>Modified</p> <p>Addition of FGD scrubber</p> <p>Addition of fabric filter baghouse</p> <p>Replacement of low NOx burners (LNB), installation of over fire air (OFA) and selective catalytic reduction (SCR)</p> <p>Addition of ACI system.</p> <p>Replacement of various equipment items.</p>
EU-EMGEN-U1	Emergency Generator with a maximum rated capacity of 2,304 HP with diesel-fired compression ignition engine which commenced construction prior to 12/19/2002	Added
EU-EMGEN-U2	Emergency Generator with a diesel-fired compression ignition engine with a maximum rated capacity of 2,304 HP, and which commenced construction prior to 12/19/2002.	Added
EU-TAINTER-90	Tainter gate emergency generator with propane-fired spark ignition engine with a maximum rated capacity < 250 HP, manufactured and commenced construction prior to 2006.	Added

Emission Source ID No.	Emission Source Description	Type of Change
EU-CUMMINS	Model QSK50-G5 NR2 emergency generator with a diesel-fired compression ignition engine having a maximum rated capacity of 1,850 HP and displacement of 3.14 liters per cylinder, manufactured by Cummins, Inc. in 2013, installed in December 2014, and started operation in March 2015.	Added Added under Construction Permit
EU-TELECOM	TeleCom Tower Emergency Generator with a LPG-fired spark ignition engine having a maximum rated capacity of 71 HP, manufactured on 11/09/2015 and commenced construction on 06/16/2015.	Added Added under Construction Approval
EU-WATERPUMP	Emergency Water Pump Engine with maximum rated capacity of 617 HP, model 6135HFG85 manufactured by John Deere, manufactured after January 1, 2014 and commenced construction after October 1, 2014	Added Added under Construction Approval
EU- LIMESTONE	New Limestone and Storage Handling System	Added New limestone storage and handling system added to replace existing system
EU-GYPSUM	New Gypsum Storage and Handling Equipment	Added New gypsum storage and handling equipment
EU-FLYASHSTORAGE	New Fly Ash Storage Silo	Added New fly ash storage silo
EU-SV-VACUUM-1	Vacuum Systems rated at 100 lbs per hour each (99.9% efficiency at 2.5- and 10-micron carbon particles).	Added Added to address spillage near carbon silos at the facility
EU-SV-VACUUM-2	Vacuum Systems rated at 100 lbs per hour each (99.9% efficiency at 2.5- and 10-micron carbon particles).	Added Added to address spillage near carbon silos at the facility

III. Facility Emissions Summary

Pollutant	2017 Actual (tpy)	Potential-to-emit (tpy)
Sulfur Dioxide (SO ₂)	711.7	> 100
Particulate matter less than ten microns (PM ₁₀)	225.7	> 100
Nitrogen Oxides (NO _x)	3,943.7	> 100
Carbon Monoxide (CO)	467.5	> 100
Volatile Organic Compounds (VOCs)	213.8	> 100
Highest Individual HAP (HCl)	14.5	> 10
Combined HAPs	31.0	> 25

IV. Basis for permit modifications to previous Class I Operating Permit, dated May 14, 2018

- A. Permit wording has been updated to meet current standards.
- B. Facility wide requirements including opacity monitoring have been revised in accordance with current KDHE policy. Unit 1 is subject to 40% opacity. Unit 2, the auxiliary boilers, and all other emission units at the facility below are limited to 20% opacity
- C. The latest revisions on the following sections: Section **VIII. Facility-Wide Applicable Requirements**; Section **IX. Opacity Limitations and Monitoring**; Section **X. Requirements Which Will Become Applicable During the Permit Term**; Section **XI. Permit Shield**; Section **XII. Testing, Monitoring, Recordkeeping and Reporting**; Section **XIII. Reporting of Deviations from Permit Terms**; and Section **XIV. General Provisions** have been incorporated to this permit renewal.
- D. Units 1 and 2 are subject to K.A.R. 28-19-275 - Special Provisions; Acid Rain Deposition. The acid rain permit requirements are found in Attachment C of the permit. The Title IV acid rain permit is effective January 1, 2015 and expires December 31, 2019.
- E. 40 CFR Part 97 – Federal NO_x Budget Trading Program and CAIR NO_x and SO₂ Trading Programs, also known as the Cross-State Air Pollution Rule (CSAPR) or Transport Rule. Units 1 and 2 are subject to this rule. The owner or operator shall follow the applicable requirements of 40 CFR Part 97 (Attachment D of the operating permit).
- F. Units 1 and 2 are subject to the applicable requirements of 40 CFR Part 63, Subpart UUUUU Mercury and Air Toxics Standards (MATS).
- G. Per a Consent Decree agreed upon by KCPL and KDHE (Case No. 11-E-86 BOA), signed April 9, 2012 and April 2, 2012, respectively, KCPL agreed to: 1) install and operate a particulate matter continuous emissions monitoring system on Units 1 and 2 no later than June 1, 2015; and 2) complete additional fugitive dust control associated with its coal convey equipment no later than June 1, 2015.
- H. 40 CFR Part 64, Compliance Assurance Monitoring (CAM). PM CEMS for Units 1 and 2 that meets the requirements of 40 CFR 63 Subpart UUUUU is the compliance assurance monitoring for Units 1 and 2

and meets the requirement for K.A.R. 28-19-31(a) and also is the CAM for Unit 2 for 40 CFR Part 60 Subpart D.

