



Commonwealth of Massachusetts  
Executive Office of Energy & Environmental Affairs

## Department of Environmental Protection

Southeast Regional Office • 20 Riverside Drive, Lakeville MA 02347 • 508-946-2700

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Commissioner

July 31, 2012

Ms. Cathy C. Taylor  
Director, Electrical Environmental Services  
Dominion Resources Services, Inc.  
5000 Dominion Boulevard  
Glen Allen, Virginia 23060

RE: **AMENDED APROVAL**  
**Acid Rain Control Plan**  
310 CMR 7.22  
Application No.: SE-12-015  
Dominion Energy Brayton Point, LLC  
1 Brayton Point Road  
Somerset, MA 02726

Dear Ms. Taylor:

The Department of Environmental Protection (MassDEP), Bureau of Waste Prevention, has completed review of the Dominion Energy Brayton Point, LLC (Dominion) revised control plan submitted pursuant to 310 CMR 7.22 Sulfur Dioxide Emissions Reductions for the Purpose of Reducing Acid Rain, for your facility located at 1 Brayton Point Road, Somerset, Massachusetts.

310 CMR 7.22 requires any person owning, operating, leasing or controlling a fossil fuel or alternative fuel utilization facility with a capacity to burn fuel at a rate greater than or equal to 100 million Btu per hour and with an emission rate greater than 1.2 pounds of sulfur dioxide (SO<sub>2</sub>) per million Btu of fuel input, to submit a Control Plan. The Control Plan is to detail the method and schedule by which an owner or operator of a facility meeting the above criteria will achieve and maintain compliance with the emission limitation set forth in 310 CMR 7.22(1).

Dominion currently operates in accordance with the Acid Rain Control Plan approved by MassDEP dated March 5, 1993 (Application No. MBR-90-COM-079 and 4B90147) which approved averaging between the Brayton Point Station and the Salem Harbor Station facilities as allowed

by 310 CMR 7.22(3)(b). The March 5, 1993 approval was amended on March 4, 1996, and April 22, 1996.

Dominion has submitted a revised Acid Rain Control Plan titled "Dominion Energy Brayton Point, LLC Control Plan for Compliance with Massachusetts Acid Rain Law 310 CMR 7.22" dated April 2, 2012. According to the plan submitted, Dominion proposes for Brayton Point Station to comply with the requirements of 310 CMR 7.22 without averaging with the Salem Harbor Station as allowed by 310 CMR 7.22(3)(a). The 1.2 pounds of SO<sub>2</sub> annual average emission limit for SO<sub>2</sub> as set forth in 310 CMR 7.22(1) will be met by Dominion by managing Units 1, 2, 3 and 4 sulfur in fuels and utilizing Units 1 and 2 Spray Dryer Absorber/Fabric Filter Baghouses and Unit 3 Dry scrubber/Fabric Filter Baghouse to control SO<sub>2</sub> emissions.

Historically, Brayton Point Station's fuel procurement strategy has allowed Brayton Point Station to comply with the SO<sub>2</sub> limit for at least the past five years without needing to do emission averaging with the Salem Harbor Station.

No specific equipment changes at the Dominion Brayton Point Station are needed to maintain compliance with the annual SO<sub>2</sub> emission limit in 310 CMR 7.22(1).

MassDEP finds that the Acid Rain Control Plan dated April 2, 2012 meets the requirements of 310 CMR 7.22 Sulfur Dioxide Emissions Reductions for the Purpose of Reducing Acid Rain and hereby approves the plan subject to the following conditions:

