**United States Environmental Protection Agency**
**Region 2, Air Programs Branch**
**290 Broadway, 25 Floor**
**New York, NY 10007**

**Draft Renewal Permit**

# AIR POLLUTION CONTROL
# TITLE V PERMIT TO OPERATE

Permit Number: ONEIDA003
Replaces Permit No.: ONEIDA002

Renewal Date:

Expiration Date:

In accordance with the provisions of title V of the Clean Air Act and 40 CFR Part 71 and applicable rules and regulations,

**Turning Stone Casino Resort**
**5218 Patrick Road**
**Verona, New York 13478**

is authorized to operate air emission units and to conduct other air pollutant emitting activities in accordance with the permit conditions listed in this permit.

This source is authorized to operate in the following location:

**5218 Patrick Road**
**Verona, New York 13478**

If any term is not defined in this permit, then it will have the meaning stated in the referenced regulations. All terms and conditions of the permit are enforceable under the Clean Air Act by EPA and citizens. Please reference the permit number cited above in future correspondence regarding this facility.

_____

Peter Lopez

Date

Regional Administrator

# Turning Stone Casino Resort
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## Abbreviations and Acronyms

| | |
|---|---|
| CAA | Clean Air Act [42 U.S.C. section 7401 et seq.] |
| CAM | Compliance Assurance Monitoring |
| CEM | Continuous Emission Monitoring |
| CFR | Code of Federal Regulations |
| COM | Continuous Opacity Monitoring |
| EIP | Economic Incentives Programs |
| EPA | Environmental Protection Agency |
| gal | gallon |
| HAP | Hazardous Air Pollutant |
| hr | hour |
| Id. No. | Identification Number |
| kg | kilogram |
| lb | pound |
| MACT | Maximum Achievable Control Technology |
| MVAC | Motor Vehicle Air Conditioner |
| Mg | megagram |
| MMBtu | Million British Thermal Units |
| mo | month |
| NESHAP | National Emission Standards for Hazardous Air Pollutants |
| NOx | Nitrogen Oxides |
| NSPS | New Source Performance Standard |
| NSR | New Source Review |
| PM | Particulate Matter |
| PM10 | Particulate matter less than 10 microns in diameter |
| ppm | parts per million |
| PSD | Prevention of Significant Deterioration |
| PTE | Potential to Emit |
| psia | pounds per square inch absolute |
| RMP | Risk Management Plan |
| SNAP | Significant New Alternatives Program |
| $SO_2$ | Sulfur Dioxide |
| tpy | tons per year |
| VOC | Volatile Organic Compounds |

## I. Source Identification and Unit-Specific Information

### A. General Source Information

Plant Name: **Turning Stone Casino Resort**

Plant Mailing Address: 5218 Patrick Road

City: Verona

State: New York

Zip: 13478

Region: EPA Region 2 County: Oneida

Reservation: Oneida Indian Nation

Owner: Oneida Indian Nation

Address: 5218 Patrick Road

City: Verona

State: NY

Zip: 13478

Company Contact: Michael J. Massena Phone: 315-829-8351

Plant Manager/Contact: Michael J. Massena Phone: 315-829-8351

Responsible Official: Michael J. Massena Phone: 315-829-8351

SIC Code (4 digits, if available): 7011

AFS Plant Identification Number: New

Other Clean Air Act Permits: N/A

Description of Process: This facility is a casino resort. It operates a central utility plant, heat/hot water boilers and backup diesel generators. These units use natural gas and distillate no. 2 fuel oil.

### B. Source Emission Units

## Table 1. Source Emission Units

The following table identifies and describes each emissions unit and identifies any control device later referenced in this permit.

| Emission Unit ID | Equipment ID | Stack ID | Description | Control Device |
|---|---|---|---|---|
| ES 001 | GT 001 | S 001 or S 002 | Natural Gas fired Gas Turbine Generator with HRSG- Solar/Taurus 60-7800S | Lean Pre-mix Low NOx |
| ES 002 | BL 001 | S 003 | Natural Gas fired Boiler- Cleaver Brooks CEW-LN 200-800-200 | Low NOx FGR |
| ES 003 | BL 002 | S 004 | Natural Gas/No. 2 Oil fired Boiler- Cleaver Brooks CEW-LN 200-800-200 | Low NOx FGR |
| ES 004 | BL 003 | S 005 | Natural Gas fired boiler- Cleaver Brooks CB1 700-500-125 | None |
| ES 004 | BL 004 | S 006 | Natural Gas fired boiler- Cleaver Brooks CB1 700-500-125 | None |
| ES 005 | GL 001 | S 007 | Backup Diesel Generator (>600 HP)- Cummins 1500 DFLE | None |
| **ES 005** | **GL 003** | **S 009** | **Backup Diesel Generator (>600 HP)- Caterpillar 3412C** | **None** |
| ES 005 | GL 004 | S 010 | Backup Diesel Generator (>600 HP)- Detroit Diesel 1500 DSEB | None |
| ES 005 | GL 005 | S 014 | Emergency Diesel Generator- >600 HP- Cummins 500 DFEK | None |
| **Emission Unit ID** | **Equipment ID** | **Stack ID** | **Description** | **Control Device** |

| | | | | |
|---|---|---|---|---|
| ES 005 | GL 006 | S015 | Emergency Spark Ignition Natural Gas Generator- (>600 HP) Cummins 450 GFGA | None |
| ES 006 | GS 001 | S 011 | Backup Diesel Generator (<600 HP)- Elliot Magnetek 300RD | None |
| ES 006 | GS 002 | S 012 | Backup Diesel Generator (<600 HP)- Detroit Diesel 350 DSE | None |
| ES 006 | GS 003 | S 013 | Backup Diesel Generator (<600 HP)- Onan 175 DGFB | None |
| ES 006 | GS 004 | S 016 | Emergency Diesel Generator (<600 HP)- Kohler 300 REOZV | None |

## C. Federal Air Quality Requirements

There are no air quality monitoring or modeling requirements that specifically apply to this source except for the monitoring requirements specified in 40 CFR part 60, subparts GG and Dc.

## II. Requirements for Specific Emission Units

A. ES 001/GT 001/S 001 or S 002-
Natural Gas fired Gas Turbine Generator with HRSG- Solar/Taurus 60-7800S

a. This unit shall fire only Natural Gas as fuel and the maximum heat input rate shall not exceed 70 MMBtu/hr. [40 §71.6(a)(1)].
b. The nitrogen oxide emissions potential to emit shall be limited to 26.30 tons per year to cap out of any major New Source Review requirements [40 CFR part 51, Appendix S].
c. Emission Standards [40 CFR § 71.6(a)(1)]- On and after the date on which the performance test is conducted, NOx emissions shall not exceed 6.00 lbs/hr [40 CFR part 51, App S and 40 CFR § 60.332(a)(2)].
d. Testing [40 CFR § 71.6(a)(3)(i)(A)]
    i) The permittee shall comply with the initial performance test requirements of 40 CFR § 60.8(a)-(f) for measuring nitrogen oxide emissions from this combustion turbine within 60 days after achieving the maximum production rate, but no later than 180 days after the initial start-up of the turbine. A site specific NOx emission factor in

lbs/MMBtu shall be developed from the test data and its record shall be kept on site.

ii) The permittee shall comply with the test methods and procedures of 40 CFR § 60.335 (a), (b) and (c) when conducting the initial performance test for nitrogen oxide for this turbine.

e. Monitoring [40 CFR §71.6(a)(3)]

i) The permittee shall not claim any allowance for fuel bound nitrogen to determine nitrogen oxide emission limits. Therefore, monitoring of fuel nitrogen content is not required. [40 CFR § 60.334(h)(2)].

ii) The permittee shall comply with the fuel sulfur monitoring requirement by demonstrating that the fuel meets the definition of natural gas in 40 CFR §60.331(u) by maintaining documentation of the gas quality characteristics in a current, valid purchase contract, tariff sheet, or transportation contract, that specifies the maximum sulfur content of the fuel is 20.0 grains/100scf or less [40 CFR §60.334(h)(3)].

iii) The permittee shall continuously monitor the manufacturer specified parameters which assure whether the unit is operating in the lean pre-mixed combustion mode. An alarm and/or an indicator shall alert the permittee when the unit operates out of the lean pre-mixed combustion mode. The time period for which the units is not operating in the lean pre-mixed combustion mode, other than startup, shutdown or malfunction, shall be recorded. Any rolling four hour period for which the units is not operating in the lean pre-mixed combustion mode shall be reported in the semi-annual reports required by this section as a deviation. [40 CFR §60.334(f)(2)].

f. The permittee shall verify compliance with NOx emission limit in the lean pre-mixed combustion mode by conducting a performance test every five years following test methods and procedures in 40 CFR §60.335.

g. After completion of the performance test, the permittee shall monitor and record the fuel use on an hourly basis. This fuel use data along with the site specific emission factor developed from the performance test results shall be used to demonstrate compliance with the NOx pounds per hour emission limit. All related data shall be recorded and kept on site for five years.

h. Recordkeeping [40 CFR §71.6(a)(3)]- see section III, below.

i. Reporting [40 CFR §71.6(a)(3)]- see section III, below.

