



Connecticut Department of
**ENERGY &
ENVIRONMENTAL
PROTECTION**

**BUREAU OF AIR MANAGEMENT
TITLE V OPERATING PERMIT**

Issued pursuant to Title 22a of the Connecticut General Statutes (CGS) and Section 22a-174-33 of the Regulations of Connecticut State Agencies (RCSA) and pursuant to the Code of Federal Regulations (CFR), Title 40, Part 70.

Title V Permit Number	152-0034-TV
Client/Sequence/Town/Premises Numbers	5365/02/152/8
Date Issued	May 1, 2013
Expiration Date	May 1, 2018

Corporation:

Tegrant Diversified Brands, Inc.

Premises Location:

29 Park Road, Putnam, Connecticut 06260

Name of Responsible Official and Title:

Jeffrey Weingart – Director of Manufacturing –Foam Molded Products

All the following attached pages, 2 through 21, are hereby incorporated by reference into this Title V permit.

/s/ Anne Gobin for _____
Daniel C. Esty
Commissioner

May 1, 2013 _____
Date

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Title V Permit

All conditions in Sections III, IV, and VI of this Title V permit are enforceable by both the Administrator and the commissioner unless otherwise specified. Applicable requirements and compliance demonstration are set forth in Section III of this Title V permit. The Administrator or any citizen of the United States may bring an action to enforce all permit terms or conditions or requirements contained in Sections III, IV, and VI of this Title V permit in accordance with the Clean Air Act, as amended.

List of Abbreviations/Acronyms

<i>Abbreviation/Acronym</i>	<i>Description</i>
CFR	Code of Federal Regulations
CGS	Connecticut General Statutes
EU	Emissions Unit
EPA	Environmental Protection Agency
EPS	Expandable Polystyrene
GEU	Grouped Emissions Unit
HAP	Hazardous Air Pollutants
lb	Pound
MSDS	Material Safety Data Sheet
MMBtu/hr	Million British Thermal Units per hour
NESHAP	National Emission Standards for Hazardous Air Pollutants
NO _x	Nitrogen Oxides
NSR	New Source Review
RCSA	Regulations of Connecticut State Agencies
SIC	Standard Industrial Classification Code
VOC	Volatile Organic Compounds
yr	Year

Section I: Premises Information/Description

A. PREMISES INFORMATION

Nature of Business: Expandable Polystyrene Industry
Primary SIC: 3086
Facility Mailing Address: Tegrant Diversified Brands, Inc.
29 Park Road
Putnam, Connecticut 06260
Telephone Number: (860) 928-7795

B. PREMISES DESCRIPTION

Tegrant Diversified Brands, Inc. (Tegrant) operates an expandable polystyrene plant in Putnam, Connecticut. The Putnam plant has been in existence since 1966.

Tegrant is a custom-shape molder of expandable polystyrene (EPS), similar polystyrene-based polymers, ARCEL (a high impact polystyrene/polyethylene copolymer), and R-MER (a copolymer similar to ARCEL, but with a lower volatile content) into products for packaging, materials handling, and structural component uses.

These polymeric resins are received in bead form, then expanded and fused into molded product through a series of production steps. Volatile organic compounds (VOC), primarily pentane, are currently present in the conventional EPS and other polystyrene-based polymer beads in amounts up to approximately 6.5 percent by weight, as received, and in the conventional ARCEL in amounts up to approximately 12.5 percent by weight, as received. Pentane functions as an expansion agent for the bead. Most of the VOCs are released as the raw material is pre-expanded, aged, molded, and stored as finished product. Finished goods retain a small amount of residual VOCs indefinitely.

Emission loss rate at each phase of the operation varies depending on such factors as bead size and volatile content, density of the expanded bead, and shape and size of the molded product.

There are four production phases that comprise the overall process, Pre-Expansion (PE), where the raw materials are partially expanded in preparation for molding; Pre-Puff Storage (SB), where aging and storage of the pre-expanded beads occurs prior to molding; Molding (MP), where fusing of beads into various shapes are done, and Finished Goods Storage (FGS), the warehousing of molded product. NSR Permit No. 152-0017 covers the overall process.

There are three natural gas-fired boilers with the capability of burning No. 2 fuel oil located at the facility. Each boiler has a maximum rated capacity of less than 10 MMBtu/hr.

