

#AOP-10-018
DEC#RU96-170

Operating Permit Expiration Date: November 4, 2019

State of Vermont
Agency of Natural Resources
Department of Environmental Conservation



Air Quality & Climate Division
Montpelier, Vermont

AIR POLLUTION CONTROL PERMIT
TO CONSTRUCT AND OPERATE

Date Draft Permit Issued: November 4, 2014

Owner/Operator: Foley Services, Inc.
P.O. Box 99
Rutland, Vermont 05702-0099

Source: Commercial Laundry and Linen Service
Foley Services, Inc.
133 State Street
Rutland, Vermont 05702-0099

FINDINGS OF FACT

(A) FACILITY DESCRIPTION

Foley Services, Inc. (also referred to herein as "Permittee") owns and operates a commercial laundry and linen rental service off State Street in the city of Rutland, Vermont (also referred to herein as "Facility"). The Permittee has proposed to convert existing fuel-burning equipment to burn compressed natural gas (CNG) with fuel oil backup. Upon issuance of this Permit, the approved operations at the Facility include the following air pollution related operations, equipment and emission control devices:

- 21 MMBtu/hr Superior Boiler installed in 1988. The boiler currently operates on No. 6 Fuel Oil with a maximum sulfur limit of 1.5% by weight. Upon issuance of this permit, the boiler will be capable of burning both No. 6 fuel oil and CNG.

(B) FACILITY CLASSIFICATION

The Facility is classified as a source of air contaminants pursuant to Title 10 of the *Vermont Statutes Annotated* ("10 VSA") §555 and §5-401 of the *Vermont Air Pollution Control Regulations* (hereinafter "*Regulations*"). In addition, §5-101 of the *Regulations* defines a *stationary source* as any structure(s), equipment, installation(s), or operation(s), or combination thereof, which emit or may emit any air contaminant, which is located on one or more contiguous or adjacent properties and which is owned or operated by the same person or persons under common control. Based on this definition, all of the equipment, operations, and structures at the Facility are grouped together by the Agency of Natural Resources, Department of Environmental Conservation, Air Quality & Climate Division (hereinafter "Agency") as one stationary air contaminant source for purposes of review under the *Regulations*.

(C) PRIOR AGENCY ACTIONS/APPROVALS

The Facility has been issued the following "Permit to Construct" approvals pursuant to 10 VSA §556 and §§5-501 and/or 5-502 of the *Regulations* and the following "Permit to Operate" approvals pursuant to 10 VSA §556a and Subchapter X of the *Regulations*.

Prior Agency Permit Approvals and Actions	
Date of Action	Description of Agency Approval/Action
July 05, 2006	#AOP-02-009 Permit to Operate Renewal
February 20, 1998	#AOP-95-170: Permit to Construct and Operate Facility. The Facility proposed to increase its fuel cap from 250,000 gallons to 350,000 of No. 6 Fuel Oil with a maximum sulfur content of 1.5% by weight.
January 29, 1988	#AP-87-015: Permit to Construct. The Facility proposed to remove two old boilers and replace them with a 21 MMBtu/hr Superior Boiler.

(D) FACILITY PERMIT APPLICABILITY

As noted above, the Facility is classified as a source of air contaminants under §5-401 of the *Regulations*. Pursuant to 10 VSA §556 and §5-501 of the *Regulations* a Permit to Construct, or an amendment to any existing Permit to Construct, must be obtained before commencing the construction, installation, modification or operation of an air contaminant source. The proposed conversion of existing fuel-burning equipment to burn compressed natural gas (CNG) with fuel oil backup is considered a modification to the Facility under the *Regulations* and consequently a revised Permit to Construct must be obtained.

Pursuant to 10 VSA §556a and Subchapter X of the *Regulations* a Permit to Operate is required for any air contaminant source with allowable emissions of all air contaminants combined of ten (10) tons per year ("tpy") or more or that is otherwise subject to Title 40 *Code of Federal Regulations* ("40 CFR") Part 70..

The Facility currently operates under a Permit to Operate #AOP-02-009 issued on July 5, 2006. The allowable emissions from the Facility are estimated to be greater than ten (10) tpy but each pollutant is less than the threshold for applicability to Title V of the federal Clean Air Act. Therefore, pursuant to §§5-1002, 5-1003, and 5-1005 of the *Regulations* the Facility is classified as a "Subchapter X Major Source". In accordance with §5-1009 of the *Regulations*, the agency is issuing the Permit to Operate herein as a renewal of the previous Permit to Operate for the Facility and the Permit herein supersedes all prior Permits for the Facility.

