



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

OPERATING PERMIT

NEPTCO Inc.

PERMIT NO. RI-17-06

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

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

NEPTCO Inc.
30 Hamlet Street
Pawtucket, RI

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

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

Date of issuance: 12/21/06

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SECTION I. SOURCE SPECIFIC CONDITIONS

A. Requirements for Emission Units P111 and P112

The following requirements are applicable to:

- Emission unit P111, which is an Intra-Roto Laminator, model number M-252.
- Emission unit P112, which is a NEPTCO laminator.
- Emission units P111 and P112 are associated with Air Pollution Control Device C001, which is a Smith Recuperative thermal oxidizer – model number 10080.

Emission Units P111 and P112 are capable of manufacturing pressure sensitive tape and label materials. When P111 and P112 are manufacturing pressure sensitive tape the permittee is subject to the applicable provisions of 40 CFR Subpart 60 RR and 40 CFR 60 Subpart A “General Provisions”.

1. **Emission Limitations**

- a. Emissions from P111 and P112 shall not exceed 4.79 lbs VOC/gallon of solids. [19.3.1]
- b. Compliance with the emission limitation in I.A.1.a shall be achieved by using C001. The overall control efficiency of C001 shall be at least 95 percent. This is achievable for C001 through a combination of 100 percent capture of the VOC generated from P111 and P112 and 95 percent destruction of this VOC in the unit. [Approval No. 966(1), 19.3.2(a)]
- c. When producing pressure sensitive tape and label materials the amount of VOC input into the process shall not exceed 45Mg in any consecutive 12 month period. [40 CFR 60.440(b)]

2. **Operating Requirements**

- a. C001 shall be operated at a minimum temperature of 1400°F. [Approval No. 966(3), 29.6.3(a), 40 CFR 64]
- b. All access doors and windows in the capture system shall be closed during routine operation of P111 and P112. Brief, occasional openings of such doors or windows to allow for adjustments to P111 and P112 are acceptable. [Approval No. 966(5)]
- c. Air passing through any openings in the capture system shall flow into the closure continuously. [Approval No. 966(6)]

- d. C001 shall be operated according to its design specifications whenever P111 and/or P112 is in operation or is emitting air contaminants. [16.1]
- e. In case of 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 P111 and/or P112 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 (ie. C001) and the source on which it is installed (ie. P111 or P112), [16.2(a)]
 - (2) The expected period of time that 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)]
- f. Emission units P111 and P112 shall each be equipped with two diverter dampers which allow exhaust gases to discharge to either C001 or directly to the atmosphere. Exhaust gases shall be discharged to C001 when coatings with a VOC content greater than 2.9 lbs per gallon of coating (minus water) are applied on emission units P111 and/or P112. Exhaust gases may be discharged directly to the atmosphere when coatings with a VOC content equal to or less than 2.9 lbs per gallon of coating (minus water) are applied on emission units P111 and/or P112. [29.6.3(a), 40 CFR 64]

3. Testing Requirements

- a. The control efficiency of C001 will be determined using USEPA Reference Method 25 or other methods approved by the Director and USEPA. Continuous compliance will be maintained at all times. Compliance averaging times will be three hours. Once the control efficiency has been determined by Reference Method 25, or any alternative method approved by the Office of Air Resources and USEPA, compliance shall be determined on an instantaneous basis time period (e.g. determined control efficiency shall

be used to calculate whether samples from the process meet the applicable emissions limit.) [19.7.3]

4. Monitoring Requirements

- a. The operating temperature of C001 shall be continuously monitored. The equipment to continuously monitor the operating temperature of C001 must have an accuracy of ± 1 percent of the temperature being monitored in degrees Celsius or $\pm 1^{\circ}$ Celsius, whichever is greater.

