



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

DEVAL L. PATRICK
Governor

TIMOTHY P. MURRAY
Lieutenant Governor

RICHARD K. SULLIVAN JR.
Secretary

KENNETH L. KIMMELL
Commissioner

September 26, 2011

Mr. Manuel Dellima
Director of Facilities & Physical Plant
University of Massachusetts Dartmouth
285 Old Westport Road
North Dartmouth, MA 02747

RE: **PLAN APPROVAL**
Application for: BWP AQ 02
Non-Major Comprehensive Plan Application
Transmittal No. X231559
Application No. 4B10008
Source No. 120- 2106

AT: University of Massachusetts Dartmouth
285 Old Westport Road
North Dartmouth, MA

Dear Mr. Dellima:

The Department of Environmental Protection, Bureau of Waste Prevention, (“the Department”) has reviewed non-Major Comprehensive Plan Application (CPA) No. 4B10008 received by the Department on February 23, 2010, with supplemental information dated March 3, April 12, August 31, 2010, October 28, 2010, and August 2, 2011. CPA 4B10008 proposes the installation and operation of a combustion turbine equipped with a heat recovery steam generator at the University of Massachusetts Dartmouth (“UMass Dartmouth” or “Facility”) located at 285 Old Westport Road, North Dartmouth, Massachusetts.

The application was submitted in accordance with section 7.02 Plan Approval and Emissions Limitations as contained in 310 CMR 7.00 “Air Pollution Control Regulations,” adopted by the Department pursuant to the authority granted by Massachusetts General Laws, Chapter 111, Section 142 A-E and Chapter 21C, Sections 4 and 6.

The Department’s review has been limited to air pollution regulation compliance and does not relieve you of the obligation to comply with all other permitting requirements.

The application was submitted by EBI Consulting, under the seal and signature of Mr. Steven Babcock, P.E. No. 39761.

FACILITY / PROJECT DESCRIPTION

UMass Dartmouth has proposed the installation and operation of a natural gas fired Kawasaki Model GPB17 combustion turbine. The Combined Heat and Power unit will comply with the “Industry Performance Standards for Engines and Turbines” as contained in 310 CMR 7.26(43). UMass Dartmouth will meet the emission limits contained therein by using emission credits calculated in accordance with Department Regulation 310 CMR 7.26(45) for Combined Heat and Power (CHP) units. In accordance with 310 CMR 7.26(45)(a)3., a CHP unit that uses emission credits for compliance purposes is subject to plan application review by the Department. The Facility, which is an existing “major” source of emissions of nitrogen oxides (NO_x), sulfur dioxide (SO₂), and carbon monoxide (CO), is subject to the terms and conditions of Operating Permit 4V95201, dated June 26, 2002. In accordance with 310 CMR 7.00, Appendix C(4)(b)2, UMass Dartmouth will be obligated to submit an application for a “Minor Modification” to reflect the equipment approved herein.¹

The combustion turbine will generate a nominal 1.615 megawatts (MW) of electricity at ISO conditions. The unit, which has a power to heat ratio ranging from 0.90 to 0.25 and a thermal design efficiency of 85%, will be used to offset the campus’ electrical demand. The combustion turbine will be equipped with a heat recovery steam generator (HRSG) to provide steam, offsetting the steam currently provided by Boilers 2 and 3. The HRSG will be equipped with a duct burner, rated at 19.2 million Btu per hour (MMBtu/hr) which will provide additional steam, when necessary. During periods of low steam demand, excess heat will be condensed in a closed loop steam dump radiator.

The exhaust from the HRSG will be vented to a custom designed, Cormetech Selective Catalytic Reduction (SCR) system to control NO_x emissions and an oxidation catalyst to control CO emissions.

Compliance with the NO_x and CO emission limitations will be achieved through the use of emission credits, which were calculated using the methodology detailed in 310 CMR 7.26(45), as follows:

$$\text{Credit lbs/MWh}_{\text{emissions}} = \frac{\text{boiler limit lbs/MMBtu}}{\text{boiler efficiency}} \times \frac{3.412 \text{ MMBtu/W}_{\text{Thermal}}}{\text{power-to-heat ratio}}$$

Where: Boiler limit is the historical boiler emission rates for units 2 and 3, while firing natural gas, which have been established as 0.10 lb/MMBtu for NO_x, 0.08 lb/MMBtu for CO, and 117 lb/MMBtu for CO₂.

