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| cnmi seal latest**Ralph DLG. Torres**Governor**Arnold I. Palacios**Lt. Governor | Commonwealth of the Northern Mariana IslandsOFFICE OF THE GOVERNORBureau of Environmental and Coastal QualityDEQ: P.O. Box 501304, DCRM: P.O. Box 10007, Saipan, MP 96950-1304DEQ Tel.: (670) 664-8500/01; Fax: (670) 664-8540 DCRM Tel.: (670) 664-8300; Fax: (670) 664-8315[www.deq.gov.mp](http://www.deq.gov.mp) and [www.crm.gov.mp](http://www.crm.gov.mp)  | BECQ new logo latest**Eli D. Cabrera** Administrator**Zabrina C. Shai**Director, DEQ |

**MINOR SOURCE AIR PERMIT**

This permit authorizes the permittee to engage in the operation of the specified Emission Units pursuant to the provisions of the CNMI Air Pollution Control Regulations, Chapter 65-10.

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| PERMIT NUMBER: 2022-AP-001 | DATE ISSUED:  | DATE EXPIRES:  |
| EMISSION UNITS: | Cummins Generator Model QSK50-G6 (1749 kW) Cummins Generator Model QSK50-G4 (1655 kW)Cummins Generator Model VT-1710G (510 kW)Perkins Generator Part No. JGDF5007 (651 kW) FPT Industrial Generator Model F4HE0685A\*J (220 kW)Bryan Boilers “Boiler 1” Serial No. 100604 (2.44 MMBtu/hr)Bryan Boilers “Boiler 2” Serial No. 100600 (2.44 MMBtu/hr) |
| PERMIT ISSUED TO: | Kensington Hotel Saipan |
| ADDRESS: | San Roque, Saipan, MP, 96950 |
| RESPONSIBLE OFFICIAL: | Hosik “Brian” Shin, Chief Executive Officer  |
| REPRESENTATIVE ADDRESS: | P.O. Box 500009 Saipan MP 96950 |
| AUTHORIZED REPRESENTATIVE |
| Arnel Garamonte or Omar Custorio  | Contact Number: 670-322-3311  |
| TYPE OF APPLICATION |
| NEW: X | RENEWAL:  |

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Eli D. Cabrera Date

Administrator, BECQ

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| **Permit Terms and Conditions** |

The following applies only to the permittee, the Emission Units (EU), and any associated air pollution control equipment listed in the Application.

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| **EU ID #** | **Description of Affected Emission Unit(s)** | **Power Rating**  |
| 1 | Cummins Generator Model QSK50-G6  | 1749 kilowatts  |
| 2 | Cummins Generator Model QSK50-G4 | 1655 kilowatts  |
| 3 | Cummins Generator Model VT-1710G | 510 kilowatts |
| 4 | Perkins Generator Part No. JGDF5007 | 651 kilowatts  |
| 5 | FPT Industrial Generator Model F4HE0685A\*J | 220 kilowatts  |
| 6 | Bryan Boilers “Boiler 1” Serial No. 100604 | 2.44 MMBtu/hr |
| 7 | Bryan Boilers “Boiler 2” Serial No. 100600 | 2.44 MMBtu/hr |

The permit shall remain in effect for a period not exceed five (5) years from the date of issuance.

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| **Section 1 – General Provisions** |

1. *Construction and Operation*

The specified Emission Units are already constructed at the location specified in the Application. The permittee shall operate the specified Emission Units and any associated air pollution control equipment in compliance with this permit and all other applicable federal and territorial air quality regulations; and in a manner consistent with the Application.

1. *Location*

This permit only authorizes the permittee to operate the permitted source at the location specified in the Application.

1. *Liability*

This permit does not release the permittee from any liability for compliance with other applicable federal and territorial environmental laws and regulations, including the CAA and the Commonwealth Environmental Protection Act.