Several site activities/equipment such as the regrinder, densifier and polyolefin material molding process, are considered insignificant activities. The KBM Regrinder and densifier are used to grind and densify foam material scraps for reuse in the process. Only particulate matter is emitted from the regrinder, which vents inside the facility after passing through an integrated bag filter.

Section I: Premises Information/Description

Polyolefin raw material is also processed at the facility. However, the polyolefin material uses air, not VOCs, as its expansion agent, thus, the polyolefin operation is not a source of VOC emissions. Some manufacturing units in the facility are dedicated exclusively to the expansion of polyolefins.

A drying tunnel and curing room, used for curing polyolefin products and speed-drying of certain finished products made from EPS and other similar bead types are located within the facility. All VOCs released from EPS parts that may be placed in the tunnel or curing room are already accounted for in the emissions from the facility operations.

Tegant is not subject to Reasonably Available Control Technology for VOC because RCSA §22a-174-32(b)(3) excludes sources that implement Best Available Control Technology when calculating potential VOC emissions for affected facilities. The facility is a major stationary source of VOC, but it is not a major source of Hazardous Air Pollutants (HAP).

Section II: Emissions Units Information

A. EMISSIONS UNITS DESCRIPTION

Emissions units are set forth in Table II.A. It is not intended to incorporate by reference the NSR Permit into this Title V permit.

TABLE II.A: EMISSIONS UNITS DESCRIPTION				
	Emissions Unit/ Grouped Emissions Unit	Emissions Unit Description	Control Unit Description	Permit Number
GEU-01	EU-01	Two Pre-Expansion Units	None	Permit No. 152-0017
	EU-02	60 Pre-puff Storage bags: Aging and storage of pre-expanded beads in mesh bags prior to molding		
	EU-03	11 Molding Presses: Fusing of beads into various shapes		
	EU-04	Finished Goods Storage: Warehousing of molded product		
	EU-05	Curing Room		
	EU-06	Drying Tunnel		
<i>All applicable requirements for the following units are listed in the premises-wide general requirements portion of this Title V permit:</i>				
GEU-02	EU-07	Cleaver Brooks Boiler 200-200 hp Installation Date: 12/4/1986 Maximum Rated Capacity: 8.4 MMBtu/hr	None	None
	EU-08	Cleaver Brooks Boiler 400-200 hp Installation Date: 6/5/1991 Maximum Rated Capacity: 8.4 MMBtu/hr		
	EU-09	Cleaver Brooks Boiler 200-150 hp Installation Date: 12/6/1993 Maximum Rated Capacity: 6.28 MMBtu/hr		

Section II: Emissions Units Information

B. OPERATING SCENARIO IDENTIFICATION

The Permittee shall be allowed to operate under the following Standard Operating Scenario without notifying the commissioner, provided that such operations are explicitly provided for and described in the Table II.B below. There are no Alternate Operating Scenarios for the premises.

TABLE II.B: OPERATING SCENARIO IDENTIFICATION	
Emissions Units Associated with the Scenario	Description of Scenario
GEU-01 is included in the standard operating scenario	The standard operating scenario covers the custom shape Expandable Polystyrene (EPS) foam molding line (includes EU-01 through EU-06).

Section III: Applicable Requirements and Compliance Demonstration

The following contains summaries of applicable regulations and compliance demonstration for each identified Emissions Unit regulated by this Title V permit.

A. GROUPED EMISSIONS UNIT -01 (GEU-01) CUSTOM SHAPE EXPANDABLE POLYSTYRENE (EPS) FOAM MOLDING LINE

1. Material Processed

a. Limitation or Restriction

- i. The Permittee shall limit the annual material throughput based on the following equation:
[Permit No. 152-0017]

$$\sum_x(U_x)(V_x)(L_E) + \sum_y(U_y)(V_y)(L_A) \leq 112,400 \text{ lbs VOC/yr} \dots\dots\dots\text{Eq (1)}$$

where:

- U_x = Pounds of EPS beads from lot x used during the 12-month period
- V_x = VOC content of EPS beads from lot x, in percent by weight expressed as a decimal
- L_E = Overall emission loss rate for EPS beads, in percent by weight expressed as a decimal
- U_y = Pounds of ARCEL beads from lot y used during the 12-month period
- V_y = VOC content of ARCEL beads from lot y, in percent by weight expressed as a decimal
- L_A = Overall emission loss rate for ARCEL beads, in percent by weight expressed as a decimal

