



STATE OF DELAWARE  
DEPARTMENT OF NATURAL RESOURCES  
AND ENVIRONMENTAL CONTROL

OFFICE OF THE  
SECRETARY

89 KINGS HIGHWAY  
DOVER, DELAWARE 19901

PHONE: (302) 739-9000  
FAX: (302) 739-6242

**NOTICE OF CONCILIATION AND ADMINISTRATIVE PENALTY  
ASSESSMENT**

Pursuant to 7 *Del. C.* § 6005

**Secretary's Order No. 2011-A-0017**

*PERSONALLY SERVED BY AN ENVIRONMENTAL  
ENFORCEMENT OFFICER*

**Issued To:**

Hercules Research Center - Division of Ashland Inc.  
Attn: Mr. Michael Hassman, Director Research Center  
500 Hercules Road  
Wilmington, DE 19808

**Registered Agent:**

The Corporation Trust Company  
Corporation Trust Center  
1209 Orange Street  
Wilmington, DE 19808

Dear Mr. Hassman:

This is to notify Hercules Research Center ("Respondent") that the Secretary of the Department of Natural Resources and Environmental Control ("Department") has found Respondent in violation of 7 *Del. C.* Chapter 60; 7 DE Admin. Code 1100 ("Air Quality Regulations") and that violation is continuing. Accordingly, the Department is issuing this Notice of Conciliation in order to obtain compliance and this Administrative Penalty Assessment, pursuant to 7 *Del. C.* § 6005.

***BACKGROUND***

Respondent owns and operates a facility located at 500 Hercules Road in Wilmington, Delaware ("Facility") where it conducts research and development of water treatment chemicals and chemicals for pulp processing technology. Respondent's facility includes three natural gas fired boilers for process steam and comfort heating to its buildings and laboratories. Operation of the boilers has the potential to emit volatile organic compounds ("VOC") and nitrogen oxides ("NO<sub>x</sub>") in quantities in excess of the major thresholds for New Castle County, thereby triggering 7 DE Admin. Code 1130, Delaware's Title V State Operating Permit Program ("Regulation 1130" or "Title V") requirements and fees. Respondent has had a permit issued

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pursuant to Regulation 1130 ("Title V permit") since 1999 and because Title V permits have expiration dates, during that time has gone through the renewal process once resulting in the issuance of Permit: AQM-003/00017 (Renewal 1) effective August 12, 2004, and with an expiration date of August 12, 2009<sup>1</sup> ("Title V Permit-R1").

Regulation 1130 requires applications for renewal permits be submitted six months prior to the expiration of the permit. However, it further allows the Department to set forth a permit condition requiring earlier submission of the application. The Division of Air Quality<sup>2</sup> chose to set an earlier submission requirement, twelve months prior to the expiration date, in Respondent's Title V Permit-R1. Therefore, Respondent was required to submit its application for the second renewal of its Title V permit by no later than August 12, 2008. Respondent submitted its application on November 5, 2008, which was 85 days late.

Delaware's Title V State Operating Permit Program allows a facility to continue to operate after expiration of a Title V permit if a timely and complete renewal application is submitted to the Department and the Department is unable to issue a renewal permit prior to the expiration of the active permit. The Department has not yet completed the process for issuing Respondent's second renewal of its Title V permit. Consequently, because Respondent's renewal permit application was not timely, Respondent's permit expired on August 12, 2009, as did its right to operate its facility. Operation of its facility after that date is considered "operating without a permit", a violation of Delaware law. A Notice of Violation ("NOV") was issued to Respondent on July 22, 2010. To the Department's knowledge, Respondent has not ceased operation of its facility, and the violation continues, as the Department has not yet issued a renewal of Respondent's Title V permit.

### ***FINDINGS OF FACT***

1. Operation of equipment at Respondent's facility has the potential to emit pollutants, VOC and NO<sub>x</sub>, in quantities that trigger Title V requirements and fees.
2. Respondent has held a Title V permit since 1999 and has gone through the process of obtaining a renewal permit once before since then.
3. The Department issued to Respondent, Permit: AQM-003/00017 (Renewal 1) with an effective date of August 12, 2004, and an expiration date of August 12, 2009.
4. Respondent's Title V Permit-R1 required it submit its renewal application twelve months prior to the expiration date of its permit, which would have been August 12, 2008.

<sup>1</sup> There is a discrepancy in the permit with respect to the expiration date. The date on the front page of the permit indicates an expiration date of August 12, 2009. However, on page 8 of the permit, an expiration date of June 30, 2009, was used in error. The expiration date of August 12, 2009, is the correct date.

<sup>2</sup> The Department has recently undergone a reorganization effective July 1, 2010. Previously the Air Quality Management Section was part of the Department's Division of Air and Waste Management. As of July 1, 2010, the Division of Air and Waste Management was split into two distinct Divisions: the Division of Air Quality ("DAQ") and the Division of Waste Management ("DWM").

5. Regulation 1130 and Respondent's Title V Permit-R1 allows for continued operation of its facility after the expiration date if a complete and timely renewal application is received by the Department and the Department is unable to issue the renewal permit before the active permit expires.
6. Respondent submitted its permit renewal application on November 5, 2008, which was 85 days after the August 12, 2008 deadline.
7. To date, the Department has not issued Respondent's second Title V renewal permit.
8. To the Department's knowledge, Respondent has continued to operate its facility since its Title V Permit-R1 expired on August 12, 2009, a violation of Delaware law.
9. A Notice of Violation was issued to Respondent on July 22, 2010.

### **VIOLATIONS**

1. Seven *Del. C.* § 6003(a)(1) states:

*"No person shall, without first having obtained a permit from the Secretary, undertake any activity in a way which may cause or contribute to the discharge of an air contaminant."*

2. Seven *Del. C.* § 6003(b)(1) states:

*"No person shall, without first having obtained a permit from the Secretary, construct, install, replace, modify or use any equipment or device or other article which may cause or contribute to the discharge of an air contaminant."*

3. Section 5.1.1.5 of 7 DE Admin. Code 1130 states:

*"Covered sources shall file an application for renewal of an operating permit at least six months before the date of permit expiration, unless a longer period [not to exceed 18 months] is specified in the permit."*

4. Section 7.3.2 of 7 DE Admin. Code 1130 states:

*"A source's right to operate shall terminate upon the expiration of its permit, unless a timely and complete renewal application has been submitted at least six months before the date of expiration or such earlier date as the Department may specify in the permit."*

5. Condition 2.1.2 of **Permit: AQM-003/00017 (Renewal 1)** states:

*"The Company's right to operate shall cease upon the expiration date unless a timely and complete renewal application has been submitted to the Department twelve (12) months prior to the expiration date of this permit."*

## ***CONCLUSION***

Based on the above, the Department has concluded that Respondent committed the following violations:

1. Respondent violated 7 *Del. C.* § 6003(a)(1) and (b)(1) and continues to violate the statute by operating equipment at its facility, which may cause or contribute to the discharge of an air contaminant, after its Title V renewal permit expired on August 12, 2009.
2. Respondent violated Section 5.1.1.5 of 7 DE Admin. Code 1130 and Condition 2.1.2 of **Permit: AQM-003/00017 (Renewal 1)** when it failed to submit an application for its Title V renewal permit by August 12, 2008.
3. Respondent violated Section 7.3.2 of 7 DE Admin. Code 1130 and continues to violate that Regulation since it has continued to operate its facility after expiration of its permit on August 12, 2009.

## ***NOTICE OF CONCILIATION***

It is the desire of the Department that Respondent acquire a permit for the operation of its Facility in accordance with Delaware law. It is the further desire of the Department that Respondent operate its Facility in a manner that does not endanger the health, safety and welfare of the people and natural resources of the State of Delaware prior to the issuance of the appropriate Title V Operating permit. Therefore, in consideration of the foregoing findings,

IT IS HEREBY ORDERED that Respondent shall take the following actions:

1. Respondent agrees to be bound by the terms of its expired Title V permit that is attached hereto as Exhibit A, from the time of its expiration until the time that a new Title V permit is issued by the Department for the facility. Respondent agrees that any violation of the terms of Exhibit A shall constitute a violation of this Notice of Conciliation and Secretary's Order as set out in 7 *Del. C.* Chapter 60.
2. The Department shall continue to process the late filed renewal application for Respondent's facility and shall issue a Title V Permit as expeditiously as practical.

## ***ASSESSMENT OF PENALTY***

Pursuant to the provisions of 7 *Del. C.* § 6005(b)(3), this is written notice to Respondent that on the basis of its findings, the Department is assessing Respondent an administrative penalty of \$15,000 for the violation identified in this Assessment and Order and costs according to 7 *Del. C.* § 6005(c). Respondent shall submit a check to the Department in the amount of \$15,000 within 30 days from the receipt of this Assessment and Order for the aforementioned

penalty. The check shall be made payable to the "State of Delaware" and shall be directed to: Valerie M. Satterfield, Deputy Attorney General, Department of Justice, Environmental Unit, 102 W. Water Street-3<sup>rd</sup> Floor, Dover, Delaware 19904.

### ***PUBLIC HEARING***

This Administrative Penalty Assessment and Order shall become effective and final unless the Department receives from Respondent, no later than 30 days from the receipt of this Notice, a written request for a public hearing on these matters as provided in 7 *Del. C.* § 6005(b)(3) and (c). In the event Respondent requests a hearing, the Department reserves the right to withdraw this Assessment and Order and take additional enforcement actions regarding these and other violations at Respondent's facility, including but not limited to, the imposition of civil penalties and recovery of the Department's costs and attorney's fees. The Department does not otherwise intend to convene a public hearing on these matters, but reserves the right to do so at its discretion.

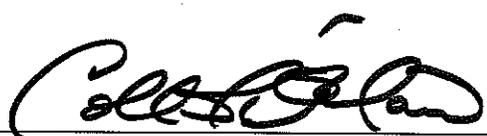
### ***PRE-PAYMENT***

Respondent may prepay the administrative penalty of \$15,000 and the Department's estimated costs in the amount of \$2,250 in the manner described in the attached waiver. By doing so, Respondent waives its right to a hearing and the opportunity to appeal or contest the Assessment which shall become a final Order.

If you have any questions, please contact Paul Foster at (302) 323-4542.

Date

7/26/11

  
Collin P. O'Mara, Secretary

cc: Valerie M. Satterfield, Deputy Attorney General  
Ali Mirzakhali, P.E., Director  
Paul Foster, P.E., Program Manager  
Everett DeWhitt, PhD., Managing Engineer  
Tap Das, Engineer  
Dawn Minor, Paralegal  
Jenny Bothell, Enforcement Coordinator  
Dover File

## ***WAIVER OF STATUTORY RIGHT TO A HEARING***

**Hercules Research Center** hereby waives its right to a hearing and its opportunity to appeal or contest this Assessment and Order and agree to the following:

1. **Hercules Research Center** will pay the administrative penalty in the amount of \$15,000 by sending a check payable to the "State of Delaware" within 30 days of receipt of this Assessment and Order. The check shall be directed to Valerie M. Satterfield, Deputy Attorney General, Department of Justice, 102 W. Water Street-3<sup>rd</sup> Floor, Dover, DE 19904; and
2. **Hercules Research Center** will reimburse the Department in the amount of \$2,250 which represents the Department's estimated costs. The reimbursement shall be paid within 30 days of receipt of this Assessment and Order. The check shall be made payable to the "State of Delaware" and be directed to Valerie M. Satterfield, Deputy Attorney General, Department of Justice, 102 W. Water Street-3<sup>rd</sup> Floor, Dover, DE 19904.
3. **Hercules Research Center** agrees to the terms of this Order, and specifically agrees to abide by the terms of Exhibit A and to be subject to enforcement action for any potential violation of the terms of the Exhibit A as provided hereinabove.

**Hercules Research Center**

Date: \_\_\_\_\_

By: \_\_\_\_\_

Title: \_\_\_\_\_

***EXHIBIT A***

**\*\*Please Note\*\***  
**New Address**



STATE OF DELAWARE  
DEPARTMENT OF NATURAL RESOURCES  
& ENVIRONMENTAL CONTROL  
DIVISION OF AIR & WASTE MANAGEMENT

AIR QUALITY MANAGEMENT  
SECTION  
July 22, 2010

Blue Hen Corporate Center  
655 S. Bay Road, Suite 5 N  
Dover, Delaware 19901

TELEPHONE: (302) 739 - 9402  
FAX NO.: (302) 739 - 3106

Hercules - Division of Ashland  
500 Hercules Road  
Wilmington, Delaware 19808

ATTENTION: Michael Hassman  
Director

**SUBJECT: Administrative Permit Modification**  
**Permit: AQM-003/00017-Renewal 1 Revision 2**

Dear Mr. Hassman:

On July 1, 2010 the Air Quality Management Section became the Division of Air Quality. In addition, the Dover office moved on June 1, 2010. Since the Dover office address is the official reporting address in your Title V Permit, it must be Administratively Amended to reflect this new address. Please use the sticker below to replace the address in Condition 2(a)(3) of your Title V permit. Simply apply this sticker with the new address over the old address.

State of Delaware - DNREC  
Division of Air Quality  
Blue Hen Corporate Center  
655 S. Bay Road, Suite 5 N  
Dover, DE 19901  
ATTN: Division Director

It is important to record this Administrative Amendment in your permit. Please place the sticker below in the bottom margin of the page with the address change. This will serve as the official record that the address has been changed.

Revision 2 (Administrative) dated July 22, 2010 to  
Permit: AQM-003/00017-Renewal 1 (Page 1 of 1)

An example of what your modified page should look like can be found on the back of this letter.

As the responsible official for Hercules - Division of Ashland, it is your responsibility to review, understand, and abide by all the terms and conditions of the permit listed above, and any additional amendments made to the permit that may be approved and incorporated into the permit. It is also your responsibility to ensure that any person who operates any emission unit subject to any term and condition of the permit reviews, understands, and abides by the attached conditions.

Any questions concerning the attached permit amendment may be directed to your permitting engineer.

Sincerely,

  
Paul E. Foster, P.E.  
Program Manager  
Engineering & Compliance Branch

F:\EngAndCompliance\ASM10040.doc

pc: Dover Title V File  
EPA Region III  
Assigned Permitting Engineer

*Delaware's Good Nature Depends on You!*

PRINTED ON  
RECYCLED PAPER

Permit: <insert permit number>  
 <Company Name>  
 <Draft or Proposed> 7 DE Admin. Code 1130 Operating Permit  
 <Issue Date>  
 Page 4

**Condition 2- General Requirements (Cont.)**

- by a Responsible Official and shall contain the following language: "I certify, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete." [Reference: 7 DE Admin. Code 1130 Section 5.6 dated 11/15/93 and 6.3.1 dated 12/11/00]
2. Any report of deviations required under Conditions 3(c)(2)(I) or 3(c)(2)(II) that must be submitted to the Department within ten calendar days of discovery of the deviation, may be submitted in the first instance without a certification provided a certification meeting the requirements of Condition 2(a)(1) is submitted to the Department within ten calendar days thereafter, together with any corrected or supplemental information required concerning the deviation. [Reference: 7 DE Admin. Code 1130 Section 6.1.3.3.4 dated 12/11/00]
  3. Each document submitted to the Department/EPA pursuant to this permit shall be sent to the following addresses except as noted in Condition 2(a)(4):

Place  
Sticker  
Here →

State of Delaware - DNREC Division of Air Quality Blue Hen Corporate Center 655 S. Bay Road, Suite 5 N Dover, DE 19901 ATTN: Division Director	United States Environmental Protection Agency Associate Director of Enforcement (3AP12) 1650 Arch Street Philadelphia, PA 19103
No. of Originals: 1 & No. of Copies: 1	No. of Copies: 1

**b. Compliance.**

1. The Owner and/or Operator shall comply with all terms and conditions of this permit. Any noncompliance with this permit constitutes a violation of the applicable requirements under the Clean Air Act, and/or 7 DE Admin. Code 1100, and is grounds for an enforcement action; for permit termination, revocation, and reissuance or modification; or for denial of a permit renewal. [Reference: 7 DE Admin. Code 1130 Section 6.1.7.1 dated 12/11/00]
2.
  - I. For applicable requirements with which the source is in compliance, the Owner and/or Operator shall continue to comply with such requirements. [References: 7 DE Admin. Code 1130 Sections 5.4.8.3.1 dated 11/15/93 and 6.3.3 dated 12/11/00]
  - II. For applicable requirements that will become effective during the term of this permit, the Owner and/or Operator shall meet such requirements on a timely basis unless a more detailed schedule is expressly required by the applicable requirement. [References: 7 DE Admin. Code 1130 Sections 5.4.8.3.2 dated 11/15/93 and 6.3.3 dated 12/11/00]
3. Nothing in Condition 2(b)(1) of this permit shall be construed to preclude the Owner and/or Operator from making changes consistent with Condition 2(m)(3) [Minor Permit Modifications] or Condition 4(a) [Operational Flexibility]. [Reference: 7 DE Admin. Code 1130 Sections 6.8 dated 12/11/00 and 7.5.1.5 dated 12/11/00]
4. The fact that it would have been necessary to halt or reduce an activity in order to maintain compliance with the terms and conditions of this permit shall not constitute a defense for the Owner and/or Operator in any enforcement action. Nothing in this permit shall be construed as precluding consideration of a need to halt or reduce activity as a mitigating factor in assessing

Place  
Sticker  
Here →

Revision X (Administrative) dated July 22, 2010 to Permit: AGM-00X/00XXX-Renewal X (Page x of X)

**State of Delaware**  
**Department of Natural Resources and Environmental Control**  
**Division of Air and Waste Management**  
**Air Quality Management Section**

156 South State Street  
Dover, DE 19901

**Regulation No. 30 (Title V) Operating Permit**  
**Facility I.D. Number: 1000300017**  
**Permit Number: AQM-003/00017-RENEWAL-1**

Effective Date: August 12, 2004      Expiration Date: August 12, 2009

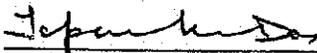
Pursuant to 7 Del. C., Chapter 60, Section 6003 and the State of Delaware "Regulations Governing the Control of Air Pollution," Regulation No. 2, Section 2 and Regulation No. 30, Section 7(b), approval by the Department of Natural Resources and Environmental Control (Department) is hereby granted to operate the emission unit(s) listed in Condition 1 of this permit; subject to the terms and conditions of this permit.

This approval is granted to:

Permittee (hereafter referred to as "Company")	Plant Site Location (hereafter referred to as "Facility")
Hercules Incorporated Wilmington, DE 19808 Responsible Official: Dr. Steven R. Prescott Title: Director, Research Center	Hercules Incorporated-Research Center 500 Hercules Road Wilmington DE 19808

The primary business of the Facility is Research and Development of Industrial organic chemicals and chemical preparations. The facility NAICS code is of 54171 which corresponds to an SIC Code of 8731.

