



Connecticut Department of
**ENERGY &
ENVIRONMENTAL
PROTECTION**

**BUREAU OF AIR MANAGEMENT
TITLE V OPERATING PERMIT**

Issued pursuant to Title 22a of the Connecticut General Statutes (CGS) and Section 22a-174-33 of the Regulations of Connecticut State Agencies (RCSA) and pursuant to the Code of Federal Regulations (CFR), Title 40, Part 70.

Title V Permit Number	104-0150-TV
Client/Sequence/Town/Premises Numbers	8070/1/104/246
Date Issued	November 16, 2012
Modification Issue Date	July 2, 2013
Expiration Date	November 16, 2017

Corporation:

Kleen Energy Systems, LLC

Premises Location:

1349 River Road, Middletown, CT 06457

Name of Responsible Official and Title:

William J. Freddo, Project General Manager

All the following attached pages, 2 through 38, are hereby incorporated by reference into this Title V permit.

/s/ Anne Gobin for
Daniel C. Esty
Commissioner

July 2, 2013
Date

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Title V Operating Permit

All conditions in Sections III, IV, and VI of this Title V permit are enforceable by both the Administrator and the commissioner unless otherwise specified. Applicable requirements and compliance demonstration are set forth in Section III of this Title V permit. The Administrator or any citizen of the United States may bring an action to enforce all permit terms or conditions or requirements contained in Sections III, IV, and VI of this Title V permit in accordance with the Clean Air Act, as amended.

LIST OF ABBREVIATIONS/ACRONYMS

<i>Abbreviation/Acronym</i>	<i>Description</i>
AP-42	Compilation of Air Pollution Emission Factors
ASC	Actual Stack Concentration
CAIR	Clean Air Interstate Rule
CEM	Continuous Emission Monitor
CFR	Code of Federal Regulations
CGS	Connecticut General Statutes
CO	Carbon Monoxide
CTG	Combustion Turbine Generator
DEEP	Department of Energy and Environmental Protection
EU	Emissions Unit
EPA	Environmental Protection Agency
ft ³	Cubic Feet
gal	Gallons
GEU	Grouped Emissions Unit
GHG	Greenhouse Gas
HAP	Hazardous Air Pollutant
hp	Horsepower
hr	Hour
HRSG	Heat Recovery Steam Generator
ICE	Internal Combustion Engine
lb	Pound
MASC	Maximum Allowable Stack Concentration
min	Minute
MMBtu	Million British Thermal Units
MRC	Maximum Rated Capacity
MW	Megawatt
NO _x	Nitrogen Oxides
NSR	New Source Review
O ₂	Oxygen
PAH	Polycyclic Aromatic Hydrocarbon
Pb	Lead
PM	Particulate Matter
PM ₁₀	Particulate Matter less than 10 microns
PM _{2.5}	Particulate Matter less than 2.5 microns
ppm	Parts per million
ppmvd	Parts per million, volumetric basis dry
RCSA	Regulations of Connecticut State Agencies
SCR	Selective Catalytic Reduction
SIC	Standard Industrial Classification Code
SO ₂	Sulfur Dioxide
SO _x	Sulfur Oxides
tpy	Tons per year
TSP	Total Suspended Particulate
ULN	Ultra Low NO _x
ULSD	Ultra Low Sulfur Diesel
VOC	Volatile Organic Compound

Section I: Premises Information/Description

A. PREMISES INFORMATION

Nature of Business: Electric Power Generation
Primary SIC: 4911

Facility Mailing Address: 1349 River Road, Middletown, CT 06457
Telephone Number: (860) 704-2509

B. PREMISES DESCRIPTION

Kleen Energy Systems, LLC (Kleen Energy) owns and operates a combined cycle combustion turbine power plant.

The major components of the facility consists of two dual-fuel (natural gas and ultra-low sulfur diesel) power generating units, each of which includes a Siemens SGT6-5000F combustion turbine generator and a heat recovery steam generator (CTG/HRSG) with supplemental natural gas fired duct burners. Emissions controls on the CTGs/HRSGs include ultra low NO_x combustors and selective catalytic reduction for NO_x control, oxidation catalysts for CO and VOC control, and the use of clean fuels for SO_x and PM control.

The facility also operates a permitted 73.5 MMBtu/hr auxiliary boiler, four emergency engines operating under RCSA §22a-174-3b, and a mechanical draft, plume abated, wet/dry hybrid cooling tower and two distillate oil storage tanks which are not subject to any permitting requirements.

The two power generating units are affected units under the Acid Rain Program (40 CFR Part 72) and the source currently operates under an acid rain Permit No. 104-002-TIV.

Middletown, CT is an attainment area for all air criteria pollutants in the state except ozone, for which it is a serious nonattainment area. As such, the threshold for defining a major stationary source status of Kleen Energy for NO_x and VOCs is 50 tpy and for all other criteria pollutants is 100 tpy. Kleen Energy is major for NO_x, CO, PM_{2.5}, PM₁₀, TSP, and GHG.

Section II: Emissions Units Information

A. EMISSIONS UNITS DESCRIPTION

Emissions units are set forth in Table II.A. It is not intended to incorporate by reference these NSR Permits or Regulations into this Title V permit.

TABLE II.A: EMISSIONS UNITS DESCRIPTION				
Grouped Emissions Unit	Emissions Unit	Emissions Unit Description	Control Unit Description	Permit (P) or Regulation Number
GEU-01	EU-01	Siemens SGT6-5000F combustion turbine No. 1 with HRSG and duct burner MRC (gas): 2136 MMBtu/hr MRC (oil): 2117 MMBtu/hr Installation Date: 8/14/2009	ULN combustor, SCR, water injection (oil), oxidation catalyst	P No. 104-0131 P No. 104-002-TIV 40 CFR Part 60 Subpart KKKK
	EU-02	Siemens SGT6-5000F combustion turbine No. 2 with HRSG and duct burner MRC (gas): 2136 MMBtu/hr MRC (oil): 2117 MMBtu/hr Installation Date: 8/21/2009	ULN combustor, SCR, water injection (oil), oxidation catalyst	P No. 104-0133 P No. 104-002-TIV 40 CFR Part 60 Subpart KKKK
	EU-03	73.5 MMBtu/hr Auxiliary Boiler Installation Date: 10/22/2009	Low NOx Burner	P No. 104-0134 40 CFR Part 60 Subpart Dc
GEU-02	EU-04	1214 hp Caterpillar C27 diesel emergency engine Installation Date: 06/01/2009	None	RCSA §22a-174-3b(e) 40 CFR Part 60 Subpart III 40 CFR Part 63 Subpart ZZZZ
	EU-05	1502 hp Caterpillar C32 diesel emergency engine Installation Date: 08/08/2009	None	
	EU-06	1490 hp Cummins QST30-G5 diesel emergency engine Installation Date: 03/01/2009	None	
	EU-07	252 hp Cummins CFP83-F30 diesel Fire Pump engine Installation Date: 09/01/2009	None	

Section II: Emissions Units Information

TABLE II.A: EMISSIONS UNITS DESCRIPTION				
Grouped Emissions Unit	Emissions Unit	Emissions Unit Description	Control Unit Description	Permit (P) or Regulation Number
<i>All applicable requirements for the following units are listed in the premises-wide general requirements portion of this Title V permit:</i>				
GEU-03	EU-08	ULSD Tank 9001 Capacity: 4,061,400 gal Installation Date: October 2009	None	None
	EU-09	ULSD Tank 9002 Capacity: 4,061,400 gal Installation Date: October 2009	None	None
	EU-10	Mechanical Draft Wet/Dry Hybrid Cooling Tower Capacity: 1,250,000 gal Installation Date: June 2009	None	None

B. OPERATING SCENARIO IDENTIFICATION

The Permittee shall be allowed to operate under the following Standard Operating Scenario without notifying the commissioner, provided that such operations are explicitly provided for and described in Table II.B. There are no Alternate Operating Scenarios for the premises.

TABLE II.B: OPERATING SCENARIO IDENTIFICATION	
Emissions Units Associated with the Scenario	Description of Scenario
All emissions units listed in Section II, Table II.A of this Title V permit.	All emissions units shall be operated in accordance with applicable permit or regulation terms and conditions.

Section III: Applicable Requirements and Compliance Demonstration

The following contains summaries of applicable regulations and compliance demonstration for each identified Emissions Unit and Operating Scenario, regulated by this Title V permit.

A. GEU-01 (Siemens SGT6-5000F combustion turbines each with HRSG and duct burner), EU-01 - EU-02

For Sections III.A.1 through 10 of this Title V permit only, the terms “emergency”, “malfunction”, “shut-down event”, “start-up event”, “steady-state operation”, and “transient operation” shall be defined as specified in NSR Permit Nos. 104-0131 and 104-0133.

