



STATE OF CONNECTICUT
DEPARTMENT OF ENVIRONMENTAL PROTECTION



STATE OF CONNECTICUT)
AND)
UNIVERSITY OF)
CONNECTICUT)
TRADING AGREEMENT AND ORDER NO. 8115

Whereas, the Commissioner of Environmental Protection ("Commissioner") and the University of Connecticut ("UCONN") agree that it is in the public interest that they work cooperatively to improve the air quality within the State of Connecticut and that the use of emission reduction credit ("ERC") trading to reduce nitrogen oxide ("NOx") emissions will achieve this result in a timely and cost-effective manner:

- A. At the request and with the agreement of UCONN, the Commissioner finds the following:
1. UCONN is a State owned institution of higher learning that operates on a campus of buildings in Storrs, Connecticut ("facility").
 2. At the facility, UCONN operates eight dual-fuel burning boilers No. 1, 2, 3, 4, 5, 6, 7, and 8 ("Boilers") which are subject to Section 22a-174-22, Regulations of Connecticut State Agencies ("Regulations") pertaining to the control of nitrogen oxide emissions.
 3. Official U.S. Environmental Protection Agency (EPA) Reference Method 7 stack testing performed May 20 through 28, 1995, resulted in Nox emission rates as follows:

Table 1 UCONN - NOX EMISSION RATES AND RACT LIMITS (lbs/MMBtu)					
Boiler #	DEP Reg.#	Fuel	Heat Input	Stack Test Rate	RACT Rate
Boiler #1	98-15-1-14	#6 oil	80	0.277 *	0.25
		Nat. Gas	80	0.208 *	0.20
Boiler #2	98-15-1-15	#6 oil	89	0.423 *	0.25
		Nat. Gas	89	0.261 *	0.20
Boiler #3	98-15-1-16	#6 oil	89	0.310 *	0.25
		Nat. Gas	89	0.294 *	0.20

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Boiler #5	98-15-2-18	#6 oil	89	0.331 *	0.29
		Nat. Gas	89	0.185	0.20
Boiler #6	98-15-2-19	#6 oil	89	0.324 *	0.25
		Nat. Gas	89	0.1342	0.20
Boiler #8	98-15-4-21	#6 oil	89	0.323 *	0.25
		Nat. Gas	89	0.1837	0.20
Boiler #4	98-15-2-17	#6 oil	89	0.267	0.29
		Nat. Gas	89	0.176	0.20
Boiler #7	98-15-3-20	#6 oil	21	0.269	0.29
		Nat. Gas	21	0.168	0.20

* Indicates boiler emission rate for the specified boiler and fuel is in excess of Section 22a-174-22, Table 22-2, of the Regulations, NOx emission rate limits.

4. Pursuant to Section 22a-174-22 of the Regulations, UCONN proposes the following:
 - A. For Boilers No. 4 and 7, UCONN shall comply with dual fuel firing rate limits of 0.20 lbs/MMBtu when firing natural gas exclusively during the ozone season and 0.29 lbs/MMBtu when firing #6 oil during the non-ozone season in accordance with Section 22a-174-22(f) (2) (B) of the Regulations.
 - B. For Boilers No. 1, 2, 3, 5, 6 and 8, UCONN shall use ERC trading on a monthly basis in accordance with Section 22a-174-22(j) of the Regulations.
 - C. Prior to May 1, 1999, UCONN shall implement a program to tune, adjust and retest the boilers.
 5. On May 24, 1996, pursuant to Section 22a-174-22(j) of the Regulations, UCONN acquired an initial 12 tons of approved ozone season ERCs.
 6. Approved ERCs are defined for the purpose of this order as those which the Commissioner has provided written authorization for use in compliance with Section 22a-174-22 of the Regulations.
- B. The Commissioner, in accordance with the provisions of this trading agreement and order, and pursuant to §§ 22a-174-22 (j) of the Regulations hereby allows UCONN to comply with §

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22a-174-22 of the Regulations through use of ERC trading referenced in Section A, herein, to achieve the nitrogen oxide emission reduction required by Section 22a-74-22(d) (2) of the Regulations.

