

**BUREAU OF AIR MANAGEMENT  
NEW SOURCE REVIEW PERMIT  
TO CONSTRUCT AND OPERATE A STATIONARY SOURCE**

Issued pursuant to Title 22a of the Connecticut General Statutes (CGS) and Section 22a-174-3a of the Regulations of Connecticut State Agencies (RCSA).

<b>Owner/Operator</b>	Kleen Energy Systems LLC
<b>Address</b>	P.O. Box 2696, Middletown, CT 06457
<b>Equipment Location</b>	1349 River Road, Middletown, CT 06457
<b>Equipment Description</b>	Siemens SGT6-5000F Combustion Turbine No.1 and HRSG with Duct Burning
<b>Town-Permit Numbers</b>	104-0133
<b>Premises Number</b>	246
<b>Stack Number</b>	2
<b>Prior Permit Issue Dates</b>	February 25, 2008, June 15, 2009, November 7, 2011, June 18, 2012, July 2, 2013, June 5, 2018
<b>Modification Issue Date</b>	March 13, 2026
<b>Expiration Date</b>	None

for *Tracy Babbidge*  
Katherine S. Dykes  
Commissioner

March 13, 2026  
Date

This permit specifies necessary terms and conditions for the operation of this equipment to comply with state and federal air quality standards. The Permittee shall at all times comply with the terms and conditions stated herein.

## **PART I. DESIGN SPECIFICATIONS**

### **A. General Description**

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

The major components of the facility consists of two dual-fuel (natural gas and ultra-low sulfur diesel) power generating units, each of which includes a Siemens SGT6-5000F combustion turbine generator and a heat recovery steam generator (CTG/HRSG) with supplemental natural gas fired duct burners. Emissions controls on the CTGs/HRSGs include ultra low NO<sub>x</sub> combustors and selective catalytic reduction for NO<sub>x</sub> control, oxidation catalysts for CO and VOC control, and the use of clean fuels for SO<sub>x</sub> and PM control.

### **B. Equipment Design Specifications**

#### 1. Turbine

- a. Maximum Fuel Firing Rates: 2.095 MMft<sup>3</sup>/hr (natural gas), 15,119 gal/hr (fuel oil)
- b. Maximum Gross Heat Input (MMBtu/hr): 2,136 (natural gas), 2,117 (fuel oil)

Note: Heat input will vary by approximately  $\pm 5\%$  over the typical range of temperatures expected, with higher heat input occurring at lower ambient temperatures.

#### 2. Duct Burner

- a. Maximum Fuel Firing Rate: 0.436 MMft<sup>3</sup>/hr (natural gas)
- b. Maximum Gross Heat Input: 445 MMBtu/hr (natural gas)

### **C. Control Equipment Design Specifications**

#### 1. Water Injection for the Turbine, for use when burning distillate fuel oil

#### 2. Low NO<sub>x</sub> Burner

- a. Make and Model: Siemens SGT6-5000F ULN model with water injection

#### 3. Selective Catalytic Reduction (SCR)

- a. Make and Model: Vogt Power Hot Gas Recirculation SCR
- b. Catalyst Type: Homogeneous honeycomb, consisting of 5% Tungsten trioxide, 5% Vanadium pentoxide and 90% Titanium dioxide

#### 4. Oxidation Catalyst

- a. Catalyst Type: BASF CAMET CO Catalyst

### **D. Stack Parameters**

#### 1. Minimum Stack Height: 215 ft above base elevation

#### 2. Minimum Exhaust Gas Flow Rate at 100% load (acfm): 1,011,360 (natural gas), 1,072,140 (fuel oil)

3. Minimum Stack Exit Temperature at 100% load (°F): 173 (natural gas), 195 (fuel oil)
4. Minimum Distance from Stack to Nearest Property Line: 449 ft