- ii. The Weighted Average Pentane Content of the Beads in each Calendar Month shall not exceed:
[Permit No. 152-0017]

- A. Expandable Polystyrene (EPS) Beads: 4.2%
- B. ARCEL Beads : 8.5%

b. Monitoring Requirements

- i. The Permittee shall operate and maintain all equipment at the facility in accordance with the manufacturer's recommendations and specifications. [Permit No. 152-0017]
- ii. Record keeping specified in Section III.A.1.c of this Title V permit shall be sufficient to meet other Monitoring Requirements pursuant to RCSA §22a-174-33.
[RCSA §22a-174-33(j)(1)(K)(ii)]

c. Record Keeping Requirements

- i. The Permittee shall maintain records of each bead shipment. Each bead shipment shall include a shipping receipt from the bead supplier and a certification from the bead supplier certifying the percentage of pentane in the bead shipment. The shipping receipt and/or certification shall include the name of the bead supplier and the percentage of pentane by weight of all the beads. The Permittee shall maintain records of each shipping receipt and certification.
[Permit No. 152-0017]

Section III: Applicable Requirements and Compliance Demonstration

- ii. The Permittee shall keep records of monthly and annual throughput by bead types. Annual bead throughput shall be based on any consecutive 12 month time period and shall be determined by adding the current month's bead throughput to that of the previous 11 months. The Permittee shall make these calculations each month. [Permit No. 152-0017]
- iii. All required records shall be complete and up-to-date, in a consistent and legible format. [Permit No. 152-0017]
- iv. The Permittee shall keep records on premises indicating continual compliance with all the above conditions at all times and shall make them available upon request by the commissioner. Such records must be retained on the premises for five years from the date they were generated. [Permit No. 152-0017]

d. Reporting Requirements

The Permittee shall submit all required reports in accordance with Sections VI.E of this Title V permit.

2. VOC

a. Limitation or Restriction

- i. The Permittee shall not exceed the following VOC (Pentane) emissions limits at any time: [Permit No. 152-0017]
 - A. 5.62 ton/month
 - B. 56.2 tons/year
- ii. The Permittee shall count emissions from any new compounds, for production or trial runs toward the emissions limit as specified in Section III.A.2.a.i of this Title V permit. [Permit No. 152-0017]

b. Monitoring Requirements

- i. The Permittee shall demonstrate compliance with the emissions limits in Section III.A.2.a.i of this Title V permit by calculating the emission rates using the material balance of the raw materials used. [Permit No. 152-0017]
- ii. The commissioner may require other means (e.g. stack testing) to demonstrate compliance with the emission limits in Section III.A.2.a.i of this Title V permit as allowed by state or federal statute, law or regulation. [Permit No. 152-0017]

c. Record Keeping Requirements

- i. The Permittee shall keep records of monthly and annual VOC (pentane) emissions. The Permittee shall make calculations of emissions on a daily basis. Annual VOC emissions shall be based on any consecutive 12 month time period and shall be determined by adding the current month's VOC emissions to that of the previous 11 months. The Permittee shall make such annual emissions calculations each month. [Permit No. 152-0017]

Section III: Applicable Requirements and Compliance Demonstration

- ii. All required records shall be complete and up-to-date, in a consistent and legible format. [Permit No. 152-0017]
- iii. The Permittee shall keep records and reports of any changes and demonstrations of compliance with permit limits in accordance with RCSA Section 22a-174-4(d). [Permit No. 152-0017]
- iv. The Permittee shall keep records on premises indicating continual compliance with all the above conditions at all times and shall make them available upon request by the commissioner. Such records must be retained on the premises for five years from the date they were generated. [Permit No. 152-0017]

d. Reporting Requirements

The Permittee shall submit all required reports in accordance with Sections VI.E of this Title V permit.

