



Connecticut Department of
**ENERGY &
ENVIRONMENTAL
PROTECTION**

BUREAU OF AIR MANAGEMENT TITLE V OPERATING PERMIT

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

Title V Permit Number	067-0072-TV
Client/ Sequence/Town/Premises Numbers	7741/ 6/067/17
Date Issued	August 23, 2017
Revision Issued Date	February 24, 2022
Expiration Date	August 23, 2022

Corporation:

Connecticut Jet Power LLC

Premises Name:

Cos Cob Station

Premises Location:

10 Sound Shore Drive, Greenwich, Connecticut 06830

Name of Responsible Official and Title:

Kurt Huizing, Plant Manager

All the following attached pages, 2 through 31, are hereby incorporated by reference into this Title V permit.

Katherine S. Dykes
for
Katherine S. Dykes
Commissioner

February 24, 2022

Date

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Title V Operating Permit

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

LIST OF ABBREVIATIONS/ACRONYMS

<i>Abbreviation/Acronym</i>	<i>Description</i>
AP-42	Compilation of Air Pollutant Emission Factors
CAIR	Clean Air Interstate Rule
CAM	Continuous Assurance Monitoring
CEM	Continuous Emission Monitor
CFR	Code of Federal Regulations
CGS	Connecticut General Statutes
CO	Carbon Monoxide
DEEP	Department of Energy and Environmental Protection
DERC	Discrete Emissions Reduction Credit
EU	Emissions Unit
EPA	Environmental Protection Agency
°F	Degrees Fahrenheit
gal	Gallon
GEU	Grouped Emissions Unit
gph	Gallons per hour
HAP	Hazardous Air Pollutant
hr	Hour
MMBtu	Million of British Thermal Units
NOx	Nitrogen Oxides
NSPS	New Source Performance Standard
NSR	New Source Review
PM	PM- Particulate Matter
PM-10	Particulate Matter less than 10 microns
ppm	Parts per million
RACT	Reasonably Available Control Technology
RCSA	Regulations of Connecticut State Agencies
SIC	Standard Industrial Classification
SO ₂	Sulfur Dioxides
SOx	Sulfur Oxides
ULSD	Ultra Low Sulfur Distillate
VOC	Volatile Organic Compound

Section I: Premises Information/Description

A. PREMISES INFORMATION

Nature of Business: Electric Power Generation

Primary SIC: 4911

Facility Mailing Address: 734 Naugatuck Ave, Milford, CT 06461

Telephone Number: (203) 824-2512

B. PREMISES DESCRIPTION

Connecticut Jet Power LLC's Cos Cob Station is located on Sound Shore Drive, in Greenwich, Connecticut. The station produces electricity for sale. The total electrical output from the station is approximately 100 megawatts (MW).

The station consists of five Pratt and Whitney turbine engines, Model No. FT4A-9. Three were installed in 1969 and are operating under Registration Nos. 067-0052-R, 067-0053-R and 067-0054-R, respectively. These three turbines are identified on site as Unit 10, Unit 11, and Unit 12 (GEU-1). The other two units were installed in 2008 and are operating under Permit Nos. 067-0097 and 067-0098, respectively. These units are 1969 vintage units and are identified as Unit 13 and Unit 14 (GEU-2).

All five units were designed to burn natural gas or fuel oil, however the facility is not currently capable of firing natural gas.

All five units employ water injection for the control of NOx, fire ultra-low sulfur distillate oil (0.0015% by weight, dry basis) supplied from one 300,000 gallon storage tank and are subject to RCSA §22a-174-22c (CAIR).

Recurring stack testing for NOx and CO is required for each unit every five years pursuant to RCSA §22a-174-22(k)(1) and RCSA §22a-174-33(j)(1)(K)(ii), respectively.

Connecticut Jet Power LLC is a major source for NOx and CO.

Section II: Emissions Units Information

A. EMISSIONS UNITS DESCRIPTION

Emissions units are set forth in Table II.A.1. It is not intended to incorporate by reference these NSR Permits, Orders, or Registrations into this Title V permit.

