



COMMONWEALTH OF MASSACHUSETTS
 EXECUTIVE OFFICE OF ENERGY & ENVIRONMENTAL AFFAIRS
 DEPARTMENT OF ENVIRONMENTAL PROTECTION
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FINAL AIR QUALITY OPERATING PERMIT

(Replacement page date: 5/26/10)

Issued by the Massachusetts Department of Environmental Protection (MassDEP) pursuant to its authority under M.G.L. c. 111, §142B and §142D, 310 CMR 7.00 et seq., and in accordance with the provisions of 310 CMR 7.00: Appendix C.

ISSUED TO ["the Permittee"]:

Dighton Power, LLC
 1450 Somerset Avenue
 Dighton, Massachusetts 02715

INFORMATION RELIED UPON:

Application No. 4V07027 and 4M10014
 Transmittal No. W150771 and X233189

FACILITY LOCATION:

Dighton Power, LLC
 1450 Somerset Avenue
 Dighton, Massachusetts 02715

FACILITY IDENTIFYING NUMBERS:

AQ ID: 1200276
 FMF FAC NO. 281655
 FMF RO NO. 281656

NATURE OF BUSINESS:

Electric Power Generation

STANDARD INDUSTRIAL CODE (SIC):
 4911

NORTH AMERICAN INDUSTRIAL CLASSIFICATION SYSTEM (NAICS):
 221112

RESPONSIBLE OFFICIAL:

Name: Mr. Michael Joyce
 Title: Plant Manager

FACILITY CONTACT PERSON:

Name: Mr. Michael Joyce
 Title: Plant Manager
 Phone: (508) 669-5300, Extension 103

This operating permit shall expire on August 20, 2014.

For the Department of Environmental Protection, Bureau of Waste Prevention

(Replacement page dated 5/26/10)
 John K. Winkler, Chief
 Permit Section

(Operating Permit signed 8/20/09)
 Date

This information is available in alternate format. Call Donald M. Gomes, ADA Coordinator at 617-556-1057. TDD# 866-539-7622 or 617-574-6868.

DEP on the World Wide Web: <http://www.mass.gov/dep>

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SPECIAL CONDITIONS FOR OPERATING PERMIT

A Legend to Abbreviated Terms found in the following Tables is located in Section 28 of the Operating Permit.

1. PERMITTED ACTIVITIES

In accordance with the provisions of 310 CMR 7.00: Appendix C, and applicable rules and regulations, the Permittee is authorized to operate air emission units as shown in Table 1 and exempt, and insignificant activities as described in 310 CMR 7.00: Appendix C(5)(h) and (i). The units described in Table 1 are subject to the terms and conditions shown in Sections 4, 5, and 6, and to other terms and conditions as specified in this permit. Emissions from the exempt activities shall be included in the total facility emissions for the emission-based portion of the fee calculation described in 310 CMR 4.00 and this permit.

DESCRIPTION OF FACILITY AND OPERATIONS

Dighton Power, LLC is a power production facility located in Dighton, Massachusetts. The facility includes two combustion emission units and one cold cleaner/degreaser.

The first combustion emission unit is the combustion turbine combined-cycle unit with an overall nominal power rating of 170 megawatts (MW). This unit includes an ABB Alstom Power Model 11N2 combustion turbine that is fired on natural gas as its only fuel. The combustion turbine exhausts into an unfired heat recovery steam generator (HRSG). The combustion turbine combined-cycle exhaust is controlled by a selective catalytic reduction (SCR) nitrogen oxides (NO_x) control system and a carbon monoxide (CO) oxidation catalyst. The exhaust is then discharged to a 150-foot stack equipped with a continuous emissions monitoring system (CEMS) for measuring NO_x, CO, and ammonia (NH₃).

The second combustion emission unit is a small emergency diesel fire pump that undergoes periodic readiness testing and is available for emergency use in the event of a fire. This unit is restricted to 300 hours of operation per 12-month rolling period.

The third emission unit is a cold cleaner/degreaser in the maintenance shop that is subject to 310 CMR 7.18(8)(a), but is exempt from MassDEP Plan Approval requirements pursuant to 310 CMR 7.03(8). The cold cleaner/degreaser or any unit that may replace it in the future will comply with the design criteria and all other requirements of 310 CMR 7.18(8)(a).

