



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

**OPERATING PERMIT**

Rhode Island Hospital

**PERMIT NO. RI-02-09**  
(Renewal date: March 11, 2009)  
(Expiration date: March 11, 2014)

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

Rhode Island Hospital  
593 Eddy Street  
Providence, RI 02903

**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.**

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**Douglas L. McVay, Acting Chief  
Office of Air Resources**

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**Date of issuance: 03/11/09**

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## SECTION I. SOURCE SPECIFIC CONDITIONS

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### A. Requirements for Emission Units B002, B003, B004 and B005

The following requirements are applicable to:

- Emission Unit B002, which is a 80.4 MMBTU/hr Babcock & Wilcox boiler, Model No. FM-3006, equipped with low-NO<sub>x</sub> burners and flue gas recirculation, capable of burning #6 fuel oil and natural gas.
- Emission Unit B003, which is a 62.6 MMBTU/hr Combustion Engineering boiler, Model No. 91473, equipped with low-NO<sub>x</sub> burners and flue gas recirculation, capable of burning #6 fuel oil and natural gas.
- Emission Units B004 and B005, which are 62.6 MMBTU/hr Babcock & Wilcox Model No. FM-1510 boilers, equipped with low-NO<sub>x</sub> burners and flue gas recirculation, capable of burning #6 fuel oil and natural gas.

#### 1. Emission Limitations

##### a. 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]

##### b. Nitrogen oxides (NO<sub>x</sub>)

The permittee shall not cause or allow the emissions of NO<sub>x</sub> in excess of 0.1 pounds per million BTU heat input when operated on natural gas. [27.4.2(a)(1)]

##### c. Opacity

The permittee shall not emit into the atmosphere any air contaminant for a period or periods aggregating more than three minutes in any one hour, which is greater than or equal to 20 percent opacity. [1.2] Where the presence of uncombined water is the only reason for failure to meet this requirement, such failure shall not be a violation of this permit. [1.4]

##### d. Sulfur oxides

Unless the Director declares in writing after a hearing that a shortage of low sulfur fuel oil 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. When fired with residual oil, emission units B002, B003, B004 and B005 shall be equipped with low-NO<sub>x</sub> burners and flue gas recirculation (with a minimum of 10% flue gas recirculation [27.4.2(b)])

## 3. Monitoring Requirements

- a. Opacity

Emission units B002, B003, B004, and B005 shall be equipped with an opacity monitor with audio alarm [6.2.2(a)]. The opacity monitor shall be calibrated to sound the alarm at 20 percent opacity and shall be operated continuously during the combustion of oil. The audio alarm must be located in an area where it will be heard by the operator or other person responsible for the unit. [6.2.3]

- b. Steam flow shall be monitored continuously for emission units B002, B003, B004 and B005. [29.6.3(a) 40 CFR 64]
- c. The oxygen content of the flue gas shall be monitored continuously for emission units B002, B003, B004 and B005. [29.6.3.(a) 40 CFR 64]
- d. The position of the damper fan for the FGR for emission units B002, B003, B004 and B005 shall be checked daily. [29.6.3(a) 40 CFR 64]

## 4. Testing Requirements

- a. Particulates

Compliance with the particulate emissions limitations contained in Condition I.A.1.a 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 emission 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 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.a of this permit based on available information including, but not limited to, type of fuel burned, design of unit, efficiency of air pollution control systems, operating and maintenance procedures, and emission test results on similar units. [13.3.2]

b. Nitrogen oxides

Emissions testing for compliance with NO<sub>x</sub> control requirements shall be conducted by 31 December of each year. Emission testing shall comply with the following requirements: [27.5.7(a), 27.5.2]

- (1) An emissions testing protocol shall be submitted to the office for review and approval prior to the performance of any tests. The Office of Air Resources shall be notified at least 60 days prior to any emission test. [27.5.7(b)]
- (2) All test procedures used for emission testing shall be in accordance with the methods set forth in Appendix A of 40 CFR 60 or another method approved by the Office of Air Resources and the USEPA. [27.5.7(c)]
- (3) The permittee shall install any and all test ports or platforms necessary to conduct the required emissions testing, provide safe access to any platforms and provide the necessary utilities for sampling and testing equipment. [27.5.7(d)]
- (4) All testing shall be conducted under operating conditions deemed acceptable and representative for the purpose of assessing compliance with the applicable emission limitation. [27.5.7(e)]
- (5) All emissions testing must be observed by the Office of Air Resources or its authorized representative to be considered acceptable. [27.5.7(f)]
- (6) Emissions testing shall consist of 3 - one hour test runs. Compliance with the emission limitation must be demonstrated for each test run. [27.5.5]

(7) A final report of the results of emission testing shall be submitted to the Office of Air Resources no later than 60 days following completion of the testing. [27.5.7(g)]

c. Opacity

Tests for determining compliance with the opacity limitations specified in Condition I.A.1.c of this permit shall be performed per 40 CFR 60, Appendix A, Method 9. Additionally, all observers must qualify as per 40 CFR 60, Appendix A, Method 9. [1.3.1, 1.3.2]

d. Sulfur oxides

Compliance with the sulfur limitations contained in Condition I.A.1.d of this permit shall be determined by procedures referenced in Condition II.U.2. of this permit. [29.6.3(b)]

## 5. Recordkeeping Requirements

- a. The fuel used in multiple combustion units which have equivalent  $\text{NO}_x$  emission rates shall be measured and recorded monthly using a single metering device. If more than one type of fuel is used in the multiple combustion units the amount of each type fuel must be measured and recorded monthly. [27.6.3(a)]
- b. The permittee shall record the steam flow for emission units B002, B003, B004 and B005 a minimum of once per day and the date, time and measurement shall be recorded. [29.6.3(a) 40 CFR 64]
- c. The permittee shall record the oxygen content of the flue gas for emission units B002, B003, B004 and B005 once per day and the date, time and measurement shall be recorded. [29.6.3(b)]
- d. The permittee shall record the FGR fan damper position for emission units B002, B003, B004 and B005 once per day and the date, time and measurement shall be recorded. [29.6.3(a), 40 CFR 64]
- e. The permittee shall maintain records of the range of steam flow, the range of oxygen contents and FGR fan damper setting during the most recent stack test. [29.6.3(a), 40 CFR 64]
- f. The permittee shall maintain records of any scheduled and unscheduled maintenance to emission units B002, B003, B004 and B005. [29.6.3(b)]

**6. Reporting Requirements**

- a. The permittee shall notify the Office of Air Resources whenever the steam flow exceeds the range set during the most recent stack test. [29.6.3(a) 40 CFR 64]
- b. The permittee shall notify the Office of Air Resources whenever the oxygen content is outside the range established during the most recent stack test. [29.6.3(a) 40 CFR 64]
- c. The permittee shall notify the Office of Air Resources whenever the FGR fan damper is not in the position established during the most recent stack testing. [29.6.3(b)]

**B. Requirements for Emission Unit D005**

The following requirements are applicable to:

- Emission Unit D005, which is a 587 HP Caterpillar engine/generator set, Model No. 3406, which burns #2 fuel oil. D005 is an emergency/standby unit.

