



Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection

Northeast Regional Office • 205B Lowell Street, Wilmington MA 01887 • 978-694-3200

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DATE STAMPED Sept. 14, 2012

Mr. Joseph Fantini
Fantini Bakery Company, Inc.
375 Washington Street
Haverhill, MA 01832

RE: HAVERHILL
Transmittal No.: X251669
Application No.: NE-12-012
Class: SM-50
FMF No.: 128260
**AIR QUALITY PLAN
APPROVAL**

Dear Mr. Fantini:

The Massachusetts Department of Environmental Protection (“MassDEP”), Bureau of Waste Prevention, has reviewed your Limited Plan Application (“Application”) listed above. This Application concerns the proposed construction and operation of a new bakery oven, designated as Oven No. 4, at your commercial baking facility located 375 Washington Street in Haverhill, Massachusetts (“Facility”).

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.

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

The Fantini Bakery Company, Inc. facility located at 375 Washington Street in Haverhill, Massachusetts (“the Facility”) houses a commercial bakery (Standard Classification Code: 2051), currently consisting of three bakery ovens, for the production of yeast-leavened products such as bread and rolls. All three ovens are tunnel ovens; the Thermotron Oven having a single burner with a heat input capacity of no more than 1.68 million British thermal units per hour (MMBtu/hr), the Beninni Oven having a single burner with a heat input capacity of no more than 1.68 MMBtu/hr, and the Babbco Oven having a total of nineteen burners with a total heat input capacity of 9.10 MMBtu/hr. Fantini Bakery’s predominant product recipes use the ‘straight dough’ method of bread making.

The facility is currently regulated by existing MassDEP Plan Approval Number MBR-11-IND-010 which, among other things, restricts total facility-wide volatile organic compounds (VOC) emissions to no more than 18 tons VOC per any consecutive twelve month time period and to no more than 3 tons VOC per month and restricts facility-wide carbon dioxide (CO₂) emissions to no more than 11,300 tons CO₂ per any consecutive twelve month time period and to no more than 1,884 tons CO₂ per month. The facility-wide VOC and CO₂ emission limits established in Plan Approval Number MBR-11-IND-010 shall remain in full force and effect for the equipment that was existing at the time of said Approval, namely: the existing Thermotron Oven, Beninni Oven, and Babbco Oven, the two natural gas-fired boilers, one emergency diesel engine and miscellaneous smaller combustion sources.

This Application concerns the installation and operation of proposed Oven No. 4, as described in Table 1 below. Emission limits for this proposed oven, as well as facility-wide emissions limits which include the equipment approved in Plan Approval No. MBR-11-IND-010, are contained in Table 2 below.

2. EMISSION UNIT (EU) IDENTIFICATION

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

Table 1			
Emission Unit Number (EU#)	Description	Design Capacity	Pollution Control Device (PCD)
Oven No. 4	Sarmasik Makina A.S., TN5700	25,000 one pound loaves of bread per day	None
		3.4 MMBtu/hr natural gas	

Table 1 Key: MMBtu/hr = 1,000,000 British thermal units per hour

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, below:

Table 2			
EU#	Operational / Production Limit	Air Contaminant	Emission Limit
Oven No. 4	Limit operations and baking production in Oven No. 4 such that VOC and CO ₂ emissions do not exceed the emissions limits listed herein	VOC ¹	0.8 tons per month
		VOC ¹	9.4 tons per any consecutive twelve month time period
		CO ₂ ²	150 tons per month
		CO ₂ ²	1,750 tons per any consecutive twelve month time period
	Visible emissions shall not exceed 10 percent opacity	Opacity	10 percent
Thermotron Oven, Beninni Oven, and Babbco Oven, two boilers, one emergency diesel generator and miscellaneous small combustion equipment	Limit operations and baking production in the Thermotron, Beninni, and Babbco Ovens such that VOC and CO ₂ emissions do not exceed the emissions limits listed herein	VOC ¹	Less than 3.0 tons per month
		VOC ¹	Less than 18.0 tons per any consecutive twelve month time period
		CO ₂ ²	1,884 tons per month
		CO ₂ ²	11,300 tons per any consecutive twelve month time period
			Emission limits established in existing Approval No. MBR-011-IND-010