B. ES 002/BL 001/S 003-
Natural Gas fired Boiler- Cleaver Brooks CEW-LN 200-800-200

ES 004/BL 003/S 005-
Natural Gas fired boiler- Cleaver Brooks CB1 700-500-125

ES 004/BL 004/S 006-
Natural Gas fired boiler- Cleaver Brooks CB1 700-500-125

a. These units shall fire only natural gas as fuel and the maximum heat input rate shall not exceed 33.5 MMBtu/hr, 20.4 MMBtu/hr and 20.4 MMBtu/hr respectively. [40 CFR § 71.6(a)(1)].
b. Recordkeeping [40 CFR §71.6(a)]- The permittee shall record and maintain the records of the amount of each fuel combusted during each day. [40 CFR §60.48c(g)]. See also section III, below.
c. Reporting [40 CFR §71.6(a)(3)]- see section III, below.

C. ES 003/BL 002/S 004-
Cleaver Brooks CEW-LN 200-800-200

a. This unit shall fire natural gas or no. 2 distillate oil. The maximum heat input rate shall not exceed 33.5 MM Btu/hr. [40 CFR §71.6(a)(1)].
b. Emission Standards [40 CFR §71.6(a)(1)]: On and after the date on which the performance test is conducted,
    i) Opacity of the exhaust gases discharged to the atmosphere shall not exceed 20% (6 minute average), except for one 6 minute period per hour of not more than 27% opacity. [40 CFR §60.43c(c)].
    ii) Fuel sulfur content shall not exceed 0.5% by weight. [40 CFR §60.42c (d)].
c. Monitoring [40 CFR §71.6(a)(3)]
    i) The permittee shall provide for an independent certified opacity reader to perform opacity reading within 60 days of firing fuel oil in this unit as an initial test. The opacity shall be measured using Method 9 in Appendix A, 40 CFR § part 60 during an initial test. Subsequently, the permittee shall perform daily visual observation of the opacity when oil is used as a fuel. If visible emissions are observed, the permittee shall take immediate corrective action to minimize visible emissions. [40 CFR §71.6(a)(3)(B)].
    ii) The permittee shall use fuel supplier certification to demonstrate compliance with the fuel sulfur requirement when firing fuel oil. The certification shall meet the requirements in 40 CFR §60.48c (e)(11) and 60.48c(f)(1).
d. Recordkeeping [40 CFR §71.6(a)(3)]- see also section III, below.

i) The permittee shall record and maintain the records of the amount of each fuel combusted during each day. [40 CFR §60.48c (g)].

ii) The fuel oil supplier's certifications and associated record pursuant to 40 CFR § 60.48c (e)(11) and (f)(1).

e. Reporting [40 CFR §71.6(a)(3)]- see section III, below.

D. ES 005/GL 001/S007
Backup Diesel Generator (>600 HP)- Cummins 1500 DFLE
Max Heat Input Rate- 14.71 MMBtu/hr

ES 005/GL 003/S 009
Backup Diesel Generator (>600 HP)- Caterpillar 3412C
Max Heat Input Rate- 6.96 MMBtu/hr

ES 005/GL 004/S 010
Backup Diesel Generator (>600 HP)- Detroit Diesel 1500 DSEB
Max Heat Input Rate- 14.61 MMBtu/hr

ES 006/GS 001/S 011
Backup Diesel Generator (<600 HP)- Elliot Magnetek 300RD
Max Heat Input Rate- 2.93 MMBtu/hr

ES 006/GS 002/S 012
Backup Diesel Generator (<600 HP)- Detroit Diesel 350 DSE
Max Heat Input Rate- 3.62 MMBtu/hr

ES 006/GS 003/S 013
Backup Diesel Generator (<600 HP)- Onan 175 DGFB
Max Heat Input Rate- 1.87 MMBtu/hr

<u>General Requirements for all the Diesel Generators:</u>

a. All backup diesel generators shall fire no. 2 distillate fuel oil with a maximum of 0.5% sulfur content. All are Compression Ignition Reciprocating Internal Combustion Engines (RICE). Each generator, except Caterpillar 3412C, is **limited** to operate no more than 1,000 hours per year. Caterpillar is limited to operate at 900 hours per year. [40 CFR §71.6(a)(1)].

b. Recordkeeping [40 CFR §71.6(a)(3)]- see also section III, below.

i. The permittee shall monitor and record the number of hours each generator is operated. A generator's emissions shall be calculated using number of actual hours of operation, maximum heat input rate, fuel heat content value at 142,000 Btu/gallon and appropriate emission factors.

ii. The permittee shall use fuel supplier certification to demonstrate compliance with the fuel sulfur requirement.

c. Reporting [40 CFR §71.6(a)(3)]- see section III, below.

National Emission Standards for Hazardous Air Pollutants Requirements

All generators shall comply with 40 CFR § PART 63- Subpart ZZZZ- National Emission Standards for Hazardous Air Pollutants.

ES 006/GS 003/S 013 (<300 HP) – Onan 175 DGFB Generator

a. This Compression Ignition reciprocating internal combustion engine was constructed prior to June 12, 2006. It shall comply with the existing source requirements of this rule. (40 CFR § 63.6580, 63.6585(a), (c) and (d), 63.6590(a)(1)(iii) and (iv)).
b. This unit must comply with the applicable requirements of this rule at all times. The unit must at all times be operated in a manner consistent with safety and good air pollution control practices for minimizing emissions. (40 CFR §63.6605).
c. This unit shall be in compliance with all applicable requirements by May 3, 2013. (40 CFR §63.6595(a)(1) and (b)).
d. This unit shall comply with the following operation, maintenance and monitoring requirements- i) change oil and filter every 1,000 hours of operation or annually, whichever comes first; ii) inspect air cleaner every 1,000 hours of operation or annually, whichever comes first; iii) inspect all hoses and belts every 500 hours of operation or annually, whichever comes first, and replace parts as necessary; iv) minimize the engine's time spent at idle during periods of startup, and minimize the engine's startup time to a period needed for appropriate and safe loading of the engine, not to exceed 30 minutes, and v) this unit must be operated and maintained according to manufacturer's emission-related operation and maintenance instructions. The source has the option to utilize an oil analyses program as described in 40 CFR § 63.6625(i) in order to extend the oil change requirement. (40 CFR §63.6603(a), 63.6625(e)(4), (h) and (i), 63.6640(a), Table 2d and Table 6).
e. This unit has no notification and reporting requirement. All records of each malfunction, corrective actions, and maintenance shall be maintained on site for five years. (40 CFR §63.6645(a)(5), 63.6655(a)(2)and (5), (d) and (e)(3), 63.6660).