**1. Emissions Limitations**

- a. Opacity

The permittee shall not emit into the atmosphere, any air contaminant, for a period or periods aggregating more than three minutes in any one hour, which is greater than or equal to 20 percent opacity. [1.2] Where the presence of uncombined water is the only reason 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 after a hearing that a shortage of low sulfur fuel oil 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. D005 shall be operated only as a mechanical or electrical power source when the primary power source has been rendered inoperable. [27.1.4]
- b. The permittee shall not operate D005 in conjunction with any voluntary demand-reduction program or any other interruptible power supply

arrangement with a utility, other market participant or system operator unless such program is implemented at the same time as ISO New England, or any successor Regional Transmission Organization, directs the implementation of operating procedures for voltage reductions, voluntary load curtailments by customers or automatic or manual load shedding within Rhode Island in response to unusually low frequency, equipment overload, capacity or energy deficiency, unacceptable voltage levels or other such emergency conditions. [43.4.4] **[Not Federally Enforceable]**

- c. D005 shall be operated less than 500 hours, during any consecutive 12-month period. If the hours of operation for D005 exceeds 500 hours in any 12 month period, the 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 D005 to indicate, in cumulative hours, the elapsed engine operating time. [27.6.10(b)]

### **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 procedures referenced in Condition II.U.2. of this permit.

### **5. Recordkeeping Requirements**

- a. The permittee shall, on a monthly basis, no later than five days after the first of the month, determine and record the hours of operation for D005 for the previous twelve (12) month period. [27.6.10(c)]

### **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 exceeds 300 hours for D005. [27.6.10(d)]



**C. Requirements for Emission Units D002, D003 and D004**

The following requirements are applicable to:

- Emission Unit D002, which is a 1465 HP Caterpillar Internal Combustion Engine/Generator Set, Model No. 3508, which burns #2 fuel oil. D002 is an emergency/standby unit.
- Emission Units D003 and D004, each of which is a 2168 HP Caterpillar Internal Combustion Engine/Generator Set, Model No. 3516B, which burns #2 fuel oil. D003 and D004 are both emergency/standby units.

**1. Emission Limitations**

a. Sulfur Dioxide

All diesel fuel burned in D002, D003 and D004 shall contain no more than 0.3 percent sulfur by weight. [Approval Nos. 1675-1676 (A)(1), 1748 (A)(1)]

b. Opacity

Visible emissions from D002, D003 and D004 shall not exceed 10% opacity except for a period or periods aggregating no more than three minutes in any one-hour. This visible emission limitation shall not apply during startup of an engine. Engine startup shall be defined as the first ten minutes of firing following the initiation of firing. [1.2, Approval Nos. 1675-1676 (A)(2), 1748 (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]

**2. Operating Requirements**

- a. The maximum firing rate for D002 shall not exceed 71.3 gallons per hour. [Approval No. 1748 (B)(1)]
- b. The maximum firing rate for D003 and D004 shall not exceed 144.5 gallons per hour each. [Approval Nos. 1675-1676 (B)(1)]
- c. D002, D003 and D004 shall not operate more than 500 hours each in any 12-month period. [Approval Nos. 1675-1676 (B)(2), 1748 (B)(2), 27.2.3.]
- d. D002, D003 and D004 shall be operated only to provide emergency electrical power in the event of a power outage or for maintenance

purposes to assure that D002, D003 and D004 are in working order. [Approval Nos. 1675-1676 (B)(3), 1748 (B)(3), 27.1.4]

- e. The permittee shall not operate D002, D003 or D004 in conjunction with any voluntary demand-reduction program or any other interruptible power supply arrangement with a utility, other market participant or system operator unless such program is implemented at the same time as ISO New England, or any successor Regional Transmission Organization, directs the implementation of operating procedures for voltage reductions, voluntary load curtailments by customers or automatic or manual load shedding within Rhode Island in response to unusually low frequency, equipment overload, capacity or energy deficiency, unacceptable voltage levels or other such emergency conditions. [Approval Nos. 1675-1676 (B)(4), 1748 (B)(4), 43.4.4] **[Not Federally Enforceable]**

### **3. Monitoring Requirements**

- a. D002, D003 and D004 shall each be equipped with a non-resettable elapsed time meter to indicate, in cumulative hours, the elapsed engine operating time. [Approval Nos. 1675-1676 (C)(1), 1748 (C)(1), 27.6.10(b)]

### **4. Testing Requirements**

- a. Sulfur Dioxide

Compliance with the diesel fuel sulfur limitations contained in Condition I.C.1.a of this permit shall be determined by procedures referenced in Condition II.U.2 of this permit. [Approval Nos. 1675-1676 (D)(1-2), 1748 (D)(1-2)]

- b. Opacity

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

### **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 D002, D003 and D004 for the previous 12-month period. [Approval Nos. 1675-1676 (E)(1), 1748 (E)(1), 27.6.10(c)]

## 6. Reporting Requirements

- a. The permittee shall notify the Office of Air Resources, in writing, whenever the hours of operation in any 12-month period exceed 500 hours each for D002, D003 and D004. [Approval Nos. 1675-1676 (E)(2), 1748 (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 Nos. 1675-1676 (E)(3), 1748 (E)(7)]
- 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 business days of the occurrence and supply the Director with the following information: [Approval Nos. 1675-1676 (E)(7), 1748 (E)(8)]
  - (1) The name and location of the facility; [Approval No.1748 (E)(8)(a)]
  - (2) The subject source(s) that caused the noncompliance with the permit term; [Approval No.1748 (E)(8)(b)]
  - (3) The time and date of first observation of the incident of noncompliance; [Approval No.1748 (E)(8)(c)]
  - (4) The cause and expected duration of the incident of noncompliance; [Approval No.1748 (E)(8)(d)]
  - (5) The estimated rate of emissions (expressed in lbs/hr or lbs/day) during the incident and the operating data and calculations used in estimating the emission rate. [Approval No.1748 (E)(8)(e)]
  - (6) The proposed corrective actions and schedule to correct the conditions causing the incidence of noncompliance. [Approval No.1748 (E)(8)(f)]

## 7. Other Requirements

- a. To the extent consistent with the requirements of Section I.C of this permit and applicable Federal and State laws, D002, D003 and D004 shall be operated in accordance with the representation of the equipment in the preconstruction permit application. [Approval Nos. 1675-1676 (F)(1), 1748 (F)(1)]

- b. At all times, including periods of startup, shutdown and malfunction, the permittee shall, to the extent practicable, maintain and operate the facility in a manner consistent with good air pollution control practice for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the Office of Air Resources, which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures and inspection of the source. [Approval Nos. 1675-1676 (F)(3), 1748 (F)(3)]

**D. Requirements for Emission Units M001, M002 and M003**

The following requirements are applicable to:

- Emission Unit M001, which are two (2) 3M Steri-Vac 5XL above and below sterilization units.
- Emission Unit M002, which are two (2) 3M Steri-Vac 5XL above and below sterilization units.
- Emission Unit M003, which are two (2) 3M Steri-Vac 5XL sterilization units above and XL aerators below.

Emission Units M001, M002 and M003 are associated with air pollution control devices C002, C003 and C004 which are three (3) Donaldson 50 CFM Abators, Model Nos. 1G319274-1, 1G319274-2, and 1G319274-3 respectively.

