



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

OPERATING PERMIT

*The Narragansett Bay Commission (NBC)
Field's Point Wastewater Treatment Facility*

PERMIT NO. RI-37-04

(Expiration date: April 7, 2009)

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

Narragansett Bay Commission
Field's Point Wastewater Treatment Facility
2 Ernest Street
Providence, RI 02905

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, Chief
Office of Air Resources**

Date of issuance: 04/07/04

TABLE OF CONTENTS

I. SOURCE SPECIFIC CONDITIONS	1
Requirements for Emissions Units B001 and B002	1
Requirements for Emissions Unit G001	3
Requirements for Emissions Unit G002	5
Requirements for Emissions Unit G003	9
Requirements for Emissions Unit G004	12
Requirements for Emissions Unit I001	14
Requirements for Emissions Unit P006	20
Requirements for Emissions Units P001-P005 and P007-P008	21
Facility Requirements	22
II. GENERAL CONDITIONS	24
Annual Emissions Fee Payment	24
Permit Renewal and Expiration	24
Transfer of Ownership or Operation	24
Property Rights	24
Submissions	25
Inspection and Entry	25
Compliance	26
Excess Emissions Due to an Emergency	26
Duty to Provide Information	27
Duty to Supplement	27
Reopening for Cause	27
Severability Clause	28
Off-Permit Changes	28
Section 502(b)(10) Changes	29
Emissions Trading	30
Emission of Air Contaminants Detrimental to Person or Property	30
Odors	30
Visible Emissions	31
Open Fires	31
Construction Permits	31
Sulfur in Fuel	31
Air Pollution Episodes	33
Fugitive Dust	33
Compliance Certifications	33
Permit Shield	34
Recordkeeping	34
Reporting	35
Credible Evidence	36
Emission Statements	36
Miscellaneous Conditions	38
III. SPECIAL CONDITIONS	39
Ozone-depleting Substances	39
Prevention of Accidental Releases	40

SECTION I. SOURCE SPECIFIC CONDITIONS

A. Requirements for Emissions Units B001 and B002

The following requirements are applicable to:

- Emission Unit B001, which is a 2.1 MMBTU/hr Peerless Package Boiler, Model No. Sunray, which burns #2 fuel oil.
- Emission Unit B002, which is a 2.19 MMBTU/hr H.B. Smith Package Boiler, Model No. LO 28-S-9, capable of burning natural gas or #2 fuel oil.

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 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]

b. Particulates

The permittee shall not cause or permit the emissions of particulate matter in excess of 0.1 pounds per million BTU actual heat input. [13.2.1]

c. Sulfur Oxides

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. [8.2]

2. Monitoring Requirements

- a. On a monthly basis, the permittee shall measure the amount of fuel used in B001 and B002. [Consent Agreement 96-24-AP(7)(a), 27.6.9(a)]

3. Testing Requirements

a. Opacity

Test for determining compliance with the opacity limitations specified in Condition I.A.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]

b. Particulates

Compliance with the particulate emissions limitations contained in Condition I.A.1.b 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 a 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 the 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 the USEPA may determine that an emissions unit is or is not in compliance with the emissions limitations of Condition I.A.1.b 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 on similar units. [13.3.2]

c. Sulfur Oxides

Compliance with the sulfur limitations contained in Condition I.A.1.c of this permit shall be determined by the procedures referenced in Condition II.U.2 of this permit.

4. Recordkeeping Requirements

- a. The permittee shall, on a monthly basis, record the type and amount of fuel used in B001 and B002. [Consent Agreement 96-24-AP(7)(a), 27.6.9(a)]
- b. The permittee shall, on a monthly basis no later than fifteen (15) days after the first of each month, calculate the fuel usage and the total quantity of NO_x emitted from B001 and B002 for the previous twelve (12) month period using the following equations: [Consent Agreement 96-24-AP(7)(e), 27.6.9(b)]

For #2 fuel usage:

$$\frac{G \times 0.02}{2000} = \text{tons of NO}_x$$

Where: G = Gallons of #2 fuel used during the month.

For natural gas usage:

$$\frac{NG \times 100}{1,000,000 \times 2000} = \text{tons of NO}_x$$

Where: NG = cubic feet of natural gas used during the month.

[Consent Agreement 96-24-AP, Appendix A]

B. Requirements for Emissions Units G001

The following requirements are applicable to:

- Emission Unit G001, which is a 1575 HP Detroit Diesel/Addison Internal Combustion Engine, Model No. 9163-7305, which burns #2 diesel fuel. G001 is an emergency/standby unit.

