



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

OPERATING PERMIT

KIK CUSTOM PRODUCTS, INC.

PERMIT NO. RI-43-05(R2)

(Expiration date: 01-21-10)

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

KIK Custom Products, Inc.
Martin Street
Cumberland, RI 02864-5361

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

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

**9/18/2006
Date of revision**

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SECTION I. SOURCE SPECIFIC CONDITIONS

A. Requirements for Emissions Units B001 and B002

The following requirements are applicable to:

- Emissions units B001 and B002, each of which is a 16.7 MMBTU/hr Cleaver Brooks boiler, Model No. CB(LE)-400-400, equipped with low-NO_x burners and flue gas recirculation, capable of burning No. 6 fuel oil and natural gas.

1. **Emission Limitations**

a. Natural Gas Firing

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

The emission rate of nitrogen oxides discharged to the atmosphere from each boiler (B001 and B002) shall not exceed 0.035 lbs per million BTU heat input or 0.59 lbs/hr, whichever is more stringent. [Approval Nos. 1523-1524(A)(1)(a)]

- (2) Carbon Monoxide (CO)

The emissions rate of carbon monoxide discharged to the atmosphere from each boiler (B001 and B002) shall not exceed 0.109 lbs per million BTU heat input or 0.61 lbs/hr, whichever is more stringent. [Approval Nos. 1523-1524(A)(1)(b)]

- (3) Total Nonmethane Hydrocarbons (NMHC)

The emission rate of total nonmethane hydrocarbons discharged to the atmosphere from each boiler (B001 and B002) shall not exceed 0.012 lbs per million BTU heat input or 0.20 lbs/hr, whichever is more stringent. [Approval Nos. 1523-1524 (A)(1)(c)]

- (4) Particulate Matter

The emission rate of particulate matter discharged to the atmosphere from each boiler (B001 and B002) shall not exceed 0.10 lbs per million BTU heat input. [13.2.1]

b. Oil Firing

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

The emission rate of nitrogen oxides discharged to the atmosphere from each boiler (B001 and B002) shall not exceed 0.50 lbs per million BTU heat input or 8.44 lbs/hr, whichever is more stringent. [Approval Nos. 1523-1524(A)(2)(a)]

(2) Carbon Monoxide (CO)

The emission rate of carbon monoxide discharged to the atmosphere from each boiler (B001 and B002) shall not exceed 0.075 lbs per million BTU heat input or 1.26 lbs/hr, whichever is more stringent. [Approval Nos. 1523-1524(A)(2)(b)]

(3) Sulfur Dioxide (SO₂)

(a) All fuel burned in B001 and B002 shall contain no more than 0.5 percent sulfur by weight. [Approval Nos. 1523-1524 (A)(2)(c)(1), 40 CFR 60.42c(d), 8.2]

(b) The emissions rate of sulfur dioxide discharged to the atmosphere from each boiler (B001 and B002) shall not exceed 8.62 lbs/hr. [Approval Nos. 1523-1524 (A)(2)(c)(2)]

(4) Particulate Matter

The emission rate of particulate matter discharged to the atmosphere from each boiler (B001 and B002) shall not exceed 0.068 lbs per million BTU heat input or 1.14 lbs/hr whichever is more stringent. [Approval Nos. 1523-1524(A)(2)(d), 13.2.1]

(5) Total Nonmethane Hydrocarbons (NMHC)

The emission rate of total nonmethane hydrocarbons discharged to the atmosphere from each boiler (B001 and B002) shall not exceed 0.008 lbs per million BTU heat input or 0.126 lbs/hr, whichever is more stringent. [Approval Nos. 1523-1524 (A)(2)(e)]

c. Opacity

Visible emissions from B001 and B002 shall not exceed 10% opacity. (6-minute average). [Approval Nos. 1523-1524(B)(4), 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. Operating Requirements

- a. The maximum firing rate of each boiler (B001 and B002) shall not exceed 16,737.5 ft³/hr of natural gas or 111.6 gal/hr of No. 6 fuel oil. [Approval Nos. 1523-1524 (B)(1)]
- b. The permittee shall limit the combined quantity of No. 6 fuel oil combusted in B001 and B002 to 1,000,000 gallons or less for any consecutive 12-month period. [Approval Nos. 1523-1524(B)(2)]
- c. The flue gas recirculation system for B001 and B002 shall be in full operation whenever B001 and B002 are in operation and firing natural gas. [Approval Nos. 1523-1524(B)(3)]

