



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.

<b>Title V Permit Number</b>	092-0028-TV
<b>Client/Sequence/Town/Premises Numbers</b>	8661/1/92/2
<b>Date Issued</b>	March 9, 2017
<b>Expiration Date</b>	March 9, 2022

**Corporation:**

*Trinseo, LLC*

**Premises Location:**

*1761 Route 12, Gales Ferry, CT 06335*

**Name of Responsible Official and Title:**

*Marco Barrueta, Site Leader*

All the following attached pages, 2 through 23, are hereby incorporated by reference into this Title V permit.

/s/Anne Gobin for  
Robert J. Klee  
Commissioner

March 9, 2017  
Date

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## **Title V Operating 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	Emission Unit
GEU	Grouped Emission Units
HAP	Hazardous Air Pollutants
NESHAP	National Emission Standards for Hazardous Air Pollutants
NO <sub>x</sub>	Nitrogen Oxides
RCSA	Regulations of Connecticut State Agencies
RICE	Reciprocating Internal Combustion Engines
SIC	Standard Industrial Classification

## **Section I: Premises Information/Description**

### **A. PREMISES INFORMATION**

Nature of Business: Polymer Production

Primary SIC: 2821 (Latex)

Facility Mailing Address: Trinseo, LLC, 1761 Route 12, Gales Ferry, CT 06335

Telephone Number: (860) 447-7369

### **B. PREMISES DESCRIPTION**

Trinseo, LLC (Trinseo) owns the premises at 1761 Route 12 in Gales Ferry, Connecticut. A portion of the premises is leased to The Dow Chemical Company (Dow) and Americas Styrenics, LLC (AmSty).

Trinseo and AmSty constitute a single stationary source under common control pursuant to the Clean Air Act because Trinseo holds a 50% joint venture interest in AmSty, they share the same Standard Industrial Classification (SIC) code and are located on the same contiguous premises. The companies had the option of obtaining one Title V permit for the entire premises or individual Title V permits for each company. Trinseo and AmSty choose to obtain separate Title V permits.

The premises (i.e., Trinseo & AmSty) exceeds the major source threshold for the following pollutants: Nitrogen Oxides (NO<sub>x</sub>) and HAPs

Trinseo has an active gasoline storage tank and dispensing station on the premises.

Trinseo operates two emergency engines under RCSEA §22a-174-3b(e). The engines are also subject to 40 Code of Federal Regulations (CFR) Part 63 Subpart ZZZZ (National Emission Standards for Hazardous Air Pollutants (NESHAP) for Stationary Reciprocating Internal Combustion Engines (RICE)).

Even though Trinseo only has three emission units, it is still a Title V source. The premises (i.e., Trinseo & AmSty) was a major source of HAPs on the first compliance date for the NESHAP for Stationary RICE, therefore the premises remains subject to the NESHAP rule under 40 CFR §63.1(c)(1). Title V applicability follows the applicability of the NESHAP for Stationary RICE.

## 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 these Regulations into this Title V permit.

<b>TABLE II.A: EMISSIONS UNITS DESCRIPTION</b>				
<b>Grouped Emissions Unit</b>	<b>Emissions Unit</b>	<b>Emissions Unit Description</b>	<b>Control Unit Description</b>	<b>Regulation Number</b>
	EU-010	Fuel Storage – Gasoline Tank and Dispensing Station (D38)	Submerged Filled Pipe	RCSA §§22a-174-20
GEU-012	EU-012A	Emergency Engine Model V6-125 149 BHP (Bld.41)	None	RCSA §§22a-174-3b(e) and -22
	EU-012B	Cummins Emergency Engine Model NHS-6-IF 250 BHP (Bld. 47)		40 CFR Part 63 Subpart ZZZZ

### B. OPERATING SCENARIO IDENTIFICATION

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

<b>TABLE II.B: OPERATING SCENARIO IDENTIFICATION</b>	
<b>Emissions Units Associated with the Scenario</b>	<b>Description of Scenario</b>
GEU-012	Emergency Engines

### 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. EU-010: Fuel Storage – Gasoline Tank and Dispensing Station (D38)