## **PART II. OPERATIONAL CONDITIONS**

### **A. Equipment**

1. Turbine
  - a. Fuel Types: Natural Gas, Distillate Fuel Oil
  - b. Maximum Fuel Firing Rate: 2.095 MMft<sup>3</sup>/hr @ < 50°F (natural gas),  
14,286 gal/hr @ < 35°F (fuel oil)
  - c. Maximum Fuel Consumption Over Any Consecutive 12 Month Period:  
1.83 x 10<sup>10</sup> ft<sup>3</sup> (natural gas),  
2.18 x 10<sup>7</sup> gal (fuel oil – for Permit Nos. 104-0131 and 104-0133, combined)
  - d. Maximum Distillate Fuel Oil Sulfur Content (% by weight, dry basis): 0.0015
  - e. The Permittee shall not operate this turbine in steady-state at less than 60% of the maximum load specified by the manufacturer when burning natural gas and no less than 75% of the maximum load specified by the manufacturer when burning distillate fuel oil.
2. Duct Burner
  - a. Fuel Type: Natural Gas
  - b. Maximum Firing Rate: 0.392 MMft<sup>3</sup>/hr @ < 35°F
  - c. Maximum Fuel Consumption over any Consecutive 12 Month Period: 1.47 x 10<sup>9</sup> ft<sup>3</sup>

## **PART III. DEFINITIONS**

- A.** “Emergency” shall be defined as any situation arising from sudden and reasonably unforeseeable events beyond the control of this source, including acts of God, which situation would require immediate corrective action to restore normal operation, and that causes the source to exceed a technology based limitation in this permit, due to unavoidable increases in emissions attributable to the emergency. An emergency shall not include noncompliance due to the extent caused by improperly designed equipment, lack of preventative maintenance, careless or improper operations, operator error or decision to keep operating despite knowledge of these things.
- B.** “Malfunction” shall be defined as 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 were caused in part by poor maintenance or careless operation are not malfunctions.
- C.** “Shutdown event” shall be defined as the period of time of transient operation from the initial lowering of turbine output until the point at which the combustion process has stopped.
- D.** “Startup event” shall be defined as the period of time of transient operation from initiation of combustion firing until the unit reaches steady state operation.
- E.** “Steady-state operation” shall be defined as operation of the turbine when the rate of change in load, with respect to time, is zero.
- F.** “Transient operation” shall be defined as operation of the turbine when the rate of change in load, with respect to time, is less than or greater than zero. The definition of transient operation shall include, but is not limited to, startup and shutdown events, shifts between loads, fuel-switching, and equipment cleaning.

## PART IV. ALLOWABLE EMISSION LIMITS

The Permittee shall not cause or allow this equipment to exceed the emission limits stated herein at any time, as determined in accordance with the applicable averaging periods defined in Part V of this permit or as specified in an approved stack test protocol.

An exceedance of either (i) the emission limits in the tables below, or (ii) the emissions limits developed for this permit due to an emergency, malfunction, or cleaning shall not be deemed a "Federally Permitted Release," as that term is used in 42 U.S.C. 9601(10).

Compliance with VOC emission limits in the tables below shall be determined by correlating the VOC emissions to the CO emissions using manufacturer's data and tracked using the CO CEMS.

### A. Steady State

The Permittee shall not exceed the following emission limits during periods of steady state operation.

#### 1. Criteria Pollutants

##### a. Turbine Operating on Natural Gas without Duct Firing (60% - 100% Load)

Pollutant	lb/hr	ppmvd @ 15% O <sub>2</sub>
PM	11.0	
PM <sub>10</sub>	11.0	
PM <sub>2.5</sub>	11.0	
SO <sub>x</sub>	4.9	
NO <sub>x</sub>	15.5	2.0
VOC	10.0	5.0
CO	4.3	0.9

##### b. Turbine Operating on Natural Gas with Duct Firing (60% - 100% Load)

Pollutant	lb/hr	ppmvd @ 15% O <sub>2</sub>
PM	15.2	
PM <sub>10</sub>	15.2	
PM <sub>2.5</sub>	15.2	
SO <sub>x</sub>	5.1	
NO <sub>x</sub>	16.2	2.0
VOC	10.8	5.0
CO	8.4	1.7

c. Turbine Operating on Distillate Fuel Oil without Duct Firing (75% - 100% Load)

Pollutant	lb/hr	ppmvd @ 15% O <sub>2</sub>
PM	57.0	
PM <sub>10</sub>	57.0	
PM <sub>2.5</sub>	57.0	
SO <sub>x</sub>	3.2	
NO <sub>x</sub>	48.4	5.9
VOC	9.0	3.6
CO	7.3	1.8
Pb	0.03	

d. Turbine Operating on Distillate Fuel Oil with Duct Firing (75% - 100% Load)