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 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]

b. **Sulfur Oxides**

Unless the Director declares in writing 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. [8.2]

2. **Operating Requirements**

- a. G001 shall be operated only as a mechanical or electrical power source when the primary power source has been rendered inoperable. This does not include power interruptions pursuant to an interruptible power service agreement. [27.1.8]
- b. G001 shall be operated less than 500 hours during any consecutive 12-month period. If the hours of operation for G001 exceeds 500 hours in any 12 month period, that unit shall immediately be in compliance with RACT as specified in APC Regulation No. 27. [27.2.3]

3. **Monitoring Requirements**

- a. The permittee shall maintain a non-resettable elapsed time meter on G001 to indicate, in cumulative hours, the elapsed engine operating time. [27.6.10(b)]
- b. The permittee shall measure monthly the amount of fuel used in G001. [27.6.9(a)]

4. **Testing Requirements**

a. **Opacity**

Tests for determining compliance with the opacity limitations specified in Condition I.B.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]

b. **Sulfur Oxides**

Compliance with the sulfur limitations contained in Condition I.B.1.b of this permit shall be determined by the procedures referenced in Condition II.U.2 of this permit.

5. **Recordkeeping Requirements**

- a. The permittee shall, on a monthly basis no later than 5 days after the first of each month, determine and record the hours of operation for G001 for the previous 12 month period. [27.6.10(c), Consent Agreement 96-24-AP(7)(c) and (7)(e)]
- b. The permittee shall, on a monthly basis no later than fifteen (15) days after the first of each month, calculate the total quantity of NO_x emitted from G001 for the previous twelve (12) month period using the following equation: [Consent Agreement 96-24-AP(7)(e), 27.6.9(b)]

$$\frac{H \times 18,100}{(454 \times 2000)} = \text{tons of NO}_x$$

Where: H = hours of generator operation this month.

[Consent Agreement 96-24-AP, Appendix A]

- c. The permittee shall record monthly the type and amount of fuel used in G001. [27.6.9(a)]

6. Reporting Requirements

- a. The permittee shall notify the Office of Air Resources, in writing, whenever the hours of operation in any twelve month period exceed 500 hours each for G001. [27.6.10(d)]

C. Requirements for Emissions Unit G002

The following requirements are applicable to:

- Emission Unit G002, which is a 1005 HP Caterpillar Internal Combustion Engine, Model No. 3508, which burns #2 diesel fuel. G002 is an emergency/standby unit.

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 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]

b. Sulfur Oxides

All diesel fuel burned in G002 shall contain no more than 0.5 percent sulfur by weight. [Approval No. 1337-1338(A)(1), 8.2]

2. Operating Requirements

- a. G002 shall be operated only to provide emergency electrical power in the event of a power outage or for maintenance purposes to assure that the generator is in working order. Operation of G002 for maintenance purposes shall not exceed 8 hours per month.[Approval No. 1337-1338(B)(2), 27.1.8]
- b. G002 shall not be used in conjunction with any utility voluntary demand reduction program. [Approval No. 1337-1338(B)(3)]
- c. G002 shall not operate more than 500 hours each in any 12-month period. [27.2.3, Approval No. 1337-1338(B)(1)]

3. Monitoring Requirements

- a. The permittee shall maintain a non-resettable elapsed time meter on G002 to indicate, in cumulative hours, the elapsed engine operating time. [27.6.10(b), Approval No. 1337-1338(C)(1)]
- b. The permittee shall measure monthly the amount of fuel used in G002. [27.6.9(a)]

4. Testing Requirements

a. Opacity

Tests for determining compliance with the opacity limitations specified in Condition I.C.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]

b. Sulfur Oxides

(1) Compliance with the sulfur limitations contained in Condition I.C.1.b of this permit shall be determined based on a certification from the fuel supplier. Fuel supplier certifications shall include the following information: [Approval No. 1337-1338(D)(1)]

- (a) The name of the fuel supplier; [Approval No. 1337-1338(D)(1)(a)]

