

RIPUC Use Only

Date Application Received: ___/___/___
Date Review Completed: ___/___/___
Date Commission Action: ___/___/___
Date Commission Approved: ___/___/___

GIS Certification #:

436

RENEWABLE ENERGY RESOURCES ELIGIBILITY FORM**The Standard Application Form**

**Required of all Applicants for Certification of Eligibility of Renewable Energy Resource
(Version 5 – January 5, 2007)**

STATE OF RHODE ISLAND PUBLIC UTILITIES COMMISSION**Pursuant to the Renewable Energy Act****Section 39-26-1 et. seq. of the General Laws of Rhode Island****NOTICE:**

When completing this Renewable Energy Resources Eligibility Form and any applicable Appendices, please refer to the State of Rhode Island and Providence Plantations Public Utilities Commission Rules and Regulations Governing the Implementation of a Renewable Energy Standard (RES Regulations, Effective Date: January 1, 2006), and the associated RES Certification Filing Methodology Guide. All applicable regulations, procedures and guidelines are available on the Commission's web site: www.ripuc.org/utilityinfo/res.html. Also, all filings must be in conformance with the Commission's Rules of Practice and Procedure, in particular, Rule 1.5, or its successor regulation, entitled "Formal Requirements as to Filings."

- Please complete the Renewable Energy Resources Eligibility Form and Appendices using a typewriter or black ink.
- Please submit one original and three copies of the completed Application Form, applicable Appendices and all supporting documentation to the Commission at the following address:

Rhode Island Public Utilities Commission
89 Jefferson Blvd
Warwick, RI 02888

Attn: Renewable Energy Resources Eligibility

In addition to the paper copies, electronic/email submittals are required under Commission regulations. Such electronic submittals should be sent to: Luly E. Massaro, Commission Clerk at lmassaro@puc.state.ri.us

- In addition to filing with the Commission, Applicants are required to send, electronically or electronically and in paper format, a copy of the completed Application including all attachments and supporting documentation, to the Division of Public Utilities and Carriers and to all interested parties. A list of interested parties can be obtained from the Commission's website at www.ripuc.org/utilityinfo/res.html.
- Keep a copy of the completed Application for your records.
- The Commission will notify the Authorized Representative if the Application is incomplete.
- Pursuant to Section 6.0 of the RES Regulations, the Commission shall provide a thirty (30) day period for public comment following posting of any administratively complete Application.
- Please note that all information submitted on or attached to the Application is considered to be a public record unless the Commission agrees to deem some portion of the application confidential after consideration under section 1.2(g) of the Commission's Rules of Practice and Procedure.
- In accordance with Section 6.2 of the RES Regulations, the Commission will provide prospective reviews for Applicants seeking a preliminary determination as to whether a facility would be eligible prior to the formal certification process described in Section 6.1 of the RES Regulations. Please note that space is provided on the Form for applicant to designate the type of review being requested.
- Questions related to this Renewable Energy Resources Eligibility Form should be submitted in writing, preferably via email and directed to: Luly E. Massaro, Commission Clerk at lmassaro@puc.state.ri.us

SECTION I: Identification Information

- 1.1 Name of Generation Unit (sufficient for full and unique identification):
_____ Springfield Power (formerly Hemphill Power and Light) _____
- 1.2 Type of Certification being requested (check one):
☒ Standard Certification ☐ Prospective Certification (Declaratory Judgment)
- 1.3 This Application includes: (Check all that apply)¹
- ☐ APPENDIX A: Authorized Representative Certification for Individual Owner or Operator
- ☐ APPENDIX B: Authorized Representative Certification for Non-Corporate Entities Other Than Individuals
- ☒ APPENDIX C: Existing Renewable Energy Resources
- ☐ APPENDIX D: Special Provisions for Aggregators of Customer-sited or Off-grid Generation Facilities
- ☐ APPENDIX E: Special Provisions for a Generation Unit Located in a Control Area Adjacent to NEPOOL
- ☒ APPENDIX F: Fuel Source Plan for Eligible Biomass Fuels
- 1.4 Primary Contact Person name and title: _____
_____ Charles Theall, Plant Manager _____
- 1.5 Primary Contact Person address and contact information:
Address: _____ P.O. Box 428 _____
_____ Georges Mills, NH 03751 _____
- Phone: _____ 603-763-4757 _____ Fax: _____ 603-763-9860 _____
- Email: _____ Theall-C@na.marubeni.com _____
- 1.6 Backup Contact Person name and title: _____
_____ Ed Kent, Vice President Operations _____
- 1.7 Backup Contact Person address and contact information:
Address: _____ 708 Stokes Road _____
_____ Medford, NJ 08055 _____
- Phone: _____ 609-654-6166 _____ Fax: _____ 609-654-6146 _____
- Email: _____ Kent-E@na.marubeni.com _____

¹ Please note that all Applicants are required to complete the Renewable Energy Resources Eligibility Standard Application Form and all of the Appendices that apply to the Generation Unit or Owner or Operator that is the subject of this Form. Please omit Appendices that do not apply.

- 1.8 Name and Title of Authorized Representative (*i.e.*, the individual responsible for certifying the accuracy of all information contained in this form and associated appendices, and whose signature will appear on the application):

____ Charles Theall, Plant Manager _____

Appendix A or B (as appropriate) completed and attached? ☐ Yes ☐ No ☒ N/A

- 1.9 Authorized Representative address and contact information:

Address: ____ P.O. Box 428 _____
____ Georges Mills, NH 03751 _____

Phone: ____ 603-763-4757 _____ Fax: ____ 603-763-9860 _____

Email: ____ Theall-C@na.marubeni.com _____

- 1.10 Owner name and title: ____ Springfield Power, LLC _____

- 1.11 Owner address and contact information:

Address: ____ P.O. Box 428 _____
____ Georges Mills, NH 03751 _____

Phone: ____ 603-763-4757 _____ Fax: ____ 603-763-9860 _____

Email: ____ Theall-C@na.marubeni.com _____

- 1.12 Owner business organization type (check one):

☐ Individual

☐ Partnership

☒ Corporation

☐ Other: _____

- 1.13 Operator name and title: ____ Springfield Power, LLC _____

- 1.14 Operator address and contact information:

Address: ____ P.O. Box 428 _____
____ Georges Mills, NH 03751 _____

Phone: ____ 603-763-4757 _____ Fax: ____ 603-763-9860 _____

Email: ____ Theall-C@na.marubeni.com _____

- 1.15 Operator business organization type (check one):

☐ Individual

☐ Partnership

☒ Corporation

☐ Other: _____

SECTION II: Generation Unit Information, Fuels, Energy Resources and Technologies

- 2.1 ISO-NE Generation Unit Asset Identification Number or NEPOOL GIS Identification Number (either or both as applicable): #436
- 2.2 Generation Unit Nameplate Capacity: 16 MW
- 2.3 Maximum Demonstrated Capacity: 16 MW
- 2.4 Please indicate which of the following Eligible Renewable Energy Resources are used by the Generation Unit: (Check ALL that apply) – *per RES Regulations Section 5.0*
- ☐ Direct solar radiation
 - ☐ The wind
 - ☐ Movement of or the latent heat of the ocean
 - ☐ The heat of the earth
 - ☐ Small hydro facilities
 - ☒ Biomass facilities using Eligible Biomass Fuels and maintaining compliance with all aspects of current air permits; Eligible Biomass Fuels may be co-fired with fossil fuels, provided that only the renewable energy fraction of production from multi-fuel facilities shall be considered eligible.
 - ☐ Biomass facilities using unlisted biomass fuel
 - ☐ Biomass facilities, multi-fueled or using fossil fuel co-firing
 - ☐ Fuel cells using a renewable resource referenced in this section
- 2.5 If the box checked in Section 2.4 above is “Small hydro facilities”, please certify that the facility’s aggregate capacity does not exceed 30 MW. – *per RES Regulations Section 3.31*
- ☐ ← check this box to certify that the above statement is true
 - ☐ N/A or other (please explain) _____
- 2.6 If the box checked in Section 2.4 above is “Small hydro facilities”, please certify that the facility does not involve any new impoundment or diversion of water with an average salinity of twenty (20) parts per thousand or less. – *per RES Regulations Section 3.31*
- ☐ ← check this box to certify that the above statement is true
 - ☐ N/A or other (please explain) _____
- 2.7 If you checked one of the Biomass facilities boxes in Section 2.1 above, please respond to the following:
- A. Please specify the fuel or fuels used or to be used in the Unit: whole tree wood chips, clean processed wood fuel, or combination of both
- B. Please complete and attach Appendix F, Eligible Biomass Fuel Source Plan.
Appendix F completed and attached? X Yes ☐ No ☐ N/A

- 2.8 Has the Generation Unit been certified as a Renewable Energy Resource for eligibility in another state's renewable portfolio standard?
☐ Yes ☒ No If yes, please attach a copy of that state's certifying order.
Copy of State's certifying order attached? ☐ Yes ☐ No ☒ N/A

SECTION III: Commercial Operation Date

Please provide documentation to support all claims and responses to the following questions:

- 3.1 Date Generation Unit first entered Commercial Operation: 10/26/1987 at the site.
- 3.2 Is there an Existing Renewable Energy Resource located at the site of Generation Unit?
☒ Yes
☐ No
- 3.3 If the date entered in response to question 3.1 is earlier than December 31, 1997 or if you checked "Yes" in response to question 3.2 above, please complete Appendix C.
Appendix C completed and attached? ☒ Yes ☐ No ☐ N/A
- 3.4 Was all or any part of the Generation Unit used on or before December 31, 1997 to generate electricity at any other site?
☐ Yes
☒ No
- 3.5 If you checked "Yes" to question 3.4 above, please specify the power production equipment used and the address where such power production equipment produced electricity (attach more detail if the space provided is not sufficient):

SECTION IV: Metering

- 4.1 Please indicate how the Generation Unit's electrical energy output is verified (check all that apply):
☒ ISO-NE Market Settlement System
☐ Self-reported to the NEPOOL GIS Administrator
☐ Other (please specify below and see Appendix D: Eligibility for Aggregations):

Appendix D completed and attached? ☐ Yes ☐ No ☒ N/A

SECTION V: Location

- 5.1 Please check one of the following that apply to the Generation Unit:

☒ Grid Connected Generation

- ☐ Off-Grid Generation (not connected to a utility transmission or distribution system)
- ☐ Customer Sited Generation (interconnected on the end-use customer side of the retail electricity meter in such a manner that it displaces all or part of the metered consumption of the end-use customer)

5.2 Generation Unit address: _____

Springfield Power, LLC

54 Fisher Corner Road

Springfield, NH 03284

5.3 Please provide the Generation Unit's geographic location information:

A. Universal Transverse Mercator Coordinates: _____

B. Longitude/Latitude: 72deg 05' 09" / 43deg 48' 61"

5.4 The Generation Unit located: (please check the appropriate box)

☒ In the NEPOOL control area

- ☐ In a control area adjacent to the NEPOOL control area
- ☐ In a control area other than NEPOOL which is not adjacent to the NEPOOL control area ← *If you checked this box, then the generator does not qualify for the RI RES – therefore, please do not complete/submit this form.*

5.5 If you checked "In a control area adjacent to the NEPOOL control area" in Section 5.4 above, please complete Appendix E.

Appendix E completed and attached?

☐ Yes ☐ No ☒ N/A

SECTION VI: Certification

- 6.1 Please attach documentation, using one of the applicable forms below, demonstrating the authority of the Authorized Representative indicated in Section 1.8 to certify and submit this Application.

Corporations

If the Owner or Operator is a corporation, the Authorized Representative shall provide **either**:

- (a) Evidence of a board of directors vote granting authority to the Authorized Representative to execute the Renewable Energy Resources Eligibility Form, **or**
- (b) A certification from the Corporate Clerk or Secretary of the Corporation that the Authorized Representative is authorized to execute the Renewable Energy Resources Eligibility Form or is otherwise authorized to legally bind the corporation in like matters.

Evidence of Board Vote provided? ☐ Yes ☒ No ☐ N/A

Corporate Certification provided? ☒ Yes ☐ No ☐ N/A

Individuals

If the Owner or Operator is an individual, that individual shall complete and attach APPENDIX A, or a similar form of certification from the Owner or Operator, duly notarized, that certifies that the Authorized Representative has authority to execute the Renewable Energy Resources Eligibility Form.

Appendix A completed and attached? ☐ Yes ☐ No ☒ N/A

Non-Corporate Entities

(Proprietorships, Partnerships, Cooperatives, etc.) If the Owner or Operator is not an individual or a corporation, it shall complete and attach APPENDIX B or execute a resolution indicating that the Authorized Representative named in Section 1.8 has authority to execute the Renewable Energy Resources Eligibility Form or to otherwise legally bind the non-corporate entity in like matters.


Appendix B completed and attached? ☐ Yes ☐ No ☒ N/A

6.2 Authorized Representative Certification and Signature:

I hereby certify, under pains and penalties of perjury, that I have personally examined and am familiar with the information submitted herein and based upon my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate and complete. I am aware that there are significant penalties, both civil and criminal, for submitting false information, including possible fines and punishment. My signature below certifies all information submitted on this Renewable Energy Resources Eligibility Form. The Renewable Energy Resources Eligibility Form includes the Standard Application Form and all required Appendices and attachments. I acknowledge that the Generation Unit is obligated to and will notify the Commission promptly in the event of a change in a generator's eligibility status (including, without limitation, the status of the air permits) and that when and if, in the Commission's opinion, after due consideration, there is a material change in the characteristics of a Generation Unit or its fuel stream that could alter its eligibility, such Generation Unit must be re-certified in accordance with Section 9.0 of the RES Regulations. I further acknowledge that the Generation Unit is obligated to and will file such quarterly or other reports as required by the Regulations and the Commission in its certification order. I understand that the Generation Unit will be immediately de-certified if it fails to file such reports.

Signature of Authorized Representative:

SIGNATURE:

_____

DATE:

11/7/07

Plant Manager, Springfield Power LLC
(Title)

APPENDIX C
(Required of all Applicants with Generation Units at the Site of Existing
Renewable Energy Resources)

STATE OF RHODE ISLAND
PUBLIC UTILITIES COMMISSION

RENEWABLE ENERGY RESOURCES ELIGIBILITY FORM

Pursuant to the Renewable Energy Act
Section 39-26-1 et. seq. of the General Laws of Rhode Island

If the Generation Unit: (1) first entered into commercial operation before December 31, 1997; or (2) is located at the exact site of an Existing Renewable Energy Resource, please complete the following and attach documentation, as necessary to support all responses:

- C.1 Is the Generating Unit seeking certification, either in whole or in part, as a New Renewable Energy Resource? ☐ Yes ☒ No
- C.2 If you answered "Yes" to question C.1, please complete the remainder of Appendix C. If you answered "No" and are seeking certification entirely as an Existing Renewable Energy Resource, you do NOT need to complete the remainder of Appendix C.
- C.3 If an Existing Renewable Energy Resource is/was located at the site, has such Existing Renewable Energy Resource been retired and replaced with the new Generation Unit at the same site? ☐ Yes ☐ No
- C.4 Is the Generation Unit a Repowered Generation Unit (as defined in Section 3.28 of the RES Regulations) which uses Eligible Renewable Energy Resources and which first entered commercial operation after December 31, 1997 at the site of an existing Generation Unit? ☐ Yes ☐ No
- C.5 If you checked "Yes" to question C.4 above, please provide documentation to support that the entire output of the Repowered Generation Unit first entered commercial operation after December 31, 1997.
- C.6 Is the Generation Unit a multi-fuel facility in which an Eligible Biomass Fuel is first co-fired with fossil fuels after December 31, 1997? ☐ Yes ☐ No
- C.7 If you checked "Yes" to question C.6 above, please provide documentation to support that the renewable energy fraction of the energy output first occurred after December 31, 1997.

- C.8 Is the Generation Unit an Existing Renewable Energy Resource other than an Intermittent Resource (as defined in Section 3.9 and 3.14 of the RES Regulations)? ☐ Yes ☐ No
- C.9 If you checked “Yes” to question C.8 above, please attach evidence of completed capital investments after December 31, 1997 attributable to efficiency improvements or additions of capacity that are sufficient to, were intended to, and can be demonstrated to increase annual electricity output in excess of ten percent (10%). As specified in Section 3.22.v of the RES Regulations, the determination of incremental production shall not be based on any operational changes at such facility **not directly** associated with the efficiency improvements or additions of capacity.
- C.10 Is the Generating Unit an Existing Renewable Energy Resource that is an Intermittent Resource? ☐ Yes ☐ No
- C.11 If you checked “Yes” to question C.10 above, please attach evidence of completed capital investments after December 31, 1997 attributable to efficiency improvements or additions of capacity that are sufficient to, were intended to, and have demonstrated on a normalized basis to increase annual electricity output in excess of ten percent (10%). The determination of incremental production shall not be based on any operational changes at such facility **not directly** associated with the efficiency improvements or additions of capacity. In no event shall any production that would have existed during the Historical Generation Baseline period in the absence of the efficiency improvements or additions to capacity be considered incremental production. Please refer to Section 3.22.vi of the RES Regulations for further guidance.
- C.12 If you checked “Yes” to C.10, provide the single proposed percentage of production to be deemed incremental, attributable to the efficiency improvements or additions of capacity placed in service after December 31, 1997. Please provide backup information sufficient for the Commission to make a determination of this incremental production percentage.
- C.13 If you checked “no” to both C.3 and C.4 above, please complete the following:
- a. Was the Existing Renewable Energy Resource located at the exact site at any time during calendar years 1995 through 1997? ☐ Yes ☐ No
 - b. If you checked “yes” in Subsection (a) above, please provide the Generation Unit Asset Identification Number and the average annual electrical production (MWhs) for the three calendar years 1995 through 1997, or for the first 36 months after the Commercial Operation Date if that date is after December 31, 1994, for each such Generation Unit.
 - c. Please attach a copy of the derivation of the average provided in (b) above, along with documentation support (such as ISO reports) for the information provided in Subsection (b) above. Data must be consistent with quantities used for ISO Market Settlement System.

