



TITLE V OPERATING PERMIT

Permit No: **TV-0007**
Date Issued: **July 20, 2012**

This certifies that:
DG Whitefield LLC
260 Airport Road
Whitefield, NH 03598

has been granted a Title V Operating Permit for the following facility and location:

DG Whitefield LLC
260 Airport Road
Whitefield, NH

Facility ID No: **3300700010**
Application No: **10-0038**, Received on March 4, 2010, Renewal of Title V Operating Permit

This Title V Operating Permit is hereby issued under the terms and conditions specified in the Title V applications above filed with the New Hampshire Department of Environmental Services under the signature of the responsible official certifying to the best of his/her knowledge that the statements and information therein are true, accurate and complete.

Responsible Official:

Douglas W. York
Plant Manager
(603) 837-9328

Technical Contact:

Douglas W. York
Plant Manager
(603) 837-9328

This Permit is issued by the New Hampshire Department of Environmental Services, Air Resources Division pursuant to its authority under New Hampshire RSA 125-C and in accordance with the provisions of the Code of Federal Regulations, Title 40, Part 70.

This Title V Operating Permit shall expire on **July 31, 2017**.

Craig Wright
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Acting Director, Air Resources Division

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ABBREVIATIONS

ARD	Air Resources Division
AAL	Ambient Air Limit
acf	actual cubic foot
ASTM	American Society of Testing and Materials
Btu	British thermal units
CAA	Clean Air Act
CAAA	Clean Air Act Amendments
CAM	Compliance Assurance Monitoring
CAS	Chemical Abstracts Service
cfm	cubic feet per minute
CFR	Code of Federal Regulations
CO	Carbon Monoxide
DER	Discrete Emission Reduction
DES	New Hampshire Department of Environmental Services
DSCFM	dry standard cubic feet per minute
Env-A	New Hampshire Code of Administrative Rules - Air Resources Division
ERC	Emission Reduction Credit
ft	foot or feet
ft ³	cubic feet
gal	gallon
HAP	Hazardous Air Pollutant
hp	horsepower
hr	hour
kW	kilowatt
lb	pound
MM	million
MSDS	Material Safety Data Sheet
MW	megawatt
NAAQS	National Ambient Air Quality Standard
NO _x	Oxides of Nitrogen
NSPS	New Source Performance Standard
PM ₁₀	Particulate Matter < 10 microns
ppm	parts per million
ppmvd	parts per million dry volume
psig	pounds per square inch gauge
QIP	Quality Improvement Plan
RACT	Reasonably Available Control Technology
RSA	Revised Statutes Annotated
RTAP	Regulated Toxic Air Pollutant
scf	standard cubic foot
SCR	selective catalytic reduction
SIP	State Implementation Plan
SO ₂	Sulfur Dioxide
TSP	Total Suspended Particulate
tpy	tons per consecutive 12-month period
USEPA	United States Environmental Protection Agency

Facility Specific Title V Operating Permit Conditions

I. Facility Description of Operations

DG Whitefield, LLC (“the Permittee”), located in Whitefield, New Hampshire, is a power generation facility with a gross output of 18.8 MW. The primary sources of emissions at the facility are a wood-fired boiler, an emergency diesel generator, an emergency fire pump, and a cooling tower.

II. Permitted Activities

In accordance with all of the applicable requirements identified in the Permit, the Owner or Operator is authorized to operate the devices and/or processes identified in Sections III, IV, V, and VI within the terms and conditions specified in this permit.

III. Emission Unit Identification

A. Significant Activities

The activities identified in Table 1 are subject to and regulated by this Title V Operating Permit.

Table 1 - Significant Activities			
Emission Unit ID	Description of Emission Unit	Installation Date	Maximum Design Capacity and Permitted Fuel Types
EU01	Babcock and Wilcox Wood-fired Boiler Model No: Tower Pak CCZ Serial No. 757801 Type of Burner: Detroit Inclined Vibrating Stoker	1987	220 MMBtu/hr - 28.8 tons/hour of wood chips with a heating value of 3,825 Btu/lb, assuming approximately 55% moisture. This is equivalent to 185,000 lbs/hr of steam ¹ averaged over a 24-hour period at 900°F and 920 psig. Permitted fuels: Whole tree wood chips & mill residue, clean processed wood ² or a combination of whole tree wood chips and clean processed wood.
EU02	470 hp Emergency Generator Manufacturer: Cummins Model # NTTA855G2 Serial No. P 3711/2	1987	3.5 MMBTU/hr Diesel - equivalent to 25.5 gal/hr
EU03	187 hp Diesel Fire Pump Manufacturer : Cummins Model # V-5-4-F2 Serial No. 20245711	1987	2.4 MMBTU/hr Diesel - equivalent to 17.5 gal/hr
EU04	3-cell Cooling Tower	1987	Nominal circulation rate =11,473 gallons per minute

¹ DG Whitefield requested in their Title V renewal application that DES adjust the steam flow rate to 185,000 lbs/hr. This request was based on operating data since boiler modifications were implemented under permit TP-B-0547.

² Clean processed wood fuel is considered to be fuel that exhibits fuel characteristics equivalent to “whole tree wood chips” and “sawdust” with respect to the ultimate and proximate analysis of the fuel. Clean processed wood fuel shall not include treated wood, painted wood, or wood fuel derived from construction or demolition debris, which is specifically prohibited from being combusted pursuant to NH RSA 125-C:10-c, *Combustion Ban*.

B. Stack Criteria

- A. The following devices at the Facility shall have exhaust stacks that discharge vertically, without obstruction, and meet the criteria in Table 2:

Table 2 - Stack Criteria			
Stack #	Emission Unit #	Minimum Height (feet above ground surface)	Maximum Exit Diameter (feet)
Stack 1	Boiler	145	6.5

- B. Stack criteria described in Table 2 may be changed without prior approval from the Division provided that:
1. An air quality impact analysis is performed either by the facility or the Division (if requested by the facility in writing) in accordance with Env-A 606, Air Pollution Dispersion Modeling Impact Analysis Requirements, and the “Guidance and Procedure for Performing Air Quality Impact Modeling in New Hampshire,” and
 2. The analysis demonstrates that emissions from the modified stack will continue to comply with all applicable emission limitations and ambient air limits.
- C. All air modeling data and analyses shall be kept on file at the facility for review by the Division upon request.
- D. The Owner or Operator shall provide written notification to the Division of the stack change within 15 days after making the change. Such notification shall include:
1. A description of the change; and
 2. The date on which the change occurred.

IV. Insignificant Activities Identification

All activities at this facility, which meet the criteria identified in Env-A 609.04, shall be considered insignificant activities. Emissions from the insignificant activities shall be included in the total facility emissions for the emission-based fee calculation described in Section XXIII of this Permit.

V. Exempt Activities Identification

All activities identified in Env-A 609.03(c) shall be considered exempt activities and shall not be included in the total facility emissions for the emission-based fee calculation described in Section XXIII of this permit.

VI. Pollution Control Equipment Identification

Air pollution control equipment listed in Table 3 shall be operated at all times that the wood-fired boiler (EU01) is operating in order to meet permit conditions:

Table 3 - Pollution Control Equipment Identification		
Pollution Control Equipment Number	Description of Equipment	Activity
PCE1	Multiclone - primary particulate control	Control of particulate matter
PCE2	Electrostatic Precipitator (ESP) - secondary particulate control	
PCE3	Selective Catalytic Reduction System ³ (SCR) with optional CO catalyst	Control of nitrogen oxides and optional control of CO

VII. Alternative Operating Scenarios

The permittee has not requested any alternative operating scenarios as part of the Title V permit renewal application.

VIII. Applicable Requirements

A. State-only Enforceable Operational and Emission Limitations

The Owner or Operator shall be subject to the state-only⁴ operational and emission limitations identified in Table 4 below:

Table 4 - State-only⁴ Enforceable Operational and Emission Limitations			
Item #	Applicable Requirements	Applicable Emission Unit	Regulatory Citation
1.	<p><u>24-hour and Annual Ambient Air Limit</u></p> <p>The emissions of any Regulated Toxic Air Pollutant (RTAP) shall not cause an exceedance of its associated 24-hour or annual Ambient Air Limit (AAL) as set forth in Env-A 1450.01, <i>Table Containing the List Naming All Regulated Toxic Air Pollutants</i>.</p>	Facility Wide	Env-A 1400
2.	<p><u>Revisions of the List of RTAPs</u></p> <p>In accordance with RSA 125-I:5 IV, if the Division revises the list of RTAPs or their respective AALs or classifications under RSA 125-I:4, II and III, and as a result of such revision the Owner or Operator is required to obtain or modify the permit under the provisions of RSA 125-I or RSA 125-C, the Owner or Operator shall have 90 days following publication of notice of such final revision in the New Hampshire Rulemaking Register to file a complete application for such permit or permit modification.</p>	Facility Wide	RSA 125-I:5 IV

³ PCE3 was installed voluntarily by the Permittee and as such, the Permittee may operate this device at its discretion.

⁴ The term “state-only requirement” is used to refer to those requirements that are not federally enforceable but are state requirements as defined in Env-A 101.184.

Table 4 - State-only⁴ Enforceable Operational and Emission Limitations			
Item #	Applicable Requirements	Applicable Emission Unit	Regulatory Citation
3.	<p><u><i>Precautions to Prevent, Abate, and Control Fugitive Dust</i></u></p> <p>The Owner or Operator shall take precautions to prevent, abate, and control the emission of fugitive dust. Such precautions shall include but are not limited to wetting, covering, shielding, or vacuuming.</p>	Facility wide	Env-A 1002.03

B. Federally Enforceable Operational and Emission Limitations

The Owner or Operator shall be subject to the federally enforceable operational and emission limitations identified in Table 5 below:

Table 5 - Federally Enforceable Operational and Emission Limitations			
Item #	Applicable Requirement	Applicable Emission Unit	Regulatory Cite
1.	<p><u><i>NSPS Particulate Matter Emission Limit</i></u></p> <p>Particulate matter emissions from the wood-fired boiler shall be limited to 0.10 lb/MMBtu of heat input.⁵</p>	EU01	40 CFR 60.43b(c)(1) Subpart Db
2.	<p><u><i>Opacity Limit</i></u></p> <p>The opacity from the wood-fired boiler shall not exceed 20% (6-minute average), except for one 6-minute period per hour of not more than 27% opacity. Compliance with the opacity limit shall be determined using a continuous opacity monitoring system.</p>	EU01	40 CFR 60.43b(f) Subpart Db & Env-A 2002.02
3.	<p><u><i>NSPS Particulate Matter and Opacity Standards</i></u></p> <p>The particulate matter and opacity standards apply at all times, except during periods of startup, shutdown, or malfunction.</p>	EU01	40 CFR 60.43b(g) Subpart Db
4.	<p><u><i>NOx RACT for Utility Boilers</i></u></p> <p>NOx emissions from the wood-fired boiler shall not exceed 0.33 lb/MMBtu, based on a 24-hour calendar day average.⁶</p>	EU01	Env-A 1303.07(c)(1) (formerly Env-A 1211.03(c)(5)(a))

⁵ This limit is more stringent than the 0.15 lb/MMBtu emission limit specified in Env-A 2002.08(c)(2). Here, “particulate matter” is considered the filterable, total suspended particulate matter collected from a USEPA Method 5 stack test. This limit does not include the condensable portion (0.05 lb/MMBtu).

