

**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	192-0304-TV
Client/Sequence/Town/Premises Numbers	8468/01/192/0005
Date Issued	
Expiration Date	

Corporation:

Waterbury Generation, LLC

Premises Location:

160 Washington Avenue, Waterbury, CT 06708

Name of Responsible Official and Title:

Scott Lavalle, Plant Manager

All the following attached pages, 2 through 33, are hereby incorporated by reference into this Title V permit.

Katherine S. Dykes
Commissioner

Date

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

LIST OF ABBREVIATIONS/ACRONYMS

<i>Abbreviation/Acronym</i>	<i>Description</i>
acfm	Actual cubic feet per minute
ASTM	American Society for Testing Materials
Btu	British Thermal Unit
CAIR	Clean Air Interstate Rule
CEM	Continuous Emission Monitor
CFR	Code of Federal Regulations
CGS	Connecticut General Statutes
CO	Carbon Monoxide
CO ₂	Carbon Dioxide
EU	Emissions Unit
EPA	Environmental Protection Agency
°F	Degree Fahrenheit
ft ³	Cubic Feet
HAP	Hazardous Air Pollutant
HHV	High Heating Value
hr	Hour
lb	Pound
MASC	Maximum Allowable Stack Concentration
MM	Million
MW	Megawatts
MWh	Megawatts-hour
ng/J	Nanogram per Joule
NO _x	Nitrogen Oxides
NSR	New Source Review
O ₂	Oxygen
P	Permit
PAH	Polycyclic Aromatic Hydrocarbon
PM _{2.5}	Particulate Matter less than 2.5 microns
PM ₁₀	Particulate Matter less than 10 microns
ppm	Parts per million
ppmvd	Parts per million, volumetric basis dry
ppmw	Parts per million, weight
RACT	Reasonable Available Control Technology
RCSA	Regulations of Connecticut State Agencies
SCR	Selective Catalytic Reduction
SIC	Standard Industrial Classifications Code
SO ₂	Sulfur Dioxide
TPY	Tons per year
ULSK	Ultra Low Sulfur Kerosene
U.S.C.	United States Code
VOC	Volatile Organic Compound

A. PREMISES INFORMATION

Nature of Business: Electric power generation
Primary SIC: 4911

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

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

B. PREMISES DESCRIPTION

Waterbury Generation, LLC (Waterbury Generation), is located at 160 Washington Avenue in Waterbury. Waterbury is considered a severe non-attainment area for ozone as defined in RCSA Section 22a-174-1. Waterbury Generation is considered a major source of NOx pursuant to RCSA Section 22a-174-33. Waterbury Generation is also considered a Title V source because there is a stationary source subject to 40 CFR Part 72 to 78, inclusive.

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

Section II: Emissions Units Information

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A. EMISSIONS UNITS DESCRIPTION

Emissions units are set forth in Table II.A. It is not intended to incorporate by reference these NSR Permit into this Title V permit.

TABLE II.A: EMISSIONS UNITS DESCRIPTION			
Emissions Unit/ Grouped Emissions Unit	Emissions Unit Description	Control Unit Description	Permit, Order, Registration, or Regulation Number
EU-10	GE LMS100 PA Simple cycle combustion turbine	SCR with Water Injection and Oxidation Catalyst	P 192-0300 RCSA §22a-174-22e 40 CFR Part 60 Subpart KKKK

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.

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

Section III: Applicable Requirements and Compliance Demonstration

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

A. EMISSIONS UNIT 10 (EU-10): GE LMS100 PA Simple Cycle Turbine

1. Fuel Type, Fuel Consumption and Fuel Sulfur Content

a. *Limitation or Restriction*

- i. The Permittee shall only burn natural gas or ULSK. [P 192-0300]
- ii. The fuel sulfur content of the ULSK shall not exceed 0.0015% by weight, dry basis. [P 192-0300]
- iii. The Permittee shall not burn more than 7,417 MMft³ of natural gas over any consecutive 12 month period. [P 192-0300]
- iv. The Permittee shall not burn more than 4.203 MM gallons of ULSK over any consecutive 12 month period. [P 192-0300]
- v. From May 1 through September 30 of each calendar year, the turbine may only be fueled by ULSK when:
 - (A) The interruptible natural gas supply is curtailed;
 - (B) There is a failure of equipment required to allow the turbine to utilize natural gas;
 - (C) The turbine is testing ULSK firing capability;
 - (D) There is a routine maintenance of any equipment required to allow the turbine to utilize natural gas.
- vi. For calendar months other than May 1 through September 30, the turbine may only be fueled by ULSK when:
 - (A) The interruptible natural gas supply is curtailed;
 - (B) There is a failure of the equipment required to allow the turbine to utilize natural gas;
 - (C) The turbine is testing ULSK firing capability;
 - (D) There is a routine maintenance of any equipment required to allow the turbine to utilized natural gas;
 - (E) The Independent System Operator of New England (ISO-NE), or Local Control Center (LCC), implements ISO Operating Procedure No. 4 Action 1 or higher and the facility has not nominated or is unable to acquire natural gas in the quantities required to respond timely to such action;
 - (F) The natural gas pipeline issues an Operational Flow Order (“OFO”) because of a short position in the gas supply or some other system condition that would impact operational integrity.

