



Temporary Permit

Permit No: TP-0125

Date Issued: May 9, 2013

This certifies that:

North Country Environmental Services, Inc.
25 Greens Hill Lane
Rutland, VT 05701

has been granted a Temporary Permit for:

A Landfill Gas Flare

at the following facility and location:

North Country Environmental Services, Inc.
581 Trudeau Road
Bethlehem, NH

Facility ID No: **3300990255**

Application No: **12-0159**, received August 31, 2012

which includes devices that emit air pollutants into the ambient air as set forth in the permit applications referenced above which were filed with the New Hampshire Department of Environmental Services, Air Resources Division (Division) in accordance with RSA 125-C of the New Hampshire Laws. Request for permit renewal must be received by the Division at least 90 days prior to expiration of this permit and must be accompanied by the appropriate permit application forms.

This permit is valid upon issuance and expires on **November 30, 2014**.

Acting Director
Air Resources Division

Frequently Used Abbreviations and Acronyms

AAL	Ambient Air Limit
acf	actual cubic foot
ags	above ground surface
ASTM	American Society of Testing and Materials
Btu	British thermal units
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
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
LPG	Liquefied Petroleum Gas
Mg	Megagram
MM	million
MSDS	Material Safety Data Sheet
MW	megawatt
NAAQS	National Ambient Air Quality Standard
NESHAP	National Emission Standards for Hazardous Air Pollutants
NG	Natural Gas
NO _x	Oxides of Nitrogen
NSPS	New Source Performance Standards
PM ₁₀	Particulate Matter < 10 microns
ppm	parts per million
psi	pounds per square inch
RACT	Reasonably Available Control Technology
RSA	Revised Statutes Annotated
RTAP	Regulated Toxic Air Pollutant
scf	standard cubic foot
SO ₂	Sulfur dioxide
TSP	Total Suspended Particulate
tpy	tons per consecutive 12-month period
USEPA	United States Environmental Protection Agency
VOC	Volatile Organic Compound

I. Facility Description

North Country Environmental Services, Inc. (NCES) owns and operates a RCRA Subtitle D non-hazardous municipal solid waste landfill. The NCES landfill has a waste deposition area of approximately 42 acres. The proposed landfill gas flare covered by this Temporary Permit will be a component of an active landfill gas collection and control system. The existing landfill and existing open flare are covered under Temporary Permit, TP-0078.

II. Emission Unit Identification

This permit covers each emission source or device identified in Table 1.

Table 1 – Emission Unit Identification				
Emission Unit ID	Area Source or Device Name	Manufacturer	Startup Date	Maximum Permitted Capacity Permitted Fuel Type Nominal Maximum Fuel Flow Rate
EU03	Open Flare	Parnel Biogas, Inc.	2013	85.5 MMBtu/hr ¹ 0.171 mmcf/hr of landfill gas

III. Pollution Control Equipment Identification

The emission unit listed in Table 1 as EU03 is also identified as an air pollution control device, which shall be operated in a manner consistent with the terms and conditions of this permit at all times.

IV. Stack Criteria

A. The following device at the Facility shall have an exhaust stack that discharges without obstruction and meets the criteria in Table 2:

Table 2 – Stack Parameters				
Emission Unit ID	Device Name	Exit Orientation	Discharge Height above Ground (m)	Max. Inside Diameter (m)
EU03	Landfill Gas Flare ²	vertical	9.45	0.25

B. Stack criteria described in Table 2 may be changed without prior approval from the Department provided that:

1. An air quality impact analysis with the revised stack parameters has been performed either by the Facility or the Department (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;”
2. The analysis demonstrates that emissions from the modified stack(s) will continue to comply with all applicable emission limitations and ambient air limits; and

C. All air modeling data and analyses are kept on file at the Facility for review by the Department 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

¹ Maximum permitted capacity is stated in units of million BTU’s per hour of heat input, based on the higher heating (HHV) value of 500 Btu/scf for landfill gas.

² Stack parameters listed for the landfill gas utility flare shall mean the entire vertical riser, flare tip, and windshield assembly. The Effective stack heights and equivalent diameters, which varied by operating scenario, were used for modeling purposes per EPA guidelines.

North Country Environmental Services, Inc.

