



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>	<i>192-0304-TV</i>
<b>Client/Sequence/Town/Premises Numbers</b>	<b>8468/01/192/0005</b>
<b>Date Issued</b>	June 16, 2015
<b>Expiration Date</b>	June 16, 2020

**Corporation:**

*Waterbury Generation, LLC*

**Premises Location:**

*725 Bank Street, Waterbury, CT 06708*

*Street Address: 160 Washington Avenue, Waterbury, CT 06708*

**Name of Responsible Official and Title:**

*John Shue, Vice President Operations, New England*

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

/s/ Anne Gobin for \_\_\_\_\_  
Robert J. Klee  
Commissioner

June 16, 2015  
Date

## TABLE OF CONTENTS

	PAGE
<b>List of Abbreviations/Acronyms</b> .....	4
<b>Section I. Premises Information/Description</b>	
A. Premises Information.....	5
B. Premises Description.....	5
<b>Section II. Emissions Units Information</b>	
A. Emissions Units Description - Table II.A.....	6
B. Operating Scenario Identification - Table II.B .....	6
<b>Section III. Applicable Requirements and Compliance Demonstration</b>	
A. Emissions Unit 10.....	7
B. CAIR NOx Ozone Season Trading.....	17
C. Federal Acid Rain Permit Requirements .....	17
D. Premises-Wide General Requirements .....	18
<b>Section IV. Compliance Schedule - Table IV</b> .....	20
<b>Section V. State Enforceable Terms and Conditions</b> .....	21
<b>Section VI. Title V Requirements</b>	
A. Submittals to the Commissioner & Administrator.....	23
B. Certifications [RCSA §22a-174-33(b)].....	23
C. Signatory Responsibility [RCSA §22a-174-2a(a)] .....	23
D. Additional Information [RCSA §§22a-174-33(j)(1)(X), -33(h)(2)].....	24
E. Monitoring Reports [RCSA §22a-174-33(o)(1)] .....	24
F. Premises Records [RCSA §22a-174-33(o)(2)] .....	25
G. Progress Reports [RCSA §22a-174-33(q)(1)].....	25
H. Compliance Certifications [RCSA §22a-174-33(q)(2)].....	26
I. Permit Deviation Notifications [RCSA §22a-174-33(p)] .....	26
J. Permit Renewal [RCSA §22a-174-33(j)(1)(B)].....	26
K. Operate in Compliance [RCSA §22a-174-33(j)(1)(C)] .....	26
L. Compliance with Permit [RCSA §22a-174-33(j)(1)(G)] .....	26
M. Inspection to Determine Compliance [RCSA §22a-174-33(j)(1)(M)].....	27
N. Permit Availability.....	27
O. Severability Clause [RCSA §22a-174-33(j)(1)(R)] .....	27
P. Need to Halt or Reduce Activity [RCSA §22a-174-33(j)(1)(T)] .....	27
Q. Permit Requirements [RCSA §22a-174-33(j)(1)(V)] .....	27
R. Property Rights [RCSA §22a-174-33(j)(1)(W)] .....	27
S. Alternative Operating Scenario Records [RCSA §22a-174-33(o)(3)].....	27
T. Operational Flexibility and Off-Permit Changes [RCSA §22a-174-33(r)(2)] .....	28
U. Information for Notification [RCSA §22a-174-33(r)(2)(A)] .....	28
V. Transfers [RCSA §22a-174-2a(g)] .....	28
W. Revocation [RCSA §22a-174-2a(h)] .....	28
X. Reopening for Cause [RCSA §22a-174-33(s)] .....	29
Y. Credible Evidence.....	29

