



**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS  
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT  
OFFICE OF AIR RESOURCES**

**OPERATING PERMIT**

*DeWAL Industries Inc.*

**PERMIT NO. RI-16-06**

(Renewal date: 12-21-06)  
(Expiration date: 12-21-11)

**Pursuant to the provisions of Air Pollution Control Regulation No. 29, this operating permit is issued to:**

DeWAL Industries, Inc.  
15 Ray Trainor Drive  
Saunderstown, RI 02874

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

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**Stephen Majkut, Chief  
Office of Air Resources**

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**Date of issuance: 12/21/06**

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## SECTION I. SOURCE SPECIFIC CONDITIONS

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### A. Requirements for Emission Units P001, P002, P003, P004, P005, P006 and V001

The following requirements are applicable to:

- Emission unit P001 (Coating line #1), which is a Fostoria Infrared Systems, knife coating line. P001 is equipped with a 0.320 MMBTU/hr electric drying oven.
- Emission unit P002 (Coating Line #2), which is a 42" web Wolverine surface coating line. P002 is equipped with a 0.8 MMBTU/hr drying oven, which burns natural gas.
- Emission unit P003 (Priming line #3), which is an Automation Technologies Meyer rod coating line. P003 is equipped with a 0.070 MMBTU/hr electric drying oven.
- Emission unit P004 (Line 203 Extrusion Line), which is a DeWAL Industries Extruder Line. Solvent is mixed into PTFE resin, which acts as a carrier. The materials are extruded into film and solvent is then evaporated off in the drier oven after extrusion.
- Emission unit P005 (Line 203A), which is a Jennings 203A Extruder Line. Solvent is mixed into PTFE resin, which acts as a carrier. The materials are extruded into film and solvent is then evaporated off in the drier oven after extrusion.
- Emission unit P006 (Coating Line #6), which is a Radiant heat PTFE Coating Line. This involves the application of a PTFE coating to a foil substrate.
- Emission unit V001, consists of the mixing room. Solvent coatings are mixed (using 2 mixers) in 55 gallon drums and 20 gallon drums.
- Emission units P003, P004, P005, P006 and V001 and the exhaust hoods of P001 and P002 are associated with air pollution control device C001, which is a 20,000 scfm, 3.5 MMBTU/hr Langbein & Engelbracht Regenerative Thermal Oxidizer, Model No. TR 2095, which burns natural gas.
- The drying ovens of emission units P001 and P002 are associated with air pollution control device C002, which is a 7000 scfm, 3.6 MMBTU/hr Langbein & Engelbracht Recuperative Thermal Oxidizer, Model No. TO 765, which burns natural gas.

#### 1. **Emission Limitations**

- a. Emissions from P001, P002, P003 and P006 shall not exceed 4.79 lbs VOC/gallon of solids. [19.3.1]

- b. All VOC emissions generated from emission units P003, P004, P005, P006 V001 and the exhaust hoods of emission units P001 and P002 shall be captured and contained for discharge to C001. [Approval Nos. 1438 & 1546(A)(1)]
- c. All VOC emissions generated from the drying ovens of emission units P001 and P002 shall be captured and contained for discharge to C002. [Approval No. 1866(A)(1)]
- d. Compliance with the emission limitation in Condition I.A.1.a of this permit shall be achieved with C001 and C002. VOC emissions generated from P001, P002, P003 and P006 shall be reduced by 97%. This is to be achieved through a combination of 100% capture of the VOC generated by the equipment and a 97% destruction of this VOC. [Approval Nos. 1438 & 1546(A)(2), Approval 1866(A)(2), 19.3.2(a)]
- e. VOC emissions generated from P004, P005 and V001 shall be reduced by 97%. This is to be achieved through a combination of 100% capture of the VOC generated by the equipment and 97% destruction of this VOC. [Approval Nos. 1438 & 1546(A)(2)]
- f. The destruction efficiency of C001 and C002 for VOC shall each be at least 97%. [Approval Nos. 1438 & 1546(A)(3), Approval No. 1866(A)(3)]
- g. The total quantity of VOC emissions discharged to C001 from emission units P003, P004, P005, P006, V001 and the exhaust hoods of emission units P001 and P002 shall not exceed 195 lbs. per hour, the maximum loading capacity in lbs/hr of C001. [Approval Nos. 1438 & 1546(A)(4)]
- h. The total quantity of VOC emissions discharged to C002 from the drying ovens of P001 and P002 shall not exceed 200 lbs per hour, the maximum loading capacity of C002. [Approval No. 1866(A)(4)]
- i. The total quantity of VOC emissions discharged to the atmosphere from P001, P002, P003, P004, P005, P006 and V001 shall not exceed 4,270 lbs per month (12-month rolling average). [Approval Nos. 1438 & 1546(A)(5), Approval No. 1866(A)(5)]
- j. When producing pressure sensitive tape and label materials the amount of VOC input into P002 shall not exceed 45 Mg in any consecutive 12 month period. [40 CFR 60.440(b)]

