



STATE OF NEW HAMPSHIRE
Department of Environmental Services
Air Resources Division

TITLE V OPERATING PERMIT

Permit No: **TV-OP-008**

Date Issued: **March 22, 2006**

This certifies that:

Bridgewater Power Company, L.P.

P.O. Box 678

Ashland, NH 03217

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

Bridgewater Power Company, L.P.

Routes 3 and 25

Bridgewater, NH

AFS Point Source Number - 3300900021

This Title V Operating Permit is hereby issued under the terms and conditions specified in the Title V Operating Permit Application filed with the New Hampshire Department of Environmental Services on **May 27, 2003** under the signature of the following responsible official certifying to the best of their knowledge that the statements and information therein are true, accurate and complete.

Responsible Official:

Michael O'Leary

Plant Manager

(603) 968-9602

Technical Contact:

Michael O'Leary

Plant Manager

(603) 968-9602

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 **March 31, 2011**.

SEE ATTACHED SHEETS FOR ADDITIONAL PERMIT CONDITIONS

For the New Hampshire Department of Environmental Services, Air Resources Division

Director, Air Resources Division

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ABBREVIATIONS

AAL	Ambient Air Limit
AP-42	Compilation of Air Pollutant Emission Factors
ARD	Air Resources Division
ASTM	American Society for Testing and Materials
BHP	Break Horse Power
BTU	British Thermal Units
CAA	Clean Air Act
CAM	Compliance Assurance Monitoring
CAS	Chemical Abstract Service
CEMS	Continuous Emission Monitoring System
CF	Cubic Foot (ft ³)
CFR	Code of Federal Regulations
CO	Carbon monoxide
CO ₂	Carbon Dioxide
COMS	Continuous Opacity Monitoring System
DER	Discrete Emission Reduction
Env-A	New Hampshire Code of Administrative Rules – Air Resources Division
Env-Wm	New Hampshire Code of Administrative Rules – Waste Management Division
ECS	Emission Control System
ERC	Emission Reduction Credit
FR	Federal Register
Ft ³	Cubic foot
Gal	Gallon
gpm	Gallons per minute
HAP	Hazardous Air Pollutant
HCl	Hydrochloric acid
Hr	Hour
kGal	1,000 gallons
KW	Kilo Watt
Lb/hr	Pounds per hour
LPG	Liquid Petroleum Gas (Propane)
MACT	Maximum Achievable Control Technology
mg/L	Milligrams per liter (ppm)
MMBTU	Million British Thermal Units
MMCF	Million Cubic Feet
MWe	Mega Watt electric
NAAQS	National Ambient Air Quality Standard
NESHAPs	National Emissions Standards for Hazardous Air Pollutants
NG	Natural Gas
NHDES (or DES)	New Hampshire Department of Environmental Services
NO _x	Oxides of Nitrogen
NSPS	New Source Performance Standard
NSR	New Source Review
PM	Particulate Matter

PM ₁₀	Particulate Matter less than 10 microns diameter
ppm	part per million
ppmv	part per million by volume
PSD	Prevention of Significant Deterioration
PSI	Pounds per Square Inch
PTE	Potential to Emit
RACT	Reasonably Available Control Technology
RSA	Revised Statues Annotated
RTAP	Regulated Toxic Air Pollutant
SIP	State Implementation Plan
SO ₂	Sulfur Dioxide
TAP	Toxic Air Pollutant
TSP	Total Suspended Particulate Matter
TPY	Tons per Year
USEPA	United States Environmental Protection Agency
VOC	Volatile Organic Compound

Facility Specific Title V Operating Permit Conditions

I. Facility Description of Operations:

Bridgewater Power Company (Permittee) owns and operates a 15 MWe net output, power generation facility located in Bridgewater, New Hampshire. The primary sources of emissions at the facility are a wood/oil-fired boiler, an emergency diesel generator, a diesel fire pump and a cooling pond. The facility is a major source of NOx and CO emissions and therefore requires a Title V Permit.

II. Permitted Activities:

In accordance with all of the applicable requirements identified in the Permit, the Permittee 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. Significant Activities 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 Number	Description of Emission Unit	Install Date	Manufacturers Rated Maximum Design Capacity
EU1	Treebrook Wood/Oil-fired Boiler SN 6770	1987	Maximum firing rate: <ol style="list-style-type: none"> 1. 250 mmBTU/hr, for wood, equivalent to 165,000 lb/hr of steam averaged over 24-hour period at 850°F, 695 psig, boiler efficiency of 68% and boiler feedwater temperature of 340°F and wood moisture of 50%; and 2. 50 mmBTU/hr for oil equivalent to 345 gal/hr which shall be limited as follows: <ol style="list-style-type: none"> a) Specification used oil shall be limited to 4,485 gallons during any 24-hour period¹; and b) Monthly oil usage (#2 oil and specification used oil combined or separately) shall be limited to 128,600 gal/30 days²;
EU2	Caterpillar Emergency Diesel Generator SN 30A0223	1987	<ol style="list-style-type: none"> 1. Maximum Firing Rate-1.8 mmBTU/hr 2. Rated Output-269 HP; 3. EU2 shall be limited to less than 500 hours during any consecutive 12-month period.

¹ The 4,485 gallons/day limit for specification used oil is based on modeling.

² The 128,600 gal/30 days limit is based on 40 CFR 60.44b, Subpart Db, which limits the combined annual capacity factor to 10% for oil.

Table 1 – Significant Activities			
Emission Unit Number	Description of Emission Unit	Install Date	Manufacturers Rated Maximum Design Capacity
EU3	Diesel Fire Pump SN 90N69074	1987	4. Maximum Firing Rate-1.1 mmBTU/hr 5. Rated Output-121 HP; 6. EU3 shall be limited to less than 500 hours during any consecutive 12-month period.
EU4	Cooling Pond SN-N/A	1987	Drift Factor =0.0012% Circulation Rate=15,800 gpm

The facility is a true minor source of HAP emissions.

B. Stack Criteria:

The stacks indicated in Table 2 – Stack Criteria for the significant devices indicated in Table 1, shall discharge vertically without obstruction (including rain caps) and meet the following criteria in accordance with the state-only modeling requirements specified in Env-A 606.

Table 2 – Stack Criteria			
Stack #	Emission Unit #	Minimum Stack Height Above Base Elevation (Feet)	Maximum Stack Diameter or Dimensions (Feet)
Stack 1	Boiler/Main Stack	196.5	6.0

The Permittee may change the stack criteria described in Table 2 without obtaining approval from the DES provided that an air quality impact analysis is performed either by the facility or the DES (if requested by the facility in writing) in accordance with Env-A 606 and the “NHDES-ARD Procedure for Air Quality Impact Modeling”, and that the analysis demonstrates that emissions from the modified stack will continue to comply with all applicable emission limitations and ambient air limits. All air modeling data and analyses shall be kept on file at the facility for review by the DES upon request.

IV. Insignificant Activities Identification:

All activities at this facility that 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/Technique Identification:

The devices/techniques identified in Table 3 below are considered pollution control equipment for the identified emissions unit.

Table 3 – Pollution Control Equipment Identification		
Pollution Control Equipment Number (PCE#)	Description of Equipment	Activity
PCE1	Multicyclone (Multiclone)	Primary particulate matter control for EU1.
PCE2	Gravel Bed Filter (GBF)	Secondary particulate matter control for EU1.
PCE3	Baghouse-Reverse Jet Pulse	Final particulate matter control for EU1.