TABLE II.A: EMISSIONS UNITS DESCRIPTION			
Emissions Unit/ Grouped Emission Unit	Emissions Unit Description	Control Unit Description	Permit, Order, Registration, or Regulation Number
EU-1	Pratt and Whitney FT4A-9 Combustion Turbine, Unit 10 Installed 09/01/69	Water Injection	067-0052-R Trading Agreement and Order No. 8357
EU-2	Pratt and Whitney FT4A-9 Combustion Turbine, Unit 11 Installed 09/01/69	Water Injection	067-0053-R Trading Agreement and Order No. 8357
EU-3	Pratt and Whitney FT4A-9 Combustion Turbine, Unit 12 Installed 10/01/69	Water Injection	067-0054-R Trading Agreement and Order No. 8357
EU-4	Pratt and Whitney FT4A-9 Combustion Turbine, Unit 13 Installed 06/13/08	Water Injection	Permit No. 067-0097 Trading Agreement and Order No. 8357
EU-5	Pratt and Whitney FT4A-9 Combustion Turbine, Unit 14 Installed 06/17/08	Water Injection	Permit No. 067-0098 Trading Agreement and Order No. 8357
GEU-1	EU-1 through EU-3	See Above	RCSA §22a-174-22 RCSA §22a-174-22c RCSA §22a-174-22e
GEU-2	EU-4 and EU-5	See Above	RCSA §22a-174-22 RCSA §22a-174-22c RCSA §22a-174-22e

Section II: Emissions Units Information

B. OPERATING SCENARIO IDENTIFICATION

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

TABLE II.B: OPERATING SCENARIO IDENTIFICATION

Identification of Operating Scenarios	Emissions Units Associated with the Scenario	Description of Scenario
SOS	GEU-1 GEU-2	All emissions units associated with SOS shall be operated in accordance with applicable permit or registration terms and conditions while combusting distillate fuel with a sulfur content \leq 0.0015% S by weight, dry basis.

Section III: Applicable Requirements and Compliance Demonstration

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

A. GROUPED EMISSIONS UNIT 1 (GEU-1)

Pratt & Whitney FT4A-9 Combustion Turbine (Units 10, 11, and 12) (Registration Nos. 067-0052-R, 067-0053-R, and 067-0054-R)

1. Allowable Fuel Usage

a. Limitation or Restriction

Distillate fuel burned by these units shall not exceed a sulfur content of 0.0015% by weight, dry basis (15 ppm). [Collateral Condition of Permit Nos. 067-0097 and 067-0098]

b. Monitoring Requirements

The Permittee shall use a non-resettable totalizing fuel metering device to continuously monitor fuel feed to each unit. [RCSA §22a-174-33(j)(1)(K)(ii)]

c. Record Keeping Requirements

i. The Permittee shall keep records of daily, monthly and annual fuel consumption. Annual fuel consumption shall be based on any consecutive 12 month period and shall be determined by adding the current month's fuel to that of the previous 11 months. The Permittee shall make these calculations within 30 days of the end of the previous month.

[Collateral Conditions of Permit Nos. 067-0097 and 067-0098]

ii. The Permittee shall keep records of the fuel certification for each delivery of fuel oil 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 the date of delivery, the name of the fuel supplier, type of fuel delivered, the percentage of sulfur in such fuel, by weight, dry basis, and the method used to determine the sulfur content of such fuel. [RCSA §22a-174-33(j)(1)(K)(ii)]

iii. The Permittee shall make and keep records of hourly fuel consumption during stack testing. Hourly fuel consumption shall not exceed the rate indicated by the equation $X=(Y-819.67)/(-0.3333)$. Where X = Fuel Flow in gallons per hour (gph) and Y = Ambient Air Temperature (°F). [RCSA §22a-174-33(j)(1)(K)(ii)]

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. NSPS Trigger

The Permittee shall maintain records of the significant maintenance/repairs/parts replacement that would constitute "reconstruction" as defined in 40 CFR §60.15 for each unit. Such records shall contain sufficient information to determine if the unit was reconstructed to trigger NSPS applicability. The date of service and

Section III: Applicable Requirements and Compliance Demonstration

cost of service shall be included with the maintenance records.
[Collateral Conditions of Permit Nos. 067-0097 and 067-0098]

3. Nitrogen Oxides (NOx)

a. Limitations or Restrictions

- i. Each unit shall emit less than or equal to 75 ppmvd (0.289 lb/MMBtu heat input).
[RCSA §22a-174-22(e)(3)]
- ii. Each unit shall emit less than or equal to 0.15 lb/MMBtu during the period from October 1 to April 30, inclusive, non-ozone season, unless in accordance with Trading Order No. 8334.
[RCSA §22a-174-22(e)(3)]
- iii. Each unit is required to maintain Water-to-Fuel ratios of between a lower limit of 0.37 and an upper limit of 1.04 over averaged monitoring periods not greater than five minutes. An excursion occurs if the Water-to-Fuel ratio falls outside the lower and upper limits. [40 CFR Part 64 (CAM PLAN)]
- iv. When there is an excursion the Permittee shall:
 - (A) Make a record.
 - (B) Investigate cause of excursion.
 - (C) Take corrective action.
 - (D) Take future preventative action. [40 CFR Part 64 (CAM PLAN)]

b. Monitoring and Testing Requirements

- i. The Permittee shall continuously monitor the water-to-fuel ratio for each unit.
[RCSA §22a-174-33(j)(1)(K)(ii)]
- ii. All monitoring and metering equipment shall be maintained in accordance with the manufacturer's specifications and recommendations. [40 CFR Part 64 (CAM PLAN)]
- iii. The Permittee shall conduct a stack test of NOx emissions from each unit every five years from the date of the last test. [RCSA §22a-174-22(k)(1)]

c. Record Keeping Requirements

The Permittee shall make the following records for each unit:

