



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>	178-0088-TV
<b>Client/Sequence/Town/Premises Numbers</b>	6023/1/178/167
<b>Date Issued</b>	August 7, 2017
<b>Expiration Date</b>	August 7, 2022

**Corporation:**

Total Petrochemicals & Refining USA, Inc.

**Premises Name:**

Total Cray Valley - Stratford Facility

**Premises Location:**

105 Ontario Street, Stratford, Connecticut 06615

**Name of Responsible Official and Title:**

Mark Renna, Plant Manager

All the following attached pages, 2 through 25, are hereby incorporated by reference into this Title V permit.

/s/ Anne Gobin for  
Robert J. Klee  
Commissioner

August 7, 2017  
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>
°C	Degree Celsius
°F	Degree Fahrenheit
CAM	Compliance Assurance Monitoring
CFR	Code of Federal Regulations
CGS	Connecticut General Statutes
EU	Emissions Unit
EPA	Environmental Protection Agency
ft <sup>3</sup>	Cubic Foot
gal	Gallon
GEU	Grouped Emissions Unit
HAP	Hazardous Air Pollutant
lb	Pound
mmHg	Millimeter of Mercury
MSDS	Material Safety Data Sheet
NSR	New Source Review
RCSA	Regulations of Connecticut State Agencies
SIC	Standard Industrial Classification Code
VOC	Volatile Organic Compound

## Section I: Premises Information/Description

### A. PREMISES INFORMATION

Nature of Business: Manufacture of Industrial Organic Chemicals  
Primary SIC: 2869

Facility Mailing Address: Total Petrochemicals & Refining USA, Inc.  
105 Ontario Street  
Stratford, Connecticut, 06615

Telephone Number: (203) 375-0668

### B. PREMISES DESCRIPTION

Total Petrochemicals & Refining USA, Inc. (TOTAL) manufactures metallic acrylates at its facility in Stratford, Connecticut. TOTAL is a major source for Volatile Organic Compounds (VOC), actual and potential VOC emissions are greater than 25 tons per year. TOTAL is a Title V source located in a severe non-attainment area for ozone as defined in RCSA Section 22a-174-1(104).

VOC (primarily Heptane) is emitted from the solvents used in the batch reactor/dryers, the processing lines, and the miscellaneous operations at the facility. Heptane is not a federal Hazardous Air Pollutant (HAP).

#### Emissions Unit Description:

##### **Batch Reactors/Dryers (EU-002 and EU-003) and Miscellaneous Small Equipment (GEU-001):**

TOTAL produces metallic acrylates, mainly zinc acrylates in two batch reactor/dryers, Reactor/Dryer Nos. 2 and 3. Reactor/Dryer No. 2 (EU-002) was installed in 1999 (approximately) and operates under NSR Permit No. 178-0112, originally issued on September 13, 1999. Reactor/Dryer No. 3 (EU-003) was installed in 2000 (approximately) and operates under NSR Permit No. 178-0113, originally issued on August 14, 2000. Each reactor/dryer is equipped with primary and secondary condensers used for the control of VOC emissions.

A metallic oxide is reacted with an acid in a solution of heptane to form metallic acrylate. Water is a by-product of the reaction. Upon completion of the reaction, the reactor/dryers are heated to strip off the heptane and water. The heptane and byproduct water are condensed and collected in receiving vessels. Heptane is then used in subsequent batches. The final product is a powder. After initial production, the raw product is further processed and packaged. The product is transferred from the reactor/dryer to a processing line through a baghouse. The product is then collected in a second baghouse and dropped into the packaging equipment. The aforementioned miscellaneous small equipment has been grouped into GEU-001. Aggregated emissions resulting from the operation of these units are less than 15 tons per year and are reported under GEU-001.

**Package Boiler:** A Cleaver Brooks CB-200-60-150 natural gas-fired boiler (EU-004) provides process heat for the reactor/dryers and comfort heat for the facility. EU-004 does not require a NSR permit.