1. Turbine Maximum Annual Fuel Usage

a. Limitation or Restriction

- i. Natural gas usage shall not exceed 1.83×10^{10} ft³ over any consecutive 12 month period for each turbine in GEU-01. [P 104-0131; P 104-0133]
- ii. Distillate fuel oil usage shall not exceed 2.18×10^7 gallons over any consecutive 12 month period for the turbines in GEU-01 combined. [P 104-0131; P 104-0133]

b. Monitoring Requirements

- i. When more than one distillate fuel oil supply tank is to service the turbines in GEU-01 or when multiple sources are supplied by one distillate fuel oil tank, the Permittee shall use a non-resettable totalizing fuel metering device to continuously monitor distillate fuel oil feed to the turbines. [P 104-0131; P 104-0133]
- ii. The Permittee shall monitor fuel flow to each turbine in GEU-01 using a fuel flow continuous monitor. [P 104-0131; P 104-0133]

c. Record Keeping Requirements

- i. The Permittee shall keep records of annual fuel consumption for each turbine in GEU-01 and total combined annual distillate fuel oil usage for the turbines in GEU-01. Annual fuel consumption for each turbine shall be based on any consecutive 12 month time period and shall be determined by adding (for each fuel) the current month’s fuel usage to that of the previous 11 months. The Permittee shall make these calculations within 30 days of the end of the previous month. [P 104-0131; P 104-0133]
- ii. The Permittee shall keep daily records of distillate fuel oil usage. Such records shall contain the following information:
 - (A) date,
 - (B) percent sulfur content (by weight, dry basis) of distillate fuel oil used using the records required in Section III.A.3.c of this Title V permit, and
 - (C) quantity of distillate fuel oil used in each unit in GEU-01. [P 104-0131; P 104-0133]

2. Duct Burner Maximum Annual Fuel Usage

a. Limitation or Restriction

Natural gas usage shall not exceed 1.47×10^9 ft³ over any consecutive 12 month period for each duct burner in GEU-01. [P 104-0131; P 104-0133]

Section III: Applicable Requirements and Compliance Demonstration

b. Monitoring Requirements

The Permittee shall monitor fuel flow to each duct burner in GEU-01 using a fuel flow continuous monitor. Such monitor shall comply with the requirements of this Title V permit, RCSA §22a-174-4, RCSA §22a-174-22, RCSA §22a-174-31, 40 CFR Part 60 Subpart KKKK and 40 CFR Parts 72-78, as applicable. [P 104-0131; P 104-0133]

c. Record Keeping Requirements

The Permittee shall keep records of annual natural gas consumption for each duct burner in GEU-01. Annual natural gas consumption for each duct burner shall be based on any consecutive 12 month time period and shall be determined by adding the current month's natural gas usage to that of the previous 11 months. The Permittee shall make these calculations within 30 days of the end of the previous month. [P 104-0131; P 104-0133]

3. Maximum Distillate Fuel Oil Sulfur Content

a. Limitation or Restriction

Maximum distillate fuel oil sulfur content shall not exceed 0.0015% by weight, dry basis. [P 104-0131; P 104-0133]

b. Monitoring Requirements

The Permittee shall monitor the sulfur content of the distillate fuel oil by obtaining and keeping the records as specified in Section III.A.3.c of this Title V permit. [RCSA §22a-174-33(j)(1)(K)(ii)]

c. Record Keeping Requirements

The Permittee shall keep records of the fuel certification for each delivery of distillate fuel oil from a bulk petroleum provider or a copy of the current contract with the fuel oil supplier supplying the fuel used by the equipment that includes the applicable sulfur content of the fuel as a condition of each shipment. The shipping receipt or contract shall include:

- i. date of delivery,
- ii. name of the fuel supplier,
- iii. type of fuel delivered,
- iv. percentage of sulfur in such fuel, by weight, dry basis, and
- v. the method used to determine the sulfur content of such fuel. [P 104-0131; P 104-0133]

4. Operational Limitation – Turbine Load

a. Limitation or Restriction

The Permittee shall not operate the turbines in GEU-01 in steady-state at less than 60% of the maximum load specified by the manufacturer when burning natural gas and no less than 75% of the maximum load specified by the manufacturer when burning distillate fuel oil. [P 104-0131; P 104-0133]

Section III: Applicable Requirements and Compliance Demonstration

b. *Monitoring Requirements*

The Permittee shall monitor turbine load for each turbine in GEU-01 using a continuous turbine load monitor. Such monitor shall comply with the requirements of this Title V permit, RCSA §22a-174-4, RCSA §22a-174-22, RCSA §22a-174-31, 40 CFR Part 60 Subpart KKKK and 40 CFR Parts 72-78, as applicable. [P 104-0131; P 104-0133]

c. *Record Keeping Requirements*

The Permittee shall keep records of the data from the continuous turbine load monitor demonstrating continuous compliance with Section III.A.4.a of this Title V permit. [RCSA §22a-174-33(j)(l)(K)(ii)]

5. Criteria Air Pollutants

a. *Limitation or Restriction*

- i. The units in GEU-01 shall not exceed the emissions limits stated in Section III.A.5.a of this Title V permit at any time as determined in accordance with the applicable averaging periods defined in Permit Nos. 104-0131 and 104-0133 or as specified in an approved stack test protocol, except during periods of start-up, shut-down, shifts between loads, fuel switching, equipment cleaning, emergency, and/or malfunction. [P 104-0131; P 104-0133]
- ii. Steady-State – Natural Gas (60%-100% Load) – Without Duct Firing for each unit in GEU-01 shall not exceed:

<u>Pollutant</u>	<u>ppmvd @ 15% O₂</u>	<u>lb/hr</u>
TSP		11.0
PM ₁₀ /PM _{2.5}		11.0
SO ₂		4.9
NO _x	2.0	15.5
VOC	5.0	10.0
CO	0.9	4.3

[P 104-0131; P 104-0133]

- iii. Steady-State – Natural Gas (60%-100% Load) – With Duct Firing for each unit in GEU-01 shall not exceed:

<u>Pollutant</u>	<u>ppmvd @ 15% O₂</u>	<u>lb/hr</u>
TSP		15.2
PM ₁₀ /PM _{2.5}		15.2
SO ₂		5.1
NO _x	2.0	16.2
VOC	5.0	10.8
CO	1.7	8.4

[P 104-0131; P 104-0133]

Section III: Applicable Requirements and Compliance Demonstration

- iv. Steady-State – Distillate Fuel Oil (75%-100% Load) – Without Duct Firing for each unit in GEU-01 shall not exceed:

<u>Pollutant</u>	<u>ppmvd @</u>	
	<u>15% O₂</u>	<u>lb/hr</u>
TSP		57.0
PM ₁₀ /PM _{2.5}		57.0
SO ₂		3.2
NO _x	5.9	48.4
VOC	3.6	9.0
CO	1.8	7.3
Pb		3.0E-02

[P 104-0131; P 104-0133]

- v. Steady-State – Distillate Fuel Oil (75%-100% Load) – With Duct Firing for each unit in GEU-01 shall not exceed:

<u>Pollutant</u>	<u>ppmvd @</u>	
	<u>15% O₂</u>	<u>lb/hr</u>
TSP		57.0
PM ₁₀ /PM _{2.5}		57.0
SO ₂		3.7
NO _x	5.9	50.5
VOC	3.4	11.3
CO	1.8	9.4
Pb		3.0E-02

[P 104-0131; P 104-0133]

- vi. Transient Operation – Natural Gas (<60% Load) – Start-up and Shut-down Events for each unit in GEU-01 shall not exceed:

	<u>Type of Start-up or Shut-down Event</u>			
	<u>Cold Start-up</u>	<u>Warm Start-up</u>	<u>Hot Start-up</u>	<u>Shut-down</u>
<u>Duration of Turbine at 0% load prior to Start-up (hr)</u>	>48	8.1 to 48	0 to 8	--
<u>Maximum Duration of Start-up or Shut-down Event (hr)</u>	2.9	2.0	1.8	1.0
<u>NO_x* (lb/event)</u>	322.2	389.3	224.7	60.6
<u>VOC* (lb/event)</u>	24.2	53.3	8.3	3.2
<u>CO* (lb/event)</u>	1602.7	1914.7	142.3	49.3

*The values presented are deemed to be representative, by the manufacturer, of uncontrolled emissions during start-up and shut-down events from each unit in GEU-01. These values were used to calculate the final annual emission limits for each unit in GEU-01. These tables will be updated and amended in accordance with Section III.A.5.d.iii of this Title V permit.

[P 104-0131; P 104-0133]

Section III: Applicable Requirements and Compliance Demonstration

vii. Transient Operation – Distillate Fuel Oil (<75% Load) – Start-up and Shut-down Events for each unit in GEU-01 shall not exceed:

	Type of Start-up or Shut-down Event			
	Cold Start-up	Warm Start-up	Hot Start-up	Shut-down
Duration of Turbine at 0% load prior to Start-up (hr)	>48	8.1 to 48	0 to 8	--
Maximum Duration of Start-up or Shut-down Event (hr)	3.0	2.1	2.0	1.0
NO _x * (lb/event)	230.1	185.3	160.8	110.8
VOC* (lb/event)	567.6	426.8	348.7	86.9
CO* (lb/event)	837.5	715.2	633.6	168.5

*The values presented are deemed to be representative, by the manufacturer, of uncontrolled emissions during start-up and shut-down events from each unit in GEU-01. These values were used to calculate the final annual emission limits for each unit in GEU-01. These tables will be updated and amended in accordance with Section III.A.5.d.iii of this Title V permit. [P 104-0131; P 104-0133]

viii. Total Allowable Emissions for each unit in GEU-01 shall not exceed:

<u>Pollutant</u>	<u>tpy</u>
TSP	63.8
PM ₁₀ /PM _{2.5}	63.8
SO _x	20.9
NO _x	83.3
VOC	24.0
CO	100.6
Pb	1.1E-02

[P 104-0131; P 104-0133]

b. Monitoring Requirements

- i. The Permittee shall be required to use CEMs to monitor NO_x and CO with a 1-hour block averaging time. Such monitors shall comply with the requirements of this Title V permit, RCSA §22a-174-4, RCSA §22a-174-22, RCSA §22a-174-31, 40 CFR Part 60 Subpart KKKK and 40 CFR Parts 60, 72-78, as applicable. [P 104-0131; P 104-0133; RCSA §22a-174-33(j)(1)(K)(ii)]
- ii. The Permittee shall be required to use CEMs to monitor O₂ (1-hour block averaging time) and ambient temperature (continuous). These parameters are not limited by the conditions of this Title V permit. The monitoring is required solely to provide basis for correction of actual exhaust gas conditions to dry conditions @ 15% O₂ by volume. Such monitors shall comply with the requirements of this Title V permit, RCSA §22a-174-4, RCSA §22a-174-22, RCSA §22a-174-31, 40 CFR Part 60 Subpart KKKK and 40 CFR Parts 72-78, as applicable. [P 104-0131; P 104-0133]

