ILLINOIS ENVIRONMENTAL PROTECTION AGENCY
1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276 • (217) 782-3397
JB PRITZKER, GOVERNOR JOHN J. KIM, ACTING DIRECTOR

217/785-1705

CONSTRUCTION PERMIT

PERMITTEE

General Iron Industries, Inc.
Attn: Jim Kallas
1909 North Clifton Avenue
Chicago, Illinois 60614-4893

Application No.: 18110021 I.D. No.: 031600BTB
Applicant's Designation: Date Received: November 20, 2018
Subject: Installation of an RTO/Scrubber on Existing Metal Shredder
Date Issued: February 11, 2019
Location: 1909 North Clifton Avenue, Chicago, Cook County, 60614

This permit is hereby granted to the above-designated Permittee to CONSTRUCT emission source(s) and/or air pollution control equipment consisting of one (1) Natural Gas-Fired Regenerative Thermal Oxidizer (RTO) and one (1) Quench/Packed Tower Scrubber to control emissions from the existing Metal Shredder System with Integral Water Injection System, Cyclone and Roll Media Filter pursuant to the above-referenced application. This Permit is subject to standard conditions attached hereto and the following special condition(s):

1a. This permit is issued based on the construction of the Regenerative Thermal Oxidizer (RTO) and Quench/Packed Tower Scrubber not constituting a new major source or major modification pursuant to Title I of the Clean Air Act, specifically 40 CFR 52.21 Prevention of Significant Deterioration (PSD).

b. This permit is issued based on the construction of the Regenerative Thermal Oxidizer (RTO) and Quench/Packed Tower Scrubber not constituting a new major source or major modification pursuant to Title I of the Clean Air Act, specifically 35 Ill. Adm. Code Part 203 (Major Stationary Sources Construction and Modification

c. Operation of the RTO and Quench/Packed Tower Scrubber is allowed under this Construction Permit until final action is taken on the Federally Enforceable State Operating Permit (FESOP) application for this source.

2a. The Metal Shredder System controlled by Regenerative Thermal Oxidizer (RTO) and Quench/Packed Tower Scrubber is subject to 35 Ill. Adm. Code Part 212 Subpart B (Visible Emissions). Pursuant to 35 Ill. Adm. Code 212.123(a), no person shall cause or allow the emission of smoke or other particulate matter, with an opacity greater than 30 percent, into the atmosphere from any emission unit other than those emission units subject to 35 Ill. Adm. Code 212.122.

b. Pursuant to 35 Ill. Adm. Code 212.123(b), the emission of smoke or other particulate matter from any such emission unit may have an opacity greater than 30 percent but not greater than 60 percent for a period or periods aggregating 8 minutes in any 60 minute period provided that such opaque emissions permitted during any 60 minute

period shall occur from only one such emission unit located within a 305 m (1000 ft) radius from the center point of any other such emission unit owned or operated by such person, and provided further that such opaque emissions permitted from each such emission unit shall be limited to 3 times in any 24 hour period.

c. The Metal Shredder System controlled by Regenerative Thermal Oxidizer (RTO) and Quench/Packed Tower Scrubber is subject to 35 Ill. Adm. Code Part 212 Subpart L (Particulate Matter Emissions from Process Emission Units). Pursuant to 35 Ill. Adm. Code 212.321(a), except as further provided in 35 Ill. Adm. Code Part 212, no person shall cause or allow the emission of particulate matter into the atmosphere in any one hour period from any new process emission unit which, either alone or in combination with the emission of particulate matter from all other similar process emission units for which construction or modification commenced on or after April 14, 1972, at a source or premises, exceeds the allowable emission rates specified in 35 Ill. Adm. Code 212.321(c).

3. The Metal Shredder System controlled by Regenerative Thermal Oxidizer (RTO) and Quench/Packed Tower Scrubber. Pursuant to 35 Ill. Adm. Code 214.301, except as further provided by 35 Ill. Adm. Code Part 214, no person shall cause or allow the emission of sulfur dioxide into the atmosphere from any process emission source to exceed 2000 ppm.