vii. The turbine may be fueled by ULSK, as required, periodically to maintain an appropriate turnover of the on-site fuel oil inventory as recommended by the fuel storage manufacturer, any of the equipment manufacturers or as otherwise required by prudent utility practice. [P 192-0300]

b. Monitoring Requirements

The Permittee shall use fuel metering devices in accordance with 40 CFR Part 75, Appendix D to continuously monitor fuel feed to the turbine. [P 192-0300]

c. Record Keeping Requirements

- i. The Permittee shall keep records of monthly and consecutive 12-month fuel consumption (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. [P 192-0300]
- ii. The Permittee shall make and keep records of the fuel certification for each delivery of fuel from a bulk petroleum provider or a copy of the current contract with the fuel supplier supplying the fuel used by the equipment that includes the applicable sulfur content of the fuel as a condition of each shipment. The shipping receipt or contract shall include: [P 192-0300]
 - (A) Date of delivery,
 - (B) Name of the fuel supplier,
 - (C) Type of fuel delivered,
 - (D) Percentage of sulfur in such fuel, by weight, dry basis, and
 - (E) The method used to determine the sulfur content of such fuel.
- iii. The Permittee shall record exceedances of any operating parameter. Such record shall include: [P 192-0300]
 - (A) The date and time of the exceedance,
 - (B) A detailed description of the exceedance, and
 - (C) The duration of the exceedance.
- iv. The Permittee shall make and keep records of the following information: [P 192-0300]
 - (A) Date and hours of operation using ULSK,
 - (B) Conditions in Section III.A.1.v, vi or vii of this Title V permit that necessitated the firing of ULSK; and
 - (C) Documentation to demonstrate said conditions were activated.
- v. The Permittee shall keep all records required by this permit for a period of no less than five years and submit such records to the commissioner upon request. [P 192-0300]

d. Reporting Requirements

- i. The Permittee shall submit a report of exceedance to the commissioner within 30 days of the end of the previous month. Such report shall include the following: [P 192-0300]
 - (A) Copies of the exceedance records for the month, as recorded in Section III.A.1.c.ii of this Title V permit,
 - (B) An explanation of the likely causes of the exceedance, and
 - (C) An explanation of remedial actions taken to correct exceedance.

2. Continuous Emission Monitoring (CEM) Requirements and Associated Emission Limits***a. Limitation or Restriction***

The Permittee shall comply with the CEM requirements as set forth in RCSA §22a-174-4a, RCSA §22a-174-22e, 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: [P 192-0300]

- i. Opacity: The Permittee shall not exceed 10% during any six minute block average. *This condition applies to ULSK firing only.*
- ii. NOx: The Permittee shall not exceed the emission limits in Section III.A.3 of this Title V permit during any 4 hour rolling average.
- iii. CO: The Permittee shall not exceed the emission limits in Section III.A.3. of this Title V permit during any 1 hour block average.
- iv. CO₂ or O₂: There are no limits for CO₂ or O₂ but there are Monitoring Requirements.
- v. NH₃: The Permittee shall not exceed the emission limits in Section III.A.3 of this Title V permit during any 1 hour block average.
- vi. Temperature: There are no limits for temperature but there are Monitoring Requirements.
- vii. Fuel flow: The Permittee shall not exceed the maximum firing rate of the turbine as follows:
 - (A) Natural gas: 846,723 ft³/hr
 - (B) ULSK: 6,100 gal/hr
- viii. Turbine load: There are no limits for turbine load but there are Monitoring Requirements.

b. Monitoring Requirements

- i. Opacity: The Permittee shall monitor opacity using CEM data based on a six minute block average. *This condition applies to ULSK firing ONLY.* [P 192-0300]

- ii. CO₂ or O₂: The Permittee shall monitor CO₂ or O₂ emissions in an averaging period of one hour block. The monitoring is required solely to provide basis for correction of actual exhaust gas conditions @15% O₂ by volume. [P 192-0300]
- iii. Temperature: The Permittee shall monitor the Selective Catalytic Reduction (SCR) operating temperature and the Oxidation Catalyst inlet temperature on a continuous basis. Monitoring is required solely to provide basis for correction of actual exhaust gas conditions @15% O₂ by volume. [P 192-0300]
- iv. Fuel flow: the Permittee shall continuously monitor the fuel flow. [P 192-0300]
- v. Turbine load: The Permittee shall continuously monitor the turbine load. [P 192-0300]

c. Record Keeping Requirements

- i. 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. [RCSA §22a-174-33(o)(2)]
- ii. The Permittee shall keep record of all exceedances of any emission limits or operating parameter contained in Section III.A.2 of this Title V permit. Such records shall include: [P 192-0300]
 - (A) The date and time of the exceedance;
 - (B) A detailed description of the exceedance; and
 - (C) The duration of the exceedance.
- iii. 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. [P 192-0300]

d. Reporting Requirements

- i. The Permittee shall submit a report of exceedances to the commissioner within 30 days of the end of the previous month. Such report shall include the following: [P 192-0300]
 - (A) Copies of the exceedance records for the month, as recorded in Section III.A.2.c.ii of this Title V permit,
 - (B) An explanation of the likely causes of the exceedances, and
 - (C) An explanation of remedial actions taken to correct the exceedance.

3. PM₁₀, PM_{2.5}, SO₂, NOx, VOC, CO and Hazardous Air Pollutants (HAPs)*a. Limitation or Restriction*

- i. An exceedance of either (i) the emission limits in Section III.A.3.a of this Title V permit, or (ii) the emissions limits developed for Permit No. 192-0300 due to an emergency, malfunction, or cleaning shall not be deemed a “Federally Permitted Release,” as that term is used in 42 U.S.C. 9601(10). [P 192-0300]
- ii. Steady State Natural Gas: The Permittee shall not exceed the emission limits stated herein at any time as determined in accordance with the applicable averaging periods defined in Section III.A.2 of this Title V permit or as specified in an approved stack test protocol except during periods of startup, shutdown or malfunction. [P 192-0300]

(A) Criteria Pollutants Emission Rates:

- (1) PM₁₀/PM_{2.5}: 8.4 lb/hr
- (2) SO₂: 1.72 lb/hr
- (3) NOx: 8.1 lb/hr, and 2.5 ppmvd@15% O₂
- (4) VOC: 3.9 lb/hr and 4.0 ppmvd@15% O₂
- (5) CO: 11.8 lb/hr and 6.0 ppmvd@15% O₂