Section III: Applicable Requirements and Compliance Demonstration

- iii. Stack emission testing shall be performed at least once every five years from the date of the last stack test (June 20, 2011) for TSP/PM₁₀/PM_{2.5}, SO_x, NO_x, CO and VOC with the following conditions:
 - (A) Stack testing shall be performed in accordance with the latest Emission Test Guidelines available on the DEEP website.
 - (B) The Permittee shall perform one set of stack tests on the turbine when burning natural gas (with and without duct burning) and one set of stack tests when burning distillate fuel oil (with and without duct burning).
 - (C) Stack testing shall not be required for pollutants requiring CEMs (NO_x, CO). The commissioner retains the right to require stack testing of any pollutant at any time to demonstrate compliance.
 - (D) Stack testing shall be performed at or above 90% of the maximum total capacity of the turbine and duct burner combined when conducting tests where both the turbine and duct burner are operating. [P 104-0131; P 104-0133]
 - iv. The Permittee shall demonstrate compliance with the emission limits in Section III.A.5.a of this Title V permit by calculating the emission rates using the emission factors from operational parameters, CEM, and/or the most recent stack test results. The above statement shall not preclude the commissioner from requiring other means to demonstrate compliance with the above emission limits, as allowed by state or federal statute, law or regulation. [P 104-0131; P 104-0133]
 - v. An exceedance of either (i) the emission limits in Section III.A.5.a of this Title V permit, or (ii) the emissions limits developed for this Title V permit due to an emergency, malfunction, or cleaning shall not be deemed a "Federally Permitted Release," as that term is used in 42 U.S.C. 9601(10). [P 104-0131; P 104-0133]
 - vi. Compliance with VOC emission limits in Section III.A.5.a of this Title V permit shall be determined by correlating the VOC emissions to the CO emissions using the results of the stack test required in Section III.A.5.b.iii of this Title V permit along with manufacturer's data and tracked using the CO CEMS. [P 104-0131; P 104-0133]
 - vii. The Permittee shall operate and maintain GEU-01 in accordance with the manufacturer's specifications and written recommendations. [P 104-0131; P 104-0133]
 - viii. The Permittee shall comply with RCSA §22a-174-22 in accordance with the submitted and approved compliance plan to the Department. [RCSA §22a-174-22(m)]
- c. *Record Keeping Requirements*
- i. The Permittee shall comply with all applicable record keeping requirements in RCSA §22a-174-4 entitled, "Source Monitoring, Record Keeping and Reporting." [P 104-0131; P 104-0133]
 - ii. The Permittee shall keep records of start-up and shut-down events for each unit in GEU-01. Such records shall contain the following information:
 - (A) date of start-up or shut-down event,
 - (B) fuel being used during start-up or shut-down event,
 - (C) duration of start-up or shut-down event (hr),
 - (D) type of start-up or shut-down event as listed in Sections III.A.5.a.vi and vii of this Title V permit, and

Section III: Applicable Requirements and Compliance Demonstration

- (E) total NO_x, VOC and CO emissions emitted (lb) during the start-up or shut-down event. [P 104-0131; P 104-0133]
- iii. The Permittee shall record all exceedances of any emission limits or operating parameters contained in Section III.A of this Title V permit. Such records shall include:
 - (A) the date and time of the exceedance,
 - (B) a detailed description of the exceedance,
 - (C) the duration of the exceedance, and
 - (D) for exceedances during transient operation caused by shifts between loads, the time and duration of the load shift and the load ramp rate (MW/min). [P 104-0131; P 104-0133]
- iv. The Permittee shall keep records of all fuel switching and equipment cleaning events for each unit in GEU-01. Such records shall contain the date, time and duration of the fuel switching or equipment cleaning event. [P 104-0131; P 104-0133]
- v. The Permittee shall maintain records of the manufacturer's specifications and written recommendations, along with appropriate operating records, demonstrating compliance with Section III.A.5.b.vii of this Title V permit. [RCSA §22a-174-33(j)(1)(K)(ii)]
- vi. Demonstration of compliance with the annual emission limits in Section III.A.5.a.viii of this Title V permit shall be based on each consecutive 12 month time period and shall be determined by adding the current month's emissions of each pollutant to that of the previous 11 months for each unit in GEU-01. The Permittee shall make these calculations within 30 days of the end of the previous month. [RCSA §22a-174-33(j)(1)(K)(ii)]
- vii. The Permittee shall keep monthly and annual records to determine whether NO_x emissions from this premises in any calendar year are in excess of 50 tons. [RCSA §22a-174-22(l)(1)(C)]
- viii. The Permittee shall keep records of all tune-ups, repairs, replacement of parts and other maintenance to the units in GEU-01. [RCSA §22a-174-22(l)(1)(D)]
- ix. The Permittee shall keep copies of all documents submitted to the commissioner pursuant to RCSA §22a-174-22. [RCSA §22a-174-22(l)(1)(E)]
- x. The Permittee shall keep records of all charts, electronically stored data, and printed records produced by the NO_x CEM. [RCSA §22a-174-22(l)(1)(F)]
- xi. The Permittee shall keep procedures for calculating NO_x emission rates in Section III.A.5.c.vii of this Title V permit. [RCSA §22a-174-22(l)(1)(G)]
- xii. The Permittee shall keep records of all performance evaluations, calibration checks and adjustments on such monitor; a record of maintenance procedures; and all data necessary to complete the quarterly reports required under Section III.A.5.d.iv of this Title V permit. [RCSA §22a-174-22(l)(1)(I)]
- xiii. The Permittee shall keep records of the dates, times, places of all emissions testing done on GEU-01, the persons performing the measurements, the testing methods used, the operating conditions at the time of testing, and the results of such testing. [RCSA §22a-174-33(j)(1)(K)(ii)]

Section III: Applicable Requirements and Compliance Demonstration

d. Reporting Requirements

- i. The Permittee shall notify the commissioner, in writing, of any deviation from an emissions limitation or operating parameter in Section III.A of this Title V permit, and shall identify the cause or likely cause of such deviation, all corrective actions and preventive measures taken with respect thereto, and the dates of such actions and measures as follows:
 - (A) For any hazardous air pollutant, no later than 24 hours after such deviation commenced, and
 - (B) For any other regulated air pollutant or operating parameter, no later than ten days after such deviation commenced. [P 104-0131; P 104-0133]

- ii. The Permittee shall notify the commissioner in writing of any emergency affecting any unit in GEU-01 or malfunction of any unit in GEU-01. The Permittee shall submit such notification within ten days of the emergency or malfunction. The notification shall include the following:
 - (A) a description of the emergency or malfunction and a description of the circumstances surrounding the cause or likely cause of such emergency or malfunction, and
 - (B) a description of all corrective actions and preventive measures taken and/or planned with respect to such emergency or malfunction and the dates of such actions and measures. [P 104-0131; P 104-0133]

- iii. The Permittee shall track and record emissions of NO_x, VOC and CO pursuant to Section III.A.5.c.ii of this Title V permit for all start-up and shut-down events for each unit in GEU-01 during the first 60 months of commercial operation. Commercial operation began on May 3, 2011 for EU-01 and May 7, 2011 for EU-02. Within 60 days of the end of 60 months of commercial operation of each unit in GEU-01, the Permittee shall submit a report of emissions during start-up and shut-down events. If required, the Permittee shall submit a permit modification application to incorporate the emission rates developed from this data into Permit Nos. 104-0131 and 104-0133 and Sections III.A.5.a.vi and vii of this Title V permit. Subsequent emissions for start-up and shut-down events will be subject to said tables.

If there is a lack of data at the end of 60 months to make a good engineering determination regarding distillate oil start-up and shut-down emissions for this turbine, the Permittee shall submit a permit modification application once enough data is collected to make a good engineering determination regarding distillate oil start-up and shut-down emissions. [P 104-0131; P 104-0133]

- iv. The Permittee shall submit to the commissioner written quarterly reports of excess NO_x emissions and NO_x CEM malfunctions. Such reports shall be submitted to the commissioner on or before January 30, April 30, July 30, and October 30 and shall include data for the three calendar month period ending the month before the due date of the report. For each period of excess NO_x emissions, such report shall include the date and time of commencement and completion of such period, the magnitude and suspected cause of the excess emissions and all actions taken to correct the excess emissions. For each malfunction of the NO_x CEM system, such report shall include the date and time of when the malfunction commenced and ended, and all actions taken to correct the malfunction. [RCSA §22a-174-22(1)(4)]

Section III: Applicable Requirements and Compliance Demonstration

6. VOC (Premises Wide)

a. Limitation or Restriction

Total VOC emissions from all VOC emitting equipment located at this premises shall not exceed 49.9 tons per year. [P 104-0131; P 104-0133]

b. Monitoring Requirements

Demonstration of compliance with the annual VOC premises wide limit in Section III.A.6.a of this Title V permit shall be based on each consecutive 12 month time period and shall be determined by adding the current month's VOC premises wide emissions to that of the previous 11 months. The Permittee shall make these calculations within 30 days of the end of the previous month.

Monthly premises wide VOC emissions shall be calculated using the following equation:

$$\text{VOC}_{\text{premises}} = \Sigma \text{VOC}_{\text{turbines}} + \Sigma \text{VOC}_{\text{engines}} + \text{VOC}_{\text{aux boiler}} + \Sigma \text{VOC}_{\text{storage tanks}} + \Sigma \text{VOC}_{\text{add}}$$

where,

$\Sigma \text{VOC}_{\text{turbines}}$ = The sum of VOC emissions from the two turbine trains covered by Permit Nos. 104-0131 and 104-0133 determined by correlating the VOC emissions to the CO emissions using the results of the stack test required in Section III.A.5.b.iii of this Title V permit along with manufacturer's data and tracked using the CO CEMS. VOC emissions from the turbine train shall be recorded on the CEMS data acquisition system.

$\Sigma \text{VOC}_{\text{engines}}$ = The sum of emissions from any emergency engines located at the premises operating under RCSA §22a-174-3b or RCSA §22a-174-3c. VOC emissions shall be calculated using the following equation:

$$\text{VOC (ton/month)} = [X (\text{VOC lbs/hr}) * Y (\text{hrs/month})] * 1 \text{ ton}/2000 \text{ lbs}$$

$\text{VOC}_{\text{aux boiler}}$ = The emissions from the auxiliary boiler covered by Permit No. 104-0134. VOC emissions shall be calculated using the following equation:

$$\text{VOC (ton/month)} = [X (\text{VOC lbs/hr}) * Y (\text{hrs/month})] * 1 \text{ ton}/2000 \text{ lbs}$$

$\Sigma \text{VOC}_{\text{storage tanks}}$ = The emissions from any storage tanks located on the premises shall be determined using the latest version of the EPA TANKS model.

