



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

OPERATING PERMIT

Algonquin Gas Transmission Company

PERMIT NO. RI-08-11

(Renewal date: 03/25/2011)

(Expiration date: 03/25/2016)

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

**Algonquin Gas Transmission Company
Burrillville Compressor Station
Algonquin Lane
Burrillville, RI 02830**

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.

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

Date of issuance: 3/25/11

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SECTION I. SOURCE SPECIFIC CONDITIONS

A. Requirements for Emissions Unit B001

The following requirements are applicable to:

- Emission unit B001, which is a 3.41 MMBTU/hr Cleaver Brooks steam boiler, Model No. CB-700-80-15, which burns 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. Opacity

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

2. Operating Requirements

- a. The permittee shall tune B001 at least once per year of operation, in accordance with the procedure described in Appendix A of APC Regulation No. 27. [Consent Agreement 95-52-AP(12), 27.4.2(c), 29.6.3(b)]

3. 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 USEPA, shall be used. [13.3.1]

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

- (1) Specifies or approves, in a specific case, the use of a reference method with minor changes in methodology; or
- (2) Approves the use of an equivalent or alternative method the results of which he has determined to be adequate for indicating whether the permittee is in compliance; or
- (3) Finds that the permittee has demonstrated by other means to the Director's and the USEPA's satisfaction that the source is in compliance with the relevant emissions standards. [13.3.3]

In the absence of data from 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 emissions test results on similar units. [13.3.2]

b. Opacity

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

4. Monitoring Requirements

- a. The heat content of the fuel for B001 shall be measured on a monthly basis. [Consent Agreement 95-52-AP(16)(a)]
- b. On a monthly basis, the permittee shall measure the fuel usage for B001. [Consent Agreement 95-52-AP(16)(a)]

5. Recordkeeping Requirements

- a. The permittee shall record the monthly fuel usage for B001. [Consent Agreement 95-52-AP(16)(a), 27.6.3(a)]
- b. The permittee shall, on a monthly basis, record the heat content of the fuel for B001. [Consent Agreement 95-52-AP(16)(a)]
- c. The permittee shall maintain records verifying that a tune-up has been performed in accordance with Condition I.A.2.a of this permit. These records shall include the following information:

- (1) The date the tune-up was performed,
- (2) The name of the person, who performed the tune-up,
- (3) The final excess oxygen setting, and
- (4) The O₂/CO curve that has been developed as part of the tune-up procedure. [27.6.8, 27.5.3, Consent Agreement 95-52-AP(16)(b)(1-4), 29.6.3(b)]

B. Requirements for Emissions Units E001, E002, and E003

The following requirements are applicable to:

- Emission units E001, E002 and E003, each of which is a 2700 HP Clark lean-burn internal combustion engine, Model No. TLA-8, which burns natural gas. E001, E002 and E003 are equipped with ENO_x Technologies, Inc. High Energy Ignition System (HEIS) with an air to fuel ratio controller.

1. Emission Limitations

a. Nitrogen Oxides (as nitrogen dioxide (NO₂))

The emission rate of nitrogen oxides (as nitrogen dioxide (NO₂)) discharged to the atmosphere from each internal combustion engine shall not exceed 1.40 lbs per million BTU heat input (HHV) or a maximum of 30.4 lbs/hr, whichever is more stringent. [Approval Nos. 1104, 1105 & 1106(B)(1), Consent Agreement 95-52-AP(11)]

b. Carbon Monoxide (CO)

The emission rate of carbon monoxide (CO) discharged to the atmosphere from each internal combustion engine shall not exceed 1.1 lbs per million BTU heat input (HHV) or a maximum of 23.9 lbs/hr, whichever is more stringent. [Approval Nos. 1104, 1105 & 1106(B)(2)]

c. Total Nonmethane Hydrocarbons (NMHC)

The emission rate of total nonmethane hydrocarbons (NMHC) discharged to the atmosphere from each internal combustion engine shall not exceed 0.45 lbs per million BTU heat input (HHV) or a maximum of 9.7 lbs/hr, whichever is more stringent. [Approval Nos. 1104, 1105 & 1106(B)(3)]

d. **Opacity**

Visible emissions from E001, E002 and E003 shall not exceed 10% opacity. [Approval Nos. 1104, 1105 & 1106(C)(1), 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. E001, E002 and E003 shall be fired only with natural gas. [Approval Nos. 1104, 1105 & 1106(C)(2)]
- b. The maximum firing rate of E001, E002 and E003 shall not exceed 24,570 ft³/hr of natural gas for each engine. [Approval Nos. 1104, 1105 & 1106(C)(3)]
- c. The high energy ignition system (HEIS) and air to fuel ratio control shall be in full operation whenever E001, E002 and E003 are in operation. [Approval Nos. 1104, 1105 & 1106(C)(4)]
- d. In no event shall the total quantity of natural gas used in E001, E002 and E003 exceed 15,850,000 SCF per month (12 month rolling average). [Approval Nos. 1104, 1105 & 1106(A)(1)]

