



Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection

Central Regional Office • 627 Main Street, Worcester MA 01608 • 508-792-7650

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August 15, 2012

Mr. Philip Ceryanek
Garlock Printing & Converting Corp.
164 Fredette Street
Gardner, MA 01440

RE: Gardner, MA
Transmittal No.: X251248
Application No.: CE-12-016
Class: SM80-7
FMF No.: 133768
AIR QUALITY PLAN APPROVAL

Dear Mr. Ceryanek:

The Massachusetts Department of Environmental Protection (“MassDEP”), Bureau of Waste Prevention, has reviewed your Non-major Comprehensive Plan Application (“Application”) listed above. This Application concerns the proposed installation of a new flexographic printing press and the installation of a new regenerative thermal oxidizer (“RTO”) to control emissions at Garlock Printing & Converting Corp. located at 164 Fredette Street in Gardner, Massachusetts (“Facility”). The Application bears the seal and signature of Thomas C. Couture, Massachusetts Registered Professional Engineer number 27553.

This Application was submitted in accordance with 310 CMR 7.02 Plan Approval and Emission Limitations as contained in 310 CMR 7.00 “Air Pollution Control,” regulations adopted by MassDEP pursuant to the authority granted by Massachusetts General Laws, Chapter 111, Section 142 A-J, Chapter 21C, Section 4 and 6, and Chapter 21E, Section 6. MassDEP’s review of your Application has been limited to air pollution control regulation compliance and does not relieve you of the obligation to comply with any other regulatory requirements.

MassDEP has determined that the Application is administratively and technically complete and that the Application is in conformance with the Air Pollution Control regulations and current air pollution control engineering practice, and hereby grants this **Plan Approval** for said Application, as submitted, subject to the conditions listed below. **This Plan Approval supersedes and replaces Approval TR#164324 (issued January 9, 2009).**

Please review the entire Plan Approval, as it stipulates the conditions with which the Facility owner/operator (“Permittee”) must comply in order for the Facility to be operated in compliance with this Plan Approval.

1. DESCRIPTION OF FACILITY AND APPLICATION

Garlock Printing and Converting Corp. (“the Permittee”) operates flexographic printing presses and converting equipment for sheeting, folding and rewinding of printed tissue paper, gift wrap, and Mylar films. The Facility has been in operation since 1987 and provides water and solvent based ink color printing services on a plastic film web in a production facility that is about 25,000 square feet in size. There are eight (8) flexographic presses that have received Plan Approvals from MassDEP or are subject to the Environmental Results Program (“ERP”) in 310 CMR 7.26(20). The Facility submits annual ERP certifications in the Large -Size Printer category to MassDEP for presses #1-5. All process lines are summarized below in Table 1.

This Plan Approval pertains to the installation of a new flexographic press (Press #9) at the Facility. This printing press will be the fourth press at the Facility that will print exclusively with solvent based inks. Presses # 6-9 are subject to the conditions of this Plan Approval. Although presses # 1-5 are subject to the ERP provisions, they are also subject to the facility wide emission limits are noted in Table 2.

In addition, the Permittee will be replacing their existing Regenerative Thermal Oxidizer (“RTO”) and installing a new RTO supplied by Ship and Shore Environmental, Inc. to control the emissions from presses #6-#9.

A description of the presses #6-#9 and the RTO are included below.

A. Press #6 is an existing Barry-Wehmiller 57 inch Wide Infiniti NT 10-Color Gearless Flexographic Press capable of handling web widths up to 57 inches at a maximum speed of 2,000 feet per minute (“fpm”). Historically, this press had the capabilities of utilizing either solvent or water based inks however this press shall only operate using solvent based inks. Volatile Organic Compound (“VOC”) emissions from the press shall be exhausted and controlled by the RTO. This press line can print up to ten colors at one time, utilizing a total of 17 electric dryers.

B. Press # 7 is an existing Uteco Emerald 825.4M Model 120 eight-color press. The line is capable of handling web widths up to 49 inches at a maximum speed of 1,150 feet per minute. This press line is served by two (2) natural gas-fired ovens collectively rated at 1.2 MMBtu/hr.