Pollutant	lb/hr	ppmvd @ 15% O <sub>2</sub>
PM	57.0	
PM <sub>10</sub>	57.0	
PM <sub>2.5</sub>	57.0	
SO <sub>x</sub>	3.7	
NO <sub>x</sub>	50.5	5.9
VOC	11.3	3.4
CO	9.4	1.8
Pb	0.03	

2. Non-Criteria Pollutants

For All Operating Scenarios

Pollutant	ppmvd @ 15% O <sub>2</sub>
Ammonia (natural gas)	2.0
Ammonia (fuel oil)	5.0

**B. Transient Operation**

The Permittee shall not exceed the following emission limits during periods of transient operation.

1. Natural Gas Startup and Shutdown Emission Limits (< 60% Load)

	Type of Startup or Shutdown Event			
	Cold Startup	Warm Startup	Hot Startup	Shutdown
Duration of Turbine at 0% Load Prior to Startup (hr)	> 48	8.1 to 48	0 to 8	--
Maximum Duration of Startup or Shutdown Event (hr)	2.9	2.0	1.8	1.0
NO <sub>x</sub> (lb/event)	635.4	473.6	302.4	110.9
VOC (lb/event)	60.6	56.0	8.7	3.8

CO (lb/event)	2,684.1	2,236.9	310.9	77.1
NH <sub>3</sub> (ppmvd @15% O <sub>2</sub> )	5.0	5.0	5.0	5.0

2. Distillate Fuel Oil Startup and Shutdown Emission Limits (< 75% Load)

	Type of Startup or Shutdown Event			
	Cold Startup	Warm Startup	Hot Startup	Shutdown
Duration of Turbine at 0% Load Prior to Startup (hr)	> 48	8.1 to 48	0 to 8	--
Maximum Duration of Startup or Shutdown Event (hr)	3.0	2.1	2.0	1.0
NO <sub>x</sub> (lb/event)	230.1	384.1	560.0	180.4
VOC (lb/event)	567.6	426.8	348.7	86.9
CO (lb/event)	837.5	1,415.1	850.2	168.5
NH <sub>3</sub> (ppmvd @15% O <sub>2</sub> )	5.0	5.0	5.0	5.0

3. Ammonia (NH<sub>3</sub>) emissions shall not exceed 5.0 ppm @ 15% O<sub>2</sub> during transient operation caused by shifts between loads, fuel-switching and equipment cleaning.

**C. Annual Emission Limits – Single Turbine with Duct Burner**

1. Criteria Pollutants

Pollutant	Tons Per Any Consecutive 12 Month Period
PM	63.8
PM <sub>10</sub>	63.8
PM <sub>2.5</sub>	63.8
SO <sub>x</sub>	20.9
NO <sub>x</sub>	83.3
VOC	24.0
CO	100.6
Pb	0.011

2. Hazardous Air Pollutants

Pollutant	Tons Per Any Consecutive 12 Month Period
Ammonia	33.7
Sulfuric Acid	6.4

**D. Hazardous Air Pollutants**

This equipment shall not cause an exceedance of the Maximum Allowable Stack Concentration (MASC) for any hazardous air pollutant (HAP) emitted and listed in RCSA Section 22a-174-29. [STATE ONLY REQUIREMENT]

## E. Opacity

This equipment shall not exceed 10% opacity during any six minute block average as measured by 40 CFR Part 60, Appendix A, Reference Method 9.

- F. The Permittee shall demonstrate compliance with the above emission limits by calculating the emission rates using the emission factors from operational parameters, CEM, and/or the most recent stack test results. The above statement shall not preclude the commissioner from requiring other means (stack testing) to demonstrate compliance with the above emission limits, as allowed by state or federal statute, law or regulation.