3. **Testing Requirements**

a. **Nitrogen oxides (NO_x)**

Emissions testing for compliance with Condition I.B.1.a. shall be conducted by 31 December of each year. Emission testing shall comply with the following requirements: [27.5.2, 27.5.7(a). Consent Agreement 95-52-AP(15)(a), Approval Nos. 1104, 1105 & 1106(E)(2), 29.6.3(b)]

- (1) Two copies of a stack testing protocol shall be submitted to the Office of Air Resources for review and approval prior to any performance test. The Office of Air Resources shall be notified at least 60 days prior to any emission test. [27.5.7(b), Approval Nos. 1104, 1105 & 1106(E)(3)]
- (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), Approval Nos. 1104, 1105 & 1106(E)(4)]

- (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), Approval Nos. 1104, 1105 & 1106(E)(5)]
- (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), Approval Nos. 1104, 1105 & 1106(E)(6)]
- (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), Approval Nos. 1104, 1105 & 1106(E)(8)]
- (6) A final report of the results of the emission testing shall be submitted to the Office of Air Resources no later than 45 days following the completion of the testing. [Approval Nos. 1104, 1105 & 1106(E)(7), 27.5.7(g)]

b. Opacity

Test for determining compliance with the opacity limitations specified in Condition I.B.1.d 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]

4. Monitoring Requirements

- a. Natural gas flows to E001, E002 and E003 shall be continuously measured. [Approval Nos. 1104, 1105 & 1106(D)(1), Consent Agreement 95-52-AP(16)(a)]
- b. The heat content of the fuel for E001, E002 and E003 shall be measured on a monthly basis. [Approval Nos. 1104, 1105 & 1106(D)(1), Consent Agreement 95-52-AP(16)(a)]

5. Recordkeeping Requirements

- a. On a monthly basis, no later than 5 days after the first of each month, the permittee shall determine the fuel usage for the previous 12 month period for E001, E002 and E003. [Approval Nos. 1104, 1105 & 1106(D)(2), Consent Agreement 95-52-AP(16)(a)]

- b. The permittee shall, on a monthly basis, record the heat content of the fuel for E001, E002 and E003. [Approval Nos. 1104, 1105 & 1106(D)(1), Consent Agreement 95-52-AP(16)(a)]
- c. The permittee shall record the natural gas flows to E001, E002 and E003 continuously. [Approval Nos. 1104, 1105 & 1106(D)(1)]
- d. The permittee shall maintain records of any scheduled and unscheduled maintenance to emission units E001, E002, and E003. [29.6.3(b)]

6. Reporting Requirements

- a. The permittee shall notify the Office of Air Resources whenever its natural gas fuel usage exceeds 15,850,000 SCF per month (12-month rolling average). [Approval Nos. 1104, 1105 & 1106(D)(3) & (D)(4)]

7. Other Permit Conditions

- a. To the extent consistent with the requirement of section I.B. of this permit and applicable federal and state laws, the facility shall be operated in accordance with the representation of the equipment in the preconstruction permit application. [Approval Nos. 1104, 1105 & 1106(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 observation, review of operating and maintenance procedures and inspection of the source. [Approval Nos. 1104, 1105, & 1106(F)(3)]

C. Requirements for Emissions Units E004 and E005

The following requirements are applicable to:

- Emissions units E004 and E005, each of which is a 57.99 MMBTU/hr Solar Turbines, Inc. combustion turbine, Model No. T-7000S, which burns natural gas. E004 and E005 are equipped with Solar Turbine Inc. dry low NO_x burners.

1. Emission Limitations

a. **Nitrogen Oxides (as nitrogen dioxide (NO₂))**

The emissions of nitrogen oxides discharged to the atmosphere from each of the turbines shall not exceed 25 ppmv, on a dry basis, corrected to 15% O₂ (1 hour average) or 5.80 lbs./hr, whichever is more stringent. [Approval Nos. 1485 & 1486(A)(1), 40 CFR 60.332(a) and 40 CFR 60.332(c)]

b. **Carbon Monoxide (CO)**

The emissions of carbon monoxide discharged to the atmosphere from each of the turbines shall not exceed 50 ppmv, on a dry basis, corrected to 15% O₂ (1 hour average) or 7.06 lbs/hr, whichever is more stringent. [Approval Nos. 1485 & 1486(A)(2)]