APPENDIX F
Eligible Biomass Fuel Source Plan
(Required of all Applicants Proposing to Use An Eligible Biomass Fuel)

STATE OF RHODE ISLAND PUBLIC UTILITIES COMMISSION
Part of Application for Certificate of Eligibility
RENEWABLE ENERGY RESOURCES ELIGIBILITY FORM
Pursuant to the Renewable Energy Act
Section 39-26-1 et. sq. of the General Laws of Rhode Island

Note to Applicants: Please refer to the RES Certification Filing Methodology Guide posted on the Commission's web site (www.ripuc.org/utilityinfo/res.html) for information, templates and suggestions regarding the types and levels of detail appropriate for responses to specific application items requested below. Also, please see Section 6.9 of the RES Regulations for additional details on specific

The phrase "Eligible Biomass Fuel" (per RES Regulations Section 3.6) means fuel sources including brush, stumps, lumber ends and trimmings, wood pallets, bark, wood chips, shavings, slash, yard trimmings, site clearing waste, wood packaging, and other clean wood that is not mixed with other unsorted solid wastes²; agricultural waste, food and vegetative material; energy crops; landfill methane³ or biogas⁴, provided that such gas is collected and conveyed directly to the Generation Unit without use of facilities used as common carriers of natural gas; or neat bio-diesel and other neat liquid fuels that are derived from such fuel sources.

In determining if an Eligible Biomass Generation Unit shall be certified, the Commission will consider if the fuel source plan can reasonably be expected to ensure that only Eligible Biomass Fuels will be used, and in the case of co-firing ensure that only that proportion of generation attributable to an Eligible Biomass Fuel be eligible. Certification will not be granted to those Generation Units with fuel source plans the Commission deems inadequate for these purposes.

This Appendix must be attached to the front of Applicant's Fuel Source Plan required for Generating Units proposing to use an Eligible Biomass Fuel (per Section 6.9 of RES Regulations).

² Generation Units using wood sources other than those listed above may make application, as part of the required fuel source plan described in Section 6.9 of the RES Regulations, for the Commission to approve a particular wood source as "clean wood." The burden will be on the applicant to demonstrate that the wood source is at least as clean as those listed in the legislation. Wood sources containing resins, glues, laminates, paints, preservatives, or other treatments that would combust or off-gas, or mixed with any other material that would burn, melt, or create other residue aside from wood ash, will not be approved as clean wood.

³ Landfill gas, which is an Eligible Biomass Fuel, means only that gas recovered from inside a landfill and resulting from the natural decomposition of waste, and that would otherwise be vented or flared as part of the landfill's normal operation if not used as a fuel source.

⁴ Gas resulting from the anaerobic digestion of sewage or manure is considered to be a type of biogas, and therefore an Eligible Biomass Fuel that has been fully separated from the waste stream.

- F.1 The attached Fuel Source Plan includes a detailed description of the type of Eligible Biomass Fuel to be used at the Generation Unit.

Detailed description attached? ☒ Yes ☐ No ☐ N/A

Comments: _____

- F.2 If the proposed fuel is "other clean wood," the Fuel Source Plan should include any further substantiation to demonstrate why the fuel source should be considered as clean as those clean wood sources listed in the legislation.

Further substantiation attached? ☒ Yes ☐ No ☐ N/A

Comments: _____

- F.3 In the case of co-firing with ineligible fuels, the Fuel Source Plan must include a description of (a) how such co-firing will occur; (b) how the relative amounts of Eligible Biomass Fuel and ineligible fuel will be measured; and (c) how the eligible portion of generation output will be calculated. Such calculations shall be based on the energy content of all of the proposed fuels used.

Description attached? ☐ Yes ☐ No ☒ N/A

Comments: _____

- F.4 The Fuel Source Plan must provide a description of what measures will be taken to ensure that only the Eligible Biomass Fuel are used, examples of which may include: standard operating protocols or procedures that will be implemented at the Generation Unit, contracts with fuel suppliers, testing or sampling regimes.

Description provided? ☒ Yes ☐ No ☐ N/A

Comments: _____

- F.5 Please include in the Fuel Source Plan an acknowledgement that the fuels stored at or brought to the Generation Unit will only be either Eligible Biomass Fuels or fossil fuels used for co-firing and that Biomass Fuels not deemed eligible will not be allowed at the premises of the certified Generation Unit. And please check the following box to certify that this statement is true.

✓ ← check this box to certify that the above statement is true

☐ N/A or other (please explain) _____

- F.6 If the proposed fuel includes recycled wood waste, please submit documentation that such fuel meets the definition of Eligible Biomass Fuel and also meets material separation, storage, or handling standards acceptable to the Commission and furthermore consistent with the RES Regulations.

Documentation attached? ☒ Yes ☐ No ☐ N/A
Comments: _____

- F.7 Please certify that you will file all reports and other information necessary to enable the Commission to verify the on-going eligibility of the renewable energy generators pursuant to Section 6.3 of the RES Regulations.

☒ ← check this box to certify that the above statement is true
☐ N/A or other (please explain) _____

- F.8 Please attach a copy of the Generation Unit's Valid Air Permit or equivalent authorization.

Valid Air Permit or equivalent attached? ☒ Yes ☐ No ☐ N/A
Comments: _____

- F.9 Effective date of Valid Air Permit or equivalent authorization:

09 / 01 / 2005

- F.10 State or jurisdiction issuing Valid Air Permit or equivalent authorization:
__New Hampshire Department of Environmental Services_____

Springfield Power LLC Fuel Plan

Springfield Power, LLC is a 16 megawatt power plant that utilizes biomass to generate electricity. The plant consumes Whole Tree Chips, Round Wood, Mill Wood Waste and other Alternative Wood Fuels as determined by Springfield in its sole discretion. Springfield Power is an important outlet market for the hundreds of thousands of acres of institutionally managed productive woodlands located in New Hampshire, Vermont, and Maine.

These lands are responsibly cultivated using licensed foresters to ensure the long term health and sustainability of the forest. Billions of dollars worth of power plants, saw mills, furniture manufacturers, paper mills and their residual businesses rely on the long-term viability of these woodlands.

Culling brush, fallen trees, waste wood, limbs, and tree tops is an important part of the forest management process. The vast majority of the wood that is consumed at Springfield Power is derived from limbs and tree tops from high grade timber operations. These operations are long term suppliers to the wood products and paper industries and have been actively managing northern woodlands for over 100 years. New Hampshire has in fact been largely reforested over the last 100 years as abandoned farmland is returned to woodlands. In addition, the low grade biomass market is important because without this revenue stream during the 10 to 15 years between high grade operations, many landowners would not be able to manage their lands using proper forestry practices.

In order to properly ensure only eligible biomass fuels are used, Springfield Power has entered into a consulting agreement and a fuel procurement agreement with a reputable fuel supplier. This reputable fuel supplier is affiliated with the lumber mill adjacent to the plant and has been involved with the responsible procurement of wood fuel products for the 20 yr life of this facility. Under the two agreements, the fuel supplier is required to provide the following acceptable fuels to the Springfield Power facility from reputable suppliers:

“Acceptable Wood Fuel” shall mean woody plant material suitable for use as boiler fuel in the Facility for the production and sale of electricity on a continuous basis, in the form of Whole Tree Chips, Round Wood, Mill Wood Waste and other Alternative Wood Fuels as determined by Springfield in its sole discretion. Acceptable Wood Fuel shall exclude ash and cinder and shall be free of foreign material including, but not limited to, sand, stone, metal, glass, rubber, paint, plastics, pesticides, petroleum products, glue, preservatives and chemicals. Acceptable Wood Fuel shall not contain any materials of any kind which could result in the Acceptable Wood Fuel or any ash produced by its combustion in the Facility being classified as a toxic or hazardous waste, material or substance under any and all applicable laws, regulations or ordinances. Additionally, Acceptable Wood Fuel shall exclude woody plant material having a moisture content when delivered in excess of 55% (using the latest revision of the ASTM E-790 measurement standard) and having a heating value "as-fired" less than 7.65 mmBTU per wet ton (using the latest revision of the ASTM E-711 measurement standard).

Mill Wood Waste, Round Wood, Whole Tree Chips and Alternative Wood Fuels are defined as follows:

i) "Mill Wood Waste" shall mean sawdust, bark, wood edgings, slabs and wood shavings from wood processing plants which meet the requirements of this Agreement.

(ii) "Round Wood" shall mean wood logs for chipping on-site into Whole Tree Chips which meet the requirements of this Agreement

(iii) "Whole Tree Chips" shall mean hardwood and softwood prior to delivery to the Facility and which otherwise meets the requirements of this Agreement.

(iv) "Alternative Wood Fuels" shall mean wood fuel other than Mill Wood Waste, Round Wood and Whole Tree Chips which meets the requirements of this Agreement and is acceptable to Springfield for burning as boiler fuel as determined in Springfield's sole discretion.

"Acceptable Wood Fuel Specifications" shall mean

(i) With respect to Bark, Slabs, and Edgings: 3 inch maximum size with no more than 2% overs by volume

(ii) With respect to Whole Tree Chips, Sawdust, Shavings, & Alternative Wood Fuels: 2 inch maximum size with no more than 2% overs by volume.

"On-Site Requirements" shall mean those requirements established from time to time by Springfield pertaining to the regulation of persons or vehicles while on the Facility site.

"Suppliers" shall mean those persons or entities from which MSI obtains or contracts Acceptable Wood Fuel for delivery to the Facility under the requirements of this Agreement.

"Unacceptable Fuel" shall mean any and all Wood Fuel or other material that does not conform to the requirements of this Agreement as determined by Springfield in its discretion.

"Wood Fuel" shall mean Mill Wood Waste, Round Wood, Whole Tree Chips and Alternative Wood Fuels.

All fuel deliveries are monitored by Plant personnel during unloading operations. Any load that is in question of meeting "Acceptable Wood Fuel Specifications" is held to the side and an MSI representative and Plant Management will decide if specifications are met. The Plant Management will have the final decision. Any "Unacceptable Fuel" will be removed from site by MSI within 48 hours of determination.

Title V wording of fuel

Fuel Type

Based on facility operations, fuel fed to the EU1 shall consist of any of the following:

- a) Whole tree wood chips and mill residue at approximately 7.65 mmBTU/ton and 55% moisture;
- b) Clean processed wood fuel¹ approximately ranging from 7.65 mmBTU/ton to 13.5 mmBTU/ton and about 55%-20% moisture; and

Combination of whole tree wood chips and clean processed wood fuel.

¹ Clean processed wood fuel is considered to be fuel that exhibits fuel characteristics equivalent to “whole tree wood chips” and “sawdust” with respect to the ultimate and proximate analysis of the fuel.

Springfield Power, LLC.

1660 Union Street, 2nd floor · San Diego, CA · 92101 · (619) 232-6564

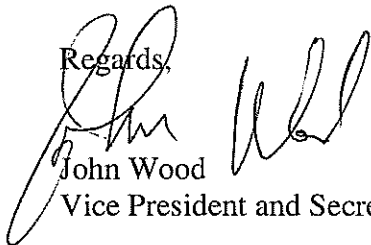
October 26, 2007

Luly E. Massaro
Rhode Island Public Utilities Commission
89 Jefferson Blvd
Warwick, RI 02888

Dear Ms. Massaro;

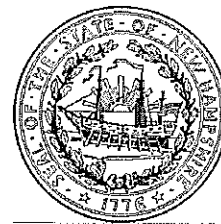
I hereby authorize Charles Theall, Plant Manager of Springfield Power, LLC, to act as an authorized representative for Springfield Power, LLC and to execute this Renewable Energy Resources Form on behalf of Springfield Power, LLC. Thank you.

Regards,



John Wood
Vice President and Secretary

STATE OF NEW HAMPSHIRE
Department of Environmental Services
Air Resources Division



TITLE V OPERATING PERMIT

Permit No: **TV-OP-016**

Date Issued: **September 1, 2005**

This certifies that:

AES Ecotek Holdings LLC

100 Pine Street, Suite 3300

San Francisco, CA 94111

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

Hemphill Power & Light Company

54 Fisher Corner Road

Springfield, NH

AFS No. 3301900031

This Title V Operating Permit is hereby issued under the terms and conditions specified in the Title V Operating Permit Application filed with the New Hampshire Department of Environmental Services on **November 3, 2003** under the signature of the following responsible official certifying to the best of their knowledge that the statements and information therein are true, accurate and complete.

Responsible Official:

Charles Theall

Operations Manager

(603) 763-4757 ext. 20

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This Permit is issued by the New Hampshire Department of Environmental Services, Air Resources Division pursuant to its authority under New Hampshire RSA 125-C and in accordance with the provisions of the Code of Federal Regulations, Title 40, Part 70.

This Title V Operating Permit shall expire on **August 31, 2010**.

SEE ATTACHED SHEETS FOR ADDITIONAL PERMIT CONDITIONS

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


Director, Air Resources Division

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ABBREVIATIONS

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

ABBREVIATIONS (cont.)

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

Facility Specific Title V Operating Permit Conditions

I. Facility Description of Operations:

Hemphill Power and Light Company (Permittee) owns and operates a 16 MWe net output, power generation facility located in Springfield, New Hampshire. The primary sources of emissions at the facility are a wood-fired boiler, a diesel chipper engine, an emergency diesel generator, a fire pump and a cooling tower. The facility is a major source of NOx and CO emissions and therefore requires a Title V Operating Permit.

II. Permitted Activities:

In accordance with all of the applicable requirements identified in the Permit, the Permittee is authorized to operate the devices and/or processes identified in Sections III, IV, V, and VI within the terms and conditions specified in this permit.

III. Significant Activities Identification:

A. Significant Activities:

The activities identified in Table 1 are subject to and regulated by this Title V Operating Permit.

Table 1 – Significant Activities			
Emission Unit Number	Description of Emission Unit	Install Date	Manufacturers Rated Maximum Design Capacity
EU1	Babcock and Wilcox Wood-fired Boiler Serial No. 756601	1987	1. Maximum Firing Rate-220 MMBTU/hr for wood equivalent to: a) 160,000 lb/hr of steam averaged over 24-hour period at 900°F and 885 psig; and b) 252,000 tpy for wood chips at 55% moisture.
EU2	Caterpillar 3412 Diesel Chipper Engine Serial No. 38513653	1987	1. Maximum Firing Rate-4.3 MMBTU/hr equivalent to 31.2 gal/hr 2. Rated Output-625 HP
EU3	Cummins Diesel Emergency Generator Serial No. 11416173	1987	1. Maximum Firing Rate-3.5 MMBTU/hr equivalent to 25.5 gal/hr 2. Rated Output-470 HP 3. EU3 shall be limited to less than 500 hours during any consecutive 12-month period.
EU4	Cummins Diesel Fire Pump Serial No. 20245491	1987	1. Maximum Firing Rate-2.4 MMBTU/hr equivalent to 17.5 gal/hr; 2. Rated Output-187 HP 3. EU4 shall be limited to less than 500 hours during any consecutive 12-month period.
EU5	Cooling Tower	1987	1. Drift Factor= 0.00088 %; and 2. Circulation Rate=11,473 gpm
The facility is a true minor source of HAP emissions.			

B. Stack Criteria:

The stacks indicated in Table 2 – Stack Criteria, for the significant devices described in Table 1 and listed below, shall discharge vertically without obstruction (including rain caps) and meet the following criteria in accordance with the state-only requirements¹ of Env-A 606.

Table 2 – Stack Criteria			
Stack #	Emission Unit #	Minimum Stack Height Above Base Elevation (Feet)	Maximum Stack Diameter or Dimensions (Feet)
Stack 1	Boiler	212	6.5
Stack 2	Chipper Diesel Engine	24	0.67

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

IV. Insignificant Activities Identification:

All activities at this facility that meet the criteria identified in Env-A 609.04 shall be considered insignificant activities. Emissions from the insignificant activities shall be included in the total facility emissions for the emission-based fee calculation described in Section XXIII of this Permit.

V. Exempt Activities Identification:

All activities identified in Env-A 609.03(c) shall be considered exempt activities and shall not be included in the total facility emissions for the emission based fee calculation described in Section XXIII of this permit.

VI. Pollution Control Equipment/Technique Identification:

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

¹ The term “state-only requirement” is used to refer to those requirements that are not federally enforceable but are state requirements as defined in Env-A 101.259.

Table 3 – Pollution Control Equipment Identification		
Pollution Control Equipment Number	Description of Equipment	Activity
PCE1	Multicyclone (Multiclone)	Primary particulate matter control for EU1.
PCE2	Electrostatic Precipitator (ESP)	Secondary particulate matter control for EU1.

VII. Alternative Operating Scenarios:

No alternative operating scenarios were identified in this permit.

