



Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection

Central Regional Office • 8 New Bond Street, Worcester MA 01606 • 508-792-7650

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November 16, 2015

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

RE: Gardner
Transmittal No.: X251248-A1
Application No.: CE- 15-019
Class: SM80-7
FMF No.: 133768
AIR QUALITY PLAN APPROVAL

Dear Mr. Ceryanek:

The Massachusetts Department of Environmental Protection (“MassDEP”), Bureau of Air and Waste, has reviewed your Limited Plan Application (Tr. No. X267106) (“Application”) listed above. This Application proposes to amend the current Plan Approval (Tr. No. X251248) with the installation of a new flexographic printing press (EU 10) at Garlock Printing & Converting Corp. located at 164 Fredette Street in Gardner, 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- O 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 amends and replaces Plan Approval Tr. No. X251248 issued August 15, 2012.**

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. Nine (9) flexographic presses have been the subject of Plan Approvals from MassDEP or are subject to the Environmental Results Program (“ERP”) in 310 CMR 7.26(20)-(29). 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 10) at the Facility. This printing press will be the fifth press at the Facility that will print exclusively with solvent based inks. The Application does not request an increase in emission limits in the current Plan Approval. Presses 6-10 are subject to the conditions of this Plan Approval.

Presses 1-5 are subject to the ERP provisions and therefore not subject to the requirements of 310 CMR 7.18(14) for volatile and halogenated organic compounds emissions from paper surface coating (see 310 CMR 7.26(20)(b)). However, emissions from these presses contribute to the facility wide emission limits in Table 2.

Emissions from the new flexographic press will be exhausted to and controlled by the existing Ship and Shore Environmental, Inc. Regenerative Thermal Oxidizer (RTO). Retrofits to the RTO will upgrade its capacity from 32,000 standard cubic feet per minute (scfm) to 36,000 scfm to accommodate the new press.

All of the presses that use solvent based inks, Presses 6-10, will be located in a permanent total enclosure.

Descriptions of the Presses 6-10 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. Historically, this press had the capability of utilizing either solvent or water based inks; however, this press shall only operate using solvent based inks. This press line can print up to ten colors at one time, utilizing 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. Two (2) natural gas-fired dryers collectively rated at 1.2 MMBtu/hr serve this press line.

- 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 units per hour (“MMBtu/hr”). A portion of the exhaust is recirculated back to the dryer areas.
- D. Press 9 is an existing 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 dryers rated at 1.6 MMBtu/hr serve this press.
- E. The new press, Press 10, is a Uteco Onyx 110 GL model 160 10-color printing press capable of printing onto web widths of 64.9 inches at a maximum speed of 1,475 feet per minute. Two (2) natural gas fired dryers collectively rated at 1.6 MMBtu/hr serve this press. According to the manufacturer, the new Uteco Onyx 110 GL model 160 is capable of capturing 98% of solvent emissions.

MassDEP has determined that the use of inks and press washes that meet the requirements of 310 CMR 7.26(25) represents Best Available Control Technology (“BACT”) for flexographic printing on Presses 1-5. This determination is consistent with the MassDEP Top Case BACT Guidelines for VOC Emitting Sources.

MassDEP has determined that installation of a permanent total enclosure and the use of an RTO to destroy VOC at 99% destruction efficiency represents BACT for flexographic printing on Presses 6-10. This determination is consistent with the MassDEP Top Case BACT Guidelines for VOC Emitting Sources. Because the Applicant is meeting BACT, Presses 6-10 are not subject to the requirements of 310 CMR 7.18(14) for volatile and halogenated organic compounds for paper surface coating until the applicable reasonably available control technology (“RACT”) standards of 310 CMR 7.18 become more stringent than BACT, at which point the Facility shall become subject to the updated RACT standards (see 310 CMR 7.18(1)(f)).

Presses 6-10 will be exhausted to the existing natural gas-fired RTO, manufactured by Ship and Shore Environmental, Inc., which has a maximum auxiliary fuel input rate of 6 million Btu/hr. The minimum VOC destruction efficiency is 99% with a combustion chamber temperature of 1,500 degrees Fahrenheit. The flow rate of Presses 6-10 combined is 34,000 scfm. The RTO is 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.