## 2. Operating Requirements

- a. The operating temperature of C001 shall be maintained at or above 1400°F, but not exceed 1800°F, whenever VOC is being discharged to C001. [Approval Nos. 1438 & 1546(B)(1), 29.6.3(a), 40 CFR 64]
- b. The operating temperature of C002 shall be maintained at or above 1325°F whenever VOC is being discharged to C002. This minimum temperature may be revised based on the results of emission testing. [Approval No. 1866(B)(1), 29.6.3(a), 40 CFR 64]
- c. Emission units P003, P004, P005, P006 and the exhaust hoods of emission units P001 and P002 shall each be equipped with an interlock to prevent operation of the equipment if the operating temperature of C001 is less than 1400°F. [Approval Nos. 1438 & 1546(B)(2), 29.6.3(a), 40 CFR 64]
- d. Emission units P001 and P002 shall each be equipped with an interlock to prevent operation of the coating equipment if the operating temperature of C002 is less than 1325°F. [Approval No. 1866(B)(2), 29.6.3(a), 40 CFR 64]
- e. To ensure 100 percent capture of the VOC generated, P001 and P002 must be located within a total enclosure. This total enclosure must meet criteria for a permanent total enclosure in 40 CFR 51, Appendix M, Method 204 – “Criteria For and Verification of a Permanent or Temporary Total Enclosure”. [Approval No. 1866(B)(3)]
- f. All access doors and windows in each room that contains emission units P001, P002, P003, P004, P005 and P006 shall be closed during routine operation of the coating equipment. Brief occasional openings of doors to allow for entering and exiting the coating room is acceptable. [Approval Nos. 1438 & 1546(B)(3), Approval No. 1866(B)(4)]
- g. Air passing through any natural draft opening in the coating room shall flow into the room continuously. [Approval Nos. 1438 & 1546(B)(4), Approval No. 1866(B)(5)]
- h. All cleaning of emission units P001 and P002 with VOC containing material shall be conducted with C001 operating. VOC emissions generated during cleaning shall be captured and contained and discharged to C001 for destruction. [Approval Nos. 1438 & 1546(B)(5), Approval No. 1866(B)(6)]
- i. All cleaning of emission units P003, P004, P005 and P006 with VOC containing material shall be conducted with C001 operating. VOC emissions generated during cleaning shall be captured and contained and discharged to C001 for destruction. [Approval No. 1438 & 1546(B)(5)]

- j. The total volume of air discharged to C001 from the exhaust hoods of P001 and P002, P003, P004, P005, P006 and V001 shall not exceed 20,000 scfm, the design capacity of C001. [Approval 1438 & 1546(B)(6)]
- k. The total volume of air discharged to C002 from the drying ovens of P001 and P002 shall not exceed 7,000 scfm, the design capacity of C002. [Approval No. 1866(B)(7)]
- l. There shall be no bypassing of C001 or C002 during times when VOC is being discharged to the devices. [Approval Nos. 1438 & 1546(F)(3), Approval No. 1866(F)(3)]
- m. C001 and C002 shall be operated according to its design specifications whenever P001, P002, P003, P004, P005, P006 and V001 are in operation or are emitting air contaminants. [16.1]
- n. The permittee shall shut down emission units P003, P004, P005, P006 and V001 in the event of a malfunction of the emission capture system and/or C001 that results in or that could result in, emissions in excess of the permit limits. The units shall remain shut down until the malfunction has been identified and corrected. [Approval Nos. 1438 & 1546(F)(2)]
- o. The permittee shall shut down emission units P001 and P002 in the event of a malfunction of the emission capture system and/or C002 that results in or that could result in, emissions in excess of the permit limits. The units shall remain shut down until the malfunction has been identified and corrected. [Approval No. 1866(F)(2)]
- p. Malfunctions
  - (1) Malfunction means a sudden and unavoidable breakdown of process or control equipment. In the case of a malfunction of C001 and /or C002, 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 C001 and/or C002 is expected or may reasonably be expected to continue for longer than 24 hours, and if the permittee wishes to operate P001, P002, P003, P004, P005, P006 and V001 at any time beyond that period, the Director shall be petitioned for a variance under Section 23-23-15 of the General Laws of Rhode Island, as amended. Such petition shall include, but is not limited to, the following: [16.2, Approval Nos. 1438 & 1546(G)(1), Approval No. 1866(G)(1)]
    - (a) Identification of the specific air pollution control system (i.e. C001 and C002) and source on which it is installed; (i.e. P001, P002, P003, P004, P005, P006 and V001) [16.2(a),