## **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>
acfm	Actual cubic feet per minute
CAIR	Clean Air Interstate Rule
CEM	Continuous Emission Monitor
CFR	Code of Federal Regulations
CGS	Connecticut General Statutes
CO	Carbon Monoxide
CO <sub>2</sub>	Carbon Dioxide
EU	Emissions Unit
EPA	Environmental Protection Agency
°F	Degree Fahrenheit
ft <sup>3</sup>	Cubic Feet
HAP	Hazardous Air Pollutant
hr	Hour
lb	Pound
MASC	Maximum Allowable Stack Concentration
MM	Million
MW	Megawatts
NO <sub>x</sub>	Nitrogen Oxides
NSR	New Source Review
O <sub>2</sub>	Oxygen
P	Permit
PAH	Polycyclic Aromatic Hydrocarbon
PM <sub>2.5</sub>	Particulate Matter less than 2.5 microns
PM <sub>10</sub>	Particulate Matter less than 10 microns
ppmvd	Parts per million, volumetric basis dry
RCSA	Regulations of Connecticut State Agencies
SCR	Selective Catalytic Reduction
SIC	Standard Industrial Classifications Code
SO <sub>2</sub>	Sulfur Dioxide
TPY	Tons per year
µg/m <sup>3</sup>	Microgram per cubic meter
ULSK	Ultra Low Sulfur Kerosene
U.S.C.	United States Code
VOC	Volatile Organic Compound

## **Section I: Premises Information/Description**

### **A. PREMISES INFORMATION**

Nature of Business: Electric power generation  
Primary SIC: 4911

Facility Mailing Address: P.O. Box 1149  
Waterbury, CT 06721-1149

Telephone Number: (203) 560-8809 (Waterbury Generation Control Room)

### **B. PREMISES DESCRIPTION**

Waterbury Generation, LLC (Waterbury Generation), is located at 725 Bank Street in Waterbury. Waterbury is considered a serious non-attainment area for ozone as defined in RCSA Section 22a-174-1 and attainment for the annual PM<sub>2.5</sub> ambient air quality standard for New Haven County. Pursuant to RCSA Section 22a-174-33(a)(10)(C), the premises is considered a Title V source because there is a stationary source subject to 40 CFR Part 72 to 78, inclusive.

Waterbury Generation operates a nominal 96 MW GE LMS 100 PA simple-cycle turbine (Permit No. 192-0300). The simple cycle turbine is subject to 40 CFR Part 60 Subpart KKKK- Standards of Performance for Stationary Gas Turbines and 40 CFR Parts 72 to 78, Federal Acid Rain Program. Additionally, there is a 250,000 gallon above ground fuel storage tank for the storage of ultra-low sulfur kerosene (ULSK) fuel. The fuel storage tank is not subject to 40 CFR Part 60 Subpart Kb because its size and lack of pressurization (atmospheric pressure only) allows it to meet the exception criteria.

## 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 this NSR Permit into this Title V permit.

<b>TABLE II.A: EMISSIONS UNITS DESCRIPTION</b>			
<b>Emissions Unit/ Grouped Emissions Unit</b>	<b>Emissions Unit Description</b>	<b>Control Unit Description</b>	<b>Permit Number</b>
EU-10	GE LMS100 PA Simple cycle combustion turbine	SCR with Water Injection and Oxidation Catalyst	P 192-0300

### B. OPERATING SCENARIO IDENTIFICATION

The Permittee shall be allowed to operate under the following Standard Operating Scenario without notifying the commissioner, provided that such operations are explicitly provided for and described in Table II.B.

<b>TABLE II.B: OPERATING SCENARIO IDENTIFICATION</b>	
<b>Emissions Units Associated with the Scenario</b>	<b>Description of Scenario</b>
EU-10	Simple cycle turbine: the standard use of the turbine is to generate electric power. The turbine burns natural gas and ULSK.

### **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 UNIT 10 (EU-10): GE LMS100 PA Simple Cycle Combustion Turbine with Water Injection, SCR and Oxidation Catalyst Operating under Permit No. 192-0300**

##### **1. Fuel Type, Sulfur Content and Fuel Consumption**

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

- i. The Permittee shall only burn natural gas or ULSK. [Permit No. 192-0300]
- ii. The fuel sulfur content of the ULSK shall not exceed 0.0015% by weight, dry basis. [Permit No. 192-0300]
- iii. The Permittee shall not burn more than 7,417 MMft<sup>3</sup> of natural gas and 4.203 MM gallons of ULSK over any consecutive 12 month period. [Permit No. 192-0300]
- iv. The turbine may only be fueled by ULSK when: [Permit No. 192-0300]
  - (A) The interruptible natural gas supply is curtailed;
  - (B) There is a failure of the equipment required to allow the turbine to utilize natural gas;
  - (C) The turbine is starting up, or commissioning or testing the ULSK firing capability of the turbine;
  - (D) There is routine maintenance of any equipment required to allow the turbine to utilize natural gas or ULSK;
  - (E) As required, periodically to maintain an appropriate turnover of the on-site fuel oil inventory as recommended by any of the equipment manufacturers or as otherwise required by prudent utility practice; or
  - (F) Otherwise required to comply with the requirements of the Master Agreement for Generation Projects between Waterbury Generation, LLC and The United Illuminating Company, dated as of May 21, 2007, as approved by the Connecticut Department of Public Utility Control.

