

**Supplemental Statement of Basis for a
Planned Significant Modification of the
Clean Air Act Permit Program (CAAPP) Permit
for**

**Kincaid Generation, LLC
Kincaid Station**

Source ID No.: 021814AAB
Permit No.: 95090078

Permitting Authority:
Illinois Environmental Protection Agency
Bureau of Air, Permit Section
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Table of Contents

Introduction

Background

Additional Changes Planned to the CAAPP Permit

 Condition 7.2.8(a)

 Condition 7.2.6(b)(i)

 Condition 7.2.9(g)

Attachments:

 Attachment 1 - Additional Minor Modifications

 Attachment 2 - Additional Administrative Amendments

INTRODUCTION

This Supplemental Statement of Basis addresses certain additional changes that are now proposed to be made as part of the planned significant modification of the Clean Air Act Permit Program (CAAPP)¹ permit for the Kincaid Station.

The Illinois EPA has already held a public comment period on planned modifications of the CAAPP permit for the Kincaid Station. That comment period ended on July 30, 2014. The Illinois EPA has not yet taken final action pursuant to that comment period to issue a modified CAAPP permit for the Kincaid Station.

The additional changes to the CAAPP permit for the Kincaid Station that are addressed by this Supplemental Statement of Basis would be made in response to a comment from USEPA during the public comment period that ended in July. Because of the nature of these additional changes, the Illinois EPA is holding a supplemental public comment period on these changes. This will provide the public with the opportunity to review and comment on these additional changes. As is appropriate when a public comment period is held on planned changes to a CAAPP permit, this Supplemental Statement of Basis provides the public with relevant background on these planned changes.

A Statement of Basis is a document that the Illinois EPA prepares to accompany the public comment period for the planned issuance, renewal or significant modification of a CAAPP permit. A Statement of Basis discusses the development and legal basis for the planned permit action. It is intended to aid the public in understanding the relevant facts and legal underpinnings of planned actions on CAAPP permits and the draft CAAPP permits that have been prepared by the Illinois EPA.

Consistent with the approach taken for the earlier public comment period for the planned issuance of a modified CAAPP permit for the Kincaid Station that ended in July, summaries of other planned revisions to this permit that would not be significant modifications are attached to this Supplemental Statement of Basis. The other revisions that would be minor modifications are addressed in Attachment 1. The other revisions that would be administrative amendments are addressed in Attachment 2. These other revisions would be the result of continuing negotiations with the operators of Illinois' coal-fired power plants to resolve the remaining appeals of the CAAPP permits for these plants. Kincaid Generation has requested that these changes also be made as part of the issuance of a modified CAAPP Permit for the Kincaid Station. The planned changes to the permit that are addressed by these attachments are not the subject of the supplemental public comment period.²

¹ The Clean Air Act Permit Program (CAAPP) is Illinois' operating permit program for sources of emissions pursuant to Title V of the federal Clean Air Act.

² The CAAPP does not require a public comment period for either minor modifications or administrative amendments to a CAAPP permit.

BACKGROUND

The Kincaid Station is an electric power plant with two coal-fired boilers. The plant is operated by Kincaid Generation, LLC (Kincaid Generation).

The initial CAAPP permit for the Kincaid Station was issued by the Illinois EPA in September 2005. The permit addressed applicable requirements that existed at the time the permit was issued. In a subsequent permit appeal to the Illinois Pollution Control Board, Kincaid Generation challenged various provisions in the CAAPP permit, including applicability of certain legal requirements and the imposition of certain requirements for periodic monitoring. In the years since the filing of the appeal, the initial permit has been stayed in its entirety. The stay prevented the initial permit from becoming effective. The stay has also acted to prevent renewal of the CAAPP permit for the Kincaid Station, with issuance of a CAAPP permit that would address new rules and requirements that have taken effect since 2005.