VII. Alternative Operating Scenarios:

No alternative operating scenarios were identified in this permit.

VIII. Applicable Requirements:

A. State-only Enforceable Operational and Emission Limitations:

The Permittee shall be subject to the state-only operational and emission limitations identified in Table 4 below.

Table 4 – State-only Enforceable Operational and Emission Limitations			
Item #	Applicable Requirements	Applicable Emission Unit	Regulatory Cite
1.	<u>Methods of Demonstrating Compliance</u> In accordance with Env-A 1405.01, the owner of any device or process, that emits a regulated toxic air pollutant, shall determine compliance with the ambient air limits (AALs) by using one of the methods provided in Env-A 1405.02, Env-A 1405.03, Env-A 1405.04, Env-A 1405.05 or Env-A 1405.06.	Facility Wide	Env-A 1405.01
2.	<u>Compliance Demonstration</u> In accordance with Env-A 1402.01(c)(3), documentation for the demonstration of compliance shall be retained at the facility, and shall be made available to the DES for inspection.	Facility Wide	Env-A 1402.01(c)(3)
3.	<u>24-hour and Annual Ambient Air Limit</u> The emissions of any regulated toxic air pollutant shall not cause an exceedance of its associated 24-hour or annual ambient air limit as set forth in Env-A 1450, <i>Table Containing the List Naming All Regulated Toxic Air Pollutants</i> .	Facility Wide	Env-A 1400

Table 4 – State-only Enforceable Operational and Emission Limitations			
Item #	Applicable Requirements	Applicable Emission Unit	Regulatory Cite
4.	<p><u>Revisions of the List of RTAPs</u></p> <p>In accordance with RSA 125-I:5 IV, if DES revises the list of regulated toxic air pollutants (RTAPs) or their respective ambient air limits or classifications under RSA 125-I:4, II and III, and as a results of such revision the Permittee is required to obtain or modify the Permit under the provisions of RSA 125-I or RSA 125-C, the Permittee 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. DES shall include as conditions in any permit issued as a result of a revision to the list of RTAPs a compliance plan and a schedule for achieving compliance based on public health, economic and technical consideration, not to exceed 3 years.</p>	Facility Wide	RSA 125-I:5 IV
5.	<p><u>Lead Limit for Specification Used Oil³</u></p> <p>The maximum allowable limit for the lead contaminants in the specification used oil shall be 60 ppm on a dry weight basis.</p>	Facility wide	Env-A 1400
6.	<p><u>Fuel Limits</u></p> <p>To show compliance with Env-A 1400 the facility shall limit the usage of specification used oil to 4,485 gallons during any consecutive 24-hour period. The maximum fuel flow rate for specification used oil is 345 gal/hr based on a heating value of 145,000 BTU/gal.</p>	Facility wide	Env-A 1400
7.	<p><u>Opacity from Fuel Burning Device Installed after May 13, 1970</u></p> <p>No owner or operator shall cause or allow average opacity from fuel burning devices installed after May 13, 1970 in excess of 20 percent for any continuous 6-minute period.</p>	Facility Wide	Env-A 2002.02
8.	<p><u>Activities Exempt from Opacity Standards</u></p> <p>a) The Facility shall be exempt from the opacity standards of Env-A 2002.02 specified above in Table 4, Item 7, when performing the following activities:</p> <ol style="list-style-type: none"> 1) During periods of startup, shutdown and malfunction opacity shall be allowed to be in excess of 20 percent for one period of 6 continuous minutes per hour; or 2) During periods of normal operation, soot blowing, grate cleaning, and cleaning of fires opacity shall be allowed to be in excess of 20 percent but not more than 27 percent for one period of 6 continuous minutes per hour; <p>b) In addition, the Facility shall be exempt from the opacity standard of Env-A 2002.02 specified above in Table 4, Item 7, where the Permittee demonstrates to DES that such exceedances:</p> <ol style="list-style-type: none"> 1) Were the result of the adherence to good boiler operating practices 	Facility Wide	Env-A 2002.04(a)(d)(e)(f)

³ The lead limit for used oil is based on Env-A 1400 and is more stringent than the Env-Wm 807.02 limit for lead listed in Table 5, Item 14. Whenever there is more than one standard listed for the same pollutant the more stringent limit applies.

Table 4 – State-only Enforceable Operational and Emission Limitations			
Item #	Applicable Requirements	Applicable Emission Unit	Regulatory Cite
	<p>which, in the long term, result in the most efficient or safe operation of the boiler;</p> <p>2) 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>3) 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; and</p> <p>4) Were the result of the occurrence of an unplanned incident in which the opacity exceedances 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>		

B. Federally Enforceable Operational and Emission Limitations

The Permittee 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>The Sulfur Content of No. 2 Oil and Specification Used Oil</u></p> <p>The sulfur content of No. 2 oil and specification used oil shall not exceed 0.40 percent sulfur by weight.</p>	Facility Wide	Env-A 1604.01(a)
2.	<p><u>Opacity from Fuel Burning Device Installed after June 19, 1984</u></p> <p>No owner or operator shall cause or allow average opacity from fuel burning device, installed after June 19, 1984 and that has a heat input capacity of greater than 100 MMBTU/hr combusting wood, oil or mixture of these fuels with any other fuels, to be in excess of 20 percent (6-minute average), except for one 6-minute period per hour of not more than 27 percent.</p>	EU1	Subpart Db 40 CFR 60.43b(f)
3.	<p><u>Activities Exempt from Opacity Standards</u></p> <p>The particulate matter and opacity standards apply at all times, except during periods of startup, shutdown or malfunctions⁴.</p>	Facility Wide	40 CFR 60.43b(g)
4.	<p><u>Opacity from Processes</u></p> <p>No person shall cause or allow the emission of gases from any process or</p>	Facility Wide	Env-A 1203.03(a)

⁴ The facility is also subject to the opacity standard of Env-A 202.04 (a) (1) listed in Table 4, Item 8 a) 1) which is more stringent. Whenever there is more than one standard listed for the same pollutant the more stringent limit applies.

Table 5 – Federally Enforceable Operational and Emission Limitations

Item #	Applicable Requirement	Applicable Emission Unit	Regulatory Cite
	manufacturing or service industry into the ambient air in excess of those quantities which are compatible with the achievement of ambient air quality standards for sulfur dioxide, nitrogen oxides, hydrocarbons, ozone and lead as specified in Env-300 and for other gases to be specified in future parts.		
5.	<u>NSPS for Particulate Matter</u> ⁵ No owner or operator that combusts wood, or wood with fuel oils shall cause or allow discharge of particulate matter in excess of 0.10 lb/mmBTU heat input if the affected facility has an annual capacity factor (ACP) greater than 30% for wood ⁶ .	EU1	Subpart Db, 40 CFR 60.43b(c)(1)
6.	<u>PM Emission Standard for Fuel burning Devices Installed on or After January 1, 1985</u> No owner or operator shall allow emissions of particulate matter from fuel burning devices with maximum gross heat input rate less than 100 MMBTU/hr to be in excess of 0.30 lb/mmBtu.	Facility wide	Env-A 2002.08 (Formerly Env-A 1202)
7.	<u>Short Term Limit</u> Maximum heat input capacity of 250 million Btu/hr which is equivalent to 165,000 lb/hr of steam averaged over 24-hour period at 850° F and 695 psig, boiler efficiency of 68% and wood moisture of 50%.	EU1	TV-OP-008 issued on 11/5/98
8.	<u>NSPS</u> The Facility chose to opt out of the NOx requirements of Subpart Db by limiting combined annual capacity factor to 10% for oil which is equivalent to 128,600 gallons of #2 and specification used oil combined during any consecutive 30-day period.	EU1	Subpart Db 40 CFR 60.44b(i), (j) & (k)
9.	<u>Prevention of Significant Deterioration (PSD) Avoidance</u> The Permittee shall limit the emissions of NOx and CO to less than 250 tons per year for each pollutant.	Facility wide	40 CFR 52.21(b)(1)(i), (b)
	The 250 tons per year limit for NOx and CO is equivalent, on a short term basis, to: a) 57.0 lb/hr of NOx <u>averaged over any consecutive 365-day period</u> ; and b) 57.0 lb/hr of CO <u>averaged over any consecutive 365-day period</u> . c) Compliance with this emission limit shall be demonstrated using the NOx and CO CEM data.	EU1	