Table 2			
EU#	Operational / Production Limit	Air Contaminant	Emission Limit
Facility-Wide (including the proposed Oven No. 4, in addition to the existing Thermotron Oven, Beninni Oven, Babbco Oven, two boilers, one emergency diesel generator and miscellaneous small combustion equipment)	Limit fuel usage, operations, and production in the Thermotron, Beninni, Babbco and Sarmasik Makina Ovens as well as smaller combustion equipment such that total facility-wide VOC and CO ₂ emissions do not exceed the emissions limits listed herein	VOC ¹	3.8 tons per month
			24.5 tons per any consecutive twelve month time period
		CO ₂ ²	2,034 tons per month
			12,510 tons per any consecutive twelve month time period

Table 2 Key: EU# = Emission Unit Number VOC = Volatile Organic Compounds CO₂ = Carbon Dioxide
 Please note:

1- VOC emissions will be calculated by implementation of the United States Environmental Protection Agency's "Alternative Control Technology Document for Bakery Oven Emissions" (Report Number: EPA 453/R-92-017) and "AP-42, Compilation of Air Pollutant Emission Factors", Section 9.9.6 "Bread Baking," depending on product produced. Please see Special Terms and Conditions in Table 6 of this Approval.

2- CO₂ emissions including those from bread baking operations and from the associated combustion operations.

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 below:

Table 3	
EU#	Monitoring and Testing Requirements
Oven No. 4	1. Monitor the facility-wide natural gas consumption and calculate the natural gas consumption in Oven No. 4, based on its proportional hourly operation and heat input rating, on both a monthly and consecutive twelve month time period basis.
	2. Monitor the VOC and CO ₂ emissions from Oven No. 4 on a monthly and consecutive twelve month time period to ensure compliance with the emissions limits established herein.

Table 3

EU#	Monitoring and Testing Requirements
Oven No. 4	<p>3. The primary air emissions from the bakery operations are volatile organic compounds (VOC) which are emitted by bread baking operations in the bakery ovens. The primary VOC emitted is ethanol. In yeast-leavened breads, yeast metabolizes sugars in an anaerobic fermentation, producing carbon dioxide (CO₂) that is largely responsible for the bread rising. Besides the CO₂, ethanol and small amounts of other VOC are produced. The ovens are the predominant emissions sources since ethanol is emitted when the dough is exposed to high temperatures in the oven, with yeast concentration, total fermentation time, and amount of product produced being the critical factors in determining VOC emissions. VOC emissions are proportional to the amount of bread baked.</p> <p>The Permittee shall monitor operations to determine the VOC emission factor for each product recipe. Monitoring shall include but shall not be limited to:</p> <ul style="list-style-type: none"> a. The name and type of each product baked; b. The corresponding VOC emission factor based on the following formula: $\text{VOC E.F.} = 0.95*Y_i + 0.195*T_i - 0.51*S - 0.86*T_s + 1.9^1$ <p>Where: VOC E.F. = Pounds of VOC emitted per ton of bread type baked Y_i = initial yeast, in bakers percent of yeast to the nearest tenth of a percent T_i = Total yeast action time, in hours to the nearest tenth of an hour S = Spike yeast, in bakers percent of yeast to the nearest tenth of a percent T_s = final spike time, in hours to the nearest tenth of an hour</p> <p><i>Note:</i> 1: United States Environmental Protection Agency's "Alternative Control Technology Document for Bakery Oven Emissions" (Report Number: EPA 453/R-92-017) and "AP-42, Compilation of Air Pollutant Emission Factors", Section 9.9.6 "Bread Baking."</p>