The initial step for advancing the development of an appropriate CAAPP permit for the Kincaid Station is to resolve the appeal of the initial permit and provide for the effectiveness of a CAAPP permit for this source. Once the appeal is resolved and a CAAPP permit is in effect, the permit will be reopened by the Illinois EPA to add new regulatory requirements that have been adopted since 2005 that now apply to the Kincaid Station.^{3, 4} Other revisions to this CAAPP permit would also be able to be processed under the applicable administrative procedures for revisions to CAAPP permits.

The Illinois EPA and Kincaid Generation, with the assistance of the Office of the Illinois Attorney General, have been engaged in negotiations to settle the appeal of the CAAPP permit for the Kincaid Station with the goal of having a CAAPP permit take effect for this source. Agreement has tentatively been reached on the content of a modified permit that would provide the basis for settling the appeal. This agreement is tentative because the process for a significant modification to a CAAPP permit requires a public comment period on a draft of the planned changes to the permit followed by review of a proposed permit by USEPA.

Except for certain additional changes to the CAAPP permit that are addressed by this Supplemental Statement of Basis, the first step in this process to issue a modified CAAPP permit for the Kincaid Station to enable the appeal to be settled has been completed. The public comment period on planned significant modifications of the CAAPP permit for the Kincaid Station ended on July 30, 2014. Comments on the planned changes to the permit were received from a partnership of environmental organizations, the USEPA and the source.

Resolution of one comment from USEPA necessitates an additional change to Condition 7.2.8(a) of the CAAPP permit that USEPA has indicated should be addressed as a significant modification. As such, a public comment period

³ These new requirements addressed by the reopening proceeding would include the Mercury and Toxic Standards (MATS) and the Transport Rule or Cross State Air Pollution Rule (CSAPR) adopted by USEPA.

⁴ The reopening proceeding would also address applicable requirements that now apply to the emissions of these boilers pursuant to a federal consent decree that addresses this source, *United States v. Dominion Energy, Inc., Dominion Energy Brayton Point, LLC, and Kincaid Generation, LLC*, United States District Court for the Central District of Illinois, Civil Action No. 13-03086, July 17, 2013 (Consent Decree).

must precede this planned change to the permit. In addition, the planned change to Condition 7.2.8(a) has led to other related changes to two other conditions of the CAAPP permit, Conditions 7.2.6(b)(i) and 7.2.9(g), which will also be addressed as significant modifications to the permit.

Responses to other comments received during the public comment period that ended in July will not necessitate additional significant changes to the CAAPP permit for the source. The Illinois EPA will provide its response to those comments, as well as any comments on the additional changes addressed by this Supplemental Statement of Basis, in the Responsiveness Summary that will be released at the same time that a modified CAAPP permit is issued for the Kincaid Station.

ADDITIONAL CHANGES THAT ARE PLANNED TO THE CAAPP PERMIT

CHANGES TO CONDITION 7.2.8(a):

Introduction

Additional changes are planned to Condition 7.2.8(a) of the CAAPP permit to address a comment from USEPA that was made during the public comment period for the draft of the revised CAAPP permit for the Kincaid Station. This comment observed that the draft of the modified CAAPP permit would not include applicable requirements from a condition in Construction Permit 97080088 that, in fact, applies to the two baghouses that control the particulate emissions of the tripper rooms.^{5, 6} This is because the draft of the modified CAAPP permit would not require weekly inspections of these baghouses. In addition, USEPA commented that the CAAPP permit would not state that these inspections are required to confirm compliance with the limits for emissions of particulate matter that are set by this construction permit, as was specifically stated by the construction permit.

Condition 7.2.8(a) of the CAAPP permit requires Kincaid Generation to conduct routine inspections on a periodic basis for all coal handling operations at the source to confirm proper implementation of the emission control measures for these operations. This requirement is a component of the periodic monitoring for the coal handling operations that the CAAPP permit would require Kincaid Generation to implement for these operations.