##### 1. Gasoline Throughput

###### a. *Limitations or Restrictions*

The Permittee shall limit gasoline throughput to less than 10,000 gallons per month to demonstrate dispensing station is not subject to RCSA §§22a-174-30a(b)(1), (b)(2), (b)(3), or (b)(4) or 40 CFR Part 63 Subpart CCCCC. [RCSA §22a-174-33(j)(1)(K)(ii)]

###### b. *Monitoring Requirements*

The Permittee shall monitor monthly amounts of fuel throughput for gasoline. A non-resettable fuel-metering device shall be used to continuously monitor the fuel throughput. [RCSA §22a-174-33(j)(1)(K)(ii)]

###### c. *Record Keeping Requirements*

The Permittee shall make and keep records of monthly throughput, which demonstrate dispensing station is not subject to RCSA §§22a-174-30a(b)(1), (b)(2), (b)(3), or (b)(4) or 40 CFR Part 63 Subpart CCCCC. [RCSA §22a-174-33(j)(1)(K)(ii)]

###### d. *Reporting Requirements*

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. [RCSA §22a-174-33(j)(1)(X)]

##### 2. VOC

###### a. *Limitations or Restrictions*

The Permittee shall maintain storage vessel with a permanent submerged fill pipe with a discharge point 18 inches or less from the bottom of the storage vessel. [RCSA §22a-174-20(a)(5)]

###### b. *Monitoring Requirements*

Record keeping specified in Section III.A.2.c of this Title V permit shall be sufficient to meet other Monitoring and Testing Requirements pursuant to RCSA §22a-174-33. [RCSA §22a-174-33(j)(1)(K)(ii)]

###### c. *Record Keeping Requirements*

The Permittee shall maintain records of any alterations to the permanent submerged fill pipe discharge point. [RCSA §22a-174-33(j)(1)(K)(ii)]

###### d. *Reporting Requirements*

The Permittee shall notify the commissioner if the discharge point of the fill pipe is altered in any way.

### Section III: Applicable Requirements and Compliance Demonstration

[RCSA §22a-174-33(j)(1)(K)(ii)]

#### B. GEU-012: 2-Emergency Engines

##### 1. Maximum Operating Hours

###### a. Limitations or Restrictions

The Permittee shall not operate each engine greater than 300 hours during any 12 month rolling aggregate. [RCSA §22a-174-3b(e)(2)(C)]

###### b. Monitoring Requirements

- i. The Permittee shall monitor hours of operation for each engine on a monthly basis. [RCSA §22a-174-3b(e)(4)]
- ii. The Permittee shall install a non-resettable hour meter on each engine if one is not already installed. [40 CFR §63.6625(f)]

###### c. Record Keeping Requirements

- i. The Permittee shall make and keep records of hours of operation for each engine on a monthly basis and a 12 month rolling aggregate. Maximum annual operating hours shall be based on any consecutive 12 month time period and shall be determined by adding each month's operating hours to that of the previous 11 months for each engine. [RCSA §22a-174-3b(e)(4)]
- ii. The Permittee shall make and keep records of all required maintenance performed on the monitoring equipment. [40 CFR §63.6655(a)(4)]
- iii. The Permittee shall make and keep records of the hours of operation of each engine that is recorded through the non-resettable hour meter. The Permittee shall document how many hours are spent for emergency operation, including what classified the operation as emergency. The Permittee shall keep records of the notification of the emergency situation, and the date, start time, and end time of engine operation for these purposes. [40 CFR §63.6655(f)]

###### d. Reporting Requirements

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. [RCSA §22a-174-33(j)(1)(X)]

##### 2. Maximum Fuel Sulfur Content

###### a. Limitations or Restrictions

The Permittee shall not exceed the sulfur content of motor vehicle diesel fuel where "motor vehicle diesel fuel" is defined as in RCSA 22a-174-42 for any non-gaseous fuel consumed by any engine. [RCSA §22a-174-3b(e)(2)(D)]



### **Section III: Applicable Requirements and Compliance Demonstration**

#### *b. Monitoring Requirements*

The Permittee shall monitor the sulfur content for the fuel burned in each engine.  
[RCSA §22a-174-3b(h)]

#### *c. Record Keeping Requirements*

- i. The Permittee shall keep any of the following records to demonstrate compliance with the fuel sulfur content limitation listed above: [RCSA §22a-174-3b(h)]
  - (A) A fuel certification for a delivery of non-gaseous fuel from a bulk petroleum provider;
  - (B) A sales receipt for the sale of motor vehicle diesel fuel from a retail location; or
  - (C) A copy of a current contract with the fuel supplier supplying the fuel used by the equipment that includes the applicable sulfur content of non-gaseous fuel as a condition of each shipment.

