BEFORE THE AIR QUALITY CONTROL COMMISSION
STATE OF COLORADO

Regarding proposed revisions to:

Regulation Number 7
Proposed RACT for Existing Major Sources: Combustion Equipment
Addition of Source Category RACT Limits

PETITION AND REQUEST FOR PARTY STATUS OF COLORADO ENERGY NATIONS COMPANY, LLC

This Petition and Request for Party Status is submitted by Colorado Energy Nations Company, LLC ("CENC") the owner and operator of the CENC facility located in Golden, Colorado, and operator of the SUEZ Denver Metro LLC ("SUEZ") facility located in Denver, Colorado. Both facilities are in the Denver Metro area. The Division has developed its "Proposed RACT for Existing Major Sources: Combustion Equipment" via revisions to Regulation Number 7. The Division has proposed source category limits for combustion equipment, specifically for existing boilers and combustion turbines. The proposed requirements will affect CENC boilers 1 and 2, and the SUEZ plant's combustion turbines, reciprocating engines and flares. We request that CENC be accorded "party status" in connection with the above-captioned hearing to protect its interest in this rulemaking.

NOx Source Category RACT (Colo. Reg. 7 Sections XVI.D., XIX.A, XIX.B., XIX.C)

CENC commends the Division for its effort in developing this complex and encompassing source category rule. CENC finds it to be well balanced and extremely fair, and supports the major elements contained in the Division's request.

CENC/SUEZ participated in the initial development of this proposal by:

- Performing an additional Reasonably Available Control Technology ("RACT") analysis for CENC boilers 1 & 2, and for its SUEZ combustion sources (combustion turbines, reciprocating engines and flares)
- Participation in the monitoring and recordkeeping work group
- Participation in the limited capacity work group
- Participation in the initial draft review (errata corrections)

CENC has conducted its initial review of the proposed revisions. Although, we have not identified any major concerns, we wish to reserve our ability to provide suggestions after thorough review.

CENC/SUEZ Contact Information

Future communications to CENC and/or SUEZ with respect to this matter should be sent to:

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Suzanne.Stevens@engie.com

Mike Gwyther
Plant Manager
Colorado Energy Nations Company, LLC
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(303) 277-5455 (office)
(303) 277-5629 (fax)
Mike.Gwyther@engie.com

Summary

As described above, CENC / SUEZ is an interested party in this rulemaking and requests party status to participate in the Regulation 7 rulemaking process to ensure that its interests and concerns are properly presented.

Thank you for your assistance.

Respectfully,

Suzanne Stevens
Senior EHS Specialist
Colorado Energy Nations Company, LLC

Mike Gwyther
Plant Manager
Colorado Energy Nations Company, LLC

Copy: Metro Wastewater Reclamation District (Ms. Jennifer Schwarz, Ms. Katie Leach, Ms. Jennifer Robinett)
File

Submitted via email by Suzanne Stevens on May 16, 2018 to:

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BEFORE THE AIR QUALITY CONTROL COMMISSION
STATE OF COLORADO

Regarding proposed revisions to:

Regulation Number 7
Proposed RACT for Existing Major Sources: Combustion Equipment
Addition of Source Category RACT Limits

PRELIMINARY PREHEARING STATEMENT OF COLORADO ENERGY NATIONS COMPANY, LLC

EXECUTIVE SUMMARY

Colorado Energy Nations Company, LLC ("CENC") the owner and operator of the CENC facility located in Golden, Colorado, and operator of the SUEZ Denver Metro LLC ("SUEZ") facility located in Denver, Colorado has been granted party status in the above-captioned rulemaking. Both facilities are in the Denver Metro area. CENC and SUEZ has been identified as having combustion units impacted by the Division's "Proposed RACT for Existing Major Sources: Combustion Equipment." The Division has proposed source category limits for combustion equipment, specifically for existing boilers and combustion turbines. The proposed requirements will affect CENC boilers 1 and 2, and the SUEZ plant's combustion turbines, reciprocating engines and flares.