ES 006/GS 001/S 011 (457 HP) Elliot Magnetek 300 RD Generator

a. This Compression Ignition reciprocating internal combustion engine was constructed prior to June 12, 2006. It shall comply with the existing source requirements of this rule. (40 CFR §63.6580, 63.6585 (a), (c) and (d), 63.6590(a)(1)(iii) and (iv)).
b. This unit must comply with the applicable requirements of this rule at all times. The unit must at all times be operated in a manner consistent with safety and good air pollution control practices for minimizing emissions. (40 CFR §63.6605).
c. This unit shall be in compliance with all applicable requirements by May 3, 2013. (40 CFR §63.6595(a)(1) and (b)).

d. This unit shall limit the concentration of carbon monoxide (CO) in the engine exhaust to 49 ppmvd at 15% oxygen, or reduce the engine's CO emissions by 70% or more. (40 CFR §63.6603(a) and Tables 2d, 4 and 5).
e. If this unit has a displacement of less than 30 liters per cylinder, it shall comply with the non-road diesel requirements of 40 CFR §80.510(b), which requires a maximum sulfur content of 15 ppm and a minimum cetane index of 40 or aromatic content of 35% volume. (40 CFR §63.6604).
f. An initial performance test shall be conducted on this unit within 180 days after May 3, 2013. (40 CFR § 63.6612, 63.6620, and 63.6630).
g. If this unit is not equipped with a closed crankcase ventilation system: Install a closed ventilation system that prevents crankcase emissions from being emitted to the atmosphere, or install an open crankcase filtration emission control system that reduces emissions from the crankcase by filtering the exhaust stream to remove oil mist, particulates and metals. (40 CFR §63.6625(g)).
h. This unit must be operated and maintained according to the manufacturer's instructions. During periods of engine startup, emissions must be limited by minimizing the engine's time spent at idle, and minimizing the engine's startup time 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 §6625(h) and Table 2d).
i. An initial notification must be submitted by August 31, 2010. A Notice of Intent to conduct a performance test must be submitted 60 days prior to the performance test date. A Notification of Compliance Status must be submitted within 60 days of the performance test. (40 CFR §63.6645(a), (g) and (h)).
j. All routine compliance and deviation reports shall be submitted according to this title V permit, see Section III.B below. (40 CFR §63.6650 and Table 7).
k. All records showing that the required management practices are being met, other emission related repairs and maintenance is performed, and records of manufacturer's procedures and follow-ups must be kept on site for five years. (40 CFR §63.6655 and 63.6660).

ES 005/GL 001/S 007- Cummins 1500 DFLE, ES 005/GL 002/S 008-Detroit Diesel 500 DS, ES 005/GL 003/S 009- Caterpillar 3412C, ES 005/GL 004/S 010- Detroit Diesel 1500 DSEB and ES 006/GS 002/S 012- Detroit Diesel 350 DSE

a. These Compression Ignition reciprocating internal combustion engines were constructed prior to June 12, 2006. They shall comply with the existing source requirements of this rule. (40 CFR § 63.6580, 63.6585(a), (c) and (d), 63.6590(a)(1)(iii) and (iv)).
b. These units must comply with the applicable requirements of this rule at all times. The units must at all times be operated in a manner consistent with safety and good air pollution control practices for minimizing emissions. (40 CFR §63.6605).

c. These units shall be in compliance with all applicable requirements by May 3, 2013. (40 CFR §63.6595(a)(1) and (b)).
d. Each unit shall limit the concentration of CO in the engine exhaust to 23 ppmvd at 15% oxygen or reduce the engine's CO emissions by 70% or more. (40 CFR §63.6603(a) and Tables 2d, 4 and 5).
e. If any of these units have a displacement of less than 30 liters per cylinder, they shall comply with the non-road diesel requirements of 40 CFR §80.510(b), which requires a maximum sulfur content of 15 ppm and a minimum cetane index of 40 or aromatic content of 35% volume. (40 CFR §63.6604).
f. An initial performance test shall be conducted on each unit within 180 days after May 3, 2013. A subsequent performance test shall be conducted on each unit every 8,760 hours of operation or every 3 years, whichever comes first. (40 CFR §63.6612, 63.6615, 63.6620, 63.6630 and Table 3).
g. If a unit is not equipped with a closed crankcase ventilation system: Install a closed ventilation system that prevents crankcase emissions from being emitted to the atmosphere, or install an open crankcase filtration emission control system that reduces emissions from the crankcase by filtering the exhaust stream to remove oil mist, particulates and metals. (40 CFR §63.6625(g)).
h. Each unit shall demonstrate continuous compliance with the CO emission limit pursuant to 40 CFR §63.6635, 63.6640 and Table 6. Each unit must undergo a performance test for CO every 8,760 hours or 3 years, whichever comes first, to demonstrate that the required CO percent reduction is achieved, or that the unit's CO emissions are below the concentration limit. (Table 6, item #10).
i. Each unit must be operated and maintained according to the manufacturer's instructions. During periods of engine startup, emissions must be limited by minimizing the engine's time spent at idle during startup, and minimizing the engine's startup time 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 §6625(h) and Table 2d).
j. An initial notification must be submitted by August 31, 2010. A Notice of Intent to conduct a performance test must be submitted 60 days prior to the performance test date. A Notification of Compliance Status must be submitted within 60 days of the performance test. (40 CFR §63.6645(a), (g) and (h)).
k. All routine compliance and deviation reports shall be submitted according to this title V permit, see Section III, below. (40 CFR §63.6650 and Table 7). All records showing that the required management practices are being met, other emission related repairs and maintenance is performed, records of Continuous Emission Monitors or Continuous Parameter Monitoring Systems and records of manufacturer's procedures and follow-ups must be kept on site for five years. (40 CFR §63.6655 and 63.6660).

<u>Modified/Additional Conditions for Emergency Generators- October, 2014</u>

A. ES 005-GL 005-S014
Emergency Diesel Generator (>500 HP) - Cummins DFEK
Heat Input Rate- 4.93 MMBtu/hr

ES 006- GL 004-S016
Emergency Diesel Generator (>500 HP) - Kohler 300REOZV
Maximum Heat Input Rate- 3.07 MMbtu.hr

a. All emergency diesel generators shall fire no. 2 distillate fuel oil with a maximum of 15 ppm sulfur content. All are Compression Ignition Reciprocating Internal Combustion Engines (RICE).
b. TSCR shall install, operate, and maintain a stationary compression ignition (CI) internal combustion engine(s) (ICE)/emergency diesel generator(s) (emergency generator) that is certified by the manufacturer to be meeting the requirements of 40 CFR part 60, Subpart IIII [40 CFR 60.4205(b)].
c. The emergency generator must comply with: (1) the certification emissions standards in 40 CFR 89.112 for the same model year and maximum engine power as follows: NMHC + $NO_x$ less than or equal to 4.0 g/kW-hr, CO less than or equal to 3.5 g/kW-hr, and PM less than or equal to 0.2 g/kW-hr; and (2) The certification smoke standards in 40 CFR 89.113. [40 CFR 60. 4205(b)].
d. The permittee must operate and maintain the emergency generator to achieve the emissions standards specified at 40 CFR 60.4205(b) and (c) over the entire life of the engines. [40 CFR 60.4206].
e. The sulfur content of diesel fuel burned in the emergency generator shall not exceed 15 ppm (0.0015 % by weight), and either a minimum cetane index of 40 or a maximum aromatic content of 35 volume percent, as required by 40 CFR 80.510 (b). [40 CFR 60.4207(b)]
f. The emergency generator must be operated in accordance with the requirements of 40 CFR 60.4211 (f) (1) through (3). Otherwise, the emergency generator will not be considered emergency engines under 40 CFR 60 Subpart IIII and must meet all requirements for non-emergency engines. [40 CFR 60. 4211(f)]
g. Any operation of the emergency generator, other than emergency operation, maintenance, and testing, emergency demand response, and operation in non-emergency situations for 50 hours per year, as described at 40 CFR 60. 4211 (f) (1) through (3), is prohibited. [40 CFR 60. 4211(f)]
h. There is no time limit on the use of emergency generator in emergency situations unless otherwise prohibited by other permit conditions. [40 CFR 60.4211 (f) (1)]
i. The emergency generator may be operated for any combination of the purposes specified at 40 CFR 60. 4211(f) (2) (i) through (iii) for a maximum of 100 hours per calendar year. Any operation for non-emergency situations as allowed by 40 CFR 60.4211 (f) (3) counts as part of the 100 hours per calendar year. [40 CFR 60. 4211(f) (2)]

j. The emergency generator may be operated for the purposes of maintenance checks and readiness testing, provided that the test are recommended by Federal, State, or local government, the manufacturer, vendor, or the insurance company associated with the engine. Maintenance checks and readiness testing of the emergency generator is limited to 100 hours per year, each. The permittee may petition the Administrator for approval of additional hours to be used for maintenance checks and readiness testing, but a petition is not required if the permittee maintains records indicating that Federal, State, or local standards require maintenance and testing of the emergency generator beyond 100 hours per year. [40 CFR 60.4211(f) (2) (i)]. The emergency generator may operate for emergency demand response in accordance with the requirements specified at 40 CFR 60. 4211(f) (2) (ii). Any hours operated under this provision shall be counted towards the 100 hours/year provided for maintenance and testing. [40 CFR 60. 4211(f) (2) (ii)].