Table 3

EU#	Monitoring and Testing Requirements
Oven No. 4	<p>4.a. For white bread products, the Permittee shall monitor the actual amount of white flour mixed for each white bread product type on a monthly and on a consecutive twelve month time period basis in order to calculate the tons of VOC emitted per month and per consecutive twelve month time period, for each white bread product type, based on the following:</p> <p style="padding-left: 40px;">a. The name of each white bread product baked; b. The corresponding monthly VOC emissions based on the following formula:</p> $\text{VOC} = (W)(CF)(EF)/2000$ <p>Where: VOC = VOC emissions from white bread baking operations in tons per month, per product recipe, W = tons of white flour mixed per month, per product recipe, CF = conversion factor in terms of tons of white bread product baked for every 1.0 ton of white flour mixed, per product recipe, and EF = VOC emission factor in pounds of VOC emitted per ton of white bread product baked, per product recipe</p> <p style="text-align: center;">Or</p> <p>4.b. For all white bread products, the Permittee shall monitor the actual amount of total white flour mixed on a monthly and on a consecutive twelve month time period basis in order to calculate the tons of VOC emitted per month and per consecutive twelve month time period, from all white bread baking operations, based on the following:</p> $\text{VOC} = (W)(CF_{\text{Worst Case}})(EF_{\text{Worst Case}})/2000^*$ <p>Where: VOC = VOC emissions from all white bread baking operations in tons per month, W = total tons of white flour mixed per month, CF_{Worst Case} = conversion factor in terms of maximum tons of white bread product baked for every 1.0 ton of white flour mixed, and EF_{Worst Case} = worst case highest pounds of VOC emitted per ton of white bread product baked</p> <p>*Based on data submitted to MassDEP as part of Application No. NE-12-012, as of the date of this Approval letter; CF_{Worst Case} = 1.61 tons of white bread product baked for every 1.0 ton of white flour mixed, and EF_{Worst Case} = 4.05 pounds of VOC emitted per ton of white bread product baked</p>

Table 3

EU#	Monitoring and Testing Requirements
Oven No. 4	<p>5.a. For whole wheat bread products, the Permittee shall monitor the actual amount of whole wheat flour mixed for each whole wheat bread product type on a monthly and on a consecutive twelve month time period basis in order to calculate the tons of VOC emitted per month and per consecutive twelve month time period, for each whole wheat bread product type, based on the following equation:</p> <ul style="list-style-type: none"> a. The name of each whole wheat bread product baked; b. The corresponding monthly VOC emissions based on the following formula: $\text{VOC} = (\text{WW})(\text{CF})(\text{EF})/2000$ <p>Where: VOC = VOC emissions from whole wheat bread baking operations in tons per month, per product recipe, WW = tons of whole wheat flour mixed per month, per product recipe, CF = conversion factor in terms of tons of whole wheat bread product baked for every 1.0 ton of whole wheat flour mixed, per product recipe, and EF = VOC emission factor in pounds of VOC emitted per ton of whole wheat product baked, per product recipe</p> <p style="text-align: center;">Or</p> <p>5.b. For all whole wheat bread products, the Permittee shall monitor the actual amount of total whole wheat flour mixed on a monthly and on a consecutive twelve month time period basis in order to calculate the tons of VOC emitted per month and per consecutive twelve month time period, from all whole wheat bread baking operations, based on the following:</p> $\text{VOC} = (\text{WW})(\text{CF}_{\text{Worst Case}})(\text{EF}_{\text{Worst Case}})/2000^*$ <p>Where: VOC = VOC emissions from whole wheat bread baking operations in tons per month, WW = total tons of whole wheat flour mixed per month, CF_{Worst Case} = worst case conversion factor in terms of maximum tons of whole wheat bread product baked for every 1.0 ton of whole wheat flour mixed, and EF_{Worst Case} = worst case highest pounds of VOC emitted per ton of whole wheat product baked</p> <p>*Based on data submitted to MassDEP as part of Application No. NE-12-012, as of the date of this Approval letter; CF_{Worst Case} = 1.77 tons of whole wheat bread product baked for every 1.0 ton of whole wheat flour mixed, and EF_{Worst Case} = 4.05 pounds of VOC emitted per ton of whole wheat bread product baked</p>