(B) Hazardous Air Pollutants: Turbine Operating on Natural Gas – Steady State

- (1) Acrolein: 5.53E-03 lb/hr
- (2) Ammonia: 5.98 lb/hr and 5.0 ppmvd@15% O₂
- (3) Formaldehyde: 6.29E-01 lb/hr

- iii. Steady State ULSK: The Permittee shall not exceed the emission limits stated herein at any time as determined in accordance with the applicable averaging periods defined in Section III.A.2 of this Title V permit or as specified in an approved stack test protocol except during periods of startup, shutdown or malfunction. [P 192-0300]

(A) Criteria Pollutants Emission Rates

- (1) PM₁₀/PM_{2.5} (total): 29.7 lb/hr
- (2) SO₂: 1.2 lb/hr
- (3) NOx: 19.5 lb/hr and 5.9 ppmvd@15% O₂
- (4) VOC: 4.8 lb/hr and 5.0 ppmvd@15% O₂
- (5) CO: 12.1 lb/hr and 6.0 ppmvd@15% O₂

(6) Pb: 1.11E-02 lb/hr

(B) Hazardous Air Pollutants Emission Rates

(1) 1,3 Butadiene: 1.27E-02 lb/hr

(2) Ammonia: 6.11 lb/hr and 5.0 ppmvd@15% O₂

(3) Arsenic: 2.05E-04 lb/hr

(4) Benzene: 4.36E-02 lb/hr

(5) Beryllium: 2.05E-04 lb/hr

(6) Cadmium: 3.80E-03 lb/hr

(7) Chromium: 8.71E-03 lb/hr

(8) Formaldehyde: 2.22E-01 lb/hr

(9) Lead: 1.11E-02 lb/hr

(10) Manganese: 2.05E-04 lb/hr

(11) Mercury: 9.50E-04 lb/hr

(12) Naphthalene: 2.77E-02 lb/hr

(13) Nickel: 3.64E-03 lb/hr

(14) PAH: 4.01E-03 lb/hr

(15) Selenium: 1.98E-02 lb/hr

(16) Sulfuric Acid: 1.25 lb/hr

iv. Startup and Shutdown Emission Limits [P 192-0300]

(A) Startup: It is the period of time from initiation of combustion firing until the combustion turbine reaches steady state operation and until the control equipment attains its normal operating temperature and steady state operation.

(B) Shutdown: It is the period of time from the initiation of the shutdown process of the combustion turbine until the point at which the combustion process has stopped.

(C) Natural Gas Startup and Shutdown Events: maximum duration of startup or shutdown event: 1 hr

(1) NOx: Startup: 18.1 lb/event

(2) NOx: Shutdown: 23.1 lb/event

(3) CO: Startup: 61.3 lb/event

(4) CO: Shutdown: 76.8 lb/event

(D) ULSK Startup and Shutdown Events: maximum duration of startup or shutdown event: 1 hr

(1) NOx: Startup: 40.0 lb/event

(2) NOx: Shutdown: 58.5 lb/event

(3) CO: Startup: 67.3 lb/event

(4) CO: Shutdown: 69.2 lb/event

(E) Emissions during startup, shutdown and malfunction shall be counted towards the annual emission limits stated herein. [P 192-0300]

v. Annual Emission Limits [P 192-0300]

(A) Criteria Pollutants

(1) PM₁₀/PM_{2.5}: 44.3 TPY

(2) SO₂: 7.5 TPY

(3) NOx: 39.5 TPY

(4) VOC: 17.6 TPY

(5) CO: 51.9 TPY

(6) Pb: 3.99E-03 TPY

(B) Hazardous Air Pollutants

(1) Ammonia: 26.3 TPY

(2) Sulfuric Acid: 4.68 TPY

vi. Emission limits are combined worst case for each pollutant for the turbine, using either natural gas for a maximum of 8,760 hours/year or ULSK for a maximum of 720 hours/year at maximum rated capacity or a combination thereof. [P 192-0300]

vii. The turbine 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] [P 192-0300]

viii. The Permittee shall operate and maintain this equipment in accordance with the manufacturer's specifications and written recommendations. The Permittee shall operate and maintain this stationary combustion turbine, air pollution control equipment and monitoring equipment in a manner consistent with good air pollution control practices for minimizing emissions at all times including startup, shutdown and malfunction. [P 192-0300]

ix. The Permittee shall immediately institute shutdown of the turbine in the event a malfunction cannot be corrected within three hours. [P 192-0300]

b. Monitoring and Testing Requirements

- i. The Permittee shall continuously monitor the SCR ammonia injection rate (lb/hr), operating temperature (°F) and pressure drop (inches of water) across the catalyst bed. The Permittee shall maintain these in accordance with the facility's operation and maintenance procedures and/or manufacturer's documentation, within the ranges required to achieve compliance with the emission limits in Section III.A.3 of this Title V permit. [P 192-0300]
- ii. The Permittee shall continuously monitor the oxidation catalyst inlet temperature (°F). The Permittee shall maintain this parameter in accordance with the facility's operation and maintenance procedures and/or manufacturer's documentation within the ranges required to achieve compliance with the emission limits in Section III.A.3 of this Title V permit. [P 192-0300]
- iii. The Permittee shall inspect the SCR and oxidation catalyst. Inspection criteria will be as recommended by the facility's operation and maintenance plan to achieve compliance with the emission limits in Section III.A.3 of this Title V permit. [P 192-0300]
- iv. The Permittee shall perform recurrent stack testing at least once every five years from the date of the previous stack test to demonstrate compliance with Section III.A.3 of this Title V permit. [P 192-0300]
- v. Recurrent stack testing is not required for pollutants requiring CEMs (NO_x, CO and NH₃). [P 192-0300]
- vi. Recurrent stack testing is required as follows: [P 192-0300]