⁶ The NOx RACT limit of 0.33 lb NOx/MMBtu is applicable at all times of operation, whether or not the facility is operating to produce renewable energy certificates. This is less stringent than the 0.075 lb NOx/MMBtu emission limit based on a quarterly average that the Permittee has voluntarily chosen to comply with for the purpose of qualifying for generating renewable energy certificates in the state of Connecticut.

Table 5 - Federally Enforceable Operational and Emission Limitations			
Item #	Applicable Requirement	Applicable Emission Unit	Regulatory Cite
5.	<p><u>Consecutive 12-Month NOx Emission Limit</u></p> <p>NOx emissions from the wood-fired boiler shall be limited to 111.12 tons during any consecutive 12-month period. Compliance with the NOx emission limit shall be demonstrated using the NOx Continuous Emissions Monitoring System (CEMS).⁷</p>	EU01	Env-A 618.02(b)(11)(g)(2) & TP-B-0547
6.	<p><u>Prevention of Significant Deterioration (PSD) Avoidance</u></p> <p>To avoid the federal PSD program, facility wide emissions of carbon monoxide (CO) shall be limited to less than 250 tons during any consecutive 12-month period.</p>	Facility Wide	40 CFR 52.21(b)(1)(i)(b) (July 1, 2001 edition)
7.	<p><u>Prevention of Significant Deterioration Avoidance</u></p> <p>To avoid the federal PSD program, CO emissions from the wood-fired boiler shall not exceed 57.0 lb/hr averaged over any consecutive 365-day period. Compliance with this emission limit shall be demonstrated using the CO CEMS.⁷</p>	EU01	40 CFR 52.21(b)(1)(i)(b) (July 1, 2001 edition) & TP-B-0500
8.	<p><u>Particulate Matter Pollution Control Equipment</u></p> <p>The multiclone and electrostatic precipitator (PCE1 and PCE2) shall not be bypassed during startup, operation, or shutdown of the steam generating unit.</p>	EU01	TP-B-0500
9.	<p><u>Ammonia Slip Emissions Limit</u></p> <p>Ammonia slip emissions from the wood-fired boiler shall be limited to 20 ppmvd @ 6% oxygen (O₂).</p>	EU01, PCE3	TP-B-0500
10.	<p><u>Activities Exempt from Visible Emission Standards</u></p> <p>For those steam generating units subject to 40 CFR 60, no more than one of the following two exemptions shall be taken:</p> <p>a. During periods of startup, shutdown and malfunction, average opacity shall be allowed to be in excess of 20% for one period of 6 continuous minutes in any 60-minute period; or</p> <p>b. During periods of normal operation, soot blowing, grate cleaning, and cleaning of fires, average opacity shall be allowed to be in excess of 20% but not more than 27% for one period of 6 continuous minutes in any 60-minute period.</p>	EU01	Env-A 2002.04(a) and TP-B-0500
11.	<p><u>Activities Exempt from Visible Emission Standards</u></p> <p>Exceedances of the opacity standard in Env-A 2002 shall not be considered violations if the Owner or Operator demonstrates to the Division that such exceedances:</p> <p>a. Were the result of the adherence to good boiler operating practices which,</p>	EU01	Env-A 2002.04(d), (e), and (f) and TP-B-0500

⁷ For any facility operating hours during which a CEM or COM has not collected a valid sample, comply with the provisions of Table 6 Item 12.

Table 5 - Federally Enforceable Operational and Emission Limitations			
Item #	Applicable Requirement	Applicable Emission Unit	Regulatory Cite
	<p>in the long term, result in the most efficient or safe operation of the boiler;</p> <p>b. Occurred during periods of cold startup of a boiler over a continuous period of time resulting in efficient heat-up and stabilization of its operation and the expeditious achievement of normal operation of the unit;</p> <p>c. Occurred during periods of continuous soot blowing of the entire boiler tube section over regular time intervals as determined by the operator and in conformance with good boiler operating practice; or</p> <p>d. Are the result of the occurrence of an unplanned incident in which the opacity exceedance was beyond the control of the operator and in response to such incident, the operator took appropriate steps in conformance with good boiler operating practice to eliminate the excess opacity as quickly as possible.</p>		
12.	<p><u>Visible Emission Standard for Fuel Burning Devices Installed After May 13, 1970</u></p> <p>The average opacity from fuel burning devices installed after May 13, 1970 shall not exceed 20 percent for any continuous 6-minute period.</p>	EU02, EU03	Env-A 2002.02 effective 4-23-2005 (formerly Env-A 1202)
13.	<p><u>Activities Exempt from Visible Emission Standards</u></p> <p>The average opacity shall be allowed to be in excess of those standards specified in Env-A 2002.02 for one period of 6 continuous minutes in any 60 minute period during startup, shutdown and malfunction.</p>	EU02, EU03	Env-A 2002.04(c) effective 4-23-2005 (formerly Env-A 1202)
14.	<p><u>Particulate Emission Standards for Fuel Burning Devices Installed on or After January 1, 1985</u></p> <p>Total suspended particulate matter emissions from fuel burning devices installed on or after January 1, 1985 shall not exceed 0.30 lb/MMBtu.</p>	EU02, EU03	Env-A 2003.08
15.	<p>The emergency generator shall only operate:</p> <p>a. As a mechanical or electrical power source when the primary power source for the facility has been lost during an emergency such as a power outage;</p> <p>b. During normal maintenance and testing as recommended by the manufacturer.</p>	EU02	Env-A 1302.15
16.	<p>The emergency generator and the fire pump shall each be limited to 500 hours of operation during any consecutive 12-month period.</p>	EU02, EU03	Env-A 1302.02(j)(1)
17.	<p><u>Maximum Sulfur Content Allowable in Liquid Fuels</u></p> <p>The sulfur content of No. 2 oil shall not exceed 0.40 percent sulfur by weight.</p>	EU02, EU03	Env-A 1604.01(a)
18.	<p><u>Requirements for Emergency Stationary Reciprocating Internal Combustion Engines</u></p> <p>The emergency generator and the fire pump shall be operated as follows after May 3, 2013:</p> <p>a. Change oil and filter every 500 hours of operation or annually, whichever</p>	EU02, EU03	40 CFR 63.6603 & 40 CFR 63.6625 Subpart ZZZZ

Table 5 - Federally Enforceable Operational and Emission Limitations			
Item #	Applicable Requirement	Applicable Emission Unit	Regulatory Cite
	<p>comes first;</p> <p>b. Inspect air cleaner every 1,000 hours of operation or annually, whichever comes first;</p> <p>c. Inspect hoses and belts every 500 hours of operation or annually, whichever comes first, and replace as necessary;</p> <p>d. Minimize idle time during startup and minimize startup time to a period needed for appropriate and safe loading, not to exceed 30 minutes; and</p> <p>e. Operate and maintain the engine according to the manufacturer's emission-related operation and maintenance instructions.</p>		
19.	Beginning May 3, 2013, the emergency generator and the fire pump shall each be limited to 100 hours per year of operation for maintenance checks and readiness testing.	EU02, EU03	40 CFR 63.6640(f) Subpart ZZZZ
20.	<p>a. The Owner or Operator shall be in compliance with the applicable emission limitations and operating limitations at all times;</p> <p>b. The Owner or Operator shall operate and maintain the affected source, including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions.</p>	EU02, EU03	40 CFR 63.6605 Subpart ZZZZ
21.	<p><u>Accidental Release Program Requirements</u></p> <p>The quantities of regulated chemicals stored at the facility are less than the applicable threshold quantities established in 40 CFR 68.130. The facility is subject to the Purpose and General Duty clause of the 1990 Clean Air Act, Section 112(r)(1). General Duty includes the following responsibilities:</p> <p>a. Identify potential hazards which result from such releases using appropriate hazard assessment techniques;</p> <p>b. Design and maintain a safe facility;</p> <p>c. Take steps necessary to prevent releases; and</p> <p>d. Minimize the consequences of accidental releases that do occur.</p>	Facility wide	CAAA 112(r)(1)
22.	<p><u>Work Practice Standards for Industrial/Commercial Boilers</u></p> <p>a. No later than the compliance date established in 40 CFR 63.11196 and annually thereafter, the Owner or Operator shall conduct a tune-up of the boiler as specified in Table 6, Item 20; and</p> <p>b. No later than March 21, 2014, the Owner or Operator shall conduct a one-time energy assessment as specified in Table 6, Item 21.</p>	EU01	40 CFR 63.11196 Subpart JJJJJ
23.	<p><u>Daily Cap on CO Emissions</u></p> <p>The CO emission rate for the Boiler shall be limited to 225 lbs/hr averaged over each calendar day in accordance with the National Ambient Air Quality Standards (NAAQS), as calculated on the CEM system or using the calculations shown in Table 6, Item 14.</p>	EU1	RSA 125-C:6, RSA 125-C:11 and Env-A 606.04

Table 5 - Federally Enforceable Operational and Emission Limitations			
Item #	Applicable Requirement	Applicable Emission Unit	Regulatory Cite
24.	<p><u>General Compliance Requirements</u></p> <p>At all times, the Owner or Operator must operate and maintain the boiler in a manner consistent with safety and good air pollution control practices for minimizing emissions. The general duty to minimize emissions does not require the Owner or Operator to make any further efforts to reduce emissions if levels required by this standard have been achieved. Determination of whether such operation and maintenance procedures are being used will be based on information available to the Division that may include, but is not limited to, monitoring results, review of operation and maintenance procedures, review of operation and maintenance records, and inspection of the source.</p>	EU01	40 CFR 63.11205 Subpart JJJJJ
25	<p><u>Permit Deviations</u></p> <p>In the event of a permit deviation, the Owner or Operator of the affected device, process, or air pollution control equipment shall investigate and take corrective action immediately upon discovery of the permit deviation to restore the affected device, process, or air pollution control equipment to within allowable permit levels.</p>	Facility Wide	Env-A 911.03

C. Emission Reductions Trading Requirements

The Owner or Operator did not request emissions reductions trading in its operating permit application. At this point, DES has not included any permit terms authorizing emissions trading in this permit. All emission reduction trading must be authorized under the applicable requirements of either Env-A 3000 *Emissions Reductions Credits Trading Program*, or Env-A 3100 *Discrete Emissions Reductions Trading Program* and 42 U.S.C §§7401 et seq. (the “Act”), and must be provided for in this permit.

