

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
DIVISION OF AIR RESOURCES

In Re:

Osram Sylvania Incorporated
1193 Broad Street
Central Falls, RI 02863

In Reference to A.H. File No. 96-06-AP

CONSENT AGREEMENT

This Consent Agreement is entered by and between the Rhode Island Department of Environmental Management, Division of Air Resources (hereinafter "the Division"), and Osram Sylvania Incorporated, 1193 Broad Street, Central Falls, RI 02863 (hereinafter "OSI"), pursuant to the Rhode Island Clean Air Act, Title 23, Chapter 23 of the General Laws of the State of Rhode Island and Providence Plantations, as amended, and the Air Pollution Control Regulations adopted in accordance therewith, and the Department of Environmental Management Act, R.I.G.L. 42-17.1-2 et seq., and constitutes a RACT determination pursuant to Section 27.4.4 of Air Pollution Control Regulation No. 27, entitled "Control of Nitrogen Oxides Emissions," effective 1 February 1994, last amended 16 January 1996.

OSI is regulated under Air Pollution Control Regulation No. 27. In order to assure that OSI complies and/or continues to comply with the provisions of Air Pollution Control Regulation No. 27, the Division and OSI hereby agree as follows:

1. That the Division has jurisdiction over the subject matter of this Consent Agreement and over the parties consenting to this Consent Agreement.
2. That OSI is subject to the provisions of Title 23, Chapter 23 of the Rhode Island General Laws, as amended, and the Air Pollution Control Regulations adopted in accordance therewith.
3. That the provisions of this Consent Agreement shall apply to, and be binding upon OSI, its officers, directors, agents, servants, employees, operators, successors and assignees and persons, firms and corporations acting under, through and for it.
4. That, at its Broad Street facility, OSI operates two furnaces which emit nitrogen oxides (hereinafter "NOx"); one furnace, capable of burning #6 fuel oil or natural gas (hereinafter "Tank 51"), and one furnace capable of burning gas/oxygen blend or oil/oxygen blend (hereinafter "Tank 52").
5. That Tank 51 and Tank 52 are considered miscellaneous stationary sources and are subject to Subsection 27.4.4, "Miscellaneous Stationary Sources." Since there is no specific RACT requirement in Regulation No. 27 for these miscellaneous stationary sources, an examination of the technical and economic feasibility of available NOx control techniques was performed by OSI in accordance with

Subsection 27.3.3(f).

6. That OSI has submitted technical and economic documentation, which demonstrated to the satisfaction of the Division, that commercially available combustion and post combustion NOx control technologies for the furnaces are not feasible at this time.

7. That based on the determination that available NOx control technologies for the furnaces are not feasible at this time, OSI shall comply with the following items:
 - a. For Tank 51 OSI shall comply with the following:
 1. From 1 May through 15 October (hereinafter "ozone season"), NOx emissions from Tank 51 shall not exceed 74.8 lbs/hr (measured as NO₂)
 2. From 16 October through 30 April, (herinafter "non-ozone season"), NOx emissions from Tank 51 shall not exceed 129.26 lbs/hr (measured as NO₂)
 3. Particulate emissions from Tank 51 shall not exceed 18.08 lbs/hr
 4. Sulfur Dioxide emissions shall not exceed 74.0 lbs/hr
 5. OSI shall maintain records of the total hours of operation for Tank 51.
 6. OSI shall perform initial emissions testing, while burning #6 fuel

oil, prior to 1 January 1997, to demonstrate compliance with the emissions limitations in items 7(a)(2-4), above. OSI shall perform initial emissions testing, while burning natural gas or fuel oil, prior to 15 October 1997, to demonstrate compliance with the emissions limitation in items 7(a)(1), above. Initial emissions testing shall be conducted as defined in Subsection 27.5.7 (b) through (g) of Regulation No. 27

7. OSI shall conduct annual emissions testing to demonstrate compliance with item 7(a)(1), above. Annual emissions testing shall be conducted as defined in Subsection 27.5.7 (b) through (g) of Regulation No. 27, each year of operation after the initial emissions testing.
- b. For Tank 52 OSI shall comply with the following:
 1. NOx emissions from Tank 52 shall not exceed 5.26 pounds of NOx per ton of glass produced or 17.53 pounds of NOx per hour, whichever is more stringent.
 2. OSI shall comply with all conditions, emissions limitations, record keeping and reporting requirements and emissions testing requirements contained in Air Pollution Permit Approval No. 1350, which represents BACT.
 3. OSI shall conduct emissions testing to demonstrate compliance with

the emissions limitations established in the Permit Approval No. 1350. Initial emissions testing shall be conducted as required by the Permit Approval No. 1350. Annual emissions testing shall be conducted as defined in Subsection 27.5.7 (b) through (g) of Regulation No. 27, each year of operation after the initial emissions testing.

8. That OSI shall comply with all applicable record keeping and reporting requirements contained in Section 27.6 of Air Pollution Control Regulation No. 27.
9. That all other NOx emitting sources at OSI shall comply with RACT as specified in Regulation No. 27.
10. That should OSI install additional process equipment or air pollution control equipment, or modify existing equipment, the equipment shall be installed or modified in compliance with all applicable air pollution control rules and regulations, specifically Air Pollution Control Regulation No. 9, entitled "Air Pollution Control Permits."
11. That the Division may request that OSI undergo RACT review every three years

of operation after the execution of this consent agreement, or upon petition from OSI.

12. That all records required by this consent agreement and by Regulation No. 27 must be maintained by OSI at the Central Falls facility for a period of five years, and made available to representatives of the Division and United States Environmental Protection Agency upon request. Failure to maintain or produce the required records is a violation of this Consent Agreement.
13. That it is agreed and understood, except as set forth herein, that OSI is not relieved from compliance with any and all requirements of the Rhode Island Clean Air Act and applicable Air Pollution Control Regulations, or with any applicable Air Pollution Control Regulations that become effective and/or amended subsequent to the execution of this Consent Agreement.
14. That this Consent Agreement shall be deemed entered as of the date of execution by the parties hereto. The Director of the Department of Environmental Management may, however, for good cause shown, defer any of the compliance dates as prescribed herein upon a timely request to do so.

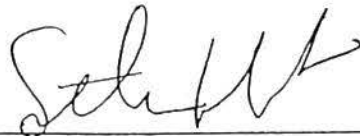
Consented to in Substance and in Form:

State of Rhode Island and Providence Plantations

Department of Environmental Management

For the Director:

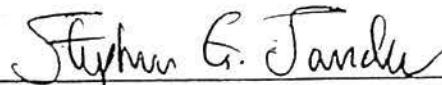
4/5/96
Date


Stephen Majkut, Chief
Division of Air Resources

Osram Sylvania Incorporated hereby agrees to the above Consent Agreement, which becomes effective immediately upon being entered and issued.

Authorized Representative:

9/1/96
Date


Signature

Plant Manager
Title