Boiler efficiency is assumed to be 80% in accordance with 310 CMR 7.26(45)(b)2.

Power-to-heat ratio is 0.25 at maximum duct firing and, 0.54 with no duct firing.

In accordance with Department Regulation 310 CMR 7.26(45)(c), emissions from the duct burner installed on the CHP system shall comply with the emission limitations contained in 310 CMR 7.26(33).

UMass Dartmouth operates five existing boilers to supply heat to the campus. The boilers, identified as Emission Units 1, 2, 3, 5, and 6, all fire natural gas. Additionally, Emission Units 1, 2, and 3 in the past burned No. 6 fuel oil with a maximum sulfur content of one percent by weight and have since been converted to burn No. 2 distillate oil having a maximum sulfur content of 0.3% by weight pursuant to the provisions contained in 310 CMR 7.02(2)(b)14. Emission Unit 4 will be taken out of service and removed to make room for the combustion turbine.

¹ Also see Section F, “Special Conditions” of this Conditional Approval.

Exhaust from the Combustion turbine and HRSG will be vented through an existing 96-inch diameter stack shared with Emission Units 1, 2, and 3, the top of which is 150 feet above the ground and in excess of 1.5 times the building height. Therefore, in accordance with Department Regulation 310 CMR 7.26(d)3.d., emissions dispersion modeling is not required.

The proposed Facility modifications are not subject to 310 CMR 7.00 Appendix A Emission Offsets and Nonattainment Review nor 40 CFR 52.21 Prevention of Significant Deterioration regulations since the project is not considered a "Major Modification" as defined therein. The Facility is a "Major" source of NO_x, SO₂ and CO emissions and the Combined Heat and Power unit will result in 4.53 tons per year of Nitrogen Oxide (NO_x) emissions, 0.82 tons per year of Sulfur Dioxide (SO₂) emissions and 1.23 tons per year of Carbon Monoxide (CO) emissions. The Combined Heat and Power unit will displace existing boiler operation and is not part of an expansion of the UMass Dartmouth campus. Based upon a review of MassDEP records, UMass Dartmouth has had no contemporaneous NO_x emission increases, with the Combined Heat and Power unit, as defined by "Net Emission Increases" as contained 310 CMR 7.00 Appendix A Emission Offsets and Nonattainment Review.

The Department is of the opinion that the application is in conformance with current air pollution control engineering practices, and hereby grants Plan Approval of CPA No. 4B10008 subject to the following descriptions, requirements, and provisions:

A. OPERATIONAL LIMITATIONS

1. The Facility shall limit the amount of natural gas fired in the **combustion turbine**, as follows:
 - a. 21.8 million cubic feet (MMCF) per month.
 - b. 220.5 MMCF per consecutive 12-month period.
2. The Facility shall limit the hours of operation and amount of natural gas fired in the **duct burner**, as follows:
 - a. 744 hours per month.
 - b. 6,100 hours per consecutive 12-month period.
 - c. 14.2 MMCF of natural gas per month.
 - d. 81.7 MMCF of natural gas per consecutive 12-month period.
3. Natural gas shall be the only fuel fired in the equipment approved herein.
4. Start-ups and shutdowns shall be per turbine manufacturer's specifications.
5. The Facility shall maintain the inlet temperature of the SCR and the oxidation catalyst within a specified operating range, which shall be determined during initial emission testing of the unit.
6. The Facility shall not operate the CHP unit at loads less than 80% unless and until the Facility can demonstrate during the required compliance testing that the CHP unit can meet the emission limits established in this approval at lower loads. The minimum operating load established during compliance testing and approved in writing by the Department, shall become the new minimum operational limit.