- i. Daily NOx emission records and continuous electronic recording of water-to-fuel ratio for each unit.
[Collateral Conditions of Permit Nos. 067-0097 and 067-0098]
- ii. Copies of all documents submitted to the commissioner pursuant to RCSA §22a-174-22(l)(1).
- iii. Calculations and procedures for calculating NOx emission rates sufficient to show compliance with the emission limits in Section III.A.3a of this Title V permit. [RCSA §22a-174-22(l)(1)]
- iv. Records of the dates, times and places of all emission testing required by this section, the persons performing the measurements, the testing methods used, the operating conditions at the time of testing, and the results of such testing. [RCSA §22a-174-22(l)(1)]

Section III: Applicable Requirements and Compliance Demonstration

- v. Records of all performance evaluations, calibration checks and adjustments on continuous emissions monitor; a record of maintenance procedures; [RCSA §22a-174-22(l)(1)].
- vi. The Permittee shall maintain for a period of five years records of inspections and corrective actions taken in response to excursions. [40 CFR Part 64 (CAM PLAN)]
- vii. The Permittee shall, as part of the semi-annual monitoring report and /or annual compliance certification, submit a report semiannually on the number, duration, cause of any excursion and the corrective action taken. [40 CFR Part 64 (CAM PLAN)]

d. Reporting Requirements

The Permittee shall submit a written report to the commissioner of any testing results within 30 days of the completion of such NOx test. [RCSA §22a-174-22(l)(2)]

4. Trading Agreement and Order No. 8357

Grouped Emissions Unit 1 (GEU-1) shall comply with Section III.C of this Title V permit.

5. CAIR NOx Ozone Season Trading Program

Units in Grouped Emissions Unit 1 (GEU-1) are CAIR NOx Ozone season units and therefore subject to RCSA §22a-174-22c. The units shall comply with all applicable requirements stated in RCSA §22a-174-22c and the standard requirements of the CAIR permit application.

6. PM

a. Limitation or Restriction

Each unit shall emit less than or equal to 0.12 lb/MMBtu heat input. [RCSA §22a-174-18(e)(2)(B)]

b. Monitoring and Testing Requirements

Record keeping specified in Section III.A.6.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)(l)(K)(ii)]

c. Record Keeping Requirements

The Permittee shall maintain records sufficient to determine compliance with the limitation or restriction in Section III.A.6.a. of this Title V permit. [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)]

Section III: Applicable Requirements and Compliance Demonstration

7. Opacity

a. Limitation or Restriction

Each unit is restricted to:

- i. Visible emissions of no greater than 20% opacity during any six-minute block average as measured by 40 CFR Part 60, Appendix A, Reference Method 9; or
- ii. 40% opacity as measured by 40 CFR Part 60, Appendix A, Reference Method 9, reduced to a one-minute block average. [RCSA §22a-174-18(b)(1)]

b. Monitoring and Testing Requirements

Testing shall be conducted using EPA Method 9 (or equivalent EPA approved Method). Recurring tests shall be every five years concurrent with the required NOx testing. [RCSA §22a-174-33(j)(1)(K)(ii)]

c. Record Keeping Requirements

The Permittee shall maintain records of the dates and times of all opacity testing including the operating conditions at the time of the test. [RCSA §22a-174-33(j)(1)(K)(ii)]

d. Reporting Requirements

The Permittee shall submit reports of opacity testing within 30 days of such tests. [RCSA §22a-174-33(j)(1)(K)(ii)]

8. CO

a. Limitation or Restriction

Annual CO emissions shall not exceed 99 tons/yr for GEU-1 and GEU-2 combined. [Collateral Condition of Permit Nos. 067-0097 and 067-0098]

b. Monitoring and Testing Requirements

The Permittee shall conduct bureau approved stack tests of CO emissions from each unit at least once every five years and no later than five years from the previous stack testing. [RCSA §22a-174-33(j)(1)(X)]

c. Record Keeping Requirements

- i. The Permittee shall make and keep records of daily, monthly and annual CO emissions using the most recent stack test data together with fuel use data. [RCSA §22a-174-33(j)(1)(K)(ii)]
- ii. The Permittee shall make and keep records showing the total of the annual emissions from GEU-1 and GEU-2. [RCSA §22a-174-33(j)(1)(X)]

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)]