2. The date on which the change occurred.

V. Operating and Emission Limitations

The Owner or Operator shall be subject to the operating and emission limitations identified in Table 3.

Table 3 – Operating and Emission Limitations			
Item #	Applicable Requirement	Applicable Emission Unit(s)	Regulatory Basis
1	<u>Facility-Wide Emission Limitation</u> Facility-wide emissions of SO ₂ shall be limited to less than 250 tpy. ³	Facility Wide	Env-A 604.02(a)(1) and Env-A 619
2	<u>Facility-Wide Operating Limitation</u> The total amount of landfill gas burned in the two flares combined (EU02, covered under Temporary Permit, TP-0078, and EU03) shall be limited to 1,000,000 MMBtu of heat input in any consecutive 12-month period.	Facility Wide	Env-A 604.02(a)(2)
3	<u>Precautions to Prevent, Abate, and Control Fugitive Dust</u> The Owner or Operator shall take precautions at all times to prevent, abate, and control the emission of fugitive dust, including but not limited to such measures as wetting, covering, or vacuuming.	Facility-wide	Env-A 1002.04
4	<u>Emission Limitations for Regulated Toxic Air Pollutants (RTAPs)</u> 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> .	Facility-wide (State-only Enforceable Limitation)	Env-A 1400
5	<u>Revisions to List of RTAPs</u> In accordance with RSA 125-I:5 IV, if the Department 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.	Facility-wide (State-only Enforceable Limitation)	RSA 125-I:5 IV

³ The Facility has the potential to emit the criteria pollutant SO₂ at levels greater than the Prevention of Significant Deterioration (PSD) threshold for this pollutant of 250 tpy as well as the Title V major source threshold for this pollutant of 100 tpy. The annual emission limit in Table 3, Item 1 is less than the PSD threshold and along with the operating limitation requirement of Table 3, Item 2 establishes the Facility as a synthetic minor source of air pollution for SO₂ for purposes of PSD avoidance. This provision does not affect the Facility's status under concurrent program requirements. Specifically, the Facility remains a major source of air pollution for SO₂ emissions under the Title V permit program. The Facility does not have the potential to emit the criteria pollutants NO_x, and particulate matter, or to emit VOCs, or Hazardous Air Pollutants (HAPs, as defined in Section 112 of the 1990 Clean Air Act Amendments) at levels greater than the major source thresholds for these pollutants. Therefore the Facility is a true minor source for NO_x, particulate matter, VOCs and HAPs.

North Country Environmental Services, Inc.

Table 3 – Operating and Emission Limitations

Item #	Applicable Requirement	Applicable Emission Unit(s)	Regulatory Basis
6	<u>NSPS Requirements for Municipal Solid Waste Landfills</u> ⁴ The Owner or Operator shall comply with all applicable parts of 40 CFR Part 60, Subpart WWW, <i>Standards of Performance for Municipal Solid Waste Landfills</i> .	Facility-wide	40 CFR Subpart WWW
7	<u>Landfill Gas Collection System Enhanced Monitoring Protocol and Standard Operating Procedures(EMP/SOP)</u> The facility shall operate the collection and control system in accordance with provisions specified in the Landfill Gas Collection System EMP/SOP as approved by the Department. a) Any revision to the EMP/SOP shall be submitted and approved prior to facility implementation; and b) The EMP/SOP shall be reviewed at least annually to determine if changes need to be implemented to improve monitoring or operations of the system.	Facility Wide	Env-A 604.01
8	<u>Particulate Emission Standard for Fuel-Burning Devices Installed on or after January 1, 1985</u> For each fuel-burning device having a maximum gross heat input rate less than 100 MMBtu/hr, particulate emissions shall not exceed 0.30 lb/MMBtu.	EU03	Env-A 2002.08(c)(1)
9	<u>Visible Emission Standard</u> The average opacity from any fuel-burning device installed after May 13, 1970, shall not exceed 20 percent for any continuous 6-minute period. ⁵	EU03	Env-A 2002.02
10	<u>Activities Exempt from Visible Emission Standard</u> The average opacity shall be allowed to be in excess of the standard specified in Env-A 2002.02 for one period of 6 continuous minutes in any 60-minute period during startup, shutdown, or malfunction.	EU03	Env-A 2002.04(c)
11	The flare shall be operated with a flame present at all times when landfill gas is delivered to the flare as determined by the methods specified in Table 4, Item 3.	EU03	Env-A 604.01
12	The flare (EU03) will be installed for the purpose of controlling landfill gas emissions, and shall be operated in compliance with state and federal air quality standards and applicable emission standards for municipal solid waste landfills. All gas collected in the Facility's landfill gas collection system shall be controlled (combusted) by one of the facility's flares at all times or transferred to a device permitted to combust Landfill Gas. Bypassing collected landfill gas without control for any cause is prohibited.	EU03	Env-A 1403.01