1. *Severability*

The provisions of this permit are severable. If any portion of this permit is held invalid, the remaining terms and conditions of this permit shall remain valid and in force.

1. *Compliance*

The permittee must comply with all provisions of this permit, including emission limitations that apply to the specified emissions units. Non-compliance with any permit provision is a violation of the permit and may constitute a violation of the CAA and the Commonwealth Environmental Protection Act, and is grounds for an enforcement action, and is grounds for the issuing authority to revoke and terminate the permitted source’s coverage under this permit.

1. *Reporting Discontinuance*

Within thirty (30) days of permanent discontinuance of the operation of any synthetic minor source, the discontinuation shall be reported in writing to the Administrator by a responsible official of the source.

1. *Unavailable Defense*

It is not a defense for the permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the provisions of this permit.

1. *Property Rights*

The permit does not convey any property rights of any sort or any exclusive privilege.

1. *Information Requests*

You, as the permittee, shall furnish to the issuing authority, within thirty (30) calendar days, any information that the issuing authority may request in writing to determine whether cause exists for revising, revoking and reissuing, or terminating the permit or to determine compliance with the permit. For any such information claimed to be confidential, the permittee must submit a claim of confidentiality.

1. *Inspection and Entry*

Upon presentation of proper credentials, the permittee must allow a representative of the issuing authority to:

* 1. Enter upon the premises where a source is located or emissions-related activity is conducted or where records are required to be kept under the conditions of the permit;
	2. Have access to and copy, at reasonable times, any records that are required to be kept under the conditions of the permit;
	3. Inspect, during normal business hours or while the source is in operation, any facilities, equipment (including monitoring and air pollution control equipment), practices or operations regulated or required under the permit;
	4. Sample or monitor, at reasonable times, substances or parameters for the purpose of assuring compliance with the permit or other applicable requirements; and
	5. Record any inspection by use of written, electronic, magnetic and photographic media.
1. *Posting of Permit*

Sections 1 through 6 of this permit for the specified emission units must be posted prominently at the facility, and the emission units and any associated air pollution control equipment must be labeled with the identification name or number listed in the permit and in the Application.

1. *Credible Evidence*

For the purpose of establishing whether the permittee violated or is in violation of any requirement of this permit, nothing 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 permittee had performed the appropriate performance or compliance test or procedure.

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| **Section 2 – Emission Unit Limitations and Standards** |

1. The permittee shall maintain and operate the specified emission units in a manner consistent with good air pollution control practices for minimizing emissions of regulated pollutants and considering the manufacturer’s recommended operating procedures at all times, including periods of startup, shutdown, maintenance and malfunction. The issuing authority will determine whether the permittee is using acceptable operating and maintenance procedures based on information available to the issuing authority which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, review of operating and maintenance records, and inspection of the permitted source.
2. The maximum rated power generation of the specified emission units at this facility shall be 1749 kilowatts (kW) or less for EU1, 1655 kilowatts (kW) or less for EU2, 510 kilowatts (kW) or less for EU3, 651 kilowatts (kW) or less for EU4, 220 kilowatts (kW) or less for EU5, 2.44 MMBtu/hr or less for EU6, and 2.44 MMBtu/hr or less for EU7.
3. The specified emission units shall only use diesel fuel. The sulfur content of the diesel fuel shall not exceed 15 parts per million (ppm) by weight.
4. The specified emission units shall not cause to be discharged into the atmosphere any gases that exhibit 20% opacity or greater averaged over any six consecutive minute period. During start-up, shutdown, or when breakdown of equipment occurs, the specified emission unit may discharge into the atmosphere air pollutants of a density not darker than 60% opacity.
5. EUs 1 and 2 *(Existing Primary Generators)*
a. Combined throughput of diesel fuel for EUs 1 and 2 shall not exceed 532,503 gallons of diesel fuel for any 12-month rolling period.
6. EUs 3-5 *(Existing Emergency Generators)*
a. EUs 3-5 shall be operated only for testing and maintenance of the emission units, required regulatory purposes, and power outages. Operation for maintenance, testing, and required regulatory purposes shall not exceed 100 hours per calendar year.