**Cold Cleaner:** A Safety Kleen parts washer (EU-005) is used for cleaning parts at the facility. EU-005 currently uses Safety Kleen Premium Solvent and has VOC potential emissions less than 15 tons per year, thus, at this time, the unit does not require a NSR permit. Nonetheless, the cold cleaner is subject to RCSA Section 22a-174-20(1). TOTAL operates but does not own this parts washer. In the event that the Safety Kleen parts washer is replaced with a unit with potential emissions greater than the applicable permit thresholds, TOTAL shall apply for the necessary permit transactions prior to construction and operation of such unit.

At this time, both GEU-001 and EU-004 are subject to only premises-wide general requirements.

## 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.

<b>TABLE II.A: EMISSIONS UNITS DESCRIPTION</b>			
<b>Emissions Unit</b>	<b>Emissions Unit Description</b>	<b>Control Unit Description</b>	<b>Permit or Regulation Number</b>
EU-002	Reactor/Dryer No. 2 Estimated Installation Year: 1999 Capacity: 148 ft <sup>3</sup>	Primary: RAS Condenser Secondary: XCHANGER TV-075 Condenser	NSR Permit No. 178-0112
EU-003	Reactor/Dryer No. 3 Estimated Installation Year: 2000 Capacity: 148 ft <sup>3</sup>	Primary: Pfaudler Condenser Secondary: XCHANGER TV-075-2 Condenser	NSR Permit No. 178-0113
EU-005	Safety Kleen Parts Washer Estimated Installation Year: 1997	Closed Cover	RCSA Section 22a-174-20(l)

## Section II: Emissions Units Information

### 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 Table II.B.

<b>TABLE II.B: OPERATING SCENARIO IDENTIFICATION</b>	
<b>Emissions Units Associated with the Scenarios</b>	<b>Description of Scenario</b>
GEU-001, EU-002, EU-003	All operations involved in the manufacture of metallic acrylates, this includes all the intermediate steps in the production process (the reactor/dryers and the processing of the product). Primary and secondary condensers control VOC emissions from each reactor/dryer. Dry filters control particulate matter emissions from the processing lines.
EU-005	A Safety Kleen parts washer that that does not use a halogenated HAP cleaning solvent as defined in 40 CFR Part 63 Subpart T, and operates in accordance with RCSA Section 22a-174-20(l).

### Section III: Applicable Requirements and Compliance Demonstration

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

#### A. EMISSIONS UNITS 2 AND 3 (EU-002 AND EU-003) - REACTOR/DRYER NOS. 2 AND 3

##### 1. Number of Batches and Solvent Usage

###### a. Limitation or Restriction

Reactor/Dryer Nos. 2 and 3 shall each process no more than 18 batches per day.  
[NSR Permit Nos. 178-0112 and 178-0113]

###### b. Monitoring Requirements

Record keeping specified in Section III.A.1.c of this Title V permit shall be sufficient to meet other Monitoring Requirements pursuant to RCSA Section 22a-174-33. [RCSA §22a-174-33(j)(l)(K)(ii)]

###### c. Record Keeping Requirements

- i. The Permittee shall keep records of the number of batches per day for each reactor/dryer.  
[RCSA §22a-174-33(o)(2)]
- ii. The Permittee shall keep records of all solvents used in the facility on a monthly and consecutive 12 month basis. The Permittee shall use engineering calculations to assign the usage to each batch production line. These records shall contain the following information:  
[NSR Permit Nos. 178-0112 and 178-0113]
  - (A) Description of each material used, including:
    - (1) Material name;
    - (2) Material density (lb/gal);
    - (3) VOC content by weight (lb VOC/gal); and
    - (4) Material Safety Data Sheet (MSDS) or manufacturer's formulation data sheet.
  - (B) Quantity of material used (lb and/or gal)

###### d. Reporting Requirements

- i. The Permittee shall keep all required records on the premises for a period of no less than five years and shall submit such records to the commissioner upon request.  
[NSR Permit Nos. 178-0112 and 178-0113]
- ii. 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)]