$\Sigma \text{VOC}_{\text{add}}$ = The VOC emissions from any additional VOC emitting equipment that is added to the premises after the issuance of NSR Permit Nos. 104-0131 and 104-0133 (February 25, 2008). The VOC emissions from such equipment shall be calculated using good engineering practices. [P 104-0131; P 104-0133]

c. Record Keeping Requirements

The Permittee shall keep records of the calculations made in Section III.A.6.b of this Title V permit. [RCSA §22a-174-33(j)(1)(K)(ii)]

Section III: Applicable Requirements and Compliance Demonstration

7. Opacity

a. Limitation or Restriction

Each unit in GEU-01 shall not exceed 10% opacity during any six minute block average during distillate fuel oil firing only. [P 104-0131; P 104-0133]

b. Monitoring Requirements

- i. The Permittee shall be required to use a continuous opacity monitor to monitor opacity, using a six minute block average, when firing distillate fuel oil. Such monitor shall comply with the requirements of this Title V permit, RCSA §22a-174-4, RCSA §22a-174-22 and RCSA §22a-174-31, as applicable. [P 104-0131; P 104-0133]
- ii. If required by the commissioner, the Permittee shall measure opacity using 40 CFR Part 60, Appendix A, Method 9. [RCSA §22a-174-33(j)(l)(K)(ii)]

c. Record Keeping Requirements

- i. The Permittee shall comply with all applicable record keeping requirements in RCSA §22a-174-4 entitled, "Source Monitoring, Record Keeping and Reporting." [P 104-0131; P 104-0133]
- ii. The Permittee shall keep records of the data from the continuous opacity monitor demonstrating compliance with Section III.A.7.a of this Title V permit. [RCSA §22a-174-33(j)(l)(K)(ii)]
- iii. The Permittee shall maintain records of the opacity tests required in Section III.A.7.b.ii of this Title V permit. Such records shall include the dates, times, and places of all visible emission observations, persons performing the observations, test methods used, the operating conditions at the time of observation, and the results of such observation. [RCSA §22a-174-33(j)(l)(K)(ii)]

d. Reporting Requirements

The Permittee shall submit the following information for the continuous opacity monitor to the commissioner each calendar quarter no later than 30 days following the end of each quarter:

- i. The data obtained through such equipment during the preceding calendar quarter that is required to determine compliance with Section III.A.7.a of this Title V permit;
- ii. A summary of such data;
- iii. A copy of the quality assurance audit conducted for that calendar quarter; and
- iv. A summary of all corrective actions taken in response to a failed opacity CEM equipment audit.
[RCSA §§22a-174-4(d)(4) and (5)]

Section III: Applicable Requirements and Compliance Demonstration

8. Ammonia

a. Limitation or Restriction

- i. Ammonia emissions shall not exceed 2.0 ppmvd @ 15% O₂ when the units in GEU-01 are operating in steady-state firing natural gas with or without duct firing. [P 104-0131; P 104-0133]
- ii. Ammonia emissions shall not exceed 5.0 ppmvd @ 15% O₂ when the units in GEU-01 are operating in the following modes:
 - (A) Steady-state operation while firing distillate fuel oil with or without duct firing, and
 - (B) Transient operation while firing natural gas or distillate fuel oil. Transient operations include cold, warm and hot start-ups, shut-downs, shifts between loads, fuel switching and equipment cleaning. [P 104-0131; P 104-0133]
- iii. Ammonia emissions shall not exceed 33.7 tpy for each unit in GEU-01. [P 104-0131; P 104-0133]

b. Monitoring Requirements

- i. The Permittee shall be required to use CEM to monitor ammonia emissions with a 1-hour block averaging time. Such monitor shall comply with the requirements of this Title V permit, RCSA §22a-174-4, RCSA §22a-174-22, and RCSA §22a-174-31, as applicable. [P 104-0131; P 104-0133]
- ii. The Permittee shall demonstrate compliance with the emission limits in Section III.A.8.a of this Title V permit by calculating the emissions rates using the emission factors from operational parameters, CEM, and/or the most recent stack test results. The above statement shall not preclude the commissioner from requiring other means to demonstrate compliance with the above emission limits, as allowed by state or federal statute, law or regulation. [P 104-0131; P 104-0133]

c. Record Keeping Requirements

- i. The Permittee shall comply with all applicable record keeping requirements in RCSA §22a-174-4 entitled, "Source Monitoring, Record Keeping and Reporting." [P 104-0131; P 104-0133]
- ii. The Permittee shall keep records of the data from the ammonia CEM demonstrating continuous compliance with Section III.A.8.a of this Title V permit. [RCSA §22a-174-33(j)(l)(K)(ii)]

d. Reporting Requirements

The Permittee shall conduct a study of ammonia slip emissions, during distillate fuel oil firing only, from each unit in GEU-01 during the first 36 months of commercial operation. Commercial operation began on May 3, 2011 for EU-01 and May 7, 2011 for EU-02. Such study shall address catalyst degradation over time and lifecycle, ammonia emissions over time, costs for catalysts and equipment, and emerging SCR technology. The data from such study shall be recorded and maintained on the premises. The following requirements apply during this study:

- i. No later than 60 days from the last day of each calendar year of commercial operation of each unit in GEU-01 the Permittee shall submit a summary of operating data collected during the previous year of the ammonia slip emissions study, to the commissioner. This summary report is not required to be submitted for the last year of the study.

Section III: Applicable Requirements and Compliance Demonstration

- ii. No later than 120 days from the last day of the third calendar year of commercial operation of each unit in GEU-01 the Permittee shall submit a final report summarizing the results of the ammonia slip emissions study, including conclusions regarding ammonia slip emissions during distillate fuel oil firing, to the commissioner.
- iii. If there is a lack of data at the end of 36 months to make a good engineering determination regarding ammonia slip emissions, the study shall be extended an additional 24 months and the final report shall be submitted no later than 120 days from the last day of the fifth calendar year of commercial operation of each unit in GEU-01. [P 104-0131; P 104-0133]

9. Hazardous Air Pollutants (State)

a. Limitation or Restriction

- i. This equipment shall not cause an exceedance of the MASC for any HAP emitted and listed in RCSA §22a-174-29 at any time including periods of start-up, shut-down, fuel switching, equipment cleaning, emergency, and malfunctions. [P 104-0131; P 104-0133]
- ii. Sulfuric Acid emissions shall not exceed 6.4 tpy for each unit in GEU-01. [P 104-0131; P 104-0133]

b. Monitoring Requirements

- i. Stack emission testing shall be performed at least once every five years from the date of the last stack test (June 20, 2011) for the following pollutants:
1,3 Butadiene, Acetaldehyde, Acrolein, Arsenic, Benzene, Beryllium, Cadmium, Chromium, Ethylbenzene, Formaldehyde, Lead, Manganese, Mercury, Napthalene, Nickel, PAH, Propylene Oxide, Selenium, Sulfuric Acid, Toluene, Xylene
with the following conditions:
 - (A) Stack testing shall be performed in accordance with the latest Emission Test Guidelines available on the DEEP website.
 - (B) The Permittee shall perform one set of stack tests on the turbine when burning natural gas (with and without duct burning) and one set of stack tests when burning distillate fuel oil (with and without duct burning).
 - (C) Fuel oil analysis of the metals in the distillate fuel oil may be substituted for stack testing for metallic HAPs while firing distillate fuel oil.
 - (D) Stack testing shall be performed at or above 90% of the maximum total capacity of the turbine and duct burner combined when conducting tests where both the turbine and duct burner are operating. [P 104-0131; P 104-0133]
- ii. The Permittee shall calculate the ASC for each HAP emitted by each unit in GEU-01 that is listed in RCSA §22a-174-29. The Permittee shall demonstrate, by comparing the results from such calculations, that the ASC of each HAP does not exceed the appropriate MASC. [RCSA §22a-174-33(j)(1)(K)(ii)]

Section III: Applicable Requirements and Compliance Demonstration

- iii. The Permittee shall demonstrate compliance with the limits in Section III.A.9.a of this Title V permit by calculating the emissions rates using the emission factors from operational parameters, CEM, and/or the most recent stack test results. The above statement shall not preclude the commissioner from requiring other means to demonstrate compliance with the above emissions limits, as allowed by state or federal statute, law or regulation. [P 104-0131; P 104-0133]
- iv. Demonstration of compliance with the annual sulfuric acid emission limit in Section III.A.9.a.ii of this Title V permit shall be based on each consecutive 12 month time period and shall be determined by adding the current month's sulfuric acid emissions to that of the previous 11 months for each unit in GEU-01. The Permittee shall make these calculations within 30 days of the end of the previous month. [RCSA §22a-174-33(j)(1)(K)(ii)]

c. Record Keeping Requirements

- i. The Permittee shall keep records of the dates, times, places of all emission testing done on GEU-01, the persons performing the measurements, the testing methods used, the operating conditions at the time of testing, and the results of such testing. [RCSA §22a-174-33(j)(1)(K)(ii)]
- ii. The Permittee shall keep records of the ASC calculations that demonstrate compliance with the MASC for each HAP emitted by GEU-01 that is listed in RCSA §22a-174-29. [RCSA §22a-174-33(j)(1)(K)(ii)]
- iii. The Permittee shall keep records of the calculations made in Section III.A.9.b.iv of this Title V permit. [RCSA §22a-174-33(j)(1)(K)(ii)]

10. Hazardous Air Pollutants (Premises Wide)

a. Limitation or Restriction

Total HAP emissions (any pollutant listed in Section 112(b) of the Clean Air Act Amendments of 1990 excluding any that have been removed from the list) from all HAP emitting equipment at this premises shall be less than 10 tons per year of any individual HAP and less than 25 tons per year for the combination of HAPs. [P 104-0131; P 104-0133]

b. Monitoring Requirements

Demonstration of compliance with this premises wide HAP limit shall be based on each consecutive 12 month time period and shall be determined by adding the current month's HAP premises wide emissions to that of the previous 11 months for each individual HAP emitted at this premises and the combination of HAPs. The Permittee shall make these calculations within 30 days of the end of the previous month. [P 104-0131; P 104-0133]

c. Record Keeping Requirements

The Permittee shall keep records of the calculations made in Section III.A.10.b of this Title V permit. [RCSA §22a-174-33(j)(1)(K)(ii)]