All terms and conditions of this permit are enforceable by the Department and by the U.S. Environmental Protection Agency (EPA) unless specifically designated as "State Enforceable Only." [Reference Regulation No. 30 Section 6(b)(1) dated 12/11/00]

  
Tapan K. Das  
Environmental Engineer  
Engineering & Compliance Branch  
(302) 323-4542

08/12/04  
Date

  
Robert J. Taggart  
Program Manager  
Engineering & Compliance Branch  
(302) 323-4542

08/12/2004  
Date

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**Condition 1. Emission Unit(s) Identification.** [Reference Regulation No. 30 Section 3(c)(1) dated 11/15/93]

a. **Emission Units Information.**

<b>Emission Unit(s)</b>	<b>Emission Unit Description</b>
Emission Unit 01	Boiler No. 5, Cleaver Brooks 13 mmBTU/hr boiler fired on No. 2 fuel oil.
Emission Unit 02	Boiler No.6, Combustion Engineering 72 mmBTU/hr boiler fired on No.6 fuel oil.
Emission Unit 04	Boiler No.7, Babcock and Wilcox 49 mmBTU/hr boiler fired on No.6 fuel oil.
Emission Unit 05	Boiler No.4, Edgemoore 32.5 mmBTU/hr boiler fired on No.6 fuel oil.
Emission Unit 100	Maintenance Building Cold Solvent Degreaser
Emission Unit 101	Powerhouse Cold Solvent Degreaser
Emission Unit 200	Maintenance Building Paint Spray Booth
Emission Unit R&D	Research and Development Activities

b. **Regulation No. 2 Permit Identification.**

<b>Reference Number</b>	<b>Full Regulation No. 2 Permit Designation</b>
<b>APC-82/1266</b>	<b>APC-82/1266-OPERATION (Amendment 2)(NO<sub>x</sub> RACT)</b> issued 2/10/97 for Boiler No. 4
<b>APC-82/1267</b>	<b>APC-82/1267-OPERATION (Amendment 1)(NO<sub>x</sub> RACT)</b> issued 8/26/94 for Boiler No.5
<b>APC-82/1268</b>	<b>APC-82/1268-OPERATION (Amendment 1)(NO<sub>x</sub> RACT)</b> issued 8/26/94 for Boiler No.6
<b>APC-82/0727</b>	<b>APC-82/0727-OPERATION(Amendment-3)(NO<sub>x</sub> RACT)</b> issued 2/10/97 for Boiler No.7
<b>APC-88/0263</b>	<b>APC-82/0263-CONSTRUCTION/OPERATION(Amendment 2)</b> Issued 5/10/91 for the Sample Preparation Facility in Building 8105
<b>APC-95/0546</b>	<b>APC-95/0546-OPERATION(Amendment 6)</b> issued 12/29/00 for the three (3) Laboratory Hood Exhaust System in Building 8100
<b>APC-95/0402</b>	<b>APC-95/0402-OPERATION(Amendment 2)</b> issued 4/20/00 for the two (2) Laboratory Hood Exhaust System in Building 8136/8136A
<b>APC-91/0301</b>	<b>APC-91/0301-OPERATION</b> issued 7/14/92 for the Paint Spray Booth in Building 8101

**Condition 2. General Requirements.**

**a. Certification.**

1. Each document submitted to the Department/EPA as required by this permit shall be certified by a Responsible Official as to truth, accuracy, and completeness. Such certification shall be signed by a Responsible Official and shall contain the following language: "I certify, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete." [Reference Regulation No. 30 Section 5(f) dated 11/15/93 and 6(c)(1) dated 12/11/00]
2. Any report of deviations required under Conditions 3(c)(2)(ii) or 3(c)(2)(iii) that must be submitted to the Department within ten (10) calendar days of the deviation, may be submitted in the first instance without a certification provided a certification meeting the requirements of Condition 2(a)(1) is submitted to the Department within ten (10) calendar days thereafter, together with any corrected or supplemental information required concerning the deviation. [Reference Regulation No. 30 Section 6(a)(3)(iii)(D) dated 12/11/00]
3. Each document submitted to the Department/EPA pursuant to this permit shall be sent to the following addresses:

State of Delaware – DNREC Division of Air and Waste Management Air Quality Management Section 156 South State Street Dover, DE 19901 ATTN: Program Administrator	United States Environmental Protection Agency Associate Director of Enforcement (3AP10) 1650 Arch Street Philadelphia, PA 19103
No. of Originals: <u>1</u>	No. of Copies: <u>2</u>
No. of Copies: <u>1</u>	

**b. Compliance.**

1. The Company shall comply with all terms and conditions of this permit. Any noncompliance with this permit constitutes a violation of the applicable requirements under the Clean Air Act, and/or the State of Delaware "Regulations Governing the Control of Air Pollution," and is grounds for an enforcement action, for permit termination, revocation and reissuance or modification, or for denial of a permit renewal. [Reference Regulation No. 30 Section 6(a)(7)(f) dated 12/11/00]
2.
  - i. For applicable requirements with which the source is in compliance, the Company shall continue to comply with such requirements. [Reference Regulation No. 30 Sections 5(d)(8)(iii)(A) dated 11/15/93 and 6(c)(3) dated 12/11/00]
  - ii. For applicable requirements that will become effective during the term of this permit, the Company shall meet such requirements on a timely basis unless a more detailed schedule is expressly required by the applicable requirement. [Reference Regulation No. 30 Sections 5(d)(8)(iii)(B) dated 11/15/93 and 6(c)(3) dated 12/11/00]
3. Nothing in Condition 2(b)(1) of this permit shall be construed to preclude the Company from making changes consistent with Condition 2(m)(3) [Minor Permit Modifications] or

**Permit: AQM-003/0001 r-Renewal-1**

**Hercules Incorporated**

Regulation No. 30 Operating Permit

August 12, 2004

Page 5

Condition 4(a) [Operational Flexibility]. [Reference Regulation No. 30 Sections 6(h) dated 12/11/00 and 7(e)(1)(v) dated 12/11/00]

4. The fact that it would have been necessary to halt or reduce an activity in order to maintain compliance with the terms and conditions of this permit shall not constitute a defense for the Company in any enforcement action. Nothing in this permit shall be construed as precluding consideration of a need to halt or reduce activity as a mitigating factor in assessing penalties for noncompliance if the health, safety, or environmental impacts of halting or reducing operations would be more serious than the impacts of continuing operations. [Reference Regulation No. 30 Section 6(a)(7)(ii) dated 12/11/00]
5. The Company may seek to establish that noncompliance with a technology-based emission limitation under this permit was due to an emergency or malfunction if both the record keeping requirements in Condition 3(b)(2)(iii) and the reporting requirements in Condition 3(c)(2)(ii)(A) are satisfied. [Reference Regulation No. 30 Section 6(g)(2) dated 12/11/00]
6.
  - i. In any enforcement proceeding, the Company seeking to establish the occurrence of an emergency or malfunction has the burden of proof. [Reference Regulation No. 30 Section 6(g)(4) dated 12/11/00]
  - ii. The provisions of Regulation No. 30 pertaining to Emergency/Malfunctions as defined in Conditions Nos. 2(b)(5); 2(b)(6); 3(b)(2)(iii); and 3(c)(2)(ii)(A) of this permit are in addition to any emergency or malfunction provision contained in any applicable requirement. [Reference Regulation No. 30 Section 6(g)(5) dated 12/11/00]
7. Reserved.
8. If required, the schedule of compliance in Condition 5 of this permit is supplemental to and shall not sanction noncompliance with the applicable requirements upon which it is based. [Reference Regulation No. 30 Section 5(d)(8)(iii)(C) dated 11/15/93]
9. Nothing in this permit shall be interpreted to preclude the use of any credible evidence to demonstrate noncompliance with any term of this permit. [Reference 62 FR 8314 dated 2/24/97]
- c. **Confidentiality.** The Company may make a claim of confidentiality for any information or records submitted to the Department. However, by submitting a permit application, the Company waives any right to confidentiality as to the contents of its permit, and the permit contents will not be entitled to protection under 7 Del. C., Chapter 60, Section 6014. [Reference Regulation No. 30 Sections 5(a)(4) dated 11/15/93, 6(a)(3)(iii)(E) dated 12/11/00, and 6(a)(7)(v) dated 12/11/00]
  1. Confidential information shall meet the requirements of 7 Del. C., Chapter 60, Section 6014, and 29 Del. C., Chapter 100. [Reference Regulation No. 30 Section 5(a)(4) dated 11/15/93]
  2. If the Company submits information to the Department under a claim of confidentiality, the Company shall also submit a copy of such information directly to the EPA, if the Department requests that the Company do so. [Reference Regulation No. 30 Section 5(a)(4) dated 11/15/93]
- d. **Construction, Installation, or Alteration.** The Company shall not initiate construction, installation, or alteration of any equipment or facility or air contaminant control device which

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will emit or prevent the emission of an air contaminant prior to submitting an application to the Department under Regulation No. 2, and, when applicable, Regulation No. 25, and receiving approval of such application from the Department; except as exempted in Regulation No. 2 Section 2.2 of the State of Delaware "Regulations Governing the Control of Air Pollution." [Reference Regulation No. 2 Section 2.1 dated 6/1/97 and Regulation No. 30 Section 7(b)(3) dated 12/11/00]

**e. Definitions/Abbreviations.** Except as specifically provided for below, for the purposes of this permit, terms used herein shall have the same meaning accorded to them under the applicable requirements of the Clean Air Act and the State of Delaware "**Regulations Governing the Control of Air Pollution.**"

1. "Act" means the Clean Air Act, as amended by the Clean Air Act Amendments of November 15, 1990, 42 U.S.C. 7401 et seq. [Reference Regulation No. 30 Section 2 dated 11/15/93]
2. "AP-42" means the Compilation Of Air Pollutant Emission Factors, Fifth Edition, AP-42, dated January 15, 1995, as amended with Supplements "A", dated February 1996, and "B", dated November 1996 or any latest edition.
3. "CFR" means Code of Federal Regulations.
4. "Emergency" means any situation arising from sudden and reasonably unforeseeable events beyond the control of the sources, including acts of God, which situation requires immediate corrective action to restore normal operation, and that causes the source to exceed a technology-based emission limitation under this 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 operation, or operator error. [Reference Regulation No. 30 Section 6(g)(1) dated 12/11/00]
5. "Malfunction" means any sudden and unavoidable failure of air pollution control equipment or of a process to operate in a normal or usual manner, and that causes the source to exceed a technology-based emission limitation under this permit, due to unavoidable increases in emissions attributable to the malfunction. A malfunction shall not include noncompliance to the extent caused by improperly designed equipment, lack of preventative maintenance, careless or improper operation, or operator error. [Reference Regulation No. 30 Section 6(g)(1) dated 12/11/00]
6. "Number 2 (No. 2) fuel oil" means distillate oil.
7. "Reg." and "Regulation" mean State of Delaware "**Regulations Governing the Control of Air Pollution.**"
8. "**Regulations Governing the Control of Air Pollution**" means the codification of those regulations enacted by the Delaware Department of Natural Resources and Environmental Control, in accordance with 7 Del. C., Chapter 60, Section 6010.

**f. Duty to Supplement.**

1. Upon becoming aware of a failure to submit any relevant facts or a submittal of incorrect information in any permit application, the Company shall promptly submit to the

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Department such supplementary facts or corrected information. *[Reference Regulation No. 30 Section 5(b) dated 11/15/93]*

2. The Company shall promptly submit to the Department information as necessary to address any requirement(s) that become applicable to the source after the date it filed a complete application but prior to the release of a corresponding draft permit. *[Reference Regulation No. 30 Section 5(b) dated 11/15/93]*
3. The Company shall furnish to the Department, upon receipt of a written request and within a reasonable time specified by the Department:
  - i. Any information that the Department determines is reasonably necessary to evaluate or take final action on any permit application submitted in accordance with Condition 2(l) or 2(m) of this permit. The Company may request an extension to the deadline the Department may impose on the response for such information. *[Reference Regulation No. 30 Section 5(a)(2)(iii) dated 11/15/93]*
  - ii. Any information that the Department requests to determine whether cause exists to modify, terminate, or revoke this permit, or to determine compliance with the terms and conditions of this permit. *[Reference Regulation No. 30 Section 6(a)(7)(v) dated 12/11/00]*
  - iii. Copies of any record(s) required to be kept by this permit. *[Reference Regulation No. 30 Section 6(a)(7)(v) dated 12/11/00]*
- g. **Emission Trading.** No permit revision shall be required under any approved economic incentives, marketable permits, emissions trading, and other similar programs or processes for changes that are provided for in the permit. *[Reference Regulation No. 30 Section 6(a)(9) dated 12/11/00]*
- h. **Fees.** The Company shall pay fees to the Department consistent with the fee schedule established by the Delaware General Assembly. *[Reference Regulation No. 30 Section 6(a)(8) dated 12/11/00 and Section 9 dated 11/15/93]*
- i. **Inspection and Entry Requirements.** Upon presentation of identification, the Company shall allow authorized officials of the Department to perform the following:
  1. Enter upon the Company's 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. *[Reference Regulation No. 30 Section 6(c)(2)(i) dated 12/11/00]*
  2. Have access to and copy at reasonable times, any record(s) that must be kept under the terms and conditions of this permit. *[Reference Regulation No. 30 Section 6(c)(2)(ii) dated 12/11/00]*
  3. Inspect, at reasonable times and using reasonable safety practices, any facility, equipment (including monitoring and air pollution control equipment), practice, or operation regulated or required under this permit. *[Reference Regulation No. 30 Section 6(c)(2)(iii) dated 12/11/00]*
  4. Sample or monitor, at reasonable times, any substance or parameter for the purpose of assuring compliance with this permit or any applicable requirement. *[Reference Regulation No. 30 Section 6(c)(2)(iv) dated 12/11/00]*

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- J. Permit and Application Consultation.** The Company is encouraged to consult with Department personnel before submitting an application or, at any other time, concerning the operation, construction, expansion, or modification of any installation, or concerning the required pollution control devices or system, the efficiency of such devices or system, or the pollution problem related to the installation. *[Reference Regulation No. 30 Section 5(a)(1)(vii) dated 11/15/93]*
- K. Permit Availability.** The Company 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. *[Reference Regulation No. 2 Section 8.1 dated 6/1/97]*
- I. Permit Renewal.** This permit expires on June 30, 2009 except as provided in Condition 2(l)(3) below. *[Reference Regulation No. 30 Section 6(a)(2) dated 12/11/00]*
1. Applications for permit renewal shall be subject to the same procedural requirements, including those for public participation, *affected state* comment, and EPA review, that apply to initial permit issuance under Regulation No. 30 Section 7(a), except that an application for permit renewal may address only those portions of the permit that the Department determines require revision, supplementing, or deletion, incorporating the remaining permit terms by reference from the previous permit. The Department may similarly, in issuing a draft renewal permit or proposed renewal permit, specify only those portions that will be revised, supplemented, or deleted, incorporating the remaining permit terms by reference. *[Reference Regulation No. 30 Section 7(c)(1) dated 12/11/00]*
  2. The Company's right to operate shall cease upon the expiration date unless a timely and complete renewal application has been submitted to the Department not earlier than eighteen (18) months nor later than twelve (12) months prior to the expiration date of this permit. *[Reference Regulation No. 30 Section 7(c)(2) dated 12/11/00]*
  3. If a timely and complete application for a permit renewal is submitted to the Department pursuant to Regulation No. 30, Section 5(a)(2)(iv), dated 11/15/93, and Section 7(c)(1), dated 12/11/00, and the Department, through no fault of the Company, fails to take final action to issue or deny the renewal permit before the end of the term of this permit, then this permit shall not expire until the renewal permit has been issued or denied, and any permit shield granted for the permit shall continue in effect during that time. *[Reference Regulation No. 30 Section 7(c)(3) dated 12/11/00]*
- m. Permit Revision and Termination.**
1. This permit may be modified, revoked, reopened, and reissued, or terminated for cause. Except as provided under Condition 2(m)(3) [Minor Permit Modification], the filing of a request by the Company for a permit modification, revocation and reissuance, or termination, or of a modification of planned changes or anticipated noncompliance does not stay any term or condition of this permit. *[Reference Regulation No. 30 Section 6(a)(7)(iii) dated 12/11/00 and 7(e)(1)(v) dated 12/11/00]*
  2. "Administrative Permit Amendment." When required, the Company shall submit to the Department a request for an administrative permit amendment in accordance with Regulation No. 30 Section 7(d) of the State of Delaware "**Regulations Governing the Control of Air Pollution.**" *[Reference Regulation No. 30 Section 7(d) dated 12/11/00]*

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3. "Minor Permit Modification." When required, the Company shall submit to the Department an application for a minor permit modification in accordance with Regulation No. 30 Section 7(e)(1) and 7(e)(2) of the State of Delaware "**Regulations Governing the Control of Air Pollution.**" [Reference Regulation No. 30 Section 7(e)(1) dated 12/11/00 and 7(e)(2) dated 12/11/00]
  - i. For a minor permit modification, during the period of time between the time the Company makes the change or changes proposed in the minor permit modification application and the time that the Department takes action on the application, the Company shall comply with both the applicable requirements governing the change and the proposed permit terms and conditions. During this period the Company, at its own risk, need not comply with the existing terms and conditions of this permit that it seeks to modify. [Reference Regulation No. 30 Section 7(e)(1)(v) dated 12/11/00 and 7(e)(2)(v) dated 12/11/00]
  - ii. If the Company fails to comply with its proposed permit terms and conditions during this time period, the existing terms and conditions of this permit may be enforced against the Company. [Reference Regulation No. 30 Section 7(e)(1)(v) dated 12/11/00 and 7(e)(2)(v) dated 12/11/00]
4. "Significant Permit Modification." When required, the Company shall submit to the Department an application for a significant permit modification in accordance with Regulation No. 30 Section 7(e)(3) of the State of Delaware "**Regulations Governing the Control of Air Pollution.**" [Reference Regulation No. 30 Section 7(e)(3) dated 12/11/00]
5.
  - i. When the Company is required to meet the requirements under section 112(g) [NESHAPS] of the Act or to obtain a preconstruction permit under the State of Delaware "**Regulations Governing the Control of Air Pollution,**" the Company shall file a complete application to revise this permit within twelve (12) months of commencing operation of the construction or modification. [Reference Regulation No. 30 Section 5(a)(1)(iv) dated 11/15/93]
  - ii. When the Company is required to obtain a preconstruction permit, the Company may submit an application to revise this permit for concurrent processing. The revision request for this permit when submitted for concurrent processing shall be submitted to the Department with the Company's preconstruction review application or at such later time as the Department may allow. Where this permit would prohibit such construction or change in operation, the Company shall obtain a permit revision before commencing operation. [Reference Regulation No. 2 Sections 11.2(j), 11.5 and 12.4, dated 6/1/97, and Regulation No. 30 Section 5(a)(1)(iv) dated 11/15/93]
  - iii. Where an application is not submitted for concurrent processing, the Company shall obtain an operating permit under the State of Delaware "**Regulations Governing the Control of Air Pollution**" prior to commencing operation of the construction or modification to cover the period between the date operation is commenced and until such time as operation is approved under Regulation No. 30. [Reference Regulation No. 2 Section 2.1 dated 6/1/97]
6. "Permit Termination." The Company may at any time apply for termination of this permit in accordance with Regulation No. 30 Section 7(h)(4) or Section 7(h)(5) of the State of Delaware "**Regulations Governing the Control of Air Pollution.**" [Reference Regulation No. 30 Sections 7(h)(4) dated 12/11/00 and 7(h)(5) dated 12/11/00]

