


**STATEMENT OF BASIS TO MODIFY A CLASS I (TITLE V) PERMIT TO  
OPERATE A  
MAJOR SOURCE OF AIR CONTAMINANTS**

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<b>LLCHD Air Quality Section Facility Identification Number (FID#):</b>	<b>00130</b>
<b>Proposed Issue Date:</b>	<b>August ##, 2025</b>

**Lincoln-Lancaster County Health Department (LLCHD) has made the preliminary determination to issue a Title V permit to operate a Class I source to the following:**

Permit Holder Name:	<b>Lincoln Electric System Rokeby Generating Station</b>
Address:	<b>8000 SW 12<sup>th</sup> Street</b>
City, County, State, ZIP:	<b>Lincoln, Lancaster County, Nebraska 68523</b>

**The proposed permit modification allows for continued operation of the following source:**

Facility Site Name:	<b>Lincoln Electric System Rokeby Generating Station</b>
Facility Address:	<b>8000 SW 12<sup>th</sup> Street</b>
City, County, State, ZIP:	<b>Lincoln, Lancaster County, Nebraska, 68523</b>
Facility NAICS:	<b>221112: Fossil Fuel Electric Power Generation</b>

In accordance with requirements set forth under Article 2, Sections 13 and 14 of the Lincoln-Lancaster County Air Pollution Control Program Regulations and Standards (LLCAPCPRS), the LLCHD may not issue, significantly modify, or renew a Class I (Title V) operating permit until the public, the U.S. Environmental Protection Agency (US EPA), and affected states have been given the opportunity to comment on the draft permit.

Within the 30-day public comment period, any interested person, agency, group, or affected state may request or petition the Director of the LLCHD for a public hearing. All requests for public hearing must be made in writing, and must state the nature of the issues to be raised and all arguments and factual grounds supporting their position. If a public hearing is granted by the Director, the hearing will be advertised by public notice at least 30 days prior to its occurrence.

The U.S. EPA may elect to either utilize or waive their 45-day review period following completion of the public comment period. Within the 45-day review period, the U.S. EPA may submit comments on the proposed draft.

A final determination on this permit will be made following the opportunity of the public, the US EPA, and affected states to review and comment on the draft permit, and any/all comments received have been addressed. The conclusion of this document will include a recommendation to either approve or deny the renewal of a Class I (Title V) operating permit for this source.

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### **Section 1 – Introduction**

Lincoln Electric System Rokeby Generating Station (referred to hereafter as ‘LES’) has submitted an application to renew a Title V (Class I) Operating Permit to operate an electric power generating station. Submittal of the application meets the requirement for a “timely” submittal.

Article 2 of Section 5 of the Lincoln-Lancaster County Health Department Air Pollution Control Program Regulations and Standards (LLCAPCPRS) requires that significant sources of air pollutants apply for operating permits. Sources that are required to apply for Class I operating permits are those defined as a major source under the criteria set forth in Article 2, Section 2, paragraph (G) of the LLCAPCPRS based on their potential to emit, and sources subject to certain federal emission standards.

LES will operate as a major source, as the maximum potential emissions of some criteria pollutants from this source are in excess of major source thresholds. This source is considered an ‘area source’ of Hazardous Air Pollutants (HAPs), as maximum potential emissions of both individual and combined HAPs at levels that are limited to less than major source thresholds by federally enforceable construction permits.

The conclusion of this document will include a recommendation to either issue or deny the renewal of a Title V (Class I) operating permit for this source.

## **Section 2 – Permitting History**

### **2.01 – Operating Permit No. 0009**

This permit was issued to install and operate a 650 MMBtu/hr combustion turbine, fired on No. 2 fuel oil (now referred to as Emission Unit 1, or Rokeby 1). The permit was issued to LES on August 25, 1976, and contained no applicable conditions or requirements; it served only as an equipment registration.

### **2.02 – Operating Permit No. 0074**

This permit was issued to operate the LES Rokeby Generating Station. The permit was issued to LES on January 31, 1992, and allowed for the replacement of air inlet guide vanes (which were redesigned), the construction of an ice storage system, and conversion of the unit to natural gas. These modifications were all in relation to Emission Unit 1 (aka, Rokeby 1). The permit contained the following conditions:

- Emissions of nitrogen oxides (NO<sub>x</sub>) were limited to no more than 249 tons per year, and compliance with this limit would be established through use of a computerized data acquisition system, performance testing, and periodic emission records.
- Combustion of No. 2 fuel oil was restricted to 'emergency' situations, i.e. instances in which the supply of natural gas was interrupted due to curtailment or a break-down in the delivery system. LES was required to notify the Department of periods during which the turbine was operated on No. 2 fuel oil, and was required to maintain compliance with the 249 tpy NO<sub>x</sub> limit, even during periods of natural gas curtailment.

### **2.03 – Construction Permit No. 056**

This permit was issued to allow for the replacement of air inlet guide vanes (which were redesigned), the construction of an ice storage system, and conversion of the unit to natural gas. These modifications were all in relation to Emission Unit 1 (aka, Rokeby 1). The permit was issued to LES on December 20, 1990, and contained the following conditions:

- Emissions of NO<sub>x</sub> were limited to no more than 249 tons per year, and compliance with this limit would be established through use of a computerized data acquisition system, performance testing, and periodic emission records.
- Combustion of No. 2 fuel oil was restricted to 'emergency' situations, i.e. instances in which the supply of natural gas was interrupted due to curtailment or a break-down in the delivery system. LES was required to notify the Department of periods during which the turbine was operated on No. 2 fuel oil, and was required to maintain compliance with the 249 tpy NO<sub>x</sub> limit, even during periods of natural gas curtailment.
- LES was required to report rolling totals of NO<sub>x</sub> emissions on a quarterly basis.
- LES was required to perform performance tests at various load conditions to develop NO<sub>x</sub> emission rates.

Construction Permit No. 056 was eventually replaced by Construction Permit No. 079.

### **2.04 – Construction Permit No. 079**

On August 31, 1995, Construction Permit No. 079 was issued to LES for the modification Emission Unit 1. The construction permit granted LES permission to install a water injection system. The construction permit contained the following conditions:

- The NO<sub>x</sub> emission limit of no more than 249 tons per year remained in place;
- A carbon monoxide (CO) emission limit of 249 tons per year was added;

- In addition to reporting NO<sub>x</sub> emissions quarterly, LES was also required to report emissions of CO, natural gas and fuel oil use, and hours of operation on each fuel type, on a quarterly basis;
- LES was required to develop NO<sub>x</sub> and CO emission rates based on performance tests conducted in 1991 and 1994, and also based on performance testing required subsequent to completion of the water injection system installation.
- The restriction of fuel use combustion to 'emergency' situations was removed.
- Applicable requirements of 40 CFR Part 60, Subpart GG were incorporated.

#### **2.05 – Construction Permit No. 079A**

On December 14, 2007, Construction Permit No. 079A was issued to LES. This permit replaced the previously issued Construction Permit No. 079. The new construction permit retained the previously included conditions, but also included newly-added facility-wide limits on individual and total hazardous air pollutants (HAPs). These new limits on HAPs established the source as an 'area source' of hazardous air pollutants, thereby avoiding applicability of any National Emission Standards for Hazardous Air Pollutants (NESHAP) requirements for major sources.