(A) Natural gas:

- (1) PM₁₀ (Filterable + Condensable)
- (2) PM_{2.5} (Filterable + Condensable)
- (3) VOC
- (4) Hazardous Air Pollutants: Acrolein and Formaldehyde

(B) ULSK:

- (1) PM₁₀ (Filterable + Condensable)
- (2) PM_{2.5} (Filterable + Condensable)

(3) VOC

(4) Hazardous Air Pollutants:

(a) Non-metallic HAPs in Section III.A.3 of this Title V permit

(b) Fuel analysis of the metals in the ULSK may be substituted for stack testing for metallic HAPs while firing ULSK. If fuel analysis indicates a potential MASC violation, the Permittee shall conduct stack test for the HAPs in question within 30 days from receiving the fuel analysis.

(c) Sulfuric acid

(d) Lead

c. *Record Keeping Requirements*

i. The Permittee shall calculate and record the monthly and consecutive 12 month PM₁₀, PM_{2.5}, SO₂, NOx, CO, VOC and HAPs 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. [P 192-0300, RCSA §22a-174-33]

Emissions during startup and shutdown shall be counted towards the annual emission limitation in Section III.A.3 of this Title V permit.

ii. The Permittee shall make and keep records of startup and shutdown events. Such records shall contain the following information: [P 192-0300]

(A) Date of startup and shutdown event,

(B) Fuel being used during startup and shutdown event,

(C) Duration of startup and shutdown event (hr),

(D) Type of startup or shutdown event as listed in Section III.A.3.a.iv of this Title V permit, and

(E) Total NOx and CO emissions emitted (lb) during the startup or shutdown event.

iii. The Permittee shall make and keep records of all exceedances of any emissions limits contained in Section III.A.3 of this Title V permit. Such records shall include: [P 192-0300]

(A) The date and time of the exceedance,

(B) A detailed description of the exceedance, and

(C) The duration of the exceedance.

- iv. The Permittee shall make and keep records of the inspection and maintenance of the SCR and oxidation catalysts. The records shall include the name of the person, the date, the results or actions and the date the catalyst is replaced. [P 192-0300]
- v. The Permittee shall keep records of the occurrence and duration of any startup, shutdown, or malfunction in the operation of the stationary gas turbine; any malfunction of the air pollution control equipment; or any periods during which a continuous monitoring system or monitoring device is inoperative. [40 CFR §60.7(b)]
- vi. The Permittee shall keep all records required by this Title V permit for a period of no less than five years and shall submit such records to the commissioner upon request. [P 192-0300]

d. Reporting Requirements

- i. The Permittee shall submit a report of exceedance to the commissioner within 30 days of the end of the previous month. Such report shall include the following: [P 192-0300]
 - (A) Copies of the exceedance records for the month, as recorded in Section III.A.3.c.iii of this Title V permit
 - (B) An explanation of the likely causes of the exceedances, and
 - (C) An explanation of remedial actions taken to correct the exceedance.
- ii. The Permittee shall notify the commissioner in writing of any emergency or malfunction of the equipment described in this permit. The Permittee shall submit such notification within seven days of the emergency or malfunction. The notification shall include the following: [P 192-0300]
 - (A) A description of the emergency or malfunction and a description of the circumstances surrounding the cause or likely cause of such emergency or malfunction; and
 - (B) A description of all corrective actions and preventive measures taken and/or planned with respect to such emergency or malfunction and the dates of such actions and measures.
- iii. The Permittee shall report stack testing results as follows: [P 192-0300]
 - (A) All pollutants in units of lb/hr
 - (B) VOC in units of ppmvd at 15% O₂

4. Opacity

a. Limitation or Restriction

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. [P 192-0300]

b. Monitoring Requirements

Record keeping specified in Section III.A.4.c of this Title V permit shall be sufficient to meet Monitoring and Testing Requirements. [RCSA §22a-174-33(j)(1)(K)(ii)]

c. Record Keeping Requirements

- i. The Permittee shall maintain records of any opacity observations initiated by the Permittee or at the request of the Commissioner. Such records shall include the dates, times, and places of all visible observations, persons performing the observation, test method used, the operating conditions at the time of the observation, and the results of such observations. Records shall be kept for a minimum of five years after such records were created. [RCSA §22a-174-33(j)(1)(K)]
- ii. The Permittee shall record of all exceedances of the opacity limits contained in this permit. Such record shall include: [P 192-0300, RCSA §22a-174-33(j)(1)(K)(ii)]
 - (A) The date and time of the exceedance;
 - (B) A detailed description of the exceedance; and
 - (C) The duration of the exceedance.
- iii. 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. [P 192-0300]

d. Reporting Requirements

- i. The Permittee shall submit a report of exceedance to the commissioner with 30 days of the end of the previous month. Such report shall include the following: [P 192-0300]
 - (A) Copies of the exceedance records for the month, as recorded in Section III.A.4.c.ii of this Title V permit.
 - (B) An explanation of the likely causes of the exceedances, and
 - (C) An explanation of remedial actions taken to correct the exceedance.