Description of the Planned Changes

The additional changes that are planned to Condition 7.2.8(a) would split this condition into two separate provisions. Condition 7.2.8(a)(i) would address the routine inspections of all coal handling operations at the source except the two baghouses that control emissions from the Tripper Rooms on the North and South Coal Silo Bays. Condition 7.2.8(a)(ii) would address the routine inspections of these baghouses.⁷ The actual requirements associated with these inspections would be unchanged compared to those in the draft of the modified permit for which a public comment period has already been held. However, addressing the inspection requirements for the two baghouses in a

⁵ The tripper rooms are located on the top of the two coal silo bays that hold coal for the two coal-fired boilers. The tripper rooms contain various conveyor belts, diverters and chutes that direct the coal that is received from the crusher house into the individual silos that hold the coal until it is fed to the boilers. Each tripper room serves 7 silos, with 14 silos for each boiler for a total of 28 silos.

⁶ In this comment, USEPA stated, Construction Permit 97080088, issued in 1999, contains conditions that appear to be missing from the current draft CAAPP permit. Condition 5(b) of that permit states that inspections of the coal and ash handling equipment, including the control systems equipment, are to occur at least weekly. However, the draft CAAPP permit does not include this condition. Instead, with the exception of weekly inspections for the loadout section of the fly ash handling equipment, the draft CAAPP permit requires monthly inspections. Furthermore, the draft permit does not include the relevant language from Condition 5(b) that requires weekly inspections to "confirm compliance" with the numerical Particulate Matter (PM) limits that apply to, among other things, the fuel silo baghouse addressed in Condition 7.2.6(b)(i) of the draft CAAPP permit.

⁷ The additional changes that are planned to the CAAPP permit would not involve Condition 7.2.8(b), which requires inspections of these baghouses and other baghouses for coal handling operations on at least an annual basis.

separate provision will enable the CAAPP permit to recognize a difference in the required frequency of routine inspections compared to the frequency required by the construction permit for these baghouses.⁸ The CAAPP permit would only require that inspections be conducted on at least a monthly basis, whereas the construction permit requires these inspections to be conducted on at least a weekly basis.⁹

Compared to Condition 7.2.8(a) in the draft of the modified CAAPP permit that has already been subject to public comment, the only change that is now planned in Condition 7.2.8(a)(i) is that it would indicate that it does not apply to the two baghouses on the Tripper Rooms.

Compared to Condition 7.2.8(a) in the draft of the modified permit that has been subject to public comment, Condition 7.2.8(a)(ii) would specify that it only applies to the two baghouses on the Tripper Rooms. It would also include language explaining that its requirements are different from those in the construction permit for the baghouses. This condition would also be identified as a "Title I revision" by including the designation "T1R" following the explanatory language.^{10, 11}

Discussion Concerning the Frequency for Routine Inspection of the Baghouses

The USEPA's comment correctly observes that in one respect, the frequency of inspections for certain equipment, the requirement in the draft of the modified CAAPP permit would be different than the requirement in a construction permit involving those units. However, this is appropriate. Condition 5(b) of Construction Permit 97080088 only contained a single, rudimentary compliance procedure, periodic inspections, to accompany the substantive requirements imposed by or addressed in this permit.^{12, 13} As

⁸ Construction Permit 97080088 addressed planned changes to the Kincaid Station that accompanied a switch from low-sulfur coal from Utah to low-sulfur coal from the Powder River Basin. For the coal handling operations, this permit addressed installation of two baghouses that would replace the Rotoclone scrubber systems on the tripper rooms.

⁹ The frequency of required routine inspections for these baghouses is unchanged from the initial CAAPP permit for the source issued in 2005. The initial CAAPP permit also specified that these inspections be conducted on at least a monthly basis.

¹⁰ The designation "T1" following a condition in a CAAPP permit generally indicates that the condition contains a "Title I condition", which was originally established pursuant to requirements or authority found in Title I of the Clean Air Act. Most commonly, such conditions are established in construction permits issued by the Illinois EPA, as are required by Section 110(a)(2)(C) of the Clean Air Act. The designation "T1R" further indicates that the previous T1 condition has been revised by the Illinois EPA during the issuance of the CAAPP permit using its authority under Title I of the Clean Air Act.