CENC/SUEZ strongly supports these proposed revisions to Regulation 7 and its accompanying Statement of Basis, version(s) dated June 11, 2018.

STATEMENT

CENC commends the Division for its effort in developing this source category rule. CENC finds it to be well balanced and extremely fair, and CENC supports the major elements contained in the Division's request as they apply to CENC/SUEZ operations. The following provides CENC's specific comments.

Item 1: <20% Heat input capacity factor exemption provides a true source incentive to limit operation of older units

The < 20% heat input capacity factor exemption provides a true economic incentive for sources to evaluate their operations and determine the most economical course of action while still maintaining its service commitment to its customers. CENC's business choice is simple: operate boilers 1 and/or 2 at < 20% capacity (on a three-year calendar average) OR at the least, install a CEMS on each unit operated at >20% capacity (incurring the equipment costs, certification/quality control costs, and the employee costs associated with operation and maintenance of a CEMS), with the added potential of incurring costs associated with installing, maintaining, and operating additional NOx-reducing controls.

Item 2: <20% heat input capacity exemption threshold value is appropriate

The 20% exemption threshold is appropriate for the following reasons:

- Most NOx pollution controls applied to boilers are not effective at loads below 25%. CENC's vendor for its various low NOx burner options would not guarantee the predicted NOx emission rate below this operating level.
- The $/ton cost of controls, if boilers were normally operated at this level, would be excessive.
- The limited level of operation allowed provides sources the flexibility in meeting their customer demands not only for 'planned' operation (such as planned equipment overhauls), but for emergency operation during unanticipated outages due to primary equipment failures.

Item 3: The capacity exemption's three-calendar year rolling average period is appropriate

The three-calendar year rolling average compliance period is appropriate. The length allows sources to take into consideration seasonal or temporal events, such as abnormally cold winters or bi-annual overhaul schedules. The "rolling" average aspect prevents sources from changing a unit's utilization pattern without consequence. For example, if a source runs two years at 15% capacity and then in the 3rd year at 50% capacity, the average would be 26%. This would trigger the requirement to conduct performance testing to establish compliance requirements, and initiate a compliance plan. It would take two additional years, operating at less than 10% capacity, to regain the capacity exemption by the compliance due date. [If not met, a CEMS would have been installed and the source category limit would be effective!]

Item 4: Streamlining the rule structure

The Division has translated a complex topic into a final rule in a manner that provides easily understood information to sources regarding their compliance obligations. Examples include:

- Umbrella 20% heat input capacity exemption from source category limits, rather than having multiple category exceptions (e.g. listing separate hour exemptions for reciprocating engines, and for "emergency units", and heat input capacity exemption for boilers). [XVI.D.2.a]
- Clearly stating that units subject to the Regional Haze Regulation 7 provisions meet RACT for those sources and are exempt from source category emission limits. [XVI.D.2.f.]
- Language clarifying that all sources emitting greater than 5 tons of NOx per year continue to be subject to the combustion adjustment provisions (the Commission-approved January 1, 2017 RACT requirement) regardless of their status under the proposed source category limits. [XVI.D.2, XVI.D.4.a.(iii), XVI.D.4.b.(iii), XVI.D.4.e.(ii), and XVI.D.6.a]

Item 5: Utilizing existing compliance management systems

One difficulty addressed in compliance management systems is managing multiple similar, yet different, requirements for a variety of regulations. Like the 2017 Combustion Process Adjustment provisions, the Division has incorporated, where reasonable, existing processes to meet this regulation's new requirements.