⁴ The Facility became subject to NSPS and Title V requirements when the permitted solid waste capacity reached 2.5 million megagrams (2.76 million tons).

⁵ Compliance with visible emission limitations shall be determined using 40 CFR 60, Appendix A, Method 9, upon request by the Department.

North Country Environmental Services, Inc.

Table 3 – Operating and Emission Limitations

Item #	Applicable Requirement	Applicable Emission Unit(s)	Regulatory Basis
13	<p><u>Operating Requirements for Pollution Control Equipment</u> The Owner or Operator shall operate and maintain the landfill gas flare in accordance with the recommended procedures and maintenance schedules of the respective equipment manufacturers.</p>	EU03	Env-A 604.01

VI. Monitoring/Testing Requirements

The Owner or Operator shall be subject to the monitoring/testing requirements identified in Table 4.

Table 4 – Monitoring/Testing Requirements

Item #	Parameter(s)	Method of Compliance	Frequency	Applicable Emission Unit(s)	Regulatory Basis
1	Various Parameters	<p><u>Landfill Gas Collection System Enhanced Monitoring Protocol and Standard Operating Procedures (EMP/SOP)</u> The facility shall monitor and test the control system in accordance with provisions specified in the Landfill Gas Collection System EMP/SOP as approved by the department.</p>	As approved in the EMP/SOP	Facility Wide	RSA 125-C:6 XI
2	Opacity Measurement	<p><u>Opacity Testing</u> Opacity measurements shall be conducted following the procedures set forth in 40 CFR 60, Appendix A, Method 9, <i>Visual Determination of the Opacity of Emissions from Stationary Sources</i>.</p>	Upon request by DES/EPA	Facility-wide	Env-A 807.02

North Country Environmental Services, Inc.

Table 4 – Monitoring/Testing Requirements					
Item #	Parameter(s)	Method of Compliance	Frequency	Applicable Emission Unit(s)	Regulatory Basis
3	Flame Presence	<p><u>Flare Flame Monitoring</u></p> <p>The owner or operator shall install, calibrate, maintain, and operate according to the manufacturer's specifications the following equipment:</p> <ol style="list-style-type: none"> a) A heat sensing device, such as an ultraviolet beam sensor or thermocouple, at the pilot light or the flame itself to indicate the continuous presence of a flame. b) A device that records flow to or bypass of the flare. The owner or operator shall either: <ol style="list-style-type: none"> 1) Install, calibrate, and maintain a gas flow rate measuring device that shall record the flow to the control device at least every 15 minutes; or 2) Secure the bypass line valve in the closed position with a car-seal or a lock-and-key type configuration. A visual inspection of the seal or closure mechanism shall be performed at least once every month to ensure that the valve is maintained in the closed position and that the gas flow is not diverted through the bypass line. 	Continuous	EU03	RSA 125-C:6 XI
4	Landfill gas flow rate	<p><u>Monitoring of Landfill Gas Flow Rate</u></p> <p>Flow measuring instrumentation shall be operated and maintained at all times to measure the instantaneous flow rate and totalized flow, corrected for standard temperature and pressure, to the control device.</p>	Continuous	EU03	RSA 125-C:6 XI

VII. Recordkeeping Requirements

The Owner or Operator shall be subject to the recordkeeping requirements identified in Table 5.

Table 5 – Recordkeeping Requirements				
Item #	Applicable Requirement	Frequency	Applicable Emission Unit(s)	Regulatory Basis
1	<p><u>Record Retention and Availability</u></p> <p>The Owner or Operator shall keep the records required by this permit on file. These records shall be available for review by the Department upon request.</p>	Continuous for a minimum of 5 years	Facility-wide	Env-A 902.01(a)

North Country Environmental Services, Inc.