In accordance with 10 VSA §556(e) the Agency has combined the previous Permit to Construct modification and the Permit to Operate modification and renewal for this Facility into one combined Permit to Construct and Operate. The allowable emissions for the Facility are summarized below:

Future Allowable Air Contaminant Emissions (tons/year)¹						
PM/PM₁₀	SO₂	NO_x	CO	VOCs	Total Criteria	HAPs²
3.2	41.2 ²	9.6	7.6	<0.1	>10	<0.1

¹ PM/PM₁₀ - particulate matter and particulate matter of 10 micrometers in size or smaller; SO₂ - sulfur dioxide; NO_x - oxides of nitrogen measured as NO₂ equivalent; CO - carbon monoxide; VOCs - volatile organic compounds; HAPs - hazardous air pollutants as defined in §112 of the federal Clean Air Act.

² Commencing July 1, 2018 the allowed sulfur content of residual oil will decrease to 0.5 percent by weight which will result in a revised future allowable emission rate of SO₂ for the Facility of 13.8 tons per year.

(E) REVIEW FOR THE PERMIT TO CONSTRUCT

(a) New Source Review Designation

The Facility, prior to the construction of the proposed modification, is designated as a non-major stationary source of air contaminants since it does not have allowable emissions of a single air contaminant of fifty (50) tons per year or greater. Consequently, any *modification* of the source that would result in a significant

increase in emissions of any air contaminant, as defined in §5-101 of the *Regulations*, is designated as a major modification and is subject to review under §5-501 and §5-502 of the *Regulations*. The proposed project identified in Findings of Fact (A) above, together with all previous minor modifications constructed at the Facility since July 1, 1979, and which have not been previously reviewed under §5-502 of the *Regulations*, will not result in a significant increase in emissions. Consequently, the proposed modification is designated as a non-major modification and is not subject to the requirements of §5-502 of the *Regulations*.

(b) Most Stringent Emission Rate

Pursuant to §5-502 of the *Regulations*, the owner/operator of each new major stationary source or major modification must apply control technology adequate to achieve the Most Stringent Emission Rate ("MSER") with respect to those air contaminants for which there would be a major or significant actual emissions increase, respectively, but only for those currently proposed physical or operational changes which would contribute to the increased emissions.

The proposed project is designated as a non-major modification of a stationary source and therefore is not subject to review under the MSER requirements in §5-502 of the *Regulations*. In addition, there have been no prior MSER evaluations conducted for any of the previous modifications to the Facility.

(c) Ambient Air Quality Impact Evaluation

An ambient air quality impact evaluation is performed to demonstrate whether or not a proposed project will cause or contribute to violations of the ambient air quality standards and/or significantly deteriorate existing air quality.

Based on the level of emissions from this Facility, it is not expected to cause or contribute to a violation of any ambient air quality standard or significantly deteriorate air quality. Therefore, an air quality impact evaluation was not required by the Agency for the proposed project. In addition, there has been no prior ambient air quality impact evaluations conducted for any of the previous modifications to the Facility.

(F) REVIEW FOR THE PERMIT TO OPERATE

(a) Applicable Requirements

The operations at the Facility are subject to the following state and federal laws and regulations, the requirements of which are embodied in the conditions of this Permit.

(i) *Vermont Air Pollution Control Regulations:*

Applicable Requirements from the Vermont Air Pollution Control Regulations
Section 5-201 – Prohibition of Open Burning
Section 5-211(1) - Prohibition of Visible Air Contaminants, Installations Constructed Prior to April 30, 1970.
Section 5-231(3) - Prohibition of Particulate Matter; Combustion Contaminants.
Section 5-241 – Prohibition of Nuisance and Odor.
Section 5-402 – Written Reports When Requested.
Section 5-403 – Circumvention.
Subchapter VIII – Registration of Air Contaminant Sources.
Subchapter X – Operating Permits.

(ii) Reasonably Available Control Technology - §5-1010 of the *Regulations*

Pursuant to 10 VSA §556a(d) and §5-1010 of the *Regulations* the Agency may establish and include within any Permit to Operate emission control requirements based on Reasonably Available Control Technology ("RACT"). Based on the Facility's existing levels of emissions and emission controls, the Agency has not imposed any further requirements on this Facility under this authority at this time.

(iii) Existing Air Pollution Control Permit to Construct and/or Operate

The Facility currently operates under the confines of a Permit to Construct issued on July 6, 2006 (#AOP-02-009). The conditions within that existing permit are considered applicable requirements pursuant to §5-1002 of the *Regulations*. The requirements of that permit which are not being modified herein are incorporated into this new combined Permit to Construct and Operate (#AOP-10-018).