- (b) The sulfur content of the fuel from which the shipment came or the shipment itself; [Approval No. 1337-1338(D)(1)(b)]
 - (c) The location of the fuel when the sample was drawn for analysis to determine the sulfur content of the fuel, specifically including whether the fuel was sampled as delivered to the permittee or whether the sample was drawn from fuel in storage at the fuel supplier's facility or another location; [Approval No. 1337-1338(D)(1)(c)]
 - (d) The method used to determine the sulfur content of the fuel. [Approval No. 1337-1338(D)(1)(d)]
- (2) The permittee shall maintain copies of all fuel supplier certifications or fuel analyses and these copies shall be made accessible for review by the Office of Air Resources or its authorized representative and EPA. These records shall include a certified statement, signed by the permittee of the facility, that the records represent all of the fuel combusted at the facility. [Approval No. 1337-1338(E)(4)]
- (3) As an alternative to fuel supplier certification, the permittee may elect to sample the fuel prior to combustion. Sampling and analysis shall be conducted for the fuel in the initial tank(s) of fuel to be fired in G002 and after each new shipment of fuel is received. Samples shall be collected from the fuel tank immediately after the fuel tank is filled and before any fuel is combusted. [Approval No. 1337-1338(D)(2)]

5. Recordkeeping Requirements

- a. The permittee shall, on a monthly basis no later than 5 days after the first of each month, determine and record the hours of operation and fuel use for G002 for the previous 12 month period. [27.6.10(c), Approval No. 1337-1338(E)(1), Consent Agreement 96-24-AP(7)(c) & (e), 27.6.9(b)]
- b. The permittee shall, on a monthly basis no later than fifteen (15) days after the first of each month, calculate the total quantity of NO_x emitted from G002 for the previous twelve (12) month period using the following equation: [27.6.9(b), Consent Agreement 96-24-AP(7)(e)]

$$\frac{H \times 12,252}{(454 \times 2000)} = \text{tons of NO}_x$$

Where: H = hours of generator operation this month.

[Consent Agreement 96-24-AP, Appendix A]

- c. The permittee shall record monthly the type and amount of fuel used in G002. [27.6.9(a)]

6. Reporting Requirements

- a. The permittee shall notify the Office of Air Resources, in* writing, whenever the hours of operation in any twelve (12) month period exceed 500 hours for G002. [Approval No. 1337-1338(E)(2), 27.6.10(d)]
- b. The permittee shall notify the Office of Air Resources of any anticipated noncompliance with the terms of Section I.C of this permit or any other applicable air pollution control rules and regulations. [Approval No. 1337-1338(E)(3)]
- c. The permittee shall notify the Office of Air Resources of any noncompliance with the terms of Section I.C of this permit, in writing, within 5 days of the occurrence. [Approval No. 1337-1338(E)(6)]

7. Other Requirements

- a. At all times, including periods of startup, shutdown and malfunction, the permittee shall, to the extent practicable, maintain and operate G002 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, review of operating and maintenance procedures and inspection of the source. [Approval No. 1337-1338(F)(3)]
- b. To the extent consistent with the requirements of Section I.C of this permit and applicable Federal and State laws, G002 shall be operated in accordance with the representation of the equipment in the preconstruction permit application. [Approval No. 1337-1338(F)(1)]

D. Requirements for Emissions Unit G003

The following requirements are applicable to:

- Emission unit G003, which is a 2561 HP Caterpillar Internal Combustion Engine, Model No. 3516, which burns #2 diesel fuel. G003 is an emergency/standby unit.

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 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]

b. Sulfur Oxides

All diesel fuel burned in G003 shall contain no more than 0.5 percent sulfur by weight. [Approval No. 1337-1338(A)(1), 8.2]

2. Operating Requirements

a. G003 shall be operated only to provide emergency electrical power in the event of a power outage or for maintenance purposes to assure that the generator is in working order. Operation of G003 for maintenance purposes shall not exceed 8 hours per month.[Approval No. 1337-1338(B)(2), 27.1.8]

b. G003 shall not be used in conjunction with any utility voluntary demand reduction program. [Approval No. 1337-1338(B)(3)]

c. G003 shall not operate more than 500 hours each in any 12-month period. [27.2.3, Approval No. 1337-1338(B)(1)]

3. Monitoring Requirements

a. The permittee shall maintain a non-resettable elapsed time meter on G003 to indicate, in cumulative hours, the elapsed engine operating time. [27.6.10(b), Approval No. 1337-1338(C)(1)]

b. The permittee shall measure monthly the amount of fuel used in G003. [Consent Agreement 96-24-AP(7)(d), 27.6.9(a)]