VIII. Applicable Requirements:

A. State-only Enforceable Operational and Emission Limitations:

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

Table 4 – State-only Enforceable Operational and Emission Limitations			
Item #	Applicable Requirements	Applicable Emission Unit	Regulatory Cite
1.	<u>Methods of Demonstrating Compliance</u> In accordance with Env-A 1405.01, the owner of any device or process, that emits a regulated toxic air pollutant, shall determine compliance with the ambient air limits (AALs) by using one of the methods provided in Env-A 1405.02, Env-A 1405.03, Env-A 1405.04, Env-A 1405.05 or Env-A 1405.06.	Facility wide	Env-A 1405.01
2.	<u>Compliance Demonstration</u> In accordance with Env-A 1402.01(c)(3), documentation for the demonstration of compliance shall be retained at the facility, and shall be made available to the DES for inspection.	Facility wide	Env-A 1402.01(c)(3)
3.	<u>24-hour and Annual Ambient Air Limit</u> The emissions of any regulated toxic air pollutant shall not cause an exceedance of its associated 24-hour or annual ambient air limit as set forth in Env-A 1450, <i>Table Containing the List Naming All Regulated Toxic Air Pollutants</i> .	Facility Wide	Env-A 1400
4.	<u>Revisions of the List of RTAPs</u> In accordance with RSA 125-I:5 IV, if DES revises the list of regulated toxic air pollutants (RTAPs) or their respective ambient air limits or classifications under RSA 125-I:4, II and III, and as a results of such revision the Permittee is required to obtain or modify the Permit under the provisions of RSA 125-I or RSA 125-C, the Permittee shall have 90 days following publication of notice of such final revision in the New Hampshire Rulemaking Register to file a complete application for such permit or permit modification. DES shall include as conditions in any permit issued as a result of a revision to the list of RTAPs a compliance plan and a schedule for achieving compliance based on public	Facility wide	RSA 125-I:5 IV

Table 4 – State-only Enforceable Operational and Emission Limitations

Item #	Applicable Requirements	Applicable Emission Unit	Regulatory Cite
	health, economic and technical consideration, not to exceed 3 years.		
5.	<p><u>Activities Exempt from Opacity Standards</u></p> <p>a) The Facility shall be exempt from the opacity standards of Env-A 2003.02 specified above in Table 5, Item 2, when performing the following activities:</p> <ol style="list-style-type: none"> 1) During periods of startup, shutdown and malfunction opacity shall be allowed to be in excess of 20 percent for one period of 6 continuous minutes per hour; or 2) During periods of normal operation, soot blowing, grate cleaning, and cleaning of fires opacity shall be allowed to be in excess of 20 percent but not more than 27 percent for one period of 6 continuous minutes per hour; <p>b) In addition, the Facility shall be exempt from the opacity standard of Env-A 2003.02 specified above in Table 5, Item 2, where the Permittee demonstrates to DES that such exceedances:</p> <ol style="list-style-type: none"> 1) Were the result of the adherence to good boiler operating practices which, in the long term, result in the most efficient or safe operation of the boiler; 2) Occurred during periods of cold startup of a boiler over a continuous period of time resulting in efficient heat-up and stabilization of its operation and the expeditious achievement of normal operation of the unit; 3) Occurred during periods of continuous soot blowing of the entire boiler tube section over regular time intervals as determined by the operator and in conformance with good boiler operating practice; or 4) Were the result of the occurrence of an unplanned incident in which the opacity exceedance was beyond the control of the operator and in response to such incident, the operator took appropriate steps in conformance with good boiler operating practice to eliminate the excess opacity as quickly as possible. 	Facility Wide	<p>Env-A 2003.04(a)(d) (e)(f) & 40 CFR 60.43b (f)(g)</p>

B. Federally Enforceable Operational and Emission Limitations

The Permittee shall be subject to the Federally enforceable operational and emission limitations identified in Table 5 below:

Table 5 – Federally Enforceable Operational and Emission Limitations

Item #	Applicable Requirement	Applicable Emission Unit	Regulatory Cite
1.	<u>Opacity from Processes</u> Unless otherwise specified in Env-A 2100, no person shall cause or allow visible fugitive emissions or visible stack emissions for any process, manufacturing or service-based industry to exceed an average of 20 percent opacity for any continuous 6-minute period in any 60 minute period, except where opacity is specified differently for fuel burning devices in Env-A 2000.	Facility wide	Env-A 2107.01(a) (Formerly Env-A 1203.05)
2.	<u>Opacity from Fuel Burning Device Installed after May 13, 1970</u> No owner or operator shall cause or allow average opacity from fuel burning devices installed after May 13, 1970 in excess of 20 percent for any continuous 6-minute period in any 60 minute period.	Facility wide	Env-A 2003.02 (Formerly Env-A 1202.02) & 40 CFR 60.43b(f)
3.	<u>Accidental Release Program Requirements</u> Currently, substances regulated under 40 CFR 68 are stored at the facility in amounts less than the applicable threshold quantities established in 40 CFR 68.130. The facility is subject to the Purpose and General Duty clause of the 1990 Clean Air Act, Section 112(r)(1). General Duty includes the following responsibilities: <ul style="list-style-type: none"> a) Identify potential hazards which result from such releases using appropriate hazard assessment techniques; b) Design and maintain a safe facility; c) Take steps necessary to prevent releases; and d) Minimize the consequences of accidental releases that do occur. 	Facility wide	CAAA 112(r)(1)
4.	<u>NSPS for Particulate Matter</u> No owner or operator that combusts wood, or wood with fuel oils shall cause or allow discharge of particulate matter in excess of 0.10 lb/mmBTU heat input.	EU1	Subpart Db, 40 CFR 60.43b(c)(1)
5.	<u>PM Emission Standard for Fuel burning Devices Installed on or After January 1, 1985</u> No owner or operator shall allow emissions of particulate matter from fuel burning devices in excess of 0.30 lb/mmBtu.	Facility wide	Env-A 2003.08
6.	<u>Prevention of Significant Deterioration (PSD) Avoidance</u> The Permittee shall limit the emissions of NOx and CO to less than 250 tons per year for each pollutant.	Facility wide	40 CFR 52.21(b)(1)(i) (b) & TP-B-129 issued on 10/23/1992
	The Permittee shall limit the emissions of NOx and CO from the Boiler to: <ul style="list-style-type: none"> a) 57.0 lb/hr of NOx <u>averaged over any consecutive 365-day period</u>; and b) 57.0 lb/hr of CO <u>averaged over any consecutive 365-day period</u>. Compliance with this emission limit shall be demonstrated using the NOx and CO CEM data.	EU1	

Table 5 – Federally Enforceable Operational and Emission Limitations

Item #	Applicable Requirement	Applicable Emission Unit	Regulatory Cite
7.	<u>NOx RACT</u> The Permittee shall comply with NOx emissions rate of 0.33 lb/MMBTU <u>based on a 24-hr calendar day average</u> for boilers firing wood or combination of wood and oil and equipped with a traveling, shaker, or vibrating grate.	EU1	Env-A 1211.04(d) & Env-A 1211.05(d)(5) (a)
8.	<u>Emergency Generators</u> The emergency generators, including fire pumps, at a stationary source operating less than 500 hours each during any consecutive 12 month-period and having combined theoretical potential emissions of NOx, from all such generators limited to less than 25 tons for any consecutive 12-month period, shall be exempt from the requirements of Env-A 1211.11.	EU3 & EU4	Env-A 1211.02 (j)(1)&(2) (Formerly Env-A 1211.02(j))
9.	<u>Precautions to Prevent, Abate, and Control Fugitive Dust</u> Any person engaged in any activity, except those listed in Env-A 1002.02(b), that emits fugitive dust within the state shall take precautions throughout the duration of the activity in order to prevent, abate, and control the emission of fugitive dust including but not limited to wetting, covering, shielding, or vacuuming.	Facility wide	Env-A 1002.03 (Formerly Env-A 1002.03)
10.	<u>Optimum NOx and CO Emission Control</u> The Permittee shall control CO emissions by varying the total quantity of input combustion air and/or local distribution of that air into the Boiler. The Boiler shall be equipped with a fuel distribution, overfire air and undergrate air control system for optimum NOx and CO emission control.	EU1	Env-A 305
11.	<u>Fuel Type</u> Based on facility operations, fuel fed to the EU1 shall consist of any of the following: a) Whole tree wood chips and mill residue at approximately 7.65 mmBTU/ton and 55% moisture; b) Clean processed wood fuel ² approximately ranging from 7.65 mmBTU/ton to 13.5 mmBTU/ton and about 55%-20% moisture; and c) Combination of whole tree wood chips and clean processed wood fuel.	EU1	TP-B-129 issued on 10/23/1992
12.	<u>All Equipment</u> All equipment, facilities and system installed and used to achieve compliance with the terms and conditions of this permit shall at all times be maintained in good working order and shall be operated as efficiently as possible so as to minimize air pollutant emissions and meet all applicable air pollutant emission limits.	Facility wide	TP-B-129 issued on 10/23/1992

² Clean processed wood fuel is considered to be fuel that exhibits fuel characteristics equivalent to "whole tree wood chips" and "sawdust" with respect to the ultimate and proximate analysis of the fuel.

Table 5 – Federally Enforceable Operational and Emission Limitations			
Item #	Applicable Requirement	Applicable Emission Unit	Regulatory Cite
13.	<u>Daily Cap on CO Emissions</u> The CO emission rate for the Boiler shall be limited to <u>225 lbs/hr averaged over each calendar day</u> in accordance with the National Ambient Air Quality Standards (NAAQS), as calculated on the CEM system or using the calculations shown in Table 6, Item 14.	EU1	Env-A 606.04 & 40 CFR 51, Appendix W
14.	<u>Pollution Control Equipment</u> PCE1 and PCE2 controls shall be fully operational upon facility startup and shall not be bypassed during startup, operation or shutdown of the steam generating unit.	PCE1 & PCE2	TP-B-129 issued on 10/23/1992

C. Emission Reductions Trading Requirements

The Permittee did not request emissions reductions trading in its operating permit application. At this point, DES has not included any permit terms authorizing emissions trading in this permit. All emission reduction trading, must be authorized under the applicable requirements of 42 U.S.C §7401 et seq. (the “Act”), and either Env-A 3000 the *Emissions Reductions Credits (ERCs) Trading Program* or Env-A 3100 the *Discrete Emissions Reductions (DERs) Trading Program* and must be provided for in this permit.

D. Monitoring and Testing Requirements:

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

Table 6 – Monitoring/Testing Requirements					
Item #	Parameter	Method of Compliance	Frequency of Method	Device	Regulatory Cite
1.	Continuous Steam Flow Monitor	The owner or operator shall install, maintain and operate a continuous steam flow rate monitoring/recording system which shall meet all applicable ASME specifications. Calibration of the steam flow transducer shall occur at least once annually. If adequate straight length of piping is not available, then in lieu of a measuring system that meets ASME specifications, the owner or operator may use a steam flow rate monitoring system that can be calibrated by instruments installed, maintained and calibrated per ASME specifications or by other methods approved by the DES.	Annually	EU1	Env-A 808.02(b) Federally Enforceable (Formerly Env-A 805.02(b))
2	Periodic Monitoring QIP	If the indicator ranges specified in Table 6A and 6B Item 2 accumulate exceedances over 5% of the rolling 12-month total operating time for each pollution control device, the Permittee shall prepare and submit a	Continuously	PCE1, PCE2	40 CFR 64.8

Table 6 – Monitoring/Testing Requirements

Item #	Parameter	Method of Compliance	Frequency of Method	Device	Regulatory Cite
		<p>Quality Improvement Plan (QIP). The QIP shall include procedures for evaluating the control performance problems. Based on the evaluation, the Permittee shall modify the plan to include procedures for conducting one or more of the following:</p> <ul style="list-style-type: none"> a) Improve preventive maintenance practices; b) Operational changes; c) Appropriate improvements to control methods; d) Other steps to improve control performance; and e) More frequent or improved monitoring. 			
3.	Stack Testing for Total Suspended Particulate	<p>Compliance stack testing shall be planned and carried out at the frequency specified. The pre-test protocol must be submitted by the facility at least 30 days prior to the commencement of testing. The pre-test report shall contain the following information:</p> <ul style="list-style-type: none"> a) Calibration methods and sample data sheets; b) Description of the test methods to be used; c) Pre-test preparation procedures; d) Sample collection and analysis methods; e) Process data to be collected; and f) Complete test program description. <p>At least 15 days prior to the test date, the facility and any contractor that the facility retains for performance of the test, shall participate in pre-test conference with a Division representative.</p> <p>The pre-test protocol must be submitted by the facility at least 30 days prior to the commencement of testing. Emission testing shall be carried out under the observation of a Division representative. Upon commencement of any performance test, the performance test shall not be aborted unless approved by DES.</p> <p>The Permittee shall submit a stack test report to DES within 60 days of completion of the actual testing.</p>	Every 5 years, within 90 days of the anniversary of the last stack test ³ .	EU1	<p>40 CFR 60.8, 60.46b(b) and Env-A 802.02 & Env-A 802.04 (Formerly Env-A 806.01(a))</p> <p>Env-A 802.05</p> <p>Env-A 802.03</p> <p>Env-A 802.11</p>
4.	Opacity CEM (COMS)	<p>The owner or operator of an affected facility subject to the opacity standard under 60.43b shall install, calibrate, maintain, and operate a continuous monitoring system for measuring the opacity of emissions discharged to the atmosphere and record the output of the system.</p>	Continuously	EU1	<p>Subpart Db, 40 CFR 60.48b(a), 40 CFR 60, Appendix B, Performance</p>

³ As of this TV Permit issuance date, the last stack test for particulates was done on May 27, 2004.

Table 6 – Monitoring/Testing Requirements

Item #	Parameter	Method of Compliance	Frequency of Method	Device	Regulatory Cite
		The COMS shall meet the requirements of 40 CFR 60, Appendix B, Performance Specification 1 and Env-A 808.03(b). Determination of compliance with opacity emission limits established in Table 5, Item 2 of this permit shall be made by the facility COMS or visible emission readings taken once per day following the procedures specified in 40 CFR 60, Appendix A, Method 9. Calculations shall be performed as specified in Table 6, Item 14.			Specification 1 & Env-A 808.03(b), (c) (Formerly Env-A 805)
5.	NOx CEM	<p>The owner or operator of an affected facility wishing to opt out from the PSD requirements, shall install, calibrate, maintain, and operate a continuous monitoring system for measuring the NOx emissions discharged to the atmosphere and record the output of the system.</p> <p>The NOx CEM system shall meet the requirements of 40 CFR 60, Appendix B, Performance Specification 2 and Env-A 808.03(c). Determination of compliance with NOx emission limits established in Table 5, Item 7 and Item 8 of this permit shall be made using data from the facility NOx CEM. The NOx emission rate shall be calculated daily in lb/hr averaged over a rolling 365-day period and in lb/MMBTU averaged over 24-hours.</p> <p>Calculations shall be performed as specified in Table 6, Item 14.</p>	Continuously	EU1	40 CFR 60, Appendix B, Performance Specification 2 & Env-A 808.03(c) (Formerly Env-A 805)
6.	CO CEM	<p>The owner or operator of an affected facility wishing to opt out from the PSD requirements, shall install, calibrate, maintain, and operate a continuous monitoring system for measuring the CO emissions discharged to the atmosphere and record the output of the system.</p> <p>The CO CEM system shall meet the requirements of 40 CFR 60, Appendix B, Performance Specification 4 and Env-A 808.03(c). Determination of compliance with CO emission limits established in Table 5, Item 7 and 14 of this permit shall be made using data from the facility CO CEM. The CO emission rate shall be calculated in lb/hr averaged over 24 hours and a consecutive 365-day period. Calculations shall be performed as specified in Table 6, Item 14.</p>	Continuously	EU1	40 CFR 60, Appendix B, Performance Specification 4 & Env-A 808.03(c) (Formerly Env-A 805)

Table 6 – Monitoring/Testing Requirements

Item #	Parameter	Method of Compliance	Frequency of Method	Device	Regulatory Cite
7.	Carbon Dioxide (CO ₂) CEM	The CO ₂ CEM shall meet the requirements of 40 CFR 60, Appendix B, Performance Specification 3 and Env-A 808.03(c).	Continuously	EU1	40 CFR 60, Appendix B, Performance Specification 3 & Env-A 808.03(c) (Formerly Env-A 805)
8.	Volumetric Flow CERMS	CERMS shall meet all of the requirements of 40 CFR 60, Appendix B, Performance Specification 6 and Env-A 808.03(d). The stack flow monitor shall have an automatic blow-back purge system activated, during boiler operation. The stack volumetric flow measuring device combined with the NO _x and CO concentration obtained from CEM, shall be used to calculate mass emission rates for comparison with the emission standard specified in Table 5, Item 6 , 7, and 13.	Continuously	EU1	40 CFR 60, Appendix B, Performance Specification 6 & Env-A 808.03(d) (Formerly Env-A 805.03)
9.	QA/QC Plan Requirements	The Permittee required to operate or maintain an opacity or gaseous CEM system shall: a) Maintain a quality assurance/quality control (QA/QC) plan, which shall contain written procedures for implementation of its QA/QC program for each CEM system; b) Review the QA/QC plan and all data generated by its implementation at least once each year; c) Revise or update the QA/QC plan, as necessary, based on the results of the annual review, by documenting any changes made to the CEM or changes to any information provided in the monitoring plan; d) Make the revised QA/QC plan available for on-site review by the division at any time; e) Within 30 days of completion of the annual QA/QC plan review, certify in writing that the Permittee will continue to implement the source's existing QA/QC plan or submit in writing any changes to the plan and the reasons for change.	Annually	EU1	Env-A 808.06 (Formerly Env-A 805.06) Federally Enforceable

Table 6 – Monitoring/Testing Requirements

Item #	Parameter	Method of Compliance	Frequency of Method	Device	Regulatory Cite
10.	General Audit Requirements	The Permittee shall: a) Perform required quarterly audits anytime during each calendar quarter, but successive quarterly audits shall occur no more than 4 months apart; and b) Notify the division at least 30 days prior to the performance of a RATA.	Quarterly	EU1	Env-A 808.07 (Formerly Env-A 805) Federally Enforceable
11.	Gaseous CEM Audit Requirements	Audit requirements for gaseous CEM systems shall be performed in accordance with procedures described in 40 CFR 60, Appendix F and Env-A 808.08	Quarterly	EU1	Env-A 808.08 (Formerly Env-A 805) Federally Enforceable
12.	Opacity CEM Audit Requirements	Audit requirements for gaseous CEM systems shall be performed in accordance with procedures described in 40 CFR 60, Appendix B, Specification 1 and Env-A 808.09	Quarterly	EU1	Env-A 808.09 (Formerly Env-A 805) Federally Enforceable
13.	Data Availability Requirements	The Permittee shall operate the CEM at all times during operation of the source in accordance with Env-A 808.10, except for periods of CEM breakdown, repairs, calibration checks, preventive maintenance, and zero/span adjustments. The percentage CEM data availability for opacity and all gaseous concentration monitors shall be maintained at a minimum of 90% on a calendar quarter basis.	As specified	EU1	Env-A 808.10 (Formerly Env-A 805) Federally Enforceable
14.	Calculations of CEM Averages	<u>Calendar day average</u> shall be calculated as follows: a) Calendar day average=(Sum of all valid hour lb/hr averages for the calendar day)/(24 hours – hours of CEM system downtime for the day); b) Calendar day averages shall only be valid for days with 18 or more valid hours of CEM data; c) A valid hour of CEM data shall be defined as a minimum of 42 minutes collection of CEM readings taken in a calendar hour; and d) Hours of CEM system downtime shall be defined as the number of calendar hours when the CEM system has not collected data or is out-of-control for greater than 18 minutes for any reason (i.e. audits, CEM system calibration, CEM system failures, etc.) <u>Consecutive 365-day average</u> shall be calculated as	N/A	EU1	40 CFR 60, Appendix B, & Env-A 808.14 (Formerly Env-A 805.07(d))

Table 6 – Monitoring/Testing Requirements					
Item #	Parameter	Method of Compliance	Frequency of Method	Device	Regulatory Cite
		<p>follows:</p> <p>a) Consecutive 365-day Average=(Sum of all valid calendar day averages for the 365-day period)/(365 days – days of CEM system downtime);</p> <p>b) Days of CEM system downtime shall be defined as the number of calendar days when the CEM system has collected less than 18 valid hours of CEM data;</p> <p>c) Hours or days when the CEM system has been intentionally shutdown when the facility is not operating shall not be counted as CEM system downtime.</p>			
15.	CEM Excess Emissions	Excess emissions indicated by the CEM system shall be considered violations of the applicable emission limit for purposes of this permit, except where the owner or operator can adequately demonstrate to the DES that the recorded exceedance resulted from a CEM malfunction.	Continuously	EU1	Env-A 808.01(d)(f) Federally Enforceable (Formerly Env-A 805)

Table 6A – Compliance Assurance Monitoring-40 CFR 64 ESP for the control of Particulate Matter		
Indicator	Indicator No. 1- Secondary Voltage	Indicator No. 2- Inspection and Maintenance
1. Measurement Approach	Measurement of the secondary voltage with a standard voltmeter and a voltage transmitter.	<p>a) Inspections shall be performed according to I/M checklist.</p> <p>b) Inspection of casing, piping and ducts for leaks, abnormal noise, hot spots and fires.</p> <p>c) Inspection of the ash hopper, high-level probes and remote alarms for correction operation.</p> <p>d) Maintenance performed as needed.</p>
2. Indicator Range	<p>The indicator range is a secondary voltage between 15 kilovolts and 60 kilovolts.</p> <p>An excursion⁴, triggers an inspection, corrective action and a reporting requirement.</p>	<p>Failure to perform an inspection triggers a reporting requirement.</p> <p>Equipment failures identified during the inspection trigger corrective action, and a reporting requirement.</p>
3. Performance Criteria a. Data Representativeness	<p>The secondary voltage measured with voltmeter is displayed at the ESP control panel. The minimum accuracy of the voltmeter is +/- 3% of span.</p> <p>The secondary voltage measured with voltage transmitter is displayed on the</p>	Inspections are performed at the ESP.