3. Monitoring Requirements

- a. Opacity

Continuous emission monitoring equipment shall be operated and maintained for opacity when either B001 or B002 is operating on fuel oil. [Approval No. 1523-1524(C)(1), 6.2.2(a)]

4. Testing Requirements

- a. Particulates

Compliance with the particulate emissions limitations contained in Conditions I.A.1.a.(4) and I.A.1.b.(4) of this permit, shall be determined by emission testing conducted by the permittee according to Method 5 of 40 CFR 60, Appendix A, or another method approved by the Office of Air Resources and the USEPA, shall be used. [13.3.1]

The requirements of particulate emissions testing may be waived if the Director and the USEPA:

- (1) Specifies or approves, in a specific case, the use of reference method with minor changes in methodology; or
- (2) Approves the use of an equivalent or alternative method the results of which he has determined to be adequate for indicating whether the permittee is in compliance; or

- (3) Finds that the permittee has demonstrated by other means to the Director's and USEPA's satisfaction that the source is in compliance with the relevant emissions standards. [13.3.3]

In the absence of data from particulate emissions testing, the Director and USEPA may determine that an emissions unit is or is not in compliance with the emission limitations of Condition I.A.1.b.(4) of this permit based on available information including, but not limited to, type of fuel burned, design of unit, efficiency of air pollution control systems, operating and maintenance procedures, and emission test results on similar units. [13.3.2]

b. Opacity

Tests for determining compliance with the opacity limitations specified in Condition I.A.1.c 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. [1.3.1, 1.3.2, 40 CFR 60.45c(a)(8)]

c. Sulfur Dioxide (SO₂)

- (1) Compliance with fuel oil sulfur limits may be determined based on a certification from the fuel supplier. [Approval Nos. 1523-1524(D)(1), 40 CFR 60.42c(h)(2), 60.44c(h)]
- (2) Fuel supplier certification shall include the following information: [Approval Nos. 1523-1524(D)(2), 40 CFR 60.48c(f)(2)]
 - (a) The name of the oil supplier, [Approval Nos. 1523-1524(D)(2)(a), 40 CFR 60.48c(f)(2)(i)]
 - (b) The nitrogen and sulfur content of the fuel oil and the ASTM method used to determine the nitrogen and sulfur content of the fuel oil, [Approval Nos. 1523-1524(D)(2)(b), 40 CFR 60.48c(f)(2)(iii), 40 CFR 60.48c(f)(2)(iv)]
 - (c) The location of the oil when the sample was drawn for analysis to determine the sulfur and 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 supplier's or oil refiner's facility or another location. [Approval No. 1523-1524(D)(2)(c), 40 CFR 60.48c(f)(2)(ii)]
- (3) 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 for the oil in the initial tank of oil to be fired in each

boiler and after each new shipment of oil is received. Samples shall be collected from the fuel tank immediately after the fuel tank is filled and before any oil is combusted. [8.4.1(b), Approval Nos. 1523-1524(D)(3), 40 CFR 60.44c(g)]

- (4) Each fuel supplier certification or each fuel oil analysis must demonstrate that the oil contains 0.5 percent sulfur by weight or less. [Approval Nos. 1523-1524(D)(4)]

5. Recordkeeping Requirements

- a. The permittee shall record and maintain records of the amounts of each fuel combusted during each day as follows:
 - (1) The permittee shall read and record the natural gas usage from the natural gas flow meter to B001 and B002 on a daily basis. [Approval Nos. 1523-1524(E)(1)(a), 40 CFR 60.48c(g)]
 - (2) The permittee shall read and record the No. 6 fuel oil usage to B001 and B002 from the fuel gauge on the No. 6 fuel oil aboveground storage tank on a daily basis. [Approval Nos. 1523-1524(E)(1)(b), 40 CFR 60.48c(g)]
 - (3) The permittee shall install non-resettable elapsed time meters on B001 and B002 and connect the meters to the gas and oil flow solenoids such that anytime there is a fuel flow to B001 and B002, the elapsed time meters are activated. [Approval Nos. 1523-1524(E)(1)(c)]
 - (4) The permittee shall maintain an operating log for B001 and B002 and shall, using the elapsed time meters, record the hours during each day when B001 and/or B002 is operating on natural gas or No. 6 fuel oil. [Approval Nos. 1523-1524(E)(1)(d)]
- b. The permittee shall, on a monthly basis, no later than 15 days after the first of the month, apportion for the previous month, the total daily usage of natural gas and No. 6 fuel oil based on the total daily fuel usage and daily operating hours for each fuel for B001 and B002. The permittee shall keep records of this determination and provide such records to the Office of Air Resources upon request. [Approval Nos. 1523-1524(E)(2)]
- c. The permittee shall, on a monthly basis, no later than 15 days after the first of the month, determine the fuel use in B001 and B002 for the previous 12 months. The permittee shall keep records of this determination and provide such records to the Office of Air Resources upon request. [Approval Nos. 1523-1524(E)(3)]