4a. The Metal Shredder System controlled by Regenerative Thermal Oxidizer (RTO) and Quench/Packed Tower Scrubber is subject to 35 Ill. Adm. Code Part 218 Subpart G (Use of Organic Material). Pursuant to 35 Ill. Adm. Code 218.301, no person shall cause or allow the discharge of more than 3.6 kg/hr (8 lbs/hr) of organic material into the atmosphere from any emission unit, except as provided in 35 Ill. Adm. Code 218.302, 218.303, or 218.304 and the following exception: If no odor nuisance exists the limitation of 35 Ill. Adm. Code Part 218 Subpart G shall only apply to photochemically reactive material.

b. Pursuant to 35 Ill. Adm. Code 218.302(a), emissions of organic material in excess of those permitted by 35 Ill. Adm. Code 218.301 are allowable if such emissions are controlled by one of the following methods:

Flame, thermal or catalytic incineration so as either to reduce such emissions to 10 ppm equivalent methane (molecular weight 16) or less, or to convert 85 percent of the hydrocarbons to carbon dioxide and water.

c. The existing Metal Shredder System controlled by Regenerative Thermal Oxidizer (RTO) and Quench/Packed Tower Scrubber is subject to 35 Ill. Adm. Code Part 218 Subpart TT (Other Emission Units). Pursuant to 35 Ill. Adm. Code 218.986(a), every owner or operator of an emission unit subject to 35 Ill. Adm. Code 218 Subpart TT shall comply with the requirements of 35 Ill. Adm. Code 218.986(a) below.

Emission capture and control equipment which achieve an overall reduction in uncontrolled VOM emissions of at least 81 percent from each emission unit.

5a. In the event that the operation of this source results in an odor nuisance, the Permittee shall take appropriate and necessary actions to minimize odors, including but not limited to, changes in material or installation of controls, in order to eliminate the odor nuisance.

b. The Regenerative Thermal Oxidizer (RTO) and Quench/Packed Tower Scrubber shall be in operation at all times when the associated Metal Shredder System is in operation and emitting air contaminants.

c. The Permittee shall, in accordance with the manufacturer(s) and/or vendor(s) recommendations, perform periodic maintenance on the Regenerative Thermal Oxidizer (RTO) and the Quench/Packed Tower Scrubber associated with the Metal Shredder System such that the RTO and the Quench/Packed Tower Scrubber are kept in proper working condition and not cause a violation of the Illinois Environmental Protection Act or regulations promulgated therein.

d. The Regenerative Thermal Oxidizer (RTO) combustion chambers shall be preheated to at least the manufacturer's recommended temperature but no less than the average temperature at which compliance was demonstrated in the most recent compliance test, or 1400°F in the absence of a compliance test. The rolling three hour average temperature shall be maintained during operation of the Metal Shredder System.

e. The Regenerative Thermal Oxidizer (RTO) shall only be operated with natural gas as the fuel. The use of any other fuel in the RTO may require that the Permittee first obtain a construction permit from the Illinois EPA and then perform stack testing to verify compliance with all applicable requirements.

f. The Regenerative Thermal Oxidizer (RTO) shall be equipped with a temperature monitoring device that is installed, calibrated, operated and maintained, in accordance with vendor/manufacturer specifications and 35 Ill. Adm. Code 218.105(d)(2).

g. The Quench/Packed Tower Scrubber shall be equipped with monitoring devices for pressure differential, scrubbant liquid flow rate, and pH of the scrubbant liquid. These monitoring devices shall be installed, calibrated, operated and maintained, in accordance with vendor/manufacturer specifications.

h. Within 30 days of the startup of the Regenerative Thermal Oxidizer (RTO) and the Quench/Packed Tower Scrubber, the Permittee shall submit for Illinois EPA approval a Metal Shredder System operation, monitoring, and maintenance plan that details specific operation, monitoring, and maintenance practices for the equipment identified in this Permit, including frequencies of such specific activities and actions, individuals responsible for such activities and actions, and associated recordkeeping procedures.