#### **2.06 – Construction Permit No. 080**

On August 31, 1995, Construction Permit No. 080 was issued to LES for the installation of Emission Unit 2 (882.0 MMBtu/hr Combustion Turbine, aka Rokeby #2), as well as Emission Units 4-1 and 5-1 (Blackstart diesel generator consisting of two 16.75 MMBtu/hr engines). The construction permit contained the following conditions:

- Combined emissions the following pollutants from Emission Units 2, 4-1, and 5-1 were limited to less than 249 tons per year, per pollutant: particulate matter less than 10 micrometers in diameter (PM<sub>10</sub>), oxides of sulfur (SO<sub>x</sub>), volatile organic compounds (VOC), CO, and NO<sub>x</sub>;
- Operation of the Blackstart diesel generator was limited to no more than 500 hours per year;
- LES was required to keep rolling totals of NO<sub>x</sub> and CO emissions to demonstrate compliance with the emission limits; and
- LES was required to submit quarterly reports detailing rolling totals of NO<sub>x</sub> and CO emissions, monthly and quarterly fuel consumption (natural gas and fuel oil), as well as monthly and quarterly hours of operation of the turbine on each fuel type;
- The applicable requirements under 40 CFR Part 60, Subpart GG were incorporated into the permit; and
- The applicable requirements of the 'Acid Rain Program', including 40 CFR Parts 72, 73, 75, 77, and 78 were incorporated by reference.

#### **2.07 – Construction Permit No. 080A**

On December 14, 2007, Construction Permit No. 080A was issued to LES. This permit replaced the previously issued Construction Permit No. 080. The new construction permit retained the previously included conditions, but also included newly-added facility-wide limits on individual and total hazardous air pollutants (HAPs). These new limits on HAPs established the source as an 'area source' of hazardous air pollutants, thereby avoiding applicability of any National Emission Standards for Hazardous Air Pollutants (NESHAP) requirements for major sources.

#### **2.08 – Construction Permit No. 101**

On November 22, 1999, Construction Permit No. 101 was issued to LES for the construction of Emission Unit 3 (1037.0 MMBtu/hr Combustion Turbine, aka Rokeby #3). Due to the potential increase in emissions, this permit was a PSD construction permit. The construction permit contained the following conditions:

- Actual annual emissions from Emission Unit 3 were limited as follows:
  - PM<sub>10</sub> limit = ..... 14.60 tons/year
  - SOx limit = ..... 82.61 tons/year
  - VOC limit = ..... 8.66 tons/year
  - CO limit = ..... 18.13 tons/year
  - NOx limit = ..... 153.12 tons/year
  - Lead limit = ..... 0.03 tons/year
  - Formaldehyde limit = ..... 4.33 tons/year
  - Individuals HAP limit = ..... < 2.50 tons/year (other than Formaldehyde)
  - Combined HAP limit = ..... < 10.00 tons/year
- Emission Unit 3 was limited to no more than 3,504 hours of operation per year (regardless of the type of fuel being combusted);
- Emission Unit 3 was limited to no more than 526 hours of operation per year when combusting No. 2 fuel oil;
- Annual combustion of pipeline quality natural gas in Emission Unit 3 was limited to no more than 2,549 million cubic feet (MMcf);
- Annual combustion of No. 2 fuel oil in Emission Unit 3 was limited to no more than 3,451 thousand gallons (Mgal);
- When combusting natural gas, emissions of NOx from Emission Unit 3 were limited to no more than 25 parts per million (ppm) and no more than 76 pounds per hour (lbs/hr);
- When combusting No. 2 fuel oil, emissions of NOx from Emission Unit 3 were limited to no more than 42 parts per million (ppm) and no more than 152 pounds per hour (lbs/hr);
- Emissions of particulate matter (PM) were limited to no more than 0.21 lbs/MMBtu;
- The maximum allowable sulfur content of No. 2 fuel oil combusted in Emission Unit 3 was limited to no more than 0.05% by weight;
- LES was required to control emissions of NOx while combusting natural gas by employing dry low-NOx (DLN) burners;
- LES was required to control emissions of NOx while combusting No. 2 fuel oil by employing DLN burners and a water injection system.
- LES was required to perform record keeping, monitoring, and reporting to demonstrate compliance with all applicable emission limits, and was also required to conduct performance testing to establish compliance with applicable emission limits;
- The applicable requirements under 40 CFR Part 60, Subpart GG were incorporated into the permit; and
- The applicable requirements of the 'Acid Rain Program', including 40 CFR Parts 72, 73, 75, 77, and 78 were incorporated by reference.

## **2.09 – Construction Permit No. 101A**

On June 10, 2003, Construction Permit No. 101A was issued to LES. This permit replaced the previously issued Construction Permit No. 101. The new construction permit retained the previously included conditions, but increased the emission limit for CO from 18.13 tons/year up to

99.0 tons/year. In addition, the newly-issued construction permit allowed for a revised schedule of portable NOx analyzer testing.

#### **2.10 – Construction Permit No. 101B**

On December 14, 2007, Construction Permit No. 101B was issued to LES. This permit replaced the previously issued Construction Permit No. 101A. The new construction permit retained the previously included conditions, but also included newly-added facility-wide limits on individual and total hazardous air pollutants (HAPs). These new limits on HAPs established the source as an ‘area source’ of hazardous air pollutants, thereby avoiding applicability of any National Emission Standards for Hazardous Air Pollutants (NESHAP) requirements for major sources.

#### **2.11 – Initial Class I (Title V) ‘Major Source’ Operating Permit**

The initial Class I (Title V) operating permit for this facility was issued on January 1, 2001. This operating permit incorporated the applicable provisions of Construction Permits No. 079, 080, and 101, which were effective at the time of issuance of the operating permit.

#### **2.12 – Class I (Title V) ‘Major Source’ Operating Permit – Significant Modification**

The initial operating permit was modified on June 10, 2003 to allow for the following changes:

- For Emission Unit 3, an increased CO limit from 18.13 tons/year up to 99.0 tons. This change was made concurrent with the issuance of Construction Permit No. 101A.
- Corrected inconsistencies in prescribed calculation methods for emissions of CO and SO<sub>2</sub>.
- Corrected the stack sampling procedure used for determining particulate emissions that was referenced in the original Construction Permit No. 101.
- Revised the schedule for portable NOx analyzer testing.

The bases for these changes are set forth in the ‘Statement of Basis’ for that modified permit.

#### **2.13 – Class I (Title V) ‘Major Source’ Operating Permit – Renewal**

A Title V operating permit renewal was issued December 14, 2007, concurrent with the issuance of modified Construction Permits No. 079A, 080A, and 101B. This permit renewal was substantively similar to the modified Title V operating permit issued on June 10, 2003, in that it contained the same emission limits and similar monitoring, record keeping, and reporting requirements as those set forth in the modified permit. The bases for the conditions set forth in that permit are established in the ‘Statement of Basis’ for that permit.

#### **2.14 – Class I (Title V) ‘Major Source’ Operating Permit – Administrative Amendment**

The Title V operating permit issued December 14, 2007 was amended on July 1, 2009, to contain amended reporting requirements. Specifically, the reporting dates for the annual certification of compliance, as well as the semi-annual monitoring and deviation reports were revised such that all reports would be due within 45 days of the end of each reporting period. This revision was handled as an administrative permit amendment.

#### **2.15 – Construction Permit No. 184**

On September 21, 2016, Construction Permit No. 184 was issued to LES. This permit allowed for the installation of a 282 horsepower diesel-fired engine associated with an emergency fire pump. Applicable requirements set forth under Construction Permit No. 184 have been incorporated into the draft operating permit, and the construction permit has also been included as Attachment G of the draft operating permit.

#### **2.16 – Phase II Acid Rain Permit**

The initial Phase II Acid Rain permit was issued to LES Rokeby Generating Station on January 1, 2000. The permit was subsequently renewed on January 1, 2005, January 1, 2010, and again on January 1, 2015. The renewal permit issued on January 1, 2005 has been incorporated as Attachment H of the draft operating permit. Applicable rules under the Acid Rain program have been incorporated by reference in the proposed permit.