- I. On October 31, 2012, KDHE concluded that, with respect to Unit 1, it is permissible and appropriate to approve under K.A.R. 28-19-19(o) the use of the PM-CEMS in lieu of the Continuous Opacity Monitoring Systems (COMS) unit on Unit 1.
- J. Insignificant activities have been reviewed in accordance with U.S. EPA permit streamlining guidance and current KDHE policy. All coal handling equipment that is subject to K.A.R. 28-19-720 and NSPS Subpart Y are considered emission units. Other such units are insignificant activities.
- K. EU-EMGEN-U1, EU-EMGEN-U2, EU-CUMMINS and EU-TAINTER-90 must comply with the applicable requirements of 40 CFR Part 63, Subpart ZZZZ – National Emission Standards for Hazardous Air Pollutants (NESHAP) for Stationary Reciprocating Internal Combustion Engines (RICE). These engines are existing stationary emergency engines per 40 CFR 63.6590, 40 CFR 63.6675.
- L. EU-WATERPUMP must comply with the following requirements of 40 CFR 60 Subpart IIII, unless superseded by changes to 40 CFR 60, Subpart IIII. If superseded, the owner or operator will comply with the new applicable requirements upon the applicable compliance date.
- M. EU-TELECOM must comply with the following requirements of 40 CFR 60 Subpart JJJJ, unless superseded by changes to 40 CFR 60, Subpart JJJJ. If superseded, the owner or operator will comply with the new applicable requirements upon the applicable compliance date.

V. Basis for permit modifications – Significant Modification to Class I Operating Permit, Date, 2020

- A. The Construction Permit issued on 3/16/2011, amended on 4/20/2011, 3/15/2016 and **Date, 2020** (concurrently with this operating permit modification) included a compliance requirement with the CO emission limit of 0.319 lb/MMBtu on Unit 2 to be demonstrated with performance tests. Language was changed in Section VI.C. such that the performance testing shall be conducted at the same frequency as and in conjunction with the Relative Accuracy Testing (RATA) of the NO_x continuous emissions monitoring, as required for Acid Rain Program compliance. This permit amendment has also clarified the requirements of K.A.R. 28-19-31(b)(2) and K.A.R. 28-19-31(c) for Unit 2.
- B. The requirements based on Air Emission Source Construction Approval dated October 24, 1991 have been removed since the approval is terminated under Construction Approval CSA04613 v1.0.
- C. Permit wording has been changed to reflect that the owner/operator is Evergy, Inc.
- D. Permit wording has been changed to reflect the KDHE 2020 template for Class I operating permits.
- E. Requirements for EU-6, EU-7, and EU-8 in Section VI.6E - Coal Handling – 40 CFR 60 Subpart Y changed to reflect opacity limit.
- F. Section VI.E of the May 14, 2018 Title V permit has been removed since there is no longer a

requirement for daily monitoring of the pressure drop across applicable fabric filters based on the termination of this requirements in the Construction Approval (CSA04613 v1.0) issued on July 17, 2020.

- G. Section VI.H of the May 14, 2018 Title V permit has been removed since the Consent Decree that led to this requirement was terminated by KDHE on March 13, 2018.
- H. Emission of NO_x are limited to 0.15 lb/MMBtu on a 12-month rolling average recalculated monthly. This language was added to reflect Construction Permit: C-6497, dated November 18, 2005.
- I. Evergy received approval under Construction Response CSO03389 v1.0, dated July 14, 2020, to perform the required Regional Haze PM₁₀ test in conjunction with and at the same frequency as the 40 CFR Part 63 Subpart UUUUU, MATS RRA/RCA.
- J. Evergy replaced four (4) fabric filter dust collectors with three (3) wet dust collectors under Construction Response CSO003423 v1.0, issued on September 11, 2020.
- K. The Acid Rain Permit included under the previous Class I Permit has been renewed and the recent Acid Rain Permit has been included instead in Attachment C to the Significant Modification.

Source ID No.: 1070005

Source Name: Evergy – La Cygne Generating Station

The period of time for which compliance is certified began at 12:01 a.m. on _____, _____ and ended at 11:59 p.m. on _____, _____.