**1. Emission Limitations**

- a. Emissions of ethylene oxide discharged during the sterilization exhaust cycle shall be reduced by 99.9% or greater before being discharged to the atmosphere. [Approval No. 1267-1269(A)(1), Air Toxics Approval No. 1283/04(B)(3)]
- b. Emissions of ethylene oxide discharged during the aeration exhaust cycle shall be reduced by 99.0% or greater, or to the minimum detection limit of the analytical method, before being discharged to the atmosphere. [Approval No. 1267-1269(A)(2), Air Toxics Approval No. 1283/04 (B)(5)]
- c. Emissions of ethylene oxide discharged to the atmosphere from sterilization and aeration, including fugitives, shall not exceed 1.47 lbs. per month (17.6 lbs per year). [Approval No. 1267-1269(A)(3), Air Toxics Approval No. 1283/04 (B)(6)]

## 2. Operating Requirements

- a. The stacks discharging ethylene oxide shall be consistent with the parameters used in the air quality modeling to determine the increase in the ground level ambient concentration of ethylene oxide. The Office of Air Resources, at its sole discretion, may reopen the Air Toxics Operating Permit if it determines that these emission characteristics have changed significantly and that the Air Toxics Operating Permit must be revised to ensure compliance with Air Pollution Control Regulation No. 22.

A summary of these emission characteristics is as follows:

Pollutant emissions from C002, C003 and C004 are discharged through stacks each having a height of 16 feet above grade and a flow rate of 2000 cfm. [Air Toxics Approval No. 1283/04 (C)(1)] **[Not Federally Enforceable]**

- b. Ethylene Oxide shall be used only in the process of sterilization. [Air Toxics Approval No. 1283/04 (B)(1)] **[Not Federally Enforceable]**
- c. Three Donaldson catalytic incineration units, Model 3M Steri-Vac 5XL, shall be used to treat ethylene oxide emissions from the six sterilization units. [Air Toxics Approval No. 1283/04(B)(2)] **[Not Federally Enforceable]**
- d. One Donaldson catalytic incineration unit, Model 3M Steri-Vac 5XL, shall be used to treat ethylene oxide emissions from the two aeration units. [Air Toxics Approval No. 1283/04 (B)(4)] **[Not Federally Enforceable]**
- e. Maximum monthly usage of ethylene oxide at the hospital shall not exceed 68.7 lbs. [Approval No. 1267-1269(B)(1)]
- f. No more than one sterilizer or aerator shall be discharging to a Donaldson abator at any one time. [Approval No. 1267-1269(B)(2)]
- g. The outlet temperature of each control device shall be maintained at or above 280°F whenever ethylene oxide is being discharged to the device. [Approval No. 1267-1269(B)(3)]
- h. C002, C003 and C004 shall be operated according to their design specifications whenever M001, M002, and/or M003 are in operation or are emitting air contaminants. [16.2]
- i. In the case of a malfunction of C002, C003 and/or C004 all reasonable measures shall be taken to assure resumption of the designed control efficiency as soon as possible. In the event that the malfunction of C002 C003 and/or C004 is expected or may reasonably be expected to continue for

longer than 24 hours and if the permittee wishes to operate M001, M002 and/or M003 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: [16.3]

- (1) Identification of the specific air pollution control system (i.e. C002, C003 or C004) and the source on which it is installed (M001, M002 or M003), [16.3(a)]
  - (2) The expected period of time that C002, C003 or C004 will be malfunctioning or out of service, [16.3(b)]
  - (3) The nature and quantity of air contaminants likely to be emitted during said period, and [16.3(c)]
  - (4) Measures that will be taken to minimize the length of said period, and [16.3(d)]
  - (5) The reasons it would be impossible or impractical to cease the source operation during said period. [16.3(e)]
- j. There shall be no bypassing of C002, C003 and/or C004 during times when the ethylene oxide is being discharged to the device. [Approval No. 1267-1269(F)(1)]

### **3. Monitoring Requirements**

a. Temperature

The outlet temperature of C002, C003 and C004 shall be continuously monitored. [Approval No. 1267-1269 (C)(1)]

b. Catalyst bed activity

The permittee shall, on an annual basis, conduct testing, using the equipment manufacturer's recommended procedures, to determine if the catalyst bed in each control device requires replacement. Testing to evaluate catalyst beds shall not be considered compliance testing. A copy of the results of this testing shall be submitted to the Office within 30 days of completion of the testing. Any catalyst bed determined to be in need of replacement shall be replaced as expeditiously as practicable. [Approval No. 1267-1269(F)(4)]

#### 4. Testing Requirements

- a. All test procedures used for emission testing shall be approved by the Office of Air Resources prior to the performance of any emission test. [Approval No. 1267-1269(D)(3)]
- b. Two copies of an emissions testing protocol shall be submitted to the Office of Air Resources for review and approval prior to the performance of any tests. The permittee shall provide the Office of Air Resources at least 60 days prior notice of any emission test. [Approval No. 1267-1269(D)(2)]
- c. The permittee shall install any and all test ports or platforms necessary to conduct the required testing, provide safe access to any platforms and provide the necessary utilities for sampling and testing equipment. [Approval No. 1267-1269(D)(4)]
- d. All testing shall be conducted under operating conditions deemed acceptable and representative for the purpose of assessing compliance with the applicable emission limitations or air quality standards. [Approval No. 1267-1269(D)(5)]
- e. A final report of the results of emissions testing shall be submitted to the Office of Air Resources no later than 60 days following completion of the testing. [Approval No. 1267-1269(D)(6)]
- f. All stack testing must be observed by the Office of Air Resources or its authorized representatives to be considered acceptable. [Approval No. 1267-1269(D)(7)]
- g. The permittee shall, on an annual basis, conduct testing using the equipment manufacturer's recommended procedures to determine if the catalyst bed requires replacement. Any catalyst bed determined to be in need of replacement shall be replaced as expeditiously as practicable. [Air Toxics Approval No. 1283/04(D)(1)] [**Not Federally Enforceable**]
- h. All test procedures used for emission testing shall be approved by the Office of Air Resources prior to the performance of any emission test. [Air Toxics Approval No. 1283/04(D)(4)] [**Not Federally Enforceable**]
- i. All stack testing must be observed by the Office of Air Resources or its authorized representatives to be considered acceptable. [Air Toxics Approval No. 1283/04(D)(5)] [**Not Federally Enforceable**]
- j. Annual testing to evaluate the catalyst bed shall not be construed as a full compliance test. Annual testing shall be conducted in accordance with the approved test protocol and any one of three runs demonstrating proper

operation of the catalyst bed shall be acceptable. [Air Toxics Approval No. 1283/04(D)(6)] [**Not Federally Enforceable**]

## 5. Recordkeeping Requirements

- a. The permittee shall maintain the following records:
  - (1) The quantity of ethylene oxide, in pounds, used in each sterilizer per day. [Approval No. 1267-1269(E)(1)(a), 29.6.3(b)]
  - (2) The outlet temperature for each control device. [Approval No. 1267-1269 (E)(1)(b), 29.6.3(b)]
- b. The permittee shall maintain records of when the catalyst bed is replaced. [Approval No. 1267-1269 (E)(4), 29.6.3(b)]
- c. Temperature

The outlet temperature of each control device shall be continuously recorded. [Approval No. 1267-1269 (C)(1), 29.6.3(b)]

## 6. Reporting Requirements

- a. 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 48 hours of the occurrence. [Approval No. 1267-1269(E)(3)]
- b. The permittee shall submit the results of the testing in Condition I.D.4.g of this permit to the Office of Air Resources within 30 days of completion of the testing. [Air Toxics Approval No. 1283/04 (D)(1)] [**Not Federally Enforceable**]
- c. The permittee shall submit two copies of an emissions testing protocol to the Office of Air Resources for review and approval prior to the performance of any test. [Air Toxics Approval No. 1283/04(D)(2)] [**Not Federally Enforceable**]
- d. The permittee shall provide the Office of Air Resources at least 60 days prior notice of any emissions test. [Air Toxics Approval No. 1283/04(D)(3)] [**Not Federally Enforceable**]

