



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.

<b>Title V Permit Number</b>	075-0252-TV
<b>Client/ Sequence /Town/Premises Numbers</b>	5497/002/075/0158
<b>Date Issued</b>	April 26, 2018
<b>Revision Issue Date</b>	April 12, 2019
<b>Expiration Date</b>	April 26, 2023

**Corporation:**

*Materials Innovation and Recycling Authority*

**Premises Location:**

*South Meadow Station, Reserve-Maxim Roads, Hartford, Connecticut 06114*

**Name of Responsible Official and Title:**

*Thomas D. Kirk, President*

All the following attached pages, 2 through 29, are hereby incorporated by reference into this Title V Operating Permit.

/s/ Betsey C. Wingfield  
Betsey C. Wingfield  
Deputy Commissioner

4/12/2019  
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>
AEL	Allowable Emission Limit
CAIR	Clean Air Interstate Rule
CFR	Code of Federal Regulations
CGS	Connecticut General Statutes
CO	Carbon Monoxide
DEEP	Department of Energy and Environmental Protection
DERC	Discrete Emission Reduction Credit
EPA	Environmental Protection Agency
FLER	Full Load Emission Rate
GEU	Grouped Emissions Units
HAP	Hazardous Air Pollutant
hr	Hour
lb	Pound
MIRA	Materials Innovation and Recycling Authority
MMBtu	Million British thermal units
NO <sub>x</sub>	Nitrogen Oxides
NOS	Non-Ozone Season
PM	Particulate Matter
ppm	Parts per million
ppmvd	Parts per million, volumetric basis dry
R	Registration
RACT	Reasonably Available Control Technology
RCSA	Regulations of Connecticut State Agencies
SIC	Standard Industrial Classification Code
SO <sub>2</sub>	Sulfur Dioxide
SO <sub>x</sub>	Sulfur Oxides

## Section I: Premises Information/Description

### A. PREMISES INFORMATION

Nature of Business: Electric Power Generation  
Primary SIC: 4911  
Other SIC: None

Facility Mailing Address: Materials Innovation and Recycling Authority  
200 Corporate Place, Suite 202  
Rocky Hill, CT 06067-1861

Telephone Number: (860) 757-7700

### B. PREMISES DESCRIPTION

Materials Innovation and Recycling Authority (MIRA) owns the South Meadow Station (the Station) to generate electricity for grid reliability purposes. MIRA contracts station operations and maintenance to a third party contractor, currently NAES Corporation. The Station is located at the intersection of Reserve and Maxim Roads in Hartford, Connecticut.

The Station is a major source for NO<sub>x</sub> and SO<sub>x</sub> emissions. MIRA also owns the Mid-Connecticut Resource Recovery Facility which is located on the same premises. The Resource Recovery Facility exceeds the major source thresholds for NO<sub>x</sub>, PM, CO and HAPs, and operates under the primary SIC of 4953. Therefore, the combined facilities constitute a single Title V source under RCSA section 22a-174-33(a)(10). As the facilities are independently operated and each facility is itself a Title V source, separate permits are issued to each facility.

There are eight identical Pratt and Whitney FT4A-9 or four twin-pack turbine engines; installed in 1970. These turbine engines are identified as Units 11A and B, 12A and B, 13A and B, and 14A and B. Each generator has two turbines and each turbine has its individual exhaust stack. Both units in a twin-pack usually operate simultaneously when the electricity is being generated. Each of the eight turbines has a maximum firing rate of 1,900 gallons per hour (255 MMBtu/hr) of distillate fuel. There are no emission control devices or monitoring equipment associated with these units.

The turbine engines are registered under Registration Nos. 075-0260-R through 075-0267-R. For the purpose of this Title V permit, these turbine engines are grouped together as GEU-1. The turbines are also subject to the terms and conditions of Trading Agreement and Order No. 8359 prior to June 1, 2018 and Trading Agreement and Order No. 8369 on and after June 1, 2018 for alternative NO<sub>x</sub> RACT compliance.

## 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 Orders or Registrations into this Title V permit.

<b>TABLE II.A: EMISSIONS UNITS DESCRIPTION</b>				
<b>Emissions Unit/ Grouped Emission Unit</b>	<b>Emissions Unit Description</b>	<b>Control Unit Description</b>	<b>Order or Registration Number</b>	
GEU-1	Pratt & Whitney FT4A-9 Turbine Engine, Unit 11A	None	075-0260-R	Prior to June 1, 2018: Trading Agreement and Order No. 8359; On and After June 1, 2018: Trading Agreement and Order No. 8369
	Pratt & Whitney FT4A-9 Turbine Engine, Unit 11B	None	075-0261-R	
	Pratt & Whitney FT4A-9 Turbine Engine, Unit 12A	None	075-0262-R	
	Pratt & Whitney FT4A-9 Turbine Engine, Unit 12B	None	075-0263-R	
	Pratt & Whitney FT4A-9 Turbine Engine, Unit 13A	None	075-0264-R	
	Pratt & Whitney FT4A-9 Turbine Engine, Unit 13B	None	075-0265-R	
	Pratt & Whitney FT4A-9 Turbine Engine, Unit 14A	None	075-0266-R	
	Pratt & Whitney FT4A-9 Turbine Engine, Unit 14B	None	075-0267-R	

### B. OPERATING SCENARIO IDENTIFICATION

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

<b>TABLE II.B: OPERATING SCENARIO IDENTIFICATION</b>	
<b>Emissions Units Associated with the Scenario</b>	<b>Description of Scenario</b>
GEU-1	The standard operation of the eight Pratt & Whitney FT4A-9 turbine engines is the firing of low sulfur distillate fuel to generate electricity for sale to the grid.