B. EMISSION LIMITATIONS

1. The emissions from the combustion turbine and the HRSG shall comply with the following emission limitations and restrictions:

Table 1

Pollutant	Emission Limits ¹				
			Emission Credits and Adjustments Pounds per MWhr		
			Maximum ²	Credits ³	Adjusted
Nitrogen Oxides (NOx)	duct burner firing	9.0 ppmvd ⁴	0.735	1.71	-0.975
	no duct burner	9.0 ppmvd ⁴	0.460	0.79	-0.330
Carbon Monoxide (CO)	duct burner firing	4.0 ppmvd ⁴	0.199	0.14	0.059
	no duct burner	4.0 ppmvd ⁴	0.124	0.06	0.064
Carbon Dioxide (CO ₂)	duct burner firing		2,592	1,996	596
	no duct burner		1,622	924	698
Volatile Organic Compounds (VOCs)	3.0 ppmvd ⁴				
Particulate Matter ⁵ (PM, PM ₁₀ , PM _{2.5})	0.01 lb/MMBtu				
Sulfur Dioxide (SO ₂)	0.006 lb/MMBtu ⁶				
Ammonia (NH ₃)	2 ppmvd ⁴				
Smoke & Opacity	Not to exceed the limits contained in 310 CMR 7.26(d)4., which references 7.06(1)(a) & (b)				

Table 1 Notes:

1. The combustion turbine shall meet these emission limits at all times, except during periods of start-up and shut-down.
2. Actual emissions to be used for purposes of compliance testing in accordance with Section C of this Approval.
3. Emission credits for NOx, CO, and CO₂ calculated using methodology contained in 310 CMR 7.26(45) based on displaced emissions from boilers 2 and 3 while firing natural gas and assumes a historical boiler efficiency of 80% and a power to heat ratio of 0.25 at maximum duct firing. Credits calculated based on an ambient temperature of 59°F.
4. ppmvd at 15% O₂.
5. Total particulate, including condensable.
6. Based on a sulfur content of 2 grains per 100 ft³ for natural gas, which shall be documented in accordance with 40 CFR 60 Subpart KKKK and Section D of this Approval.

Table 2A

Pollutant	Monthly Emission Limitations		
	Turbine with HRSG	Duct Burner ¹	Total Tons per Month
	Tons per Month	Tons per Month	
Nitrogen Oxides (NO _x)	0.36	0.24	0.60
Carbon Monoxide (CO)	0.10	0.06	0.16
Carbon Dioxide (CO ₂)	1,273	834	2,107
Volatile Organic Compounds (VOCs)	0.04	0.03	0.07
Particulate Matter ² (PM, PM ₁₀ , PM _{2.5})	0.11	0.07	0.18
Sulfur Dioxide (SO ₂)	0.07	0.04	0.11
Ammonia (NH ₃)	0.03	0.02	0.05

Table 2A Notes:

1. Subject to restriction on the hours of operation and fuel use as contained in Section A of this Approval.
2. Particulate Matter includes condensable.

Table 2B

Pollutant	Annual Emission Limitations		
	Turbine with HRSG	Duct Burner ¹	Total Tons per year ²
	Tons per year ²	Tons per year ²	
Nitrogen Oxides (NO _x)	3.65	1.35	5.00
Carbon Monoxide (CO)	0.99	0.37	1.36
Carbon Dioxide (CO ₂)	12,897	4,780	17,677
Volatile Organic compounds (VOCs)	0.42	0.16	0.58
Particulate Matter ³ (PM, PM ₁₀ , PM _{2.5})	1.10	0.41	1.51
Sulfur Dioxide (SO ₂)	0.66	0.25	0.91
Ammonia (NH ₃)	0.30	0.11	0.41

Table 2B Notes:

1. Subject to restriction on the hours of operation and fuel use as contained in Section A of this Approval.
 2. Tons per year based on a consecutive 12-month period.
 3. Particulate Matter includes condensables.
2. In addition to the emission limits contained in Table 1, Table 2A, and Table 2B, in accordance with 310 CMR 7.26(45)(c), emissions from the duct burner shall comply with the emission limits contained in 310 CMR 7.26(33), which are as follows:
 - a. Nitrogen Oxides: 0.0350 lbs per MMBtu
 - b. Particulate Matter: 0.010 lbs per MMBtu
 - c. Carbon Monoxide: 0.080 lbs per MMBtu
 - d. Volatile Organic Compounds: 0.030 lbs per MMBtu