- d. The permittee shall retain copies of all fuel supplier certifications for each calendar quarter. These records shall be made accessible for review by the Office of Air Resources or USEPA. This quarterly record shall include a certified statement, signed by the permittee, that the records of fuel supplier certifications submitted represent all of the fuel combusted during the quarter. [Approval Nos. 1523-1524(E)(9), 40 CFR 60.48c(e)(11)]
- e. The permittee shall maintain records of the occurrence and duration of any startup, shutdown, or malfunction in the operation of B001 and B002. [40 CFR 60.7(b)]

6. Reporting Requirements

- a. The permittee shall notify the Office of Air Resources whenever the combined fuel usage for B001 and B002 for any consecutive 12-month period exceeds 1,000,000 gallons of No. 6 fuel oil. [Approval Nos. 1523-1524 (E)(4)]
- 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. 1523-1524(E)(10)]
- c. The permittee shall submit to the Office of Air Resources, on a semi-annual basis, the records required in Condition I.A.5.d. of this permit. Each report shall be postmarked by the 30th day following the end of the reporting period. [40 CFR 60.48c(d), 40 CFR 60.48c(j)]

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 operated in accordance with the representation of the equipment in the preconstruction permit application. [Approval No. 1523-1524(F)(1)]
- b. The sulfur dioxide emission limits and fuel oil sulfur limits in section I.A. of this permit shall apply at all times, including periods of startup, shutdown and malfunction. [40 CFR 60.42c(i)]
- c. The particulate matter and opacity standards in section I.A. of this permit shall apply at all times, except during periods of startup, shutdown, or malfunction. [40 CFR 60.43c(d)]
- d. Emission units B001 and B002 are subject to the requirements of 40 CFR 60 Subpart A, "General Provisions". Compliance with all applicable provisions

therein is required, unless otherwise stated in this permit. [Approval Nos. 1523-1524(F)(3)]

B. Requirements for Emission Unit P001

The following requirements are applicable to:

- Emission unit P001 which is the aerosol propellant filling operation which consists of four gas houses and their associated production lines. These production lines utilize both Through The Valve (TTV) and Under The Cap (UTC) filling methods to pressurize and cap aerosol cans of various products. TTV filling method consists of 2 Katridge Pak 12 head TTV gassers and 2 Katridge Pak 15 head TTV gassers, Model No. Micro 1652-2 and 1651 15LH respectively. UTC filling method consists of 3 Katridge Pak 9 head UTC gassers. Model No. 1951-9L and 1951-9R.
- UTC filling method is associated with air pollution control device C001 which is a Maxon Corporation Flare System, Model No. HD-4"-41.

1. Emission Limitations

- a. The average control efficiency of the waste propellant collection system shall be 83 percent. This is to be achieved through a combination of 85 percent capture of the VOC generated by under-the-cup (UTC) filling and a 98 percent destruction of this VOC in C001. [Approval No. 1421(A)]

2. Operating Requirements

- a. The permittee shall operate the air pollution capture system on all UTC aerosol can filling lines at all times the UTC filling lines are operating in the UTC mode. All captured VOC shall be treated by C001 prior to discharge to the atmosphere. [RACT Approval No. 97-02-AP(6)(A)(3)]
- b. The permittee shall utilize TTV or Controlled UTC filling method to fill 100% of all aerosol products containing VOC and considered to be amenable. Amenable aerosol products are defined as those products that are not shaving creams and do not contain carbon dioxide, nitrogen propellants or any of the following compounds: [RACT Approval No. 97-02-AP(6)(A)(4)]

- (1) acetone;
- (2) ethane;
- (3) HFC-23 (trifluoromethane);
- (4) HFC-125 (pentafluoroethane);
- (5) HFC-134 (1,1,2,2-tetrafluoroethane);
- (6) HFC-134a (1,1,1,2-tetrafluoroethane);
- (7) HFC-143a (1,1,1,2-trifluoroethane);
- (8) HFC-152a (1,1-difluoroethane).