¹¹ While the Illinois EPA is planning to address USEPA's comments by identifying this condition in the CAAPP permit as a revision to a Title I condition, it should be understood that this action would be taken for the purpose of not further delaying the resolution of the CAAPP appeal for the Kincaid Station and with the concurrence of Kincaid Generation. Using this approach for any difference in compliance provisions would pose a serious concern for the implementation of CAAPP permitting by the Illinois EPA, given the additional resources that would be needed and the effect on timing of CAAPP permit applications.

¹² In its entirety, Condition 5(b) of Construction Permit 97080088, as originally issued in November 1997 and as reissued in October 5, 1999, reads as follows:
Inspections of the new coal and ash handling equipment including the control systems and operations shall be performed as necessary but at least once per week when the plant is in operation to confirm compliance with the requirements of this permit.

required by the CAAPP, the draft of the modified CAAPP permit for the Kincaid Station would establish a complete set of compliance procedures or periodic monitoring for the emission units addressed by Condition 5(b). This periodic monitoring reflects further consideration by the Illinois EPA of the compliance procedures or periodic monitoring that the source should implement for different emission units to confirm compliance with the substantive requirements that apply to those units. As necessary to confirm compliance with applicable requirements, this periodic monitoring would include additional requirements to supplement the compliance procedures that were established in Construction Permit 97080088.

Before discussing the periodic monitoring that would be required by the modified CAAPP permit, which would stand in place of Condition 5(b) of Construction Permit 97080088, it is first appropriate to review the actual scope of this condition. Condition 5(b) does not address all coal handling and ash handling equipment at the source. It only applies to "new equipment", which would mean that it only applies to the new equipment that was installed pursuant to this construction permit. In fact, review of this construction permit shows that it does not address the construction of any new emission units.¹⁴ The only new equipment that is addressed in this permit is two new pieces of air pollution control equipment, i.e., two baghouses for the tripper rooms that serve the coal storage silos that supply coal to the boilers. Accordingly, Condition 5(b) actually only addressed these two new baghouses, which serve to control PM emissions from certain coal handling operations that are located in the tripper rooms.¹⁵ In this regard, the scope of Condition 5(b) is identical to that of Condition 4, which sets limits for the PM emissions of the two new baghouses installed on the tripper rooms.^{16, 17}

For the coal handling operations at the source, including the two baghouses addressed by Condition 5(b) in Construction Permit 97080088, the draft of the modified CAAPP permit reflects an appropriate approach to periodic

¹³ It is evident that Condition 5(b) of Construction Permit 97080088 contained a compliance procedure. As observed by the USEPA's comment, Condition 5(b) actually states that the purpose of the periodic inspections required by this condition is "...to confirm compliance with the requirements of this permit."

¹⁴ Because the equipment that was subject to Condition 5(b) was not specifically identified in this condition, it is necessary to review other provisions of Construction Permit 97080088 to identify the "new equipment" that was addressed by this condition.

¹⁵ While Condition 5(b) of Permit 97080088 refers to new ash handling equipment, the application for this permit did not address any new ash handling equipment. Indeed, the application does not discuss any changes to ash handling operations.

In this regard, it seems likely that a "copy-paste" error was made in the preparation of Condition 5(b). Language from a previous construction permit for another source, which addressed both new coal handling equipment and new ash handling equipment, was copied. However, the language was not appropriately revised for use with Application 97080088, which did not address new ash handling equipment.

¹⁶ Review of Application 97080088 also reveals that Condition 4 did not clearly describe the baghouses for which it sets limits on PM emissions. The new two baghouses addressed by Condition 4 of this permit were not installed on the coal storage silos. As discussed, these baghouses were actually installed on the four tripper rooms that direct coal to the coal silos, with each baghouse serving a pair of tripper rooms.

