MARYLAND DEPARTMENT OF THE ENVIRONMENT
AIR AND RADIATION ADMINISTRATION
1800 WASHINGTON BLVD
BALTIMORE, MARYLAND 21230

Air Quality
GENERAL PERMIT TO CONSTRUCT
Application Package For

EMERGENCY GENERATORS

EMERGENCY ELECTRIC GENERATOR SETS EQUIPPED WITH DIESEL-FIRED ENGINES RATED AT 500 BRAKE HORSEPOWER (373 kilowatts) AND UP TO AND INCLUDING 2,681 BRAKE HORSEPOWER (2,000 kilowatts)

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FAQ

PERMIT TO CONSTRUCT

REQUEST FOR COVERAGE APPLICATION FORM

Frequently Asked Questions

For

EMERGENCY GENERATORS

Note: Definitions of terms used in this section can be found on Permit to Construct pages 2, 3, and 4 of this General Permit to Construct package (pages with blue border).

Why do I need this permit?

All new, modified, or replacement installations which are potential sources of air pollution (including fuel burning equipment) are regulated and require an Air Quality Permit to Construct from the Maryland Department of the Environment except those installations which are exempt under Maryland's Air Quality Regulations, Code of Maryland Regulations COMAR 26.11.02. The Department has decided to regulate certain small stationary sources through the issuance of an air quality general permit to construct (also referred to as a General Permit to Construct).

Which laws or regulations give MDE the legal authority to issue this permit?

STATE: Environment Article, Title 2, Subtitle 4; COMAR 26.11.02.

What types of emergency generators are eligible for this type of general permit?

The general permit applies to an emergency electric generator set equipped with a stationary internal combustion engine, rated at 500 brake horsepower (373 kilowatts) and up to and including 2,681 brake horsepower (2000 kilowatts) that is **ONLY** used for emergency operation and maintenance and testing.

AND

The engine satisfies **ONE** of the two following conditions:

(1) The engine was constructed after July 11, 2005 with a manufacture date after April 1, 2006, the engine is an emergency diesel-fired, compression ignition, internal combustion engine with a displacement less than 30 liters per cylinder, and the engine is certified to the emergency engine emission standards of 40 CFR §60.4205(a) or (b), as applicable, for the same model year and maximum engine power.

OR

(2) The engine is an existing emergency stationary reciprocating internal combustion engine constructed before June 12, 2006.

The emergency generator set may operate for 100 hours per year for testing and maintenance purposes. Additionally, the emergency generator set may operate in certain non-emergency situations for 50 hours per year, as described in 40 CFR §60.4211(f)(3) and §63.6640(f)(3). Examples of non-emergency situations include storm avoidance, maintenance and testing on electrical systems or primary power systems, and maintenance and testing on elevators and other building components. These 50 hours of non-emergency operation count towards the 100 hours per year of maintenance and testing operation.

Note: This general permit is not applicable for electric generator sets located at a major source of hazardous air pollutants (HAP), stationary combustion turbines, spark ignition internal combustion engines, or electric generator sets that participate in any demand response programs, or used for peak or load shaving, or used for primary non-emergency use.

How do I determine the displacement of my engine if not provided by the manufacturer?

See engine manufacturer information (if provided) for the total engine displacement and number of cylinders. To determine the displacement of the engine in liters/cylinder, divide the total engine displacement by the number of cylinders.

If this information is not provided, the displacement of an engine can be determined using the bore and stroke of the engine's cylinder(s). The bore is the diameter of the cylinder through which a piston travels, and the stroke is the distance the piston travels from the bottom of the cylinder to the top of the cylinder (or vice versa).

The following equations can be used to calculate the displacement of an engine:

Total Displacement $= \frac{\pi}{4} \times \text{bore}^2 \times \text{stroke} \times \text{number of cylinders}$
Displacement/Cylinder = Total Displacement / number of cylinders

Engine displacement is commonly reported in cubic centimeters, cubic inches, or liters. ($1\ L = 1000\ cm^3$, $1\ in^3 \approx 16.39\ cm^3$, $1\ L \approx 61.02\ in^3$)

Example: A 16-cylinder Cummins model QSK50-G4 NR2 engine has a bore and stroke of 6.25 inches. Its total engine displacement and displacement/cylinder are calculated as follows:

Total Displacement $= 0.7854 \times 6.25\ in.^2 \times 6.25\ in. \times 16 = 3068\ in.^3$

Displacement/Cylinder = 3068 $in.^3$ / 16 = 191.75 $in.^3$/Cylinder * 1L / 61.02 $in.^3$
= 3.14 L/Cylinder

What is the process to get this permit?

(1) Obtain an application packet at: http://www.mde.maryland.gov/airpermits. Click on the first link for General Permit to Construct Application Forms, click the link for the packet, and either download the packet or print from the website. The packet includes the permit document and a "Request for Coverage" form.