⁵ The NSPS limit for particulate matter is more stringent than Env-A 2003.08 PM limit listed in Table 5, Item 6. Whenever there is more than one standard listed for the same pollutant the more stringent limit applies.

⁶ The minimum ACP for wood is 90%.

Table 5 – Federally Enforceable Operational and Emission Limitations

Item #	Applicable Requirement	Applicable Emission Unit	Regulatory Cite
10.	<p><u>NOx RACT</u></p> <p>The Permittee shall comply with NOx emissions rate of 0.33 lb/MMBTU <u>based on a 24-hr calendar day average</u> for boilers firing wood or combination of wood and oil and equipped with a traveling, shaker, or vibrating grate.</p>	EU1	Env-A 1211.04(d) & Env-A 1211.05(d)(5), (a)
11.	<p><u>Emergency Generators</u></p> <p>The emergency generators, including fire pumps, at a stationary source operating less than 500 hours each during any consecutive 12-month period and having combined theoretical potential emissions of NOx, from all such generators limited to less than 25 tons for any consecutive 12-month period, shall be exempt from the requirements of Env-A 1211.11.</p>	EU2&EU3	Env-A 1211.02(j)(1) & (2) (Formerly Env-A 1211.02(j))
12.	<p><u>Precautions to Prevent, Abate, and Control Fugitive Dust</u></p> <p>Any person engaged in any activity, except those listed in Env-A 1002.02(b), that emits fugitive dust within the state shall take precautions throughout the duration of the activity in order to prevent, abate, and control the emission of fugitive dust including but not limited to wetting, covering, shielding, or vacuuming.</p>	Facility Wide	Env-A 1002.04 formerly Env-A 1002.03
13.	<p><u>Pollution Control Equipment</u></p> <p>PCE1, PCE2 and PCE3 shall be fully operational upon facility startup and shall not be bypassed during startup, operation or shutdown of the steam generating unit.</p>	PCE1, PCE2 & PCE3	TV-OP-008 issued on 11/5/98
14.	<p><u>Contaminants Limits for Specification Used Oil</u></p> <p>a) The used oil shall not otherwise exhibit any hazardous waste characteristics specified in Env-Wm 403.</p> <p>b) The used oil shall not be mixed with hazardous waste; and</p> <p>c) The allowable limits of the contaminants shall be as follows:</p> <p style="padding-left: 40px;">Sulfur (% by weight) 0.40% maximum</p> <p style="padding-left: 40px;">Arsenic 5 ppm maximum</p> <p style="padding-left: 40px;">Cadmium 2 ppm maximum</p> <p style="padding-left: 40px;">Chromium 10 ppm maximum</p> <p style="padding-left: 40px;">Lead 100 ppm maximum⁷</p> <p style="padding-left: 40px;">Halogens as HCl 1000ppm maximum</p> <p style="padding-left: 40px;">PCBs less than 2 ppm</p>	Facility wide	Env-Wm 807.02

⁷ The facility is subject to more stringent lead limit of 60 ppm, based on Env-A-1400. See Table 4, Item 5.

Table 5 – Federally Enforceable Operational and Emission Limitations

Item #	Applicable Requirement	Applicable Emission Unit	Regulatory Cite
15.	<p><u>Types of Fuel</u></p> <p>Based on facility operations, fuel fed to the EU1 shall consist of any of the following:</p> <ul style="list-style-type: none"> a) Whole tree wood chips and mill residue at approximately 8.8 MMBTU/ton and 50% moisture; b) Clean processed wood fuel⁸ ranging from approximately 8.8 MMBTU/ton to 14 MMBTU/ton and 50%-20% moisture; c) No. 2 fuel oil at maximum 0.40% sulfur by weight; d) Specification used oil⁹ at maximum 0.40% sulfur by weight; and e) Combinations of any above fuels. 	EU1	TV-OP-008 issued on 11/5/98
16.	<p><u>Optimum NOx and CO Emission Control</u></p> <p>The Permittee shall control CO emissions by varying the total quantity of input combustion air and/or local distribution of that air into the Boiler. The Boiler shall be equipped with a fuel distribution, overfire air and undergrate air control system for optimum NOx and CO emission control.</p>	EU1	Env-A 305
17.	<p><u>All Equipment</u></p> <p>All equipment, facilities and system installed and used to achieve compliance with the terms and conditions of this permit shall at all times be maintained in good working order and shall be operated as efficiently as possible so as to minimize air pollutant emissions and meet all applicable air pollutant emission limits.</p>	Facility wide	TV-OP-008 issued on 11/5/98
18.	<p><u>Daily Cap on CO Emissions</u></p> <p>The CO emission rate for the Boiler shall be limited to <u>225 lbs/hr averaged over each calendar day</u> 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 9.</p>	PCE1, PCE2 & PCE3	RSA 125-C:6, RSA 125-C:11, Env-A 606.04

⁸ 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.

⁹ Specification used oil shall meet the requirements described in Table 4, Item 5 and Table 5, Item 14 of this Permit.

Table 5 – Federally Enforceable Operational and Emission Limitations

Item #	Applicable Requirement	Applicable Emission Unit	Regulatory Cite
19.	<p><u>Accidental Release Program Requirements</u></p> <p>Currently, substances regulated under 40 CFR 68 are stored at the facility in amounts 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> <ul style="list-style-type: none"> a) Identify potential hazards which result from such releases using appropriate hazard assessment techniques; b) Design and maintain a safe facility; c) Take steps necessary to prevent releases; and <p>Minimize the consequences of accidental releases that do occur.</p>	Facility Wide	CAAA112(r)(1)

C. Emission Reductions Trading Requirements

The Permittee 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 42 U.S.C §7401 et seq. (the “Act”), and either Env-A 3000 the *Emissions Reductions Credits (ERCs) Trading Program* or Env-A 3100 the *Discrete Emissions Reductions (DERs) Trading Program* and must be provided for in this permit.