(iv) Federal Requirements:

Applicable Requirements from Federal Regulations and the Clean Air Act
<p>Boilers:</p> <p>40 CFR Part 60, Subpart Dc - Standards of Performance for Small Industrial-Commercial- Institutional Steam Generating Units. Applies to all boilers 10 MMBTU/hr or greater manufactured after June 9, 1989. Units larger than 30 MMBTU per hour installed after February 27, 2005 are subject to additional particulate matter requirements.</p> <p><i>The Facility boiler was installed prior to June 9, 1989 and therefore is not subject to this regulation.</i></p>
<p>40 CFR Part 63, Subpart JJJJJJ - National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial and Institutional Boilers. Applies to new and existing fuel oil and solid fuel fired boilers located at area sources (major sources are subject to Subpart DDDDD). Natural gas or propane fired boilers are not subject. This gas exemption allows use of backup fuel during gas curtailments and up to 48 hours of elective use. Oil fired hot water boilers less than 1.6 MMBTU/hr are not subject. The rule requires a tune-up for each boiler once every two years except boilers with oxygen trim and oil boilers less than 5 MMBTU/hr must conduct tune-ups every five years. New boilers greater than 10 MMBTU/hr are subject to PM emission limits. Boilers that commenced construction on or before June 4, 2010 are considered an existing source.</p> <p><i>Since Vermont has not taken delegation of this federal regulation, the U.S. EPA is the implementing authority and is responsible for determining applicability of this regulation. Subpart JJJJJJ is not anticipated to apply to the Superior boiler at the Facility since its primary fuel source is natural gas. However, should the facility burn fuel oil for greater than 48 hours the boilers will become subject and the Facility will need to ensure the comply with all applicable requirements. Since the Facility is not a major source of HAPs, the Facility is not subject to Subpart DDDDD.</i></p>

(b) Non-Applicable Requirements

Pursuant to §5-1015(a)(14) of the *Regulations*, an owner or operator of a Facility may request a permit shield from specific state or federally enforceable regulations and standards which are not applicable to the source. The applicant has not requested such a permit shield in accordance with the requirements of §5-1015(a)(14) of the *Regulations*.

(G) HAZARDOUS MOST STRINGENT EMISSION RATE

Pursuant to §5-261 of the *Regulations*, any stationary source whose current or proposed actual emission rate of a hazardous air contaminant ("HAC") is equal to or greater than the respective Action Level (found in Appendix C of the *Regulations*) shall achieve the Hazardous Most Stringent Emission Rate ("HMSER") for the respective HAC. Since fuel burning equipment which combusts only virgin liquid or gaseous fuel is not subject to §5-261, the Facility will not have regulated emissions of any HAC in excess of an Action Level. Therefore, the Facility is not subject to §5-261 at this time.

Based on the Agency's review of the Facility's application and the above Findings of Fact, the Agency concludes that the Facility, subject to the following Permit conditions, complies with all applicable state and federal air pollution control laws and regulations or is subject to an acceptable schedule of compliance. Therefore, pursuant to 10 VSA §§556 and 556a, as amended, the Agency hereby issues a Permit approving the Facility, as described in the above Findings of Fact, subject to the following:

PERMIT CONDITIONS

- Construction and Equipment Specifications -

- (1) The Permittee shall construct and operate the Facility in accordance with the plans and specifications submitted to the Agency and in accordance with the conditions set forth herein, including the equipment specifications as listed in Findings of Fact (A) or their equivalent as approved by the Agency. [10 V.S.A. §§556(c) and 556a(d)] [§5-501(1) of the *Regulations*]
- (2) Stack heights: Stack heights: The exhaust gases from the Superior Boiler shall be vented vertically through a stack which extends a minimum of thirty (30) feet above the stack base grade elevation. The stack shall not be equipped with any device that may obstruct the upward discharge of the exhaust gases such as a fixed raincap of a type that has not been approved by the Agency.. [10 V.S.A. §§556(c) and 556a(d)] [§5-406 of the *Regulations*]

- Operational Limitations -

- (3) Boilers: The total heat input to the Superior boiler, as well as all other stationary fuel burning equipment at the Facility, shall not exceed a combined 52,000 MMBTU per calendar year. The combined annual heat input shall be calculated according to the following methodology:

Heat Input (MMBTU per 12 months) = (total natural gas standard cubic feet per 12 months) * (HHV compressed natural gas) + (total residual oil gallons per 12 months) * (HHV residual oil) + (total distillate oil gallons per 12 months) * (HHV distillate oil)

Where:

HHV CNG = 0.00102 MMBTU/standard cubic foot
 HHV residual oil (No.4, 5 and 6) = 0.148 MMBTU/gallon
 HHV distillate oil (No.2 and ULSD) = 0.140 MMBTU/gallon

With Agency approval, the Permittee may use an alternative HHV for natural gas if the Permittee provides written contractual or delivery certifications to the Agency that the natural gas used at the Facility has a different HHV than shown above. [10 V.S.A. §§556(c) and 556a(d)] [§5-501(1) of the *Regulations*]

- (4) Boilers: When burning fuel oil, only No.6 fuel oil, or lighter grade fuel oils, with a maximum sulfur content not to exceed 1.5 percent by weight may be used as fuel in the Superior boiler unless the Permittee obtains prior written approval from the Agency to use another type of fuel.