c. **Total Nonmethane Hydrocarbons (NMHC)**

The emissions of total nonmethane hydrocarbons discharged to the atmosphere from each of the turbines shall not exceed 0.0035 lbs per million BTU heat input or 0.2 lbs/hr, whichever is more stringent. [Approval Nos. 1485 & 1486(A)(3)]

d. **Opacity**

Visible emissions from E004 and E005 shall not exceed 10% opacity except for a period or periods aggregating no more than three minutes in any one hour. [Approval Nos. 1485 & 1486(B)(3), 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]

e. **Sulfur Oxides (as sulfur dioxide (SO₂))**

The permittee shall not burn in E004 or E005 any fuel which contains sulfur in excess of 0.8 percent by weight. [40 CFR 60.333(b)]

2. Operating Requirements

a. Natural gas shall be the only fuel used in E004 and E005. [Approval Nos. 1485 & 1486(B)(1)]

b. The permittee shall limit the combined quantity of natural gas combusted in E004 and E005 to 70,636,250 SCF per month (12 month rolling average). [Approval Nos. 1485 & 1486(B)(2)]

3. Testing Requirements

a. Emissions testing shall be conducted by 31 December of each year, to determine compliance with the nitrogen oxides emission limitation specified in Condition I.C.1.a of this permit. Emission testing shall comply with the following requirements: [Approval Nos. 1485 & 1486(C)(1), 27.5.7(a), 29.6.3(b)]

(1) 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 performance test. [Approval Nos. 1485 & 1486(C)(2), 27.5.7(b)]

(2) All test procedures used for stack testing shall be approved by the Office of Air Resources prior to the performance of any stack test. [Approval Nos. 1485 & 1486(C)(3), 27.5.7(c)]

(3) 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 Nos. 1485 & 1486(C)(4), 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. [Approval Nos. 1485 & 1486(C)(5), 27.5.7(e)]

(5) All stack testing must be observed by the Office of Air Resources or its authorized representative to be considered acceptable. [Approval Nos. 1485 & 1486(C)(6), 27.5.7(f)]

(6) A final report of the results of the stack testing shall be submitted to the Office of Air Resources no later than 45 days following the completion of the testing. [Approval Nos. 1485 & 1486(C)(7), 27.5.7(g)]

b. Opacity

Test for determining compliance with the opacity limitations specified in Condition I.C.1.d 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]

4. Monitoring Requirements

- a. Natural gas flows to E004 and E005 shall be continuously measured. [Approval Nos. 1485 & 1486(D)(1), Consent Agreement 95-52-AP(16)(a)]
- b. The heat content of the fuel for E004 and E005 shall be measured on a monthly basis. [Consent Agreement 95-52-AP(16)(a)]

5. Recordkeeping Requirements

- a. The permittee shall, on a monthly basis, no later than 5 days after the first of the month, determine the fuel usage for the previous 12 month period for E004 and E005. [Approval Nos. 1485 & 1486(D)(2), Consent Agreement 95-52-AP(16)(a)]
- b. The permittee shall, continuously record the natural gas flows to E004 & E005. [Approval Nos. 1485 & 1486(D)(1), Consent Agreement 95-52-AP(16)(a)]
- c. The permittee shall, on a monthly basis, record the heat content of the fuel for E004 & E005. [Consent Agreement 95-42-AP(16)(a)]
- d. The permittee shall maintain records of the occurrence and duration of any startup, shutdown, or malfunction in the operation of Emission Units E004 and E005, or any periods during which a monitoring device is inoperative. [40 CFR 60.7(b), Approval Nos. 1485-1486(D)(4)]
- e. The permittee shall maintain the records to demonstrate that the gaseous fuel combusted in E004 and E005 meets the definition of natural gas in 40 CFR 60.331(u). The following source of information shall be used to make the required demonstration:
 - (1) The gas quality characteristics in a current, valid purchase contract, tariff sheet or transportation contract for the gaseous fuel, specifying that the maximum total sulfur content of the fuel is 20.0 grains/100 scf or less. [40 CFR 60.334(h)(3)(i), 29.6.3(b)]
- f. The permittee shall maintain records of any scheduled and unscheduled maintenance to emission units E004 and E005. [29.6.3(b)]

6. Reporting Requirements

- a. The permittee shall notify the Office of Air Resources whenever its natural gas fuel usage for E004 & E005 for any consecutive 12 month period exceeds 70,636,250 SCF per month (12-month rolling average). [Approval Nos. 1485 & 1486(D)(3)]