9. Sulfur Oxides [STATE ONLY REQUIREMENTS]

a. Limitation or Restriction

Meet an average emission rate of equal to or less than 0.55 pounds SO₂ per MMBtu for each calendar quarter for an affected unit at the premises; or meet an average emission rate of equal to or less than 0.5 pounds SO₂ per MMBtu calculated for each calendar quarter, if such owner or operator averages the emissions from two or more affected units at the premises. [RCSA §22a-174-19a(c)]

b. Record Keeping Requirements

The Permittee shall submit reports in accordance with the requirements of RCSA §22a-174-19a(j)(1), including actual quarterly SO₂ emissions in tons and either average quarterly fuel sulfur content or average quarterly emission rate, whichever is applicable, for each affected unit. [RCSA §22a-174-19a(j)(1)]

c. 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)]

B. GROUPED EMISSIONS UNIT 2 (GEU-2)

Pratt & Whitney FT4A-9 Combustion Turbines (Units 13 and 14) (Permit Nos. 067-0097 and 067-0098)

1. Allowable Fuel Usage and General Requirements

a. Limitation or Restriction

- i. Fuel Type: Ultra Low Sulfur Distillate (ULSD)
- ii. Maximum Fuel Firing Rate: 2,300 gal/hr at 59 (°F) and based on 135,000 Btu/gal of fuel, and varying by the equation $X=(Y-819.67)/(-0.3333)$.
Where X = Fuel Flow in gallons per hour (gph) and Y = Ambient Air Temperature (°F).
[Permit Nos. 067-0097 and 067-0098]
- iii. Maximum Fuel Consumption over any Consecutive 12 Month Period:
1.754 MM gallons/year for both units combined. [Permit Nos. 067-0097 and 067-0098]
- iv. Maximum fuel sulfur content: 0.0015% by weight, dry basis (15 ppm).
[Permit Nos. 067-0097 and 067-0098]
- v. Water-to-Fuel Ratio Range: 0.37 – 1.04 [Permit Nos. 067-0097 and 067-0098]

Section III: Applicable Requirements and Compliance Demonstration

b. Monitoring Requirements and Testing Requirements

- i. The Permittee shall use a non-resettable totalizing fuel metering device to continuously monitor fuel feed to each unit. [Permit Nos. 067-0097 and 067-0098]
- ii. The Permittee shall continuously monitor hourly fuel consumption rate for each unit. [Permit Nos. 067-0097 and 067-0098]
- iii. The Permittee shall continuously monitor with the water-to-fuel ratio for each unit. [Permit Nos. 067-0097 and 067-0098]

c. Record Keeping Requirements

The Permittee shall keep records of daily, monthly and annual fuel consumption. Annual fuel consumption shall be based on any consecutive twelve month period and shall be determined by adding the current month's fuel usage to that of the previous eleven months. The Permittee shall make these calculations within thirty days of the end of the previous month. [Permit Nos. 067-0097 and 067-0098]

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-174-22(j)(1)(X)]

2. NSPS Trigger

The Permittee shall maintain records of the significant maintenance/repairs/parts replacement that would constitute "reconstruction" as defined in 40 CFR §60.15 for each unit in GEU1 and GEU2. Such records shall contain sufficient information to determine if the unit was reconstructed to trigger NSPS applicability. The date of service and cost of service shall make up the maintenance records.
[Permit Nos. 067-0097 and 067-0098]

3. PM-10

a. Limitation or Restriction

The Permittee shall not cause or allow the exceedance of the emission limits stated here in at any time.
[Permit Nos. 067-0097 and 067-0098]

- i. 3.73 lb/hour, per unit
- ii. 1.34 tons/yr, both units combined

b. Monitoring and Testing Requirements

Record keeping specified in Section III.B.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)]

Section III: Applicable Requirements and Compliance Demonstration

c. Record Keeping Requirements

The Permittee shall maintain records sufficient to determine compliance with the limitation or restriction in Section III.B.3.a. of this Title V permit. [RCSA §22a-174-33(j)(1)(X)]

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. Opacity

a. Limitation or Restriction

The Permittee shall not exceed the following visible emissions limits:

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

b. Monitoring and Testing Requirements

For each unit, opacity testing shall be conducted concurrent with at least one run of each required NOx test (set of 3 runs). Opacity estimating shall be conducted by using EPA Method 9 or equivalent EPA approved Method. [RCSA §22a-174-33(j)(1)(K)(ii)]

c. Record Keeping Requirements

The Permittee shall maintain records of the dates and times and results of all opacity testing including the operating conditions at the time of the test. [RCSA §22a-174-33(j)(1)(K)(ii)]

d. Reporting Requirements

The Permittee shall submit reports of opacity testing within 30 days of such tests. [RCSA §22a-174-33(j)(1)(K)(ii)]