1. Pursuant to 310 CMR 7.22(1), Dominion shall maintain an annual compound emission rate for Units 1, 2, 3 and 4, in total, of less than or equal to 1.2 pounds of SO<sub>2</sub> per million Btu of fuel input.
2. Pursuant to 310 CMR 7.22(5), Dominion shall monitor and maintain a record of SO<sub>2</sub> emissions and heat input of each fuel by continuous emission monitors that meet the requirements of 40 CFR 75.
3. Pursuant to 310 CMR 7.22(5), Dominion shall demonstrate compliance with the SO<sub>2</sub> emission limit utilizing SO<sub>2</sub> emission data and heat input data generated and reported in accordance with 40 CFR 75.
4. Pursuant to 310 CMR 7.22(4)(b), Dominion shall maintain a record and submit an emission compliance report that summarizes calendar year SO<sub>2</sub> emission data on an annual basis. The compliance report shall be submitted to MassDEP by January 30 of each year and shall provide Units 1, 2, 3 and 4 SO<sub>2</sub> emission data and a facility compound SO<sub>2</sub> emission rate derived from emission data generated per Condition 2.

Nothing in this Approval shall be deemed to alter any responsibility of Dominion to comply with 310 CMR 7.00 *et seq.* and all terms of any permit(s) or approval(s) issued by MassDEP pursuant to 310 CMR 7.00.

This Approval supersedes the Acid Rain Control Plan approved by MassDEP dated March 5, 1993 (Application No. MBR-90-COM-079 and 4B90147) which approved averaging between the Brayton Point Station and the Salem Harbor Station, as amended on March 4, 1996 and April 22, 1996.

On July 31, 2012, Dominion submitted to MassDEP an Operating Permit Minor Modification application pursuant to the requirements of 310 CMR 7.00: Appendix C concerning the proposal approved herein.

This Approval is an action of MassDEP; you have a limited right to appeal. Please refer to the attached "APPEAL OF APPROVAL" information.

Enclosed is a stamped approved copy of the application.

Should you have any questions pertaining to this **APPROVAL**, please contact Charles Kitson at the Southeast Regional Office at (508) 946-2733.

Sincerely,

This final document copy is being provided to you electronically by the  
Department of Environmental Protection. A signed copy of this document  
is on file at the DEP office listed on the letterhead.

Mark R. Poudrier  
Environmental Engineer  
Bureau of Waste Prevention

P/CEK

Attachment: Appeal of Approval

Enclosure

ecc: Peter Balkus, Dominion Energy Brayton Point, LLC  
Meredith M. Simas, Dominion Resources Services, Inc.  
Sheila Medeiros, Dominion Energy Brayton Point, LLC  
Board of Health, Somerset, MA  
Maria Pinaud, MassDEP/BWP, Lakeville, MA  
James Belsky, MassDEP/BWP, Wilmington, MA  
Cosmo Buttarro, MassDEP/BWP, Wilmington, MA  
Charles Kitson, MassDEP/BWP, Lakeville, MA  
Yi Tian, MassDEP/BWP, Boston, MA  
Laura Black, MassDEP/BWP, Lakeville, MA

**ATTACHMENT 1**

**APPEAL OF APPROVAL**

This Approval is an action of MassDEP. If you are aggrieved by this action, you may request an adjudicatory hearing. A request for a hearing must be made in writing and be postmarked within twenty-one (21) days of the date of issuance of this Approval.

Under 310 CMR 1.01(6)(b), the request must state clearly and concisely the facts, which are the grounds for the request, and the relief sought. Additionally, the request must state why the Approval is not consistent with applicable laws and regulations.

The hearing request along with a valid check payable to the Commonwealth of Massachusetts in the amount of one hundred dollars (\$100.00) must be mailed to:

Commonwealth of Massachusetts  
Department of Environmental Protection  
P.O. Box 4062  
Boston, MA 02211

The request will be dismissed if the filing fee is not paid, unless the appellant is exempt or granted a waiver as described below.

The filing fee is not required if the appellant is a city or town (or municipal agency), county, or district of the Commonwealth of Massachusetts, or a municipal housing authority.

MassDEP may waive the adjudicatory hearing filing fee for a person who shows that paying the fee will create an undue financial hardship. A person seeking a waiver must file, together with the hearing request as provided above, an affidavit setting forth the facts believed to support the claim of undue financial hardship.