### Section III: Applicable Requirements and Compliance Demonstration

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

#### A. GROUPED EMISSIONS UNIT 1 (GEU-1) Eight Pratt & Whitney FT4A-9 Turbine Engines

##### 1. Fuel Usage, Fuel Sulfur Content, and Sulfur Dioxide Emissions

###### a. Limitation or Restriction

- i. Unless such fuel is not available for purchase in the state, the Permittee shall use only ultra low sulfur distillate fuel (i.e. distillate containing 15 ppm or less sulfur). The Permittee shall be allowed to utilize its existing inventory of low sulfur distillate fuel (i.e., distillate containing 500 ppm or less sulfur) that it has stored on-site as of August 14, 2012.  
[Modification of Registration Nos. 075-0260-R through 075-0267-R dated August 8, 2012]
- ii. In the event that ultra low sulfur distillate fuel is not available for purchase in the state, the Permittee may use a distillate fuel which contains not more than 500 ppm sulfur. [Modification of Registration Nos. 075-0260-R through 075-0267-R dated August 8, 2012]

###### b. Monitoring Requirements

The Permittee shall calibrate, maintain, and operate a fuel flow meter to continuously monitor fuel feed and heat input to each twin-pack emission unit (Engine A and Engine B) described in Table II.A of this Title V permit. [Trading Agreement and Order No. 8359 Paragraph B.15 prior to June 1, 2018; No. 8369 Paragraph B.16 on and after June 1, 2018]

###### c. Record Keeping Requirements

- i. The Permittee shall make and maintain records of the monthly and consecutive 12 month fuel usage for the eight Pratt & Whitney turbine engines. [RCSA §22a-174-4(d)(1)]
- ii. The Permittee shall make and maintain records of each event that ultra low sulfur distillate fuel was unavailable for purchase. The Permittee shall also make and maintain records to demonstrate that sufficient requests were made to various fuel suppliers to procure ultra low sulfur distillate fuel. [RCSA §22a-174-4(d)(1)]
- iii. The Permittee shall make and maintain records of the sulfur content of the fuel burned in the eight Pratt & Whitney turbine engines. Records for a fuel certification shall include the following information: the date of delivery, the name of the fuel supplier, type of fuel delivered, the percentage of sulfur in such fuel, by weight (dry basis), and the method used to determine the sulfur content of such fuel. Records for a contract shall include the following information: the name of the fuel supplier, the type of fuel delivered, and the percentage of sulfur in such fuel, by weight (dry basis). [RCSA §22a-174-4(d)(1) and §22a-174-19a(i)(1)]

###### d. Reporting Requirements

- i. The Permittee shall submit records made pursuant to Section III.A.1.c.ii of this Title V permit to the commissioner within 30 days following the purchase of any fuel with a sulfur content greater than 15 ppm. [RCSA §22a-174-4(d)(1)]

### Section III: Applicable Requirements and Compliance Demonstration

- ii. The Permittee shall, as part of any compliance certification pursuant to RCSA §22a-174-33(q)(2), certify in writing to the commissioner compliance with the applicable provisions of RCSA §22a-174-19a. Such certification shall include actual quarterly SO<sub>2</sub> emissions in tons and either average quarterly fuel sulfur content or average quarterly emission rate, whichever is applicable, for each affected unit. [RCSA §22a-174-19a(j)(1)]

#### 2. Particulate Matter

##### a. Limitation or Restriction

The Permittee shall emit no more than 0.120 lb of particulate matter per MMBtu of heat input for distillate fuel burned. [RCSA §22a-174-18(e)(2)(B)]

##### b. Monitoring Requirements

The Permittee shall conduct a stack test for particulate emissions from each unit using an EPA approved Method 5 in 40 CFR Part 60 in accordance with RCSA §22a-174-5(b)(5). Testing may be modified or adjusted in accordance with RCSA §22a-174-5(d). For each unit, the Permittee shall submit an intent-to-test protocol to the DEEP within 30 days of the date that the aggregate number of operating hours from the unit totals 168 hours of operation as counted from the prior such 168 hours. The initial 168 hour period for each unit shall commence with the issue date of August 14, 2012. Hours of operation during DEEP approved stack testing shall not be counted toward the 168 hours. Each unit shall be stack tested at least once every five consecutive years, or each time the unit's total operating hours meets or exceeds 168 hours, whichever comes first. [RCSA §22a-174-33(j)(1)(K)(ii)]

##### c. Record Keeping Requirements

- i. The Permittee shall make and maintain records of the results of the stack tests for particulate matter. [RCSA §22a-174-4(d)(1)]
- ii. The Permittee shall make and maintain records of the hours of operation for each unit. The Permittee shall make and keep running totals of the hours of operation of each of the units and record the occurrence of each block of 168 hours of aggregate operations for each unit. Hours of operation during DEEP approved stack testing shall not be counted toward the 168 hours. [RCSA §22a-174-4(d)(1)]

##### d. Reporting Requirements

The Permittee shall submit a written report of the results of the stack test for particulate matter to the commissioner within 60 days of the completion of such test. [RCSA §22a-174-4(d)(1)]

#### 3. Opacity

##### a. Limitation or Restriction

The Permittee shall not exceed the following visible emissions limits:

- i. 20% opacity during any six-minute block average as measured by 40 CFR Part 60, Appendix A, Reference Method 9; or
- ii. 40% opacity as measured by 40 CFR Part 60, Appendix A, Reference Method 9, reduced to a one-minute block average. [RCSA §22a-174-18(b)(1)]



### Section III: Applicable Requirements and Compliance Demonstration

#### *b. Monitoring and Testing Requirements*

The Permittee shall have one or more certified opacity observers conduct a test for opacity from each unit during each event of unit operation using an EPA approved Reference Method 9 in 40 CFR Part 60 in accordance with RCSA §22a-174-5. Testing shall be conducted within 120 minutes of startup of the unit. Testing of each unit shall occur for each unit startup. [RCSA §22a-174-33(j)(1)(K)(ii)]

#### *c. Record Keeping Requirements*

The Permittee shall make and maintain records of 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. Records shall include the time of each unit startup. [RCSA §22a-174-4(d)(1)]

