

**DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL
CONTROL**

DIVISION OF AIR AND WASTE MANAGEMENT

Statutory Authority: 7 Delaware Code, Chapter 60 (7 Del.C., Ch. 60)

PROPOSED

PUBLIC NOTICE

SAN # 2005-10

1. Title of the Regulations:

Regulation No. 1148, "Control Of Stationary Combustion Turbine Electric Generating Unit Emissions"

2. Brief Synopsis of the Subject, Substance and Issues:

DNREC is proposing to develop a new regulation to reduce emissions of nitrogen oxides (NO_x) from combustion turbine electric generating units, typically known as peaking units.

Delaware's emission inventory data demonstrates that combustion turbines in Delaware are significant NO_x emitting sources. While some combustion turbines in Delaware generate electricity to meet base-load demands, other combustion turbines generate electricity to meet peak demands. Those periods of peak demand frequently correspond with summer ozone action days. This means that emissions from these units are frequently at their highest when the health threat from ozone is at its worst. Many of Delaware's peaking units have high emission rates of nitrogen oxides and, therefore, should be evaluated for additional NO_x emission controls.

The proposed regulation will also reduce NO_x emissions in the State of Delaware from the subject units during high electric demand days (HEDD). This will meet Delaware's obligation to support the regional HEDD NO_x reduction initiative for the units subject to this regulation.

3. Possible Terms of the Agency Action:

None

4. Statutory Basis or Legal Authority to Act:

7 Delaware Code, Chapter 60

5. Other Regulations That May Be Affected by the Proposal:

Regulation No. 12, "Control of Nitrogen Oxides Emissions" may be amended in a subsequent effort to clarify Reasonably Available Control Technology (RACT) requirements as those requirements relate to the units subject to the proposed regulation.

6. Notice of Public Comment:

The public comment period for this proposed regulation will extend through at least May 1, 2007. Interested parties may submit comments in writing during this time frame to: Mark A. Prettyman, Air Quality Management Section, 156 S. State St., Dover, DE 19901, and/or statements and testimony may be presented either orally or in writing at the public hearing to be held on Thursday, April 26, 2007, beginning at 6:00 PM in the DNREC auditorium at the Richardson and Robbins Building, 89 Kings Highway, Dover, DE 19901.

7. Prepared By:

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1.0 Purpose.

The purpose of this regulation is to control the emissions of nitrogen oxides (NOx) from stationary combustion turbine electric generating units in the State of Delaware to reduce the impact on public health, safety, and welfare. This regulation will also reduce NOx emissions in the State of Delaware from the subject units during high electric demand days (HEDD). This will meet Delaware's obligation to support the regional HEDD NOx reduction initiative for the units subject to this regulation.

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2.0 Applicability.

2.1 This regulation applies to existing, stationary combustion turbine electric generating units located in Delaware with a base-load nameplate capacity of 1 MW or greater.

2.2 This regulation is not applicable to existing stationary combustion turbine electric generating units that are subject to Regulation No. 12, "Control of Nitrogen Oxides Emissions," and meet the NOx emissions limitations identified in Table II of Regulation No. 12, and are not otherwise exempt from the NOx emissions limitations of Table II of Regulation No. 12.

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3.0 Definitions.

The following words and terms, when used in this regulation, shall have the following meanings:

"Annual capacity factor" means the ratio of the megawatt-hours produced in a calendar year by a stationary combustion turbine electric generating unit to the maximum possible annual electric generation determined on the base-load nameplate capacity of the stationary combustion turbine electric generating unit.

"Base-load nameplate capacity" means, starting from the initial installation of a combustion turbine electric generating unit, the maximum electrical generating output (in MWe) that the combustion turbine electric generating unit is capable of producing on a steady basis during continuous operation at rated ambient temperature and atmospheric pressure as specified by the manufacturer of the combustion turbine electric generating unit or, starting from the completion of a physical change in the combustion turbine electric generating unit resulting in an increase in the maximum electrical generating output (in MWe) that the combustion turbine electric generating unit is capable of producing on a steady state basis and during continuous operation, such increased maximum output as specified by the person conducting the physical change.

"Combustion turbine" means a combustion engine consisting of a compressor, combustor(s) and power turbine used to provide rotary motion to an output shaft. The combustion turbine may be fueled by gaseous and/or liquid fuels.

"Combustion turbine electric generating unit" means a combustion turbine used to drive an electric generator.

"Department" means the State of Delaware Department of Natural Resources and Environmental Control as defined in 29 Del.C., Chapter 80, as amended.

"Electric generator" means a device that utilizes rotary motion from an input shaft to create electrical energy.

"Existing" means the unit has been synchronized to the grid before [insert the effective date of this regulation].

"Gaseous fuel" means any non-solid or non-liquid fuel, including natural gas, digester gas, landfill gas, process gas, or any gas stored as a liquid at high pressure such as liquefied petroleum gas.