D. Monitoring and Testing Requirements:

The Permittee is subject to the monitoring and testing requirements as contained in Table 6, 6A, 6B and 6C below:

Table 6 – Monitoring/Testing Requirements

Item #	Parameter	Method of Compliance	Frequency of Method	Device	Regulatory Cite
1.	Sulfur Content of liquid fuels	The operator shall conduct testing in accordance with appropriate ASTM test methods or retain delivery tickets which certify the weight percent of sulfur for each delivery of fuel oil to determine compliance with the sulfur content limitation provisions specified in this permit for liquid fuels.	For each delivery of fuel oil to the facility	Facility Wide	Env-A 806.02 (eff 10/31/02)
2.	Stack Testing for Total Suspended Particulate	Compliance stack testing shall be planned and carried out at the frequency specified. The pre-test protocol must be submitted by the facility at least 30 days prior to the commencement of testing. The pre-test protocol	Every 5 years, within 90 days of the anniversary of	EU1	40 CFR 60.8, 60.46b(b) & Env-A

Table 6 – Monitoring/Testing Requirements					
Item #	Parameter	Method of Compliance	Frequency of Method	Device	Regulatory Cite
		<p>shall contain the following information:</p> <ul style="list-style-type: none"> a) Calibration methods and sample data sheets; b) Description of the test methods to be used; c) Pre-test preparation procedures; d) Sample collection and analysis methods; e) Process data to be collected; and f) Complete test program description. <p>At least 15 days prior to the test date, the facility and any contractor that the facility retains for performance of the test, shall participate in a pre-test conference with a Division representative.</p> <p>The pre-test protocol must be submitted by the facility at least 30 days prior to the commencement of testing. Emission testing shall be carried out under the observation of a Division representative. Upon commencement of any performance test, the performance test shall not be aborted unless approved by DES.</p> <p>The Permittee shall submit the stack test report to DES within 60 days of completion of the actual testing.</p>	the last stack test. ¹⁰		<p>802.02 & Env-A 802.04 (formerly 806.01(a))</p> <p>Env-A 802.05</p> <p>Env-A 802.03</p> <p>Env-A 802.11</p>
3.	Opacity CEM (COMS)	<p>The owner or operator of an affected facility subject to the opacity standard under 60.43b, shall install, calibrate, maintain, and operate a continuous monitoring system for measuring the opacity of emissions discharged to the atmosphere and record the output of the system.</p> <p>The COMS shall meet the requirements of 40 CFR 60, Appendix B, Performance Specification 1 and Env-A 808. Determination of compliance with opacity emission limits established in Table 5, Item 2 and Table 4, Item 7 of this permit shall be made by the facility COMS or visible emission readings taken once per day following the procedures specified in 40 CFR 60, Appendix A, Method 9. Calculations shall be performed as specified in Table 6, Item 9 and 10.</p>	Continuous	EU1	Subpart Db 40 CFR 60.48b(a), 40 CFR 60, Appendix B, Performance Specification 1 & Env-A 808.03(b), (c) (Formerly Env-A 805)

¹⁰ As of the date of the issuance of this TV Permit, the last stack test for particulate matter was done on 6/10/04.

Table 6 – Monitoring/Testing Requirements

Item #	Parameter	Method of Compliance	Frequency of Method	Device	Regulatory Cite
4.	NO _x CEM	<p>The owner or operator of an affected facility wishing to opt out from the PSD requirements, shall install, calibrate, maintain, and operate a continuous monitoring system for measuring the NO_x emissions discharged to the atmosphere and record the output of the system.</p> <p>The NO_x CEM shall meet the requirements of 40 CFR 60, Appendix B, Performance Specification 2 and Env-A 808. Determination of compliance with NO_x emission limits established in Table 5, Item 9 and Item 10 of this permit shall be made using data from the facility NO_x CEM. The NO_x emission rate shall be calculated daily in lb/hr averaged over a rolling 365-day period and in lb/MMBTU averaged over 24-hrs.</p> <p>Calculations shall be performed as specified in Table 6, Item 9 and 10.</p>	Continuous	EU1	40 CFR 60, Appendix B, Performance Specification 2 & Env-A 808.03(c) (Formerly Env-A 805)
5.	CO CEM	<p>The owner or operator of an affected facility wishing to opt out from the PSD requirements, shall install, calibrate, maintain, and operate a continuous monitoring system for measuring the CO emissions discharged to the atmosphere and record the output of the system.</p> <p>The CO CEM shall meet the requirements of 40 CFR 60, Appendix B, Performance Specification 4 and Env-A 808. Determination of compliance with CO emission limits established in Table 5, Item 9 and Item 18 of this permit shall be made using data from the facility CO CEM. The CO emission rate shall be calculated in lb/hr averaged over 24 hours and a consecutive 365-day period. Calculations shall be performed as specified in Table 6, Item 9 and 10.</p>	Continuous	EU1	40 CFR 60, Appendix B, Performance Specification 4 & Env-A 808.03(c) (Formerly Env-A 805)
6.	O ₂ CEM	<p>The O₂ CEM shall meet the requirements of 40 CFR 60, Appendix B, Performance Specification 3 and Env-A 808.</p>	Continuous	EU1	40 CFR 60, Appendix B, Performance Specification 3 & Env-A 808.03(c) (Formerly Env-A 805)

Table 6 – Monitoring/Testing Requirements

Item #	Parameter	Method of Compliance	Frequency of Method	Device	Regulatory Cite
7.	Volumetric Flow CERM	CERMS shall meet all of the requirements of 40 CFR 60, Appendix B, Performance Specification 6. The stack flow monitor shall have an automatic blow-back purge system activated, during boiler operation. The stack volumetric flow measuring device combined with the NOx and CO concentration obtained from CEM, shall be used to calculate mass emission rates for comparison with the emission standard specified in Table 5, Item 9, 10 and 18.	As specified	EU1	40 CFR 60, Appendix B, Performance Specification 6 & Env-A 808.03(d) (Formerly Env-A 805.03)
8.	QA/QC Plan Requirements	The Permittee is required to operate and maintain opacity and gaseous CEM systems and shall: a) Maintain a quality assurance/quality control (QA/QC) plan, which shall contain written procedures for implementation of its QA/QC program for each CEM system; 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 documenting any changes made to the CEM or changes to any information provided in the monitoring plan; d) Make the revised QA/QC plan available for on-site review by the division at any time; e) Within 30 days of completion of the annual QA/QC plan review, certify in writing that the Permittee will continue to implement the source's existing QA/QC plan or submit in writing any changes to the plan and the reasons for change.	Annually	EU1	Env-A 808.06 (Formerly Env-A 805.06) Federally Enforceable
9.	Calculations of CEM Calendar Day Averages	<u>Calendar day average</u> shall be calculated as follows: a) Calendar day average=(Sum of all valid hour lb/hr averages for the calendar day)/(24 hours – hours of CEM system downtime for the day); b) Calendar day averages shall only be valid for days with 18 or more valid hours of CEM data; c) A valid hour of CEM data shall be defined as a minimum of 42 minutes collection of CEM readings taken in a calendar hour; and d) Hours of CEM system downtime shall be defined as the number of calendar hours when the CEM system has not collected data or is out-of-control for greater than 18 minutes for any reason (i.e. audits, CEM system calibration, CEM system failures, etc.)	As needed	EU1	40 CFR 60, Appendix B, & Env-A 808.14 (Formerly Env-A 805)