k. The emergency generator may be operated for periods where there is a deviation of voltage or frequency of 5 percent or greater below standard voltage or frequency. Any hours operated under this provision shall be counted towards the 100 hours/year provided for maintenance and testing. [40 CFR 60.4211(f) (2) (iii)]

l. The emergency generator may operate up to 50 hours/year in non-emergency situations, each, but those 50 hours are counted toward the 100 hours/year provided for maintenance and testing. The 50 hours/year for non-emergency situations cannot be used for peak shaving or to generate income for a facility to supply power to an electric grid or otherwise supply non-emergency power as part of a financial arrangement with another entity. [40 CFR 60.4211(f) (3)]

m. The emergency generator must meet all of the following criteria:

n. The stationary ICE may be operated without any hourly restrictions to provide electrical power or mechanical work during an emergency situation. Examples include stationary ICE used to produce power for critical networks or equipment (including power supplied to portions of a facility) when electric power from the local utility (or the normal power source, if the facility runs on its own power production) is interrupted, or stationary ICE used to pump water in the case of fire or flood, etc. [40 CFR 60.4219]

o. The stationary ICE is operated under limited circumstances for situations not included in paragraph (1) of this definition, as specified in §60.4211(f).

p. The stationary ICE operates as part of a financial arrangement with another entity in situations not included in paragraph (1) of this definition only as allowed in 40 CFR 60.4211(f)(2)(ii) or (iii) and 40 CFR 60.4211(f)(3)(i). [40 CFR 60.4219]

q. The permittee must: (1) operate and maintain the emergency generator according to the manufacturer's emission–related written instructions; (2) change only those emission-related setting settings that are permitted by the manufacturer; and (3) meet the requirements of 40 CFR part 89, 94 and /or 1068, as applicable.[40 CFR 60.4211(a)]

r. The permittee must demonstrate compliance with the emergency generator's emissions standards specified at 40 CFR 60.4205(b) by purchasing an engine certified to the emissions standards in 40 CFR 60.4205(b), for the same model year and maximum engine power. The engine must be installed and configured according to the manufacturer's emission-related specifications. [40 CFR 60.4211(c)]
s. Since the engine ( i.e., emergency generator) is an emergency stationary ICE, the Permittee is not required to submit an initial notification.[40 CFR 60.4214(b)]
t. The permittee shall comply with the applicable provisions of 40 CFR 60 Subpart A" General Provisions", as required by table 8 of 40 CFR 60 Subpart IIII.[40 CFR 60. 4218]
u. The permittee must install non-resettable hour meters prior to the startup of the emergency generator. [40 CFR 60.4209(a)]
v. The permittee shall obtain and maintain a fuel supplier certification for each shipment of diesel fuel oil, certifying that the sulfur content does not exceed 15 ppm and has either a minimum cetane index of 40 or a maximum aromatic content of 35% by volume [40 CFR 60.4207(b)].
w. During periods of operation for maintenance, testing, and readiness testing, the permittee shall monitor the operational characteristics of the engine (i.e., emergency generator) as recommended by the manufacturer [40 CFR 71.6(3)]
x. The permittee shall maintain monthly records of emergency and non-emergency operation for the emergency generator. Records shall include the number of hours or emergency operation, the date and number of hours of testing, maintenance, and readiness testing operations, the purpose of operation and records of operational characteristic monitoring [40 CFR 71.6(3)].
y. The permittee shall keep monthly records of fuel type and usage [40 CFR 71.6(3)]

National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines

The emergency generator is a new affected sources as defined under 40 CFR 63 Subpart ZZZZ, and the facility is an area source of HAPs emissions as defined at 40 CFR 63.2. The permittee shall meet the requirements at 40 CFR 63 Subpart ZZZZ by meeting the requirements of 40 CFR 60 Subpart IIII. No further requirements of 40 CFR 63 Subpart ZZZZ applies to the emergency generator [40 CFR 63.6350(c)]

General Provisions- New Source Performance Standards

As specified at 40 CFR 60. 4218, the permittee shall comply with certain sections of 40 CFR 60 Subpart A, "General Provisions"- These sections shall include, but not be limited to, the following:

a. All requests, reports, applications, submittals, and other communications to the Administrator pursuant to Part 60 shall be submitted in duplicate to the Regional Office of U.S. Environmental Protection Agency. Submit information to Director, Division of Enforcement & Compliance Assistance, U.S. EPA, Region 2, 290 Broadway, New York, NY 10007-1866.[40 CFR 60.4(a)]
b. No owner or operator subject to NSPS standards in Part 60, shall build, erect, install, or use any article, machine, equipment, or process, the use of which conceals an emission, which would otherwise constitute a violation of an applicable standard. Such concealment includes, but is not limited to, the use of gaseous diluents to achieve compliance with an opacity standard or with a standard, which is based on the concentration of a pollutant in the gases discharged to the atmosphere. [40 CFR 60.12]
c. The owner or operator shall notify the Administrator of the proposed replacement of components if the cost to replace components, and the fixed capital cost of the new components exceeds 50 percent of the fixed capital cost that would be required to construct a comparable entirely new facility is commenced. [40 CFR 60.15]
d. Changes in time periods for submittal of information and postmark deadlines set forth in this subpart, may be made only upon approval by the Administrator and shall follow procedures outlined in 40 CFR Part 60.19. [40 CFR 60.19]

B. ES 005- GL 006- S015
Emergency Natural Gas Spark Ignition Generator (>500 HP)
Maximum Heat Input Rate- 5.89 MMBtu/hr- Cummins 450GFGA

a. This emergency generator shall fire natural gas as fuel. It is a spark ignition Reciprocating Internal Combustion Engines (RICE).
b. The permittee shall install, operate, and maintain a stationary spark ignition (SI) internal combustion engine(s) (ICE)/emergency generator that is certified by the manufacturer to be meeting the requirements of 40 CFR part 60, Subpart JJJJ [40 CFR 60.4243(a)]
c. The emergency generator must comply with the certification emissions standards for the same model year and maximum engine power as follows: $NO_x$ less than or equal to 2.0 g/kW-hr, CO less than or equal to 1 g/kW-hr, and VOC less than or equal to 1 g/kW-hr. [40 CFR 60.4233(e), Table 1]
d. The permittee as an operator of stationary SI ICE must operate and maintain stationary spark ignition internal combustion engine that achieve the emission standards as required in §60.4233 over the entire life of the engine. [40 CFR 60.4234]
e. Fuel Requirements- The permittee shall use natural gas as fuel in this engine. [40 CFR 60.4235]