Certifications of compliance are required to be submitted at least annually. The period of time covered by each certification document cannot exceed one year and there can be no period of time during the term of the permit for which compliance is not certified.

The terms or conditions of the permit that is the basis for this certification are those specified in the Class I Operating Permit issued and/or renewed by the Secretary of Health and Environment on _____, _____.

Compliance status of each term or condition of the permit during the certification period:

1. In continuous compliance with all applicable requirements during the entire certification period.

2. Not in continuous compliance with all applicable requirements during the entire certification period.

If not in continuous compliance with all applicable requirements during the entire certification period, mark the applicable description below.

One or more instances of non-compliance with any applicable requirement during the certification period.

Continuous non-compliance with any applicable requirement during the certification period.

Provide a summary of the nature, duration, and frequency of the non-compliance that occurred, including the applicable requirement(s) and emission unit(s).

Compliance status of each term or condition of the permit at the time the certification is signed:

1. In compliance with all applicable requirements at the time of certification.

2. Not in compliance with all applicable requirements at the time of certification.

Provide a description of the nature, duration, and frequency of the non-compliance that occurred, including the applicable requirement(s) and emission unit(s).

Methods used to determine compliance during the certification period and at the time of signing the certification:
1. ____ In accordance with compliance demonstration methods specified in the Class I Operating Permit.
2. ____ Other - In accordance with attachments.

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on information and belief formed after reasonable inquiry, including the person or persons who manage the system, or those persons directly responsible for gathering the information, the stated information in this document is true, accurate, and complete.

Name of Responsible Official (print or type):

Title: _____

Signature: _____ Date: ____ / ____ / ____

"Responsible official" means one of the following (From K.A.R. 28-19-200 General provisions; definitions):

- (1) For a corporation, a president, secretary, treasurer or vice-president in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation, or a duly authorized representative of such person if the representative is responsible for the overall operation of one or more manufacturing, production or operating facilities applying for or subject to permit or other relevant regulatory requirement and either:
 - (A) the facilities employ more than 250 persons or have gross annual sales or expenditures exceeding \$25 million, in second quarter, 1980 dollars; or
 - (B) the delegation of authority to such representative is approved in advance by the department;
- (2) for a partnership or sole proprietorship, a general partner or the proprietor, respectively;
- (3) for a municipality, or a state, federal or other public agency, a principal executive officer or ranking elected official. For purposes of this definition, a principal executive officer of a federal agency shall include the chief executive officer having responsibility for the overall operations of a principal geographic unit of the agency; or
- (4) for affected sources, the designated representative under title IV, acid deposition control, of the federal clean air act, 42 USC 7401 et seq.

Send certification with original signatures to:

Air Compliance & Enforcement Section
Bureau of Air
Kansas Department of Health and Environment
1000 SW Jackson, Suite 310
Topeka, KS 66612-1366

Send a copy of certification to:

Kansas Compliance Officer
Air Branch
Enforcement and Compliance Assurance Division
U.S. EPA, Region 7
11201 Renner Blvd.
Lenexa, Kansas 66219

Operating Permit Application Summary Report

General Facility Information

Facility Name:	Evergy, Inc.	Source ID Number:	1070005
Facility Address/Legal Description:	25166 East 2200 Road, LaCygne, KS 66040	KIEMS Permit Number:	OP100182v5.1
Major Product Description:	Fossil Fuel Power Plant	Date Application Received:	7/24/2020
SIC Code of Major Product:	4911		Electrical Services
NAICS Code of Major Product	221112		Fossil Fuel Electric Power Generation

Application Type/Permit Activity

- Initial Issuance
 Conditional Major
 Permit Modification
 Permit Renewal

Facility Emissions Summary

Pollutant	2017 Actual (tpy)	Potential (tpy)
NO _x	3943.7	3943.7
CO	467.5	467.5
VOC	213.8	213.8
SO ₂	711.7	711.7
PM	225.7	225.7
PM ₁₀	225.7	225.7
Single Hazardous Air Pollutant (HAP) - HCl	14.5	14.5
Combined HAPs	31.0	31.0

Compliance Summary

- Source is out of compliance
 Compliance schedule included (CD-03)
 Compliance certification signed (CR-01)
 Other _____

Applicable Requirements list

- NSR
 NSPS (Part 60)
 SIP
 PSD (Part 52.21)
 NESHAPS (Part 61)
 MACT (Part 63)
 CAM (Part 64)
 Other _____

Miscellaneous

- Acid rain source
 Source subject to 112(r)
 Source applied for federally enforceable emissions cap
 Source provided terms for alternative operating scenarios
 Source requested case-by-case 112(g) or (j) determination
 Application proposes new control technology
 Certified by responsible official
 Diagrams or drawings included
 Confidential business information (CBI) included