⁴ Excursion shall mean a departure from an indicator range established for monitoring under this part, consistent with any averaging period specified for averaging the results of the monitoring.

**Table 6A – Compliance Assurance Monitoring-40 CFR 64
ESP for the control of Particulate Matter**

Indicator	Indicator No. 1- Secondary Voltage	Indicator No. 2- Inspection and Maintenance
	Digital Control System located in the Control Room. The minimum accuracy of the voltage transmitter is +/- 0.1% of span.	
b. QA/QC Practices and Criteria	1) Secondary voltmeter and transmitter shall be calibrated annually and the results recorded. 2) The Permittee shall maintain the monitoring equipment at all times, including but not limited to, maintaining necessary parts for routine repair and maintenance. 3) Both fields of the ESP must be operational.	Inspections shall be performed by qualified personnel.
c. Monitoring Frequency	The secondary voltage is recorded once per shift.	1) Annual inspections shall be performed according to the I/M checklist; 2) Once per shift inspection shall include inspection of casing, piping and ducts for leaks, abnormal noise, hot spots and fires; 3) Monthly inspection shall include inspection of the ash hopper, high-level probes and remote alarms for correction operation.
i. Data Collection Procedure	Records shall be maintained on the standard operating logs.	Record results of all inspections in a log book.
ii. Averaging Period	Not applicable	Not applicable

**Table 6B – Compliance Assurance Monitoring-40 CFR 64
Multiclone for the control of Particulate Matter**

Indicator	Indicator No. 1- Pressure differential across the Multiclone	Indicator No. 2- Inspection and Maintenance
1. Measurement Approach	Measurement of pressure differential across the multiclone using pressure transmitter.	a) Inspections shall be performed according to the I/M checklist including inspection of the inlet and outlet vanes and boots for any buildup of caked dust. b) Inspections of the multiclone for any apparent abnormalities or damage that would cause air leakage into the unit. c) Maintenance performed as needed.
2. Indicator Range	The indicator range is a pressure differential reading greater than 5" and less than 2" of water column. Excursions trigger an inspection, corrective action, and a reporting requirement.	Failure to perform an inspection triggers a reporting requirement. Equipment failures identified during the inspection trigger corrective action, and a reporting requirement.

**Table 6B – Compliance Assurance Monitoring-40 CFR 64
Multiclone for the control of Particulate Matter**

Indicator	Indicator No. 1- Pressure differential across the Multiclone	Indicator No. 2- Inspection and Maintenance
3. Performance Criteria	The pressure transmitter is located at the inlet and outlet of multiclone. The minimum accuracy of the transmitter is +/- 0.5 inches of water column.	Inspections are performed at the multiclone.
a. Data Representativeness		
b. QA/QC Practices and Criteria	<ol style="list-style-type: none"> 1) The pressure transmitter shall be calibrated annually and the results recorded. 2) Multiclone shall be operated under negative pressure. 3) The Permittee shall maintain the monitoring equipment at all times, including but not limited to, maintaining necessary parts for routine repair and maintenance. 	Inspections shall be performed by qualified personnel.
c. Monitoring Frequency	Pressure drop is recorded once per shift.	<ol style="list-style-type: none"> 1) Annual inspections shall be performed according to I/M checklist including inspection of the inlet and outlet vanes and boots for any buildup of caked dust. 2) Daily inspections of the multiclone shall include checking for any apparent abnormalities or damage that would cause air leakage into the unit. 3) Maintenance performed as needed.
i. Data Collection Procedure	Records shall be maintained on standard operating logs.	Record results of all inspections and maintenance in a log book.
ii. Averaging Period	Not applicable	Not applicable

E. Recordkeeping Requirements⁵:

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

⁵ On October 21, 2003 DES promulgated new Env-A 900 regulations in an attempt to streamline the recordkeeping and reporting requirements sections of the New Hampshire Code of Administrative Rules. Until such time that the new Env-A 900 regulations are approved and adopted into the State Implementation Plan (SIP) by EPA, all Title V permits will be incorporating the old Env-A 900 regulations (which became effective on November 11, 1992), unless the new Env-A 900 regulations are more stringent. The recordkeeping and reporting requirements contained in this Permit are those requirements, which the facility shall be required to comply with. These recordkeeping and reporting requirements shall fall under the Permit Shield provisions as contained in Section XIII of this Permit.

Table 7 – Applicable Recordkeeping Requirements

Item #	Applicable Recordkeeping Requirement	Records Retention Requirement	Applicable Emission Unit	Regulatory Cite.
1.	<u>Retention of Records</u> The Permittee shall retain records of all required monitoring data, recordkeeping and reporting requirements, and support information for a period of at least 5 years from the date of origination.	Retain for a minimum of 5 years	Facility Wide	40 CFR 70.6(a)(3)(ii)(B)
2.	<u>Compliance Certification</u> The owner or operator shall meet the requirements for compliance certification with terms and conditions contained in this permit, including emission limitations, standards, or work practices. Compliance certifications shall meet the requirements outlined in Section XXI of this permit.	Annually	Facility Wide	40 CFR 70.6(c)(5)
3.	<u>Monitoring Data</u> The Permittee shall maintain records of all monitoring requirements as specified in Table 6 of this Permit including but not limited to: <ol style="list-style-type: none"> Summary of maintenance and repair records for pollution control equipment listed in Table 3. Summary of maintenance, and repair records of the CEM, COM and CERM systems; and Summary of maintenance, calibration, and repair records associated with steam flow measuring device; Stack test results for CO, NOx and PM; and Summary of testing and/or delivery ticket certifications for sulfur content limitation provision. 	Maintain on a continuous basis	Facility Wide	40 CFR 7.6(a)(3)(iii)(A)
4.	<u>Records on Fuel Utilization:</u> For wood and bark including saw/sander dust, the owner or operator shall keep records on fuel utilization in accordance with the following: <ol style="list-style-type: none"> Consumption; Fuel type; For applicable liquid fuels, pursuant to Env-A 1603.01: <ol style="list-style-type: none"> Consumption; Fuel type; and Sulfur content as percent sulfur by weight of fuel. 	Monthly	Facility Wide	Env-A 901.03 Federally Enforceable
5.	<u>Env-A 1400 Records:</u> Facilities subject to the requirements of Env-A 1400 shall maintain records in accordance with the applicable methods used to demonstrate compliance pursuant to Env-A 1405.	Maintain on a continuous basis	Facility Wide	Env-A 902.01(c) Federally Enforceable

Table 7 – Applicable Recordkeeping Requirements

Item #	Applicable Recordkeeping Requirement	Records Retention Requirement	Applicable Emission Unit	Regulatory Cite.
6.	<p><u>CEMS Records</u></p> <p>For each CEM system at the facility, the owner or operator shall keep the records of emission data recorded by the CEM system, including:</p> <ul style="list-style-type: none"> a) Quarterly CEM/COM audit results; b) Rolling 365-day averages of NO_x and CO in lb/hr and part per million (ppm) dry whether or not an excess emissions has occurred; c) Calendar day averages of CO in lb/hr; d) Calendar day averages of NO_x in lb/MMBTU; e) Calendar day averages of percentage of CO₂ on a wet basis; f) Calendar day averages of percentage of opacity; g) Calendar day averages of stack flow (dscfm); and h) CEM system availability data. 	Maintain on a continuous basis	EU1	<p>Env-A 901.12 & Env-A 808 (Formerly Env-A 805)</p> <p>Federally Enforceable</p>
7.	<p><u>CAM Recordkeeping</u></p> <p>The CAM monitoring report shall include the information required under CFR 70.6(a)(3)(iii) and the following information:</p> <ul style="list-style-type: none"> a) Summary information on the number, duration and cause of excursions or exceedances and the corrective actions taken; and b) Summary information on the number, duration and cause for monitor downtime incidents. 	Maintain on a continuous basis	PCE1 & PCE2	40 CFR 64.9(a)(2)
8.	<p><u>NO_x Recordkeeping Requirements:</u></p> <p>For fuel burning devices, including boilers, and internal combustion engines, the following information shall be recorded and maintained:</p> <ul style="list-style-type: none"> a) Facility information, including: b) Source name: <ul style="list-style-type: none"> 1) Source identification; 2) Physical address; 3) Mailing address; and 4) A copy of the certificate of accuracy. c) Identification of each fuel burning device; d) Operating schedule information for each fuel burning device identified in c), above, including: 	On a continuous basis	Facility Wide	<p>Env-A 901.08</p> <p>Federally Enforceable</p>

Table 7 – Applicable Recordkeeping Requirements

Item #	Applicable Recordkeeping Requirement	Records Retention Requirement	Applicable Emission Unit	Regulatory Cite.
	<ul style="list-style-type: none"> 1) Days per calendar week during the normal operating schedule; 2) Hours per day during the normal operating schedule and for a typical ozone season day, if different from the normal operating schedule; and 3) Hours per year during the normal operating schedule; e) Type, and amount of fuel burned, for each fuel burning device, during normal operating conditions and for a typical ozone season day, if different from normal operating conditions, on an hourly basis in million Btu's per hour and; f) The following NO_x emission data, including records of total annual emissions, in tons per year, facility wide emissions in tons per month, and typical ozone season day emissions, in pounds per day, shall be maintained at the facility for a minimum period of 4 years; <ul style="list-style-type: none"> 1) Theoretical potential emissions for the calculation year for each fuel burning device; 2) Actual NO_x emissions for each fuel-burning device. 			
9.	<u>Process Operation Recordkeeping</u> The owner or operator shall keep the records regarding the total quantities of all chemicals utilized in the cooling towers which are required to calculate emissions.	Maintain on a continuous basis	EU4	Env-A 901.04 Federally Enforceable
10.	<u>Quality Improvement Plan</u> The Permittee shall prepare and submit to DES a QIP when the conditions in Table 6, Item 2 are met.	Initially within 180 days of becoming subject to this condition. Maintain on a continuous basis	PCE1, PCE2	40 CFR 64.8

F. Reporting Requirements:

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

Table 8 – Applicable Reporting Requirements

Item #	Reporting Requirements	Frequency of Reporting	Applicable Emission Unit	Regulatory Cite
1.	<u>Certification of Accuracy</u> Any report submitted to the DES and/or EPA shall include the certification of accuracy statement outlined in Section XXI.B of this Permit and shall be signed by the responsible official.	As specified in this Permit	Facility Wide	40 CFR 70.6(c)(1)
2.	<u>Annual Compliance Certification</u> Annual compliance certification shall be submitted in accordance with Section XXI of this Permit.	Annually (no later than April 15 th of the following year)	Facility Wide	40 CFR 70.6(c)(1)
3.	<u>Permit Deviations</u> Prompt reporting of deviations from Permit requirements including those attributed to upset conditions as defined in the permit, the probable cause of such deviations, and any corrective actions or preventative measures taken shall be conducted in accordance with Section XXVIII of this permit.	Prompt reporting (within 24-hours of discovery of an occurrence)	Facility Wide	40 CFR 70.6(a)(3)(iii)(B)
4.	<u>Semi-Annual Permit Deviation and Monitoring Report</u> The Permittee shall submit a summary report of monitoring and permit deviations including the following: a) Summary of maintenance and inspection results for fuel burning devices and pollution control devices; b) Summary of permit deviations including data specified in Table 7, Item 3.a), b), c), e), and Item 7.	Semi-annually by July 31 st and January 31 st of each calendar year.	Facility Wide	40 CFR 70.6(a)(3)(iii)(A) & 64.9(a)(2)
5.	<u>Annual Emissions Report</u> The owner or operator shall submit annual report of the actual emissions including: a) For combustion devices all information listed in Table 7, Item 4; b) For process operations all information listed in Table 7, Item 9; and c) The actual annual emissions speciated by individual New Hampshire RTAP including a breakdown of VOC emissions by compound.	Annually (no later than April 15 th of the following year)	Facility Wide	Env-A 907.01 ⁶ State-only Enforceable
6.	<u>Emission Based Fees Report</u> Annual reporting of emission based fees shall be conducted in accordance with Section XXIII of this Permit. The owner or operator of a stationary source, an area source, or device having actual emissions of 1,000 tons or less shall pay to the	Annually (no later than April 15 th of the following year)	Facility Wide	Env-A 705.04 ⁷

⁶ The "New" Env-A 900 effective October 21, 2003 has not been adopted as part of the State Implementation Plan (SIP) and is considered State-only enforceable until such time as the SIP is amended and approved by EPA.

Table 8 – Applicable Reporting Requirements

Item #	Reporting Requirements	Frequency of Reporting	Applicable Emission Unit	Regulatory Cite
	department the annual emission-based fee no later than April 15 each subsequent year for emissions from the previous calendar year.			
7.	<p><u>NO_x Reporting Requirements</u></p> <p>For fuel burning devices, including boilers, and engines, the owner or operator shall submit to the Director, annually (no later than April 15th of the following year), reports of the data specified in Table 7, Item 8, including total annual quantities of all NO_x emissions as collected from the CEM data.</p>	Annually (no later than April 15 th of the following year)	Facility Wide	Env-A 901.09 Federally Enforceable
8.	<p><u>CEM Audit Report</u></p> <p>Emissions report for the quarter conducted as specified in Env-a 808 and Table 7, Item 6 shall be submitted within 30 days following the close of each calendar quarter.</p>	Quarterly	EU1	Env-A 808.07 (Formerly Env-A 805) Federally Enforceable
9.	<p><u>Excess Emission Reports</u></p> <p>The owner or operator of a source that is required to install and operate a CEM system, shall provide the following in each quarterly emission report:</p> <ol style="list-style-type: none"> The information specified in 40 CFR 60.7(c) and any applicable subpart of 40 CFR 60; The daily averages of gaseous CEM measurements and calculated emission rates; Excess emission data recorded by the CEM system, including: <ol style="list-style-type: none"> The date and time of the beginning and ending of each period of excess emission; The magnitude of each excess emission; The specific cause of the excess emission; and The corrective action taken. If no excess emissions have occurred, a statement to that effect; For gaseous measuring CEM systems, the daily averages of the measurements made and emission rates calculated; A statement as to whether the CEM system was inoperative, repaired, or adjusted during the reporting period; If the CEM system was inoperative, repaired, or adjusted during the reporting period, the following information: 	Quarterly (no later than 30 days following the end of each quarterly reporting period)	EU1	Env-A 808.12 & Env-A808.13 Federally Enforceable (Formerly Env-A 805.08) Subpart Db 40 CFR 60.49b(h)

⁷ Adopted June 26, 2004.

Table 8 – Applicable Reporting Requirements

Item #	Reporting Requirements	Frequency of Reporting	Applicable Emission Unit	Regulatory Cite
	<ol style="list-style-type: none"> 1) The date and time of the beginning and ending of each period when the CEM was inoperative; 2) The reason why the CEM was inoperative; 3) The corrective action taken; and 4) The percent data availability calculated in accordance with Env-A 808.10 for each flow, diluent, or pollutant analyzer in the CEM system. <p>h) For all “out of control periods” the following information;</p> <ol style="list-style-type: none"> 1) The times beginning and ending the out of control period; 2) The reason for the out of control period; and 3) The corrective action taken. <p>i) The date and time beginning and ending each period when the source of emissions which the CEM system is monitoring was not operating.</p> <p>j) The span value, of each analyzer in the CEM system and units of measurement for each instrument; and</p> <p>k) When calibration gas is used, the following information:</p> <ol style="list-style-type: none"> 1) The calibration gas concentration; 2) If a gas bottle was changed during the quarter: <ol style="list-style-type: none"> iii. The date of the calibration gas bottle change; iv. The gas bottle concentration before the change; v. The gas bottle concentration after the change; and 3) The expiration date for all calibration gas bottles used. 			
10.	<p><u>Quality Improvement Plan Submittal</u></p> <p>The Permittee shall submit to DES the QIP required in Table 7, Item 10 and notify DES if submittal will exceed 180 days from the day the source becomes subject to the permit condition.</p>	As expeditiously as practicable	PCE1, PCE2	40 CFR 64.8

IX. Requirements Currently Not Applicable:

Requirements not currently applicable to the facility were not identified by the Permittee.

General Title V Operating Permit Conditions

X. Issuance of a Title V Operating Permit

- A. This Permit is issued in accordance with the provisions of Env-A 609. In accordance with 40 CFR 70.6(a)(2), this Permit shall expire on the date specified on the cover page of this Permit, which shall not be later than the date five (5) years after issuance of this Permit.
- B. Permit expiration terminates the Permittee's right to operate the Permittee's emission units, control equipment or associated equipment covered by this permit, unless a timely and complete renewal application is submitted at least 6 months before the expiration date.

XI. Title V Operating Permit Renewal Procedures

Pursuant to Env-A 609.07(b), an application for renewal of this Permit shall be considered timely if it is submitted to the Director at least six months prior to the designated expiration date of this Permit.

XII. Application Shield

Pursuant to Env-A 609.08, if an applicant submits a timely and complete application for the issuance or renewal of a Permit, the failure to have a Permit shall not be considered a violation of this part until the Director takes final action on the application.