**n. Permit Transfer.**

1. A change in ownership or operational control of this facility shall be treated as an administrative permit amendment where the Department has determined that no other change in the permit is necessary, provided that a written agreement containing a specific date for transfer of permit responsibility, coverage, and liability between the current and new owner has been submitted to the Department. *[Reference Regulation No. 30 Section 7(d)(1)(iv) dated 12/11/00]*
2. In addition to any written agreement submitted by the Company in accordance with Condition 2(n)(1), the Company shall have on file at the Department a statement meeting the requirements of 7 Del. C., Chapter 79, Section 7902. This permit condition is state enforceable only. *[Reference 7 Del. C., Chapter 79 dated 7/20/92]*
3. The written agreement required in Condition 2(n)(1) of this permit shall be provided to the Department within a minimum of thirty (30) calendar days prior to the specific date for transfer and shall indicate that the transfer is agreeable to both the current and new owner. *[Reference Regulation No. 2 Section 7.1 dated 6/1/97]*

**o. Property Rights.** This permit does not convey any property rights of any sort, or any exclusive privilege. *[Reference Regulation No. 30 Section 6(a)(7)(iv) dated 12/11/00]*

**p. Risk Management Plan Submissions.**

1. In the event this stationary source, as defined in the State of Delaware "**Accidental Release Prevention (ARP) Regulation**" Section 4, is subject to or becomes subject to Section 5 of the "**ARP Regulation**", dated January 11, 1999, the owner or operator shall submit a risk management plan (RMP) to the Environmental Protection Agency's RMP Reporting Center by the date specified in Section 5.10 and required revisions as specified in Section 5.190. A certification statement shall also be submitted as mandated by Section 5.185. *[Reference Regulation No. 30 Section 6(a)(4) dated 12/11/00, State of Delaware "Accidental Release Prevention Regulation" dated 1/11/99 and Delaware; Approval of Accidental Release Prevention Program, Federal Register/Vol. 6, No. 11 pages 30818-22 dated June 8, 2001]*
2. If this stationary source, as defined in the State of Delaware "**ARP Regulation**" Section 4, is not subject to Section 5 but is subject or becomes subject to Section 6 of the "**ARP Regulation**" dated January 11, 1999, the owner or operator shall submit a Delaware RMP to the State of Delaware's Accidental Release Prevention group by the date specified in Section 6.10 and required revisions as specified by Section 6.60(j). *[Reference State of Delaware "Accidental Release Prevention Regulation" dated 1/11/99] [STATE ENFORCEABLE ONLY]*

**q. Protection of Stratospheric Ozone.**

When applicable, this Facility shall comply with the following requirements: *[Reference 40 CFR Part 82 "Protection of Stratospheric Ozone" revised as of 7/1/97]*

1. The permittee shall comply with the standards for labeling of products using ozone-depleting substances pursuant to 40 CFR Part 82, Subpart E:
  - i. All containers in which a class I or class II substance is stored or transported, all products containing a class I substance, and all products directly manufactured with a

- process that uses a class I substance must bear the required warning statement if it is being introduced into interstate commerce pursuant to §82.106.
- ii. The placement of the required warning statement must comply with the requirements pursuant to §82.108.
  - iii. The form of the label bearing the required warning statement must comply with the requirements pursuant to §82.110.
  - iv. No person may modify, remove, or interfere with the required warning statement except as described in §82.112.
2. Any person servicing, maintaining, or repairing appliances, except for motor vehicles, shall comply with the standards for recycling and emissions reduction pursuant to 40 CFR Part 82, Subpart F, except as provided for Motor Vehicle Air Conditioners (MVACs) in Subpart B. In addition, Subpart F applies to refrigerant reclaimers, appliance owners, and manufacturers of appliances and recycling and recovery equipment.
- i. Persons owning appliances for maintenance, service, repair, or disposal must comply with the prohibitions and required practices pursuant to §82.154 and §82.156.
  - ii. Equipment used during the maintenance, service, repair, or disposal of appliances must comply with the standards for recycling and recovery equipment pursuant to §82.158.
  - iii. Persons performing maintenance, service, repair, or disposal of appliances must be certified by an approved technician certification program pursuant to §82.161.
  - iv. Persons performing maintenance, service, repair, or disposal of appliances must certify with the Administrator pursuant to §82.158 and §82.162.
  - v. Persons disposing of small appliances, MVACs, and MVAC-like appliances must comply with record keeping requirements pursuant to §82.166. ("MVAC-like appliance" as defined at §82.152)
  - vi. Persons owning commercial or industrial process refrigeration equipment must comply with the leak repair requirements pursuant to §82.156.
3. Owners/Operators of appliances normally containing 50 or more pounds of refrigerant must keep records of refrigerant purchased and added to such appliances pursuant to 40 CFR Part 82, Subpart F §82.166.
4. If the permittee manufactures, transforms, destroys, imports, or exports a class I or class II substance, the permittee is subject to all the requirements as specified in 40 CFR Part 82, Subpart A, Production and Consumption Controls.
5. If the permittee performs a service on motor (fleet) vehicles when this service involves ozone-depleting substance refrigerant (or regulated substitute substance) in the MVAC, the permittee is subject to all the applicable requirements as specified in 40 CFR Part 82, Subpart B, Servicing of Motor Vehicle Air Conditioners.

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The term "motor vehicle" as used in Subpart B does not include a vehicle in which final assembly of the vehicle has not been completed. The term "MVAC" as used in Subpart B does not include the air-tight sealed refrigeration system used as refrigerated cargo, or system used on passenger buses using HCFC-22 refrigerant. These systems are regulated under 40 CFR Part 82, Subpart F.

6. The permittee shall be allowed to switch from any ozone-depleting substance to any alternative that is listed as acceptable in the Significant new Alternatives Program (SNAP) promulgated pursuant to 40 CFR Part 82, Subpart G, Significant New Alternatives Policy Program.
- r. **Severability.** The provisions of this permit are severable. If any part of this permit is held invalid, the application of such part to other persons or circumstances and the remainder of this permit shall not be affected thereby and shall remain valid and in effect. *[Reference Regulation No. 30 Section 6(a)(6) dated 12/11/00]*

**Condition 3. Specific Requirement(s).**

- a. **Emission Limitation(s)/Standard(s) and/or Operational Limitation(s)/Standard(s).** The Company shall comply with the emission limitations/standards detailed in Condition 3 – Table 1 of this permit. *[Reference Regulation No. 30 Section 6(a)(1) dated 12/11/00]*
- b. **Compliance Determination Methodology (Monitoring/Testing, QA/QC Procedures (as applicable) and Record Keeping).** The Company shall maintain records of all required monitoring data and support information for a period of at least five (5) years from the date of the monitoring sample, measurement, report, or application. Support information includes all original strip-chart recordings, where appropriate, for continuous monitoring instrumentation, and copies of all reports required by the permit. Where appropriate, the permit may specify that records may be maintained in computerized form. *[Reference Regulation No. 30 Section 6(a)(3)(ii)(B) dated 12/11/00]*
1. i. **Specific Requirements.** The Company shall comply with the operational limitation(s), monitoring, testing, and record keeping requirement(s) detailed in Condition 3 – Table 1 which are in addition to those in Conditions 3(b)(1)(ii) and 3(b)(2). *[Reference Regulation No. 30 Sections 6(a)(1) dated 12/11/00, 6(a)(3)(i) dated 12/11/00, and 6(a)(10) dated 12/11/00]*
- ii. **General Testing Requirements.** Upon written request of the Department, the Company shall, at the Company's expense, sample the emissions of, or fuel used by, an air contaminant emission source, maintain records and submit reports to the Department on the results of such sampling. *[Reference Regulation No. 17 Section 2.2 dated 7/17/84]*
2. **General Record Keeping Requirements.** The Company shall record, at a minimum, all of the following information.
- i. If required, for each operating scenario identified in Condition 3 – Table 1 of this permit, a log that indicates the operating scenario under which each particular emission unit is operating. The Company shall, contemporaneously with changing from one operating scenario to another, record in this log the scenario under which it is operating. *[Reference Regulation No. 30 Section 6(a)(10) dated 12/11/00]*

**Condition 3. Specific Requirements Continued**

- ii. The following information to the extent specified in Condition 3 – Table 1 of this permit. [Reference Regulation No. 30 Section 6(a)(3)(ii)(A) dated 12/11/00]
  - A. The date, place, and time of the sampling or measurements. [Reference Regulation No. 30 Section 6(a)(3)(ii)(A)(aa) dated 12/11/00]
  - B. The date(s) analyses were performed. [Reference Regulation No. 30 Section 6(a)(3)(ii)(A)(bb) dated 12/11/00]
  - C. The company or entity that performed the analyses. [Reference Regulation No. 30 Section 6(a)(3)(ii)(A)(cc) dated 12/11/00]
  - D. The analytical techniques or methods used. [Reference Regulation No. 30 Section 6(a)(3)(ii)(A)(dd) dated 12/11/00]
  - E. The results of such analyses. [Reference Regulation No. 30 Section 6(a)(3)(ii)(A)(ee) dated 12/11/00]
  - F. The operating conditions as existing at the time of sampling or measurement. [Reference Regulation No. 30 Section 6(a)(3)(ii)(a)(ff) dated 12/11/00]
- iii. If the Company is claiming the affirmative defense of emergency or malfunction as provided in Condition 2(b)(5); properly signed, contemporaneous operating log(s), or other relevant evidence which indicates that: [Reference Regulation No. 30 Section 6(g)(3) dated 12/11/00]
  - A. An emergency or malfunction occurred and the cause(s) of the emergency or malfunction. [Reference Regulation No. 30 Section 6(g)(3)(i) dated 12/11/00]
  - B. The facility was at the time of the emergency or malfunction being operating in a prudent and professional manner and in compliance with the generally accepted industry operations and maintenance procedures. [Reference Regulation No. 30 Section 6(g)(3)(ii) dated 12/11/00]
  - C. During the period of the emergency or malfunction the Company took all reasonable steps to minimize levels of emissions that exceeded the emission standard(s), or other requirement(s) of this permit. [Reference Regulation No. 30 Section 6(g)(3)(iii) dated 12/11/00]
- iv. A copy of the written notice required by Condition 3(c)(2)(iii) for each change made under Condition 4(c) [Operational Flexibility] of this permit shall be maintained with a copy of this permit. [Reference Regulation No. 30 Section 6(h)(1) dated 12/11/00]

**c. Reporting and Compliance Certification Requirement(s).**

- 1. Specific Reporting/Certification Requirements. The Company shall comply with the Reporting/Certification Requirement(s) detailed in Condition 3 – Table 1 of this permit, which are in addition to those of Conditions 3(c)(2) and 3(c)(3). Each report that contains any deviation(s) from the terms of Condition 3 – Table 1 shall identify the probable cause of the deviation(s) and any corrective action(s) or preventative

**Condition 3. Specific Requirements Continued**

measure(s) taken. *[Reference Regulation No. 30 Sections 6(a)(3)(iii) dated 12/11/00, 6(a)(3)(iii)(C)(cc) dated 12/11/00, and 6(a)(3)(iii)(C)(dd) dated 12/11/00]*

2. General Reporting Requirements.

- i. The Company shall submit to the Department a report of any required monitoring not later than the first day of August (covering the period from January 1 through June 30) and the first day of February (cover the period July 1 through December 31) of each calendar year. Each report shall identify any deviation(s) from the monitoring, record keeping and reporting requirements under this permit, and the probable cause of the deviation(s) and any corrective actions or preventative measures taken. If no deviation(s) has occurred such shall be stated in the report. *[Reference Regulation No. 30 Section 6(a)(3)(iii)(A) dated 12/11/00 and (B) dated 12/11/00, and Section 6(a)(3)(iii)(C)(dd) dated 12/11/00]*
- ii. In addition to the semiannual monitoring reports required under Condition 3(c)(2)(i), the Company shall submit to the Department supplemental written report(s)/notice(s) identifying all deviations from permit conditions, probable cause of the deviations, and any corrective actions or preventative measures as follows:  
*[Reference Regulation No. 30 Sections 6(a)(3)(iii)(C)(cc) dated 12/11/00 and 6(a)(3)(iii)(C)(dd) dated 12/11/00]*
  - A. If the Company is claiming the affirmative defense of emergency or malfunction as provided in Condition 2(b)(5) of this permit, a notice of any deviation resulting from emergency or malfunction conditions shall be reported to the Department within two (2) working days of the time when the technology-based emission limitations were exceeded. Such notice shall contain a description of the emergency or malfunction, any steps taken to mitigate emissions, and any corrective actions taken. *[Reference Regulation No. 30 Sections 6(a)(3)(iii)(C)(aa) dated 12/11/00 and 6(g)(3)(iv) dated 12/11/00]*
  - B. Emissions in excess of any permit condition or emissions which create a condition of air pollution shall be reported to the Department:
    1. Immediately 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. *[Reference Regulation No. 30 Section 6(a)(3)(iii)(C)(bb) dated 12/11/00]*
    2. Immediately upon discovery by calling the Environmental Emergency Notification and Complaint number (800) 662-8802, or from outside the State of Delaware, (302) 739-5072. (State Enforceable Only) *[Reference Regulation No. 30 Section 6(a)(3)(iii)(C)(cc) dated 12/11/00]*
    3. In a written report pursuant to Condition 3(c)(2)(i) and/or the specific reporting requirements listed in Condition 3 – Table 1. *[Reference Regulation No. 30 Sections 6(a)(3)(iii)(C)(cc) dated 12/11/00 and 6(a)(3)(iii)(C)(dd) dated 12/11/00]*

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**Condition 3. Specific Requirements Continued**

- C. Discharges to the atmosphere in excess of any quantity specified in the State of Delaware "**Reporting of a Discharge of a Pollutant or an Air Contaminant**" Regulation shall be reported, immediately upon discovery and after activating the appropriate site emergency plan, either in person or to the Department's 24-hour complaint line (1-800-662-8802) and (1-866-274-0884) for Local Emergency Planning Committee(LEPC) Discharges in compliance with this permit and excess emissions previously reported under Condition 3(c)(2)(ii)(B) of this permit are exempt from this reporting requirement. *[Reference 7 Del. C, Chapter 60, Section 6028] STATE ENFORCEABLE ONLY*
- iii. Prior to making a change as provided in Condition 4 [Operational Flexibility] of this permit the Company shall give written notice to the Department and EPA at least seven (7) calendar days before the change is to be made. *[Reference Regulation No. 30 Section 6(h)(1) dated 12/11/00]*
- A. The seven (7) day period may be shortened or eliminated as necessary for a change that must be implemented more quickly to address unanticipated conditions posing a significant health, safety, or environmental hazard. *[Reference Regulation No. 30 Section 6(h)(1) dated 12/11/00]*
- B. If less than seven (7) calendar days notice is provided because of a need to respond more quickly to such unanticipated conditions, the Company shall provide notice to the Department and EPA as soon as possible after learning of the need to make the change, together with the reason(s) why advance notice could not be given. *[Reference Regulation No. 30 Section 6(h)(1) dated 12/11/00]*
- C. The written notice shall include all of the following information: *[Reference Regulation 30 Section 6(h)(1) dated 12/11/00]*
1. The identification of the affected emission unit(s) and a description of the change to be made.
  2. The date on which the change will occur.
  3. Any changes in emissions.
  4. Any permit terms and conditions that are affected, including any new applicable requirements.
- iv. The Company shall submit to the Department an annual emissions statement in accordance with Regulation No. 17 Section 7 not later than April 30 of each year, or other date as established by the Department, unless an extension by the Department is granted. Such emissions statement shall cover the preceding calendar year. *[Reference Regulation No. 17 Section 7 dated 1/11/93]*
- v. If required, the Company shall submit to the Department a progress report for applicable requirement(s) identified in Condition 5 of this permit. Such reports shall be submitted not later than the first day of August (covering the period from January 1 through June 30) and the first day of February (cover the period July 1 through

**Condition 3. Specific Requirements Continued**

December 31) of each calendar year. Each progress report shall include the following: *[Reference Regulation No. 30 Sections 5(d)(8) dated 11/15/93 and 6(c)(4) dated 12/11/00]*

A. Dates for achieving the activities, milestones, or compliance required in the schedule of compliance, and dates when such activities, milestones or compliance were achieved. *[Reference Regulation No. 30 Section 6(c)(4)(i) dated 12/11/00]*

B. An explanation of why any dates in the schedule of compliance were not or will not be met, and any preventive or corrective measures adopted. *[Reference Regulation No. 30 Section 6(c)(4)(ii) dated 12/11/00]*

vi. Nothing herein shall relieve the Company from any reporting requirements under federal, state or local laws. *[Reference Regulation No. 30 Section 6(a)(3)(iii)(C)(ee) dated 12/11/00]*

**3. General Compliance Certification Requirements.**

i. Compliance with terms and conditions of this permit shall be certified to the Department not later than the first day of February of each year unless the terms or conditions in Condition 3 – Table 1 require compliance certifications to be submitted more frequently. Such certification shall cover the previous calendar year and shall be submitted on Form AQM-1001BB. The Compliance Certification shall include the following information: *[Reference Regulation No. 30 Section 6(c)(5)(i) dated 12/11/00]*

A. The identification of each term or condition of the permit that is the basis of the certification. *[Reference Regulation No. 30 Section 6(c)(5)(iii)(A) dated 12/11/00]*

B. The Company's current compliance status, as shown by monitoring data and other information reasonably available to the Company. *[Reference Regulation No. 30 Section 6(c)(5)(iii)(B) dated 12/11/00]*

C. Such certification shall indicate whether compliance was continuous or intermittent during the covered period. *[Reference Regulation No. 30 Section 6(c)(5)(iii)(C) dated 12/11/00]*