f. The emergency generator must be operated in accordance with the requirements of 40 CFR 60.4243 (d) (1) through (3). Otherwise, the emergency generator will not be considered emergency engines under 40 CFR 60 Subpart JJJJ and must meet all requirements for non-emergency engines. [40 CFR 60. 4243(d)]
g. Any operation of the emergency generator, other than emergency operation, maintenance, and testing, emergency demand response, and operation in non-emergency situations for 50 hours per year, as described at 40 CFR 60. 4243 (d) (1) through (3), is prohibited. [40 CFR 60. 4243(d)]
h. There is no time limit on the use of emergency generator in emergency situations unless otherwise prohibited by other permit conditions. [40 CFR 60.4243 (d) (1)].
i. The emergency generator may be operated for any combination of the purposes specified at 40 CFR 60. 4243(d) (2) (i) through (iii) for a maximum of 100 hours per calendar year. Any operation for non-emergency situations as allowed by 40 CFR 60.4243 (d) (3) counts as part of the 100 hours per calendar year. [40 CFR 60. 4243(d)].
j. The emergency generator may be operated for the purposes of maintenance checks and readiness testing, provided that the test are recommended by Federal, State, or local government, the manufacturer, vendor, or the insurance company associated with the engine. Maintenance checks and readiness testing of the emergency generator is limited to 100 hours per year, each. The permittee may petition the Administrator for approval of additional hours to be used for maintenance checks and readiness testing, but a petition is not required if the permittee maintains records indicating that Federal, State, or local standards require maintenance and testing of the emergency generator beyond 100 hours per year. [40 CFR 60.4243(d) (2) (i)]. The emergency generator may operate for emergency demand response in accordance with the requirements specified at 40 CFR 60. 4243(d) (2) (ii). Any hours operated under this provision shall be counted towards the 100 hours/year provided for maintenance and testing. [40 CFR 60. 4243(d) (2) (ii)]. The emergency generator may be operated for periods where there is a deviation of voltage or frequency of 5 percent or greater below standard voltage or frequency. Any hours operated under this provision shall be counted towards the 100 hours/year provided for maintenance and testing. [40 CFR 60.4243(d) (2) (iii)]
k. The emergency generator may operate up to 50 hours/year in non-emergency situations, each, but those 50 hours are counted toward the 100 hours/year provided for maintenance and testing. The 50 hours/year for non-emergency situations cannot be used for peak shaving or to generate income for a facility to supply power to an electric grid or otherwise supply non-emergency power as part of a financial arrangement with another entity. [40 CFR 60.4243(d) (3)]

The emergency generator must meet all of the following criteria:

l. The stationary ICE may be operated without any hourly restrictions to provide electrical power or mechanical work during an emergency situation. Examples include stationary ICE used to produce power for critical networks or equipment (including power supplied to portions of a facility) when electric power from the local utility (or the normal power source, if the facility runs on its own power production) is interrupted, or stationary ICE used to pump water in the case of fire or flood, etc. [40 CFR 60.4248]
m. The stationary ICE is operated under limited circumstances for situations not included in paragraph (1) of this definition, as specified in 40 CFR 60.4243(d).
n. The stationary ICE operates as part of a financial arrangement with another entity in situations not included in paragraph (1) of this definition only as allowed in 40 CFR 60.4243 (d)(2)(ii) or (iii) and (d)(3)(i).
o. The permittee must: (1) operate and maintain the emergency generator according to the manufacturer's emission–related written instructions; (2) change only those emission-related setting settings that are permitted by the manufacturer; and (3) meet the requirements of 40 CFR part 1068, as applicable.[40 CFR 60.4243(a)]
p. The permittee must demonstrate compliance with the emergency generator's emissions standards specified at 40 CFR 60.4233(e) by purchasing an engine certified to the emissions standards in 40 CFR 60.4233(e), for the same model year and maximum engine power. The engine must be installed and configured according to the manufacturer's emission-related specifications. [40 CFR 60.4243(b)(1)]
q. Since the engine (i.e., emergency generator) is an emergency stationary ICE, the Permittee is not require to submit an initial notification. [40 CFR 60.4245(b)]
r. The permittee shall comply with the applicable provisions of 40 CFR 60 Subpart A" General Provisions", as required by table 3 of 40 CFR 60 Subpart JJJJ.[40 CFR 60. 4246]
s. The permittee must install non-resettable hour meters prior to the startup of the emergency generator. [40 CFR 60.4237(a)]
t. The permitte of stationary SI natural gas fired engines may operate their engines using propane for a maximum of 100 hours per year as an alternative fuel solely during emergency operations, but must keep records of such use. If propane is used for more than 100 hours per year in an engine that is not certified to the emission standards when using propane, the owners and operators are required to conduct a performance test to demonstrate compliance with the emission standards of §60.4233.
u. During periods of operation for maintenance, testing, and readiness testing, the permittee shall monitor the operational characteristics of the engine (i.e., emergency generator) as recommended by the manufacturer [40 CFR 71.6(3)]
v. Hourly Operational Records and Operational Characteristics Record

w. The permittee shall maintain monthly records of emergency and non-emergency operation for the emergency generator. Records shall include the number of hours or emergency operation, the date and number of hours of testing, maintenance, and readiness testing operations, the purpose of operation and records of operational characteristic monitoring [40 CFR 71.6(3)].

Fuel Type and Usage Record

x. The permittee shall keep monthly records of fuel type and usage. [40 CFR 71.6(3)]

National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines

The emergency generator is a new affected source as defined under 40 CFR 63 Subpart ZZZZ, and the facility is an area source of HAPs emissions as defined at 40 CFR 63.2. The permittee shall meet the requirements at 40 CFR 63 Subpart ZZZZ by meeting the requirements of 40 CFR 60 Subpart JJJJ. No further requirements of 40 CFR 63 Subpart ZZZZ apply to the emergency generator [40 CFR 63.6350(c)]

General Provisions- New Source Performance Standards

a. As specified at 40 CFR 60. 4246, the permittee shall comply with certain sections of 40 CFR 60 Subpart A, "General Provisions." These sections shall include, but not be limited to, the following provisions.
b. All requests, reports, applications, submittals, and other communications to the Administrator pursuant to Part 60 shall be submitted in duplicate to the Regional Office of U.S. Environmental Protection Agency. Submit information to Director, Division of Enforcement & Compliance Assistance, U.S. EPA, Region 2, 290 Broadway, New York, NY 10007-1866.[40 CFR 60.4(a)]
c. No owner or operator subject to NSPS standards in Part 60, shall build, erect, install, or use any article, machine, equipment, or process, the use of which conceals an emission, which would otherwise constitute a violation of an applicable standard. Such concealment includes, but is not limited to, the use of gaseous diluents to achieve compliance with an opacity standard or with a standard, which is based on the concentration of a pollutant in the gases discharged to the atmosphere. [40 CFR 60.12].
d. The owner or operator shall notify the Administrator of the proposed replacement of components if the cost to replace components, and the fixed capital cost of the new components exceeds 50 percent of the fixed capital cost that would be required to construct a comparable entirely new facility is commenced. [40 CFR 60.15]

e. Changes in time periods for submittal of information and postmark deadlines set forth in this subpart, may be made only upon approval by the Administrator and shall follow procedures outlined in 40 CFR Part 60.19. [40 CFR 60.19]

## III. Insignificant Emission Units

Federal Operating Permit Program (40 CFR Part 71)
**INSIGNIFICANT EMISSIONS (IE)**

| Number of Units | Description of Activities or Emissions Units |
|---|---|
| 1 | Cleaver Brooks Boiler (3.35 MMBTU/ hr) |
| 1 | Turbopower Model 1250 -N-40 0 - ATP (1.0 MMBTU/ hr) |
| 14 | Patterson Kelley SNM200 (2.0MMBTU/hr) |
| 2 | Patterson Kelley C- 2000H/ N200 0 (2.0 MMBTU/hr) |
| 1 | Aerco Innovation 1060 (1.1 MMBTU/hr) |
| 1 | Turbopower 1000-L-400ATP (0.8 MMBTU/ hr) |
| 1 | AO Smith HW-399/420 (0.42 MMBTU/hr) |
| 2 | Raypack H 9- 23 4 2 (2.3 MMBTU/hr) |
| 2 | Lochinvar CFN 651PM (0.65 MMBTU/ hr) |
| 2 | Camus PRNW - 250 0 - 40 0 A -TP (2.5 MMBTU/hr) |
| 2 | AO Smith BTH300A (0.3 MMBTU/ hr) |
| 1 | AO Smith BTH199 (0.2 MMBTU/ hr) |
| 1 | Munchkin 399 (0.4 MMBTU/ hr) |
| 1 | Turbopower 250 0 L- 40 0 A- TP (2.0 MMBTU / hr) |
| 1 | Bradford White EF 100T250E3NA2 (0 .25 MMBTU/ hr) |

| | |
|---|---|
| 1 | Bradford White TW47557683N (0.07 MMBTU) |
| 1 | AO Smith BTH250A (0 .25 MMBTU/ hr) |