As a combined-cycle power generation facility, Dighton Power, LLC includes a full complement of support equipment and systems for the production of electricity. Principal support equipment and systems include:

- Electric generator
- Steam turbine

- Small 2-cell wet surface air condenser
- Lube oil/crankcase oil systems/tanks and various other tanks
- Boiler makeup water/steam chemical treatment/cooling water treatment
- Miscellaneous minor activities involving oils, lubricants, and solvents
- Other exempt activities

The facility is not a major source of hazardous air pollutants (HAP).

2. EMISSION UNIT IDENTIFICATION

The following emission units (Table 1) are subject to and regulated by this operating permit:

Table 1			
Emission Unit (EU)	Description of Emission Unit	EU Design Capacity	Pollution Control Device (PCD)
EU-1	Combined-Cycle Combustion Turbine ABB Alstom Power, Model No. GT11N2+ (to Stack No. 1)	1,423,080,000 Btu/hr	Selective Catalytic Reduction (SCR) and CO Catalysts Manufacturers: Mitsubishi and Englehard
EU-2	Emergency Diesel Fire Pump Cummins Model No. 6BTA5.9-F1 (to Stack No. 2)	1,500,000 Btu/hr	None
EU-3	Cold Cleaner/Degreaser ZEP (or equivalent) (to g.v.)	< 100 gallons/month of solvent	None

3. IDENTIFICATION OF EXEMPT ACTIVITIES

The following are considered exempt activities in accordance with the criteria contained in 310 CMR 7.00: Appendix C(5)(h):

Table 2	
Description of Current Exempt Activities	Reason
The list of current exempt activities is contained in the Operating Permit application and shall be updated by the Permittee to reflect changes at the facility over the permit term. An up-to-date copy of the exempt activities list shall be kept on-site at the facility and a copy shall be submitted to MassDEP's Regional Office. Emissions from these activities shall be reported on the annual emissions statement pursuant to 310 CMR 7.12.	310 CMR 7.00, Appendix C(5)(h)

4. APPLICABLE REQUIREMENTS

A. EMISSION LIMITS AND RESTRICTIONS

The Permittee is subject to the emission limits/restrictions as contained in Table 3 below:

Table 3				
Emission Unit (EU)	Fuel	Pollutant	Emission Limit/Standard	Applicable Regulations and/or Approval No.
EU-1	Natural Gas	SO ₂	<u>Normal Operation</u> ⁽¹⁾	4B02019
			13.4 tons/12-month rolling period	
			0.0023 lb/MMBtu (heat input, HHV)	
			0.45 ppmvd @ 15% O ₂	
		<u>lb/hr (at 100% load)</u> ⁽³⁾	3.27 (20°F), 3.05 (50°F), 2.74 (90°F)	
<u>lb/hr (at 75% Load)</u> ⁽³⁾	2.65 (20°F), 2.49 (50°F), 2.24 (90°F)			
<u>lb/hr (at 50% Load)</u> ⁽³⁾	2.12 (20°F), 1.97 (50°F), 1.71 (90°F)			
<u>Startup/Shutdown</u> ⁽²⁾	0.0023 lb/MMBtu (heat input, HHV)	0.45 ppmvd @ 15% O ₂	3.27 lb/hr	
			Not to exceed 1.2 lb/MMBtu, annual calendar average	310 CMR 7.22
			≤ 0.015% by volume @ 15% O ₂ , dry basis	40 CFR 60, Subpart GG
		Sulfur in Fuel	≤ 0.8 grains/100 cubic feet	4B02019