D. The method(s) used for determining the compliance status of the Company, currently and over the reporting period as required by the monitoring, record keeping, and reporting required under Condition 3. *[Reference Regulation No. 30 Section 6(c)(5)(iii)(D) dated 12/11/00]*

E. Such other facts as the Department may require to determine the compliance status of the source. *[Reference Regulation No. 30 Section 6(c)(5)(iii)(E) dated 12/11/00]*

ii. Each compliance certification shall be submitted to the Department and EPA and shall be certified in accordance with Condition 2(a) of this permit. *[Reference Regulation No. 30 Section 6(c)(5)(iv) dated 12/11/00]*

iii. Any additional information possessed by the Company that demonstrates noncompliance with any applicable requirement must also be used as the basis for compliance certifications. *[Reference 62 FR 8314 dated 2/24/97]*

**Condition 3 – Table 1 (Specific Requirements)**

Emission Limitation(s)/Standards and/or Operational Limitation(s)/Standard(s)	Compliance Determination Methodology (Monitoring/Testing, QA/QC Procedures (as applicable) and Record Keeping)	Reporting/Compliance Certification
<p><b>1. Operational Limitation:</b>            Operation of Boiler #5 is authorized only during those periods when either Boiler #6 or Boiler #7 is not in service. During all other periods, this boiler shall be in stand-by mode. [Reference Permit APC-82/1267Cond. No. 9]</p>	<p><b>i. Compliance Methodology:</b> Compliance shall be demonstrated by the record keeping requirements of this condition. [Reference Reg. No. 30, Section 6(a)(3) dated 12/11/00]</p> <p><b>ii. Monitoring/Testing:</b> Monitor the operating status of Boiler No. 5. [Reference Reg. No. 30, Section 6(a)(3) dated 12/11/00]</p> <p><b>iii. Record Keeping:</b> The Company shall maintain a log indicating periods of operation for Boiler No. 5. [Reference Reg. No. 30, Section 6(a)(3) dated 12/11/00]</p>	<p><b>iv. Reporting Requirement:</b> All records indicating exceedances of the standard in accordance with Condition 3(c)(2).</p> <p><b>v. Certification Requirement:</b> None in addition to Condition 3(c)(3).</p>
<p><b>2. Combustion Efficiency:</b>            During all periods of operation, the boilers shall be operated at the highest practical combustion efficiency but at no time shall the combustion efficiency be less than seventy-five percent (75%). [Reference Permit APC-82/1267 Cond. No. 5]  <b>STATE EFORCEABLE ONLY</b></p>	<p><b>i. Compliance Method:</b> Compliance shall be demonstrated by the testing and record keeping requirements of this condition. [Reference Reg. No. 30, Section 6(a)(3) dated 12/11/00]</p> <p><b>ii. Monitoring/Testing:</b> The efficiency shall be determined annually by flue gas oxygen or carbon dioxide analysis and flue gas net temperature. [Reference Permit APC-82/1267 cond. No. 5]</p> <p><b>iii. Record Keeping:</b> The Company shall maintain records of all test results.</p>	<p><b>iv. Reporting Requirement:</b> All records indicating exceedances of the standard in accordance with Condition 3(c)(2).</p> <p><b>v. Certification Requirement:</b> None in addition to Condition 3 (c) (3).</p>

Condition 3 – Table 1. (Specific Requirements)

Emission Limitation(s)/Standards and/or Operational Limitation(s)/Standard(s)	Compliance Determination Methodology (Monitoring/Testing, QA/QC Procedures (as applicable) and Record Keeping)	Reporting/Compliance Certification
<p><b>3. Emission Standard:</b>  The Company shall not cause or allow the emission of particulate matter in excess of 0.3 lb/mmBTU heat input, maximum 2-hour average. [Reference Reg. No. 4, Section 2.1 dated 2/1/81]</p>	<p>[Reference Reg. No. 30, Section 6(a)(3) dated 12/11/00]</p> <p><b>i. Compliance Method:</b> Compliance is based upon combustion efficiency, fuel quality and restriction on type of fuel fired.</p> <p><b>ii. Monitoring/Testing:</b> None in addition to those in Condition 3, Table 1.(a)(2)(ii) [reference Reg. No. 30, Section 6(a)(3) dated 12/11/00]</p>	<p><b>iv. Reporting Requirement:</b> None in addition to condition 3(c)(2).</p> <p><b>v. Certification Requirement:</b> None in addition to Condition 3(c)(3).</p>
<p><b>4. Operational Limitations:</b></p> <p><b>A.</b> The Company shall not use in any fuel burning equipment, distillate fuel oil having a sulfur content greater than 0.3% by weight. [Reference Reg. No. 5, Section 2.2 dated 5/9/85]</p> <p><b>B.</b> The unit shall fire only No. 2 fuel oil. [Reference Reg. No. 30 Section 6(a)(3) dated 12/11/00]</p>	<p><b>iii. Record Keeping:</b> None.</p> <p><b>i. Compliance Method:</b> Compliance shall be demonstrated by sampling and analysis of fuel burned in the equipment using ASTM methods and fuel supplier certification and/or record keeping of this condition. [Reference Reg. No. 30, Section 6(a)(3) dated 12/11/00]</p> <p><b>ii. Monitoring/Testing:</b> The supplier certification with each delivery of fuel shall be reviewed. The method used to determine the sulfur content must be one of the following ASTM methods: D129, D1552, D2622, D4294. [Reference Reg. No. 8, Section 2.4 dated 5/9/85 and DAWM Policy for Alternate Testing Methods dated 8/5/97]</p>	<p><b>iv. Reporting Requirement:</b> All records indicating exceedances of the standard in accordance with Condition 3(c)(2).</p> <p><b>v. Certification Requirement:</b> None in addition to Condition 3(c)(3).</p>
<p><b>iii. Record Keeping:</b> The Company shall</p>		

Emission Limitation(s)/Standards and/or Operational Limitation(s)/Standard(s)	Compliance Determination Methodology (Monitoring/Testing, QA/QC Procedures (as applicable) and Record Keeping)	Reporting/Compliance Certification
<p><b>5. Emission Standard:</b>                      The Company shall not cause or allow the emission of visible air contaminants and/or smoke from any emission unit, the shade or appearance of which is greater than twenty (20) percent opacity for an aggregate of more than three (3) minutes in any one (1) hour or more than fifteen (15) minutes in any twenty-four (24) hour period. [Reference Reg. No. 14, Section 2.1 dated 7/17/84]</p>	<p>maintain a file of fuel supplier certification for each oil shipment received at the facility. Such certification shall indicate:</p> <ul style="list-style-type: none"> <li>A. The name of the fuel supplier.</li> <li>B. Date Delivered.</li> <li>C. Amount and type of oil delivered.</li> <li>D. Oil sampling method.</li> <li>E. The sulfur content of the oil.</li> <li>F. The method used to determine the sulfur content.</li> </ul> <p>[Reference Reg. No. 30, Section 6(a)(3) dated 12/00/00 and Reg. No. 9, Section 2.3 dated 5/9/85]</p>	<p><b>iv. Reporting Requirement:</b> All records indicating exceedances of the standard in accordance with Condition 3(c)(3).</p> <p><b>v. Certification Requirement:</b> None in addition to Condition 3(c)(3)</p>
<p><b>i. Compliance Method:</b> Compliance shall be demonstrated by proper operation and maintenance of the emission units and record keeping requirements of this condition. [Reg. No. 30 Section 6(a)(3) dated 12/11/00]</p> <p><b>ii. Monitoring/Testing:</b>                      A. In accordance with Subsection 1.5(c) of Regulation No. 20 conduct visual observations at fifteen second intervals for a period of not less than one hour except that the observations may be discontinued whenever a violation of the standard is recorded. The additional procedures, qualification and testing to be used for visually determining the opacity shall be</p>	<p><b>i. Emission Standard:</b>                      The Company shall not cause or allow the emission of visible air contaminants and/or smoke from any emission unit, the shade or appearance of which is greater than twenty (20) percent opacity for an aggregate of more than three (3) minutes in any one (1) hour or more than fifteen (15) minutes in any twenty-four (24) hour period. [Reference Reg. No. 14, Section 2.1 dated 7/17/84]</p>	<p><b>iv. Reporting Requirement:</b> All records indicating exceedances of the standard in accordance with Condition 3(c)(3).</p> <p><b>v. Certification Requirement:</b> None in addition to Condition 3(c)(3)</p>

Emission Limitation(s)/Standards and/or Operational Limitation(s)/Standard(s)	Condition 3 - Table 1 (Specific Requirements) Compliance Determination Methodology (Monitoring/Testing, QA/QC Procedures (as applicable) and Record Keeping)	Reporting/Compliance Certification
	<p>those specified in Section 2&amp;3 (except for Section 2.5 and the second sentence of Section 2.4) of Reference Method 9 set forth in Appendix A, 40 CFR, Part 60, revised July 1, 1982. [Reference Reg. No. 20, Section 1.5(c) dated 12/7/88]</p> <p><b>B.</b> Visual observations in accordance with paragraph (A) above shall be conducted each calendar quarter when the unit is in operation. [Reference Reg. No. 30 Section 6(a)(3) dated 12/11/00]</p> <p><b>C.</b> The Company shall conduct daily qualitative stack observations to determine the presence of any visible emissions when the unit is in operation.</p> <p><b>(1)</b> If visible emissions are observed, the Company shall take corrective actions and/or conduct a visual observation in accordance with Paragraph (A) above,</p> <p>OR,</p> <p>The Company shall take corrective action and/or record the following operating parameters within thirty (30) minutes after the daily qualitative stack observation:</p> <ul style="list-style-type: none"> <li>• excess oxygen</li> <li>• fuel atomizing steam or air pressure</li> </ul>	

**Permit: AQM-003/00017-Renewal-1**

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**Condition 3 – Table 1 (Specific Requirements)**

Emission Limitation(s)/Standards and/or Operational Limitation(s)/Standard(s)	Compliance Determination Methodology (Monitoring/Testing, QA/QC Procedures (as applicable) and Record Keeping)	Reporting/Compliance Certification
	<ul style="list-style-type: none"> <li>• boiler operating efficiency</li> <li>• Fuel oil temperature at the burner</li> <li>• visibly inspect the firebox for any other operating problems</li> </ul> <p>(2) If no visible emissions are observed, or the values of the parameters or inspections recorded under C(1) above are within the permit limits as well as within the operational range of values covered by the annual tune up, no further action is required. [Reference Reg. No. 30 section 6(a)(3) dated 12/11/00]</p> <p><b>iii. Record keeping:</b></p> <p>A. Observation records shall be maintained and made available to the department upon request. [Reference Reg. No. 30, Section 6(a)(3)(B) dated 12/11/00].</p> <p>B. Records of all maintenance performed on these units shall be maintained and made available to the Department upon request. [Reference Reg. No. 30, Section 6(a)(3)(B) dated 12/11/00]</p>	
<p><b>b. Emission Unit No. 02</b> Boiler 6 / Oil Burner / Combustion Engineering boiler</p> <p><b>1. Operational Limitation:</b></p> <p><b>i. Compliance Methodology:</b> Compliance</p> <p><b>iv. Reporting Requirement:</b> All records</p>		

Condition 3 – Table 1. (Specific Requirements)		
Emission Limitation(s)/Standards and/or Operational Limitation(s)/Standard(s)	Compliance Determination Methodology (Monitoring/Testing, QA/QC Procedures (as applicable) and Record Keeping)	Reporting/Compliance Certification
<p>Between April 1 and October 31 of each calendar year, this boiler is restricted to a maximum operating capacity factor of five percent (5%). [Reference Permit APC-82/1268 Cond. No. 9]</p>	<p>shall be demonstrated by the record keeping requirements of this condition. [Reference Reg. No. 30, Section 6(a)(3) dated 12/11/00]</p> <p>ii. <b>Monitoring/Testing:</b> The following shall be monitored:</p> <ul style="list-style-type: none"> <li>A. The monthly fuel usage;</li> <li>B. The monthly hours of operation; and</li> <li>C. The capacity factor each month from April through October. [Reference Reg. No. 30, Section 6(a)(3) dated 12/11/00]</li> </ul> <p>iii. <b>Record Keeping:</b> The Company shall record the following information:</p> <ul style="list-style-type: none"> <li>A. Fuel usage data on Boiler No. 6; [Reference Permit APC-82/1268 Cond. No. 10]</li> <li>B. A log of the hours of operation of Boiler No. 6; [Reference Permit AOC-82/1268 Cond. No. 10]</li> <li>C. The capacity factor from April 1 to October 31. [Reference Reg. No. 30, Section 6(a) (3) dated 12/11/00]</li> </ul>	<p>indicating exceedances of the standard in accordance with Condition 3(c)(2).</p> <p><b>v. Certification Requirement:</b> None in addition to Condition 3(c)(3).</p>
<p><b>2. Combustion Efficiency:</b>  During all periods of operation, the boiler shall be operated at the highest practical combustion efficiency but at no time shall the combustion efficiency be less than seventy-five percent (75%). [Reference</p>	<p>i. <b>Compliance Method:</b> Compliance shall be demonstrated by the testing and record keeping requirements of this condition. [Reference Reg. No. 30, Section 6(a)(3) dated 12/11/00]</p> <p>ii. <b>Monitoring/Testing:</b> The efficiency shall</p>	<p><b>iv. Reporting Requirement:</b> All records indicating exceedances of the standard in accordance with Condition 3(c)(2).</p> <p><b>v. Certification Requirement:</b> None in addition to Condition 3(c)(3).</p>

Emission Limitation(s)/Standards and/or Operational Limitation(s)/Standard(s)	Compliance Determination Methodology (Monitoring/Testing, QA/QC Procedures (as applicable) and Record Keeping)	Reporting/Compliance Certification
Permit APC-82/1268 Cond. No. 5] <b>STATE ENFORCEABLE ONLY</b>	be determined annually by flue gas oxygen or carbon dioxide analysis and flue gas net temperature. [Reference Permit APC-82/1268 cond. No. 5]	
<b>3. Emission Standard:</b> The Company shall not cause or allow the emission of particulate matter in excess of 0.3 lb/mmBTU heat input, maximum 2-hour average. [Reference Reg. No. 4, Section 2.1 dated 2/1/81]	<b>iii. Record Keeping:</b> The Company shall maintain records of all test results. [Reference Reg. No. 30, Section 6(a)(3) dated 12/11/00]	<b>iv. Reporting Requirement:</b> None in addition to Condition 3(c)(2). <b>v. Certification Requirement:</b> None in addition to Condition 3(c)(3).
<b>4. Operational Limitations:</b> <b>A.</b> The Company shall not use in any fuel burning equipment, residual fuel oil having a sulfur content greater than 1.0% by weight. [Reference Reg. No. 8, Section 2.1 dated 5/9/85] <b>B.</b> The Company shall not use in any fuel burning equipment, distillate fuel oil having	<b>i. Compliance Method:</b> Compliance is based upon combustion efficiency, fuel quality and restriction on type of fuel fired. [Reference Reg. No. 30, Section 6(a)(3) dated 12/11/00] <b>ii. Monitoring/Testing:</b> None in addition to those in Condition 3, Table 1 (b)(2)(ii) and b(4)(f)[Reference Reg. No. 30, Section 6(a)(3) dated 12/11/00] <b>iii. Record Keeping:</b> None. <b>iv. Compliance Method:</b> Compliance shall be demonstrated by sampling and analysis of fuel burned in the equipment using ASTM methods and fuel supplier certification and/or record keeping of this condition. [Reference Reg. No. 30, section 6(a)(3) dated 12/11/00]	<b>iv. Reporting Requirement:</b> All records indicating exceedances of the standard in accordance with Condition 3(c)(2). <b>v. Certification Requirement:</b> None in addition to Condition 3(c)(3).
	<b>ii. Monitoring/Testing:</b> The supplier	

Condition 3 – Table 1 (Specific Requirements)

Emission Limitation(s)/Standards and/or Operational Limitation(s)/Standard(s)	Compliance Determination Methodology (Monitoring/Testing, QA/QC Procedures (as applicable) and Record Keeping)	Reporting/Compliance Certification
<p>a sulfur content greater than 0.3% by weight. [Reference Reg. No. 8, Section 2.2. dated 5/9/85]</p>	<p>certification with each delivery of fuel shall be reviewed. The method used to determine the sulfur content must be one of the following ASTM methods: D129, D1552, D2622, D4294. [Reference Reg. no. 8, Section 2.4 dated 5/9/85 and DAWM Policy for Alternate Testing Methods dated 8/5/97]</p> <p><b>iii. Record Keeping:</b> The company shall maintain a file of fuel supplier certification for each oil shipment received at the facility. Such certification shall indicate:</p> <p>A. The name of the fuel supplier.            B. Date delivered.            C. Amount and type of oil delivered.            D. Oil sampling method.            E. The sulfur content of the oil.            F. The method used to determine the sulfur content.            [Reference Reg. No. 30, Section 6(a)(3) dated 12/11/00 and Reg. No. 8, Section 2.3 dated 5/9/85]</p>	
<p><b>5. Emission Standard:</b>            The Company shall not cause or allow the emission of visible air contaminants and/or smoke from any emission unit, the shade or appearance of which is greater than twenty (20) percent opacity for an aggregate of more than three (3) minutes in any one (1) hour or more than fifteen</p>	<p><b>i. Compliance Method:</b> Compliance shall be demonstrated by proper operation and maintenance of the emission units and record keeping requirements of this condition. [Reg. No. 30 section 6(a)(3) dated 12/11/00]</p> <p><b>ii. Monitoring/Testing:</b></p>	<p><b>iv. Reporting Requirement:</b> All records indicating exceedances of the standard in accordance with Condition 3(c)(2).</p> <p><b>v. Certification Requirement:</b> None in addition to Condition 3(c)(3).</p>

Emission Limitation(s)/Standards and/or Operational Limitation(s)/Standard(s)	Condition 3 - Table 1 (Specific Requirements)	Reporting/Compliance Certification
<p>(15) minutes in any twenty-four (24) hour period. [Reference Reg. No. 14, Section 2.1 dated 7/17/84]</p>	<p><b>Compliance Determination Methodology (Monitoring/ Testing, QA/QC Procedures (as applicable) and Record Keeping)</b></p> <p><b>A.</b> In accordance with Subsection 1.5(c) of Regulation No. 20 conduct visual observations at fifteen second intervals for a period of not less than one hour except that the observations may be discontinued whenever a violation of the standard is recorded. The additional procedures, qualification and testing to be used for visually determining the opacity shall be those specified in Section 2&amp;3 (except for Section 2.5 and the second sentence of Section 2.4) of Reference Method 9 set forth in Appendix A, 40 CFR, Part 60, revised July 1, 1982. [Reference Reg. No. 20, Section 1.5(c) dated 12/7/88]</p> <p><b>B.</b> Visual observations in accordance with paragraph (A) above shall be conducted each calendar quarter when the unit is in operation. [Reference Reg. No. 30 Section 6(a)(3) dated 12/11/00]</p> <p><b>C.</b> The Company shall conduct daily qualitative stack observations to determine the presence of any visible emissions when the unit is in operation.  <b>(1)</b> If visible emissions are observed, the Company shall take corrective actions and/or conduct a visual observation in accordance with Paragraph (A) above.</p>	