As of July 1, 2014, the sulfur content of No.2 and lighter distillate oils shall not exceed 0.05 percent by weight and commencing July 1, 2018 such oils shall not exceed 0.0015 percent by weight. Commencing on July 1, 2018, the sulfur content of No.4 residual oil and No.5/No.6 residual fuel oil shall not exceed 0.25 percent and 0.5 percent by weight, respectively. [10 V.S.A. §§556(c) and 556a(d)] [§§5-501 and 5-1015(a)(1) of the *Regulations*] [§5-221(1)(a) of the *Regulations*] [application for *AOP-02-009]

- (5) Generators/Engines: The Permittee shall not install or operate a stationary reciprocating internal combustion engine, as defined in the *Regulations*, unless the engine complies with §5-271 of the *Regulations* as may be applicable as well as any federal regulations including NSPS Subpart IIII and NESHAP ZZZZ, as may be applicable. All engines, including emergency generators/engines, installed on or after July 1, 2007 must comply with the applicable emission standards (Tier 2) of §5-271 immediately upon installation. Installation of any size engine, even those below 450 bhp, may still require approval from the Agency in the form of an amended permit prior to installation. Stationary reciprocating internal combustion engines include those used to power electric generator sets or to provide shaft power for other equipment such as compressors but does not include engines used to power motor vehicles. [§§5-271 and 5-501 of the *Regulations*] [40 CFR Part 60 Subpart IIII and Part 63 Subpart ZZZZ]
- (6) Solvent Contaminated Wipes/Rags: Due to the potential for air emissions from wastewater generated from laundering wipes and rags contaminated with solvents, the Permittee shall not launder such wipes or rags without the prior written approval of the Agency. [10 V.S.A. §§556(c) and 556a(d)] [§5-501 of the *Regulations*]

- Emission Limitations -

- (7) Particulate Matter: Emissions of particulate matter ("PM") from the Superior boiler shall not exceed 0.35 lb/MMBtu or 7.35 lb/hr.

Any emission testing conducted to demonstrate compliance with the above emission limit shall be performed in accordance with 40 *CFR* Part 60, Appendix A, Reference Method 5, and Part 61, Appendix M, Reference Method 202, or an equivalent method approved in writing by the Agency. [10 V.S.A. §§556(c) and 556a(d)] [§§5-231 and 5-404 of the *Regulations*]

- (8) Visible Emissions [Facility Wide]: Emissions of visible air contaminants from any installation at the Facility, except where otherwise noted in this Permit, shall not exceed twenty (20) percent opacity for more than a period or periods aggregating six (6) minutes in any hour and at no time shall visible emissions exceed sixty (60) percent opacity.

Any emission testing conducted to demonstrate compliance with the above emission limits shall be performed in accordance with 40 *CFR* Part 51, Appendix M, Methods 203B and 203C, respectively, or equivalent methods approved in writing by the Agency. [§§5-211(2), 5-211(3) and 5-404 of the *Regulations*]

- (9) Volatile Organic Compounds: Emissions of volatile organic compounds from the Facility shall not equal or exceed fifty (50) tons per calendar. [§5-502 of the *Regulations*]
- (10) Hazardous Air Pollutants: Emission of federally regulated hazardous air pollutants (HAPs) from the Facility shall not equal or exceed ten (10) tons per year of any single HAP or twenty-five (25) tons per year of all HAPs combined per calendar year per year based on any rolling twelve (12) consecutive calendar month period. [40 *CFR* Part 63]
- (11) Hazardous Air Contaminants: Emissions of state hazardous air contaminants (HACs) from the applicable operations at the Facility shall not equal or exceed their respective Action Level (found in Appendix C of the *Regulations*) unless the Agency has reviewed and approved such HAC emission under §5-261(3) of the *Regulations*. [§5-261 of the *Regulations*]
- (12) Nuisance and Odor: The Permittee shall not discharge, cause, suffer, allow, or permit from any source whatsoever such quantities of air contaminants or other material which will cause injury, detriment, nuisance or annoyance to any considerable number of people or to the public or which endangers the comfort, repose, health or safety of any such persons or the public or which causes or has a natural tendency to cause injury or damage to business or property. The Permittee shall not discharge, cause, suffer, allow, or permit any emissions of objectionable odors beyond the property line of the premises. [§5-241(1) and (2) of the *Regulations*]
- (13) Records of Fuel Use: The Permittee shall maintain records of the total quantity of fuel oil consumed in the boilers, in gallons (No. 6 Oil), or cubic feet (CNG), each month. At the beginning of each calendar year, the Permittee shall calculate the total quantity of fuel oil consumed in the boilers, in gallons (No. 6 oil), or cubic feet (CNG), during the previous calendar year. [10 V.S.A. §§556(c) and 556a(d)] [§5-405(1) of the *Regulations*]