Table 3 (continued)				
Emission Unit (EU)	Fuel	Pollutant	Emission Limit/Standard	Applicable Regulations and/or Approval No.
EU-1	Natural Gas	PM	<p style="text-align: center;"><u>Normal Operation</u>⁽¹⁾</p> <p style="text-align: center;">74.5 tons/12-month rolling period</p> <p style="text-align: center;">0.0088 lb/MMBtu (heat input, HHV)</p> <p style="text-align: center;"><u>lb/hr (at 100% load)</u>⁽³⁾</p> <p style="text-align: center;">12.5 (20°F), 11.7 (50°F), 10.5 (90°F)</p> <p style="text-align: center;"><u>lb/hr (at 75% Load)</u>⁽³⁾</p> <p style="text-align: center;">10.1 (20°F), 9.5 (50°F), 8.6 (90°F)</p> <p style="text-align: center;"><u>lb/hr (at 50% Load)</u>⁽³⁾</p> <p style="text-align: center;">8.1 (20°F), 7.6 (50°F), 6.6 (90°F)</p>	4B02019
			<p style="text-align: center;"><u>Startup/Shutdown</u>⁽²⁾</p> <p style="text-align: center;">0.05 lb/MMBtu (heat input, HHV)</p> <p style="text-align: center;">17.0 lb/hr</p>	
		NO _x	<p style="text-align: center;"><u>Normal Operation</u>⁽¹⁾</p> <p style="text-align: center;">75.0 tons/12-month rolling period</p> <p style="text-align: center;">0.0129 lb/MMBtu (heat input, HHV)</p> <p style="text-align: center;">3.50 ppmvd @ 15% O₂</p> <p style="text-align: center;"><u>lb/hr (at 100% load)</u>⁽³⁾</p> <p style="text-align: center;">18.36 (20°F), 17.12 (50°F), 15.37 (90°F)</p> <p style="text-align: center;"><u>lb/hr (at 75% Load)</u>⁽³⁾</p> <p style="text-align: center;">14.84 (20°F), 13.95 (50°F), 12.55 (90°F)</p> <p style="text-align: center;"><u>lb/hr (at 50% Load)</u>⁽³⁾</p> <p style="text-align: center;">11.87 (20°F), 11.07 (50°F), 9.61 (90°F)</p>	

Table 3 (continued)						
Emission Unit (EU)	Fuel	Pollutant	Emission Limit/Standard	Applicable Regulations and/or Approval No.		
EU-1	Natural Gas	NO _x	<u>Startup/Shutdown</u> ⁽²⁾	4B02019		
			0.74 lb/MMBtu (heat input, HHV)			
			200.0 ppmvd @ 15% O ₂			
					262.0 lb/hr	
					See Special Terms and Conditions, Section 5.Q.	310 CMR 7.28
					75 ppm (≈ 0.3 lb/MMBtu)	40 CFR 60, Subpart GG
		CO	<u>Normal Operation</u> ⁽¹⁾	4B02019		
			68.0 tons/12-month rolling period			
			0.0045 lb/MMBtu (heat input, HHV) (100% load) ⁽³⁾			
			0.0135 lb/MMBtu (heat input, HHV) (75% to 50% load) ⁽³⁾			
			2.00 ppmvd @ 15% O ₂ (100% load) ⁽³⁾			
			6.00 ppmvd @ 15% O ₂ (75% to 50% load) ⁽³⁾			
			<u>lb/hr (at 100% load)</u> ⁽³⁾			
			6.40 (20°F), 5.97 (50°F), 5.36 (90°F)			
			<u>lb/hr (at 75% Load)</u> ⁽³⁾			
			15.53 (20°F), 14.60 (50°F), 13.14 (90°F)			
			<u>lb/hr (at 50% Load)</u> ⁽³⁾			
			12.42 (20°F), 11.58 (50°F), 10.06 (90°F)			

Table 3 (continued)				
Emission Unit (EU)	Fuel	Pollutant	Emission Limit/Standard	Applicable Regulations and/or Approval No.
EU-1	Natural Gas	CO	<u>Startup/Shutdown⁽²⁾</u> <u>1st 120 minutes of a cold start:</u> 0.336 lb/MMBtu (heat input, HHV) 150.0 ppmvd @ 15% O ₂ 232.0 lb/hr	4B02019
			<u>1st 60 minutes of a hot start:</u> 0.112 lb/MMBtu (heat input, HHV) 50.0 ppmvd @ 15% O ₂ 58.2 lb/hr	
			<u>All other startup operation:</u> 0.045 lb/MMBtu (heat input, HHV) 20.0 ppmvd @ 15% O ₂ 43.2 lb/hr	
			<u>All shutdown operation:</u> 0.045 lb/MMBtu (heat input, HHV) 20.0 ppmvd @ 15% O ₂ 23.4 lb/hr	