Emission Limitation(s)/Standards and/or Operational Limitation(s)/Standard(s)	<b>Condition 3 – Table 1 (Specific Requirements)</b> <b>Compliance Determination Methodology (Monitoring/Testing, QA/QC Procedures (as applicable) and Record Keeping)</b>	Reporting/Compliance Certification
	<p>OR,</p> <p>The Company shall take corrective action and/or record the following operating parameters within thirty (30) minutes after the daily qualitative stack observation:</p> <ul style="list-style-type: none"> <li>• Excess oxygen</li> <li>• Fuel atomizing steam or air pressure</li> <li>• Boiler operating efficiency</li> <li>• Fuel oil temperature at the burner</li> <li>• Visibly inspect the firebox for any other operating problems</li> </ul> <p>2. If no visible emissions are observed, or the values of the parameters or inspections recorded under C(1) above are within the permit limits as well as within the operational range of values covered by the annual tune up, no further action is required.  <b>[Reference Reg. No. 30 Section 6(a)(3) dated 12/11/00]</b></p> <p><b>iii. Record keeping:</b></p> <p>A. Observation records shall be maintained and made available to the department upon request. <b>[Reference Reg. No. 30, Section</b></p>	

Condition 3 – Table 1 (Specific Requirements)

Emission Limitation(s)/Standards and/or Operational Limitation(s)/Standard(s)	Compliance Determination Methodology (Monitoring/Testing, QA/QC Procedures (as applicable) and Record Keeping)	Reporting/Compliance Certification
<p><b>1. Operational Limitations:</b></p> <p><b>A.</b> The twelve (12) month rolling total fuel consumption of this boiler shall not exceed 2.5 million gallons of residual oil. [Reference Permit APC-82/0727 Cond. No. 7]</p> <p><b>B.</b> The fuel flow rate to the boiler shall not exceed 5.4 gallons per minute. [Reference Permit APC-82/0727 Cond. No. 8]</p> <p><b>C.</b> The fuel flow rate shall be monitored by the continuous fuel flow recorder. [Reference Reg. No. 30, Section 6(a)(1) dated 12/11/00]</p> <p><b>D.</b> The steam production rate shall not exceed 41,000 pounds per hour at times when the continuous fuel flow recorder is not operational. [Reference Reg. No. 30, Section 6(a)(1) dated 12/11/00]</p>	<p>6(a)(3)(i)(B) dated 12/11/00</p> <p><b>B.</b> Records of all maintenance performed on these units shall be maintained and made available to the Department upon request. [Reference Reg. No. 30, Section 6(a)(3)(i)(B) dated 12/11/00]</p> <p><b>i. Compliance Method:</b> Compliance shall be demonstrated by the monitoring and record keeping requirements of this condition. [Reference Reg. No. 30, Section 6(a)(3) dated 12/11/00]</p> <p><b>ii. Monitoring/Testing:</b> The fuel flow shall be continuously monitored. If the fuel flow recorder is not operational, the Company shall continuously monitor steam production until the fuel flow recorder is operational. [Reference Reg. No. 30, Section 6(a)(3) dated 12/11/00]</p> <p><b>iii. Record Keeping:</b> The Company shall maintain:</p> <ul style="list-style-type: none"> <li><b>A.</b> Fuel usage data on Boiler #7.</li> <li><b>B.</b> A log of the fuel flow to Boiler #7.</li> <li><b>C.</b> A log of the steam production for Boiler #7 at times when the fuel flow recorder is not operational. [Reference Permit APC-82/0727 Cond. No.</li> </ul>	<p><b>iv. Reporting Requirement:</b> All records indicating exceedances of the standard in accordance with Condition 3(c)(2).</p> <p><b>v. Certification Requirement:</b> None in addition to Condition 3(c)(3).</p>

Condition 3 - Table 1 (Specific Requirements)		Reporting/Compliance Certification
Emission Limitation(s)/Standards and/or Operational Limitation(s)/Standard(s)	Compliance Determination Methodology (Monitoring/Testing, QA/QC Procedures (as applicable) and Record Keeping)	
	8 and Reg. No. 30, Section 6(a)(3) dated 12/11/00]	
<p><b>2. Combustion Efficiency:</b>  During all periods of operation, the boiler shall be operated at the highest practical combustion efficiency but at no time shall the combustion efficiency be less than eighty percent (80%). [Reference Permit APC-82/0727 Cond. No. 5]  <b>STATE ENFORCEABLE ONLY</b></p>	<p><b>i. Compliance Method:</b> Compliance shall be demonstrated by the testing and record keeping requirements of this condition. [Reference Reg. No. 30, Section 6(a)(3) dated 12/11/00]</p> <p><b>ii. Monitoring/ Testings:</b> The efficiency shall be determined annually by flue gas oxygen or carbon dioxide analysis and flue gas net temperature. [Reference Permit APC-82/0727 Cond. No. 5]</p>	<p><b>iv. Reporting Requirement:</b> All records indicating exceedances of the standard in accordance with Condition 3(c)(2).</p> <p><b>v. Certification Requirement:</b> None in addition to Condition 3(c)(3).</p>
<p><b>3. Emission Standard:</b>  The Company shall not cause or allow the emission of particulate matter in excess of 0.3 lb/mmBTU heat input, maximum 2-hour average. [Reference Reg. No. 4, Section 2.1 dated 2/1/81]</p>	<p><b>iii. Record Keeping:</b> The Company shall maintain records of all test results. [Reference Reg. No. 30, Section 6(a)(3) dated 12/11/00]</p> <p><b>i. Compliance Method:</b> Compliance is based upon combustion efficiency, annual tune up, fuel quality and restriction on type of fuel fired.</p> <p><b>ii. Monitoring/ Testing:</b> None in addition to those in Condition 3, Table 1(c)(2)(ii),(c)(4)(ii) and (c)(5)(i) [Reference Reg. No. 30, Section 6(a)(3) dated 12/11/00]</p>	<p><b>iv. Reporting Requirement:</b> None in addition to Condition 3(c)(2).</p> <p><b>v. Certification Requirement:</b> None in addition to Condition 3(c)(3).</p>
<p><b>4. Operational Limitations:</b></p>	<p><b>iii. Record Keeping:</b> None.</p> <p><b>i. Compliance Method:</b> Compliance shall</p>	<p><b>iv. Reporting Requirement:</b> All records</p>

Condition 3 – Table 1 (Specific Requirements)

Emission Limitation(s)/Standards and/or Operational Limitation(s)/Standard(s)	Compliance Determination Methodology (Monitoring/Testing, QA/QC Procedures (as applicable) and Record Keeping)	Reporting/Compliance Certification
<p>A. The Company shall not use in any fuel burning equipment, residual fuel oil having a sulfur content greater than 1.0% by weight. [Reference Reg. No. 8, Section 2.1 dated 5/9/85]</p> <p>B. The Company shall not use in any fuel burning equipment, distillate fuel oil having a sulfur content greater than 0.3% by weight. [Reference Reg. No. 8, Section 2.2 dated 5/9/85]</p>	<p>be demonstrated by sampling and analysis of fuel burned in the equipment using ASTM methods and fuel supplier certification and/or record keeping of this condition. [Reference Reg. No. 30, Section 6(a)(3) dated 12/11/00]</p> <p>ii. <b>Monitoring/Testing:</b> The supplier certification with each delivery of fuel shall be reviewed. The method used to determine the sulfur content must be one of the following ASTM methods: D129, D1552, D2622, D4294. [Reference Reg. No. 8, Section 2.4 dated 5/9/85 and DAWM Policy for Alternate Testing methods dated 8/5/97]</p> <p>iii. <b>Record Keeping:</b> The Company shall maintain a file of fuel supplier certification for each oil shipment received at the facility. Such certification shall indicate:  A. The name of the fuel supplier.  B. Date Delivered.  C. Amount and type of oil delivered.  D. Oil sampling method.  E. The sulfur content of the oil.  F. The method used to determine the sulfur content.  [Reference Reg. No. 30, Section 6(a)(3) dated 12/11/00 and Reg. no. 8, Section 2.3 dated 5/9/85]</p>	<p>indicating exceedances of the standard in accordance with Condition 3(c)(2).</p> <p>v. <b>Certification Requirement:</b> None in addition to Condition 3(c)(3).</p>

Condition 3 – Table 1 (Specific Requirements)

Emission Limitation(s)/Standards and/or Operational Limitation(s)/Standard(s)	Compliance Determination Methodology (Monitoring/Testing, QA/QC Procedures (as applicable) and Record Keeping)	Reporting/Compliance Certification
<p><b>5. Operational Limitation:</b>                      An annual tune-up shall be performed by qualified personnel. [Reference Regulation No. 12 Section 3.3(b) dated 11/24/93 and Permit APC-82/1266 Cond. No. 6]</p>	<p><b>i. Compliance Method:</b> Compliance shall be demonstrated by testing and recordkeeping requirements of this condition. [Reference Reg. No. 30, Section 6(a)(3) dated 12/11/00]</p> <p><b>ii. Monitoring/Testing:</b> The tune-up shall be conducted in accordance with the manufacturer's recommendations. [Reference Reg. No. 30, Section 6(a)(3)(f)(B) dated 12/11/00]</p> <p><b>iii. Record Keeping:</b> The Company shall maintain the following:                      A. A log of the tune-ups performed to include the date and details of the work performed. [Reference Reg. No. 12, Section 3.3(b) dated 11/24/93]                      B. A file of the qualifications of the personnel performing the annual tune-ups. [Reference Reg. No. 30, Section 6(a)(3)(f)(B) dated 12/11/00]</p>	<p><b>iv. Reporting Requirement:</b> All records indicating exceedances of the standard in accordance with Condition 3(c)(2).</p> <p><b>v. Certification Requirement:</b> None in addition to Condition 3(c)(3).</p>
<p><b>6. Emission Standard:</b>                      The Company shall not cause or allow the emission of visible air contaminants and/or smoke from any emission unit, the shade or appearance of which is greater than twenty (20) percent opacity for an aggregate of more than three (3) minutes in any one (1) hour or more than fifteen</p>	<p><b>i. Compliance Method:</b> Compliance shall be demonstrated by proper operation and maintenance of the emission units and record keeping requirements of this condition. [Reference Reg. No. 30, Section 6(a)(3) dated 12/11/00]</p> <p><b>ii. Monitoring/Testing:</b></p>	<p><b>iv. Reporting Requirement:</b> All records indicating exceedances of the standard in accordance with Condition 3(c)(2).</p> <p><b>v. Certification Requirement:</b> None in addition to Condition 3(c)(3).</p>

**Condition 3 – Table 1 (Specific Requirements)**

Emission Limitation(s)/Standards and/or Operational Limitation(s)/Standard(s)	Compliance Determination Methodology (Monitoring/Testing, QA/QC Procedures (as applicable) and Record Keeping)	Reporting/Compliance Certification
<p>(15) minutes in any twenty-four (24) hour period. [Reference Reg. No. 14, Section 2.1 dated 7/17/84]</p>	<p><b>A.</b> In accordance with Subsection 1.5(c) of Regulation No. 20 conduct visual observations at fifteen second intervals for a period of not less than one hour except that the observations may be discontinued whenever a violation of the standard is recorded. The additional procedures, qualification and testing to be used for visually determining the opacity shall be those specified in Section 283 (except for Section 2.5 and the second sentence of Section 2.4) of Reference Method 9 set forth in Appendix A, 40 CFR, Part 60, revised July 1, 1982. [Reference Reg. No. 20, Section 1.5(c) dated 12/7/88]</p> <p><b>B.</b> Visual observations in accordance with paragraph (A) above shall be conducted each calendar quarter when the unit is in operation. [Reference Reg. no. 30 Section 6(a)(3) dated 12/11/00]</p> <p><b>C.</b> The Company shall conduct daily qualitative stack observations to determine the presence of any visible emissions when the unit is in operation.                      (1) If visible emissions are observed, the Company shall take corrective actions and/or conduct a visual observation in accordance with Paragraph (A) above.</p>	

Condition 3 – Table 1. (Specific Requirements)		
Emission Limitation(s)/Standards and/or Operational Limitation(s)/Standard(s)	Compliance Determination Methodology (Monitoring/Testing, QA/QC Procedures (as applicable) and Record Keeping)	Reporting/Compliance Certification
	<p>OR,</p> <p>The Company shall take corrective action and/or record the following operating parameters within thirty (30) minutes after the daily qualitative stack observation:</p> <ul style="list-style-type: none"> <li>• excess oxygen</li> <li>• fuel atomizing steam or air pressure</li> <li>• boiler operating efficiency</li> <li>• fuel oil temperature at the burner</li> <li>• visibly inspect the firebox for any other operating problems</li> </ul> <p>(2) If no visible emissions are observed, or the values of the parameters or inspections recorded under C(1) above are within the permit limits as well as within the operational range of values covered by the annual tune up, no further action is required. [Reference Reg. No. 30 Section 6(a)(3) dated 12/11/00]</p>	
	<p>iii. Record keeping:</p> <p>A. Observation records shall be maintained and made available to the department upon request. [Reference Reg. No. 30, Section 6(a)(3)(B) dated 12/11/00].</p>	

Emission Limitation(s)/Standards and/or Operational Limitation(s)/Standard(s)	Condition 3 – Table 1 (Specific Requirements) Compliance Determination Methodology (Monitoring/Testing, QA/QC Procedures (as applicable) and Record Keeping)	Reporting/Compliance Certification
<p><b>1. Operational Limitation:</b>                      Operation of Boiler #4 is authorized only during those periods when either Boiler No. 6 or Boiler No. 7 is not in service. During all other periods, this boiler shall be in the stand-by mode. [Reference Permit APC-82/1266 Cond. No. 12]</p>	<p><b>B.</b> Records of all maintenance performed on these units shall be maintained and made available to the Department upon request. [Reference Reg. No. 30, Section 6(a)(3)(B) dated 12/11/00]</p>	
<p><b>2. Combustion Efficiency:</b>                      During all periods of operation, the boiler shall be operated at the highest practical combustion efficiency but at no time shall the combustion efficiency be less than seventy-five percent (75%). [Reference Permit APC-82/1266 Cond. No. 5]  <b>STATE ENFORCEABLE ONLY</b></p>	<p><b>i.</b> <b>Compliance Method:</b> Compliance shall be demonstrated by the testing and record keeping requirements of this condition. [Reference Reg. No. 30, Section 6(a)(3) dated 12/11/00]</p> <p><b>ii.</b> <b>Monitoring/ Testing:</b> The efficiency shall be determined annually by flue gas oxygen or carbon dioxide analysis and flue gas net</p>	<p><b>iv. Reporting Requirement:</b> All records indicating exceedances of the standard in accordance with Condition 3(c)(2).</p> <p><b>v. Certification Requirement:</b> None in addition to Condition 3(c)(3).</p>

Condition 3 – Table 1 (Specific Requirements)

Emission Limitation(s)/Standards and/or Operational Limitation(s)/Standard(s)	Compliance Determination Methodology (Monitoring/Testing, QA/QC Procedures (as applicable) and Record Keeping)	Reporting/Compliance Certification
<p><b>3. Emission Standard:</b>  The Company shall not cause or allow the emission of particulate matter in excess of 0.3 lb/mmBTU heat input, maximum 2-hour average. [Reference Reg. No. 4, Section 2.1 dated 2/1/81]</p>	<p>temperature. [Reference Permit APC-82/1266 Cond. No. 5]</p> <p><b>iii. Record Keeping:</b> The Company shall maintain records of all test results. [Reference Reg. No. 30, Section 6(a)(3) dated 12/11/00]</p>	
<p><b>4. Operational Limitations:</b>  <b>A.</b> The Company shall not use in any fuel burning equipment, residual fuel oil having a sulfur content greater than 1.0% by weight. [Reference Reg. No. 8, Section 2.1 dated 5/9/85]  <b>B.</b> The Company shall not use in any fuel burning equipment, distillate fuel oil having a sulfur content greater than 0.3% by weight. [Reference Reg. No. 8, Section 2.2.</p>	<p><b>i. Compliance Method:</b> Compliance shall be based on the combustion efficiency, annual tune up, fuel quality and restriction on type of fuel fired.</p> <p><b>ii. Monitoring/Testing:</b> None in addition to in Condition 3, Table 1(d)(2)(ii),(d)(4)(ii) and (d)(5)(ii). [Reference Reg. No. 30, Section 6(a)(3) dates 11/15/93]</p> <p><b>iii. Record Keeping:</b> None.</p>	<p><b>iv. Reporting Requirement:</b> None in addition to Condition 3(c)(2).</p> <p><b>v. Certification Requirement:</b> None in addition to Condition 3(c)(3).</p>
<p><b>i. Compliance Method:</b> Compliance shall be demonstrated by sampling and analysis of fuel burned in the equipment using ASTM methods and fuel supplier certification and/or record keeping of this condition. [Reference Reg. No. 30, Section 6(a)(3) dated 12/11/00]</p> <p><b>ii. Monitoring/Testing:</b> The supplier certification with each delivery of fuel shall be reviewed. The method used to</p>	<p><b>iv. Reporting Requirement:</b> All records indicating exceedances of the standard in accordance with Condition 3(c)(2).</p> <p><b>v. Certification Requirement:</b> None in addition to Condition 3(c)(3).</p>	