## Section III: Applicable Requirements and Compliance Demonstration

### 2. VOC Emissions

#### a. Limitation or Restriction

- i. Reactor/Dryer Nos. 2 and 3 shall each not exceed the following emission limits stated herein at any time: [NSR Permit Nos. 178-0112 and 178-0113]
  - (A) An average of 4.47 pounds per hour in an 8-hour period
  - (B) 19.6 tons per 12 consecutive months

#### b. Monitoring Requirements

The Permittee shall demonstrate compliance with the emission limits listed in Section III.A.2.a of this Title V permit by calculating emission rates using proprietary emission factors and solvent usage records. [NSR Permit Nos. 178-0112 and 178-0113]

#### c. Record Keeping Requirements

- i. The Permittee shall maintain records sufficient to determine compliance with the emissions limit listed in Section III.A.2.a.i.(A) of this Title V permit. [RCSA §22a-174-33(o)(2)]
- ii. The Permittee shall keep records of monthly and consecutive 12 month VOC emissions for each reactor/dryer. The consecutive 12 month VOC emissions shall be determined by adding the current month's emissions to that of the previous 11 months. The Permittee shall make these calculations within 30 days of the end of the previous month. [NSR Permit Nos. 178-0112 and 178-0113]

#### d. Reporting Requirements

- i. The Permittee shall keep all required records on the premises for a period of no less than five years and shall submit such records to the commissioner upon request. [NSR Permit Nos. 178-0112 and 178-0113]
- ii. 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)]

### 3. Inlet Chilled Water Temperature and Outlet Gas Temperature for the Secondary Condensers

#### a. Limitation or Restriction

- i. The Permittee shall maintain the inlet chilled water temperature and the outlet gas temperature for the secondary condensers for Reactor/Dryer Nos. 2 and 3 at or about the following temperatures: [NSR Permit Nos. 178-0112 and 178-0113]
  - (A) Inlet Chilled Water Temperature: 40 °F (typical)
  - (B) Outlet Gas Temperature: 50 °F (typical)

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

#### *b. Monitoring Requirements*

- i. The Permittee shall operate continuous monitoring and record keeping systems that continuously measure and record the inlet chilled water temperature and the outlet gas temperature on the secondary condensers. [NSR Permit Nos. 178-0112 and 178-0113]
- ii. The Permittee shall calibrate the thermocouples annually to have an accuracy of plus or minus one percent of the temperature being recorded. [NSR Permit Nos. 178-0112 and 178-0113]

#### *c. Record Keeping Requirements*

- i. The Permittee shall keep calibration and maintenance records, as well as alarm printouts, for all continuous monitoring systems. These records shall include:  
[NSR Permit Nos. 178-0112 and 178-0113 and RCOSA §22a-174-33(o)(2)]
  - (A) Original instrument alarm printouts from the continuous monitors indicating the inlet chilled water temperature and the outlet gas temperature on the secondary condensers on a continuous basis;
  - (B) Results of each thermocouple calibration, including the date each calibration was performed and the name of the person conducting the calibration; and
  - (C) The date(s) of thermocouple replacement.

#### *d. Reporting Requirements*

- i. The Permittee shall keep all required records on the premises for a period of no less than five years and shall submit such records to the commissioner upon request.  
[NSR Permit Nos. 178-0112 and 178-0113]
- ii. 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. [RCOSA §22a-174-33(j)(1)(X)]

### **4. CAM Requirements for VOC using the Secondary Condensers**

#### *a. Limitation or Restriction* [40 CFR §64.3(a)(2)]

The outlet temperature of the secondary condensers shall be less than or equal to 65 °F for Reactor/Dryer Nos. 2 and 3. An excursion is when the secondary condenser outlet gas temperature is greater than 65 °F. (Note that excursions can only occur for a reactor/dryer that is in service under load.) The outlet temperature is used as an indicator because the condenser operating temperature affects the removal efficiency: an increase in operating temperature decreases the removal efficiency.