¹⁷ As will be discussed later in this document, certain changes are also planned to other conditions of the CAAPP permit for the Kincaid Station to clarify that those conditions apply to the two new baghouses installed on the tripper rooms, as were addressed by Construction Permit 97080088.

monitoring.¹⁸ It reflects further consideration by the Illinois EPA of the periodic monitoring that the source should implement for these operations. Most significantly, Conditions 7.2.6(a) and 7.2.9(b)(i) of the draft CAAPP permit would require the source to maintain a record that sets forth the specific measures that it will use to control particulate emissions from the coal handling operations to comply with the substantive requirements that apply to these operations. The source must then implement the control measures specified in this record. By addressing the control measures that will be used for the various coal handling operations, compliance with the substantive requirements will be more efficiently and effectively addressed than if only those requirements themselves were addressed. This is because it will be easier for both the source and the Illinois EPA to routinely verify implementation of control measures than to directly verify compliance with the applicable substantive requirements.¹⁹

In addition, for the new baghouses that are subject to numerical limits on emissions, the CAAPP permit would also require that the source keep records to verify compliance with those limits. Construction Permit 97080088 did not require such records.²⁰

¹⁸ The periodic monitoring required for coal handling operations was discussed on pages 29 and 30 and page 56 in the original Statement of Basis for issuance of modified CAAPP permit for the Kincaid Station.

¹⁹ This approach to compliance is essential for the limits on PM emissions of the new baghouses set by Condition 4 of Construction Permit 97080088. This is because continuous emission monitoring for the PM emissions is not appropriate for these baghouses which control coal handling operations.

²⁰ Brief descriptions of all the elements of the periodic monitoring that would be required for coal handling operations follows. These descriptions are provided for informational purposes and should not be construed to substitute for the actual requirements, as are specified by the language in the actual permit conditions.

Condition 7.2.6(a)(i): Implement and maintain control measures for PM emissions from operations to support periodic monitoring.

Condition 7.2.6(a)(ii): Identify and operate the control measures in conformance with the record required by Condition 7.2.9(b)(i).

Condition 7.2.7(a): Conduct opacity observations for all operations per Method 9 within 2 years of effectiveness of this permit condition and every three years thereafter.

Condition 7.2.7(b): Conduct testing for emissions of particulate matter from operations with stacks or vents as specified in a request from the Illinois EPA, with testing to be conducted within 90 days of the request.

Condition 7.2.8(a): Conduct routine monthly inspections of the operations.

Condition 7.2.8(b): Conduct annual observations for all operations in use for visible emissions or opacity per Method 22 or Method 9.

Condition 7.2.8(c): Conduct inspections of the baghouses once each calendar year while the associated operation(s) are out-of-service.

Condition 7.2.9(a): Recordkeeping for design and operating capacities of equipment and associated baghouses.

Condition 7.2.9(b): Recordkeeping for control measures that will be implemented and maintained. Copies of these records must be submitted to the Illinois EPA within 60 days of effectiveness of this permit condition and within 30 days of any changes to control measures.

Condition 7.2.9(d): Recordkeeping for all required observations and inspections for these operations, including results of any visual emission observations and actions taken as a result of the inspections.

Condition 7.2.9(e): Recordkeeping for any incidents when an operation is in use without the associated control measures required by the record identified in Condition 7.2.9(b)(i) and for each incident where an operation continued to operate during malfunction or breakdown with excess emissions or excess opacity.

Condition 7.2.9(f): Recordkeeping for all opacity observations completed in accordance with USEPA Method 9.

For the new baghouses, specifically with regard to the frequency of formal inspections to verify proper functioning of these baghouses to control emissions of the operations that are in the tripper rooms, monthly inspections will be more than adequate. The tripper rooms are enclosed spaces. Their PM emissions are now controlled by the new baghouses installed pursuant to Construction Permit 97080088. Filters are dependable and reliable technology for the control of PM emissions from handling of coal. Formal inspections on a monthly basis are sufficient to verify proper functioning of these control devices. Nevertheless, the Illinois EPA has committed to reevaluate the periodic monitoring for coal handling operations and other material handling operations at this source as part of the reopening proceeding for the CAAPP permit.