D. Monitoring and Testing Requirements

The Owner or Operator is subject to the monitoring and testing requirements as contained in Table 6 below:

Table 6 - Monitoring/Testing Requirements					
Item #	Parameter	Method of Compliance	Frequency of Method	Device	Regulatory Cite
1.	Opacity	<p><u>Continuous Opacity Monitoring System</u></p> <p>Operate and maintain a continuous opacity monitoring system (COMS) for measuring the opacity of emissions from the wood-fired boiler. The COMS shall be maintained and operated in accordance with 40 CFR 60, Appendix B, Performance Specification 1. Determination of compliance with the opacity limits established in Table 5, Item #2 shall be made by the COMS or, during any COMS downtime, by visible emission readings taken once per shift following the procedures specified in 40 CFR 60, Appendix A, Method 9.</p>	Continuous	EU01	40 CFR 60.48b(a)
2.	NO _x , CO and	<p><u>NO_x, CO and diluent gas Continuous Emission Monitoring</u></p>	Continuous	EU01	Env-A 808.02(a)(2)

Table 6 - Monitoring/Testing Requirements

Item #	Parameter	Method of Compliance	Frequency of Method	Device	Regulatory Cite
	diluent gas CEMS	<p><u>System</u></p> <p>Operate, calibrate and maintain CEMS for NO_x, CO and diluent gas (CO₂) which shall be used to determine compliance with NO_x and CO emission limits established in Table 5, Items 4, 5, 6 & 7. The CEMS shall be operated and maintained in accordance with 40 CFR 60, Appendix B and Env-A 808.</p>			(effective 10-31-2010) &
3.	Minimum Specifications for CEMS and COMS	<p><u>Minimum Specifications for CEM Systems</u></p> <p>The Owner or Operator shall ensure that each CEMS and COMS meets the following operating requirements:</p> <ol style="list-style-type: none"> a. Each CEMS shall average and record the data for each calendar hour; b. Each COMS shall average the opacity data to result in consecutive, non-overlapping 6-minute averages; c. All opacity and gaseous CEM systems shall; <ol style="list-style-type: none"> i. Include a means to display instantaneous values of percent opacity and gaseous emission concentrations; and ii. Complete a minimum of one cycle of operation, which shall include measuring, analyzing, and data recording for each successive 5-minute period for systems measuring gaseous emissions and each 10-second period for systems measuring opacity, unless a longer time period is approved in accordance with Env-A 809. d. A valid hour of CEM emission data means a minimum of 42 minutes of gaseous or opacity CEMS readings taken in any calendar hour, during which time the CEM is not in an out of control period as defined in Env-A 808.01(g), and the facility is in operation. 	N/A	EU01	Env-A 808.03 (effective 10-31-2010)
4.	Stack volumetric flow	<p>Operate and maintain a stack volumetric flow measuring device for measuring stack flow from the wood-fired boiler which meets the following requirements:</p> <ol style="list-style-type: none"> a. All differential pressure flow monitors shall have an automatic blow-back purge system installed, and in wet stack conditions, shall have the capability for drainage of the sensing lines; b. The stack flow monitoring system shall have the capability for manual calibration of the transducer while the system is on-line and for a zero check; and c. Alternatives to in-stack flow monitoring devices for determination of stack volumetric flow rate may be 	Continuous	EU01	Env-A 808.03(d) & (e) (effective 10-31-2010)

Table 6 - Monitoring/Testing Requirements

Item #	Parameter	Method of Compliance	Frequency of Method	Device	Regulatory Cite
		used if the Owner or Operator provides the Division with technical justification that the alternative can meet the same requirements for data availability, data accuracy, and quality assurance as an in-stack device.			
5.	Continuous steam flow monitor	<p>Operate and maintain a continuous steam flow rate monitoring system for measuring steam production from the wood-fired boiler output steam pipe which meets the following requirements:</p> <ul style="list-style-type: none"> a. The steam flow rate monitoring system shall meet all applicable ASME specifications; b. The steam flow transducer shall be calibrated at least once annually in accordance with manufacturer's specifications; and c. If adequate straight length of piping is not available, then in lieu of a measuring system that meets ASME specifications, the Owner or Operator may use a steam flow rate monitoring system that can be calibrated by instruments installed, maintained and calibrated per ASME specifications or by other methods approved by the DES. 	As specified	EU01	Env-A 808.02
6.	QA/QC Plan Requirements	<ul style="list-style-type: none"> a. Prepare and maintain a quality assurance/quality control (QA/QC) plan, which shall contain written procedures for implementation of a QA/QC program that meets the criteria specified in 40 CFR 60, Appendix F, Procedure 1, section 3 for each CEMS; b. Review the QA/QC plan and all data generated by its implementation at least once each year; c. Revise or update the QA/QC plan, as necessary, based on the results of the annual review, by: <ul style="list-style-type: none"> i. Documenting the replacement of any damaged or malfunctioning CEM system components in order to maintain the collection of valid CEM data and to maximize data availability; ii. Documenting any changes made to the CEM or changes to any information provided in the monitoring plan submitted in accordance with Env-A 808.04; iii. Including a schedule of, and describing, all maintenance activities that are required by the CEM manufacturer or that might have an effect on the operation of the system; iv. Describing how the audits and testing required by Env-A 808 will be performed; and v. Including examples of the reports that will be used to document the audits and tests required by 	Review annually and revise as necessary	EU01	Env-A 808.06 (effective 10-31-2010)

Table 6 - Monitoring/Testing Requirements

Item #	Parameter	Method of Compliance	Frequency of Method	Device	Regulatory Cite
		<p style="text-align: center;">Env-A 808;</p> <p>d. Make the revised QA/QC plan available for on-site review by the Division at any time; and</p> <p>e. No later than April 15 of each year, either:</p> <p style="padding-left: 20px;">i. Submit to DES the revised QA/QC plan and the reasons for each change, and certify in writing that the Owner or Operator is implementing the revised QA/QC plan; or</p> <p style="padding-left: 20px;">ii. Certify in writing that no changes have been made to the plan and that the Owner or Operator will continue to implement the existing QA/QC plan.</p>			
7.	General Audit Requirements for All Gaseous and Opacity CEMS	<p>The Owner or Operator shall audit each CEMS in accordance with the following:</p> <p>a. Required quarterly audits anytime during each calendar quarter, provided that successive quarterly audits shall occur no more than 4 months apart.</p> <p>b. Subject to (d), below, within 30 calendar days following the end of each quarter, the Owner or Operator shall submit to DES a written summary report of the results of all audits required by (a), above, that were performed during that quarter, in accordance with the following:</p> <p style="padding-left: 20px;">i. For gaseous CEM audits, the report format shall conform to that presented in 40 CFR 60, Appendix F, Procedure 1; and</p> <p style="padding-left: 20px;">ii. For opacity CEM audits, the report format shall conform to that presented in EPA-600/8-87-025, April 1992, "Technical Assistance Document: Performance Audit Procedures for Opacity Monitors".</p> <p>c. The Owner or Operator shall notify DES:</p> <p style="padding-left: 20px;">i. At least 30 days prior to the performance of a RATA; and</p> <p style="padding-left: 20px;">ii. At least 2 weeks prior to any other planned audit or test procedure required under Env-A 808.</p> <p>d. The Owner or Operator shall file with the Division a written summary of the results of the RATA testing required by Env-A 808.08 by the earlier of 45 calendar days following the completion of the RATA test or the date established in the section of 40 CFR 60 that requires performance of the RATA.</p>	Quarterly	EU01	Env-A 808.07 (effective 10-31-2010)
8.	CEMS Audit Requirements	Gaseous CEMS audits shall be conducted in accordance with 40 CFR 60, Appendix F and Env-A 808.08.	Quarterly	EU01	Env-A 808.08 (effective 10-31-2010)

Table 6 - Monitoring/Testing Requirements

Item #	Parameter	Method of Compliance	Frequency of Method	Device	Regulatory Cite
9.	COMS Audit Requirements	The Owner or Operator shall perform audits for COMS in accordance with procedures described in Env-A 808.09 and 40 CFR 60, Appendix B, Specification 1.	Quarterly	EU01	Env-A 808.11(effective 10-31-2010)
10.	Audit requirements for the stack flow monitor	<p>a. Whenever compliance with a mass flow emissions limit is determined using a stack flow volumetric monitor, the Owner or Operator shall conduct, at least once every 4 calendar quarters, a minimum 9-run RATA with the relative accuracy calculated in the units of the mass emissions measurement as specified in 40 CFR 60, Appendices B and F;</p> <p>b. The Owner or Operator of a stationary source subject to a. above, and using a stack volumetric flow monitor for the mass flow emissions calculation shall in addition to the 9-run RATA, also perform one of the audit options specified in Env-A 808.09 or Env-A 808.10.</p>	As specified	EU01	Env-A 808.08(e) & (f) (effective 10-31-2010)
11.	Data Availability Requirements	<p>a. The Owner or Operator shall operate the CEM at all times during operation of the source, except for periods of CEM breakdown, repairs, calibration checks, preventive maintenance, and zero/span adjustments;</p> <p>b. The percent CEM data availability shall be maintained at a minimum of 90% on a calendar quarter basis for all opacity monitors, gaseous concentration monitors, and stack volumetric flow monitors;</p> <p>c. The percent CEM data availability shall be calculated as follows:</p> $\text{PercentDataAvailability} = \frac{(VH + CalDT) \times 100}{(OH - AH)}$ <p>where:</p> <p>“VH” means the number of valid hours of CEM data in a given time period for which the data availability is being calculated when the plant is in operation;</p> <p>“OH” means the number of facility operating hours during a given time period for which the data availability is being calculated;</p> <p>“AH” means the number of hours during facility operation when the performance of quarterly audits as required by those procedures specified in Env-A 808.08 through Env-A 808.11, as applicable, require that the CEM be taken out of service in order to conduct the audit;</p> <p>“CalDT” means the number of hours, not to exceed one hour per day, during facility operation when the CEM is not operating due to the performance of the daily CEM calibrations as required in 40 CFR 60, Appendix F.</p>	N/A	EU01	Env-A 808.12 (effective 10-31-2010)