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

The Permittee shall use a non-resettable totalizing fuel metering device or a billing meter to continuously monitor fuel feed to EU-10. [Permit No. 192-0300]

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

- i. The Permittee shall make and keep records of monthly and consecutive 12 month fuel consumption (for each fuel). The consecutive 12 month fuel consumption shall be determined by adding the current's month's fuel usage (for each fuel) to that of the previous 11 months. The Permittee shall make these calculations within 30 days of the end of the previous month. [Permit No. 192-0300]

### Section III: Applicable Requirements and Compliance Demonstration

- ii The Permittee shall make and keep records of the fuel certification for each delivery of fuel from a bulk petroleum provider or a copy of the current contract with the fuel supplier supplying the fuel used by the equipment that includes the applicable sulfur content of the fuel as a condition of each shipment. The shipping receipt or contract shall include: [Permit No. 192-0300]
  - (A) Date of delivery;
  - (B) Name of the fuel supplier;
  - (C) Type of fuel delivered;
  - (D) Percentage of sulfur in such fuel, by weight, dry basis; and
  - (E) The method used to determine the sulfur content of such fuel.

#### 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. NO<sub>x</sub> and CO

#### a. Limitation or Restriction

- i. The Permittee shall not exceed the following emissions limits: [Permit No. 192-0300]
  - (A) Steady State Natural Gas:
    - (1) NO<sub>x</sub>: 2.5 ppmvd@15% O<sub>2</sub> in 4-hour rolling averaging periods, 8.1 lb/hr
    - (2) CO: 6.0 ppmvd@15% O<sub>2</sub> in 1-hour rolling averaging periods, 11.8 lb/hr
  - (B) Steady State ULSK:
    - (1) NO<sub>x</sub>: 5.9 ppmvd@15% O<sub>2</sub> in 4-hour rolling averaging periods, 19.5 lb/hr
    - (2) CO: 6.0 ppmvd@15% O<sub>2</sub> in 1-hour rolling averaging periods, 12.1 lb/hr
  - (C) Natural Gas Startup and Shutdown Events:
    - (1) NO<sub>x</sub>:
      - Cold Startup: 18.1 lb/hr
      - Shutdown: 23.1 lb/hr
    - (2) CO:
      - Cold Startup: 61.3 lb/hr
      - Shutdown: 76.8 lb/hr
  - (D) ULSK Startup and Shutdown Events:
    - (1) NO<sub>x</sub>:
      - Cold Startup: 40.0 lb/hr
      - Shutdown: 58.5 lb/hr



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

- (2) CO:  
Cold Startup: 67.3 lb/hr  
Shutdown: 69.2 lb/hr

- (E) Total Allowable Emissions (Natural Gas & ULSK)

- (1) NOx: 39.5 TPY
- (2) CO: 51.9 TPY

- ii. Startup and Shutdown

- (A) Startup: It is the period of time from initiation of combustion firing until the combustion turbine reaches steady state operation and until the control equipment attains its normal operating temperature and steady state operation.
- (B) Shutdown: It is a period of time from the initiation of the shutdown process of the combustion turbine until the point at which the combustion process has stopped.
- (C) The maximum duration of each cold startup or shutdown event shall not exceed one hour.