Table 3 (continued)				
Emission Unit (EU)	Fuel	Pollutant	Emission Limit/Standard	Applicable Regulations and/or Approval No.
EU-1	Natural Gas	VOC	<p style="text-align: center;"><u>Normal Operation</u>⁽¹⁾</p> <p style="text-align: center;">38.8 tons/12-month rolling period</p> <p style="text-align: center;">0.00384 lb/MMBtu (heat input, HHV)</p> <p style="text-align: center;">3.00 ppmvd @ 15% O₂</p> <p style="text-align: center;"><u>lb/hr (at 100% load)</u>⁽³⁾</p> <p style="text-align: center;">5.46 (20°F), 5.10 (50°F), 4.57 (90°F)</p> <p style="text-align: center;"><u>lb/hr (at 75% Load)</u>⁽³⁾</p> <p style="text-align: center;">4.42 (20°F), 4.15 (50°F), 3.74 (90°F)</p> <p style="text-align: center;"><u>lb/hr (at 50% Load)</u>⁽³⁾</p> <p style="text-align: center;">3.53 (20°F), 3.29 (50°F), 2.86 (90°F)</p>	4B02019
			<p style="text-align: center;"><u>Startup/Shutdown</u>⁽²⁾</p> <p style="text-align: center;">0.026 lb/MMBtu (heat input, HHV)</p> <p style="text-align: center;">20.0 ppmvd @ 15% O₂</p> <p style="text-align: center;">8.85 lb/hr</p>	
		NH ₃	<p style="text-align: center;"><u>Normal Operation</u>⁽¹⁾</p> <p style="text-align: center;">79.1 tons/12-month rolling period</p> <p style="text-align: center;">0.0136 lb/MMBtu (heat input, HHV)</p> <p style="text-align: center;">10.00 ppmvd @ 15% O₂</p> <p style="text-align: center;"><u>lb/hr (at 100% load)</u>⁽³⁾</p> <p style="text-align: center;">19.35 (20°F), 18.05 (50°F), 16.20 (90°F)</p> <p style="text-align: center;"><u>lb/hr (at 75% Load)</u>⁽³⁾</p> <p style="text-align: center;">15.64 (20°F), 14.71 (50°F), 13.24 (90°F)</p> <p style="text-align: center;"><u>lb/hr (at 50% Load)</u>⁽³⁾</p> <p style="text-align: center;">12.51 (20°F), 11.67 (50°F), 10.13 (90°F)</p>	

Table 3 (continued)				
Emission Unit (EU)	Fuel	Pollutant	Emission Limit/Standard	Applicable Regulations and/or Approval No.
EU-1	Natural Gas	NH ₃	<u>Startup/Shutdown</u> ⁽²⁾ 0.0136 lb/MMBtu (heat input, HHV) 10.0 ppmvd @ 15% O ₂ 15.6 lb/hr	4B02019
		Opacity	No greater than 10%	
		CO ₂	See "Special Terms and Conditions" Section 5.V.	4B08036 310 CMR 7.70
EU-2	No. 2 Distillate Oil	SO ₂	0.01 tons/12-month rolling period 0.053 lb/MMBtu (heat input, HHV) 0.08 lb/hr	4B02019
		PM	0.07 tons/12-month rolling period 0.310 lb/MMBtu (heat input, HHV) 0.47 lb/hr	
		NO _x	0.99 tons/12-month rolling period 4.410 lb/MMBtu (heat input, HHV) 6.62 lb/hr	
		CO	0.21 tons/12-month rolling period 0.950 lb/MMBtu (heat input, HHV) 1.43 lb/hr	
		VOC	0.08 tons/12-month rolling period 0.360 lb/MMBtu (heat input, HHV) 0.54 lb/hr	

Table 3 (continued)				
Emission Unit (EU)	Fuel	Pollutant	Emission Limit/Standard	Applicable Regulations and/or Approval No.
EU-2	No. 2 Distillate Oil	Smoke	Not to equal or exceed No. 1 of the Chart ⁽⁵⁾ for a period or aggregate period in excess of 6 minutes during any one hour, at no time during the 6 minutes \geq No. 2 of the Chart.	310 CMR 7.06(1)(a)
EU-3	N/A	VOC	< 100 gallons/month of solvent	310 CMR 7.03(8) 310 CMR 7.18(8)(a)
Facility-Wide ⁽⁴⁾	All Fuels	SO ₂	13.4 tons/12-month rolling period	4B02019
		PM	75.5 tons/12-month rolling period	
		NO _x	76.0 tons/12-month rolling period	
		CO	68.2 tons/12-month rolling period	
		VOC	40.9 tons/12-month rolling period	
		NH ₃	79.1 tons/12-month rolling period	