(2) Complete a "Request for Coverage" application form which is the last two pages of the packet.

(3) Mail the completed form and payment to:

MDE/ARA
P.O. Box 2037
Baltimore MD 21203-2037

(4) The Department mails a confirmation letter acknowledging the receipt of the request and fee payment.

How much will this permit cost?

The processing fee is $400 per emergency electric generator set.
Make checks payable to: Department of the Environment/Clean Air Fund

When does this permit become effective and how long does it last?

Coverage under the general permit becomes effective on the date the Department receives the completed Request for Coverage form and fee. Retain the permit document (document with blue border) for your official records. This is a one-time permit required prior to construction and/or installation of the regulated emission source. If construction or installation does not take place within 18 months of permit issuance, then approval terminates.

How long does it take to receive this confirmation letter once I submit a complete application?

30 days from the date of receipt by the Department of a complete application and fee payment.

If I replace the emergency generator with a new one, do I need a new permit?

Yes. You must obtain a new permit for the replacement emergency generator.

If I decide to relocate to another facility, can I take this permit with me?

No. If you change locations, you must obtain a new permit for the new location.

Who do I contact with additional questions?

Christopher Mentzer, Administrator II
Technical Support Division
Air Quality Permits Program
christopher.mentzer@maryland.gov
(410) 537-4417

MARYLAND DEPARTMENT OF THE ENVIRONMENT

AIR AND RADIATION ADMINISTRATION

AIR QUALITY GENERAL PERMIT TO CONSTRUCT

EMERGENCY GENERATORS

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Part I – Applicability

(A) This permit applies only to a person who owns, constructs (installs), or operates an emergency generator set that:

(1) Has a stationary internal combustion engine rated at 500 brake horsepower (373 kilowatts) or up to and including 2,681 brake horsepower (2,000 kilowatts).

AND

(2) Is only used for emergency operation, maintenance and testing, and operation in non-emergency situations for 50 hours per year, as described in 40 CFR §60.4211(f)(3) and §63.6640(f)(3).

AND

(3) Meets **ONE** of the following requirements:

(a) The engine was constructed after July 11, 2005 with a manufacture date after April 1, 2006, the engine is an emergency diesel-fired, compression ignition, internal combustion engine with a displacement of less than 30 liters per cylinder, and the engine is certified to the emergency engine

emission standards of 40 CFR §60.4205(a) or (b), as applicable, for the same model year and maximum engine power.

OR

(b) The engine is an existing emergency stationary reciprocating internal combustion engine constructed before June 12, 2006.

(B) This permit does not apply to:

(1) Stationary internal combustion engines rated at over 2,681 brake horsepower;

(2) Spark ignition internal combustion engines;

(3) Stationary combustion turbines;

(4) Emergency generator sets located at major sources of hazardous air pollutants (HAP); or

(5) Generator sets that participate in demand response programs, or that are used for peak or load shaving.

Part II – Definitions

(A) "Capacity Factor" – means:

The ratio between the actual heat input to fuel burning equipment from the fuels burned during a year and the potential heat input if it had been operating for 8,760 hours during the year at the maximum steady state design heat input capacity.

or

The ratio of the unit's actual annual electric output, in megawatt hours, to the unit's name plate capacity multiplied by 8,760 hours. **[Reference: COMAR 26.11.09.01B(1-2)]**

Note: The selected method of determining the capacity factor of a unit shall apply continuously and is determined on a monthly rolling basis for each consecutive 12-month period.

(B) "Combustion Turbine" – means all equipment, including but not limited to the turbine, the fuel, air, lubrication and exhaust gas systems, control systems except emissions control equipment), and any ancillary components and sub-components comprising any simple cycle combustion turbine, any regenerative/recuperative cycle combustion turbine, the combustion turbine portion of any cogeneration cycle

combustion system, or the combustion turbine portion of any combined cycle steam/electric generating system. (Reference: 40 CFR §60.4219)

(C) "Commercial" – means establishments such as office buildings, hotels, stores, telecommunications facilities, restaurants, financial institutions such as banks, doctor's offices, and sports and performing arts facilities. (Reference: 40 CFR §63.6675)

(D) "Compression ignition stationary internal combustion engine" – means relating to a type of stationary reciprocating internal combustion engine that is not a spark ignition engine. (Reference: 40 CFR §60.4219)

(E) "Demand response program" – means a program that provides incentives to electricity consumers at a facility that curtails electricity usage. Demand response programs also include emergency demand response programs. (Reference: COMAR 26.11.36.01)

(F) "Displacement" – means the combined swept volume of the pistons inside the cylinders of an engine. For the purposes of this permit, displacement is expressed in liters/cylinder.

