State of Rhode Island  
Department of Environmental Management  
Office of Air Resources

NOTICE OF PUBLIC COMMENT PERIOD

Pursuant to the provisions of Chapter 23-23 of the Rhode Island General Laws and "Operating Permits" 250-RICR-120-05-29, notice is hereby given that the Office of Air Resources offers an opportunity for public comment regarding its proposal to renew the Operating Permit to the following stationary source:

LFG Genco, LLC., 40 Shun Pike, Johnston, RI 02919

The draft operating permit is being offered for public comment in accordance with 250-RICR-120-05-29. An Operating Permit consolidates all applicable air pollution control requirements for the stationary source into a single federally enforceable document and clarifies all applicable requirements including emission limitations, operating, monitoring, testing, recordkeeping and reporting requirements. The State of Rhode Island's Operating Permit Program has been approved by the U.S. Environmental Protection Agency.

The public comment period will begin today and continue until 28 September 2020. A public hearing for interested persons to appear and submit written or oral comments on the draft operating permits will be held if requested by 10 or more persons, or by a governmental subdivision or agency or by an association having not less than 10 members. Any interested person may request that a public hearing be held.

Written comments, to be considered part of the record, must be submitted during the public comment period. Written comments or requests for a hearing may be sent to the Office at the address below until 4:00 PM, 28 September 2020, at which time the public comment period will close.

The draft operating permit and supporting documentation are available for inspection at 235 Promenade Street, Providence RI from 8:30am to 4:00pm. Please contact the Office of Customer & Technical Assistance to schedule a file review at (401) 222-4700 Ext. 7307, or email David DelSesto at David.DelSesto@dem.ri.gov to request the documents electronically. Supporting documentation includes the operating permit renewal application, initial permit application, a discussion of the streamlining of certain applicable requirements, a discussion of the federal enforceability of applicable requirements, and a document concerning public participation in the operating permit program. For more information, contact Ruth Gold or David Del Sesto at (401) 222-2808 (toll free 1-800-752-8088, TTY 711).

Signed this 28th day of August 2020

Laurie Grandchamp, P.E., Chief
STATE OF RHODE ISLAND
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
OFFICE OF AIR RESOURCES

OPERATING PERMIT

Rhode Island LFG Genco, LLC

DRAFT PERMIT NO. RI-41-XX

(Renewal date: XXXX XX, 20XX)
(Expiration date: XXXX XX 20XX)

Pursuant to the provisions of “Operating Permits” 250-RICR-120-05-29, this operating permit is issued to:

Rhode Island LFG Genco, LLC
40 Shun Pike
Johnston, RI 02919

This permit shall be effective from the date of its issuance. All terms and conditions of the permit are enforceable by USEPA and citizens under the Federal Clean Air Act 42 U.S.C 7401, et seq., unless specifically designated as not federally enforceable.

________________________________________
Laurie Grandchamp, Chief
Office of Air Resources
Date of Issuance: XX/XX/XXXX
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A. Generators

1. Requirements for Emission Units E013, E014, E015 and E016

The following requirements apply to:

- Emission units E013, E014, E015 and E016, each of which is a 2229 HP Caterpillar engine - generator set, Model No. G3520C, which burns landfill gas. Emission units E013, E014, E015 and E016 are part of the facility known as Rhode Island LFG Genco, LLC. [Approval No. RI-PSD-7]

a. Emission Limitations

   (1) Nitrogen oxides (as nitrogen dioxide (NO₂))

       The emission rate of nitrogen oxides from each engine/generator set exhaust shall not exceed 0.5 gram per brake horsepower hour (g/bhp-hr) or a maximum of 2.46 lbs per hour, whichever is more stringent. [RI-PSD-7(A)(1)]

   (2) Carbon Monoxide (CO)

       The emission rate of carbon monoxide from each engine/generator set exhaust shall not exceed 2.75 g/bhp-hr or a maximum of 13.51 lbs per hour, whichever is more stringent. [RI-PSD-7(A)(2)]

   (3) Total nonmethane hydrocarbons (NMHC)

       The emission rate of total nonmethane hydrocarbons from each engine/generator set exhaust shall not exceed 20 ppmvd @ 3% O₂ or a maximum of 0.76 lb per hour, whichever is more stringent. [RI-PSD-7(A)(3)]

   (4) Particulate Matter less than 10 microns (PM₁₀)

       The emission rate of particulate matter less than 10 microns from each engine/generator set exhaust shall not exceed 0.1 g/bhp-hr or a maximum of 0.49 lbs per hour, whichever is more stringent. [RI-PSD-7(A)(4)]

   (5) Opacity

       Visible emissions from each engine/generator set exhaust shall not exceed 10% opacity except for a period or periods aggregating no more than three minutes in any one hour. [250-RICR-120-05-1.6, RI-PSD-7(A)(5)] Where the presence of uncombined water is the only reason for failure to meet this requirement, such failure shall not be a violation of this permit. [250-RICR-120-05-1.8]
b. Operating Requirements

(1) Only landfill gas shall be used as an engine fuel. [RI-PSD-7(B)(1)]

(2) The landfill gas shall be filtered, de-watered, and compressed prior to use in the engines in accordance with the provisions of 40 CFR 60.752(b)(2)(iii)(C). [RI-PSD-7(B)(2)]

(3) The permittee shall operate each engine to maintain the actual charge density of the air/fuel mixture to match the desired charge density of the air/fuel mixture. On an annual basis, the permittee shall demonstrate compliance with this condition by generating a graph of actual charge density vs. desired charge density during the performance test required by Condition I.A.1.d(1) of this permit. [RI-PSD-7(B)(3)]

(4) The setpoints for emissions factor and specific heat ratio in the Caterpillar Air-Fuel ratio control system shall be those determined during the most recent performance test. [RI-PSD-7(B)(4)]

c. Monitoring Requirements

(1) Total landfill gas flow to the engines listed in this section shall be continuously measured. [RI-PSD-7(C)(1)]

(2) Gross electrical power generation (kw-hrs.) shall be continuously measured for each engine individually and for the four engines combined. [RI-PSD-7(C)(2)]

(3) Each engine/generator set shall be equipped with a non-resettable elapsed time meter to indicate, in cumulative hours, the elapsed engine operating time. [RI-PSD-7(C)(3)]

(4) The permittee shall continuously monitor the actual charge density of the air/fuel mixture. Upon request, the permittee shall make available to the Office of Air Resources or its representative, a graph of actual charge density vs. desired charge density. [RI-PSD-7(C)(4), 250-RICR-120-05-29.10(C)(1)(b)]

(5) The permittee shall conduct quarterly analyses of the landfill gas being used as an engine fuel. At a minimum, the landfill gas should be analyzed for the following compounds: acetone, acrylonitrile, benzene, bromodichloromethane, carbon disulfide, carbon tetrachloride, carbonyl sulfide, chlorobenzene, chlorodifluoromethane, chloroform, cyclohexane, 1,4 dichlorobenzene, cis-1,2 dichloroethene, trans-1,2 dichloroethene, ethyl benzene, ethyl chloride, ethylene dibromide, ethylene dichloride, ethylidene dichloride, hexane, hydrogen sulfide, isopropanol, mercury, methyl chloride, methyl chloroform, methyl ethyl ketone, methyl isobutyl ketone, methylene chloride, propylene dichloride, styrene, 1,1,2,2 tetrachloroethane, tetrachloroethylene, toluene, total chlorides, trichloroethylene, trichlorofluoromethane, vinyl chloride, vinlylidene chloride and xylenes. The permittee shall keep records of these analyses and provide such records to the Office of Air Resources upon request. [RI-PSD-7(C)(5)]
**d. Testing Requirements**

(1) Performance testing shall be conducted annually to determine compliance with the nitrogen oxide emission limitation, specified in I.A.1.a(1) of this permit. [RI-PSD-7(D)(1)]

(2) The permittee shall generate a graph that tracks actual charge density, desired charge density, engine load and nitrogen oxides emissions through one complete cycle of 100 percent load to 0 percent load to 100 percent load during each performance test. The permittee shall record emissions factor, specific heat ratio, and the flash file (combustion control software) serial number during each performance test. [RI-PSD-7(D)(2)]

(3) A stack testing protocol shall be submitted to the Office of Air Resources for review and approval prior to the performance of any stack tests. The permittee shall provide the Office of Air Resources at least 60 days prior notice of any performance test. [RI-PSD-7(D)(3)]

(4) All test procedures used for stack testing shall be approved by the Office of Air Resources prior to the performance of any stack tests. [RI-PSD-7(D)(4)]

(5) The permittee shall install any and all test ports or platforms necessary to conduct the required stack testing, provide safe access to any platforms and provide the necessary utilities for sampling and testing equipment. [RI-PSD-7(D)(5)]

(6) All testing shall be conducted under operating conditions deemed acceptable and representative for the purpose of assessing compliance with the applicable emission limitation. [RI-PSD-7(D)(6)]

(7) A final report of the results of stack testing shall be submitted to the Office of Air Resources no later than 60 days following completion of the testing. [RI-PSD-7(D)(7)]

(8) All stack testing must be observed by the Office of Air Resources or its authorized representatives to be considered acceptable unless the Office of Air Resources provides authorization to the owner/operator to conduct the testing without an observer present. [RI-PSD-8(D)(8)]

(9) Opacity

Tests for determining compliance with the opacity emission limitations specified in Condition I.A.1.a(5) of this permit shall be performed per 40 CFR 60, Appendix A, Method 9. Additionally, all observers must qualify as per 40 CFR 60, Appendix A, Method 9. [250-RICR-120-05-1.7(A-B)]

**e. Recordkeeping Requirements**

(1) The permittee shall maintain the following records on a monthly basis: [RI-PSD-7(E)(1)]

(a) The hours of operation of each engine/generator set, including any start-up, shutdown or malfunction in the operations of the facility. [RI-PSD-7(E)(1)(a)]

(b) The total landfill gas flow to each engine. [RI-PSD-7(E)(1)(b)]
(c) Gross electrical power generation (kw-hrs.) for each engine individually and for the four engines combined. [RI-PSD-7(E)(1)(c)]

(2) The permittee shall maintain records of the set points for emissions factor and specific heat ratio in the Caterpillar Air-Fuel ratio control system determined during the most recent performance test and the current flash file serial number. [RI-PSD-7(E)(2)]

(3) The permittee shall maintain records of any scheduled and unscheduled maintenance to emissions units listed in this section. [250-RICR-120-05-29.10(C)(1)(b)]

(4) Total landfill gas flow to the engines listed in this section shall be continuously recorded. [RI-PSD-7(C)(1)]

f. Reporting Requirements

(1) The permittee shall notify the Office of Air Resources, in writing, within 15 days after the end of the calendar quarter, if the quarterly analysis of the landfill gas being used as an engine fuel shows that the concentration of any compound exceeds the reportable concentrations in Appendix A of this permit. [RI-PSD-7(E)(3)]

(2) The permittee shall notify the Office of Air Resources of any anticipated noncompliance with the terms of Section I.A.1 of this permit or any other applicable air pollution control rules and regulations. [RI-PSD-7(E)(6)]

(3) The permittee shall notify the Office of Air Resources, in writing, of any noncompliance with the terms of Section I.A.1 of this permit within 30 calendar days of becoming aware of such occurrence and supply the Director with the following information: [Approval No. RI-PSD-7(E)(7)]

   (a) The name and location of the facility; [RI-PSD-7(E)(7)(a)]

   (b) The subject source(s) that caused the noncompliance with the permit term; [RI-PSD-7(E)(7)(b)]

   (c) The time and date of first observation of the incident of noncompliance; [RI-PSD-7(E)(7)(c)]

   (d) The cause and expected duration of the incident of noncompliance; [RI-PSD-7(E)(7)(d)]

   (e) The estimated rate of emissions (expressed in lbs/hr or lbs/day) during the incident and the operating data and calculations used in estimating the emission rate. [RI-PSD-7(E)(7)(e)]

   (f) The proposed corrective actions and schedule to correct the conditions causing the incidence of noncompliance. [RI-PSD-7(E)(7)(f)]

(4) The permittee shall notify the Office of Air Resources in writing of any planned changes to the combustion control software.
Such notification shall include:

- Information describing the nature of the change.
- Information describing the effect of the change on the combustion control system.
- The scheduled completion date of the planned change.

If such change effects the combustion controls, performance testing shall be conducted within 60 days of the change to determine compliance with the nitrogen oxide emission limitation. [RI-PSD-7(E)(8)]

g. Other Requirements

(1) To the extent consistent with the requirements of Section I.A.1 of this permit and applicable federal and state laws, the facility shall be operated in accordance with the representation of the facility in the preconstruction permit application dated November 2003, prepared by GZA GeoEnvironmental, Inc. [RI-PSD-7(F)(1)]

(2) Operation of this equipment shall not result in the release of raw landfill gas to the atmosphere. [RI-PSD-7(F)(3)]

(3) The permittee shall install and maintain an automatic fail-safe block valve on each engine listed in this section. The fail-safe block valve must stop the flow of landfill gas in the event of an engine failure. [RI-PSD-7(F)(4)]

(4) Excess landfill gas, not used as a fuel in an engine, must be flared. [RI-PSD-7(F)(5)]

(5) At all times, including periods of startup, shutdown and malfunction, the permittee shall, to the extent practicable, maintain and operate the facility in a manner consistent with good air pollution control practice for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the Office of Air Resources which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures and inspection of the source. [RI-PSD-7(F)(6)]

h. Startup/Shutdown Requirements

(1) Engine startup/shutdown shall be defined as that transient period of time required for the engine temperature parameters to stabilize for steady-state operation. This period shall not exceed 60 minutes. [RI-PSD-7(G)(1)]

(2) The emission limitations of Conditions I.A.1.a(1-5) of this permit shall not apply during engine startup/shutdown conditions. [RI-PSD-7(G)(3)]

(3) The permittee shall submit to the Office of Air Resources for review and approval, at least 30 days prior to startup, the procedures to be followed during engine startup/shutdown conditions initial engine commissioning. The procedures shall be designed to minimize the emission of air contaminants to the maximum extent practical. [RI-PSD-7(G)(4)]
2. **Requirements for Emission Units E017, E018, E019 and E020**

The following requirements apply to:

- Emission units E017, E018, E019 and E020, each of which is a 6 MW Solar Combustion Turbine, Model No. TAUROS 60-7901 which burns landfill gas. Emission units E017, E018, E019 and E020 are each equipped with air pollution control device A001 – A004 each of which is a Cormetech, Inc. Selective Catalytic Reduction (SCR) system. Emission units E017, E018, E019 and E020 are part of the facility known as Rhode Island LFG Genco, LLC. [Approval No. RI-PSD-8]