6a. The Regenerative Thermal Oxidizer (RTO) and Quench/Packed Tower Scrubber shall be designed, operated, and maintained in a manner that

ensures the minimum destruction efficiency for VOM emissions from the Existing Metal Shredder is 98%.

b. Emissions from fuel combustion in the Regenerative Thermal Oxidizer (RTO) associated with the Metal Shredding System shall not exceed the following limits:

i. Natural gas Usage: 6.57 mmscf/month, 52.5 mmscf/year

ii. Emissions from the combustion of natural gas:

Pollutant	Emission Factor (lbs/mmscf)	Emissions (Tons/Mo)	(Tons/Yr)
Carbon Monoxide (CO)	149.23	0.49	3.92
Nitrogen Oxides (NO_x)	100.00	0.33	2.63

These limits are based on the maximum firing rate of the RTO burner (15.0 mmBtu/hour), maximum natural gas usage, approximately 1% of uncontrolled VOM emissions being emitted as CO emissions due to incomplete combustion, and standard emission factors (Tables 1.4-1 and 1.4-2, AP-42, Fifth Edition, Volume 1, Supplement D, July 1998).

c. Compliance with the annual limits of this permit shall be determined on a monthly basis from the sum of the data for the current month plus the preceding 11 months (running 12-month total).

7. Pursuant to 35 Ill. Adm. Code 218.999(a), when in the opinion of the Illinois EPA it is necessary to conduct testing to demonstrate compliance with 35 Ill. Adm. Code 218.986, the owner or operator of a VOM emission unit subject to the requirements of 35 Ill. Adm. Code Part 218 Subpart TT shall, at his own expense, conduct such tests in accordance with the applicable test methods and procedures specified in 35 Ill. Adm. Code 218.105.

8a. Within sixty (60) days after initial startup of the Regenerative Thermal Oxidizer (RTO) and the Quench/Packed Tower Scrubber, the Permittee shall have emission measurements and VOM efficiency stack testing conducted during conditions which are representative of maximum emissions from the Metal Shredding System controlled by Regenerative Thermal Oxidizer (RTO) and the Quench/Packed Tower Scrubber using USEPA Methods and Procedures detailed in Condition 8(d) below.

b. This testing shall be conducted by an independent testing service.

c. This testing shall determine the mass emission rates of PM, SO_2, CO, Metals, HCl, HF, condensable particulate matter, and VOM from the Metal Shredding System controlled by a Regenerative Thermal Oxidizer (RTO) and Quench/Packed Tower Scrubber, and VOM destruction efficiency of the RTO.

d. The following methods and procedures shall be used for testing of

emissions, unless another method is approved by the Illinois EPA: Refer to 40 CFR 51, Appendix M and 40 CFR 60, Appendix A for USEPA test methods.

Sample and Velocity Traverses for Stationary Sources	USEPA Method 1 or 1A
Determination of Stack Gas Velocity and Volumetric Flow Rate (Type S Pitot Tube)	USEPA Method 2, 2A, 2C, 2D
Gas Analysis for the Determination of Dry Molecular Weight	USEPA Method 3
Determination of Moisture Content in Stack Gases	USEPA Method 4
Determination of Particulate Matter from Stationary Sources	USEPA Method 5
Determination of Sulfur Dioxide from Stationary Sources	USEPA Method 6 or 6C
Visual Determination of the Opacity of Emissions from Stationary Sources	USEPA Method 9
Determination of Carbon Monoxide from Stationary Sources	USEPA Method 10
Determination of Total Gaseous Nonmethane Organic Emissions as Carbon	USEPA Method 25
Determination of Total Gaseous Organic Concentration Using a Flame Ionization Analyzer	USEPA Method 25A*
Determination of Hydrogen Chloride Emissions From Stationary Sources	USEPA Method 26 or 26A
Determination of Metals Emissions from Stationary Sources	USEPA Method 29
Determination of Condensable Particulate from Stationary Sources	USEPA Method 202

*USEPA Method 25A may only be used if outlet VOM concentration is less than 50 ppm as carbon (non-methane).

e. At least sixty (60) days prior to the actual date of testing, the Permittee shall submit a written test plan to the Illinois EPA, Compliance Section. The IEPA may at the discretion of the Compliance Section Manager (or designee) accept protocol less than 60 days prior to testing provided it does not interfere with the IEPA's ability to review and comment on the protocol and does not deviate from the applicable state or federal statutes. The protocol shall be submitted to the IEPA, Compliance Section and IEPA, Stack Test Specialist for its review. This test plan shall include at a minimum:

i. The name (or other identification) of the emission unit(s) to be tested and the name and address of the facility at which they are located;

ii. The name and address of the independent testing service(s) performing the tests, with the names of the individuals who may be performing sampling and analysis and their experience with similar tests;