(G) "Emergency stationary internal combustion engine" – means a stationary internal combustion engine (ICE) that is only operated to provide electrical power or mechanical work during an emergency situation. Examples include stationary ICE used to produce power for critical networks or equipment (including power supplied to portions of a facility) when electric power from the local utility (or the normal power source, if the facility runs on its own power production) is interrupted, or stationary ICE used to pump water in the case of fire or flood, etc. A stationary ICE that participates in an emergency demand response program is not considered an emergency stationary ICE. (Reference 40 CFR §60.4219)

(H) "Institutional" – means establishments such as medical centers, nursing homes, research centers, institutions of higher education, correctional facilities, elementary and secondary schools, libraries, religious establishments, police stations, and fire stations. (Reference: 40 CFR §63.6675)

(I) "Major source of HAP" – means a stationary source or group of stationary sources that are located on one or more contiguous or adjacent properties, and are under common control of the same person, or persons under common control, belonging to a single major industrial grouping which emits or has the potential to emit: (1) 10 tons or more per year of any hazardous air pollutant listed pursuant to §112(b) of the Clean Air Act, or (2) 25 tons or more per year of any combination of hazardous air pollutants. (Reference: COMAR 26.11.02.01)

(J) "Major source of NO_X" – means a stationary source or group of stationary sources that are located on one or more contiguous or adjacent properties, and are under

common control of the same person, or persons under common control, belonging to a single major industrial grouping which emits or has the potential to emit: (1) 25 tons per year or more of oxides of nitrogen (NOx) for sources located in Baltimore City or Anne Arundel, Baltimore, Carroll, Cecil, Harford, Howard, Calvert, Charles, Frederick, Montgomery, or Prince George's counties, or (2) 100 tons per year or more of NOx for sources located in Allegany, Caroline, Dorchester, Garrett, Kent, Queen Anne's, St. Mary's, Somerset, Talbot, Washington, Wicomico, or Worcester counties. (Reference: COMAR 26.11.02.01)

(K) "Peak shaving" – also referred to as load shaving, means a technique used to reduce electrical power consumption during periods of maximum demand on the power utility. This often involves using one's own generator(s) to produce power in order to avoid paying higher rates set by the utility company.

(L) "Reciprocating internal combustion engine" – means any internal combustion engine which uses reciprocating motion to convert heat energy into mechanical work. (Reference: 40 CFR §60.4219)

(M) "Residential" – means establishments such as homes or apartment buildings. (Reference: 40 CFR §63.6675)

(N) "Spark ignition internal combustion engine" – means relating to a gasoline, natural gas, or liquefied petroleum gas fueled engine or any other type of engine with a spark plug (or other sparking device) and with operating characteristics significantly similar to the theoretical Otto combustion cycle. Spark ignition engines usually use a throttle to regulate intake air flow to control power during normal operation. Dual-fuel engines in which a liquid fuel (typically diesel fuel) is used for CI and gaseous fuel (typically natural gas) is used as the primary fuel at an annual average ratio of less than 2 parts diesel fuel to 100 parts total fuel on an energy equivalent basis are spark ignition engines. (Reference: 40 CFR §60.4219)

(O) "Stationary internal combustion engine (ICE)" – means any internal combustion engine, except combustion turbines, that converts heat energy into mechanical work and is not mobile. Stationary ICE differ from mobile ICE in that a stationary internal combustion engine is not a non-road engine as defined at 40 CFR 1068.30 (excluding paragraph (2)(ii) of that definition), and is not used to propel a motor vehicle, aircraft, or a vehicle used solely for competition. Stationary ICE include reciprocating ICE, rotary ICE, and other ICE, except combustion turbines. (Reference: 40 CFR §60.4219)

Part III – Specific Requirements for All Emergency Generator Sets

(A) Control of Nuisance and Air Pollution

The emergency generator set is subject to COMAR 26.11.06.08 and 26.11.06.09 which generally prohibit the discharge of emissions beyond the property line in such a manner that a nuisance or air pollution is created.

(B) Control of Visible Emissions from Fuel Burning Equipment

The emergency generator set is subject to COMAR 26.11.09.05E as follows:

(1) COMAR 26.11.09.05E(2), Emissions During Idle Mode: The Permittee may not cause or permit the discharge of emissions from any engine, operating at idle, greater than 10 percent opacity.

(2) COMAR 26.11.09.05E(3), Emissions During Operating Mode: The Permittee may not cause or permit the discharge of emissions from any engine, operating at other than idle conditions, greater than 40 percent opacity.

(3) COMAR 26.11.09.05E(4), Exceptions.

(a) COMAR 26.11.09.05E(2) does not apply for a period of 2 consecutive minutes after a period of idling of 15 consecutive minutes for the purpose of clearing the exhaust system.

(b) COMAR 26.11.09.05E(2) does not apply to emissions resulting directly from cold engine start-up and warm-up for the following maximum periods:

(i) Engines that are idled continuously when not in service: 30 minutes;

(ii) All other engines: 15 minutes.

(c) COMAR 26.11.09.05E(2) and (3) do not apply while maintenance, repair, or testing is being performed by qualified mechanics.