**a. Emission Limitations**

1. **Nitrogen oxides (as nitrogen dioxide (NO2))**
   
   (a) The concentration of nitrogen oxides discharged to the atmosphere from each combustion turbine listed in this section shall not exceed 25 ppmv, on a dry basis, corrected to 15 percent O\(_2\) (1-hour average). [RI-PSD-8(A)(1)(a)(1), 40 CFR 60.4320(a), 40 CFR 60 Subpart KKKK, Table 1]
   
   (b) The emission rate of nitrogen oxides discharged to the atmosphere from each combustion turbine listed in this section shall not exceed 7.95 lbs/hr. [RI-PSD-8(A)(1)(a)(2)]

2. **Carbon Monoxide (CO)**
   
   (a) The concentration of carbon monoxide discharged to the atmosphere from each combustion turbine listed in this section shall not exceed 100 ppmv, on a dry basis, corrected to 15 percent O\(_2\) (1-hour average) at full load conditions and 200 ppmv, on a dry basis, corrected to 15 percent O\(_2\) (1-hour average) at load conditions other than full load. Full load conditions shall mean 95-100% load. [RI-PSD-8(A)(1)(b)(1)]
   
   (b) The emission rate of carbon monoxide discharged to the atmosphere from each combustion turbine listed in this section shall not exceed 34.86 lbs/hr. [RI-PSD-8(A)(1)(b)(2)]

3. **Total nonmethane hydrocarbons (NMHC)**
   
   (a) The concentration of total nonmethane hydrocarbons discharged to the atmosphere from each combustion turbine listed in this section shall not exceed 10 ppmv, on a dry basis, corrected to 15 percent O\(_2\) (1-hour average) at full load conditions and 20 ppmv, on a dry basis, corrected to 15 percent O\(_2\) (1-hour average) at load conditions other than full load. Full load conditions shall mean 95-100% load. [RI-PSD-8(A)(1)(c)(1)]
   
   (b) The emission rate of total nonmethane hydrocarbons discharged to the atmosphere from each combustion turbine listed in this section shall not exceed 1.99 lbs/hr. [RI-PSD-8(A)(1)(c)(2)]
(5) Particulate Matter less than 10 microns (PM$_{10}$)

The emission rate of particulate matter less than 10 microns from each combustion turbine listed in this section shall not exceed 0.024 lb/MMBTU or a maximum of 1.90 lbs per hour, whichever is more stringent. [RI-PSD-8(A)(1)(d)]

(6) Sulfur Dioxide (SO$_2$)

(a) The permittee shall not burn in each combustion turbine any landfill gas which contains total potential sulfur emissions in excess of 0.034 lb SO$_2$/MMBtu heat input. [RI-PSD-8(A)(1)(e)(1), 40 CFR 60.4330(a)(2)]

(b) The emission rate of sulfur dioxide discharged to the atmosphere from each combustion turbine listed in this section shall not exceed 2.70 lbs/hr. [RI-PSD-8(A)(1)(e)(2)]

(7) Ammonia (NH$_3$)

(a) The concentration of ammonia discharged to the atmosphere from each combustion turbine listed in this section shall not exceed 20 ppmv, on a dry basis, corrected to 15 percent O$_2$ (1-hour average). [RI-PSD-8(A)(1)(f)(1)]

(b) The emission rate of ammonia discharged to the atmosphere from each combustion turbine listed in this section shall not exceed 2.35 lbs/hr. [RI-PSD-8(A)(1)(f)(2)]

(8) Visible emissions from each combustion turbines listed in this section shall not exceed 10% opacity except for a period or periods aggregating no more than three minutes in any one hour. [250-RICR-120-05-1.6, RI-PSD-8(A)(1)(g)] Where the presence of uncombined water is the only reason for failure to meet this requirement, such failure shall not be a violation of this permit. [250-RICR-120-05-1.8]

b. Operating Requirements

(1) Landfill gas shall be the primary fuel for the combustion turbines listed in this section. The use of propane as an auxiliary fuel shall be limited to startup only. [RI-PSD-8(B)(1)(a)]

(2) The maximum heat input rate to each of the combustion turbine listed in this section shall not exceed 80.04 million BTUs per hour at 0ºF. [RI-PSD-8(B)(1)(b)]

(3) The landfill gas shall be filtered, dewatered, and compressed prior to use in the turbines in accordance with the provisions of 40 CFR 60.752(b)(2)(iii)(C). [RI-PSD-8(B)(1)(c)]

(4) A001 – A004 shall be operated at all times that the inlet temperature of the SCR catalyst is 600º F or greater. [RI-PSD-8(B)(1)(d)]

(5) Ammonia shall be injected into A001 – A004 whenever the inlet temperature of the SCR catalyst is at or above 600ºF. [RI-PSD-8(B)(2)]
c. Monitoring Requirements

(1) Total landfill gas flow to the combustion turbines listed in this section shall be continuously measured. [RI-PSD-8(C)(1)(a)]

(2) Gross electrical power generation (kw-hrs.) shall be continuously measured for each turbine listed in this section individually and for the four turbines listed in this section combined. [RI-PSD-8(C)(1)(b)]

(3) Each combustion turbine listed in this section shall be equipped with a non-resettable elapsed time meter to indicate, in cumulative hours, the elapsed turbine operating time. [RI-PSD-8(C)(1)(c)]

(4) Inlet temperature to the SCR catalyst shall be continuously measured. [RI-PSD-8(C)(1)(d), 250-RICR-120-05-29.10(C)(1)(b)]

(5) The permittee shall conduct quarterly analyses of the landfill gas being used as a fuel. At a minimum, the landfill gas should be analyzed for the following compounds: acetone, acrylonitrile, benzene, bromodichloromethane, carbon disulfide, carbon tetrachloride, carbonyl sulfide, chlorobenzene, chlorodifluoromethane, chloroform, cyclohexane, 1,4 dichlorobenzene, cis-1,2 dichloroethene, trans-1,2 dichloroethene, ethyl benzene, ethyl chloride, ethylene dibromide, ethylene dichloride, ethylenedichloride, hexane, hydrogen sulfide, isopropanol, mercury, methyl chloride, methyl chloroform, methyl ethyl ketone, methyl isobutyl ketone, methylene chloride, propylene dichloride, styrene, 1,1,2,2 tetrachloroethane, tetrachloroethylene, toluene, total chlorides, trichloroethylene, trichlorofluoromethane, vinyl chloride, vinylidene chloride and xylenes. The permittee shall keep records of these analyses and provide such records to the Office of Air Resources upon request. [RI-PSD-8(C)(1)(e), 250-RICR-120-05-29.10(C)(1)(b)]

(6) Sulfur Dioxide (SO2)

(a) The permittee shall monitor the total sulfur content of the landfill gas being fired in each combustion turbine listed in this section daily. A representative sample of the landfill gas shall be collected following ASTM D5287. A single sample may be collected from a common header for the turbines rather than individually from each turbine. The total sulfur content of the landfill gas shall be determined using ASTM D1072 or alternatively D3246, D4084, D4468, D4810, D6228, D6667 or Gas Processors Association Standard 2377. [RI-PSD-8(C)(1)(f)(1), 40 CFR 60.4365(b), 40 CFR 60.4370(b)]

(b) The analyses may be performed by the permittee, a service contractor retained by the permittee or any other qualified agency. [RI-PSD-8(C)(1)(f)(2)]

(c) The permittee may develop a custom schedule for determination of the total sulfur content of the landfill gas following the requirements in 40 CFR 60.4370(c). [RI-PSD-8(C)(1)(f)(3), 40 CFR 60.4370(c)]

(7) The permittee shall measure the concentration, in parts per million (ppm), of nitrogen oxides at the inlet and outlet of the SCR system once per month. Testing shall be conducted
using a portable analyzer in accordance with a protocol approved by the Office of Air Resources. [RI-PSD-8(C)(1)(g)]

d. Testing Requirements

(1) Performance testing shall be conducted annually to determine compliance with the nitrogen oxide emission limitation specified in I.A.2.a(1) of this permit. [RI-PSD-8(D)(1)(a), 40 CFR 60.4340(a), 40 CFR 60.4400]

(2) A stack testing protocol shall be submitted to the Office of Air Resources at least 60 days prior to the performance of any stack tests. The permittee shall provide the Office of Air Resources at least 60 days prior notice of any performance test. [RI-PSD-8(D)(1)(b)]

(3) All test procedures used for stack testing shall be approved by the Office of Air Resources prior to the performance of any stack tests. Performance testing for nitrogen oxides shall be conducted using the methodologies in 40 CFR 60.4400. [RI-PSD-8(D)(1)(c)]

(4) The permittee shall install any and all test ports or platforms necessary to conduct the required stack testing, provide safe access to any platforms and provide the necessary utilities for sampling and testing equipment. [RI-PSD-8(D)(1)(d)]

(5) All testing shall be conducted under operating conditions deemed acceptable and representative for the purpose of assessing compliance with the applicable emission limitation. [RI-PSD-8(D)(1)(e)]

(6) A final report of the results of stack testing shall be submitted to the Office of Air Resources no later than 60 days following completion of the testing. [RI-PSD-8(D)(1)(f)]

(7) All stack testing must be observed by the Office of Air Resources or its authorized representatives to be considered acceptable, unless the Office of Air Resources provides authorization to the owner/operator to conduct the testing without an observer present. [RI-PSD-8(D)(1)(g)]

(8) Opacity

Tests for determining compliance with the opacity emission limitations specified in Condition I.A.2.a(7) of this permit shall be performed per 40 CFR 60, Appendix A, Method 9. Additionally, all observers must qualify as per 40 CFR 60, Appendix A, Method 9. [250-RICR-120-05-1.7(A-B)]

e. Recordkeeping Requirements

(1) Total landfill gas flow to the combustion turbines listed in this section shall be continuously recorded. [RI-PSD-8(C)(1)(a)]

(2) Gross electrical power generation (kw-hrs.) shall be continuously recorded for each turbine listed in this section individually and for the four turbines combined. [RI-PSD-8(C)(1)(b)]

(3) Inlet temperature to the SCR catalyst shall be continuously recorded. [RI-PSD-8(C)(1)(d), 250-RICR-120-05-29.10(C)(1)(b)]
(4) The permittee shall maintain the following records on a monthly basis: [RI-PSD-8(E)(1), 250-RICR-120-05-29.10(C)(1)(b)]

(a) The hours of operation of each combustion turbine listed in this section, including any start-up, shutdown or malfunction in the operations of the facility. [RI-PSD-8(E)(1)(a), 250-RICR-120-05-29.10(C)(1)(b)]

(b) The total landfill gas flow to each combustion turbine listed in this section. [RI-PSD-8(E)(1)(b), 250-RICR-120-05-29.10(C)(1)(b)]

(c) Gross electrical power generation in kw-hr for each turbine listed in this section and for the four turbines combined listed in this section. [RI-PSD-8(E)(1)(c), 250-RICR-120-05-29.10(C)(1)(b)]

(d) Any malfunction of the air pollution control system. [RI-PSD-8(E)(1)(d), 250-RICR-120-05-29.10(C)(1)(b)]

(e) Inlet temperature to the SCR catalyst. [RI-PSD-8(E)(1)(e), 250-RICR-120-05-29.10(C)(1)(b)]

(5) The permittee shall maintain records of the landfill gas flow rate. [RI-PSD-8(E)(4), 250-RICR-120-05-29.10(C)(1)(b)]

f. Reporting Requirements

(1) The permittee shall notify the Office of Air Resources, in writing, within 15 days after the end of the calendar quarter, if the quarterly analyses of the landfill gas being used as a fuel show that the concentration of any compound exceeds the reportable concentrations as specified in Appendix B of this permit. [RI-PSD-8(E)(3)]

(2) The permittee shall submit excess emissions and monitoring systems performance report and/or summary report form for the combustion turbines listed in this section to the Office of Air Resources and the USEPA semiannually. All reports shall be postmarked by the 30th day following the end of each six-month period. [RI-PSD-8(E)(7), 40 CFR 60.7(c)]

(a) The excess emissions and monitoring systems performance report shall include the following information: [RI-PSD-8(E)(7)(a)]

(i) The magnitude of excess emissions computed in accordance with 40 CFR 60.13(h), any conversion factor(s) used, and the date and time of commencement and completion of each time period of excess emissions. The process operating time during the reporting period. [RI-PSD-8(E)(7)(a)(1), 40 CFR 60.7(c)(1)]

(ii) Specific identification of each period of excess emissions that occurs during startups, shutdowns, and malfunctions of the affected facility. The nature and cause of any malfunction (if known), the corrective action taken or preventative measures adopted. [RI-PSD-8(E)(7)(a)(2), 40 CFR 60.7(c)(2)]
(iii) The date and time identifying each period of monitor downtime and the nature of any corrective action. [RI-PSD-8(E)(7)(a)(3), 40 CFR 60.7(c)(3)]

(iv) When no excess emissions have occurred or the monitoring system has not been down, such information shall be stated in the report. [RI-PSD-8(E)(7)(a)(4), 40 CFR 60.7(c)(4)]

(b) The summary report form shall contain the information and be in the format shown in figure 1 in 40 CFR 60.7(d). One summary report form shall be submitted for sulfur dioxide. [RI-PSD-8(E)(7)(b) 40 CFR 60.7(d)]

(i) If the total duration of excess emissions for the reporting period is less than 1 percent of the total operating time for the reporting period and CMS downtime for the reporting period is less than 5 percent of the total operating time for the reporting period, only the summary report form shall be submitted and the excess emission report need not be submitted unless requested by the Office of Air Resources or USEPA. [RI-PSD-8(E)(7)(b)(1), 40 CFR 60.7(d)(1)]

(ii) If the total duration of excess emissions for the reporting period is 1 percent or greater of the total operating time for the reporting period or the total CMS downtime for the reporting period is 5 percent or greater of the total operating time for the reporting period, the summary report form and the excess emission report shall both be submitted. [RI-PSD-8(E)(7)(b)(2), 40 CFR 60.7(d)(2)]

(c) An excess emission occurs each unit operating hour included in the period beginning on the date and hour of any sample for which the sulfur content of the landfill gas being fired in a combustion turbine exceeds the emission limitation in I.A.2.a(5)(a-b) of this permit and ending on the date and hour that a subsequent sample is taken that demonstrates compliance with the sulfur limit. [RI-PSD-8(E)(7)(c)]