Table 5 – Recordkeeping Requirements

Item #	Applicable Requirement	Frequency	Applicable Emission Unit(s)	Regulatory Basis
2	<p>The Permittee shall maintain records of monitoring requirements as required by the EMP/SOP and as specified in Table 4 of this Permit including:</p> <ul style="list-style-type: none"> a) Summary of maintenance, calibration, and repair records of the LFG flow, temperature and pressure monitoring devices; b) Summary of LFG generation and collection; c) Summary of testing of LFG composition; d) VOC emission rate for all devices and processes; e) Field data and corrective actions for collection system well balancing; f) Summary of maintenance and repair records of the LPG flare; g) Changes to the EMP/SOP 	Maintain on a continuous basis	Facility-wide	Env-A 906.01
3	<p><u>Regulated Toxic Air Pollutants</u> Maintain records documenting compliance with Env-A 1400. Compliance was demonstrated at the time of permit issuance as described in the Division’s Application Review Summary for application #12-0159. The source must update the compliance demonstration using one of the methods provided in Env-A 1405 if:</p> <ul style="list-style-type: none"> a) There is a revision to the list of RTAPs lowering the AAL for any RTAP emitted from the Facility; b) The amount of any RTAP emitted is greater than the amount that was evaluated in the Application Review Summary (e.g., concentration of RTAP in LFG has increased); c) An RTAP that was not evaluated in the Application Review Summary will be emitted (e.g., a new RTAP has been identified in the LFG); or d) Stack conditions (e.g. air flow rate) change. 	Update prior to process changes and within 90 days of each revision of Env-A 1400	Facility-wide	Env-A 902.01(c)

Table 5 – Recordkeeping Requirements

Item #	Applicable Requirement	Frequency	Applicable Emission Unit(s)	Regulatory Basis								
4	<p><u>Additional Recordkeeping Requirements: Facility-wide emission limitations</u> Maintain a 12-month running total of Facility-wide emissions of SO₂, which shall include emissions from non-permitted devices, for the purpose of demonstrating that the total emissions of these pollutants are below the PSD threshold for this pollutant of 250 tpy. The following landfill gas concentrations shall be used when calculating SO₂ emissions:</p> <table border="1" data-bbox="207 604 1011 737"> <thead> <tr> <th data-bbox="207 604 613 638">Time Period</th> <th data-bbox="613 604 1011 638">Landfill gas concentration to use</th> </tr> </thead> <tbody> <tr> <td data-bbox="207 638 613 672">January 1 to April 30</td> <td data-bbox="613 638 1011 672">1st tri-annual landfill gas test result</td> </tr> <tr> <td data-bbox="207 672 613 705">May 1 to August 31</td> <td data-bbox="613 672 1011 705">2nd tri-annual landfill gas test result</td> </tr> <tr> <td data-bbox="207 705 613 737">September 1 to December 31</td> <td data-bbox="613 705 1011 737">3rd tri-annual landfill gas test result</td> </tr> </tbody> </table>	Time Period	Landfill gas concentration to use	January 1 to April 30	1 st tri-annual landfill gas test result	May 1 to August 31	2 nd tri-annual landfill gas test result	September 1 to December 31	3 rd tri-annual landfill gas test result	Monthly	Facility Wide	Env-A 906 and Env-A 604.02(a) (3)
Time Period	Landfill gas concentration to use											
January 1 to April 30	1 st tri-annual landfill gas test result											
May 1 to August 31	2 nd tri-annual landfill gas test result											
September 1 to December 31	3 rd tri-annual landfill gas test result											
5	<p><u>General Recordkeeping Requirements for Combustion Devices</u> The Owner or Operator shall maintain the following records of fuel characteristics and utilization for the fuels burned in the combustion device:</p> <ul style="list-style-type: none"> a) Type (e.g., landfill gas) and amount of fuel burned in each device; b) Sulfur content as percent sulfur by weight of fuel or in grains per cubic feet of fuel; and c) BTU content per cubic foot of landfill gas. 	Monthly ⁶	EU03	Env-A 903.03								
6	<p><u>General NO_x Recordkeeping Requirements</u> If the actual annual NO_x emissions from all permitted devices located at the Facility are greater than or equal to 10 tpy, then record 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 a) above, including: <ul style="list-style-type: none"> 1) Typical hours of operation per day; 2) Typical days of operation per calendar month; 3) Number of weeks of operation; 4) Type and amount of each fuel burned; 5) Heat input rate in MMBtu/hr; 6) Actual NO_x emissions for the calendar year and a typical high ozone day during that calendar year; and 7) Emission factors and the origin of the emission factors used to calculate the NO_x emissions. 	Maintain Up-to-Date Data	EU03	Env-A 905.02								