C. With the agreement of UCONN, the Commissioner, acting under Connecticut General Statutes Sections 22a-6, 22a-171, 22-174, 22a-176, and 22a-177, orders UCONN as follows:

1. Beginning May 31, 1995, for boilers No. 4 and 7, UCONN may comply with Section 22a-174-22(f) (2) (B). In the event UCONN exceeds these limits, UCONN shall immediately be subject to Section 22a-174-22(e), Table 22-2, of the Regulations.
2. After May 31, 1995, and until May 1, 1999 or until UCONN achieves compliance with the emission standards in Section 22a-174-22(e) of the Regulations, whichever occurs earlier, for Boilers No. 1, 2, 3, 5, 6 and 8, UCONN shall acquire approved ERCs and document and record the amounts of all fuel and ERCs used by the boilers each month, and shall maintain and provide such records in accordance with the following and Section 22a-174-22 of the Regulations.

A. Except for Paragraph C.2.B. and C., no later than the tenth day of each month, UCONN shall calculate ERCs used in the preceding calendar month, as follows:

$$\text{ERCs (tons)} = [\text{fuel use in MMBtu} \times (\text{FLER lb/MMBtu} - (0.95 \times \text{RACT rate Lbs/MMBtu}))] \div 2000 \text{ pounds/ton}$$

Where:

- RACT rate = RACT rate shown in Table 2.
- FLER = full load emission rate shown in Table 2
- Discount = 5% design margin applied to the RACT rate.

B. For the period from June 1, 1995 through May 24, 1996, UCONN shall purchase and retire an additional 10 (ten)% of ERCs actually required.

C. No later than 30 days after execution of this order for the year 1995, and no later than March

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1, 1997, 1998, 1999, and 2000, UCONN shall include with its annual emissions report to the Commissioner, the fuel consumed and ERCs used for the previous calendar year twelve months;

- D. UCONN shall retain records and supporting documentation as described in this section for a minimum of five years, commencing on the date such records are created;
- E. UCONN shall maintain documentation to attest to the fact that ERCs used during the ozone season were generated during the ozone season. The ozone season is May 1 to September 30 in any calendar year. Generator certification of this fact shall be sufficient; and
- F. UCONN shall provide the records specified above to the Commissioner within thirty (30) days of receipt of a written request from the Commissioner.

3. Prior to May 1, 1999, and provided all conditions of this order are met, UCONN shall comply during operation of each boiler with the full load emission rate (FLER) shown in Table 2 as follows:

Table 2 UCONN - FLERs and NOx Emission Rates			
Boiler	FUEL	FLER (lb/MMBtu)	NOx Emission Rate Limits (lb/MMBtu)
Boiler #1	No. 6 oil	0.305	0.25
	Natural Gas	0.229	0.20
Boiler #2	No. 6 oil	0.465	0.25
	Natural Gas	0.287	0.20
Boiler #3	No. 6 oil	0.341	0.25
	Natural Gas	0.323	0.20
Boiler #5	No. 6 oil	0.364	0.25
	Natural Gas	0.204	0.20
Boiler #6	No. 6 oil	0.356	0.25
	Natural Gas	0.134	0.20
Boiler #8	No. 6 oil	0.355	0.25
	Natural Gas	0.184	0.20

4. Except as otherwise specified in paragraph C.2.B. above, UCONN shall acquire sufficient ERCs no later

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than the first of each Calendar month to assure compliance for, at a minimum, that month.

5. On or before September 1, 1998, UCONN shall submit a report indicating how the Storrs facility shall comply with § 22a-174-22 of the Regulations after May 1, 1999.
6. Definitions. As used in this order, "Commissioner" means the Commissioner of Environmental Protection or an agent of the Commissioner. "Ozone season" means the period between May 1 and September 30 in any given calendar year.
7. Notification of noncompliance. In the event that UCONN becomes aware that it did not or may not comply, or did not or may not comply on time, with any requirement of this Trading Order or of any document required hereunder, UCONN shall immediately notify the Commissioner and shall take all reasonable steps to ensure that any noncompliance or delay is avoided or, if unavoidable, is minimized to the greatest extent possible. In so notifying the Commissioner, UCONN shall state in writing the reasons for the noncompliance or delay and propose, for the review and written approval of the Commissioner, dates by which compliance shall be achieved, and UCONN shall comply with any dates which may be approved in writing by the Commissioner. Notification by UCONN shall not excuse noncompliance or delay, and the Commissioner's approval of any compliance dates proposed shall not excuse noncompliance or delay unless specifically so stated by the Commissioner in writing.
8. Certification of documents. Any document, including but not limited to any notice, which is required to be submitted to the Commissioner under this Trading Order shall be signed by the President of UCONN or a duly authorized representative of such officer, as those terms are defined in Section 22a-430-3(b)(2) of the Regulations, and by the individual or individuals responsible for actually preparing such document, each of whom shall certify in writing as follows:

"I have personally examined and am familiar with the information submitted in this document and all attachments thereto, and I certify that based on reasonable investigation, including my inquiry of those individuals responsible for obtaining the information, the submitted information is true, accurate and complete to the best of my knowledge and belief. I understand that any false statement made in the

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submitted information may be punishable as a criminal offense, in accordance with Section 22a-6 of the Connecticut General Statutes, pursuant to Section 53a-157 of the Connecticut General Statutes, and in accordance with any other applicable statute."