- Record Keeping and Reporting -

- (14) Records of Fuel Oil Certifications [Boilers]: The Permittee shall obtain from the fuel supplier, for each shipment of fuel oil received at the Facility for use in the boilers a certification or invoice regarding the sulfur content of the fuel oil. The certification or invoice shall include: the date of delivery, name of the fuel oil supplier, fuel type, quantity of fuel oil delivered, the sulfur content of the fuel delivered, and the location of the oil when the sample was drawn for analysis to determine the sulfur content of the oil, specifically including whether the oil was sampled as delivered to the affected facility, or whether the sample was drawn from oil in storage at the oil supplier's or oil refiner's facility, or other location, and the method used to determine the sulfur content of the oil. [10 V.S.A. §§556(c) and 556a(d)] [§5-405(1) of the *Regulations*] [40 *CFR* Part 60 Subpart Dc §§60.42c(h) and 60.48c(f)]

- (15) Records: All records shall be retained for a minimum period of five (5) years from the date of record and shall be made available to the Agency upon request. [§§5-402, 5-405(1) and 5-1015(a)(7) of the *Regulations*]
- (16) Notification: The Permittee shall notify the Agency in writing within ten (10) days of any violation, of which it is aware, of any requirements of this Permit. This notification shall include, at a minimum, the cause for the violation and corrective action or preventative maintenance taken to correct the violation. [§§5-402 and 5-1015(a)(6) of the *Regulations*]
- (17) Notification: The Permittee shall notify the Agency in writing of the date of initial start-up following the conversion of the Superior boiler to CNG within fifteen (15) days after such date. [§5-402 of the *Regulations*]
- (18) Notification: The Permittee shall notify the Agency in writing of any proposed physical or operational change at the Facility which may increase the emission rate of any air contaminant to the ambient air regardless of any concurrent emission reductions that may be achieved. This notification requirement includes, but is not limited to, the proposed installation of any new equipment that is a source of air pollution, including the replacement of an existing permitted air pollution source. If the Agency determines that a permit amendment is required, a new application and the appropriate application fee shall be submitted. The permit amendment shall be obtained prior to commencing any such change except as may otherwise be allowed by the *Regulations*. [10 V.S.A. §556(c)] [§§5-402 and 5-501 of the *Regulations*]
- (19) Annual Registration: The Permittee shall calculate the quantity of emissions of air contaminants from the Facility annually. If the Facility emits more than five (5) tons of any and all air contaminants per year, the Permittee shall register the source with the Secretary of the Agency (hereinafter "Secretary"), and shall renew such registration annually. Each day of operating a source which is subject to registration without a valid, current registration shall constitute a separate violation and subject the Permittee to civil penalties. The registration process shall follow the procedures set forth in Subchapter VIII of the *Regulations*, including the payment of the annual registration fee on or before May 15 of each year. [Subchapter VIII §§5-802, 5-803, 5-807, 5-808 of the *Regulations*]
- (20) All records, notifications and reports that are required to be submitted to the Agency by this Permit shall be submitted to:

Agency of Natural Resources
Department of Environmental Conservation
Air Quality & Climate Division
One National Life Drive, Davis Building, Second Floor
Montpelier, Vermont 05620-3802

[§5-402 of the *Regulations*]

- Standard Permit Conditions -

- (21) At all times, including periods of startup, shutdown, and malfunction, owners and operators shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with good air pollution control practice for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the Agency which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source. [10 V.S.A. §§556(c) and 556a(d)] [40 CFR Part 60.11(d) and 63.6(e)]
- (22) Approval to construct or modify under this Permit shall become invalid if construction or modification is not commenced within eighteen (18) months after issuance of this Permit, if construction or modification is discontinued for a period of eighteen (18) months or more, or if construction is not substantially completed within a reasonable time. The Agency may extend any one of these periods upon a satisfactory showing that an extension is justified. The term "commence" as applied to the proposed construction or modification of a source means that the Permittee either has:
- (a) Begun, or caused to begin, a continuous program of actual on-site construction or modification of the source, to be completed within a reasonable time; or
 - (b) Entered into binding agreements or contractual obligations, which cannot be cancelled or modified without substantial loss to the Permittee, to undertake a continuous program of actual on-site construction or modification of the source to be completed within a reasonable time.
- [10 V.S.A. §556(c)] [§5-501 of the *Regulations*]
- (23) These Permit conditions may be suspended, terminated, modified, or revoked for cause and reissued upon the filing of a written request with the Secretary of the Agency (hereinafter "Secretary") or upon the Secretary's own motion. Any modification shall be granted only with the written approval of the Secretary. If the Secretary finds that modification is appropriate, only the conditions subject to modification shall be re-opened. The filing of a request for modification, revocation and reissuance, or termination, or of a notification of planned changes or anticipated non-compliance does not stay any terms or conditions of this Permit. The Secretary may provide opportunity for public comment on any proposed modification of these conditions. If public comments are solicited, the Secretary shall follow the procedures set forth in 10 V.S.A. §556 and §556a, as amended. [10 V.S.A. §§556(d) and 556a(g)] [§§5-1008(a) and 5-1008(e) of the *Regulations*]
- (24) Cause for reopening, modification, termination and revocation of this Permit includes, but is not limited to:
- (a) Inclusion of additional applicable requirements pursuant to state or federal law;
 - (b) A determination that the permit contains a material mistake or that inaccurate information was used to establish emissions standards or other terms or conditions of the operating permit;
 - (c) A determination that the operating permit must be modified or revoked to ensure compliance with applicable requirements;