## PART V. MONITORING, RECORD KEEPING AND REPORTING REQUIREMENTS

### A. Monitoring

1. The Permittee shall comply with the CEM requirements as set forth in RCSA Section 22a-174-4, RCSA Section 22a-174-22, RCSA Section 22a-174-31, 40 CFR Part 60 Subpart KKKK and 40 CFR Parts 72-78, if applicable. CEM shall be required for the following pollutant/operational parameters and enforced on the following basis:

Pollutant/Operational Parameter	Averaging Times	Emission Limit/Operating Limit
Turbine Load	continuous	See Part II.A.1.e
Fuel Flow	continuous	See Part II.A
Opacity <sup>1</sup>	six minute block	10%
NO <sub>x</sub>	1 hour block	See Part IV
CO	1 hour block	See Part IV
O <sub>2</sub>	1 hour block	None <sup>2</sup>
NH <sub>3</sub>	1 hour block	See Part IV
Ambient Temperature	continuous	None <sup>2</sup>

<sup>1</sup> Required during distillate fuel oil firing only

<sup>2</sup> Parameter to be monitored is not limited by conditions of this permit. Monitoring is required solely to provide basis for correction of actual exhaust gas conditions to dry conditions @ 15% O<sub>2</sub> by volume.

2. The Permittee shall use individual totalizing fuel metering devices or billing meters to continuously monitor fuel feed to the turbine and duct burner.
3. The Permittee shall continuously monitor and continuously record the SCR aqueous ammonia injection rate (lb/hr), operating temperature (°F) and pressure drop (inches of water) across the catalyst bed on a 1 hour block basis. During steady state operation, the Permittee shall maintain these parameters in accordance with the manufacturer's specifications and most recent written required advisories to achieve compliance with the emission limits in this permit.
4. The Permittee shall continuously monitor and continuously record the oxidation catalyst inlet temperature (°F) and Pressure Drop (in. H<sub>2</sub>O) on a 1 hour block basis. During steady state operation, the Permittee shall maintain this parameter in accordance with the manufacturer's specifications and most recent written required advisories to achieve compliance with the emission limits in this permit.

5. The Permittee shall perform inspections of the SCR and oxidation catalysts as recommended by the manufacturer.

## **B. Record Keeping**

1. The Permittee shall keep records of monthly and consecutive 12 month fuel consumption for the turbine (for each fuel). The consecutive 12 month fuel consumption shall be determined by adding (for each fuel) the current month's fuel consumption to that of the previous 11 months. The Permittee shall make these calculations within 30 days of the end of the previous month.
2. The Permittee shall keep daily records of distillate fuel oil usage for the turbine. Such records shall include the date of usage, percent of sulfur content (by weight, dry basis) of the distillate fuel oil used using the records required in Part V.B.5 of this permit, and the quantity of distillate fuel oil used in gallons.
3. The Permittee shall keep records of monthly and consecutive 12 month natural gas fuel consumption for the duct burner. The consecutive 12 month fuel consumption shall be determined by adding the current month's fuel consumption to that of the previous 11 months. The Permittee shall make these calculations within 30 days of the end of the previous month.
4. The Permittee shall keep records of monthly and consecutive 12 month distillate fuel oil consumption for Permit Nos. 104-0131 and 104-0133 combined. The consecutive 12 month fuel consumption shall be determined by adding the current month's fuel consumption to that of the previous 11 months. The Permittee shall make these calculations within 30 days of the end of the previous month.
5. 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.
6. The Permittee shall keep records of all fuel switching and equipment cleaning events. Such records shall contain the date, time and duration of the fuel switching or equipment cleaning event.
7. The Permittee shall calculate and record the monthly and consecutive 12 month PM, PM<sub>10</sub>, PM<sub>2.5</sub>, SO<sub>x</sub>, NO<sub>x</sub>, VOC, 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.

Emissions during startup and shutdown shall be counted towards the annual emission limitation in Part IV.C of this permit.