5. RCSA §22a-174-22e – Control of Nitrogen Oxides Emissions from Fuel Burning Equipment at Major Sources of Nitrogen Oxides*a. Limitation or Restriction*

- i. The Permittee shall not cause or allow an emission unit to exceed the applicable emission limitations specified in Section III.A.5 of this Title V permit unless the Permittee undertakes one of the following actions: [RCSA §§22a-174-22e(d)(1)(A) through (C)]
 - (A) Implements an alternative compliance mechanism as provided in RCSA §22a-174-22e(g);
 - (B) Operates under a case-by-case RACT determination as provided in RCSA §22a-174-22e(h); or
 - (C) Ceases operation as provided in RCSA §22a-174-22e(f).
- ii. The following emission limitations, based on a daily block average for an emission unit with a NOx CEM system apply: [RCSA §22a-174-22e(d)(4)(C)]
 - (A) Gas fired: 40 ppmvd

(B) Other oil-fired: 50 ppmvd

- iii. The following non-ozone season emissions limitation applies to the Permittee of a simple cycle combustion turbine that is also an affected unit. The averaging period for the non-ozone season is October 1 through April 30: [RCSA §22a-174-22e(d)(4)(D)]
 - (A) Other oil-fired: Non-ozone season limit (7 month average): 0.15 lb/MMBtu
- iv. The Permittee of an emission unit capable of firing two or more fuels for which a standard is designated in RCSA §22a-174-22e(d) shall not cause or allow emissions of NOx from such emission unit in excess of the emission limitation in RCSA §22a-174-22e(d) for the particular equipment and fuel used. [RCSA §22a-174-22e(d)(10)(B)]
- v. The following averaging times for emission limitations shall be applicable to the Permittee of an emission unit that has a CEM system for NOx: [RCSA §22a-174-22e(d)(11)(A) through (C)]
 - (A) For a non-ozone season emissions limitations, the period from October 1 to April 30, inclusive, including all periods of operation, except as provided in RCSA §22a-174-22e(m);
 - (B) For an ozone season emission limitations, the period from May 1 to September 30, inclusive, including all periods of operation, except as provided in RCSA §22a-174-22e(m)(3);
 - (C) For any other emissions limitation, on a daily block average, including all periods of operation, except as provided in RCSA §22a-174-22e(m)(3).
- vi. Emissions limitations quantified in units of ppmvd shall be corrected to fifteen percent (15%) oxygen. [RCSA §22a-174-22e(d)(16)]
- vii. The Permittee shall calculate an emission unit's non-ozone season emission rate as the sum of the emission unit's NOx emissions during the period from October 1 through April 30, inclusive, divided by the sum of the emission unit's heat input during the period from October 1 through April 30, inclusive. [RCSA §22a-174-22e(d)(19)]
- viii. The Permittee shall calculate an emission unit's ozone season emission rate as the sum of the emission unit's NOx emissions while firing the applicable fuel during the period from May 1 through September 30, inclusive, divided by the sum of the emission unit's heat input while firing the applicable fuel during the period from May 1 through September 30, inclusive. [RCSA §22a-174-22e(d)(20)]

b. Monitoring and Testing Requirements

- i. The Permittee shall collect quality assured CEM data for all emission unit operating conditions. Data collection shall include periods of startup or shutdown, monitoring system malfunctions, out-of-control periods, while conducting maintenance and repairs, and periods of required monitoring system quality assurance or quality control activities assurance or quality control activities, such as calibration checks and required zero and span adjustments. [RCSA §22a-174-22e(m)(2)]
- ii. Emission data used to determine compliance with applicable emissions limitations in RCSA §22a-174-22e(d) shall not include data collected during the following periods: [RCSA §§22a-174-22e(m)(3)(A) through (D)]

Section III: Applicable Requirements and Compliance Demonstration

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- (A) When the monitoring system is out-of-control as specified in the facility-specific monitoring plan;
- (B) While conducting required monitoring system quality assurance or quality control activities, including calibration checks and required zero and span adjustment;
- (C) While conducting maintenance or repairs of the monitoring system to prevent or correct a malfunction; or
- (D) When the emission unit is not operating.

iii. Compliance with the seasonal limits in Section III.A.(5)(a)(ii) and (iii) of this Title V permit shall be determined using emissions and operating data for the entire five-month period for an ozone season emission limitation or for the entire seven-month period for a non-ozone season emissions limitation, except as follows: [RCSA §22a-174-22e(m)(5)(A)]

- (A) For the 2018 or 2023 ozone season, compliance shall be determined based on data collected June through September 30.

c. *Record Keeping Requirements*

- i. The Permittee shall retain all records and reports produced pursuant to RCSA Section 22a-174-22e for five years. Such records and reports shall be available for inspection at reasonable hours by the commissioner or the Administrator. Such records and reports shall be retained at the premises where the emission unit is located, unless the commissioner approves in writing the use of another location in Connecticut. [RCSA §22a-174-22e(j)(1)]
- ii. The Permittee shall make and keep the following records: [RCSA §22a-174-22e(j)(2)(B),(C), (D)(i) through (iv), (F) and (G)]
 - (A) The date and work performed for repairs, replacement of parts and other maintenance;
 - (B) Records of the dates and times of all emission testing required by RCSA §22a-174-22e, the persons performing the measurements, the testing methods used, the operating conditions at the time of the testing, and the results of such testing;
 - (C) Records of all performance evaluations, calibration checks and adjustments on such monitor;
 - (D) A record of maintenance performed;
 - (E) All data necessary to complete the quarterly reports required under RCSA §22a-174-22e;
 - (F) Charts, electronically stored data, and printed records produced by the CEM system as needed to demonstrate compliance with the requirements of RCSA §22a-174-22e;
 - (G) Copies of all documents submitted to the commissioner pursuant to RCSA §22a-174-22e; and
 - (H) Any other records or reports required by an order or permit issued by the commissioner pursuant to RCSA §22a-174-22e.

