

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

In Re:

Rhode Island Economic Development Corporation's Central Heating Plant
Building 64, Zarbo Ave
Quonset Point/Davisville Industrial Park
North Kingstown, RI 02852

In Reference to A.H. File No. 96-04-AP

CONSENT AGREEMENT

This Consent Agreement is entered by and between the Rhode Island Department of Environmental Management, Office of Air Resources (hereinafter "OAR"), and Rhode Island Economic Development Corporation's Central Heating Plant, Building 64, Zarbo Ave, Quonset Point/Davisville Industrial Park, North Kingstown, Rhode Island (hereinafter "RIEDC") pursuant to the Rhode Island Clean Air Act, Title 23, Chapter 23 of the General Laws 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 an alternative RACT determination pursuant to Section 27.4.8 of Air Pollution Control Regulation No. 27, effective 1 February 1994, last amended 16 January 1996.

RIEDC is regulated under Air Pollution Control Regulation No. 27, entitled "Control of Nitrogen Oxides Emissions." In order to assure that RIEDC complies and/or continues to comply with the provisions of Air Pollution Control Regulation No. 27, the OAR and RIEDC hereby agree as follows:

1. That the OAR has jurisdiction over the subject matter of this Consent Agreement and over the parties consenting to this Consent Agreement.
2. That RIEDC 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 RIEDC, its officers, directors, agents, servants, employees, operators, successors and assignees and persons, firms and corporations acting under, through and for it.
4. That RIEDC operates four 93 mmBTU/hr boilers (hereinafter boiler #1, boiler #2, boiler #3 and boiler #4") which burn #6 fuel oil and emit nitrogen oxides (hereinafter "NOx") during the combustion process.
5. That RIEDC proposed to install and maintain a NOx technology, developed by RJM Corporation, consisting of burner upgrades and modifications. Emissions testing of the RJM Technology Corporation's burners was performed on 17 and 18 December ²⁰1996 ^{9/18/9} and ^{11/24/9} ~~1997~~ and demonstrated that emissions from the boiler #1 were approximately .26 pounds/mmBTU and emissions from boiler #2 were approximately .22 pounds/mmBTU. Based on the results of emissions testing and information provided by RIEDC and RJM Corporation,

RIEDC has demonstrated to the satisfaction of the OAR that the proposed NOx control technology achieves emission reductions equal to or greater than the emissions reductions required by Regulation No. 27. Accordingly, the proposed NOx control technology is considered an equivalent control pursuant to Subsection 27.4.2(b) of Air Pollution Control Regulation No. 27.

6. That for boiler #1 and boiler #2, RIEDC has installed and will maintain RJM Corporation's equivalent NOx control technology, referenced in item 5 of this Consent Agreement. In order to assure that the equivalent control operates at its designed emissions rate, RIEDC shall comply with the following:
 - a. RIEDC shall maintain records to demonstrate that, each time a gun is changed, one of the discharge holes from the atomizer is positioned at the 12:00 position.
 - b. Boiler #1 and boiler #2 shall operate within typical operating parameters.

7. That for boiler #3 and boiler #4, RIEDC shall comply with the following:
 - a. Within 30 days of execution of this Consent Agreement, RIEDC shall install, operate and maintain non-resettable elapsed time meters on boiler #3 and boiler #4, to indicate in cumulative hours the operating time for each boiler.
 - b. The non-resettable elapsed time meter readings shall be checked and recorded at the beginning and end of each calendar day during which boiler #3 and/or boiler #4 is operated.

- c. The hours of operation for boiler #3 and boiler #4 shall not exceed 1000 hours, combined, during any consecutive twelve month period. If RIEDC does exceed the 1000 hour limit for the boilers, both boilers must immediately be in compliance with RACT, as defined in Section 27.4.2 of Air Pollution Control Regulation No. 27.
 - d. On a monthly basis, no later than five days after the first of each month, RIEDC shall determine the total hours of operation for boiler #3 and boiler #4 for the previous twelve month period. A written record of the total operating hours for each month, as well as the previous twelve months, shall be maintained at the facility.
 - e. RIEDC shall notify the OAR, in writing, whenever the hours of operation, for boiler #3 and boiler #4, combined, exceeds 1000 hours during any consecutive twelve month period.
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8. That RIEDC shall comply with all applicable emissions testing, record keeping and reporting requirements contained in Sections 27.5 and 27.6 of Air Pollution Control Regulation No. 27, as amended.
 9. That all other NOx emitting equipment at RIEDC shall comply with RACT as specified in Air Pollution Control Regulation No. 27.

10. That all records required by this Consent Agreement shall be maintained by RIEDC at the North Kingstown facility for a period of five years, and made available to representatives of the OAR and the United States Environmental Protection Agency upon request. Failure to maintain or produce the required records is a violation of this Consent Agreement.

11. That it is agreed and understood by the parties that the implementation of the requirements of the Consent Agreement does not relieve RIEDC 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.

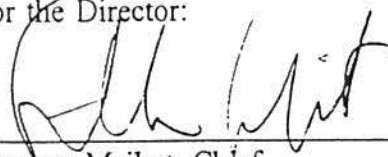
12. That this Consent Agreement shall be deemed entered as of the date of execution by the parties hereto. The Director of the Department of Environmental Management may, however, for good cause shown, defer any of the compliance dates as prescribed herein upon a timely request to do so.

Consent to in Substance and in Form:

State of Rhode Island and Providence Plantations

Department of Environmental Management

For the Director:

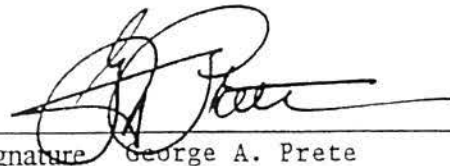


Stephen Majkut, Chief
Office of Air Resources

2 SEP 87
Date

Rhode Island Economic Development Corporation hereby agrees to the above Consent Agreement, which becomes effective immediately upon being entered and issued.

Authorized Representative



Signature George A. Prete

8/20/92
Date

General Manager
Title