⁶ NCES shall maintain the records of landfill gas composition of TRS pursuant to the EMP/SOP and actual LFG flow pursuant to Table 4, Item 4 and Table 5, Item 2.b. to facilitate the calculation of monthly and 12-month rolling SO₂ emissions for demonstrating compliance with Table 5, Items 4 and 5.

North Country Environmental Services, Inc.

Table 5 – Recordkeeping Requirements

Item #	Applicable Requirement	Frequency	Applicable Emission Unit(s)	Regulatory Basis
7	<p><u>Additional Recordkeeping for Flare Operation</u></p> <p>The Owner or Operator shall keep a record of all periods during which the flare is not operating, including scheduled or unscheduled periods for service and unscheduled down time caused by flameout or other malfunction. The record shall include the reason for each outage, initial date and time of each outage, the date and time that flare operation is restored, any corrective action taken if applicable, and the quantity of landfill gas emitted during flameout.</p>	Continuous	EU03	Env-A 906.01
8	<p><u>Additional Recordkeeping for Gas Flow Rate</u></p> <p>The Owner or Operator shall keep a record of all flow data recorded pursuant to Table 4, Item 4.</p>	Continuous	EU03	Env-A 903.03 and Env-A 906.01

VIII. 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 requirements identified in Table 6 below.

Table 6 – Reporting Requirements

Item #	Applicable Requirement	Frequency	Applicable Emission Unit(s)	Regulatory Basis
1	<p><u>General Reporting Requirements</u></p> <p>The Owner or Operator shall submit to the Department an annual emissions report which shall include the following information:</p> <p>a) For each area source or device identified in Table 1, the actual calendar year emissions of CO, NO_x, SO₂, TSP, VOCs, HAPs, and RTAPs; (Note: VOCs, HAPs, and RTAPs shall be listed by individual CAS number and chemical name.)</p> <p>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</p> <p>c) All information recorded pursuant to Table 5, Item 9.</p>	Annually (Received by DES no later than April 15 th of the following year)	EU03	Env-A 907.01
2	<p><u>Additional Monitoring Report Requirements</u></p> <p>The Owner or Operator shall submit to the Department all information as described in the reporting section of the EMP/SOP.</p>	Quarterly	Facility-Wide	Env-A 910.01

North Country Environmental Services, Inc.

Table 6 – Reporting Requirements

Item #	Applicable Requirement	Frequency	Applicable Emission Unit(s)	Regulatory Basis
3	<p><u>Annual Compliance Certification</u></p> <p>Submit an annual compliance certification to the Division and USEPA which includes the following information for each and every requirement and condition of the facilities effective permit:</p> <ol style="list-style-type: none"> The particular permit condition or item number that references each requirement, and a brief summary of the requirement; The compliance status with respect to the requirement and whether during the year compliance with the requirement was continuous, intermittent, not achieved, or not applicable; The method(s) used to determine compliance, such as monitoring, record keeping, or test methods; The frequency, either continuous or intermittent, of the method(s) used to determine compliance; If compliance was not continuous, a description of each permit deviation; and Any additional information required in order for the Division to determine the compliance status of the source. 	Annually (Received by DES no later than April 15 th of the following year)	Facility-wide	Env-A 907.04(a)
4	<p><u>Semi-Annual Permit Deviation and Monitoring Report</u></p> <p>The Owner or Operator shall submit a semi-annual permit deviation and monitoring report, which contains:</p> <ol style="list-style-type: none"> Summaries of all monitoring and testing requirements contained in this permit; and A summary of all permit deviations 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 911.05
5	<p><u>NO_x Emission Statements Reporting Requirements</u></p> <p>If the actual annual NO_x emissions from all permitted devices located at the Facility are greater than or equal to 10 tpy, then include the following information with the annual emission report:</p> <ol style="list-style-type: none"> A breakdown of NO_x emissions reported pursuant to Table 6, Item 1 by month; and All data recorded in accordance with Table 5, Item 10. 	Annually (Received by DES no later than April 15 th of the following year)	EU03	Env-A 909

IX. Permit Deviation Recordkeeping and Reporting Requirements

Deviations are instances where any Permit condition is violated and has not already been reported as an emergency. 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:

- 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).