8. The Permittee shall keep records of all exceedances of any emissions limitation or operating parameter. Such records shall include:
  - a. the date and time of the exceedance;
  - b. a detailed description of the exceedance;
  - c. the duration of the exceedance; and

- d. for exceedances during transient operation caused by shifts between loads, the time and duration of the load shift and the load ramp rate (MW/min).
9. The Permittee shall keep records of the occurrence and duration of any startup, shutdown, or malfunction in the operation of the stationary gas turbine/duct burner; any malfunction of the air pollution control equipment; or any periods during which a continuous monitoring system or monitoring device is inoperative. [40 CFR §60.7(b)]

Such records shall contain the following information:

- a. type of event (startup, shutdown, or malfunction);
  - b. equipment affected;
  - c. date of event;
  - d. duration of event (minutes);
  - e. fuel being used during event; and
  - f. total NO<sub>x</sub>, VOC and CO emissions emitted (lb) during the event, unless there is a malfunction with the continuous monitoring equipment.
10. The Permittee shall keep records of each delivery of aqueous ammonia. The records shall include:
- a. the date of delivery;
  - b. the name of the supplier;
  - c. the quantity of aqueous ammonia delivered; and
  - d. the percentage of ammonia in solution, by weight.
11. The Permittee shall keep records of the inspection and maintenance of the SCR and oxidation catalysts. The records shall include:
- a. the name of the person or company;
  - b. the date;
  - c. the results or actions; and
  - d. the date the catalyst is replaced.
12. The Permittee shall keep all records required by this permit for a period of no less than five years and shall submit such records to the commissioner upon request.

### **C. Reporting**

1. The Permittee shall notify the commissioner in writing of any exceedance of an emissions limitation or operating parameter, and shall identify the cause or likely cause of such exceedance, all corrective actions and preventive measures taken with respect thereto, and the dates of such actions and measures as follows:
  - a. For any hazardous air pollutant, no later than 24 hours after such exceedance commenced; and
  - b. For any other regulated air pollutant or operating parameter, no later than ten days after such exceedance commenced.
2. The Permittee shall notify the commissioner in writing of any malfunction of the stationary gas turbine/duct burner, the air pollution control equipment or the continuous monitoring system. The Permittee shall submit such notification within ten days of the malfunction. The notification shall include the following:
  - a. a description of the malfunction and a description of the circumstances surrounding the cause or likely cause of such malfunction; and

- b. a description of all corrective actions and preventive measures taken and/or planned with respect to such malfunction and the dates of such actions and measures.

## PART VI. STACK EMISSION TEST REQUIREMENTS

- A.** Stack emission testing shall be performed in accordance with the [Emission Test Guidelines](#) available on the DEEP website.
- B.** Recurrent stack testing when firing natural gas shall be performed once every five years from the date of the last stack test firing natural gas and stack testing while firing fuel oil shall be performed at least once every five years from the date of the last stack test firing fuel oil or before 700 hours of operation on fuel oil, whichever is longer.

PM                       PM<sub>10</sub>             PM<sub>2.5</sub>             SO<sub>x</sub>             NO<sub>x</sub>             CO  
 VOC                       Other (HAPs):

- C.** The Permittee shall perform one set of stack tests on the turbine when burning natural gas (with and without duct burning) and one set of stack tests when burning distillate fuel oil (with and without duct burning).
- D.** The commissioner retains the right to require stack testing of any pollutant at any time to demonstrate compliance.
- E.** Stack testing shall be performed at or above 90% of the maximum total capacity (heat input) of the turbine and duct burner combined when conducting tests where both the turbine and duct burner are operating.
- F.** For the purposes of determining maximum heat input during performance testing, the following equations may be used:

### 1. Turbine

#### a. Maximum Fuel Firing Rates:

$T < 50\text{ }^{\circ}\text{F}$             2.095 MMcf/hr (gas)  
 $T \geq 50\text{ }^{\circ}\text{F}$              $[2.095 - 1.88 \times 10^{-3} (T - 50)]$  MMcf/hr (gas)  
 $T < 35\text{ }^{\circ}\text{F}$             14,286 gals/hr (oil)  
 $T \geq 35\text{ }^{\circ}\text{F}$              $[14,286 - 33.0 \times (T - 35)]$  gals/hr (oil)

#### b. Maximum Gross Heat Input Rates (MMBtu/hr):

$T < 50\text{ }^{\circ}\text{F}$             2,136 (gas)  
 $T \geq 50\text{ }^{\circ}\text{F}$              $[2,136 - 1.92 \times (T - 50)]$  (gas)  
 $T < 35\text{ }^{\circ}\text{F}$             2,000 (oil)  
 $T \geq 35\text{ }^{\circ}\text{F}$              $[2,000 - 4.62 \times (T - 35)]$  (oil)