Section III: Applicable Requirements and Compliance Demonstration

11. 40 CFR Part 60 Subpart KKKK – Standards of Performance for Stationary Combustion Turbines [Federal]

a. Limitation or Restriction

- i. NO_x emissions shall not exceed 15 ppm @ 15% O₂ from each unit in GEU-01 when firing natural gas. [40 CFR §63.4320(a)]
- ii. NO_x emissions shall not exceed 42 ppm @ 15% O₂ from each unit in GEU-01 when firing distillate fuel oil. [40 CFR §63.4320(a)]
- iii. NO_x emissions shall not exceed 96 ppm @ 15% O₂ from each unit in GEU-01 when firing natural gas or distillate fuel oil and operating at less than 75% of peak load. [40 CFR §63.4320(a)]
- iv. If the total heat input for any unit in GEU-01 is greater than or equal to 50 percent natural gas, the Permittee must meet the corresponding limit, for that unit in GEU-01, for a natural gas-fired turbine when burning that fuel. Similarly, when the total heat input for any unit in GEU-01 is greater than 50 percent distillate oil and fuels other than natural gas, the Permittee must meet the corresponding limit for distillate oil and fuels other than natural gas, for that unit in GEU-01, for the duration of the time that the unit burns that particular fuel. [40 CFR §60.4325]
- v. SO₂ emissions shall not exceed 0.060 lb/MMBtu heat input from each turbine in GEU-01 when firing natural gas or distillate fuel oil. [40 CFR §63.4330(a)(2)]

b. Monitoring Requirements

- i. The Permittee shall operate and maintain the stationary combustion turbines, duct burners, air pollution control equipment, and monitoring equipment in a manner consistent with good air pollution control practices for minimizing emissions at all times including during start-up, shut-down, and malfunction. [40 CFR §60.4333(a)]
- ii. The Permittee shall install, calibrate, maintain and operate continuous emission monitoring as described in 40 CFR §§60.4335(b) and 60.4345. [40 CFR §60.4340(b)]
- iii. The Permittee is exempt from the total sulfur content fuel monitoring requirements in 40 CFR §60.4360 as long as the Permittee can demonstrate that the fuel quality characteristics in a current, valid purchase contract, tariff sheet or transportation contract for each fuel, specifying that the maximum total sulfur content for oil is 0.05 weight percent or less, the total sulfur content for natural gas is 20 grains of sulfur or less per 100 standard cubic feet, and each unit in GEU-01 has potential sulfur emissions of less than 0.060 lb SO₂/MMBtu heat input. [40 CFR §60.4365(a)]

c. Record Keeping Requirements

- i. The Permittee shall keep records of the data from the NO_x CEM demonstrating continuous compliance with Sections III.A.11.a.i and ii of this Title V permit. [RCSA §22a-174-33(j)(1)(K)(ii)]
- ii. The Permittee shall keep records of the current, valid purchase contract, tariff sheet or transportation contract for each fuel as specified in Section III.A.11.b.iii of this Title V permit in order to demonstrate compliance with Section III.A.11.a.v of this Title V permit. [40 CFR §60.4365(a)]

Section III: Applicable Requirements and Compliance Demonstration

d. *Reporting Requirements*

The Permittee shall submit reports of excess emissions and monitor downtime, in accordance with 40 CFR §60.7(c) and must be postmarked by the 30th day following the end of each six month period. Excess emissions must be reported for all periods of unit operation, including start-up, shut-down, and malfunction. Procedures to use data from the NO_x CEM equipment to identify excess emissions are described in 40 CFR §60.4350 and excess emissions and monitor downtime for NO_x and SO₂ are defined in 40 CFR §§60.4380 and 60.4385, respectively. [40 CFR §63.4375(a); 40 CFR §63.4395]

B. EU-03 (73.5 MMBtu/hr Auxiliary Boiler)

1. Maximum Annual Fuel Usage

a. *Limitation or Restriction*

Natural gas usage shall not exceed 86,400,000 ft³ over any consecutive 12 month period. [P 104-0134]

b. *Monitoring Requirements*

The Permittee shall continuously monitor fuel consumption using a non-resettable totalizing fuel meter. [P 104-0134]

c. *Record Keeping Requirements*

The Permittee shall record the monthly and consecutive 12 month fuel consumption. The consecutive 12 month fuel consumption shall be determined by adding the current month's fuel consumption to that of the previous 11 months. The Permittee shall make these calculations within 30 days of the end of the previous month. [P 104-0134]

2. Criteria Air Pollutants

a. *Limitation or Restriction*

The Permittee shall not cause or allow EU-03 to exceed the emissions limits stated herein at any time:

<u>Pollutant</u>	<u>lb/MMBtu</u>	<u>lb/hr</u>	<u>tpy</u>
TSP		0.46	0.28
PM ₁₀ /PM _{2.5}		0.46	0.28
SO ₂		0.16	0.10
NO _x	0.045	3.31	1.98
VOC		0.28	0.17
CO		5.30	3.18

[P 104-0134]

Section III: Applicable Requirements and Compliance Demonstration

b. Monitoring Requirements

- i. The Permittee shall demonstrate compliance with Section III.B.2.a of this Title V permit by calculating monthly and annual criteria pollutant emissions. The monthly emissions of each pollutant shall be calculated using emission factors obtained from manufacturer's data, the latest stack test or from AP-42 and the fuel usage. Annual emissions of each pollutant shall be calculated each calendar month by adding the current calendar month's emissions to those of the previous 11 months. The Permittee shall make these calculations within 30 days of the end of the previous month. [P 104-0134; RCSA §22a-174-33(j)(1)(K)(ii)]
- ii. The Permittee shall conduct stack testing for NO_x, pursuant to RCSA §22a-174-22(k), in accordance with the Emission Test Guidelines available on the DEEP website. [P 104-0134]
- iii. The commissioner may require other means (e.g. stack testing) to demonstrate compliance with the emissions limits in Section III.B.2.a of this Title V permit, as allowed by state or federal statute, law or regulation. [P 104-0134]
- iv. The Permittee shall operate and maintain this equipment in accordance with the manufacturer's specifications and written recommendations. [P 104-0134]
- v. The Permittee shall properly operate the control equipment at all times that this equipment is in operation and emitting air pollutants. [P 104-0134]
- vi. The Permittee shall comply with RCSA §22a-174-22 in accordance with the submitted and approved compliance plan to the Department. [RCSA §22a-174-22(m)]

c. Record Keeping Requirements

- i. The Permittee shall keep records of the calculations required in Section III.B.2.b.i of this Title V permit. [RCSA §22a-174-33(j)(1)(K)(ii)]
- ii. The Permittee shall keep monthly and annual records to determine whether NO_x emissions from this premises in any calendar year are in excess of 50 tons. [RCSA §22a-174-22(l)(1)(C)]
- iii. The Permittee shall keep records of all tune-ups, repairs, replacement of parts and other maintenance to EU-03. [RCSA §22a-174-22(l)(1)(D)]
- iv. The Permittee shall keep copies of all documents submitted to the commissioner pursuant to RCSA §22a-174-22. [RCSA §22a-174-22(l)(1)(E)]
- v. The Permittee shall keep procedures for calculating NO_x emissions rates in Section III.B.2.c.ii of this Title V permit. [RCSA §22a-174-22(l)(1)(G)]
- vi. The Permittee shall keep records of the dates, times, places of all emission testing done on EU-03, the persons performing the measurements, the testing methods used, the operating conditions at the time of testing, and the results of such testing. [RCSA §22a-174-22(l)(1)(H)]
- vii. The Permittee shall maintain records of the manufacturer's specifications and written recommendations, along with appropriate operating records, demonstrating compliance with Sections III.B.2.b.iv and v of this Title V permit. [RCSA §22a-174-33(j)(1)(K)(ii)]

Section III: Applicable Requirements and Compliance Demonstration

d. Reporting Requirements

- i. The Permittee shall submit a written report of the results of the stack testing conducted pursuant to Section III.B.2.b.ii of this Title V permit to the commissioner within 30 days of the completion of the tests. [RCSA §22a-174-22(1)(2)]

3. Opacity

a. Limitation or Restriction

EU-03 shall not exceed 10% opacity during any six minute block average. [P 104-0134]

b. Monitoring Requirements

If required by the commissioner, the Permittee shall measure opacity using 40 CFR Part 60, Appendix A, Method 9. [P 104-0134]

c. Record Keeping Requirements

The Permittee shall maintain records of the opacity tests required in Section III.B.3.b of this Title V permit. Such records shall include the dates, times, and places of all visible emission observations, persons performing the observations, test methods used, the operating conditions at the time of observation, and the results of such observation. [RCSA §22a-174-33(j)(l)(K)(ii)]

4. Hazardous Air Pollutants [State]

a. Limitation or Restriction

EU-03 shall not cause an exceedance of the MASC for any HAP emitted and listed in RCSA §22a-174-29. [P 104-0134]

b. Monitoring Requirements

- i. The Permittee shall calculate the ASC for each HAP emitted by EU-03 that is listed in RCSA §22a-174-29. The Permittee shall demonstrate, by comparing the results from such calculations, that the ASC of each HAP does not exceed the appropriate MASC. [RCSA §22a-174-33(j)(l)(K)(ii)]
- ii. The commissioner may require other means (e.g. stack testing) to demonstrate compliance with the emission limits in Section III.B.4.a of this Title V permit, as allowed by state or federal statute, law or regulation. [P 104-0134]

c. Record Keeping Requirements

The Permittee shall keep records of the ASC calculations that demonstrate compliance with the MASC for each HAP emitted by EU-03 that is listed in RCSA §22a-174-29. [RCSA §22a-174-33(j)(l)(K)(ii)]