C. Press # 8 is an existing BGE/Converting Technology SRL Flex-O-Elite 10 ES 32 capable of printing ten colors at one time on webs up to 65 inches in width and at a maximum line speed of 1,150 feet per minute. Dryers on this press are collectively rated at 1.2 million British thermal unit per hour (“MMBtu/hr”). A portion of the exhaust is recirculated back to the dryer areas.

D. Press #9 is a Uteco Onyx 110 GL 10-color printing press capable of printing onto web widths to 43.30 inches at a maximum speed of 1,470 feet per minute. Two (2) natural gas fired ovens rated at 1.6 MMBtu/hr serve this press.

Presses # 6-9 will be vented to the new natural gas-fired RTO, manufactured by Ship and Shore Environmental, Inc., which has a capacity of 32,000 scfm, a maximum auxiliary fuel input rate of 6 million Btu/hr., and a heat recovery of 95 percent (“%”). The oxidizer will have a minimum VOC destruction efficiency of 99% with a combustion chamber temperature of 1,500 degrees Fahrenheit (“°F”) or a temperature that ensures 99% control efficiency documented during the most recent MassDEP approved emission compliance stack testing. The permanent total enclosure (“PTE”) provided for presses # 6-#9 shall maintain 100% capture efficiency and meet the criteria established in EPA Method 204. The RTO shall be exhausted through a 42 inch vertical carbon steel stack 40 feet above the ground with a minimum 60 feet per second exhaust velocity at approximately 200°F.

2. EMISSION UNIT (EU) IDENTIFICATION

Each Emission Unit (“EU”) identified in Table 1 is subject to and regulated by this Plan Approval:

Table 1			
EU#	Description	Design Capacity	Pollution Control Device (PCD)
1	Press 1: Kidder Flexographic Press with natural gas dryer Aqueous based inks – Subject to ERP	Max. line speed 2,200 fpm 46 inch web width	NA
2	Press 2: Kidder Flexographic Press with natural gas dryer Aqueous based inks - Subject to ERP	Max. line speed 2,000 fpm 46 inch web width	
3	Press 3: Kidder Flexographic Press with natural gas dryer Aqueous based inks – Subject to ERP	Max. line speed 1,500 fpm 56 inch web width	
4	Press 4: Kidder Flexographic Press with natural gas dryer Aqueous based inks- Subject to ERP	Max. line speed 1,500 fpm 46 inch web width	
5	Press 5: Kidder Flexographic Press with natural gas dryer Aqueous based inks- subject to ERP	Max. line speed 1,500 fpm 46 inch web width	

Table 1			
EU#	Description	Design Capacity	Pollution Control Device (PCD)
6	Press 6: Barry-Wehmiller 10-Color Flexographic Solvent Press with electric dryers	Max. line speed 2,000 fpm 57 inch web width 5,000 scfm flow rate	Ship and Shore Environmental Regenerative Thermal Oxidizer (“RTO”) Model no. SSE-30BK-95X- 32,000 scfm design flow Rated at 6 MMBtu/hr <ul style="list-style-type: none"> • 100% permanent total enclosure (“PTE”) • 99% destruction efficiency • Minimum Combustion chamber temperature of 1500⁰ F¹ • Retention time > 0.5 seconds
7	Press 7: Uteco Emerald 825.4M Model 120 8-Color Flexographic Solvent Press with two (2) natural gas dryers rated at 1.2 MMBtu/hr total	Max. line speed 1,150 fpm 49 inch web width 4,000 scfm flow rate	
8	Press 8: BGE/Converting Technology SRL Flex-O-Elite 10 ES 32 10-Color Flexographic Solvent Press with two (2) natural gas dryers rated at 1.2 MM Btu/hr total	Max. line speed 1,150 fpm 65 inch web width 7,000 scfm flow rate	
9	Press 9: Uteco Onyx 110 GL 10-Color Flexographic Solvent Press with two (2) natural gas dryers rated at 1.6 MMBtu/hr total	Max. line speed 1,470 fpm 43.30 inch web width 9,000 scfm flow rate	

Table 1 Note: minimum combustion chamber temperature will be the temperature required for 99% destruction efficiency as verified by the compliance stack testing

Table 1 Key:

ERP= Environmental Results Program
 Fpm= Feet per Minute
 MM Btu/hr= million British thermal unit per hour
 Scfm= standard cubic feet per minute
 RTO = Regenerative Thermal Oxidizer
 > = greater than