B. PREMISES-WIDE GENERAL REQUIREMENTS

1. **Accidental Release Requirements:** Should the Permittee become subject to the regulations for Accidental Release, as defined in 40 CFR §68.3, then the Permittee shall submit a risk management plan by the date specified in 40 CFR §68.10 and shall certify compliance with the requirements of 40 CFR Part 68 as part of the annual compliance certification as required by 40 CFR §70.6(c).
2. **Stratospheric Ozone Depleting Substances:** The permittee shall comply with the standards for recycling and emissions reduction of products using ozone depleting substances pursuant to 40 CFR Part 82 Subpart F.
3. **NESHAP for Boilers:** If the Permittee becomes subject to 40 CFR Part 63 Subpart JJJJJJ, the Permittee shall notify the EPA as required by 40 CFR §63.11225(g).
4. **Annual Emission Statements:** The Permittee shall submit annual emission statements requested by the commissioner as set forth in RCSA §22a-174-4(d)(1).
5. **Emergency Episode Procedures:** The Permittee shall comply with the procedures for emergency episodes as set forth in RCSA §22a-174-6.
6. **Reporting of Malfunctioning Control Equipment:** The Permittee shall comply with the reporting requirements of malfunctioning control equipment as set forth in RCSA §22a-174-7.
7. **Prohibition of Air Pollution:** The Permittee shall comply with the requirement to prevent air pollution as set forth in RCSA §22a-174-9.
8. **Public Availability of Information:** The public availability of information shall apply, as set forth in RCSA §22a-174-10.
9. **Prohibition Against Concealment/Circumvention:** The Permittee shall comply with the prohibition against concealment or circumvention as set forth in RCSA §22a-174-11.

Section III: Applicable Requirements and Compliance Demonstration

10. **Violations and Enforcement:** The Permittee shall not violate or cause the violation of any applicable regulation as set forth in RCSA §22a-174-12.
11. **Variances:** The Permittee may apply to the commissioner for a variance from one or more of the provisions of these regulations as set forth in RCSA §22a-174-13.
12. **No Defense to Nuisance Claim:** The Permittee shall comply with the regulations as set forth in RCSA §22a-174-14.
13. **Severability:** The Permittee shall comply with the severability requirements as set forth in RCSA §22a-174-15.
14. **Responsibility to Comply:** The Permittee shall be responsible to comply with the applicable regulations as set forth in RCSA §22a-174-16.
15. **Particulate Emissions:** The Permittee shall comply with the standards for control of particulate matter and visible emissions as set forth in RCSA §22a-174-18. (Section 18 approved by EPA on 9-23-1982, current Regulation submitted to EPA on 12-1-2004.)
16. **Sulfur Compound Emissions:** The Permittee shall comply with the requirements for control of sulfur compound emissions as set forth in RCSA §22a-174-19.
17. **Organic Compound Emissions:** The Permittee shall comply with the requirements for control of organic compound emissions as set forth in RCSA §22a-174-20.
18. **Nitrogen Oxide Emissions:** The Permittee shall comply with the requirements for control of nitrogen oxide emissions as set forth in RCSA §22a-174-22.
19. **Ambient Air Quality:** The Permittee shall not cause or contribute to a violation of an ambient air quality standard as set forth in RCSA §22a-174-24(b).
20. **Emission Fees:** The Permittee shall pay an emission fee as set forth in RCSA §22a-174-26(d).

Section IV: Compliance Schedule

TABLE IV: COMPLIANCE SCHEDULE

Emissions Unit	Applicable Regulations	Steps Required for Achieving Compliance (Milestones)	Date by which Each Step is to be Completed	Dates for Monitoring, Record Keeping, and Reporting
<p style="text-align: center;">No steps are required for achieving compliance at this time.</p>				

Section V: State Enforceable Terms and Conditions

Only the Commissioner of the Department of Energy and Environmental Protection has the authority to enforce the terms, conditions and limitations contained in this section.