Approval Nos. 1438 & 1546(G)(1)(a), Approval No. 1866(G)(1)(a)]

- (b) The expected period of time that C001 and/or C002 will be malfunctioning or out of service; [16.2(b), Approval Nos. 1438 & 1546(G)(1)(b), Approval No. 1866(G)(1)(b)]
  - (c) The nature and quantity of air contaminants likely to be emitted during said period; [16.2(c), Approval Nos. 1438 & 1546(G)(1)(c), Approval No. 1866(G)(1)(c)]
  - (d) Measures that will be taken to minimize the length of said period; and [16.2(d), Approval Nos. 1438 & 1546(G)(1)(d), Approval No. 1866(G)(1)(d)]
  - (e) The reasons that it would be impossible or impractical to cease the source operation during said period. [16.2(e), Approval Nos. 1438 & 1546(G)(1)(e), Approval No. 1866(G)(1)(e)]
- (2) The permittee may seek to establish that a malfunction of any 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 permittee must demonstrate to the Office of Air Resources that: [Approval Nos. 1438 & 1546(G)(2), Approval No. 1866(G)(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 Nos. 1438 & 1546(G)(2)(a), Approval No. 1866(G)(2)(a)]
  - (b) The malfunction was not part of a recurring pattern indicative of inadequate design, operation, or maintenance; [Approval Nos. 1438 & 1546(G)(2)(b), Approval No. 1866(G)(2)(b)]
  - (c) Repairs 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. [Approval No Nos. 1438 & 1546(G)(2)(c), Approval No. 1866(G)(2)(c)]
  - (d) All possible steps were taken to minimize emissions during the period of time that the repairs were performed.

[Approval Nos. 1438 & 1546(G)(2)(d), Approval No. 1866(G)(2)(d)]

- (e) Emissions during the period of time that the repairs were performed will not: [Approval Nos. 1438 & 1546(G)(2)(e), Approval No. 1866(G)(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 [Approval Nos. 1438 & 1546(G)(2)(e)(1), Approval No. 1866(G)(2)(e)(1)]
  - ii. Cause or contribute to air pollution in violation of any applicable state or national ambient air quality standard. [Approval Nos. 1438 & 1546(G)(2)(e)(2), Approval No. 1866(G)(2)(e)(2)]
- (f) The reasons that it would be impossible or impractical to cease the source operation during said period. [Approval Nos. 1438 & 1546(G)(2)(f), Approval No. 1866(G)(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 Nos. 1438 & 1546(G)(2)(g), Approval No. 1866(G)(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 Nos. 1438 & 1546(G), Approval No. 1866(G)]

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 Nos. 1438 & 1546(G), Approval No. 1866(G)]

### **3. Testing Requirements**

- a. Control efficiency of C001 and C002 will be determined using USEPA Reference method 25 or other methods approved by the Director and USEPA. Continuous compliance will be maintained at all times. Compliance averaging times will be three hours. Once the control efficiency has been determined by Reference Method 25, or any alternative method approved by

the Office of Air Resources and USEPA, compliance shall be determined on an instantaneous basis time period (e.g. determined control efficiency shall be used to calculate whether samples from the process meet the applicable emissions limit.) [19.7.3]

#### **4. Monitoring Requirements**

- a. The static pressure within each Permanent Total Enclosure (PTE) for P001, P002, P003, P004, P005 and P006 shall be continuously monitored. [29.6.3(a), 40 CFR 64]
- b. The operating temperature of C001 and C002 shall be continuously monitored. The equipment to continuously monitor the operating temperature of C001 and C002 must have an accuracy of +/- 1 percent of the temperature being monitored in degrees Celsius or +/- 1° Celsius, whichever is greater.

The equipment to continuously monitor the operating temperature of C001 and C002 must 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. 1866(C)(1), 29.6.3(a), 40 CFR 64]

- c. Each PTE shall be inspected semi-annually and should include all the items required to demonstrate that the Permanent Total Enclosure (PTE) criteria as established in 40 CFR 51, Appendix M, and Method 204 "Criteria for Verification of a Permanent or Temporary Total Enclosure" are maintained. [29.6.3(a), 40 CFR 64]

#### **5. Recordkeeping Requirements**

- a. The operating temperature of C001 and C002 shall be continuously recorded. [Approval Nos. 1438 & 1546(C)(1), Approval No. 1866(C)(1), 29.6.3(a), 40 CFR 64]
- b. The permittee shall record the static pressure within each PTE once per day and the date, time and measurement shall be recorded unless the process is shut down. [29.6.3(a), 40 CFR 64]
- c. The permittee shall collect and record all of the following information each month for P001, P002, P003, P004, P005, P006, C001 and C002: [Approval Nos. 1438 & 1546(E)(1), Approval No. 1866(E)(1), 19.5.4(c)]
  - (1) The name and identification of each coating used on P001, P002, P003, P004, P005 and P006; [Approval Nos. 1438 & 1546(E)(1)(a), Approval No. 1866(E)(1)(a), 19.5.4(c)(1)]