Table 6 – Monitoring/Testing Requirements

Item #	Parameter	Method of Compliance	Frequency of Method	Device	Regulatory Cite
10.	Calculations of CEM Consecutive 365-day Averages	<p><u>Consecutive 365-day average</u> shall be calculated as follows:</p> <p>a) Consecutive 365-day Average=(Sum of all valid calendar day averages for the 365-day period)/(365 days – days of CEM system downtime);</p> <p>b) Days of CEM system downtime shall be defined as the number of calendar days when the CEM system has collected less than 18 valid hours of CEM data;</p> <p>c) Hours or days when the CEM system has been intentionally shutdown when the facility is not operating shall not be counted as CEM system downtime.</p>	As needed	EU1	40 CFR 60, Appendix B, & Env-A 808.14 (Formerly Env-A 805)
11.	General Audit Requirements	<p>Required quarterly audits shall be done anytime during each calendar quarter, but successive quarterly audits shall occur no more than 4 months apart; and</p> <p>The Permittee shall notify the division at least 30 days prior to the performance of a RATA.</p>	Quarterly	EU1	Env-A 808.07 Federally Enforceable (Formerly Env-A 805)
12.	Gaseous CEM Audit Requirements	Audits for the gaseous CEM systems shall be performed in accordance with procedures described in 40 CFR 60, Appendix F and Env-A 808.08	Quarterly	EU1	Env-A 808.08 Federally Enforceable (Formerly Env-A 805)
13.	Opacity CEM Audit Requirements	Audits for the opacity CEM systems shall be performed in accordance with procedures described in 40 CFR 60, Appendix B, Specification 1 and Env-A 808.09	Quarterly	EU1	Env-A 808.09 Federally Enforceable (Formerly Env-A 805)
14.	Data Availability Requirements	<p>The Permittee shall operate the CEM systems at all times during operation of the source in accordance with Env-A 808.10, except for periods of CEM breakdown, repairs, calibration checks, preventive maintenance, and zero/span adjustments.</p> <p>The percentage CEM data availability for opacity and all gaseous concentration monitors shall be maintained at a minimum of 90% on a calendar quarter basis.</p>	As specified	EU1	Env-A 808.10 Federally Enforceable (Formerly Env-A 805)

Table 6 – Monitoring/Testing Requirements					
Item #	Parameter	Method of Compliance	Frequency of Method	Device	Regulatory Cite
15.	CEM Excess Emissions	Excess emissions indicated by the CEM system shall be considered violations of the applicable emission limit for purposes of this permit, except where the owner or operator can adequately demonstrate to the DES that the recorded exceedance resulted from a CEM malfunction.	Continuously	EU1	Env-A 808.01(d)(f) Federally Enforceable (Formerly Env-A 805)
16.	Continuous Steam Flow Monitor	The owner or operator shall install, maintain and operate a continuous steam flow rate monitoring/recording system which shall meet all applicable ASME specifications. Calibration of the steam flow transducer shall occur at least once annually. 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.	Annually	EU1	Env-A 808.02(b) Federally Enforceable (Formerly Env-A 805.02(b))
17.	Periodic Monitoring QIP	If the indicator ranges specified in Table 6A, 6B and 6C Item 2 accumulate exceedances over 5% of the rolling 12-month total operating time for each pollution control device, the Permittee shall prepare and submit a Quality Improvement Plan (QIP). The QIP shall include procedures for evaluating the control performance problems. Based on the evaluation, the Permittee shall modify the plan to include procedures for conducting one or more of the following: a) Improve preventive maintenance practices; b) Operational changes; c) Appropriate improvements to control methods; d) Other steps to improve control performance; and e) More frequent or improved monitoring.	Continuously	PCE1, PCE2 & PCE3	40 CFR 64.8
18.	Specification Used Oil Analysis	The owner or operator shall conduct testing of any specification used oil in accordance with appropriate ASTM test methods to determine compliance with limitation provisions specified in Table 5, Item 14 and Table 4, Item 5.	Before using specification used oil	EU1	Env-Wm 807.10(b)(5) Federally Enforceable

Table 6 – Monitoring/Testing Requirements					
Item #	Parameter	Method of Compliance	Frequency of Method	Device	Regulatory Cite
19.	Specification Used Oil Monitoring	<p>The owner or operator shall monitor the usage of #2 fuel oil with fuel flow meter.</p> <p>On-site generated specification used oil shall be monitored in order to determine compliance with limitation provisions specified in Table 4, Item 6.</p> <p>Fuel flow meters shall be maintained and calibrated in accordance with manufacturer’s specifications.</p>	Whenever using #2 & specification used oil	EU1	40 CFR 70 (a)(3)

Table 6A-Compliance Assurance Monitoring (CAM) –40 CFR 64 Gravel Bed Filter for the control of Particulate Matter					
Indicator	Indicator No. 1 Differential Pressure across the GBF	Indicator No. 2 Lift Blower Discharge Pressure	Indicator No. 3 Purge Air Discharge Pressure	Indicator No. 4 Purge Air Temperature	Indicator No. 5 Inspection/Maintenance
1. Measurement Approach	The pressure is monitored with a differential pressure transmitter. The results are displayed on the device control panel.	The pressure is monitored with a differential pressure transmitter. The results are displayed on the device control panel.	The pressure is monitored with differential pressure transmitter. The results are displayed on the device control panel.	The temperature is measured with a thermocouple. The results are displayed on the device control panel.	<p>a) Inspection and maintenance shall be performed according to I/M checklist.</p> <p>b) Inspections shall include inspection for leaks, abnormal noise, hotspots and fires.</p> <p>c) Maintenance performed as needed.</p>
2. Indicator Range	<p>The indicator range is a pressure differential reading between 2” and 12” of water column.</p> <p>Excursion¹¹, triggers an inspection, corrective action and a reporting requirement.</p>	<p>The indicator range is a lift blower discharge pressure between 2 psig and 6 psig.</p> <p>Excursion triggers an inspection, corrective action and a reporting requirement.</p>	<p>The indicator range is a purge air discharge pressure between 2 psig and 5 psig.</p> <p>Excursion triggers an inspection, corrective action and a reporting requirement.</p>	<p>The indicator range is a temperature reading between 100° F and 350° F.</p> <p>Excursion 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>

¹¹ 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.

Table 6A-Compliance Assurance Monitoring (CAM) –40 CFR 64 Gravel Bed Filter for the control of Particulate Matter					
Indicator	Indicator No. 1 Differential Pressure across the GBF	Indicator No. 2 Lift Blower Discharge Pressure	Indicator No. 3 Purge Air Discharge Pressure	Indicator No. 4 Purge Air Temperature	Indicator No. 5 Inspection/Maintenance
3. Performance Criteria	Differential pressure transmitter is located on the scrubber control panel. The transmitter accuracy is +/-2%.	Lift blower pressure transmitter is located at the blower. The transmitter accuracy is +/-2%.	Purge air discharge pressure transmitter is located at the blower. The transmitter accuracy is +/-2%.	Thermocouple is located at the purge heater. The thermocouple accuracy is +/- 2°F.	Inspections are performed at the GBF.
a. Data Representativeness					
b. QA/QC Practices and Criteria	The pressure transmitter is calibrated bi-annually. An alarm sounds if the pressure reading is out of range.	The pressure transmitter is calibrated bi-annually. An alarm sounds if the pressure reading is out of range.	The pressure transmitter is calibrated bi-annually. An alarm sounds if the pressure reading is out of range.	The thermocouple is calibrated bi-annually. An alarm sounds if the pressure reading is out of range.	Qualified personnel shall perform inspection and calibration.
c. Monitoring Frequency	Measured continuously and recorded once per shift	Measured continuously and recorded once per shift	Measured continuously and recorded once per shift	Measured continuously and recorded once per shift	a) Annual inspection and maintenance shall be performed according to I/M checklist. b) Once per shift inspections shall include inspection for leaks, abnormal noise, hotspots and fires. c) Maintenance performed as needed.
i. Data Collection Procedure	Recorded in a log book	Recorded in a log book	Recorded in a log book	Recorded in a log book	Recorded in a log book
ii. Averaging Period	Not applicable	Not applicable	Not applicable	Not applicable	Not applicable