d. Reporting Requirements

- i. Not more than 60 days after the completion of a certification test conducted under the requirements of RCSA §22a-174-22e(m), the Permittee of such emission unit shall submit a written report of the results of such testing to the commissioner. [RCSA §22a-174-22e(k)(2)]
- ii. The Permittee shall submit to the commissioner, on forms provided by the commissioner, written quarterly reports of excess emissions and CEM system malfunctions. Such reports shall be submitted to the commissioner on or before January 30, April 30, July 30 and October 30 of each year and shall include: [RCSA §22a-174-22e(k)(3)(A) through (G)]
 - (A) All daily block average data, in a format acceptable to the commissioner, for the three calendar month period ending the month before the due date of the report;
 - (B) The date and time of commencement and completion of each period of excess emissions;
 - (C) The magnitude and suspected cause of the excess emissions;
 - (D) Actions taken to correct the excess emissions;
 - (E) The date and time when each malfunction of the CEM system commenced and ended;
 - (F) Actions taken to correct each malfunction; and
 - (G) If no excess emissions or CEM system malfunctions occur during a quarter, the Permittee shall indicate that no excess emissions or malfunctions occurred during the quarter.
- iii. Upon written notice, the commissioner may require any Permittee to provide all hourly CEM data, in a format acceptable to the commissioner, for the three calendar month period identified in such written notice. [RCSA §22a-174-22e(k)(4)]
- iv. The Permittee shall notify the commissioner in writing at least 30 days prior to conducting any performance or quality assurance testing of any CEM for NOx. Any such testing shall be conducted in accordance with testing protocol approved by the commissioner. Any CEM for NOx shall be installed, calibrated and operated in accordance with the performance and quality assurance specifications contained in RCSA §22a-174-4a and 40 CFR Part 60, Subpart A, Appendix B and appendix F, or, for affected units, 40 CFR Part 75. [RCSA §22a-174-22e(m)(4)]

6. 40 CFR Part 60 Subpart KKKK – Standards of Performance for Stationary Combustion Turbines*a. Limitation or Restriction*

- i. The Permittee shall comply with a NOx emission standard of 15 ppm at 15% O₂ or 54ng/J of useful output (0.43 lb/MWh) when firing natural gas. [40 CFR §60.4320(a) and Table 1 to Subpart KKKK of Part 60]
- ii. The Permittee shall comply with a NOx emission standard of 74 ppm at 15% O₂ or 460 ng/J of useful output (3.6 lb/MWh) when firing ULSK. [40 CFR §60.4320(a) and Table 1 to Subpart KKK of Part 60]
- iii. The Permittee must comply with either of the following options: [40 CFR §§60.4330(a)(1) and (2)]

- (A) The Permittee must not cause to be discharged into the atmosphere from the stationary combustion turbine any gases which contain SO₂ in excess of 110 nanograms per Joule (ng/J) (0.90 lb/MWh) gross output; or
- (B) The Permittee must not burn in the stationary combustion turbine any fuel which contains total potential sulfur emissions in excess of 26 ng SO₂/J (0.060 lb SO₂/MMBtu) heat input. If the turbine simultaneously fires multiple fuel, each fuel must meet this requirement.

iv. The Permittee must operate and maintain the stationary combustion turbine, air pollution control equipment, and monitoring equipment in a manner consistent with good air pollution control practices for minimizing emissions at all times including during startup, shutdown, and malfunction. [40 CFR §60.4333(a)]

b. Monitoring and Testing Requirements

- i. The Permittee must monitor the total sulfur content of the fuel being fired in the turbine, except as provided in 40 CFR §60.4365. The sulfur content of the fuel must be determined using total sulfur methods described in 40 CFR §60.4415. Alternatively, if the total sulfur content of the gaseous fuel during the most recent performance test was less than half the applicable limit, ASTM D4084, D4810, D5504, or D6228, or Gas Processors Association Standard 2377 (all of which are incorporated by reference, see 40 CFR §60.17), which measure the major sulfur compounds, may be used. [40 CFR §60.4360]
- ii. The Permittee may elect not to monitor the total sulfur content of the fuel combusted in the turbine, if the fuel is demonstrated not to exceed potential sulfur emissions of 26 ng SO₂/J (0.060 lb SO₂/MMBtu) heat input. The Permittee must use one of the following sources of information to make the required demonstration: [40 CFR §§60.4365(a) and (b)]
 - (A) The fuel quality characteristics in a current, valid purchase contract, tariff sheet or transportation contract for the fuel, specifying that the maximum total sulfur content for oil use is 0.05 weight percent (500 ppmw) or less, the total sulfur content for natural gas is 20 grains of sulfur or less per 100 standard cubic feet and has potential emissions of less than 26 ng SO₂/J (0.060 lb SO₂/MMBtu) heat input; or
 - (B) Representative fuel sampling data which show that the sulfur content of the fuel does not exceed 26 ng SO₂/J (0.060 lb SO₂/MMBtu) heat input. At a minimum, the amount of fuel sampling data specified in section 2.3.1.4 or 2.32.4 of Appendix D to Part 75 is required
- iii. The frequency of determining the sulfur content of the fuel must be as follows:
[40 CFR §§60.4370(a) and (b)]
 - (A) Fuel oil: for fuel oil, use one of the total sulfur sampling options and the associated sampling frequency described in sections 2.2.3, 2.2.4.1, 2.2.4.2, and 2.2.4.3 of Appendix D to Part 75.
 - (B) Gaseous fuel: if the Permittee elects not to demonstrate sulfur content using options in 40 CFR §60.4365, and the fuel is supplied without intermediate bulk storage, the sulfur content value of the gaseous fuel must be determined and recoded once per unit operating day.