- (2) The mass of VOC per unit volume of coating solids, as applied, the volume solids content, as applied, and the volume, as applied, of each coating used each month on P001, P002, P003, P004, P005 and P006; [Approval Nos. 1438 & 1546(E)(1)(b), Approval No. 1866(E)(1)(b), 19.5.4(c)(2)(i)]
  - (3) The quantity of VOC used each month on P004 and P005. [Approval Nos. 1438 & 1546(E)(1)(c)]
  - (4) The type and amount of solvent used for diluents and clean up operations; [Approval Nos. 1438 & 1546(E)(1)(d), Approval No. 1866(E)(1)(c), 19.5.4(c)(4)]
  - (5) A log of operating time for the capture system, monitoring equipment, C001, C002, and the associated coating lines or operation; [Approval Nos. 1438 & 1546(E)(1)(e), Approval No. 1866(E)(1)(d), 19.5.4(c)(5), 29.6.3(a), 40 CFR 64]
  - (6) A maintenance log for the capture system, monitoring equipment C001 and C002, detailing all routine and non-routine maintenance performed including dates and duration of any outages; [Approval Nos. 1438 & 1546(E)(1)(f), Approval No. 1866(E)(1)(e), 19.5.4(c)(6), 29.6.3(a), 40 CFR 64]
  - (7) All 3-hour periods of operation in which the operating temperature of C001 was less than 1350°F and all 3-hour periods of operation in which the operating temperature of C002 was less than 1275°F ; and [Approval Nos. 1438 & 1546(E)(1)(g), Approval No. 1866(E)(1)(f), 19.5.4(c)(7)(i)]
  - (8) The operating temperature of C001 and C002. [Approval Nos. 1438 & 1546(E)(1)(h), Approval No.1866(E)(g), 19.5.4(c)(7)(ii)]
- d The permittee shall maintain a record of all measurements, performance evaluations, calibration checks and maintenance or adjustments for each continuous monitor. [Approval Nos. 1438 & 1546(E)(6), Approval No. 1866(E)(7), 29.6.3(a), 40 CFR 64]
- e The permittee shall also collect and record the following information for P002 when manufacturing pressure sensitive tape and label materials:
- (1) Maintain a twelve month record of the amount of VOC input to the coating process. [40 CFR 60.445(d)]

- f. The permittee shall record the date of the inspection of each PTE and maintain the check list that is used to verify PTE configuration and maintenance status and exhaust systems conditions. [29.6.3(a), 40 CFR 64]

## 6. Reporting Requirements

- a. The permittee shall notify the Office of Air Resources of any record showing noncompliance with the terms of Section I.A of this permit or any other air pollution control rule or regulation applicable to emission units P001, P002, P003, P004, P005, P006 and V001 by sending a copy of the record to the Office of Air Resources within 30 days following the occurrence. [Approval Nos. 1438 & 1546(E)(3), Approval No. 1866(E)(3), 19.5.4(d)(1)]
- b. The permittee shall notify the Office of Air Resources of any anticipated noncompliance with the terms of Section I.A of this permit or any other applicable air pollution control rules and regulations. [Approval Nos. 1438 & 1546(E)(4), Approval No. 1866(E)(4)]
- c. The permittee, before changing the method of compliance from control devices to daily-weighted averaging or complying coatings, shall submit a Compliance Certification Plan to the Office of Air Resources for review and approval. Such plan shall include:
  - (1) The name and location of the facility; [19.5.2(a)(1), 19.5.3(a)(1)]
  - (2) The name, address and telephone number of the person responsible for the facility; [19.5.2(a)(2), 19.5.3(a)(2)]
  - (3) The name and identification number of the emission units which will comply by means of daily weighted averaging or complying coatings; [19.5.2(a)(4), 19.5.3(a)(3)]
  - (4) For daily-weighted averaging:
    - (a) The instrument or method by which the permittee will accurately measure or calculate the volume of each coating (excluding water), as applied, used each day on each emission unit; [19.5.2(a)(5)]
    - (b) The method by which the permittee will create and maintain records each day as required by Subsection 19.5.2(c) of APC Regulation No. 19; [19.5.2(a)(6)]
    - (c) The time at which the facility's day begins if a time other than midnight local time is used to define a day.