- b. *Monitoring and Testing Requirements*

- i. The Permittee shall utilize CEM data for NOx and CO. [Permit No. 192-0300]
- ii. The commissioner retains the right to require stack testing of any pollutant at any time to demonstrate compliance. [Permit No. 192-0300]
- iii. The Permittee shall continuously monitor the oxidation catalyst inlet temperature (°F). The Permittee shall maintain this parameter within the range recommended by the manufacturer to achieve compliance with the emission limits in this Title V permit. [Permit No. 192-0300]
- iv. The Permittee shall inspect the SCR and oxidation catalyst. Inspection criteria will be as recommended by manufacturer operation and maintenance plan. [Permit No. 192-0300]

- c. *Record Keeping Requirements*

- i. The Permittee shall calculate and record the monthly and consecutive 12 month NOx and CO emissions in units of tons. The consecutive 12 month emissions shall be determined by adding (for each pollutant) the current month's emissions to that of the previous 11 months. Such records shall include a sample calculation for each pollutant. The Permittee shall make these calculations within 30 days of the end of the previous month. [Permit No. 192-0300]
- ii. The Permittee shall make and keep records of startup and shutdown events. Such records shall contain the following information: [Permit No. 192-0300]
  - (A) Date of startup or shutdown event;
  - (B) Fuel being used during startup and shutdown event;
  - (C) Duration of startup or shutdown event (hrs);
  - (D) Type of startup or shutdown event as defined in Section III.A.2.a.ii of this Title V permit; and
  - (E) Total NOx and CO emissions emitted (lbs) during the startup or shutdown event.

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

- iii. The Permittee shall maintain records of the occurrence and duration of any startup, shutdown or malfunction in the operation of the stationary gas turbine; any malfunction of the air pollution control equipment; or any periods during which a continuous monitoring system or monitoring device is inoperative. [Permit No. 192-0300]
- iv. The Permittee shall continuously record the oxidation catalyst inlet temperature (°F). [Permit No. 192-0300]

#### *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)]

### **3. SO<sub>2</sub>**

#### *a. Limitation or Restriction*

The Permittee shall not exceed the following emissions limits: [Permit No. 192-0300]

- i. Steady State Natural Gas: 1.72 lb/hr
- ii. Steady State ULSK: 1.2 lb/hr
- iii. Total Allowable Emissions: 7.5 TPY

#### *b. Monitoring Requirements*

Record keeping specified in Section III.A.3.c of this Title V permit shall be sufficient to meet other Monitoring and Testing Requirements pursuant to RCSA §22a-174-33. [RCSA §22a-174-33(j)(1)(K)(ii)]

#### *c. Record Keeping Requirements*

The Permittee shall calculate and record monthly and consecutive 12 month SO<sub>2</sub> emissions in units of tons. The consecutive 12 months emissions shall be determined by adding the current month's emissions to that of the previous 11 months. Such records shall include a sample calculation for each pollutant. The Permittee shall make these calculations within 30 days of the end of the previous month. [Permit No. 192-0300]

#### *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. Stack Parameters**

#### *a. Limitation or Restriction*

The Permittee shall comply with the following: [Permit No. 192-0300]

- i. Minimum Exhaust Gas Flow Rate at 100 % Load: Natural Gas: 820,182 acfm

### Section III: Applicable Requirements and Compliance Demonstration

ULSK: 780,650 acfm

- ii. Minimum Stack Exit Temperature at 100 % Load: Natural Gas: 723 °F

ULSK: 746 °F

*b. Monitoring Requirements*

- i. The Permittee shall continuously monitor the fuel flow and turbine load. [Permit No. 192-0300]
- ii. The Permittee shall continuously monitor stack exit temperature. The monitoring is required solely to provide the basis for correction of actual exhaust gas conditions to dry conditions @ 15% O<sub>2</sub> by volume. [Permit No. 192-0300]

*c. Record Keeping Requirements*

- i. The Permittee shall continuously record the fuel flow and turbine load. [Permit No. 192-0300]
- ii. The Permittee shall continuously record the stack exit temperature. [Permit No. 192-0300]

*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)]

### 5. Hazardous Air Pollutants [State Enforceable ONLY]

*a. Limitation or Restriction*

- i. The Permittee shall not exceed the following emission limits: [Permit No. 192-0300]

(A) Steady State Natural Gas:

- (1) Acrolein: 5.53E-03 lb/hr, MASC: 104 µg/m<sup>3</sup>
- (2) Formaldehyde: 6.29E-01 lb/hr, MASC: 250 µg/m<sup>3</sup>

(B) Steady State ULSK:

- (1) 1, 3 Butadiene: 1.27 E-02 lb/hr, MASC: 459,021 µg/m<sup>3</sup>
- (2) Arsenic: 2.05E-04 lb/hr, MASC: 1.04 µg/m<sup>3</sup>
- (3) Benzene: 4.36E-02 lb/hr, MASC: 3,130 µg/m<sup>3</sup>
- (4) Beryllium: 2.05E-04 lb/hr, MASC: 0.209 µg/m<sup>3</sup>
- (5) Cadmium: 3.80E-03 lb/hr, MASC: 8.3 µg/m<sup>3</sup>
- (6) Chromium: 8.71E-03 lb/hr, MASC: 52 µg/m<sup>3</sup>
- (7) Formaldehyde: 2.22E-01 lb/hr, MASC: 250 µg/m<sup>3</sup>
- (8) Manganese: 2.05E-04 lb/hr, MASC: 417 µg/m<sup>3</sup>
- (9) Mercury: 9.50E-04 lb/hr, MASC: 20.9 µg/m<sup>3</sup>

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

- (10) Naphthalene: 2.77E-02 lb/hr, MASC: 20,865  $\mu\text{g}/\text{m}^3$
- (11) Nickel: 3.64E-03 lb/hr, MASC: 104  $\mu\text{g}/\text{m}^3$
- (12) PAH: 4.01E-03 lb/hr, MASC: 2.09  $\mu\text{g}/\text{m}^3$
- (13) Selenium: 1.98E-02 lb/hr, MASC: 83  $\mu\text{g}/\text{m}^3$
- (14) Sulfuric Acid: 1.25 lb/hr, MASC: 417  $\mu\text{g}/\text{m}^3$ , 4.68 TPY

#### *b. Monitoring Requirements*

- i. After the initial compliance stack test for Acrolein and Formaldehyde, testing shall be performed at least once every five years from the date of the previous stack test. [Permit No. 192-0300]
- ii. Fuel oil analysis of the ULSK may be substituted for stack testing for metallic HAPs while firing ULSK. [Permit No. 192-0300]
- iii. If the fuel analysis indicates a potential MASC violation, the Permittee shall conduct a stack test for the HAPs in question within 30 days from receiving the fuel analysis. [Permit No. 192-0300]

#### *c. Record Keeping Requirements*

The Permittee shall keep records in accordance with Section VI.F of this Title V permit.  
[RCSA §22a-174-33(o)(2)]

#### *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)]

### **6. PM<sub>10</sub> and PM<sub>2.5</sub> (Total)**

#### *a. Limitation or Restriction*

The Permittee shall not exceed the following emissions limits: [Permit No. 192-0300]

- i. Steady State Natural Gas: 8.4 lb/hr
- ii. Steady State ULSK: 29.7 lb/hr
- iii. Total Allowable Emissions: 44.3 TPY

#### *b. Monitoring Requirements*

The Permittee shall conduct stack testing at least once every five years from the date of the previous stack test. [Permit No. 192-0300]

### Section III: Applicable Requirements and Compliance Demonstration

#### c. *Record Keeping Requirements*

The Permittee shall calculate and record the monthly and consecutive 12 month PM<sub>10</sub> and PM<sub>2.5</sub> emissions in units of tons. The consecutive 12 month emissions shall be determined by adding the current month's emissions to that of the previous 11 months. Such records shall include a sample calculation. The Permittee shall make these calculations within 30 days of the end of the previous month.

[Permit No. 192-0300]

#### 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)]

## 7. VOC

#### a. *Limitation or Restriction*

The Permittee shall not exceed the following emission limits: [Permit No. 192-0300]

- i. Steady State Natural Gas: 4.0 ppmvd@15% O<sub>2</sub>, 3.9 lb/hr
- ii. Steady State ULSK: 5.0 ppmvd@15% O<sub>2</sub>, 4.8 lb/hr
- iii. Total Allowable Emissions: 17.6 TPY

#### b. *Monitoring Requirements*

The Permittee shall conduct stack testing at least once every five years from the date of the previous stack test. [Permit No. 192-0300]

#### c. *Record Keeping Requirements*

The Permittee shall calculate and record the monthly and consecutive 12 month VOC emissions in units of tons. The consecutive 12 month emissions shall be determined by adding the current month's emissions to that of the previous 11 months. Such records shall include a sample calculation. The Permittee shall make these calculations within 30 days of the end of the previous month.