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- iv. The Permittee shall conduct SO₂ performance test on an annual basis (no more than 14 calendar months following the previous performance test) using any of the three methodologies in accordance with 40 CFR §§60.4415(a)(1), (2) and (3). [40 CFR §§60.4415(a)(1), (2) and (3)]

c. Record Keeping Requirements

The Permittee must make and keep reports on site to show compliance with the requirements of 40 CFR Part 60 Subpart KKKK.

d. Reporting Requirements

- i. For an affected unit required to continuously monitor parameters or emissions, or to periodically determine the fuel sulfur content, the Permittee must submit reports of excess emissions and monitor downtime, in accordance with 40 CFR §60.7(c). Excess emissions must be reported for all periods of unit operation, including start-up, shutdown, and malfunction. [40 CFR §60.4375(a)]
- ii. The Permittee must submit all reports required under 40 CFR §60.7 postmarked by the 30th day following the end of each six month period. [40 CFR §60.4395]

B. CAIR NOx OZONE SEASON TRADING

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

C. FEDERAL ACID RAIN PERMIT REQUIREMENTS

1. SO₂ Allowance Allocations and NO_x Requirements for EU-10

a. EU-10

		2025	2026	2027	2028	2029
EU-10 (Unit 10)	SO ₂ Allowances under Tables 2, 3,or 4 of 40 CFR Part 73	0	0	0	0	0
	NO _x Limit	Not an Affected Unit under 40 CFR Part 76				

2. Phase II Acid Rain Permit Application

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

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-174-4a(b)(1).
- 2. Emission Testing:** The Permittee shall comply with the procedures for sampling, emission testing, sample analysis, and reporting 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.
- 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 Dioxide Emissions:** The Permittee shall comply with the requirements for Control of Sulfur Dioxide Emissions from Power Plants and other large stationary sources of air pollution as set forth in RCSA §22a-174-19a.
- 16. 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.

17. **Organic Compound Emissions:** The Permittee shall comply with the requirements for control of organic compound emissions as set forth in RCSA §22a-174-20.
18. **Nitrogen Oxide Emissions:** The Permittee shall comply with the requirements for control of nitrogen oxide emissions as set forth in RCSA §22a-174-22e and §22a-174-22f.
19. **Ambient Air Quality:** The Permittee shall not cause or contribute to a violation of an ambient air quality standard as set forth in RCSA §22a-174-24(b).
20. **Open Burning:** The Permittee is prohibited from conducting open burning, except as may be allowed by CGS §22a-174(f).
21. **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.
22. **Emission Fees:** The Permittee shall pay an emission fee as set forth in RCSA §22a-174-26(d).

Section IV: Compliance Schedule

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TABLE IV: COMPLIANCE SCHEDULE

Emissions Unit	Applicable Regulations	Steps Required for Achieving Compliance (Milestones)	Date by which Each Step is to be Completed	Dates for Monitoring, Record Keeping, and Reporting
		No Steps are required for achieving compliance at this time		

Section V: State Enforceable Terms and Conditions

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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.** 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.
- F.** 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

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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 submitted per the procedure required by the applicable requirement or otherwise 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."

Section VI: Title V Requirements

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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 million dollars in second quarter 1980 dollars; or
2. The delegation of authority to the duly authorized representative has been given in writing by an officer of the corporation in accordance with corporate procedures and the following:
 - i. Such written authorization specifically authorizes a named individual, or a named position, having responsibility for the overall operation of the Title V premises or activity,
 - ii. Such written authorization is submitted to the commissioner and has been approved by the commissioner in advance of such delegation. Such approval does not constitute approval of corporate procedures, and
 - iii. If a duly authorized representative is a named individual in an authorization submitted under subclause ii. of this subparagraph and a different individual is assigned or has assumed the responsibilities of the duly authorized representative, or, if a duly authorized representative is a named position in an authorization submitted under subclause ii. of this subparagraph and a different named position is assigned or has assumed the duties of the duly authorized representative, a new written authorization shall be submitted to the commissioner prior to or together with the submission of any application, document, report or certification signed by such representative.

D. ADDITIONAL INFORMATION [RCSA §22a-174-33(j)(1)(X), RCSA §22a-174-33(h)(2)]

The Permittee shall submit additional information in writing, at the commissioner's request, within 30 days of receipt of notice from the commissioner or by such other date specified by the commissioner, whichever is earlier, including information to determine whether cause exists for modifying, revoking, reopening, reissuing, or suspending this Title V permit or to determine compliance with this Title V permit.

In addition, the Permittee shall submit information to address any requirements that become applicable to the subject source and shall submit correct, complete, and sufficient information within 15 days of the applicant's becoming aware of any incorrect, incomplete, or insufficient submittal, during the pendency of the application, or any time thereafter, with an explanation for such deficiency and a certification pursuant to RCSA §22a-174-2a(a)(5).

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

A Permittee, required to perform monitoring pursuant to this Title V permit, shall submit to the commissioner, on forms prescribed by the commissioner, written monitoring reports on March 1 and September 1 of each year or on a more frequent schedule if specified in such permit. Such monitoring reports shall include the date and description of each deviation from a permit requirement including, but not limited to:

1. Each deviation caused by upset or control equipment deficiencies; and

Section VI: Title V Requirements

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2. Each deviation of a permit requirement that has been monitored by the monitoring systems required under this Title V permit, which has occurred since the date of the last monitoring report; and
3. Each deviation caused by a failure of the monitoring system to provide reliable data.

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.

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H. COMPLIANCE CERTIFICATIONS [RCSA §22a-174-33(q)(2)]

The Permittee shall, on March 1 of each year, or on a more frequent schedule if specified in this Title V permit, submit to the commissioner a written compliance certification certified in accordance with RCSA §22a-174-2a(a)(5) and which includes the information identified in 40 CFR §§70.6(c)(5)(iii)(A) to (C), inclusive.

Any compliance certification prepared and submitted pursuant to RCSA §22a-174-33(q)(2) shall be simultaneously submitted by the Permittee to the Administrator.