[19.5.2(a)(7)]

- (5) For complying coatings:
    - (a) The name and identification number of each coating, as applied, on each coating line or operation; [19.5.3(a)(4)]
    - (b) The mass of VOC per volume coating (excluding water) and the volume of each coating (excluding water), as applied; [19.5.3(a)(5)]
    - (c) The time at which the facility's day begins if a time other than midnight local time is used to define a day. [19.5.3(a)(6)]
  - (6) Information describing the effect of the change on the emissions of any air contaminant. [9.2.1]
  - (7) A demonstration that emissions from the stationary source will not cause an increase in the ground level ambient concentration at or beyond the property line in excess of that allowed by APC Regulation No. 22. [22.3.3(a)]
- d. The permittee shall notify the Office of Air Resources of all 3-hour periods of operation in which the operating temperature of C001 was less than 1350°F. This notification shall be provided in the semi-annual monitoring report required in condition II.AA.2. [29.6.3(a), 40 CFR 64]
  - e. The permittee shall notify the Office of Air Resources whenever the operating temperature of C001 was greater than 1800°F. This notification shall be provided in the semi-annual monitoring report required in condition II.AA.2. [29.6.3(a), 40 CFR 64]
  - f. The permittee shall notify the Office of Air Resources of all 3-hour periods of operation in which the operating temperature of C002 was less than 1275°F. This notification shall be provided in the semi-annual monitoring report required in condition II.AA.2. [29.6.3(a), 40 CFR 64]
  - g. The permittee shall notify the Office of Air Resources whenever the static pressure within a PTE is less than -0.007 inches of water at any time. This notification shall be provided in the semi-annual monitoring report required in condition II.AA.2. [29.6.3(a), 40 CFR 64]

## 7. Other Requirements

- a. To the extent consistent with the requirements in Section I.A of this permit

and applicable federal and state laws, the equipment shall be designed, constructed and operated in accordance with the representation of the equipment in the preconstruction permit application. [Approval Nos. 1438 & 1546(F)(1), Approval No. 1866(F)(1)]

- b. Emission unit P002 is subject to the requirements of Title 40 of the Code of Federal Regulations, Part 60 (40 CFR 60), Subparts A, (General Provisions) and RR (Standards of Performance for Pressure Sensitive Tape and Label Surfacing Coating Operations). If there is any conflict between any term or condition in Section I.A of this permit and the applicable provisions of any of these subparts, the permittee shall comply with the term or condition in Section I.A of this permit. [Approval Nos. 1438 & 1546(F)(5), Approval No. 1866(F)(5)]
- c. 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. [Approval No. 1866(F)(6)]

**B. Requirements for Emissions Unit F001**

The following requirements are applicable to:

Emission unit F001, which consists of the Skiving process. Skiving is the production of thin films by “veneering” or shaving the film from a cylindrical form on large lathes. Isopropanol is used as the lubricant. There are no specific requirements for F001. This does not relieve the permittee from compliance with the provisions of the General Conditions, outlined in Section II of this permit, as they apply to F001.

**C. Requirements for Emission Unit P008**

- Emission unit P008, which is a Cycle Solve Degreaser, Model No. S-094.

**1. Operating Requirements**

- a. Equipment covers and dipping/rotating baskets shall be constructed of nonporous or nonabsorbent material. Covers must form a tight seal with the sides of P008 and have no gaps or holes. [36.4.1]
- b. When the cover of P008 is open, drafts at the same elevation as the tank lip must not be greater than 40 m/min. (130 ft/min.) when measured 1 to 2 meters (3 to 7 feet) upwind. [36.4.2]

- c. Leaks shall be repaired immediately or P008 shall be shut down [36.4.3]
- d. P008 shall display a conspicuous summary of proper operating procedures consistent with minimizing emissions of organic solvents. [36.4.4]
- e. Any solvent spray must be a solid, fluid stream which is delivered at a pressure no greater than 10 pounds per square inch (psi) and which does not cause excessive splashing. [36.4.5]
- f. Spills shall be wiped up immediately. The wipe rags shall be stored in covered containers meeting the specifications in Condition I.C.1.1 of this permit. [36.4.6]
- g. Porous or absorbent materials, such as sponges, fabrics, wood, or paper products, shall not be cleaned in P008. [36.4.7]
- h. Parts baskets or parts shall be drained under the cover and shall not be removed from P008 for at least 15 seconds or until dripping ceases and the pieces are visually dry, whichever is longer. [36.4.8]
- i. Parts having cavities or blind holes shall be tipped or rotated while draining before being removed from the vapor zone. [36.4.9]
- j. Parts shall be oriented for best drainage. [36.4.10]
- k. When solvent is added to or drained from P008, the solvent shall be transferred using threaded or other leakproof couplings and the end of the pipe in the solvent sump shall be located beneath the liquid solvent surface. [36.4.11]
- l. Solvent, waste solvent, still bottoms, and sump bottoms shall be stored in covered containers and waste solvent transferal or disposal shall not allow greater than 20 percent of the waste solvent (by weight) to evaporate into the atmosphere. [36.4.12]
- m. P008 shall be maintained as recommended by the manufacturer of the equipment. [36.4.13]
- n. Operators must receive training in proper solvent cleaning procedures and, if requested by representatives of the Office of Air Resources or the USEPA during an inspection, shall complete and pass the applicable sections of the test on those procedures as shown in Appendix A of APC Regulation No. 36. [36.4.14]