## 7. Other Requirements

- a. To the extent consistent with the requirements of Section I.D of this permit and applicable federal and state laws, the facility shall be operated in



accordance with the representation of the facility in the preconstruction permit application. [Approval No. 1267-1269 (F)(2)]

- b. The permittee is subject to the requirements of 40 CFR 63.1-15, Subpart A, "General Provisions" [as indicated in Table 1 to Subpart WWWW of 40 CFR 63] and 40 CFR 63, Subpart WWWW, National Emission Standards for Hospital Ethylene Oxide Sterilizers. Compliance with all applicable provisions therein is required, unless otherwise stated in this permit. The permittee must comply with applicable requirements in Subpart WWWW no later than December 29, 2008. [40 CFR 63.10382(a), 40 CFR 63.10384(a), 40 CFR 63.10440]

**E. Requirements for Emission Unit T001**

The following requirements are applicable to:

- Emission unit T001, which is an underground 3,000-gallon gasoline storage tank.

**1. Operating Requirements**

**Stage I Vapor Controls**

- a. No person may transfer or cause or allow the transfer of gasoline from any delivery vessel into emission unit T001, unless the emission unit is equipped with a submerged fill pipe and the vapors displaced from the emission unit during filling are processed by a vapor control system in accordance with Condition I.E.1.b. [11.5.2.1]
- b. The vapor control system required by Condition I.E.1.a shall include: [11.5.2.2]
  - (1) A vapor tight line from T001 to the delivery vessel and a system that will ensure that vapors will be transferred from T001 to the delivery vessel to include the following systems; [11.5.2.2(a)]
    - (a) Installation of a pressure-vacuum (PV) vent valve. PV valve relief settings must be 3, plus or minus 0.5, inches of water column pressure and 8, plus or minus 2, inches water column vacuum, unless otherwise specified in the applicable CARB certification; and [11.10.2.1(d)]
    - (b) The vapor tight line from T001 to the delivery vessel must be equipped with interlocking connections which will prevent fuel delivery unless the vapor line is connected. [11.5.2.2(a)(2)]

- c. The permittee shall repair, replace or modify any worn out or malfunctioning component or element of design. [11.5.2.4(c)]
- d. The permittee shall maintain gauges, meters or other specified equipment in proper working order. [11.5.2.5(a), 11.5.3.1(a)]

### **Stage II Vapor Controls**

- e. No person, owner, operator or employee of a gasoline dispensing facility shall dispense or allow the dispensing of gasoline from T001 into any motor vehicle fuel tank unless each gasoline dispenser is equipped with a properly operating Stage II vapor collection and control system certified by the California Air Resource Board. [11.10.2.2]
- f. The permittee shall install, at each gasoline dispensing pump, a Stage II vapor collection and control system that has been certified by the California Air Resources Board (CARB) as having a minimum control efficiency of 95 percent by weight and make any modifications to the facility necessary to properly operate the system. All hoses in the system shall be coaxial. The system may include after market parts, provided that those parts have been certified by CARB. [11.10.2.1(a)]
- g. All Stage II vapor and vent piping shall be made of a nonmetallic rigid type material unless the CARB certification for that Stage II system specifies that another type of piping may be used. [11.10.2.1(c)]
- h. At all times, at least one person who has attended a Stage II training session applicable to the Stage II system in operation at the facility must be employed at the facility. [11.10.2.1(e)]
- i. The permittee shall conspicuously post operating instructions for dispensing gasoline using the vapor collection and control system on the front of each gasoline dispensing pump. Such instructions must include a warning not to attempt continued refueling after initial automatic shutoff. Instructions shall also include the telephone number of the Department and a request that inoperative control devices be reported. [11.10.2.1(f)]
- j. The permittee shall maintain the Stage II vapor collection and control system in proper operating condition as specified by the manufacturer and free of defects that would impair the effectiveness of the system, as defined by the state inspection criteria. [11.10.2.1(g)]
- k. The permittee shall visually inspect all aboveground parts of the Stage II vapor collection and control system once a week. Such an inspection must, at a minimum, include checking for: missing components; slits and tears in

nozzle boots; face cone defects; flattened, kinked or torn hoses; and faceplate defects which hinder contact with the fill inlet area. [11.10.2.1(h)]

1. The permittee shall remove from service any dispenser if: [11.10.2.1(i)]
  - (1) Any part of the Stage II vapor collection and control system associated with that dispenser fails a compliance test conducted by or ordered by the Department or is found to be defective during a Department inspection, or [11.10.2.1(i)(1)]
  - (2) Any part of the Stage II vapor collection and control system associated with that dispenser is not operating properly, or [11.10.2.1(i)(2)]
  - (3) Any part of the Stage II vapor collection and control system associated with that dispenser is found to be defective during visual inspection performed in accordance with Condition I.E.1.k of this permit. [11.10.2.1(i)(3)]

If the defect is in a single hose or nozzle on a multiproduct dispenser, only the nozzle associated with the defect must be removed from service. Any dispenser removed from service on the basis of test results shall be kept out of service until it has been demonstrated by retesting that the dispenser is in compliance. Any dispenser removed from service in accordance with any other provision of this subsection shall be kept out of service until all defective or missing parts of the Stage II vapor collection and control system associated with the dispenser have been repaired or replaced. [11.10.2.1(i)]

## **2. Testing Requirements**

### **Stage I Vapor Controls**

- a. Compliance test methods to be used will follow Appendix B - Gasoline Vapor Leak Detection Procedures by Combustible Gas Detector, which is detailed in the USEPA document entitled Control of Volatile Organic Compound Leaks from Gasoline Tank Trucks and Vapor Collection Systems, EPA-450/2-78-051, OAQPS No. 1.2-119. [11.5.5.1]
- b. The compliance test method will be used to determine if a vapor-tight condition exists in the line from T001 to the delivery vessel during gasoline transfer. [11.5.5.2(a)]

### **Stage II Vapor Controls**

- c. The function of all Stage II vapor collection and control systems shall be retested prior to operation of the system after any major system modification.

Testing shall include all tests listed in Subsection 11.10.3.3 of Air Pollution Control Regulation No. 11. A major system modification is considered to be the occurrence of any one of the following: [11.10.3.4]

- (1) A modification which would cause the facility to be a substantially modified gasoline dispensing facility as defined in subsection 11.1.21 of Air Pollution Control Regulation No. 11, or [11.10.3.4(a)]
  - (2) The repair or replacement of any part of an underground piping system attached to a stationary storage tank equipped with a Stage II system, excluding repairs which occur without excavation, or [11.10.3.4(b)]
  - (3) The change from one certified Stage II system configuration to another. [11.10.3.4(c)]
- d. The function of all Stage II vapor collection and control systems shall be retested periodically according to the following schedule: [11.10.3.5]
- (1) A Leak Test, a Vapor Space Tie Test, a Pressure Vacuum Vent Cap Test and a Ten Gallon per Minute Test shall be performed annually; [11.10.3.5(a)]
  - (2) A Liquid Blockage Test shall be performed once every three years on every nozzle on the Stage II system; and [11.10.3.5(b)]
  - (3) An Air to Liquid Ratio Test shall be performed annually on all vacuum assist systems; and [11.10.3.5(c)]
  - (4) All other tests required in the CARB certification applicable to that Stage II system shall be performed according to the frequency specified in that certification. [11.10.3.5(d)]
- e. The Office of Air Resources may require a retest of the system any time that an inspection indicates that the vapor collection and control system may not be functioning properly. [11.10.3.6]
- f. Leak, Liquid Blockage, and Vapor Space Tie Tests performed pursuant to the requirements of Section I.E.2 of this permit shall use the methodology specified in USEPA's Technical Guidance – Stage II Vapor Recovery Systems for Control of Vehicle Refueling of Gasoline Dispensing Facilities, Volumes I and II, November 1991. Ten Gallon per Minute Tests, Air to Liquid Ratio Tests, Pressure Vacuum Vent Cap Tests and any additional test required by the applicable CARB certification shall be performed using the current CARB methodology for those tests, unless otherwise specified by the Director. [11.10.3.8]