### **2.17 – Construction Permits No. 079C, 080C, and 101D**

These construction permits were issued as minor modifications of the previously-issued permits. The purpose of the modifications was to replace references to regulations set forth under LLCAPCPRS Article 2, Section 19 with references to regulations established in Title 129, Chapter 19 of the Nebraska Administrative Code (Nebraska Air Quality Regulations – Prevention of Significant Deterioration of Air Quality). These modifications were prompted by discussions with U.S. EPA permitting and compliance personnel, who had determined that LLCAPCPRS Article 2, Section 19 should not have been adopted into the State Implementation Plan (SIP). That regulation has since been removed from the SIP, and EPA guidance has been to replace references to that regulation with reference to Title 129 regulations for PSD (Chapter 19). Because these changes did not result in the relaxation of any requirements, alter monitoring, record keeping, or reporting requirements, and did not modify any previously established emission limits or operating requirements, they were processed as a minor modification.

### **2.18 – Class I (Title V) ‘Major Source’ Operating Permit – Renewal**

A Title V operating permit renewal was issued March 1, 2019. This permit renewal was substantively similar to the modified Title V operating permit issued on December 14, 2007, in that it contained the same emission limits and similar monitoring, record keeping, and reporting requirements as those set forth in the modified permit. The bases for the conditions set forth in that permit are established in the ‘Statement of Basis’ for that permit.

### **2.19 – Class I (Title V) ‘Major Source’ Operating Permit – Proposed Renewal**

This document serves as the factual and legal basis for the proposed issuance of an operating permit renewal for the LES Rokeby Generating Station. The sections that follow provide more information on the source, the nature of emissions from the source, evaluation of the potential to emit, and a discussion of conditions set forth in the draft permit.

## **Section 3 – Source Characterization**

### **3.01 – Source Description**

LES consists of 3 combustion turbines, all of which are capable of running on fuel oil or natural gas, and 1 blackstart generator consisting of 2 diesel-fired blackstart engines. This facility produces electricity for consumer use.

### **3.02 – Significant Sources of Air Pollution**

For the purpose of the proposed operating permit, the following emission units constitute the ‘Permitted Source’:

Emission Unit	SCC Code	Emission Point Description	Emission Segment Description
1-1	2-01-001-01	660.0 MMBtu/hr Combustion Turbine #1	Fuel Oil
1-2	2-01-002-01	660.0 MMBtu/hr Combustion Turbine #1	Natural Gas
2-1	2-01-001-01	882.0 MMBtu/hr Combustion Turbine #2	Fuel Oil
2-2	2-01-002-01	882.0 MMBtu/hr Combustion Turbine #2	Natural Gas

Emission Unit	SCC Code	Emission Point Description	Emission Segment Description
3-1	2-01-001-01	1037.0 MMBtu/hr Combustion Turbine #3	Fuel Oil
3-2	2-01-002-01	1037.0 MMBtu/hr Combustion Turbine #3	Natural Gas
4-1	2-02-001-02	16.75 MMBtu/hr Black Start Engine #1	Fuel Oil
5-1	2-02-001-02	16.75 MMBtu/hr Black Start Engine #2	Fuel Oil
6-1	2-02-001-02	Fire Pump Engine (282 hp – 1.9 MMBtu/hr)	Diesel

### 3.03 – Insignificant Activities

The LLCHD utilizes the same ‘Insignificant Activities’ list as the Nebraska Department of Environment and Energy. Under that list, stationary external combustion units 10.0 MMBtu/hr or less combusting natural gas, fuel storage and distribution equipment at Class I sources with aggregate annual throughput of less than 1 million gallons for the entire site, and cooling towers with a circulating capacity of less than 2,000 gallons per minute are considered insignificant.

For the purpose of this operating permit, the following activities are considered insignificant sources of emissions:

Insignificant Activity	Additional Information
Fuel Oil Storage Tank	2,000,000 gallon capacity – No 2 Fuel Oil Storage
Unit 1 NG Fuel Heater	2.0 MMBtu/hr; NG Fired; Average 321 hrs/yr of service (based on 2011)
Unit 2 NG Fuel Heater	2.0 MMBtu/hr; NG Fired; Average 246 hrs/yr of service (based on 2011)
Unit 3 NG Fuel Heater	2.0 MMBtu/hr; NG Fired; Average 851 hrs/yr of service (based on 2011)
W. Material Storage Bldg. Heater	Natural Gas Fired, 0.2 MMBtu/hr
E. Material Storage Bldg. Heater	Natural Gas Fired, 0.2 MMBtu/hr
40 CFR Part 60, Subparts K, Ka, and Kb do not apply to the diesel oil storage tank as the vapor pressure of No 2 fuel oil does not reach applicability thresholds. As a result, this tank is classified as insignificant activities.	



### 3.04 – Source Aerial View

Aerial view of LES Rokeby Generating Station as viewed from the west looking east.



## Section 4 – Emission Characterization

### 4.01 – Emission Calculation Factors and Methods


The procedures for performing emission calculations are provided in the Class I permit application.

### 4.02 – Maximum Potential to Emit (MPTE)

#### 4.02.01 – MPTE: Criteria Air Pollutants

These figures represent the MPTE under federally enforceable requirements to operate control equipment. The following emissions are derived from the approved application. These emission calculations are based on the highest projected emissions to occur during the term of the permit.

Emission Unit	SCC Code	Max. Annual Throughput	PM <sub>10</sub> (lbs/yr)	PM <sub>2.5</sub> (lbs/yr)	NOx (lbs/yr)	SOx (lbs/yr)	VOC (lbs/yr)	CO (lbs/yr)	CO <sub>2</sub> e (lbs/yr)	LEAD (lbs/yr)	Total HAPs (lbs/yr)
1-1	2-01-001-01	5.78E <sup>06</sup> MMBtu	38,159	38,159	498,000	19,657	12,141	498,000	642,387,794	-	<50,000
1-2	2-01-002-01	5.78E <sup>06</sup> MMBtu	69,379	69,379		190,793	2,370		907,711,200	80.94	
2-1	2-01-001-01	7.73E <sup>06</sup> MMBtu	498,000	498,000	498,000	498,000	498,000	858,463,689	<5000		
2-2	2-01-002-01	7.73E <sup>06</sup> MMBtu						1,213,032,240			
4-1	2-02-001-02	1.47E <sup>05</sup> MMBtu						23,856,831			
5-1	2-02-001-02	1.47E <sup>05</sup> MMBtu						23,856,831			
3-1	2-01-001-01	9.08E <sup>06</sup> MMBtu	29,200	29,200	306,240	165,220	17,320	198,000	1,009,327,489	60.00	
3-2	2-01-002-01	9.08E <sup>06</sup> MMBtu							1,426,206,840		
6-1	2-02-001-02	2.47E <sup>06</sup> MMBtu	300.00	300.00	4,140	280.00	340.00	900.00	154,820	1.97	
Total Emissions (pounds per year)			596,879	596,879	1,306,380	854,293	527,801	1,194,900	3,594,818,761	5,142.9	<50,000
Total Emissions (tons per year)			298.44	298.44	653.19	427.15	263.90	597.45	1,797,409	2.57	<25.00

 The cells shaded in **gray** have had their values omitted from the total emissions, as only the 'worst case scenario' emissions are included in the totals to avoid double counting of mutually exclusive operating scenarios.