## IV. General Permit Requirements (for all units at this facility)

**Recordkeeping Requirements** [40 CFR § 71.6(a)(3)(ii)]

In addition to any recordkeeping requirements stated in this permit, the permittee shall comply with the following generally applicable recordkeeping requirements:

(1) The permittee shall keep records of any monitoring activity related information and shall include the following:

(i) The date, place, and time of sampling or measurements;

(ii) The date(s) analyses were performed;

(iii) The company or entity that performed the analyses;

(iv) The analytical techniques or methods used;

(v) The results of such analyses; and

(vi) The operating conditions as existing at the time of sampling or measurement.

(2) The permittee shall retain records of all required monitoring data and support information for a period of at least 5 years from the date of the monitoring sample, measurement, report, or application. Support information includes all calibration and maintenance records and copies of all reports required by this permit. [40 CFR § 71.6(a)(3)(ii)(B)]

**Reporting Requirements** [40 CFR §71.6(a)(3)(iii)]

a. The permittee shall submit to EPA Region 2 reports of all monitoring required under this permit every 6 months. The reports are due on April 1st and October 1st of every year during the permit term. All instances of deviations from permit requirements must be clearly identified in such reports. All required reports must be certified by a responsible official consistent with Section IV of this permit.

b. A monitoring report under this section must include the following:

(1) The company name and address.

(2) The beginning and ending dates of the reporting period.

(3) The emissions unit or related activity being monitored.

(4) The emissions limitation or standard, including operational requirements and limitations, specified in the permit for which compliance is being monitored.

(5) All instances of deviations from permit requirements, including those attributable to upset conditions as defined in the permit and including excursions or exceedances as defined under 40 CFR § part 64, and the date on which each deviation occurred.

(6) All other monitoring results, data, or analyses necessary to demonstrate compliance with this permit.

(7) The name, title, and signature of the responsible official who is certifying to the truth, accuracy, and completeness of the report.

(8) The permittee shall promptly report to EPA Region 2, by telephone or facsimile, deviations from permit conditions, including those attributable to upset conditions as defined in this permit, the probable cause of such deviations, and any corrective actions or preventive measures taken. A written notice, certified consistent with permit condition in this section, must be submitted within 10 working days of the occurrence.

(9) Prompt reports of deviations will be submitted based on the schedule listed below-For emissions of a hazardous air pollutant that continue for more than an hour in excess of permit requirements, the report must be made within 24 hours of the occurrence. For emissions of any regulated pollutant excluding the HAPs that continue for more than two hours in excess of permit requirements, the report must be made within 48 hours of the occurrence.

(10) For all other deviations from permit requirements, the report shall be submitted with the semi-annual monitoring report required in section IV. [40 CFR §71.6(a)(3)(iii)(B)]

(i) Deviation means any situation in which an emissions unit fails to meet a permit term or condition. A deviation is not always a violation. A deviation can be determined by observation or through review of data obtained from any testing, monitoring, or recordkeeping established in accordance with 40 CFR §71.6(a)(3)(i) and (a)(3)(ii). For a situation lasting more than 24 hours which constitutes a deviation, each 24 hour period is considered a separate deviation. Included in the meaning of deviation are any of the following:

(ii) A situation where emissions exceed an emission limitation or standard;

(iii) A situation where process or emissions control device parameter values indicate that an emission limitation or standard has not been met;

(iv) A situation in which observations or data collected demonstrates noncompliance with an emission limitation or standard or any work practice or operating condition required by the permit;

(v) A situation in which an exceedance or an excursion as defined in 40 CFR part 64 occurs.

**Compliance Schedule** [40 CFR §71.6(c)(3) and (4) and 71.5(c)(8)(iii)]

The facility is in compliance with all applicable requirements at the date that it submitted its application and will continue to comply with such requirements. [40 CFR §71.5(c)(8)(iii)(A)].

i. For applicable requirements that will become effective during the permit term, the source shall meet such requirements on a timely basis. [40 CFR §71.5(c)(8)(iii)(B)].

**Permit Shield** [40 CFR §71.6(f)]

Compliance with the conditions of this permit shall be deemed compliance with any applicable requirements specifically identified in the permit as of the date of permit issuance.

i. Nothing in this permit shall alter or affect the following:
    1. The provisions of section 303 of the Clean Air Act (emergency orders), including the authority of the Administrator under that section;
    2. The liability of a permittee for any violation of applicable requirements prior to or at the time of permit issuance; or
    3. the ability of the EPA to obtain information under section 114 of the Clean Air Act. [40 CFR §71.6(f)(3)].
ii. Should the facility go beyond the PTE limits set out in this permit for NOx, it will be subject to an enforcement action, a reopening of this permit and treatment as a major source under 40 CFR part 71.

**Operational Flexibility [40 CFR §71.6(a)(13)]**

a. The permittee is allowed to make a limited class of changes under section 502(b)(10) of the Clean Air Act within this permitted facility that contravene the specific terms of this permit without applying for a permit revision, provided the changes do not exceed the emissions allowable under this permit (whether expressed therein as a rate of emissions or in terms of total emissions) and are not title I modifications.
b. This class of changes does not include: Changes that would violate applicable requirements; or changes that would contravene federally enforceable permit terms and conditions that are monitoring (including test methods), recordkeeping, reporting, or compliance certification requirements. [40 CFR §71.6(a)(13)(i)].
c. The permittee is required to send a notice to EPA at least 7 days in advance of any change made under this provision. The notice must describe the change, when it will occur and any change in emissions, and identify any permit terms or conditions made inapplicable as

a result of the change. The permittee shall attach each notice to its copy of this permit. [40 CFR §71.6(13)(i)(A)].

d. Any permit shield provided in this permit does not apply to changes made under this provision. [40 CFR §71.6(13)(i)(B)].

**Economic Incentives Program**

No permit revision shall be required, under any approved economic incentives, marketable permits, emissions trading and other similar programs or processes for changes that are provided for in this permit. [40 CFR §71.6(a)(8)].

**Chemical Accident Prevention** [ 40 CFR part 68]

Should the permittee of a stationary source reach a threshold quantity of a regulated substance in a process, as determined under 40 CFR §68.115, it shall comply with the requirements of the Chemical Accident Prevention Provisions at 40 CFR part 68 no later than the latest of the following dates:

i. Three years after the date on which a regulated substance is first listed under 40 CFR § 68.130; or

ii. The date on which a regulated substance is first present above a threshold quantity in a process. [40 CFR §68.10(a)].

**Stratospheric Ozone and Climate Protection** [40 CFR part 82]

a. The permittee shall comply with the standards for recycling and emissions reduction of ozone depleting substances pursuant to 40 CFR part 82, subpart F, except as provided for motor vehicle air conditioners (MVACs) in subpart B:

i. Persons opening appliances for maintenance, service, repair, or disposal must comply with the required practices pursuant to 40 CFR §82.156.

ii. Equipment used during the maintenance, service, repair, or disposal of appliances must comply with the standards for recycling and recovery equipment pursuant to 40 CFR §82.158.

iii. Persons performing maintenance, service, repair, or disposal of appliances must be certified by an approved technician certification program pursuant to 40 CFR § 82.161.

iv. Persons disposing of small appliances, MVACs, and MVAC-like appliances must comply with recordkeeping requirements pursuant to 40 CFR §82.166. ("MVAC-like appliance" as defined at 40 CFR §82.152).

v. Persons owning commercial or industrial process refrigeration equipment must comply with the leak repair requirements pursuant to 40 CFR §82.156.

vi. Owners/operators of appliances normally containing 50 or more pounds of refrigerant must keep records of refrigerant purchased and added to such appliances pursuant to 40 CFR §82.166.