- (d) A determination that the subject source has failed to comply with a permit condition;
- (e) Those causes which are stated as grounds for refusal to issue, renew or modify an operating permit under §5-1008(a) of the *Regulations*; or
- (f) If more than three (3) years remain in the permit term and the source becomes subject to a new applicable requirement.

[§5-1008(e)(4) of the *Regulations*]

- (25) The Permittee shall furnish to the Agency, within a reasonable time, any information that the Agency may request in writing to determine whether cause exists to modify, revoke, reissue, or terminate the Permit or to determine compliance with this Permit. Upon request, the Permittee shall also furnish to the Agency copies of records required to be kept by this Permit. [10 V.S.A. §§556(c) and 556a(d)] [§5-402 of the *Regulations*]
- (26) By acceptance of this Permit, the Permittee agrees to allow representatives of the State of Vermont access to the properties covered by the Permit, at reasonable times, to ascertain compliance with Vermont environmental and health statutes and regulations and with this Permit. The Permittee also agrees to give the Agency access to review and copy any records required to be maintained by this Permit, and to sample or monitor at reasonable times to ascertain compliance with this Permit. [10 V.S.A. §§556(c), 556a(d) and 557] [§§5-402, 5-404, and 5-1015(a)(10) of the *Regulations*]
- (27) All data, plans, specifications, analyses and other information submitted or caused to be submitted to the Agency as part of the application for this Permit or an amendment to this Permit shall be complete and truthful. Any such submission which is false or misleading shall be sufficient grounds for denial or revocation of this Permit, and may result in a fine and/or imprisonment under the authority of Vermont statutes. [10 V.S.A. §§556(c) and 556a(d)] [§§5-505 and 5-1006(f) of the *Regulations*]
- (28) For the purpose of establishing whether or not a person has violated or is in violation of any condition of this Permit, nothing in this Permit shall preclude the use, including the exclusive use, of any credible evidence or information relevant to whether a source would have been in compliance with applicable requirements if the appropriate performance or compliance test or procedure had been performed. [10 V.S.A. §§556(c) and 556a(d)]
- (29) Any permit noncompliance could constitute a violation of the federal Clean Air Act and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application. [10 V.S.A. §§556(c) and 556a(d)] [§§5-1008(a) and 5-1008(e) of the *Regulations*]
- (30) It shall not be a defense for the Permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity to maintain compliance with the conditions of this Permit. [10 V.S.A. §§556(c) and 556a(d)]
- (31) No person shall build, erect, install or use any article, machine, equipment or other contrivances, the use of which, without resulting in a reduction in the total release of air contaminants to the atmosphere, reduces or conceals an emission which otherwise would constitute a violation of these *Regulations*. [§5-403 of the *Regulations*]