Table 6 - Monitoring/Testing Requirements

Item #	Parameter	Method of Compliance	Frequency of Method	Device	Regulatory Cite
		<p>d. If the Owner or Operator of the source discovers that it has failed to meet the percent data availability requirement in the previous calendar quarter or in the calendar quarter in which it currently is operating, the Owner or Operator of the source shall, in addition to the permit deviation reporting required by Section XXVIII:</p> <p>i. Submit a plan to the Division, within 30 days of discovery, specifying in detail the steps it plans to take in order to meet the availability requirements for future calendar quarters; and</p> <p>ii. Implement the plan to meet the data availability requirements no later than 30 days after the end of the quarter of failure.</p>			
12.	Requirement for Substitute Emission Data	<p>Any facility that uses the emissions data collected by a gaseous CEM system to calculate and report its annual emissions in accordance with Env-A 900 shall comply with the following:</p> <p>a. For any facility operating hour during which the gaseous CEM system has not collected a valid hour of CEM system data, the Owner or Operator shall submit to the Division substitute emission data for those hours which has been generated using one of the following methods:</p> <p>i. The missing data substitution procedures specified in 40 CFR 75, Subpart D;</p> <p>ii. If the missing data occurred during a period of steady-state operation, and not during a period of start-up, shutdown, or malfunction:</p> <ol style="list-style-type: none"> 1. An average of the emissions data for the hours prior to and after the period of missing data during which valid CEM data was collected, or 2. Representative emissions data for the device at the same heat input rate, electric generating rate, or steam load; <p>iii. If the missing data occurred during a start-up, shutdown, or malfunction of the device, substitute data collected by the CEM during a similar period of start-up, shutdown or malfunction, respectively; or</p> <p>iv. An alternative method of data substitution that meets the following criteria:</p> <ol style="list-style-type: none"> 1. The alternative method was included in the monitoring plan submitted pursuant to Env-A 808.04; 2. The alternative method provides for 	N/A	EU01	Env-A 808.13 (effective 10-31-2010)

Table 6 - Monitoring/Testing Requirements

Item #	Parameter	Method of Compliance	Frequency of Method	Device	Regulatory Cite
		<p>representative emissions for the conditions of operation of the device during the period of missing data equivalent to the substitution methods described in (i) through (iii), above; and</p> <p>3. The alternative method was approved by the department as part of its approval of the monitoring plan pursuant to Env-A 808.04.</p> <p>b. For CEM systems and emissions not subject to the missing data substitution procedures of 40 CFR 75 Subpart D, sources shall include substitute emissions data in the calculation of total daily, monthly, quarterly, and annual emissions generated by the permitted device to quantify total actual emissions;</p> <p>c. Substitute emission data shall not be used in the calculation of emissions totals or averages in order to determine or demonstrate compliance with emissions standards;</p> <p>d. Substitute data shall not be included in the calculation of data availability.</p>			
13.	Valid averaging period	The number of hours of valid CEM system data required for the calculation and determination of compliance with a 24-hour emission standard period shall be 18 hours of valid data.	N/A	EU01	Env-A 808.17 (effective 10-31-2010)
14.	Ammonia Flow to SCR	<p>a. Operate an ammonia flow meter for measuring ammonia flow to the SCR when in operation;</p> <p>b. The ammonia flow meter shall be inspected and maintained in accordance with manufacturer's recommendations.</p>	Continuous	PCE3	TP-B-0500
15.	Stack Testing Requirements for particulate matter and ammonia slip	<p>a. Conduct compliance stack testing for particulate matter and ammonia slip. Particulate test results will be used to evaluate compliance with the particulate emission limit in Table 5, Item #1. Ammonia test results will be used to evaluate compliance with the ammonia slip emission limit in Table 5, Item #9.</p> <p>b. Method 5 shall be used to measure the concentration of particulate matter; and</p> <p>c. Ammonia slip shall be determined using DES-approved method.</p>	Every 5 years for particulate matter & annually for ammonia slip	EU01	TP-B-0500, 40 CFR 70.6(a)(3) & Env-A 802 (effective 10-31-2010)
16.	General Stack Testing Requirements	<p>Compliance stack testing shall be planned and carried out in accordance with the following schedule:</p> <p>a. A pre-test protocol shall be submitted to the Division</p>	As specified	EU01	Env-A 802

Table 6 - Monitoring/Testing Requirements

Item #	Parameter	Method of Compliance	Frequency of Method	Device	Regulatory Cite
		<p>at least 30 days prior to the commencement of testing. The pre-test protocol shall contain the information specified in Env-A 802.04;</p> <p>b. At least 15 days prior to the test date, the Owner or Operator and any contractor retained by the Owner or Operator to conduct the test shall meet with a Division representative in person or over the telephone;</p> <p>c. A test report shall be submitted to the Division within 60 days after the completion of testing. The test report shall contain the information specified in Env-A 802.11(c);</p> <p>d. A compliance test shall be conducted under one of the following operating conditions:</p> <p>i. Between 90 and 100 percent, inclusive, of maximum production rate or rated capacity;</p> <p>ii. A production rate at which maximum emissions occur; or</p> <p>iii. At such operating conditions agreed upon during a pre-test meeting conducted pursuant to Env-A 802.05.</p>			
17.	Hours of Operation	Emergency generator and fire pump shall each be equipped with a non-resettable hour meter by May 3, 2013.	Continuous	EU02 & EU03	40 CFR 63.6625 Subpart ZZZZ
18.	Sulfur Content of Liquid Fuels	Conduct testing in accordance with appropriate ASTM test methods or retain delivery tickets in accordance with Table 7, Item #10 in order to demonstrate compliance with the sulfur content limitation provisions specified in this permit for liquid fuels.	For each delivery of fuel oil/diesel to the facility	Facility Wide	Env-A 806.05
19.	Periodic Monitoring	<p>If readings of parameters specified in Tables 6A and 6B, Item 3c are outside of the indicator ranges specified in Tables 6A and 6B, Item #2 for more than 5% of the rolling 12-month total operating time for PCE1 and PCE2, the Owner or Operator shall prepare and submit a Quality Improvement Plan (QIP) to the Division. The QIP shall include procedures for evaluating the control performance problems. Based on the evaluation, the Owner or Operator shall modify the plan to include procedures for conducting one or more of the following actions, as appropriate:</p> <p>a. Improve preventive maintenance practices;</p> <p>b. Operational changes;</p> <p>c. Appropriate improvements to control methods;</p> <p>d. Other steps to improve control performance; and</p> <p>e. More frequent or improved monitoring.</p>	Continuous	PCE1 & PCE2	40 CFR 64.8

Table 6 - Monitoring/Testing Requirements

Item #	Parameter	Method of Compliance	Frequency of Method	Device	Regulatory Cite
20.	Boiler Tune-up	<p>The biennial tune-up of the boiler shall consist of the following:</p> <ol style="list-style-type: none"> 1. As applicable, inspect the burner/grate, and clean or replace any components of the burner as necessary;⁸ 2. Inspect the grate for proper and even fuel distribution. Adjust the fuel distribution spouts and distribution air to optimize fuel distribution. Adjust undergrate and over-fire air for optimal combustion to minimize boiler emissions. 3. Inspect the system controlling the air-to-fuel ratio, as applicable, and ensure that it is correctly calibrated and functioning properly; 4. Optimize total emissions of carbon monoxide, consistent with the manufacturer’s specifications if available; and 5. Measure the concentration in the effluent stream of carbon monoxide in parts per million, by volume, and oxygen in volume percent, before and after the adjustments are made.⁹ 	<p>By the compliance date established in 40 CFR 63.11196 and annually thereafter ¹⁰</p>	EU01	<p>40 CFR 63.11223 Subpart JJJJJ</p>
21.	Energy Assessment ¹¹	<p>The energy assessment must be performed by a qualified energy assessor and must include:</p> <ol style="list-style-type: none"> 1. A visual inspection of the boiler system; 2. An evaluation of: <ol style="list-style-type: none"> a. Operating characteristics of the facility; b. Specifications of energy using systems, c. Operating and maintenance procedures; and d. Unusual operating constraints; 3. An inventory of major systems consuming energy from affected boiler(s); 4. A review of: <ol style="list-style-type: none"> a. Available architectural and engineering plans; b. Facility operation and maintenance procedures and logs; and 	<p>One time by March 21, 2014</p>	EU01	<p>40 CFR 63.11201(b) Subpart JJJJJ</p>

⁸ The burner inspection may be delayed until the next scheduled unit shutdown, but must be inspected at least once every 36 months.

⁹ Measurements may be either on a dry or wet basis, as long as it is the same basis, before and after the adjustments are made.

¹⁰ Each biennial tune-up must be conducted no more than 25 months after the previous tune-up [§63.11223(a)]. In addition, if the unit is not operating on the required date for a tune-up, the tune-up must be conducted within one week of startup. [§63.11223(b)(7)]

¹¹ Pursuant to 40 CFR 63, Subpart JJJJJ, Table 2, an energy assessment completed on or after January 1, 2008, that meets or is amended to meet the energy requirements outlined in Table 6, Item 21 satisfies the energy assessment requirement.

Table 6 - Monitoring/Testing Requirements

Item #	Parameter	Method of Compliance	Frequency of Method	Device	Regulatory Cite
		<ul style="list-style-type: none"> c. Fuel usage; 5. A list of major energy conservation measures; 6. A list of the energy savings potential of the energy conservation measures identified; and 7. A comprehensive report detailing: <ul style="list-style-type: none"> a. The ways to improve efficiency; b. The cost of specific improvements; c. Benefits; and d. The time frame for recouping those investments. 			