XIII. Permit Shield

- A. Pursuant to Env-A 609.09(a), a permit shield shall provide that:
 - 1. For any applicable requirement or any state requirement found in the New Hampshire Rules Governing the Control of Air Pollution specifically included in this Permit, compliance with the conditions of this Permit shall be deemed compliance with said applicable requirement or said state requirement as of the date of permit issuance; and
 - 2. The Permittee need not comply with any applicable requirement or state requirement found in the New Hampshire Rules Governing the Control of Air Pollution and specifically identified in Section IX of this Title V Operating Permit as not applicable to the stationary source or area source.
- B. The permit shield identified in Section XIII.A. of this Permit shall apply only to those conditions incorporated into this Permit in accordance with the provisions of Env-A 609.09(b). It shall not apply to certain conditions as specified in Env-A 609.09(c) that may be incorporated into this Permit following permit issuance by DES.
- C. If a Title V Operating Permit and amendments thereto issued by the DES does not expressly include or exclude an applicable requirement or a state requirement found in the New Hampshire Rules Governing the Control of Air Pollution, that applicable requirement or state requirement shall not be covered by the permit shield and the Permittee shall comply with the provisions of said requirement to the extent that it applies to the Permittee.
- D. If the DES determines that this Title V Operating Permit was issued based upon inaccurate or incomplete information provided by the applicant or Permittee, any permit shield provisions in said Title V Operating Permit shall be void as to the portions of said Title V

Operating Permit which are affected, directly or indirectly, by the inaccurate or incomplete information.

- E. Pursuant to Env-A 609.09(f), nothing contained in Section XIII of this Permit shall alter or affect the ability of the DES to reopen this Permit for cause in accordance with Env-A 609.19 or to exercise its summary abatement authority.
- F. Pursuant to Env-A 609.09(g), nothing contained in this section or in any title V operating permit issued by the DES shall alter or affect the following:
 - 1. The ability of the DES to order abatement requiring immediate compliance with applicable requirements upon finding that there is an imminent and substantial endangerment to public health, welfare, or the environment;
 - 2. The state of New Hampshire's ability to bring an enforcement action pursuant to RSA 125-C:15,II;
 - 3. The provisions of section 303 of the CAA regarding emergency orders including the authority of the EPA Administrator under that section;
 - 4. The liability of an owner or operator of a source for any violation of applicable requirements prior to or at the time of permit issuance;
 - 5. The applicable requirements of the acid rain program, consistent with section 408(a) of the CAA;
 - 6. The ability of the DES or the EPA Administrator to obtain information about a stationary source, area source, or device from the owner or operator pursuant to section 114 of the CAA; or
 - 7. The ability of the DES or the EPA Administrator to enter, inspect, and/or monitor a stationary source, area source, or device.

XIV. Reopening for Cause

The Director shall reopen and revise a Title V Operating Permit for cause if any of the circumstances contained in Env-A 609.19(a) exist. In all proceedings to reopen and reissue a Title V Operating Permit, the Director shall follow the provisions specified in Env-A 609.19(b) through (g).

XV. Administrative Permit Amendments

- A. Pursuant to Env-A 612.01, the Permittee may implement the changes addressed in the request for an administrative permit amendment as defined in Env-A 100 immediately upon submittal of the request.
- B. Pursuant to Env-A 612.01, the Director shall take final action on a request for an administrative permit amendment in accordance with the provisions of Env-A 612.01(b) and (c).

XVI. Operational Flexibility

- A. Pursuant to Env-A 612.02, the Permittee subject to and operating under this Title V Operating Permit may make changes involving trading of emissions, off-permit changes, and section 502(b)(10) changes at the permitted stationary source or area source without filing a Title V Operating Permit application for and obtaining an amended Title V

Operating Permit, provided that all of the following conditions are met, as well as conditions specified in Section XVI. B through E of this permit, as applicable. At this point, DES has not included any permit terms authorizing emissions trading in this permit.

1. The change is not a modification under any provision of Title I of the CAA;
 2. The change does not cause emissions to exceed the emissions allowable under the Title V operating permit, whether expressed therein as a rate of emissions or in terms of total emissions;
 3. The owner or operator has obtained any temporary permit required by Env-A 600;
 4. The owner or operator has provided written notification to the director and administrator of the proposed change and such written notification includes:
 - a. The date on which each proposed change will occur;
 - b. A description of each such change;
 - c. Any change in emissions that will result;
 - d. A request that the operational flexibility procedures be used; and
 - e. The signature of the responsible official, consistent with Env-A 605.04(b);
 5. The change does not exceed any emissions limitations established under any of the following:
 - a. The New Hampshire Code of Administrative Rules, Env-A 100-3800;
 - b. The CAA; or
 - c. This Title V Operating Permit; and
 6. The Permittee, DES, and EPA have attached each written notice required above to their copy of this Title V Operating Permit.
- B. For changes involving the trading of emissions, the Permittee must also meet the following conditions:
1. The Title V Operating Permit issued to the stationary source or area source already contains terms and conditions including all terms and conditions which determine compliance required under 40 CFR 70.6(a) and (c) and which allow for the trading of emissions increases and decreases at the permitted stationary source or area source solely for the purpose of complying with a federally-enforceable emissions cap that is established in the permit independent of otherwise applicable requirements;
 2. The owner or operator has included in the application for the Title V Operating Permit proposed replicable procedures and proposed permit terms which ensure that the emissions trades are quantifiable and federally enforceable for changes to the Title V Operating Permit which qualify under a federally- enforceable emissions cap that is established in the Title V Operating Permit independent of the otherwise applicable requirements;
 3. The Director has not included in the emissions trading provision any devices for which emissions are not quantifiable or for which there are no replicable procedures to enforce emissions trades; and
 4. The written notification required above is made at least 7 days prior to the proposed

change and includes a statement as to how any change in emissions will comply with the terms and conditions of the Title V Operating Permit.

C. For off-permit changes, the Permittee must also meet the following conditions:

1. Each off-permit change meets all applicable requirements and does not violate any existing permit term or condition;
2. The written notification required above is made contemporaneously with each off-permit change, except for changes that qualify as insignificant under the provisions of Env-A 609.04;
3. The change is not subject to any requirements under Title IV of the CAA and the change is not a Title I modification;
4. The Permittee keeps a record describing the changes made at the source which result in emissions of a regulated air pollutant subject to an applicable requirement, but not otherwise regulated under this Permit, and the emissions resulting from those changes; and
5. The written notification required above includes a list of the pollutants emitted and any applicable requirement that would apply as a result of the change.

D. For section 502(b)(10) changes, the Permittee must also meet the following conditions:

1. The written notification required above is made at least 7 days prior to the proposed change; and
2. The written notification required above includes any permit term or condition that is no longer applicable as a result of the change.

E. Pursuant to Env-A 612.02(f), the off-permit change and section 502(b)(10) change shall not qualify for the permit shield under Env-A 609.09.

XVII. Minor Permit Amendments

- A. Prior to implementing a minor permit modification, the Permittee shall submit a written request to the Director in accordance with the requirements of Env-A 612.05(b).
- B. The Director shall take final action on the minor permit amendment request in accordance with the provisions of Env-A 612.05(c) through (g).
- C. Pursuant to Env-A 612.05(h), the permit shield specified in Env-A 609.09 shall not apply to minor permit amendments under Section XVII. of this Permit.
- D. Pursuant to Env-A 612.05(a), the Permittee shall be subject to the provisions of RSA 125-C:15 if the change is made prior to the filing with the Director of a request for a minor permit amendment.

XVIII. Significant Permit Amendments

- A. Pursuant to Env-A 612.06, a change at the facility shall qualify as a significant permit amendment if it meets the criteria specified in Env-A 612.06(a)(1) through (5).

- B. Prior to implementing the significant permit amendment, the Permittee shall submit a written request to the Director which includes all the information as referenced in Env-A 612.06(b) and (c) and shall be issued an amended Title V Operating Permit from the DES. The Permittee shall be subject to the provisions of RSA 125-C:15 if a request for a significant permit amendment is not filed with the Director and/or the change is made prior to the issuance of an amended Title V Operating Permit.
- C. The Director shall take final action on the significant permit amendment in accordance with the Procedures specified in Env-A 612.06(d), (e) and (f).

XIX. Title V Operating Permit Suspension, Revocation or Nullification

- A. Pursuant to RSA 125-C:13, the Director may suspend or revoke any final permit issued hereunder if, following a hearing, the Director determines that:
 - 1. The Permittee has committed a violation of any applicable statute or state requirement found in the New Hampshire Rules Governing the Control of Air Pollution, order or permit condition in force and applicable to it; or
 - 2. The emissions from any device to which this Permit applies, alone or in conjunction with other sources of the same pollutants, presents an immediate danger to the public health.
- B. The Director shall nullify any Permit if, following a hearing in accordance with RSA 541-A:30, II, a finding is made that the Permit was issued in whole or in part based upon any information proven to be intentionally false or misleading.

XX. Inspection and Entry

EPA and DES personnel shall be granted access to the facility covered by this Permit, in accordance with RSA 125-C:6,VII for the purposes of: inspecting the proposed or permitted site; investigating a complaint; and assuring compliance with any applicable requirement or state requirement found in the New Hampshire Rules Governing the Control of Air Pollution and/or conditions of any Permit issued pursuant to Chapter Env-A 600.

XXI. Certifications

A. Compliance Certification Report

In accordance with 40 CFR 70.6(c) the Responsible Official shall certify for the previous calendar year that the facility is in compliance with the requirements of this permit. The report shall be submitted annually, no later than April 15th of the following year. The report shall be submitted to the DES and to the U.S. Environmental Protection Agency – Region I. The report shall be submitted in compliance with the submission requirements below.

In accordance with 40 CFR 70.6(c)(5), the report shall describe:

- 1. The terms and conditions of the Permit that are the basis of the certification;
- 2. The current compliance status of the source with respect to the terms and conditions of this Permit, and whether compliance was continuous or intermittent during the reporting period;

3. The methods used for determining compliance, including a description of the monitoring, record keeping, and reporting requirements and test methods; and
4. Any additional information required by the DES to determine the compliance status of the source.

B. Certification of Accuracy Statement

All documents submitted to the DES shall contain a certification by the responsible official of truth, accuracy, and completeness. Such certification shall be in accordance with the requirements of 40 CFR 70.5(d) and contain the following language:

"I am authorized to make this submission on behalf of the facility for which the submission is made. Based on information and belief formed after reasonable inquiry, I certify that the statements and information in the enclosed documents are to the best of my knowledge and belief true, accurate and complete. I am aware that there are significant penalties for submitting false statements and information or omitting required statements and information, including the possibility of fine or imprisonment."

All reports submitted to DES (except those submitted as emission based fees as outlined in Section XXIII of this Permit) shall be submitted to the following address:

New Hampshire Department of Environmental Services
Air Resources Division
29 Hazen Drive
P.O. Box 95
Concord, NH 03302-0095
ATTN: Section Supervisor, Compliance Bureau

All reports submitted to EPA shall be submitted to the following address:

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

XXII. Enforcement

Any noncompliance with a permit condition constitutes a violation of RSA 125-C:15, and, as to the conditions in this permit which are federally enforceable, a violation of the Clean Air Act, 42 U.S.C. Section 7401 et seq., and is grounds for enforcement action, for permit termination or revocation, or for denial of an operating permit renewal application by the DES and/or EPA. Noncompliance may also be grounds for assessment of administrative, civil or criminal penalties in accordance with RSA 125-C:15 and/or the Clean Air Act. This Permit does not relieve the Permittee from the obligation to comply with any other provisions of RSA 125-C, the New Hampshire Rules Governing the Control of Air Pollution, or the Clean Air Act, or to obtain any other necessary authorizations from other

governmental agencies, or to comply with all other applicable Federal, State, or Local rules and regulations, not addressed in this Permit.

In accordance with 40 CFR 70.6 (a)(6)(ii), a Permittee shall not claim as a defense in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this Permit.

XXIII. Emission-Based Fee Requirements

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

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

Where:

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

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

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

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

XXIV. Duty To Provide Information

In accordance with 40 CFR 70.6 (a)(6)(v), upon the DES's written request, the Permittee shall furnish, within a reasonable time, any information necessary for determining whether cause exists for modifying, revoking and reissuing, or terminating the Permit, or to determine compliance with the Permit. Upon request, the Permittee shall furnish to the DES copies of records that the Permittee is required to retain by this Permit. The Permittee may make a claim of confidentiality as to any information submitted pursuant to this condition in accordance with Env-A 103 at the time such information is submitted to DES. DES shall evaluate such requests in accordance with the provisions of Env-A 103.

XXV. Property Rights

Pursuant to 40 CFR 70.6 (a)(6)(iv), this Permit does not convey any property rights of any sort, or any exclusive privilege.

XXVI. Severability Clause

Pursuant to 40 CFR 70.6 (a)(5), the provisions of this Permit are severable, and if any provision of this Permit, or the application of any provision of this Permit to any circumstances is held invalid, the application of such provision to other circumstances, and the remainder of this Permit, shall not be affected thereby.

XXVII. Emergency Conditions

Pursuant to 40 CFR 70.6 (g), the Permittee shall be shielded from enforcement action brought for noncompliance with technology based⁸ emission limitations specified in this Permit as a result of an emergency⁹. In order to use emergency as an affirmative defense to an action brought for noncompliance, the Permittee shall demonstrate the affirmative defense through properly signed, contemporaneous operating logs, or other relevant evidence that:

- A. An emergency occurred and that the Permittee can identify the cause(s) of the emergency;
- B. The permitted facility was at the time being properly operated;
- C. During the period of the emergency, the Permittee took all reasonable steps as expeditiously as possible, to minimize levels of emissions that exceeded the emissions standards, or other requirements in this Permit; and

⁸ Technology based emission limits are those established on the basis of emission reductions achievable with various control measures or process changes (e.g., a new source performance standard) rather than those established to attain health based air quality standards.

⁹ An "emergency" means any situation arising from sudden and reasonably unforeseeable events beyond the control of the source, including acts of God, which situation would require immediate corrective action to restore normal operation, and that causes the source to exceed a technology based limitation under the permit, due to unavoidable increases in emissions attributable to the emergency. An emergency shall not include noncompliance to the extent caused by improperly designed equipment, lack of preventative maintenance, careless or improper operations, operator error or decision to keep operating despite knowledge of any of these things.

- D. The Permittee submitted notice of the emergency to the DES within two (2) business days of the time when emission limitations were exceeded due to the emergency. This notice must contain a description of the emergency, any steps taken to mitigate emission, and corrective actions taken.

XXVIII. Permit Deviation

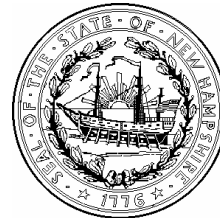
In accordance with 40 CFR 70.6(a)(3)(iii)(B), the Permittee shall report to the DES all instances of deviations from Permit requirements, by telephone, fax, or e-mail (pdeviations@des.state.nh.us) within 24 hours of discovery of such deviation. This report shall include the deviation itself, including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

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

Said Permit deviation shall also be submitted in writing to the DES in the semi-annual summary report of monitoring and testing requirements due July 31st and January 31st of each calendar year. Deviations are instances where any Permit condition is violated and has not already been reported as an emergency pursuant to Section XXVII of this Permit.

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

STATE OF NEW HAMPSHIRE
Department of Environmental Services
Air Resources Division



TITLE V OPERATING PERMIT

Permit No: **TV-OP-016**

Date Issued: **September 1, 2005, Amended November 7, 2007**

This certifies that:

Springfield Power LLC
660 Union Street
San Diego, CA 92101

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

Springfield Power LLC
54 Fisher Corner Road
Springfield, NH
AFS No. 3301900031

This Title V Operating Permit is hereby issued under the terms and conditions specified in the Title V Operating Permit Application filed with the New Hampshire Department of Environmental Services on **November 3, 2003** and administrative amendment request filed with the DES on **October 30, 2007** under the signature of the following responsible official certifying to the best of their knowledge that the statements and information therein are true, accurate and complete.

Responsible Official:

Charles Theall
Plant Manager
(603) 763-4757 ext. 20

Technical Contact:

Michael A. Hunter
Instrument & Control Technician
(603) 763-4757 ext. 27

This Permit is issued by the New Hampshire Department of Environmental Services, Air Resources Division pursuant to its authority under New Hampshire RSA 125-C and in accordance with the provisions of the Code of Federal Regulations, Title 40, Part 70.

This Title V Operating Permit shall expire on **August 31, 2010**.

SEE ATTACHED SHEETS FOR ADDITIONAL PERMIT CONDITIONS

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

A handwritten signature in blue ink, appearing to read "R. [unclear]", is written over a blue "COPY" stamp.

Director, Air Resources Division

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ABBREVIATIONS

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

ABBREVIATIONS (cont.)

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

Facility Specific Title V Operating Permit Conditions

I. Facility Description of Operations:

Springfield Power LLC (Permittee) owns and operates a 16 MWe net output, power generation facility located in Springfield, New Hampshire. The primary sources of emissions at the facility are a wood-fired boiler, a diesel chipper engine, an emergency diesel generator, a fire pump and a cooling tower. The facility is a major source of NOx and CO emissions and therefore requires a Title V Operating Permit.

II. Permitted Activities:

In accordance with all of the applicable requirements identified in the Permit, the Permittee is authorized to operate the devices and/or processes identified in Sections III, IV, V, and VI within the terms and conditions specified in this permit.

III. Significant Activities Identification:

A. Significant Activities:

The activities identified in Table 1 are subject to and regulated by this Title V Operating Permit.

Table 1 – Significant Activities			
Emission Unit Number	Description of Emission Unit	Install Date	Manufacturers Rated Maximum Design Capacity
EU1	Babcock and Wilcox Wood-fired Boiler Serial No. 756601	1987	1. Maximum Firing Rate-220 MMBTU/hr for wood equivalent to: a) 160,000 lb/hr of steam averaged over 24-hour period at 900°F and 885 psig; and b) 252,000 tpy for wood chips at 55% moisture.
EU2	Caterpillar 3412 Diesel Chipper Engine Serial No. 38513653	1987	1. Maximum Firing Rate-4.3 MMBTU/hr equivalent to 31.2 gal/hr 2. Rated Output-625 HP
EU3	Cummins Diesel Emergency Generator Serial No. 11416173	1987	1. Maximum Firing Rate-3.5 MMBTU/hr equivalent to 25.5 gal/hr 2. Rated Output-470 HP 3. EU3 shall be limited to less than 500 hours during any consecutive 12-month period.
EU4	Cummins Diesel Fire Pump Serial No. 20245491	1987	1. Maximum Firing Rate-2.4 MMBTU/hr equivalent to 17.5 gal/hr; 2. Rated Output-187 HP 3. EU4 shall be limited to less than 500 hours during any consecutive 12-month period.
EU5	Cooling Tower	1987	1. Drift Factor= 0.00088 %; and 2. Circulation Rate=11,473 gpm
The facility is a true minor source of HAP emissions.			