### 3. Recordkeeping Requirements

#### Stage II Vapor Controls

- a. The following records shall be maintained for a period of five years (unless otherwise noted) and shall be made available for inspection by representatives of the Office of Air Resources or the USEPA on request: [11.10.3.9]
- (1) Dates and results of weekly visual inspections as required in Condition I.E.1.k of this permit. [11.10.3.9(a)]
  - (2) Date that any gasoline dispenser is removed from operation in compliance with the requirements specified in Condition I.E.1.l of this permit and date that dispenser is returned to service. [11.10.3.9(b)]
  - (3) Identification of parts of the Stage II vapor collection and control system that are repaired or replaced, and dates of such replacements, [11.10.3.9(c)]
  - (4) Identification of any tests performed and the dates and results of such tests, and [11.10.3.9(d)]
  - (5) Proof of attendance and completion of training for each employee who has received Stage II training. Such documentation shall be maintained as long as the employee continues to be employed by the facility. [11.10.3.9(e)]

Records maintained pursuant to Conditions I.E.3.a(1), I.E.3.a(2) and I.E.3.a(3) of this permit, for the two most current years shall be kept at the facility. The records specified in Conditions I.E.3.a(4) and I.E.3.a(5) shall be kept either at the facility or at a centralized location approved by the Office of Air Resources. [11.10.3.9]

### 4. Reporting Requirements

#### Stage II Vapor Controls

- a. The permittee shall notify the Office of Air Resources of the date that testing will be conducted at least seven (7) days in advance of testing and shall certify to the Office of Air Resources in writing within 15 days of the test that testing has been completed. Such certification shall be signed by the permittee and shall include the date of installation of the Stage II vapor

collection and control system and the results of the tests required in Conditions I.E. of this permit. Test results shall be signed and certified as accurate by the person who conducted the test. [11.10.3.7]

- b. When requested by the Department, the permittee shall report the following information to the Department in writing:
  - (1) Name and address of the facility,
  - (2) Name and address of owner or operator or other responsible individual,
  - (3) Number of nozzles used to dispense gasoline at the facility, and
  - (4) Monthly throughput for each of the previous 12 months. [11.10.3.1]
- c. At least thirty (30) days prior to the installation of a Stage II system, the permittee shall notify the Department in writing of the expected date of initiation of installation of the underground piping and of the type and manufacturer of the Stage II equipment. Such notification shall not be deemed to be an approval by the Department of the equipment being installed, or as compliance with the requirements of this section. [11.10.3.2]

**F. Requirements for Emission Unit B006**

The following requirements are applicable to:

- Emission Unit B006, which is a 89.68 MMBTU/hr Nebraska boiler, Model No. NS/D/58HS, equipped with a NatCom low-NO<sub>x</sub> burner and flue gas recirculation, capable of burning natural gas.

**1. Emission Limitations**

- a. Nitrogen oxides (as nitrogen dioxide (NO<sub>2</sub>))

The emission rate of nitrogen oxides discharged to the atmosphere from B006 shall not exceed 0.036 pounds per million BTU heat input or 3.24 lbs/hr, whichever is more stringent. [Approval No. 1777 (A)(1)(a)]

- b. Carbon Monoxide (CO)

The emission rate of carbon monoxide discharged to the atmosphere from B006 shall not exceed 0.037 pounds per million BTU heat input or 3.31 lbs/hr, whichever is more stringent. [Approval No. 1777 (A)(1)(b)]

c. Total Nonmethane Hydrocarbons (NMHC)

The emission rate of total nonmethane hydrocarbons discharged to the atmosphere from B006 shall not exceed 0.004 pounds per million BTU heat input or 0.36 lbs/hr, whichever is more stringent. [Approval No. 1777 (A)(1)(c)]

d. 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]

e. Opacity

Visible emissions from the B006 exhaust flue shall not exceed 10 percent opacity. [Approval No. 1777 (A)(2), 1.2] Where the presence of uncombined water is the only reason for failure to meet this requirement, such failure shall not be a violation of this permit. [1.4]

**2. Operating Requirements**

a. The maximum firing rate of B006 shall not exceed 87,598 ft<sup>3</sup>/hr of natural gas. [Approval No. 1777 (B)(1)]

b. The flue gas recirculation system shall be in full operation whenever B006 is in operation. [Approval No. 1777 (B)(2)]

**3. Monitoring Requirements**

a. Natural gas flow to B006 shall be continuously measured. [Approval No. 1777 (C)(1)]

b. The damper position of the FGR system for emission unit B006 shall be monitored continuously. [29.6.3(a) 40 CFR 64]

c. Steam flow shall be monitored continuously for B006. [29.6.3(a) 40 CFR 64]

d. The oxygen content of the flue gas shall be monitored continuously for B006. [29.6.3.(a) 40 CFR 64]

#### 4. Testing Requirements

##### a. Particulates

Compliance with the particulate emissions limitations contained in Condition I.F.1.d 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 emission 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 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.F.1.d of this permit based on available information including, but not limited to, type of fuel burned, design of unit, efficiency of air pollution control systems, operating and maintenance procedures, and emission test results on similar units. [13.3.2]

##### b. Nitrogen oxides

- (1) Emissions testing for B006 shall be conducted by 31 December of each year to determine compliance with the nitrogen oxide emission limitation. [Approval No. 1777 (D)(1)]
- (2) A stack testing protocol shall be submitted to the Office of Air Resources for review and approval prior to the performance of any stack tests. The permittee shall provide the Office of Air Resources at least 60 days prior notice of any stack test. [Approval No. 1777 (D)(2)]
- (3) All test procedures used for stack testing shall be approved by the Office of Air Resources and the USEPA prior to the performance of any stack tests. [Approval No. 1777 (D)(3)]



- (4) The permittee shall install any and all test ports or platforms necessary to conduct the required stack testing, provide safe access to any platforms and provide the necessary utilities for sampling and testing equipment. [Approval No. 1777 (D)(4)]
- (5) All testing shall be conducted under operating conditions deemed acceptable and representative for the purpose of assessing compliance with the applicable emission limitation. [Approval No. 1777 (D)(5)]
- (6) All stack testing must be observed by the Office of Air Resources or its authorized representative to be considered acceptable. [Approval No. 1777 (D)(6)]
- (7) A final report of the results of stack testing shall be submitted to the Office of Air Resources no later than 60 days following completion of the testing. [Approval No. 1777 (D)(7)]

c. Opacity

Tests for determining compliance with the opacity limitations specified in Condition I.F.1.e of this permit shall be performed per 40 CFR 60, Appendix A, Method 9. Additionally, all observers must qualify as per 40 CFR 60, Appendix A, Method 9. [1.3.1, 1.3.2]