5. Nitrogen Oxides (NOx)

a. Limitation or Restriction

- i. The Permittee shall not cause or allow the exceedance of the emission limits stated here in. [Permit Nos. 067-0097 and 067-0098]
 - (A) 68 lb/hour, per unit
 - (B) 0.22 lb/MMBtu, per unit
 - (C) 50 ppmvd @15% O₂, per unit
 - (D) 24.9 tons/yr, both units combined

Section III: Applicable Requirements and Compliance Demonstration

- ii. Each unit is required to maintain Water-to-Fuel ratios of between a lower limit of 0.37 and an upper limit of 1.04 averaged over monitoring periods not greater than 5 minutes. An excursion occurs if the Water-to-Fuel ratio falls outside the lower and upper limits. [40 CFR Part 64 (CAM PLAN)]
- iii. When there is an excursion the Permittee shall make:
 - (A) Make a record.
 - (B) Investigate cause of excursion.
 - (C) Take corrective action.
 - (D) Take future preventative action. [40 CFR Part 64 (CAM PLAN)]

b. Monitoring and Testing Requirements

- i. The Permittee shall continuously monitor for compliance the water-to-fuel ratio for each unit. [RCSA §22a-174-33(j)(1)(K)(ii)]
- ii. All monitoring and metering equipment shall be maintained in accordance with the manufacturer's specifications and recommendations. [40 CFR Part 64 (CAM PLAN)]
- iii. The Permittee shall conduct a stack test of NOx emissions from each unit every five years from the date of the last test. [RCSA §22a-174-22(k)(1)]

c. Record Keeping Requirements

The Permittee shall make and keep the following records for each unit.

- i. The Permittee shall demonstrate compliance with the emission limits by calculating the emission rates using data from the latest stack test report which has been given written approval by the Bureau. [RCSA §22a-174-33(j)(1)(K)(ii)]
- ii. The Permittee shall make and keep records of daily and annual NOx emissions. [Permit Nos. 067-0097 and 067-0098]
- iii. The Permittee shall make and keep records of NOx emissions versus MMBtu during the period October 1 to April 30 pursuant to RCSA §22a-174-22(e)(3).
- iv. The Permittee shall continuous electronic recording of the water-to-fuel ratio for each unit. [Permit Nos. 067-0097 and 067-0098]
- v. Copies of all documents submitted to the commissioner pursuant to this section. [RCSA §22a-174-22(l)(1)]
- vi. Calculations and procedures for calculating NOx emission rates sufficient to show compliance with the emission limits in Section III.5.B.a. of this Title V permit. [RCSA §22a-174-33(j)]
- vii. Records of the dates, times, and places of all emission testing required by this section, the persons performing the measurements, the testing methods used, the operating conditions at the time of testing, and the results of such testing. [RCSA §22a-174-33(j)]

Section III: Applicable Requirements and Compliance Demonstration

- viii. Records of all performance evaluations, calibration checks and adjustments on continuous emissions monitor; a record of maintenance procedures. [RCSA §22a-174-33(j)]
- ix. The Permittee shall maintain for a period of five years records of inspections and corrective actions taken in response to excursions. [40 CFR Part 64 (CAM PLAN)]
- x. The Permittee shall, as part of the semi-annual monitoring report and /or annual compliance certification, submit a report semiannually on the number, duration, cause of any excursion and the corrective action taken. [40 CFR Part 64 (CAM PLAN)]

d. Reporting Requirements

The Permittee shall submit a written report to the commissioner of any testing results within thirty days of the completion of such NOx test. [RCSA §22a-174-22(l)(2)]

6. Trading Agreement and Order No. 8357

Grouped Emissions Unit 2 (GEU-2) shall comply with Section III.C of this Title V permit.

7. CAIR NOx Ozone Season Trading Program

Units in Grouped Emissions Unit 2 (GEU-2) are CAIR NOx Ozone season units and therefore subject to RCSA §22a-174-22c. The units shall comply with all applicable requirements stated in RCSA §22a-174-22c and the standard requirements of the CAIR permit application.

8. Sulfur Oxides

a. Limitation or Restriction

The Permittee shall not cause or allow the exceedance of the emission limits stated here in at any time. [Permit Nos. 067-0097 and 067-0098]

- i. 0.46 lb/hour, per unit
- ii. 0.17 tons/yr, both units combined

b. Record Keeping Requirements

- i. The Permittee shall demonstrate compliance with the emission limits by calculating the emission rates using emission factors based on the sulfur content in the fuel.
- ii. The Permittee shall make and keep records of monthly and annual SOx emissions. [RCSA §22a-174-33(j)(1)(K)(ii)]

c. Reporting Requirements

The Permittee shall submit reports in accordance with the requirements in RCSA §22a-174-19a(j), including actual quarterly SO₂ emissions in tons and either average quarterly fuel sulfur content or average quarterly emission rate, whichever is applicable, for each affected unit.