(C) Control of Sulfur Oxides from Engines

The emergency generator set is subject to COMAR 26.11.09.07A(1 and 2), which limit the sulfur content of distillate fuel oils to not more than 0.3 percent by weight.

(D) General Operating Requirements

The following operating conditions apply to the emergency generator set unless the Permittee applies for and obtains an approval from the Department to operate at other conditions:

(1) Any operation other than emergency operation, maintenance checks and readiness testing, and operation in non-emergency situations as described in Part III(D)(4), is prohibited.

(2) There is no time limit on the use of an emergency generator set in emergency situations.

(3) The Permittee may operate the emergency generator set for a maximum of 100 hours per calendar year for maintenance checks and readiness testing, provided that the tests are recommended by federal, State or local government, the manufacturer, the vendor, the regional transmission organization or equivalent balancing authority and transmission operator, or the insurance company associated with the engine. The Permittee may petition the Department for approval of additional hours to be used for maintenance checks and readiness testing, but a petition is not required if the Permittee maintains records indicating that federal, State, or local standards require maintenance and testing of the emergency generator set beyond 100 hours per calendar year.

(4) The Permittee may operate the emergency generator set for up to 50 hours per calendar year in non-emergency situations. The 50 hours of operation in non-emergency situations are counted as part of the 100 hours per calendar year for maintenance and testing. The 50 hours per calendar year for non-emergency situations cannot be used for peak shaving or demand response, or to generate income for a facility to an electric grid or otherwise supply power as part of a financial arrangement with another entity.

Part IV – Specific Requirements for Stationary Compression Ignition Internal Combustion Engines Subject to 40 CFR 60, Subpart IIII

The following additional federal New Source Performance Standards (NSPS), 40 CFR 60, Subpart IIII requirements apply to emergency generator sets equipped with diesel-fired, stationary compression ignition engines, constructed after July 11, 2005 with a manufacture date after April 1, 2006, and with a displacement of less than 30 liters per cylinder.

(A) Applicable Federally Enforceable State Regulation

COMAR 26.11.06.12 which states that a person may not construct modify, or operate, or cause to be constructed, modified, or operated, a New Source Performance Standard (NSPS) source in a manner which results or will result in violation of the provisions of 40 CFR, Part 60.

(B) Applicable Federal Regulations

(1) The Permittee shall comply with the requirements for 40 CFR 60, Subpart IIII by purchasing an emergency generator set with an engine certified to the emission standards in 40 CFR §60.4205(a) or (b), as applicable, for the same model year and maximum engine power. The engine must be installed and configured according to the manufacturer's emission-related specifications and shall be equipped with a non-resettable hour meter.

(Reference: 40 CFR §60.4205(a) and (b), §60.4209(a), and §60.4211(b)(1) and (c))

(2) The Permittee must operate and maintain the emergency generator set that achieves the emissions standards as required by 40 CFR §60.4205(a) or (b) according to the manufacturers emission-related written instructions over the entire life of the engine. In addition, the Permittee may only change those settings that are permitted by the manufacturer. The Permittee must also meet the requirements of 40 CFR Parts 89, 94, and/or 1068 as applicable. (Reference: 40 CFR §60.4206 and 40 CFR §60.4211(a))

(3) The Permittee must use diesel fuel in each emergency generator set that meets the requirements of 40 CFR §80.510(b) for nonroad diesel fuel, i.e., diesel fuel that has a per-gallon sulfur content that does not exceed 15 ppm, and that either has a minimum per-gallon cetane index of 40 or a maximum per-gallon aromatic content of 35 volume percent. (Reference: 40 CFR §60.4207(b))

Note: For engines subject to 40 CFR 60, subpart IIII, compliance with this fuel sulfur content requirement also demonstrates compliance with the fuel sulfur content requirements of COMAR 26.11.09.07.

(4) The Permittee meets the requirements of 40 CFR, Part 63, Subpart ZZZZ by meeting the requirements of 40 CFR, Part 60, Subpart IIII for the emergency generator set. No further requirements apply to the emergency generator set under 40 CFR, Part 63, Subpart ZZZZ. (Reference: 40 CFR §63.6590(c)(1))

(C) Record Keeping

(1) The Permittee shall maintain records of the engine model year, maximum engine power, displacement, installation date, and documentation from the manufacturer that the engine is certified to meet emission standards in 40 CFR §60.4205(a) or (b), as applicable, for the same model year and maximum engine power. (Reference: COMAR 26.11.02.02H)

(2) The Permittee shall maintain records of the hours of operation of the emergency generator set that are recorded through the non-resettable hour meter. The Permittee must document how many hours are spent for emergency operation, including what classified the operation as emergency, and how many hours are spent for non-emergency operation. (Reference: COMAR 26.11.02.02H)

(3) All records must be kept for at least five years and must be readily accessible in hard copy or electronic format, and readily available for expeditious review. (Reference: COMAR 26.11.02.02H)

Part V – Specific Requirements for Stationary Reciprocating Internal Combustion Engines Subject to 40 CFR 63, Subpart ZZZZ

The following additional federal National Emissions Standards for Hazardous Air Pollutants, 40 CFR 63, Subpart ZZZZ apply to emergency generator sets equipped with diesel-fired, compression ignition, stationary reciprocating internal combustion engines constructed before June 12, 2006. The requirements of 40 CFR 63, Subpart ZZZZ do not apply to existing residential, commercial, or institutional emergency engines as specified in 40 CFR §63.6585(f).