#### *b. Monitoring Requirements* [40 CFR §§64.3(b)(1,3, and 4)]

- i. The temperature at the outlet of the secondary condensers shall be continuously monitored using a thermocouple. The thermocouple (TT214) shall be installed at the outlet of the Reactor/Dryer No. 2 secondary condenser. The second thermocouple (TT301) shall be installed at the outlet of the Reactor/Dryer No. 3 secondary condenser. An accuracy of plus or minus one percent of the temperature being recorded is required.

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

- ii. Annual calibration shall be performed on the temperature measuring equipment based on industry-accepted standards for quality assurance/quality control purposes.
  - iii. In the event that an excursion occurs, the Permittee shall check the operation of the chilled water system.
- c. *Record Keeping Requirements* [40 CFR §64.3(b)(4)(iii)]
- i. Temperature data points shall be taken at a minimum of 15 minute intervals and shall be recorded by an electronic data acquisition system.
  - ii. Hourly averages of four 15 minute temperature readings shall be calculated for compliance purposes.
  - iii. The Permittee shall maintain for a period of five years records of inspections and corrective actions taken in response to excursions.
- d. *Reporting Requirements* [40 CFR §64.9(a)]

The Permittee shall, as part of the semi-annual monitoring report and/or annual compliance certification, submit a report semiannually of the number, duration, cause of any excursion, and the corrective action taken.

#### **5. Work Practice Standards and Operation and Maintenance Practices**

a. *Limitation or Restriction*

- i. The Permittee shall operate, inspect, and maintain Reactor/Dryer Nos. 2 and 3 and associated control and monitoring equipment in accordance with the manufacturer's specifications and written recommendations. [NSR Permit Nos. 178-0112 and 178-0113 and RSCA §22a-174-7]
- ii. The Permittee shall operate and maintain Reactor/Dryer Nos. 2 and 3 and associated control and monitoring equipment in a manner consistent with good air pollution control practices for minimizing emissions at all times and to achieve the removal efficiencies specified in NSR Permit Nos. 178-0112 and 178-0113. [NSR Permit Nos. 178-0112 and 178-0113 and RSCA §22a-174-7]
- iii. The Permittee shall properly operate the control equipment at all times that Reactor/Dryer Nos. 2 and 3 are in operation and emitting air pollutants. [RSCA §22a-174-7(b)]
- iv. The Permittee shall continuously cover all open drums and vessels when not in use that contain solvents, cleaners, coatings, or cleaning rags so as to minimize the amounts of VOCs emitted to the atmosphere. [NSR Permit Nos. 178-0112 and 178-0113]

b. *Monitoring Requirements*

Record keeping specified in Section III.A.5.c of this Title V permit shall be sufficient to meet other Monitoring Requirements pursuant to RSCA Section 22a-174-33. [RSCA §22a-174-33(j)(l)(K)(ii)]

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

#### *c. Record Keeping Requirements*

- i. The permittee shall keep detailed operating, inspection, and maintenance records for Reactor/Dryer Nos. 2 and 3 and associated control and monitoring equipment. These records shall include for each type of equipment, as applicable:  
[NSR Permit Nos. 178-0112 and 178-0113 and RCSA §22a-174-33(o)(2)]
  - (A) Time of operation;
  - (B) Date of conducted inspection;
  - (C) Date equipment is removed from service;
  - (D) Cause for the removal from service;
  - (E) Date equipment is put back into service; and
  - (F) Date and description of each service performed.