[Permit No. 192-0300]

#### 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)]

## 8. Opacity

#### a. *Limitation or Restriction*

The Permittee shall not exceed 10% during any six minute block average. *This condition applies to ULSK*

### Section III: Applicable Requirements and Compliance Demonstration

*firing ONLY* [Permit No. 192-0300]

*b. Monitoring Requirements*

- i. The Permittee shall verify Opacity using CEM data based on a six minute block average. *This condition applies to ULSK firing ONLY.* [Permit No. 192-0300]

*c. Record Keeping Requirements*

The Permittee shall maintain records of the opacity tests required in Section III.A.8.b of this Title V permit. Such records shall include the dates, times, and places of all visible observations, persons performing the observations, test methods used, the operating conditions at the time of observation, and the results of such observation. [RCSA §22a-174-33(j)(1)(K)]

*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)]

### 9. Ammonia

*a. Limitation or Restriction*

The Permittee shall not exceed the following emission limits: [Permit No. 192-0300]

- i. Steady State Natural Gas: 5.0 ppmvd@15% O<sub>2</sub>, 5.98 lb/hr, 7,486 µg/m<sup>3</sup>
- ii. Steady State ULSK: 5.0 ppmvd@15% O<sub>2</sub>, 6.11 lb/hr, 7,511 µg/m<sup>3</sup>
- iii. Total Allowable Emissions: 26.3 TPY

*b. Monitoring Requirements*

- i. The Permittee shall monitor ammonia slip in 1-hr block average to show compliance with limits in Section III.A.9.a of this Title V permit. [Permit No. 192-0300]
- ii. The Permittee shall continuously monitor the SCR ammonia injection rate (lb/hr), operating temperature (°F) and pressure drop (inches of water). The Permittee shall maintain these parameters within the ranges recommended by the manufacturer to achieve compliance with the emission limits in Section III.A.9.a of this Title V permit. [Permit No. 192-0300]

*c. Record Keeping Requirements*

The Permittee shall record ammonia slip emissions from this source during the first 36 months of commercial operation. Records shall also include catalyst degradation over time and lifecycle, ammonia emissions over time, costs for catalysts and equipment, and emerging SCR technology. This data shall be recorded and maintained on the premises and is in addition to any monitoring required in Section III.A.9.b of this Title V permit. [Permit No. 192-0300]

### Section III: Applicable Requirements and Compliance Demonstration

#### 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)]

### 10. Lead

#### a. Limitation or Restriction

- i. The Permittee shall not exceed  $1.11E-02$  lb/hr and a MASC of  $63 \mu\text{g}/\text{m}^3$  when firing ULSK. [Permit No. 192-0300]
- ii. The Permittee shall not exceed  $3.99E-03$  TPY. [Permit No. 192-0300]

#### b. Monitoring Requirements

Record keeping specified in Section III.A.10.c of this Title V permit shall be sufficient to meet other Monitoring and Testing Requirements pursuant to RCSA §22a-174-33. [RCSA §22a-174-33(j)(1)(K)(ii)]

#### c. Record Keeping Requirements

The Permittee shall keep records in accordance with Section VI.F of this Title V permit. [RCSA §22a-174-33(o)(2)]

#### 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)]

### 11. CO<sub>2</sub>

#### a. Limitation or Restriction

There are no limits for CO<sub>2</sub> but there are Monitoring Requirements. [Permit No. 192-0300]

#### b. Monitoring Requirements

The Permittee shall monitor CO<sub>2</sub> emissions in an averaging period of one hour block. The monitoring is required solely to provide basis for correction of actual exhaust gas conditions to dry conditions @15% O<sub>2</sub> by volume. [Permit No. 192-0300]

#### c. Record Keeping Requirements

The Permittee shall keep records in accordance with Section VI.F of this Title V permit. [RCSA §22a-174-33(o)(2)]

#### 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)]

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

#### **12. Exceedances**

*a. Limitation or Restriction*

An exceedance of either (i) the emission limits stated in Permit No. 192-0300, Part V, or (ii) the emission limits developed for Permit No. 192-0300 due to an emergency, malfunction, or cleaning shall not be deemed a “Federally Permitted Release,” as that term is use in 42 U.S.C. 9601(10).