Table 6B-CAM –40 CFR 64		
Multiclone for the control of Particulate Matter		
Indicator	Indicator No. 1- Pressure differential across the Multiclone	Indicator No. 2-Inspection/Maintenance
1. Measurement Approach	The pressure drop is monitored with differential pressure transmitter.	a) Inspections and maintenance shall be performed according to O/M checklist which shall include inspection of the inlet and outlet vanes and boots for any buildup of caked dust. b) Inspections shall include checking for any apparent abnormalities or damage that would cause air leakage into the unit. c) Maintenance performed as needed.
2. Indicator Range	Indicator range is defined as a pressure differential reading between 1” and 5” of water column. Excursion triggers 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	The differential pressure transmitter is located in the control room. The acceptable accuracy is +/- 2% of span.	Inspection shall be performed at the multiclone.
a. Data Representativeness		
b. QA/QC Practices and Criteria	a) The alarm goes off when the measurements are outside of indicator range. b) The pressure gauge is calibrated bi-annually; and c) Multiclone shall be operated under negative pressure.	Inspection shall be performed by qualified personnel.
c. Monitoring Frequency	Pressure drop is measured continuously and recorded once per shift.	a) Annual inspections and maintenance shall be performed according to O/M checklist which shall include inspection of the inlet and outlet vanes and boots for any buildup for caked dust. b) Once per shift inspections shall include checking for any apparent abnormalities or damage that would cause air leakage into the unit. c) Maintenance performed as needed.
i. Data Collection Procedure	Recorded in the data collection system.	Results recorded in a log book.
ii. Averaging Period	Not applicable	Not applicable

Table 6C-CAM –40 CFR 64				
Baghouse for the control of Particulate Matter				
Indicator	Indicator No. 1- Pressure differential across the Baghouse	Indicator No. 2- Pulse Air Pressure	Indicator No. 3- Inspection/Maintenance	Indicator No. 4- Visible Emissions
1. Measurement Approach	The pressure differential is monitored with differential pressure transmitter.	The pulse air pressure is monitored with a differential pressure gauge.	a) Annual inspection and maintenance shall be performed according to I/M checklist. b) Continuous monitoring of the rotary valve or ash removal auger by zero speed sensing. c) Once per shift inspections include verifying rotary valve and auger function, looking for visible emissions and hot spots. d) Maintenance performed as needed.	Method 22 observations are performed daily in accordance with 40 CFR 60, App.A, Method 22.
2. Indicator Range	Indicator range is defined as a pressure differential reading between 1” and 6” of water. Excursion triggers an inspection, corrective action, and a reporting requirement.	Indicator range is defined as a pulse air pressure reading between 60 psi and 110 psi. Excursion triggers 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.	Indicator range is defined as the presence of visible emissions. Excursion triggers an inspection, corrective action, and a reporting requirement.
3. Performance Criteria				
a. Data Representativeness	The differential pressure transmitter is located on the scrubber control panel. The minimum acceptable accuracy is +/- 2% of span.	The pulse air pressure gauge is located at the pulse air inlet manifold. The minimum acceptable accuracy is +/- 5% of span.	Inspection shall be performed at the Baghouse.	Observations are performed at the baghouse exhaust while the baghouse is operating
b. QA/QC Practices and Criteria	The differential pressure transmitter is calibrated bi-annually. The alarm sounds if pressure measurement is outside of the indicator range.	The pulse air pressure gauge is calibrated bi-annually. The plant low air alarm sounds if pressure measurement is outside of the indicator range.	Inspections shall be performed by qualified personnel. In the event of a bag failure, particulate matter may be by-passed back to the boiler until repairs are made.	The observer shall be familiar with Reference Method 22 and follow Method 22-like procedures.
c. Monitoring Frequency	The pressure drop across the baghouse is recorded once per shift.	Pulse air pressure drop is recorded once per shift.	a) Annual inspection and maintenance shall be performed according to I/M checklist. b) Continuous monitoring of the rotary valve or ash removal auger by zero speed sensing. c) Once per shift inspections include verifying rotary valve and auger function, looking for visible emissions and hot spots. d) Maintenance performed as needed.	Daily observations

Table 6C-CAM –40 CFR 64 Baghouse for the control of Particulate Matter				
Indicator	Indicator No. 1- Pressure differential across the Baghouse	Indicator No. 2- Pulse Air Pressure	Indicator No. 3- Inspection/Maintenance	Indicator No. 4- Visible Emissions
i. Data Collection Procedure	Recorded manually by operator	Recorded manually by operator	Recorded manually in a log book	The VE observations are documented by the observer in a log book.
ii. Averaging Period	Not applicable	Not applicable	Not applicable	Not applicable

E. Recordkeeping Requirements¹²:

The Permittee shall be subject to the recordkeeping requirements identified in Table 7 below:

Table 7 – Applicable Recordkeeping Requirements				
Item #	Applicable Recordkeeping Requirement	Records Retention Requirement	Applicable Emission Unit	Regulatory Cite.
1.	<u>Retention of Records</u> The Permittee shall 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.	<u>Compliance Certification</u> The owner or operator shall meet the requirements for compliance certification with terms and conditions contained in this permit, including emission limitations, standards, or work practices. Compliance certifications shall meet the requirements outlined in Section XXI of this permit.	Annually	Facility Wide	40 CFR 70.6(c)(5)

¹² On April 23, 1999 DES promulgated new Env-A 900 regulations in an attempt to streamline the recordkeeping and reporting requirements sections of the New Hampshire Code of Administrative Rules. Until such time that the new Env-A 900 regulations are approved and adopted into the State Implementation Plan (SIP) by EPA, all Title V permits will be incorporating the old Env-A 900 regulations (which became effective on November 11, 1992), unless the new Env-A 900 regulations are more stringent. The recordkeeping and reporting requirements contained in this Permit are those requirements, which the facility shall be required to comply with. These recordkeeping and reporting requirements shall fall under the Permit Shield provisions as contained in Section XIII of this Permit.

Table 7 – Applicable Recordkeeping Requirements

Item #	Applicable Recordkeeping Requirement	Records Retention Requirement	Applicable Emission Unit	Regulatory Cite.
3.	<p><u>Monitoring Data</u></p> <p>The Permittee shall maintain records of monitoring requirements as specified in Table 6 of this Permit including but not limited to:</p> <ul style="list-style-type: none"> a) Maintenance and repair records for EU1 and the pollution control equipment listed in Table 3. b) Maintenance, and repair records of the CEM, COM and CERM systems; and c) Maintenance, calibration, and repair records associated with steam and fuel flow measuring device; d) Stack test results for PM; and e) Records of testing and/or delivery ticket certifications for sulfur content limitation provisions. f) Records of testing and/or delivery ticket certifications for specification used oil contaminants limitation provisions. 	Maintain on a continuous basis	Facility Wide	40 CFR 7.6(a)(3)(iii)(A)
4.	<p><u>Records on Fuel Utilization:</u></p> <p>For wood and bark including saw/sander dust, the owner or operator shall keep records on fuel utilization in accordance with the following:</p> <ul style="list-style-type: none"> a) Consumption; b) Fuel type; <p>For applicable liquid fuels, pursuant to Env-A 1603.01:</p> <ul style="list-style-type: none"> a) Consumption; b) Fuel type; and c) Sulfur content as percent sulfur by weight of fuel. 	Monthly	Facility Wide	Env-A 901.03 Federally Enforceable
5.	<p><u>Env-A 1400 Records:</u></p> <p>Facilities subject to the requirements of Env-A 1400 shall maintain records in accordance with the applicable methods used to demonstrate compliance pursuant to Env-A 1405.</p>	Maintain on a continuous basis	Facility Wide	Env-A 902.01(c) State-Only Enforceable