(d) A period of monitor downtime begins when a required sample is not taken by its due date. A period of monitor downtime also begins on the date and hour of a required sample, if invalid results are obtained. The period of monitor downtime ends on the date and hour of the next valid sample. [RI-PSD-8(E)(7)(d)]

(3) The permittee shall notify the Office of Air Resources of any anticipated noncompliance with the terms of Section I.A.2 of this permit or any other applicable air pollution control rules and regulations. [RI-PSD-8(E)(13)]

(4) The permittee shall submit a written report of the results of each performance test before the close of business on the 60th day following the completion of the performance test. [40 CFR 60.4375(b)]

g. Other Requirements

(1) To the extent consistent with the requirements of this permit and applicable federal and state laws, the facility shall be operated in accordance with the representation of the facility in the
permit application dated December 2007, prepared by GZA GeoEnvironmental, Inc and the addendum to the permit application dated August 2008 and June 8, 2011, prepared by GZA GeoEnvironmental and the July 30, 2013 request addressing the bioreactor vent. [RI-PSD-8(F)(1)]

(2) Operation of this equipment shall not result in the release of raw landfill gas to the atmosphere. [RI-PSD-8(F)(3)]

(3) The permittee shall install and maintain an automatic fail-safe block valve on each combustion turbine listed in this section. The fail-safe block valve must stop the flow of landfill gas in the event of a combustion turbine failure. [RI-PSD-8(F)(4)]

(4) Excess landfill gas, not used as a fuel in a combustion turbine listed in this section, must be flared or combusted in emission units E013 – E016. [RI-PSD-8(F)(5)]

(5) At all times, including periods of startup, shutdown and malfunction, the permittee shall, to the extent practicable, maintain and operate the facility in a manner consistent with good air pollution control practice for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the Office of Air Resources which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures and inspection of the source. [RI-PSD-8(F)(6), 40 CFR 60.4333(a)]

h. Startup/Shutdown Conditions

(1) Turbine startup/shutdown shall be defined as that period of time from initiation of combustion turbine firing until the unit reaches steady state load operation. Steady state operation shall be reached when the combustion turbine reaches minimum load (60%). This period shall not exceed 60 minutes for a hot start, 180 minutes for a warm start, or 240 minutes for a cold start. A warm start shall be defined as startup when the generating unit has been down for more than 2 hours and less than or equal to 24 hours. A cold start shall be defined as startup when the generating unit has been down for more than 24 hours. Unit shutdown shall be defined as that period of time from steady state operation to cessation of combustion turbine firing. This period shall not exceed 60 minutes. [RI-PSD-8(G)(1)]

(2) The emission limitations of Conditions I.A.2.a of this permit shall not apply to the combustion turbines listed in this section. [RI-PSD-8(G)(2)]

(3) The following emission limitations apply during startup and shutdown operations. [RI-PSD-8(G)(3)]

(a) Nitrogen oxides (as nitrogen dioxide (NO₂))

   (i) The total quantity of nitrogen oxides discharged to the atmosphere from each combustion turbine during cold startup operations shall not exceed 24.4 pounds per event. [RI-PSD-8(G)(3)(a)(1)]

   (ii) The total quantity of nitrogen oxides discharged to the atmosphere from each combustion turbine during warm startup operations shall not exceed 18.3 pounds per event. [RI-PSD-8(G)(3)(a)(2)]
(iii) The total quantity of nitrogen oxides discharged to the atmosphere from each combustion turbine during hot startup operations shall not exceed 6.0 pounds per event. [RI-PSD-8(G)(3)(a)(3)]

(iv) The total quantity of nitrogen oxides discharged to the atmosphere from each combustion turbine during shutdown operations shall not exceed 5.5 pounds per event. [RI-PSD-8(G)(3)(a)(4)]

(b) Carbon Monoxide (CO)

(i) The total quantity of carbon monoxide discharged to the atmosphere from each combustion turbine during cold startup operations shall not exceed 156.9 pounds per event. [RI-PSD-8(G)(3)(b)(1)]

(ii) The total quantity of carbon monoxide discharged to the atmosphere from each combustion turbine during warm startup operations shall not exceed 121.9 pounds per event. [RI-PSD-8(G)(3)(b)(2)]

(iii) The total quantity of carbon monoxide discharged to the atmosphere from each combustion turbine during hot startup operations shall not exceed 51.9 pounds per event. [RI-PSD-8(G)(3)(b)(3)] The total quantity of carbon monoxide discharged to the atmosphere from each combustion turbine during shutdown operations shall not exceed 92.4 pounds per event. [RI-PSD-8(G)(3)(b)(4)]

(c) Total non-methane hydrocarbons (NMHC)

(i) The total quantity of non-methane hydrocarbons discharged to the atmosphere from each combustion turbine during cold startup operations shall not exceed 19.4 pounds per event. [RI-PSD-8(G)(3)(c)(1)]

(ii) The total quantity of non-methane hydrocarbons discharged to the atmosphere from each combustion turbine during warm startup operations shall not exceed 14.7 pounds per event. [RI-PSD-8(G)(3)(c)(2)]

(iii) The total quantity of non-methane hydrocarbons discharged to the atmosphere from each combustion turbine during hot startup operations shall not exceed 5.5 pounds per event. [RI-PSD-8(G)(3)(c)(3)]

(iv) The total quantity of non-methane hydrocarbons discharged to the atmosphere from each combustion turbine during shutdown operations shall not exceed 7.5 pounds per event. [RI-PSD-8(G)(3)(c)(4)]

(4) The permittee shall follow proper operating procedures during turbine startup/shutdown conditions and initial turbine commissioning to minimize the emissions of air contaminants to the maximum extent practical. The permittee shall submit to the Office of Air Resources for review and approval, at least 90 days prior to startup, the procedures to be followed during turbine startup/shutdown conditions and initial turbine commissioning. The procedures shall
be designed to minimize the emission of air contaminants to the maximum extent practical. [RI-PSD-8(G)(4)]

i. Malfunctions

(1) A001 - A004 shall be operated according to their design specifications whenever the combustion turbines listed in this section are in operation or is emitting air contaminants. [250-RICR-120-05-16.5]

(2) In the case of a malfunction of any air pollution control device, all reasonable measures shall be taken to assure resumption of the designed control efficiency as soon as possible. In the event that the malfunction of the air pollution control device is expected or may reasonably be expected to continue for longer than 24 hours and if the owner or operator wishes to continue to operate the air pollution control device and/or the equipment vented to that air pollution control device at any time beyond that period, the Director shall be petitioned for a variance under R.I. General Laws § 23-23-15, as amended. Such petition shall include, but is not limited to, the following: [RI-PSD-8(H)(1), 250-RICR-120-05-16.6(A)]

(a) Identification of the specific air pollution control device and source on which it is installed; [RI-PSD-8(H)(1)(a), 250-RICR-120-05-16.6(A)(1)]

(b) The expected period of time that the air pollution control device will be malfunctioning or out of service; [RI-PSD-8(H)(1)(b), 250-RICR-120-05-16.6(A)(2)]

(c) The nature and quantity of air contaminants likely to be emitted during said period; [RI-PSD-8(H)(1)(c), 250-RICR-120-05-16.6(A)(3)]

(d) Measures that will be taken to minimize the length of said period; [RI-PSD-8(H)(1)(d), 250-RICR-120-05-16.6(A)(4)]

(e) The reasons that it would be impossible or impractical to cease the source operation during said period. [RI-PSD-8(H)(1)(e), 250-RICR-120-05-16.6(A)(5)]

(3) The permittee may seek to establish that a malfunction of any air pollution control device that would result in noncompliance with any of the terms of this permit or any other applicable air pollution control rules and regulations was due to unavoidable increases in emissions attributable to the malfunction. To do so, the owner/operator must demonstrate to the Office of Air Resources that: [RI-PSD-8(H)(2)]

(a) The malfunction was not attributable to improperly designed air pollution control equipment, lack of preventative maintenance, careless or improper operation, or operator error; [RI-PSD-8(H)(2)(a)]

(b) The malfunction was not part of a recurring pattern indicative of inadequate design, operation, or maintenance; [RI-PSD-8(H)(2)(b)]

(c) Repairs necessary to bring the air pollution control system back to normal and proper operation were performed in an expeditious fashion. Off-shift labor and
overtime should be utilized, to the extent practicable, to ensure that such repairs were completed as expeditiously as practicable. Any parts or material needed should be shipped overnight where possible or practical. [RI-PSD-8(H)(2)(c)]

(d) All possible steps were taken to minimize emissions during the period of time that the repairs were performed. [RI-PSD-8(H)(2)(d)]

(e) Emissions during the period of time that the repairs were performed will not: [RI-PSD-8(H)(2)(e)]

(i) Cause an increase in the ground level ambient concentration at or beyond the property line in excess of that allowed by Air Pollution Control Regulation No. 22 and any Calculated Acceptable Ambient Levels; and [RI-PSD-8(H)(2)(e)(1)]

(ii) Cause or contribute to air pollution in violation of any applicable state or national ambient air quality standard. [RI-PSD-8(H)(2)(e)(2)]

(f) The reasons that it would be impossible or impractical to cease the source operation during said period. [RI-PSD-8(H)(2)(f)]

This demonstration shall be provided to the Office of Air Resources, in writing, within two working days of the time when the malfunction occurred and contain a description of the malfunction, any steps taken to minimize emissions and corrective actions taken. [RI-PSD-8(H)(2)]

The permittee shall have the burden of proof in seeking to establish that noncompliance was due to unavoidable increases in emissions attributable to the malfunction. [RI-PSD-8(H)(2)]

B. Process Equipment

1. Requirements Emission Unit E023

The following requirements apply to:

- Emission Unit E023, which consist of two bioreactors, chiller and siloxane removal system. Landfill gas is collected and treated by the bioreactors which converts hydrogen sulfide to elemental sulfur, the vented air from this process is treated by air pollution control devices A007 and A006. (A006 serves as a back-up). The siloxane removal system effluent gas is treated by air pollution control devices A007 and A005 (A005 serves as a back-up). The treated landfill gas is sent to power generation equipment.

- Air pollution control device A007 which is Pollution Systems recuperative thermal oxidizer, Model No. TO-5 RHE. [Approval No. 2333]

- Air pollution control device A006 (GCC Main Flare) which is a John Zink Company Enclosed Flare, Model No. ZTOF which is capable of treating 6000 acfm. [RI-PSD-8]

- Air pollution control device A005 (Regen Flare) which is a John Zink Company Flare, Model No. ZULE which is capable of treating 3200 acfm. [RI-PSD-8]
a. Emission Limitations

(1) Nitrogen oxides (as Nitrogen dioxide (NO₂))

(a) The emission rate of nitrogen oxides discharged to the atmosphere from A005 shall not exceed 0.025 lbs per million BTU or 0.52 lbs/hr, whichever is more stringent. [RI-PSD-8(A)(2)(a)]

(b) The emission rate of nitrogen oxides discharged to the atmosphere from A006 shall not exceed 0.06 lbs per million BTU or 11.88 lbs/hr, whichever is more stringent. [RI-PSD-8(A)(3)(a)]

(2) Carbon Monoxide (CO)

(a) The emission rate of carbon monoxide discharged to the atmosphere from A005 shall not exceed 0.060 lbs per million BTU or 1.25 lbs/hr, whichever is more stringent. [RI-PSD-8(A)(2)(b)]

(b) The emission rate of carbon monoxide discharged to the atmosphere from A006 shall not exceed 0.20 lbs per million BTU or 39.60 lbs/hr, whichever is more stringent. [RI-PSD-8(A)(3)(b)]

(3) Non-methane Organic Compounds (NMOC)

(a) A005 shall reduce non-methane organic compound emissions by 99% unless the outlet non-methane organic compound concentration has been reduced to 5 ppmvd, or less, as hexane at 3% oxygen. [RI-PSD-8(A)(2)(c), 40 CFR 60.762(b)(2)(iii)(B)]

(b) A006 shall reduce non-methane organic compound emissions by 98% unless the outlet non-methane organic compound concentration has been reduced to 5 ppmvd, or less, as hexane at 3% oxygen. [RI-PSD-8(A)(3)(c), 40 CFR 60.762(b)(2)(iii)(B)]

(4) All emissions generated from E023 and regen process purge gas shall be captured, contained and routed to A007 and operated to reduce NMOC by 99% by weight, or, when an enclosed combustion device is used for control, to either reduce NMOC by 99% by weight or reduce the outlet NMOC concentration to less than 5 parts per million by volume, dry basis as hexane at 3 percent oxygen. [Approval No. 2333(A)(1), RI-PSD-8(B)(5)(b), 40 CFR 60.762(b)(2)(iii)(B) and (D)]

(5) Odors

Any air contaminant or combination of air contaminants discharged to the atmosphere from the A007 shall not create an objectionable odor beyond the property line of this facility. Odor evaluations shall be conducted according to the provisions specified in “Odors” 250-120-05-17. [Approval No. 2333(A)(2)]

(6) Opacity

(a) Visible emissions from A007 shall not exceed 10% opacity (six-minute average). [250-RICR-120-05-1.6, Approval No. 2333(A)(3)] Where the presence of
uncombined water is the only reason for failure to meet this requirement, such failure shall not be a violation of this permit. [250-RICR-120-05-1.8]

(b) A005 and A006 shall both be operated with no visible emissions. [RI-PSD-8(A)(2)(d), (A)(3)(d)]

b. Operating Requirements

(1) The operating temperature of A007 shall be maintained at or above 1500°F whenever E023 and the regen process purge gas is being discharged to A007, or at a lower temperature that has been demonstrated in the most recent compliance test to achieve the required destruction efficiency. [Approval No. 2333(B)(1), 250-RICR-120-05-29.10(C)(1)(a)]

(2) A007 shall be operated according to its design specifications whenever E023 and regen process purge gas is being discharged to A007. [250-RICR-120-05-16.5, Approval No. 2333(B)(2), 250-RICR-120-05-29.10(C)(1)(a)]

(3) If A007 is shut down for maintenance or repair, E023 shall be discharged to A006 (GCC Main flare) and the regen process purge gas shall be discharged to A005 (Regen Flare) as permitted under RI-PSD-8 issued to Rhode Island LFG Genco, LLC. [Approval No. 2333(B)(3), RI-PSD-8(B)(5)(a), 40 CFR 60.763(f), 40 CFR 63.1958(e)(1)(ii)]

(4) The minimum operating temperature of the A005 and A006 shall be 1500°F. [RI-PSD-8(B)(3)(a), (B)(4)(a)]

(5) A005 shall be equipped with an interlock system that ensures ignition of the pilot flame before purge gas is discharged to the device. [RI-PSD-8(B)(3)(b)]