Section III: Applicable Requirements and Compliance Demonstration

5. 40 CFR Part 60 Subpart Dc - Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units [Federal]

a. Limitation or Restriction

EU-03 is an affected unit subject to 40 CFR Part 60 Subpart Dc. EU-03 combusts only natural gas and is not subject to any SO₂ or PM standards under the rule. [40 CFR §60.40c(a)]

b. Monitoring Requirements

The Permittee shall continuously monitor fuel consumption using a non-resettable totalizing fuel meter. [P 104-0134]

c. Record Keeping Requirements

The Permittee shall record and maintain records of the amount of fuel combusted during each calendar month. [40 CFR §60.48c(g)(2)]

C. GEU-02 (Emergency Diesel Engines), EU-04 – EU-07

1. Maximum Operating Hours

a. Limitation or Restriction

The Permittee shall not operate any engine in GEU-02 greater than 300 hours during any 12 month rolling aggregate. The engines shall be operated only during periods of testing and scheduled maintenance or during an emergency as defined in RCSA §22a-174-22. [RCSA §22a-174-3b(e)(2)(C)]

b. Monitoring Requirements

The Permittee shall monitor hours of operation for each engine in GEU-02 on a monthly basis. [RCSA §22a-174-3b(e)(4)]

c. Record Keeping Requirements

The Permittee shall maintain records of hours of operation for each engine in GEU-02 on a monthly basis and a 12 month rolling aggregate. Maximum annual operating hours shall be based on any consecutive 12 month time period and shall be determined by adding each month's operating hours to that of the previous 11 months for each engine in GEU-02. [RCSA §22a-174-3b(e)(4)]

2. Maximum Fuel Sulfur Content

a. Limitation or Restriction

The Permittee shall not exceed the sulfur content of motor vehicle diesel fuel where "motor vehicle diesel fuel" is defined as in RCSA §22a-174-42 for any non-gaseous fuel consumed by any engine in GEU-02. [RCSA §22a-174-3b(e)(2)(D)]

Section III: Applicable Requirements and Compliance Demonstration

b. Monitoring Requirements

The Permittee shall monitor the sulfur content for each shipment of fuel used in GEU-02 by obtaining the documentation required in Section III.C.2.c of this Title V permit. [RCSA §22a-174-3b(e)(4)]

c. Record Keeping Requirements

The Permittee shall keep any of the following records to demonstrate compliance with Section III.C.2.a of this Title V permit:

- i. A fuel certification for a delivery of nongaseous fuel from a bulk petroleum provider;
- ii. A sales receipt for the sale of motor vehicle diesel fuel from a retail location; or
- iii. A copy of a current contract with the fuel supplier supplying the fuel used by the equipment that includes the applicable sulfur content of nongaseous fuel as a condition of each shipment. [RCSA §22a-174-3b(h)]

3. 40 CFR Part 60 Subpart IIII - Standards of Performance for Stationary Compression Ignition Internal Combustion Engines [Federal]

(Engine Classification: Emergency Compression Ignition Engine constructed after June 12, 2006)

Pursuant to 40 CFR §63.6590(c), the engines in GEU-02 meet the requirements of 40 CFR Part 63 Subpart ZZZZ by complying with 40 CFR Part 60 Subpart IIII.

a. Limitation or Restriction

The Permittee shall comply with the emissions standards for new nonroad compression ignition engines in 40 CFR §60.4202, for all pollutants, for the same model year and maximum engine power for each engine in GEU-02. [40 CFR §60.4205(b)]

b. Operating Requirements

- i. The Permittee shall operate and maintain each engine in GEU-02 to achieve the emission standards as required in 40 CFR §60.4205 over the entire life of the engine. [40 CFR §60.4206]
- ii. The Permittee shall purchase diesel fuel that meets the requirements of 40 CFR §80.510(b) for nonroad diesel fuel. [40 CFR §60.4207(b)]
- iii. The Permittee shall do all of the following, except as permitted under Section III.C.3.b.vi of this Title V permit:
 - (A) Operate and maintain the stationary combustion ignition internal combustion engine and control device according to the manufacturer's emission-related written instructions;
 - (B) Change only those emission-related settings that are permitted by the manufacturer; and
 - (C) Meet the requirements of 40 CFR Parts 89, 94 and/or 1068, as they apply. [40 CFR §60.4211(a)]
- iv. The Permittee shall ensure each engine in GEU-02 is certified to the emission standards in 40 CFR §60.4205(b) for the same model year and maximum engine power. The engines shall be installed and configured according to the manufacturer's emission-related specifications, except as permitted in Section III.C.3.b.vi of this Title V permit. [40 CFR §60.4211(c)]

Section III: Applicable Requirements and Compliance Demonstration

- v. The Permittee may operate each engine in GEU-02 for the purpose of maintenance checks and readiness testing, provided that the tests are recommended by Federal, State or local government, the manufacturer, the vendor, or the insurance company associated with the engine. Maintenance checks and readiness testing of such units is limited to 100 hours per year, except as limited by Section III.C.1.a of this Title V permit. There is no time limit on the use of emergency stationary ICE in emergency situations, except as limited by Section III.C.1.a of this Title V permit. The Permittee may petition the Administrator 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 emergency ICE beyond 100 hours per year. Emergency stationary ICE may operate up to 50 hours per year in non-emergency situations, but those 50 hours are counted towards the 100 hours per year provided for maintenance and testing, except as limited by Section III.C.1.a of this Title V permit. The 50 hours per year for non-emergency situations cannot be used for peak shaving or to generate income for a facility to supply power to an electric grid or otherwise supply non-emergency power as part of a financial arrangement with another entity. Any operation other than emergency operation, maintenance and testing, and operation in non-emergency situations for 50 hours per year, except as limited by Section III.C.1.a of this Title V permit, is prohibited. [40 CFR §60.4211(f)]
- vi. If the Permittee does not install, configure, operate, and maintain the engines in GEU-02 and control devices (if installed) according to the manufacturer's emission-related written instructions, or the Permittee changes emission-related settings in a way that is not permitted by the manufacturer, the Permittee shall demonstrate compliance by keeping a maintenance plan and records of conducted maintenance and shall, to the extent practicable, maintain and operate the engine in a manner consistent with good air pollution control practice for minimizing emissions. In addition, the Permittee shall conduct an initial performance test to demonstrate compliance with the applicable emission standards within one year of start-up, or within one year after an engine and control device is no longer installed, configured, operated, and maintained in accordance with the manufacturer's emission-related written instructions, or within one year after the Permittee changes emission-related settings in a way that is not permitted by the manufacturer. [40 CFR §60.4211(g)(2)]

c. Monitoring Requirements

- i. If the Permittee conducts performance tests pursuant to 40 CFR Part 60 Subpart IIII for engines in GEU-02, the Permittee shall do so according to 40 CFR 60 §§60.4212(a) through (e), inclusive. [40 CFR §60.4212]
- ii. The Permittee shall comply with all monitoring and testing requirements of the General Provisions in 40 CFR §60.1 through §60.19, inclusive, as specified in 40 CFR Part 60 Subpart IIII, Table 8, that apply to the emergency engines. [40 CFR §60.4218]

d. Record Keeping Requirements

- i. The Permittee shall comply with all record keeping requirements of the General Provisions in 40 CFR §60.1 through §60.19, inclusive, as specified in 40 CFR Part 60 Subpart IIII, Table 8, that apply to the emergency engines. [40 CFR §60.4218]
- ii. The Permittee shall maintain appropriate records indicating compliance with the emission limitations and operational requirements in Sections III.C.3.a and b of this Title V permit. Such records may include, but are not limited to, manufacturer's specifications and operating recommendations, purchase records and internal operating procedures. [RSCA §22a-174-33(j)(l)(K)(ii)]

Section III: Applicable Requirements and Compliance Demonstration

e. Reporting Requirements

The Permittee shall comply with all reporting requirements of the General Provisions in 40 CFR §60.1 through §60.19, inclusive, as specified in 40 CFR Part 60 Subpart IIII, Table 8, that apply to the emergency engines. [40 CFR §60.4218]

D. EXTERNAL EMISSIONS OFFSET

The Permittee shall possess, at least, 210 tons of external emissions reductions of NO_x to offset the quantity of NO_x emitted from the sources covered under Permit Nos. 104-0131, 104-0133 and 104-0134 and RCSA §22a-174-3b to comply with RCSA §22a-174-3a(1). Such a quantity is sufficient to offset the emissions from the sources listed at a ratio of 1.2 tons of reduction for every ton of NO_x emissions allowed under the permits listed. Such offsets have been obtained from the following sources, each located in New York: 186 offsets from Kings Plaza JV, LLC (Serial # NYDEC-2-6105-00301-186), 23 offsets from Wehran Energy Corporation (Serial # NYDEC-1-4722-00799-23), and 1 offset from Element Market, LLC (Serial # NYDEC-2-6107-00141-1). The offsets from Kings Plaza JV, LLC and Wehran Energy Corporation were approved by the Department on February 6, 2008. The offset from Element Market, LLC was approved on March 15, 2012. The Permittee shall maintain sole ownership and possession of these emissions reductions for the duration of Permit Nos. 104-0131, 104-0133 and 104-0134 and any subsequent changes to the permits. [P 104-0131; P 104-0133; P 104-0134]

E. CAIR NOX OZONE SEASON TRADING

The units in GEU-01 are CAIR NO_x Ozone season units and therefore subject to RCSA §22a-174-22c. Each unit shall comply with all applicable requirements stated in RCSA §22a-174-22c (until the section is repealed) and the standard requirements of the CAIR permit application (SIMS No. 201203741). Once RCSA §22a-174-22d is effective, GEU-01 shall comply with that section of the regulations.

F. FEDERAL ACID RAIN PERMIT REQUIREMENTS

The Permittee shall comply with the requirements of Acid Rain Permit No. 104-002-TIV for each affected unit in GEU-001.