<b>Condition 3 – Table 1. (Specific Requirements)</b>		
<b>Emission Limitation(s)/Standards and/or Operational Limitation(s)/Standard(s)</b>	<b>Compliance Determination Methodology (Monitoring/Testing, QA/QC Procedures (as applicable) and Record Keeping)</b>	<b>Reporting/Compliance Certification</b>
<p>dated 5/9/85]</p>	<p>determine the sulfur content must be one of the following ASTM methods: D129, D1552, D2622, D4294. [Reference Reg. No. 8, Section 2.4 dated 5/9/85 and DAWM Policy for Alternate Testing methods dated 8/5/97]</p> <p>iii. <b>Record Keeping:</b> The company shall maintain a file of fuel supplier certification for each oil shipment received at the facility. Such certification shall indicate:</p> <ul style="list-style-type: none"> <li>A. The name of the fuel supplier.</li> <li>B. Date delivered.</li> <li>C. Amount and type of oil delivered.</li> <li>D. Oil sampling method.</li> <li>E. The sulfur content of the oil.</li> <li>F. The method used to determine the sulfur content.</li> </ul> <p>[Reference Reg. No. 30, Section 6(a)(3) dated 12/11/00 and Reg. No. 8, Section 2.3 dated 5/9/85]</p>	<p>iv. <b>Reporting Requirement:</b> All records indicating exceedances of the standard in accordance with Condition 3(c)(2).</p> <p>v. <b>Certification Requirement:</b> None in addition to Condition 3(c)(3).</p>
<p><b>5. Operational Limitation:</b>                      An annual tune-up shall be performed by qualified personnel. [Reference Regulation No. 12 Section 3.3(b) dated 11/24/93 and Permit APC-82/1266 Cond. No. 6]</p>	<p>i. <b>Compliance Method:</b> Compliance shall be demonstrated by the testing and record keeping requirements of this condition. [Reference Reg. No. 30, Section 6(a)(3) dated 12/11/00]</p> <p>ii. <b>Monitoring/Testing:</b> The tune-up shall be conducted in accordance with the manufacturer's recommendations. [Reference Reg. No. 30, Section 6(a)(3)(i)(B) dated 12/11/00]</p>	

Condition 3 -- Table 1. (Specific Requirements)

Emission Limitation(s)/Standards and/or Operational Limitation(s)/Standard(s)	Compliance Determination Methodology (Monitoring/Testing, QA/QC Procedures (as applicable) and Record Keeping)	Reporting/Compliance Certification
<p><b>6. Emission Standard:</b>                      The Company shall not cause or allow the emission of visible air contaminants and/or smoke from any emission unit, the shade or appearance of which is greater than twenty (20) percent opacity for an aggregate of more than three (3) minutes in any one (1) hour or more than fifteen (15) minutes in any twenty-four (24) hour period. [Reference Reg. No. 14, Section 2.1 dated 7/17/84]</p>	<p>iii. <b>Record Keeping:</b> The Company shall maintain the following:                      A. A log of the tune-ups performed to include the date and details of the work performed. [Reference Reg. No. 12, Section 3.3(b) dated 11/24/93]                      B. A file of the qualifications of the personnel performing the annual tune-ups. [Reference Reg. No. 30, Section 6(a)(3)(B) dated 12/11/00]</p>	
	<p>i. <b>Compliance Method:</b> Compliance shall be demonstrated by proper operation and maintenance of the emission units and record keeping requirements of this condition. [Reference Reg. No. 30, Section 6(a)(3) dated 12/11/00]</p> <p>ii. <b>Monitoring/Testing:</b>                      A. In accordance with Subsection 1.5(c) of Regulation No. 20 conduct visual observations at fifteen second intervals for a period of not less than one hour except that the observations may be discontinued whenever a violation of the standard is recorded. The additional procedures, qualification and testing to be used for visually determining the opacity shall be those specified in Section 28.3 (except for</p>	<p>iv. <b>Reporting Requirement:</b> All records indicating exceedances of the standard in accordance with Condition 3(c)(2).                      v. <b>Certification Requirement:</b> None in addition to Condition 3(c)(3).</p>

Emission Limitation(s)/Standards and/or Operational Limitation(s)/Standard(s)	Condition 3 – Table 1 (Specific Requirements) Compliance Determination Methodology (Monitoring/Testing, QA/QC Procedures (as applicable) and Record Keeping)	Reporting/Compliance Certification
	<p>Section 2.5 and the second sentence of Section 2.4) of Reference Method 9 set forth in Appendix A, 40 CFR, Part 60, revised July 1, 1982. [Reference Reg. No. 20, Section 1.5(c) dated 12/7/88]</p> <p><b>B.</b> Visual observations in accordance with paragraph (A) above shall be conducted each calendar quarter when the unit is in operation. [Reference Reg. No. 30 Section 6(a)(3) dated 12/11/00]</p> <p><b>C.</b> The Company shall conduct daily qualitative stack observations to determine the presence of any visible emissions when the unit is in operation.</p> <p>(1) If visible emissions are observed, the Company shall take corrective actions and/or conduct a visual observation in accordance with Paragraph (A) above,</p> <p>OR,</p> <p>The Company shall take corrective action and/or record the following operating parameters within thirty (30) minutes after the daily qualitative stack observation:</p> <ul style="list-style-type: none"> <li>• excess oxygen</li> <li>• fuel atomizing steam or air pressure</li> <li>• boiler operating efficiency</li> </ul>	

**Condition 3 – Table 1 (Specific Requirements)**

Emission Limitation(s)/Standards and/or Operational Limitation(s)/Standard(s)	Compliance Determination Methodology (Monitoring/Testing, QA/QC Procedures (as applicable) and Record Keeping)	Reporting/Compliance Certification
	<ul style="list-style-type: none"> <li>• fuel oil temperature at the burner</li> <li>• visibly inspect the firebox for any other operating problems</li> </ul> <p>(2) If no visible emissions are observed, or the values of the parameters or inspections recorded under C(1) above are within the permit limits as well as within the operational range of values covered by the annual tune up, no further action is required. [Reference Reg. No. 30 Section 6(a)(3) dated 12/11/00]</p> <p><b>iii. Record keeping:</b></p> <p>A. Observation records shall be maintained and made available to the department upon request. [Reference Reg. No. 30, Section 6(a)(3)(f)(B) dated 12/11/00].</p> <p>B. Records of all maintenance performed on these units shall be maintained and made available to the Department upon request. [Reference Reg. No. 30, Section 6(a)(3)(f)(B) dated 12/11/00]</p>	
<b>1. Operational Standard:</b>		
For each cold solvent degreaser the	<p><b>i. Compliance Method:</b> Compliance shall be demonstrated by monitoring/testing and</p>	<p><b>vi. Reporting Requirement:</b> All records indicating exceedances of the standard in</p>

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**Condition 3 – Table 1 (Specific Requirements)**

Emission Limitation(s)/Standards and/or Operational Limitation(s)/Standard(s)	Compliance Determination Methodology (Monitoring/Testing, QA/QC Procedures (as applicable) and Record Keeping)	Reporting/Compliance Certification
<p>Company shall:</p> <p><b>A.</b> Use only cleaning solvents with a vapor pressure less than 1.0 mm Hg at 68°F;</p> <p><b>B.</b> Equip the cleaner with a cover that is easily operated with one hand;</p> <p><b>C.</b> Provide a permanent, legible, conspicuous label, summarizing the operating requirements;</p> <p><b>D.</b> Store waste solvent in covered containers;</p> <p><b>E.</b> Close the cover whenever the parts are not being handled in the cleaner;</p> <p><b>F.</b> Drain the cleaned parts until the dripping ceases;</p> <p><b>G.</b> Solvent flushing shall be a solid fluid stream at a pressure that does not exceed 10 psig;</p> <p><b>H.</b> Degrease only materials that are not absorbent.</p> <p><b>I.</b> Work area fans shall be located and positioned so that they do not blow across the opening of the cold cleaning machine.</p> <p><b>J.</b> Spills during solvent transfer and use of the degreaser shall be cleaned up immediately, and the wipe rags or other absorbent material shall be immediately stored in covered containers for disposal or recycling.</p> <p><b>K.</b> Have a free board ratio of 0.75 or</p>	<p>record keeping requirements of this condition. [Reference Reg. No. 30, Section 6(a)(3) dated 11/12/00]</p> <p><b>ii. Monitoring/Testing:</b> The Material Safety Data Sheet or other product documentation approved by Department, supplied with each delivery of solvent shall be reviewed for determining solvent vapor pressure. [Reference Reg. No. 24, Section 33(c) dated 11/11/03]</p> <p><b>iii. Record Keeping:</b> The Company shall maintain copies of the Material Safety Data Sheet or other product documentation approved by the Department showing the solvent content and the vapor pressure of the solvent used as determined by testing condition of this permit. [Reference Reg. No. 30, Section 6(a)(3) dated 12/11/00]</p>	<p>accordance with Condition 3(c)(2).</p> <p><b>V. Certification Requirement:</b> None in addition to Condition 3(c)(3).</p>

Condition 3 – Table 1 (Specific Requirements)

Emission Limitation(s)/Standards and/or Operational Limitation(s)/Standard(s)	Compliance Determination Methodology (Monitoring/Testing, QA/QC Procedures (as applicable) and Record Keeping)	Reporting/Compliance Certification
<p>greater unless the machines are equipped with working mode covers that shall be kept closed except when parts are being placed into or being removed from the machines.</p> <p>[Reference Reg. No. 24 Section 33(c) dated 11/11/01]</p>		
<p><b>2. Operational Standard:</b>                      The Company shall not use any halogenated solvents. [Reference 40 part 63, Subpart T dated 11/11/01]</p>	<p><b>i. Compliance Method:</b> Compliance shall be demonstrated through the record keeping requirement of this condition. [Reference Reg. No. 30, Section 6(a)(3) dated 12/11/00]</p> <p><b>ii. Monitoring/Testing:</b> The Material Safety Data Sheet or other product documentation approved by the Department supplied with each delivery of solvent shall be reviewed. [Reference Reg. No. 30, Section 6(a)(3) dated 12/11/00]</p> <p><b>iii. Record Keeping:</b> The Company shall maintain copies of the Material Safety Data Sheet or other product documentation. [Reference Reg. No. 30, Section 6(a)(3) dated 12/11/00]</p>	<p><b>iv. Reporting Requirements:</b> All records indicating exceedances of the standard in accordance with Condition 3(c)(2).</p> <p><b>v. Certification Requirement:</b> None in addition to Condition 3(c)(3).</p>
<p><b>1. Emission Limitations:</b>                      A. Emissions of VOCs shall not exceed 14.9 lbs/day and 2.71 tons per year on a</p>	<p><b>i. Compliance Method:</b> Compliance shall be demonstrated through the record keeping requirement of this condition. [Reference</p>	<p><b>iv. Reporting Requirements:</b> In addition to Condition 3(c)(2), the Company shall notify the Department of any record</p>

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**Condition 3 -- Table 1 (Specific Requirements)**

Emission Limitation(s)/Standards and/or Operational Limitation(s)/Standard(s)	Compliance Determination Methodology (Monitoring/Testing, QA/QC Procedures (as applicable) and Record Keeping)	Reporting/Compliance Certification
<p>twelve (12) month rolling total. [Reference Reg. No. 30, Section 6(a)(1) dated 12/11/00]</p> <p><b>B.</b> Emissions of Particulate Matter (PM) shall not exceed 0.025 ton per year on a twelve (12) month rolling total. [Reference Permit APC-91/0301 Cond. No. 1]</p> <p><b>C.</b> Particulate emissions shall not exceed 0.2 grains per standard cubic foot of air exhausted. [Reference Reg. No. 5 Section 2.1 dated 2/1/81]</p>	<p>Reg. No. 30, Section 6(a)(3) dated 12/11/00]</p> <p><b>ii. Monitoring/Testing:</b></p> <p><b>A.</b> The Company shall calculate the booth's daily VOC emissions by determining the amount of paint used and the VOC content of the paint or coating. [Reference Reg. No. 30, Section 6(a)(3) dated 12/11/00]</p> <p><b>B.</b> The Company shall calculate the booth's yearly PM emissions each month by determining the following information: the paint's solids content, the filter efficiency, the spray rate, and the spray gun's transfer efficiency. [Reference Reg. No. 30, Section 6(a)(3) dated 12/11/00]</p> <p><b>iii. Record Keeping:</b> The following information shall be maintained for a period of 5 years:</p> <p><b>A.</b> The name and identification number of each coating, as applied each day. [Reference Reg. No. 24 Section 4(b)(2) dated 11/29/94].</p> <p><b>B.</b> The mass of VOC per volume (excluding water and exempt compounds) as determined by 40 CFR 60 Appendix A, Reference Method 24 and the volume of coating (excluding water and exempt compounds), as applied, used each day. [Reference Reg. No. 24 Section 4(b)(2) and</p>	<p>showing that combined VOC emissions from all coating units, lines, and operations at the coating facility (Emission unit 200) exceed 6.8 kg (15 lb) on any day, before the application of capture systems and control devices. A copy of such record shall be sent to the Department within 45 calendar days after the exceedance occurs. [Reference Reg. No. 24 Section 4(b)(3) dated 11/29/94]</p> <p><b>v. Certification Requirement:</b> None in addition to Condition 3(c)(3).</p>

Condition 3 – Table 1 (Specific Requirements)

Emission Limitation(s)/Standards and/or Operational Limitation(s)/Standard(s)	Compliance Determination Methodology (Monitoring/Testing, QA/QC Procedures (as applicable) and Record Keeping)	Reporting/Compliance Certification
<p><b>1. Operational Limitations:</b>                      A. Prior to running each new reaction, batch, or related R&amp;D activity that has calculated emissions to the atmosphere of any contaminant(s) in the aggregate, before entering any air contaminant control device, of 0.2 or more pounds per day but less than ten (10) pounds per day, the Company shall comply with the appropriate requirements as set forth in Regulation No. 2:</p>	<p>Reg. No. 24 Appendix B Section b(1)(i) dated 11/29/94].                      C. The total VOC emissions from the operation, as calculated using the equation in Regulation 24, Section 4(b)(1)(iv). [Reference Reg. No. 24 Section 4(b)(2) dated 11/29/94]                      D. The total yearly PM emissions updated monthly. [Reference Reg. No. 30, Section 6(a)(3) dated 12/11/00]                      E. The Company shall maintain copies of the manufacturer supplied Material Safety Data Sheet or other product information, showing the percentage (by weight) of VOCs and solids in the product. [Reference Reg. No. 30, Section 6(a)(3) dated 12/11/00]</p>	
<p><b>1. Operational Limitations:</b>                      A. Compliance shall be demonstrated through the monitoring and record keeping requirements of this condition. [Reference Reg. No. 30, Section 6(a)(3) dated 12/11/00]                      B. The latest version of the U.S. EPA's 'SCREEN' Air dispersion Model, or other U.S. EPA dispersion model approved by the Department, shall be run under protocols approved by the Department. Emissions of air contaminants from the source shall be</p>	<p><b>i. Compliance Methodology:</b>                      A. Compliance shall be demonstrated through the monitoring and record keeping requirements of this condition. [Reference Reg. No. 30, Section 6(a)(3) dated 12/11/00]                      B. The latest version of the U.S. EPA's 'SCREEN' Air dispersion Model, or other U.S. EPA dispersion model approved by the Department, shall be run under protocols approved by the Department. Emissions of air contaminants from the source shall be</p>	<p><b>IV. Reporting Requirement:</b> None in addition to Condition 3(c)(2).  <b>V. Certification Requirement:</b> None in addition to Condition 3(c)(3).</p>

Emission Limitation(s)/Standards and/or Operational Limitation(s)/Standard(s)	Condition 3 - Table 1 (Specific Requirements) Compliance Determination Methodology (Monitoring/Testing, QA/QC Procedures (as applicable) and Record Keeping)	Reporting/Compliance Certification
<p>(1) Downwind concentrations shall be determined by the methods described in Paragraph (i)(B) of this Section.                      (2) Self-registrations are required to be submitted to the Department</p> <p>R &amp; D activities governed by existing permits or Condition 3 - Table 1 (k) are not subject to this operational limitation [Reference Reg. No. 30, Section 6(a)(3) dated 12/11/00].</p> <p>B. For operations emitting less than 10 lbs per day, the following equipment changes/additions are pre-approved for:                      (1) Replacement-in-kind.                      (2) Reconfiguration, configuration, relocation and /or modification of existing or new equipment provided the action will not cause any exceedance of any emission cap or trigger an additional applicable requirement.                      [Reference Reg. No. 30, Section 6(a)(3) dated 12/11/00 ]</p> <p>C. If any changes cause the operation's emissions to equal or exceed 10 lbs/day, the Company shall apply for a Construction Permit and receive approval from the</p>	<p>limited so that the concentrations at and beyond the fence line are less than 1/100<sup>th</sup> (unless another value is specified) of the established Threshold Limit Value (TLV) for all compounds emitted. If the TLVs are not available from the American Conference of Governmental Industrial Hygienists (ACGIH) or Occupational Safety and Health Act regulations (OSHA), then the DuPont Acceptable Exposure Limits (AELs) may be used. If the emissions release has a duration of less than 15 minutes, then the Short-Term Exposure Limit (STEL) value can be used. There should be at least 60 minutes between successive exposures in this range and no more than 4 exposures in any 8 hour period. If no TLV, AEL, or STEL, if appropriate, is available, then a default value of 0.1 mg/m<sup>3</sup> ( or LC<sub>50</sub> in mg/m<sup>3</sup> divided by 10,000 or other formulae may be used to calculate the screening level) shall be used, unless another value is approved by the Department.                      [Reference Reg. No. 30, Section 6(a)(3) dated 12/11/00 and Maryland Air Toxic Regulation]</p> <p>ii. <b>Monitoring/Testing:</b> The Company shall monitor emissions using a combination of material balance determinations,</p>	

Condition 3 – Table 1 (Specific Requirements)		
Emission Limitation(s)/Standards and/or Operational Limitation(s)/Standard(s)	Compliance Determination Methodology (Monitoring/Testing, QA/QC Procedures (as applicable) and Record Keeping)	Reporting/Compliance Certification
<p>Department in accordance with Regulation No. 2, Section 2.1(c) or Condition 3 Table 1(g)(2) before such changes can be made. [Reference Reg. No. 30, Section 6(a)(3) dated 12/11/00 ]</p>	<p>engineering estimates, and stoichiometry (unless specified otherwise) and through purchase records. The monthly and twelve month emission totals shall be calculated once every month. [Reference Reg. No. 30, Section 6(a)(3)(B) dated 12/11/00]</p> <p><b>iii. Record keeping:</b>  The Company shall keep the following records to comply with the operational and emissions limitations:  A. A file of self-registrations using the Department's "Air Contaminant Equipment Registration Form"; for each affected piece of equipment or activity for a minimum of five (5) years.  B. Documentation supporting that the self-registration remains applicable to the activity regardless of any reconfiguration, relocation, and/or modification of existing and new equipment. [Reference Reg. No. 30, Section 6(a)(3) dated 12/11/00]</p>	
<p><b>2. Operational Flexibility:</b>  A. Prior to running each new reaction, batch or related R&amp;D activity that has calculated emissions ten (10) pounds per day or more but less than twenty (20) pounds per day, before controls, the Company shall comply with the</p>	<p><b>i. Compliance Methodology:</b> Compliance shall be demonstrated by the monitoring/testing and record keeping requirements of this condition. [Reference Reg. No. 30, Section 6(a)(3) dated 12/11/00]</p> <p><b>ii. Monitoring/Testing:</b> The Company shall</p>	<p><b>iv. Reporting Requirement:</b> None in addition to Condition 3(c)(2).  <b>v. Certification Requirement:</b> None in addition to Condition 3(c)(3).</p>