- A simple example can be found in the reporting section. Excess emission reports may be filed on the same schedule as the source's current schedule: be it quarterly or semi-annually. [XVI.D.8.a.]
- A second example can be found with emission performance test schedules and protocols. This proposed regulation prevents potential duplication by incorporating <u>existing</u> schedules/protocols. A CENC example is its combustion turbines currently subject to 40 CFR 60 Subpart GG requirements. Continuing with our current approved test protocol and schedule will meet the Regulation 3, Section XVI.D.5.a.(ii)(A) requirements. The potential for expensive duplicative testing is eliminated, plus management of ensuring tests are completed in a timely manner, the test protocol used, and which test event is demonstrating compliance for which regulation is greatly simplified for both the source and the Division personnel responsible for overseeing performance testing.
- A third example is allowing facilities to operate, maintain, and demonstrate compliance with emission rate limits using the regulatory requirements already implemented for other "CEMS" installed at the source (commonly referred to as "Part 60" vs "Part 75" CEMS).

ADMINISTRATIVE COMMENTS

Item 6: List of issues to be resolved by commission

CENC currently has no issues with the proposed Regulation 7 and its accompanying Statement of Basis, version(s) dated June 11, 2018 that require resolution. CENC reserves the right to address the positions of and witnesses of the other parties, to present rebuttal testimony, and to utilize any of its witnesses to provide direct or rebuttal testimony to present the most efficient, coherent and understandable presentation for the Commission. CENC also reserves the right to substitute witnesses or add witnesses as required to address the filings and testimony of other parties.

Item 7: List of exhibits

CENC does not have any exhibits included with this pre-hearing statement.

Item 8: List of witnesses

A. Michael Gwyther, Plant Manager, CENC and SUEZ. Mr. Gwyther will present pertinent information of the proposed rule and the concerns and implications of the source category rule requirements.
B. Suzanne Stevens, Senior EHS Specialist, CENC: Ms. Stevens will present pertinent information on the proposed rule and the concerns and implications of the source category rule requirements.

CENC reserves the right to address the positions of and witnesses of the other parties, to present rebuttal testimony, and to utilize any of its witnesses to provide direct or rebuttal testimony in order to present the most efficient, coherent and understandable presentation for the Commission. CENC also reserves the right to substitute witnesses or add witnesses as required to address the filings and testimony of other parties.

Item 9: List of written testimony

CENC does not propose to submit any written testimony at this time. However, CENC reserves the right to propose written testimony at a later date.

Item 10: Modified regulatory language

CENC does not propose revisions to the proposed Regulation 7 and its accompanying Statement of Basis, version(s) dated June 11, 2018. However, CENC reserves the right to propose revisions in response to proposals from other parties to this rulemaking.

Item 11: Final economic impact analysis

CENC is not proposing alternative regulatory language, so the requirements of Procedural Rule 1.5.5(5)(c)(ix) do not apply.

Item 12: Time allocation at the hearing

CENC requests 30 minutes for presentation at the hearing. However, until all the Prehearing Statements and Rebuttal Statements are filed, it is impossible to predict the amount of time CENC will need to protect its interest, and therefore CENC reserves the right to request more time in its Rebuttal Statement or at the Prehearing Conference.

Respectfully submitted this 11th day of June 2018.

By: _____
Suzanne Stevens
Senior EHS Specialist
Colorado Energy Nations Company, LLC

By: _____
Mike Gwyther
Plant Manager
Colorado Energy Nations Company, LLC

CERTIFICATE OF SERVICE

I, Suzanne Stevens, do certify that a true and exact copy of the Prehearing Statement of Colorado Energy Nations Company, LLC regarding proposed revisions to Regulation 7, Combustion Sources, Addition of Source Category Limits was emailed to the following on June 11, 2018.