*b. Monitoring Requirements*

Record keeping specified in Section III.A.12.c of this Title V permit shall be sufficient to meet Monitoring and Testing Requirements pursuant to RCSA §22a-174-33.

*c. Record Keeping Requirements*

- i. The Permittee shall record all exceedances of any emission limits or operating parameters contained in this Title V permit. Such record shall include: [Permit No. 192-0300]
  - (A) The date and time of the exceedance;
  - (B) A detailed description of the exceedance; and
  - (C) The duration of the exceedance.

*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)]

#### **13. Malfunction or Emergency**

*a. Limitation or Restriction*

- i. Malfunction means any sudden, infrequent, and not reasonably preventable failure of air pollution control equipment, process equipment, or a process to operate in a normal or usual manner. Failures that are caused in part by poor maintenance or careless operation are not malfunctions. [40 CFR §60.2]
- ii. The Permittee shall immediately institute shutdown of the turbine in the event a malfunction cannot be corrected within three hours. [Permit No. 192-0300]

*b. Monitoring Requirements*

Record keeping specified in Section III.A.13.c of this Title V permit shall be sufficient to meet Monitoring and Testing Requirements pursuant to RCSA §22a-174-33. [RCSA §22a-174-33(j)(1)(X)]

*c. Record Keeping Requirements*

The Permittee shall maintain records of the occurrence and duration of any malfunction in the operation of the stationary gas turbine; any malfunction of the air pollution control equipment; or any periods during which a continuous monitoring system or monitoring device is inoperative. [Permit No. 192-0300 and 40 CFR §60.7(b)]



### Section III: Applicable Requirements and Compliance Demonstration

#### d. Reporting Requirements

The Permittee shall notify the commissioner in writing of any malfunction or emergency of the equipment described in EU-10. The Permittee shall submit such notifications within seven days of the malfunction or emergency. The notifications shall include the following: [Permit No. 192-0300]

- i. A description of the malfunction or emergency and a description of the circumstances surrounding the cause or likely cause of such malfunction or emergency; and
- ii. A description of all corrective actions and preventive measures taken and/or planned with respect to such malfunction or emergency and the dates of such actions and measures.

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

Emissions Unit No. 10 (EU-10) is a CAIR NO<sub>x</sub> Ozone season unit and therefore subject to RCSA §22a-174-22c. The unit shall comply with all applicable requirements stated in RCSA §22a-174-22c and the standard requirements of the CAIR permit application.

#### C. FEDERAL ACID RAIN PERMIT REQUIREMENTS

##### 1. SO<sub>2</sub> Allowance Allocations and NO<sub>x</sub> Requirements for Each Affected Unit

###### a. EU-10

		2015	2016	2017	2018	2019
EU-10 (Unit 10)	SO <sub>2</sub> Allowances under Tables 2, 3, or 4 of 40 CFR Part 73	0	0	0	0	0
	NO <sub>x</sub> Limit	Not an Affected Unit under 40 CFR Part 76				

##### 2. Phase II Acid Rain Permit Application

The attached Phase II Acid Rain Permit Application is hereby incorporated by reference into this Title V permit. If this Title V permit is in conflict with or inconsistent with the Phase II Acid Rain Permit Application, the Title V permit requirements, including any applicable requirement under 40 CFR Parts 72 through 78, inclusive, shall supersede the Phase II Acid Rain Permit Application and the Permittee shall be governed by and adhere to this Title V permit and any applicable requirement under 40 CFR Parts 72 through 78, inclusive.

### Section III: Applicable Requirements and Compliance Demonstration

#### D. PREMISES-WIDE GENERAL REQUIREMENTS

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

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

**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>
		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.

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

- 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 and after July 1, 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 §16a-21a(a)(2)(B).
- I.** 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.
- J.** The Permittee shall comply with the requirements for Control of Carbon Dioxide Emissions as set forth in RCSA §22a-174-31.

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

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

### **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 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.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.

## **Print for Compliance Certification or Enforcement**

Click the button below to generate the appropriate checklist. Be aware that this macro does not work unless you have access to the DEEP D-Drive.

This macro takes anywhere from 2-5 minutes to run. Your computer will look like it is locked up but it is working. Unfortunately the new DEEP virtual computer system makes this process even slower. Please be patient.

Print Enforcement Checklist

Print Compliance Certification