B. Stack Criteria:

The stacks indicated in Table 2 – Stack Criteria, for the significant devices described in Table 1 and listed below, shall discharge vertically without obstruction (including rain caps) and meet the following criteria in accordance with the state-only requirements¹ of Env-A 606.

Table 2 – Stack Criteria			
Stack #	Emission Unit #	Minimum Stack Height Above Base Elevation (Feet)	Maximum Stack Diameter or Dimensions (Feet)
Stack 1	Boiler	212	6.5
Stack 2	Chipper Diesel Engine	24	0.67

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

IV. Insignificant Activities Identification:

All activities at this facility that meet the criteria identified in Env-A 609.04 shall be considered insignificant activities. Emissions from the insignificant activities shall be included in the total facility emissions for the emission-based fee calculation described in Section XXIII of this Permit.

V. Exempt Activities Identification:

All activities identified in Env-A 609.03(c) shall be considered exempt activities and shall not be included in the total facility emissions for the emission based fee calculation described in Section XXIII of this permit.

VI. Pollution Control Equipment/Technique Identification:

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

¹ The term “state-only requirement” is used to refer to those requirements that are not federally enforceable but are state requirements as defined in Env-A 101.259.

Table 3 – Pollution Control Equipment Identification		
Pollution Control Equipment Number	Description of Equipment	Activity
PCE1	Multicyclone (Multiclone)	Primary particulate matter control for EU1.
PCE2	Electrostatic Precipitator (ESP)	Secondary particulate matter control for EU1.

VII. Alternative Operating Scenarios:

No alternative operating scenarios were identified in this permit.

VIII. Applicable Requirements:

A. State-only Enforceable Operational and Emission Limitations:

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

Table 4 – State-only Enforceable Operational and Emission Limitations			
Item #	Applicable Requirements	Applicable Emission Unit	Regulatory Cite
1.	<u>Methods of Demonstrating Compliance</u> In accordance with Env-A 1405.01, the owner of any device or process, that emits a regulated toxic air pollutant, shall determine compliance with the ambient air limits (AALs) by using one of the methods provided in Env-A 1405.02, Env-A 1405.03, Env-A 1405.04, Env-A 1405.05 or Env-A 1405.06.	Facility wide	Env-A 1405.01
2.	<u>Compliance Demonstration</u> In accordance with Env-A 1402.01(c)(3), documentation for the demonstration of compliance shall be retained at the facility, and shall be made available to the DES for inspection.	Facility wide	Env-A 1402.01(c)(3)
3.	<u>24-hour and Annual Ambient Air Limit</u> The emissions of any regulated toxic air pollutant shall not cause an exceedance of its associated 24-hour or annual ambient air limit as set forth in Env-A 1450, <i>Table Containing the List Naming All Regulated Toxic Air Pollutants</i> .	Facility Wide	Env-A 1400
4.	<u>Revisions of the List of RTAPs</u> In accordance with RSA 125-I:5 IV, if DES revises the list of regulated toxic air pollutants (RTAPs) or their respective ambient air limits or classifications under RSA 125-I:4, II and III, and as a results of such revision the Permittee is required to obtain or modify the Permit under the provisions of RSA 125-I or RSA 125-C, the Permittee shall have 90 days following publication of notice of such final revision in the New Hampshire Rulemaking Register to file a complete application for such permit or permit modification. DES shall include as conditions in any permit issued as a result of a revision to the list of RTAPs a compliance plan and a schedule for achieving compliance based on public	Facility wide	RSA 125-I:5 IV

Table 4 – State-only Enforceable Operational and Emission Limitations			
Item #	Applicable Requirements	Applicable Emission Unit	Regulatory Cite
	health, economic and technical consideration, not to exceed 3 years.		
5.	<p><u>Activities Exempt from Opacity Standards</u></p> <p>a) The Facility shall be exempt from the opacity standards of Env-A 2003.02 specified above in Table 5, Item 2, when performing the following activities:</p> <ol style="list-style-type: none"> 1) During periods of startup, shutdown and malfunction opacity shall be allowed to be in excess of 20 percent for one period of 6 continuous minutes per hour; or 2) During periods of normal operation, soot blowing, grate cleaning, and cleaning of fires opacity shall be allowed to be in excess of 20 percent but not more than 27 percent for one period of 6 continuous minutes per hour; <p>b) In addition, the Facility shall be exempt from the opacity standard of Env-A 2003.02 specified above in Table 5, Item 2, where the Permittee demonstrates to DES that such exceedances:</p> <ol style="list-style-type: none"> 1) Were the result of the adherence to good boiler operating practices which, in the long term, result in the most efficient or safe operation of the boiler; 2) Occurred during periods of cold startup of a boiler over a continuous period of time resulting in efficient heat-up and stabilization of its operation and the expeditious achievement of normal operation of the unit; 3) Occurred during periods of continuous soot blowing of the entire boiler tube section over regular time intervals as determined by the operator and in conformance with good boiler operating practice; or 4) Were the result of the occurrence of an unplanned incident in which the opacity exceedance was beyond the control of the operator and in response to such incident, the operator took appropriate steps in conformance with good boiler operating practice to eliminate the excess opacity as quickly as possible. 	Facility Wide	<p>Env-A 2003.04(a)(d) (e)(f) & 40 CFR 60.43b (f)(g)</p>

B. Federally Enforceable Operational and Emission Limitations

The Permittee shall be subject to the Federally enforceable operational and emission limitations identified in Table 5 below:

Table 5 – Federally Enforceable Operational and Emission Limitations

Item #	Applicable Requirement	Applicable Emission Unit	Regulatory Cite
1.	<p><u>Opacity from Processes</u></p> <p>Unless otherwise specified in Env-A 2100, no person shall cause or allow visible fugitive emissions or visible stack emissions for any process, manufacturing or service-based industry to exceed an average of 20 percent opacity for any continuous 6-minute period in any 60 minute period, except where opacity is specified differently for fuel burning devices in Env-A 2000.</p>	Facility wide	Env-A 2107.01(a) (Formerly Env-A 1203.05)
2.	<p><u>Opacity from Fuel Burning Device Installed after May 13, 1970</u></p> <p>No owner or operator shall cause or allow average opacity from fuel burning devices installed after May 13, 1970 in excess of 20 percent for any continuous 6-minute period in any 60 minute period.</p>	Facility wide	Env-A 2003.02 (Formerly Env-A 1202.02) & 40 CFR 60.43b(f)
3.	<p><u>Accidental Release Program Requirements</u></p> <p>Currently, substances regulated under 40 CFR 68 are stored at the facility in amounts less than the applicable threshold quantities established in 40 CFR 68.130. The facility is subject to the Purpose and General Duty clause of the 1990 Clean Air Act, Section 112(r)(1). General Duty includes the following responsibilities:</p> <ul style="list-style-type: none"> a) Identify potential hazards which result from such releases using appropriate hazard assessment techniques; b) Design and maintain a safe facility; c) Take steps necessary to prevent releases; and d) Minimize the consequences of accidental releases that do occur. 	Facility wide	CAAA 112(r)(1)
4.	<p><u>NSPS for Particulate Matter</u></p> <p>No owner or operator that combusts wood, or wood with fuel oils shall cause or allow discharge of particulate matter in excess of 0.10 lb/mmBTU heat input.</p>	EU1	Subpart Db, 40 CFR 60.43b(c)(1)
5.	<p><u>PM Emission Standard for Fuel burning Devices Installed on or After January 1, 1985</u></p> <p>No owner or operator shall allow emissions of particulate matter from fuel burning devices in excess of 0.30 lb/mmBtu.</p>	Facility wide	Env-A 2003.08
6.	<p><u>Prevention of Significant Deterioration (PSD) Avoidance</u></p> <p>The Permittee shall limit the emissions of NO_x and CO to less than 250 tons per year for each pollutant.</p>	Facility wide	40 CFR 52.21(b)(1)(i) (b) & TP-B-129 issued on 10/23/1992
	<p>The Permittee shall limit the emissions of NO_x and CO from the Boiler to:</p> <ul style="list-style-type: none"> a) 57.0 lb/hr of NO_x <u>averaged over any consecutive 365-day period</u>; and b) 57.0 lb/hr of CO <u>averaged over any consecutive 365-day period</u>. <p>Compliance with this emission limit shall be demonstrated using the NO_x and CO CEM data.</p>	EU1	

Table 5 – Federally Enforceable Operational and Emission Limitations

Item #	Applicable Requirement	Applicable Emission Unit	Regulatory Cite
7.	<p><u>NOx RACT</u></p> <p>The Permittee shall comply with NOx emissions rate of 0.33 lb/MMBTU <u>based on a 24-hr calendar day average</u> for boilers firing wood or combination of wood and oil and equipped with a traveling, shaker, or vibrating grate.</p>	EU1	Env-A 1211.04(d) & Env-A 1211.05(d)(5) (a)
8.	<p><u>Emergency Generators</u></p> <p>The emergency generators, including fire pumps, at a stationary source operating less than 500 hours each during any consecutive 12 month-period and having combined theoretical potential emissions of NOx, from all such generators limited to less than 25 tons for any consecutive 12-month period, shall be exempt from the requirements of Env-A 1211.11.</p>	EU3 & EU4	Env-A 1211.02 (j)(1)&(2) (Formerly Env-A 1211.02(j))
9.	<p><u>Precautions to Prevent, Abate, and Control Fugitive Dust</u></p> <p>Any person engaged in any activity, except those listed in Env-A 1002.02(b), that emits fugitive dust within the state shall take precautions throughout the duration of the activity in order to prevent, abate, and control the emission of fugitive dust including but not limited to wetting, covering, shielding, or vacuuming.</p>	Facility wide	Env-A 1002.03 (Formerly Env-A 1002.03)
10.	<p><u>Optimum NOx and CO Emission Control</u></p> <p>The Permittee shall control CO emissions by varying the total quantity of input combustion air and/or local distribution of that air into the Boiler. The Boiler shall be equipped with a fuel distribution, overfire air and undergrate air control system for optimum NOx and CO emission control.</p>	EU1	Env-A 305
11.	<p><u>Fuel Type</u></p> <p>Based on facility operations, fuel fed to the EU1 shall consist of any of the following:</p> <ul style="list-style-type: none"> a) Whole tree wood chips and mill residue at approximately 7.65 mmBTU/ton and 55% moisture; b) Clean processed wood fuel² approximately ranging from 7.65 mmBTU/ton to 13.5 mmBTU/ton and about 55%-20% moisture; and c) Combination of whole tree wood chips and clean processed wood fuel. 	EU1	TP-B-129 issued on 10/23/1992
12.	<p><u>All Equipment</u></p> <p>All equipment, facilities and system installed and used to achieve compliance with the terms and conditions of this permit shall at all times be maintained in good working order and shall be operated as efficiently as possible so as to minimize air pollutant emissions and meet all applicable air pollutant emission limits.</p>	Facility wide	TP-B-129 issued on 10/23/1992

² Clean processed wood fuel is considered to be fuel that exhibits fuel characteristics equivalent to “whole tree wood chips” and “sawdust” with respect to the ultimate and proximate analysis of the fuel.

Table 5 – Federally Enforceable Operational and Emission Limitations

Item #	Applicable Requirement	Applicable Emission Unit	Regulatory Cite
13.	<u>Daily Cap on CO Emissions</u> The CO emission rate for the Boiler shall be limited to <u>225 lbs/hr averaged over each calendar day</u> in accordance with the National Ambient Air Quality Standards (NAAQS), as calculated on the CEM system or using the calculations shown in Table 6, Item 14.	EU1	Env-A 606.04 & 40 CFR 51, Appendix W
14.	<u>Pollution Control Equipment</u> PCE1 and PCE2 controls shall be fully operational upon facility startup and shall not be bypassed during startup, operation or shutdown of the steam generating unit.	PCE1 & PCE2	TP-B-129 issued on 10/23/1992

C. Emission Reductions Trading Requirements

The Permittee did not request emissions reductions trading in its operating permit application. At this point, DES has not included any permit terms authorizing emissions trading in this permit. All emission reduction trading, must be authorized under the applicable requirements of 42 U.S.C §7401 et seq. (the “Act”), and either Env-A 3000 the *Emissions Reductions Credits (ERCs) Trading Program* or Env-A 3100 the *Discrete Emissions Reductions (DERs) Trading Program* and must be provided for in this permit.

D. Monitoring and Testing Requirements:

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

Table 6 – Monitoring/Testing Requirements

Item #	Parameter	Method of Compliance	Frequency of Method	Device	Regulatory Cite
1.	Continuous Steam Flow Monitor	The owner or operator shall install, maintain and operate a continuous steam flow rate monitoring/recording system which shall meet all applicable ASME specifications. Calibration of the steam flow transducer shall occur at least once annually. If adequate straight length of piping is not available, then in lieu of a measuring system that meets ASME specifications, the owner or operator may use a steam flow rate monitoring system that can be calibrated by instruments installed, maintained and calibrated per ASME specifications or by other methods approved by the DES.	Annually	EU1	Env-A 808.02(b) Federally Enforceable (Formerly Env-A 805.02(b))
2	Periodic Monitoring QIP	If the indicator ranges specified in Table 6A and 6B Item 2 accumulate exceedances over 5% of the rolling 12-month total operating time for each pollution control device, the Permittee shall prepare and submit a	Continuously	PCE1, PCE2	40 CFR 64.8

Table 6 – Monitoring/Testing Requirements

Item #	Parameter	Method of Compliance	Frequency of Method	Device	Regulatory Cite
		<p>Quality Improvement Plan (QIP). The QIP shall include procedures for evaluating the control performance problems. Based on the evaluation, the Permittee shall modify the plan to include procedures for conducting one or more of the following:</p> <ul style="list-style-type: none"> a) Improve preventive maintenance practices; b) Operational changes; c) Appropriate improvements to control methods; d) Other steps to improve control performance; and e) More frequent or improved monitoring. 			
3.	Stack Testing for Total Suspended Particulate	<p>Compliance stack testing shall be planned and carried out at the frequency specified. The pre-test protocol must be submitted by the facility at least 30 days prior to the commencement of testing. The pre-test report shall contain the following information:</p> <ul style="list-style-type: none"> a) Calibration methods and sample data sheets; b) Description of the test methods to be used; c) Pre-test preparation procedures; d) Sample collection and analysis methods; e) Process data to be collected; and f) Complete test program description. <p>At least 15 days prior to the test date, the facility and any contractor that the facility retains for performance of the test, shall participate in pre-test conference with a Division representative.</p> <p>The pre-test protocol must be submitted by the facility at least 30 days prior to the commencement of testing. Emission testing shall be carried out under the observation of a Division representative. Upon commencement of any performance test, the performance test shall not be aborted unless approved by DES.</p> <p>The Permittee shall submit a stack test report to DES within 60 days of completion of the actual testing.</p>	Every 5 years, within 90 days of the anniversary of the last stack test ³ .	EU1	<p>40 CFR 60.8, 60.46b(b) and Env-A 802.02 & Env-A 802.04 (Formerly Env-A 806.01(a))</p> <p>Env-A 802.05</p> <p>Env-A 802.03</p> <p>Env-A 802.11</p>
4.	Opacity CEM (COMS)	<p>The owner or operator of an affected facility subject to the opacity standard under 60.43b shall install, calibrate, maintain, and operate a continuous monitoring system for measuring the opacity of emissions discharged to the atmosphere and record the output of the system.</p>	Continuously	EU1	<p>Subpart Db, 40 CFR 60.48b(a), 40 CFR 60, Appendix B, Performance</p>

³ As of this TV Permit issuance date, the last stack test for particulates was done on May 27, 2004.

Table 6 – Monitoring/Testing Requirements

Item #	Parameter	Method of Compliance	Frequency of Method	Device	Regulatory Cite
		The COMS shall meet the requirements of 40 CFR 60, Appendix B, Performance Specification 1 and Env-A 808.03(b). Determination of compliance with opacity emission limits established in Table 5, Item 2 of this permit shall be made by the facility COMS or visible emission readings taken once per day following the procedures specified in 40 CFR 60, Appendix A, Method 9. Calculations shall be performed as specified in Table 6, Item 14.			Specification 1 & Env-A 808.03(b), (c) (Formerly Env-A 805)
5.	NO _x CEM	<p>The owner or operator of an affected facility wishing to opt out from the PSD requirements, shall install, calibrate, maintain, and operate a continuous monitoring system for measuring the NO_x emissions discharged to the atmosphere and record the output of the system.</p> <p>The NO_x CEM system shall meet the requirements of 40 CFR 60, Appendix B, Performance Specification 2 and Env-A 808.03(c). Determination of compliance with NO_x emission limits established in Table 5, Item 7 and Item 8 of this permit shall be made using data from the facility NO_x CEM. The NO_x emission rate shall be calculated daily in lb/hr averaged over a rolling 365-day period and in lb/MMBTU averaged over 24-hours.</p> <p>Calculations shall be performed as specified in Table 6, Item 14.</p>	Continuously	EU1	40 CFR 60, Appendix B, Performance Specification 2 & Env-A 808.03(c) (Formerly Env-A 805)
6.	CO CEM	<p>The owner or operator of an affected facility wishing to opt out from the PSD requirements, shall install, calibrate, maintain, and operate a continuous monitoring system for measuring the CO emissions discharged to the atmosphere and record the output of the system.</p> <p>The CO CEM system shall meet the requirements of 40 CFR 60, Appendix B, Performance Specification 4 and Env-A 808.03(c). Determination of compliance with CO emission limits established in Table 5, Item 7 and 14 of this permit shall be made using data from the facility CO CEM. The CO emission rate shall be calculated in lb/hr averaged over 24 hours and a consecutive 365-day period. Calculations shall be performed as specified in Table 6, Item 14.</p>	Continuously	EU1	40 CFR 60, Appendix B, Performance Specification 4 & Env-A 808.03(c) (Formerly Env-A 805)

