

PART I
SPECIFIC PERMIT CONDITIONS

A. Emission Limitations

Pollutant	Applicable		Applicable Wisconsin Adm. Code or Statute	Limitation Requirement
	Yes	No		
Particulates	X		Section NR 154.11(4) (a)1., Wis. Adm. Code	0.15#/million BTU
Sulfur Dioxide	X		Section 144.394(7) Wis. Statutes	82.4 tons per year*
Organic Compounds		X		
Nitrogen Dioxide		X		
Carbon Monoxide		X		
Visible Emissions (Opacity)	X		Sec. NR 154.11(6)(a) Wis. Adm. Code	20% opacity
Malodorous Emissions		X		
Hazardous Substances (Specify)		X		
Other (Specify)	X		See Part IB	

* This limit was voluntarily elected by Borden Chemical to avoid PSD (Prevention of Significant Deterioration) Review.

B. Other Specific Conditions

1. Initial Operation Notification

The permittee shall inform the Wisconsin Department of Natural Resources, Southeast District Air Program, 2300 North 3rd Street, Milwaukee, Wisconsin (414) 562-9592, thirty (30) days prior to initial operation of the source covered by this permit. Furthermore, permittee shall send the district construction progress reports every 30 days until a release for permanent operation is granted.

2. Release for Permanent Operation

This permit does authorize an initial operation period of 60 days for equipment shake-down, testing and Department evaluation of operation to assure conformity with the permit conditions. Permanent operation of the sources covered by this permit after the initial operation period is prohibited until a release has been issued by the Department.

3. Borden Chemical may operate only one boiler at a time on number six fuel oil.
4. Borden Chemical shall use number six fuel oil with a sulfur content of no more than 1.75%.
5. Borden Chemical shall limit number six fuel oil consumption to 600,000 gallons annually.
6. Borden Chemical shall maintain records to verify the requirements of conditions 4 and 5 above. These records shall be made available to the Department upon request.

PART II
GENERAL PERMIT CONDITIONS
FOR DIRECT STATIONARY SOURCES

A. Scope

This permit is valid only for the structure, building, facility, equipment or operations specifically identified herein. All emissions authorized hereby shall be consistent with the terms and conditions of Parts I and II of this permit.

B. Prevention of Air Pollution

No person may cause, allow or permit the emissions of any air contaminant into the ambient air from a source subject to this permit which substantially contribute to the exceeding of an air standard or which cause air pollution.

C. Notification Requirements

Pursuant to sec. 144.394(3), Wis. Stats. and section NR 154.06(1) and (2)(f), Wis. Adm. Code, the Department shall be notified of the following events:

<u>Event</u>	<u>Timing</u>
Hazardous substance air spill	Immediate-call: (608)266-3232
Malfunction or event not reported in advance which causes or may cause any violation of an emission limitation.	Within 8 hours of onset
Noncompliance with any other condition specified in this permit	Written notification within 5 days identifying noncompliance, cause, duration, and steps taken to prevent reoccurrence.

D. Advance Notice of Startup or Shutdown

The permittee shall report to the Department in advance schedules for planned shutdown and startup of air pollution control equipment and the measures to be taken to minimize the down time of the control equipment. Scheduled maintenance or startup of other equipment which causes an emission limit to be exceeded shall also be reported in advance to the Department. Advance reporting pursuant to this permit condition or section NR 154.06(2)(h), Wis. Adm. Code, shall not relieve any person from the duty to comply with any applicable emission limitations.

(Rev. 7/21/81)

E. Right of Entry

Pursuant to sec. 144.34, Wis. Stats., the permittee shall allow authorized representatives of the Department of Natural Resources to enter upon the permittee's premises; to have access to and copy any records required to be kept under the terms and conditions of this permit; and to make any inspection necessary to ascertain compliance.

F. Malfunction Prevention and Abatement Plans

Pursuant to section NR 154.06(9), Wis. Adm. Code, the owner or operator of any direct or portable source which may emit hazardous substances or emits more than 15 pounds in any day or 3 pounds in any hour of carbon monoxide, particulate matter, hydrocarbons, sulfur oxides, nitrogen dioxide or photochemical oxidants shall prepare a written malfunction prevention and abatement plan to prevent, detect and correct malfunctions or equipment failures which may cause any emission limitation to be violated or which may cause air pollution. Any such plan shall be carried out by the owner or operator. The plan shall be updated as needed and is subject to department review, approval and amendment.

G. Episode Plans

Pursuant to section NR 154.20(2), Wis. Adm. Code, if the source(s) covered by this permit emits 0.25 tons per day or more of carbon monoxide, particulate matter, hydrocarbons, sulfur oxides, nitrogen dioxide or photochemical oxidants, the permittee shall prepare an emission control action program consistent with good industrial practice and safe operating procedures, for reducing the emission of air contaminants into the outdoor atmosphere during periods of an air pollution alert, air pollution warning or air pollution emergency. The emission control action program shall be in writing, available on the premises for inspection and subject to review and approval by the Department on request.