Table 6A - Compliance Assurance Monitoring (40 CFR 64) ESP for the control of Particulate Matter		
Indicator	Indicator No. 1- Secondary Voltage	Indicator No. 2- Inspection and Maintenance (I/M)
1. Measurement Approach	Measurement of the secondary voltage with a voltage transducer.	<ol style="list-style-type: none"> 1. Inspections shall be performed according to I/M checklist. 2. Inspection of casing, piping and ducts for leaks, abnormal noise, hot spots and fires. 3. Inspection of the ash hopper, high-level probes and remote alarms for correct operation. 4. Maintenance performed as needed.
2. Indicator Range	<p>The indicator range is a secondary voltage between 15 kilovolts and 60 kilovolts.</p> <p>An excursion¹² triggers an inspection, corrective action and a reporting requirement.</p>	<p>Failure to perform an inspection triggers a reporting requirement.</p> <p>Equipment failures identified during the inspection trigger corrective action, and a reporting requirement.</p>
3. Performance Criteria	<p>The minimum accuracy of the voltage transducer is +/- 2% of span. The voltage transducer is located in the ESP control room.</p> <ol style="list-style-type: none"> 1. Secondary voltage transducer shall be calibrated annually and the results recorded. 2. The Permittee shall maintain the monitoring equipment at all times, including but not limited to, maintaining necessary parts for routine repair and maintenance. 3. Both fields of the ESP must be operational. 	<p>Inspections are performed at the ESP.</p> <p>Inspections shall be performed by qualified personnel.</p>
a. Data Representativeness		
b. QA/QC Practices and Criteria		
c. Monitoring Frequency	The secondary voltage is recorded once per shift.	<ol style="list-style-type: none"> a) Annual inspections shall be performed according to the I/M checklist; b) Once per shift inspection shall include inspection of casing, piping and ducts for leaks, abnormal noise, hot spots and fires; c) Monthly inspection shall include inspection of the ash hopper, high-level probes and remote alarms for correct operation.
i. Data Collection Procedure	Records shall be maintained on the standard operating logs.	Record results of all inspections in a log book.
ii. Averaging Period	Not applicable	Not applicable

¹² Excursion shall mean a departure from an indicator range established for monitoring under this part, consistent with any averaging period specified for averaging the results of the monitoring.

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**Table 6B - Compliance Assurance Monitoring (40 CFR 64)
 Multiclone for the control of Particulate Matter**

Indicator	Indicator No. 1- Pressure differential across the Multiclone	Indicator No. 2- Inspection and Maintenance
1. Measurement Approach	Measurement of pressure differential across the multiclone using pressure transmitter.	1. Inspections shall be performed according to the I/M checklist including inspection of the inlet and outlet vanes and boots for any buildup of caked dust. 2. Inspections of the multiclone for any apparent abnormalities or damage that would cause air leakage into the unit. 3. Maintenance performed as needed.
2. Indicator Range	The indicator range is a pressure differential reading between 2" and 6" of water column. Excursions trigger an inspection, corrective action, and a reporting requirement.	Failure to perform an inspection triggers a reporting requirement. Equipment failures identified during the inspection trigger corrective action, and a reporting requirement.
3. Performance Criteria a. Data Representativeness	The pressure transmitter is located at the inlet and outlet of multiclone. The minimum accuracy of the transmitter is +/- 0.5 inches of water column.	Inspections are performed at the multiclone.
b. QA/QC Practices and Criteria	1. The pressure transmitter shall be calibrated annually and the results recorded. 2. Multiclone shall be operated under negative pressure. 3. The Permittee shall maintain the monitoring equipment at all times, including but not limited to, maintaining necessary parts for routine repair and maintenance.	Inspections shall be performed by qualified personnel.
c. Monitoring Frequency	Pressure drop is recorded once per shift.	1. Annual inspections shall be performed according to I/M checklist including inspection of the inlet and outlet vanes and boots for any buildup of caked dust. 2. Daily inspections of the multiclone shall include checking for any apparent abnormalities or damage that would cause air leakage into the unit. 3. Maintenance performed as needed.
i. Data Collection Procedure	Records shall be maintained on standard operating logs.	Record results of all inspections and maintenance in a log book.
ii. Averaging Period	Not applicable	Not applicable

E. Recordkeeping Requirements

The Owner or Operator shall be subject to the recordkeeping requirements identified in Table 7 below:

Table 7 - Applicable Recordkeeping Requirements				
Item #	Applicable Recordkeeping Requirement	Records Retention/ Frequency	Applicable Emission Unit	Regulatory Citation
1.	Retain records of all required monitoring data, recordkeeping and reporting requirements, and support information for a period of at least 5 years from the date of origination.	Retain for a minimum of 5 years	Facility Wide	40 CFR 70.6(a)(3)(ii)(B)
2.	Maintain records of actual emissions for each significant and insignificant activity for determination of emission based fees.	Annually	Facility wide	Env-A 705.03
3.	<u><i>Air Pollution Control Device Operational Records</i></u> Maintain records of all malfunctions, routine maintenance, and other downtimes of any air pollution control equipment in whole or part. These records must be available for review by DES/EPA upon request.	At each occurrence	PCE1, PCE2, PCE3	Env-A 906.01 (effective 10-1-2010)
4.	<u><i>General Recordkeeping Requirements for Sources with Continuous Emissions Monitoring Systems</i></u> Maintain records for the CEMS and COMS in accordance with Env-A 800 and all applicable federal regulations.	As specified in Env-A 800 and applicable federal requirements	EU01	Env-A 903.04 (effective 10-1-2010)
5.	<u><i>NSPS Opacity Recordkeeping Requirement</i></u> The Owner or Operator shall maintain records of opacity.	Continuous	EU01	40 CFR 60 Subpart Db Section 60.49b(f)
6.	<u><i>NSPS Startup, Shutdown, & Malfunction Recordkeeping Requirements</i></u> The Owner or Operator shall maintain records of the occurrence and duration of any startup, shutdown, or malfunction in the operation of the wood-fired boiler; any malfunction in the operation of the air pollution control equipment; or any periods during which a continuous monitoring system or monitoring device is inoperative.	Continuous	EU01	40 CFR 60 Subpart A Section 60.7(b)
7.	<u><i>NSPS General Recordkeeping Requirements</i></u> The Owner or Operator shall maintain a file of all measurements, including continuous monitoring system, monitoring device (steam flow, stack volumetric flow), and performance testing measurements; all continuous monitoring system performance evaluations; all continuous monitoring system or monitoring device calibration checks;	Continuous	EU01	40 CFR 60 Subpart A Section 60.7(f)

Table 7 - Applicable Recordkeeping Requirements

Item #	Applicable Recordkeeping Requirement	Records Retention/ Frequency	Applicable Emission Unit	Regulatory Citation
	adjustments and maintenance performed on these systems or devices; and all other information required by this part recorded in a permanent form suitable for inspection. The file shall be retained for at least 5 years ¹³ following the date of such measurements, maintenance, reports, or records.			
8.	<p><u>General Recordkeeping Requirements for Combustion Devices</u> Maintain the following records of fuel characteristics and utilization for the fuel used in each combustion device:</p> <ul style="list-style-type: none"> a. Type (e.g. wood chips, diesel) and amount of fuel burned; and b. Hours of operation. 	Monthly	Facility wide	Env-A 903.03 (effective 10-1-2010), 40 CFR 63.11223(b)(6) & 63.11225(c) Subpart JJJJJ
9.	Maintain records of the amount of fuel combusted in the wood-fired boiler.	Daily	EU01	40 CFR 60.49b(d)
10.	<p><u>Liquid Fuel Oil Recordkeeping Requirements</u> In lieu of sulfur testing pursuant to Table 6, Item #18, the Owner or Operator may maintain fuel delivery tickets that clearly state the sulfur content in parts per million as delivered and a written statement from the fuel supplier that the sulfur content of the fuel does not exceed state or federal standards for that fuel.</p>	Whenever there is a change in fuel supplier but at least annually	EU02, EU03	Env-A 806.05 (effective 10-31-2010)
11.	<p><u>General NOx Recordkeeping Requirements</u> Maintain records of the following information:</p> <ul style="list-style-type: none"> a. Identification of each fuel burning device; b. Operating schedule during the high ozone season (June 1 through August 31) for each fuel burning device identified in Table 7, Item 11.a, above, including: <ul style="list-style-type: none"> i. Typical hours of operation per day; ii. Typical days of operation per calendar month; iii. Number of weeks of operation; iv. Type and amount of each fuel burned; v. Heat input rate in MMBtu/hr; vi. Actual NOx emissions for the calendar year and a typical high ozone day during that calendar year; and vii. Emission factors and the origin of the emission factors used to calculate the NOx emissions. 	Maintain up-to-date data	EU01, EU02, EU03	Env-A 905.02 (effective 10-1-2010)

¹³ New Hampshire has a more stringent record retention requirement of 5 years in Env-A 902.01 instead of the 2 year requirement in 40 CFR 60.

Table 7 - Applicable Recordkeeping Requirements

Item #	Applicable Recordkeeping Requirement	Records Retention/ Frequency	Applicable Emission Unit	Regulatory Citation
12.	<p><u>SCR Recordkeeping Requirements</u></p> <p>Maintain records of the following information for the SCR system in accordance with the required timeframes:</p> <ul style="list-style-type: none"> a. Total ammonia usage in gallons; b. Average daily ammonia flow in gal/hr; and c. Ratio of average daily ammonia flow rate in gal/hr to the average daily NOx emission rate in lb/hr, for the purpose of evaluating PCE performance. 	Daily	PCE3	Env-A 906 (effective 10-1-2010)
13.	<p><u>Recordkeeping Requirements for Add-On NOx Control Equipment</u></p> <p>The Owner or Operator shall record and maintain the following information:</p> <ul style="list-style-type: none"> a. Air pollution control device identification number, type, model number, and manufacturer; b. Installation date; c. Unit(s) controlled; d. Type and location of the capture system, capture efficiency percent, and method of determination; e. Information as to whether the air pollution control device is always in operation when the fuel burning device it is serving is in operation. 	Maintain at the facility at all times	PCE3	Env-A 905.03 (effective 10-1-2010)
14.	<p><u>Additional Recordkeeping Requirements</u></p> <p>The Owner or Operator shall keep records of :</p> <ul style="list-style-type: none"> a. 12-month rolling average NOx emissions from the wood-fired boiler; b. Calendar daily averages of the hourly steam generation rate; c. Rolling 365-day average of CO in lb/hr; and d. Stack testing conducted in accordance with Table 6, Item #15. 	Maintain on a continuous basis	EU01	Env-A 906 (effective 10-1-2010)
15.	<p><u>Regulated Toxic Air Pollutants</u></p> <p>The Owner or Operator shall maintain records documenting compliance with Env-A 1400.</p>	Maintain Up-to-Date Data	Facility wide	Env-A 902.01 (effective 4-21-2007)
16.	<p><u>Quality Improvement Plan</u></p> <p>Prepare and submit a QIP when the conditions in Table 6, Item #19 are met.</p>	Initially within 180 days of becoming subject to this condition	PCE1, PCE2	40 CFR 64.8

