STATE OF LOUISIANA
DEPARTMENT OF ENVIRONMENTAL QUALITY

OFFICE OF ENVIRONMENTAL SERVICES

IN THE MATTER OF	*	
	*	
LOUISIANA GENERATING LLC	*	**REGIONAL HAZE**
POINTE COUPEE PARISH	*	**STATE IMPLEMENTATION PLAN**
BIG CAJUN II POWER PLANT -	*	**EGU BART ANALYSIS**
	*	
	*	**AGENCY INTEREST NO. 38867**
	*	
PROCEEDINGS UNDER THE LOUISIANA	*	
ENVIRONMENTAL QUALITY ACT,	*	
La. R.S. 30:2001, ET SEQ.	*	

ADMINISTRATIVE ORDER ON CONSENT

The following **ADMINISTRATIVE ORDER ON CONSENT** is issued this day to **LOUISIANA GENERATING LLC (RESPONDENT)** by the Louisiana Department of Environmental Quality (the Department), under the authority granted by the Louisiana Environmental Quality Act (the Act), La. R.S. 30:2001, *et seq.*, and particularly by La. R.S. 30:2011(D)(6) and (D)(14). The Respondent consents to the requirements set forth below.

FINDINGS OF FACT

I.

The Respondent owns and/or operates the Big Cajun II electric generation station located at 10431 Highway 981 in New Roads, Pointe Coupee Parish, Louisiana (Facility). The Facility currently operates pursuant to Title V and PAL Permit Number 2260-00012-V5 issued on July 1, 2015.

II.

Under Clean Air Act (CAA) section 110, each state must prepare and submit for the EPA approval, a SIP that provides for the implementation, maintenance and enforcement of the National Ambient Air Quality Standards (NAAQS) in each air quality control region within the state.

III.

In addition to the general SIP requirements, in CAA section 169A, 42 U.S.C. §7491, Congress created a program for protecting visibility in the nation's national parks and wilderness areas. This section establishes as a national goal the "prevention of any future, and the remedying of any existing, impairment of visibility" in those national parks and wilderness areas identified as "Class I" areas under CAA section 161, 42 U.S.C. §7472(a), 42 U.S.C. §7491.

IV.

Under CAA section 169A and its associated implementing regulations, states must assure the reasonable progress toward the goal of achieving natural visibility conditions in Class I areas by preparing, and submitting for EPA approval, a Regional Haze SIP. *See generally,* 42 U.S.C. §7491; 40 C.F.R. § 51.308.

V.

To comply with the requirements set forth in CAA section 169A and the implementing regulations, the Department is concurrently submitting a proposed SIP on behalf of the State of Louisiana to EPA Region VI that includes a Best Available Retrofit Technology (BART) screening modeling for the Facility. The BART analysis is based on submittals made by RESPONDENT to the Department in October 2015 and July 2016. This document provided supplemental screening information for the Facility, including federally enforceable limits for NOx, SO2, PM10, PM2.5 on a daily compliance basis to support using the BART screening modeling in the SIP.

ADMINISTRATIVE ORDER

Based on the foregoing, the Department **hereby orders**, and the Respondent hereby **agrees** that:

I.

The Respondent shall comply with the emissions limitations set forth below:

Big Cajun II, Unit 1

Pollutant	Daily Limit Tons/Day	Compliance Methodology
PM 10	2.312	PM CEMS
PM 2.5	1.001	PM CEMS[1]
SO2	29.275	SO2 CEMS
NOx	11.556	NOX CEMS

[1] PM2.5 compliance is the calculated result of measured PM from the PM CEMs multiplied by 0.433

Big Cajun II, Unit 2

Pollutant	Daily Limit Tons/Day	Compliance Methodology
PM 10	0.144	AP-42 Emission Factor for Natural Gas (all PM < 1.0 um)
PM 2.5	0.144	AP-42 Emission Factor for Natural Gas (all PM < 1.0 um)
SO2	0.129	Mass balance based on S content of natural gas
NOx	11.556	NOX CEMS

II.

The Respondent shall continue to comply with all reporting and record keeping requirements contained within all applicable permits.

III.

To the extent required by law, further proceedings relating to this **ADMINSTRATIVE ORDER** will be governed by the Administrative Procedure Act, La. R.S. 49.950, *et seq*.

IV.

This **ADMINISTRATIVE ORDER ON CONSENT** may be executed in counterparts, each of which may be executed by one (1) or more of the signatory parties hereto. Signature pages may be detached from the counterparts and attached to one or more copies of this Agreement to form multiple legally effective documents. Facsimile signatures shall be sufficient in lieu of original signatures.

V.

For each action or event described herein, the Department reserves the right to seek compliance with its rules and regulations in any manner allowed by law, and nothing herein shall be construed to preclude the right to seek such compliance.

VI.

This **ADMINISTRATIVE ORDER ON CONSENT** may be amended by mutual consent of the Department and Respondent. Such amendments shall be in writing, shall follow proper SIP procedures and be submitted to EPA as a SIP revision, and shall be final and effective upon signature by an authorized representative of the Department and signature by the authorized representative of the Respondent.

VII.

The following paragraph addresses transfers of the obligations of this **ADMINISTRATIVE ORDER ON CONSENT** and the Facility:

A) The obligations of this **ADMINISTRATIVE ORDER ON CONSENT** apply to and are binding upon the United States and the State and upon the Respondent and its officers, employees, agents, subsidiaries, successors, assigns, or other entities or persons otherwise bound by law.

B) Prior to the execution of any agreement for the transfer of ownership or operation of

the Facility, the Respondent shall provide notice of and a copy of this **ADMINISTRATIVE ORDER ON CONSENT** to the proposed transferee. No transfer of ownership or operation of any portion of the Facility shall relieve the Respondent of its obligation to ensure that the terms of this **ADMINISTRATIVE ORDER ON CONSENT** is implemented unless at least 30 days prior to such transfer, the Respondent provides written notice of the prospective transfer to the EPA Region 6 and the Department and the prospective transferee executes an **ADMINISTRATIVE ORDER ON CONSENT** with the Department prior to the effective date of the transfer providing for continued compliance with these standards. The Notice of Transfer shall clearly identify the parties responsible for any existing violations of this **ADMINISTRATIVE ORDER ON CONSENT** and otherwise comply with LAC 33:I.1907. Any attempt to transfer ownership or operation of the Facility without complying with this Paragraph constitutes a violation of this **ADMINISTRATIVE ORDER ON CONSENT**.

VIII.

This **ADMINISTRATIVE ORDER ON CONSENT** shall be final and effective upon signature by an authorized representative of the Department and signature by the authorized representative of the Respondent.

Baton Rouge, Louisiana, this 9th day of February 2017.

Chuck Carr Brown, Ph.D.
Secretary

LOUISIANA GENERATING LLC

By: _____ Date: February 8, 2017

Name: Jennifer J. Vosburg

Title: President