(6) A005 shall be equipped with a flame failure alarm that automatically shuts off the blowers which deliver natural gas and purge gas to the flare. [RI-PSD-8(B)(3)(c)]

(7) Natural gas shall be the primary fuel for A005. The use of propane as an auxiliary fuel shall be limited to startup only. [RI-PSD-8(B)(3)(d)]

(8) A005 shall be operated at all times when purge gas is being vented to it. [RI-PSD-8(B)(3)(e), 40 CFR 60.763(f)]

(9) A005 shall be operated according to its design specifications whenever purge gas is being routed to the device. [RI-PSD-8(B)(3)(f)]

(10) A006 shall be equipped with an interlock system that ensures ignition of the pilot flame before landfill gas or purge gas is discharged to the device. [RI-PSD-8(B)(4)(b)]

(11) A006 shall be equipped with a flame failure alarm that automatically shuts off the blowers which deliver landfill gas and purge gas to the flare. [RI-PSD-8(B)(4)(c)]

(12) Landfill gas shall be the primary fuel for A006. The use of propane as an auxiliary fuel shall be limited to startup only. [RI-PSD-8(B)(4)(d)]
(13) A006 shall be operated at all times when landfill gas or purge gas is being vented to it. [RI-PSD-8(B)(4)(e), 40 CFR 60.763(f), 40 CFR 63.1958(f)]

(14) A006 shall be operated according to its design specifications whenever the collected landfill gas or purge gas is being routed to the device. [RI-PSD-8(B)(4)(f)]

(15) The permittee shall not flare any landfill gas in A006 which contains hydrogen sulfide in excess of 100 ppmv, on a dry basis. [RI-PSD-8(B)(4)(g)]

(16) In the event the collection or control system is not operating, the gas mover system shall be shut down and all valves in the collection and control system contributing to venting of the gas to the atmosphere must be closed within 1 hour of the collection or control system not operating. [40 CFR 60.763(e), 40 CFR 63.1958(e)(1)(i)]

This Condition shall apply at all times, except during periods of Startup, Shutdown or Malfunction (SSM), provided that the duration of SSM does not exceed 5 days for collection systems and does not exceed 1 hour for treatment or control devices. The permittee shall comply with the provisions in Appendix C of this permit that apply before September 28, 2021. [40 CFR 63.1960(e)(1)]

c. Monitoring Requirements

(1) The operating temperature of A007 shall be continuously monitored and recorded. The equipment to continuously monitor the operating temperature of the oxidizer must have an accuracy of +/-1 percent of the temperature being monitored in degrees Celsius or +/-0.5 degree Celsius, whichever is greater. [Approval No. 2333(C)(1), 250-RICR-120-05-29.10(C)(1)(a)]

(2) The equipment to continuously monitor the operating temperature of A007 shall be calibrated and maintained according to the manufacturer’s specifications. The calibration of the chart recorder, data logger or temperature indicator must be verified once per year or the chart recorder, data logger or temperature indicator must be replaced. [Approval No. 2333(C)(2), 250-RICR-120-05-29.10(C)(1)(a)]

(3) A005 (Regen flare) and A006 (GCC Main Flare)

(a) Temperature Monitoring

   (i) The permittee shall install, calibrate, operate, and maintain a temperature monitoring device equipped with a continuous recorder and having a minimum accuracy of ±1 percent of the temperature being measured expressed in degrees Celsius or ±0.5 degrees Celsius, whichever is greater. [RI-PSD-8(C)(2)(a)(1), (C)(3)(a)(1), 40 CFR 60.766(b)(1), 40 CFR 63.1961(b)(1), 250-RICR-120-05-29.10(C)(1)(b)]

   (ii) The thermocouple used to measure flare operating temperature shall be above the flame zone and at least three feet below the top of the flare shroud. [RI-PSD-8(C)(2)(a)(2), (C)(3)(a)(2), 250-RICR-120-05-29.10(C)(1)(b), 250-RICR-120-05-29.10(C)(1)(b)]
The permittee shall verify the accuracy of the temperature monitor once each calendar year with a reference temperature monitor (traceable to National Institute of Standards and Technology (NIST) standards or an independent temperature measurement device dedicated for this purpose). During accuracy checking, the probe of the reference device shall be at the same location as that of the temperature monitor being tested. [RI-PSD-8(C)(2)(a)(3), (C)(3)(a)(3), 250-RICR-120-05-29.10(C)(1)(b), 250-RICR-120-05-29.10(C)(1)(b)]

(4) A006 (GCC Main Flare)

(a) The permittee shall calibrate and maintain a gas flow rate measuring device that shall record the flow of landfill gas to the enclosed flare at least every fifteen minutes when the flare is in operation. [RI-PSD-8(C)(3)(b), 40 CFR 60.766(b)(2)(i), 40 CFR 63.1961(b)(2), 250-RICR-120-05-29.10(C)(1)(b)]

(b) The permittee shall monitor, at least daily, Monday through Saturday (excluding holidays), the methane content of the landfill gas being combusted by A006 [RI-PSD-8(C)(3)(c)]

(c) A006 shall be equipped with a failure alarm with an automatic blower and landfill gas supply valve shut-off system to isolate the flare from the landfill gas supply line, to shut off the blower and to notify a responsible party of the shutdown. [RI-PSD-8(C)(3)(d)]

(d) The permittee shall conduct quarterly analyses of the landfill gas being combusted in A006. At a minimum, the landfill gas should be analyzed for the following compounds: acetone, acrylonitrile, benzene, bromodichloromethane, carbon disulfide, carbon tetrachloride, carbonyl sulfide, chlorobenzene, chlorodifluoromethane, chloroform, cyclohexane, cyclohexane, 1,4 dichlorobenzene, cis-1,2 dichloroethene, trans-1,2 dichloroethene, ethyl benzene, ethyl chloride, ethylene dibromide, ethylene dichloride, ethylidene dichloride, hexane, hydrogen sulfide, isopropanol, mercury, methyl chloride, methyl chloroform, methyl ethyl ketone, methyl isobutyl ketone, methane chloride, propylene dichloride, styrene, 1,1,2,2 tetrachloroethane, tetrachloroethylene, toluene, total chlorides, trichloroethylene, trichlorofluoromethane, vinyl chloride, vinylidene chloride and xylenes. The owner/operator shall keep records of these analyses and provide such records to the Office of Air Resources upon request. [RI-PSD-8(C)(3)(e)]

(e) The facility shall monitor landfill gas treatment system parameters in accordance with the site-specific treatment system monitoring plan required in Condition I.B.1.e(6)(b) of this permit. The permits shall: [40 CFR 60.766(b)(2), CFR 60.766(g), 40 CFR 63.1961(b), 40 CFR 63.1961(g)]

(i) Calibrate, and maintain a gas flow rate measuring device that records the flow to the treatment system at least every 15 minutes; and [40 CFR
(ii) Secure the bypass line valve in the closed position with a car-seal or a lock-and-key type configuration. A visual inspection of the seal or closure mechanism must be performed at least once every month to ensure that the valve is maintained in the closed position and that the gas flow is not diverted through the bypass line. [40 CFR 60.766(b)(2)(ii), 40 CFR 60.766(g)(2), 40 CFR 63.1961(b)(2)(ii), 40 CFR 63.1961(g)(2)]

(f) The Conditions specified in paragraph (4)(e) of this subsection apply at all times that A006 is operating, except for periods of monitoring system malfunctions, repairs associated with monitoring system malfunctions, and required monitoring system quality assurance or quality control activities. A monitoring system malfunction is any sudden, infrequent, not reasonably preventable failure of the monitoring system to provide valid data. Monitoring system failures that are caused in part by poor maintenance or careless operation are not malfunctions. The permittee is required to complete monitoring system repairs in response to monitoring system malfunctions and to return the monitoring system to operation as expeditiously as practicable. [40 CFR 63.1961(h)]

(5) The permittee shall continuously measure the operating temperature of the A005 and A006. [RI-PSD-8(E)(2), 250-RICR-120-05-29.10(C)(1)(b)]

(6) A deviation is defined in 40 CFR 63.1990. The following items are considered deviations: [40 CFR 63.1965]

(a) Deviation occurs when A007 and/or A006 operating parameter boundaries as described in Condition I.B.1.e(7)(a) of this permit are exceeded. [40 CFR 63.1965(a)]

(b) A deviation occurs when 1 hour or more of the hours during the 3-hour block averaging period does not constitute a valid hour of data. A valid hour of data must have measured values for at least three 15-minute monitoring periods within the hour. [40 CFR 63.1965(b)]

(c) Before September 28, 2021, a deviation occurs when a SSM plan is not developed or maintained on site and when an affected source fails to meet any emission limitation, (including any operating limit), or work practice requirement in this subpart during SSM, regardless of whether or not such failure is permitted by this subpart. [40 CFR 63.1965(c)]

d. Testing Requirements

(1) A005 (Regen flare) and A006 (GCC Main Flare)

(a) Compliance with the emission limitations specified in Conditions I.B.1.a(1) shall be demonstrated once every three years. Testing shall be conducted in accordance
with the test methods in 40 CFR 60 as amended or another USEPA approved method which has been accepted by the Director. [RI-PSD-8(D)(2)(a), (D)(3)(a)]

(b) During each performance test, the permittee shall determine the average operating temperature of the A005 and/or A006. The average operating temperature is the temperature monitored, averaged over the course of the performance test. [RI-PSD-8(D)(2)(a), (D)(3)(a)]

(c) The permittee shall provide the Office of Air Resources at least 30 days prior notice of any stack test. [RI-PSD-8(D)(2)(a), (D)(3)(a)]

(d) All testing shall be conducted under operating conditions deemed acceptable and representative for the purpose of assessing compliance with the applicable emissions limitation. [RI-PSD-8(D)(2)(a), (D)(3)(a)]

(e) A final report of the results of stack testing shall be submitted to the Office of Air Resources no later than 60 days following completion of testing. [RI-PSD-8(D)(2)(a), (D)(3)(a)]

(2) The permittee shall, on a monthly basis, no later than 15 days after the first of each month, determine the average monthly BTU/scf value for landfill gas combusted by A006 using daily methane values and the following equation: [RI-PSD-8(E)(10)]

\[
\text{Heating Value of Landfill Gas (BTU/scf)} = \text{Methane Content (\%)} \times 1012 \text{ BTU/scf}
\]

(3) Opacity

Tests for determining compliance with the opacity emission limitations specified in Condition I.B.1.a(6)(a) of this permit shall be performed per 40 CFR 60, Appendix A, Method 9. Additionally, all observers must qualify as per 40 CFR 60, Appendix A, Method 9. [250-RICR-120-05-1.7(A-b)]

(4) Continuous parameter monitoring data collected as specified in Condition I.B.1.c(3)(a) are used to demonstrate compliance with the operating standards for control systems. If a deviation occurs, the permittee has failed to meet the control device operating standards described in Section I.B.1 of this permit and have deviated from the requirements of Section I.B.1.b of this permit. [40 CFR 63.1964]

(a) Before September 28, 2021, the permittee shall develop a written SSM plan according to the provisions in §63.6(e)(3) of subpart A. A copy of the SSM plan shall be maintained on site. Failure to write or maintain a copy of the SSM plan is a deviation from the requirements of 40 CFR 63 Subpart AAAAA. [40 CFR 63.1964(a)]

(b) After September 27, 2021, the SSM provisions of §63.6(e) of subpart A no longer apply to this subpart and the SSM plan developed under paragraph (a) of this subsection no longer applies. Compliance with the emissions standards and the operating standards specified in Conditions I.B.1.b(3 and 13) of this permit is required at all times. [40 CFR 63.1964(b)]
(5) The permittee shall calculate the 3-hour block average used to demonstrate compliance by doing the following:

(a) Before September 28, 2021, averages are calculated in the same way as they are calculated in 40 CFR part 60, subpart WWW §60.758(b)(2)(i) for 3-hour average combustion temperature for enclosed combustors, except that the data collected during the events listed in paragraphs (5)(a)(i-iv) of this subsection are not to be included in any average computed. Beginning no later than September 27, 2021, averages are calculated according to Condition I.B.1.e(7)(a) of this permit and the data collected during the events listed in paragraphs (5)(a)(i-iv) of this subsection are included in any average computed. [40 CFR 63.1975(a-d)]

(i) Monitoring system breakdowns, repairs, calibration checks, and zero (low-level) and high-level adjustments. [40 CFR 63.1975(a)]

(ii) Startups [40 CFR 63.1975(b)]

(iii) Shutdowns [40 CFR 63.1975(c)]

(iv) Malfunctions [40 CFR 63.1975(d)]

e. Recordkeeping Requirements

(1) The permittee shall collect, record and maintain all of the following information each month for A007: [Approval No. 2333(E)(1), 250-RICR-120-05-29.10(C)(1)(a)]

(a) A log of operating time for A007 and monitoring equipment; [Approval No. 2333(E)(1)(a)]

(b) A maintenance log for A007 and the monitoring equipment detailing all routine and non-routine maintenance performed including dates and duration of any outages; and [Approval No. 2333(E)(1)(b)]

(c) The operating temperature of A007. [Approval No. 2333(E)(1)(c)]

(2) The permittee shall maintain a record of all measurements, performance evaluations, calibration checks and maintenance or adjustments for each continuous monitor. [Approval No. 2333(E)(6), 250-RICR-120-05-29.10(C)(1)(a)]

(3) The permittee shall continuously record the operating temperature of the A005 and A006. [RI-PSD-8(E)(2), 250-RICR-120-05-29.10(C)(1)(b)]

(4) The permittee shall maintain records of daily methane content of the landfill gas being combusted in A006. [RI-PSD-8(E)(4), 250-RICR-120-05-29.10(C)(1)(b)]

(5) The permittee shall maintain up-to-date, readily accessible records for the life of A005 and A006, the data listed below, as measured during the initial performance test. Records of subsequent tests or monitoring shall be maintained for a minimum of 5 years. Records of vendor specifications for each flare shall be maintained until removal: [RI-PSD-8(E)(5), 250-RICR-120-05-29.10(C)(1)(b)]
(a) The average combustion temperature measured at least every 15 minutes and averaged over the same time period of the performance test; and [RI-PSD-8(E)(5)(a), 40 CFR 60.768(b)(2)(i), 40 CFR 63.1983(b)(2)(i), 250-RICR-120-05-29.10(C)(1)(b)]

(b) The percent reduction of NMOC determined as specified in 40 CFR 60.752(b)(2)(iii)(B) achieved by each flare. [RI-PSD-8(E)(5)(b), 40 CFR 60.768(b)(2)(ii), 40 CFR 63.1983(b)(2)(ii), 250-RICR-120-05-29.10(C)(1)(b)]