Table 7 - Applicable Recordkeeping Requirements

Item #	Applicable Recordkeeping Requirement	Records Retention/ Frequency	Applicable Emission Unit	Regulatory Citation
17.	<p><u>Operation Log for the Emergency Generator & Fire pump</u></p> <p>The Owner or Operator shall keep records of the hours of operation of the engine that is recorded through the non-resettable hour meter. The Owner or Operator must document how many hours are spent for emergency operation, including what classified the operation as emergency and how many hours are spent for non-emergency operation.</p>	Keep a running Log	EU02, EU03	40 CFR 63.6655 Subpart ZZZZ
18.	<p><u>General Recordkeeping for Engines (applicable after May 3, 2013)</u></p> <p>Keep records of the maintenance conducted on the emergency generator and fire pump.</p>	As specified in Table 5, Item 18.	EU02, EU03	40 CFR 63.6655(e)(2) & (f)(2) Subpart ZZZZ
19.	<p><u>Boiler Tune-up Recordkeeping</u></p> <p>Maintain on-site and submit to the US EPA, Region 1 and the Division if requested:</p> <ol style="list-style-type: none"> a. The concentrations of carbon monoxide (CO) in the effluent stream in parts per million, by volume and oxygen in volume percent, measured before and after the tune-up of the boiler; b. A description of any corrective actions taken as a part of the tune-up of the boiler. 	As specified in Table 6, Item 20	EU01	40 CFR 63.11223(b)(6) Subpart JJJJJ
20.	<p><u>Additional 40 CFR 63, Subpart JJJJJ Recordkeeping</u></p> <p>Maintain the following records:</p> <ol style="list-style-type: none"> a. Each notification and report that was submitted, including all documentation supporting Initial Notifications, or Notification of Compliance Status submitted according to the requirements in Table 8, Item 9; b. Records documenting conformance with the boiler tune-up and energy assessment required by Table 6, Items 20 & 21 including: <ol style="list-style-type: none"> i. Records identifying each boiler; ii. The date of tune-up; iii. The procedures followed for tune-up; and iv. The manufacturer's specifications to which the boiler was tuned. c. The occurrence and duration of each malfunction of the boiler d. Actions taken during periods of malfunction to 	As specified	EU01	40 CFR 63.11225(c) Subpart JJJJJ

Table 7 - Applicable Recordkeeping Requirements				
Item #	Applicable Recordkeeping Requirement	Records Retention/ Frequency	Applicable Emission Unit	Regulatory Citation
	minimize emission in accordance with the general duty to minimize emissions in Table 5, Item 23, including corrective actions to restore the malfunctioning boiler to its normal or usual manner of operation.			
21.	<u>General Recordkeeping for Engines (applicable after May 3, 2013)</u> For the optional oil analysis program, analyze required parameters and keep records of activity.	As specified in site-specific oil analysis program.	EU02, EU03	40 CFR 63.6625(i) Subpart ZZZZ
22	Recordkeeping of deviations from Permit requirements shall be conducted in accordance with Section XXVIII of this Permit.	Maintain Up-to-date Data	Facility Wide	Env-A 911

F. Reporting Requirements

- A. Pursuant to Env-C 203.02(b), *Date of Issuance or Filing*, written documents shall be deemed to have been filed with or received by the Division on the actual date of receipt by the Division, as evidenced by a date stamp placed on the document by the Division in the normal course of business.
- B. All emissions data submitted to the Division shall be available to the public. Claims of confidentiality for any other information required to be submitted to the Division pursuant to this permit shall be made at the time of submission in accordance with Env-A 103, *Claims of Confidentiality*.
- C. The Owner or Operator shall be subject to the reporting requirements¹³ identified in Table 8 below.

Table 8 - Applicable Reporting Requirements				
Item #	Reporting Requirements	Frequency of Reporting	Applicable Emission Unit	Regulatory Citation
1.	Any report submitted to the DES and/or EPA shall include the certification of accuracy statement outlined in Section XXI.B. of this Permit and shall be signed by the responsible official.	As specified in Section XXI. B.	Facility wide	40 CFR 70.6(c)(1)
2.	<u>Annual Emissions Report</u> Submit an annual emissions report which shall include the following information: a. Actual calendar year emissions from each device of NO _x , CO, SO ₂ , TSP, VOCs, HAPs, and RTAPs (speciated by individual RTAP);	Annually (received by DES no later than April 15 th of the following year)	Significant & Insignificant Activities	Env-A 907.01

Table 8 - Applicable Reporting Requirements

Item #	Reporting Requirements	Frequency of Reporting	Applicable Emission Unit	Regulatory Citation
	b. The methods used in calculating such emissions in accordance with Env-A 705.02, <i>Determination of Actual Emissions for Use in Calculating Emission-Based Fees</i> ; and c. All information recorded in accordance with Item #8 of Table 7.			
3.	<u><i>Semi-annual Permit Deviation and Monitoring Report</i></u> The Owner or Operator shall submit a semi-annual permit deviation and monitoring report, which contains: a. Summaries of all monitoring and testing requirements contained in this permit; and b. A summary of all permit deviations and excursions that have occurred during the reporting period.	Semi-annually received by DES no later than July 31 st and January 31 st of each calendar year.	Facility Wide	Env-A 911 & 40 CFR 70.6(a)(3)(iii)(A)
4.	<u><i>Quarterly Emission Report</i></u> Submit to DES emission reports containing the following information: a. Excess emission data ¹⁴ recorded by the CEM system, including: i. The date and time of the beginning and ending of each period of excess emission; ii. The actual emissions measured by the CEM system during the excess emission; iii. The total amount of emissions above the emissions limit, or percent above the emissions limit, during the period of excess emissions; iv. The specific cause of the excess emission; and v. The corrective action taken; b. If no excess emissions have occurred, a statement to that effect; c. For gaseous measuring CEM systems, the daily averages of the measurements made and emission rates calculated; d. A statement as to whether the CEM system was inoperative, repaired, or adjusted during the reporting period; e. If the CEM system was inoperative, repaired, or adjusted during the reporting period, the following information: i. The date and time of the beginning and ending of each period when the CEM was inoperative; ii. The reason why the CEM was inoperative; iii. The corrective action taken; f. For all “out of control periods” the following information:	Quarterly (received by DES no later than 30 days following the end of each quarterly reporting period)	EU01	Env-A 808.14, Env-A 808.16, Env-A 808.18 (effective 10-31-2010)

¹⁴ Note that for NO_x, excess emissions are based on the NO_x RACT limit of 0.33 lb/MMBtu, and not the voluntary 0.075 lb/MMBtu emission limit the facility is complying with to qualify for generating renewable energy certificates.

Table 8 - Applicable Reporting Requirements

Item #	Reporting Requirements	Frequency of Reporting	Applicable Emission Unit	Regulatory Citation
	<ul style="list-style-type: none"> i. Beginning and ending times of the out of control period; ii. The reason for the out of control period; and iii. The corrective action taken. g. The date and time of the beginning and ending of each period when the source of emissions which the CEM system is monitoring was not operating; h. The span value, as defined in Env-A 101.176, and units of measurement for each analyzer in the CEM system; i. When calibration gas is used, the following information: <ul style="list-style-type: none"> i. The calibration gas concentration; ii. If a gas bottle was changed during the quarter: <ul style="list-style-type: none"> 1. The date of the calibration gas bottle change; 2. The gas bottle concentration before the change; 3. The gas bottle concentration after the change; and iii. The expiration date for all calibration gas bottles used. j. The percent data availability calculated in accordance with Table 6, Item 11 for each gaseous, opacity, and flow rate monitor in the CEM system; k. Even if sufficient valid hours have been measured by the CEM system necessary for calculation of a valid averaging period as defined in Env-A 808.17, the Owner or Operator shall still report for any invalid hours that occurred during the emission standard period the substitute data, as approved in accordance with Env-A 808.13, that will be used to determine the source's total emissions; l. All information required above shall be clearly indicated, labeled, and formatted such that compliance with all emissions standards to which the source is subject, can be determined and any periods of excess emissions, substitution of missing or invalid CEM data, CEM calibration, CEM maintenance, or startup, shutdown, or malfunction can be easily identified; m. Rolling 365-day average of CO emissions from the boiler to demonstrate compliance with Table 5, Item 7. 			
5.	<p><u><i>NO_x Emission Statement Reporting Requirements</i></u></p> <p>Submit a report which contains:</p> <ul style="list-style-type: none"> a. A breakdown of NO_x emissions reported pursuant to Table 8, Item #2 by month; and b. All data recorded in accordance with Item #11 of Table 7. c. 12-month rolling average to demonstrate compliance with Table 5 Item 5 	Annually (received by DES no later than April 15th of the following year)	Facility wide	Env-A 909 (effective 10-31-2010)
6.	Report deviations from Permit requirements in accordance with Section XXVIII of this Permit.	Prompt reporting (within 24 hours	Facility wide	40 CFR 70.6(a)(3)(iii)(B)

Table 8 - Applicable Reporting Requirements

Item #	Reporting Requirements	Frequency of Reporting	Applicable Emission Unit	Regulatory Citation
		of an occurrence)		
7.	Annual compliance certification shall be submitted in accordance with Section XXI of this Permit.	Annually (received by DES no later than April 15 th of the following year)	Facility wide	40 CFR 70.6(c)(1)
8.	<u>Quality Improvement Plan Submittal</u> Submit the QIP required in Table 7, Item #16 and notify DES if submittal will exceed 180 days from the day the source becomes subject to the permit condition.	As expeditiously as practicable	PCE1 & PCE2	40 CFR 64.8
9.	<u>Notification Requirements Under Subpart JJJJJ</u> <u>Initial notification</u> shall contain the following: a. Name and address of the Owner or Operator; b. The address (i.e. physical location) of the source; c. An identification of the relevant standard, or other requirement, that is the basis of the notification and the source's compliance date; d. A brief description of the nature, size, design, and method of operation of the source and an identification of the types of emission points within the affected source subject to the relevant standard and types of hazardous air pollutants emitted; e. A statement of whether the affected source is a major source or an area source;	Postmarked no later than September 17, 2011 to EPA Region 1 and the Division	EU01	40 CFR 63.9(b)(2) subpart A & 63.11225(a)(2) subpart JJJJJ
	<u>Notification of Compliance Status</u> shall contain the following and be signed by the responsible official: a. "This facility complies with the requirements in §63.11214 to conduct an initial tune-up of the boiler"; b. "This facility has had an energy assessment performed according to §63.11214(c)"; c. A description of the affected unit(s) including: i. The design heat input capacity of the unit; ii. A description of the fuel(s) burned;	No later than 120 days after the applicable compliance date specified in §63.11196 to US EPA Region 1 and the Division	EU01	40 CFR 63.9(h), 63.11225(a)(4) subpart JJJJJ
	<u>Biennial compliance report</u> must contain: a. Company name and address. b. Statement by a responsible official, with the official's name, title, phone number, e-mail address, and signature, certifying the truth, accuracy and completeness of the notification and a statement of whether the source has complied with Table 6, Items 20 & 21 of this permit; c. If the source experiences any deviations from the applicable	Biennially (postmarked no later than March 1 st) to US EPA Region 1 and the Division ONLY if requested 1 st) to EPA Region 1 and the Division	EU01	40 CFR 63.11225(b) subpart JJJJJ