The area of the permanent total enclosure will be increased to provide space for the new flexographic press. New entryways will be added. The permanent total enclosure shall maintain 100% capture efficiency and continue to meet the criteria for permanent total enclosures established in EPA Method 204.

The Facility is not a major source of HAP emissions, so it is not subject to 40 CFR 63 Subpart KK – National Emission Standard for the Printing and Publishing Industry.

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	Maximum line speed 2,200 fpm 46 inch web width	none
2	Press 2: Kidder Flexographic Press with natural gas dryer Aqueous based inks - Subject to ERP	Maximum 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	Maximum 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	Maximum 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	Maximum line speed 1,500 fpm 46 inch web width	
6	Press 6: Barry-Wehmiller 10-Color Flexographic Solvent Press with electric dryers	Maximum line speed 2,000 fpm 57 inch web width 5,000 scfm flow rate	Ship and Shore Environmental Regenerative Thermal Oxidizer Model no. SSE-30BK-95X
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	Maximum line speed 1,150 fpm 49 inch web width 4,000 scfm flow rate	36,000 scfm design flow Rated at 6 MMBtu/hr

Table 1			
EU	Description	Design Capacity	Pollution Control Device (PCD)
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 MMBtu/hr total	Maximum line speed 1,150 fpm 65 inch web width 7,000 scfm flow rate	<ul style="list-style-type: none"> • 100% capture efficiency of the permanent total enclosure • 99% destruction efficiency • Minimum combustion chamber temperature of 1500°F¹ • Retention time: greater than 0.5 seconds
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	Maximum line speed 1,470 fpm 43.3 inch web width 9,000 scfm flow rate	
10	Press 10: Uteco Onyx 110 GL model 160 Color Flexographic Solvent Press with two (2) natural gas dryers rated at 1.6 MMBtu/hr total	Maximum line speed 1,475 fpm 64.9 inch web width 9,000 scfm flow rate	

Table 1 Note:

1. The minimum combustion chamber temperature required for 99% destruction efficiency is 1,500°F unless the Regenerative Thermal Oxidizer is capable of 99% destruction efficiency at another temperature as verified by the most recent compliance testing.

Table 1 Key:

ERP= Environmental Results Program	EU = Emission Unit
fpm= feet per minute	PCD = Pollution Control Device
MMBtu/hr= million British thermal units per hour	% = percent
scfm= standard cubic feet per minute	°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

Table 2			
EU	Operational / Production Limit	Air Contaminant	Emission Limit¹
1-5	Only inks and press washes that conform to the requirements of 310 CMR 7.26(25), the ERP program for Printers, shall be utilized on EUs 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
6-10	Inks and press wash shall contain 6.85 pounds or less VOC per gallon, excluding water, as applied.	VOC	Less than 6.8 pounds VOC per hour maximum from the RTO 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 Notes:

1. Monthly VOC and HAP emission limits are based on a calendar month.
Annual VOC and HAP emission limits are based on a 12 month rolling period.

Table 2 Key:

EU = Emission Unit	HAP = Hazardous Air Pollutants
ERP = Environmental Results Program	CMR = Code of Massachusetts Regulations
VOC = Volatile Organic Compounds	RTO = Regenerative Thermal Oxidizer
% = percent	