The equipment to continuously monitor the operating temperature of C001 must be calibrated and maintained according to the manufacturer's specifications. The calibration of the chart recorder, data logger or temperature indicator must be verified once per year or the chart recorder, data logger or temperature indicator must be replaced. [Approval No. 966(4), 29.6.3(a), 40 CFR 64]

- b. The static pressure within the two exhaust ducts downstream of the Permanent Total Enclosure (PTE) shall be continuously monitored. Each emission unit shall be equipped with an interlock that prevents operation of the emission unit if there is no flow rate from the PTE. [29.6.3(a), 40 CFR 64]
- c. The PTE shall be inspected semi-annually and should include all the items required to demonstrate that the PTE criteria as established in 40 CFR 51, Appendix M, Method 204 "Criteria for Verification of a Permanent or Temporary Total Enclosure" are maintained. [29.6.3(a), 40 CFR 64]
- d. The position of the diverter dampers for Emission Units P111 and P112 shall be visibly displayed on the control panel for the respective emission unit's control panel. [29.6.3(a), 40 CFR 64]

5. Recordkeeping Requirements

- a. The operating temperature of C001 shall be continuously recorded. [Approval No. 966(4), 19.5.4c(7)(ii), 29.6.3(a), 40 CFR 64]
- b. The permittee shall record and maintain all of the following information each month for P111, P112 and C001: [19.5.4(c)]
 - (1) The name and identification number of each coating used on Emission Units P111 and P112; [19.5.4(c)(1)]

- (2) The mass of VOC per unit volume of coating solids, as applied, the volume solids content, as applied, and the volume, as applied, of each coating used each month; [19.5.4(c)(2)(i)]
 - (3) The type and amount of solvent used for diluents and clean up operations; [19.5.4(c)(4)]
 - (4) A log of operating time for the capture system, monitoring equipment, C001, and Emission Units P111 and P112; [19.5.4(c)(5), 29.6.3(a), 40 CFR 64]
 - (5) A maintenance log for the capture system, monitoring equipment and C001 detailing all routine and non-routine maintenance performed including dates and duration of any outages; [19.5.4(c)(6), 29.6.3(a), 40 CFR 64]
 - (6) All 3-hour periods of operation in which the operating temperature of C001 was more than 28°C (50°F) below the average operating temperature recorded during the most recent performance test that demonstrated that the facility was in compliance. [19.5.4(c)(7)(i), 29.6.3(a)]
- c. The permittee shall also collect and record the following information for P111 and P112 when manufacturing pressure sensitive tape and label materials:
- (1) Maintain a twelve-month record of the amount of VOC input to the coating process. [60.445(d)]
- d. The permittee shall maintain a record of all measurements, performance evaluations, calibration checks and maintenance or adjustments for each continuous monitor. [29.6.3(a), 40 CFR 64]
- e. The permittee shall record the static pressure within the two exhaust ducts once per day and the date, time and measurement shall be recorded. [29.6.3(a), 40 CFR 64]
- f. The permittee shall record the date of the inspection of the PTE and maintain the check list that is used to verify PTE configuration and maintenance status and exhaust systems conditions. [29.6.3(a), 40 CFR 64]
- g. The permittee shall verify that the diverter damper position is consistent with what is stated on the laminating set-up sheet prior to the start up of each job for Emission Units P111 and P112. [29.6.3(a), 40 CFR 64]
- h. The permittee shall, contemporaneously when making a change from this

operating scenario to another, record in a log at the facility a record of the scenario under which it is operating. [29.6.7(a)]

6. Reporting Requirements

- a. The permittee shall notify the Office of Air Resources within 5 days, of any noncompliance with any of the conditions stated in this section of the permit. [19.5.4(d)(1)]
- b. The permittee shall notify the Office of Air Resources of all 3-hour periods of operation in which the operating temperature of C001 was less than 1350°F. This notification shall be provided in the semi-annual monitoring report required by Condition II.AA.2 of this permit. [29.6.3(a), 40 CFR 64]
- c. The permittee shall submit to the Office of Air Resources the checklist used in condition 1.A.4.c. to verify PTE configuration and maintenance status and exhaust systems conditions within 30 days following the initial check of the PTE. [29.6.3(a), 40 CFR 64]
- d. The permittee shall notify the Office of Air Resources whenever the static pressure within the exhaust duct for P111 is less than -.05 inches of water at any time and/or P112 is less than -.75 inches of water at any time. This notification shall be provided in the semi-annual monitoring report required by Condition II.AA.2 of this permit. [29.6.3(a), 40 CFR 64]

7. Other Requirements

- a. Emission units P111 and P112 are subject to the requirements of 40 CFR 60 Subpart A, "General Provisions", and Subpart RR "Standards of Performance for Pressure Sensitive Tape and Label Surface Coating Operations". Compliance with all applicable provisions therein is required, unless otherwise stated in this permit.