<b>Condition 3 – Table 1 (Specific Requirements)</b>	
<b>Emission Limitation(s)/Standards and/or Operational Limitation(s)/Standard(s)</b>	<b>Reporting/Compliance Certification</b>
<p>appropriate requirements as set forth in Regulation No. 2, modified as follows for R&amp;D only:</p> <p>(1) Downwind concentrations shall be determined by the method described in Paragraph (1)(i)(B) of this Section; and</p> <p>(2) If the calculated downwind concentrations are equal or less than 0.5% (1/200 th) of the TLV used ; and</p> <p>(3) The total VOC emissions are less than 0.31 ton per month; and</p> <p>(4) The company provides this and required technical information to the Department in an approved format with appropriate fees; and</p> <p>(5) The technical information includes all calculations of allowable emissions in sufficient detail as to permit the assessment of the validity of such calculations; THEN,</p> <p>(6) The Department will respond either providing with a Regulation No. 2 operating permit within forty five (45) days or disapprove the permit application.</p> <p>R&amp;D activities governed by existing Reg. No. 2 permits or condition 3-Table 1(k) are</p>	<p>monitor operating parameters and technical information for each source. [Reference Reg. No. 30, Section 6(a)(3) dated 12/11/00]</p> <p><b>iii. Record Keeping:</b></p> <p><b>A.</b> The technical information shall include all calculations of allowable emissions in sufficient detail as to permit the assessment of the validity of such calculations.</p> <p><b>B.</b> The Company shall record for each emission source, at a minimum, all of the following information. The Company shall maintain this information for a minimum of five (5) years and shall immediately submit this information to the Department upon written request on a schedule approved by the Department:</p> <p>(1) The identity and quantity of raw materials used;</p> <p>(2) The identity and quantity of materials emitted to the air from all equipment associated with the air from emission source.</p> <p>(3) The appropriate parameters used to demonstrate the proper operation of any control device permitted in the construction permit and/or operating permit.</p>

**Permit: AQM-003/00017-Renewal-1**

**Hercules Incorporated**

Regulation No. 30 Operating Permit

August 12, 2004

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<b>Condition 3 – Table 1 (Specific Requirements)</b>		<b>Reporting/Compliance Certification</b>
<b>Emission Limitation(s)/Standards and/or Operational Limitation(s)/Standard(s)</b>	<b>Compliance Determination Methodology (Monitoring/Testing, QA/QC Procedures (as applicable) and Record Keeping)</b>	
<p>not subject to this operational limitation. [Reference Reg. No. 2, Section 2.1 dated 6/1/97].</p> <p><b>B.</b> For new R&amp;D operations emitting 20 pounds or more per day, before controls, the Company shall comply with the requirements as set forth under Regulation No. 2, Section 2.1, dated 5/1/97 [R&amp;D activities governed by existing permits or Condition 3 Table-1(k) are not subject to this operational limitation.]</p> <p><b>C.</b> Each emission source must comply with the Emission Rate(s) stated in its Construction and/or Operation permit issued pursuant to Regulation No. 2. If any new federally enforceable applicable requirement is contained in these permits, the Company will be required to follow the procedures in Regulation No. 30 for the modification of this permit. [Reference Reg. No. 30, Section 6(a)(3) dated 12/11/00]</p>	<p><b>(4)</b> A maintenance log for the pollution control equipment used in each operation detailing all routine and non-routine maintenance performed, including the dates and duration of any outages. [Reference Reg. No. 30, Section 6(a)(3) dated 12/11/00]</p>	
<p><b>3. Building 8100/Laboratory Hood Exhaust Systems:</b></p> <p><b>A.</b> The emissions from the hood systems shall not exceed 2.6 lbs/hr, 20.8 lbs/day, and 1.31 tons per year on a 12 month</p>	<p><b>i.</b> <b>Compliance Methodology:</b> Compliance shall be demonstrated through the monitoring, record keeping, and reporting requirements of this condition. [Reference Reg. No. 30, Section 6(a)(3) dated 12/11/00].</p>	<p><b>iv. Reporting Requirements:</b> The twelve month rolling emission total shall be reported to the Department semi-annually. [Reference Reg. No. 30, Section 6(a)(3)(iii) dated 12/11/00]</p>

Condition 3 – Table 1 (Specific Requirements)		
Emission Limitation(s)/Standards and/or Operational Limitation(s)/Standard(s)	Compliance Determination Methodology (Monitoring/Testing, QA/QC Procedures (as applicable) and Record Keeping)	Reporting/Compliance Certification
<p>rolling total for any combination of chemicals from the Chemical Families listed in Appendix A of Permit APC-95/0546. [Reference Permit APC-95/0546 Cond. No. 1, Appendix A][STATE ENFORCEABLE ONLY]</p> <p>B. Argon and Helium emissions from the lab hood systems shall not exceed 47 lbs/hr, 372 lbs/day and 48 tons per year on a rolling monthly cumulative total. [Reference Permit APC-95/0546 Cond. No. 1] [STATE ENFORCEABLE ONLY]</p>	<p>ii. <b>Monitoring/Testing:</b>                      The amount of contaminants emitted shall be determined monthly through material balance calculations or other documented calculations. The hourly and daily totals shall be determined by dividing the monthly total by the hours and days operated. [Reference Reg. No. 30, Section 6(a)(3) dated 12/11/00].</p> <p>iii. <b>Record Keeping:</b> The following information shall be recorded in a format acceptable to the Department and shall be maintained for a period of five (5) years:                      A. The name of each chemical purchased for use in Building 8100 at the Research and Development facility. [Reference Permit APC-95/0546 Cond. No. 7(b)(1)]                      B. The amount of chemicals emitted from the exhaust systems and material balance calculations or other documented calculations. [Reference Permit APC-95/0546 Cond. No. 7(b)(ii)]</p>	<p>v. <b>Certification Requirement:</b> None in addition to Condition 3(c)(3).</p>
<p>4. <b>Building 8136/8136A/Two laboratory Hood Exhaust Systems:</b>                      Air contaminant emission levels shall not exceed a total of 5.0 lbs/hour and 1.72 tons per year on a 12 month rolling total</p>	<p>i. <b>Compliance Methodology:</b> Compliance shall be demonstrated through the monitoring, record keeping, and reporting requirements of this condition. [Reference Reg. No. 30, Section 6(a)(3) dated 12/11/00]</p>	<p>iv. <b>Reporting Requirements:</b> The twelve month rolling emission total shall be reported to the Department semi-annually. [Reference Reg. No. 30, Section 6(a)(3)(iii) dated 12/11/00]</p>

**Condition 3 – Table 1 (Specific Requirements)**

Emission Limitation(s)/Standards and/or Operational Limitation(s)/Standard(s)	Compliance Determination Methodology (Monitoring/Testing, QA/QC Procedures (as applicable) and Record Keeping)	Reporting/Compliance Certification
<p>for any combination of chemicals from the Chemical Families listed in Appendix A of Permit APC-95/0402. [Reference permit APC-95/0402 cond. No. 1, Appendix A]  <b>STATE ENFORCEABLE ONLY</b></p>	<p><b>ii. Monitoring/Testing:</b>  The amount of chemicals emitted shall be determined on a monthly basis through material balance calculations or other documented calculations. The hourly totals shall be determined by dividing the monthly total by the hours operated. [Reference Reg. No. 30, Section 6(a)(3) dated 12/11/00]</p> <p><b>iii. Record Keeping:</b> The following information shall be recorded in a format acceptable to the Department and shall be maintained for a period of five (5) years:  A. The name of each chemical purchased for use in Building 8136/8136A at the Research and Development facility. [Reference Permit APC-95/0402 Cond. No. 9(b)(f)]  B. The amount of chemicals emitted from the exhaust systems and material balance or other documented calculations. [Reference Permit APC-95/0402 Cond. No. 9(b)(g)]</p>	<p><b>v. Certification Requirement:</b> None in addition to Condition 3(c)(3).</p>
<p><b>5. Building 8105/Sample Preparation:</b>  A. Prior to running a new job/batch, the potential emissions of reactants, products and intermediaries shall be calculated and reported to the Department. The possibility of gases from different reactors reacting with each other in the piping, condenser or</p>	<p><b>i. Compliance Methodology:</b> Compliance shall be demonstrated through the monitoring/testing, record keeping, and reporting requirements of this condition. [Reference Reg. No. 30, Section 6(a)(3) dated 12/11/00]</p>	<p><b>iv. Reporting:</b>  A. The proposed test procedures shall be included with the initial calculated emission submittal. [Reference Permit APC-95/0263 Cond. No. 2]  B. The initial submittal shall indicate whether or not the reaction will be of such</p>

Condition 3 – Table 1 (Specific Requirements)		
Emission Limitation(s)/Standards and/or Operational Limitation(s)/Standard(s)	Compliance Determination Methodology (Monitoring/Testing, QA/QC Procedures (as applicable) and Record Keeping)	Reporting/Compliance Certification
<p>scrubber shall be considered. If the calculated downwind concentrations are equal or less than 0.5 % (1/200<sup>th</sup>) of the OSHA 8-hour time weighted average (TWA) and the Department does not respond within 30 days of the receipt of the submittal, approval to run the batch shall be implied. [Reference Permit APC-88/0263 Cond. No. 1] [STATE ENFORCEABLE ONLY]</p> <p><b>B. Adequate neutralization capacity of the scrubber liquid shall be maintained whenever the scrubber is operating.</b> [Reference Permit APC-88/0263 Cond. No. 5] [STATE ENFORCEABLE ONLY]</p>	<p><b>ii. Monitoring/Testing:</b> The emissions shall be measured in a manner acceptable to the Department and as soon as practicable after the start of the reaction, and at appropriate times thereafter. If the measured emissions are greater than two times the initial calculated emission rate, the process shall be stopped. [Reference Permit APC-88/0263 Cond. No. 2]</p> <p><b>iii. Record Keeping:</b> Records of all batches run, the scrubber reagent, and its emissions shall be recorded. [Reference Reg. No. 30, Section 6(a)(3) dated 12/11/00]</p>	<p>a duration as to require the changing of the scrubber medium before the completion of the reaction and the time within the reaction that the change will occur. [Reference Permit APC-88/0263 Cond. No. 1]</p> <p><b>C. The actual emissions shall be reported to the Department in an acceptable format.</b> [Reference Permit APC-88/0263 Cond. No. 2]</p> <p><b>v. Certification Requirement:</b> None in addition to Condition 3(c)(3).</p>
<p><b>1. Operational Limitations:</b>                      Each generator shall have an annual capacity factor of less than five (5) percent. [Reference Reg. No. 12 Section 4.1(f) dated 11/24/93]</p>	<p><b>i. Compliance Method:</b> Compliance shall be demonstrated by the monitoring and record keeping, and reporting requirements of this condition. [Reference Reg. No. 30, Section 6(a)(3) dated 12/11/00]</p> <p><b>ii. Monitoring/Testing:</b> The Company shall monitor the operation of the unit. [Reference Reg. No. 30, Section 6(a)(3) dated 12/11/00]</p> <p><b>iii. Record Keeping:</b> Records of the hours of operation and capacity factor shall be kept.</p>	<p><b>iv. Reporting Requirement:</b> None in addition to Condition 3(c)(2).</p> <p><b>v. Certification Requirement:</b> None in addition to Condition 3(c)(3).</p>

Condition 3 – Table 1 (Specific Requirements)

Emission Limitation(s)/Standards and/or Operational Limitation(s)/Standard(s)	Compliance Determination Methodology (Monitoring/Testing, QA/QC Procedures (as applicable) and Record Keeping)	Reporting/Compliance Certification
<p>1. Operational Limitation: None</p>	<p>[Reference Reg. No. 30, Section 6L(a)(3) dated 12/11/00]</p> <p><b>i. Compliance Method:</b> Compliance shall be demonstrated by the record keeping requirement of this condition. [Reference Reg. No. 30, Section 6(a)(3) dated 12/11/00]</p> <p><b>ii. Monitoring/Testing:</b> None</p> <p><b>iii. Record Keeping:</b> For each vessel greater than or equal to 5,000 gallons and less than 40,000 gallons, the Company shall maintain records showing the dimensions of the storage vessel and an analysis showing the capacity of the storage vessel. [Reference Reg. No. 24 Section 49(e)(2) dated 11/29/94]</p>	<p><b>iv. Reporting Requirement:</b> None in addition to Condition 3(c)(2).</p> <p><b>v. Certification Requirement:</b> None in addition to Condition 3(c)(3).</p>
<p>1. Operational Limitation: A. This unit shall be used exclusively for chemical or physical analysis or determination of product quality and commercial acceptance and is not an integral part of the production process. The emissions from this unit shall not exceed 450 lbs in any calendar month.</p>	<p><b>i. Compliance Method:</b> Compliance shall be demonstrated by the monitoring and record keeping requirements of this condition. [Reference Reg. No. 30, Section 6(a)(3) dated 12/11/00]</p> <p><b>ii. Monitoring/Testing:</b> The Company shall calculate the booth's daily VOC emissions by determining the amount of paint used</p>	<p><b>iv. Reporting Requirement:</b> None in addition to Condition 3(c)(2).</p> <p><b>v. Certification Requirement:</b> None in addition to Condition 3(c)(3).</p>

Condition 3 – Table 1 (Specific Requirements)		
Emission Limitation(s)/Standards and/or Operational Limitation(s)/Standard(s)	Compliance Determination Methodology (Monitoring/Testing, QA/QC Procedures (as applicable) and Record Keeping)	Reporting/Compliance Certification
<p>[Reference Reg. No. 24 Section 3(c) dated 1/11/93]</p> <p>B. Emissions of VOCs shall not exceed 14.9 lbs/day. [Reference Reg. No. 30, Section 6(a)(1) dated 12/11/00]</p>	<p>and the VOC content of the paint or coating. [Reference Reg. No. 30, Section 6(a)(3) dated 12/11/00]</p> <p>iii. <b>Record Keeping:</b> The following records shall be kept in a readily accessible location:</p> <p>A. Records to document the purpose of the equipment for which the exemption is claimed. [Reference Reg. No. 24 Section 3(e) dated 1/11/93]</p> <p>B. Records to document the amount of each VOC-containing material used in the booth each calendar month and the VOC content of each material such that emissions can be determined for each calendar month. [Reference Reg. no. 24 Section 3(e) dated 1/11/93]</p> <p>C. The name and identification number of each coating, as applied each day. Alternative descriptions uniquely identifying the coating, such as notebook reference page, are acceptable. [Reference Reg. No. 24 Section 4(b)(2) dated 11/29/94]</p> <p>D. The mass of VOC per volume (excluding water and exempt compounds) and the volume of coating (excluding water and exempt compounds), as applied, used each day. [Reference Reg. No. 24 Section 4(b)(2) dated 11/29/94]</p>	

Condition 3 – Table 1. (Specific Requirements)

Emission Limitation(s)/Standards and/or Operational Limitation(s)/Standard(s)	Compliance Determination Methodology (Monitoring/Testing, QA/QC Procedures (as applicable) and Record Keeping)	Reporting/Compliance Certification
<p><b>1. Operational Limitation:</b>                      A. The gasoline storage tank shall be loaded by submerged fill. [Reference Reg. No. 24 Section 26(c)(1) dated 1/11/93]                      B. The monthly throughput shall not exceed 10,000 gallons. [Reference Reg. No. 24 Section 26(a)(3) dated 1/11/93]</p>	<p>E. The total VOC emissions at the facility [Emission Unit K - R&amp;D Spray Booth], as calculated using the equation in Regulation 24, Section 4(b)(1)(iv). [Reference Reg. No. 24 Section 4(b)(2) dated 11/29/94]                      F. The Company shall maintain copies of the manufacturer supplied Material Safety Data Sheet or other documentation showing the percentage (by weight) of VOCs and solids in the product. [Reference Reg. no. 30, Section 6(a)(3) dated 12/11/00]</p>	
<p><b>i. Compliance Method:</b> Compliance shall be demonstrated by having a submerged fill pipe properly installed in the tank and through the record keeping requirements of this condition. [Reference Reg. No. 30, Section 6(a)(3) dated 12/11/00]</p>	<p><b>iv. Reporting Requirement:</b> None in addition to Condition 3(c)(2).  <b>v. Certification Requirement:</b> None in addition to Condition 3(c)(3).</p>	
<p><b>ii. Monitoring/Testing:</b>                      A. The tank and submerged fill pipe shall be inspected prior to each gasoline loading. [Reference Reg. No. 30, Section 6(a)(3) dated 12/11/00]                      B. The gas pump shall be monitored to indicated gasoline throughput. [Reference Reg. No. 30, Section 6(a)(3) dated 12/11/00]</p>	<p><b>iii. Record Keeping:</b></p>	

Condition 3 – Table 1. (Specific Requirements)

Emission Limitation(s)/Standards and/or Operational Limitation(s)/Standard(s)	Compliance Determination Methodology (Monitoring/Testing, QA/QC Procedures (as applicable) and Record Keeping)	Reporting/Compliance Certification
<p><b>1. Emission Limitations:</b></p> <p><b>A.</b> The aggregate Volatile Organic Compound (VOC) emissions shall not meet or exceed 25 tons per year on a 12 month rolling total. [Reference Reg. No. 1 Section 3.2. dated 2/1/81]</p> <p><b>B.</b> The aggregate Volatile Organic compound (VOC) emissions shall not meet or exceed 2.08 tons per month. [Reference Reg. No. 1 Section 3.2 dated 2/1/81]</p> <p><b>C.</b> The aggregate emissions of Hazardous Air Pollutants (HAP) from the facility shall not meet or exceed 10 tons for any one</p>	<p><b>A.</b> Daily records shall be maintained showing the quantity of all gasoline delivered to the gasoline storage tank. [Reference Reg. No. 24 Section 26(c)(1)(i) dated 1/11/93]</p> <p><b>B.</b> Records shall be maintained showing the monthly throughput. [Reference Reg. No. 30, Section 6(a)(3) dated 12/11/00]</p> <p><b>C.</b> Readily accessible records shall be kept for the life of the source showing the dimensions of the storage vessel and an analysis showing the capacity of the vessel. [Reference 40 CFR 60.116b(a) and (b) dated 4/8/87]</p>	
<p><b>1. Emission Limitations:</b></p> <p><b>A.</b> The aggregate Volatile Organic Compound (VOC) emissions shall not meet or exceed 25 tons per year on a 12 month rolling total. [Reference Reg. No. 1 Section 3.2. dated 2/1/81]</p> <p><b>B.</b> The aggregate Volatile Organic compound (VOC) emissions shall not meet or exceed 2.08 tons per month. [Reference Reg. No. 1 Section 3.2 dated 2/1/81]</p> <p><b>C.</b> The aggregate emissions of Hazardous Air Pollutants (HAP) from the facility shall not meet or exceed 10 tons for any one</p>	<p><b>i. Compliance Methodology:</b>          Compliance shall be demonstrated through the monitoring and record keeping requirements of this condition. [Reference Reg. No. 30, Section 6(a)(3) dated 12/11/00]</p> <p><b>ii. Monitoring/Testing:</b> The Company shall monitor VOC and HAP emissions using a combination of material balance determinations, engineering estimates, and stoichiometry. The VOC and HAP totals shall be calculated at least once every month. This calculation shall be based upon records kept at the facility and at a minimum, the twelve month emission limit</p>	<p><b>iv. Report Requirements:</b> In addition to the requirements in Condition 3(c)(2), the twelve month rolling VOC and HAP emission total shall be reported to the Department semi-annually. The report shall include a certification by the responsible official that the emission caps were not exceeded. [Reference Reg. No. 30 Section 6(a)(3)(iii) dated 12/11/00]</p> <p><b>v. Certification Requirement:</b> None in addition to Condition 3(c)(3).</p>