#### 4.02.02 – MPTE: Hazardous Air Pollutants (HAPs)

These figures represent the MPTE under federally enforceable requirements to limit emissions. The HAPs from this facility are those typically associated with natural gas and fuel oil combustion (primarily formaldehyde). The construction permits held by the owner/operator limit this source to operating as an 'area source' of HAP emissions. Those emission limits are summarized as follows:

HAP Name	CAS #	Emissions (lbs)	Emissions (tons)
Lead	7647-01-0	<10,000	<5.0
Greatest Single HAP (besides lead)	7440-47-3	<20,000	<10.0
Total Combined HAP Emissions		<50,000	<25.0

#### 4.02.03 – MPTE: Permit Threshold Evaluation

The following table summarizes the source's maximum potential to emit, and compares it to applicable Class I and Class II operating permit thresholds:

Criteria Pollutant	Emissions (tpy)	Class II Permitting Threshold	Meet or Exceed?	Class I Permitting Threshold	Meet or Exceed?
PM <sub>10</sub>	298.44	≥ 15 tpy	Yes	≥ 100 tpy	Yes
PM <sub>2.5</sub>	298.44	N/A	N/A	N/A	N/A
NO <sub>x</sub>	653.19	≥ 40 tpy	Yes	≥ 100 tpy	Yes
SO <sub>x</sub>	427.15	≥ 40 tpy	Yes	≥ 100 tpy	Yes
VOC	263.90	≥ 40 tpy	Yes	≥ 100 tpy	Yes
CO	597.45	≥ 50 tpy	Yes	≥ 100 tpy	Yes
Lead	2.57	≥ 0.6 tpy	Yes	≥ 5 tpy	No
CO <sub>2e</sub>	1,797,409	N/A	N/A	N/A	N/A
Hazardous Air Pollutant	Emissions (tpy)	Class II Permitting Threshold	Meet or Exceed?	Class I Permitting Threshold	Meet or Exceed?
Greatest Single HAP	<10.0	≥ 2.5 tpy	Yes	≥ 10.0 tpy	No
Total Combined HAPs	<25.0	≥ 10.0 tpy	Yes	≥ 25.0 tpy	No

#### 4.03 – Limited and Controlled Potential to Emit (LCPTE)

The 'Potential to Emit' for this facility incorporates limits on emissions and/or operation that are set forth as federally-enforceable conditions of previously-issued construction permits. The owner/operator has not elected to institute any further limitations on emissions or operation in the approved application. As such, the 'Limited and Controlled Potential to Emit' is the same as the maximum potential to emit, and there no further analyses of emissions is necessary.

#### 4.04 – Permit Threshold Evaluation

As reflected in the table in Section 4.02.03, even after incorporating emission limits and/or emission controls, emissions from this source are of sufficient quantities as to qualify for a Class I operating permit. This source will continue to be classified as a 'major source' of air pollution for Class I (Title V) operating permit purposes. In addition, the source will continue to be classified as a 'major source' of air pollution for 'Prevention of Significant Deterioration of Air Quality' (PSD) purposes in accordance with Article 2, Section 2, paragraph (H) of the LLCAPCRS. A Class I operating permit remains the appropriate operating permit for this source.

## **Section 5 – Applicable and Non-Applicable Regulations & Requirements**

### **5.01 – Applicable Regulations under the LLCAPCPRS**

(A) The following sections (§) of the LLCAPCPRS are requirements of this permit:

**Table 1-A: Applicable Regulations of the LLCAPCPRS**

<b>Article 1: Administration and Enforcement</b>	
§1	Intent
§2	Unlawful Acts – Permits Required
§3	Violations – Hearings – Orders
§4	Appeal Procedure
§5	Variance
§6	Annual Fees
§7	Compliance – Actions to Enforce – Penalties for Non-Compliance
§8	Procedure for Abatement
§9	Severability
<b>Article 2: Regulations and Standards</b>	
§1	Definitions
§2	Major Sources – Defined
§4	Ambient Air Quality Standards
§5	Operating Permits – When Required
§6	Emissions Reporting – When Required
§7	Operating Permits – Application
§8	Operating Permits – Content
§12	Operating Permit Renewal and Expiration
§13	Class I Operating Permit – EPA Review – Affected States Review
§14	Permits – Public Participation
§15	Operating Permit Modifications – Reopening for Cause
§16	Stack Heights – Good Engineering Practice (GEP)
§17	Construction Permits – When Required
§18	New Source Performance Standards (NSPS)
§20	Particulate Limitations and Standards
§21	Compliance Assurance Monitoring (CAM)
§23	National Emission Standards for Hazardous Air Pollutants (NESHAPs)
§24	Sulfur Compound Emissions – Existing Sources – Emission Standards
§26	Acid Rain
§27	Hazardous Air Pollutants – Maximum Achievable Control Technology (MACT)
§28	Hazardous Air Pollutants – MACT Emission Standards
§29	Operating Permit Emission Fees
§32	Duty to Prevent Escape of Visible Airborne Dust
§33	Time Schedule for Compliance
§34	Emission Source Testing and Monitoring
§35	Compliance – Exceptions Due to Startup, Shutdown, or Malfunction
§36	Control Regulations Circumvention – When Excepted
§37	Compliance – Responsibility of Owner/Operator Pending Review by Director
§38	Emergency Episodes – Occurrence, Control, and Contingency Plans
<b>Appendices</b>	
I	Emergency Emission Reduction Regulations
II	Hazardous Air Pollutants Sorted by Pollutant Name
III	Hazardous Air Pollutants Sorted by CAS Number



## 5.02 – Applicable Regulations under the Lincoln Municipal Code

- (A) The following sections of the Lincoln Municipal Code for Air Pollution (LMC 8.06) are requirements of this permit:

**Table 1-B: Applicable Sections of the Lincoln Municipal Code (LMC)**

8.06.130	Odor Nuisances Prohibited	(Locally-Enforceable Only)
8.06.140	Open Burning	(Locally-Enforceable Only)
8.06.145	Open Burning Permits	(Locally-Enforceable Only)
8.06.150	Air Pollution Nuisances Prohibited	(Locally-Enforceable Only)

## 5.03 – Applicable Federal Regulations

- (B) The following Federal Regulations, including those not currently delegated to the LLCHD or not yet included in the LLCAPCPRS, are requirements of this permit:

**Table 1-B: Applicable Federal Regulations**

40 CFR Part 52: Approval and Promulgation of Implementation Plans	
Subpart	Subpart Subject
A	General Provisions (refer specifically to §52.21: Prevention of Significant Deterioration of Air Quality)
40 CFR Part 60: New Source Performance Standards (NSPS)	
Subpart	Subpart Subject
A	General Provisions
III	NSPS for Stationary Compression Ignition Internal Combustion Engines
GG	NSPS for Stationary Gas Turbines
40 CFR Part 63: NESHAP Maximum Achievable Control Technology (MACT)	
Subpart	Subpart Subject
A	General Provisions
ZZZZ	NESHAP for Reciprocating Internal Combustion Engines
40 CFR Part 64: Compliance Assurance Monitoring	
40 CFR Part 68: Chemical Accident Prevention Provisions	
40 CFR Part 72: Permits Regulation	
40 CFR Part 73: Sulfur Dioxide Allowance System	
40 CFR Part 75: Continuous Emission Monitoring	
40 CFR Part 77: Excess Emissions	
40 CFR Part 78: Appeal Procedures	
40 CFR Part 82: Protection of the Stratospheric Ozone	
40 CFR Part 98: Mandatory Greenhouse Gas Reporting	

## 5.04 – Non-Applicable Local Regulations

- (C) The following sections of the LLCAPCPRS are not requirements of this permit:

**Table 1-C: LLCAPCPRS Regulations not Incorporated in Permit**

Article 2: Regulations and Standards	
§4	Ambient Air Quality Standards
§9	General Operating Permits for Class I and II Sources
§10	Operating Permits for Temporary Sources & Notification of Relocation of...
§22	Incinerator Emission Standards
§25	Nitrogen Oxides – Emissions Standards for Existing Stationary Sources
§3, §11, §30, §31	Reserved

## 5.05 – Non-Applicable Federal Regulations

- (D) The following Federal Regulations are not requirements of this permit:

**Table 1-D: Non-Applicable Federal Regulations**

Regulation	Non-Applicable Subparts, Section(s), or Appendix
40 CFR Part 51	Appendix S: Emission Offset Interpretive Ruling
40 CFR Part 60	All subparts, except those listed as applicable in Table 1-B
40 CFR Part 61	Entire rule is non-applicable at the time of permit issuance
40 CFR Part 63	All subparts, except those listed as applicable in Table 1-B

## 5.06 – Applicable State Regulations

- (E) The following regulation(s) set forth under Title 129 of the Nebraska Administrative Code (Nebraska Air Quality Regulations) apply to this source:

**Table 1-E: Non-Applicable State Air Quality Regulations**

Regulation	Regulation Title
Chapter 19	Prevention of Significant Deterioration of Air Quality

**Note:** This regulation is listed in the operating permit as being a regulation that applies to this source, but it is not an applicable requirement of the operating permit. PSD regulations apply to ‘new major stationary sources’ or ‘major modification at existing major stationary sources’. ‘Major stationary source’ in this context means a source that is major for the purposes of PSD as defined in Article 2, Section 2, paragraph (H). LES Rokeby Generating Station became a major source for the purposes of PSD following issuance of Construction Permit No. 080 (which has since been modified and reissued multiple times). The first major modification that was subject to PSD review was the construction of Combustion Turbine #3 (EU 3-1 & 3-2). Subsequent major modifications to this source will also be subject to PSD, which is why Title 129 Chapter 19 has been listed as an applicable regulation.

## **Section 6 – Discussion of Proposed Permit Conditions, Monitoring, Reporting, Notification and Record Keeping Requirements**

The following conditions of the proposed permit contain monitoring, reporting, and record keeping requirements, a brief description of the condition is provided:

### 6.01 – General Conditions

Conditions II through XXIX are general conditions that are applicable to all Class I sources. There will not be an in-depth discussion of these requirements, except to note the following General Conditions specifically related to monitoring, reporting, notification, and record-keeping:

- XII – Annual Emission Reporting
- XIII(A) – Timely Applications
- XIII(B) – Certification of Truth, Accuracy, and Completeness
- XIV(C)-(D) – Record Keeping Elements and Retention Times
- XIV(E) – Semi-Annual Monitoring and Deviation Reporting
- XIV(R) – Annual Certification of Compliance
- XIV(S) – Permit Copy Maintenance and Retention
- XVI(F) – Notification of Source Modifications
- XXVI – Startup, Shutdown, and Malfunction (SSM) Provisions
- XXX – Protection of Stratospheric Ozone (40 CFR 82)

### 6.02 – Specific Conditions

The following are specific conditions of the proposed Class I operating permit:

**NOTE:** Most of the 'Specific Conditions' of this permit have been incorporated as applicable requirements from Construction Permits #079C, #080C, #101D, and #184. The legal and factual bases for these requirements have been established in the 'Statements of Basis' for those permits, and/or for previous versions of those permits.

Because the legal and factual bases for the conditions in those permits have already been established through previous permitting actions, this document will not contain further explanation or repetition of the legal and factual bases of conditions established pursuant to those permits. If you wish to obtain more information on those previously-issued permits, contact the LLCHD Air Quality Program at (402) 441-8040.

- XXXII. – The provisions of the regulations cited under this condition establish that the Specific Conditions of this permit are deemed necessary by the Director to protect public health and/or the environment. All terms and conditions of this permit are enforced by the Administrator and the citizens under the Act, except for those terms and conditions that are specifically designated as not being federally enforceable. This condition also establishes the fact that the permit requirements are in accordance with Construction Permits #079C, #080C, #101D, and #184.
- XXXIII. – Compliance Assurance Monitoring (CAM).  
The requirements set forth under this condition are designed to enforce the CAM plan submitted by LES. The justification for the CAM plan is included as an attachment to the approved application.
- XXXIV. – Source-Wide Requirements.  
These specific conditions apply generally to this permitted source (LES). The conditions established therein are established pursuant to elections made by the owner/operator in the approved application, or pursuant to applicability criteria set forth in the LLCAPCPRS and/or applicable Federal Regulations.
- (A) Emission Limits.  
The requirements set forth under this condition serve to:
- incorporate applicable emission limits set forth in Construction Permits 079C, #080C, and #101D and establish this source as an 'area source' of HAP emissions; and,
  - incorporate dust control requirements for use with the applicable emission units.
- (B) Monitoring Requirements.  
The requirements set forth under this condition serve to:
- establish the methods by which the owner/operator shall conduct periodic opacity monitoring to assess ongoing compliance with the particulate matter opacity requirements set forth in Condition XX(C) of the permit. This requirement establishes the procedure to be used, while other 'Specific Conditions' of the permit establish the emission units for which periodic visible emissions observations are required. The Specific Conditions for those emission units refer back to Condition XXXIV(B)(1) for how to perform the monitoring;

- incorporate the custom fuel monitoring schedule as an applicable monitoring requirement of the permit. The fuel monitoring schedule has been incorporated as Attachment C of the draft permit; and
- consolidate references to monitoring requirements set forth under the approved Compliance Assurance Monitoring (CAM) Plan, as well as various Federal Regulations that apply to the emission units at this source.

(C) Record Keeping Requirements.

The requirements set forth under this condition serve to:

- ensure that the owner/operator maintains adequate records to demonstrate ongoing compliance with the visible emissions monitoring requirements in Condition XXXIV(B)(1) of the permit;
- ensure that the owner/operator maintains adequate records to accurately calculate monthly throughputs and emissions for use in demonstrating compliance with any monthly limits, or rolling 12-month limits, as well as for use in calculating annual throughputs and/or emissions;
- establish record keeping and retention requirements set forth under Conditions XX(C)-(D) of the permit; and
- consolidate references to record keeping requirements set forth under the various Federal Regulations that apply to the emission units at this source.

(D) Reporting Requirements.

The requirements set forth under this condition serve to:

- establish reporting requirements pursuant to Construction Permits #079C, #080C, and #101D, and serve to provide the Department with periodic reports demonstrating compliance with the emission limits in those permits;
- establish reporting requirements pursuant to the Acid Rain requirements under 40 CFR Part 75, which are applicable to Rokeby #2 and #3, as they are affected units under the Acid Rain rules;
- establish reporting requirements pursuant to the annual emission inventory reporting requirements set forth in Condition XII of the permit;
- give the Director of the Department authority to require that the owner/operator report material throughput/processing as deemed necessary, in accordance with the authorities of the Health Director as specified in LLCAPCPRS Article 2, Section 8, paragraph (M); and
- consolidate references to reporting requirements set forth under the various Federal Regulations that apply to the emission units at this source.

(E) Other Requirements.

The requirements set forth under this condition serve to:

- ensure that the owner/operator achieves compliance with rules and regulations in a timely manner; and
- ensure that the owner/operator notifies the Department of any changes to emission units that could have an impact on air pollutant emissions, and that the Department is given the opportunity to review proposed changes prior to the source commencing the planned activities. This requirement also serves to provide the owner/operator with notice of the potential applicability of select Federal Regulations that may impact the emission units and planned changes.