EU# = Emission Unit Number
 Max. = Maximum
 NA= Not Applicable
 PCD = Pollution Control Device
 % = percent
 °F = degrees Fahrenheit

3. APPLICABLE REQUIREMENTS

A. OPERATIONAL, PRODUCTION and EMISSION LIMITS

The Permittee is subject to, and shall not exceed, the Operational, Production, and Emission Limits as contained in Table 2:

Table 2			
EU#	Operational / Production Limit	Air Contaminant	Emission Limit¹
1-5	Only materials (water based inks, press washes, etc.) which conform to the requirements of 310 CMR 7.26(20), the ERP program for Printers, shall be utilized on Presses # 1-5.	VOC	6.5 Tons per month and 37 Tons per year
		HAP	1 Ton per month and 1 Ton per year - Individual and combined HAP
6-9	Inks, coatings, and press wash shall not contain > 6.85 pounds VOC per gallon, excluding water, as applied.	VOC	< 6.8 pounds VOC per hour maximum from oxidizer 1.4 tons per month <u>and</u> 8.4 tons per year
		HAP	1 Ton per month and 1 Ton per year - Individual and combined HAPs
Facility Wide	<ul style="list-style-type: none"> • Good housekeeping practices • Store and dispose of VOC/HAP containing materials in containers with tight fitting covers. 	VOC	7.9 Tons per month and 45.4 Tons per year
		HAP	2 Tons per month and 2 tons per year - individual and combined HAPs
		Opacity	0%

Table 2 Note :

Monthly VOC and HAP emissions are based on a 30 day rolling period.
 Annual VOC and HAP emissions are based on a 12 month rolling period.

Table 2 Key:

EU# = Emission Unit Number
 ERP = Environmental Results Program
 VOC = Volatile Organic Compounds
 % = percent

HAPs = Hazardous Air Pollutants
 < = less than
 > = greater than

B. COMPLIANCE DEMONSTRATION

The Permittee is subject to, and shall comply with, the monitoring, testing, record keeping, and reporting requirements as contained in Tables 3, 4, and 5:

Table 3	
EU#	Monitoring and Testing Requirements
6-9	<ol style="list-style-type: none"> 1. In order to take credit for VOC shipped off-site, the Permittee shall document the amount of VOC shipped off-site from the use/disposal of ink, thinners and press wash by performing a test on a representative sample, in accordance with EPA-approved test methods, or by maintaining documentation of testing performed by an off-site reclaim/recycle company. The testing shall be performed on a representative sample <u>quarterly</u> for each shipment of waste and each type of waste; unless an alternative method has been approved by MassDEP. 2. The Permittee shall develop a standard operating and maintenance procedure (“SOMP”) for the waste analysis to document the concentration and volumes of VOC/HAP. The SOMP shall clearly outline the calculations used to document the VOC/HAPs that are emitted to the air. 3. Monitoring equipment or emission monitoring systems installed for the purpose of documenting compliance with this Plan Approval shall be installed, calibrated, maintained and operated by the Permittee in sufficient manner to ensure continuous and accurate operations at all times, including, at a minimum: <ol style="list-style-type: none"> a. The combustion chamber temperature in the RTO shall be continuously recorded. b. Temperature recording charts shall be maintained in proper operating condition. c. Malfunctions of the RTO during printing operations shall also be noted on the chart. 4. Compliance with the allowable opacity limits shall be determined in accordance with EPA method 9, as specified in 40 CFR 60, Appendix A. 5. Emission testing to demonstrate compliance with specified emission limits and permanent total enclosure (PTE) shall be in accordance with EPA approved reference test methods unless otherwise approved by EPA and MassDEP or unless otherwise specified.