Suzanne Stevens

Air Quality Control Commission
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Commissioner Chuck Grobe—Hearing Officer
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Mike Silverstein—Administrator/Technical Secretary
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Theresa Martin—Program Coordinator
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Colorado Utilities Coalition for Clean Air
(Includes the following parties: Tri-State Generation and Transmission Association Inc., Public Service Company of Colorado doing business as XCEL Energy)

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Jennifer Robinett—Regulatory Compliance Officer
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Represented by:

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Michael J. Gwyther—Plant Manager
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BEFORE THE AIR QUALITY CONTROL COMMISSION
STATE OF COLORADO

Regulation Number 7
Proposed RACT for Existing Major Sources: Combustion Equipment
Addition of Source Category RACT Limits
TECHNICAL SUPPORT DOCUMENT (JUNE 2018)

COMPANY NAME REVISION
for
SUEZ DENVER METRO, LLC

SUMMARY

Colorado Energy Nations Company, LLC ("CENC") the owner and operator of the CENC facility located in Golden, Colorado, and operator of the SUEZ Denver Metro LLC ("SUEZ") facility located in Denver, Colorado has been granted party status in the above-captioned rulemaking. Both facilities are in the Denver Metro area. CENC and SUEZ has been identified as having combustion units impacted by the Division's "Proposed RACT for Existing Major Sources: Combustion Equipment." The Division has proposed source category limits for combustion equipment, specifically for existing boilers and combustion turbines. The proposed requirements will affect CENC boilers 1 and 2, and the SUEZ plant's combustion turbines, reciprocating engines and flares. The SUEZ operations are co-located with the Metro Wastewater Reclamation District, and are considered a 'single source' for PSD/NSR purposes with the District. Currently, the TSD uses "Metro Wastewater-GDF-SUEZ" to indicate this combined source.

The above referenced Technical Support Document ("TSD") incorrectly indicates a 'mixture' of corporate names and company names for the SUEZ Denver Metro, LLC operation. We have attached two documents to help clarify the issue: The 'current permit' facility information page, and the 2017-08-07 permit renewal Form 2000-100. The company owner's name is "SUEZ Denver Metro, LLC" (highlighted in 'yellow'). The Parent Company was originally GDF-SUEZ Energy North America, Inc (highlighted in red on current permit). Our corporate parent rebranded and became ENGIE North America, Inc. (highlighted in red on permit renewal Form 2000-100.)

CENC, on behalf of SUEZ, respectfully requests that the references in the Technical Support Document be revised to "Metro Wastewater-SUEZ".

REVISIONS

Please remove "GDF" and use all capitals for SUEZ for the "Metro Wastewater-GDF Suez" designations [i.e., use "**Metro Wastewater-SUEZ**"]

- Page 6, Table 3
- Page 10, Table 4, number 7
- Page 10, footnote 7
- Page 11, footnote 8
- Page 16, section 4, second paragraph.
- Page 17, 1st paragraph after Table 9.
- Page 18, Table 9, last entry

Respectfully submitted this 12th day of July 2018.

By: _____
Suzanne Stevens
Senior EHS Specialist
Colorado Energy Nations Company, LLC

By: _____
Mike Gwyther
Plant Manager
Colorado Energy Nations Company, LLC

Current permit excerpt

AIR POLLUTION CONTROL DIVISION
COLORADO OPERATING PERMIT

FACILITY NAME:	Metro Waste Water Cogeneration Facility	OPERATING PERMIT NUMBER
FACILITY ID:	0010097	**01OPAD212**
RENEWED:	January 1, 2014	
EXPIRATION DATE:	January 1, 2019	
MODIFICATIONS:	See Appendix F of Permit	

Issued in accordance with the provisions of Colorado Air Pollution Prevention and Control Act, 25-7-101 et seq. and applicable rules and regulations.