9. Final Agreement and Order. This Trading Order is the final agreement and order by and between the Commissioner and UCONN with respect to the matters addressed herein, and shall not be modified without the written agreement of both parties.
10. False statements. Any false statement in any information submitted pursuant to this Trading Order may be punishable as a criminal offense under Section 22a-175 of the Connecticut General Statutes or, in accordance with Section 22a-6, under Section 53a-157 of the Connecticut General Statutes.
11. Notice of transfer; liability of UCONN and others. Until May 1, 1999, and in accordance with Public Act 95-218, UCONN shall notify the Commissioner in writing at least thirty (30) days prior to transferring any license held by UCONN to any other party and shall notify the Commissioner in writing no later than fifteen (15) days after transferring all or any portion of the operations, the facility or the business which are the subject of this Trading Order, or obtaining a new mailing or location address. UCONN's obligations under this Trading Order shall not be affected by the passage of title to any property to any other person or municipality.
12. Commissioner's powers. Nothing in this Trading Order shall affect the Commissioner's authority to institute any proceeding or take any other action to prevent or abate violations of law, prevent or abate pollution, recover costs and natural resource damages, and to impose penalties for violations of law which are willful or criminally negligent or for which penalties have not been specifically provided in this Trading Order, including but not limited to violations of any permit issued by the Commissioner. If at any time the Commissioner determines that the actions taken by UCONN pursuant to this Trading Order have not fully achieved compliance with Section 22a-174-22 of the Regulations, the Commissioner may institute any independent proceeding to require UCONN to undertake further investigation or further action.

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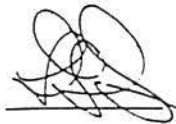


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13. UCONN's obligations under law. Nothing in this Trading Order shall relieve UCONN of other obligations under applicable federal, state and local law.
14. Access to records and facility. Any representative of the Department of Environmental Protection may enter the facility and inspect and copy records within normal business hours without prior notice for the purposes of monitoring and enforcing the actions required or allowed by this Trading Order.
15. No effect on rights of other persons. This Trading Order shall neither create nor affect any rights of persons who or municipalities which are not parties to this Trading Order.
16. Notice to Commissioner of changes. Within fifteen (15) days of the date UCONN becomes aware of a change in any information submitted to the Commissioner under this Trading Order, or that any such information was inaccurate or misleading or that any relevant information was omitted, UCONN shall submit the correct or omitted information to the Commissioner.

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16. Submission of documents. Any document required to be submitted to the Commissioner under this Trading Order shall, unless otherwise specified in writing by the Commissioner, be directed to:

Mr. Roland L. Severance, Jr., P.E.
Department of Environmental Protection
Bureau of Air Management
Engineering and Enforcement Division
79 Elm Street
Hartford, Connecticut 06106

UCONN consents to the issuance of this Trading Order without further notice. The undersigned certifies that he/she is fully authorized to enter into this Trading Order and to legally bind UCONN to the terms and conditions of the Trading Order.

University of Connecticut

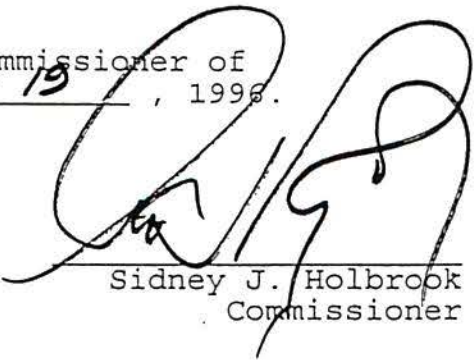
Signature:  _____

Type Name: Mr. Larry G. Schilling

Type Title: Executive Director of Facilities

Date: 10/29/96

Issued as a final consent order of the Commissioner of Environmental Protection on November 19, 1996.



Sidney J. Holbrook
Commissioner

CITY OF MANSFIELD, CONNECTICUT
LAND RECORDS

MAILED CERTIFIED MAIL,
RETURN RECEIPT REQUESTED

Certified Document

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