Table 3	
EU#	Monitoring and Testing Requirements
	6. Within 120 days of initial operation of the RTO, the Permittee shall perform compliance emission stack testing of the RTO for VOC emissions from presses #6-#9 to demonstrate compliance with the 100% PTE and the 99% destruction efficiency and the emission limits noted in Table 2.
	7. Subsequent to the initial compliance demonstration, the Permittee shall conduct compliance emissions testing of the RTO and PTE efficiency every five (5) years. The Permittee shall perform a stack test utilizing EPA approved reference methods unless otherwise approved by EPA and the Department or unless otherwise specified.
Facility -wide	8. The Permittee shall monitor all operations to ensure sufficient information is available to prepare the annual Source Registration/ Emission Statement Form as required by 310 CMR 7.12.
	9. The Permittee shall conduct emission testing in accordance with USEPA Reference Test Methods and Regulation 310 CMR 7.13.

Table 3 Key:

EU# = Emission Unit Number	PTE = Permanent Total Enclosure
% = percent	RTO = Regenerative Thermal Oxidizer
USEPA = United States Environmental Protection Agency	VOC = Volatile Organic Compounds
MassDEP = Massachusetts Department of Environmental Protection	HAP = Hazard Air Pollutant
SOMP = Standard Operating And Maintenance Procedure	

Table 4	
EU#	Record Keeping Requirements
6-9	1. The Permittee shall maintain adequate records on-site including a copy of the quarterly hazardous waste analysis that confirms the HAP and VOC concentration, density and volume of the waste to verify the hazardous waste shipped off site and allow the accurate calculation of VOC and HAP air emissions.
	2. The Permittee shall maintain a copy of the standard operating and maintenance procedures (“SOMP”) that identifies the testing methodologies, calculations and waste testing frequency of the waste calculations for the documentation of VOC and HAP air emissions.

Table 4

EU#	Record Keeping Requirements
	3. The Permittee shall maintain a copy of the standard operating and maintenance procedures for the RTO on site near the unit.
Facility Wide	4. The Permittee shall maintain adequate records on-site to demonstrate compliance with all operational, production, and emission limits contained in Table 2 above. Records shall also include the actual emissions of air contaminant(s) emitted, formulation limits, and special condition limits, for each calendar month and for each consecutive twelve-month period (current month plus prior eleven months). All records shall be maintained up-to-date such that year-to-date information is readily available for MassDEP examination. An electronic version of the MassDEP approved record keeping form, in Microsoft Excel format, can be downloaded at http://www.mass.gov/dep/air/approvals/aqforms.htm#report .
	5. The Permittee shall maintain a record keeping system that shall include but is not limited to: <ul style="list-style-type: none"> a. Inventory data, daily raw material usage record and daily production/manufacturing logs, b. Records of the identity, formulation (as determined by the manufacturer’s formulation data) and quantity for each VOC containing material used, including but not limited to: propanol substitutes, printing ink, thinner, and press wash/cleaning solution, c. Ink parameters such as VOC content, HAP content and monthly usage, d. Ammonia emissions from the ERP print lines, e. Monthly and 12-month rolling VOC emissions, f. RTO operating temperature charts, g. Records of any visible emission or odor surveys (routine or during malfunctions), h. Disposal and recycle records (including volume and concentration data), and i. Any stack or enclosure testing completed voluntarily or by Department request.
	6. The Permittee shall maintain records of HAP emissions (individual and combined HAPs) from the water base lines and solvent based lines, separately.
	7. The Permittee shall maintain records of monitoring and testing as required by Table 2 in accordance with 310 CMR 7.13(1)(d) and as required by Table 3.
	8. The Permittee shall maintain a copy of this Plan Approval, underlying Application and the most up-to-date SOMP for the EU(s) and PCD approved herein on-site.

Table 4	
EU#	Record Keeping Requirements
	9. The Permittee shall maintain a record of routine maintenance activities performed on the approved EU(s), PCD(s) and monitoring equipment. The records shall include, at a minimum, the type or a description of the maintenance performed and the date and time the work was completed.
	10. The Permittee shall maintain a record of all malfunctions affecting air contaminant emission rates on the approved EU(s), PCD(s), and monitoring equipment. At a minimum, the records shall include: date and time the malfunction occurred; description of the malfunction; corrective actions taken; the date and time corrective actions were initiated and completed; and the date and time emission rates and monitoring equipment returned to compliant operation.
	11. The Permittee shall maintain records to ensure sufficient information is available to comply with 310 CMR 7.12 for the annual preparation of a Source Registration/ Emissions Statement Form.
	12. The Permittee shall keep copies of the Source Registration/Emission Statement Forms submitted annually to MassDEP as required per 310 CMR 7.12(3) (b).
	13. The Permittee shall maintain records required by this Plan Approval on-site for a minimum of five (5) years.
	14. The Permittee shall make records required by this Plan Approval available to MassDEP and USEPA personnel within 30 days of the request by MassDEP, or within a longer time period if approved in writing by MassDEP. Said response shall be transmitted on paper, on computer disk, or electronically at the discretion of MassDEP.