### 2. Duct Burner

a. Maximum Fuel Firing Rate: 0.392 MMcf/hr (gas)

b. Maximum Gross Heat Input Rate: 400 MMBtu/hr (gas)

### 3. Turbine plus Duct Burner

#### a. Maximum Gross Heat Input Rates:

2,425 MMBtu/hr (gas)  
 $T < 35\text{ }^{\circ}\text{F}$             2,400 MMBtu/hr (oil)  
 $T \geq 35\text{ }^{\circ}\text{F}$              $[2,400 - 4.62 \times (T - 35)]$  MMBtu/hr(oil)

- G. Stack test results shall be reported as follows: all pollutants in units of lb/hr, and VOC also in units of ppmvd at 15% O<sub>2</sub>

**PART VII. OPERATION AND MAINTENANCE REQUIREMENTS**

- A. The Permittee shall operate and maintain this equipment in accordance with the manufacturer’s specifications and most recent written required advisories.
- B. The Permittee shall operate and maintain this equipment, air pollution control equipment, and monitoring equipment in a manner consistent with good air pollution control practices and in accordance with the manufacturer’s specifications and most recent written required advisories for minimizing emissions at all times including during startup, shutdown, and malfunction.
- C. The Permittee shall properly operate the control equipment in accordance with the manufacturer’s specifications and most recent written required advisories at all times that this equipment is in operation and emitting air pollutants.
- D. The Permittee shall immediately institute shutdown of the turbine in the event where emissions are in excess of a limit in Part IV of this permit that cannot be corrected within three hours of when the emission exceedance was identified.

**PART VIII. SPECIAL REQUIREMENTS**

**A. Premises-Wide VOC Emissions**

- 1. Total VOC emissions from all VOC emitting equipment located at this premises shall not exceed 49.9 tons per year.
- 2. Demonstration of compliance with the annual VOC premises wide limit shall be based on each consecutive 12 month time period and shall be determined by adding the current month’s VOC premises wide emissions to that of the previous 11 months. The Permittee shall make these calculations within 30 days of the end of the previous month.
- 3. Monthly premises wide VOC emissions shall be calculated using the following equations:

$$VOC_{premise} = \Sigma VOC_{turbines} + \Sigma VOC_{engines} + VOC_{aux boiler} + \Sigma VOC_{storage tanks} + \Sigma VOC_{add}$$

where,

$\Sigma VOC_{turbines}$  = The sum of VOC emissions from the two turbine trains covered by Permit Nos. 104-0131 and 104-0133.

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

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

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

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

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

$\Sigma \text{VOC}_{\text{add}}$  = The VOC emissions from any additional VOC emitting equipment that is added to the premises after the issuance of this permit. The VOC emissions from such equipment shall be calculated using good engineering practices.

## **B. Premises-Wide HAP Emissions**

1. Total HAP emissions (any pollutant listed in Section 112(b) of the Clean Air Act Amendments of 1990 excluding any that have been removed from the list) from all HAP emitting equipment at this premises shall be less than 10 tons per year of any individual HAP or less than 25 tons per year for the combination of HAPs.
2. Demonstration of compliance with this premises wide HAP limit shall be based on each consecutive 12 month time period and shall be determined by adding the current month's HAP premises wide emissions to that of the previous 11 months for each individual HAP emitted at this premises and the combination of HAPs. The Permittee shall make these calculations within 30 days of the end of the previous month.

- C.** The Permittee shall comply with all applicable sections of the following New Source Performance Standards at all times.

Title 40 CFR Part 60 Subpart: KKKK and A

Copies of the Code of Federal Regulations (CFR) are available online at the U.S. Government Printing Office website.

- D.** The Permittee shall possess, at least, 209 tons of external emissions reductions of NO<sub>x</sub> to offset the quantity of NO<sub>x</sub> emitted from the sources covered under Permit Nos. 104-0131, 104-0133 and 104-0134 and RCSA Section 22a-174-3b to comply with RCSA Subsection 22a-174-3a(l). Such a quantity is sufficient to offset the emissions from the sources listed at a ratio of 1.2 tons of reduction for every ton of NO<sub>x</sub> emissions allowed under the permits listed. Such offsets have been obtained from the following sources, each located in New York: 186 offsets from Kings Plaza JV, LLC (Serial # NYDEC-2-6105-00301-186) and 23 offsets from Wehran Energy Corporation (Serial # NYDEC-1-4722-00799-23). The offsets were approved by the Department on February 6, 2008. The Permittee shall maintain sole ownership and possession of these emissions reductions for the duration of this permit and any subsequent changes to the permit.
- E.** The Permittee shall comply with all applicable requirements of the Federal Acid Rain Program codified in Title 40 CFR Parts 72-78, inclusive, by the deadlines set forth within the aforementioned regulation.