- c. All VOC emissions captured from the UTC fill lines shall be contained and routed to C001 for treatment prior to discharge to the atmosphere. [Approval No. 1421(B)(1)]
- d. The flow of VOC to C001 shall not exceed 900 cfm. [Approval No. 1421(B)(2)]
- e. C001 shall be operated with a flame present at all times. [Approval No. 1421(B)(3)]
- f. There shall be no by passing of C001 during times when VOC is being discharged to the system except when the VOC is blended with HFC compounds. [Approval No. 1421(F)(2)]
- g. Propellants which contain HFC compounds shall not be introduced to C001. [Approval No. 1421(F)(3)]
- h. C001 shall be operated according to its design specifications whenever P001 is in operation or is emitting air contaminants. [16.1]
- i. In the case of a malfunction of C001, 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 is expected or may reasonably be expected to continue for longer than 24 hours and if the permittee wishes to operate P001 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: [Approval No. 1421(E)(1), 16.2]
 - (1) Identification of the specific air pollution control system (i.e. C001) and source on which it is installed (i.e. P001); [Approval No. 1421(E)(1)(a), 16.2(a)]
 - (2) The expected period of time that the air pollution control system will be malfunctioning or out of service; [Approval No. 1421(E)(1)(b), 16.2(b)]
 - (3) The nature and quantity of air contaminants likely to be emitted during said period; [Approval No. 1421(E)(1)(c), 16.2(c)]
 - (4) Measures that will be taken to minimize the length of said period; [Approval No. 1421(E)(1)(d), 16.2(d)]

- (5) The reasons that it would be impossible or impractical to cease the source operation during said period. [Approval No. 1421(E)(1)(e), 16.2(e)]
- j. The permittee may seek to establish that a malfunction of C001 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:
- (1) The malfunction was not attributable to improperly designed equipment, lack of preventative maintenance, careless or improper operation, or operator error;
 - (2) The malfunction was not part of a recurring pattern indicative of inadequate design, operation or maintenance;
 - (3) Repairs necessary to bring C001 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.
 - (4) All possible steps were taken to minimize emissions during the period of time that the repairs were performed.
 - (5) Emissions during the period of time that the repairs were performed will not:
 - (a) 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
 - (b) Cause or contribute to air pollution in violation of any applicable state or national ambient air quality standard.
 - (6) The reasons that it would be impossible or impractical to cease the source operation during said period.

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.

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. 1421(E)(2)(a-f)]

- k. The permittee will actively work to achieve conversion from under-the-cup (UTC) to through-the-valve (TTV) filling on the four (4) aerosol can filling lines. The Office of Air Resources considers the TTV filling method to be RACT for the aerosol can filling lines. [RACT Approval No. 97-02-AP(6)(A)(2)]

3. Monitoring Requirements

- a. The presence of a flare flame shall be monitored using a thermocouple or any other equivalent device to detect the presence of a flame. [Approval No. 1421(C)(1)]
- b. C001 shall be equipped with a flame failure detection device, which will sense a flame-out of the flare and will shut down the flow of VOC to C001. [Approval No. 1421(C)(2)]
- c. C001 shall be equipped with a pilot ignition source. When the flare is lit or relit, fuel must be provided to ensure that a flame is present so that untreated VOC is not discharged to the atmosphere. The pilot shall use waste propellant as an ignition source but the system will also be equipped with the ability to light the pilot using propane. Propane will be used in the event that the pilot can not be lit using the waste propellant. [Approval No. 1421(C)(3)]
- d. The permittee shall visually inspect C001 to confirm that a flame is present upon start-up or re-lighting of C001. [Approval No. 1421(C)(4)]
- e. The permittee shall collect the daily operating time of C001. [Approval No. 1421(D)(1)]

4. Testing Requirements

- a. When in the opinion of the Office of Air Resources, or the USEPA, it becomes necessary to conduct testing to demonstrate compliance with Condition I.B.2.a of this permit, the permittee shall, at its own expense, conduct such tests in accordance with the applicable test methods and procedures specified in 40 CFR Part 60, Appendix A, and 40 CFR Part 51, Appendix M, Method 204. [RACT Approval No. 97-02-AP(6)(A)(3)(a)]