Table 4 Key:

EU# = Emission Unit Number
 HAP = Hazardous Air Pollutant

PCD = Pollution Control Device
 SOMP = Standard Operating and Maintenance Procedure
 VOC = Volatile Organic Compound

ERP = Environmental Results Program
 MassDEP = Massachusetts Department of Environmental Protection
 RTO = Regenerative Thermal Oxidizer
 USEPA = United States Environmental Protection Agency

Table 5	
EU#	Reporting Requirements
9	<p>1. The Permittee shall notify the MassDEP in writing within 60 days when press #9, oxidizer and associated ductwork and monitor equipment are installed and deemed operational. The Permittee shall also submit a written pretest protocol within this period.</p>
Facility wide	<p>2. VOC, HAP, and Ammonia emissions from the presses shall be reported on the annual source registration.</p> <p>3. MassDEP must be notified by telephone or fax as soon as reasonably practicable, typically within 24 hours after the occurrence, of any UPSETS or MALFUNCTIONS of the facility equipment, air pollution control equipment, or monitoring equipment and subsequently in writing within two (2) business days of the occurrence describing the reason(s) for the extent of down time or the equipment and all steps that have been or will be taken to prevent said occurrence from recurring. The Permittee shall notify MassDEP in advance of scheduled maintenance. The Permittee shall minimize emissions, where practical. The Permittee shall summarize in writing to MassDEP, the period of time any malfunction occurred and the VOC /HAP emissions that resulted during this period.</p> <p>4. Upon MassDEP's request, any records required by the applicable requirements identified in this permit, or the emissions of any air contaminant from the Facility, shall be submitted to MassDEP within 30 days of the request by MassDEP, or within a long time period if approved in writing by MassDEP. Said response shall be transmitted on paper, on computer disk, or electronically at the discretion of MassDEP.</p> <p>5. The Permittee shall submit to MassDEP all information required by this Plan Approval over the signature of a "Responsible Official" as defined in 310 CMR 7.00 and shall include the Certification statement as provided in 310 CMR 7.01(2)(c).</p> <p>6. The Permittee shall notify the Central Regional Office of MassDEP, BWP Air Permit Chief by telephone (508)-767-2845, email: CERO.Air@massmail.state.ma.us, or fax (508)-792-7621 as soon as possible, but no later than one (1) business day after discovery of an exceedance(s) of Table 2 requirements. A written report shall be submitted to BWP Air Permit Chief at MassDEP within three (3) business days thereafter and shall include: identification of exceedance(s), duration of exceedance(s), reason for the exceedance(s), excess emissions associated with the exceedance, corrective actions taken, and action plan to prevent future exceedance(s).</p>

Table 5	
EU#	Reporting Requirements
	7. The Permittee shall report annually to MassDEP, in accordance with 310 CMR 7.12, all information as required by the Source Registration/Emission Statement Form. The Permittee shall note therein any minor changes (under 310 CMR 7.02(2) (e), 7.03, 7.26, etc.), which did not require Plan Approval.
	8. The Permittee shall provide a copy to MassDEP of any record required to be maintained by this Plan Approval within 30-days from MassDEP's request.

Table 5 Key:

BWP = Bureau of Waste Prevention
 ERP = Environmental Results Program
 RTO = Regenerative Thermal Oxidizer
 HAP = Hazardous Air Pollutant

EU# = Emission Unit Number
 MassDEP = Massachusetts Department of
 Environmental Protection
 VOC = Volatile Organic Compound

4. SPECIAL TERMS AND CONDITIONS

A. The Permittee is subject to, and shall comply with, the Special Terms and Conditions as contained in Table 6 below:

Table 6	
EU#	Special Terms and Conditions
1-5	1. Only materials (inks, press washes, etc.) which conform to the requirements of 310 CMR 7.26(20), the ERP program for Printers, shall be utilized on Presses # 1-5.