B. Requirements for Emission Units F001, P114 and P309

- Emission unit F001, which is a chemical mixing room; P114 is a wide-web flexographic printer; P309 is a flexographic printer. There are no specific requirements for F001, P114 and P309. This does not relieve the permittee from compliance with the provisions of the General Conditions, outlined in Section II of this permit, as they apply to F001, P114 and P309.

C. Requirements for Emission Unit E001

The following requirements are applicable to:

- Emission Unit E001, which is a Power Systems remote reservoir cold cleaning

degreasing unit, Serial No. 93-04-PS-4636.

1. Operating Requirements

- a. Equipment covers and dipping/rotating baskets must be constructed of nonporous or nonabsorbent material. Covers must form a tight seal with the sides of E001 and have no gaps or holes. [36.4.1]
- b. When the cover of E001 is open, drafts at the same elevation as the tank lip must not be greater than 40 meters/minute (130 ft/min.) when measured 1 to 2 meters (3 to 7 feet) upwind. [36.4.2]
- c. Leaks must be repaired immediately or E001 shall be shut down. [36.4.3]
- d. E001 must display a conspicuous summary of proper operating procedures consistent with minimizing emissions of organic solvents. [36.4.4]
- e. Any solvent spray must be a solid, fluid stream which is delivered at a pressure no greater than 10 pounds per square inch (psi) and which does not cause excessive splashing. [36.4.5]
- f. Spills shall be wiped up immediately. The wipe rags shall be stored in covered containers meeting the specifications in Condition I.C.1.1 of this permit. [36.4.6, 36.4.12]
- g. Porous or absorbent materials, such as sponges, fabrics, wood, or paper products, shall not be cleaned in E001. [36.4.7]
- h. Parts baskets or parts shall be drained under the cover and shall not be removed from E001 for at least 15 seconds or until dripping ceases and the pieces are visually dry, whichever is longer. [36.4.8]
- i. Parts having cavities or blind holes shall be tipped or rotated while draining before being removed from the vapor zone. [36.4.9]
- j. Parts shall be oriented for best drainage. [36.4.10]
- k. When solvent is added to or drained from E001, 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 must 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. E001 shall be maintained as recommended by the manufacturer of the equipment. [36.4.13]
- n. Operators must receive training in proper solvent cleaning procedures and, if requested by representatives of the Office of Air Resources or the USEPA during an inspection, must 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. E001 shall be equipped with an attached cover that can be operated easily with one hand. The cover shall be closed at all times except during parts entry and removal. [36.5.1]
- p. The solvent sump of E001 must 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 E001. [36.5.3(a)]
- r. If a flexible hose or flushing device is used, flushing shall be performed only within the freeboard zone of E001. [36.5.4]
- s. The height of solvent in E001 shall not exceed the manufacturer's fill line for that machine. [36.5.6]

2. Recordkeeping Requirements

- a. The permittee shall maintain the following records:
 - (1) Training provided to operators of E001 for the lifetime of the unit, [36.10.4, 29.6.3(b)]
 - (2) The amount and type of solvent used in E001 for each year, and [36.10.4(a), 29.6.3(b)]
 - (3) The date and type of each equipment malfunction or leak and the date the malfunction or leak is repaired. [36.10.4(b), 29.6.3(b)]

D. Requirements for Emission Units E002 and E003

The following requirements are applicable to:

- Emission unit E002 which is a NEPTCO custom- made dip tank
- Emission unit E003 which is a NEPTCO custom- made dip tank

1. Operating Requirements

- a. Equipment covers and dipping/rotating baskets shall be constructed of nonporous or nonabsorbent material. Covers must form a tight seal with the sides of E002 and E003 and have no gaps or holes. [36.4.1]
- b. When the cover of E002 or E003 is open, drafts at the same elevation as the tank lip must not be greater than 40 m/min. (130 ft/min.) when measured 1 to 2 meters (3 to 7 feet) upwind. [36.4.2]
- c. Leaks shall be repaired immediately or E002 and/or E003 shall be shut down. [36.4.3]
- d. E002 and E003 must display a conspicuous summary of proper operating procedures consistent with minimizing emissions of organic solvents. [36.4.4]
- e. Spills shall be wiped up immediately. The wipe rags shall be stored in covered containers meeting the specifications in I.D.1.k. [36.4.6]
- f. Porous or absorbent materials, such as sponges, fabrics, wood, or paper products, shall not be cleaned in E002 or E003. [36.4.7]
- g. Parts baskets or parts shall be drained under the cover and shall not be removed from E002 or E003 for at least 15 seconds or until dripping ceases and the pieces are visually dry, whichever is longer. [36.4.8]
- h. Parts having cavities or blind holes shall be tipped or rotated while before removed from the vapor zone. [36.4.9]
- i. Parts shall be oriented for best drainage. [36.4.10]
- j. When solvent is added to or drained from E002 or E003, 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]
- k. 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]
- l. E002 and E003 shall be maintained as recommended by the manufacturer of the equipment. [36.4.13]