(A) Applicable Federal Regulations

(1) The Permittee shall comply with the following requirements for the engine associated with the emergency generator set:

(a) Change the oil and filter every 500 hours of operation or annually, whichever comes first;

(b) Inspect the air cleaner every 1,000 hours of operation or annually, whichever comes first, and replace as necessary; and

(c) Inspect all hoses and belts every 500 hours of operation or annually, whichever comes first, and replace as necessary.

(Reference: 40 CFR §63.6603(a) and Table 2d, Item 4 to 40 CFR 63, Subpart ZZZZ)

(2) If an emergency generator set is operating during an emergency and it is not possible to shut down the engine in order to perform the management practice requirements on the schedule required in Table 2d of 40 CFR 63, Subpart ZZZZ, or if performing the management practice on the required schedule would otherwise pose an unacceptable risk under Federal, State, or local law, the management practice can be delayed until the emergency is over or the unacceptable risk under Federal, State, or local law has abated. The management practice should be performed as soon as practicable after the emergency has ended or the unacceptable risk under Federal, State, or local law has abated. The Permittee must report to the Department any failure to perform the management practice on the schedule required and the federal, state or local law under which the risk was deemed unacceptable. (Reference: Footnote 2 to Table 2d of 40 CFR 63, Subpart ZZZZ)

(3) The Permittee must be in compliance with the emission limitations and operating limitations in 40 CFR 63, Subpart ZZZZ that apply to the engine at all times. (Reference: 40 CFR §63.6605(a) and §63.6640(a))

(4) At all times the Permittee must operate and maintain the emergency generator set, including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions. The general duty to minimize emissions does not require the Permittee to make any further efforts to reduce emissions if levels required by 40 CFR 63, Subpart ZZZZ have been achieved.

Determination of whether such operation and maintenance procedures are being used will be based on information available to the Department which may include, but is not limited to, monitoring results, review of operation and maintenance procedures, review of operation and maintenance records, and inspection of the source. (Reference: 40 CFR §63.6605(b))

(5) The Permittee must operate and maintain the emergency generator set according to the manufacturer's emission-related written instructions or the Permittee must develop their own maintenance plan which must provide to the extent practicable for the maintenance and operation of the engine in a manner consistent with good air pollution control practice for minimizing emissions. (Reference: 40 CFR §63.6625(e), §63.6640(a), and Table 6, Item 9 to 40 CFR 63, Subpart ZZZZ)

(6) The emergency generator set shall be equipped with a non-resettable hour meter. (Reference: 40 CFR §63.6625(f))

(7) The Permittee shall minimize the engine's time spent at idle and minimize the engine's startup time at startup to a period needed for appropriate and safe loading of the engine, not to exceed 30 minutes, after which time the emission standards applicable to all times other than startup apply. (Reference: 40 CFR §63.6625(h))

(8) The Permittee has the option of utilizing an oil analysis program in order to extend the specified oil change requirement in Table 2d, Item 4 of 40 CFR 63, Subpart ZZZZ. The oil analysis must be performed at the same frequency specified for changing the oil in Table 2d. The analysis program must at a minimum analyze the following three parameters: Total Base Number, viscosity, and percent water content.

The condemning limits for these parameters are as follows: Total Base Number is less than 30 percent of the Total Base Number of the oil when new; viscosity of the oil has changed by more than 20 percent from the viscosity of the oil when new; or percent water content (by volume) is greater than 0.5. If all of these condemning limits are not exceeded, the Permittee is not required to change the oil. If any of the limits are exceeded, the Permittee must change the oil within 2 days of receiving the results of

the analysis; if the engine is not in operation when the results of the analysis are received, the Permittee must change the oil within 2 business days or before commencing operation, whichever is later.