ISSUED TO:

Parent Company:
GDF Suez Energy North America, Inc.
1990 Post Oak Blvd, Suite 1900, Houston TX 77056

Owner Name / Mailing Address:
Suez Denver Metro, LLC
c/o Colorado Golden Energy Corp., LLLP
P. O. Box 4088, Golden, CO 80401

PLANT SITE LOCATION:
6450 York Street
Denver, CO 80229
Adams County

Operator Name / Mailing Address:
Colorado Golden Energy Corp., LLLP
P. O. Box 4088
Golden, CO 80401

INFORMATION RELIED UPON
Operating Permit Renewal Application
Received: December 7, 2011
And Additional Information Received:

Nature of Business: Cogeneration of Electricity and Hot Water
Primary SIC: 4939

RESPONSIBLE OFFICIAL
Name: Ms. Felisa Ros
Title: VP – Generation – Mexico & Canada
Phone: (713) 636-1317

FACILITY CONTACT PERSON
Name: Ms. Suzanne C. Stevens
Title: Sr. EH & S Specialist
Phone: (303) 277-6940

RESPONSIBLE OFFICIAL'S AUTHORIZED REPRESENTATIVE
Name: Mr. Michael J. Gwyther
Title: Plant Manager
Phone: (303) 277-5811

SUBMITTAL DEADLINES

Semi-Annual Monitoring Periods:	January 1 – June 30, July 1 – December 31
Semi-Annual Monitoring Reports:	Due on August 1, 2014 & February 1, 2015 & subsequent years
Annual Compliance Periods:	January 1 – December 31
Annual Compliance Certification:	Due on February 1, 2015 & subsequent years

Note that the Semi-Annual Monitoring Reports and Annual Compliance Certifications must be received at the Division office by 5:00 p.m. on the due date. Postmarked dates will not be accepted for the purposes of determining the timely receipt of those reports/certifications.

2017-08-07 Permit Renewal Excerpt

Operating Permit Application
Colorado Department of Public Health and Environment
Air Pollution Control Division

FACILITY IDENTIFICATION

FORM 2000-100
Rev 06-95

SEE INSTRUCTIONS ON REVERSE SIDE

1.	Facility name and mailing address	Name	SUEZ Denver Metro, LLC-Metro Wastewater Cogeneration Facility
		Street or Route	P.O. Box 4088
		City, State, Zip Code	Golden, CO 80401
2.	Facility location (No P.O. Box)	Street Address	6450 York Street
		City, County, Zip Code	Denver, Adams County, 80229-7499
3.	Parent corporation	Name	ENGIE North America, Inc.
		Street or Route	1990 Post Oak Blvd., Suite 1900
		City, State, Zip Code	Houston, TX 77056
		Country (if not U.S.)	
4.	Responsible official	Name	Michael Fields
		Title	Vice-President, Operations
		Telephone	(713) 636-1747
5.	Permit contact person (If Different than 4)	Name	Suzanne Stevens
		Title	Senior Environmental, Health and Safety Specialist
		Telephone	(303) 277-6940

6. Facility SIC code: **4931**(Electric and Other Services Combined)

7. Facility identification code: CO **0010097**

8. Federal Tax I. D. Number: **84-1317089**

9. Primary activity of the operating establishment: **Cogeneration of electricity and hot water.**

10. Type of operating permit New Modified ☒ Renewal **01OPAD212**

11. Is the facility located in a "nonattainment" area: ☒ Yes No

If "Yes", check the designated "non-attainment" pollutant(s):

Carbon Monoxide ☒ Ozone PM10 Other (specify)

12. List all (Federal and State) air pollution permits (including grandfathered units), plan approvals and exemptions issued to this facility. List the number, date and what unit/process is covered by each permit. For a Modified Operating Permit, do not complete this item.

Colorado Operating Permit: 01OPAD212
Original Construction Permit: 84AD057

CERTIFICATE OF SERVICE

I, Suzanne Stevens, do certify that a true and exact copy of this TSD Correction Request of Colorado Energy Nations Company, LLC was emailed to the following on July 12, 2018. Suzanne Stevens

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PARTY
Colorado Utilities Coalition for Clean Air
(Includes the following parties: Tri-State Generation and Transmission Association Inc., Public Service Company of Colorado doing business as XCEL Energy)

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