

DELAWARE COASTAL ZONE ACT PERMIT



NUMBER: CZA-436P

ISSUED TO: Veolia North America Regeneration Services, LLC

TO PERMIT: Increased sulfuric acid regeneration from 550 tons per day to 750 tons per day

SITE LOCATION: Sulfuric Acid Regeneration (SAR) facility located at 766 Governor Lea Rd, New Castle, DE 19720

EXISTING PERMIT(S): 406

Pursuant to 7 Del C. §7005, the Department of Natural Resources & Environmental Control has the authority to administer regulations governing Delaware's Coastal Zone. The applicant must comply with all conditions as attached to this permit.

Signature: _____

Shawn M. Garvin, Secretary

Department of Natural Resources & Environmental Control

Date: _____

CONDITIONS INCORPORATED AND MADE PART OF THIS PERMIT

Re: Veolia North America Regeneration Services, LLC

Permit CZA-436P

The following conditions are considered part of permit CZA-436P issued to Veolia North America Regeneration Services, LLC. Failure to comply with these conditions may be grounds for permit suspension or revocation.

1. GENERAL PROVISIONS

- 1.1 This permit is conditional upon the permittee's compliance with all other applicable permit requirements, regulations, and laws of the State of Delaware.
- 1.2 Issuance of this permit does not relieve the permittee of the legal obligation of complying with all building permit, subdivision, and other applicable code requirements of the county and municipality wherein the permitted project is located.
- 1.3 If there are deviations from the plan and operations approved by the Secretary, the permittee shall notify the Secretary as soon as possible. This permit may be revoked and a new permit application required if the Secretary deems the deviation to change the nature or scale of the project and to be of actual or probable harm to the intent of the Coastal Zone Act.
- 1.4 This permit will be valid only so long as Delaware City Refinery or any successor in interest remains in business as a refining operation at its present site in the Coastal Zone.
- 1.5 A request for a permit modification to change ownership, control, or any substantive term of a permit shall be submitted in writing. A modification of the ownership or operating entity in a permit shall be granted only in the event that the prospective permittee satisfies all the applicable requirements of the regulations under *7 DE Admin. Code* 101.
- 1.6 This permit may not be transferred to another location or to another piece of equipment or process.

2. ADMINISTRATIVE CONDITIONS

- 2.1 The permittee shall have available at the facility at all times a copy of this permit and shall provide a copy of this permit to the Department upon request.

2.2 The permittee shall authorize officials of the Department to:

2.2.1 Enter upon the facility premises where a source is located or an emissions-related activity is conducted, or where records that must be kept under the terms and conditions of this permit are located;

2.2.2 Have access to and copy, at reasonable times, any record(s) that must be kept under the terms and conditions of this permit;

2.2.3 Inspect, at reasonable times, any record(s) that must be kept under the terms and conditions of this permit;

2.2.4 Sample or monitor, at reasonable times, any substance or parameter for the purposes of assuring compliance with this permit or any applicable requirement.

3. OPERATIONAL LIMITATIONS

3.1 The regeneration of sulfuric acid shall not exceed 750 tons per day.

3.2 At all times, including periods of startup, shutdown, and malfunction, the owner or operator shall, to the extent practicable, maintain and operate the facility in a manner consistent with good pollution control practices for minimizing emissions.

3.3 All structural and mechanical components of the equipment covered by this permit shall be maintained in proper operating condition.

4. OFFSET REQUIREMENTS

4.1 The offset approved for this proposed project involved the acquisition and certification, by DNREC Division of Air Quality, of emissions reduction credits from the operational shutdown of Formosa Plastics.

4.1.1 The permittee shall maintain an offset ratio of 1.3:1 for all air emissions, as approved in the offset proposal.

5. RECORDKEEPING AND REPORTING REQUIREMENTS

5.1 The permittee shall retain any and all records relevant to the permit and compliance therewith:

5.1.1 Records of all monitoring and test data shall be maintained, including:

5.1.1.1 The date, place, and time of sampling measurements;

5.1.1.2 The date(s) analyses were performed;

- 5.1.1.3 The name of any third-party that performed the analyses;
- 5.1.1.4 The analytical techniques or methods used;
- 5.1.1.5 The results of such analyses; and
- 5.1.1.6 The operating conditions existing at the time of sampling or measurement.
- 5.1.2 The permittee shall maintain records of the occurrence and duration of any startup, shutdown, or malfunction in the operation of the facility.
- 5.2 The permittee shall notify the Department immediately of any event or condition that affects their ability to comply with the terms of the permit or of any violation of any term or condition of the permit.
 - 5.2.1 The permittee shall notify the Department upon discovery and after activating the appropriate site emergency plan to the Department's 24-hour complaint line (1-800-662-8802), any deviation that poses an imminent and substantial danger to public health, safety, or the environment.
 - 5.2.2 The permittee shall within 30 days of becoming aware of an event or condition that affects their ability to comply with the terms of the permit, supply the Department in writing with the following information:
 - 5.2.2.1 The subject source(s) that caused the event, condition, or violation;
 - 5.2.2.2 The time and date of first observation of the event, condition or violation;
 - 5.2.2.3 The cause and expected duration of the event, condition, or violation;
 - 5.2.2.4 The estimated rate of release and the operating data and calculations used in determining the magnitude of the event, condition, or violation; and
 - 5.2.2.5 The proposed corrective actions and schedule to correct the conditions causing the event, condition, or violation.