H. Permit Alteration, Revocation, Suspension

After notice and opportunity for a hearing, as provided in sec. 144.395, Wis. Stats., this permit may be altered, suspended, or revoked in whole or in part for cause, including but not limited to, the following:

1. A significant or recurring violation of any term or condition of this permit;
2. Obtaining this permit by misrepresentation or failure to disclose fully all relevant facts;
3. A change in any applicable rule; or
4. Failure to pay any required permit fees.

I. Civil Liability

Nothing in this permit shall be construed to relieve the permit holder from civil penalties under sec. 144.426, 144.96 or 144.99, Wis. Stats., for violation of the terms or conditions of this permit, or for violation of secs. 144.30 to 144.426, 144.76 and 144.96, Wis. Stats., or of any rule or any special order issued under those sections.

J. Other Laws

Nothing in this permit shall be construed to preclude the institution of any legal action or to relieve the permit holder from any responsibilities, liabilities, or penalties established pursuant to any other applicable Federal, State, or local law or regulation. The issuance of this permit does not convey any property rights in either real or personal property, nor does it authorize any injury to private property or any invasion of personal rights.

K. Records Retention

All records and information resulting from any monitoring activities required by this permit shall be retained by the permittee for a minimum of three years (or longer if requested by the Department) pursuant to section NR 154.06(3), Wis. Adm. Code.

L. Reporting

Reports required by Part I of this permit, if any, shall be signed by an authorized representative of the source.

M. Confidential Information

Except for information determined to be confidential under sec. 144.33, Wis. Stats., any information or reports received by the Department in the permit application process, or subsequently obtained, will be available for public inspection at the offices of U.S. Environmental Protection Agency and the Department of Natural Resources.

N. Notification of Transfer

In the event of a transfer of control of operation or ownership of the source, the permittee, prior to such transfer, shall notify its successor by letter of the need for a permit. A copy of this letter shall be forwarded to the Department.

(Rev. 7/21/81)

O. Nonexempt Modifications

"Modification" means any change in the physical size or method of operation of a stationary source which:

- (1) increases the potential amount of emissions of an air contaminant;
- (2) results in the emission of an air contaminant not previously emitted;
or
- (3) results in the violation of an ambient air increment.

Any modification of the source(s) subject to this permit is prohibited unless the modification is an exempt modification or the modification is authorized by a permit. The following changes in method of operation are exempt modifications if the specified change does not cause or exacerbate the violation of an ambient air quality standard or increment and if the change in method of operation does not result in the violation of any other term or condition of this permit.

1. An increase in production rate if that increase does not exceed the operating design capacity of the source.
2. An increase in the hours of operation of the source.
3. Use of an alternate fuel or raw material if the source is designed to burn or use the alternate fuel or raw material and if that information is included in the plans, specifications and other information submitted under sec. 144.392(2), Wis. Stats. or under sec. 144.39(1), Wis. Stats. (1977).
4. Resumption of operation of a source after a period of closure if the existing equipment was continuously included in the source inventory as an existing source covered by plans under sec. 144.31(1)(f), Wis. Stats.
5. A change in ownership of the source.

P. Reconstruction or Replacement

Unless authorized by a permit, replacement of the source(s) covered by this permit is prohibited. If the source(s) covered by this permit is a nonattainment major source, reconstruction may also be prohibited unless authorized by a permit.

Q. Circumvention

Pursuant to section NR 154.06(8)(a), Wis. Adm. Code, the installation or use of any article, machine, equipment, process, or method, which conceals an emission which would otherwise constitute a violation of an applicable rule is prohibited unless written approval has been obtained from the Department. Such concealment includes, but is not limited to, the use of gaseous diluents to achieve compliance and the unnecessary separation of an operation into parts to avoid coverage by a rule that applies only to operations larger than a specified size.

R. Operating Permit Renewal

Certain operating permits for which a complete application was received prior to April 30, 1980 may be subject to renewal five years after issuance. An operating permit may be renewed subject to the rules in effect at the time of application for renewal. Renewal applications shall be filed in accordance with sec. 144.397, Wis. Stats., (as affected by Ch. 34, Laws of 1979). An operating permit shall continue to be valid during any review time associated with renewal, provided the permit holder applies at least 180 days prior to the expiration date in accordance with sec. 144.397, Wis. Stats., (as affected by Ch. 34, Laws of 1979).

S. Forfeitures

In addition to other penalties or remedies, sec. 144.426, Wis. Stats., provides that any person who violates this permit shall forfeit not less than \$10 nor more than \$25,000 for each violation. Each day of continued violation is a separate offense.

T. Severability

The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.