7. Other Permit Conditions

- a. To the extent consistent with the requirements of this permit and applicable federal and state laws, E004 & E005 shall be operated in accordance with the representation of the equipment in the preconstruction permit application. [Approval Nos. 1485 & 1486(E)(1)]
- b. Emission units E004 and E005 are subject to the requirements of 40 CFR 60 Subpart A, "General Provisions" and Subpart GG (Stationary Gas Turbines). Compliance with all applicable provisions therein is required, unless otherwise stated in this permit. [Approval Nos. 1485-1486(E)(3)]

8. Startup/Shutdown Conditions

- a. Startup/shutdown shall be defined as that period of time from initiation of combustion turbine firing until the unit reaches steady state load operation. Steady state operation shall be reached when the combustion turbine has reached minimum load (50%) and the combustion turbine is declared available for load changes. The startup period shall not exceed 15 minutes. The shutdown period shall not exceed 10 minutes. Unit shutdown shall be defined as that period of time from steady state operation to cessation of combustion turbine firing. [Approval Nos. 1485-1486 F]
 - (1) The following emission limitations shall apply to each turbine during startup/shutdown conditions:
 - (a) Nitrogen Oxides (as nitrogen dioxide (NO₂))
 - (i) The concentration of nitrogen oxides discharged to the atmosphere from each turbine during startup/shutdown conditions shall not exceed 70 ppmv, on a dry basis, corrected to 15 percent O₂.
 - (ii) The total quantity of nitrogen oxides discharged to the atmosphere from each stack during startup/shutdown conditions shall not exceed 0.80 pounds. [Approval Nos. 1485-1486(F)(1)(a)(1)(a-b)]

- (b) Carbon Monoxide (CO)
 - (i) The concentration of carbon monoxide discharged to the atmosphere from each stack during startup/shutdown conditions shall not exceed 3500 ppmv, on a dry basis, corrected to 15 percent O₂.
 - (ii) The total quantity of carbon monoxide discharged to the atmosphere from each stack during startup/shutdown conditions shall not exceed 19.32 pounds. [Approval Nos. 1485-1486(F)(1)(a)(2)(a-b)]
 - (c) Total Nonmethane Hydrocarbons (NMHC)
 - (i) The concentration of total nonmethane hydrocarbons discharged to the atmosphere from each stack during startup/shutdown conditions shall not exceed 500 ppmv, on a dry basis, corrected to 15 percent O₂.
 - (ii) The total quantity of total nonmethane hydrocarbons discharged to the atmosphere from each stack during startup/shutdown conditions shall not exceed 1.76 pounds. [Approval Nos. 1485-1486(F)(1)(a)(3)(a-b)]
 - (d) Visible emissions from any stack shall not exceed 10% opacity. 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. [Approval Nos. 1485-1486(F)(1)(a)(4)]
- (1) The owner/operator shall follow proper operating procedures during startup/shutdown conditions to minimize the emissions of air contaminants to the maximum extent practical. [Approval Nos. 1485-1486(F)(1)(b)]

D. Requirements for Emissions Unit E006

The following requirements are applicable to emissions unit E006, which is a 585 HP Waukesha lean-burn internal combustion engine, Model No. H24GL130°F, which burns natural gas. E006 is an emergency/standby unit.

1. Emission Limitations

a. Opacity

The permittee shall not emit into the atmosphere, any air contaminant, for a period or periods aggregating more than three minutes in any one hour, which is greater than 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. Operating Requirements

a. E006 shall be operated only as a mechanical or electrical power source when the primary power source has been rendered inoperable or for maintenance purposes to assure that E006 is in working order. This does not include power interruptions pursuant to an interruptible power service agreement. [27.1.8]

b. E006 shall be operated less than 500 hours, during any consecutive 12-month period. If the hours of operation for E006 exceeds 500 hours in any 12 month period, that unit shall immediately be in compliance with RACT as specified in APC Regulation No. 27. [27.2.3, Consent Agreement 95-52-AP(14)]

3. Testing Requirements

a. Opacity

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

4. Monitoring Requirements

a. The permittee shall maintain a non-resettable elapsed time meter on E006 to indicate, in cumulative hours, the elapsed engine operating time. [27.6.10(b), Consent Agreement 95-52-AP(13)]

5. Recordkeeping Requirements

- a. On a monthly basis, no later than 5 days after the first of each month, the permittee shall determine and record the hours of operation for E006 for the previous 12 month period by reading a non-resettable elapsed time meter indicating cumulative operating hours. [27.6.10(c), Consent Agreement 95-52-AP(16)(c)]
- b. The permittee shall maintain records to certify that the ignition timing of E006 has been inspected and adjusted at least once every 3 years. [27.6.10(e), Consent Agreement 95-52-AP(16)(e)]
- c. The permittee shall maintain records of any scheduled and unscheduled maintenance to emission unit E006. [29.6.3(b)]

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 500 hours. [27.6.10(d), Consent Agreement 95-52-AP(16)(d)]