(6) The permittee shall demonstrate compliance with Condition I.B.1.a(4) of this permit by:

(a) **Bypass records.** Records of the flow of landfill gas to, and bypass of, the treatment system. [40 CFR 60.768(b)(5)(i), 40 CFR 63.1983(b)(5)(i)]

(b) **Site-specific treatment monitoring plan,** to include: [40 CFR 60.768(b)(5)(ii), 40 CFR 60.767(d)(7), 40 CFR 63.1983(b)(5)(ii)]

(i) Monitoring records of parameters that are identified in the treatment system monitoring plan and that ensure the treatment system is operating properly for each intended end use of the treated landfill gas. At a minimum, records should include records of filtration, de-watering, and compression parameters that ensure the treatment system is operating properly for each intended end use of the treated landfill gas. [40 CFR 60.768(b)(5)(ii)(A), 40 CFR 63.1983(b)(5)(ii)(A)]

(ii) Monitoring methods, frequencies, and operating ranges for each monitored operating parameter based on manufacturer's recommendations or engineering analysis for each intended end use of the treated landfill gas. [40 CFR 60.768(b)(5)(ii)(B), 40 CFR 63.1983(b)(5)(ii)(B)]

(iii) Documentation of the monitoring methods and ranges, along with justification for their use. [40 CFR 60.768(b)(5)(ii)(C), 40 CFR 63.1983(b)(5)(ii)(C)]

(iv) Identify who is responsible (by job title) for data collection. [40 CFR 60.768(b)(5)(ii)(D), 40 CFR 63.1983(b)(5)(ii)(D)]

(v) Processes and methods used to collect the necessary data. [40 CFR 60.768(b)(5)(ii)(E), 40 CFR 63.1983(b)(5)(ii)(E)]

(vi) Description of the procedures and methods that are used for quality assurance, maintenance, and repair of all continuous monitoring systems. [40 CFR 60.768(b)(5)(ii)(F), 40 CFR 63.1983(b)(5)(ii)(F)]

(7) The permittee shall keep for 5 years up-to-date, readily accessible continuous records of the equipment operating parameters specified to be monitored as specified in Conditions I.B.1.c(3-4) of this permit as well as up-to-date, readily accessible records for periods of operation during which the parameter boundaries established during the most recent performance test are exceeded, which shall be recorded and reported as specified in Conditions I.B.1.f(6) of this permit: [40 CFR 60.768(c)(1), 40 CFR 63.1983(c)]
(a) For A005 and A006, all 3-hour periods of operation during which the average temperature was more than 28 degrees Celsius (82 degrees Fahrenheit) below the average combustion temperature during the most recent performance test at which compliance with Condition I.B.1.a(3) of this permit was determined. [40 CFR 60.768(c)(1)(i), 40 CFR 63.1983(c)(1)(i)]

(b) The permittee shall keep up-to-date, readily accessible continuous records of the indication of flow to the control system and the indication of bypass flow or records of monthly inspections of car-seals or lock-and-key configurations used to seal bypass lines, specified in Conditions I.B.1.c(4)(e)(ii) of this permit. [40 CFR 60.768(c)(2), 40 CFR 63.1983(c)(2)]

(8) The permittee shall demonstrate compliance with Condition I.B.1.b.(16) of this permit, by complying with the following conditions:

(a) The date, time, and duration of each startup and/or shutdown period, recording the periods when the affected source was subject to the standard applicable to startup and shutdown. [40 CFR 63.1983(c)(6)]

(b) In the event that E023 fails to meet an applicable standard, record the information specified in paragraph (8)(b)(i-iii) of this subsection of this permit. [40 CFR 63.1983(c)(7)]

(i) For each failure record the date, time and duration of each failure and the cause of such events (including unknown cause, if applicable). [40 CFR 63.1983(c)(7)(i)]

(ii) For each failure to meet an applicable standard; record and retain a list of the affected sources or equipment. [40 CFR 63.1983(c)(7)(ii)]

(iii) Record actions taken to minimize emissions in accordance with the general duty of §63.1955(c) and any corrective actions taken to return the affected unit to its normal or usual manner of operation. [40 CFR 63.1983(c)(7)(iii)]

f. Reporting Requirements

(1) Any breakdown or malfunction of an air pollution control system while controlling emissions from E023 or the regen process purge gas or A005 and/or A006 that result in the emission of uncontrolled landfill gas and/or bioreactor vent gas and/or uncontrolled regen process purge gas shall be reported to the Office of Air Resources within one hour after the occurrence. A written report of any breakdown or malfunction shall be submitted within five (5) business days of the breakdown or malfunction. The following information shall be provided in each report: [Approval No. 2333(E)(2), RI-PSD-8(E)(9)]

(a) The date the breakdown or malfunction occurred [Approval No. 2333(E)(2)(a), RI-PSD-8(E)(9)(a)]

(b) The suspected reason for the malfunction [Approval No. 2333(E)(2)(b), RI-PSD-8(E)(9)(b)]

(c) The corrective action taken [Approval No. 2333(E)(2)(c), RI-PSD-8(E)(9)(c)]
(d) The time needed to make repairs [Approval No. 2333(E)(2)(d), RI-PSD-8(E)(9)(d)]

(e) A copy of each report shall be kept at the facility [Approval No. 2333(E)(2)(e), RI-PSD-8(E)(9)(e)]

(2) The permittee shall notify the Office of Air Resources of any anticipated noncompliance with the terms of Section I.B.1 of this permit or any other applicable air pollution control rules and regulations. [Approval No. 2333(E)(3)]

(3) All 3-hour periods of operation during which the average combustions temperature of A005 and/or A006 was more than 28°C below the average combustion temperature during the most recent performance test at which compliance was determined constitute exceedances that shall be recorded and reported. The permittee shall maintain up-to-date, readily accessible records for all 3-hour periods of operation during which the average combustions temperature was more than 28°C below the average combustion temperature during the most recent performance test at which compliance was determined.

The 3-hour average calculated under this condition for the A005 shall not include periods of operation where only natural gas is being combusted. [RI-PSD-8(E)(8), 40 CFR 60.768(c)(1)(i)]

(4) The permittee shall prepare an annual emissions report of total emissions of nitrogen oxides, carbon monoxide, sulfur dioxide and PM-10 from A005 and A006 for the previous calendar year. This report shall be submitted to the Office of Air Resources with the annual emission report required by “Recordkeeping and Reporting” 250-RICR-120-05-14. [RI-PSD-8(E)(11)]

(5) The permittee shall notify the Office of Air Resources of any anticipated noncompliance with the terms of Section I.B. of this permit or any other applicable air pollution control rules and regulations. [RI-PSD-8(E)(13)]

(6) Beginning no later than September 27, 2021, the permittee shall submit an electronic semiannual report as specified in 40 CFR 63.1981(l-n) which shall contain the following information: [40 CFR 63.1981(h), 40 CFR 60.767(g)]

(a) The number of times the parameters for the site-specific treatment system specified in Conditions I.B.1.c(4)(e) of this permit were exceeded. As well as the value and length of time for exceedance of Conditions I.B.1.c(3)(a) and I.B.1.c(4)(a). [40 CFR 63.1981(h)(1)(iii), 40 CFR 60.767(g)(1)]

(b) Description and duration of all periods when the gas stream was diverted from the control device or treatment system through a bypass line or the indication of bypass flow as specified under Condition I.B.1.c(4)(e) of this permit. [40 CFR 63.1981(h)(2), 40 CFR 60.767(g)(2)]

(c) Description and duration of all periods when the control device or treatment system was not operating and length of time the control device or treatment system was not operating. [40 CFR 63.1981(h)(3), 40 CFR 60.767(g)(3)]
g. Malfunctions

(1) Malfunction means a sudden and unavoidable breakdown of process or control equipment. In the case of a malfunction of any pollution control system, all reasonable measure shall be taken to assure resumption of the designed control efficiency system is expected or may reasonably be expected to continue for longer than 24 hours and if the permittee wishes to operate the source on which it is installed at any time beyond that period, the Director shall be petitioned for a variance under R.I. General Laws § 23-23-15, as amended. Such petition shall include, but is not limited to, the following: [250-RICR-120-05-16.6(A), Approval No. 2333(F)(1), RI-PSD-8(H)(1)]

(a) Identification of the specific air pollution control system and source on which it is installed; [250-RICR-120-05-16(A)(1), Approval No. 2333(F)(1)(a), RI-PSD-8(H)(1)(a)]

(b) The expected period of time that the air pollution control system will be malfunctioning or out of service; [250-RICR-120-05-16(A)(2), Approval No. 2333(F)(1)(b), RI-PSD-8(H)(1)(b)]

(c) The nature and quantity of air contaminants likely to be emitted during said period; [250-RICR-120-05-16(A)(3), Approval No. 2333(F)(1)(c), RI-PSD-8(H)(1)(c)]

(d) Measures that will be taken to minimize the length of said period; [250-RICR-120-05-16(A)(4), Approval No. 2333(F)(1)(d), RI-PSD-8(H)(1)(d)]

(e) The reasons that it would be impossible or impractical to cease the source operation during said period. [250-RICR-120-05-16(A)(5), Approval No. 2333(F)(1)(e), RI-PSD-8(H)(1)(e)]

(2) The permittee may seek to establish that a malfunction of the air pollution control system that would result in noncompliance with any of the terms of this permit or any other applicable air pollution control rules and regulations was due to unavoidable increases in emissions attributable to the malfunction. To do so, the owner/operator must demonstrate to the Office of Air Resources that: [Approval No. 2333(F)(2), RI-PSD-8(H)(2)]

(a) The malfunction was not attributable to improperly designed air pollution control equipment, lack of preventative maintenance, careless or improper operation, or operator error; [Approval No. 2333(F)(2)(a), RI-PSD-8(H)(2)(a)]

(b) The malfunction was not part of a recurring pattern indicative of inadequate design, operation, or maintenance; [Approval No. 2333(F)(2)(b), RI-PSD-8(H)(2)(b)]

(c) Repairs necessary to bring the air pollution control system back to operating at its design control efficiency were performed in an expeditious fashion. Off-shift labor and overtime should be utilized, to the extent practicable, to ensure that such repairs were completed as expeditiously as practicable. Any parts or material needed should be shipped overnight where possible or practical. [Approval No. 2333(F)(2)(c), RI-PSD-8(H)(2)(c)]
(d) All possible steps were taken to minimize emissions during the period of time that the repairs were performed. [Approval No. 2333(F)(2)(d), RI-PSD-8(H)(2)(d)]

(e) Emissions during the period of time that the repairs were performed will not: [Approval No. 2333(F)(2)(e), RI-PSD-8(H)(2)(e)]

(i) Cause an increase in the ground level ambient concentration at or beyond the property line in excess of that allowed by “Air Toxics” 250-RICR-120-05-22 and any Calculated Acceptable Ambient Levels; and [Approval No. 2333(F)(2)(e)(i), RI-PSD-8(H)(2)(e)(1)]

(ii) Cause or contribute to air pollution in violation of any applicable state or national ambient air quality standard. [Approval No. 2333(F)(2)(e)(ii), RI-PSD-8(H)(2)(e)(2)]

(f) The reasons that it would be impossible or impractical to cease the source operation during said period. [Approval No. 2333(F)(2)(f), RI-PSD-8(H)(2)(f)]

(g) The permittee’s actions in response to the excess emissions were documented by properly signed, contemporaneous operating logs or other relevant evidence. [Approval No. 2333(F)(2)(g), RI-PSD-8(H)(2)(g)]

This demonstration must be provided to the Office of Air Resources, in writing, within two working days of the time when the malfunction occurred and contain a description of the malfunction, any steps taken to minimize emissions and corrective actions taken. [Approval No. 2333(F)(2), RI-PSD-8(H)(2)]

The permittee shall have the burden of proof in seeking to establish that noncompliance was due to unavoidable increases in emissions attributable to the malfunction. [Approval No. 2333(F)(2), RI-PSD-8(H)(2)]

h. Other Requirements

(1) To the extent consistent with the requirements of Section I.B.1. of this permit and applicable federal and state laws, the equipment shall be operated in accordance with the representation of the facility in the permit application. [Approval No. 2333(G)(1)]

(2) To the extent consistent with the requirements of this permit and applicable federal and state laws, the facility shall be operated in accordance with the representation of the facility in the permit application dated December 2007, prepared by GZA GeoEnvironmental, Inc. and the addendum to the permit application dated August 2008 and June 8, 2011, prepared by GZA GeoEnvironmental and the July 30, 2013 request addressing the bioreactor vent. [RI-PSD-8(F)(1)]

(3) At all times, including periods of startup, shutdown and malfunction, the permittee shall, to the extent practicable, maintain and operate the facility in a manner consistent with good air pollution control practice for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the Office of Air Resources which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures and inspection of the
C. Facility Wide Requirements

1. Other Requirements

   a. The emission and dispersion characteristics of all emission sources at the facility shall be consistent with the parameters used in the air quality modeling to demonstrate that the emissions of listed toxic air contaminants do not cause an impact, at or beyond the property line of the facility, which exceeds the Acceptable Ambient Level for that substance. The Office of Air Resources, in its sole discretion, may reopen this major source permit if it determines that the emission and dispersion characteristics have changed significantly and that emission limitations must be revised and/or added to this permit to ensure compliance with Air Pollution Control Regulation No. 22. [RI-PSD-8(F)(9), Approval No. 2333(G)(4)]

   b. Venting of treated landfill gas to the ambient air is not allowed. If the treated landfill gas cannot be routed for subsequent sale or beneficial use, then the treated landfill gas shall be controlled according to Conditions 1.B.1.a(3-4) of this permit. [40 CFR 60.762(b)(2)(iii)(C)]
SECTION II. GENERAL CONDITIONS

A. Annual Emissions Fee Payment

The permittee shall pay an annual emissions fee as established in Air Pollution Control Regulation No. 28 "Operating Permit Fees". [250-RICR-120-05-29.10(H)(1)(d)]

B. Permit Renewal and Expiration

This permit is issued for a fixed term of 5 years. The permittee's right to operate this source terminates with the expiration of this permit unless a timely and complete renewal application is submitted at least 12 months prior to the date of permit expiration. Upon receipt of a complete and timely application for renewal, this source may continue to operate subject to final action by the Office of Air Resources on the renewal application. In such an event, the permit shield in Condition II.AA of this permit shall extend beyond the original permit term until renewal. This protection shall cease to apply if, subsequent to a completeness determination, the applicant fails to submit by the deadline specified in writing by the Office of Air Resources any additional information identified as being needed to process the application. The application for renewal shall include the current permit number, description of permit revisions and off-permit changes that occurred during the permit term, and any applicable requirements that were promulgated and not incorporated into the permit during the permit term. [250-RICR-120-05-29.8(B)(3), 29.8(F), 29.10(H)(1)(a), 29.13.4(B), 29.13.4(D)]