The Permittee must keep records of the parameters that are analyzed as part of the program, the results of the analysis, and the oil changes for each engine. The analysis program must be part of the maintenance plan for the engine. (Reference: 40 CFR §63.6625(i))

(B) Record Keeping

(1) The Permittee shall maintain records of the maintenance conducted on the emergency generator set to demonstrate that the emergency generator set was operated and maintained according to the maintenance plan. (Reference: 40 CFR §63.6655(e))

(2) The Permittee shall maintain records of the hours of operation of the emergency generator set that is recorded through the non-resettable hour meter. The Permittee must document how many hours are spent for emergency operation, including what classified the operation as emergency, and how many hours are spent for non-emergency operation. (Reference: 40 CFR §63.6655(f))

(3) All records must be kept for at least five years and must be readily accessible in hard copy or electronic format, and readily available for expeditious review according to 40 CFR §63.10(b)(1). (Reference: 40 CFR §63.6660(a), (b), and (c))

Part VI – Specific Requirements for Generator Sets Located at Major Sources of NOx

(A) Requirements for Fuel-Burning Equipment with a Capacity Factor of 15 Percent or Less

(1) A person who owns or operates fuel-burning equipment with a capacity factor (as defined in 40 CFR Part 72.2) of 15 percent or less shall:

(a) Provide certification of the capacity factor of the equipment to the Department in writing;
(b) For fuel-burning equipment that operates more than 500 hours during a calendar year, perform a combustion analysis and optimize combustion at least once annually;
(c) Maintain the results of the combustion analysis at the site for at least 2 years and make these results available to the Department and the EPA upon request;

(d) Require each operator of an installation, except combustion turbines, to attend operator training programs at least once every 3 years, on combustion optimization that are sponsored by the Department, the EPA, or equipment vendors; and

(e) Maintain a record of training program attendance for each operator at the site, and make these records available to the Department upon request. **[Reference: COMAR 26.11.09.08G]**

(B) Operator Training

(1) For purposes of this regulation, the equipment operator to be trained may be the person who maintains the equipment and makes the necessary adjustments for efficient operation.

(2) The operator training course sponsored by the Department shall include an in-house training course that is approved by the Department. **[Reference: 26.11.09.08B(5)]**

Part VII – General Requirements

(A) Incorporation of Request for Coverage Into Permit

This permit includes the completed two-page Request for Coverage application form, which serves as the application for this permit. If there is any conflict between the specific requirements in Parts III, IV, V, and VI for the emergency generator sets and the Request for Coverage application form, the specific requirements take precedence.

(B) Effective Date/Failure to Pay Fee

This permit is effective on the date that the Request for Coverage is completed and the permit fee is paid to the Department. If the fee is paid by check or money order that is mailed to the Department, the fee is considered to be paid on the date of mailing. If the fee is paid to the Department by any manner other than by mailing a check or money order, the effective date of the permit is the date that the Department receives payment. If a check or money order does not clear for any reason, the Permittee will be given 30 days to make proper payment including any interest and other charges that are due. If payment is not made within this time, the permit shall be considered to have been void from the outset. In order to establish the effective date of a permit, the Permittee should save the canceled check or money order receipt, a copy of the Request for Coverage, and related documents. These documents shall be provided to the Department on request.

(C) Applicant

The applicant for this permit shall be the legal entity or individual that, owns or operates the proposed source for which a permit to construct is required. After the permit is effective, the applicant may be referred to as the "Permittee".

(D) Location of Source

This permit authorizes the Permittee to construct and operate the installation or other source described in the Request for Coverage at the facility or other location described in the application. The permit is not valid for any other source at the described location nor is it valid for the described source at any other location.

(E) Duration

This permit expires if, as determined in writing by the Department:

(1) Substantial construction is not commenced within 18 months after the effective date of this permit;

(2) Construction is substantially discontinued for a period of 18 months after it has commenced; or

(3) Construction of the source for which the permit was issued is not completed within a reasonable period after the effective date of the permit.

(F) Permit to be Available

The Permittee shall maintain this permit at the location for which the permit was issued, unless it is clearly impractical to do so, and shall make the permit immediately available to authorized representatives of the Department upon request.

(G) Other Permits May Be Needed

This permit does not constitute a permit for any activity other than expressly authorized by this permit.

(H) Permit Not Transferable

This permit is not transferable. The Permittee should provide a copy of this permit to any subsequent owner or operator. The subsequent owner or operator should contact the Department to determine if a new permit is required. The provisions of COMAR 26.11 apply to the subsequent owners or operators whether or not the source is covered by a permit.

(I) Compliance With All Laws and Regulations

This permit does not authorize violation of any law or regulation. The Permittee shall at all times comply with all applicable laws and regulations, including:

(1) The Maryland Ambient Air Quality Control statue. Annotated Code of Maryland, Environment Article, 2-101 et seq.;

(2) Maryland air pollution control regulations. Code of Maryland Regulations (COMAR) 26.11, as amended by the Maryland Register;

(3) The Federal Clean Air Act. 42 United States Code (U.S.C.) 7401 et seq.; and

(4) Federal air pollution control regulations. 40 Code of Federal Regulations (CFR) Parts 50-99, as amended by the Federal Register.

(J) Odors and Other Nuisances

This permit does not authorize construction or operation in a manner that unreasonably interferes with the proper enjoyment of the property of other persons, such as by causing unreasonable odors, or by otherwise creating air pollution.