- m. 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, must 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]
- n. E002 and E003 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]
- o. A freeboard ratio greater than or equal to 0.75 shall be used to control solvent emissions from E002 and E003. [36.5.3]
- p. If a flexible hose or flushing device is used, flushing shall be performed only within the freeboard zone of E002 and E003. [36.5.4]
- q. The height of solvent in E002 and in E003 shall not exceed the manufacturer's fill line. [36.5.6]

2. Recordkeeping Requirements

- a. The permittee shall maintain the following records:
 - (1) Training provided to the operators of E002 and E003 for the lifetime of the unit, [36.10.4, 29.6.3(b)]
 - (2) The amount and type of solvent used in E002 and in E003 for each year, and [36.10.4(a), 29.6.3(b)]
 - (3) The date and type of each equipment malfunction or leak and the date the malfunction or leak is repaired. [36.10.4(b), 29.6.3(b)]

E. Facility Requirements

1. Emissions Limitations

- a. The total quantity of Hazardous Air Pollutant (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. Recordkeeping Requirements

- a. 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. [29.6.3(b)]

3. Reporting Requirements

- a. 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. [29.6.3(b)]

4. Other Requirements

- a. The permittee shall file a completed Air Toxics Operating Permit Application with the Office of Air Resources within 60 days of written notice from the Director. [22.5.2] **[Not Federally Enforceable]**

F. Alternative Operating Scenarios

Emission Units P111 and P112 are capable of bypassing the afterburner (C001), when using compliant coatings. The following requirements are applicable in that situation:

1. Emissions Limitations

- a. The VOC content of each coating used by the permittee, shall not exceed the following emissions limitations: [19.3.1]

<u>Type of Surface</u>	<u>Coating VOC Content (lbs. VOC/gal of coating minus water, as applied)</u>
Paper	2.9

2. Testing Requirements

- a. Compliance with the coating emission limitations contained in Condition I.E.1.a of this permit shall be demonstrated in accordance with 40 CFR 60, Appendix A, Methods 24, 24A as amended or any other USEPA approved method which has been accepted by the Director. A one hour bake time shall be used for Methods 24 and 24A, which apply to multi-component coatings. [19.7.1]

3. Recordkeeping Requirements

- a. The permittee shall collect, record and maintain the following information each month for P111 and P112:

- (1) The name and identification number of each coating, as applied, on emission units P111 and P112; [19.5.3(c)(1), 29.6.3(b)]
 - (2) The mass of VOC per volume of each coating (excluding water), as applied, used each month on Emission Units P111 and P112; [19.5.3(c)(2), 29.6.3(b)]
 - (3) The type and amount of solvent used for diluents and clean up operations; [19.5.3(c)(3), 29.6.3(b)]
- b. The permittee shall, contemporaneously when making a change from this operating scenario to another, record in a log at the facility a record of the scenario under which it is operating. [29.6.7(a)]

4. Reporting Requirements

- a. The permittee shall notify the Office of Air Resources of any record showing noncompliance with Section I.F. of this permit or any other air pollution control rule or regulation applicable to Emission Units P111 and P112 by sending a copy of the record to the Office of Air Resources within 5 days following the occurrence. [19.5.3(d)(1)]

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 of Air Resources
Compliance Assurance Section
235 Promenade St. Room 230
Providence, RI 02908

2. Any records, compliance certifications and monitoring data required by the provisions of this permit to be submitted to USEPA shall be sent to:

USEPA Region I
Office of Environmental Stewardship
Director, Air Compliance Program
Attn: Air Compliance Clerk
One Congress St. Suite 1100 (SEA)
Boston, MA 02114 - 2023

3. Any document submitted shall be certified as being true, accurate, and complete by a responsible official. This certification shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the certification are true, accurate, and complete. [29.6.8(e)]