SECTION II. GENERAL CONDITIONS

A. Annual Emissions Fee Payment

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

B. Permit Renewal and Expiration

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

C. Transfer of Ownership or Operation

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

D. Property Rights

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

E. Submissions

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

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

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

USEPA Region I
Office of Environmental Stewardship
Director, Air Compliance Program
Attn: Air Compliance Clerk
5 Post Office Square Suite 100
Boston, MA 02109-3912

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

F. Inspection and Entry

1. Employees of the Office of Air Resources and its authorized representatives shall be allowed to enter this facility at all reasonable times for the purpose of:
 - a. having access to and copying at reasonable times any records that must be kept under the conditions of this permit;
 - b. inspecting at reasonable times any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under this permit; and
 - c. sampling or monitoring, at reasonable times, substances or parameters for the purpose of assuring compliance with this permit or other applicable requirements. [RIGL 23-23-5(7), 29.6.8(f)(1-4), Approval Nos. 1104, 1105 & 1106(F)(2), Approval Nos. 1485 & 1486(E)(2)]

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

G. Compliance

1. The permittee must comply with all conditions of this permit. Any noncompliance with a federally enforceable permit condition constitutes a violation of the Clean Air Act and is grounds for enforcement action, for permit termination, revocation and reissuance or modification, or for denial of a permit renewal application. Any noncompliance with a permit condition designated as state only enforceable constitutes a violation of state rules only and is grounds for enforcement action, for permit termination, revocation and reissuance or modification, or for denial of a permit renewal application. [29.6.8(c)(1)]
2. For each unit at the facility for which an applicable requirement becomes effective during the permit term, the permittee shall meet such requirements on a timely basis unless a more detailed schedule is expressly required by the applicable requirement. [29.6.5(a)]
3. It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit. [29.6.8(c)(2)]

H. Excess Emissions Due to an Emergency

As the term is used in this condition an "emergency" means any situation arising from sudden and reasonably unforeseeable events beyond the control of this source, including acts of God, which situation requires immediate corrective action to restore normal operation, and that causes this source to exceed a technology-based emission limitation under this permit, due to unavoidable increases in emissions attributable to the emergency. An emergency shall not include noncompliance to the extent caused by improperly designed equipment, lack of preventative maintenance, careless or improper operation, or operator error. [29.6.11(b)]

Technology-based emission limits are those established on the basis of emission reductions achievable with various control measures or process changes (e.g., a new source performance standard) rather than those established to attain a health based air quality standard.

The permittee may seek to establish that noncompliance with a technology-based emission limitation under this permit was due to an emergency. To do so, the permittee shall demonstrate the affirmative defense of emergency through properly signed, contemporaneous operating logs, or other relevant evidence that: [29.6.11(a) & 29.6.11(c)]

1. an emergency occurred and that the permittee can identify the cause(s) of the emergency; [29.6.11(c)(1)]
2. the permitted facility was at the time being properly operated; [29.6.11(c)(2)]
3. during the period of the emergency, the permittee took all reasonable steps to

minimize levels of emissions that exceeded the emissions standards, or other requirements in this permit; and [29.6.11(c)(3)]

4. the permittee submitted notice of the emergency to the Office of Air Resources within 2 working days of the time when emission limitations were exceeded due to the emergency. This notice must contain a description of the emergency, any steps taken to mitigate emissions, and corrective actions taken. This notice fulfills the requirements of Condition II.Z.3 of this permit. [29.6.11(c)(4)]

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

I. Duty to Provide Information

The permittee shall furnish to the Office of Air Resources, within a reasonable time, any pertinent information that the Office of Air Resources may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit, or to determine compliance with the permit. Upon request, the permittee shall also furnish to the Office of Air Resources copies of records that the permittee is required to keep by this permit, or for information claimed to be confidential, the permittee may furnish such records directly to the Administrator along with a claim of confidentiality. [29.6.8(c)(5)]

J. Duty to Supplement

The permittee, upon becoming aware that any relevant facts were omitted or incorrect information was submitted in the permit application, shall promptly submit such supplementary facts or corrected information to the Office of Air Resources. The permittee shall also provide additional information as necessary to address any requirements that become applicable to the source after the date a complete renewal application was submitted but prior to release of a draft permit. [29.5.4]

K. Reopening for Cause

The Office of Air Resources will reopen and revise this permit as necessary to remedy deficiencies in the following circumstances:

1. Additional requirements under the Clean Air Act become applicable to a major source 3 or more years prior to the expiration date of this permit. Such a reopening shall be completed no later than 18 months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the expiration date of this permit, unless this permit or any of its terms and conditions has been extended. [29.6.13(a)]