(K) Workers' Compensation Act

Submission of the application for this permit constitutes certification that the applicant is in compliance with the Maryland Workers' Compensation Act, as required by The Annotated Code of Maryland, Environment Article, 1-202, and Labor and Employment Article, Title 9. This permit shall be considered to have been void from the outset if this certification is invalid.

(L) Modifications

A "modification" normally means a physical change in, or change in the operation of, an installation which causes a change in the quantity, nature, or characteristics of emissions from the installation. However, this term excludes routine maintenance and routine repair, and increases in the hours of operation or in the production rate, unless these increases are prohibited under any permit or approval issues by the Department.

A modification to the facility for which this General Permit to Construct applies is prohibited. Before making such a modification, the Permittee must apply for and obtain an individual permit to construct if the source would no longer be eligible for a General Permit to Construct.

(M) Inspections/Right of Entry

Upon presentation of credentials, representatives of the Maryland Department of the Environment ("MDE" or the "Department") and the local county health and/or environmental protection agency shall at any reasonable time be granted, without delay and without prior notification, access to the Permittee's property and permitted to:

(1) Inspect any construction authorized by this permit;

(2) Sample, as necessary, to determine compliance with requirements of this permit, any materials stored or processed on-site, any waste materials, and any discharge into the environment;

(3) Inspect any monitoring equipment required by this permit;

(4) Review and copy and records, including all documents required to be maintained by this permit, relevant to a determination of compliance with requirements of this permit; and

(5) Obtain any photographic documentation or evidence necessary to determine compliance with the requirements of this permit.

(N) Duty to Provide Information

The Permittee shall furnish to the Department, within 15 working days of the date of any request or other period of time that may be specified, all documents and other information which the Department requests to determine compliance with this permit and applicable air pollution control laws and regulations.

(O) Penalties for Violations

Maryland law provides for substantial penalties for violations of this permit and applicable air pollution control laws and regulations. These penalties include civil penalties of up to $25,000 per day per violation, administrative penalties of up to $2,500 per day per violation (not to exceed $50,000 per action), injunctive relief, and criminal penalties for knowing violations (including up to one year in jail and a $25,000 fine per violation per day). Additional criminal penalties apply to any person who knowingly provides false information to the Department or who knowingly tampers with any monitoring device required by State air pollution control law. Federal law may also provide for penalties for violations.

(P) Violations That Occurred Prior To Obtaining This Permit

This permit does not protect the Permittee for any violation of laws or regulations that may have occurred prior to the effective date of the permit, including constructing, modifying, or operating a source without a required permit.

(Q) Revocation or Suspension of a Permit

(1) The Department may issue an order proposing to revoke or suspend this permit if it determines that:

(a) Any condition of the permit has been violated; or

(b) The permit was improperly obtained or has been improperly used.

(2) The order shall become final unless the Permittee requests a hearing within 10 days after being served. If a hearing is requested, it shall be held pursuant to the Maryland Administrative Procedure Act, Annotated Code of Maryland, State Government Article, 10-201 et seq. and Environment

Article, 2-605. A person to whom a proposed or final order or revocation or suspension has been issued may not obtain another general permit for the same source or similar source at the same location until it has been determined in writing by the Department that the revocation or suspension is no longer in effect or pending.

(R) Property Rights Not Created By Permit

This permit does not create any property rights.

(S) Severability

If any provision of this permit is determined to be invalid for any reason, the other provisions remain in effect to the extent reasonable, and the invalid provision shall be considered deleted from the permit.

(T) Federal Enforceability

The terms and conditions of this Air Quality General Permit to Construct are federally enforceable only to the extent that they reflect regulations or other requirements that have been approved by the U.S. Environmental Protection Agency for inclusion in the Maryland State Implementation Plan (SIP) for the control of air pollution.

Part VIII – Request for Coverage Requirements

(A) Request for Coverage

A person who desires to be covered by this Air Quality General Permit to Construct shall provide all required information on the Request for Coverage form and submit the form to the Department together with the required fee of $400 per piece of equipment. The fee must be paid by check or money order payable to: Maryland Department of the Environment/Clean Air Fund.

(B) Required Signatures

The Request for Coverage form shall be signed by the applicant or an authorized representative of the applicant who shall make the following certification:

"I certify under penalty of law that the information submitted in the Request for Coverage is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

(C) Where to Submit

A person shall submit the original of the Request for Coverage form and the required fee to the following address:

Maryland Department of the Environment

Air and Radiation Administration
P.O. Box 2037
Baltimore, Maryland 21203-2037

The Request for Coverage form and the permit fee may be delivered in person to the Department at the following address:

Maryland Department of the Environment
Air and Radiation Administration
1800 Washington Blvd
Baltimore, Maryland 21230

The Air Quality General Permit to Construct is effective on the date that the Request for Coverage form is completed, signed, and the permit fee paid to the Department. See Part VII (B) of this permit. The Department will mail a letter to the applicant acknowledging the receipt of the Request for Coverage and fee and that the source is now covered by the specifically requested Air Quality General Permit to Construct.