"Liquid fuel" means any non-solid or non-gaseous fuel, including kerosene, jet fuel, distillate fuel oil, bio-fuels, and methanol.

"Ozone season" means the months of April through October.

"Ozone season capacity factor" means the ratio of the megawatt-hours produced during the ozone season, as defined within this regulation, by a stationary combustion turbine electric generating unit to the maximum possible ozone season electric generation determined on the base-load nameplate capacity of the stationary combustion turbine electric generating unit

"Peak-load nameplate capacity" means, starting from the initial installation of a combustion turbine electric generating unit, the maximum electrical generating output (in MWe) that the combustion turbine electric generating unit is capable of producing for limited durations at rated ambient temperature and atmospheric

pressure as specified by the manufacturer of the combustion turbine electric generating unit or, starting from the completion of a physical change in the combustion turbine electric generating unit resulting in an increase in the maximum electrical generating output (in MWe) that the combustion turbine electric generating unit is capable of producing for limited durations, such increased maximum output as specified by the person conducting the physical change.

“PPMV” means gaseous concentration in parts per million by volume, corrected to 15 percent O₂ dry basis.

“Shutdown” means the period of time between a combustion turbine generating unit being brought from an operating condition to fuel shut off. This period of time may be begun at either opening the generator breaker or disconnecting the combustion turbine from the electric generator, and is concluded when the fuel is completely shut off to the combustion turbine.

“Simple cycle” means a combustion turbine electric generating unit which does not recover heat from the combustion turbine electric generating unit exhaust gases to preheat the inlet combustion air to the combustion turbine electric generating unit, to heat water, or to generate steam.

“Start-up” means the period during which a combustion turbine generating unit is brought from a shutdown status to rated speed and generator breaker closure.

“Stationary” means a unit that is not self-propelled or intended to be propelled while performing its design function.

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4.0 NOx Emissions Limitations.

4.1 Beginning April 1, 2009, no existing stationary combustion turbine electric generating unit subject to this regulation shall exceed the NOx emissions limitations shown in Table I of this regulation during the ozone season, inclusive of any year:

Table I

<u>Fuel Type</u>	<u>NOx Emissions Limit (ppmv)</u>
<u>Gaseous Fuel</u>	<u>42</u>
<u>Liquid Fuel</u>	<u>88</u>

4.2 The owner or operator of an existing stationary combustion turbine electric generating unit shall, no later than April 1, 2009, either demonstrate to the satisfaction of the Department, through source testing approved by the Department, that the existing stationary combustion turbine generating unit meets the NOx emissions limitations of Table I of this regulation or install NOx emission controls designed to meet the NOx emissions limitation of Table I of this regulation in accordance with the requirements of paragraph 4.3 of this regulation.

4.3 The owner or operator of an existing stationary combustion turbine electric generating unit installing NOx emissions reduction controls in accordance with the requirements of paragraph 4.2 of this regulation shall install the NOx emissions reduction controls and implement operating procedures with the goal of achieving the NOx emissions limits of Table I of this regulation, and shall be designed and operated to control NOx emissions across the anticipated operating load range of the combustion turbine electric generating unit, including periods of startup, shutdown, and reduced load operation insofar as technically feasible.

4.3.1 The owner or operator of an existing stationary combustion turbine electric generating unit installing NOx emissions reduction controls in accordance with paragraph 4.3 of this regulation, shall submit to the Department for approval an emissions control plan detailing all actions, including a schedule of increments of progress, which will be taken to comply with the requirements of paragraph 4.1 of this regulation and the emissions control limitations of Table I of this regulation. The plan shall contain, as a minimum, the following information:

4.3.1.1 Facility and unit identification

4.3.1.2 Combustion turbine electric generating unit manufacturer and manufacturer's model number.

4.3.1.3 Combustion turbine electric generating unit manufacturer's base and peak (when applicable) load nameplate ratings and rating conditions (atmospheric temperature and pressure, fuel type, etc).

4.3.1.4 Primary and secondary (where applicable) fuel type(s) and typical fuel(s) analysis.

4.3.1.5 Hours of operation and electrical output for the previous five years.

4.3.1.6 Results of any previous NOx emissions testing conducted in the five calendar years prior to [insert the effective date of this regulation].

4.3.1.7 Anticipated future operating schedule (capacity factor), annual and seasonal.

4.3.1.8 Technical description of proposed emissions control technology and equipment designed to minimize NOx emissions across the entire operating range of the existing stationary combustion turbine electric generating unit (insofar as technically feasible), predicted NOx emissions levels following controls installation, and supporting documentation. The proposed operating range of the control technology may be utilized by the Department in establishing permit limitations for startup and shutdown for the subject unit.

4.3.1.9 Compliance schedule including compliance emissions testing conducted representative of anticipated normal load range, including base load and peak load (if applicable), and anticipated monitoring plan submittal.