State Enforceable Terms and Conditions

- A.** This Title V permit does not relieve the Permittee of the responsibility to conduct, maintain and operate the emissions units in compliance with all applicable requirements of any other Bureau of the Department of Energy and Environmental Protection or any federal, local or other state agency. Nothing in this Title V permit shall relieve the Permittee of other obligations under applicable federal, state and local law.
- B.** Nothing in this Title V permit shall affect the commissioner's authority to institute any proceeding or take any other action to prevent or abate violations of law, prevent or abate pollution, investigate air pollution, recover costs and natural resource damages, and to impose penalties for violations of law, including but not limited to violations of this or any other permit issued to the Permittee by the commissioner.
- C.** Odors: The Permittee shall not cause or permit the emission of any substance or combination of substances which creates or contributes to an odor that constitutes a nuisance beyond the property boundary of the premises as set forth in RCSA §22a-174-23.
- D.** Noise: The Permittee shall operate in compliance with the regulations for the control of noise as set forth in RCSA §§22a-69-1 through 22a-69-7.4, inclusive.
- E.** Hazardous Air Pollutants (HAP): The Permittee shall operate in compliance with the regulations for the control of HAP as set forth in RCSA §22a-174-29.
- F.** Open Burning: The Permittee is prohibited from conducting open burning, except as may be allowed by CGS §22a-174(f).
- G.** Fuel Sulfur Content: The Permittee shall not use No. 2 heating oil that exceeds three-tenths of one percent sulfur by weight as set forth in CGS §16a-21a.

Section VI: Title V Requirements

The Administrator of the United States Environmental Protection Agency and the Commissioner of the Department of Energy and Environmental Protection have the authority to enforce the terms and conditions contained in this section.

A. SUBMITTALS TO THE COMMISSIONER & ADMINISTRATOR

The date of submission to the commissioner of any document required by this Title V permit shall be the date such document is received by the commissioner. The date of any notice by the commissioner under this Title V permit, including, but not limited to notice of approval or disapproval of any document or other action, shall be the date such notice is delivered or the date three days after it is mailed by the commissioner, whichever is earlier. Except as otherwise specified in this Title V permit, the word "day" means calendar day. Any document or action which is required by this Title V permit to be submitted or performed by a date which falls on a Saturday, Sunday or legal holiday shall be submitted or performed by the next business day thereafter.

Any document required to be submitted to the commissioner under this Title V permit shall, unless otherwise specified in writing by the commissioner, be directed to: Office of the Director; Engineering & Enforcement Division; Bureau of Air Management; Department of Energy and Environmental Protection; 79 Elm Street, 5th Floor; Hartford, Connecticut 06106-5127.

Any submittal to the Administrator of the Environmental Protection Agency shall be in a computer-readable format and addressed to: Director, Air Compliance Program; Attn: Air Compliance Clerk; Office of Environmental Stewardship; EPA Region 1; 5 Post Office Square, Suite 100; Mail Code OEP05-02; Boston, Massachusetts 02109-3912.

B. CERTIFICATIONS [RCSA §22a-174-33(b)]

In accordance with RCSA §22a-174-33(b), any report or other document required by this Title V permit and any other information submitted to the commissioner or Administrator shall be signed by an individual described in RCSA §22a-174-2a(a), or by a duly authorized representative of such individual. Any individual signing any document pursuant to RCSA §22a-174-33(b) shall examine and be familiar with the information submitted in the document and all attachments thereto, and shall make inquiry of those individuals responsible for obtaining the information to determine that the information is true, accurate, and complete, and shall also sign the following certification as provided in RCSA §22a-174-2a(a)(4):

“I have personally examined and am familiar with the information submitted in this document and all attachments thereto, and I certify that based on reasonable investigation, including my inquiry of those individuals responsible for obtaining the information, the submitted information is true, accurate and complete to the best of my knowledge and belief. I understand that any false statement made in the submitted information may be punishable as a criminal offense under Section 22a-175 of the Connecticut General Statutes, under Section 53a-157b of the Connecticut General Statutes, and in accordance with any applicable statute.”

C. SIGNATORY RESPONSIBILITY [RCSA §22a-174-2a(a)]

For purposes of signing any Title V-related application, document, report or certification required by RCSA §22a-174-33, any corporation's duly authorized representative may be either a named individual or any individual occupying a named position. Such named individual or individual occupying a named position is a

Section VI: Title V Requirements

duly authorized representative if such individual is responsible for the overall operation of one or more manufacturing, production or operating facilities subject to RCSA §22a-174-33 and either:

1. The facilities employ more than 250 persons or have gross annual sales or expenditures exceeding 25 million dollars in second quarter 1980 dollars; or
2. The delegation of authority to the duly authorized representative has been given in writing by an officer of the corporation in accordance with corporate procedures and the following:
 - i. Such written authorization specifically authorizes a named individual, or a named position, having responsibility for the overall operation of the Title V premises or activity,
 - ii. Such written authorization is submitted to the commissioner and has been approved by the commissioner in advance of such delegation. Such approval does not constitute approval of corporate procedures, and
 - iii. If a duly authorized representative is a named individual in an authorization submitted under subclause ii. of this subparagraph and a different individual is assigned or has assumed the responsibilities of the duly authorized representative, or, if a duly authorized representative is a named position in an authorization submitted under subclause ii. of this subparagraph and a different named position is assigned or has assumed the duties of the duly authorized representative, a new written authorization shall be submitted to the commissioner prior to or together with the submission of any application, document, report or certification signed by such representative.