F. Inspection and Entry

1. Employees of the Office of Air Resources and its authorized representatives shall be allowed to enter this facility at all reasonable times for the purpose of:
 - a. having access to and copying at reasonable times any records that must be kept under the conditions of this permit;
 - b. inspecting at reasonable times any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under this permit; and
 - c. sampling or monitoring, at reasonable times, substances or parameters for the purpose of assuring compliance with this permit or other applicable requirements.[RIGL 23-23-5(7), 29.6.8(f)(1-4)]

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."
 - (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.
- (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. [8.4.1(b), 29.6.3(b)]
 - c. All fuel oil must be sampled and analyzed according to ASTM methods which have the prior approval of or are required by the Office of Air Resources. [8.4.1(b), 29.6.3(b)]
 - d. Copies of the fuel oil analysis sheets shall be maintained at the facility and be made accessible for review by the Office or designated personnel of the Office of Air Resources and USEPA. These records shall include a certified statement, signed by a responsible official, that the records represent all of the fuel combusted during each quarter. [29.6.3(b)]
 - e. The Director may require, under his supervision, the collection of fossil fuel samples for the purpose of determining compliance with the sulfur limitations in this permit. Sampling and analysis of fossil fuels under Condition II.U.2 of this permit shall not limit the collection of samples under this condition. [8.4.3]

V. Air Pollution Episodes

Conditions justifying the proclamation of an air pollution alert, air pollution warning or air pollution emergency shall be deemed to exist whenever the Director determines that the

accumulation of air pollutants in any place is attaining or has attained levels which could, if such levels are sustained or exceeded, lead to a substantial threat to the health of persons. If the governor declares an air pollution alert, air pollution warning or air pollution emergency, the permittee shall comply with the applicable requirements contained in APC Regulation No. 10. [10.1]

W. Fugitive Dust

The permittee shall not cause or permit any materials, including but not limited to sand, gravel, soil, aggregate and any other organic or inorganic solid matter capable of releasing dust, to be handled, transported, mined, quarried, stored or otherwise utilized in any way so as to cause airborne particulate matter to travel beyond the property line of the facility without taking adequate precautions to prevent particulate matter from becoming airborne. Such precaution shall be in accordance with good industrial practice as determined by the Director and/or shall be other reasonable fugitive dust prevention measures as determined by the Director. [5.2]

X. Compliance Certifications

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

Y. Permit Shield

1. Compliance with the terms and conditions of this permit shall be deemed compliance with all requirements applicable to the source in the following: Approval No. 966, 40 CFR 60 Subpart RR, 40 CFR 60 Subpart A, 40 CFR 64 and Air Pollution Control Regulations Nos. 1, 4, 5, 7, 8, 9, 10, 14, 16, 17, 19, 22, 28, 29 and 36. [29.6.12(a)(1)]
2. The Office of Air Resources has determined that units E001, E002, E003, P111, P112, P114, F001 and P309 are not subject to the following regulations: RI APC Regulation Nos. 2, 3, 6, 11, 12, 13, 15, 20, 21, 23, 24, 25, 26, 27, 30, 31, 32, 33, 35, 39, 41 and 40 CFR 63 Subpart KK.. [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 and record of and provide data on operational processes, fuel usage, raw materials, stack dimensions, exhaust gas flow rates and temperatures, emissions of air contaminants, steam or hot water generator capacities, types of equipment producing air contaminants and air pollution control systems or other data that may be necessary to determine if the facility is in compliance with air pollution control regulations. [14.2.1]
2. All records and supporting information required by this permit shall be maintained at the permittee's 30 Hamlet 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), 60.445(h)]

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. Information submitted pursuant to this condition will be correlated with applicable emissions 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 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)]
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. [40 CFR 60.7(a)(4)]

BB. Credible Evidence

For the purpose of submitting compliance certifications or establishing whether or not the permittee has violated or is in violation of any provision of this permit, the methods used in this permit shall be used, as applicable. However, nothing in this permit shall preclude the use, including the exclusive use, of any credible evidence or information, relevant to whether the permittee would have been in compliance with applicable requirements if the appropriate performance or compliance test procedures or methods had been performed. [40 CFR 51.212c, 52.12c, 52.33a]

CC. Emission Statements

1. The permittee shall submit annually an emission statement which includes information for both VOC and NO_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. 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.