

§311. Regulatory Permit for Stationary Internal Combustion Engines

A. Applicability

1. This regulatory permit authorizes the installation and use of stationary internal combustion engines, including, but not limited to, electrical power generators, firewater pumps, and air compressors, subject to the requirements established herein, upon notification by the administrative authority that the application (i.e., notification form) submitted in accordance with Subsection L of this Section has been determined to be complete. This regulatory permit also authorizes the associated fuel storage tank provided the capacity of the tank is less than 10,000 gallons.

2. This regulatory permit may be used to authorize the use of both permanent and temporary engines.

3. This regulatory permit does not apply to:

a. emergency electrical power generators deemed insignificant in accordance with item B.45 in the insignificant activities list in LAC 33:III.501.B.5; and

b. *nonroad engines*, as defined in LAC 33:III.502.A.

4. This regulatory permit shall not be used to authorize use of an engine that combusts noncommercial fuels, including used crankcase oil or any other used oil, facility byproducts, or any other type of waste material.

5. This regulatory permit shall not be used to authorize use of an engine that, when considering potential emissions from the engine and potential emissions from the remainder of the stationary source, would result in the creation of a major source of criteria pollutants, hazardous air pollutants, or toxic air pollutants.

B. Definitions

Emergency Engine—any stationary internal combustion engine (ICE) whose operation is limited to emergency situations (e.g., involuntary power curtailment, power unavailability, maintenance activity that requires the main source of power to be shut down) and required readiness testing and maintenance checks.

C. Opacity

1. Limitations

a. **Smoke.** The emission of smoke shall be controlled so that the shade or appearance of the emission is not darker than 20 percent average opacity, except that the emissions may have an average opacity in excess of 20 percent for not more than one 6-minute period in any 60 consecutive minutes.

b. **Particulate Matter.** The emission of particulate matter shall be controlled so that the shade or appearance of the emission is not denser than 20 percent average opacity, except that the emissions may have an average opacity in excess of 20 percent for not more than one 6-minute period in any 60 consecutive minutes.

c. When the presence of uncombined water is the only reason for failure of an emission to meet the requirements of this Subsection, this Subsection will not apply.

2. Monitoring and Recordkeeping for Emergency Engines

a. The permittee shall inspect each emergency engine's stack for visible emissions once each month or at each readiness testing event if the engine is tested at a frequency less than monthly.

b. If visible emissions are detected for more than one 6-minute period over a 60 consecutive minute test period using method 22 of 40 CFR 60, appendix A, the permittee shall conduct a 6-minute opacity reading in accordance with method 9 of 40 CFR 60, appendix A, during the next required visible emissions check.

c. If the shade or appearance of the emission is darker than 20 percent average opacity (per method 9), the permittee shall take corrective action to return the engine to its proper operating condition, and the 6-minute opacity reading in accordance with method 9 shall be repeated. The permittee shall notify the Office of Environmental Compliance no later than 30 calendar days after any method 9 reading in excess of 20 percent average opacity. This notification shall include the date the visual check was performed, results of the method 9 testing, and a record of the corrective action employed.

d. Records of visible emissions checks shall include the emergency engine's ID number, the engine's serial number, the date the visual check was performed, a record of emissions if visible emissions were detected for a period longer than 6 consecutive minutes, the results of any method 9 testing conducted, and a record of any corrective action employed. These records shall be kept on-site and available for inspection by the Office of Environmental Compliance.

3. Monitoring and Recordkeeping for Nonemergency Engines

a. The permittee shall inspect each engine's stack for visible emissions no less than once each calendar week. If visible emissions are not detected during the initial six minutes of the inspection, the inspection may be concluded.

b. If visible emissions are detected for more than one six-minute period over a 60 consecutive minute test period using method 22 of 40 CFR 60, appendix A, the permittee shall conduct a 6-minute opacity reading in accordance with method 9 of 40 CFR 60, appendix A, within three calendar days.

c. If the shade or appearance of the emission is darker than 20 percent average opacity (per method 9), the permittee shall take corrective action to return the engine to its proper operating condition, and the 6-minute opacity reading shall be repeated in accordance with method 9. The permittee shall notify the Office of Environmental Compliance no later than 30 calendar days after any method 9 reading in excess of 20 percent average opacity or, for *Part*

70 sources, as defined in LAC 33:III.502.A, in accordance with Part 70 General Condition R of LAC 33:III.535.A. This notification shall include the date the visual check was performed, results of the method 9 testing, and a record of the corrective action employed.

d. Records of visible emissions checks shall be kept on-site and available for inspection by the Office of Environmental Compliance. These records shall include:

- i. the engine's ID number;
 - ii. the engine's serial number;
 - iii. the date the visual check was performed;
 - iv. a record of emissions, if visible emissions were detected for more than one six-minute period;
 - v. the results of any method 9 testing conducted;
- and
- vi. a record of any corrective action employed.

4. This Subsection shall not apply to engines described in LAC 33:III.1107.B.1 and 2.

D. Fuel Sulfur Content

1. The permittee shall not combust distillate oil that contains greater than 0.5 weight percent sulfur.

2. A statement from the fuel oil supplier that each shipment of distillate oil delivered to the facility complies with the specifications of this Subsection shall be kept on-site and available for inspection by the Office of Environmental Compliance.

E. Operating Time of Emergency Engines

1. Operating time of each emergency engine shall be limited to 500 hours per 12-consecutive-month period. The department may suspend this limit by a declaration of emergency.

2. Operating time of each emergency engine shall be monitored by any technically-sound means, except that a run-time meter shall be required for all permanent units.