Table 6 – Monitoring/Testing Requirements

Item #	Parameter	Method of Compliance	Frequency of Method	Device	Regulatory Cite
7.	Carbon Dioxide (CO ₂) CEM	The CO ₂ CEM shall meet the requirements of 40 CFR 60, Appendix B, Performance Specification 3 and Env-A 808.03(c).	Continuously	EU1	40 CFR 60, Appendix B, Performance Specification 3 & Env-A 808.03(c) (Formerly Env-A 805)
8.	Volumetric Flow CERMS	CERMS shall meet all of the requirements of 40 CFR 60, Appendix B, Performance Specification 6 and Env-A 808.03(d). The stack flow monitor shall have an automatic blow-back purge system activated, during boiler operation. The stack volumetric flow measuring device combined with the NO _x and CO concentration obtained from CEM, shall be used to calculate mass emission rates for comparison with the emission standard specified in Table 5, Item 6 , 7, and 13.	Continuously	EU1	40 CFR 60, Appendix B, Performance Specification 6 & Env-A 808.03(d) (Formerly Env-A 805.03)
9.	QA/QC Plan Requirements	The Permittee required to operate or maintain an opacity or gaseous CEM system shall: a) Maintain a quality assurance/quality control (QA/QC) plan, which shall contain written procedures for implementation of its QA/QC program for each CEM system; b) Review the QA/QC plan and all data generated by its implementation at least once each year; c) Revise or update the QA/QC plan, as necessary, based on the results of the annual review, by documenting any changes made to the CEM or changes to any information provided in the monitoring plan; d) Make the revised QA/QC plan available for on-site review by the division at any time; e) Within 30 days of completion of the annual QA/QC plan review, certify in writing that the Permittee will continue to implement the source's existing QA/QC plan or submit in writing any changes to the plan and the reasons for change.	Annually	EU1	Env-A 808.06 (Formerly Env-A 805.06) Federally Enforceable

Table 6 – Monitoring/Testing Requirements

Item #	Parameter	Method of Compliance	Frequency of Method	Device	Regulatory Cite
10.	General Audit Requirements	The Permittee shall: a) Perform required quarterly audits anytime during each calendar quarter, but successive quarterly audits shall occur no more than 4 months apart; and b) Notify the division at least 30 days prior to the performance of a RATA.	Quarterly	EU1	Env-A 808.07 (Formerly Env-A 805) Federally Enforceable
11.	Gaseous CEM Audit Requirements	Audit requirements for gaseous CEM systems shall be performed in accordance with procedures described in 40 CFR 60, Appendix F and Env-A 808.08	Quarterly	EU1	Env-A 808.08 (Formerly Env-A 805) Federally Enforceable
12.	Opacity CEM Audit Requirements	Audit requirements for gaseous CEM systems shall be performed in accordance with procedures described in 40 CFR 60, Appendix B, Specification 1 and Env-A 808.09	Quarterly	EU1	Env-A 808.09 (Formerly Env-A 805) Federally Enforceable
13.	Data Availability Requirements	The Permittee shall operate the CEM at all times during operation of the source in accordance with Env-A 808.10, except for periods of CEM breakdown, repairs, calibration checks, preventive maintenance, and zero/span adjustments. The percentage CEM data availability for opacity and all gaseous concentration monitors shall be maintained at a minimum of 90% on a calendar quarter basis.	As specified	EU1	Env-A 808.10 (Formerly Env-A 805) Federally Enforceable
14.	Calculations of CEM Averages	<u>Calendar day average</u> shall be calculated as follows: a) Calendar day average=(Sum of all valid hour lb/hr averages for the calendar day)/(24 hours – hours of CEM system downtime for the day); b) Calendar day averages shall only be valid for days with 18 or more valid hours of CEM data; c) A valid hour of CEM data shall be defined as a minimum of 42 minutes collection of CEM readings taken in a calendar hour; and d) Hours of CEM system downtime shall be defined as the number of calendar hours when the CEM system has not collected data or is out-of-control for greater than 18 minutes for any reason (i.e. audits, CEM system calibration, CEM system failures, etc.) <u>Consecutive 365-day average</u> shall be calculated as	N/A	EU1	40 CFR 60, Appendix B, & Env-A 808.14 (Formerly Env-A 805.07(d))

Table 6 – Monitoring/Testing Requirements

Item #	Parameter	Method of Compliance	Frequency of Method	Device	Regulatory Cite
		<p>follows:</p> <p>a) Consecutive 365-day Average=(Sum of all valid calendar day averages for the 365-day period)/(365 days – days of CEM system downtime);</p> <p>b) Days of CEM system downtime shall be defined as the number of calendar days when the CEM system has collected less than 18 valid hours of CEM data;</p> <p>c) Hours or days when the CEM system has been intentionally shutdown when the facility is not operating shall not be counted as CEM system downtime.</p>			
15.	CEM Excess Emissions	Excess emissions indicated by the CEM system shall be considered violations of the applicable emission limit for purposes of this permit, except where the owner or operator can adequately demonstrate to the DES that the recorded exceedance resulted from a CEM malfunction.	Continuously	EU1	Env-A 808.01(d)(f) Federally Enforceable (Formerly Env-A 805)

**Table 6A – Compliance Assurance Monitoring-40 CFR 64
ESP for the control of Particulate Matter**

Indicator	Indicator No. 1- Secondary Voltage	Indicator No. 2- Inspection and Maintenance
1. Measurement Approach	Measurement of the secondary voltage with a standard voltmeter and a voltage transmitter.	<p>a) Inspections shall be performed according to I/M checklist.</p> <p>b) Inspection of casing, piping and ducts for leaks, abnormal noise, hot spots and fires.</p> <p>c) Inspection of the ash hopper, high-level probes and remote alarms for correction operation.</p> <p>d) Maintenance performed as needed.</p>
2. Indicator Range	<p>The indicator range is a secondary voltage between 15 kilovolts and 60 kilovolts.</p> <p>An excursion⁴, triggers an inspection, corrective action and a reporting requirement.</p>	<p>Failure to perform an inspection triggers a reporting requirement.</p> <p>Equipment failures identified during the inspection trigger corrective action, and a reporting requirement.</p>
3. Performance Criteria a. Data Representativeness	<p>The secondary voltage measured with voltmeter is displayed at the ESP control panel. The minimum accuracy of the voltmeter is +/- 3% of span.</p> <p>The secondary voltage measured with voltage transmitter is displayed on the</p>	Inspections are performed at the ESP.

⁴ Excursion shall mean a departure from an indicator range established for monitoring under this part, consistent with any averaging period specified for averaging the results of the monitoring.

**Table 6A – Compliance Assurance Monitoring-40 CFR 64
ESP for the control of Particulate Matter**

Indicator	Indicator No. 1- Secondary Voltage	Indicator No. 2- Inspection and Maintenance
	Digital Control System located in the Control Room. The minimum accuracy of the voltage transmitter is +/- 0.1% of span.	
b. QA/QC Practices and Criteria	1) Secondary voltmeter and transmitter shall be calibrated annually and the results recorded. 2) The Permittee shall maintain the monitoring equipment at all times, including but not limited to, maintaining necessary parts for routine repair and maintenance. 3) Both fields of the ESP must be operational.	Inspections shall be performed by qualified personnel.
c. Monitoring Frequency	The secondary voltage is recorded once per shift.	1) Annual inspections shall be performed according to the I/M checklist; 2) Once per shift inspection shall include inspection of casing, piping and ducts for leaks, abnormal noise, hot spots and fires; 3) Monthly inspection shall include inspection of the ash hopper, high-level probes and remote alarms for correction operation.
i. Data Collection Procedure	Records shall be maintained on the standard operating logs.	Record results of all inspections in a log book.
ii. Averaging Period	Not applicable	Not applicable

**Table 6B – Compliance Assurance Monitoring-40 CFR 64
Multiclone for the control of Particulate Matter**

Indicator	Indicator No. 1- Pressure differential across the Multiclone	Indicator No. 2- Inspection and Maintenance
1. Measurement Approach	Measurement of pressure differential across the multiclone using pressure transmitter.	a) Inspections shall be performed according to the I/M checklist including inspection of the inlet and outlet vanes and boots for any buildup of caked dust. b) Inspections of the multiclone for any apparent abnormalities or damage that would cause air leakage into the unit. c) Maintenance performed as needed.
2. Indicator Range	The indicator range is a pressure differential reading greater than 5" and less than 2" of water column. Excursions trigger an inspection, corrective action, and a reporting requirement.	Failure to perform an inspection triggers a reporting requirement. Equipment failures identified during the inspection trigger corrective action, and a reporting requirement.

Table 6B – Compliance Assurance Monitoring-40 CFR 64 Multiclone for the control of Particulate Matter		
Indicator	Indicator No. 1- Pressure differential across the Multiclone	Indicator No. 2- Inspection and Maintenance
3. Performance Criteria	The pressure transmitter is located at the inlet and outlet of multiclone. The minimum accuracy of the transmitter is +/- 0.5 inches of water column.	Inspections are performed at the multiclone.
a. Data Representativeness		
b. QA/QC Practices and Criteria	1) The pressure transmitter shall be calibrated annually and the results recorded. 2) Multiclone shall be operated under negative pressure. 3) The Permittee shall maintain the monitoring equipment at all times, including but not limited to, maintaining necessary parts for routine repair and maintenance.	Inspections shall be performed by qualified personnel.
c. Monitoring Frequency	Pressure drop is recorded once per shift.	1) Annual inspections shall be performed according to I/M checklist including inspection of the inlet and outlet vanes and boots for any buildup of caked dust. 2) Daily inspections of the multiclone shall include checking for any apparent abnormalities or damage that would cause air leakage into the unit. 3) Maintenance performed as needed.
i. Data Collection Procedure	Records shall be maintained on standard operating logs.	Record results of all inspections and maintenance in a log book.
ii. Averaging Period	Not applicable	Not applicable

E. Recordkeeping Requirements⁵:

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

⁵ On October 21, 2003 DES promulgated new Env-A 900 regulations in an attempt to streamline the recordkeeping and reporting requirements sections of the New Hampshire Code of Administrative Rules. Until such time that the new Env-A 900 regulations are approved and adopted into the State Implementation Plan (SIP) by EPA, all Title V permits will be incorporating the old Env-A 900 regulations (which became effective on November 11, 1992), unless the new Env-A 900 regulations are more stringent. The recordkeeping and reporting requirements contained in this Permit are those requirements, which the facility shall be required to comply with. These recordkeeping and reporting requirements shall fall under the Permit Shield provisions as contained in Section XIII of this Permit.

Table 7 – Applicable Recordkeeping Requirements

Item #	Applicable Recordkeeping Requirement	Records Retention Requirement	Applicable Emission Unit	Regulatory Cite.
1.	<u>Retention of Records</u> The Permittee shall retain records of all required monitoring data, recordkeeping and reporting requirements, and support information for a period of at least 5 years from the date of origination.	Retain for a minimum of 5 years	Facility Wide	40 CFR 70.6(a)(3)(ii)(B)
2.	<u>Compliance Certification</u> The owner or operator shall meet the requirements for compliance certification with terms and conditions contained in this permit, including emission limitations, standards, or work practices. Compliance certifications shall meet the requirements outlined in Section XXI of this permit.	Annually	Facility Wide	40 CFR 70.6(c)(5)
3.	<u>Monitoring Data</u> The Permittee shall maintain records of all monitoring requirements as specified in Table 6 of this Permit including but not limited to: a) Summary of maintenance and repair records for pollution control equipment listed in Table 3. b) Summary of maintenance, and repair records of the CEM, COM and CERM systems; and c) Summary of maintenance, calibration, and repair records associated with steam flow measuring device; d) Stack test results for CO, NOx and PM; and e) Summary of testing and/or delivery ticket certifications for sulfur content limitation provision.	Maintain on a continuous basis	Facility Wide	40 CFR 7.6(a)(3)(iii)(A)
4.	<u>Records on Fuel Utilization:</u> For wood and bark including saw/sander dust, the owner or operator shall keep records on fuel utilization in accordance with the following: a) Consumption; b) Fuel type; For applicable liquid fuels, pursuant to Env-A 1603.01: a) Consumption; b) Fuel type; and c) Sulfur content as percent sulfur by weight of fuel.	Monthly	Facility Wide	Env-A 901.03 Federally Enforceable
5.	<u>Env-A 1400 Records:</u> Facilities subject to the requirements of Env-A 1400 shall maintain records in accordance with the applicable methods used to demonstrate compliance pursuant to Env-A 1405.	Maintain on a continuous basis	Facility Wide	Env-A 902.01(c) Federally Enforceable

Table 7 – Applicable Recordkeeping Requirements

Item #	Applicable Recordkeeping Requirement	Records Retention Requirement	Applicable Emission Unit	Regulatory Cite.
6.	<p><u>CEMS Records</u></p> <p>For each CEM system at the facility, the owner or operator shall keep the records of emission data recorded by the CEM system, including:</p> <ul style="list-style-type: none"> a) Quarterly CEM/COM audit results; b) Rolling 365-day averages of NO_x and CO in lb/hr and part per million (ppm) dry whether or not an excess emissions has occurred; c) Calendar day averages of CO in lb/hr; d) Calendar day averages of NO_x in lb/MMBTU; e) Calendar day averages of percentage of CO₂ on a wet basis; f) Calendar day averages of percentage of opacity; g) Calendar day averages of stack flow (dscfm); and h) CEM system availability data. 	Maintain on a continuous basis	EU1	<p>Env-A 901.12 & Env-A 808 (Formerly Env-A 805)</p> <p>Federally Enforceable</p>
7.	<p><u>CAM Recordkeeping</u></p> <p>The CAM monitoring report shall include the information required under CFR 70.6(a)(3)(iii) and the following information:</p> <ul style="list-style-type: none"> a) Summary information on the number, duration and cause of excursions or exceedances and the corrective actions taken; and b) Summary information on the number, duration and cause for monitor downtime incidents. 	Maintain on a continuous basis	PCE1 & PCE2	40 CFR 64.9(a)(2)
8.	<p><u>NO_x Recordkeeping Requirements:</u></p> <p>For fuel burning devices, including boilers, and internal combustion engines, the following information shall be recorded and maintained:</p> <ul style="list-style-type: none"> a) Facility information, including: b) Source name: <ul style="list-style-type: none"> 1) Source identification; 2) Physical address; 3) Mailing address; and 4) A copy of the certificate of accuracy. c) Identification of each fuel burning device; d) Operating schedule information for each fuel burning device identified in c), above, including: 	On a continuous basis	Facility Wide	<p>Env-A 901.08</p> <p>Federally Enforceable</p>

Table 7 – Applicable Recordkeeping Requirements				
Item #	Applicable Recordkeeping Requirement	Records Retention Requirement	Applicable Emission Unit	Regulatory Cite.
	1) Days per calendar week during the normal operating schedule; 2) Hours per day during the normal operating schedule and for a typical ozone season day, if different from the normal operating schedule; and 3) Hours per year during the normal operating schedule; e) Type, and amount of fuel burned, for each fuel burning device, during normal operating conditions and for a typical ozone season day, if different from normal operating conditions, on an hourly basis in million Btu's per hour and; f) The following NO _x emission data, including records of total annual emissions, in tons per year, facility wide emissions in tons per month, and typical ozone season day emissions, in pounds per day, shall be maintained at the facility for a minimum period of 4 years; 1) Theoretical potential emissions for the calculation year for each fuel burning device; 2) Actual NO _x emissions for each fuel-burning device.			
9.	<u>Process Operation Recordkeeping</u> The owner or operator shall keep the records regarding the total quantities of all chemicals utilized in the cooling towers which are required to calculate emissions.	Maintain on a continuous basis	EU4	Env-A 901.04 Federally Enforceable
10.	<u>Quality Improvement Plan</u> The Permittee shall prepare and submit to DES a QIP when the conditions in Table 6, Item 2 are met.	Initially within 180 days of becoming subject to this condition. Maintain on a continuous basis	PCE1, PCE2	40 CFR 64.8

F. Reporting Requirements:

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

Table 8 – Applicable Reporting Requirements				
Item #	Reporting Requirements	Frequency of Reporting	Applicable Emission Unit	Regulatory Cite
1.	<u>Certification of Accuracy</u> Any report submitted to the DES and/or EPA shall include the certification of accuracy statement outlined in Section XXI.B of this Permit and shall be signed by the responsible official.	As specified in this Permit	Facility Wide	40 CFR 70.6(c)(1)
2.	<u>Annual Compliance Certification</u> Annual compliance certification shall be submitted in accordance with Section XXI of this Permit.	Annually (no later than April 15 th of the following year)	Facility Wide	40 CFR 70.6(c)(1)
3.	<u>Permit Deviations</u> Prompt reporting of deviations from Permit requirements including those attributed to upset conditions as defined in the permit, the probable cause of such deviations, and any corrective actions or preventative measures taken shall be conducted in accordance with Section XXVIII of this permit.	Prompt reporting (within 24-hours of discovery of an occurrence)	Facility Wide	40 CFR 70.6(a)(3)(iii)(B)
4.	<u>Semi-Annual Permit Deviation and Monitoring Report</u> The Permittee shall submit a summary report of monitoring and permit deviations including the following: a) Summary of maintenance and inspection results for fuel burning devices and pollution control devices; b) Summary of permit deviations including data specified in Table 7, Item 3.a), b), c), e), and Item 7.	Semi-annually by July 31 st and January 31 st of each calendar year.	Facility Wide	40 CFR 70.6(a)(3)(iii)(A) & 64.9(a)(2)
5.	<u>Annual Emissions Report</u> The owner or operator shall submit annual report of the actual emissions including: a) For combustion devices all information listed in Table 7, Item 4; b) For process operations all information listed in Table 7, Item 9; and c) The actual annual emissions speciated by individual New Hampshire RTAP including a breakdown of VOC emissions by compound.	Annually (no later than April 15 th of the following year)	Facility Wide	Env-A 907.01 ⁶ State-only Enforceable
6.	<u>Emission Based Fees Report</u> Annual reporting of emission based fees shall be conducted in accordance with Section XXIII of this Permit. The owner or operator of a stationary source, an area source, or device having actual emissions of 1,000 tons or less shall pay to the	Annually (no later than April 15 th of the following year)	Facility Wide	Env-A 705.04 ⁷

⁶ The “New” Env-A 900 effective October 21, 2003 has not been adopted as part of the State Implementation Plan (SIP) and is considered State-only enforceable until such time as the SIP is amended and approved by EPA.