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| **Section 3 – Monitoring and Testing Requirements** |

1. EUs 1 and 2 (*Primary Generators)*
a. The permittee shall monitor fuel use of the specified emission units on a monthly basis in gallons.
b. The permittee shall monitor all maintenance and repair activities conducted on the specified emission units.
c. The permittee shall maintain fuel purchase receipts, showing the fuel type, sulfur content, date of delivery, and amount (gallons) of fuel delivered to the site. Fuel sulfur content may be demonstrated by providing the fuel supplies specification sheet for the type of fuel purchased and received.
2. EUs 3-5 (*Emergency Generators)*
a. The permittee shall monitor the monthly hours of operation and current calendar year total hours of operation;
b. The permittee shall monitor the monthly hours used for emergency purposes and monthly hours used for non-emergency purposes;
c. The permittee shall monitor fuel use of the specified emission units on a monthly basis in gallons.
d. The permittee shall monitor all maintenance and repair activities conducted on the specified emission units.
e. The permittee shall maintain fuel purchase receipts, showing the fuel type, sulfur content, date of delivery, and amount (gallons) of fuel delivered to the site. Fuel sulfur content may be demonstrated by providing the fuel supplies specification sheet for the type of fuel purchased and received.

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| **Section 4 – Recordkeeping Requirements** |

1. The permittee shall maintain all records required to be kept by this permit onsite for at least five (5) years from the date of origin, unless otherwise stated in this permit.
2. The permit Application and all documentation supporting that application shall be maintained by the permittee for the duration of time the specified emission units are covered under this permit.
3. Records for Primary Generators
4. The amount of fuel used each month in gallons;
5. All maintenance and repair activities conducted;
6. Fuel delivery and purchase receipts.
7. Records for Emergency Generators
	1. The monthly hours of operation specifying the hours used for emergency purposes and for non-emergency purposes, and the current calendar year total hours of operation;
	2. The amount of fuel used each month in gallons;
	3. All maintenance and repair activities conducted;
	4. Fuel delivery and purchase receipts.

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| **Section 5 – Annual Fee Requirements** |

1. Annual fees shall be paid in full:

 a. Within sixty (60) days after the end of each calendar year; and

 b. Within thirty (30) days after the permanent discontinuance of the minor source.

1. The annual fees shall be determined and submitted in accordance with applicable Air Pollution Control Regulations.

Refer to ***§ 65-10-605 Annual Emission Fees for Minor or Synthetic Minor Sources*** for information on Annual Fee Requirements.

1. The annual emissions data for which the annual fees are based shall accompany the submittal of

 any annual fees and submitted on forms furnished by the Division of Environmental Quality.

1. The annual fees and the emission data shall be mailed to or paid at the ***Division of Environmental Quality P.O. Box 501304 Saipan, MP 96950*** located at Middle Road, Gualo Rai. Please have checks be made payable to CNMI Treasury

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| **Section 6 – Notification and Reporting Requirements** |

1. *Compliance Plan*
The permittee shall submit a written or electronic notice to the issuing authority within sixty (60) days of the issuance of this permit:
	1. A compliance statement acknowledging the conditions of this permit and how the permittee intends to meet permit requirements;
	2. A copy of monitoring forms required under Condition 23 and 24.
2. *Notification of Closure*

The permittee must submit a report of any permanent or indefinite closure to the issuing authority in writing within thirty (30) calendar days after the cessation of all operations at the facility. The notification must identify the owner, the current location, and the last operating location of the specified emission units. It is not necessary to submit a report of closure for regular, seasonal closures, or closures due to intermittent operational constraints.