2. The Office of Air Resources or the Administrator determines that this permit contains a material mistake or inaccurate statements were made in establishing the emissions standards or other terms or conditions of this permit. [29.6.13(c)]
3. The Office of Air Resources or the Administrator determines that the permit must be revised or revoked to assure compliance with the applicable requirements. [29.6.13(d)]

Reopenings shall not be initiated before a notice of intent to reopen is provided to the permittee by the Office of Air Resources at least 30 days in advance of the date that this permit is to be reopened, except that the Office of Air Resources may provide a shorter time period (but not less than 5 days) in the case of an emergency. [29.9.5(b)]

Proceedings to reopen and issue this permit shall follow the same procedures as apply to initial permit issuance and shall affect only those parts of this permit for which cause to reopen exists. Such reopening shall be made as expeditiously as practicable. [29.9.5(a)]

All permit conditions remain in effect until such time as the Office of Air Resources takes final action. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any permit condition. [§70.6(a)(6)(iii)]

L. Severability Clause

The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby. [29.6.8(b)]

M. Off-Permit Changes

1. The permittee is allowed to make certain changes that are not addressed or prohibited by this permit without a permit revision, provided that the following conditions are met: [29.11.2(a)]
 - a. Each such change shall not violate any term or condition of this permit. [29.11.2(b)]
 - b. Each change shall comply with all applicable requirements. [29.11.2(b)]
 - c. Changes under this provision may not include changes or activities subject to any requirement under Title IV or modifications under any provision of Title I of the Clean Air Act. [29.11.2(a)]

- d. Before the permit change is made, the permittee must provide contemporaneous written notice to the Office of Air Resources and the USEPA Region I, except for changes that qualify as insignificant activities in Appendix A of APC Regulation No. 29. This notice shall describe each change, including the date, and change in emissions, pollutants emitted, and any applicable requirement that would apply as a result of the change. [29.11.2(c)]
 - e. The permit shield does not apply to changes made under this provision. [29.11.2(d)]
 - f. The permittee shall keep a record describing changes made at the stationary source that result in emissions of a regulated air pollutant subject to an applicable requirement, but not otherwise regulated under this permit, and the emissions resulting from those changes, including any other data necessary to show compliance with applicable ambient air quality standards. The record shall reside at the permittee's facility. [29.11.2(e)]
2. Changes made pursuant to this provision shall not be exempt from the requirement to obtain a minor source permit pursuant to the requirements of Air Pollution Control Regulation No. 9, if applicable. [29.11.2(a)]
 3. Changes made pursuant to this provision shall be incorporated into this permit at the time of renewal. [29.11.2(f)]

N. Section 502(b)(10) Changes

1. The permittee is allowed to make changes within this permitted facility that contravene the specific terms of this permit without applying for a permit revision, provided the changes do not exceed the emissions allowable under this permit, whether expressed therein as a rate of emissions or in terms of total emissions and are not Title I modifications. This class of changes does not include:
 - a. changes that would violate applicable requirements; or
 - b. changes to federally-enforceable permit terms or conditions that are monitoring (including test methods), recordkeeping, reporting, or compliance certification requirements. [29.11.1(a), 29.1.36]
2. The permittee shall provide written notice to the Office of Air Resources and the USEPA Region I of any change made under this provision. The notice must be received by the Office of Air Resources no later than fourteen (14) days in advance of the proposed changes. The notice shall include information describing the nature of the change, the effect of the change on the emission of any air contaminant, the scheduled completion date of the planned change and identify any permit terms or

conditions that are no longer applicable as a result of the change. The permittee shall attach each notice to its copy of this permit. [29.11.1(a)(1), 29.11.1(a)(2)]

3. The permittee shall be allowed to make such change proposed in its notice the day following the last day of the advance notice described in paragraph 2 if the Office of Air Resources has not responded nor objected to the proposed change on or before that day. [29.11.1(b)]
4. Any permit shield provided in this permit does not apply to changes made under this provision. If subsequent changes cause the permittee's operations and emissions to revert to those anticipated in this permit, the permittee resumes compliance with the terms and conditions of the permit, and has provided the Office of Air Resources and USEPA with a minimum of fourteen (14) days advance notice of such changes in accordance with the provisions of paragraph 2, the permit shield shall be reinstated in accordance with terms and conditions stated in this permit. [29.11.1(c)]
5. Changes made pursuant to this provision shall be incorporated into the operating permit at the time of renewal. [29.11.1(d)]

O. Emissions Trading

No permit revision shall be required under any approved economic incentives, marketable permits, emissions trading, and other similar programs or processes for changes that are provided for in the permit. [29.6.6(a)]