Questions regarding the Air Quality General Permit to Construct program may be directed to the Department's Air and Radiation Administration by calling (410) 537-3230.



George (Tad) S. Aburn, Jr., Director
Air and Radiation Administration

MARYLAND DEPARTMENT OF THE ENVIRONMENT
Air and Radiation Administration ● Air Quality Permits Program
1800 Washington Boulevard ● Baltimore, Maryland 21230
(410) 537-3230 ● 1-800-633-6101● www.mde.maryland.gov

Mail application and payment to:	**Make checks payable to the following:**
MDE/ARA P.O. Box 2037 Baltimore, MD 21203-2037	Department of the Environment/Clean Air Fund **$400 per generator set**

Request for Coverage: Air Quality General Permit to Construct

EMERGENCY GENERATORS

To be eligible for this Air Quality General Permit to Construct, your electric generator set must meet and you must check off ALL of the following requirements:

☐	This generator set is equipped with an emergency stationary internal combustion engine rated at 500 brake horsepower (373 kilowatts) or up to and including 2,681 brake horsepower (2000 kilowatts)
☐	This generator set is equipped with an engine that was constructed after July 11, 2005 with a manufacture date after April 1, 2006, the engine is an emergency diesel-fired, compression ignition, internal combustion engine with a displacement of less than 30 liters per cylinder, and the engine is certified to the emergency engine emission standards of 40 CFR §60.4205(a) or (b), as applicable, for the same model year and maximum engine power. **OR** This generator set is equipped with an engine that is an existing emergency stationary reciprocating internal combustion engine constructed before June 12, 2006.
☐	This generator set is **NOT** equipped with a spark ignition internal combustion engine or a combustion turbine
☐	This generator set **DOES NOT** participate in any demand response programs, and will not be used for peak or load shaving
☐	This generator set is **NOT** located at a major source of federal hazardous air pollutants (HAP)

NOTE: If you are unable to check off ALL of the boxes above, your generator set does not qualify for an Air Quality General Permit to Construct. Contact the Air Quality Permits Program for further instructions.

1) Business/Institution/Facility Information where the emergency electric generator set will be located			☐ Check this box if this is a federal facility.
Business/Institution/Facility Name:			Phone:
Street Address:			
City:	State:	Zip Code:	County:
Contact Person's Name:		Email Address:	

2) Owner Information ☐ Check this box if the owner is different from above. If checked, complete the following:			
Owner Name:		Phone:	
Mailing Address:			
City:	State:	Zip Code:	County:

3) Installer Information

☐ Check this box if the installer is different from above. If checked, complete the following:

Installer Name:	Phone:
Installer Company Name:	

4) Emergency Electric Generator Set Information

No. of Identical Generator Sets Installed:	Installation Date:		Engine Displacement (L/Cylinder):
Engine Make:	Engine Model No:	Engine Output (horsepower):	Engine Fuel Type:

Is the electric generator set an existing unit that was constructed before June 12, 2006?

☐ Yes

☐ No

If no, please complete the following additional information below.

Engine Manufacture Date:	Engine Model Year:	U.S. EPA Certified Tier Rating for the Engine:

5) Major Source of NOx

☐ Check this box if the generator set is located at a Major Source of NOx, as defined in COMAR 26.11.02.01. If checked, complete the following:

Capacity Factor of Generator Set (COMAR 26.11.09.01B):

Does the facility have an operator training course sponsored by the Department?

☐ Yes ☐ No

6) Required Attachments

Check off and attach to the application form.

☐ Engine Manufacturer Literature/Engine Specification Sheet	☐ A copy of the engine Certificate of Conformity or other evidence showing that the engine is certified to meet U.S. EPA Tier standards for emergency engines, if the electric generator set is NOT an existing unit constructed before June 12, 2006.

7) Workers' Compensation Coverage Information

Before a Permit to Construct may be issued by the Department, the applicant must provide the Department with proof of workers' compensation coverage as required under Section 1-202 of the Workers' Compensation Act.

Workers' Insurance Policy or Binder Number:	☐ Check if self-employed or otherwise exempt from this requirement

"I CERTIFY UNDER PENALTY OF LAW THAT THE INFORMATION SUBMITTED IN THIS REQUEST FOR COVERAGE IS, TO THE BEST OF MY KNOWLEDGE AND BELIEF, TRUE, ACCURATE, AND COMPLETE. I AM AWARE THAT THERE ARE SIGNIFICANT PENALTIES FOR SUBMITTING FALSE INFORMATION, INCLUDING THE POSSIBILITY OF FINE AND IMPRISONMENT FOR KNOWING VIOLATIONS."

_____

Responsible Party Signature Date

_____

Printed Name and Title

LEAVE BLANK
MDE USE ONLY

Permit/Registration Number: _____

AI: _____

Revised: 08/19/2019