5. Recordkeeping Requirements

- a. The permittee shall record the date and time of each inspection of C001 to confirm that a flame is present upon start-up or re-lighting of C001. [Approval No. 1421(C)(4)]
- b. The permittee shall record and maintain the daily operating time of C001. [Approval No. 1421(D)(1)]
- c. The permittee shall collect and record the following information pertaining to the operation of C001 for each day of operation: [RACT Approval No. 97-02-AP(8)(E)]
 - (1) a log of operating time for the capture system, monitoring equipment and the associated filling lines; and [RACT Approval No. 97-02-AP(8)(E)(1)]
 - (2) a maintenance log for the capture system and monitoring equipment detailing all routine and non-routine maintenance performed, including dates of any maintenance; and [RACT Approval No. 97-02-AP(8)(E)(2)]
 - (3) a log of any outages of the capture system and the duration of the outages. [RACT Approval No. 97-02-AP(8)(E)(3)]

6. Reporting Requirements

- a. The permittee shall continue to work with their customers to further decrease the percentage of cans filled by the UTC method. The permittee shall submit to the Office of Air Resources, in writing, a report detailing the progress made in the conversion of all products to TTV filling. The report must be submitted to the Office of Air Resources no later than fifteen (15) days after the end of the calendar year [RACT Approval No. 97-02-AP(11)]
- b. The permittee shall notify the Office of Air Resources in writing of any anticipated noncompliance with the terms in section I.B. of this permit or any other applicable air pollution control rules and regulations. [Approval No.1421(D)(2)]
- c. The permittee shall notify the Office of Air Resources immediately of any breakdown or malfunction of C001. 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. A copy of each report shall be kept at the facility. [Approval No. 1421(D)(4)]

- (1) The date the breakdown or malfunction occurred
- (2) The suspected reason for the malfunction
- (3) The corrective action taken
- (4) The time needed to make repairs

7. Other Permit Requirements

- a. To the extent consistent with the requirements in Section I.B of this permit and applicable federal and state laws, the equipment shall be operated in accordance with the representation of the equipment in the preconstruction permit application. [Approval No. 1421(F)(1)]

C. Requirements for Emission Unit P003

The following requirements are applicable to:

- Emission Unit P003, which is a Bloapco scrap can shredder, Model No. 3FS1536V.

1. Operating Requirements

- a. P003 shall be used to destroy only the cans of aerosol products that do not meet product specifications required by the permittee's customers. However, to reduce the amount of cans of aerosol products that are destroyed by P003, the permittee shall implement the following program: [RACT Approval No. 97-02-AP(6)(B)(1)]
 - (1) An employee product give-away program designed to give a portion of rejected cans of aerosol products to employees for their personal use, thereby, preventing these products from being processed in the scrap can shredder. [RACT Approval No. 97-02-AP(6)(B)(1)(a)]

2. Recordkeeping Requirements

- a. To demonstrate compliance with Condition I.C.1.a of this permit the permittee shall, on a monthly basis, record the number of cans of aerosol products which were provided to employees as part of the employee give-away program and the number of cans of aerosol products that were processed in the scrap can shredder. [RACT Approval No. 97-02-AP(9)]

D. Requirements for Emissions Unit P004

The following requirements are applicable to:

- Emissions unit P004 which consists of the following:
 - ◆ Pipe Disconnect Losses and Propellant Changeovers;
 - ◆ Ethanol Storage Tanks;
 - ◆ Concentrate Day Tanks;
 - ◆ Concentrate Filling;
 - ◆ Ethanol Flushing;
 - ◆ Washing Pots and Production Usage of Ethanol;
 - ◆ Spray Testing;
 - ◆ Stick Compounding and Stick Filling.