iii. The specific determinations of emissions and/or performance which are intended to be made, including the site(s) in the ductwork or stack at which sampling will occur;

iv. The specific conditions under which testing will be performed, including a discussion of why these conditions will be representative of the maximum emissions, maximum operating rate, the levels of operating parameters for the emission unit, including associated control equipment, at or within which compliance is intended to be shown, and the means by which the operating parameters will be determined;

v. The test method(s) which will be used, with the specific analysis method, if the method can be used with different analysis methods. The specific sampling, analytical and quality control procedures which will be used, with an identification of the standard methods upon which they are based;

vi. Any minor changes in standard methodology proposed to accommodate the specific circumstances of testing, with justification;

vii. Any proposed use of an alternative test method, with detailed justification; and

viii. The format and content of the Source Test Report.

f. The Permittee shall provide the Illinois EPA with written notification of testing at least thirty (30) days prior to testing to enable the Illinois EPA to have an observer present. This notification shall include the name of emission unit(s) to be tested, scheduled date and time, and contact person with telephone number. The IEPA may at its discretion of the Compliance Section Manager (or designee) accept notifications with shorter advance notice provided such notifications will not interfere with the IEPA's ability to observe testing.

g. If testing is delayed from the date provided, the Permittee shall promptly notify the Illinois EPA by e-mail or facsimile, at least five (5) days prior to the scheduled date of testing or immediately, if the delay occurs in the five (5) days prior to the scheduled date. This notification shall also include the new proposed date and time for testing, if set, or a separate notification shall be sent with this information when it is set.

h. The Permittee shall submit the Final Test Report(s) for these tests accompanied by a cover letter stating whether or not compliance was shown, to the Illinois EPA, within fourteen (14) days after the test results are compiled and finalized, but no later than sixty (60) days after the date of testing or sampling. The Final Test Report shall include as a minimum:

i. General information describing the test, including the name and identification of the emission source which was tested, date of testing, names of personnel performing the tests, and Illinois

EPA observers, if any;

ii. A summary of results;

iii. Description of test procedures and method(s), including description and map of emission units and sampling points, sampling train, testing and analysis equipment, and test schedule;

iv. Detailed description of test conditions, including:

A. List and description of the equipment (including serial numbers or other equipment specific identifiers) tested and process information (i.e., mode(s) of operation, process rate or throughput of the metal shredder, and a description of material processed in the metal shredder;

B. Control equipment information (i.e., equipment condition and operating parameters (i.e. RTO temperature, RTO fuel feed rate, scrubbant flow rate, scrubbant PH, and differential pressure of the scrubber) during testing; and

C. A discussion of any preparatory actions taken (i.e., equipment inspections, shredder feed material separation, shredder/RTO/Scrubber equipment maintenance and repair).

v. Data and calculations, including copies of all raw data sheets and records of laboratory analyses, sample calculations, and data on equipment calibration. Identification of the applicable regulatory standards and permit conditions that the testing was performed to demonstrate compliance with, a comparison of the test results to the applicable regulatory standards and permit conditions, and a statement whether the test(s) demonstrated compliance with the applicable standards and permit conditions;

vi. An explanation of any discrepancies among individual tests, failed tests or anomalous data;

vii. The results and discussion of all quality control evaluation data, including a copy of all quality control data; and

viii. The applicable operating parameters of the pollution control device(s) during testing (temperature, pressure drop, scrubbant flow rate, etc.), if any.

i. Satisfactory completion of this test so as to demonstrate compliance with applicable emission standards and permit conditions is a prerequisite to issuance of an operating permit, pursuant to 35 Ill. Adm. Code 201.160(b).