Table 3	
EU#	Monitoring and Testing Requirements
Thermotron Oven, Beninni Oven, Babbco Oven, two boilers, one emergency diesel generator and miscellaneous small combustion equipment	<p>6. Monitor the VOC and CO₂ emissions from the Thermotron Oven, Beninni Oven, Babbco Oven, two boilers, one emergency diesel generator and miscellaneous small combustion equipment on a monthly and consecutive twelve month time period to ensure compliance with the emissions limits established in Approval No. MBR-11-IND-010 and included herein.</p>
Facility-wide	<p>7. Monitor such that the facility-wide VOC and CO₂ emissions on a monthly and consecutive twelve month time period do not exceed the emissions limitations established in this Approval.</p> <p>8. Monitor all operations to ensure sufficient information is available to comply with 310 CMR 7.12 Source Registration.</p> <p>9. If and when MassDEP requires it, the Permittee shall conduct emission testing in accordance with USEPA Reference Test Methods and regulation 310 CMR 7.13.</p>

Table 3 Key:

EU# = Emission Unit Number CO₂ = Carbon Dioxide
VOC = Volatile Organic Compounds CMR = Code of Massachusetts Regulations
USEPA = United States Environmental Protection Agency

Table 4	
EU#	Record Keeping Requirements
Oven No. 4	<p>1. Maintain a record of the natural gas consumption in Oven No. 4 based on its proportional hourly operation and heat input rating, on both a monthly and consecutive twelve month time period basis.</p> <p>2. Maintain a record of the VOC and CO₂ emissions from Oven No. 4 on a monthly and consecutive twelve month time period to ensure compliance with emissions limits established herein.</p> <p>3. The Permittee shall maintain a record of the VOC emission factor for each product recipe. Recordkeeping shall include but shall not be limited to:</p> <ul style="list-style-type: none"> a. The name and type of each product baked; and b. The corresponding VOC emission factor.

Table 4

EU#	Record Keeping Requirements
Oven No. 4	<p>4.a. For white bread products, the Permittee shall maintain a record of the actual amount of white flour mixed for each white bread product type on a monthly and on a consecutive twelve month time period basis in order to calculate the tons of VOC emitted per month and per consecutive twelve month time period, for each white bread product type, based on the following:</p> <p style="padding-left: 40px;">a. The name and type of each white bread product baked; b. The corresponding monthly VOC emissions based on the following formula:</p> $\text{VOC} = (W)(CF)(EF)/2000$ <p>Where: VOC = VOC emissions from white bread baking operations in tons per month, per product recipe, W = tons of white flour mixed per month, per product recipe, CF = conversion factor in terms of tons of white bread product baked for every 1.0 ton of white flour mixed, per product recipe, and EF = VOC emission factor in pounds of VOC emitted per ton of white bread product baked, per product recipe</p> <p style="text-align: center;">Or</p> <p>4.b. For all white bread products, the Permittee shall maintain a record of the actual amount of total white flour mixed on a monthly and on a consecutive twelve month time period basis in order to calculate the tons of VOC emitted per month and per consecutive twelve month time period, from all white bread baking operations, based on the following:</p> $\text{VOC} = (W)(CF_{\text{Worst Case}})(EF_{\text{Worst Case}})/2000^*$ <p>Where: VOC = VOC emissions from all white bread baking operations in tons per month, W = total tons of white flour mixed per month, CF_{Worst Case} = conversion factor in terms of maximum tons of white bread product baked for every 1.0 ton of white flour mixed, and EF_{Worst Case} = worst case highest pounds of VOC emitted per ton of white bread product baked</p> <p>*Based on data submitted to MassDEP as part of Application No. NE-12-012, as of the date of this Approval letter; CF_{Worst Case} = 1.61 tons of white bread product baked for every 1.0 ton of white flour mixed, and EF_{Worst Case} = 4.05 pounds of VOC emitted per ton of white bread product baked</p>