Table 8 – Applicable Reporting Requirements				
Item #	Reporting Requirements	Frequency of Reporting	Applicable Emission Unit	Regulatory Cite
	department the annual emission-based fee no later than April 15 each subsequent year for emissions from the previous calendar year.			
7.	<u>NO_x Reporting Requirements</u> For fuel burning devices, including boilers, and engines, the owner or operator shall submit to the Director, annually (no later than April 15 th of the following year), reports of the data specified in Table 7, Item 8, including total annual quantities of all NO _x emissions as collected from the CEM data.	Annually (no later than April 15 th of the following year)	Facility Wide	Env-A 901.09 Federally Enforceable
8.	<u>CEM Audit Report</u> Emissions report for the quarter conducted as specified in Env-a 808 and Table 7, Item 6 shall be submitted within 30 days following the close of each calendar quarter.	Quarterly	EU1	Env-A 808.07 (Formerly Env-A 805) Federally Enforceable
9.	<u>Excess Emission Reports</u> The owner or operator of a source that is required to install and operate a CEM system, shall provide the following in each quarterly emission report: <ol style="list-style-type: none"> The information specified in 40 CFR 60.7(c) and any applicable subpart of 40 CFR 60; The daily averages of gaseous CEM measurements and calculated emission rates; Excess emission data recorded by the CEM system, including: <ol style="list-style-type: none"> The date and time of the beginning and ending of each period of excess emission; The magnitude of each excess emission; The specific cause of the excess emission; and The corrective action taken. If no excess emissions have occurred, a statement to that effect; For gaseous measuring CEM systems, the daily averages of the measurements made and emission rates calculated; A statement as to whether the CEM system was inoperative, repaired, or adjusted during the reporting period; If the CEM system was inoperative, repaired, or adjusted during the reporting period, the following information: 	Quarterly (no later than 30 days following the end of each quarterly reporting period)	EU1	Env-A 808.12 & Env-A808.13 Federally Enforceable (Formerly Env-A 805.08) Subpart Db 40 CFR 60.49b(h)

⁷ Adopted June 26, 2004.

Table 8 – Applicable Reporting Requirements				
Item #	Reporting Requirements	Frequency of Reporting	Applicable Emission Unit	Regulatory Cite
	<ul style="list-style-type: none"> 1) The date and time of the beginning and ending of each period when the CEM was inoperative; 2) The reason why the CEM was inoperative; 3) The corrective action taken; and 4) The percent data availability calculated in accordance with Env-A 808.10 for each flow, diluent, or pollutant analyzer in the CEM system. <p>h) For all “out of control periods” the following information;</p> <ul style="list-style-type: none"> 1) The times beginning and ending the out of control period; 2) The reason for the out of control period; and 3) The corrective action taken. <p>i) The date and time beginning and ending each period when the source of emissions which the CEM system is monitoring was not operating.</p> <p>j) The span value, of each analyzer in the CEM system and units of measurement for each instrument; and</p> <p>k) When calibration gas is used, the following information:</p> <ul style="list-style-type: none"> 1) The calibration gas concentration; 2) If a gas bottle was changed during the quarter: <ul style="list-style-type: none"> iii. The date of the calibration gas bottle change; iv. The gas bottle concentration before the change; v. The gas bottle concentration after the change; and 3) The expiration date for all calibration gas bottles used. 			
10.	<p><u>Quality Improvement Plan Submittal</u></p> <p>The Permittee shall submit to DES the QIP required in Table 7, Item 10 and notify DES if submittal will exceed 180 days from the day the source becomes subject to the permit condition.</p>	As expeditiously as practicable	PCE1, PCE2	40 CFR 64.8

IX. Requirements Currently Not Applicable:

Requirements not currently applicable to the facility were not identified by the Permittee.

General Title V Operating Permit Conditions

X. Issuance of a Title V Operating Permit

- A. This Permit is issued in accordance with the provisions of Env-A 609. In accordance with 40 CFR 70.6(a)(2), this Permit shall expire on the date specified on the cover page of this Permit, which shall not be later than the date five (5) years after issuance of this Permit.
- B. Permit expiration terminates the Permittee's right to operate the Permittee's emission units, control equipment or associated equipment covered by this permit, unless a timely and complete renewal application is submitted at least 6 months before the expiration date.

XI. Title V Operating Permit Renewal Procedures

Pursuant to Env-A 609.07(b), an application for renewal of this Permit shall be considered timely if it is submitted to the Director at least six months prior to the designated expiration date of this Permit.

XII. Application Shield

Pursuant to Env-A 609.08, if an applicant submits a timely and complete application for the issuance or renewal of a Permit, the failure to have a Permit shall not be considered a violation of this part until the Director takes final action on the application.

XIII. Permit Shield

- A. Pursuant to Env-A 609.09(a), a permit shield shall provide that:
 - 1. For any applicable requirement or any state requirement found in the New Hampshire Rules Governing the Control of Air Pollution specifically included in this Permit, compliance with the conditions of this Permit shall be deemed compliance with said applicable requirement or said state requirement as of the date of permit issuance; and
 - 2. The Permittee need not comply with any applicable requirement or state requirement found in the New Hampshire Rules Governing the Control of Air Pollution and specifically identified in Section IX of this Title V Operating Permit as not applicable to the stationary source or area source.
- B. The permit shield identified in Section XIII.A. of this Permit shall apply only to those conditions incorporated into this Permit in accordance with the provisions of Env-A 609.09(b). It shall not apply to certain conditions as specified in Env-A 609.09(c) that may be incorporated into this Permit following permit issuance by DES.
- C. If a Title V Operating Permit and amendments thereto issued by the DES does not expressly include or exclude an applicable requirement or a state requirement found in the New Hampshire Rules Governing the Control of Air Pollution, that applicable requirement or state requirement shall not be covered by the permit shield and the Permittee shall comply with the provisions of said requirement to the extent that it applies to the Permittee.
- D. If the DES determines that this Title V Operating Permit was issued based upon inaccurate or incomplete information provided by the applicant or Permittee, any permit shield provisions in said Title V Operating Permit shall be void as to the portions of said Title V

Operating Permit which are affected, directly or indirectly, by the inaccurate or incomplete information.

- E. Pursuant to Env-A 609.09(f), nothing contained in Section XIII of this Permit shall alter or affect the ability of the DES to reopen this Permit for cause in accordance with Env-A 609.19 or to exercise its summary abatement authority.
- F. Pursuant to Env-A 609.09(g), nothing contained in this section or in any title V operating permit issued by the DES shall alter or affect the following:
 - 1. The ability of the DES to order abatement requiring immediate compliance with applicable requirements upon finding that there is an imminent and substantial endangerment to public health, welfare, or the environment;
 - 2. The state of New Hampshire's ability to bring an enforcement action pursuant to RSA 125-C:15,II;
 - 3. The provisions of section 303 of the CAA regarding emergency orders including the authority of the EPA Administrator under that section;
 - 4. The liability of an owner or operator of a source for any violation of applicable requirements prior to or at the time of permit issuance;
 - 5. The applicable requirements of the acid rain program, consistent with section 408(a) of the CAA;
 - 6. The ability of the DES or the EPA Administrator to obtain information about a stationary source, area source, or device from the owner or operator pursuant to section 114 of the CAA; or
 - 7. The ability of the DES or the EPA Administrator to enter, inspect, and/or monitor a stationary source, area source, or device.

XIV. Reopening for Cause

The Director shall reopen and revise a Title V Operating Permit for cause if any of the circumstances contained in Env-A 609.19(a) exist. In all proceedings to reopen and reissue a Title V Operating Permit, the Director shall follow the provisions specified in Env-A 609.19(b) through (g).

XV. Administrative Permit Amendments

- A. Pursuant to Env-A 612.01, the Permittee may implement the changes addressed in the request for an administrative permit amendment as defined in Env-A 100 immediately upon submittal of the request.
- B. Pursuant to Env-A 612.01, the Director shall take final action on a request for an administrative permit amendment in accordance with the provisions of Env-A 612.01(b) and (c).

XVI. Operational Flexibility

- A. Pursuant to Env-A 612.02, the Permittee subject to and operating under this Title V Operating Permit may make changes involving trading of emissions, off-permit changes, and section 502(b)(10) changes at the permitted stationary source or area source without filing a Title V Operating Permit application for and obtaining an amended Title V

Operating Permit, provided that all of the following conditions are met, as well as conditions specified in Section XVI. B through E of this permit, as applicable. At this point, DES has not included any permit terms authorizing emissions trading in this permit.

1. The change is not a modification under any provision of Title I of the CAA;
 2. The change does not cause emissions to exceed the emissions allowable under the Title V operating permit, whether expressed therein as a rate of emissions or in terms of total emissions;
 3. The owner or operator has obtained any temporary permit required by Env-A 600;
 4. The owner or operator has provided written notification to the director and administrator of the proposed change and such written notification includes:
 - a. The date on which each proposed change will occur;
 - b. A description of each such change;
 - c. Any change in emissions that will result;
 - d. A request that the operational flexibility procedures be used; and
 - e. The signature of the responsible official, consistent with Env-A 605.04(b);
 5. The change does not exceed any emissions limitations established under any of the following:
 - a. The New Hampshire Code of Administrative Rules, Env-A 100-3800;
 - b. The CAA; or
 - c. This Title V Operating Permit; and
 6. The Permittee, DES, and EPA have attached each written notice required above to their copy of this Title V Operating Permit.
- B. For changes involving the trading of emissions, the Permittee must also meet the following conditions:
1. The Title V Operating Permit issued to the stationary source or area source already contains terms and conditions including all terms and conditions which determine compliance required under 40 CFR 70.6(a) and (c) and which allow for the trading of emissions increases and decreases at the permitted stationary source or area source solely for the purpose of complying with a federally-enforceable emissions cap that is established in the permit independent of otherwise applicable requirements;
 2. The owner or operator has included in the application for the Title V Operating Permit proposed replicable procedures and proposed permit terms which ensure that the emissions trades are quantifiable and federally enforceable for changes to the Title V Operating Permit which qualify under a federally- enforceable emissions cap that is established in the Title V Operating Permit independent of the otherwise applicable requirements;
 3. The Director has not included in the emissions trading provision any devices for which emissions are not quantifiable or for which there are no replicable procedures to enforce emissions trades; and
 4. The written notification required above is made at least 7 days prior to the proposed

change and includes a statement as to how any change in emissions will comply with the terms and conditions of the Title V Operating Permit.

C. For off-permit changes, the Permittee must also meet the following conditions:

1. Each off-permit change meets all applicable requirements and does not violate any existing permit term or condition;
2. The written notification required above is made contemporaneously with each off-permit change, except for changes that qualify as insignificant under the provisions of Env-A 609.04;
3. The change is not subject to any requirements under Title IV of the CAA and the change is not a Title I modification;
4. The Permittee keeps a record describing the changes made at the source which result in emissions of a regulated air pollutant subject to an applicable requirement, but not otherwise regulated under this Permit, and the emissions resulting from those changes; and
5. The written notification required above includes a list of the pollutants emitted and any applicable requirement that would apply as a result of the change.

D. For section 502(b)(10) changes, the Permittee must also meet the following conditions:

1. The written notification required above is made at least 7 days prior to the proposed change; and
2. The written notification required above includes any permit term or condition that is no longer applicable as a result of the change.

E. Pursuant to Env-A 612.02(f), the off-permit change and section 502(b)(10) change shall not qualify for the permit shield under Env-A 609.09.

XVII. Minor Permit Amendments

- A. Prior to implementing a minor permit modification, the Permittee shall submit a written request to the Director in accordance with the requirements of Env-A 612.05(b).
- B. The Director shall take final action on the minor permit amendment request in accordance with the provisions of Env-A 612.05(c) through (g).
- C. Pursuant to Env-A 612.05(h), the permit shield specified in Env-A 609.09 shall not apply to minor permit amendments under Section XVII. of this Permit.
- D. Pursuant to Env-A 612.05(a), the Permittee shall be subject to the provisions of RSA 125-C:15 if the change is made prior to the filing with the Director of a request for a minor permit amendment.

XVIII. Significant Permit Amendments

- A. Pursuant to Env-A 612.06, a change at the facility shall qualify as a significant permit amendment if it meets the criteria specified in Env-A 612.06(a)(1) through (5).

- B. Prior to implementing the significant permit amendment, the Permittee shall submit a written request to the Director which includes all the information as referenced in Env-A 612.06(b) and (c) and shall be issued an amended Title V Operating Permit from the DES. The Permittee shall be subject to the provisions of RSA 125-C:15 if a request for a significant permit amendment is not filed with the Director and/or the change is made prior to the issuance of an amended Title V Operating Permit.
- C. The Director shall take final action on the significant permit amendment in accordance with the Procedures specified in Env-A 612.06(d), (e) and (f).

XIX. Title V Operating Permit Suspension, Revocation or Nullification

- A. Pursuant to RSA 125-C:13, the Director may suspend or revoke any final permit issued hereunder if, following a hearing, the Director determines that:
 - 1. The Permittee has committed a violation of any applicable statute or state requirement found in the New Hampshire Rules Governing the Control of Air Pollution, order or permit condition in force and applicable to it; or
 - 2. The emissions from any device to which this Permit applies, alone or in conjunction with other sources of the same pollutants, presents an immediate danger to the public health.
- B. The Director shall nullify any Permit if, following a hearing in accordance with RSA 541-A:30, II, a finding is made that the Permit was issued in whole or in part based upon any information proven to be intentionally false or misleading.

XX. Inspection and Entry

EPA and DES personnel shall be granted access to the facility covered by this Permit, in accordance with RSA 125-C:6,VII for the purposes of: inspecting the proposed or permitted site; investigating a complaint; and assuring compliance with any applicable requirement or state requirement found in the New Hampshire Rules Governing the Control of Air Pollution and/or conditions of any Permit issued pursuant to Chapter Env-A 600.

XXI. Certifications

A. Compliance Certification Report

In accordance with 40 CFR 70.6(c) the Responsible Official shall certify for the previous calendar year that the facility is in compliance with the requirements of this permit. The report shall be submitted annually, no later than April 15th of the following year. The report shall be submitted to the DES and to the U.S. Environmental Protection Agency – Region I. The report shall be submitted in compliance with the submission requirements below.

In accordance with 40 CFR 70.6(c)(5), the report shall describe:

- 1. The terms and conditions of the Permit that are the basis of the certification;
- 2. The current compliance status of the source with respect to the terms and conditions of this Permit, and whether compliance was continuous or intermittent during the reporting period;

3. The methods used for determining compliance, including a description of the monitoring, record keeping, and reporting requirements and test methods; and
4. Any additional information required by the DES to determine the compliance status of the source.

B. Certification of Accuracy Statement

All documents submitted to the DES shall contain a certification by the responsible official of truth, accuracy, and completeness. Such certification shall be in accordance with the requirements of 40 CFR 70.5(d) and contain the following language:

"I am authorized to make this submission on behalf of the facility for which the submission is made. Based on information and belief formed after reasonable inquiry, I certify that the statements and information in the enclosed documents are to the best of my knowledge and belief true, accurate and complete. I am aware that there are significant penalties for submitting false statements and information or omitting required statements and information, including the possibility of fine or imprisonment."

All reports submitted to DES (except those submitted as emission based fees as outlined in Section XXIII of this Permit) shall be submitted to the following address:

New Hampshire Department of Environmental Services
Air Resources Division
29 Hazen Drive
P.O. Box 95
Concord, NH 03302-0095
ATTN: Section Supervisor, Compliance Bureau

All reports submitted to EPA shall be submitted to the following address:

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

XXII. Enforcement

Any noncompliance with a permit condition constitutes a violation of RSA 125-C:15, and, as to the conditions in this permit which are federally enforceable, a violation of the Clean Air Act, 42 U.S.C. Section 7401 et seq., and is grounds for enforcement action, for permit termination or revocation, or for denial of an operating permit renewal application by the DES and/or EPA. Noncompliance may also be grounds for assessment of administrative, civil or criminal penalties in accordance with RSA 125-C:15 and/or the Clean Air Act. This Permit does not relieve the Permittee from the obligation to comply with any other provisions of RSA 125-C, the New Hampshire Rules Governing the Control of Air Pollution, or the Clean Air Act, or to obtain any other necessary authorizations from other

governmental agencies, or to comply with all other applicable Federal, State, or Local rules and regulations, not addressed in this Permit.

In accordance with 40 CFR 70.6 (a)(6)(ii), a Permittee shall not claim as a defense in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this Permit.

XXIII. Emission-Based Fee Requirements

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

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

Where:

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

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

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

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

XXIV. Duty To Provide Information

In accordance with 40 CFR 70.6 (a)(6)(v), upon the DES's written request, the Permittee shall furnish, within a reasonable time, any information necessary for determining whether cause exists for modifying, revoking and reissuing, or terminating the Permit, or to determine compliance with the Permit. Upon request, the Permittee shall furnish to the DES copies of records that the Permittee is required to retain by this Permit. The Permittee may make a claim of confidentiality as to any information submitted pursuant to this condition in accordance with Env-A 103 at the time such information is submitted to DES. DES shall evaluate such requests in accordance with the provisions of Env-A 103.

XXV. Property Rights

Pursuant to 40 CFR 70.6 (a)(6)(iv), this Permit does not convey any property rights of any sort, or any exclusive privilege.

XXVI. Severability Clause

Pursuant to 40 CFR 70.6 (a)(5), the provisions of this Permit are severable, and if any provision of this Permit, or the application of any provision of this Permit to any circumstances is held invalid, the application of such provision to other circumstances, and the remainder of this Permit, shall not be affected thereby.

XXVII. Emergency Conditions

Pursuant to 40 CFR 70.6 (g), the Permittee shall be shielded from enforcement action brought for noncompliance with technology based⁸ emission limitations specified in this Permit as a result of an emergency⁹. In order to use emergency as an affirmative defense to an action brought for noncompliance, the Permittee shall demonstrate the affirmative defense through properly signed, contemporaneous operating logs, or other relevant evidence that:

- A. An emergency occurred and that the Permittee can identify the cause(s) of the emergency;
- B. The permitted facility was at the time being properly operated;
- C. During the period of the emergency, the Permittee took all reasonable steps as expeditiously as possible, to minimize levels of emissions that exceeded the emissions standards, or other requirements in this Permit; and

⁸ Technology based emission limits are those established on the basis of emission reductions achievable with various control measures or process changes (e.g., a new source performance standard) rather than those established to attain health based air quality standards.

⁹ An "emergency" means any situation arising from sudden and reasonably unforeseeable events beyond the control of the source, including acts of God, which situation would require immediate corrective action to restore normal operation, and that causes the source to exceed a technology based limitation under the permit, due to unavoidable increases in emissions attributable to the emergency. An emergency shall not include noncompliance to the extent caused by improperly designed equipment, lack of preventative maintenance, careless or improper operations, operator error or decision to keep operating despite knowledge of any of these things.

- D. The Permittee submitted notice of the emergency to the DES within two (2) business days of the time when emission limitations were exceeded due to the emergency. This notice must contain a description of the emergency, any steps taken to mitigate emission, and corrective actions taken.

XXVIII. Permit Deviation

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

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

Said Permit deviation shall also be submitted in writing to the DES in the semi-annual summary report of monitoring and testing requirements due July 31st and January 31st of each calendar year. Deviations are instances where any Permit condition is violated and has not already been reported as an emergency pursuant to Section XXVII of this Permit.

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