C. Transfer of Ownership or Operation

This permit is nontransferable by the permittee. Future owners and operators must obtain a new operating permit from the Office of Air Resources. A change in ownership or operational control of this source is treated as an administrative permit amendment if no other change in this permit is necessary and provided that a written agreement containing a specific date for transfer of permit responsibility, coverage, and liability between the current and new permittee has been submitted to the Office of Air Resources. [250-RICR-120-05-29.14.1(A)(4)]

D. Property Rights

This permit does not convey any property rights of any sort, or any exclusive privilege. [250-RICR-120-05-29.10(H)(1)(c)(4)]

E. Submissions

1. Reports, test data, monitoring data, notifications, and requests for renewal shall be submitted to:

   RIDEM - Office Air Resources
   Compliance Assurance Section
   235 Promenade St.
   Providence, RI 02908
2. Any records, compliance certifications and monitoring data required by the provisions of this permit to be submitted to USEPA shall be sent to:

USEPA Region 1 - New England  
Enforcement and Compliance Assurance Division  
Air Compliance Section  
Attn: Air Compliance Clerk  
5 Post Office Square  
Mail Code: 04-2  
Boston, MA 02109-3912

3. Any document submitted shall be certified as being true, accurate, and complete by a responsible official. This certification shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the certification are true, accurate, and complete. [250-RICR-120-05-29.9.1(B), 29.10(H)(1)(e)]

F. Inspection and Entry

1. Employees of the Office of Air Resources and its authorized representatives shall be allowed to enter this facility at all reasonable times for the purpose of: [250-RICR-120-05-29.10(H)(1)(f)(1)]

   a. having access to and copying at reasonable times any records that must be kept under the conditions of this permit; [250-RICR-120-05-29.10(H)(1)(f)(2)]

   b. inspecting at reasonable times any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under this permit; and [250-RICR-120-05-29.10(H)(1)(f)(3)]

   c. sampling or monitoring, at reasonable times, substances or parameters for the purpose of assuring compliance with this permit or other applicable requirements,[RIGL 23-23-5(7), 250-RICR-120-05-29.10(H)(1)(f)(4), RI-PSD-7(F)(2), RI-PSD-8(F)(2), Approval Nos. XXXX(G)(2), Approval No. 2333(G)(2)]

   Nothing in this condition shall limit the ability of USEPA to inspect or enter the premises of the permittee under Section 114 or other provisions of the Clean Air Act.

G. Compliance

1. The permittee must comply with all conditions of this permit. Any noncompliance with a federally enforceable permit condition constitutes a violation of the Clean Air Act and is grounds for enforcement action, for permit termination, revocation and reissuance or modification, or for denial of a permit renewal application. Any noncompliance with a permit condition designated as state only enforceable constitutes a violation of state rules only and is grounds for enforcement action, for permit termination, revocation and reissuance or modification, or for denial of a permit renewal application. [250-RICR-120-05-29.10(H)(1)(c)(1)]
2. For each unit at the facility for which an applicable requirement becomes effective during the permit term, the permittee shall meet such requirements on a timely basis unless a more detailed schedule is expressly required by the applicable requirement. [250-RICR-120-05-29.9.1(A)(10)(c)(2)]

3. It shall not be a defense for a 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 permit. [250-RICR-120-05-29.10(H)(1)(c)(2)]

H. Excess Emissions Due to an Emergency

As the term is used in this condition an "emergency" means any situation arising from sudden and reasonably unforeseeable events beyond the control of this source, including acts of God, which situation requires immediate corrective action to restore normal operation, and that causes this source to exceed a technology-based emission limitation under this permit, due to unavoidable increases in emissions attributable to the emergency. An emergency shall not include noncompliance to the extent caused by improperly designed equipment, lack of preventative maintenance, careless or improper operation, or operator error. [250-RICR-120-05-29.10(K)(1)(b)]

Technology-based emission limits are those established on the basis of emission reductions achievable with various control measures or process changes (e.g., a new source performance standard) rather than those established to attain a health-based air quality standard.

The permittee may seek to establish that noncompliance with a technology-based emission limitation under this permit was due to an emergency. To do so, the permittee shall demonstrate the affirmative defense of emergency through properly signed, contemporaneous operating logs, or other relevant evidence that: [250-RICR-120-05-29.10(K)(1)(a) & 29.10(K)(1)(c)]

1. an emergency occurred and that the permittee can identify the cause(s) of the emergency; [250-RICR-120-05-29.10(K)(1)(c)(1)]

2. the permitted facility was at the time being properly operated; [250-RICR-120-05-29.10(K)(1)(c)(2)]

3. during the period of the emergency, the permittee took all reasonable steps to minimize levels of emissions that exceeded the emissions standards, or other requirements in this permit; and [250-RICR-120-05-29.10(K)(1)(c)(3)]

4. the permittee submitted notice of the emergency to the Office of Air Resources within 2 working days of the time when emission limitations were exceeded due to the emergency. This notice must contain a description of the emergency, any steps taken to mitigate emissions, and corrective actions taken. This notice fulfills the requirements of Condition II.CC.3 of this permit. [250-RICR-120-05-29.10(K)(1)(c)(4)]

The permittee shall have the burden of proof in seeking to establish the occurrence of an emergency. [250-RICR-120-05-29.10(K)(1)(d)]
I. **Duty to Provide Information**

The permittee shall furnish to the Office of Air Resources, within a reasonable time, any pertinent information that the Office of Air Resources may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit, or to determine compliance with the permit. Upon request, the permittee shall also furnish to the Office of Air Resources copies of records that the permittee is required to keep by this permit, or for information claimed to be confidential, the permittee may furnish such records directly to the Administrator along with a claim of confidentiality. [250-RICR-120-05-29.10(H)(1)(c)(5)]

J. **Duty to Supplement**

The permittee, upon becoming aware that any relevant facts were omitted or incorrect information was submitted in the permit application, shall promptly submit such supplementary facts or corrected information to the Office of Air Resources. The permittee shall also provide additional information as necessary to address any requirements that become applicable to the source after the date a complete renewal application was submitted but prior to release of a draft permit. [250-RICR-120-05-29.9.2(E)(1)]

K. **Reopening for Cause**

The Office of Air Resources will reopen and revise this permit as necessary to remedy deficiencies in the following circumstances:

1. Additional requirements under the Clean Air Act become applicable to a major source 3 or more years prior to the expiration date of this permit. Such a reopening shall be completed no later than 18 months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the expiration date of this permit, unless this permit or any of its terms and conditions has been extended. [250-RICR-120-05-29.10(M)(1)(a)]

2. The Office of Air Resources or the Administrator determines that this permit contains a material mistake or inaccurate statements were made in establishing the emissions standards or other terms or conditions of this permit. [250-RICR-120-05-29.10(M)(1)(c)]

3. The Office of Air Resources or the Administrator determines that the permit must be revised or revoked to assure compliance with the applicable requirements. [250-RICR-120-05-29.10(M)(1)(d)]

Proceedings to reopen and issue this permit shall follow the same procedures as apply to initial permit issuance and shall affect only those parts of this permit for which cause to reopen exists. Such reopening shall be made as expeditiously as practicable. [250-RICR-120-05-29.13.5(A)]

Reopenings shall not be initiated before a notice of intent to reopen is provided to the permittee by the Office of Air Resources at least 30 days in advance of the date that this permit is to be reopened, except that the Office of Air Resources may provide a shorter time period (but not less than 5 days) in the case of an emergency. [250-RICR-120-05-29.13.5(B)]

All permit conditions remain in effect until such time as the Office of Air Resources takes final action. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any permit condition. [§70.6(a)(6)(iii)]
L. **Severability Clause**

The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby. [250-RICR-120-05-29.3, 29.10(H)(1)(b)]

M. **Off-Permit Changes**

1. The permittee is allowed to make certain changes that are not addressed or prohibited by this permit without a permit revision, provided that the following conditions are met: [250-RICR-120-05-29.15.2(A)]

   a. Changes under this provision may not include changes or activities subject to any requirement under Title IV or modifications under any provision of Title I of the Clean Air Act. [250-RICR-120-05-29.15.2(A)]

   b. Each such change shall comply with all applicable requirements and shall not violate any term or condition of this permit. [250-RICR-120-05-29.15.2(B)]

   c. Before the permit change is made, the permittee shall provide concurrent written notice to the Office of Air Resources and the USEPA Region I, except for changes that qualify as insignificant activities as specified in 250-RICR-120-05-29.20, Appendix A. This notice shall describe each change, including the date, and change in emissions, pollutants emitted, and any applicable requirement that would apply as a result of the change. [250-RICR-120-05-29.15.2(C)]

   d. The permit shield does not apply to changes made under this provision. [250-RICR-120-05-29.15.2(D)]

   e. The permittee shall keep a record describing changes made at the stationary source that result in emissions of a regulated air pollutant subject to an applicable requirement, but not otherwise regulated under this permit, and the emissions resulting from those changes, including any other data necessary to show compliance with applicable ambient air quality standards. The record shall reside at the permittee's facility. [250-RICR-120-05-29.15.2(E)]

   f. Changes made pursuant to this provision shall be incorporated into this permit at the time of renewal. [250-RICR-120-05-29.15.2(F)]

2. Changes made pursuant to this provision shall not be exempt from the requirement to obtain a minor source permit pursuant to the requirements of “Air Pollution Control Permits” 250-RICR-120-05-9, if applicable. [250-RICR-120-05-29.15.2(A)]

N. **Section 502(b)(10) Changes**

1. The permittee is allowed to make changes within this permitted facility that contravene the specific terms of this permit without applying for a permit revision, provided the changes do not exceed the emissions allowable under this permit, whether expressed therein as a rate of emissions or in terms of total emissions and are not Title I modifications. [250-RICR-120-05-29.15.1(A)] This class of changes does not include: [250-RICR-120-05-29.5(A)(27)]
a. changes that would violate applicable requirements; or [250-RICR-120-05-29.5(A)(27)]

b. changes to federally enforceable permit terms or conditions that are monitoring (including test methods), recordkeeping, reporting, or compliance certification requirements. [250-RICR-120-05-29.5(A)(27)]

2. The permittee shall provide written notice to the Office of Air Resources and the USEPA Region I of any change made under this provision. The notice must be received by the Office of Air Resources no later than fourteen (14) days in advance of the proposed changes. The notice shall include information describing the nature of the change, the effect of the change on the emission of any air contaminant, the scheduled completion date of the planned change and identify any permit terms or conditions that are no longer applicable as a result of the change. The permittee shall attach each notice to its copy of this permit. [250-RICR-120-05-29.15.1(A)(1), 29.15.1(A)(2)]

3. The permittee shall be allowed to make such change proposed in its notice the day following the last day of the advance notice described in Condition 2 of this subsection if the Office of Air Resources has not responded nor objected to the proposed change on or before that day. [250-RICR-120-05-29.15.1(B)]

4. Any permit shield provided in this permit does not apply to changes made under this provision. If subsequent changes cause the permittee's operations and emissions to revert to those anticipated in this permit, the permittee resumes compliance with the terms and conditions of the permit, and has provided the Office of Air Resources and USEPA with a minimum of fourteen (14) days advance notice of such changes in accordance with the provisions of Condition 2 of this subsection, the permit shield shall be reinstated in accordance with terms and conditions stated in this permit. [250-RICR-120-05-29.15.1(C)]

5. Changes made pursuant to this provision shall be incorporated into the operating permit at the time of renewal. [250-RICR-120-05-29.15.1(D)]

O. **Emissions Trading**

No permit revision shall be required under any approved economic incentives, marketable permits, emissions trading, and other similar programs or processes for changes that are provided for in the permit. [250-RICR-120-05-29.10(F)(1)(a)]

P. **Emission of Air Contaminants Detrimental to Person or Property**

The permittee shall not emit any air contaminant which either alone or in connection with other emissions, by reason of their concentration or duration, may be injurious to human, plant or animal life, or cause damage to property or which unreasonably interferes with the enjoyment of life or property. [250-RICR-120-05-7.6]

Q. **Odors**

1. The permittee shall not emit or cause to be emitted into the atmosphere any air contaminant or combination of air contaminants which creates an objectionable odor beyond the property line of this facility. [250-RICR-120-05-17.5] [Not Federally Enforceable]
2. A staff member of the Office of Air Resources shall determine by personal observation if an odor is objectionable, taking into account its nature, concentration, location, duration and source. [250-RICR-120-05-17.6] [Not Federally Enforceable]

R. Visible Emissions

1. Except as may be specified in other provisions of this permit, the permittee shall not emit into the atmosphere, from any emission unit, any air contaminant, for a period or periods aggregating more than three minutes in any one hour, which is greater than or equal to 20 percent opacity. [250-RICR-120-05-1.6] Where the presence of uncombined water is the only reason for failure to meet this requirement, such failure shall not be a violation of this permit. [250-RICR-120-05-1.8]

2. Tests for determining compliance with the opacity limitations specified in this permit shall be performed per 40 CFR 60, Appendix A, Method 9. Additionally, all observers must qualify as per 40 CFR 60, Appendix A, Method 9. [250-RICR-120-05-1.7(A-B)]

S. Open Fires

It shall be unlawful for the permittee to burn any material in an open fire, except as provided in “Open Fires” 250-RICR-120-05-4.6. [250-RICR-120-05-4.5]

T. Construction Permits

It shall be unlawful for the permittee to construct, install, modify or cause the construction, installation or modification of any stationary source subject to the provisions of 250-RICR-120-05-9 without obtaining either a minor source permit or a major source permit from the Director. [250-RICR-120-05-9.6(A)]

U. Fuel Oil

1. Unless the Director determines, pursuant to Conditions II.U.7 and 8 of this permit, that a shortage of fuel oil meeting the requirements of this permit exists, the permittee shall not use or store fuel oil having a sulfur content in excess of the following, except for use with marine vessels and motor vehicles: [250-RICR-120-05-8.6(A), 8.7(C)]
   a. All distillate or biodiesel fuel oil burned at the facility shall contain no more than 0.0015 percent sulfur by weight (15 ppm).
   b. All residual fuel oil burned at the facility shall contain no more than 0.5 percent sulfur by weight (5000 ppm).