9a. Pursuant to 35 Ill. Adm. Code 218.105(d)(2)(A)(i), an owner or operator: That uses an afterburner to comply with any Section of 35 Ill. Adm. Code Part 218 shall use Illinois EPA and USEPA approved

continuous monitoring equipment which is installed, calibrated, maintained, and operated according to vendor specifications at all times the control device is in use except as provided in 35 Ill. Adm. Code 218.105(d)(3). The continuous monitoring equipment must monitor the combustion chamber temperature of each afterburner.

b. Pursuant to 35 Ill. Adm. Code 218.105(d)(2)(B), an owner or operator: Must install, calibrate, operate and maintain, in accordance with manufacturer's specifications, a continuous recorder on the RTO combustion chamber temperature monitoring device, such as a strip chart, recorder or computer, having an accuracy of ± 1 percent of the temperature measured in degrees Celsius or ± 0.5° C, whichever is greater.

c. The Permittee shall conduct daily USEPA Method 22 observations of the exhaust stack for the Regenerative Thermal Oxidizer (RTO) and the Quench/Packed Tower Scrubber associated with the Metal Shredder System during normal operations. If visible emissions are observed, then the Permittee shall conduct Opacity observations using USEPA Method 9. The RTO combustion chamber temperature, scrubbant flow rate, and scrubbant PH shall be documented along with these observations.

i. If after 10 consecutive days of daily Method 22 observations, no visible emission are observed, the frequency of required observations will decrease to weekly.

ii. if a weekly observation identifies visible emissions, the frequency of required observations will return to daily until such time as the frequency is decreased to weekly, pursuant to Condition 9(c)(i) above.

iii. If after 4 consecutive weekly Method 22 observations, if no visible emission are observed, the frequency of required observations will decrease to monthly.

iv. if a monthly observation identifies visible emissions, the frequency of required observations will return to weekly until such time as the frequency is decreased to monthly, pursuant to Condition 9(c)(iii) above.

10a. Pursuant to 35 Ill. Adm. Code 218.991(a)(2), any owner or operator of a VOM emission unit which is subject to the requirements of 35 Ill. Adm. Code Part 218 Subpart TT and complying by the use of emission capture and control equipment shall comply with the following:

On and after a date consistent with 35 Ill. Adm. Code 218.106, or on and after the initial start-up date, the owner or operator of a subject VOM source shall collect and record all of the following information each day and maintain the information at the source for a period of three years:

i. Control device monitoring data.

ii. A log of operating time for the capture system, control device, monitoring equipment and the associated emission source.

iii. A maintenance log for the capture system, control device and monitoring equipment detailing all routine and non-routine maintenance performed including dates and duration of any outages.

11a. The Permittee shall maintain records of the following items so as to demonstrate compliance with the conditions of this permit:

i. Records addressing use of good operating practices for the Regenerative Thermal Oxidizer (RTO) and the Quench/Packed Tower Scrubber associated with the Metal Shredder System:

A. Records for monthly inspection of the RTO and Quench/Packed Tower Scrubber with date, individual performing the inspection, and nature of inspection; and

B. Records for prompt repair of defects, with identification and description of defect, effect on emissions, date identified, date repaired, and nature of repair.

ii. Records of the temperature for the RTO, pressure differential across inlet and outlet of the Quench/Packed Tower Scrubber, scrubbant liquid flow rate, and pH of the scrubbant liquid;

iii. Records for each USEPA Method 22 and 9 visual observation conducted of the RTO and Quench/Packed Tower Scrubber with date, individual performing the observation, along with the RTO combustion chamber temperature, scrubbant flow rate, and scrubbant PH. Additionally, for USEPA Method 9 observations shall include a copy of documents indicating the individual is a certified USEPA Method 9 observer;

iv. A copy of the shredder startup procedure, operations manual, and procedures which ensures that the shredder is in proper operating condition prior to startup;

v. Natural gas usage for RTO (mmscf/month and mmscf/year); and

vi. Monthly and annual emissions of NOx and CO from the RTO, with supporting calculations (tons/month and tons/year).

b. All records and logs required by Condition 11(a) of this permit shall be retained at a readily accessible location at the source for at least five (5) years from the date of entry and shall be made available for inspection and copying by the Illinois EPA or USEPA upon request. Any records retained in an electronic format (e.g., computer storage device) shall be capable of being retrieved and printed on paper during normal source office hours so as to be able to respond to an Illinois EPA or USEPA request for records during the course of a source inspection.