C. TESTING REQUIREMENTS

1. Within sixty (60) days after achieving the maximum production rate at which the combustion turbine will be operated, but no later than 180 days after initial startup of the turbine, the Facility shall conduct performance testing of the combustion turbine and HRSG to demonstrate compliance with the NO_x, CO, VOC, and NH₃ emission limits contained in this approval and the emission limits contained in 40 CFR 60, Subpart KKKK. All compliance testing shall be conducted in accordance with the test methods and procedures set forth in 40 CFR Part 60, Appendix A; 310 CMR 7.00, Section 7.13; and this Plan Approval. Department personnel shall be given the option of witnessing this compliance testing at a mutually agreed time and date.

2. A pretest protocol shall be submitted to this office, for written Department approval, at least thirty (30) days before the commencement of emission testing at the facility. The pretest protocol shall describe the test methods for the required emission testing, sampling point locations, sampling equipment, analytical procedures, and the operating conditions for the required compliance testing (i.e., testing at varying loads).
3. The final emissions test results report shall be submitted to this office within 60 days of completion of the test.

D. MONITORING AND RECORDKEEPING

1. Each unit shall record, with a fuel meter, the amount of natural gas combusted.
2. The Facility shall install and operate continuous sensors and alarm systems to monitor temperatures at the inlet to the SCR/CO oxidation catalyst air pollution control system.
3. Records shall be maintained on a monthly basis and on a consecutive 12-month period basis (the total from the latest month plus the sum for the eleven months preceding the latest month). These records, including any other “credible evidence,” shall document the compliance status of the facility regarding the conditions, provisions, and limits contained in this Plan Approval.

These records shall include, but not be limited to:

- a. Emissions for all specified pollutants,
 - b. Hours of operation for the combustion turbine, HRSG, and the duct burner including all start-ups and shut-downs,
 - c. amount of fuel used in each of the units,
 - d. operating temperature of the SCR and catalyst bed,
 - e. a record of all maintenance activities.
4. The Facility shall maintain the fuel quality characteristics in a current, valid purchase contract or tariff sheet for the fuel, specifying that the maximum total sulfur content for the natural gas is 2 grains of sulfur or less per 100 standard cubic feet.²
 5. The Facility shall comply with all applicable record keeping requirements of Federal regulation 40 CFR 60, Subpart KKKK, such as, but not limited to, written advance notification of start-up, post-notification of actual start-up and calendar quarter excess emissions reports.
 6. A copy of these records must be kept readily available on-site for a period of five (5) years and shall be available to Department and/or US EPA personnel upon request.

E. NOTIFICATIONS AND REPORTING

1. The Facility shall submit to the Department, in accordance with the provisions of Regulation 310 CMR 7.02, plans and specifications for the turbine’s SCR system once the specific information has been determined, but in any case not later than 30 days prior to commencement of construction/installation of the subject equipment.

² Also refer to 40 CFR 60 Subpart KKKK.

2. The Facility shall notify this office, in writing, when the installation of the combustion turbine approved herein, is complete and deemed ready for operation, within 14 days thereof. This notification and the notification required by Item 1, above, shall be sent to the Department's Lakeville Office at the letterhead address, attention Thomas Cushing.
3. The Department shall be notified by telephone, or by fax within three (3) days, and with written notification within ten (10) days, after the occurrence of any upsets or malfunctions to the Facility equipment, air pollution control equipment, or monitoring equipment that result in an excess emission to the air and/or a condition of air pollution.
4. Except as provided in Items 1 and 2 of this section, all notifications and reporting required by this Plan Approval shall be made to the attention of:

Department of Environmental Protection
Bureau of Waste Prevention
20 Riverside Drive
Lakeville, Massachusetts 02347

Attn: Section Chief
Permit Section
Telephone: (508) 946-2779
Fax: (508) 947-6557
Fax: (508) 946-2865