Discussion Concerning the Phrase "To Confirm Compliance"

With respect to the phrase "to confirm compliance" in Condition 5(b) of Construction Permit 97080088, this language need not be added to Condition 7.2.8(a). This concept is already included in the CAAPP permit. It is found in Conditions 7.2.12 of the CAAPP permit, which identifies the various elements of the periodic monitoring contained in the permit for coal handling operations. This condition indicates that compliance with the substantive requirements that apply to the opacity and PM emissions of these operations is to be addressed by, among other things, the periodic inspections of operations that are required by Conditions 7.2.8 of the CAAPP permit. (See Condition 7.2.12(b).²¹) Given the organization or structure of the initial CAAPP permit for the Kincaid Station, it would not be appropriate to now state in each provision of this permit that contains an element of the periodic monitoring for this source that the purpose of that provision is "to confirm compliance". This would only restate what is already indicated by the statutory authority cited in each of those provisions. Moreover, this phrase would need to be included in all provisions of this CAAPP permit that contain periodic monitoring requirements. Otherwise, it would imply some difference between the provisions that include this phrase and the provisions that do not include this phrase.²²

CHANGES TO CONDITION 7.2.6(b)(i):

Changes are also planned to Conditions 7.2.6(b)(i) of the CAAPP permit for the Kincaid Station to clarify the equipment to which the limits for emission of particulate matter in Condition 4 of Construction Permit 97080088 apply. Condition 7.2.6(b)(i) of the CAAPP permit, which contains these limits, would

Condition 7.2.9(g): Recordkeeping for actual emissions of particulate matter to verify compliance with the applicable emission limits for the new baghouses.

²¹ For example, as related to the limits on particulate emissions of the new baghouses on the two coal silo bays that were established in Condition 4 of Construction Permit 97080088 and that are restated in Condition 7.2.6(b)(i) of the CAAPP permit, Condition 7.2.12(c) of the initial CAAPP permit states that, "Compliance with Condition 7.2.6(b) is addressed by the testing, inspections and recordkeeping required by Conditions 7.2.7(b), 7.2.8, and 7.2.9, respectively."

²² If the phrase "to confirm compliance" were only included in certain provisions of the permit for periodic monitoring and not in others, the obvious implication would be that the provisions without this phrase were not established to assure compliance with substantive requirements.

specifically apply to the "baghouses for the tripper rooms on the North and South Coal Silo Bays", rather than to the "fuel silo baghouses".²³

CHANGES TO CONDITION 7.2.9(g):

Similar changes are also planned to Conditions 7.2.9(g) of the CAAPP permit. This condition requires the source to keep records for the monthly and annual emissions of particulate matter to verify compliance with the emission limits in Condition 7.2.6(b). These records would now be required for "each baghouse for the tripper rooms on the North and South Coal Silo Bays," rather than for "each fuel silo (baghouse)".

²³ The Illinois EPA does not plan to change the designation of this condition from "T1" to "T1R". This is because the change to this condition only makes the requirement established in the construction permit clearer and more readily implemented.

Attachments

Attachment 1 - Additional Minor Modifications

The Illinois EPA plans to make the following additional minor modifications to the CAAPP permit for the Kincaid Station. As these changes would be minor modifications, this summary is included with this Supplemental Statement of Basis simply for informational purposes. This is because a public comment period is not required before making minor modifications to a CAAPP permit.²⁴

These revisions are the result of continuing settlement negotiations with the operators of Illinois' coal-fired power plants to resolve the remaining appeals of the CAAPP permits for these plants. The Illinois EPA has agreed in principle to these additional revisions to the CAAPP permits for those plants. Kincaid Generation has requested that these revisions also be made as part of the issuance of the modified CAAPP permit for the Kincaid Station that would resolve the appeal of the initial permit for this source. The Illinois EPA has determined that it is also appropriate that these revisions be made to the CAAPP permit for the Kincaid Station.