- o. P008 shall be equipped with an attached cover, below the lip exhaust, that can be operated easily with one hand. The covers shall be closed at all times except during parts entry and removal. [36.5.1]
- p. A freeboard ratio greater than or equal to 0.75 shall be used to control solvent emissions from P008. [36.5.3]
- q. If a flexible hose or flushing device is used, flushing shall be performed only within the freeboard zone of P008. [36.5.4]
- r. The height of solvent in P008 shall not exceed the manufacturer's fill line for that machine. [36.5.6]

## **2. Recordkeeping Requirements**

- a. The permittee shall maintain the following records:
  - (1) Training provided to operators of P008 for the lifetime of the unit, [36.10.4(a), 29.6.3(b)]
  - (2) The amount and type of solvent used in P008 for each year, and [36.10.4(a), 29.6.3(b)]
  - (3) The date and type of each equipment malfunction or leak and the date the malfunction or leak is repaired. [36.10.4(b), 29.6.3(b)]

## **D. Facility Requirements**

- 1. The permittee shall file a completed Air Toxics Operating Permit Application with the Office of Air Resources within 60 days of written notice from the Director. [22.5.2]

## SECTION II. GENERAL CONDITIONS

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**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". [29.6.8(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.Y 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. [29.6.8(a), 29.4.2(c), 29.4.6]

**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. [29.10.1(a)(4)]

**D. Property Rights**

This permit does not convey any property rights of any sort, or any exclusive privilege. [29.6.8(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. Room 230  
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 I  
Office of Environmental Stewardship  
Director, Air Compliance Program  
Attn: Air Compliance Clerk  
One Congress St. Suite 1100 (SEA)  
Boston, MA 02114 - 2023

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. [29.6.8(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:
  - a. having access to and copying at reasonable times any records that must be kept under the conditions of this permit;
  - 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
  - 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), 29.6.8(f)(1-4), Approval Nos. 1438 & 1546(F)(4), Approval No. 1866(F)(4)]

Nothing in this condition shall limit the ability of the 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. [29.6.8(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. [29.6.5(a)]
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. [29.6.8(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. [29.6.11(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: [29.6.11(a) & 29.6.11(c)]

1. an emergency occurred and that the permittee can identify the cause(s) of the emergency; [29.6.11(c)(1)]
2. the permitted facility was at the time being properly operated; [29.6.11(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 [29.6.11(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.AA.3 of this permit. [29.6.11(c)(4)]

The permittee shall have the burden of proof in seeking to establish the occurrence of an emergency. [29.6.11(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. [29.6.8(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. [29.5.4]

**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. [29.6.13(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. [29.6.13(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. [29.6.13(d)]

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. [29.9.5(b)]

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. [29.9.5(a)]

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. [29.6.8(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: [29.11.2(a)]
  - a. Each such change shall not violate any term or condition of this permit. [29.11.2(b)]
  - b. Each change shall comply with all applicable requirements. [29.11.2(b)]
  - c. 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. [29.11.2(a)]
  - d. Before the permit change is made, the permittee must provide contemporaneous written notice to the Office of Air Resources and the USEPA Region I, except for changes that qualify as insignificant activities in Appendix A of APC Regulation No. 29. 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. [29.11.2(c)]
- e. The permit shield does not apply to changes made under this provision. [29.11.2(d)]
  - f. 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. [29.11.2(e)]
- 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 Regulation No. 9, if applicable. [29.11.2(a)]
  - 3. Changes made pursuant to this provision shall be incorporated into this permit at the time of renewal. [29.11.2(f)]

**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. This class of changes does not include:
  - a. changes that would violate applicable requirements; or
  - b. changes to federally-enforceable permit terms or conditions that are monitoring (including test methods), recordkeeping, reporting, or compliance certification requirements. [29.11.1(a), 29.1.36]
- 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. [29.11.1(a)(1), 29.11.1(a)(2), [Approval Nos. 1438 & 1546(E)(6), 40 CFR 60.7(a)(4)]
- 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 paragraph 2 if the Office of

Air Resources has not responded nor objected to the proposed change on or before that day. [29.11.1(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 paragraph 2, the permit shield shall be reinstated in accordance with terms and conditions stated in this permit. [29.11.1(c)]
5. Changes made pursuant to this provision shall be incorporated into the operating permit at the time of renewal. [29.11.1(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. [29.6.6(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. [7.1]