1. *Annual Reports*The permittee shall submit an annual report on or before March 15 of each year to BECQ. The annual reports shall cover the period from January 1 to December 31 of the previous year and shall include:
a. Summaries of the required monitoring and recordkeeping in Section 3 and 4;
b. Summaries of deviation reports submitted pursuant to Condition 32.
2. *Deviation Reports*

Except for emergencies, in the event any emissions units, air pollution control equipment, or related equipment malfunctions or breaks down and causes the emission of air pollutants in violation of these rules or a permit, the owner or operator shall immediately notify the BECQ of the malfunction or breakdown, unless the protection of personnel or public health or safety demands immediate attention to the malfunction or breakdown and makes such notification infeasible. In the latter case, the notice shall be provided as soon as practicable, but not later than seven days after the malfunction or breakdown.

* 1. The owner or operator shall provide the following information in writing within five working days of the malfunction or breakdown:
1. Identification of each affected emission point and each emission limit exceeded;
2. Magnitude of each excess emission;
3. Time and duration of each excess emission;
4. Identity of the process or control equipment causing each excess emission;
5. Cause and nature of each excess emission;
6. Description of the steps taken to remedy the situation, prevent a recurrence, limit the excessive emissions, and assure that the malfunction or breakdown does not interfere with the attainment and maintenance of the CNMI ambient air quality standards;
7. Documentation that the equipment or process was at all times maintained and operated in a manner consistent with good practice for minimizing emissions; and
8. A statement that the excess emissions are not part of a recurring pattern indicative of inadequate design, operation, or maintenance.
9. The submittal of the notice shall not be a defense to an enforcement action.
10. *Reporting and Notification Address*

The permittee shall send all required and requested reports and documentation to the issuing authority at the mailing address below:

Administrator

Bureau of Environmental and Coastal Quality

Gualo Rai Center, Chalan Pale Arnold Rd

P.O. Box 501304

Saipan, MP 96950

1. *Certification*

All reports and documentation required by this permit shall include the signature of a responsible official as to the truth, accuracy, and completeness of the information. The submittal must state that, based on information and belief formed after reasonable inquiry, the statements and information are true, accurate, and complete. If the permittee discovers that any reports or notification submitted to the reviewing authority contain false, inaccurate, or incomplete information, the permittee shall notify the issuing authority immediately and correct or amend the submittal as soon as is practicable.

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| **Section 7 – Changes to this Permit** |

1. *Permit Termination, Suspension, Reopening, and Amendment*

The Administrator, at the Administrator’s sole discretion or on the petition of any person, may terminate, suspend, reopen, or amend any minor source permit if, after affording the permittee an opportunity for a hearing in accordance with the Administrative Procedures Act 1 CMC §§ 9101, et seq., the Administrator determines that:

1. The permit contains a material mistake made in establishing the emissions limitations or other requirements of the permit;
2. Permit action is required to assure compliance with the requirements of the Act; 2 CMC, Division 3, Chapter 1; and these rules;
3. Permit action is required to address additional requirements of the Act; 2 CMC, Division 3, Chapter 1; and these rules;
4. There is a violation of any condition of the permit;
5. The permit was obtained by misrepresentation or failure to disclose fully all relevant facts;
6. The source is neither constructed nor operated in accordance with the application for the minor source permit and any information submitted as part of the application;
7. There is a change in any condition that requires either a temporary or permanent reduction or elimination of the permitted emissions;
8. More frequent monitoring or reporting by the permittee is necessary; or
9. Such is in the public interest, as determined pursuant to 2 CMC, Division 3, Chapter 1.

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| **Section 8 – Abbreviations and Acronyms** |

BECQ Bureau of Environmental & Coastal Quality

Btu British thermal unit

CAA Federal Clean Air Act

CFR Code of Federal Regulations

CO carbon monoxide

EPA United States Environmental Protection Agency

hp horsepower

kW killowatt

MM million

NOx nitrogen oxides, except N2O

ppm parts per million

ppmdv parts per million, dry volume

PSD Prevention of Significant Deterioration