D. ADDITIONAL INFORMATION [RCSA §22a-174-33(j)(1)(X), RCSA §22a-174-33(h)(2)]

The Permittee shall submit additional information in writing, at the commissioner's request, within 30 days of receipt of notice from the commissioner or by such other date specified by the commissioner, whichever is earlier, including information to determine whether cause exists for modifying, revoking, reopening, reissuing, or suspending this Title V permit or to determine compliance with this Title V permit.

In addition, the Permittee shall submit information to address any requirements that become applicable to the subject source and shall submit correct, complete, and sufficient information within 15 days of the applicant's becoming aware of any incorrect, incomplete, or insufficient submittal, during the pendency of the application, or any time thereafter, with an explanation for such deficiency and a certification pursuant to RCSA §22a-174-2a(a)(5).

E. MONITORING REPORTS [RCSA §22a-174-33(o)(1)]

A Permittee, required to perform monitoring pursuant this Title V permit, shall submit to the commissioner, on forms prescribed by the commissioner, written monitoring reports on March 1 and September 1 of each year or on a more frequent schedule if specified in such permit. Such monitoring reports shall include the date and description of each deviation from a permit requirement including, but not limited to:

1. Each deviation caused by upset or control equipment deficiencies; and
2. Each deviation of a permit requirement that has been monitored by the monitoring systems required under this Title V permit, which has occurred since the date of the last monitoring report; and
3. Each deviation caused by a failure of the monitoring system to provide reliable data.

Section VI: Title V Requirements

F. PREMISES RECORDS [RCSA §22a-174-33(o)(2)]

Unless otherwise required by this Title V permit, the Permittee shall make and keep records of all required monitoring data and supporting information for at least five years from the date such data and information were obtained. The Permittee shall make such records available for inspection at the site of the subject source, and shall submit such records to the commissioner upon request. The following information, in addition to required monitoring data, shall be recorded for each permitted source:

1. The type of monitoring or records used to obtain such data, including record keeping;
2. The date, place, and time of sampling or measurement;
3. The name of the individual who performed the sampling or the measurement and the name of such individual's employer;
4. The date(s) on which analyses of such samples or measurements were performed;
5. The name and address of the entity that performed the analyses;
6. The analytical techniques or methods used for such analyses;
7. The results of such analyses;
8. The operating conditions at the subject source at the time of such sampling or measurement; and
9. All calibration and maintenance records relating to the instrumentation used in such sampling or measurements, all original strip-chart recordings or computer printouts generated by continuous monitoring instrumentation, and copies of all reports required by the subject permit.

G. PROGRESS REPORTS [RCSA §22a-174-33(q)(1)]

The Permittee shall, on March 1 and September 1 of each year, or on a more frequent schedule if specified in this Title V permit, submit to the commissioner a progress report on forms prescribed by the commissioner, and certified in accordance with RCSA §22a-174-2a(a)(5). Such report shall describe the Permittee's progress in achieving compliance under the compliance plan schedule contained in this Title V permit. Such progress report shall:

1. Identify those obligations under the compliance plan schedule in this Title V permit which the Permittee has met, and the dates on which they were met; and
2. Identify those obligations under the compliance plan schedule in this Title V permit which the Permittee has not timely met, explain why they were not timely met, describe all measures taken or to be taken to meet them and identify the date by which the Permittee expects to meet them.

Any progress report prepared and submitted pursuant to RCSA §22a-174-33(q)(1) shall be simultaneously submitted by the Permittee to the Administrator.