#### *d. Reporting Requirements*

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. [RCSA §22a-174-33(j)(1)(X)]

### **3. Operation and Maintenance**

#### *a. Limitations or Restrictions*

- i. The engines can respond in emergency situations. An emergency is defined in RCSA §22a-174-22. [RCSA §22a-174-22]
- ii. The Permittee shall not conduct routine scheduled testing or maintenance of the engines during days when ambient ozone is forecasted by the commissioner to be unhealthy for sensitive groups to very unhealthy anywhere in Connecticut. [RCSA §22a-174-22(b)(3)]
- iii. The Permittee shall be exempt from Part III.B.3.a.ii of this Title V permit if all the following conditions are met: [RCSA §22a-174-22(b)(3)]
  - (A) The engines are unattended;
  - (B) The schedule for routine testing or maintenance of such engines is automated and cannot be modified from a remote location; and
  - (C) If the Permittee operates more than one emergency engine at the subject premises, the schedule for routine testing or maintenance of all such emergency engines does not call for the routine testing or maintenance of more than one such engine on the same day.
- iv. The Permittee shall meet the following requirements, except during periods of startup for each engine:  
[40 CFR §63.6602, 40 CFR §63.6640(a) & 40 CFR Part 63 Subpart ZZZZ, Table 2c, Item No. 1]

### Section III: Applicable Requirements and Compliance Demonstration

- (A) Change oil and filter every 500 hours of operation or annually, whichever comes first.
  - (B) Inspect air cleaner every 1,000 hours of operation or annually, whichever comes first, and replace as necessary.
  - (C) Inspect all hoses and belts every 500 hours of operation or annually, whichever comes first, and replace as necessary.
- v. During periods of startup the Permittee shall minimize the engine's time spent at idle and minimize the engine's startup time at startup to a period needed for appropriate and safe loading of the engine, not to exceed 30 minutes, after which time the non-startup emission limitations apply. [40 CFR §63.6602, 40 CFR §63.6625(h), 40 CFR §63.6640(a) & 40 CFR Part 63 Subpart ZZZZ, Table 2c, Item No. 1]

#### *b. Monitoring Requirements*

- i. The Permittee shall operate and maintain each engine according to the manufacturer's emission-related written instructions or develop their own maintenance plan which shall provide to the extent practicable for the maintenance and operation of the engine in a manner consistent with good air pollution control practice for minimizing emissions. [40 CFR §63.6625(e), 40 CFR §63.6640(a) & 40 CFR Part 63 Subpart ZZZZ, Table 6, Item No. 9]
- ii. The Permittee has the option of utilizing an oil analysis program in order to extend the specified oil change requirement in 40 CFR §63.6602. The oil analysis shall be performed at the same frequency specified for changing the oil in 40 CFR §63.6602. The analysis program shall at a minimum analyze the following three parameters: Total Base Number, viscosity, and percent water content. The condemning limits for these parameters are as follows: Total Base Number is less than 30 percent of the Total Base Number of the oil when new; viscosity of the oil has changed by more than 20 percent from the viscosity of the oil when new; or percent water content (by volume) is greater than 0.5. If all of these condemning limits are not exceeded, the Permittee is not required to change the oil. If any of the limits are exceeded, the Permittee shall change the oil within two business days of receiving the results of the analysis; if the engine is not in operation when the results of the analysis are received, the Permittee shall change the oil within two business days or before commencing operation, whichever is later. [40 CFR §63.6625(i), 40 CFR §63.6640(a) & 40 CFR Part 63 Subpart ZZZZ, Table 2c, Footnote No. 2]