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
6-10	<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 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. The Permittee shall install, calibrate, maintain and operate monitoring and temperature equipment installed for the purpose of documenting compliance with this Plan Approval in a manner sufficient to ensure continuous and accurate operations at all times. 4. The Permittee shall continuously record the combustion chamber temperature in the RTO. The Permittee shall note malfunctions of the RTO during printing operations on the records of the combustion chamber temperature. 5. The Permittee shall determine compliance with the allowable opacity limits in accordance with EPA Method 9, as specified in 40 CFR 60, Appendix A. 6. The Permittee shall demonstrate compliance with emission limits and the capture efficiency of the permanent total enclosure in accordance with EPA approved reference test methods unless EPA and MassDEP approve other methods. 7. Within 120 days of initial operation of EU 10, the Permittee shall perform compliance testing of the RTO for VOC emissions from EUs 6-10 to demonstrate compliance with the 99% destruction efficiency requirement of the RTO and the 6.8 pounds VOC per hour emission limit in Table 2 and shall demonstrate compliance with the 100% capture efficiency requirement of the PTE. 8. The Permittee shall conduct compliance testing of the RTO and demonstrate compliance with the capture efficiency requirement of the PTE required by Table 3 Item 7 no later than every five (5) years after the date of the previous compliance testing.
Facility -wide	<ol style="list-style-type: none"> 9. The Permittee shall monitor all operations to ensure sufficient information is available to comply with 310 CMR 7.12 Source Registration. 10. If and when MassDEP requires it, the Permittee shall conduct emission testing in accordance with EPA Reference Test Methods and 310 CMR 7.13. 11. At least 30 days prior to emission testing, the Permittee shall submit to MassDEP for approval a stack emission pretest protocol. 12. Within 45 days after emission testing, the Permittee shall submit to MassDEP a final stack emission test results report.

Table 3 Key:

EU = Emission Unit	PTE = Permanent Total Enclosure
% = percent	RTO = Regenerative Thermal Oxidizer
EPA = 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	CFR = Code of Federal Regulations
	CMR = Code of Massachusetts Regulations

Table 4	
EU	Record Keeping Requirements
6-10	<ol style="list-style-type: none"> 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 VOC and HAP content of hazardous waste shipped off site and to allow the accurate calculation of VOC and HAP air emissions. 2. The Permittee shall maintain a copy of the SOMP that is required by Table 3 Item 2.
Facility-wide	<ol style="list-style-type: none"> 3. 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 contaminants emitted, formulation limits, and special condition limits, for each calendar month and for each consecutive twelve-month period. 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/eea/agencies/massdep/air/approvals/limited-emissions-record-keeping-and-reporting.html#WorkbookforReportingOn-SiteRecordKeeping. 4. The Permittee shall maintain a record keeping system that shall include but is not limited to: <ol style="list-style-type: none"> a. Inventory data and daily raw material usage records, 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 records, 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 MassDEP request. 5. The Permittee shall maintain records of VOC emissions and HAP emissions (individual and combined HAPs) from EUs 1-5 and EUs 6-10, separately.

Table 4	
EU	Record Keeping Requirements
	6. The Permittee shall maintain records of monitoring and testing as required by Table 3.
	7. The Permittee shall maintain a copy of this Plan Approval, the underlying Application and the most up-to-date SOMP for the EUs and PCD approved herein on-site.
	8. The Permittee shall maintain a record of routine maintenance activities performed on the approved EUs, PCD 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.
	9. The Permittee shall maintain a record of all malfunctions affecting air contaminant emission rates on the approved EUs, PCD, 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.
	10. The Permittee shall maintain records to ensure sufficient information is available to comply with 310 CMR 7.12 Source Registration.
	11. In accordance with 310 CMR 7.12(b)(3), the Permittee shall keep copies of the Source Registration/Emission Statement Forms submitted annually to MassDEP for five (5) years from the date of submittal.
	12. The Permittee shall maintain records required by this Plan Approval on-site for a minimum of five (5) years.
	13. The Permittee shall make records required by this Plan Approval available to MassDEP and EPA personnel upon request.

Table 4 Key:

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| <p>EU = Emission Unit
 EPA = United States Environmental Protection Agency
 PCD = Pollution Control Device
 SOMP = Standard Operating and Maintenance Procedure
 VOC = Volatile Organic Compound</p> | <p>ERP = Environmental Results Program
 MassDEP = Massachusetts Department of Environmental Protection
 RTO = Regenerative Thermal Oxidizer
 HAP = Hazardous Air Pollutant
 CMR = Code of Massachusetts Regulations</p> |
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Table 5	
EU	Reporting Requirements
10	1. The Permittee shall notify the MassDEP in writing within 10 days of the initial operation of EU 10.