**5. Recordkeeping Requirements**

- a. Natural gas flow to B006 shall be continuously recorded. [Approval No. 1777 (C)(1)]
- b. The permittee shall, on a monthly basis, no later than 5 days after the first of the month, determine the total quantity of natural gas combusted in B006. The permittee shall keep records of this determination and provide such records to the Office of Air Resources upon request. [Approval No. 1777 (E)(1), 40 CFR 60.48c(g)]
- c. The permittee shall record the steam flow for B006 a minimum of once per day and the date, time and measurement shall be recorded. [29.6.3(a) 40 CFR 64]
- d. The permittee shall record the oxygen content of the flue gas for B006 once per day and the date, time and measurement shall be recorded. [29.6.3(b)]
- e. The permittee shall check the damper position of the FGR system for emission unit B006 once per day and record the date and time the check

took place, the boiler load (steam flow) and whether the damper position is correct for the boiler load. [29.6.3(a) 40 CFR 64]

- f. The permittee shall maintain records of the range of steam flow, the range of oxygen contents and the range of percent flue gas recirculated during the most recent stack test. [29.6.3(a)-(b)]
- g. The permittee shall maintain records of any scheduled and unscheduled maintenance to emission unit B006. [29.6.3(b)]

## **6. Reporting Requirements**

- a. The permittee shall notify the Office of Air Resources whenever the steam flow exceeds the range set during the most recent stack test. [29.6.3(a) 40 CFR 64]
- b. The permittee shall notify the Office of Air Resources whenever the oxygen content is outside the range established during the most recent stack test. [29.6.3(a) 40 CFR 64]
- c. The permittee shall notify the Office of Air Resources whenever the damper position of the FGR system for B006 is not the correct position for the corresponding boiler load. This notification shall be provided in the semi-annual monitoring report required by Condition II.AA.2. [29.6.3(a) 40 CFR 64]
- d. The permittee shall notify the Office of Air Resources of any anticipated noncompliance with the terms of Section I.F of this permit or any other applicable air pollution control rules and regulations. [Approval No. 1777 (E)(6)]

## **7. Other Requirements**

- a. To the extent consistent with the requirements of this permit and applicable federal and state laws, the facility shall be operated in accordance with the representation of the facility in the permit application dated October 2002. [Approval No. 1777 (F)(1)]
- b. B006 is subject to the requirements of the Federal New Source Performance Standards 40 CFR 60, Subparts A (General Provisions), and Dc (Small Industrial-Commercial-Institutional Steam Generating Units). Compliance with all applicable provisions of these regulations is required. [Approval No. 1777 (F)(3)]
- c. At all times, including periods of startup, shutdown and malfunction, the permittee shall, to the extent practicable, maintain and operate B006 in a

manner consistent with good air pollution control practice for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the Office of Air Resources which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures and inspection of the source. [Approval No. 1777 (F)(4)]

- d. The Office of Air Resources may reopen and revise this permit if it determines that:
- (1) a material mistake was made in establishing the operating restrictions in Condition I.G.1; or,
  - (2) inaccurate emission factors were used in establishing the operating restrictions in Condition I.G.1; or,
  - (3) emission factors have changed as a result of stack testing or emissions monitoring. [Approval No. 1777 (F)(5)]

**G. Requirements for Emission Unit D006**

The following requirements are applicable to:

- Emission Unit D006, which is a 2937 HP Caterpillar engine/generator set, Model No. 3516CDITA, which burns #2 fuel oil. D006 is an emergency/standby unit.

**1. Emission Limitations**

a. Sulfur Dioxide

The sulfur content of any liquid fuel burned in D006 shall not exceed 15 ppm by weight.[General Permit No. GPEG-6 (A)(1)]

b. Carbon Dioxide

The emission rate of carbon dioxide discharged to the atmosphere from D006 shall not exceed 1900 lbs/MWh. [General Permit No. GPEG-6 (A)(2)]

c. Opacity

Visible emissions from D006 shall not exceed 10% opacity except for a period or periods aggregating no more than three minutes in any one-hour. This visible emission limitation shall not apply during startup of D006. Startup shall be defined as the first ten minutes of firing following the

initiation of firing. [1.2, General Permit No. GPEG-6 (A)(3)] Where the presence of uncombined water is the only reason for failure to meet this requirement, such failure shall not be a violation of this permit. [1.4]

## **2. Operating Requirements**

- a. The maximum firing rate for D006 shall not exceed 138.9 gallons per hour. [General Permit No. GPEG-6 (B)(1)]
- b. D006 shall not operate more than 300 hours in any 12-month period. [General Permit No. GPEG-6 (B)(2)]
- c. D006 shall be used only during emergencies or for maintenance or testing purposes. Emergency means an electric power outage due to a failure of the electrical grid, on-site disaster, local equipment failure, or public service emergencies such as flood, fire, or natural disaster. Emergency shall also mean periods during which ISO New England, or any successor Regional Transmission Organization, directs the implementation of operating procedures for voltage reductions, voluntary load curtailments by customers or automatic or manual load shedding within Rhode Island in response to unusually low frequency, equipment overload, capacity or energy deficiency, unacceptable voltage levels or other such emergency conditions. [General Permit No. GPEG-6 (B)(3)]
- d. D006 shall not be operated in conjunction with any voluntary demand-reduction program or any other interruptible power supply arrangement with a utility, other market participant or system operator unless such program is implemented at the same time as ISO New England, or any successor Regional Transmission Organization, directs the implementation of operating procedures for voltage reductions, voluntary load curtailments by customers or automatic or manual load shedding within Rhode Island in response to unusually low frequency, equipment overload, capacity or energy deficiency, unacceptable voltage levels or other such emergency conditions. [General Permit No. GPEG-6 (B)(4)]

## **3. Monitoring Requirements**

- a. D006 shall be equipped with a non-resettable elapsed time meter to indicate, in cumulative hours, the elapsed engine operating time for the unit. [General Permit No. GPEG-6 (C)(1)]

#### **4. Testing Requirements**

- a. Compliance with the diesel fuel sulfur limit shall be determined based on a certification from the fuel supplier. Fuel supplier certifications shall include the following information: [General Permit No. GPEG-6 (D)(1)]
  - (1) The name of the fuel supplier; [General Permit No. GPEG-6 (D)(1)(a)]
  - (2) The sulfur content of the fuel from which the shipment came or the shipment itself; [General Permit No. GPEG-6 (D)(1)(b)]
  - (3) 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 Rhode Island Hospital or whether the sample was drawn from fuel in storage at the fuel supplier's facility or another location; [General Permit No. GPEG-6 (D)(1)(c)]
  - (4) The method used to determine the sulfur content of the fuel. [General Permit No. GPEG-6 (D)(1)(d)]
- b. 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 the engine 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. [General Permit No. GPEG-6 (D)(2)]
- c. Tests for determining compliance with the opacity limitations specified in Condition I.A.1.c of this permit shall be performed per 40 CFR 60, Appendix A, Method 9. Additionally, all observers must qualify as per 40 CFR 60, Appendix A, Method 9. [1.3.1, 1.3.2]

#### **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 D006 for the previous 12-month period. [General Permit No. GPEG-6 (E)(1)]
- b. The permittee shall maintain copies of all fuel supplier certifications and these copies shall be made accessible for review by the Office of Air Resources or its authorized representative and EPA. [General Permit No. GPEG-6 (E)(4)]