I. PERMIT DEVIATION NOTIFICATIONS [RCSA §22a-174-33(p)]

Notwithstanding Section VI.E. of this Title V permit, the Permittee shall notify the commissioner in writing, on forms prescribed by the commissioner, of any deviation from an emissions limitation, and shall identify the cause or likely cause of such deviation, all corrective actions and preventive measures taken with respect thereto, and the dates of such actions and measures as follows:

1. For any hazardous air pollutant, no later than 24 hours after such deviation commenced; and
2. For any other regulated air pollutant, no later than ten days after such deviation commenced.

J. PERMIT RENEWAL [RCSA §22a-174-33(j)(1)(B)]

All of the terms and conditions of this Title V permit shall remain in effect until the renewal permit is issued or denied provided that a timely renewal application is filed in accordance with RCSA §§22a-174-33(g), -33(h), and -33(i).

K. OPERATE IN COMPLIANCE [RCSA §22a-174-33(j)(1)(C)]

The Permittee shall operate the source in compliance with the terms of all applicable regulations, the terms of this Title V permit, and any other applicable provisions of law. In addition, any noncompliance constitutes a violation of the Clean Air Act and Chapter 446c of the Connecticut General Statutes and is grounds for federal and/or state enforcement action, permit termination, revocation and reissuance, or modification, and denial of a permit renewal application.

L. COMPLIANCE WITH PERMIT [RCSA §22a-174-33(j)(1)(G)]

This Title V permit shall not be deemed to:

1. Preclude the creation or use of emission reduction credits or allowances or the trading thereof in accordance with RCSA §§22a-174-33(j)(1)(I) and -33(j)(1)(P), provided that the commissioner's prior written approval of the creation, use, or trading is obtained;
2. Authorize emissions of an air pollutant so as to exceed levels prohibited pursuant to 40 CFR Part 72;
3. Authorize the use of allowances pursuant to 40 CFR Parts 72 through 78, inclusive, as a defense to noncompliance with any other applicable requirement; or
4. Impose limits on emissions from items or activities specified in RCSA §§22a-174-33(g)(3)(A) and -33(g)(3)(B) unless imposition of such limits is required by an applicable requirement.

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

The commissioner may, for the purpose of determining compliance with this Title V permit and other applicable requirements, enter the premises at reasonable times to inspect any facilities, equipment, practices, or operations regulated or required under such permit; to sample or otherwise monitor substances or parameters; and to review and copy relevant records lawfully required to be maintained at such premises in accordance with this Title V permit. It shall be grounds for permit revocation should entry, inspection, sampling, or monitoring be denied or effectively denied, or if access to and the copying of relevant records is denied or effectively denied.

N. PERMIT AVAILABILITY

The Permittee shall have available at the facility at all times a copy of this Title V permit.

O. SEVERABILITY CLAUSE [RCSA §22a-174-33(j)(1)(R)]

The provisions of this Title V permit are severable. If any provision of this Title V permit or the application of any provision of this Title V permit to any circumstance is held invalid, the remainder of this Title V permit and the application of such provision to other circumstances shall not be affected.

P. NEED TO HALT OR REDUCE ACTIVITY [RCSA §22a-174-33(j)(1)(T)]

It shall not be a defense for the Permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this Title V permit.

Q. PERMIT REQUIREMENTS [RCSA §22a-174-33(j)(1)(V)]

The filing of an application or of a notification of planned changes or anticipated noncompliance does not stay the Permittee's obligation to comply with this Title V permit.

R. PROPERTY RIGHTS [RCSA §22a-174-33(j)(1)(W)]

This Title V permit does not convey any property rights or any exclusive privileges. This Title V permit is subject to, and in no way derogates from any present or future property rights or other rights or powers of the State of Connecticut, and is further subject to any and all public and private rights and to any federal, state or local laws or regulations pertinent to the facility or regulated activity affected thereby, including CGS §4-181a(b) and RCSA §22a-3a-5(b). This Title V permit shall neither create nor affect any rights of persons who are not parties to this Title V permit.

S. ALTERNATIVE OPERATING SCENARIO RECORDS [RCSA §22a-174-33(o)(3)]

The Permittee shall, contemporaneously with making a change authorized by this Title V permit from one alternative operating scenario to another, maintain a record at the premises indicating when changes are made from one operating scenario to another and shall maintain a record of the current alternative operating scenario.

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;

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2. Exceed emissions allowable under the subject permit;
3. Constitute an action which would subject the Permittee to any standard or other requirement pursuant to 40 CFR Parts 72 to 78, inclusive; or
4. Constitute a non-minor permit modification pursuant to RCSA §22a-174-2a(d)(4).

At least seven days before initiating an action specified in RCSA §22a-174-33(r)(2)(A), the Permittee shall notify the Administrator and the commissioner in writing of such intended action.

U. INFORMATION FOR NOTIFICATION [RCSA §22a-174-33(r)(2)(A)]

Written notification required under RCSA §22a-174-33(r)(2)(A) shall include a description of each change to be made, the date on which such change will occur, any change in emissions that may occur as a result of such change, any Title V permit terms and conditions that may be affected by such change, and any applicable requirement that would apply as a result of such change. The Permittee shall thereafter maintain a copy of such notice with the Title V permit. The commissioner and the Permittee shall each attach a copy of such notice to their copy of the Title V permit.

V. TRANSFERS [RCSA §22a-174-2a(g)]

No person other than the Permittee shall act or refrain from acting under the authority of this Title V permit unless such permit has been transferred to another person in accordance with RCSA §22a-174-2a(g).

The proposed transferor and transferee of a permit shall submit to the commissioner a request for a permit transfer on a form provided by the commissioner. A request for a permit transfer shall be accompanied by any fees required by any applicable provision of the general statutes or regulations adopted thereunder. The commissioner may also require the proposed transferee to submit with any such request, the information identified in CGS §22a-6o.

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).

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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.

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Print for Compliance Certification or Enforcement

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

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

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