**Asbestos Removal and Disposal**

The permittee shall comply with 40 CFR part 61, subpart M when conducting any renovation or demolition at the facility. [40 CFR part 61, subpart M].

**V-<u>Part 71</u> <u>Administrative Requirements</u>:**

**Annual Fee Payment** [40 CFR §71.6(a)(7) and 40 CFR §71.9]

a. The permittee shall pay an annual permit fee in accordance with the procedures outlined below. [40 CFR §71.9(a)].
b. The permittee shall pay the annual permit fee each year by April 1st. [40 CFR § 71.9(h)].
c. The fee payment shall be in United States currency and shall be paid by money order, bank draft, certified check, corporate check, or electronic funds transfer payable to the order of the U.S. Environmental Protection Agency. [40 CFR §71.9(k)(1)].
d. The permittee shall send fee payment and a completed fee filing form to

U.S. EPA,
FOIA and Misc. Payments
Cincinnati Finance Center
PO Box 979078
St. Louis, MO 63197-9000

e. The permittee shall send an updated fee calculation worksheet form and a photocopy of each fee payment check (or other confirmation of actual fee paid) submitted annually by the same deadline as required for fee payment to the address listed in section IV of this permit. [40 CFR §71.9(h)(1)].
   Basis for calculating annual fee:
f. The annual emissions fee shall be calculated by multiplying the total tons of actual emissions of all regulated pollutants (for fee calculation) emitted from the source by the presumptive emissions fee (in dollars/ton)[1] in effect at the time of calculation. [40 CFR §71.9(c)(1)].

[1] The permittee should note that the presumptive fee amount is revised each calendar year to account for inflation, and it is available from EPA prior to the start of each calendar year.

g. Actual emissions mean the actual rate of emissions in tpy of any regulated pollutant[2] (for fee calculation) emitted from a part 71 source over the preceding calendar year. Actual emissions shall be calculated using each emissions unit's actual operating hours, production rates, in-place control equipment, and types of materials processed, stored, or combusted during the preceding calendar year. [40 CFR §71.9(c)(6)].
h. Actual emissions shall be computed using methods required by the permit for determining compliance, such as monitoring or source testing data. [40 CFR §71.9(h)(3)].
i. If actual emissions cannot be determined using the compliance methods in the permit, the permittee shall use other federally recognized procedures. [40 CFR §71.9(e)(2)].
j. The permittee shall exclude the following emissions from the calculation of fees:
k. The amount of actual emissions of each regulated pollutant (for fee calculation) that the source emits in excess of 4,000 tons per year. [40 CFR §71.9(c)(5)(i)].
l. Actual emissions of any regulated pollutant (for fee calculation) already included in the fee calculation. [40 CFR §71.9(c)(5)(ii)].
m. The quantity of actual emissions (for fee calculation) of insignificant activities [defined in §71.5(c)(11)(i)] or of insignificant emissions levels from emissions units identified in the permittee's application pursuant to § 71.5(c)(11)(ii). [40 CFR §71.9(c)(5)(iii)].
n. Fee calculation worksheets shall be certified as to truth, accuracy, and completeness by a responsible official. [40 CFR §71.9(h)(2)].
o. The permittee shall retain all work sheets and other materials used to determine fee payments. Records shall be retained for five years following the year in which the emissions data is submitted. [40 CFR §71.9(i)].
p. Failure of the permittee to pay fees in a timely manner shall subject the permittee to assessment of penalties and interest. [40 CFR §71.9(l)].
q. When notified by EPA of underpayment of fees, the permittee shall remit full payment within 30 days of receipt of notification. [40 CFR §71.9(j)(2)].
r. A permittee who thinks an EPA assessed fee is in error and who wishes to challenge such fee, shall provide a written explanation of the alleged error to EPA along with full payment of the EPA assessed fee. [40 CFR §71.9(j)(3)].

**Annual Emissions Inventory** [40 CFR §71.9(h)]

The permittee shall submit an annual emissions report of its actual emissions for both criteria pollutants and regulated HAPS for this facility for the preceding calendar year, by April 1 of each year. The annual emissions report shall be submitted to EPA at the address listed in provision section IV of this permit.

**Compliance Requirements** [40 CFR §71.6(a)(6)(i) and (ii), and sections 113(a) and 113(e)(1) of the Act, and 40 CFR §51.212, 52.12, 52.33, 60.11(g), and 61.12]

[2] The term regulated pollutant (for fee calculation) is defined in 40 CFR §71.2.

a. The permittee must comply with all conditions of this part 71 permit. Any permit noncompliance constitutes a violation of the Clean Air Act and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application. [40 CFR §71.6(a)(6)(i)].
b. It shall not be a defense for a 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 permit. [40 CFR §71.6(a)(6)(ii)].
c. For the purpose of submitting compliance certifications in accordance with section IV of this permit, or establishing whether or not a person has violated or is in violation of any requirement of this permit, nothing shall preclude the use, including the exclusive use, of any credible evidence or information, relevant to whether a source would have been in compliance with applicable requirements if the appropriate performance or compliance test or procedure had been performed. [§ 113(a) and 113(e)(1) of the Act, 40 CFR §60.11(g)].

**Compliance Certifications** [40 CFR §71.6(c)(5)]

The permittee hereby certifies compliance with all permit terms and conditions, including emission limitations, standards, or work practices. The permittee hereby certifies as to the truth, accuracy, and completeness of this certification. The permittee must continue to provide compliance certifications on an annual basis.

The certification shall include the following:

a. Whether or not the actual emissions/operations were below the emission/operation limits stated in section II of this permit,
b. The identification of the method(s) or other means used for determining the compliance status of each term and condition during the certification period,
c. The status of compliance with the terms and conditions of the permit for the period covered by the certification based on the method or means designated in (ii) above. The certification shall identify each deviation and take it into account in the compliance certification. Identify as soon as possible exceptions to compliance any periods during which an excursion or exceedance under 40 CFR part 64 (CAM) occurred,
d. Such other facts as the EPA may require to determine the compliance status of the source, including but not limited to, any other material information that must be included in the certification to comply with section 113 (c)(2) of the Act, which prohibits knowingly making false certification or omitting material information and,
e. Whether compliance with each permit term was continuous or intermittent. [40 CFR §71.6(c)(5)(iii)].

**Duty to Provide and Supplement Information:** [40 CFR §71.6(a)(6)(v), 71.5(a)(3), and 71.5(b)]

a. The permittee shall furnish to EPA, within a reasonable time, any information that EPA may request in writing to determine whether cause exists for modifying, revoking, and reissuing, or terminating the permit, or to determine compliance with the permit. Upon request, the permittee shall also furnish to the EPA copies of records that are required to be kept pursuant to the terms of the permit, including information claimed to be confidential. Information claimed to be confidential must be accompanied by a claim of confidentiality according to the provisions of 40 CFR part 2, subpart B. [40 CFR §71.6(a)(6)(v),71.5(a)(3)].
b. The permittee, upon becoming aware that any relevant facts were omitted or incorrect information was submitted in the permit application, shall promptly submit such supplementary facts or corrected information. [40 CFR §71.5(b)].

**Submissions** [40 CFR §71.5(d), 71.6 and 71.9]

a. Any document (application form, report, compliance certification, etc.) required to be submitted under this permit shall be certified by a responsible official as to truth, accuracy, and completeness. Such certifications shall state that based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.
b. Any documents required to be submitted under this permit, including reports, test data, monitoring data, notifications, compliance certifications, fee calculation worksheets, and applications for renewals and permit modifications shall be submitted to:

Chief, Permitting Section
Air Programs Branch
EPA Region 2, 290 Broadway
New York, NY 10007 [40 CFR §71.5(d), 71.6(c)(1) and 71.9(h)(2)].