1. Operating Requirements

- a. The permittee shall actively pursue methods to minimize VOC emissions from P004. [RACT Approval No. 97-02-AP(7)(A)]

2. Reporting Requirements

- a. The permittee shall submit to the Office of Air Resources, in writing, a report documenting the steps taken to reduce VOC emissions from P004. The report shall be submitted to the Office of Air Resources no later than fifteen (15) days after the end of the calendar year. [RACT Approval No. 97-02-AP(10)]

3. Other Requirements

- a. At the discretion of the Office of Air Resources, the permittee shall undergo RACT review of emission unit P004 every two years. [RACT Approval No. 97-02-AP(7)(B), 15.3.6]

E. Requirements for Emissions Unit P007

The following requirements are applicable to:

- Emissions unit P007 which is the compounding area. P007 is associated with air pollution control devices C002, C003, and C004.
- C002 is an OptiFlo Dustcatcher, Model No. 2.
- C003 is an OptiFlo Dustcatcher, Model No. 6.
- C004 is a Torit Dust Collector, Model No. DFT 3-6.

1. Emission Limitations

a. Opacity

The permittee shall not emit into the atmosphere, 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 to meet this requirement, such failure shall not be a violation of this permit. [1.4]

2. Operating Requirements

- a. The permittee shall actively pursue methods to minimize VOC emissions from P007. [RACT Approval No. 97-02-AP(7)(A)]
- b. The permittee shall be operated according to its design specifications whenever P007 is in operation or is emitting air contaminants. [16.1]
- c. In case of a malfunction of C002, C003, and/or C004, 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 C002, C003, and/or C004 is expected or may reasonably be expected to continue for longer than 24 hours and if the permittee wishes to operate P007 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]
 - (1) Identification of the specific air pollution control system (i.e. C002, C003, and/or C004) and the source on which it is installed (i.e. P007), [16.2(a)]
 - (2) The expected period of time that the control system will be malfunctioning or out of service, [16.2(b)]

- (3) The nature and quantity of air contaminants likely to be emitted during said period, [16.2(c)]
- (4) Measures that will be taken to minimize the length of said period, and [16.2(d)]
- (5) The reasons it would be impossible or impractical to cease the source operation during said period. [16.2(e)]

3. Monitoring Requirements

- a. The permittee shall continuously monitor pressure drop across air pollution control devices C002, C003, and C004. [29.6.3(b)]

4. Testing Requirements

- a. Opacity

Tests for determining compliance with the opacity limitations specified in Condition I.E.1.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. [1.3.1, 1.3.2]

5. Recordkeeping Requirements

- a. The permittee shall check the pressure drop across the air pollution control devices C002, C003, and C004 a minimum of once per day and the date, time, and measurement shall be recorded. [29.6.3(b)]

6. Reporting Requirements

- a. The permittee shall submit to the Office of Air Resources, in writing, a report documenting the steps taken to reduce VOC emissions from P007. The report shall be submitted to the Office of Air Resources no later than fifteen (15) days after the end of the calendar year. [RACT Approval No. 97-02-AP(10)]

7. Other Requirements

- a. At the discretion of the Office of Air Resources, the permittee shall undergo RACT review of emission unit P007 every two years. [RACT Approval No. 97-02-AP(7)(B), 15.3.6]

F. Requirements for Emissions Unit P016

The following requirements are applicable to:

- Emissions unit P016, which consists of two remote reservoir degreasers.

1. Operating Requirements

- a. Covers and dipping/rotating baskets shall be constructed of nonporous or nonabsorbent material. Covers must form a tight seal with the sides of P016 and have no gaps or holes. [36.4.1]
- b. When the covers of P016 are 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 P016 shall be shut down. [36.4.3]
- d. P016 shall display a conspicuous summary of proper operating procedures consistent with minimizing emissions of organic solvents. [36.4.4]
- e. Any solvent spray in P016 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 I.F.1.1. [36.4.6]
- g. Porous or absorbent materials, such as sponges, fabrics, wood, or paper products, shall not be cleaned in P016. [36.4.7]
- h. Parts baskets or parts shall be drained under the cover and shall not be removed from P016 for at least 15 seconds or until dripping ceases and the pieces are visually dry, whichever is longer. [36.4.8]
- i. Parts with cavities or blind holes shall be tipped or rotated while draining before 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 P016, the solvent shall be transferred using threaded or other leak-proof 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. P016 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 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. P016 shall be equipped with an attached cover 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. The solvent sump of P016 shall be equipped with a tight fitting cover that is kept closed at all times except during the cleaning of parts. [36.5.2]
- q. A freeboard ratio greater than or equal to 0.75 shall be used to control solvent emissions from P016. [36.5.3]
- r. If a flexible hose or flushing device is used, flushing shall be performed only within the freeboard zone of P016. [36.5.4]
- s. The solvent height in P016 shall not exceed the manufacturer's fill line. [36.5.6]