- (32) The provisions of this Permit are severable. If any provision of this Permit, or its application to any person or circumstances is held invalid, illegal, or unenforceable by a court of competent jurisdiction, the invalidity shall not apply to any other portion of this Permit which can be given effect without the invalid provision or application thereof. [10 V.S.A. §§556(c) and 556a(d)]
- (33) This Permit does not convey any property rights of any sort or any exclusive privilege, nor does it authorize any injury to private property or any invasion of personal rights. [10 V.S.A. §§556(c) and 556a(d)]
- (34) All subsequent owners and/or operators of this Facility must request an amendment and transfer of this Permit prior to commencing any operations covered by this Permit. All subsequent owners and/or operators shall submit to the Agency as part of the request for amendment all such information the Agency deems necessary to establish legal ownership and/or interest in the property and all such information the Agency deems necessary to ensure the new owners and/or operators will construct and operate the Facility in compliance with the *Regulations* and this Permit. The terms and conditions of this Permit shall remain in full force and effect after submittal of the request for amendment and until the issuance of an amended Permit or denial. Should the Secretary deny the request, the new owner and/or operator must take whatever action is necessary to comply with the denial. [10 V.S.A. §§556 and 556a] [§§5-501, 5-1004, and 5-1013(a) of the *Regulations*]
- (35) Renewable Energy Projects – Right to Appeal to Public Service Board. If this decision relates to a renewable energy plant for which a certificate of public good is required under 30 V.S.A. §248, any appeal of this decision must be filed with the Vermont Public Service Board pursuant to 10 V.S.A. §8506. This section does not apply to a facility that is subject to 10 V.S.A. §1004 (dams before the Federal Energy Regulatory Commission), 10 V.S.A. §1006 (certification of hydroelectric projects) or 10 V.S.A. Chapter 43 (dams). Any appeal under this section must be filed with the Clerk of the Public Service Board within 30 days of the date of this decision; the appellant must file with the Clerk an original and six copies of its appeal. The appellant shall provide notice of the filing of an appeal in accordance with 10 V.S.A. 8504(c)(2), and shall also serve a copy of the Notice of Appeal on the Vermont Department of Public Service. For further information, see the Rules and General Orders of the Public Service Board, available on line at www.psb.vermont.gov. The address for the Public Service Board is 112 State Street, Montpelier, Vermont, 05620-2701 (Tel. # 802-828-2358).
- (36) All Other Projects – Right to Appeal to Environmental Court. Pursuant to 10 V.S.A. Chapter 220, any appeal of this decision must be filed with the clerk of the Environmental Court within 30 days of the date of the decision. The Notice of Appeal must specify the parties taking the appeal and the statutory provision under which each party claims party status; must designate the act or decision appealed from; must name the Environmental Court; and must be signed by the appellant or their attorney. In addition, the appeal must give the address or location and description of the property, project or facility with which the appeal is concerned and the name of the applicant or any permit involved in the appeal. The appellant must also serve a copy of the Notice of Appeal in accordance with Rule 5(b)(4)(B) of the Vermont Rules for Environmental Court Proceedings. For further information, see the Vermont Rules for Environmental Court Proceedings, available on

line at www.vermontjudiciary.org. The address for the Environmental Court is 2418 Airport Road, Suite 1, Barre, VT 05641 (Tel. # 802-828-1660).

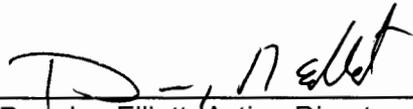
- (37) This Operating Permit shall expire as indicated on the cover page to this Permit. The Permittee shall submit to the Agency a complete application for renewal of the Operating Permit at least twelve (12) months before the expiration of the Operating Permit. If a timely and administratively complete application for an operating permit renewal is submitted to the Secretary, but the Secretary has failed to issue or deny such renewal before the end of the term of this Operating Permit, then the Permittee may continue to operate the subject source and all terms and conditions of this Operating Permit shall remain in effect until the Secretary has issued or denied the operating permit renewal. However, this Operating Permit shall automatically expire if, subsequent to the renewal application being determined or deemed administratively complete pursuant to §5-1006 of the *Regulations*, the Permittee fails to submit any additional information required by the Secretary as well as information pertaining to changes to the Facility within thirty (30) days or such other period as specified in writing by the Secretary. [§§5-1011 and 5-1012(a) of the *Regulations*] [§§5-1005(c) and 5-1012 of the *Regulations*]
- (38) The conditions of this Permit as set forth above supersede all conditions contained in all prior Permits issued by the Agency to the Permittee for this Facility. [10 V.S.A. §§556(c) and 556a(d)]

The Agency's issuance of this Air Pollution Control Permit relies upon the data, judgment, and other information supplied by the Permittee. The Agency makes no assurances that the air contaminant source approved herein will meet performance objectives or vendor guarantees supplied to the source Permittee. It is the sole responsibility of the Permittee to operate the source in accordance with the conditions herein and with all applicable state and federal standards and regulations.

Dated this 4th day of November, 2014.

Agency of Natural Resources

David K. Mears, Commissioner
Department of Environmental Conservation

By: 
Douglas Elliott, Acting Director
Air Quality & Climate Division

mg/de
A2 Foley Services, Inc. - Rutland

State of Vermont
Department of Environmental Conservation
Air Quality & Climate Division
Davis Building – 2nd Floor
One National Life Drive
Montpelier, VT 05620-3802
(802) 828-1288
FAX (802) 828-1250

AGENCY OF NATURAL RESOURCES

04 November, 2014

Mr. Mark Foley, Jr.
Foley Services, Inc.
P.O. Box 99
Rutland, Vermont 05702-0099

RE: Final Air Pollution Control Permit to Construct and Operate (#AOP-10-018)

Dear Mr. Foley:

The Vermont Agency of Natural Resources (ANR) Department of Environmental Conservation (DEC) Air Quality & Climate Division (Agency) has completed its review of Foley Services, Inc.'s application for the proposed conversion of existing fuel-burning equipment to burn compressed natural gas (CNG) with fuel oil backup at their commercial laundry service located on State Street, Rutland, Vermont. The Agency is now issuing a final Air Pollution Control Permit to Construct and Operate (#AOP-10-018) approving the proposed project.