Table 8 - Applicable Reporting Requirements

Item #	Reporting Requirements	Frequency of Reporting	Applicable Emission Unit	Regulatory Citation
	requirements during the reporting period.			
10.	<p><u><i>NSPS Subpart Db Excess Emissions Reports for Opacity</i></u></p> <p>a. Any affected facility subject to the opacity standards under 40 CFR 60.43b(f) shall submit to USEPA - Region I excess emissions reports for any excess emissions that occurred during the reporting period.</p> <p>b. For the purpose of 40 CFR 60.43b, excess emissions are defined as all 6-minute periods during which the average opacity exceeds the standard specified in Table 5, Item #2.</p> <p>The address for USEPA Region 1 is: USEPA New England Attn: Air Compliance Clerk 5 Post Office Square Suite 100 (OES04-2) Boston, MA 02109-3912</p> <p>c. The Owner or Operator may submit electronic quarterly reports for opacity in lieu of written reports. The electronic reports shall be submitted in accordance with 40 CFR 60.49b(v).</p>	Postmarked within 30 days of the end of the 6-month reporting period	EU01	40 CFR 60.49b(h), (v) & (w) subpart Db
11.	<p>Reporting Permit Deviation Caused by Failure to Comply with Data Availability Requirements – In the event a permit deviation is caused by failure to comply with the data availability requirements of Env-A 808.12, the Owner or Operator of the affected device, process, or air pollution control equipment shall:</p> <p>a. Notify DES by telephone, fax, or e-mail (pdeviations@des.nh.gov) within 10 days of discovery of the permit deviation.</p> <p>b. Report the permit deviation to DES as part of the Quarterly Emission Report pursuant to Env-A 808.14 .</p>	Quarterly	Facility Wide	Env-A 808.12

IX. Requirements Currently Not Applicable

Requirements not currently applicable to the facility were not identified by the Owner or Operator.

General Title V Operating Permit Conditions

X. Issuance of a Title V Operating Permit

A. This Permit is issued in accordance with the provisions of Env-A 609. In accordance with 40 CFR 70.6(a)(2), this Permit shall expire on the date specified on the cover page of this Permit, which shall not be later than the five (5) years after issuance of this Permit.

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- B. Permit expiration terminates the Owner or Operator's right to operate the emission units, control equipment or associated equipment covered by this permit, unless a timely and complete renewal application is received by the Department at least 6 months before the expiration date.

XI. Title V Operating Permit Renewal Procedures

Pursuant to Env-A 609.07(b), an application for renewal of this Permit shall be considered timely if it is received by the Department at least six months prior to the designated expiration date of the current Title V operating permit.

XII. Application Shield

Pursuant to Env-A 609.08, if an applicant submits a timely and complete application for the issuance or renewal of a Permit, the failure to have a Permit shall not be considered a violation of this part until the Director takes final action on the application.

XIII. Permit Shield

- A. Pursuant to Env-A 609.09(a), a permit shield shall provide that:
1. For any applicable requirement or any state requirement found in the New Hampshire Rules Governing the Control of Air Pollution specifically included in this Permit, compliance with the conditions of this Permit shall be deemed compliance with said applicable requirement or said state requirement as of the date of permit issuance; and
 2. The Owner or Operator need not comply with any applicable requirement or state requirement found in the New Hampshire Rules Governing the Control of Air Pollution and specifically identified in Section IX of this Title V Operating Permit as not applicable to the stationary source or area source.
- B. The permit shield identified in Section XIII.A. of this Permit shall apply only to those conditions incorporated into this Permit in accordance with the provisions of Env-A 609.09(b). It shall not apply to certain conditions as specified in Env-A 609.09(c) that may be incorporated into this Permit following permit issuance by DES.
- C. If a Title V Operating Permit and amendments thereto issued by the DES does not expressly include or exclude an applicable requirement or a state requirement found in the New Hampshire Rules Governing the Control of Air Pollution, that applicable requirement or state requirement shall not be covered by the permit shield and the Owner or Operator shall comply with the provisions of said requirement to the extent that it applies to the Owner or Operator, or device.
- D. If DES determines that this Title V Operating Permit was issued based upon inaccurate or incomplete information provided by the applicant, any permit shield provisions in said Title V Operating Permit shall be void as to the portions of said Title V Operating Permit which are affected, directly or indirectly, by the inaccurate or incomplete information.
- E. Pursuant to Env-A 609.09(f), nothing contained in Section XIII of this Permit shall alter or affect the ability of the DES to reopen this Permit for cause in accordance with Env-A 609.19 or to exercise its summary abatement authority.
- F. Pursuant to Env-A 609.09(g), nothing contained in this section or in any Title V operating permit issued by the DES shall alter or affect the following:

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1. The ability of the DES to order abatement requiring immediate compliance with applicable requirements upon finding that there is an imminent and substantial endangerment to public health, welfare, or the environment;
2. The state of New Hampshire's ability to bring an enforcement action pursuant to RSA 125-C:15,II;
3. The provisions of section 303 of the CAA regarding emergency orders including the authority of the EPA Administrator under that section;
4. The liability of an Owner or Operator of a source for any violation of applicable requirements prior to or at the time of permit issuance;
5. The applicable requirements of the acid rain program, consistent with section 408(a) of the CAA;
6. The ability of the DES or the EPA Administrator to obtain information about a stationary source, area source, or device from the Owner or Operator pursuant to section 114 of the CAA; or
7. The ability of the DES or the EPA Administrator to enter, inspect, and/or monitor a stationary source, area source, or device.

XIV. Reopening for Cause

The Director shall reopen and revise a Title V Operating Permit for cause if any of the circumstances contained in Env-A 609.19(a) exist. In all proceedings to reopen and reissue a Title V Operating Permit, the Director shall follow the provisions specified in Env-A 609.19(b) through (g).

XV. Administrative Permit Amendments

- A. Pursuant to Env-A 612.01, the Owner or Operator may implement the changes addressed in the request for an administrative permit amendment as defined in Env-A 101 immediately upon submittal of the request.
- B. Pursuant to Env-A 612.01, the Director shall take final action on a request for an administrative permit amendment in accordance with the provisions of Env-A 612.01(b) and (c).

XVI. Operational Flexibility

- A. Pursuant to Env-A 612.02, the Owner or Operator subject to and operating under this Title V Operating Permit may make changes involving trading of emissions, off-permit changes, and section 502(b)(10) changes at the permitted stationary source or area source without filing a Title V Operating Permit application for and obtaining an amended Title V Operating Permit, provided that all of the following conditions are met, as well as conditions specified in Section XVI. B through E of this permit, as applicable. At this point, DES has not included any permit terms authorizing emissions trading in this permit.
 1. The change is not a modification under any provision of Title I of the CAA;
 2. The change does not cause emissions to exceed the emissions allowable under the Title V operating permit, whether expressed therein as a rate of emissions or in terms of total emissions;
 3. The Owner or Operator has obtained any temporary permit required by Env-A 600;

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4. The Owner or Operator has provided written notification to the director and administrator of the proposed change and such written notification includes:
 - a. The date on which each proposed change will occur;
 - b. A description of each such change;
 - c. Any change in emissions that will result;
 - d. A request that the operational flexibility procedures be used; and
 - e. The signature of the responsible official, consistent with Env-A 605.04(b);
 5. The change does not exceed any emissions limitations established under any of the following:
 - a. The New Hampshire Code of Administrative Rules, Env-A 100-3800;
 - b. The CAA; or
 - c. This Title V Operating Permit; and
 6. The Owner or Operator, DES, and EPA have attached each written notice required above to their copy of this Title V Operating Permit.
- B. For changes involving the trading of emissions, the Owner or Operator must also meet the following conditions:
1. The Title V Operating Permit issued to the stationary source or area source already contains terms and conditions including all terms and conditions which determine compliance required under 40 CFR 70.6(a) and (c) and which allow for the trading of emissions increases and decreases at the permitted stationary source or area source solely for the purpose of complying with a federally-enforceable emissions cap that is established in the permit independent of otherwise applicable requirements;
 2. The Owner or Operator has included in the application for the Title V Operating Permit proposed replicable procedures and proposed permit terms which ensure that the emissions trades are quantifiable and federally enforceable for changes to the Title V Operating Permit which qualify under a federally- enforceable emissions cap that is established in the Title V Operating Permit independent of the otherwise applicable requirements;
 3. The Director has not included in the emissions trading provision any devices for which emissions are not quantifiable or for which there are no replicable procedures to enforce emissions trades; and
 4. The written notification required above is made at least 7 days prior to the proposed change and includes a statement as to how any change in emissions will comply with the terms and conditions of the Title V Operating Permit.
- C. For off-permit changes, the Owner or Operator must also meet the following conditions:
1. Each off-permit change meets all applicable requirements and does not violate any existing permit term or condition;
 2. The written notification required above is made contemporaneously with each off-permit change, except for changes that qualify as insignificant under the provisions of Env-A 609.04;

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3. The change is not subject to any requirements under Title IV of the CAA and the change is not a Title I modification;
 4. The Owner or Operator keeps a record describing the changes made at the source which 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; and
 5. The written notification required above includes a list of the pollutants emitted and any applicable requirement that would apply as a result of the change.
- D. For section 502(b)(10) changes, the Owner or Operator must also meet the following conditions:
1. The written notification required above is made at least 7 days prior to the proposed change; and
 2. The written notification required above includes any permit term or condition that is no longer applicable as a result of the change.
- E. Pursuant to Env-A 612.02(f), the off-permit change and section 502(b)(10) change shall not qualify for the permit shield under Env-A 609.09.

XVII. Minor Modifications

- A. Prior to implementing a minor permit modification, the Owner or Operator shall submit a written request to the Director in accordance with the requirements of Env-A 612.05(b).
- B. The Director shall take final action on the minor permit amendment request in accordance with the provisions of Env-A 612.05(c) through (g).
- C. Pursuant to Env-A 612.05(h), the permit shield specified in Env-A 609.09 shall not apply to minor permit amendments under Section XVII. of this Permit.
- D. Pursuant to Env-A 612.05(a), the Owner or Operator shall be subject to the provisions of RSA 125-C:15 if the change is made prior to the filing with the Director of a request for a minor permit amendment.