Table 7 – Applicable Recordkeeping Requirements

Item #	Applicable Recordkeeping Requirement	Records Retention Requirement	Applicable Emission Unit	Regulatory Cite.
6.	<p><u>CEMS and Steam Records</u></p> <p>For each CEM system at the facility, the owner or operator shall keep the records of emission data recorded by the CEM system, including:</p> <ul style="list-style-type: none"> a) Quarterly CEM/COM audit results; b) Rolling 365-day averages of NO_x and CO in lb/hr and part per million (ppm) dry whether or not an excess emissions has occurred; c) Daily averages of CO in lb/hr; d) Daily averages of NO_x in lb/MMBTU; e) Calendar daily averages of percent of O₂ on a dry basis. f) Calendar daily averages of percent of opacity; g) Calendar daily averages of steam generation rate; h) Calendar daily averages of stack flow (dscfm); and i) CEM system data availability. 	Maintain on a continuous basis	EU1	Env-A 901.12 & Env-A 808 (Formerly Env-A 805) Federally Enforceable
7.	<p><u>NO_x Recordkeeping Requirements:</u></p> <p>For fuel burning devices, including boilers, and internal combustion engines, the following information shall be recorded and maintained:</p> <ul style="list-style-type: none"> a) Facility information, including: <ul style="list-style-type: none"> 1) Source name; 2) Source identification; 3) Physical address; 4) Mailing address; and 5) A copy of the certificate of accuracy; b) Identification of each fuel burning device; c) Operating schedule information for each fuel burning device identified in b), above, including: <ul style="list-style-type: none"> 1) Days per calendar week during the normal operating schedule; 2) Hours per day during the normal operating schedule and for a typical ozone season day, if different from the normal operating schedule; and 3) Hours per year during the normal operating schedule; d) Type, and amount of fuel burned, for each fuel burning device, during normal operating conditions and for a 	Maintain on a continuous basis	Facility Wide	Env-A 901.08 Federally Enforceable

Table 7 – Applicable Recordkeeping Requirements				
Item #	Applicable Recordkeeping Requirement	Records Retention Requirement	Applicable Emission Unit	Regulatory Cite.
	typical ozone season day, if different from normal operating conditions, on an hourly basis in million Btu's per hour and; e) The following NO _x emission data, including records of total annual emissions, in tons per year, facility wide emissions in tons per month, and typical ozone season day emissions, in pounds per day; 1) Theoretical potential emissions for the calculation year for each fuel burning device; and 2) Actual NO _x emissions for each fuel-burning device.			
8.	<u>CAM Recordkeeping</u> The CAM monitoring report shall include the information required under 40 CFR 70.6(a)(3)(iii) and the following information: a) Summary information on the number, duration and cause of excursions or exceedances and the corrective actions taken; and b) Summary information on the number, duration and cause for monitor downtime incidents.	Maintain on a continuous basis	PCE1, PCE2, &PCE3	40 CFR 64.9(a)(2)
9.	<u>Process Operation Recordkeeping</u> The owner or operator shall keep the records regarding the total quantities of all chemicals utilized in the cooling pond which are required to calculate emissions.	Maintain on a continuous basis	EU4	Env-A 901.04 Federally Enforceable
10.	<u>Quality Improvement Plan</u> The Permittee shall prepare and submit to DES a QIP when the conditions in Table 6, Item 17 are met.	Initially within 180 days of becoming subject to this condition. Maintain on a continuous basis	PCE1, PCE2, & PCE3	40 CFR 64.8

F. Reporting Requirements:

The Permittee shall be subject to the reporting requirements identified in Table 8 below:

Table 8 – Applicable Reporting Requirements				
Item #	Reporting Requirements	Frequency of Reporting	Applicable Emission Unit	Regulatory Cite
1.	<p><u>Certification of Accuracy</u></p> <p>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.</p>	As specified in this Permit	Facility Wide	40 CFR 70.6(c)(1)
2.	<p><u>Permit Deviations</u></p> <p>Prompt reporting of deviations from Permit requirements including those attributed to upset conditions as defined in the permit, the probable cause of such deviations, and any corrective actions or preventative measures taken shall be conducted in accordance with Section XXVIII of this permit.</p>	Prompt reporting (within 24-hours of discovery of an occurrence)	Facility Wide	40 CFR 70.6(a)(3)(iii)(B)
3.	<p><u>CEM Audit Report</u></p> <p>CEM audit report for the quarter conducted as specified in Env-a 808 and Table 7, Item 6 shall be submitted within 30 days following the close of each calendar quarter.</p>	Quarterly (no later than 30 days following the end of each quarterly reporting period)	EU1	Env-A 808.07 Federally Enforceable (Formerly Env-A 805)
4.	<p><u>Excess Emission Reports</u></p> <p>The owner or operator of a source that is required to install and operate a CEM system, shall provide the following in each quarterly emission report:</p> <ul style="list-style-type: none"> a) The information specified in 40 CFR 60.7(c) and any applicable subpart of 40 CFR 60; b) The daily averages of gaseous CEM measurements and calculated emission rates; c) Excess emission data recorded by the CEM system, including: <ul style="list-style-type: none"> 1) The date and time of the beginning and ending of each period of excess emission; 2) The magnitude of each excess emission; 3) The specific cause of the excess emission; and 4) The corrective action taken. d) If no excess emissions have occurred, a statement to that effect; e) For gaseous measuring CEM systems, the daily averages of the measurements made and emission rates calculated; f) A statement as to whether the CEM system was inoperative, repaired, or adjusted during the reporting period; g) If the CEM system was inoperative, repaired, or 	Quarterly (no later than 30 days following the end of each quarterly reporting period)	EU1	Env-A 808.12 & Env-A808.13 Federally Enforceable (Formerly Env-A 805.08) Subpart Db 40 CFR 60.49b(h)

Table 8 – Applicable Reporting Requirements

Item #	Reporting Requirements	Frequency of Reporting	Applicable Emission Unit	Regulatory Cite
	<p>adjusted during the reporting period, the following information:</p> <ol style="list-style-type: none"> 1) The date and time of the beginning and ending of each period when the CEM was inoperative; 2) The reason why the CEM was inoperative; 3) The corrective action taken; and 4) The percent data availability calculated in accordance with Env-A 808.10 for each flow, diluent, or pollutant analyzer in the CEM system. <p>h) For all “out of control periods” the following information;</p> <ol style="list-style-type: none"> 1) The times beginning and ending the out of control period; 2) The reason for the out of control period; and 3) The corrective action taken. <p>i) The date and time beginning and ending each period when the source of emissions which the CEM system is monitoring was not operating.</p> <p>j) The span value, of each analyzer in the CEM system and units of measurement for each instrument; and</p> <p>k) When calibration gas is used, the following information:</p> <ol style="list-style-type: none"> 1) The calibration gas concentration; 2) If a gas bottle was changed during the quarter: <ol style="list-style-type: none"> i. The date of the calibration gas bottle change; ii. The gas bottle concentration before the change; iii. The gas bottle concentration after the change; and iv. The expiration date for all calibration gas bottles used. 			
5.	<p><u>Semi-Annual Permit Deviation and Monitoring Report</u></p> <p>The Permittee shall submit a summary report of monitoring and permit deviations including the following:</p> <ol style="list-style-type: none"> a) Stack test results for EU1; and b) A summary of permit deviations and a summary of data specified in Table 7, Item 3 e) and f) and Item 8. 	Semi-annually by July 31 st and January 31 st of each calendar year.	Facility Wide	40 CFR 70.6(a)(3)(iii)(A) & 64.9(a)(2)