#### *d. Reporting Requirements*

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. [RCSA §22a-174-33(j)(1)(X)]

### 4. Nitrogen Oxide Emissions

#### *a. Limitation or Restriction*

- i. Prior to June 1, 2018, the Permittee shall comply with the NO<sub>x</sub> emission limitation of 75 ppmvd for the eight Pratt & Whitney turbine engines corrected to 15% oxygen. This limit is approximately equivalent to 0.289 lb/MMBtu. [RCSA §22a-174-22(e) Table 22-1]
- ii. Prior to June 1, 2018, the Permittee shall comply with the NO<sub>x</sub> emission limitation of 0.15 lb/MMBtu during the period from October 1 to April 30, inclusive. [RCSA §22a-174-22(e)(3)]
- iii. The Permittee may use NO<sub>x</sub> DERCs to comply with the applicable emission limitation contained in subsection RCSA §22a-174-22(e) pursuant to a permit or order issued by the commissioner. [RCSA §22a-174-22(j)(1)]
- iv. Effective June 1, 2018 and ending May 31, 2023, the Permittee shall comply with the following NO<sub>x</sub> emission limitations (corrected to 15% oxygen for units of ppmvd) during Phase 1 compliance implementation:
  - (A) 75 ppmvd or 0.289 lb/MMBtu (daily block average); [RCSA §22a-174-22e(d)(4)(A)]
  - (B) 50 ppmvd or 0.19 lb/MMBtu (5 month average) during the period from May 1 to September 30, inclusive; and 0.15 lb/MMBtu (7 month average) during the period from October 1 to April 30, inclusive. [RCSA §22a-174-22e(d)(4)(B)]
- v. Effective on and after June 1, 2018, the Permittee may use existing, banked, NO<sub>x</sub> DERCs to comply with the applicable emissions limitations in Section III.A.4.a.iv of this Title V permit in accordance with an order or permit modification issued by the commissioner. [RCSA §22a-174-22e(g)(4)(D)]
- vi. Effective on and after June 1, 2023, the Permittee shall comply with the following NO<sub>x</sub> emission limitations (corrected to 15% oxygen for units of ppmvd) during Phase 2 compliance implementation:

### **Section III: Applicable Requirements and Compliance Demonstration**

- (A) 50 ppmvd (daily block average); and [RCSA §22a-174-22e(d)(4)(C)]
- (B) 0.15 lb/MMBtu (7 month average) during the period for the Non-Ozone season from October 1 to April 30. [RCSA §22a-174-22e(d)(4)(D)]
- vii. The Permittee shall submit a plan to the commissioner to operate each emission unit in accordance with a compliance option identified in Section III.A.4.a.viii of this Title V permit. Such a plan shall be submitted to the commissioner no later than September 1, 2021, for a Phase 2 emissions limitation for which a compliance option shall be established by the commissioner through the issuance of an order or permit modification. Compliance with a Phase 2 emissions limitation shall be implemented no later than June 1, 2023. [RCSA §22a-174-22e(g)(1) & (4)]
- viii. A plan to operate in accordance with a compliance option shall include the following information: [RCSA §22a-174-22e(g)(7)]
  - (A) Legal name(s), address(es) and telephone number(s) of the owner and operator of the emission unit that is the subject of the compliance option. If the owner or operator is a corporation or a limited partnership transacting business in Connecticut, provide the exact name as registered with the Secretary of the State;
  - (B) Location address of the premises where the emission unit is located;
  - (C) Make and model of the emission unit;
  - (D) Actual emissions data, if available, or the manufacturer's estimates of emissions, if available;
  - (E) Identification of the compliance option that is the subject of the request and an explanation of the actions that will be taken to operate in compliance with that option. If the chosen option requires physical modification of an emission unit at the facility, a schedule for the modifications;
  - (F) An estimate of the NOx emissions reductions achieved through compliance with the chosen option, including baseline emissions and the anticipated reduction achieved, and a comparison of the NOx emissions reductions achieved through compliance with the chosen option to the NOx emissions reductions that would have occurred if the emission unit complied with the emissions limitations in subsection (d) of this section; and
  - (G) Any other information requested by the commissioner upon reviewing the request.
- ix. The use of NOx DERCs for the purpose of complying with NOx emission limitations shall be: [RCSA §22a-174-22e(g)(10)]
  - (A) Consistent with the provisions of 40 CFR Part 51 Subpart U and the U.S. Environmental Protection Agency's "Improving Air Quality with Economic Incentive Programs," (EPA-452/R-01-001: January 2001); and
  - (B) Used within five calendar years of the year of generation.
- x. Unless otherwise specified in a permit or order, every compliance option provided in RCSA §22a-174-22e(g) shall expire no later than May 1, 2028, by which date the subject emission unit shall comply with the applicable emissions limitations of RCSA §22a-174-22e(d) or cease operation.

### Section III: Applicable Requirements and Compliance Demonstration

[RCSA §22a-174-22e(g)(11)]