4. Testing Requirements

a. Opacity

Tests for determining compliance with the opacity limitations specified in Condition I.D.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]

b. Sulfur Oxides

- (1) Compliance with the sulfur limitations contained in Condition I.D.1.b of this permit shall be determined based on a certification from the fuel supplier. Fuel supplier certifications shall include the following information: [Approval No. 1337-1338(D)(1)]
 - (a) The name of the fuel supplier; [Approval No. 1337-1338(D)(1)(a)]
 - (b) The sulfur content of the fuel from which the shipment came or the shipment itself; [Approval No. 1337-1338(D)(1)(b)]
 - (c) The location of the fuel when the sample was drawn for analysis to determine the sulfur content of the fuel, specifically including whether the fuel was sampled as delivered to the permittee or whether the sample was drawn from fuel in storage at the fuel supplier's facility or another location; [Approval No. 1337-1338(D)(1)(c)]
 - (d) The method used to determine the sulfur content of the fuel. [Approval No. 1337-1338(D)(1)(d)]
- (2) The permittee shall maintain copies of all fuel supplier certifications or fuel analyses and these copies shall be made accessible for review by the Office of Air Resources or its authorized representative and EPA. These records shall include a certified statement, signed by the permittee of the facility, that the records represent all of the fuel combusted at the facility. [Approval No. 1337-1338(E)(4)]
- (3) As an alternative to fuel supplier certification, the permittee may elect to sample the fuel prior to combustion. Sampling and analysis shall be conducted for the fuel in the initial tank(s) of fuel to be fired in G003 and after each new shipment of fuel is received. Samples shall be collected from the fuel tank immediately after the fuel tank is filled and before any fuel is combusted. [Approval No. 1337-1338(D)(2)]

5. Recordkeeping Requirements

- a. The permittee shall, on a monthly basis no later than 5 days after the first of each month, determine and record the hours of operation and the type and amount of fuel used in G003 for the previous 12 month period. [27.6.10(c), Approval No. 1337-1338(E)(1), Consent Agreement 96-24-AP(7)(d), 27.6.9(b)]
- b. The permittee shall, on a monthly basis no later than fifteen (15) days after the first of each month, determine the total quantity of NO_x emitted from G003 for the previous twelve (12) month period: [27.6.9(b)]
- c. The permittee shall record monthly the type and amount of fuel used in G003. [27.6.9(a)]

6. Reporting Requirements

- a. The permittee shall notify the Office of Air Resources, in writing, whenever the hours of operation in any twelve (12) month period exceed 500 hours for G003. [Approval No. 1337-1338(E)(2), 27.6.10(d)]
- b. The permittee shall notify the Office of Air Resources of any anticipated noncompliance with the terms of Section I.D of this permit or any other applicable air pollution control rules and regulations. [Approval No. 1337-1338(E)(3)]
- c. The permittee shall notify the Office of Air Resources of any noncompliance with the terms of Section I.D of this permit, in writing, within 5 days of the occurrence. [Approval No. 1337-1338(E)(6)]

7. Other Requirements

- a. At all times, including periods of startup, shutdown and malfunction, the permittee shall, to the extent practicable, maintain and operate G003 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, review of operating and maintenance procedures and inspection of the source. [Approval No. 1337-1338(F)(3)]
- b. To the extent consistent with the requirements of Section I.D of this permit and applicable Federal and State laws, G003 shall be operated in accordance with the representation of the equipment in the preconstruction permit application. [Approval No. 1337-1338(F)(1)]

E. Requirements for Emissions Units G004

The following requirements are applicable to:

- Emission Unit G004, which is a 241 HP Kohler/John Deere Internal Combustion Engine, Model No. 4039T, which burns #2 fuel oil. G004 is an emergency/standby unit located at the Washington Park Pump Station.

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 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]

b. Sulfur Oxides

Unless the Director declares in writing 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. [8.2]

2. Operating Requirements

a. G004 shall be operated only as a mechanical or electrical power source when the primary power source has been rendered inoperable. This does not include power interruptions pursuant to an interruptible power service agreement. [27.1.8]

b. G004 shall be operated less than 500 hours during any consecutive 12-month period. If the hours of operation for G004 exceeds 500 hours in any 12 month period, G004 shall immediately be in compliance with RACT as specified in APC Regulation No. 27. [27.2.3]

3. Monitoring Requirements

a. The permittee shall maintain a non-resettable elapsed time meter on G004 to indicate, in cumulative hours, the elapsed engine operating time. [27.6.10(b)]

- b. The permittee shall measure monthly the amount of fuel used in G004. [Consent Agreement 96-24-AP(7)(d), 27.6.9(a)]

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]

b. Sulfur Oxides

Compliance with the sulfur limitations contained in Condition I.E.1.b of this permit shall be determined by the procedures referenced in Condition II.U.2 of this permit.