## 6. Reporting Requirements

- a. The permittee shall notify the Office of Air Resources, in writing, whenever the hours of operation in any 12-month period exceeds 300 hours for D006. [General Permit No. GPEG-6 (E)(2)]
- b. The permittee shall notify the Office of Air Resources of any anticipated noncompliance with the terms of Section I.G or any other applicable air pollution control rules and regulations. [General Permit No. GPEG-6 (E)(3)]
- c. The permittee shall notify the Office of Air Resources, in writing, of any noncompliance with the terms of Section I.G within 30 calendar days of becoming aware of such occurrence and supply the Director with the following information: [General Permit No. GPEG-6 (E)(7)]
  - (1) The name and location of the facility; [General Permit No. GPEG-6 (E)(7)(a)]
  - (2) The subject source(s) that caused the noncompliance with the permit term; [General Permit No. GPEG-6 (E)(7)(b)]
  - (3) The time and date of first observation of the incident of noncompliance; [General Permit No. GPEG-6 (E)(7)(c)]
  - (4) The cause and expected duration of the incident of noncompliance; [General Permit No. GPEG-6 (E)(7)(d)]
  - (5) The estimated rate of emissions (expressed in lbs/hr or lbs/day) during the incident and the operating data and calculations used in estimating the emission rate. [General Permit No. GPEG-6 (E)(7)(e)]
  - (6) The proposed corrective actions and schedule to correct the conditions causing the incidence of noncompliance. [General Permit No. GPEG-6 (E)(7)(f)]

## 7. Other Requirements

- a. To the extent consistent with the requirements of this Section and applicable Federal and State laws, D006 shall be designed, constructed and operated in accordance with the representation of the equipment in the permit application. [General Permit No. GPEG-6 (F)(1)]
- b. At all times, including periods of startup, shutdown and malfunction, the permittee shall, to the extent practicable, maintain and operate D006 in a

manner consistent with good air pollution control practice for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the Office of Air Resources which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures and inspection of D006. [General Permit No. GPEG-6 (F)(3)]

**H. Facility Requirements**

1. The combined quantity of natural gas and diesel fuel oil combusted in B006, D002, D003 and D004 shall be limited to 1,296,000,000 cubic feet of natural gas equivalents or less for any consecutive 12-month period. For purposes of this limitation, each gallon of diesel fuel oil combusted in D002 shall be considered equivalent to 9158 cubic feet of natural gas. Each gallon of diesel fuel oil combusted in either D003 or D004 shall be considered equivalent to 6,405 cubic feet of natural gas.[Approval No. 1777 (B)(3)(a)]
2. The permittee shall notify the Office of Air Resources, in writing within 30 days, whenever the fuel usage for B006, D002, D003 and D004 exceeds 1,296,000,000 cubic feet of natural gas equivalents in any consecutive 12-month period for the combined quantity of natural gas and diesel fuel oil.[Approval No. 1777 (E)(2)]

## SECTION II. GENERAL CONDITIONS

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**A. Annual Emissions Fee Payment**

The permittee shall pay an annual emissions fee as established in Air Pollution Control Regulation No. 28 "Operating Permit Fees". [29.6.8(d)]

**B. Permit Renewal and Expiration**

This permit is issued for a fixed term of 5 years. The permittee's right to operate this source terminates with the expiration of this permit unless a timely and complete renewal application is submitted at least 12 months prior to the date of permit expiration. Upon receipt of a complete and timely application for renewal, this source may continue to operate subject to final action by the Office of Air Resources on the renewal application. In such an event, the permit shield in Condition II.Y of this permit shall extend beyond the original permit term until renewal. This protection shall cease to apply if, subsequent to a completeness determination, the applicant fails to submit by the deadline specified in writing by the Office of Air Resources any additional information identified as being needed to process the application. The application for renewal shall include the current permit number, description of permit revisions and off-permit changes that occurred during the permit term, and any applicable requirements that were promulgated and not incorporated into the permit during the permit term. [29.6.8(a), 29.4.2(c), 29.4.6]

**C. Transfer of Ownership or Operation**

This permit is nontransferable by the permittee. Future owners and operators must obtain a new operating permit from the Office of Air Resources. A change in ownership or operational control of this source is treated as an administrative permit amendment if no other change in this permit is necessary and provided that a written agreement containing a specific date for transfer of permit responsibility, coverage, and liability between the current and new permittee has been submitted to the Office of Air Resources. [29.10.1(a)(4)]

**D. Property Rights**

This permit does not convey any property rights of any sort, or any exclusive privilege. [29.6.8(c)(4)]



**E. Submissions**

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

RIDEM - Office Air Resources  
Compliance Assurance Section  
235 Promenade St., Room 230  
Providence, RI 02908

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

USEPA Region 1  
Office of Environmental Stewardship  
Director, Air Compliance Program  
Attn: Air Compliance Clerk  
One Congress Street, 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: [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 Nos. 1675-1676 (F)(2), Approval No. 1748(F)(2), Approval No. 1777(F)(2), General Permit No. GPEG-6(F)(2)]

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

**G. Compliance**

1. The permittee must comply with all conditions of this permit. Any noncompliance with a federally-enforceable permit condition constitutes a violation of the Clean Air Act and is grounds for enforcement action, for permit termination, revocation and reissuance or modification, or for denial of a permit renewal application. Any noncompliance with a permit condition designated as not federally 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]
5. 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 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. [7.2]

**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. [17.2]
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. [17.3]

**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 the USEPA:
  - a. For each shipment of fuel oil, the permittee shall obtain a certification from the fuel supplier which contains: [29.6.3(b)]
    - (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 supplier
  - (b) a statement that the oil complies with the specification for diesel fuel oil grade 1-D or 2-D, as defined by the American Society for Testing and Materials in ASTM D975-03 "Standard Specification for Fuel Oils."
  
- b. As an alternative to fuel oil certification, the permittee may elect to sample the fuel oil prior to combustion. Sampling and analysis shall be conducted after each new shipment of fuel oil is received. Samples shall be collected from the fuel tank immediately after the fuel tank is filled and before any fuel oil is combusted. [27.6.6, 8.4.1(b)]
  
- c. All fuel oil must be sampled and analyzed according to ASTM methods which have the prior approval of or are required by the Office of Air Resources. [27.6.6, 8.4.1(b)]
  
- d. Copies of the fuel oil analysis sheets shall be maintained at the facility and be made accessible for review by the Office of Air Resources or designated personnel of the Office of Air Resources and USEPA. These records shall include a certified statement, signed by a responsible official, that the records represent all of the fuel combusted during each quarter. [27.6.7, Approval Nos. 1675-1676 (E)(4), 1748(E)(5)]



- 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. [5.3]

**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. 1267-1269, 1675-1676, 1748, 1777 and General Permit No. GPEG-6, Air Toxics Approval No. 1283/04 and RI APC Regulations Nos. 1, 4, 5, 6, 7, 8, 9, 10, 11, 13, 14, 16, 17, 22, 27, 28, 29 and 43 [29.6.12(a)(1)]
2. The Office of Air Resources has determined that Emission Units B002, B003, B004, B005, B006, D002, D003, D004, D005, D006, T001, M001, M002 and M003 are not subject to the following: RI APC Regulations Nos. 2, 3, 12, 15, 19, 20, 21, 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 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 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 and 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 593 Eddy 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), 27.6.11, Approval Nos. 1675-1676 (E)(8), 1748 (E)(9), Approval No. 1777(E)(8), General Permit No. GPEG-6(E)(8)]
3. The permittee shall keep records of required monitoring information that include the following:
  - a. The date, place, and time of sampling or measurements; [29.6.4(a)(1)a]
  - d. 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 15<sup>th</sup> unless otherwise specified. Information submitted pursuant to this condition will be correlated with applicable emissions limitations and other applicable emissions information and will be available for public inspection. [14.2.2, 14.2.3]
2. The permittee shall submit reports of any required monitoring for each semiannual period ending 30 June and 31 December of each calendar year. These reports shall be due to the Office of Air Resources no later than forty-five (45) days after the end of the reporting period. All instances of deviations from permit requirements must be clearly identified in such reports. All required reports must be certified by a responsible official consistent with condition II.X.4. [29.6.4(b)(1)]