**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. [17.1]
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. [17.2]

**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. [1.2] 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. [1.4]

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. [1.3.1, 1.3.2]

**S. Open Fires**

It shall be unlawful for the permittee to burn any material in an open fire, except as provided in APC Regulation No. 4, Section 4.3. [4.2]

**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 APC Regulation No. 9 without obtaining either a minor source permit or a major source permit from the Director. [9.2.1]

**U. Sulfur in Fuel**

1. Except as may be specified in other provisions of this permit, unless the Director declares in writing after a hearing that a shortage of low sulfur fuel exists, the permittee shall not use or store fuel oil with a sulfur content greater than 1.0% by weight, except for use with marine vessels or motor vehicles. [8.2, 8.3.6]
2. Compliance with the sulfur in fuel limitations contained in this section shall be determined by the procedures listed below or by another method deemed equivalent by the Director and USEPA: [29.6.3(b)]
  - a. For each shipment of fuel oil, the permittee shall obtain a certification from the fuel supplier which contains:
    - (1) For distillate fuel oil:
      - (a) the name of the supplier
      - (b) a statement that the oil complies with the specification for fuel oil number 1 or 2, as defined by the American Society for Testing and Materials in ASTM D396-78 "Standard Specification for Fuel Oils."
    - (2) For residual fuel oil:
      - (a) The name of the supplier,
      - (b) The sulfur content of the oil and the ASTM method used to determine the sulfur content of the oil,

- (c) The location of the oil when the sample was drawn for analysis to determine the sulfur 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.
- (3) For diesel fuel oil:
- (a) the name of the supplier,
  - (b) a statement that the oil complies with the specification for diesel fuel oil grade 1-D or 2-D, as defined by the American Society for Testing and Materials in ASTM D975-03 “Standard Specification for Fuel Oils.” [29.6.3]
- b. As an alternative to fuel oil certification, the permittee may elect to sample the fuel oil prior to combustion. Sampling and analysis shall be conducted after each new shipment of fuel oil is received. Samples shall be collected from the fuel tank immediately after the fuel tank is filled and before any fuel oil is combusted. [8.4.1(b), 29.6.3(b)]
  - c. All fuel oil must be sampled and analyzed according to ASTM methods which have the prior approval of or are required by the Office of Air Resources. [8.4.1(b), 29.6.3(b)]
  - d. 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 designated personnel of the Office of Air Resources 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. [29.6.4(a)(1)]
  - e. 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. Sampling and analysis of fossil fuels under Condition II.U.2 of this permit shall not limit the collection of samples under this condition. [8.4.3]

**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 APC Regulation

No. 10. [10.1]

**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. [5.2]

**X. Compliance Certifications**

1. The permittee shall submit a certification of compliance with permit terms and conditions annually. [29.6.5(c)(1)]
2. The certification shall describe the following:
  - a. the permit term or condition that is the basis of the certification; [29.6.5(c)(3)a]
  - b. the current compliance status; [29.6.5(c)(3)b]
  - c. whether compliance was continuous or intermittent; and [29.6.5(c)(3)c]
  - d. the methods used for determining compliance, currently and over the reporting period. [29.6.5(c)(3)d]
3. All compliance certifications shall be submitted to the Office of Air Resources and to the USEPA Region I. They shall be submitted within 60 days following the end of the reporting period which is the calendar year unless otherwise specified. [29.6.5(c)(4)]
4. All compliance certifications shall be certified as being true, accurate, and complete by a responsible corporate 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. [29.6.8(e)]

**Y. Permit Shield**

1. Compliance with the terms and conditions of this permit shall be deemed compliance with all requirements applicable to the source in the following: Approval Nos. 1438 & 1546 and 1866, 40 CFR 60 Subpart RR, 40 CFR 64 and RI APC Regulations Nos. 1, 4, 5, 7, 8, 9, 10, 14, 16, 17, 19, 22, 28, 29 and 36. [29.6.12(a)(1)]

2. The Office of Air Resources has determined that units P001, P002, P003, P004, P005, P006, P008, V001 and F001 are not subject to the following regulations: RI APC Regulation Nos. 2, 3, 6, 11, 12, 13, 15, 20, 21, 23, 24, 25, 26, 27, 30, 31, 32, 33, 35, 38, 39 and 41. [29.6.12(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 the USEPA under that Section. [29.6.12(c)(1)]
  - b. the liability of the permittee for any violation of applicable requirements prior to or at the time of permit issuance. [29.6.12(c)(2)]
  - c. the applicable requirements of the acid rain program consistent with Section 408 of the Clean Air Act. [29.6.12(c)(3)]
  - d. the ability of the USEPA to obtain information under Section 114 of the Act. [29.6.12(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. [29.6.12(d)]