## **F. Premises Emissions Summary**

1. On January 1<sup>st</sup> of each calendar year, if the potential emissions of NO<sub>x</sub> or VOC from the premises are equal to or greater than 25 tons per year per pollutant, then for such pollutant(s), the Permittee shall:

- a. Monitor NO<sub>x</sub> and/or VOC emissions, as applicable, from the premises for such calendar year.
  - b. Calculate and record annual NO<sub>x</sub> and/or VOC emissions, as applicable, from the premises for such calendar year, in units of tons. The Permittee shall make these calculations on or before February 1<sup>st</sup> of the following year with respect to the previous calendar year. Such records shall include a sample calculation(s).
  - c. If actual NO<sub>x</sub> and/or VOC emissions, as applicable, from the premises are equal to or greater than 25 tons for such calendar year, the Permittee shall submit to the commissioner, on or before March 1<sup>st</sup> of the following year, an annual emissions summary with respect to the premises for the previous calendar year. Such summary shall be submitted on forms prescribed or provided by the commissioner.
2. A Permittee is exempt from Part VII.D.1 requirements of this permit if, on January 1<sup>st</sup> of the subject year, the premises was operating in accordance with any of the following:
- a. A valid Title V permit issued pursuant to RCSA section 22a-174-33;
  - b. RCSA section 22a-174-33a; or
  - c. RCSA section 22a-174-33b
- G.** The Permittee shall not cause or permit the emission of any substance or combination of substances which creates or contributes to an odor beyond the property boundary of the premises that constitutes a nuisance as set forth in RCSA Section 22a-174-23. [STATE ONLY REQUIREMENT

## **PART IX. ADDITIONAL TERMS AND CONDITIONS**

- A.** This permit does not relieve the Permittee of the responsibility to conduct, maintain and operate the regulated activity in compliance with all applicable requirements of any federal, municipal or other state agency. Nothing in this permit shall relieve the Permittee of other obligations under applicable federal, state and local law.
- B.** Any representative of the DEEP may enter the Permittee's site in accordance with constitutional limitations at all reasonable times without prior notice, for the purposes of inspecting, monitoring and enforcing the terms and conditions of this permit and applicable state law.
- C.** This permit may be revoked, suspended, modified or transferred in accordance with applicable law.
- D.** This 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 conveys no property rights in real estate or material, nor any exclusive privileges, 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. This permit shall neither create nor affect any rights of persons or municipalities who are not parties to this permit.
- E.** Any document, including any notice, which is required to be submitted to the commissioner under this permit shall be signed by a duly authorized representative of the Permittee and by the person who is responsible for actually preparing such document, each of whom shall certify in writing as follows: "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.”

- F.** Nothing in this 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, 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.
- G.** Within 15 days of the date the Permittee becomes aware of a change in any information submitted to the commissioner under this permit, or that any such information was inaccurate or misleading or that any relevant information was omitted, the Permittee shall submit the correct or omitted information to the commissioner.
- H.** The date of submission to the commissioner of any document required by this permit shall be the date such document is received by the commissioner. The date of any notice by the commissioner under this permit, including but not limited to notice of approval or disapproval of any document or other action, shall be the date such notice is personally delivered or the date three days after it is mailed by the commissioner, whichever is earlier. Except as otherwise specified in this permit, the word "day" means calendar day. Any document or action which is required by this 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.
- I.** Any document required to be submitted to the commissioner under this permit shall, unless otherwise specified in writing by the commissioner, be directed to: Office of Director; Engineering & Enforcement Division; Bureau of Air Management; Department of Energy and Environmental Protection; 79 Elm Street, 5th Floor; Hartford, Connecticut 06106-5127.