Section III: Applicable Requirements and Compliance Demonstration

9. VOC

a. Limitation or Restriction

The Permittee shall not cause or allow the exceedance of the emission limits stated here in at any time. [Permit Nos. 067-0097 and 067-0098]

- i. 0.13 lb/hour, per unit
- ii. 0.33 tons/yr, both units combined

b. Record Keeping Requirements

- i. The Permittee shall demonstrate compliance with the emission limits by calculating the emission rates using emission factors based on Manufacturer's Data or if unavailable, AP-42, Section 3.1 dated 04/2000. [Permit Nos. 067-0097 and 067-0098]
- ii. The Permittee shall make and keep records of monthly and annual VOC emissions. [Permit Nos. 067-0097 and 067-0098]

c. Reporting Requirements

The Permittee shall submit additional information in writing, at the commissioner's request, within 30 days of receipt of the notice from the commissioner or by such other date specified by the commissioner, whichever is earlier. [RCSA §22a-174-33(j)(1)(X)]

10. CO

a. Limitation or Restriction

The Permittee shall not cause or allow the exceedance of the emission limits stated here in at any time. [Permit Nos. 067-0097 and 067-0098]

- i. 154 lb/hour, per unit
- ii. 99 tons/yr, total for GEU-1 and GEU-2 combined

b. Monitoring and Testing Requirements

The Permittee shall conduct a bureau approved stack test of CO emissions from each unit at least once every five years and no later than five years from the previous stack testing. [Permit Nos. 067-0097 and 067-0098]

c. Record Keeping Requirements

- i. The Permittee shall demonstrate compliance with the emission limits by calculating the emission rates using data from the latest stack test report which has been given written approval by the Bureau. [RCSA §22a-174-33(j)(1)(K)(ii)]
- ii. The Permittee shall make and keep records of daily, monthly and annual CO emissions. [Permit Nos. 067-0097 and 067-0098]

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)]

11. CO₂ Offset Plan

a. Limitation or Restriction

Connecticut Jet Power, LLC must comply with the CO₂ offset plan as approved by the commissioner. Such plan shall provide: [Permit Nos. 067-0097 and 067-0098]

- i. The methodology for calculating the amount of actual CO₂ emissions on an annual basis,
- ii. The procedures for the planting of trees or turf grass in accordance with CGS §22a-174d to offset the difference of the actual CO₂ emissions from this unit compared to a state-of-the-art comparable turbine.
- iii. The procedures to purchase Regional Greenhouse Gas Initiative (RGGI) CO₂ offset credits to offset the difference of the actual CO₂ emissions from this unit compared to a state-of-the-art comparable turbine.
- iv. Notwithstanding the above, the Permittee may use either trees/turf grass or RGGI offset credits to offset the difference of the actual CO₂ emissions from this unit compared to a state-of-the-art comparable turbine.
- v. Such CO₂ offset plan shall, at a minimum, include:
 - (A) a CO₂ offset ratio of 1:1 for the differential CO₂ emissions compared to a state-of-the-art comparable turbine,
 - (B) Provisions to report the status of offset projects on a periodic basis,
 - (C) Verification of the completion of projects.

b. Monitoring and Testing Requirements

Record keeping specified in Section III.B.11.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 maintain records sufficient to determine compliance with the limitation or restriction in Section III.B.11.a. of this Title V permit. [RCSA §22a-174-33(j)(1)(X)]

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,

Section III: Applicable Requirements and Compliance Demonstration

whichever is earlier. [RCSA §22a-174-33(j)(10(X)]

C. TRADING AGREEMENT AND ORDER NO. 8357

Pratt & Whitney FT4A-9 Combustion Turbines Units 10-14 (GEU-1 & GEU-2)

1. GEU-1 and GEU-2 shall comply with Trading Agreement and Order No. 8357 at all times.

a. Limitation or Restriction

NOx emissions shall not exceed 0.15 lb/MMBtu, during non-ozone season except in accordance with Trading Agreement and Order No. 8357. [RCSA §22a-174-22(e)(3)]

b. Testing Requirements

The Permittee shall perform emissions testing in accordance with RCSA §22a-174-22(k) of the Regulations for each emission unit described in Table 1 of Trading Agreement and Order No. 8357.