**Severability Clause** [40 CFR § 71.6(a)(5)]

The provisions of this permit are severable, and in the event of any challenge to any portion of this permit, or if any portion is held invalid, the remaining permit conditions shall remain valid and in force.

**Permit Actions** [40 CFR §71.6(a)(6)(iii)]

This permit may be modified, revoked, reopened, and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any permit condition.

**Administrative Permit Amendments and Permit Modifications** [40 CFR §71.7(d) and (e)]

In order to amend or modify this permit, the permittee shall meet the criteria established and comply with the requirements for administrative permit amendments or permit modifications provided under §71.7(d) or (e), respectively.

**Reopening for Cause** [40 CFR §71.7(f)]

The permit may be reopened and revised prior to expiration under any of the following circumstances:

i. Additional applicable requirements under the Act become applicable to the permittee with 3 or more years remaining before expiration of this permit. Such a reopening shall be completed no later than 18 months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the date on which the permit is due to expire, unless the original permit or any of its terms and conditions have been extended pursuant to 40 CFR §71.7 (c)(3).
ii. EPA determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit.
iii. EPA determines that the permit must be revised or revoked to assure compliance with the applicable requirements.

**Property Rights** [40 CFR §71.6(a)(6)(iv)]

This permit does not convey any property rights of any sort, or any exclusive privilege.

**Inspection and Entry** [40 CFR §71.6(c)(2)]

Upon presentation of credentials and other documents as may be required by law, the permittee shall allow EPA or an authorized representative to perform the following:

i. Enter upon the permittee's premises where a part 71 source is located or emissions-related activity is conducted, or where records must be kept under the conditions of the permit;
ii. Have access to and copy, at reasonable times, any records that must be kept under the conditions of the permit;
iii. Inspect at reasonable times any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the permit; and
iv. As authorized by the Clean Air Act, sample or monitor at reasonable times substances or parameters for the purpose of assuring compliance with the permit or applicable requirements.

**Emergency Provisions** [40 CFR §71.6(g)]

a. In addition to any emergency or upset provision contained in any applicable requirement, the permittee may seek to establish that noncompliance with a technology-based emission limitation under this permit was due to an emergency. To do so, the permittee shall demonstrate the affirmative defense of emergency through properly signed, contemporaneous operating logs, or other relevant evidence that:
    an emergency occurred and that the permittee can identify the cause(s) of the emergency;
    the permitted facility was at the time being properly operated;
    during the period of the emergency the permittee took all reasonable steps to minimize levels of emissions that exceeded the emissions standards, or other requirements in this permit; and
    the permittee submitted notice of the emergency to EPA within 2 working days of the time when emission limitations were exceeded due to the emergency. This notice must contain a description of the emergency, any steps taken to mitigate emissions, and corrective actions taken. This notice fulfills the requirements of section III of this permit, concerning prompt notification of deviations.
b. In any enforcement proceeding the permittee attempting to establish the occurrence of an emergency has the burden of proof.
c. An emergency means any situation arising from sudden and reasonably unforeseeable events beyond the control of the source, including acts of God, which situation requires immediate corrective action to restore normal operation, and that causes the source to exceed a technology-based emission limitation under the permit due to unavoidable increases in emissions attributable to the emergency. An emergency shall not include noncompliance to the extent caused by improperly designed equipment, lack of preventive maintenance, careless or improper operation, or operator error.

**Transfer of Ownership or Operation** [40 CFR §71.7(d)(1)(iv)]

A change in ownership or operational control of this facility may be treated as an administrative permit amendment if the EPA determines no other change in this permit is necessary and 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 EPA.

**Off Permit Changes** [40 CFR §71.6(a)(12)]

The permittee is allowed to make certain changes without a permit revision, provided that the following requirements are met:

i. Each change is not addressed or prohibited by this permit.

ii. Each change shall meet all applicable requirements and shall not violate any existing permit term or condition.
iii. Changes under this provision may not include changes subject to any requirement of 40 CFR § parts 72 through 78 or modifications under any provision of title I of the Clean Air Act.
iv. The permittee must provide contemporaneous written notice to EPA of each change, except for changes that qualify as insignificant activities under 40 CFR § 71.5(c)(11). The written notice must describe each change, the date of the change, any change in emissions, pollutants emitted, and any applicable requirements that would apply as a result of the change.
v. The permit shield does not apply to changes made under this provision.
vi. The permittee must keep a record describing all changes that result in emissions of any regulated air pollutant subject to any applicable requirement not otherwise regulated under this permit, and the emissions resulting from those changes.

**Permit Expiration and Renewal** [40 CFR §71.5(a)(1)(iii), (a)(2) and (c)(5), 71.6(a)(11), 71.7(b), (c)(1) and (c)(3)]

a. This permit shall expire upon the earlier occurrence of the following events:

   i. five (5) years elapses from the date of issuance; or
   ii. the source is issued a part 70 or part 71 permit under an EPA approved or delegated permit program. [40 CFR §71.6(a)(11)].

b. Expiration of this permit terminates the permittee's right to operate unless a timely and complete permit renewal application has been submitted at least 12 months but not more than 18 months prior to the date of expiration of this permit. [40 CFR § 71.5(a)(1)(iii)].
c. An application for permit renewal shall be submitted to the EPA Regional office 12 months prior to expiration of this permit.
d. If the permittee submits a timely and complete permit application for renewal, consistent with 40 CFR §71.5(a)(2), but EPA Region 2 has failed to issue or deny the renewal permit, then all the terms and conditions of the permit, including any permit shield granted pursuant to 40 CFR §71.7(b) shall remain in effect until the renewal permit has been issued or denied. This application shield shall cease to apply if, subsequent to the completeness determination, the permittee fails to submit any additional information identified as being needed to process the application by the deadline specified in writing by EPA Region 2. [40 CFR §71.7(b) and (c)(3)].
e. Renewal of this permit is subject to the same procedural requirements that apply to initial permit issuance, including those for public participation, affected State, and tribal review. [40 CFR §71.7(c)(1)].

f. The application for renewal shall include the current permit number, description of permit revisions and off-permit changes that occurred during the permit term, any applicable requirements that were promulgated and not incorporated into the permit during the permit term, and other information required by the application form. [40 CFR § 71.5(a)(2) and (c)(5)].

Federal Operating Permit Program (40 CFR Part 71)
**INSIGNIFICANT EMISSIONS (IE)**

| Number of Units | Description of Activities or Emissions Units |
|---|---|
| 1 | Cleaver Brooks Boiler (3.35 MMBTU/ hr) |
| 1 | Turbopower Model 1250 -N-40 0 - ATP (1.0 MMBTU/ hr) |
| 14 | Patterson Kelley SNM200 (2.0MMBTU/hr) |
| 2 | Patterson Kelley C- 2000H/ N200 0 (2.0 MMBTU/hr) |
| 1 | Aerco Innovation 1060 (1.1 MMBTU/hr) |
| 1 | Turbopower 1000-L-400ATP (0.8 MMBTU/ hr) |
| 1 | AO Smith HW-399/420 (0.42 MMBTU/hr) |
| 2 | Raypack H 9- 23 4 2 (2.3 MMBTU/hr) |
| 2 | Lochinvar CFN 651PM (0.65 MMBTU/ hr) |
| 2 | Camus PRNW - 250 0 - 40 0 A -TP (2.5 MMBTU/hr) |
| 2 | AO Smith BTH300A (0.3 MMBTU/ hr) |
| 1 | AO Smith BTH199 (0.2 MMBTU/ hr) |
| 1 | Munchkin 399 (0.4 MMBTU/ hr) |
| 1 | Turbopower 250 0 L- 40 0 A- TP (2.0 MMBTU / hr) |
| 1 | Bradford White EF 100T250E3NA2 (0 .25 MMBTU/ hr) |
| 1 | Bradford White TW47557683N (0.07 MMBTU) |
| 1 | AO Smith BTH250A (0 .25 MMBTU/ hr) |