2. Recordkeeping Requirements

- a. The permittee shall maintain the following records: [36.10.4(a) - (b)]
 - (1) Training provided to the operators of P016 for the lifetime of the unit; [36.10.4]
 - (2) The amount and type of solvent used in P016 for each year; [36.10.4(a)]
 - (3) The date and type of each equipment malfunction or leak and the date the malfunction or leak is repaired. [36.10.4(b)]

G. Requirements for Emissions Unit P018

The following requirements are applicable to:

- Emission unit P018 which are two aerosol production lines, Facility Nos. C07 and C09. These lines utilize the Through The Valve (TTV) filling method to pressurize and cap aerosol cans of various products.

1. Emission Limitations

- a. VOC emissions from the through-the valve (TTV) filling method shall not exceed 0.001 lbs per can. [Approval No. 1557(A)(1), Approval No. 1727(A)(1)]

2. Operating Requirements

- a. The permittee shall limit production from P018 to 45,420,000 cans or less for any consecutive 12 month period. [Approval No. 1557(B)(1), Approval No. 1727(B)(1)]
- b. P018 shall be equipped with four nonleaking diaphragm booster pumps. [Approval No. 1727(B)(3)]

3. Record Keeping Requirements

- a. The permittee shall, on a monthly basis, no later than fifteen (5) days after the first of the month, determine and record the number of cans filled on P018 for the previous 12 months. [Approval No. 1557(C)(1), Approval No. 1727(C)(1), RACT Approval No. 97-2-AP(8)(C)]

4. Reporting Requirements

- a. The permittee shall notify the Office of Air Resources whenever the total quantity of cans filled on P018 exceeds 45,420,000 cans for any consecutive 12 month period. [Approval No. 1557 (C)(2), Approval No. 1727(C)(2)]
- b. The permittee shall notify the Office of Air Resources of any anticipated noncompliance with the terms of Section I.G of this permit or any other applicable air pollution control rules and regulations. [Approval No. 1557(C)(7), Approval No. 1727(C)(6)]
- c. The permittee shall notify the Office of Air Resources of any noncompliance with the terms of Section I.G of this permit, in writing, within 48 hours of the occurrence. [Approval No. 1557(C)(8), Approval No. 1727(C)(7)]

5. Other Conditions

- a. 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 preconstruction permit applications. [Approval No. 1557(D)(1), Approval No. 1727(D)(1)]

H. Facility Requirements

1. Operating Requirements

- a. The permittee shall limit the packaging of aerosol products to no more than two hundred fifty million (250,000,000) cans per year and twenty million, eight hundred thirty three thousand, three hundred thirty three (20,833,333) cans per month. The permittee will meet the two hundred fifty million (250,000,000) can limit over every consecutive twelve (12) month period. [RACT Approval No. 97-02-AP (6)(A)(1), Approval No. 1557 (B)(2), Approval No. 1727(B)(2)]
- b. The permittee shall utilize zero-leaking booster pumps on all aerosol filling lines. The booster pumps shall be maintained according to the manufacturer's recommendations to include:
 - (1) a daily inspection for oil level, and
 - (2) an oil change every 1000 hours of operation, and
 - (3) pump rebuilding, replacing the diaphragm, springs and oil after 8 months of operation or indication of failure indicated by pump pressure. [RACT Approval No. 97-02-AP(6)(A)(5)]

2. Recordkeeping Requirement

- a. On a monthly basis, no later than fifteen (15) days after the first of each month, the permittee shall determine and record the number of cans of aerosol products packaged at the facility during the previous month. [RACT Approval No. 97-2-AP(8)(A)]
- b. On a monthly basis, no later than fifteen (15) days after the first of each month, the permittee shall determine and record the number of cans of aerosol products packaged at the facility for the most recent twelve (12) month period (12 month rolling total). [RACT Approval No. 97-02-AP(8)(B), Approval No. 1557(C)(1), Approval No. 1727(C)(1)]
- c. On a monthly basis, no later than fifteen (15) days after the first of each month, the permittee shall determine and record the number of cans of

aerosol products packaged using TTV filling or controlled UTC filling during the previous month, and for the most recent twelve (12) month period (12 month rolling total). [RACT Approval No. 97-02-AP(8)(C)]