#### *c. Record Keeping Requirements*

- i. The Permittee shall make and keep the following records: [RCSA §22a-174-22(1)(1)]
  - (A) Daily records of operating hours of each engine identifying the operating hours of emergency use;
  - (B) Monthly and annual records (e.g. fuel use, operating hours) to determine whether NO<sub>x</sub> emissions from such premises in any calendar year are in excess of 50 tons for premises located in a serious nonattainment area for ozone;
  - (C) Records of all tune-ups, repairs, replacement of parts and other maintenance;

### Section III: Applicable Requirements and Compliance Demonstration

- (D) Copies of all documents submitted to the commissioner pursuant to RCSA §22a-174-22;
  - (E) Procedures for calculating NO<sub>x</sub> emission rates;
  - (F) The Permittee shall retain all records and reports produced pursuant to the requirements of RCSA §22a-174-22 for five years. Such records and reports shall be available for inspection at reasonable hours by the commissioner or the Administrator. Such records and reports shall be retained at the source, unless the commissioner approves in writing the use of another location in the State.
- ii. The Permittee shall make and keep records of the parameters that are analyzed as part of the program, the results of the analysis, and the oil changes for the engine. The analysis program shall be part of the maintenance plan for the engine. [40 CFR §63.6625(i)]
  - iii. The Permittee shall make and keep the records described below:
    - (A) A copy of each notification and report that the Permittee submitted to comply with 40 CFR Part 63 Subpart ZZZZ, including all documentation supporting any Initial Notification or Notification of Compliance Status that the Permittee submitted, according to the requirement in 40 CFR §63.10(b)(2)(xiv). [40 CFR §63.6655(a)(1)]
    - (B) Records of the occurrence and duration of each malfunction of operation (i.e., process equipment) or the air pollution control and monitoring equipment. [40 CFR §63.6655(a)(2)]
    - (C) Records of actions taken during periods of malfunction to minimize emissions in accordance with 40 CFR §63.6605(b), including corrective actions to restore malfunctioning process and air pollution control and monitoring equipment to its normal or usual manner of operation. [40 CFR §63.6655(a)(5)]
    - (D) Records of the maintenance conducted on the stationary RICE in order to demonstrate that the Permittee operated and maintained the stationary RICE and after-treatment control device (if any) according to their own maintenance plan. [40 CFR §63.6655(e)]
- d. *Reporting Requirements*
- i. 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. [RCSA §22a-174-33(j)(1)(X)]
  - ii. If an emergency engine is operating during an emergency and it is not possible to shut down the engine in order to perform the work practice requirements on the schedule required in 40 CFR Part 63 Subpart ZZZZ, Table 2c, or if performing the work practice on the required schedule would otherwise pose an unacceptable risk under federal, state, or local law, the work practice can be delayed until the emergency is over or the unacceptable risk under federal, state, or local law has abated. The work practice should be performed as soon as practicable after the emergency has ended or the unacceptable risk under federal, state, or local law has abated. Sources shall report any failure to perform the work practice on the schedule required and the federal, state or local law under which the risk was deemed unacceptable. [40 CFR §63.6640(a) & 40 CFR Part 63 Subpart ZZZZ, Table 2c, Footnote No. 1]