Section III: Applicable Requirements and Compliance Demonstration

G. PREMISES-WIDE GENERAL REQUIREMENTS

1. **Annual Emission Statements:** The Permittee shall submit annual emission statements requested by the commissioner as set forth in RCSA §22a-174-4(d)(1).
2. **Emergency Episode Procedures:** The Permittee shall comply with the procedures for emergency episodes as set forth in RCSA §22a-174-6.
3. **Reporting of Malfunctioning Control Equipment:** The Permittee shall comply with the reporting requirements of malfunctioning control equipment as set forth in RCSA §22a-174-7.
4. **Prohibition of Air Pollution:** The Permittee shall comply with the requirement to prevent air pollution as set forth in RCSA §22a-174-9.
5. **Public Availability of Information:** The public availability of information shall apply, as set forth in RCSA §22a-174-10.
6. **Prohibition Against Concealment/Circumvention:** The Permittee shall comply with the prohibition against concealment or circumvention as set forth in RCSA §22a-174-11.
7. **Violations and Enforcement:** The Permittee shall not violate or cause the violation of any applicable regulation as set forth in RCSA §22a-174-12.
8. **Variances:** The Permittee may apply to the commissioner for a variance from one or more of the provisions of these regulations as set forth in RCSA §22a-174-13.
9. **No Defense to Nuisance Claim:** The Permittee shall comply with the regulations as set forth in RCSA §22a-174-14.
10. **Severability:** The Permittee shall comply with the severability requirements as set forth in RCSA §22a-174-15.
11. **Responsibility to Comply:** The Permittee shall be responsible to comply with the applicable regulations as set forth in RCSA §22a-174-16.
12. **Particulate Emissions:** The Permittee shall comply with the standards for control of particulate matter and visible emissions as set forth in RCSA §22a-174-18. (Section 18 approved by EPA on 9-23-1982, current Regulation submitted to EPA on 12-1-2004.)
13. **Sulfur Compound Emissions:** The Permittee shall comply with the requirements for control of sulfur compound emissions as set forth in RCSA §22a-174-19.
14. **Organic Compound Emissions:** The Permittee shall comply with the requirements for control of organic compound emissions as set forth in RCSA §22a-174-20.
15. **Nitrogen Oxide Emissions:** The Permittee shall comply with the requirements for control of nitrogen oxide emissions as set forth in RCSA §22a-174-22.
16. **Ambient Air Quality:** The Permittee shall not cause or contribute to a violation of an ambient air quality standard as set forth in RCSA §22a-174-24(b).
17. **Emission Fees:** The Permittee shall pay an emission fee as set forth in RCSA §22a-174-26(d).

Section IV: Compliance Schedule

TABLE IV: COMPLIANCE SCHEDULE				
Emissions Unit	Applicable Regulations	Steps Required for Achieving Compliance (Milestones)	Date by which Each Step is to be Completed	Dates for Monitoring, Record Keeping, and Reporting
		No steps are required for achieving compliance at this time.		

Section V: State Enforceable Terms and Conditions

Only the Commissioner of the Department of Energy and Environmental Protection has the authority to enforce the terms, conditions and limitations contained in this section.

- A.** This Title V permit does not relieve the Permittee of the responsibility to conduct, maintain and operate the emissions units in compliance with all applicable requirements of any other Bureau of the Department of Energy and Environmental Protection or any federal, local or other state agency. Nothing in this Title V permit shall relieve the Permittee of other obligations under applicable federal, state and local law.
- B.** Nothing in this Title V permit shall affect the commissioner's authority to institute any proceeding or take any other action to prevent or abate violations of law, prevent or abate pollution, investigate air pollution, recover costs and natural resource damages, and to impose penalties for violations of law, including but not limited to violations of this or any other permit issued to the Permittee by the commissioner.
- C.** Odors: The Permittee shall not cause or permit the emission of any substance or combination of substances which creates or contributes to an odor that constitutes a nuisance beyond the property boundary of the premises as set forth in RCSA §22a-174-23.
- D.** Noise: The Permittee shall operate in compliance with the regulations for the control of noise as set forth in RCSA §§22a-69-1 through 22a-69-7.4, inclusive.
- E.** Hazardous Air Pollutants (HAPs): The Permittee shall operate in compliance with the regulations for the control of HAPs as set forth in RCSA §22a-174-29.
- F.** Open Burning: The Permittee is prohibited from conducting open burning, except as may be allowed by CGS §22a-174(f).
- G.** Fuel Sulfur Content: The Permittee shall not use No. 2 heating oil that exceeds three-tenths of one percent sulfur by weight as set forth in CGS §16a-21a.
- H.** The Permittee shall comply with the requirements for Control of Sulfur Dioxide Emissions from Power Plants and other large stationary sources of air pollution as set forth in RCSA §22a-174-19a.
- I.** The Permittee shall comply with the requirements for Control of Carbon Dioxide Emissions as set forth in RCSA §22a-174-31.

Section VI: Title V Requirements

The Administrator of the United States Environmental Protection Agency and the Commissioner of the Department of Energy and Environmental Protection have the authority to enforce the terms and conditions contained in this section.

A. SUBMITTALS TO THE COMMISSIONER & ADMINISTRATOR

The date of submission to the commissioner of any document required by this Title V permit shall be the date such document is received by the commissioner. The date of any notice by the commissioner under this Title V permit, including, but not limited to notice of approval or disapproval of any document or other action, shall be the date such notice is delivered or the date three days after it is mailed by the commissioner, whichever is earlier. Except as otherwise specified in this Title V permit, the word "day" means calendar day. Any document or action which is required by this Title V permit to be submitted or performed by a date which falls on a Saturday, Sunday or legal holiday shall be submitted or performed by the next business day thereafter.

Any document required to be submitted to the commissioner under this Title V permit shall, unless otherwise specified in writing by the commissioner, be directed to: Office of the Director; Engineering & Enforcement Division; Bureau of Air Management; Department of Energy and Environmental Protection; 79 Elm Street, 5th Floor; Hartford, Connecticut 06106-5127.

Any submittal to the Administrator of the Environmental Protection Agency shall be in a computer-readable format and addressed to: Director, Air Compliance Program; Attn: Air Compliance Clerk; Office of Environmental Stewardship; EPA-New England, Region 1; 5 Post Office Square, Suite 100; Boston, Massachusetts 02109-3912.

B. CERTIFICATIONS [RCSA §22a-174-33(b)]

In accordance with RCSA §22a-174-33(b), any report or other document required by this Title V permit and any other information submitted to the commissioner or Administrator shall be signed by an individual described in RCSA §22a-174-2a(a), or by a duly authorized representative of such individual. Any individual signing any document pursuant to RCSA §22a-174-33(b) shall examine and be familiar with the information submitted in the document and all attachments thereto, and shall make inquiry of those individuals responsible for obtaining the information to determine that the information is true, accurate, and complete, and shall also sign the following certification as provided in RCSA §22a-174-2a(a)(4):

“I have personally examined and am familiar with the information submitted in this document and all attachments thereto, and I certify that based on reasonable investigation, including my inquiry of those individuals responsible for obtaining the information, the submitted information is true, accurate and complete to the best of my knowledge and belief. I understand that any false statement made in the submitted information may be punishable as a criminal offense under Section 22a-175 of the Connecticut General Statutes, under Section 53a-157b of the Connecticut General Statutes, and in accordance with any applicable statute.”

Section VI: Title V Requirements

C. SIGNATORY RESPONSIBILITY [RCSA §22a-174-2a(a)]

For purposes of signing any Title V-related application, document, report or certification required by RCSA §22a-174-33, any corporation's duly authorized representative may be either a named individual or any individual occupying a named position. Such named individual or individual occupying a named position is a duly authorized representative if such individual is responsible for the overall operation of one or more manufacturing, production or operating facilities subject to RCSA §22a-174-33 and either:

1. The facilities employ more than 250 persons or have gross annual sales or expenditures exceeding 25 million dollars in second quarter 1980 dollars; or
2. The delegation of authority to the duly authorized representative has been given in writing by an officer of the corporation in accordance with corporate procedures and the following:
 - i. Such written authorization specifically authorizes a named individual, or a named position, having responsibility for the overall operation of the Title V premises or activity,
 - ii. Such written authorization is submitted to the commissioner and has been approved by the commissioner in advance of such delegation. Such approval does not constitute approval of corporate procedures, and
 - iii. If a duly authorized representative is a named individual in an authorization submitted under subclause ii of this subparagraph and a different individual is assigned or has assumed the responsibilities of the duly authorized representative, or, if a duly authorized representative is a named position in an authorization submitted under subclause ii of this subparagraph and a different named position is assigned or has assumed the duties of the duly authorized representative, a new written authorization shall be submitted to the commissioner prior to or together with the submission of any application, document, report or certification signed by such representative.

D. ADDITIONAL INFORMATION [RCSA §22a-174-33(j)(1)(X), RCSA §22a-174-33(h)(2)]

The Permittee shall submit additional information in writing, at the commissioner's request, within 30 days of receipt of notice from the commissioner or by such other date specified by the commissioner, whichever is earlier, including information to determine whether cause exists for modifying, revoking, reopening, reissuing, or suspending this Title V permit or to determine compliance with this Title V permit.

In addition, the Permittee shall submit information to address any requirements that become applicable to the subject source and shall submit correct, complete, and sufficient information within 15 days of the applicant's becoming aware of any incorrect, incomplete, or insufficient submittal, during the pendency of the application, or any time thereafter, with an explanation for such deficiency and a certification pursuant to RCSA §22a-174-2a(a)(5).

Section VI: Title V Requirements

E. MONITORING REPORTS [RCSA §22a-174-33(o)(1)]

A Permittee, required to perform monitoring pursuant this Title V permit, shall submit to the commissioner, on forms prescribed by the commissioner, written monitoring reports on March 1 and September 1 of each year or on a more frequent schedule if specified in such permit. Such monitoring reports shall include the date and description of each deviation from a permit requirement including, but not limited to:

1. Each deviation caused by upset or control equipment deficiencies; and
2. Each deviation of a permit requirement that has been monitored by the monitoring systems required under this Title V permit, which has occurred since the date of the last monitoring report; and
3. Each deviation caused by a failure of the monitoring system to provide reliable data.