Section VI: Title V Requirements

H. COMPLIANCE CERTIFICATIONS [RCSA §22a-174-33(q)(2)]

The Permittee shall, on March 1 of each year, or on a more frequent schedule if specified in this Title V permit, submit to the commissioner a written compliance certification certified in accordance with RCSA §22a-174-2a(a)(5) and which includes the information identified in 40 CFR §70.6(c)(5)(iii)(A) to (C), inclusive.

Any compliance certification prepared and submitted pursuant to RCSA §22a-174-33(q)(2) shall be simultaneously submitted by the Permittee to the Administrator.

I. PERMIT DEVIATION NOTIFICATIONS [RCSA §22a-174-33(p)]

Notwithstanding Section VI.D of this Title V permit, the Permittee shall notify the commissioner in writing, on forms prescribed by the commissioner, of any deviation from an emissions limitation, and shall identify the cause or likely cause of such deviation, all corrective actions and preventive measures taken with respect thereto, and the dates of such actions and measures as follows:

1. For any hazardous air pollutant, no later than 24 hours after such deviation commenced; and
2. For any other regulated air pollutant, no later than ten days after such deviation commenced.

J. PERMIT RENEWAL [RCSA §22a-174-33(j)(1)(B)]

All of the terms and conditions of this Title V permit shall remain in effect until the renewal permit is issued or denied provided that a timely renewal application is filed in accordance with RCSA §§22a-174-33(g), -33(h), and -33(i).

K. OPERATE IN COMPLIANCE [RCSA §22a-174-33(j)(1)(C)]

The Permittee shall operate the source in compliance with the terms of all applicable regulations, the terms of this Title V permit, and any other applicable provisions of law. In addition, any noncompliance constitutes a violation of the Clean Air Act and Chapter 446c of the Connecticut General Statutes and is grounds for federal and/or state enforcement action, permit termination, revocation and reissuance, or modification, and denial of a permit renewal application.

L. COMPLIANCE WITH PERMIT [RCSA §22a-174-33(j)(1)(G)]

This Title V permit shall not be deemed to:

1. Preclude the creation or use of emission reduction credits or allowances or the trading thereof in accordance with RCSA §§22a-174-33(j)(1)(I) and -33(j)(1)(P), provided that the commissioner's prior written approval of the creation, use, or trading is obtained;
2. Authorize emissions of an air pollutant so as to exceed levels prohibited pursuant to 40 CFR Part 72;
3. Authorize the use of allowances pursuant to 40 CFR Parts 72 through 78, inclusive, as a defense to noncompliance with any other applicable requirement; or
4. Impose limits on emissions from items or activities specified in RCSA §§22a-174-33(g)(3)(A) and -33(g)(3)(B) unless imposition of such limits is required by an applicable requirement.

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M. INSPECTION TO DETERMINE COMPLIANCE [RCSA §22a-174-33(j)(1)(M)]

The commissioner may, for the purpose of determining compliance with this Title V permit and other applicable requirements, enter the premises at reasonable times to inspect any facilities, equipment, practices, or operations regulated or required under such permit; to sample or otherwise monitor substances or parameters; and to review and copy relevant records lawfully required to be maintained at such premises in accordance with this Title V permit. It shall be grounds for permit revocation should entry, inspection, sampling, or monitoring be denied or effectively denied, or if access to and the copying of relevant records is denied or effectively denied.

N. PERMIT AVAILABILITY

The Permittee shall have available at the facility at all times a copy of this Title V permit.

O. SEVERABILITY CLAUSE [RCSA §22a-174-33(j)(1)(R)]

The provisions of this Title V permit are severable. If any provision of this Title V permit or the application of any provision of this Title V permit to any circumstance is held invalid, the remainder of this Title V permit and the application of such provision to other circumstances shall not be affected.

P. NEED TO HALT OR REDUCE ACTIVITY [RCSA §22a-174-33(j)(1)(T)]

It shall not be a defense for the Permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this Title V permit.

Q. PERMIT REQUIREMENTS [RCSA §22a-174-33(j)(1)(V)]

The filing of an application or of a notification of planned changes or anticipated noncompliance does not stay the Permittee's obligation to comply with this Title V permit.