P. Emission of Air Contaminants Detrimental to Person or Property

The permittee shall not emit any air contaminant which either alone or in connection with other emissions, by reason of their concentration or duration, may be injurious to human, plant or animal life, or cause damage to property or which unreasonably interferes with the enjoyment of life or property. [7.1]

Q. Odors

1. The permittee shall not emit or cause to be emitted into the atmosphere any air contaminant or combination of air contaminants which creates an objectionable odor beyond the property line of this facility. [17.1]
2. A staff member of the Office of Air Resources shall determine by personal observation if an odor is objectionable, taking into account its nature, concentration, location, duration and source. [17.2]

R. Visible Emissions

1. Except as may be specified in other provisions of this permit, the permittee shall not emit into the atmosphere, from any emission unit, any air contaminant, for a period or periods aggregating more than three minutes in any one hour, which is greater than or equal to 20 percent opacity. [1.2] Where the presence of uncombined water is the only reason for failure to meet this requirement, such failure shall not be a violation of this permit. [1.4]
2. Tests for determining compliance with the opacity limitations specified in this permit shall be performed per 40 CFR 60, Appendix A, Method 9. Additionally, all observers must qualify as per 40 CFR 60, Appendix A, Method 9. [1.3.1, 1.3.2]

S. Open Fires

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

T. Construction Permits

It shall be unlawful for the permittee to construct, install, modify or cause the construction, installation or modification of any stationary source subject to the provisions of APC Regulation No. 9 without obtaining either a minor source permit or a major source permit from the Director. [9.2.1, 40 CFR 60.15]

U. 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]

V. Fugitive Dust

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

W. Compliance Certifications

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

X. 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. 1104, 1105 & 1106, 1485 & 1486, Consent Agreement 95-52-AP, RI APC Regulation Nos. 1, 4, 5, 7, 9, 10, 13, 14, 17, 27, 28, and 29, and Federal Requirements 40 CFR 60, Subpart GG and Subpart A. [29.6.12(a)(1)]
2. The Office of Air Resources has determined that Emission Units B001, E001, E002, E003, E004, E005, and E006 are not subject to the following: 40 CFR 63 Subpart ZZZZ; RI APC Regulation Nos. 3, 6, 8, 11, 12, 15, 16, 19, 20, 21, 22, 23, 25, 26, 30, 31, 32, 33, 35, 36, 41, 43, 44, 46 and 47 . [29.6.12(a)(2)]
3. Nothing in this permit shall alter or affect the following:
 - a. the provisions of Section 303 of the Clean Air Act, including the authority of USEPA under that Section. [29.6.12(c)(1)]

- b. the liability of the permittee for any violation of applicable requirements prior to or at the time of permit issuance. [29.6.12(c)(2)]
 - c. the applicable requirements of the acid rain program consistent with Section 408 of the Clean Air Act. [29.6.12(c)(3)]
 - d. the ability of the USEPA to obtain information under Section 114 of the Act. [29.6.12(c)(4)]
4. If it is determined that this operating permit was issued based on inaccurate or incomplete information provided by the permittee, this permit shield shall be void as to the portions of this permit which are affected, directly or indirectly, by the inaccurate or incomplete information. [29.6.12(d)]

Y. Recordkeeping

1. The permittee shall, at the request of the Director, maintain and record of and provide data on operational processes, fuel usage, raw materials, stack dimensions, exhaust gas flow rates and temperatures, emissions of air contaminants, steam or hot water generator capacities, types of equipment producing air contaminants and air pollution control systems or other data that may be necessary to determine if the facility is in compliance with air pollution control regulations. [14.2.1]
2. All records and supporting information required by this permit shall be maintained at the permittee's Algonquin Lane facility for a period of at least 5 years from the date of sample monitoring, measurement, report or application, and shall be made available to representatives of the Office of Air Resources and USEPA upon request. Supporting information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by this permit. [14.2.1, 29.6.4(a)(2), Approval No. 1104, 1105 & 1106(D)(7), Approval No. 1485 & 1486(D)(8), Consent Agreement 95-52-AP(17), 27.6.11]
3. The permittee shall keep records of required monitoring information that include the following:
 - a. The date, place, and time of sampling or measurements; [29.6.4(a)(1)]
 - b. The date(s) analyses were performed; [29.6.4(a)(1)]
 - c. The company or entity that performed the analyses; [29.6.4(a)(1)]
 - d. The analytical techniques or methods used; [29.6.4(a)(1)]
 - e. The results of such analyses; and [29.6.4(a)(1)]

- f. The operating conditions as existing at the time of sampling or measurement. [29.6.4(a)(1)]