XXXV. – Requirements for LES Rokeby Generating Station Unit #1 – 660.0 MMBtu/hr Combustion Turbine. These conditions apply to the emission units set forth in Table 35-A-1 of the proposed permit. The conditions that apply to the affected emission units are established pursuant to Construction Permit #079C, or pursuant to applicability criteria set forth in the LLCAPCPRS.

(A) Affected Emission Units. This condition establishes the emission units that are subject to the requirements set forth under Condition XXXV.

(B) Emission Limits.

The requirements set forth under this condition serve to:

- limit emissions from the emission units in Table 35-A-1 to the quantities established pursuant to Construction Permit #079C. These limits were established to avoid applicability of PSD permitting requirements when the emission units were constructed. The basis for these limits was established pursuant to the original issuance of Construction Permit #079 and subsequent revisions to that permit;
- establish and incorporate emission limits as applicable requirements set forth under Article 2, Sections 20 of the LLCAPCPRS;
- incorporate emission limits established pursuant to 40 CFR Part 60, Subpart GG, which are also incorporated by reference in Construction Permit #079C. The water injection system is the emission control mechanism used to meet the Subpart GG emission limits when operating on fuel oil; and
- incorporate the fuel oil sulfur content limit requirement from Construction Permit #079C. The basis for this limit was established pursuant to the original issuance of Construction Permit #079 and subsequent revisions to that permit.

(C) Monitoring Requirements.

The requirements set forth under this condition serve to:

- establish the frequency at which the owner/operator must conduct visible emission surveys, and references the procedures set forth in Condition XXXIV(B)(1) to establish how the surveys must be conducted;
- incorporate applicable monitoring requirements from Construction Permit #079C. The basis for this limit was established pursuant to the original issuance of Construction Permit #079 and subsequent revisions to that permit; and
- reference applicable monitoring requirements set forth under Federal Regulations incorporated under Condition XXXV(F).

(D) Record Keeping Requirements.

The requirements set forth under this condition serve to:

- reference the consolidated record keeping requirements set forth under Condition XXXIV(C); and
- reference applicable record keeping requirements set forth under Federal Regulations incorporated under Condition XXXV(F).

(E) Reporting Requirements.

The requirements set forth under this condition serve to:

- reference the consolidated reporting requirements set forth under Condition XXXIV(D); and
- reference applicable reporting requirements set forth under Federal Regulations incorporated under Condition XXXV(F).

- (F) Requirements of the New Source Performance Standard (NSPS) set forth in Title 40, Part 60 of the Code of Federal Regulations (40 CFR Part 60).

The requirements set forth under this condition serve to:

- incorporate the applicable requirements of 40 CFR Part 60 Subparts A and GG by reference. The basis for applicability of these rules was established at the time of issuance of Construction Permit #079, and subsequent versions of that permit have not changed applicability of these rules.

- (G) Requirements of the Acid Rain Program Regulations set forth in Title 40, Parts 72 through 78 of the Code of Federal Regulations (40 CFR Parts 72 through 78).

The requirements set forth under this condition serve to:

- incorporate requirements of 40 CFR Part 75 by reference. As stated in the permit, Rokeby #1 is not subject to regulation under the Acid Rain Program rules. However, because it is subject to regulation under the Cross-State Air Pollution Rule (CSAPR) set forth under 40 CFR Part 97, the owner/operator must perform certain monitoring according to the provisions of 40 CFR Part 75 in order to comply with 40 CFR Part 97. The provisions of 40 CFR Part 75 that the owner/operator must follow for Rokeby #1 have been incorporated in Table 35-G-1.

XXXVI. – Requirements for LES Rokeby Generating Station Unit #2 – 882.0 MMBtu/hr Combustion Turbine; and Black Start Engines #1 and #2 – Two (2) 16.75 MMBtu/hr Compression Ignition Internal Combustion Engines. These conditions apply to the emission units set forth in Table 36-A-1 of the proposed permit. The conditions that apply to the affected emission units are established pursuant to Construction Permit #080C, or pursuant to applicability criteria set forth in the LLCAPCPRS.

- (A) Affected Emission Units. This condition establishes the emission units that are subject to the requirements set forth under Condition XXXVI.

- (B) Emission Limits.

The requirements set forth under this condition serve to:

- limit emissions from the emission units in Table 36-A-1 to the quantities established pursuant to Construction Permit #080C. These limits were established to avoid applicability of PSD permitting requirements when the emission units were constructed. The basis for these limits was established pursuant to the original issuance of Construction Permit #080 and subsequent revisions to that permit;
- establish and incorporate emission limits as applicable requirements set forth under Article 2, Sections 20 of the LLCAPCPRS;
- incorporate requirements established as applicable requirements under Construction Permit #080C. The basis of these limits was established pursuant to the original issuance of Construction Permit #080 and subsequent revisions to that permit;
- incorporate emission limits established pursuant to 40 CFR Part 60, Subpart GG, which are also incorporated by reference in Construction Permit #080C. The water injection system is the emission control mechanism used to meet the Subpart GG emission limits when operating on fuel oil; and

- incorporate the fuel oil sulfur content limit requirement from Construction Permit #080C. The basis for this limit was established pursuant to the original issuance of Construction Permit #080 and subsequent revisions to that permit.

(C) Monitoring Requirements.

The requirements set forth under this condition serve to:

- establish the frequency at which the owner/operator must conduct visible emission surveys, and references the procedures set forth in Condition XXXIV(B)(1) to establish how the surveys must be conducted;
- incorporate applicable monitoring requirements set forth under Construction Permit #080C. The basis for these limits was established pursuant to the original issuance of Construction Permit #080 and subsequent revisions to that permit; and
- reference applicable monitoring requirements set forth under Federal Regulations incorporated under Condition XXXVI(F).

(D) Record Keeping Requirements.

The requirements set forth under this condition serve to:

- reference the consolidated record keeping requirements set forth under Condition XXXIV(C); and
- reference applicable record keeping requirements set forth under Federal Regulations incorporated under Condition XXXVI(F), (G), and (H).

(E) Reporting Requirements.

The requirements set forth under this condition serve to:

- reference the consolidated reporting requirements set forth under Condition XXXIV(D); and
- reference applicable reporting requirements set forth under Federal Regulations incorporated under Condition XXXVI(F), (G), and (H).

(F) Requirements of the New Source Performance Standard (NSPS) set forth in Title 40, Part 60 of the Code of Federal Regulations (40 CFR Part 60).

The requirements set forth under this condition serve to:

- incorporate the applicable requirements of 40 CFR Part 60 Subparts A and GG by reference. The basis for applicability of these rules was established at the time of issuance of Construction Permit #080, and subsequent versions of that permit have not changed applicability of these rules.

(G) Requirements of the National Emission Standards for Hazardous Air Pollutants for Source Categories (Source Category NESHAPs) set forth in Title 40, Part 63 of the Code of Federal Regulations (40 CFR Part 63).

The requirements set forth under this condition serve to:

- incorporate the applicable requirements of 40 CFR Part 63 Subpart ZZZZ, as applicable to Black Start Engines #1 and #2, by reference. The applicable requirements of Subpart ZZZZ that have been incorporated into Table 36-G-1 have been included based on the following:
  - Both engines are considered 'stationary RICE'
  - LES Rokeby Generating Station is an 'area source' of HAPs
  - These engines do not qualify for exemptions provided for under §63.6585 paragraphs (e)-(f)
  - These engines are both 'existing' having been constructed at an 'area source' prior to June 12, 2006

- These engines meet the definition of 'Black start stationary CI RICE' (compression ignition RICE)

(H) Requirements of the Acid Rain Program Regulations set forth in Title 40, Parts 72 through 78 of the Code of Federal Regulations (40 CFR Parts 72 through 78).