Table 4

EU#	Record Keeping Requirements
Oven No. 4	<p>5.a. For whole wheat bread products, the Permittee shall maintain a record of the actual amount of whole wheat flour mixed for each whole wheat bread product type on a monthly and on a consecutive twelve month time period basis in order to calculate the tons of VOC emitted per month and per consecutive twelve month time period, for each whole wheat bread product type, based on the following equation:</p> <p style="padding-left: 40px;">a. The name and type of each whole wheat bread product baked; b. The corresponding monthly VOC emissions based on the following formula: $\text{VOC} = (\text{WW})(\text{CF})(\text{EF})/2000$</p> <p>Where: VOC = VOC emissions from whole wheat bread baking operations in tons per month, per product recipe, WW = tons of whole wheat flour mixed per month, per product recipe, CF = conversion factor in terms of tons of whole wheat bread product baked for every 1.0 ton of whole wheat flour mixed, per product recipe, and EF = VOC emission factor in pounds of VOC emitted per ton of whole wheat product baked, per product recipe</p> <p style="text-align: center;">Or</p> <p>5.b. For all whole wheat bread products, the Permittee shall maintain a record of the actual amount of total whole wheat flour mixed on a monthly and on a consecutive twelve month time period basis in order to calculate the tons of VOC emitted per month and per consecutive twelve month time period, from all whole wheat bread baking operations, based on the following: $\text{VOC} = (\text{WW})(\text{CF}_{\text{Worst Case}})(\text{EF}_{\text{Worst Case}})/2000^*$</p> <p>Where: VOC = VOC emissions from whole wheat bread baking operations in tons per month, WW = total tons of whole wheat flour mixed per month, CF_{Worst Case} = worst case conversion factor in terms of maximum tons of whole wheat bread product baked for every 1.0 ton of whole wheat flour mixed, and EF_{Worst Case} = worst case highest pounds of VOC emitted per ton of whole wheat product baked</p> <p style="padding-left: 40px;">*Based on data submitted to MassDEP as part of Application No. NE-12-012, as of the date of this Approval letter; CF_{Worst Case} = 1.77 tons of whole wheat bread product baked for every 1.0 ton of whole wheat flour mixed, and EF_{Worst Case} = 4.05 pounds of VOC emitted per ton of whole wheat bread product baked</p>

Table 4

EU#	Record Keeping Requirements
Thermotron Oven, Beninni Oven, Babbco Oven, two boilers, one emergency diesel generator and miscellaneous small combustion equipment	<p>6. Maintain a record of the VOC and CO₂ emissions from the Thermotron Oven, Beninni Oven, Babbco Oven, two boilers, one emergency diesel generator and miscellaneous small combustion equipment on a monthly and consecutive twelve month time period to ensure compliance with emissions limits established in Approval No. MBR-11-IND-010 and included herein.</p>
Facility-wide	<p>7. Maintain a record of the facility-wide VOC and CO₂ emissions on a monthly and consecutive twelve month time period.</p> <p>8. 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 for each calendar month and for each consecutive twelve month time period (current month plus prior eleven months). These records shall be compiled no later than the 15th day following each month. 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.</p> <p>9. The Permittee shall maintain records of monitoring and testing as required by Table 3 of this Approval.</p> <p>10. The Permittee shall maintain a copy of this Plan Approval, underlying Application and the most up-to-date SOMP for the EU(s) approved herein on-site.</p> <p>11. The Permittee shall maintain a record of routine maintenance activities performed on the approved EU(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.</p> <p>12. The Permittee shall maintain a record of all malfunctions affecting air contaminant emission rates on the approved EU(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.</p>

Table 4	
EU#	Record Keeping Requirements
Facility-wide	13. The Permittee shall maintain records to ensure sufficient information is available to comply with 310 CMR 7.12 Source Registration.
	14. The Permittee shall maintain facility records such that accurate reports regarding Greenhouse Gas emissions (i.e. CO ₂) can be submitted in accordance with applicable requirements in 310 CMR 7.71.
	15. The Permittee shall maintain records required by this Plan Approval on-site for a minimum of five (5) years.
	16. The Permittee shall make records required by this Plan Approval available to MassDEP and USEPA personnel upon request.

Table 4 Key:

- EU# = Emission Unit Number*
- CO₂ = Carbon Dioxide*
- VOC = Volatile Organic Compounds*
- PCD = Pollution Control Device*
- SOMP = Standard Operating and Maintenance Procedure*
- CMR = Code of Massachusetts Regulations*
- USEPA = United States Environmental Protection Agency*