2. Fuel oil stored at the facility that met the applicable requirements of subsection II.U.1 at the time the fuel oil was received for storage at the facility may be stored for use after the effective date in 250-RICR-120-05-8.6(A)(1). [250-RICR-120-05-8.7(B)]

3. Compliance with the sulfur in fuel limitations contained in this section shall be determined by procedures referenced below or deemed equivalent by the Director. Such procedures shall include but not be limited to any of the following: [250-RICR-120-05-8.8(A)]
   a. Emission testing conducted by the permittee according to the Reference Methods of Appendix A to 40 CFR 60; or [250-RICR-120-05- 8.8(A)(1)]
b. For each shipment of fuel oil, the permittee shall obtain a certification from the fuel supplier which contains: [250-RICR-120-05-8.8(A)(2), 250-RICR-120-05-27.10(E)]

(1) the name of the supplier and the date the fuel oil was received from the supplier; and, [250-RICR-120-05-8.8(A)(2)(a), 250-RICR-120-05-27.10(E)(1)]

(2) the sulfur content of the fuel oil; and, [250-RICR-120-05-8.8(A)(2)(b)]

(3) the date and location of the fuel oil when the sample was drawn for analysis to determine the sulfur content of the fuel oil, specifically including where the fuel oil was sampled; or [250-RICR-120-05-8.8(A)(2)(c)]

c. Laboratory analysis of fuel oils by the permittee or by the supplier. Sampling and analysis shall be conducted after each new shipment of fuel oil is received by the permittee. Samples shall be collected from the fuel tank immediately after the fuel tank is filled and before any fuel oil is combusted. All fuel oil must be sampled and analyzed in accordance with applicable ASTM methods or another method which has the prior approval of or are required by the Director. [250-RICR-120-05-29.10(C)(1)(b), 250-RICR-120-05-8.8(A)(3)]

d. A continuous monitoring system for the measurement of sulfur dioxide that meets the performance specifications in Appendix B of 40 CFR 60. The monitoring equipment shall also be installed, calibrated, operated, and maintained in accordance with the procedures in Appendix B of 40 CFR 60 and the minimum specifications in Appendix P of 40 CFR 51. [250-RICR-120-05-8.8(A)(4)]

4. The Director may require, under his supervision, the collection of fossil fuel samples for the purpose of determining compliance with the sulfur limitations in this permit. [250-RICR-120-05-8.8(C)]

5. For residual oil, the fuel supplier’s certification shall also contain the following information:

(a) The nitrogen content of the oil and the ASTM method used to determine the nitrogen content of the oil. [250-RICR-120-05-27.10(E)(2)]

(b) The location of the oil when the sample was drawn for analysis to determine the nitrogen content of the oil, specifically including whether the oil was sampled as delivered to the permittee or whether the sample was drawn from oil in storage at the oil suppliers/refiners’ facility or another location. [250-RICR-120-05-27.10(E)(4)]

6. Copies of the fuel oil analysis sheets shall be maintained at the facility and be made accessible for review by the Office of Air Resources or its authorized representatives and USEPA. These records shall include a certified statement, signed by a responsible official, that the records represent all of the fuel combusted during each quarter. [250-RICR-120-05-8.9(A), 250-RICR-120-05-27.10(G)]

7. The Director may, upon application, defer compliance with Conditions II.U.1 of this permit where compliance is not possible because of breakdowns or malfunction of equipment, acts of God, other unavoidable casualties or for good cause shown; provided that the order shall not defer compliance for more than three (3) months. [250-RICR-120-05-8.11(A)]

8. The Director shall notify the Administrator within five (5) business days after issuing an order deferring compliance with Conditions II.U.1 of this permit. [250-RICR-120-05-8.11(B)]
V. **Air Pollution Episodes**

Conditions justifying the proclamation of an air pollution alert, air pollution warning or air pollution emergency shall be deemed to exist whenever the Director determines that the accumulation of air pollutants in any place is attaining or has attained levels which could, if such levels are sustained or exceeded, lead to a substantial threat to the health of persons. If the governor declares an air pollution alert, air pollution warning or air pollution emergency, the permittee shall comply with the applicable requirements contained in “Air Pollution Episodes” 250-RICR-120-05-10. [250-RICR-120-05-10.5(A)]

W. **Fugitive Dust**

The permittee shall not cause or permit any materials, including but not limited to sand, gravel, soil, aggregate and any other organic or inorganic solid matter capable of releasing dust, to be handled, transported, mined, quarried, stored or otherwise utilized in any way so as to cause airborne particulate matter to travel beyond the property line of the facility without taking adequate precautions to prevent particulate matter from becoming airborne. Such precaution shall be in accordance with good industrial practice as determined by the Director and/or shall be other reasonable fugitive dust prevention measures as determined by the Director. [250-RICR-120-05-5.6(A)]

X. **Adhesives and Sealants**

Except as provided in subsections 250-RICR-120-05-44.6(B-C), the permittee shall comply with all applicable provisions of 250-RICR-120-05-44 if the permittee sells, offers for sale supplies or manufactures any adhesive, sealant, adhesive primer or sealant primer for use within the State of Rhode Island or uses or solicits the use of any adhesive, sealant, adhesive primer or sealant primer within the State of Rhode Island. [250-RICR-120-05-44.6(A)]

Y. **Architectural and Industrial Maintenance Coatings**

Except as provided in subsection 250-RICR-120-05-33.6(B), the permittee shall comply with all applicable provisions of 250-RICR-120-05-33 if the permittee sells, offers for sale, or supplies or manufactures an architectural coating for use within the State of Rhode Island or applies an architectural coating for compensation, or solicits the application of any architectural coating within the State of Rhode Island. [250-RICR-120-05-33.6(A)]

Z. **Compliance Certifications**

1. The permittee shall submit a certification of compliance with permit terms and conditions annually. [250-RICR-120-05-29.10(E)(1)(c)(1)]

2. The certification shall describe the following:
   a. the permit term or condition that is the basis of the certification; [250-RICR-120-05-29.10(E)(1)(c)(3)(AA)]
   b. the current compliance status; [250-RICR-120-05-29.10(E)(1)(c)(3)(BB)]
   c. whether compliance was continuous or intermittent and; [250-RICR-120-05-29.10(E)(1)(c)(3)(CC)]
d. the methods used for determining the current compliance status and the compliance status during the reporting period. [29.10(E)(1)(c)(3)(DD)]

3. All compliance certifications shall be submitted to the Office of Air Resources and to the USEPA Region I. It shall be submitted within 60 days following the end of the reporting period which is the calendar year unless otherwise specified. [250-RICR-120-05-29.10(E)(1)(c)(4)]

4. All compliance certifications shall be certified as being true, accurate, and complete by a responsible official. This certification shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the certification are true, accurate, and complete. [250-RICR-120-05-29.9.1(B)]

AA. Permit Shield

1. Compliance with the terms and conditions of this permit shall be deemed compliance with all requirements applicable to the source: RI-PSD-7, 8, Preconstruction Permit Approval No. 2333, 250-RICR-120-05 Parts 0, 1, 4, 5, 7, 8, 9, 10, 14, 16, 17, 27, 28, 29, 33, 44 and Federal Requirements 40 CFR 60 Subparts A, XXX, 40 CFR 63 AAAA. [250-RICR-120-05-29.10(L)(1)(a)(1)]

2. The Office of Air Resources has determined that units, E013-E020 and E023 are not subject to; 250-RICR-120-05 Parts 3, 6, 11, 12, 13, 15, 19, 20, 21, 22, 23, 25, 26, 30, 31, 32, 35, 36, 39, 43, 46, 47, 48 and 51. [250-RICR-120-05-29.10(L)(1)(a)(2)]

3. Nothing in this permit shall alter or affect the following:
   a. the provisions of Section 303 of the Clean Air Act, including the authority of USEPA under that Section. [250-RICR-120-05-29.9.10(L)(1)(c)(1)]
   b. the liability of the permittee for any violation of applicable requirements prior to or at the time of permit issuance. [250-RICR-120-05-29.10(L)(1)(c)(2)]
   c. the applicable requirements of the acid rain program consistent with Section 408 of the Clean Air Act. [250-RICR-120-05-29.10(L)(1)(c)(3)]
   d. the ability of the USEPA to obtain information under Section 114 of the Act. [250-RICR-120-05-29.10(L)(1)(c)(4)]

4. If it is determined that this operating permit was issued based on inaccurate or incomplete information provided by the permittee, this permit shield shall be void as to the portions of this permit which are affected, directly or indirectly, by the inaccurate or incomplete information. [250-RICR-120-05-29.10(L)(1)(d)]

BB. Recordkeeping

1. The permittee shall, at the request of the Director, maintain records of and provide data on operational processes, fuel usage, raw materials, stack dimensions, exhaust gas flow rates and temperatures, emissions of air contaminants, steam or hot water generator capacities, types of equipment producing air contaminants and air pollution control systems or other data that may be necessary to determine if the facility is in compliance with air pollution control regulations. [250-RICR-120-05-14.5.1]
2. All records and supporting information required by this permit shall be maintained at the permittee's 40 Shun Pike facility for a period of at least 5 years from the date of sample monitoring, measurement, report or application, and shall be made available to representatives of the Office of Air Resources and USEPA upon request. Supporting information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by this permit. [250-RICR-120-05-14.5.1, 29.10(D)(1)(b), 27.10(K), RI-PSD-7(E)(9), RI-PSD-8(E)(15), Approval No. 2333(E)(9), 40 CFR 60.768(c), 40 CFR 63.1982(d), 40 CFR 60.7(f)]

3. The permittee shall keep records of required monitoring information that include the following:
   a. The date, place and time of sampling or measurements; [250-RICR-120-05-29.10(D)(1)(a)(1)]
   b. The date(s) analyses were performed; [250-RICR-120-05-29.10(D)(1)(a)(2)]
   c. The company or entity that performed the analyses; [250-RICR-120-05-29.10(D)(1)(a)(3)]
   d. The analytical techniques or methods used; [250-RICR-120-05-29.10(D)(1)(a)(4)]
   e. The results of such analyses; and [250-RICR-120-05-29.10(D)(1)(a)(5)]
   f. The operating conditions as existing at the time of sampling or measurement. [250-RICR-120-05-29.10(D)(1)(a)(6)]

CC. Reporting

1. The information recorded by the permittee pursuant to Condition II.BB.1 of this Section shall be summarized and reported at least annually to the Director. It shall be submitted by April 15th unless otherwise specified. [250-RICR-120-05-14.5.2] Information submitted pursuant to this condition will be correlated with applicable emission limitations and other applicable emission information and will be available for public inspection. [250-RICR-120-05-14.5.3]

2. The permittee shall submit reports of any required monitoring for each semi-annual period ending 30 June and 31 December of each calendar year. These reports shall be due to the Office of Air Resources no later than forty-five (45) days after the end of the reporting period. All instances of deviations from permit requirements must be clearly identified in such reports. All required reports must be certified by a responsible official consistent with Condition II.Z.4. [250-RICR-120-05-29.10(D)(2)(a)]

3. Deviations from permit conditions, including those attributable to upset conditions as defined in this permit, shall be reported, in writing, within five (5) business days of the deviation, to the Office of Air Resources. A copy of any such report shall be sent to the USEPA Region I. Reports shall describe the probable cause of such deviations, and any corrective actions or preventive measures taken. Each report must be certified by a responsible official consistent with Condition II.Z.4. of this permit. [250-RICR-120-05-29.10(D)(2)(b), RI-PSD-8(E)(14), Approval No. 2333(E)(8)]

4. The Office of Air Resources shall be notified in writing of any planned physical change or operational change to the emissions units and control devices identified in this permit. Such notification shall include information describing the nature of the change, information describing the effect of the
change on the emissions of air contaminants and the scheduled completion date of the planned change. Any change which may result in an increased emission rate of any air contaminant shall be subject to approval of the Office of Air Resources. [RI-PSD-7(E)(5), RI-PSD-8(E)(12), Approval No. 2333(E)(7)]

DD. Credible Evidence

For the purpose of submitting compliance certifications or establishing whether or not the permittee has violated or is in violation of any provision of this permit, the methods used in this permit shall be used, as applicable. However, nothing in this permit shall preclude the use, including the exclusive use, of any credible evidence or information, relevant to whether the permittee would have been in compliance with applicable requirements if the appropriate performance or compliance test procedures or methods had been performed. [40 CFR 51.212(c), 51.12(c), 52.33(a)]

EE. Emission Statements

1. The permittee shall submit annually an emission statement that includes information for both VOC and NOx if facility wide actual emissions are 25 tons per year of either pollutant. Emission statements shall be submitted to the Director on April 15th of each year unless otherwise specified. The permittee may apply to the Office of Air Resources to be allowed to discontinue submitting annual emission statements if actual emissions at the facility decrease to below 10 tons per year as a result of a permanent process change. [250-RICR-120-05-14.6.1] The permittee shall submit an emission statement in a format approved by the Office of Air Resources. The emission statement shall contain the following information: [250-RICR-120-05-14.6.2]

   a. A certification that the information contained in the emission statement is accurate and complete to the best knowledge of the certifying individual. [250-RICR-120-05-14.6.2(A)(1)]

   b. The full name, title, signature, date of signature, and telephone number of the certifying individual. [250-RICR-120-05-14.6.2(A)(2)]

   c. Facility identification information, including the full name, physical location, mailing address, latitude, longitude, and four digit SIC code(s). [250-RICR-120-05-14.6.2(A)(3)]

   d. Process data pertaining to each process emitting VOC and/or NOx, including: [250-RICR-120-05-14.6.2(A)(4)]

      (1) Annual and typical ozone season daily fuel use, [250-RICR-120-05-14.6.2(A)(4)(a)]

      (2) Annual and typical ozone season daily process rate(s), and [250-RICR-120-05-14.6.2(A)(4)(b)]

      (3) Process throughput while air pollution control equipment was not in operation. [250-RICR-120-05-14.6.2(A)(4)(c)]

   e. Operating data pertaining to each process emitting VOC and/or NOx during the reporting year, including: [250-RICR-120-05-14.6.2(A)(5)]

      (1) Percentage annual throughput, [250-RICR-120-05-14.6.2(A)(5)(a)]

      (2) Average hours of operation per day during the reporting year and on a typical ozone season day, [250-RICR-120-05-14.6.2(A)(5)(b)]
(3) Average number of days of operation per week during the reporting year and during a typical ozone season week, and [250-RICR-120-05-14.6.2(A)(5)(c)]

(4) Weeks of operation during the reporting year and during the peak ozone season. [250-RICR-120-05-14.6.2(A)(5)(d)]

f. Control equipment information, including: [250-RICR-120-05-14.6.2(A)(6)]

(1) Specific primary and secondary control equipment for each process emitting VOC and/or NOx, [250-RICR-120-05-14.6.2(A)(6)(a)]

(2) Current overall control efficiency for each piece of control equipment (indicated by percent capture and percent destruction or removal), and [250-RICR-120-05-14.6.2(A)(6)(b)]

(3) Control equipment downtime during the reporting year and during the peak ozone season. [250-RICR-120-05-14.6.2(A)(6)(c)]

g. Emissions information, including: [250-RICR-120-05-14.6.2(A)(7)]

(1) Actual annual and typical ozone season daily emissions of VOC and NOx for each process. Emissions should be reported in tons per year and in pounds per day. [250-RICR-120-05-14.6.2(A)(7)(a)]

(2) A description of the emission calculation method and, if applicable, emission factor(s) used, and [250-RICR-120-05-14.6.2(A)(7)(b)]

(3) The calendar year for which emissions are reported. [250-RICR-120-05-14.6.2(A)(7)(c)]

h. Any additional information required by the Director to document the facility's emission statements. [250-RICR-120-05-14.6.2(A)(8)]

**FF. Miscellaneous Conditions**

1. This permit may be modified, revoked, reopened, reissued or terminated for cause. The filing of a request, by the permittee, for a permit modification, revocation and reissuance or termination or of a notification of planned changes or anticipated noncompliance does not release the permittee from the conditions of this permit. [250-RICR-120-05-29.10(H)(1)(c)(3)]

2. Any application for a permit revision need only submit information related to the proposed change. [250-RICR-120-05-29.8(C)(2)]

3. Terms not otherwise defined in this permit shall have the meaning given to such terms in the referenced regulation as applicable.