5. Recordkeeping Requirements

- a. The permittee shall, on a monthly basis no later than 5 days after the first of each month, determine and record the hours of operation for G004 for the previous 12 month period. [27.6.10(c)]
- b. The permittee shall, on a monthly basis no later than fifteen (15) days after the first of each month, calculate the total quantity of NO_x emitted from G004 for the previous twelve (12) month period: [27.6.9(b)]
- c. The permittee shall record monthly the type and amount of fuel used in G004. [Consent Agreement 96-24-AP(7)(d), 27.6.9(a)]

6. Reporting Requirements

- a. The permittee shall notify the Office of Air Resources, in writing, whenever the hours of operation in any twelve month period exceeds 500 hours for G004. [27.6.10(d)]

F. Requirements for Emissions Unit I001

The following requirements are applicable to:

- Emissions unit I001, which is a Nichols Herreshoff Multiple Hearth Sewage Sludge Incinerator, Model No. CE 1271. I001 is capable of burning natural gas and #2 fuel oil. Emission unit I001 is associated with air pollution control devices C001 and C003.
- C001 is an Air Pol Venturi Scrubber, Model No. S410V.
- C003 is an Air Pol Impingement Tray Scrubber, Model No. S410V.

1. Emission Limitations

a. Particulates

The emission rate of particulate matter discharged to the atmosphere from I001 shall not exceed 1.30 pounds per ton of dry sludge input. [12.3.3, 40 CFR 60.152(a)(1)]

b. Opacity

The permittee shall not discharge into the atmosphere any gases which exhibit 20 percent opacity or greater. [1.2, 40 CFR 60.152(a)(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]

c. Beryllium

Emissions to the atmosphere from I001 shall not exceed 10.0 grams over a 24-hour period. [40 CFR 61.32(a)]

d. Mercury

Emissions to the atmosphere from I001 shall not exceed 3.2 kg per 24-hour period. [40 CFR 61.52(b)]

e. Sulfur Oxides

Unless the Director declares in writing that a shortage of low sulfur fuel exist, the permittee shall not use or store fuel oil with a sulfur content greater than 1.0% by weight. [8.2]

2. Operating Requirements

- a. C001 and C003 shall be operated according to their design specifications whenever I001 is in operation or is emitting air contaminants. [16.1, 40 CFR 61.12(c), 40 CFR 60.11(d)]
- b. In the case of malfunction of C001 and/or C003, 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 C003 is expected or may reasonably be expected to continue for longer than 24 hours and if the permittee wishes to operate I001 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 (C001, C003) and source on which it is installed (I001), [16.2(a)]
 - (2) The expected period of time that C001 and/or C003 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 that it would be impossible or impractical to cease the source operation during said period. [16.2(e)]

3. Monitoring Requirements

- a. The permittee shall calibrate, maintain and operate continuous monitoring equipment to measure the volume of sludge charged to I001. The flow measuring device shall be certified by the manufacturer to have an accuracy of ± 5 percent over its operating range. [40 CFR 60.153(a)(1)]
- b. The permittee shall provide access to the sludge charged so that a well-mixed representative grab sample of the sludge can be obtained. [40 CFR 60.153(a)(2)]
- c. The permittee shall collect and analyze a grab sample of the sludge feed to I001 once per day. The dry sludge content and volatile solids content of the sample shall be analyzed using "209 F, Method for Solid and Semisolid Samples". [40 CFR 60.153(b)(5), 40 CFR 60.154(b)(5), 40 CFR 60.153(c)(3)]

- d. The permittee shall calibrate, maintain and operate a monitoring device that continuously measures the pressure drop of the gas flow through the combined system of C001 and C003. The device used to monitor C001 and C003 pressure drop shall be certified by the manufacturer to be accurate within 250 pascals (± 1 inch water gage) and shall be calibrated on an annual basis in accordance with the manufacturer's instructions. [40 CFR 60.153(b)(1)]
- e. The permittee shall calibrate, maintain and operate a monitoring device that continuously measures the oxygen content of I001 exhaust gas. The oxygen monitor shall be located upstream of any rabble shaft cooling air inlet into I001 exhaust gas stream, fan, ambient air recirculation damper, or any other source of dilution air. The oxygen monitoring device shall be certified by the manufacturer to have a relative accuracy of ± 5 percent over its operating range, and shall be calibrated according to method(s) prescribed by the manufacturer at least once every 24-hour operating period. [40 CFR 60.153(b)(2)]
- f. The permittee shall calibrate, maintain and operate continuous monitoring equipment to measure the temperature in every hearth in I001 during all periods of operation. A minimum of one thermocouple shall be installed in each hearth in the cooling and drying zones, and a minimum of two thermocouples in the combustion zone of I001. Each temperature measuring device shall be certified by the manufacturer to have an accuracy of ± 5 percent over its operating range. [40 CFR 60.153(b)(3)]
- g. The permittee shall calibrate, maintain and operate continuously a device for measuring the fuel flow to I001 during all periods of operation. The flow measuring device shall be certified by the manufacturer to have an accuracy of ± 5 percent over its operating range. [40 CFR 60.153(b)(4)]