c. Record Keeping Requirements

- i. By the close of each calendar day, the Permittee shall record the actual fuel type and the actual quantity of each type of fuel in units of volume per day or MMBtu per day for each fuel used the preceding day in an emission unit described in Trading Agreement and Order No. 8357.
- ii. On or before the first day of each calendar month, the Permittee shall record the number of DERCs and corresponding serial numbers and vintages for all DERCs in its possession on the first calendar day of that calendar month.
- iii. On or before the first day of each calendar month, the Permittee shall record the number of DERCs and corresponding serial numbers, vintages, purchase/sales dates, and seller/buyer for all DERCs purchased or sold during the preceding calendar month.
- iv. On or before the first day of each calendar month, the Permittee shall record the Estimated DERCS Required for that calendar month determined in accordance with Paragraph B.7 of Trading Agreement and Order No. 8357.
- v. On or before the twentieth calendar day of each calendar month, the Permittee shall record the Actual DERCS Required for the preceding calendar month determined in accordance with Paragraph B.7 of Trading Agreement and Order No. 8357.
- vi. On or before January 31 of each calendar year, the Permittee shall record the quantity of DERCs deducted in accordance with Paragraphs B.9 of Trading Agreement and Order No. 8334 for the preceding year. Such records shall include the serial number and vintage of each DERC deducted from the Permittee' current balance pursuant to Paragraphs B. 9 of Trading Agreement and Order No. 8357.
- vii. Not more than 90 days after the completion of each Non-Ozone Season, the Permittee shall record the Non-Ozone Season average NOx emission rate for the emission units, the quantity of DERCs possessed on the first day of the Non-Ozone Season, and the quantity of DERCs deducted in accordance with Paragraphs B.10 of Trading Agreement and Order No. 8357.

Section III: Applicable Requirements and Compliance Demonstration

- viii. For each month of the Ozone season, the Permittee shall maintain records attesting to the fact that any DERCs deducted from its balance in accordance with Paragraphs B.9 of Trading Agreement and Order No. 8357 satisfy the requirements of Paragraph B.2 of Trading Agreement and Order No. 8357. Generator certification of this fact shall be sufficient.
- ix. On each day during the ozone season that the Permittee operates in accordance with Paragraph B.6 of Trading Agreement and Order No. 8357, the Permittee shall make and keep Records of all emission unit operation in accordance with Paragraph B.6 of Trading Agreement and Order No. 8357, including copies of any written correspondence from the Permittee's fuel supplier detailing the duration and circumstances of the inadequate fuel oil supply or interruption of gaseous fuel supply to the emission units.

d. Reporting Requirements

No later than March 1 of every year after issuance of Trading Agreement and Order No. 8357, the Permittee shall submit to the commissioner a written report containing copies of all of the records required pursuant to Paragraphs B.12.a – B.12.f, and B.12.h - B.12.i of Trading Agreement and Order No. 8357. Not later than July 30 of each calendar year, the Permittee shall submit a written report containing copies of all records required pursuant to Paragraph B.12.g of Trading Agreement and Order No. 8357. The commissioner may prescribe the forms to be used for the submission of these reports. The Permittee shall submit these reports on such forms, if prescribed by the commissioner.

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. Emission Testing:** The Permittee shall comply with the procedures for emission testing as set forth in RCSA §22a-174-5.
- 3. Emergency Episode Procedures:** The Permittee shall comply with the procedures for emergency episodes as set forth in RCSA §22a-174-6.
- 4. 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.
- 5. Prohibition of Air Pollution:** The Permittee shall comply with the requirement to prevent air pollution as set forth in RCSA §22a-174-9.
- 6. Public Availability of Information:** The public availability of information shall apply, as set forth in RCSA §22a-174-10.
- 7. Prohibition Against Concealment/ Circumvention:** The Permittee shall comply with the prohibition against concealment or circumvention as set forth in RCSA §22a-174-11.
- 8. Violations and Enforcement:** The Permittee shall not violate or cause the violation of any applicable regulation as set forth in RCSA §22a-174-12.
- 9. 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.

Section III: Applicable Requirements and Compliance Demonstration

- 10. No Defense to Nuisance Claim:** The Permittee shall comply with the regulations as set forth in RCSA §22a-174-14.
- 11. Severability:** The Permittee shall comply with the severability requirements as set forth in RCSA §22a-174-15.
- 12. Responsibility to Comply:** The Permittee shall be responsible to comply with the applicable regulations as set forth in RCSA §22a-174-16.
- 13. 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.
- 14. Fuel Sulfur Content:** The Permittee shall not use No. 2 heating oil that exceeds fifteen parts per million of sulfur by weight as set forth in CGS §16a-21a(a)(2)(B)
- 15. Sulfur Compound Emissions:** The Permittee shall comply with the requirements for control of Sulfur compound emissions as set forth in RCSA §§22a-174-19, 22a-174-19a and 22a-174-19b, as applicable.
- 16. Organic Compound Emissions:** The Permittee shall comply with the requirements for the control of organic compound emissions as set forth in RCSA §22a-174-20.
- 17. Nitrogen Oxide Emissions:** The Permittee shall comply with the requirements for control of nitrogen oxide emissions as set forth in RCSA §22a-174-22e and RCSA §22a-174-22f.
- 18. Ambient Air Quality:** The Permittee shall not cause or contribute to a violation of an ambient air quality standard as set forth in RCSA §221-174-24(b).
- 19. Open Burning:** The Permittee is prohibited from conducting open burning, except as may be allowed by CGS §22a-174(f)
- 20. Asbestos:** Should the premises, as defined in 40 CFR §61.145, become subject to the national emission standard for asbestos regulations in 40 CFR Part 61 Subpart M when conducting any renovation or demolition at this premises, then the Permittee shall submit proper notification as described in 40 CFR §61.145(b) and shall comply with all other applicable requirements of 40 CFR Part 61 Subpart M.
- 21. Emission Fees:** The Permittee shall pay an emission fee as set forth in RCSA §22a-174-26(d).