Consistent with the provisions of 10 V.S.A. §556(e) and for the purposes of reducing the administrative burden of enforcing two separate permits for this Facility, the Agency has combined approval for the Air Pollution Control Permit to Construct with the approval for the Air Pollution Control Permit to Operate. The result is a combined Air Pollution Control Permit to Construct and Operate which satisfies both the construction permit (10 V.S.A. §556 and Subchapter V of the Regulations) and operating permit (10 V.S.A. §556a and Subchapter X of the Regulations) requirements for your Facility. This combined permit incorporates and supersedes all prior Permit to Construct and/or Operate approvals issued in the past. Please note this permit is valid for a period of five (5) years and an application to renew the permit must be filed at least twelve (12) months prior to the date of expiration.

Please review this Permit carefully to ensure that you are currently, and continue to be, in compliance with all the requirements contained in this Permit. There are a few key points included in this permit or that you may otherwise be subject to that I would like to highlight for your convenience:

- Please note Permit Condition #6: Solvent Contaminated Wipes/Rags: Due to the potential for air emissions from wastewater generated from laundering wipes and rags contaminated with solvents, the Permittee shall not launder such wipes or rags without the prior written approval of the Agency. It is our understanding that you do not currently handle such material.
- Fuel oil sulfur: Consistent with New England regional efforts, Vermont has adopted regulations that will be lowering the allowed sulfur content of fuels oils between the years 2014 and 2018. Commencing on July 1, 2014, the sulfur content of No.2 and lighter distillate oils purchased shall not exceed 0.05 percent by weight and commencing July 1, 2018 such oils shall not exceed 0.0015 percent by weight (15 ppm). Distillate fuel oils meeting the 0.0015% by weight



sulfur limit are commonly referred to as ultra-low sulfur diesel (ULSD). Commencing on July 1, 2018, the sulfur content of No.4 residual oil and No.5/No.6 residual fuel oil purchased shall not exceed 0.25 percent and 0.5 percent by weight, respectively. To the extent your permit may currently allow higher sulfur content fuel oils, this regulation will take precedence and further restrict your sulfur content on the respective dates. The Permit also requires obtaining a certification or invoice regarding the sulfur content of the fuel oil from the fuel supplier, for each shipment of fuel oil received at the Facility.

- Oil fired boilers: The federal U.S. EPA has recently adopted and amended a regulation that may apply to any oil or wood boilers at your facility. This regulation is 40 CFR Part 63 Subpart JJJJJ National Emission Standards for Hazardous Air Pollutants for Area Sources: Industrial, Commercial, and Institutional Boilers. The State of Vermont is not authorized to enforce this regulation, but we are providing you with an informational summary of what is required. Subpart JJJJJ is not anticipated to apply to the Superior boiler at the Facility since its primary fuel source is natural gas. However, **should the facility burn fuel oil for greater than 48 hours the boilers will become subject and the Facility will need to ensure the comply with all applicable requirements**. Please consult the actual regulation for the specific requirements. For further information please see the EPA's website: <http://www.epa.gov/boilercompliance/>.
1. Boilers fired exclusively with natural gas or propane are not subject. Such boilers are allowed backup fuel oil usage during gas curtailments and up to 48 hours of elective operation per year and still maintain their exemption. Oil fired units less than 1.6 MMBTU/hr are also exempt.
 2. Boilers installed after June 4, 2010 are subject to the new boiler requirements. Older boilers are subject to the existing boiler requirements.
 3. The rule requires a tune-up for each subject boiler once every two years except boilers with oxygen trim and oil boilers less than 5 MMBTU/hr may conduct tune-ups every five years. The initial tune-up was required to be completed by March 21, 2014.
 4. For facilities with at least one existing boiler rated at 10 MMBTU/hr heat input or greater, the facility was required to conduct a one-time energy assessment audit of the facility by March 21, 2014.
 5. New oil boilers rated at 10 MMBTU/hr heat input or greater have additional requirements including PM emission limits and minimize the boiler's startup and shutdown periods following the manufacturer's recommended procedures. If your oil boiler burns fuel oil with a sulfur content of greater than 0.5%, then you must conduct stack testing every three years. If the initial PM emission test demonstrates your affected boiler has a PM emission rate that is equal to or less than half the emission limit, then you will not need to perform subsequent PM emission tests on this boiler.
 6. The rule also requires you to file various notifications directly with EPA including an initial notification and periodic certifications of compliance.

If you have any questions or comments, please feel free to contact me by phone at (802) 477-3308, by email at martin.gildea@state.vt.us, or in writing at the above address.

Sincerely,

Martin Gildea

Digitally signed by Martin Gildea
DN: cn=Martin Gildea, o=Agency of
Natural Resources, ou=State of Vermont,
email=martin.gildea@state.vt.us, c=US
Date: 2014.11.04 14:38:04 -05'00'

Martin Gildea, Environmental Engineer
Engineering Services/Permitting Section
Air Quality & Climate Division

A2 AOP-10-018