#### *b. Monitoring and Testing Requirements*

- i. The Permittee shall conduct emission testing to demonstrate compliance with the NO<sub>x</sub> emission limitation once every five years from the date of the previous test or five years from the date the previous test was due, whichever is earlier. [RCSA §22a-174-22(k)(1)]
- ii. The Permittee shall conduct an initial NO<sub>x</sub> emissions test on a date during Phase 1 that is no more than 63 calendar months following the date of the last NO<sub>x</sub> emission test performed pursuant to former RCSA §22a-174-22(k). [RCSA §22a-174-22e(1)(4)]
- iii. The Permittee shall conduct the NO<sub>x</sub> emission test following the initial NO<sub>x</sub> emissions test on a date after May 31, 2023 and no later than June 1, 2025. Subsequently, The Permittee shall conduct NO<sub>x</sub> emission tests within every 63 calendar months following the date the previous NO<sub>x</sub> emission test was conducted or the date the previous NO<sub>x</sub> emission test was required to be conducted, whichever is earlier. [RCSA §22a-174-22e(1)(5)]
- iv. The Permittee shall demonstrate compliance with the NO<sub>x</sub> emission limitation using sampling and analytical procedures approved under 40 CFR Part 60, Appendix A or, under 40 CFR 75 (effective on and after June 1, 2018), or under procedures in RCSA §22a-174-5(d). Sampling shall be conducted when the source is at normal operating temperature and, unless allowed otherwise by the commissioner in a permit or order, is operating at or above 90% of maximum capacity, except as follows:  
[RCSA §22a-174-22(k)(2) and §22a-174-22e(1)(7)]
  - (A) If the commissioner determines that operating at or above 90% of maximum capacity for an emission unit during sampling is not reasonable given the location, configuration or operating conditions of an emission unit, the commissioner may approve testing of an emission unit at an alternative maximum capacity where compliance with the emissions limitations of RCSA §22a-174-22 and subsection (d) of RCSA §22a-174-22e shall be determined based on operating at or above 90% of the alternative maximum capacity approved by the commissioner; and
  - (B) Any emission unit that has operated in excess of 100% of its maximum capacity at any time since the most recent performance test performed pursuant to RCSA §22a-174-22e(1) shall be tested when the emission unit is operating at or above 90% of its highest operating rate since the most recent performance test performed pursuant to RCSA §22a-174-22e(1).

#### *c. Record Keeping Requirements*

- i. The Permittee shall make and keep the following records pursuant to RCSA §22a-174-22 and the following records on and after May 1, 2018 pursuant to RCSA §22a-174-22e:
  - (A) The date and work performed on tune-ups, repairs, replacement of parts and other maintenance;
  - (B) Copies of all document submitted to the commissioner pursuant to RCSA §22a-174-22 and §22a-174-22e;
  - (C) Records of the dates, times, and place of all emission testing required by RCSA §22a-174-22 and §22a-174-22e, the person performing the measurements, the testing methods used, the operating conditions at the time of testing, and the results of such testing; and
  - (D) Any other records or reports required by an order or permit issued by the commissioner pursuant to

### Section III: Applicable Requirements and Compliance Demonstration

RCSA §22a-174-22 and §22a-174-22e.

[RCSA §§22a-174-22(l)(1)(D), (E), (H) and (J) and §§22a-174-22e(j)(2)(B), (C), (F) and (G)]

- ii. The Permittee shall retain all records and reports produced pursuant to the requirements of RCSA §22a-174-22 and §22a-174-22e for five years. Such records and reports shall be available for inspection at reasonable hours by the commissioner or the administrator. Such records and reports shall be retained at the source, unless the commissioner approves in writing the use of another location in the State of Connecticut. [RCSA §22a-174-22(l)(5) and §22a-174-22e(j)(1)]

#### d. Reporting Requirements

- i. Within 30 days of the completion of emission tests conducted under the requirements of RCSA §22a-174(22)(k)(1), the Permittee shall submit a written report of the results of such testing to the commissioner. [RCSA §22a-174-22(l)(2)]
- ii. The Permittee shall comply with the applicable reporting requirements specified in RCSA §22a-174-22e(k).

### 5. NO<sub>x</sub> RACT

#### a. Limitation or Restriction

- i. The Permittee shall comply with the applicable NO<sub>x</sub> emission limitation and AEL by means of emissions trading in accordance with provisions of Trading Agreement and Order No. 8359 and No. 8369 because the actual NO<sub>x</sub> emissions rate from the eight Pratt & Whitney turbine engines, at times, exceeds the corresponding AEL in Table 1 from the Trading Agreement and Order No. 8359 and No. 8369, respectively. [Trading Agreement and Order No. 8359 prior to June 1, 2018; No. 8369 on and after June 1, 2018 Paragraph B]
- ii. The Permittee shall use FLER identified in Table 1 from the Trading Agreement and Order No. 8359 and No. 8369, respectively, for the purposes of calculating Actual DERCs Required. [Trading Agreement and Order No. 8359 Paragraph B.7 prior to June 1, 2018; No. 8369 on and after June 1, 2018]
- iii. The Permittee shall utilize a fuel flow meter to continuously monitor fuel feed and heat input to each twin-pack emission unit (engine A and engine B) of the eight Pratt & Whitney turbine engines described in Table 1 of the Trading Agreement and Order No. 8359 and No. 8369, respectively. [Trading Agreement and Order No. 8359 Paragraph A.8 prior to June 1, 2018; No. 8369 on and after June 1, 2018]
- iv. The Permittee may only use emissions trading, subject to the provisions of the Trading Agreement and Order No. 8359 and No. 8369, respectively, until the date of expiration of this Trading Agreement and Order. The date of expiration of the Trading Agreement and Order No. 8359 and No. 8369, respectively, shall be the earlier of:  
[Trading Agreement and Order No. 8359 Paragraph B.1 prior to June 1, 2018; No. 8369 on and after June 1, 2018]
  - (A) May 31, 2018 for Trading Agreement and Order No. 8359 and May 31, 2023 for Trading Agreement and Order No. 8369;
  - (B) The date upon which the Permittee demonstrates to the commissioner's satisfaction that actual NO<sub>x</sub> emissions from the eight Pratt & Whitney turbine engines, at all times, does not exceed the

### **Section III: Applicable Requirements and Compliance Demonstration**

corresponding AEL(s);