Table 6

EU#	Special Terms and Conditions
6-9	<p>2. The Permittee shall maintain documentation demonstrating that the use of solvent based press wash reclaim is, at a minimum, 90%, measured by volume. Volume and concentration of waste is necessary to support the credit for reclaimed press wash and thinner. Emissions calculations may be reduced by the documented amount of VOC reclaimed or shipped off-site, whether 90% or greater. Documentation must include the concentration of VOC in the waste stream and the volume of waste generated. If ink waste is mixed with the reclaimed/recycled press wash, credit may still be taken only if the documented amount of VOC in the combined waste stream is, or will be, specifically tested, and determined to be one of the press wash components. Only credit for that portion which is determined to be waste press wash may be taken.</p>
	<p>3. The total amount of VOC emissions from solvent-based ink/coating and press wash usage (presses 6, 7, 8, and 9 combined) shall not exceed, after control, 8.4 tons per rolling 12-month period. This excludes combustion emissions.</p>
	<p>4. The Permittee shall maintain the plastic strips as identified in the plan application submittal for the collection system in all exits in good condition to maintain 100 % PTE.</p>
	<p>5. The RTO shall be in proper operating condition as approved at all times that the presses #6-9 are operating and shall not be bypassed at any time.</p>
	<p>6. Solvent based inks or press wash shall not contain more than 6.85 pounds VOC per gallon, excluding water, as applied</p>
	<p>7. All solvent press lines including the dryers shall be exhausted to the RTO. The press room shall be maintained as Permanent Total Enclosures (PTEs) in accordance with the EPA Procedure T/204 guidelines. The Permittee shall post near the subject equipment and adhere to the criteria for VOC capture efficiency – U.S. EPA Procedure T/204 guidelines for PTEs for ovens and the press wash/ink application areas.</p>
	<p>8. VOC destruction efficiency of the RTO shall be 99% or greater. A minimum combustion temperature of 1500⁰F shall be maintained during operation of the RTO or the temperature at which compliance stack testing (utilizing EPA approved methods) verifies 99% destruction efficiency.</p>
	<p>9. A copy of the RTO's SOMP shall be located at or nearby the RTO control panel.</p>
	<p>10. The Permittee shall not operate the solvent based lines during scheduled maintenance and/or malfunctions of the RTO.</p>

Table 6

Table 6	
EU#	Special Terms and Conditions
Facility Wide	<p>11. The Permittee shall utilize good housekeeping practices throughout the Facility to minimize fugitive VOC/HAP emissions. In accordance with 310 CMR 7.18 (1), the Permittee shall, at all times, store and dispose of VOC/HAP containing materials in a manner which will minimize evaporation to the atmosphere. Proper storage shall be in a container with a tight fitting cover. Proper disposal shall include incineration in an incinerator approved by MassDEP, transfer to another person licensed by MassDEP to handle VOC, or any other equivalent method approved by MassDEP. All cleaning rags used in conjunction with the cleaning solutions shall be placed in tightly covered containers when not in use, and shall be collected for proper recycling or disposal.</p>
	<p>12. The Permittee will conduct compliance noise testing after the RTO is installed in accordance with the approved noise protocol and submit the resultant report to MassDEP within 30 days of the testing. Any exceedances of the MassDEP Noise Policy will cause corrective actions to be taken.</p>

Table 6 Key:

EPA = United States Environmental Protection Agency	EU# = Emission Unit Number
% = percent	HAP = Hazardous Air Pollutant
MassDEP = Massachusetts Department of Environmental Protection	PTE= Permanent Total Enclosure
RTO = Regenerative Thermal Oxidizer	SOMP = Standard Operating and Maintenance Procedure
VOC = Volatile Organic Compounds	°F = Degree Fahrenheit

- B. The Permittee shall install and use an exhaust stack, as required in Table 7, on each of the Emission Units that is consistent with good air pollution control engineering practice and that discharges so as to not cause or contribute to a condition of air pollution. Each exhaust stack shall be configured to discharge the gases vertically and shall not be equipped with any part or device that restricts the vertical exhaust flow of the emitted gases, including but not limited to rain protection devices known as “shanty caps” and “egg beaters.”
- C. The Permittee shall install and utilize exhaust stacks with the following parameters, as contained in Table 7, for the Emission Units that are regulated by this Plan Approval:

Table 7				
EU#	Stack Height Above Ground (feet)	Stack Inside Exit Dimensions (feet)	Stack Gas Exit Velocity Range (feet per second)	Stack Gas Exit Temperature Range (°F)
6-9	40	3.5	55-65	180-220

Table 7 Key:

EU# = Emission Unit Number
 °F = Degree Fahrenheit

5. GENERAL CONDITIONS

The Permittee is subject to, and shall comply with, the following general conditions:

- A. Pursuant to 310 CMR 7.01, 7.02, 7.09 and 7.10, should any nuisance condition(s), including but not limited to smoke, dust, odor or noise, occur as the result of the operation of the Facility, then the Permittee shall immediately take appropriate steps including shutdown, if necessary, to abate said nuisance condition(s).

- B. If asbestos remediation/removal will occur as a result of the approved construction, reconstruction, or alteration of this Facility, the Permittee shall ensure that all removal/remediation of asbestos shall be done in accordance with 310 CMR 7.15 in its entirety and 310 CMR 4.00.
- C. If construction or demolition of an industrial, commercial or institutional building will occur as a result of the approved construction, reconstruction, or alteration of this Facility, the Permittee shall ensure that said construction or demolition shall be done in accordance with 310 CMR 7.09(2) and 310 CMR 4.00.
- D. Pursuant to 310 CMR 7.01(2)(b) and 7.02(7)(b), the Permittee shall allow MassDEP and / or USEPA personnel access to the Facility, buildings, and all pertinent records for the purpose of making inspections and surveys, collecting samples, obtaining data, and reviewing records.
- E. This Plan Approval does not negate the responsibility of the Permittee to comply with any other applicable Federal, State, or local regulations now or in the future.
- F. Should there be any differences between the Application and this Plan Approval, the Plan Approval shall govern.
- G. Pursuant to 310 CMR 7.02(3)(k), MassDEP may revoke this Plan Approval if the construction work is not commenced within two years from the date of issuance of this Plan Approval, or if the construction work is suspended for one year or more.
- H. This Plan Approval may be suspended, modified, or revoked by MassDEP if MassDEP determines that any condition or part of this Plan Approval is being violated.
- I. This Plan Approval may be modified or amended when in the opinion of MassDEP such is necessary or appropriate to clarify the Plan Approval conditions or after consideration of a written request by the Permittee to amend the Plan Approval conditions.
- J. The Permittee shall conduct emission testing, if requested by MassDEP, in accordance with USEPA Reference Test Methods and regulation 310 CMR 7.13. If required, a pretest protocol report shall be submitted to MassDEP at least 30 days prior to emission testing and the final test results report shall be submitted within 45 days after emission testing.
- K. Pursuant to 310 CMR 7.01(3) and 7.02(3) (f), the Permittee shall comply with all conditions contained in this Plan Approval. Should there be any differences between provisions contained in the General Conditions and provisions contained elsewhere in the Plan Approval, the latter shall govern.

6. MASSACHUSETTS ENVIRONMENTAL POLICY ACT

MassDEP has determined that the filing of an Environmental Notification Form (ENF) with the Secretary of Energy & Environmental Affairs, for air quality control purposes, was not required prior to this action by MassDEP. Notwithstanding this determination, the Massachusetts Environmental Policy Act (MEPA) and 301 CMR 11.00, Section 11.04, provide certain “Fail-Safe Provisions,” which allow the Secretary to require the filing of an ENF and/or an Environmental Impact Report (EIR) at a later time.

7. APPEAL PROCESS

This Plan 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 postmarked within twenty-one (21) days of the date of issuance of this Plan 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 Plan 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

This 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.

Enclosed is a stamped approved copy of the application submittal.

Should you have any questions concerning this Plan Approval, please contact Maria L'Annunziata by telephone at 508.767.2748, or in writing at the letterhead address.

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.

Roseanna E. Stanley
Acting Permit Chief
Bureau of Waste Prevention

Enclosure

ecc: Gardner Board of Health
MassDEP/Boston - Yi Tian
JBibeau@Tighebond.com