#### *d. Reporting Requirements*

- i. The Permittee shall keep all required records on the premises for a period of no less than five years and shall submit such records to the commissioner upon request.  
[NSR Permit Nos. 178-0112 and 178-0113]
- ii. 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)]

### **B. EMISSIONS UNIT 5 (EU-005) - SAFETY KLEEN PARTS WASHER**

#### **1. Solvent Usage**

##### *a. Limitation or Restriction*

The Permittee shall use only solvent that has a vapor pressure less than or equal to 1.0 mmHg at 20 °C.  
[RCSA §22a-174-20(1)(3)(K)]

##### *b. Monitoring Requirements*

Record keeping specified in Section III.B.1.c of this Title V permit shall be sufficient to meet other Monitoring Requirements pursuant to RCSA §22a-174-33. [RCSA §22a-174-33(j)(1)(K)(ii)]

##### *c. Record Keeping Requirements*

- i. The Permittee shall maintain records of the following information: [RCSA §22a-174-20(1)(3)(J)]
  - (A) The type of solvent used, including a description of the solvent and the solvent name;
  - (B) The vapor pressure of the solvent in mmHg measured at 20 °C (68 °F);

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

- (C) The percent VOC content by weight; and
  - (D) The amount of solvent added to each unit on a monthly basis.
- ii. The Permittee shall maintain all records required by this section for a minimum of five years after such record is made. [RCSA §22a-174-20(1)(3)(J)]

*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)]

## **2. Work Practice Standards**

*a. Limitation or Restriction*

- i. The Permittee shall comply with the following work practice standards at all times. The Permittee shall: [RCSA §§22a-174-20(1)(3)(A-E, G-I, and L)]
- (A) Equip the cleaning device with a cover that is easily operated with one hand;
  - (B) Equip the cleaning device with an internal rack or equipment for draining cleaned parts so that parts are enclosed under the cover while draining. Such drainage rack or equipment may be external for applications where an internal type cannot fit into the cleaning system;
  - (C) Collect and store waste solvent in closed containers. Closed containers used for storing waste solvent may contain a device that allows pressure relief but does not allow liquid solvent to drain from the container;
  - (D) Close the cover if parts are not being handled in the cleaner for two minutes or more, or if the device is not in use;
  - (E) Drain the cleaned parts for at least 15 seconds or until dripping ceases, whichever is longer;
  - (F) Minimize the drafts across the top of each cold cleaning unit such that whenever the cover is open the unit is not exposed to drafts greater than 40 meters per minute, as measured between one and two meters upwind, at the same elevation as the tank lip;
  - (G) Not operate the unit upon the occurrence of any visible solvent leak until such leak is repaired. Any leaked solvent or solvent spilled during transfer shall be cleaned immediately, and the wipe rags or other sorbent material used to clean the spilled or leaked solvent shall be immediately stored in covered containers for disposal or recycling;
  - (H) Post a permanent, conspicuous label on or near the Safety Kleen parts washer summarizing the applicable operating requirements; and
  - (I) Not clean sponges, fabric, wood, leather, paper and other absorbent material in a cold cleaning machine.

### Section III: Applicable Requirements and Compliance Demonstration

#### *b. Monitoring Requirements*

Record keeping specified in Section III.B.2.c of this Title V permit shall be sufficient to meet other Monitoring Requirements pursuant to RCSA §22a-174-33. [RCSA §22a-174-33(j)(l)(K)(ii)]

#### *c. Record Keeping Requirements*

The Permittee shall maintain all records required by this section for a minimum of five years after such record is made. [RCSA §22a-174-20(1)(3)(J)]

#### *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)]

### 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).
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.

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

- 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, 22a-174-19a and 22a-174-19b, as applicable.
- 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, 22a-174-22e and 22a-174-22f, as applicable.
- 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

<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>
		<b>No steps are required for achieving compliance at this time.</b>		



## 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.

## **Section V: State Enforceable Terms and Conditions**

- 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.** Open Burning: The Permittee is prohibited from conducting open burning, except as may be allowed by CGS §22a-174(f).
- H.** Fuel Sulfur Content
  - 1. For the period beginning July 1, 2014 and ending June 30, 2018, the Permittee shall not use No. 2 heating oil that exceeds five hundred parts per million of sulfur by weight as set forth in CGS §16a-21a(a)(2)(A); and
  - 2. On or after July 1, 2018, 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).

## **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.

### **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.

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### 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.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.

### 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-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.



## **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.