- (C) The date specified in any written notice from the commissioner stating that the Permittee is no longer allowed to use emissions trading due to the Permittee's violation of any provision of the Trading Agreement and Order No. 8359 and No. 8369, respectively; or
- (D) The date specified in any written notice from the commissioner, notifying the Permittee that the commissioner has determined the use of emissions trading as a compliance option has been further restricted, modified or nullified by:
  - (1) the promulgation of an Act, Statute, or Regulations; or
  - (2) the issuance of a judgment or court order.
- v. The Permittee shall obtain and use sufficient DERCs in such a manner as to comply with Paragraphs B.7 and B.8 of the Trading Agreement and Order No. 8359 and Paragraphs B.7 through B.9 of the Trading Agreement and Order No. 8369, respectively. All DERCs used during the Ozone Season for each of the eight Pratt & Whitney turbine engines described in Table 1 shall have been generated during an Ozone Season. [Trading Agreement and Order No. 8359 Paragraph B.2 prior to June 1, 2018; No. 8369 on and after June 1, 2018]
- vi. Vintage Restriction: For the purposes of compliance with RCSA §22a-174-22 and the provisions of the Trading Agreement and Order No. 8359 and No. 8369, respectively, DERCs shall only remain valid for five calendar years from the year of the generation of such DERCs. DERCs older than five calendar years from their creation are not valid for use for compliance with RCSA §22a-174-22, §22a-174-22e, and the provisions of the Trading Agreement and Order No. 8359 and No. 8369, respectively. Ozone Season DERCs generated by a CAIR NOx Ozone Season Unit during 2013 shall remain valid until December 31, 2018. [Trading Agreement and Order No. 8359 Paragraph B.3 prior to June 1, 2018; No. 8369 on and after June 1, 2018]
- vii. The Permittee shall not cause or allow actual NOx emissions from the operation of the eight Pratt & Whitney turbine engines described in Table 1 of the Trading Agreement and Order No. 8359 and No. 8369, respectively, to exceed the corresponding FLERs. Compliance with the corresponding FLERs specified in Table 1 shall be determined based on the results of emissions testing performed in accordance with RCSA §22a-174-22 prior to June 1, 2018 and §22a-174-22e(1) on and after June 1, 2018 or NOx emissions monitored and recorded by a continuous emissions monitoring system that was approved by the commissioner and that complies with RCSA §22a-174-4 and either 40 CFR Part 60, Appendices B & F or 40 CFR Part 75. [Trading Agreement and Order No. 8359 Paragraph B.4 prior to June 1, 2018; No. 8369 on and after June 1, 2018]
- viii. Ozone Season Fuel Use Restriction: Notwithstanding the provisions of Paragraph B.2 of the Trading Agreement and Order No. 8359 and No. 8369, respectively, when operating the eight Pratt & Whitney turbine engines described in Table 1 during the Ozone Season, the Permittee shall operate the eight Pratt & Whitney turbine engines while firing or co-firing the lowest NOx emitting fuel type or combination of fuel types that are authorized to burn in accordance with Departmental permit, registration, or applicable regulation. [Trading Agreement and Order No. 8359 Paragraph B.5 prior to June 1, 2018; No. 8369 on and after June 1, 2018]
- ix. Notwithstanding Paragraph B.5 of the Trading Agreement and Order No. 8359 and No. 8369, respectively, during the Ozone Season, the Permittee may operate the eight Pratt & Whitney turbine engines on fuels that result in higher emissions of NOx, if either:

### **Section III: Applicable Requirements and Compliance Demonstration**

[Trading Agreement and Order No. 8359 Paragraph B.6 prior to June 1, 2018; No. 8369 on and after June 1, 2018]

- (A) the availability of fuel oil that complies with Paragraph B.5 is inadequate to meet the needs of residential, commercial and industrial users in this state and that such inadequate supply constitutes an emergency; or
- (B) the supply of gaseous fuels to the emission units is interrupted due to inadequate supply or in accordance with an interruptible supply agreement between the Permittee and the gaseous fuel supplier.

#### *b. Monitoring, Maintenance and Tune-up, and Testing Requirements*

- i. Not more than one year from the date of issuance of the Trading Agreement and Order No. 8359 and No. 8369, respectively, the Permittee shall perform maintenance and inspection of the eight Pratt & Whitney turbine engines. Such maintenance and inspection shall include, but not be limited to, the following:  
[Trading Agreement and Order No. 8359 Paragraph B.11 prior to June 1, 2018; No. 8369 Paragraph B.12 on and after June 1, 2018]
  - (A) Inspect the combustion system, and clean or replace any components of the combustion system as necessary, in accordance with manufacturer's specification or current good engineering practice;
  - (B) Inspect the system controlling the air-to-fuel ratio, and ensure that it is calibrated and functioning in accordance with the manufacturer's specifications or current good engineering practice;
  - (C) Measure the operating parameters of each of the eight Pratt & Whitney turbine engines used to determine that the eight Pratt & Whitney turbine engines are operating in accordance with manufacturer's specification or current good engineering practice prior to and after any adjustments are made during maintenance, tune-up, or inspection activity.
- ii. The Permittee shall calibrate, maintain and operate a fuel flow meter to continuously monitor fuel feed and heat input to each twin-pack emission unit (engine A and engine B) of the eight Pratt & Whitney turbine engines described in Table 1 of the Trading Agreement and Order No. 8359 and No. 8369, respectively.  
[Trading Agreement and Order No. 8359 Paragraph B.15 prior to June 1, 2018; No. 8369 Paragraph B.16 on and after June 1, 2018]
- iii. The Permittee shall perform emissions testing in accordance with RCSA §22a-174-22(k) prior to June 1, 2018 and §22a-174-22e(l) on and after June 1, 2018 for each of the eight Pratt & Whitney turbine engines described in Table 1 of the Trading Agreement and Order No. 8359 and No. 8369, respectively, that is not equipped with a continuous emissions monitoring system that was approved by the commissioner and that complies with RCSA §22a-174-4 and either 40 CFR Part 60, Appendices B & F or 40 CFR Part 75.  
[Trading Agreement and Order No. 8359 Paragraph B.18 prior to June 1, 2018; No. 8369 Paragraph B.19 on and after June 1, 2018]