XVIII. Significant Permit Modifications

- A. Pursuant to Env-A 612.06, a change at the facility shall qualify as a significant permit amendment if it meets the criteria specified in Env-A 612.06(a)(1) through (5).
- B. Prior to implementing the significant permit amendment, the Owner or Operator shall submit a written request to the Director which includes all the information as referenced in Env-A 612.06(b) and (c) and shall be issued an amended Title V Operating Permit from the DES. The Owner or Operator shall be subject to the provisions of RSA 125-C:15 if a request for a significant permit amendment is not filed with the Director and/or the change is made prior to the issuance of an amended Title V Operating Permit.
- C. The Director shall take final action on the significant permit amendment in accordance with the Procedures specified in Env-A 612.06(d), (e) and (f).

XIX. Title V Operating Permit Suspension, Revocation or Nullification

- A. Pursuant to RSA 125-C:13, the Director may suspend or revoke any final permit issued hereunder if, following a hearing, the Director determines that:

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1. The Owner or Operator has committed a violation of any applicable statute or state requirement found in the New Hampshire Rules Governing the Control of Air Pollution, order or permit condition in force and applicable to it; or
 2. The emissions from any device to which this Permit applies, alone or in conjunction with other sources of the same pollutants, presents an immediate danger to the public health.
- B. The Director shall nullify any Permit if, following a hearing in accordance with RSA 541-A:30, II, a finding is made that the Permit was issued in whole or in part based upon any information proven to be intentionally false or misleading.

XX. Inspection and Entry

EPA and DES personnel shall be granted access to the facility covered by this Permit, in accordance with RSA 125-C:6, VII for the purposes of: inspecting the proposed or permitted site; investigating a complaint; and assuring compliance with any applicable requirement or state requirement found in the New Hampshire Rules Governing the Control of Air Pollution and/or conditions of any Permit issued pursuant to Chapter Env-A 600.

XXI. Certifications

A. Compliance Certification Report

In accordance with 40 CFR 70.6(c) the Responsible Official shall certify for the previous calendar year that the facility is in compliance with the requirements of this permit. The report shall be submitted annually, no later than April 15th of the following year. The report shall be submitted to the DES and to the U.S. Environmental Protection Agency – Region I. The report shall be submitted in compliance with the submission requirements below.

In accordance with 40 CFR 70.6(c)(5), the report shall describe:

1. The terms and conditions of the Permit that are the basis of the certification;
2. The current compliance status of the source with respect to the terms and conditions of this Permit, and whether compliance was continuous or intermittent during the reporting period;
3. The methods used for determining compliance, including a description of the monitoring, record keeping, and reporting requirements and test methods; and
4. Any additional information required by the DES to determine the compliance status of the source.

B. Certification of Accuracy Statement

All documents submitted to the DES shall contain a certification by the responsible official of truth, accuracy, and completeness. Such certification shall be in accordance with the requirements of 40 CFR 70.5(d) and contain the following language:

"I am authorized to make this submission on behalf of the facility for which the submission is made. Based on information and belief formed after reasonable inquiry, I certify that the statements and information in the enclosed documents are to the best of my knowledge and belief true, accurate and complete. I am aware that

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there are significant penalties for submitting false statements and information or omitting required statements and information, including the possibility of fine or imprisonment."

All reports submitted to DES (except those submitted as emission based fees as outlined in Section XXIII of this Permit) shall be submitted to the following address:

New Hampshire Department of Environmental Services
Air Resources Division
29 Hazen Drive
P.O. Box 95
Concord, NH 03302-0095
ATTN: Section Supervisor, Compliance Bureau

All reports submitted to EPA shall be submitted to the following address:

EPA-New England, Region 1
5 Post Office Sq. Suite 100
Mail Code OES04-2
Boston, MA 02109-3912

XXII. Enforcement

Any noncompliance with a permit condition constitutes a violation of RSA 125-C:15, and, as to the conditions in this permit which are federally enforceable, a violation of the Clean Air Act, 42 U.S.C. Section 7401 et seq., and is grounds for enforcement action, for permit termination or revocation, or for denial of an operating permit renewal application by the DES and/or EPA. Noncompliance may also be grounds for assessment of administrative, civil or criminal penalties in accordance with RSA 125-C:15 and/or the Clean Air Act. This Permit does not relieve the Owner or Operator from the obligation to comply with any other provisions of RSA 125-C, the New Hampshire Rules Governing the Control of Air Pollution, or the Clean Air Act, or to obtain any other necessary authorizations from other governmental agencies, or to comply with all other applicable Federal, State, or Local rules and regulations, not addressed in this Permit.

In accordance with 40 CFR 70.6 (a)(6)(ii), the Owner or Operator shall not claim as a defense 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.

XXIII. Emission-Based Fee Requirements

- A. Env-A 705.01, *Emission-based Fees*: The Owner or Operator shall pay to the Division each year an emission-based fee for emissions from the facility.
- B. Env-A 705.02, *Determination of Actual Emissions for use in Calculating of Emission-based Fees*: The Owner or Operator shall determine the total actual annual emissions from the facility for each calendar year in accordance with the methods specified in Env-A 616, *Determination of Actual Emissions*.
- C. Env-A 705.03, *Calculation of Emission-based Fees*: The Owner or Operator shall calculate the annual emission-based fee for each calendar year in accordance with the procedures specified in Env-A 705.03 and the following equation:

$$FEE = E * DPT$$

where:

FEE = The annual emission-based fee for each calendar year as specified in Env-A 705;
E = Total actual emissions as determined pursuant to Condition XXIII.B; and
DPT = The dollar per ton fee the Division has specified in Env-A 705.03¹⁵.

- D. Env-A 705.04, *Payment of Emission-based Fee*: The Owner or Operator shall submit, to the Division, payment of the emission-based fee so that the Division receives it on or before April 15th for emissions during the previous calendar year.

XXIV. Duty To Provide Information

In accordance with 40 CFR 70.6 (a)(6)(v), upon the DES's written request, the Owner or Operator shall furnish, within a reasonable time, any information necessary for determining whether cause exists for modifying, revoking and reissuing, or terminating the Permit, or to determine compliance with the Permit. Upon request, the Owner or Operator shall furnish to the DES copies of records that the Owner or Operator is required to retain by this Permit. The Owner or Operator may make a claim of confidentiality as to any information submitted pursuant to this condition in accordance with Env-A 103 at the time such information is submitted to DES. DES shall evaluate such requests in accordance with the provisions of Env-A 103.

XXV. Property Rights

Pursuant to 40 CFR 70.6 (a)(6)(iv), this Permit does not convey any property rights of any sort, or any exclusive privilege.

XXVI. Severability Clause

Pursuant to 40 CFR 70.6 (a)(5), 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 circumstances is held invalid, the application of such provision to other circumstances, and the remainder of this Permit, shall not be affected thereby.

XXVII. Emergency Conditions

Pursuant to 40 CFR 70.6 (g), the Owner or Operator shall be shielded from enforcement action brought for noncompliance with technology based¹⁶ emission limitations specified in this Permit as a result of an emergency¹⁷. In order to use emergency as an affirmative defense to an action brought for noncompliance, the Owner or Operator shall demonstrate the affirmative defense through properly signed, contemporaneous operating logs, or other relevant evidence that:

- A. An emergency occurred and that the Owner or Operator can identify the cause(s) of the emergency;
- B. The permitted facility was at the time being properly operated;
- C. During the period of the emergency, the Owner or Operator took all reasonable steps as expeditiously as possible, to minimize levels of emissions that exceeded the emissions

¹⁵ For additional information on emission-based fees, visit the DES website at <http://des.nh.gov/organization/divisions/air/pehb/apps/fees.htm>

¹⁶ 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 health based air quality standards.

¹⁷ An "emergency" means any situation arising from sudden and reasonably unforeseeable events beyond the control of the source, including acts of God, which situation would require immediate corrective action to restore normal operation, and that causes the source to exceed a technology based limitation under the 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 operations, operator error or decision to keep operating despite knowledge of any of these things.

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standards, or other requirements in this Permit; and

- D. The Owner or Operator submitted notice of the emergency to the DES within two (2) business 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 emission, and corrective actions taken.

XXVIII. Permit Deviation

Deviations are instances where any Permit condition is violated and has not already been reported as an emergency pursuant to Section XXVII of this Permit. In accordance with Env-A 911, *Recordkeeping and Reporting Requirements for Permit Deviations*, the Owner or Operator shall maintain records and report to the DES deviations from Permit requirements as follows:

- A. Recordkeeping Requirement – All Deviations – In accordance with Env-A 911.03, in the event of a permit deviation, the Owner or Operator of the affected device, process, or air pollution control equipment shall investigate and take corrective action immediately upon discovery of the permit deviation to restore the affected device, process, or air pollution control equipment to within allowable permit levels; and record the information per Env-A 911.03(b).
- B. Excess Emissions Reporting Requirement - Excess Emission Deviations Only – In the event the permit deviation causes excess emissions, the Owner or Operator of the affected device, process, or air pollution control equipment shall:
1. Notify DES by telephone, fax, or e-mail (pdeviations@des.nh.gov) within 24 hours of discovery of the permit deviation¹⁸; and
 2. Submit a written report in accordance with Env-A 911.04(d) within 10 days of the discovery of the permit deviation reported in Section XXVIII B.²⁰.
- C. Reporting Requirements for Permit Deviations Continuing for Greater Than 9 Consecutive Days – In the event the deviation does not cause an excess emission but continues for a period greater than 9 consecutive days, the Owner or Operator of the affected device, process, or air pollution control equipment shall notify DES of the subsequent corrective actions to be taken by telephone, fax, or e-mail (pdeviations@des.nh.gov) on the tenth day of the permit deviation²⁰
- D. Semi-Annual Summary Report – Pursuant to Env-A 911.05, the Owner or Operator shall submit a summary of all permit deviations previously reported pursuant to Section XXVIII B. and C. and a list of all permit deviations recorded pursuant to Section XXVIII A. to DES in the Semi-Annual Permit Deviation and Monitoring report due July 31st and January 31st of each calendar year covering the periods of July 1st through December 31st and January 1st through June 30th, respectively, pursuant to Env-A 907.04(b) and (c) or an alternative time period approved by DES pursuant to Env-A 912.

Reporting a Permit deviation is not an affirmative defense for action brought for noncompliance.

¹⁸ Unless it is Saturday, Sunday or a state legal holiday, in which event DES shall be notified on the next business day.