F. SPECIAL CONDITIONS

1. The combustion turbine and the duct burner shall each be equipped with a gas meter to enable quantifying the gas use in each of the respective units.
2. The turbine is subject to the Standards of Performance for New Stationary Sources Subpart KKKK "Standards of Performance for Stationary Combustion Turbines" as contained in 40 CFR 60.4300. The Department has accepted delegation of said subpart. The Facility shall maintain compliance with all requirements contained therein.
3. The Facility shall submit to the Department, in accordance with the provisions of Regulation 310 CMR 7.02, plans and specifications for the CHP's Parametric Emissions Monitoring System (PEMS) once the specific information has been determined, but in any case not later than 30 days prior to commencement of construction/installation of the subject engine. Specific parameter values and ranges shall be determined during the initial performance test.
4. The Facility shall install, calibrate, test, and operate a Data Acquisition and Handling System(s) (DAHS) and PEMS to measure and record the CHP and air pollution control system operating parameters that will allow verification with the following emissions from the approved equipment:
 - a. Oxygen (O₂)
 - b. Oxides of Nitrogen (NO_x)
 - c. Carbon Monoxide (CO)
 - d. Volatile Organic Compounds (VOC)

5. The Facility shall ensure continuous monitoring of the CHP unit and associated air pollution control system operating parameters and compliance of the CHP with the applicable emission limitations utilizing the parametric monitoring methodology developed during the initial compliance test.
6. The Facility shall equip the PEMS with audible and visible alarms to activate whenever emissions from the CHP unit exceed the limits established in this Plan Approval. A portable emissions analyzer shall be utilized to measure NO_x, CO, VOC and O₂, during the investigation of any alarm condition and necessary corrective action shall be taken to bring the CHP unit to within approved levels, except during start-ups and shut-downs.
7. The Facility shall operate the PEMS servicing the CHP unit at all times except for periods of preventive maintenance, and periods of unavoidable malfunction. If the PEMS becomes inoperative for any reason, Facility personnel shall use the portable emissions analyzer to measure NO_x, CO, VOC, and O₂ once per shift during any PEMS downtime and shall record the results. All records shall be maintained on-site for a minimum of five years and shall be made available to Department personnel upon request.
8. A quality assurance/quality control (QA/QC) program must be developed for the long-term operation of the PEMS servicing the CHP. The QA/QC program must be submitted in writing, and reviewed and approved in writing by the Department at least 30 days prior to commencement of facility operation. Any subsequent changes to the program shall be approved in writing by the Department.
9. The HRSG shall be operated at all times when the turbine is operating.
10. The SCR shall be operated at all times when the turbine is operating.
11. The oxidation catalyst bed shall be in use at all times when the turbine is operating.
12. The combustion turbine approved herein shall be operated in accordance with all requirements of Department Regulation 310 CMR 7.26(43) and (45).
13. In accordance with 310 CMR 7.00, Appendix C(4)(b)2, the Facility shall submit an Operating Permit Minor Modification application (BWP AQ 10) that reflects this Plan Approval and any other requirements that apply to the Facility within 30 days from the date of this Plan Approval. Mr. Charles Kitson of this office may be contacted at (508)946-2733 for additional guidance on this matter.
14. Any sound generated from the equipment approved herein shall be in compliance with the Bureau of Waste Prevention's Noise Policy No. 90-001 and Department Regulations as contained in 310 CMR 7.10.
15. The exhaust from the combustion turbine, HRSG, and duct burner shall be vented through the existing stack, which is shared with Emission Units 1, 2, and 3. The top of the stack is 150 feet above ground level.
16. The combustion turbine, HRSG, and duct burner shall be constructed to accommodate the emissions testing requirements as stipulated in 40 CFR Part 60, Appendix A or the latest test methods

recommended by USEPA. The existing stack shall be modified, as necessary, to accommodate the required emissions testing.

17. The Facility shall submit a preliminary Standard Operating and Maintenance Procedures (SOMP) to this Office within 30 days of completion of construction of the approved equipment.
18. The Facility shall submit a Final SOMP for the approved equipment to this Office, within 60 days of completion of the required initial compliance testing. The Facility shall submit any subsequent revision(s) made to the Final SOMP, within 15 days of said revision(s). The approved equipment shall be operated and maintained in accordance with the Final SOMP.
19. For purposes of this Approval, the Facility shall base the heat content value for natural gas at 1,000 Btu per cubic foot.
20. Emission Units 1, 2, 3, and 4 shall burn either No. 2 distillate oil having a sulfur content of 0.17 pounds of sulfur per million BTU heat release potential (approximately equivalent to 0.3% sulfur by weight) or natural gas.