4.3.1.10 Any other information requested by the Department.

4.3.2 The owner or operator of an existing stationary combustion turbine electric generating unit submitting an emissions control plan in accordance with paragraph 4.3.1 of this regulation shall submit the plan to the Department for approval no later than [insert nine months from the effective date of this regulation].

4.3.3 Following completion of the approved NOx emissions control installation described in paragraphs 4.3.1 and 4.3.2 of this regulation, emissions testing approved by the Department shall be conducted to determine compliance with the NOx emissions requirements of paragraph 4.1 and the Table I of this regulation. Testing results shall be submitted to the Department no later than 60 days following the completion of the testing.

4.3.4 If actual achievable NOx emissions levels following completion of the approved emissions reduction plan are greater than those of Table I of this regulation, the owner or operator of the stationary combustion turbine electric generating unit may petition the Department for alternative NOx emissions limitations no greater than the actual achievable NOx emissions levels determined in the post-emissions control installation testing.

4.4 The NOx emissions limitations of paragraph 4.1 and Table I of this regulation, or alternate NOx emissions limitations approved by the Department in accordance with paragraph 4.3.4 of this regulation, are applicable to existing stationary combustion turbine electric generating units subject to this regulation whenever combusting fuel during the ozone season, inclusive of any year, except during periods of start-up or shutdown.

4.5 Compliance with the NOx emissions limitations of paragraph 4.1 and Table I of this regulation, or alternate NOx emissions limitations approved by the Department in accordance with paragraph 4.3.4 of this regulation, are based on one hour averaging periods.

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5.0 Monitoring and Reporting.

5.1 For existing stationary combustion turbine electric generating units with an ozone season capacity factor of 10% or less for each of the five calendar years preceding [insert the effective date of this regulation], compliance emissions testing acceptable to the Department shall be conducted by the owner or operator in the calendar year before each calendar year for which the operating permit expires.

5.2 For existing combustion turbine electric generating units with an ozone season capacity factor greater than 10% for any of the five calendar years preceding [insert the effective date of this regulation], compliance emissions testing acceptable to the Department shall be conducted by the owner or operator every two years, starting in the second calendar year after [insert the effective date of this regulation].

5.3 For existing combustion turbine electric generating units in compliance with paragraph 5.1 of this regulation but which have an ozone season capacity factor of greater than 10% for any year subsequent to [insert the effective date of this regulation], compliance emissions testing acceptable to the Department shall be conducted by the owner or operator every two years, starting in the calendar year after the year that the 10% ozone season capacity factor was exceeded.

5.4 The owner or operator of an existing combustion turbine electric generating unit shall submit to the Department, for approval, a monitoring plan containing monitoring information correlating control system parameters or other operating characteristic indications with NOx emissions output.

5.4.1 The correlations may be developed using actual emissions test data and parameters and characteristics recommended by the combustion turbine electric generating unit manufacturer, emission control equipment supplier, or other operating experience. The correlations shall address the entire anticipated operating

load range of the combustion turbine electric generating unit.

5.4.2 This information may be used by the Department to monitor compliance with this regulation.

5.4.3 Representative data shall be continuously collected and recorded for any period that the combustion turbine electric generating unit combusts any fuel.

5.4.4 The approved monitoring information shall be annually submitted to the Department no later than February 1 of the year following the calendar year for which the data is collected, and shall also include detailed explanations for any periods where the monitored operating parameters were outside acceptable margins and include descriptions of corrective actions taken.

5.5 The provisions of paragraphs 5.1, 5.2, 5.3 and 5.4 of this regulation are not applicable to existing stationary combustion turbine electric generating units which are otherwise required to install, test, operate, and maintain NOx continuous emissions monitoring system in accordance with Department or EPA requirements for continuous emissions monitoring systems meeting all applicable requirements of 40 CFR Part 60 or 40 CFR Part 75 (July 1, 2006 edition).

5.6 The owner or operator of an existing stationary combustion turbine electric generating unit shall maintain an operating log that includes, on a daily basis, actual start-up and shutdown times, total hours of operation, gross electrical megawatt-hours generated, fuel consumption, type of fuel(s), identification of any periods operating outside the monitoring parameters identified in paragraph 5.4 of this regulation (where applicable), identification of any periods of non-compliance with the requirements of this regulation, cumulative-to-date hours of operation and gross electrical megawatt-hours generated, and any other information requested by the Department. This data shall be submitted annually to the Department no later than February 1 of the year following the calendar year for which the data is collected.

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6.0 Recordkeeping.

The owner or operator of a stationary combustion turbine electric generating unit subject to this regulation shall maintain, for a period of at least five years, copies of all measurements, tests, reports, operating logs, and other information required by this regulation. This information shall be provided to the Department upon request at any time.

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7.0 Penalties.

The Department may enforce all of the provisions of this regulation under 7 **Del.C.** Ch. 60.