3. Deviations from permit conditions, including those attributable to upset conditions as defined in this permit, shall be reported, in writing, within five (5) business days of the deviation, to the Office of Air Resources. A copy of any such report shall be sent to the USEPA Region I. Reports shall describe the probable cause of such deviations, and any corrective actions or preventive measures taken. Each report must be certified by a responsible official consistent with Condition II.X.4 of this permit. [29.6.4(b)(2), Approval No. 1777(E)(7)]
4. The Office of Air Resources shall be notified in writing of any planned physical change or operational change to the emissions units and control devices identified in this permit. Such notification shall include information describing the nature of the change, information describing the effect of the change on the emissions of air contaminants and the scheduled completion date of the planned change. Any change which may result in an increased emission rate of any air contaminant shall be subject to approval of the Office of Air Resources. [Approval Nos. 1267-1269(E)(5), Approval Nos. 1675-1676 (E)(6), Approval No. 1748 (E)(6), Approval No. 1777(E)(5), General Permit No. GPEG-6(E)(6)]

**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 listed in this permit shall be used, as applicable. However, nothing in this permit shall preclude the use, including the exclusive use, of any credible evidence or information relevant to whether the permittee would have been in compliance with applicable requirements if the appropriate performance or compliance test procedures or methods had been performed. [40 CFR 51.212(c), 51.12(c), 52.33(a)]

**CC. Emission Statements**

1. The permittee shall submit annually an emission statement which includes information for both VOC and NO<sub>x</sub> if facility wide actual emissions are 25 tons per year of either pollutant. Emission statements shall be submitted to the Director on April 15<sup>th</sup> of each year unless otherwise specified. The permittee may apply to the Office of Air Resources to be allowed to discontinue submitting annual emission statements if actual emissions at the facility decrease to below 10 tons per year as a result of a permanent process change. [14.3.1]

The permittee shall submit an emission statement in a format approved by the Office of Air Resources. The emission statement shall contain the following information: [14.3.2]

- a. A certification that the information contained in the emission statement is accurate and complete to the best knowledge of the certifying individual.

- b. The full name, title, signature, date of signature, and telephone number of the certifying individual.
- c. Facility identification information, including the full name, physical location, mailing address, latitude, longitude, and four digit SIC code(s).
- d. Process data pertaining to each process emitting VOC and/or NO<sub>x</sub>, including:
  - (1) Annual and typical ozone season daily fuel use,
  - (2) Annual and typical ozone season daily process rate(s), and
  - (3) Process throughput while air pollution control equipment was not in operation.
- e. Operating data pertaining to each process emitting VOC and/or NO<sub>x</sub> during the reporting year, including:
  - (1) Percentage annual throughput,
  - (2) Average hours of operation per day during the reporting year and on a typical ozone season day,
  - (3) Average number of days of operation per week during the reporting year and during a typical ozone season week, and
  - (4) Weeks of operation during the reporting year and during the peak ozone season.
- f. Control equipment information, including:
  - (1) Specific primary and secondary control equipment for each process emitting VOC and/or NO<sub>x</sub>,
  - (2) Current overall control efficiency for each piece of control equipment (indicated by percent capture and percent destruction or removal), and
  - (3) Control equipment downtime during the reporting year and during the peak ozone season.
- g. Emissions information, including:
  - (1) Actual annual and typical ozone season daily emissions of VOC and NO<sub>x</sub> for each process. Emissions should be reported in tons per year and in pounds per day.
  - (2) A description of the emission calculation method and, if applicable, emission factor(s) used, and
  - (3) The calendar year for which emissions are reported.
- h. Any additional information required by the Director to document the facility's emission statements.

**DD. Miscellaneous Conditions**

1. This permit may be modified, revoked, reopened, reissued or terminated for cause. The filing of a request, by the permittee, for a permit modification, revocation and reissuance or termination or of a notification of planned changes or anticipated noncompliance does not release the permittee from the conditions of this permit. [29.6.8(c)(3)]
2. Any application for a permit revision need only submit information related to the proposed change. [29.4.3(c)]
3. Terms not otherwise defined in this permit shall have the meaning given to such terms in the referenced regulation.
4. Where more than one condition in this permit applies to an emission unit and/or the entire facility, the most stringent condition shall apply.

### SECTION III. SPECIAL CONDITIONS

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#### A. Ozone-depleting Substances

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

1. The permittee shall comply with the standards for labeling of products using ozone depleting substances pursuant to 40 CFR Part 82, Subpart E:
  - a. All containers containing a class I or class II substance that is stored or transported, all products containing a class I substance, and all products directly manufactured with a class I substance must bear the required warning statement if it is being introduced into interstate commerce pursuant to 40 CFR 82.106.
  - b. The placement of the required warning statement must comply with the requirements of 40 CFR 82.108.
  - c. The form of the label bearing the required warning statement must comply with the requirements of 40 CFR 82.110.
  - d. No person may modify, remove or interfere with the required warning statement except as described in 40 CFR 82.112.
2. The permittee shall comply with the standards for recycling and emissions reduction pursuant to 40 CFR Part 82, Subpart F, except as provided for motor vehicle air conditioners (MVAC) in Subpart B:
  - a. Persons opening appliances for maintenance, service, repair or disposal must comply with the required practices of 40 CFR 82.156.
  - b. Equipment used during the maintenance, service, repair or disposal of appliances must comply with the standards for recycling and recovery equipment of 40 CFR 82.158.
  - c. Persons performing maintenance, service, repair or disposal of appliances must be certified by an approved technician certification program pursuant to 40 CFR 82.161.
  - d. Persons disposing of small appliances, MVACs and MVAC-like appliances (as defined in 40 CFR 82.152) must comply with recordkeeping requirements of 40 CFR 82.166.

- e. Persons owning commercial or industrial process refrigeration equipment must comply with the leak repair equipment requirements of 40 CFR 82.156.
  - f. Owners/operators of appliances normally containing 50 or more pounds of refrigerant must keep records of refrigerant purchased and added to such appliances pursuant to 40 CFR 82.166.
3. If the permittee manufactures, transforms, imports or exports a class I or class II substance, the permittee is subject to all the requirements as specified in 40 CFR Part 82, Subpart A, "Production and Consumption Controls".
  4. If the permittee performs a service on motor (fleet) vehicles when this service involves ozone-depleting substance refrigerant (or regulated substitute substance) in the motor vehicle air conditioner (MVAC), the permittee is subject to all the applicable requirements as specified in 40 CFR Part 82, Subpart B, "Servicing of Motor Vehicle Air Conditioners".  
  
The term "motor vehicle" as used in Subpart B does not include a vehicle in which final assembly of the vehicle has not been completed. The term "MVAC" as used in Subpart B does not include the airtight 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.