**Z. Recordkeeping**

1. The permittee shall, at the request of the Director, maintain and record 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. [14.2.1]
2. All records and supporting information required by this permit shall be maintained at the permittee's 15 Ray Trainor Drive 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. [14.2.1, 29.6.4(a)(2), [Approval Nos. 1438 & 1546(E)(7), Approval No. 1866(E)(8)]
3. The permittee shall keep records of required monitoring information that include the following:

- a. The date, place and time of sampling or measurements; [29.6.4(a)(1)]
- b. The date(s) analyses were performed; [29.6.4(a)(1)]
- c. The company or entity that performed the analyses; [29.6.4(a)(1)]
- d. The analytical techniques or methods used; [29.6.4(a)(1)]
- e. The results of such analyses; and [29.6.4(a)(1)]
- f. The operating conditions as existing at the time of sampling or measurement. [29.6.4(a)(1)]

**AA. Reporting**

1. The information recorded by the permittee pursuant to Condition II.Z.1 of this Section shall be summarized and reported at least annually to the Director. It shall be submitted by April 15<sup>th</sup> unless otherwise specified. [14.2.2] Information submitted pursuant to this condition will be correlated with applicable emissions limitations and other applicable emissions information and will be available for public inspection. [14.2.3]
2. The permittee shall submit reports of any required monitoring for each semi annual period ending 30 June and 31 December of every 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.X.4 of this permit. [29.6.4(b)(1)]
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.X.4. of this permit. [29.6.4(b)(2), Approval Nos. 1438 & 1546(E)(2), Approval No. 1866(E)(2)]
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. [Approval Nos. 1438 & 1546(E)(5), Approval No. 1866(E)(6), 40 CFR 60.7(a)(4)]

**BB. 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 51.212c, 52.12c, 52.33a]

**CC. Emission Statements**

1. The permittee shall submit annually an emission statement which includes information for both VOC and NO<sub>x</sub> if facility wide actual emissions are 25 tons per year of either pollutant. Emission statements shall be submitted to the Office of Air Resources on April 15<sup>th</sup> 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. [14.3.1] 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: [14.3.2]
  - a. A certification that the information contained in the emission statement is accurate and complete to the best knowledge of the certifying individual.
  - b. The full name, title, signature, date of signature, and telephone number of the certifying individual.
  - c. Facility identification information, including the full name, physical location, mailing address, latitude, longitude, and four digit SIC code(s).
  - d. Process data pertaining to each process emitting VOC and/or NO<sub>x</sub>, including:
    - (1) Annual and typical ozone season daily fuel use,
    - (2) Annual and typical ozone season daily process rate(s), and
    - (3) Process throughput while air pollution control equipment was not in operation.
  - e. Operating data pertaining to each process emitting VOC and/or NO<sub>x</sub> during the reporting year, including:
    - (1) Percentage annual throughput,
    - (2) Average hours of operation per day during the reporting year and on a typical ozone season day,
    - (3) Average number of days of operation per week during the reporting year and during a typical ozone season week, and

- (4) Weeks of operation during the reporting year and during the peak ozone season.
- f. Control equipment information, including:
- (1) Specific primary and secondary control equipment for each process emitting VOC and/or NO<sub>x</sub>,
  - (2) Current overall control efficiency for each piece of control equipment (indicated by percent capture and percent destruction or removal), and
  - (3) Control equipment downtime during the reporting year and during the peak ozone season.
- g. Emissions information, including:
- (1) Actual annual and typical ozone season daily emissions of VOC and NO<sub>x</sub> for each process. Emissions should be reported in tons per year and in pounds per day.
  - (2) A description of the emission calculation method and, if applicable, emission factor(s) used, and
  - (3) The calendar year for which emissions are reported.
- h. Any additional information required by the Director to document the facility's emission statements.

**DD. 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. [29.6.8(c)(3)]
2. Any application for a permit revision need only submit information related to the proposed change. [29.4.3(c)]
3. Terms not otherwise defined in this permit shall have the meaning given to such terms in 40 CFR 60.2, the Clean Air Act as amended in 1990 or 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

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#### 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. If the permittee performs a service on motor (fleet) vehicles when this service involves ozone-depleting substance refrigerant (or regulated substitute substance) in the motor vehicle air conditioner (MVAC), the permittee is subject to all the applicable requirements as specified in 40 CFR Part 82, Subpart B, "Servicing of Motor Vehicle Air Conditioners".

The term "motor vehicle" as used in Subpart B does not include a vehicle in which final assembly of the vehicle has not been completed. The term "MVAC" as used in Subpart B does not include the air-tight sealed refrigeration system used as refrigerated cargo or system used on passenger buses using HCFC-22 refrigerant.

5. 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.