Table 5	
EU#	Reporting Requirements
Facility-wide	1. 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).
	2. The Permittee shall notify the Northeast Regional Office of MassDEP, BWP Permit Chief by email at nero.air@state.ma.us or fax at (978) 694-3499 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 MassDEP NERO, Attention: BWP Permit Chief, within three (3) business days thereafter and shall include: identification of exceedance(s), duration of exceedance(s), reason for the exceedance(s), corrective actions taken, and action plan to prevent future exceedance(s).
	3. Pursuant to 310 CMR 7.12(1)(a)7., the Permittee shall file Source Registration as a condition of this Plan Approval.
	4. 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	
EU#	Reporting Requirements
Facility-wide	5. By April 15 of each year, report and certify direct emissions of greenhouse gases for the previous calendar year in accordance with applicable requirements contained in 310 CMR 7.71 (5) through 310 CMR 7.71(7).
	6. A semi-annual report of the consecutive twelve month total facility-wide VOC and CO ₂ emission rates, including those VOC emitted from the specified combustion equipment, must be submitted to this office, attention Permit Chief for the Bureau of Waste Prevention. MassDEP shall receive said reports on or before January 30 th and July 30 th of each year. See the MassDEP approved On-Site Record Keeping and Reporting Form which the Permittee is required to use. An electronic version of the form in Microsoft Excel format can be downloaded at http://www.mass.gov/dep/air/approvals/aqforms.htm#report .

Table 5 Key: EU# = Emission Unit Number CO₂ = Carbon Dioxide CMR = Code of Massachusetts Regulations

5. SPECIAL TERMS AND CONDITIONS

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

- A. The Permittee shall comply with the Special Terms and Conditions as contained in Table 6 below:

Table 6	
EU#	Special Terms and Conditions
Oven No. 4	1. The Permittee shall limit bread production in Oven No. 4 on a monthly and consecutive twelve month time period such that VOC and CO ₂ emissions do not exceed the emissions limits established in this Approval.
Facility-wide	2. The Permittee shall maintain adequate facility-wide records on-site to document compliance with the requirements and emission limitations as stated in this Approval. Said records shall be made available to MassDEP personnel upon request, and shall be kept on site for a minimum of five (5) years. An electronic Microsoft Excel version of the MassDEP approved format required to be used can be obtained at http://www.mass.gov/dep/air/approvals/aqforms.htm#report .
	3. The Permittee shall comply with all conditions contained in this Final Approval. Should there be any differences between conditions contained in the “General Conditions” and the conditions contained in the “Special Conditions” of this Final Approval, the “Special Conditions” shall govern.

Table 6	
EU#	Special Terms and Conditions
Facility-wide	4. Any prior Plan Approvals issued under 310 CMR 7.02 shall remain in effect unless specifically changed or superseded by this Plan Approval. The Facility shall not exceed the emission limits and shall comply with approved conditions specified in the prior Plan Approval(s) unless specifically altered by this Plan Approval. Specifically, existing Approval No. MBR-11-IND-010 shall remain in full force and effect with the exception that the VOC and CO ₂ emission limits, identified as ‘Facility-wide’ in Approval MBR-11-IND-010, apply only to the following equipment: Thermotron Oven, Beninni Oven, Babbco Oven, two boilers, one emergency diesel generator and miscellaneous small combustion equipment. All currently applicable emission limits for this Facility are reflected in Table 2 of this Approval.

Table 6 Key:

EU# = Emission Unit Number
 VOC = Volatile Organic Compounds
 CO₂ = Carbon Dioxide
 CMR = Code of Massachusetts Regulations

- 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.” The Permittee shall install and utilize an exhaust stack, for the combustion gases from Oven No. 4, with the following parameters, as contained in Table 7 below:

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)
Oven No. 4	29	1.5	9.5 - 22.0	250 - 450

Table 7 Key: EU# = Emission Unit Number
 °F = Degree Fahrenheit

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.

Should you have any questions concerning this Plan Approval, please contact Susan McConnell by telephone at (978) 694-3292, 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.

Susan McConnell
Environmental Engineer

James E. Belsky
Permit Chief
Bureau of Waste Prevention

copy: Board of Health / Dept of Health, Haverhill
Fire Department, Haverhill
MassDEP/NERO – Marc Altobelli, Mary Persky, Susan McConnell
MassDEP/Boston - Yi Tian
Mr. Manuel T. Rei, REI Engineering, 32 Deer Meadow Road, North Andover, MA 01845