3. Operating time of each emergency engine shall be recorded each month, as well as its operating time for the last 12 months. These records shall be kept on-site for five years and available for inspection by the Office of Environmental Compliance.

F. Emission Standards

1. New Source Performance Standards

a. Each stationary compression ignition (CI) internal combustion engine (ICE) described in 40 CFR 60.4200(a) shall comply with the applicable provisions of 40 CFR 60, subpart IIII—Standards of Performance for Stationary Compression Ignition Internal Combustion Engines, unless the engine is exempted as described in 40 CFR 60.4200(d) or meets the conditions set forth in 40 CFR 60.4200(e).

b. Each stationary spark ignition (SI) ICE described in 40 CFR 60.4230(a) shall comply with the applicable provisions of 40 CFR 60, subpart JJJJ—Standards of Performance for Stationary Spark Ignition Internal Combustion Engines, unless the engine is exempted as described in 40 CFR 60.4230(e) or meets the conditions set forth in 40 CFR 60.4230(f).

2. National Emissions Standards for Hazardous Air Pollutants. Each stationary reciprocating ICE described in 40 CFR 63.6590 shall comply with the applicable provisions of 40 CFR 63, subpart ZZZZ—National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines, unless the engine is exempted as described in 40 CFR 63.6585(e) or identified in 40 CFR 63.6585(f).

3. Engines that are *affected point sources* as defined in LAC 33:III.2201.B shall comply with the applicable provisions of LAC 33:III.Chapter 22, Control of Emissions of Nitrogen Oxides (NO_x), including:

a. the appropriate NO_x emission factor set forth in Table D-1A or Table D-1B of LAC 33:III.2201.D;

b. the initial and continuous demonstrations of compliance required by LAC 33:III.2201.G and H; and

c. the notification, recordkeeping, and reporting requirements of LAC 33:III.2201.I.

G. Performance Testing and Monitoring. The following performance testing and monitoring requirements shall apply to nonemergency engines with a manufacturer's horsepower rating of 500 or above and represented to operate more than 720 hours in any 6-month period on the application submitted in accordance with Subsection L of this Section.

1. No later than 180 days after the engine commences operation, the permittee shall conduct a performance test to determine NO_x and CO emissions using methods 7E (Determination of Nitrogen Oxides Emissions from Stationary Sources) and 10 (Determination of Carbon Monoxide Emissions from Stationary Sources) of 40 CFR 60, appendix A. Each test run shall be conducted within 80 percent of the engine's maximum rated capacity or within 10 percent of the maximum achievable load. Alternate stack test methods may be used only with the prior approval of the Office of Environmental Services.

a. The permittee shall notify the Office of Environmental Services at least 30 days prior to the performance test in order to provide the department with the opportunity to conduct a pretest meeting and/or observe the test.

b. The permittee shall submit the performance test results to the Office of Environmental Services no later than 60 days after completion of the test.

2. The permittee shall monitor NO_x, CO, and oxygen (O₂) concentrations in the engine's stack gas semiannually (6 months after the performance test or previous semiannual test, plus or minus 30 days) using a portable analyzer calibrated before each test using a known reference sample.

NO_x, CO, and O₂ concentrations may be monitored annually (12 months after the performance test or previous annual test, plus or minus 30 days) if the engine is equipped with catalytic controls.

3. Where monitoring of NO_x or CO is required by 40 CFR 60, subpart III; 40 CFR 60, subpart JJJJ; 40 CFR 63, subpart ZZZZ; or LAC 33:III.2201, the performance testing and monitoring requirements of this Subsection shall not apply for that pollutant.

4. This Subsection shall not apply to nonemergency engines identified as being temporary.

H. Temporary Engines

1. Records of each temporary engine brought on-site shall be maintained and made available for inspection by the Office of Environmental Compliance. These records shall include:

- a. the date the unit was delivered;
- b. the make and model;
- c. the manufacturer's rated horsepower;
- d. the fuel type; and
- e. the date the unit was removed from the site.

2. The authorization for the use of any engine identified as being temporary shall remain effective for 12 months following the date on which the administrative authority determines that the application submitted in accordance with Subsection L of this Section is complete. If the permittee determines that an engine originally identified as temporary will remain on-site longer than 12 months, a new application (i.e., notification form) shall be submitted in accordance with Subsection L of this Section prior to expiration of the authorization to operate under this regulatory permit as provided in this Paragraph.

I. Permanent Engines. Permanent engines authorized by this regulatory permit shall be included in the next renewal or modification of the facility's existing permit.

J. Gasoline storage tanks associated with an engine and with a nominal capacity of more than 250 gallons shall be equipped with a submerged fill pipe.

K. Emissions Inventory. Each facility subject to LAC 33:III.919 shall include emissions from all engines, including temporary units, authorized by this regulatory permit in its annual emissions inventory.

L. Notification Requirements. Written notification describing the planned activity shall be submitted to the Office of Environmental Services using the appropriate form provided by the department. A separate notification shall be submitted for each engine.

M. In accordance with LAC 33:III.Chapter 2, the fee for this regulatory permit is \$713. In accordance with LAC 33:III.209 and 211, the annual maintenance fee associated with this regulatory permit shall be \$143. Applicable

surcharges as described in LAC 33:III.211.A shall also be assessed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2054.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of the Secretary, Legal Affairs Division, LR 35:459 (March 2009), amended LR 37:3221 (November 2011), amended by the Office of the Secretary, Legal Division, LR 40:780 (April 2014).