#### *c. Record Keeping Requirements*

- i. The Permittee shall make and keep records including, but not limited to, the following, set forth in the Trading Agreement and Order No. 8359 Paragraph B.11.d and No. 8369 Paragraph B.12.d:
  - (A) Demonstration that any maintenance, tune-up, and/or inspection activity performed on the eight Pratt & Whitney turbine engines described in Table 1 in accordance with Paragraph B.11 of the Trading Agreement and Order No. 8359 and Paragraph B.12 of the Trading Agreement and Order No. 8369

### **Section III: Applicable Requirements and Compliance Demonstration**

have been performed in accordance with the manufacturer's specifications or current good engineering practice,

- (B) The date and a description of any maintenance, tune-up, and/or inspection activity performed on the eight Pratt & Whitney turbine engines described in Table 1 in accordance with Paragraph B.11 of the Trading Agreement and Order No. 8359 and Paragraph B.12 of the Trading Agreement and Order No. 8369,
  - (C) The name, title and affiliation of the person conducting any maintenance, tune-up, and/or inspection activity performed on the eight Pratt & Whitney turbine engines described in Table 1 in accordance with Paragraph B.11 of the Trading Agreement and Order No. 8359 and Paragraph B.12 of the Trading Agreement and Order No. 8369,
  - (D) The operating parameters of the emission units used to determine that the eight Pratt & Whitney turbine engines are operating in accordance with manufacturer's specification or current good engineering practice prior to and after any adjustments are made during maintenance, tune-up, or inspection activity performed in accordance with Paragraph B.11 of the Trading Agreement and Order No. 8359 and Paragraph B.12 of the Trading Agreement and Order No. 8369.
- ii. The Permittee shall keep the following records set forth in the Trading Agreement and Order No. 8359 Paragraph B.12 and No. 8369 Paragraph B.13, respectively:
- (A) By the close of each calendar day, the Permittee shall record the actual fuel type and the actual quantity of each type of fuel in units of volume per day or MMBtu per day for each fuel used on the preceding day in each emission unit described in Trading Agreement and Order No. 8359 and No. 8369, respectively. [Trading Agreement and Order No. 8359 Paragraph B.12.a prior to June 1, 2018; No. 8369 Paragraph B.13.a on and after June 1, 2018]
  - (B) On or before the first day of each calendar month, the Permittee shall record the number of DERC's and corresponding serial numbers and vintages for all DERCs in its possession on the first calendar day of that calendar month. [Trading Agreement and Order No. 8359 Paragraph B.12.b prior to June 1, 2018; No. 8369 Paragraph B.13.b on and after June 1, 2018]
  - (C) On or before the first day of each calendar month, the Permittee shall record the number of DERCs and corresponding serial numbers, vintages, purchase/sales dates, and seller/buyer for all DERCs purchased or sold during the preceding calendar month. [Trading Agreement and Order No. 8359 Paragraph B.12.c prior to June 1, 2018; No. 8369 Paragraph B.13.c on and after June 1, 2018]
  - (D) On or before the first day of each calendar month, the Permittee shall record the Estimated DERCs Required for that calendar month determined in accordance with the following requirement: [Trading Agreement and Order No. 8359 Paragraph B.12.d prior to June 1, 2018; No. 8369 Paragraph B.13.d on and after June 1, 2018]

On the first day of each calendar month, the Permittee shall possess a quantity of DERCs that equals or exceeds the quantity of Actual DERCs Required in that month. Compliance with this trading agreement and order requirement shall be determined as follows:  
[Trading Agreement and Order No. 8359 Paragraph B.7.a prior to June 1, 2018; No. 8369 on and after June 1, 2018]

Before the first day of each month, the Permittee shall estimate DERCs required for such calendar month for the emission units described in Table II.A of this Title V permit as follows:

### Section III: Applicable Requirements and Compliance Demonstration

$$\text{Estimated DERCs Required} = \frac{\text{Estimated Fuel Use} \frac{\text{MMBtu}}{\text{Month}} \times \left( \text{FLER} \frac{\text{lb}}{\text{MMBtu}} - (0.95 \times \text{AEL}) \right)}{2,000 \frac{\text{lb}}{\text{ton}}}$$

Where:

AEL = Allowable Emission Limit, as defined in Paragraph A.4 of the Trading Agreement and Order No. 8359 and No. 8369, respectively

Discount (0.95) = 5% design margin applied to the AEL

- (E) On or before the 20th calendar day of each month, the Permittee shall record the Actual DERCs Required for the preceding calendar month determined in accordance with the following requirement: [Trading Agreement and Order No. 8359 Paragraph B.12.e prior to June 1, 2018; No. 8369 Paragraph B.13.e on and after June 1, 2018]

No later than the 20th day of each month, the Permittee shall calculate actual DERCs used in the preceding calendar month for the emission unit described in Table II.A as follows:

[Trading Agreement and Order No. 8359 Paragraph B.7.b prior to June 1, 2018; No. 8369 on and after June 1, 2018]

$$\text{Actual DERCs Required} = \frac{\text{Monthly Fuel Use} \frac{\text{MMBTU}}{\text{Month}} \times \left( \text{FLER} \frac{\text{lb}}{\text{MMBtu}} - (0.95 \times \text{AEL}) \right)}{2,000 \frac{\text{lb}}{\text{ton}}}$$

- (F) On or before January 31 of each calendar year, the Permittee shall record the quantity of DERCs deducted for the preceding year in accordance with the following requirements and shall include the serial number and vintage of each DERC deducted from the Permittee's current balance as follows: [Trading Agreement and Order No. 8359 Paragraph B.12.f prior to June 1, 2018; No. 8369 Paragraph B.13.f on and after June 1, 2018]

On or before January 31 of each calendar year, the Permittee shall deduct a quantity of DERCs from the current balance of DERCs possessed by the Permittee such that the total is equal to the sum of Actual DERCs Required pursuant to Section III.A.5.c.ii(E) of this Title V permit for the preceding calendar year, rounded up to the nearest whole ton.