Condition 7.1.9(b)(ii)

To clarify recordkeeping requirements for the electrostatic precipitators (ESP) that control the particulate emissions of the coal-fired boilers, the phrase "When an associated boiler is in operation" would be changed to "When an affected boiler served by the ESP is in operation". The phrase "The status of each ESP field..." would be changed to "The status of each field in the ESP...".

Condition 7.1.9(c)(i)

The recordkeeping requirements for the continuous opacity monitoring system would be revised to specify that the records for the monitored opacity of the coal-fired boilers must include data for 6-minute, hourly average and three-hour block average. This condition would also be revised to be consistent with the revised recordkeeping requirements for continuous NO_x emission monitoring in Condition 7.1.9(e)(i).

Condition 7.1.9(c)(iii)*

This condition would not be included in the modified permit. This is because Condition 7.1.9(c)(i)(A) in the revised permit would specifically require recordkeeping for opacity on a one-hour block average and three-hour block average basis. Consequently, Condition 7.1.9(c)(iii) would be redundant to Condition 7.1.9(c)(i)(A).

Condition 7.1.9(c)(ii)(B)

For clarification, the phrase "...if other information shows that the PM emissions of affected boiler(s) did not exceed the limit in Condition 7.1.4(b)", would be changed to "...if other information shows that the PM emissions of an affected boiler(s) exceeded or likely exceeded the limit in

²⁴ Before making a minor modification to a CAAPP permit, the Illinois EPA must notify the USEPA and any nearby states of the planned modification. A modified permit cannot be issued until after a 45-day review period for USEPA or until USEPA notifies the Illinois EPA that it will not object to the modified permit, whichever comes first. (See Section 14(a)(v) of the Environmental Protection Act.)

For the additional minor modifications of the CAAPP permit for the Kincaid Station, the USEPA review period will take place concurrently with the USEPA's review period for the proposed significant modifications of this permit.

Condition 7.1.4(b)". This revised language would be consistent with language in the permit issued in 2005 which used the phrase "may have exceeded".

Condition 7.1.9(d) (i)

The recordkeeping requirements for the continuous SO₂ monitoring system would be revised to be consistent with the revised recordkeeping requirements for continuous NO_x monitoring with CEMS in Condition 7.1.9(e) (i).

Condition 7.1.10-2(b) (i)

The phrase "...except for zero and span checks..." would be removed for consistency with the cited regulatory requirements in 40 CFR 60.7(c) (4). Also, the phrase "this shall be stated in the report..." would be changed to "such information shall be stated in the report...".

Condition 7.1.10-2(b) (iii) (E)

To clarify the reporting requirement, the phrase "A detailed explanation of corrective actions and actions taken to lessen the emissions" would be changed to "A detailed explanation of any corrective actions taken".

Condition 7.1.10-2(c) (i)

The phrase "...except for zero and span checks..." would be removed for consistency with the cited regulatory requirements in 40 CFR 60.7(c) (4). Also, the phrase "this shall be stated in the report..." would be changed to "such information shall be stated in the report...".

Condition 7.1.10-2(d) (i)

The phrase "this shall be stated in the report..." would be changed to "such information shall be stated in the report...".

Condition 7.1.10-2(d) (i) **

The phrase "...except for zero and span checks..." would be moved to another condition, as addressed below, for consistency with the cited regulatory requirements in 40 CFR 60.7(c) (4).

Condition 7.1.10-2(d) (ii) **

The phrase "if requested by the Illinois EPA" would be restored in this condition due to possible confusion created when it was removed in the previous draft. This condition will be further reviewed during the reopening of the permit.

Condition 7.1.10-2(d) (iii) (E)

To clarify the reporting requirement, the phrase "A detailed explanation of corrective actions and actions taken to lessen the opacity" would be changed to "A detailed explanation of any corrective actions taken".

Condition 7.1.10-2(d) (iv) (A) (VI)

To clarify the reporting requirement, the phrase "A detailed explanation of corrective actions and actions taken to lessen the emissions" would be changed to "A detailed explanation of any corrective actions taken".