Table 3 Notes:

- The combustion turbine shall be allowed to operate at less than 50% power only during startups and shutdowns as defined in Note No. 2 to this Table. The SCR/CO control equipment shall be operational whenever the combustion turbine is operated at 50% power or greater.
- The combustion turbine shall operate at less than 50% power only during startup and shutdown as specified below:

Hot Start: Operation not to exceed 90 minutes (1.5 hours). May be extended up to 60 minutes in the event the steam turbine is not ready to accept additional steam flow.

Cold Start: Operation not to exceed 240 minutes (4.0 hours).

Shutdown: Operation not to exceed 90 minutes (1.5 hours).

(Definitions of Hot Start, Cold Start, and Shutdown appear under Table 3 Key to Terms).

Note: The short-term emission limits (lb/hr, lb/MMBtu, and ppmvd) listed in Table 3 for startup and shutdown are based on one (1) hour block averages. These time periods represent elapsed time (i.e., regardless of clock time, from flame ignition, Hour No. 1 is reckoned from the first minute to the 60th consecutive minute, Hour No. 2 from the 61st minute to the 120th consecutive minute, etc.).

- Ambient temperatures appear in parentheses. The emission limit at intermediate ambient temperatures between 20°F and 90°F and intermediate loads between 50% and 100% is determined by linear interpolation.

Table 3 Notes (continued):

4. Facility-wide emissions include the combustion turbine, a small 2-cell auxiliary cooler, an emergency diesel fire pump operating a maximum of 300 hours per year, and other insignificant/miscellaneous activities associated with support operations.
5. Chart means the Ringlemann Scale for grading density of smoke, as published by the U.S. Bureau of Mines and referred to as Information Circular No. 8333, or any smoke inspection guide approved by the Department.

Table 3 Key to Terms:

- Hot Start = The maximum duration of time to achieve emissions compliance representative of steady-state operation (at emission rates not to exceed those listed in Table 3 Normal Operation) at nominal 50% load with the combustion turbine having been offline for a period of 24 hours or less.
- Cold Start = The maximum duration of time to achieve emissions compliance representative of steady-state operation (at emission rates not to exceed those listed in Table 3 Normal Operation) at nominal 50% load with the combustion turbine having been offline for a period greater than 24 hours. If the combustion turbine has had less than 60 minutes of flame time in the 24 hours preceding a start, the start shall be considered a cold start.
- Shutdown = The maximum duration of time from emissions compliance representative of steady-state operation (at emission rates not to exceed those listed in Table 3 Normal Operation) at nominal 50% load to a "no flame" condition.

B. COMPLIANCE DEMONSTRATION

The Permittee is subject to the monitoring, testing, record keeping, and reporting requirements as contained in Tables 4, 5, and 6 below and 310 CMR 7.00 Appendix C (9) and (10), as well as applicable requirements contained in Table 3:

Table 4	
Emission Unit (EU)	Monitoring/Testing Requirements
EU-1	In accordance with Approval No. 4B02019, install, calibrate, test, and operate a data acquisition system(s) (DAS) and continuous emission monitoring system (CEMS) to measure and record flue gas emissions of NO _x , CO, O ₂ , and NH ₃ .
	In accordance with Approval No. 4B02019, use and maintain the CEMS to measure NO _x , CO (and VOC), O ₂ , and NH ₃ . MassDEP shall utilize the data generated by the CEMS for compliance and enforcement purposes.
	In accordance with Approval No. 4B02019, determine continuous compliance with the VOC emission limits (one-hour block average and 12-month rolling total) contained in Table 3 by monitoring CO emissions with the CO CEMS. If the combustion turbine is operating in a condition of cold start, hot start, or shutdown, the VOC emissions shall be considered as occurring at the emission rate in Table 3 for such periods of time, provided that the monitored CO emissions are within the limitations specified in Table 3.
	If the combustion turbine is operating at 50 percent load or greater, and if CO emissions are below the CO emission limit at the given combustion turbine operating conditions, the VOC emissions shall be considered as occurring at the emission limit contained in Table 3.
	If the combustion turbine is operating at 50 percent load or greater, and if CO emissions are above the CO emission limit at the given combustion turbine operating conditions, the VOC emissions shall be considered as occurring as determined by the following equation: $VOC_{Actual} = VOC_{Limit} (CO_{Actual} / CO_{Limit})$
	In accordance with Approval No. 4B02019, all periods of excess emissions, even if attributable to an emergency, malfunction, or startup/shutdown, shall be quantified and included in the determination of 12-month rolling total emissions and compliance with the emission limits as stated in Table 3.
Any period of excess emissions of CO shall count as a period of excess emissions of VOC, and the excess emission of VOC shall be accumulated towards the 40.9 tons/12-month rolling period facility-wide 12-month rolling total emission limitation for VOC listed in Table 3.	