Condition 3 – Table 1. (Specific Requirements)

Emission Limitation(s)/Standards and/or Operational Limitation(s)/Standard(s)	Compliance Determination Methodology (Monitoring/Testing, QA/QC Procedures (as applicable) and Record Keeping)	Reporting/Compliance Certification
<p>HAP or 25 tons for any combination of HAPs on a rolling 12 month cumulative total. [Reference Reg. No. 1 Section 3.2 dated 2/1/81]</p>	<p>shall be calculated once every month. [Reference Reg. No. 30, Section 6(a)(3)(b) dated 12/11/00]</p> <p><b>iii. Record Keeping:</b>                      The Company shall maintain the monthly and annual VOC and HAP emission totals and supporting documentation to comply with the emission limitations. [Reference Reg. No. 30, Section 6(a)(3) dated 12/11/00]</p>	
<p><b>2. Operational Limitation:</b>                      All structural and mechanical components of the equipment covered by the permit shall be maintained in proper operating condition and such equipment shall be operated at all times in a manner consistent with good air pollution control practices. [Reference Reg. No. 1, Section 3 dated 2/1/81]</p>	<p><b>i. Compliance Method:</b>                      Compliance shall be demonstrated by maintenance records, compliance with permit conditions and adherence to operating instructions/manuals. [Reference Reg. No. 30, Section 6(a)(3) dated 12/11/00]</p> <p><b>ii. Monitoring/Testing:</b> All equipment shall be inspected annually. The equipment shall meet Vendor Specifications and Industrial Standards. [Reference Reg. No. 30, Section 6(a)(3) dated 12/11/00].</p> <p><b>iii. Record Keeping:</b> Applicable maintenance records and standard operating procedures. [Reference Reg. No. 30, Section 6(a)(3) dated 12/11/00]</p>	<p><b>iv. Reporting Requirement:</b> None in addition to Condition 3(c)(2).</p> <p><b>v. Certification Requirement:</b> None in addition to Condition 3(c)(3).</p>
<p><b>3. Emission Standard:</b></p>	<p><b>i. Compliance Method:</b> Compliance is</p>	<p><b>iv. Reporting Requirement:</b> None in</p>

Emission Limitation(s)/Standards and/or Operational Limitation(s)/Standard(s)	Condition 3 - Table 1 (Specific Requirements) Compliance Determination Methodology (Monitoring/Testing, QA/QC Procedures (as applicable) and Record Keeping)	Reporting/Compliance Certification
<p>The Company shall not cause or allow the emission of particulate matter in excess of 0.3 lb/mmBTU heat input, maximum 2-hour average. (Applicable only to fuel burning equipment rated greater than or equal to one million BTU/hr). [Reference Reg. No. 4, Section 2.1 dated 2/1/81]</p>	<p>based upon proper maintenance and operating procedures, fuel quality, combustion efficiency, annual tune up and restriction on type of fuel fired as appropriate.</p> <p>ii. <b>Monitoring/Testing:</b> None in addition to those in Condition 3, Table 1(m)(2)(ii), Condition 3, Table 1(m)(4)(ii) and Condition 3, Table 1(m)(5)(ii). [Reference Reg. No. 30, Section 6(a)(3) dated 12/11/00].</p> <p>iii. <b>Record Keeping:</b> None in addition to those in Condition 3, Table 1(m)(2)(iii), Condition 3, Table 1(m)(4)(iii) and Condition 3, Table 1(m)(5)(iii). [Reference Reg. No. 30, Section 6(a)(3) dated 12/11/00].</p>	<p>addition to Condition 3(c)(2).</p> <p>v. <b>Certification Requirement:</b> None in addition to Condition 3(c)(3).</p>
<p><b>4. Operational Limitations:</b></p> <p>A. The Company shall not use in any fuel burning equipment, distillate fuel oil having a sulfur content greater than 0.3% by weight. [Reference Reg. No. 8, Section 2.2, dated 5/9/85]</p> <p>B. The Company shall not use in any fuel burning equipment, residual fuel oil having a sulfur content greater than 1.0% by weight. [Reference Reg. No. 8, Section 2.1, dated 5/9/85]</p>	<p>i. <b>Compliance Method:</b> Compliance shall be demonstrated by sampling and analysis of fuel burned in the equipment using ASTM methods and fuel supplier certification and/or record keeping of this condition. [Reference Reg. no. 30, Section 6(a)(3) dated 12/11/00]</p> <p>ii. <b>Monitoring/Testing:</b> The supplier certification with each delivery of fuel shall be reviewed. The method used to determine the sulfur content must be one</p>	<p>iv. <b>Reporting Requirement:</b> All records indicating exceedances of the standard in accordance with Condition 3(c)(2).</p> <p>v. <b>Certification Requirement:</b> None in addition to Condition 3(c)(3).</p>

Emission Limitation(s)/Standards and/or Operational Limitation(s)/Standard(s)	Condition 3 – Table 1 (Specific Requirements) Compliance Determination Methodology (Monitoring/Testing, QA/QC Procedures (as applicable) and Record Keeping)	Reporting/Compliance Certification
<p><b>5. Emission Standard:</b>            The Company shall not cause or allow the emission of visible air contaminants and/or smoke from any emission unit, the shade or appearance of which is greater than twenty (20) percent opacity for an aggregate of more than three (3) minutes in any one (1) hour or more than fifteen (15) minutes in any twenty-four (24) hour period. [Reference Reg. No. 14, Section 2.1</p>	<p>of the following ASTM methods: D129-91, D1552-90, D2622-92, D4294-90 or more recent method [Reference Reg. no. 8, Section 2.4 dated 5/9/85 and DAWM Policy for Alternate Testing methods dated 8/5/97]</p> <p><b>iii. Record Keeping:</b> The company shall maintain a file of fuel supplier certification for each oil shipment received at the facility. Such certification shall indicate:</p> <ul style="list-style-type: none"> <li>A. The name of the fuel supplier.</li> <li>B. Date delivered.</li> <li>C. Amount and type of oil delivered.</li> <li>D. Oil sampling method.</li> <li>E. The sulfur content of the oil.</li> <li>F. The method used to determine the sulfur content.</li> </ul> <p><b>i. Compliance Method:</b> Compliance shall be demonstrated by proper operation and maintenance of the emission units and record keeping requirements of this condition. [Reg. No. 30 Section 6(a)(3) dated 12/11/00].</p> <p><b>ii. Monitoring/Testing:</b>            The Company shall conduct quarterly qualitative stack observations of each active</p>	
		<p><b>iv. Reporting Requirement:</b> All records indicating exceedances of the standard in accordance with Condition 3(c)(2).</p> <p><b>v. Certification Requirement:</b> None in addition to Condition 3(c)(3).</p>

Emission Limitation(s)/Standards and/or Operational Limitation(s)/Standard(s)	Condition 3 - Table 1 (Specific Requirements) Compliance Determination Methodology (Monitoring/Testing, QA/QC Procedures (as applicable) and Record Keeping)	Reporting/Compliance Certification
<p>dated 7/17/84]</p>	<p>building or source to determine the presence of any visible emissions at the facility.</p> <p><b>A. (1)</b> If visible emissions are observed, the Company shall take corrective actions and/or conduct a visual observation in accordance with Paragraph (B) below.</p> <p><b>(2)</b> If no visible emissions are observed, no further action is required. [Reference Reg. No. 30 Section 6(a)(3) dated 12/11/00]</p> <p><b>B.</b> In accordance with Subsection 1.5(c) of Regulation No. 20 conduct visual observations at fifteen-second intervals for a period of not less than one hour except that the observations may be discontinued whenever a violation of the standard is recorded. The additional procedures, qualification and testing to be used for visually determining the opacity shall be those specified in Section 2 &amp; 3 (except for Section 2.5 and the second sentence of Section 2.4) of Reference Method 9 set forth in Appendix A, 40 CFR, Part 60, revised July 1, 1982. [Reference Reg. No. 20, Section 1.5(c) dated 12/7/88]</p> <p><b>iii. Record Keeping:</b> Observation records</p>	

Condition 3 – Table 1 (Specific Requirements)

Emission Limitation(s)/Standards and/or Operational Limitation(s)/Standard(s)	Compliance Determination Methodology (Monitoring/Testing, QA/QC Procedures (as applicable) and Record Keeping)	Reporting/Compliance Certification
<p><b>6. Emission Standard:</b>                      The Company shall not cause or allow the emission of an odorous air contaminant such as to cause a condition of air pollution which significantly affects the citizens of the state outside the boundaries of the facility. [Reference Reg. No. 19, Section 2.1, dated 2/1/81]  <b>STATE ENFORCEABLE ONLY</b></p>	<p>shall be maintained and made available to the Department upon request. [Reference Reg. No. 30, Section 6(a)(3)(f)(B) dated 12/11/00]</p> <p><b>i. Compliance Method:</b> Compliance shall be demonstrated in accordance with the record keeping requirements of this condition. [Reference Reg. No. 30, Section 6(a)(3) dated 12/11/00]</p> <p><b>ii. Monitoring/Testing:</b>                      A. Includes but is not limited to scentometer tests, air quality monitoring, and affidavits from affected citizens and investigators. [Reference Reg. No. 19, Section 1.2 dated 2/1/81]                      B. The Company shall monitor plant-wide odor emissions on a quarterly basis. [Reference Reg. No. 30, Section 6(a)(3) dated 12/11/00]</p> <p><b>iii. Record Keeping:</b> Records of all monitoring and testing shall be maintained on site. [Reference Reg. No. 30, Section 6(a)(3) dated 12/11/00]</p>	<p><b>iv. Reporting Requirement:</b> All records indicating exceedances of the standard in accordance with Condition 3(c)(2).</p> <p><b>v. Certification Requirement:</b> None in addition to Condition 3(c)(3).</p>
<p><b>7. Work practice Standards:</b>                      A. The Company shall not cause, allow, or permit the disposal of more than eleven (11) pounds of a Volatile Organic Compound (VOC), or of any materials</p>	<p><b>i. Compliance Method:</b> Compliance shall be demonstrated by adherence with the VOC handling work practices by providing appropriate training and posting of instructions, and record keeping for</p>	<p><b>iv. Reporting Requirement:</b> None in addition to Condition 3(c)(2).</p> <p><b>v. Certification Requirement:</b> None in addition to Condition 3(c)(3).</p>

<b>Condition 3 – Table 1 (Specific Requirements)</b>	
<b>Emission Limitation(s)/Standards and/or Operational Limitation(s)/Standard(s)</b>	<b>Reporting/Compliance Certification</b>
<p>           containing more than eleven (11) pounds of any VOCs, in any one (1) day, in a manner that would permit the evaporation of VOC into the ambient air. This includes but is not limited to the disposal of VOC from any VOC control devices. This provision does not apply to:         </p> <ul style="list-style-type: none"> <li>(1) Any VOC or material containing VOC emitted from a regulated entity that is subject to a VOC standard under Regulation No. 24.</li> <li>(2) Coating sources that are exempt from the emission limitations of Section 10 through Section 23 of Regulation No. 24.</li> <li>(3) Waste paint (sludge) handling systems, water treatment systems, and other similar operations at coating facilities using complying coatings.</li> <li>(4) Any VOC or material containing VOCs used during process maintenance turnarounds for cleaning purposes, provided that the provisions of this paragraphs (B), (C), and (D) of this condition are followed.</li> </ul> <p> <b>B.</b> No owner or operator of a facility subject to this regulation [Regulation No. 24] shall use open containers for the storage or disposal of cloth or paper         </p>	<p>           storage, use, and disposal of VOCs.         </p> <ul style="list-style-type: none"> <li>ii. <b>Monitoring/Testing:</b> Monitor work practice standards and employee training records on a monthly basis, update as needed. [Reference Reg. No. 30, Section 6(a)(3) dated 12/11/00]</li> <li>iii. <b>Record Keeping:</b> The Company shall keep a record of postings and employee training related to these work practice standards and storage, use and disposal of VOCs. [Reference Reg. No. 30, Section 6(a)(3)(B) dated 12/11/00]</li> </ul>

**Condition 3 – Table 1 (Specific Requirements)**

Emission Limitation(s)/Standards and/or Operational Limitation(s)/Standard(s)	Compliance Determination Methodology (Monitoring/Testing, QA/QC Procedures (as applicable) and Record Keeping)	Reporting/Compliance Certification
<p>           impregnated with VOCs that are used for surface preparation, cleanup, or coating removal. Containers for the storage or disposal of cloth or paper impregnated with VOCs shall be kept closed, except when adding or removing material.  <b>C.</b> No owner or operator of a facility subject to this regulation [Regulation No. 24] shall store in open containers spent or fresh VOC to be used for surface preparation, cleanup or coating removal. Containers for the storage of spent or fresh VOCs shall be kept closed, except when adding or removing material.            [Reference Reg. No. 24, Section 8 dated 11/19/94]  <b>D.</b> No owner or operator of a facility subject to this (Regulation No. 24 ) regulation shall use VOC for the clean up of spray equipment unless equipment is used to collect the cleaning compounds and to minimize their evaporation to the atmosphere            [Ref:Reg. No. 24 Section 8(e) dated 11/29/94]         </p>		

**Condition 4. Operational Flexibility.**

- a. In addition to the operation flexibility specifically provided in the terms and conditions detailed in Condition 3 – Table 1 of this permit, the Company is authorized to make any changes within the facility which contravenes the terms and conditions of this permit without a permit revision if the change:
1. Is not a modification or otherwise prohibited under any provision of Title I of the Act or the State Implementation Plan (SIP); and [Reference Regulation No. 30 Section 6(h) dated 12/11/00]
  2. Does not involve a change in any compliance schedule date; and [Reference Regulation No. 30 Section 6(h) dated 12/11/00]
  3. Does not result in a level of emissions exceeding the emissions allowable under this permit, whether expressed herein as a rate of emissions or in terms of total emissions. [Reference Regulation No. 30 Section 6(h) dated 12/11/00]
- b. Before making a change under the provisions of Condition 4(a) of this permit, the Company shall provide advance written notice to the Department and to the EPA in accordance with Condition 3(c)(2)(iii) of this permit. [Reference Regulation No. 30 Section 6(h)(1) dated 12/11/00]
- c. The Company shall keep records of any changes made under Condition 4 of this permit in accordance with Condition 3(b)(2)(iv) of this permit. [Reference Regulation No. 30 Section 6(h)(1) dated 12/11/00]

**Condition 5. Compliance Schedule.**

This permit does not contain a compliance schedule. [Reference Regulation No. 30 Section 6(c)(3) dated 12/11/00]

**Condition 6. Applicability of CAM Rule:**

CAM rule is not applicable since the facility is not a major source for VOCs. Also this facility is basically a Research and Development operation. The facility is a major source for NOx for which there is no Air Pollution Control Device. (Ref: 40 CFR Part 64)

**Condition 7. Permit Shield.**

- a. Compliance with the terms and conditions of this permit shall be deemed compliance with the applicable requirements as provided in Condition 7 – Table 1 as of the effective date of this permit. [Reference Regulation No. 30 Section 6(f) dated 12/11/00]

Condition 7 – Table 1	
Emission Unit	Applicable Requirement
1. Emission Unit 01	i. Regulation No. 4 Section 2.1
	ii. Regulation No. 8 Sections 2.2 through 2.4
	iii. Regulation No. 14 Sections 2.1 and 4.1
	iv. Regulation No. 20 Section 1.5(c)
2. Emission Unit 02	i. Regulation No. 4 Section 2.1
	ii. Regulation No. 8 Sections 2.1 through 2.4

Condition 7 – Table 1	
Emission Unit	Applicable Requirement
	iii. Regulation No. 14 Sections 2.1 and 4.1
	iv. Regulation No. 20 Section 1.5(c)
3. Emission Unit 04	i. Regulation No. 4 Section 2.1
	ii. Regulation No. 8 Sections 2.1 through 2.4
	iii. Regulation No. 12 Section 3.3(b)
	iv. Regulation No. 14 Sections 2.1 and 4.1
	v. Regulation No. 20 Section 1.5(c)
4. Emission Unit 05	i. Regulation No. 4 Section 2.1
	ii. Regulation No. 8 Sections 2.1 through 2.4
	iii. Regulation No. 12 Section 3.3(b)
	iv. Regulation No. 14 Sections 2.1 and 4.1
	v. Regulation No. 20 Section 1.5(c)
5. Emission Units 100 and 101	i. Regulation No. 33 Section 33(c)
6. Emission Unit 200	i. Regulation No. 24 Section 4(b)(2)
	ii. Regulation No. 5 Section 2.1
7. IA – Emergency Generators	i. Regulation No. 12 Section 4.1(f)
8. IA – Fuel Oil Storage Tanks	i. Regulation No. 24 Section 49(e)(2)
9. IA – Building 8136 R&D Spray booth	i. Regulation No. 24 Sections 3(c) and 3(e)
	ii. Regulation No. 24 Section 4(b)(2)
10. IA – Gasoline Dispensing	i. Regulation No. 24 Sections 26(c)(1)(i) and 26(d)
11. Facility Wide Requirements	i. Regulation No. 1 Section 3
	ii. Regulation No. 4 Section 2.1
	iii. Regulation No. 8 Sections 2.1 through 2.4
	iv. Regulation No. 14 Section 2.1
	v. Regulation No. 19 Section 2.1
	vi. Regulation No. 20 Section 1.5(c)
	vii. Regulation No. 24 Section 8

b. The permit shield granted in Condition 7 of this permit shall not extend to any changes made pursuant to Condition 2(m)(3) [Minor Permit Modifications] or Condition 4 [Operational Flexibility] of this permit. [Reference Regulation No. 30 Sections 6(h)(2) dated 12/11/00, 7(e)(1)(vi) dated 12/11/00, and 7(e)(2)(vi) dated 12/11/00]

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