The requirements set forth under this condition serve to:

- incorporate requirements of 40 CFR Part 75 by reference. The basis for applicability of these rules was established at the time of issuance of Construction Permit #080, and subsequent versions of that permit have not changed applicability of these rules.

XXXVII. – Requirements for LES Rokeby Generating Station Unit #3 – 1037.0 MMBtu/hr Combustion Turbine. These conditions apply to the emission units set forth in Table 37-A-1 of the proposed permit. The conditions that apply to the affected emission units are established pursuant to Construction Permit #101D, or pursuant to applicability criteria set forth in the LLCAPCPRS.

(A) Affected Emission Units. This condition establishes the emission units that are subject to the requirements set forth under Condition XXXVII.

(B) Emission Limits and Operating Requirements.

The requirements set forth under this condition serve to:

- limit emissions to the quantities established pursuant to Construction Permit #101D. The basis for these limits was established pursuant to the original issuance of Construction Permit #101 and subsequent revisions to that permit;
- establish and incorporate emission limits as applicable requirements set forth under Article 2, Sections 20 of the LLCAPCPRS;
- incorporate NO<sub>x</sub> emission limits established as Best Achievable Control Technology (BACT) requirements under Construction Permit #101D. The basis of these limits was established pursuant to the original issuance of Construction Permit #101 and subsequent revisions to that permit;
- incorporate hour and fuel use operating limits as applicable requirements set forth under Construction Permit #101D. The basis for these limits was established pursuant to the original issuance of Construction Permit #101 and subsequent revisions to that permit;
- incorporate emission control requirements established pursuant to 40 CFR Part 60, Subpart GG. The water injection system is the emission control mechanism used to meet the Subpart GG emission limits when operating on fuel oil;
- incorporate the fuel oil sulfur content limit requirement from Construction Permit #101D. The basis for this limit was established pursuant to the original issuance of Construction Permit #101 and subsequent revisions to that permit; and
- reference emission limit and operating compliance requirements set forth under BACT under XXXI(E) of Construction Permit #101D.

(C) Monitoring Requirements.

The requirements set forth under this condition serve to:

- establish the frequency at which the owner/operator must conduct visible emission surveys, and references the procedures set forth in Condition XXXIV(B)(1) to establish how the surveys must be conducted;

- establish monitoring requirements from 40 CFR Part 60, Subpart GG. This condition also serves to reference the 'custom fuel monitoring schedule' incorporated as Attachment C of the permit
- incorporate applicable monitoring requirements set forth under Construction Permit #101D. The basis for these limits was established pursuant to the original issuance of Construction Permit #101 and subsequent revisions to that permit; and
- establish a 'backstop' for monitoring should Unit #3 no longer qualify as a gas-fired or oil-fired peaking unit. If that were to occur, Unit #3 would become subject to different monitoring requirements under the Federal Regulations, and this condition would allow LES to conduct monitoring for demonstrating compliance with the NO<sub>x</sub> BACT limits by monitoring in accordance with the rules that would become applicable following said change in status.

(D) Record Keeping Requirements.

The requirements set forth under this condition serve to:

- incorporate applicable record keeping requirements set forth under Construction Permit #101D. The basis for these limits was established pursuant to the original issuance of Construction Permit #101 and subsequent revisions to that permit.

(E) Reporting Requirements.

The requirements set forth under this condition serve to:

- reference the consolidated reporting requirements set forth under Condition XXXIV(D);
- incorporate applicable reporting requirements from Construction Permit #101D. The basis for these limits was established pursuant to the original issuance of Construction Permit #101 and subsequent revisions to that permit; and
- reference applicable reporting requirements set forth under Federal Regulations incorporated under Condition XXXVII(F).

(F) Requirements of the New Source Performance Standard (NSPS) set forth in Title 40, Part 60 of the Code of Federal Regulations (40 CFR Part 60).

The requirements set forth under this condition serve to:

- incorporate the applicable requirements of 40 CFR Part 60 Subparts A and GG by reference. The basis for applicability of these rules was established at the time of issuance of Construction Permit #101, and subsequent versions of that permit have not changed applicability of these rules.

(G) Requirements of the Acid Rain Program Regulations set forth in Title 40, Parts 72 through 78 of the Code of Federal Regulations (40 CFR Parts 72 through 78).

The requirements set forth under this condition serve to:

- incorporate requirements of 40 CFR Part 75 by reference. The basis for applicability of these rules was established at the time of issuance of Construction Permit #101, and subsequent versions of that permit have not changed applicability of these rules.

(H) Other Requirements.

The requirements set forth under this condition serve to:

- incorporate other requirements from Construction Permit #101D. The basis for applicability of these rules was established at the time of issuance of

Construction Permit #101, and subsequent versions of that permit have not changed applicability of these rules.

- XXXVIII. – Requirements for LES Rokeby Generating Station Fire Pump Engine – 1.90 MMBtu/hr Compression Ignition Internal Combustion Engine. These conditions apply to the emission units set forth in Table 38-A-1 of the proposed permit. The conditions that apply to the affected emission units are established pursuant to applicability criteria set forth in the LLCAPCPRS.
- (A) Affected Emission Units. This condition establishes the emission units that are subject to the requirements set forth under Condition XXXVIII.
- (B) Emission and Throughput Limits.  
The requirements set forth under this condition serve to:
- establish and incorporate emission limits as applicable requirements set forth under Article 2, Sections 20 of the LLCAPCPRS; and
  - incorporate hour and fuel use operating limits as applicable requirements set forth under Construction Permit #184. The basis for these limits was established pursuant to the original issuance of Construction Permit #184.
- (C) Record Keeping Requirements.  
The requirements set forth under this condition serve to:
- incorporate applicable record keeping requirements set forth under Construction Permit #184. The basis for these limits was established pursuant to the original issuance of Construction Permit #184.
- (D) Reporting Requirements.  
The requirements set forth under this condition serve to:
- incorporate applicable reporting requirements from Construction Permit #184. The basis for these limits was established pursuant to the original issuance of Construction Permit #101 and subsequent revisions to that permit.
- (E) Requirements of the New Source Performance Standard (NSPS) set forth in Title 40, Part 60 of the Code of Federal Regulations (40 CFR Part 60).  
The requirements set forth under this condition serve to:
- incorporate the applicable requirements of 40 CFR Part 60 Subparts A and ZZZZ by reference. The basis for applicability of these rules was established at the time of issuance of Construction Permit #184.
- (F) Requirements of the National Emission Standards for Hazardous Air Pollutants for Source Categories (Source Category NESHAPs) set forth in Title 40, Part 63 of the Code of Federal Regulations (40 CFR Part 63).  
The requirements set forth under this condition serve to:
- incorporate the applicable requirements of 40 CFR Part 60 Subparts A and IIII by reference. The basis for applicability of these rules was established at the time of issuance of Construction Permit #184.
- XXXIX. – Applicable Requirements of the Cross-State Air Pollution Rule (abbr. 'CSAPR,' also referred to as the 'Transport Rule' or 'TR'). These conditions apply to LES Rokeby Units #1, #2, and #3, which are identified as units 1, 2, and 3 for Rokeby in the TR unit allocations. All requirements set forth under this condition are derived from the EPA's 'Title V Permit Guidance and Template for the Cross-State Air Pollution Rule' memorandum dated May 13, 2015. LES Rokeby is subject to the 'TR NOX Annual Trading Program' requirements, as well as the 'TR SO2 Group 2 Trading

Program' requirements. The applicable requirements under those portions of 40 CFR Part 97 have been incorporated into the proposed permit. Rokeby #1 qualifies for the 'Low Mass Emissions (LME)' provisions of the Transport Rule, and shall comply with the LME excepted monitoring requirements for gas- and oil-fired units pursuant to 40 CFR Part 75, Subpart B §75.19. Rokeby #2 and #3 qualifies for excepted monitoring system requirements for gas- and oil-fired units, and shall comply with the excepted monitoring requirements for gas- and oil-fired units pursuant to 40 CFR Part 75, Appendices D and E.