R. PROPERTY RIGHTS [RCSA §22a-174-33(j)(1)(W)]

This Title V permit does not convey any property rights or any exclusive privileges. This Title V permit is subject to, and in no way derogates from any present or future property rights or other rights or powers of the State of Connecticut, and is further subject to any and all public and private rights and to any federal, state or local laws or regulations pertinent to the facility or regulated activity affected thereby, including CGS §4-181a(b) and RCSA §22a-3a-5(b). This Title V permit shall neither create nor affect any rights of persons who are not parties to this Title V permit.

S. ALTERNATIVE OPERATING SCENARIO RECORDS [RCSA §22a-174-33(o)(3)]

The Permittee shall, contemporaneously with making a change authorized by this Title V permit from one alternative operating scenario to another, maintain a record at the premises indicating when changes are made from one operating scenario to another and shall maintain a record of the current alternative operating scenario.

T. OPERATIONAL FLEXIBILITY AND OFF-PERMIT CHANGES [RCSA §22a-174-33(r)(2)]

The Permittee may engage in any action allowed by the Administrator in accordance with 40 CFR §§70.4(b)(12)(i) to (iii)(B), inclusive, and 40 CFR §§70.4(b)(14)(i) to (iv), inclusive, without a Title V non-minor permit modification, minor permit modification or revision and without requesting a Title V non-minor permit

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modification, minor permit modification or revision provided such action does not:

1. Constitute a modification under 40 CFR Part 60, 61 or 63;
2. Exceed emissions allowable under the subject permit;
3. Constitute an action which would subject the Permittee to any standard or other requirement pursuant to 40 CFR Parts 72 to 78, inclusive; or
4. Constitute a non-minor permit modification pursuant to RCSA §22a-174-2a(d)(4).

At least seven days before initiating an action specified in RCSA §22a-174-33(r)(2)(A), the Permittee shall notify the Administrator and the commissioner in writing of such intended action.

U. INFORMATION FOR NOTIFICATION [RCSA §22a-174-33(r)(2)(A)]

Written notification required under RCSA §22a-174-33(r)(2)(A) shall include a description of each change to be made, the date on which such change will occur, any change in emissions that may occur as a result of such change, any Title V permit terms and conditions that may be affected by such change, and any applicable requirement that would apply as a result of such change. The Permittee shall thereafter maintain a copy of such notice with the Title V permit. The commissioner and the Permittee shall each attach a copy of such notice to their copy of the Title V permit.

V. TRANSFERS [RCSA §22a-174-2a(g)]

No person other than the Permittee shall act or refrain from acting under the authority of this Title V permit unless such permit has been transferred to another person in accordance with RCSA §22a-174-2a(g).

The proposed transferor and transferee of a permit shall submit to the commissioner a request for a permit transfer on a form provided by the commissioner. A request for a permit transfer shall be accompanied by any fees required by any applicable provision of the general statutes or regulations adopted thereunder. The commissioner may also require the proposed transferee to submit with any such request, the information identified in CGS §22a-6m.

W. REVOCATION [RCSA §22a-174-2a(h)]

The commissioner may revoke this Title V permit on his own initiative or on the request of the Permittee or any other person, in accordance with CGS §4-182(c), RCSA §22a-3a-5(d), and any other applicable law. Any such request shall be in writing and contain facts and reasons supporting the request. The Permittee requesting revocation of this Title V permit shall state the requested date of revocation and provide evidence satisfactory to the commissioner that the subject source is no longer a Title V source.

Pursuant to the Clean Air Act, the Administrator has the power to revoke this Title V permit. Pursuant to the Clean Air Act, the Administrator also has the power to reissue this Title V permit if the Administrator has determined that the commissioner failed to act in a timely manner on a permit renewal application.

This Title V permit may be modified, revoked, reopened, reissued, or suspended by the commissioner, or the Administrator in accordance with RCSA §22a-174-33(r), CGS §22a-174c, or RCSA §22a-3a-5(d).

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X. REOPENING FOR CAUSE [RCSA §22a-174-33(s)]

This Title V permit may be reopened by the commissioner, or the Administrator in accordance with RCSA §22a-174-33(s).

Y. CREDIBLE EVIDENCE

Notwithstanding any other provision of this Title V permit, for the purpose of determining compliance or establishing whether a Permittee has violated or is in violation of any permit condition, nothing in this Title V permit shall preclude the use, including the exclusive use, of any credible evidence or information.

Certification

Print for Compliance Certification or Enforcement

Print for Compliance Certification

Print for Enforcement