Condition 7.1.10-2(d) (v)

This condition would be revised to better delineate the summary information needed to be included in its periodic reports of opacity and PM exceedances and reduce possible confusion that could have resulted from the examples of summary information that were initially included in this condition.

Condition 7.1.10-2(d) (vi)

This condition would be revised to better specify the scope of the required glossary of terms that the source is to prepare and attach to its periodic reports concerning opacity and PM emissions. The condition would now provide that this glossary is to address "specialized technical terms" used by the source in those reports rather than "common technical terms". This will result in a more useful glossary with definitions for terms that might otherwise be unfamiliar to or be misunderstood by individuals that review these reports.

Condition 7.1.10-2(e) (ii) (A)

This condition would be revised to clarify that its reporting requirements are applicable for the coal-fired boilers covered by this permit if Kincaid Generation is showing compliance with 35 IAC Part 217 Subpart V by participating in a NO_x averaging demonstration.

Condition 7.1.13-1(a) (v) *

The requirement for a plan and schedule for testing and other activities related to the CAM plan would be deleted because the CAM plan submitted pursuant to their Consent Decree does not contain an explicit detailed schedule for testing. Additionally, the scheduling requirements are set forth in Condition 7.1.13-1(b).

Condition 7.1.13-2(d) *

The cross-reference in this condition would now specifically refer to Condition 7.1.9(c) (i), rather than to all of Condition 7.1.9(c). This will appropriately refer to the relevant provisions for continuous opacity monitoring for the coal-fired boilers that will be applicable when this opacity monitoring begins to be relied upon for the CAM Plan. This condition would not inadvertently also refer to recordkeeping requirements in Condition 7.1.9(c) (ii), which will no longer be applicable when the at that time.

* This additional change does not involve a change to a condition that was present in the original CAAPP permit for the source. It involves a change to a "new condition", which the Illinois EPA plans to add to the CAAPP permit and first appeared in the previous draft of the modified CAAPP permit.

** This additional change involves a change to a planned change to the CAAPP permit that was included in the original draft of the modified CAAPP permit.

Attachment 2 - Additional Administrative Amendments

The following additional revisions that are administrative amendments are planned for the CAAPP Permit for the Kincaid Station. As these revisions are considered to be administrative amendments, this attachment is included with this Supplemental Statement of Basis only for informational purposes. This is because a public comment period is not required before administrative amendments are made to a CAAPP permit.

These revisions were identified during continuing negotiations with the operators of Illinois' coal-fired power plants to resolve the remaining appeals of the CAAPP permits for these plants. Kincaid Generation has requested that these additional changes also be included in the modified CAAPP permit for the Kincaid Station

Condition 7.1.7(e) (iii) (C)

The abbreviated phrase "e.g." would be restored to "i.e." to correct grammar. This is because the other changes that would be made to this condition resulted in "i.e." being the correct phrase.

Condition 7.1.9(h) (i)

The word "log(s)" would be changed to "records".

Condition 7.1.10-2(d) (iii) (A)*

To correct grammar, the word "dates" would be replaced with "date".

Condition 7.1.10-2(d) (iii) (B)*

For clarification, the word "exceedance" would be replaced with "excess opacity".

Condition 7.1.10-2(d) (iv)*

For clarification, the word "exceedance" would be replaced with "periods of excess emissions". Also, the word "exceedance" would be replaced with "excess emissions" throughout this condition.

Condition 7.1.13-1(b) (ii)*

For clarification, the phrase "...information for the opacity derived..." was changed to "... information for the opacity value that was derived...".

Condition 7.1.13-2(c) (ii) (A)*

The phrase "... computerized distribution control system..." was changed to "... computerized distributed control system...".

Attachments 10.1 and 10.2

These attachments to the CAAPP permit, which provide regulatory language from 35 IAC 212.321 and 212.322, would be revised to more fully address actual language of these rules.

* This additional change does not involve a change to a condition that was present in the original CAAPP permit for the source. It involves a change to a "new condition" that the Illinois EPA plans to add to the CAAPP permit and that first appeared in the previous draft of the modified CAAPP permit.