North Country Environmental Services, Inc.

- 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 deviation⁷; 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.
- 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 deviation
- 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 IX B. and C. to DES in the Semi-Annual Permit Deviation and Monitoring report due January 31st and July 31st of each calendar year covering the periods of July 1st through December 31st and January 1st through June 30th, respectively, 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.

X. Permit Amendments

A. Env-A 612.01, *Administrative Permit Amendments*:

1. An administrative permit amendment includes the following:
 - a. Corrects typographical errors;
 - b. Requires more frequent monitoring or reporting; or
 - c. Allows for a change in ownership or operational control of a source provided that a written agreement containing a specific date for transfer of permit responsibility, coverage, and liability between the current and new permittee has been submitted to the Department.
2. The Owner or Operator may implement the changes addressed in the request for an administrative amendment immediately upon submittal of the request.

B. Env-A 612.03, *Minor Permit Amendments: Temporary Permits and State Permits to Operate*:

1. The Owner or Operator shall submit to the Department a request for a minor permit amendment for any proposed change to any of the conditions contained in this permit which will not result in an increase in the amount of a specific air pollutant currently emitted by a source or device listed in Table 1 and will not result in the emission of any air pollutant not emitted by the source or device.
2. The request for a minor permit amendment shall be in the form of a letter to the Department and shall include the following:
 - a. A description of the proposed change; and
 - b. A description of any new applicable requirements that will apply if the change occurs.
3. The Owner or Operator may implement the proposed change immediately upon filling a request for the minor permit amendment.

C. Env-A 612.04, *Significant Permit Amendments: Temporary Permits and State Permits to Operate*:

1. The Owner or Operator shall submit a written request for a permit amendment to the Department at least 90 days prior to the implementation of any proposed change to the physical structure or operation of a source or device covered by this permit that increases the amount of a specific air pollutant currently emitted by such source or device or that results in the emission of

⁷ Unless it is Saturday, Sunday or a state legal holiday, in which event DES shall be notified on the next business day.

North Country Environmental Services, Inc.

- any regulated air pollutant currently not emitted by such source or device.
2. A request for a significant permit amendment shall include the following:
 - a. A complete application form, as described in Env-A 1703 through Env-A 1708, as applicable;
 - b. A description of:
 - i. The proposed change;
 - ii. The emissions resulting from the change; and
 - iii. Any new applicable requirements that will apply if the change occurs; and
 - c. Where air pollution dispersion modeling is required for a source or device pursuant to Env-A 606.02, the information required pursuant to Env-A 606.03.
 3. The Owner or Operator shall not implement the proposed change until the Department issues the amended permit.

XI. Inspection and Entry

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 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.

XII. Emission-Based Fee Requirements

- A. Env-A 705.01, *Emission-based Fees*: The Owner or Operator shall pay to the Department each year an emission-based fee for emissions from the sources or devices listed in Table 1.
- 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 each source or device listed in Table 1 for each calendar year in accordance with the methods specified in Env-A 616, *Determination of Actual Emissions*. If the emissions are determined to be less than one ton, the emission-based fee shall be calculated using an emission-based multiplier of one ton.
- 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:

$$\text{FEE} = \text{E} \times \text{DPT}$$

where:

- FEE = Annual emission-based fee for each calendar year as specified in Env-A 705;
 E = Total actual emissions as determined pursuant to Condition XII.B; and
 DPT = Dollar-per-ton fee the Department has specified in Env-A 705.03(e).

- D. Env-A 705.04, *Payment of Emission-based Fee*: The Owner or Operator shall submit, to the Department, payment of the emission-based fee by April 15th for emissions during the previous calendar year. For example, the fees for calendar year 2013 shall be received on or before April 15, 2014.