[Trading Agreement and Order No. 8359 Paragraph B.9 prior to June 1, 2018; No. 8369 Paragraph B.10 on and after June 1, 2018]

- (G) Not more than 90 days after the completion of each Non-Ozone Season, the Permittee shall deduct a quantity of DERCs from the current balance of DERCs possessed by the Permittee such that the total is equal to actual Non-Ozone Season DERCs required for the most recently completed Non-Ozone Season. The Permittee shall record the Non-Ozone Season average NOx emission rate for the emission units described in Table II.A of this Title V permit, the quantity of DERCs possessed on the first day of the Non-Ozone Season, and the quantity of DERCs deducted in accordance with the following requirements: [Trading Agreement and Order No. 8359 Paragraphs B.10 and B.12.g prior to June 1, 2018; No. 8369 Paragraphs B.11 and B.13.g on and after June 1, 2018]

In addition to the requirements of Sections III.A.5.c.ii(D) and (E) of this Title V permit, on the first day of each Non-Ozone Season, the Permittee shall possess a quantity of DERCs that equals or exceeds the quantity of Non-Ozone Season actual DERCs required for that Non-Ozone season. Compliance with this requirement shall be determined as follows:



### Section III: Applicable Requirements and Compliance Demonstration

- (1) Before the first day of each Non-Ozone Season, the Permittee shall estimate DERCs required for that Non-Ozone Season for each emission unit described in Table II.A based on the average actual NOx emission rate from the emission unit and an emission limit of 0.15 lb/MMBtu as follows:

$$\text{Estimated NOS DERCs Required} = \frac{\text{Estimated NOS Fuel Use} \frac{\text{MMBtu}}{\text{NOS}} \times \left( \text{FLER} \frac{\text{lb}}{\text{MMBtu}} - (0.95 \times 0.15) \right)}{2,000 \frac{\text{lb}}{\text{ton}}}$$

Where:

NOS = Non-Ozone Season

Fuel Use = MMBtu/NOS

FLER = lb/MMBtu

- (2) No later than 30 days after the end of each Non-Ozone Season, the Permittee shall calculate actual Non-Ozone Season DERCs used during that Non-Ozone Season for each emission unit as follows:

$$\text{Actual NOS DERCs Required} = \left[ \frac{\text{Actual NOS Fuel Use} \frac{\text{MMBtu}}{\text{NOS}} \times \left( \text{FLER} \frac{\text{lb}}{\text{MMBtu}} - (0.95 \times 0.15) \right)}{2,000 \frac{\text{lb}}{\text{ton}}} \right] - \sum \text{DERCs}$$

Where:

ΣDERCs = The sum of the DERCs required for all months of the Non-Ozone Season calculated pursuant to Section III.A.5.c.ii(E) of this Title V permit.

[Trading Agreement and Order No. 8359 Paragraph B.8 prior to June 1, 2018; No. 8369 Paragraph B.9 on and after June 1, 2018]

On and after June 1, 2018, the Permittee shall comply with Trading Agreement and Order No. 8369. The Trading Agreement and Order No. 8369 includes the following Ozone Season DERC Use:

In addition to the requirements of Sections III.A.5.c.ii(D) and (E) of this Title V permit, on the first day of each Ozone Season, the Permittee shall possess a quantity of DERCs that equals or exceeds the quantity of Ozone Season Actual DERCs required for that Ozone Season. Compliance with this requirement shall be determined as follows:

- (1) Before the first day of each Ozone Season, the Permittee shall estimate DERCs required for that Ozone Season for each emission unit described in Table II.A based on the average actual NOx emission rate from the emission unit and an emission limit of 0.19 lb/MMBtu as follows:

$$\text{Estimated Ozone Season DERCs Required} = \frac{\text{Estimated Ozone Season Fuel Use} \frac{\text{MMBtu}}{\text{Ozone Season}} \times \left( \text{FLER} \frac{\text{lb}}{\text{MMBtu}} - (0.95 \times 0.19) \right)}{2,000 \frac{\text{lb}}{\text{ton}}}$$

Where:

Fuel Use = MMBtu/Ozone Season

FLER = lb/MMBtu

- (2) No later than 30 days after the end of each Ozone Season, the Permittee shall calculate Actual Ozone Season DERCs used during that Ozone Season for each emission unit as follows:

$$\text{Actual Ozone Season DERCs Required} = \left[ \frac{\text{Actual Ozone Season Fuel Use} \frac{\text{MMBtu}}{\text{Ozone Season}} \times \left( \text{FLER} \frac{\text{lb}}{\text{MMBtu}} - (0.95 \times 0.19 \text{ lb/MMBtu}) \right)}{2,000 \frac{\text{lb}}{\text{ton}}} \right] - \sum \text{DERCs}$$

### **Section III: Applicable Requirements and Compliance Demonstration**

Where:

$\Sigma$ DERCs = The sum of the DERCs required for all months of the Ozone Season calculated pursuant to Section III.A.5.c.ii(E) of this Title V permit.

[Trading Agreement and Order No. 8369 Paragraph B.8]

- (H) For each month of the Ozone Season, the Permittee shall maintain records attesting to the fact that any DERCs deducted from its balance in accordance with Section III.A.5.c.ii(F) of this Title V permit satisfy the requirements of Paragraph B.2 of the Trading Agreement and Order No. 8359. Generator certification of this fact shall be sufficient.  
[Trading Agreement and Order No. 8359 Paragraph B.12.h prior to June 1, 2018; No. 8369 Paragraph B.13.i on and after June 1, 2018]
- (I) On each day during the Ozone Season that the Permittee operates in accordance with Section III.A.5.a.x of this Title V permit, the Permittee shall make and keep records of all emission unit operation in accordance with Section III.A.5.a.x of this Title V permit including copies of any written correspondence from the Permittee's fuel supplier detailing the duration and circumstances of the inadequate fuel oil supply or interruption of gaseous fuel supply to the emission units.  
[Trading Agreement and Order No. 8359 Paragraph B.12.i prior to June 1, 2018; No. 8369 Paragraph B.13.j on and after June 1, 2018]