Section IV: Compliance Schedule

Section IV: Compliance Schedule – No steps are required for achieving compliance at this time.

Section V: State Enforceable Terms and Conditions

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

SECTION V: STATE ENFORCEABLE TERMS AND CONDITIONS

- A.** This Title V permit does not relieve the Permittee of the responsibility to conduct, maintain and operate the emissions units in compliance with all applicable requirements of any other Bureau of the Department of Energy and Environmental Protection or any federal, local or other state agency. Nothing in this Title V permit shall relieve the Permittee of other obligations under applicable federal, state and local law.
- B.** Nothing in this Title V permit shall affect the commissioner's authority to institute any proceeding or take any other action to prevent or abate violations of law, prevent or abate pollution, investigate air pollution, recover costs and natural resource damages, and to impose penalties for violations of law, including but not limited to violations of this or any other permit issued to the Permittee by the commissioner.
- C. Additional Emissions Units**
 - 1. The Permittee shall make and submit a written record, at the commissioner's request, within 30 days of receipt of notice from the commissioner, or by such other date specified by the commissioner, of each additional emissions unit or group of similar or identical emissions units at the premises.
 - 2. Such record of additional emissions units shall include each emissions unit, or group of emissions units, at the premises which is not listed in Section II.A of this Title V permit, unless the emissions unit, or group of emissions units, is:
 - a. an insignificant emissions unit as defined in RCSA §22a-174-33; or
 - b. an emissions unit or activity listed in *White Paper for Streamlined Development of Part 70 Permit Applications, Attachment A* (EPA guidance memorandum dated July 10, 1995).
 - 3. For each emissions unit, or group of emissions units, on such record, the record shall include, as available:
 - a. Description, including make and model;
 - b. Year of construction/installation or if a group, range of years of construction/installation;
 - c. Maximum throughput or capacity; and
 - d. Fuel type, if applicable.
- D. Odors:** The Permittee shall not cause or permit the emission of any substance or combination of substances which creates or contributes to an odor that constitutes a nuisance beyond the property boundary of the premises as set forth in RCSA §22a-174-23.
- E. Noise:** The Permittee shall operate in compliance with the regulations for the control of noise as set forth in RCSA §§22a-69-1 through 22a-69-7.4, inclusive.
- F. Hazardous Air Pollutants (HAPs):** The Permittee shall operate in compliance with the regulations for the control of HAPs as set forth in RCSA §22a-174-29.
- G.** The Permittee shall comply with the requirements for Control of Sulfur Dioxide Emissions from Power

Section V: State Enforceable Terms and Conditions

Plants and other large stationary sources of air pollution as set forth in RCSA §22a-174-19a.

- H.** 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: Compliance Analysis and Coordination Unit, Bureau of Air Management, Department of Energy and Environmental Protection; 79 Elm Street, 5th Floor; Hartford, Connecticut 06106-5127.

Any submittal to the Administrator of the Environmental Protection Agency shall be in a computer-readable format and addressed to: Director, Enforcement and Compliance Assurance Division, U.S. EPA Region I, 5 Post Office Square, Suite 100 (Mailcode: 04-02), Boston, Massachusetts 02109-3912, Attn: Air Compliance 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:

1. The facilities employ more than 250 persons or have gross annual sales or expenditures exceeding 25

Section VI: Title V Requirements

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 sub clause 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 Section 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 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.

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-

Section VI: Title V Requirements

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 Subsection D of Section VII 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 22a-174-33(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 (B) unless imposition of such limits is required by an applicable requirement.

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

The commissioner may, for the purpose of determining compliance with this Title V permit and other applicable requirements, enter the premises at reasonable times to inspect any facilities, equipment, practices, or operations regulated or required under such permit; to sample or otherwise monitor substances or parameters; and to review

Section VI: Title V Requirements

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.

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,

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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.

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).

Section VI: Title V Requirements

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.