F. PREMISES RECORDS [RCSA §22a-174-33(o)(2)]

Unless otherwise required by this Title V permit, the Permittee shall make and keep records of all required monitoring data and supporting information for at least five years from the date such data and information were obtained. The Permittee shall make such records available for inspection at the site of the subject source, and shall submit such records to the commissioner upon request. The following information, in addition to required monitoring data, shall be recorded for each permitted source:

1. The type of monitoring or records used to obtain such data, including record keeping;
2. The date, place, and time of sampling or measurement;
3. The name of the individual who performed the sampling or the measurement and the name of such individual's employer;
4. The date(s) on which analyses of such samples or measurements were performed;
5. The name and address of the entity that performed the analyses;
6. The analytical techniques or methods used for such analyses;
7. The results of such analyses;
8. The operating conditions at the subject source at the time of such sampling or measurement; and
9. All calibration and maintenance records relating to the instrumentation used in such sampling or measurements, all original strip-chart recordings or computer printouts generated by continuous monitoring instrumentation, and copies of all reports required by the subject permit.

Section VI: Title V Requirements

G. PROGRESS REPORTS [RCSA §22a-174-33(q)(1)]

The Permittee shall, on March 1 and September 1 of each year, or on a more frequent schedule if specified in this Title V permit, submit to the commissioner a progress report on forms prescribed by the commissioner, and certified in accordance with RCSA §22a-174-2a(a)(5). Such report shall describe the Permittee's progress in achieving compliance under the compliance plan schedule contained in this Title V permit. Such progress report shall:

1. Identify those obligations under the compliance plan schedule in this Title V permit which the Permittee has met, and the dates on which they were met; and
2. Identify those obligations under the compliance plan schedule in this Title V permit which the Permittee has not timely met, explain why they were not timely met, describe all measures taken or to be taken to meet them and identify the date by which the Permittee expects to meet them.

Any progress report prepared and submitted pursuant to RCSA §22a-174-33(q)(1) shall be simultaneously submitted by the Permittee to the Administrator.

H. COMPLIANCE CERTIFICATIONS [RCSA §22a-174-33(q)(2)]

The Permittee shall, on March 1 of each year, or on a more frequent schedule if specified in this Title V permit, submit to the commissioner a written compliance certification certified in accordance with RCSA §22a-174-2a(a)(5) and which includes the information identified in 40 CFR §§70.6(c)(5)(iii)(A) to (C), inclusive.

Any compliance certification prepared and submitted pursuant to RCSA §22a-174-33(q)(2) shall be simultaneously submitted by the Permittee to the Administrator.

I. PERMIT DEVIATION NOTIFICATIONS [RCSA §22a-174-33(p)]

Notwithstanding Section VI.D of this Title V permit, the Permittee shall notify the commissioner in writing, on forms prescribed by the commissioner, of any deviation from an emissions limitation, and shall identify the cause or likely cause of such deviation, all corrective actions and preventive measures taken with respect thereto, and the dates of such actions and measures as follows:

1. For any hazardous air pollutant, no later than 24 hours after such deviation commenced; and
2. For any other regulated air pollutant, no later than ten days after such deviation commenced.

J. PERMIT RENEWAL [RCSA §22a-174-33(j)(1)(B)]

All of the terms and conditions of this Title V permit shall remain in effect until the renewal permit is issued or denied provided that a timely renewal application is filed in accordance with RCSA §§22a-174-33(g), -33(h), and -33(i).

K. OPERATE IN COMPLIANCE [RCSA §22a-174-33(j)(1)(C)]

The Permittee shall operate the source in compliance with the terms of all applicable regulations, the terms of this Title V permit, and any other applicable provisions of law. In addition, any noncompliance constitutes a violation of the Clean Air Act and Chapter 446c of the Connecticut General Statutes and is grounds for federal and/or state enforcement action, permit termination, revocation and reissuance, or modification, and denial of a permit renewal application.

Section VI: Title V Requirements

L. COMPLIANCE WITH PERMIT [RCSA §22a-174-33(j)(1)(G)]

This Title V permit shall not be deemed to:

1. Preclude the creation or use of emission reduction credits or allowances or the trading thereof in accordance with RCSA §§22a-174-33(j)(1)(I) and -33(j)(1)(P), provided that the commissioner's prior written approval of the creation, use, or trading is obtained;
2. Authorize emissions of an air pollutant so as to exceed levels prohibited pursuant to 40 CFR Part 72;
3. Authorize the use of allowances pursuant to 40 CFR Parts 72 through 78, inclusive, as a defense to noncompliance with any other applicable requirement; or
4. Impose limits on emissions from items or activities specified in RCSA §§22a-174-33(g)(3)(A) and -33(g)(3)(B) unless imposition of such limits is required by an applicable requirement.

M. INSPECTION TO DETERMINE COMPLIANCE [RCSA §22a-174-33(j)(1)(M)]

The commissioner may, for the purpose of determining compliance with this Title V permit and other applicable requirements, enter the premises at reasonable times to inspect any facilities, equipment, practices, or operations regulated or required under such permit; to sample or otherwise monitor substances or parameters; and to review and copy relevant records lawfully required to be maintained at such premises in accordance with this Title V permit. It shall be grounds for permit revocation should entry, inspection, sampling, or monitoring be denied or effectively denied, or if access to and the copying of relevant records is denied or effectively denied.

N. PERMIT AVAILABILITY

The Permittee shall have available at the facility at all times a copy of this Title V permit.

O. SEVERABILITY CLAUSE [RCSA §22a-174-33(j)(1)(R)]

The provisions of this Title V permit are severable. If any provision of this Title V permit or the application of any provision of this Title V permit to any circumstance is held invalid, the remainder of this Title V permit and the application of such provision to other circumstances shall not be affected.

P. NEED TO HALT OR REDUCE ACTIVITY [RCSA §22a-174-33(j)(1)(T)]

It shall not be a defense for the Permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this Title V permit.

Q. PERMIT REQUIREMENTS [RCSA §22a-174-33(j)(1)(V)]

The filing of an application or of a notification of planned changes or anticipated noncompliance does not stay the Permittee's obligation to comply with this Title V permit.

Section VI: Title V Requirements

R. PROPERTY RIGHTS [RCSA §22a-174-33(j)(1)(W)]

This Title V permit does not convey any property rights or any exclusive privileges. This Title V permit is subject to, and in no way derogates from any present or future property rights or other rights or powers of the State of Connecticut, and is further subject to any and all public and private rights and to any federal, state or local laws or regulations pertinent to the facility or regulated activity affected thereby, including CGS §4-181a(b) and RCSA §22a-3a-5(b). This Title V permit shall neither create nor affect any rights of persons who are not parties to this Title V permit.

S. ALTERNATIVE OPERATING SCENARIO RECORDS [RCSA §22a-174-33(o)(3)]

The Permittee shall, contemporaneously with making a change authorized by this Title V permit from one alternative operating scenario to another, maintain a record at the premises indicating when changes are made from one operating scenario to another and shall maintain a record of the current alternative operating scenario.

T. OPERATIONAL FLEXIBILITY AND OFF-PERMIT CHANGES [RCSA §22a-174-33(r)(2)]

The Permittee may engage in any action allowed by the Administrator in accordance with 40 CFR §§70.4(b)(12)(i) to (iii)(B), inclusive, and 40 CFR §§70.4(b)(14)(i) to (iv), inclusive, without a Title V non-minor permit modification, minor permit modification or revision and without requesting a Title V non-minor permit modification, minor permit modification or revision provided such action does not:

1. Constitute a modification under 40 CFR Part 60, 61 or 63;
2. Exceed emissions allowable under the subject permit;
3. Constitute an action which would subject the Permittee to any standard or other requirement pursuant to 40 CFR Parts 72 to 78, inclusive; or
4. Constitute a non-minor permit modification pursuant to RCSA §22a-174-2a(d)(4).

At least seven days before initiating an action specified in RCSA §22a-174-33(r)(2)(A), the Permittee shall notify the Administrator and the commissioner in writing of such intended action.

U. INFORMATION FOR NOTIFICATION [RCSA §22a-174-33(r)(2)(A)]

Written notification required under RCSA §22a-174-33(r)(2)(A) shall include a description of each change to be made, the date on which such change will occur, any change in emissions that may occur as a result of such change, any Title V permit terms and conditions that may be affected by such change, and any applicable requirement that would apply as a result of such change. The Permittee shall thereafter maintain a copy of such notice with the Title V permit. The commissioner and the Permittee shall each attach a copy of such notice to their copy of the Title V permit.

Section VI: Title V Requirements

V. TRANSFERS [RCSA §22a-174-2a(g)]

No person other than the Permittee shall act or refrain from acting under the authority of this Title V permit unless such permit has been transferred to another person in accordance with RCSA §22a-174-2a(g).

The proposed transferor and transferee of a permit shall submit to the commissioner a request for a permit transfer on a form provided by the commissioner. A request for a permit transfer shall be accompanied by any fees required by any applicable provision of the general statutes or regulations adopted thereunder. The commissioner may also require the proposed transferee to submit with any such request, the information identified in CGS §22a-6m.

W. REVOCATION [RCSA §22a-174-2a(h)]

The commissioner may revoke this Title V permit on his own initiative or on the request of the Permittee or any other person, in accordance with CGS §4-182(c), RCSA §22a-3a-5(d), and any other applicable law. Any such request shall be in writing and contain facts and reasons supporting the request. The Permittee requesting revocation of this Title V permit shall state the requested date of revocation and provide evidence satisfactory to the commissioner that the subject source is no longer a Title V source.

Pursuant to the Clean Air Act, the Administrator has the power to revoke this Title V permit. Pursuant to the Clean Air Act, the Administrator also has the power to reissue this Title V permit if the Administrator has determined that the commissioner failed to act in a timely manner on a permit renewal application.

This Title V permit may be modified, revoked, reopened, reissued, or suspended by the commissioner, or the Administrator in accordance with RCSA §22a-174-33(r), CGS §22a-174c, or RCSA §22a-3a-5(d).

X. REOPENING FOR CAUSE [RCSA §22a-174-33(s)]

This Title V permit may be reopened by the commissioner, or the Administrator in accordance with RCSA §22a-174-33(s).

Y. CREDIBLE EVIDENCE

Notwithstanding any other provision of this Title V permit, for the purpose of determining compliance or establishing whether a Permittee has violated or is in violation of any permit condition, nothing in this Title V permit shall preclude the use, including the exclusive use, of any credible evidence or information.