4. Testing Requirements

a. Particulate Matter

- (1) The permittee shall determine compliance with the particulate matter emission limitations contained in Condition I.F.1.a of this permit by following the procedures in 40 CFR 60.154(b)(1)-(5). [12.5, 40 CFR 60.154(b)(1)-(5)]
- (2) Emission testing shall be conducted by the permittee according to Method 5 of Appendix A to 40 CFR 60, or by another method that has prior approval of or is required by the Director. [12.5(a)-(c), 40 CFR 60.154(a)]

b. **Opacity**

Tests for determining compliance with the opacity limitations specified in Condition I.F.1.b 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 60.154(b)(6)]

c. **Beryllium**

Compliance with the beryllium emissions limitation in Condition I.F.1.c of this permit shall be determined in accordance with the procedures set forth in 40 CFR 61.33. [40 CFR 61.33(a-d)]

d. **Mercury**

Compliance with the mercury emission limitation in Condition I.F.1.d of this permit shall be determined in accordance with the procedures set forth in 40 CFR 61.53(d) or 40 CFR 61.54. [40 CFR 61.53(d), 40 CFR 61.54(a-f)]

e. **Sulfur Oxides**

Compliance with the sulfur limitations contained in Condition I.F.1.e. of this permit shall be determined by the procedures referenced in Condition II.U.2 of this permit.

5. Recordkeeping Requirements

- a. The permittee shall continuously record the volume of the sludge charged to I001 during all periods of operation. [40 CFR 60.153(a)(1), 40 CFR 60.153(c)(3)]
- b. The permittee shall continuously record the pressure drop of the gas flow through the combined system of C001 and C003. [40 CFR 60.153(b)(1), 40 CFR 60.153(c)(1)]
- c. The permittee shall continuously record the oxygen content of I001 exhaust gas. [40 CFR 60.153(b)(2), 40 CFR 60.153(c)(2)]
- d. The permittee shall continuously record the combustion zone temperature of I001. [40 CFR 60.153(b)(3), 40 CFR 60.153(c)(3)]
- e. The permittee shall continuously record the fuel flow to I001. [40 CFR 60.153(b)(4), 40 CFR 60.153(c)(3)]

- f. The permittee shall maintain a record of the total solids and the volatile solids content of the sludge charged to I001. [40 CFR 60.153(c)(3)]
- g. The permittee shall, on a monthly basis no later than fifteen (15) days after the first of each month, determine and record of the monthly dry tons of sludge combusted in I001. [Consent Agreement 96-24-AP(7)(b) & (7)(e)]
- h. The permittee shall, on a monthly basis no later than fifteen (15) days after the first of each month, calculate the total quantity of NO_x emitted from I001 for the previous twelve (12) month period using the following equation: [Consent Agreement 96-24-AP(7)(e)]

$$\frac{8.5 \times DT}{2000} = \text{tons of NO}_x$$

Where: DT = dry tons of sludge combusted this month

[Consent Agreement 96-24-AP, Appendix A]

The factor for pounds of NO_x emissions per dry ton of sludge combusted shall be 8.5 as determined by emissions testing by the permittee in July 1993. This factor can be revised only through an emissions test witnessed by the Office or a testing method acceptable to the Office of Air Resources.

[Consent Agreement 96-24-AP(7)(g)]

- i. The permittee shall maintain records of the occurrence and duration of any startup, shutdown, or malfunction in the operation of I001, any malfunction of C001 and/or C003, or any periods during which a continuous monitoring system or monitoring device is inoperative. [40 CFR 60.7(b)]
- j. The permittee shall maintain a file of all measurements, including continuous monitoring system, monitoring device, and performance testing measurements; all continuous monitoring system performance evaluations; all continuous monitoring system or monitoring device calibration checks; adjustments and maintenance performed on these systems or devices; and all other information required shall be recorded in a permanent form suitable for inspection. [40 CFR 60.7(f)]