### **6.03 – Attachments**

**Attachment A: Permit Shield** – The table contained in this attachment establishes a Permit Shield identifying non-applicable federal regulatory subparts and briefly explains why the cited regulations are not applicable with a description of specific associations.

**Attachment B: CAM Plan for LES – Rokeby Generating Station** – This attachment incorporates the CAM plan submitted by LES. The Department has approved this CAM plan.

**Attachment C: LES Rokeby Custom Fuel Monitoring Schedule** – This attachment incorporates the custom fuel monitoring schedule approved by the US EPA on January 19, 1999.

**Attachment D: Construction Permit No. 079C** – This attachment incorporates the specific conditions of Construction Permit No. 079C.

**Attachment E: Construction Permit No. 080C** – This attachment incorporates the specific conditions of Construction Permit No. 080C.

**Attachment F: Construction Permit No. 101D** – This attachment incorporates the specific conditions of Construction Permit No. 101D.

**Attachment G: Construction Permit No. 184** – This attachment incorporates the specific conditions of Construction Permit No. 184.

**Attachment H: Phase II Acid Rain Permit** – This attachment incorporates the Phase II Acid Rain permit for the Rokeby Generating Station issued to LES at the same time as this operating permit renewal.

### **Section 7 – Summary of Permit Conditions Enforceable by Agency**

- (1) LLCHD (Local) – All conditions indicated in this permit.
- (2) EPA (Federal) – All conditions indicated in this permit, with the exception of Condition I(F) (i.e. Lincoln Municipal Code requirements).

### **Section 8 – Compliance Assurance Monitoring (CAM)**

It has been determined that 40 CFR Part 64 applies to this facility. The Part 70 (Title V) operating permit specifies a continuous compliance determination method as defined in 40 CFR Part 64, §64.1 for all emission units affected by the CAM requirements. LES has submitted a CAM plan for the affected emission units, and the Department has approved the CAM plan as satisfying the requirements for 40 CFR Part 64.

### **Section 9 – Pollution Prevention Opportunities**

The Department encourages LES to continually examine its operations for pollution prevention opportunities. The LLCHD can provide technical assistance and resources to aid the facility in exploring available pollution prevention options.

### **Section 10 – Air Quality Program Recommendation**

The Department proposes approval of a Class I Operating Permit renewal for this facility. Enforceable permit conditions have been provided in the draft permit modification. A final determination will be made following the opportunity of the EPA and affected states to comment on the minor modification application, and any comments received have been addressed.

### **Section 11 – Public Participation, Affected States Review, and EPA Review**

The following notice is scheduled for publication in the July 14, 2025 edition of the Lincoln Journal Star, which is a newspaper of general circulation in Lancaster County, Nebraska. This notice will also be made available on the LLCHD Air Quality Program website at the following URL:

<http://www.lincoln.ne.gov/city/health/envIRON/pollu/pubnot.htm>

A copy of this notice will be sent to the affected states, as well as the EPA's Region 7 permits coordinator. Copies of the proposed permits, applications, and this statement of basis document will be provided upon request.

### **NOTICE OF INTENT TO ISSUE PERMIT**

#### **Lincoln-Lancaster County Health Department (LLCHD)**

- A. In accordance with Article 2, Sections 13 and 14 of the Lincoln-Lancaster County Air Pollution Control Program Regulations and Standards (LLCAPCPRS), the LLCHD gives notice of the preliminary determination to approve the following permitting action(s) for the source identified in item 'B' (below). The 30-day public comment period commences July 14, 2025 and ends on August 14, 2025.
- a. Proposed issuance of a Class I (Title V) Operating Permit renewal
- B. Issuance of the proposed permits allows for continued operation of the subject emission source within Federal, State and Local requirements. Provided below are the name, address, and the North America Industry Classification System (NAICS) code(s) describing the nature of business at the subject emission source:
- a. Source Name: Lincoln Electric System (LES) Rokeby Generating Station
- b. Source Address: 8000 SW 12<sup>th</sup> Street, Lincoln, NE 68523
- c. NAICS Codes: 221112 (Fossil Fuel Electric Power Generation)
- C. Potential emissions exceed the Class I permit thresholds set forth under Article 2, Section 5 of the LLCAPCPRS, and as such, this source qualifies for a Class I operating permit as a 'major source'.
- D. The proposed Class I operating permit will allow for emissions of the following regulated air pollutants in the associated quantities. All quantities are in units of tons per year, or tpy.
- |   |            |
|---|------------|
| Particulate matter <10 micrometers in diameter (PM <sub>10</sub> )              | 298.44 tpy |
| Particulate matter <2.5 micrometers in diameter (PM <sub>2.5</sub> )            | 298.44 tpy |
| Oxides of Nitrogen (NO <sub>x</sub> )   | 653.19 tpy |
| Oxides of Sulfur (SO <sub>2</sub> , SO <sub>3</sub> , and combinations thereof) | 427.15 tpy |
| Volatile Organic Compounds (VOC)  | 263.90 tpy |
| Carbon Monoxide   | 597.45 tpy |
| Lead  | 2.57 tpy   |
| Greatest Individual Hazardous Air Pollutant                                     | <10.00 tpy |



Total Combined Hazardous Air Pollutants

<25.00 tpy

Carbon Dioxide Equivalents

1,797,409.00 tpy

- E. Lancaster County is an 'attainment/unclassifiable' area for all pollutants subject to the National Ambient Air Quality Standards (NAAQS), meaning air quality in Lancaster County meets or is cleaner than the national standards. This permitting action is not expected to change that status.
  - F. The proposed permit, statement of basis, permit application, and a copy of this public notice document are available online at: <http://lincoln.ne.gov>, keyword search "air". Those materials are also available for inspection during business hours at the office of the LLCHD at 3131 O Street, Lincoln, NE 68510. Telephone inquiries regarding this public notice may be directed to the Air Quality Program at (402) 441-8040. If alternate formats of materials are needed, please notify the Department by calling (402) 441-8040 or (402) 441-6284 for TDD users.
  - G. Within the 30-day public comment period, any interested person, agency, or group may submit comments on the proposed permit(s), or request or petition the Director of the LLCHD for a public hearing in accordance with item 'H' below. Comments on the proposed permit(s) may be mailed to the attention of the Air Quality Program Supervisor at the address provided in item 'F' above, or submitted via e-mail to [health@lincoln.ne.gov](mailto:health@lincoln.ne.gov) using the subject line 'Comment on Air Quality Permit'. Individuals commenting via e-mail are asked to provide their home address and phone number for follow-up correspondence.
  - H. Requests for public hearing must be made in writing, and must state the nature of the issues to be raised and all arguments and factual grounds supporting their position. If a public hearing is granted by the Director, the hearing will be advertised by public notice at least 30 days prior to its occurrence.
  - I. The LLCHD does not discriminate on the basis of race, color, national origin, disability, age, or sex in administration of its programs and activities, and LLCHD does not intimidate or retaliate against any individual or group because of their participation in or opposition to actions protected or prohibited by 40 CFR Part 7, or for the purpose of interfering with any right or privilege guaranteed by 40 CFR Part 7.
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