Table 5	
EU	Reporting Requirements
Facility -wide	2. 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).
	3. The Permittee shall notify the Central Regional Office of MassDEP, BAW 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 three (3) business day after discovery of an exceedance(s) of Table 2 requirements. A written report shall be submitted to Permit Chief at MassDEP within ten (10) 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).
	4. 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.

Table 5 Key:

BAW = Bureau of Air and Waste
 CMR = Code of Massachusetts Regulations

EU = Emission Unit
 MassDEP = Massachusetts Department of
 Environmental Protection

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. The Permittee shall use only inks and press washes that conform to the requirements of 310 CMR 7.26(20)-(29), the ERP program for Printers, on EUs 1-5.
6-10	2. The total amount of VOC emissions from solvent-based ink/coating and press wash usage (EUs 6, 7, 8, 9 and 10 combined) shall not exceed, after control, 8.4 tons per rolling 12-month period. This excludes combustion emissions.
	3. The Permittee shall install plastic strips in all exits of the PTE and maintain the plastic strips in good condition.

Table 6	
EU	Special Terms and Conditions
	4. The Permittee shall maintain the RTO in proper operating condition as approved at all times EUs 6-10 are operating and shall not bypass the RTO at any time.
	5. The Permittee shall not use solvent based inks or press wash that contain more than 6.85 pounds VOC per gallon, excluding water, as applied
	6. The Permittee shall exhaust EUs 6-10, including the dryers, and the PTE to the RTO.
	7. The Permittee shall maintain the room containing EUs 6-10 as a Permanent Total Enclosure in accordance with 40 CFR Part 51 Appendix M Method 204 – Criteria for and Verification of a Permanent or Temporary Total Enclosure.
	8. The Permittee shall maintain the VOC destruction efficiency of the RTO at 99% or greater. A minimum combustion temperature of 1,500°F shall be maintained during operation of the RTO unless the RTO is capable of 99% destruction efficiency at another temperature as verified by compliance testing.
	9. The Permittee shall maintain a copy of the RTO’s SOMP at or nearby the RTO control panel or maintain the ability to display the SOMP on the RTO control panel.
	10. The Permittee shall not operate EUs 6-10 during maintenance and/or malfunctions of the RTO.
Facility-wide	11. The Permittee shall utilize good housekeeping practices throughout the Facility to minimize fugitive VOC/HAP emissions. The Permittee shall, at all times, store and dispose of VOC/HAP containing materials in a manner that 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.
	12. The Permittee shall maintain compliance with the MassDEP Noise Policy.
	13. This Plan Approval, Tr. No. X251248-A1, amends and replaces the Plan Approval Tr. No. X251248 issued to the Permittee on August 15, 2012, with the exception that all plan application materials submitted as part of the Plan Approval Tr. No. X251248 become part of this Plan Approval, Tr. No. X251248-A1.

Table 6 Key:

RTO = Regenerative Thermal Oxidizer
 % = percent
 MassDEP = Massachusetts Department of Environmental Protection
 PTE = Permanent Total Enclosure
 VOC = Volatile Organic Compounds
 CMR = Code of Massachusetts Regulations

EU = Emission Unit
 HAP = Hazardous Air Pollutant
 SOMP = Standard Operating and Maintenance Procedure
 CFR = Code of Federal Regulations
 °F = degrees Fahrenheit
 ERP = Environmental Results Program

- 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)
6-10	40	3.5	55-65	180-220

Table 7 Key:

EU = Emission Unit
 °F = degrees 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. 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 Stephen Majkut at stephen.majkut@state.ma.us, by telephone at 508-767-2773, 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
Permit Chief
Bureau of Air and Waste

Enclosure

ecc: Gardner Health Department
Gardner Fire Department
MassDEP/Boston - Yi Tian
MassDEP/CERO – Kim McCoy
Jeffery Bibeau, Tighe & Bond