12a. Pursuant to 35 Ill. Adm. Code 218.991(a), any owner or operator of a VOM emission unit which is subject to the requirements of 35 Ill. Adm. Code Part 218 Subpart TT and complying by the use of emission capture and control equipment shall comply with the following:

On and after a date consistent with 35 Ill. Adm. Code 218.106, the owner or operator of a subject VOM emission source shall notify the Illinois EPA of any violation of the requirements of 35 Ill. Adm. Code Part 218 Subpart TT by sending a copy of any record showing a violation to the Illinois EPA within 30 days following the occurrence of the violation;

13a. If there is an exceedance of or a deviation from the requirements of this permit as determined by the records required by this permit or otherwise, the Permittee shall submit a report to the Illinois EPA's Bureau of Air Compliance Section in Springfield, Illinois within thirty (30) days after the exceedance or deviation. The report shall identify the duration and the emissions impact of the exceedance or deviation, a copy of the relevant records and information to resolve the exceedance or deviation, and a description of the efforts to reduce emissions from, and the duration of exceedance or deviation, and to prevent future occurrences of any such exceedance or deviation.

b. One (1) copy of required reports and notifications shall be sent to:

Illinois Environmental Protection Agency
Bureau of Air
Compliance Section (#40)
P.O. Box 19276
Springfield, Illinois 62794-9276

If you have any questions on this permit, please call German Barria at 217/785-1705.

Raymond E. Pilapil
Manager, Permit Section
Bureau of Air

REP:GB:rlr

STATE OF ILLINOIS
ENVIRONMENTAL PROTECTION AGENCY
DIVISION OF AIR POLLUTION CONTROL
P. O. BOX 19506
SPRINGFIELD, ILLINOIS 62794-9506

STANDARD CONDITIONS FOR CONSTRUCTION/DEVELOPMENT PERMITS ISSUED BY THE ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

July 1, 1985

The Illinois Environmental Protection Act (Illinois Revised Statutes, Chapter 111-1/2, Section 1039) authorizes the Environmental Protection Agency to impose conditions on permits which it issues.

The following conditions are applicable unless superseded by special condition(s).

1. Unless this permit has been extended or it has been voided by a newly issued permit, this permit will expire one year from the date of issuance, unless a continuous program of construction or development on this project has started by such time.

2. The construction or development covered by this permit shall be done in compliance with applicable provisions of the Illinois Environmental Protection Act, and Regulations adopted by the Illinois Pollution Control Board.

3. There shall be no deviations from the approved plans and specifications unless a written request for modification, along with plans and specifications as required, shall have been submitted to the Agency and a supplemental written permit issued.

4. The Permittee shall allow any duly authorized agent of the Agency upon the presentation of credentials, at reasonable times:

   a. to enter the Permittee's property where actual or potential effluent, emission or noise sources are located or where any activity is to be conducted pursuant to this permit,

   b. to have access to and copy any records required to be kept under the terms and conditions of this permit,

   c. to inspect, including during any hours of operation of equipment constructed or operated under this permit, such equipment and any equipment required to be kept, used, operated, calibrated and maintained under this permit,

   d. to obtain and remove samples of any discharge or emission of pollutants, and

   e. to enter and utilize any photographic, recording, testing, monitoring or other equipment for the purpose of preserving, testing, monitoring, or recording any activity, discharge, or emission authorized by this permit.

5. The issuance of this permit:

   a. shall not be considered as in any manner affecting the title of the premises upon which the permitted facilities are to be located,

   b. does not release the Permittee from any liability for damage to person or property caused by or resulting from the construction, maintenance, or operation of the proposed facilities,

   c. does not release the Permittee from compliance with the other applicable statues and regulations of the United States, of the State of Illinois, or with applicable local laws, ordinances and regulations,

   d. does not take into consideration or attest to the structural stability of any units or parts of the project, and

e. in no manner implies or suggests that the Agency (or its officers, agents or employees) assumes any liability, directly or indirectly, for any loss due to damage, installation, maintenance, or operation of the proposed equipment or facility.

6. a. Unless a joint construction/operation permit has been issued, a permit for operation shall be obtained from the Agency before the equipment covered by this permit is placed into operation.

b. For purposes of shakedown and testing, unless otherwise specified by a special permit condition, the equipment covered under this permit may be operated for a period not to exceed thirty (30) days.

7. The Agency may file a complaint with the Board for modification, suspension or revocation of a permit:

a. upon discovery that the permit application contained misrepresentations, misinformation or false statements or that all relevant facts were not disclosed, or

b. upon finding that any standard or special conditions have been violated, or

c. upon any violations of the Environmental Protection Act or any regulation effective thereunder as a result of the construction or development authorized by this permit.