## Section III: Applicable Requirements and Compliance Demonstration

### C. PREMISES-WIDE GENERAL REQUIREMENTS

1. **Annual Emission Statements:** The Permittee shall submit annual emission statements requested by the commissioner as set forth in RCSA §22a-174-4(d)(1).
2. **Emergency Episode Procedures:** The Permittee shall comply with the procedures for emergency episodes as set forth in RCSA §22a-174-6.
3. **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.
4. **Prohibition of Air Pollution:** The Permittee shall comply with the requirement to prevent air pollution as set forth in RCSA §22a-174-9.
5. **Public Availability of Information:** The public availability of information shall apply, as set forth in RCSA §22a-174-10.
6. **Prohibition Against Concealment/Circumvention:** The Permittee shall comply with the prohibition against concealment or circumvention as set forth in RCSA §22a-174-11.
7. **Violations and Enforcement:** The Permittee shall not violate or cause the violation of any applicable regulation as set forth in RCSA §22a-174-12.
8. **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.
9. **No Defense to Nuisance Claim:** The Permittee shall comply with the regulations as set forth in RCSA §22a-174-14.
10. **Severability:** The Permittee shall comply with the severability requirements as set forth in RCSA §22a-174-15.
11. **Responsibility to Comply:** The Permittee shall be responsible to comply with the applicable regulations as set forth in RCSA §22a-174-16.
12. **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.)
13. **Sulfur Compound Emissions:** The Permittee shall comply with the requirements for control of sulfur compound emissions as set forth in RCSA §§22a-174-19, 22a-174-19a and 22a-174-19b, as applicable.
14. **Organic Compound Emissions:** The Permittee shall comply with the requirements for control of organic compound emissions as set forth in RCSA §22a-174-20.
15. **Nitrogen Oxide Emissions:** The Permittee shall comply with the requirements for control of nitrogen oxide emissions as set forth in RCSA §22a-174-22.

### **Section III: Applicable Requirements and Compliance Demonstration**

- 16. 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).
- 17. Emission Fees:** The Permittee shall pay an emission fee as set forth in RCSA §22a-174-26(d).

**Section IV: Compliance Schedule**

**THERE IS NO COMPLIANCE SCHEDULE**

<b>TABLE IV: COMPLIANCE SCHEDULE</b>				
<b>Emissions Unit</b>	<b>Applicable Regulations</b>	<b>Steps Required for Achieving Compliance (Milestones)</b>	<b>Date by which Each Step is to be Completed</b>	<b>Dates for Monitoring, Record Keeping, and Reporting</b>

## **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.

### **SECTION V: 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.** Additional Emissions Units
  - 1. The Permittee shall make and submit a written record, at the commissioner's request, within 30 days of receipt of notice from the commissioner, or by such other date specified by the commissioner, of each additional emissions unit or group of similar or identical emissions units at the premises.
  - 2. Such record of additional emissions units shall include each emissions unit, or group of emissions units, at the premises which is not listed in Section II.A of this Title V permit, unless the emissions unit, or group of emissions units, is:
    - a. an insignificant emissions unit as defined in RCSA §22a-174-33; or
    - b. an emissions unit or activity listed in *White Paper for Streamlined Development of Part 70 Permit Applications, Attachment A* (EPA guidance memorandum dated July 10, 1995).
  - 3. For each emissions unit, or group of emissions units, on such record, the record shall include, as available:
    - a. Description, including make and model;
    - b. Year of construction/installation or if a group, range of years of construction/installation;
    - c. Maximum throughput or capacity; and
    - d. Fuel type, if applicable.
- D.** 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.
- E.** 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.

## **Section V: State Enforceable Terms and Conditions**

- F.** Hazardous Air Pollutants (HAPs): The Permittee shall operate in compliance with the regulations for the control of HAPs as set forth in RCSA §22a-174-29.
- G.** Open Burning: The Permittee is prohibited from conducting open burning, except as may be allowed by CGS §22a-174(f).
- H.** Fuel Sulfur Content
  - 1. For the period beginning July 1, 2014 and ending June 30, 2018, the Permittee shall not use No. 2 heating oil that exceeds five hundred parts per million of sulfur by weight as set forth in CGS §16a-21a(a)(2)(A); and
  - 2. On or after July 1, 2018, the Permittee shall not use No. 2 heating oil that exceeds fifteen parts per million of sulfur by weight as set forth in CGS §16a-21a(a)(2)(B) .



## **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.

### **SECTION VI: TITLE V REQUIREMENTS**

#### **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: U.S. EPA New England, 5 Post Office Square, Suite 100 (OES04-2), Boston, Massachusetts 02109, Attn: Air Clerk.

#### **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 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:

## **Section VI: Title V Requirements**

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 to 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.

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### **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.

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### 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.

## Section VI: Title V Requirements

### **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.

## **Section VI: Title V Requirements**

### **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 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.

## **Section VI: Title V Requirements**

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).

### **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.