Table 8 – Applicable Reporting Requirements				
Item #	Reporting Requirements	Frequency of Reporting	Applicable Emission Unit	Regulatory Cite
6.	<u>NO_x Report</u> For fuel burning devices, including boilers, and engines, the owner or operator shall submit to the Director, annually (no later than April 15 th of the following year), reports of the data required in Table 7, Item 7, including total annual quantities of all NO _x emissions as collected from the CEM data.	Annually (no later than April 15 th of the following year)	Facility Wide	Env-A 901.09 Federally Enforceable
7.	<u>Emission Based Fees Report</u> Annual reporting of emission based fees shall be conducted in accordance with Section XXIII of this Permit. The owner or operator of a stationary source, an area source, or device having actual emissions of 1,000 tons or more shall pay to the department the annual emission-based fee no later than April 15 each subsequent year for emissions from the previous calendar year.	Annually (no later than April 15 th of the following year)	Facility Wide	Env-A 705.04 ¹³
8.	<u>Annual Emissions Report</u> The owner or operator shall submit annual report of the actual emissions including: a) For combustion devices all information listed in Table 7, Item 4; b) For process operations the information listed in Table 7, Item 9; and c) The actual annual emissions specified by individual New Hampshire RTAP including a breakdown of VOC emissions by compound.	Annually (no later than April 15 th of the following year)	Facility Wide	Env-A 907.01 ¹⁴ State-only Enforceable
9.	<u>Annual Compliance Certification</u> Annual compliance certification shall be submitted in accordance with Section XXI of this Permit.	Annually (no later than April 15 th of the following year)	Facility Wide	40 CFR 70.6(c)(1)
10.	<u>Quality Improvement Plan Submittal</u> The Permittee shall submit to DES the QIP required in Table 7, Item 10 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, & PCE3	40 CFR 64.8

IX. Requirements Currently Not Applicable:

The Permittee did not identify any requirements which are not applicable to the facility.

¹³ Adopted June 26, 2004.

¹⁴ The “New” Env-A 900 effective November 26, 1998, has not been adopted as part of the State Implementation Plan (SIP) and is considered State-only enforceable until such time as the SIP is amended and approved by EPA.

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 date five (5) years after issuance of this Permit.
- B. Permit expiration terminates the Permittee's right to operate the Permittee's emission units, control equipment or associated equipment covered by this permit, unless a timely and complete renewal application is submitted 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 submitted to the Director at least six months prior to the designated expiration date of this 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 Permittee 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 Permittee shall comply with the provisions of said requirement to the extent that it applies to the Permittee.
- D. If the DES determines that this Title V Operating Permit was issued based upon inaccurate or incomplete information provided by the applicant or Permittee, 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:
 - 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 Permittee may implement the changes addressed in the request for an administrative permit amendment as defined in Env-A 100 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 Permittee 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;
 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 Permittee, 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 Permittee 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 Permittee 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;
 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 Permittee 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 Permittee 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 Permit Amendments

- A. Prior to implementing a minor permit modification, the Permittee 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 Permittee 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 Amendments

- 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 Permittee 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 Permittee 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:
 - 1. The Permittee 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 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:

Office of Environmental Stewardship
Director Air Compliance Program
United States Environmental Protection Agency
1 Congress Street
Suite 1100 (SEA)
Boston, MA 02114-2023
ATTN: Air Compliance Clerk

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 Permittee 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), a Permittee 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. The Permittee shall pay an emission-based fee annually for this facility as calculated each calendar year pursuant to Env-A 705.04.
- B. The Permittee shall determine the total actual annual emissions from the facility to be included in the emission-based multiplier specified in Env-A 705.03(a) for each calendar year in accordance with the methods specified in Env-A 616.
- C. The Permittee 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:

$$FEE = E * DPT * CPI_m * ISF$$

Where:

- FEE = The annual emission-based fee for each calendar year as specified in Env-A 705.
- E = The calculation of total annual emissions as specified in Env-A 705.02 and the provisions specified in Env-A 705.03(a).
- DPT = The dollar per ton fee the DES has specified in Env-A 705.03(b).
- CPI_m = The Consumer Price Index Multiplier as calculated in Env-A 705.03(c).
- ISF = The Inventory Stabilization Factor as specified in Env-A 705.03(d).

- D. The Permittee shall contact the DES each calendar year for the value of the Inventory Stabilization Factor.
- E. The Permittee shall contact the DES each calendar year for the value of the Consumer Price Index Multiplier.

- F. The Permittee shall submit, to the DES, payment of the emission-based fee and a summary of the calculations referenced in Sections XXIII.B. and C of this Permit for each calendar year no later than:
1. July 15, 2005 for emissions from calendar year 2004; and
 2. April 15 each subsequent year for the emissions from the previous calendar year. The emission-based fee and summary of the calculations shall be submitted to the following address:

New Hampshire Department of Environmental Services
Air Resources Division
P.O. Box 95
Concord, NH 03302-0095
ATTN.: Emissions Inventory

- G. The DES shall notify the Permittee of any under payments or over payments of the annual emission-based fee in accordance with Env-A 705.05.

XXIV. Duty To Provide Information

In accordance with 40 CFR 70.6 (a)(6)(v), upon the DES's written request, the Permittee 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 Permittee shall furnish to the DES copies of records that the Permittee is required to retain by this Permit. The Permittee 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 Permittee shall be shielded from enforcement action brought for noncompliance with technology based¹⁵ emission limitations specified in this Permit as a result of an

¹⁵ 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.

emergency¹⁶. In order to use emergency as an affirmative defense to an action brought for noncompliance, the Permittee shall demonstrate the affirmative defense through properly signed, contemporaneous operating logs, or other relevant evidence that:

- A. An emergency occurred and that the Permittee 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 Permittee took all reasonable steps as expeditiously as possible, to minimize levels of emissions that exceeded the emissions standards, or other requirements in this Permit; and
- D. The Permittee 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

In accordance with 40 CFR 70.6(a)(3)(iii)(B), the Permittee shall report to the DES all instances of deviations from Permit requirements, by telephone, fax, or e-mail (pdeviations@des.state.nh.us) within 24 hours of discovery of such deviation. This report shall include the deviation itself, including those attributable to upset conditions as defined in this Permit, the probable cause of such deviations, and any corrective actions or preventative measures taken.

Within 10 days of discovery of the permit deviation, the Permittee shall submit a written report including the above information as well as the following: preventive measures taken to prevent future occurrences; date and time the permitted device returned to normal operation; specific device, process or air pollution control equipment that contributed to the permit deviation; type and quantity of excess emissions emitted to the atmosphere due to permit deviation; and an explanation of the calculation or estimation used to quantify excess emissions.

Said Permit deviation shall also be submitted in writing to the DES in the semi-annual summary report of monitoring and testing requirements due July 31st and January 31st of each calendar year. 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.

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

¹⁶ 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.