- d. On a monthly basis, no later than fifteen (15) days after the first of each month, the permittee shall determine and record the number of cans of aerosol products packaged that are not considered amenable, as that term is defined in Condition I.B.2.b of this permit, and filled using a method other than the TTV method or controlled UTC method, during the previous month and for the most recent twelve (12) month period (12 month rolling total). [RACT Approval No. 97-02-AP(8)(D)]
- e. The permittee shall collect and record the following information pertaining to the operation of the zero-leak booster pumps:
 - (1) a log of the operating hours for each pump, and
 - (2) a maintenance log for each pump detailing routine and non-routine maintenance performed, including dates. [RACT Approval No. 97-02-AP(8)(F)]

3. Reporting Requirements

- a. The permittee shall notify the Office of Air Resources whenever the quantity of cans filled by the UTC and TTV filling method for the entire facility for any consecutive 12 month period exceeds 250,000,000 cans. [Approval No. 1557 (C)(3), Approval No. 1727(C)(3)]

4. Other Requirements

- a. The permittee shall notify the Office of Air Resources, in writing, of any violation of this permit within 5 business days of the violation. Violation of any conditions established in this permit may result in enforcement actions, which may include monetary penalties, being initiated against the permittee. [RACT Approval 97-02-AP(13), 29.6.4(b)]
- b. The facility is subject to the requirements of 40 CFR Part 59, Subpart C, National Volatile Organic Compound Emission Standards for Consumer Products. [Approval No. 1557(D)(4), Approval No. 1727(D)(4)]
- 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. 1727(D)(3)]

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". [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)(4), Approval No. 1421(F)(4), Approval Nos. 1523-1524(F)(2), Approval No. 1557(D)(3), Approval No. 1727(D)(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. [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), 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." [27.6.4(a-b)]

- (2) For residual fuel oil:
 - (a) The name of the supplier,
 - (b) The nitrogen and sulfur content of the oil and the ASTM method used to determine the nitrogen and sulfur content of the oil,
 - (c) The location of the oil when the sample was drawn for analysis to determine the nitrogen and 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. [27.6.5(a-d)]
- (3) For diesel fuel oil:
 - (a) The name of the fuel 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."
- 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. [27.6.6, 8.4.1(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. [27.6.6, 8.4.1(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. [27.6.7]
- 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. It 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. 1421, 1523, 1524, 1557, and 1727; RACT Approval No. 97-02-AP; RI Air Pollution Control Regulations Nos. 1, 4, 5, 6, 7, 8, 9, 10, 13, 14, 15, 16, 17, 27, 28, 29 and 36, 40 CFR 60 Subparts A and Dc and 40 CFR 59, Subpart C [29.6.12(a)(1)]
2. The Office of Air Resources has determined that units B001, B002, P001, P003, P004, P007, P016 and P018 are not subject to RI Air Pollution Control Regulations Nos. 2, 3, 11, 12, 19, 20, 21, 22, 24, 25, 26, 30, 31, 32, 33, 35, 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 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 a 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 Martin Street 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 No. 1421(D)(6), Approval No. 1523-1524(E)(12), RACT Approval No. 97-02-AP(12), 40 CFR 60.48c(i), 40 CFR 60.7(f), Approval No. 1557(C)(10), Approval No. 1727(C)(9)]
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 15th unless otherwise specified. [14.2.2] Information submitted pursuant to this condition will be correlated with applicable emission 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. [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. 1523-1524(E)(9)]

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. [29.6.3(b), Approval No.1421(D)(5)(a-c), Approval No.1523-1524(E)(6)(a-d), 40 CFR 60.7(a)(4), Approval No. 1557(C)(9), Approval No. 1727(C)(8)]

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_x 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. [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_x, 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_x 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_x,
 - (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_x 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

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.

The permittee shall implement the Risk Management Program that was summarized and submitted as a Risk Management Plan in accordance with 40 CFR 68 on May 17, 2000. The permittee shall make any necessary modifications to the Risk Management Program and submit an updated Risk Management Plan in accordance with 40 CFR 68 by May 17, 2005. The Risk Management Program must meet USEPA requirements and must include but is not limited to a Prevention Program, a Management System, an Offsite Consequence Analysis, and an Emergency Response Plan. In addition, the facility must comply with any additional requirements imposed by the State upon promulgation of State Regulations.

Your facility is also 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.