G. GENERAL CONDITIONS

1. If any nuisance condition(s) should be generated by the operation of this Facility, then the Facility shall take immediate appropriate steps to abate the nuisance condition(s), including shutdown if necessary.
2. If asbestos remediation/removal should be required as a result of the approved construction, reconstruction, or alteration of this Facility, removal / remediation of asbestos shall be done in accordance with Regulation 310 CMR 7.15 in its entirety and 310 CMR 4.00.
3. The Facility shall allow Department and/or USEPA personnel access to the plant site, buildings, and all pertinent records at all times for the purpose of making inspections and surveys, collecting samples, obtaining data, and reviewing records.
4. Please be advised that this Plan Approval does not negate the responsibility of the Facility to comply with other applicable federal, state, or local regulations now or in the future.
5. This Plan Approval may be suspended, modified, or revoked by the Department if, at any time, the Department determines that the Facility is violating any condition or part of this Plan Approval.
6. The Department's Compliance / Enforcement Chief for the Bureau of Waste Prevention at this Office must be notified by telephone, or fax as soon as possible after the occurrence of any upsets or malfunctions to the Facility equipment, air pollution control equipment, or monitoring equipment that result in an excess emission to the air and / or a condition of air pollution.
7. Emissions from the Facility approved herein shall be reported on subsequent source registrations as required by 310 CMR 7.12.
8. Any proposed increase in emissions above the limits contained in this Plan Approval must first be approved in writing by the Department pursuant to the Department's Air Pollution Control Regulations. In addition, any increase may subject the Facility to additional regulatory requirements.

9. The ability of the Facility to maintain emission rates at or below the levels stated in this Plan Approval shall be demonstrated to the Department in the future if deemed necessary.
10. Any future compliance tests that may be required at this Facility shall be conducted in accordance with procedures set forth by the appropriate EPA Reference Test Methods and Air Pollution Control Regulations, 310 CMR 7.00, Section 7.13. A written pretest protocol must be submitted to this Office for written Department approval at least 30 days prior to the actual test. A test results report shall be submitted to this Office within 30 days after the completion of any required compliance testing.
11. The Facility shall comply with all provisions contained in this Plan Approval. Should there be any differences between provisions contained in "General Conditions" and provisions contained elsewhere in the Plan Approval, the latter shall govern.
12. The Facility shall be constructed and operated in strict accordance with the application approved herein. Should there be any differences between the aforementioned application and this approval letter, this approval letter shall govern.

The Department has determined that the filing of an Environmental Notification Form (ENF) with the Secretary of Energy and Environmental Affairs, for air quality control purposes, was not required prior to this action by the Department. Notwithstanding this determination, the Massachusetts Environmental Policy Act (MEPA) and Regulations 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.

The enforceable conditions contained herein, establish the federally enforceable status of this **PLAN APPROVAL**. The Department reserves the right to require changes in the standard operating and/or maintenance procedures and record keeping systems, and to require additional process monitoring if it is determined necessary by the Department to ensure continuous compliance with the Air Quality Control Regulations contained in 310 CMR 7.00.

This Approval is an action of the Department; you have a limited right to appeal. Please refer to the enclosed "APPEAL" information.

Enclosed is one stamped approved copy of the application submittal.

Should you have any questions pertaining to this PLAN APPROVAL, please contact Thomas Cushing at the Regional Office at (508) 946-2824.

Very truly yours,

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.

John K. Winkler, Chief
Permit Section
Bureau of Waste Prevention

W/TC

Enclosure

cc: John Winkler
ecc: Dartmouth Board of Health
Dartmouth Fire Department
Scott Hutchins, NORESO
L. Carlson DEP/SERO
C. Kitson, MassDEP/SERO
L. Black DEP/SERO
Y. Tian DEP/Boston

ATTACHMENT 1

APPEAL OF APPROVAL

This Approval is an action of the Department. 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 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 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.

The Department 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.