6. Reporting Requirements

- a. The permittee shall submit to the Office of Air Resources, semi-annually, a report in writing, which contains the following: [40 CFR 60.155 (a)]
 - (1) A record of average scrubber pressure drop measurements for each period of 15 minutes duration or more during which the pressure drop

of the combined system of C001 and C003 was less than 24.5 inches (the average scrubber pressure drop measured during the February 10, 1994, and March 25, 1994, performance tests minus the percent reduction in scrubber pressure drop). The percent reduction in scrubber pressure drop was determined as follows: [40 CFR 60.155(a)(1)(ii)]

$$P = -111E + 72.15$$

Where P = Percent reduction in pressure drop and
E = Average particulate matter emissions (kg/megagram)

- (2) A record of average oxygen content in the exhaust gas of I001 for each period of 1-hour duration or more that the oxygen content of the incinerator exhaust exceeds 18.5 percent (3% from the average oxygen content during the October 1, 1998, performance test). [40 CFR 60.155(a)(2)]
- b. The permittee shall include in the report for each calendar day that a decrease in the combined system of C001 and C003 pressure drop or an increase in oxygen content of I001's exhaust gas is reported to the Office of Air Resources a record of the following: [40 CFR 60.155(b)]
- (1) C001 and C003 combined system pressure drop averaged over each 1-hour operating period. [40 CFR 60.155(b)(1)]
 - (2) Oxygen content in I001 exhaust averaged over each 1-hour operating period. [40 CFR 60.155(b)(2)]
 - (3) Temperatures of every hearth in I001 averaged over each 1-hour operating period. [40 CFR 60.155(b)(3)]
 - (4) The rate of sludge charged to I001 averaged over each 1-hour operating period. [40 CFR 60.155(b)(4)]
 - (5) I001 fuel use averaged over each 8-hour operating period. [40 CFR 60.155(b)(5)]
 - (6) Moisture and volatile solids content of the daily grab sample of sludge charged to I001. [40 CFR 60.155(b)(6)]

7. Other Permit Requirements

- a. Emission unit I001 is subject to the requirements of the Federal New Source Performance Standard 40 CFR 60 Subpart A, "General Provisions" and Subpart O, "Standards of Performance for Sewage Treatment Plants" and the National Emission Standard for Hazardous Air Pollutants 40 CFR 61 Subpart A, "General Provisions", Subpart C, "National Emission Standard for Beryllium", and Subpart E, "National Emission Standard for Mercury." Compliance with all applicable provisions therein is required, unless otherwise stated in this permit.

G. Requirements for Emissions Unit P006

- Emission unit P006, which are the gravity thickeners consisting of four enclosed concrete tanks containing a mixture of primary and waste activated sludge. P006 is associated with C002 which is a Pepcon Odormaster I packed tower scrubber.

1. Operating Requirements

- a. C002 shall be operated according to its design specifications whenever P006 is in operation or is emitting air contaminants. [16.1]
- b. In case of a malfunction of 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 C002 is expected or may reasonably be expected to continue for longer than 24 hours and if the permittee wishes to operate P006 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) and the source on which it is installed (i.e. P006), [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 that it would be impossible or impractical to cease the source operation during said period. [16.2(e)]

2. Monitoring Requirements

- a. The permittee shall continuously monitor the residual chlorine in the exhaust gas of control device C002. [29.6.3(b)]

3. Recordkeeping Requirements

- a. The permittee shall record the residual chlorine in the exhaust gas of control device C002 a minimum of once per day. The date, time, and measurement shall be recorded. [29.6.3(b)]

H. Requirements for Emissions Units P001, P002, P003, P004, P005, P007, and P008

- Emission unit P001, which are the primary clarifiers consisting of four open concrete process tanks filled with wastewater.
- Emission unit P002, which are the wet weather clarifiers consisting of four open concrete process tanks filled with storm water and sewage only during wet weather events.
- Emission unit P003, which is the aeration tank unit consisting of ten open concrete process tanks used for biological treatment of wastewater.
- Emission unit P004, which are the secondary clarifiers consisting of nine open concrete process tanks, which contain biologically treated wastewater.
- Emission unit P005, which is a chlorine contact tank consisting of one open concrete process tank used to add disinfectant to effluent.
- Emission unit P007, which is the concrete, above ground, blend tank.
- Emission unit P008, which are the grit tanks consisting of four open concrete process tanks.

There are no specific applicable requirements for P001 – P005 and P007 – P008. 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 P001 – P005 and P007 – P008.