Z. Reporting

1. The information recorded by the permittee pursuant to Condition II.Y.1 of this Section shall be summarized and reported at least annually to the Director. It shall be submitted by April 15th unless otherwise specified. [14.2.2] Information submitted pursuant to this condition will be correlated with applicable emissions and other limitations and will be available for public inspection. [14.2.3]
2. The permittee shall submit reports of any required monitoring for each semi annual period ending 30 June and 31 December of every calendar year. These reports shall be due to the Office of Air Resources no later than forty-five (45) days after the end of the reporting period. All instances of deviations from permit requirements must be clearly identified in such reports. All required reports must be certified by a responsible official consistent with condition II.W.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. 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.W.4. of this permit. [Approval Nos. 1104, 1105, & 1106(D)(5), 29.6.4(b)(2)]
4. The Office of Air Resources shall be notified in writing of any planned physical change or operational change to the emissions units and control devices identified in this permit. Such notification shall include information describing the nature of the change, information describing the effect of the change on the emissions of air contaminants and the scheduled completion date of the planned change. Any change which may result in an increased emission rate of any air contaminant shall be subject to approval of the Office of Air Resources. [Approval Nos. 1104, 1105 & 1106(D)(6), Approval Nos. 1485 & 1486(D)(7), 40 CFR 60.7(a)(4)]

AA. Credible Evidence

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

BB. Emission Statements

1. The permittee shall submit annually an emission statement which includes information for both VOC and NO_x if facility wide actual emissions are 25 tons per year of either pollutant. Emission statements shall be submitted to the Director on April 15th of each year unless otherwise specified. The permittee may apply to the Office of Air Resources to be allowed to discontinue submitting annual emission statements if actual emissions at the facility decrease to below 10 tons per year as a result of a permanent process change. [14.3.1] The permittee shall submit an emission statement in a format approved by the Office of Air Resources. The emission statement shall contain the following information: [14.3.2]
 - a. A certification that the information contained in the emission statement is accurate and complete to the best knowledge of the certifying individual.
 - b. The full name, title, signature, date of signature, and telephone number of the certifying individual.
 - c. Facility identification information, including the full name, physical location, mailing address, latitude, longitude, and four digit SIC code(s).
 - d. Process data pertaining to each process emitting VOC and/or NO_x, including:
 - (1) Annual and typical ozone season daily fuel use,
 - (2) Annual and typical ozone season daily process rate(s), and
 - (3) Process throughput while air pollution control equipment was not in operation.
 - e. Operating data pertaining to each process emitting VOC and/or NO_x during the reporting year, including:
 - (1) Percentage annual throughput,
 - (2) Average hours of operation per day during the reporting year and on a typical ozone season day,
 - (3) Average number of days of operation per week during the reporting year and during a typical ozone season week, and
 - (4) Weeks of operation during the reporting year and during the peak ozone season.
 - f. Control equipment information, including:
 - (1) Specific primary and secondary control equipment for each process emitting VOC and/or NO_x,

- (2) Current overall control efficiency for each piece of control equipment (indicated by percent capture and percent destruction or removal), and
 - (3) Control equipment downtime during the reporting year and during the peak ozone season.
- g. Emissions information, including:
- (1) Actual annual and typical ozone season daily emissions of VOC and NO_x for each process. Emissions should be reported in tons per year and in pounds per day.
 - (2) A description of the emission calculation method and, if applicable, emission factor(s) used, and
 - (3) The calendar year for which emissions are reported.
- h. Any additional information required by the Director to document the facility's emission statements.

CC. Miscellaneous Conditions

1. This permit may be modified, revoked, reopened, reissued or terminated for cause. The filing of a request, by the permittee, for a permit modification, revocation and reissuance or termination or of a notification of planned changes or anticipated noncompliance does not release the permittee from the conditions of this permit. [29.6.8(c)(3)]
2. Any application for a permit revision need only submit information related to the proposed change. [29.4.3(c)]
3. "Terms not otherwise defined in this permit shall have the meaning given to such terms in 40 CFR 60.2, the Clean Air Act as amended in 1990 or the referenced regulation as applicable."
4. Where more than one condition in this permit applies to an emission unit and/or the entire facility, the most stringent condition shall apply.

SECTION III. SPECIAL CONDITIONS

A. Prevention of Accidental Releases

This Section contains Air Pollution Control Requirements that are applicable to this facility and the United States Environmental Protection Agency enforces these requirements.

Your facility is subject to the requirements of the General Duty Clause, under 112(r)(1) of the CAA Amendments of 1990. This clause specifies that owners or operators of stationary sources producing, processing, handling or storing a chemical in any quantity listed in 40 CFR Part 68 or any other extremely hazardous substance have a general duty to identify hazards associated with these substances and to design, operate and maintain a safe facility, in order to prevent releases and to minimize the consequences of accidental releases which may occur.