#### *d. Reporting Requirements*

- i. The Permittee shall retain records and supporting documentation required by the Trading Agreement and Order No. 8359 and No. 8369, respectively, for a minimum of five years, commencing on the date such records were created. The Permittee shall provide the records specified in the Trading Agreement and Order No. 8359 Paragraph B.12 and No. 8369 Paragraph B.13, respectively, to the commissioner within 30 days of receipt of a written request from the commissioner. All records shall be maintained in accordance with RCSA §§ 22a-174-4, 22a-174-22 and 22a-174-22e. [Trading Agreement and Order No. 8359 Paragraph B.13 prior to June 1, 2018; No. 8369 Paragraph B.14 on and after June 1, 2018]
- ii. No later than March 1 of every year after issuance of the Trading Agreement and Order No. 8359 and No. 8369, respectively, the Permittee shall submit to the commissioner a written report containing copies of all the records required pursuant to Paragraphs B.12.a – B.12.f, B.12.h, and B.12.i of the Trading Agreement and Order No. 8359 and Paragraphs B.13a-B.13.g, B.13.i, and B.13.j of the Trading Agreement and Order No. 8369, respectively. No later than July 30 of each calendar year, the Permittee shall submit a written report containing copies of all records required pursuant to Paragraph B.12.g of the Trading Agreement and Order No. 8359 and Paragraph B.13.h of the Trading Agreement and Order No. 8369, respectively. The commissioner may prescribe the forms to be used for the submission of these reports. The Permittee shall submit these reports on such forms, if prescribed by the commissioner. [Trading Agreement and Order No. 8359 Paragraph B.14 prior to June 1, 2018; No. 8369 Paragraph B.15 on and after June 1, 2018]

### **B. CAIR NO<sub>x</sub> OZONE SEASON TRADING**

The eight Pratt & Whitney turbine engines (GEU-1) are CAIR NO<sub>x</sub> Ozone Season Units and therefore are subject to RCSA §22a-174-22c. The units shall comply with all applicable requirements stated in RCSA §22a-174-22c and the standard requirements of the CAIR permit application.

### **C. 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).

### Section III: Applicable Requirements and Compliance Demonstration

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.
13. **Fuel Sulfur Content:** The Permittee shall not use No. 2 heating oil that exceeds fifteen parts per million of sulfur by weight as set forth in CGS §16a-21a(a)(2)(B).
14. **Sulfur Dioxide Emissions:** 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.
15. **Sulfur Compound Emissions:** The Permittee shall comply with the requirements for control of sulfur compound emissions as set forth in RCSA §§22a-174-19, 22a-174-19a and 22a-174-19b, as applicable.
16. **Organic Compound Emissions:** The Permittee shall comply with the requirements for control of organic compound emissions as set forth in RCSA §22a-174-20.
17. **Nitrogen Oxide Emissions:** The Permittee shall comply with the requirements for control of nitrogen oxide emissions as set forth in RCSA §§22a-174-22e and 22a-174-22f, as applicable.
18. **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).

### **Section III: Applicable Requirements and Compliance Demonstration**

- 19. Asbestos:** Should the premises, as defined in 40 CFR §61.145, become subject to the national emission standard for asbestos regulations in 40 CFR Part 61 Subpart M when conducting any renovation or demolition at this premises, then the Permittee shall submit proper notification as described in 40 CFR §61.145(b) and shall comply with all other applicable requirements of 40 CFR Part 61 Subpart M.
- 20. Open Burning:** The Permittee is prohibited from conducting open burning, except as may be allowed by CGS §22a-174(f).
- 21. Emission Fees:** The Permittee shall pay an emission fee as set forth in RCSA §22a-174-26(d).

## Section IV: Compliance Schedule

<b>TABLE IV: COMPLIANCE SCHEDULE</b>				
<b>Emissions Unit</b>	<b>Applicable Regulations</b>	<b>Steps Required for Achieving Compliance (Milestones)</b>	<b>Date by which Each Step is to be Completed</b>	<b>Dates for Monitoring, Record Keeping, and Reporting</b>
		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.

### SECTION V: STATE ENFORCEABLE TERMS AND CONDITIONS

- 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. Additional Emissions Units**
1. The Permittee shall make and submit a written record, at the commissioner's request, within 30 days of receipt of notice from the commissioner, or by such other date specified by the commissioner, of each additional emissions unit or group of similar or identical emissions units at the premises.
  2. Such record of additional emissions units shall include each emissions unit, or group of emissions units, at the premises which is not listed in Section II.A of this Title V permit, unless the emissions unit, or group of emissions units, is:
    - a. an insignificant emissions unit as defined in RCSA §22a-174-33; or
    - b. an emissions unit or activity listed in *White Paper for Streamlined Development of Part 70 Permit Applications, Attachment A* (EPA guidance memorandum dated July 10, 1995).
  3. For each emissions unit, or group of emissions units, on such record, the record shall include, as available:
    - a. Description, including make and model;
    - b. Year of construction/installation or if a group, range of years of construction/installation;
    - c. Maximum throughput or capacity; and
    - d. Fuel type, if applicable.
- D. 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.
- E. 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.
- F. 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.
- G.** 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 these sections.

### **SECTION VI: TITLE V REQUIREMENTS**

#### **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: U.S. EPA New England, 5 Post Office Square, Suite 100 (OES04-2), Boston, Massachusetts 02109, Attn: Air Clerk.

#### **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.”

#### **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:

## Section VI: Title V Requirements

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).

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

A Permittee, required to perform monitoring pursuant to 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.



## Section VI: Title V Requirements

### 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.

### 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.

## Section VI: Title V Requirements

### 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.E 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.

### 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.

## Section VI: Title V Requirements

### **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.

### **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.

## Section VI: Title V Requirements

### **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.

### **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-60.

### **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.

## **Section VI: Title V Requirements**

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.