I. Facility Requirements

1. Emission Limitations

a. **Nitrogen Oxides (NO_x)**

The permittee shall limit actual emissions of nitrogen oxides (NO_x), from any and all combustion units with a heat input greater than or equal to one million BTUs per hour, to no more than fifty (50) tons during any consecutive twelve (12) month period. [Consent Agreement 96-24-AP(5), 27.2.2(a)]

- b. The total quantity of Hazardous Air Pollutants (HAP) emitted from the entire facility shall not exceed 18,000 pounds of any one (1) HAP or 48,000 pounds of any combination of HAPs in any consecutive 12 month period.

2. Operating Requirements

- a. If the emission limitations set forth in I.I.1.a are exceeded, the permittee shall immediately be in compliance with Reasonably Available Control Technology (RACT) Plan requirements, as specified in APC Regulation No. 27, Section 27.4. Failure to comply with APC Regulation No. 27, Section 27.4, shall subject the permittee to enforcement action, which may include monetary penalties. [27.2.2, Consent Agreement 96-24-AP(6)]

3. Recordkeeping Requirements

- a. The permittee shall, on a monthly basis no later than (15) days after the first of each month, determine the fuel usage and quantity of NO_x emitted for the previous twelve (12) month period for the facility. [Consent Agreement 96-24-AP(7)(f), 27.6.9(b)]
- b. The permittee shall keep and maintain records sufficient to determine actual HAP emissions for the entire facility for the previous 12 months. Actual HAP emissions shall be determined on a monthly basis, no later than 15 days after the first of the month. All purchase orders, invoices and other documents to support the determination of actual HAP emissions shall be maintained and made available to the Office of Air Resources upon request.

4. Reporting Requirements

- a. The permittee shall notify the Office of Air Resources, in writing within thirty (30) days of the end of the month, whenever NO_x emissions exceed fifty (50) tons during the previous twelve (12) months. [Consent Agreement 96-24-AP(7)(h), 27.6.9(c)]

- b. The permittee shall notify the Office of Air Resources in writing, within 30 days, whenever the total quantity of HAP discharged to the atmosphere exceeds 18,000 pounds of any one (1) HAP or 48,000 pounds of any combination of HAPs in any consecutive 12 month period.

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
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: [29.6.8(f)(1)]
 - a. having access to and copying at reasonable times any records that must be kept under the conditions of this permit; [29.6.8(f)(2)]
 - b. inspecting at reasonable times any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under this permit; and [29.6.8(f)(3)]
 - c. sampling or monitoring, at reasonable times, substances or parameters for the purpose of assuring compliance with this permit or other applicable requirements.[RIGL 23-23-5(7), 29.6.8(f)(4), Approval No. 1337-1338(F)(2)]

Nothing in this condition shall limit the ability of EPA 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 have 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 five 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)]

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 EPA 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 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 EPA. 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 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. 447, 729, and 1337 & 1338; Consent Agreement 96-24-AP; RI APC Regulation Nos. 1, 4, 5, 7, 8, 9, 10, 12, 13, 14, 16, 17, 22, 27, 28, and 29; and Federal Regulations 40 CFR 60 Subpart O and Subpart A and 40 CFR 61 Subpart C, Subpart E, and Subpart A. [29.6.12(a)(1)]
2. The Office of Air Resources has determined that Emission Units B001, B002, G001-G004, P001-P005, P006-P008, and I001 are not subject to the following: RI APC Regulation Nos. 2, 3, 6, 11, 15, 19, 20, 21, 23, 24, 25, 26, 30, 31, 32, 33, 35, 36, 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 EPA 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 EPA 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, 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 2 Ernest 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 EPA 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), Consent Agreement 96-24-AP(7), Approval No. 1337-1338(E)(7), 40 CFR 61.55(a), 40 CFR 60.7(f), 40 CFR 61.14(f), 40 CFR 60.153(c), 40 CFR 60.153(c)(3), 40 CFR 61.33(e), 40 CFR 61.54(g)]
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)a]
 - b. The date(s) analyses were performed; [29.6.4(a)(1)b]
 - c. The company or entity that performed the analyses; [29.6.4(a)(1)c]
 - d. The analytical techniques or methods used; [29.6.4(a)(1)d]
 - e. The results of such analyses; and [29.6.4(a)(1)e]
 - f. The operating conditions as existing at the time of sampling or measurement. [29.6.4(a)(1)f]

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. 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. [14.2.2, 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 3(d). [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)]
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 No. 1337-1338(E)(5), 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 provisions of this permit if the appropriate performance or compliance test procedures or methods had been performed. [40 CFR 51.212(c), 52.12(c), 52.33(a)]

CC. Emission Statements

1. The permittee shall submit annually an emission statement that 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, 40 CFR 61.02, 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.

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.