4. Where more than one condition in this permit applies to an emission unit and/or the entire facility, the most stringent condition shall apply.
SECTION III. SPECIAL CONDITIONS

A. Ozone-depleting Substances

This section contains air pollution control requirements that are applicable to this facility and the United States Environmental Protection Agency enforces these requirements.

1. The permittee shall comply with the standards for labeling of products using ozone-depleting substances pursuant to 40 CFR Part 82, Subpart E:
   a. All containers containing a class I or class II substance that is stored or transported, all products containing a class I substance, and all products directly manufactured with a class I substance must bear the required warning statement if it is being introduced into interstate commerce pursuant to 40 CFR 82.106.
   b. The placement of the required warning statement must comply with the requirements of 40 CFR 82.108.
   c. The form of the label bearing the required warning statement must comply with the requirements of 40 CFR 82.110.
   d. No person may modify, remove or interfere with the required warning statement except as described in 40 CFR 82.112.

2. The permittee shall comply with the standards for recycling and emissions reduction pursuant to 40 CFR Part 82, Subpart F, except as provided for motor vehicle air conditioners (MVAC) in Subpart B:
   a. Persons opening appliances for maintenance, service, repair or disposal must comply with the required practices of 40 CFR 82.156.
   b. Equipment used during the maintenance, service, repair or disposal of appliances must comply with the standards for recycling and recovery equipment of 40 CFR 82.158.
   c. Persons performing maintenance, service, repair or disposal of appliances must be certified by an approved technician certification program pursuant to 40 CFR 82.161.
   d. Persons disposing of small appliances, MVACs and MVAC-like appliances (as defined in 40 CFR 82.152) must comply with recordkeeping requirements of 40 CFR 82.166.
   e. Persons owning commercial or industrial process refrigeration equipment must comply with the leak repair equipment requirements of 40 CFR 82.156.
   f. Owners/operators of appliances normally containing 50 or more pounds of refrigerant must keep records of refrigerant purchased and added to such appliances pursuant to 40 CFR 82.166.

3. If the permittee manufactures, transforms, imports or exports a class I or class II substance, the permittee is subject to all the requirements as specified in 40 CFR Part 82, Subpart A, "Production and Consumption Controls".
4. The permittee shall be allowed to switch from any ozone-depleting substance to any alternative that is listed in the Significant New Alternatives Program (SNAP) promulgated pursuant to 40 CFR Part 82, Subpart G, "Significant New Alternatives Policy Program".

B. Prevention of Accidental Releases

This section contains air pollution control requirements that are applicable to this facility and the United States Environmental Protection Agency enforces these requirements.

Your facility is subject to the requirements of the General Duty Clause, under 112(r)(1) of the CAA Amendments of 1990. This clause specifies that owners or operators of stationary sources producing, processing, handling or storing a chemical in any quantity listed in 40 CFR Part 68 or any other extremely hazardous substance have a general duty to identify hazards associated with these substances and to design, operate and maintain a safe facility, in order to prevent releases and to minimize the consequences of accidental releases which may occur.
## APPENDIX A

### Reportable Concentrations

<table>
<thead>
<tr>
<th>Pollutant</th>
<th>CAS Number</th>
<th>Reportable Concentration (ppm)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Acetone</td>
<td>67641</td>
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<td>Benzene</td>
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<td>Carbon Disulfide</td>
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<tr>
<td>Cyclohexane</td>
<td>110827</td>
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<td>1,4 Dichlorobenzene</td>
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<td>cis-1,2 Dichloroethene</td>
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<td>Ethyl benzene</td>
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<td>Ethyl chloride</td>
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<td>Hexane</td>
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<td>Hydrogen sulfide</td>
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<td>Isopropanol</td>
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<td>Mercury</td>
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<td>Methyl ethyl ketone</td>
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<td>Toluene</td>
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<td>Vinyl Chloride</td>
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<td>Total Chloride</td>
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## Reportable Concentrations

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<tr>
<th>Pollutant</th>
<th>CAS Number</th>
<th>Reportable Concentration (ppm)</th>
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<tbody>
<tr>
<td>Benzene</td>
<td>71432</td>
<td>130</td>
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<td>1,4 Dichlorobenzene</td>
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<td>Ethylidene dichloride</td>
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<td>Mercury</td>
<td>7439976</td>
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<td>Trichlorofluoromethane</td>
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<td>Vinyl Chloride</td>
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<td>Hydrogen Chloride</td>
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<td>537</td>
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### Table 1 to Subpart AAAA of Part 63—Applicability of NESHAP General Provisions to Subpart AAAA

<table>
<thead>
<tr>
<th>Part 63 citation</th>
<th>Description</th>
<th>Applicable to subpart AAAA before September 28, 2021</th>
<th>Applicable to subpart AAAA no later than September 27, 2021</th>
<th>Explanation</th>
</tr>
</thead>
<tbody>
<tr>
<td>§63.1(a)</td>
<td>Applicability: General applicability of NESHAP in this part</td>
<td>Yes</td>
<td>Yes</td>
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<tr>
<td>§63.1(b)</td>
<td>Applicability determination for stationary sources</td>
<td>Yes</td>
<td>Yes</td>
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<td>§63.1(c)</td>
<td>Applicability after a standard has been set</td>
<td>No&lt;sup&gt;1&lt;/sup&gt;</td>
<td>Yes</td>
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<td>§63.1(e)</td>
<td>Applicability of permit program before relevant standard is set</td>
<td>Yes</td>
<td>Yes</td>
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<tr>
<td>§63.2</td>
<td>Definitions</td>
<td>Yes</td>
<td>Yes</td>
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<tr>
<td>§63.3</td>
<td>Units and abbreviations</td>
<td>No&lt;sup&gt;1&lt;/sup&gt;</td>
<td>Yes</td>
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<tr>
<td>§63.4</td>
<td>Prohibited activities and circumvention</td>
<td>Yes</td>
<td>Yes</td>
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<tr>
<td>§63.5(a)</td>
<td>Construction/reconstruction</td>
<td>No&lt;sup&gt;1&lt;/sup&gt;</td>
<td>Yes</td>
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<td>§63.5(b)</td>
<td>Requirements for existing, newly constructed, and reconstructed sources</td>
<td>Yes</td>
<td>Yes</td>
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<td>§63.5(d)</td>
<td>Application for approval of construction or reconstruction</td>
<td>No&lt;sup&gt;1&lt;/sup&gt;</td>
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<tr>
<td>§63.5(e) and (f)</td>
<td>Approval of construction and reconstruction</td>
<td>No&lt;sup&gt;1&lt;/sup&gt;</td>
<td>Yes</td>
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<tr>
<td>§63.6(a)</td>
<td>Compliance with standards and maintenance requirements—applicability</td>
<td>No&lt;sup&gt;1&lt;/sup&gt;</td>
<td>Yes</td>
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<td>§63.6(b) and (c)</td>
<td>Compliance dates for new, reconstructed, and existing sources</td>
<td>No&lt;sup&gt;1&lt;/sup&gt;</td>
<td>Yes</td>
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<tr>
<td>§63.6(e)(1)(i)-(ii)</td>
<td>Operation and maintenance requirements</td>
<td>Yes</td>
<td>No</td>
<td>See §63.1955(c) for general duty requirements.</td>
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<tr>
<td>63.6(e)(3)(i)-(ix)</td>
<td>SSM plan</td>
<td>Yes</td>
<td>No</td>
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<tr>
<td>63.6(f)(1)</td>
<td>Exemption of nonopacity emission standards during SSM</td>
<td>Yes</td>
<td>No</td>
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<td>§63.6(f)(2) and (3)</td>
<td>Compliance with nonopacity emission standards</td>
<td>Yes</td>
<td>Yes</td>
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<tr>
<td>§63.6(g)</td>
<td>Use of an alternative nonopacity standard</td>
<td>No&lt;sup&gt;1&lt;/sup&gt;</td>
<td>Yes</td>
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<tr>
<td>§63.6(h)</td>
<td>Compliance with opacity and visible emission standards</td>
<td>No&lt;sup&gt;1&lt;/sup&gt;</td>
<td>No</td>
<td>Subpart AAAA does not prescribe opacity or visible emission standards.</td>
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</table>

<sup>1</sup> DRAFT
<table>
<thead>
<tr>
<th>Section</th>
<th>Description</th>
<th>Yes</th>
<th>No</th>
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<tr>
<td>§63.6(i)</td>
<td>Extension of compliance with emission standards</td>
<td>No¹</td>
<td>Yes</td>
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<tr>
<td>§63.6(j)</td>
<td>Exemption from compliance with emission standards</td>
<td>No¹</td>
<td>Yes</td>
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<tr>
<td>§63.7</td>
<td>Performance testing</td>
<td>No¹</td>
<td>Yes</td>
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<tr>
<td>§63.7(c)(1)</td>
<td>Conditions for performing performance tests</td>
<td>No¹</td>
<td>No</td>
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<tr>
<td>§63.8(a) and (b)</td>
<td>Monitoring requirements—Applicability and conduct of monitoring</td>
<td>No¹</td>
<td>Yes</td>
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<tr>
<td>§63.8(e)(1)</td>
<td>Operation and Maintenance of continuous emissions monitoring system</td>
<td>No¹</td>
<td>Yes</td>
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<tr>
<td>§63.8(c)(1)(i)</td>
<td>Operation and Maintenance Requirements</td>
<td>No¹</td>
<td>No</td>
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<td>§63.8(c)(1)(ii)</td>
<td>Operation and Maintenance Requirements</td>
<td>No¹</td>
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<td>§63.8(c)(1)(iii)</td>
<td>SSM plan for monitors</td>
<td>No¹</td>
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<td>§63.8(c)(2)-(8)</td>
<td>Monitoring requirements</td>
<td>No¹</td>
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<td>§63.8(d)(1)</td>
<td>Quality control for monitors</td>
<td>No¹</td>
<td>Yes</td>
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<td>§63.8(d)(2)</td>
<td>Quality control for monitors</td>
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<td>Quality control records</td>
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<td>§63.9(a), (c), and (d)</td>
<td>Notifications</td>
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<td>§63.9(b)</td>
<td>Initial notifications</td>
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<td>Yes²</td>
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<td>§63.9(c)</td>
<td>Notification of performance test</td>
<td>No¹</td>
<td>Yes²</td>
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<td>Notification of visible emissions/opacity test</td>
<td>No¹</td>
<td>No</td>
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<td>§63.9(g)</td>
<td>Notification when using CMS</td>
<td>No¹</td>
<td>Yes²</td>
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<td>§63.9(h)</td>
<td>Notification of compliance status</td>
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<td>Yes²</td>
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<td>§63.9(i)</td>
<td>Adjustment of submittal deadlines</td>
<td>No¹</td>
<td>Yes</td>
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<td>§63.9(j)</td>
<td>Change in information already provided</td>
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<td>§63.10(a)</td>
<td>Recordkeeping and reporting—general</td>
<td>No¹</td>
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<td>General recordkeeping</td>
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<td>Startup and shutdown records</td>
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<td>Recordkeeping of failures to meet a standard</td>
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<td>§63.10(b)(2)(iii)</td>
<td>Recordkeeping of maintenance on air pollution control equipment</td>
<td>Yes</td>
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<td>§63.10(b)(2)(iv)-(v)</td>
<td>Actions taken to minimize emissions during SSM</td>
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<td>§63.10(b)(vi)</td>
<td>Recordkeeping for CMS malfunctions</td>
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<td>§63.10(b)(vii)-(xiv)</td>
<td>Other Recordkeeping of compliance measurements</td>
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<td>Additional recordkeeping for sources with CMS</td>
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<td>§63.10(d)(1)</td>
<td>General reporting</td>
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<td>§63.10(d)(2)</td>
<td>Reporting of performance test results</td>
<td>No⁰</td>
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<td>§63.10(d)(3)</td>
<td>Reporting of visible emission observations</td>
<td>No⁰</td>
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<td>§63.10(d)(4)</td>
<td>Progress reports for compliance date extensions</td>
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<td>Additional reporting for CMS systems</td>
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<td>§63.10(f)</td>
<td>Recordkeeping/reporting waiver</td>
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<td>§63.11</td>
<td>Control device requirements/flares</td>
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<td>§63.12(a)</td>
<td>State authority</td>
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<td>§63.12(b)-(c)</td>
<td>State delegations</td>
<td>No⁰</td>
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<td>Addresses</td>
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<td>Incorporation by reference</td>
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<td>§63.15</td>
<td>Availability of information and confidentiality</td>
<td>Yes</td>
<td>Yes</td>
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</tbody>
</table>

¹Before September 28, 2021, this subpart requires affected facilities to follow 40 CFR part 60, subpart WWW, which incorporates the General Provisions of 40 CFR part 60.

²If an owner or operator has complied with the requirements of this paragraph under either 40 CFR part 60, subpart WWW or subpart XXX, then additional notification is not required.