Table 4 (continued)

Emission Unit (EU)	Monitoring/Testing Requirements
EU-1	In accordance with Approval No. 4B02019, ensure that all stack monitors and recording equipment comply with MassDEP-approved performance and location specifications, and conform with the U.S. EPA monitoring specifications at 40 CFR 60.13; 40 CFR 60, Appendices B and F; and all applicable portions of 40 CFR 72 and 40 CFR 75.
	In accordance with Approval No. 4B02019, comply with the applicable monitoring requirements contained in 40 CFR 60, 40 CFR 72, 40 CFR 75, and 310 CMR 7.28, and any custom monitoring schedule approved by MassDEP.
	In accordance with Approval No. 4B02019, equip the CEMS with audible and visible alarms to activate when emissions exceed the limits in Table 3.
	In accordance with Approval No. 4B02019, operate each CEMS at all times except for periods of CEMS calibration checks, zero and span adjustments, and preventive maintenance.
	In accordance with Approval No. 4B02019, obtain and record emission data from each CEMS for at least 75% of the emission unit operating hours per day, for at least 75% of the emission unit operating hours per month, and for at least 95% of the emission unit operating hours per quarter. For the daily periods, periods of CEMS calibration checks, zero and span adjustments and preventive maintenance may be excluded from the 75% requirement. An adequate supply of spare parts shall be maintained to satisfy data recovery requirements.
	In accordance with Approval No. 4B02019, install and operate continuous monitors and alarm systems to monitor temperatures at the inlets to the control system SCR and CO catalysts.
	In accordance with 40 CFR 60, Subpart GG, 60.334(h) and (i), monitor and record the sulfur and nitrogen content in natural gas every six (6) months, pursuant to the custom fuel monitoring schedule approved by U.S. EPA Region I (by letter dated April 28, 1998), or pursuant to any subsequent alternative fuel monitoring schedule issued for the facility.
	In accordance with Approval No. 4B01047 and 310 CMR 7.28(11)(a)(1), any person who owns, leases, operates or controls a budget unit that commences operation before January 1, 2002, shall install, operate and successfully complete all applicable certification testing requirements for monitoring heat input, NO _x emission rate, and NO _x mass emissions pursuant to the requirements of 40 CFR 75, Subpart H, by May 1, 2002.
	In accordance with Approval No. 4B01047 and 310 CMR 7.28(11)(a)(4), all monitoring systems are subject to initial performance testing and period calibration, accuracy testing and quality assurance/quality control testing as specified in 40 CFR 75, Subpart H.
In accordance with Approval No. 4B01047 and 310 CMR 7.28(11)(a)(5), during a period when valid data are not being recorded by a monitoring system approved under 310 CMR 7.28, the missing or invalid data must be replaced by default data in accordance with the provisions of 40 CFR 75.70(f). The applicable missing data procedures are specified in 40 CFR 75 for NO _x emission rate (in lb/MMBtu), heat input, stack gas volumetric flow rate, oil density, GCV or fuel flow rate.	

Table 4 (continued)

Emission Unit (EU)	Monitoring/Testing Requirements
EU-1	In accordance with 310 CMR 7.28(11)(a)(6), NO _x emissions data must be reported to the NO _x Emissions Tracking System (NETS) in accordance with 310 CMR 7.28(13).
	In accordance with 310 CMR 7.28(11)(a)(7), budget units must report data pursuant to the requirements of 310 CMR 7.28(11) for every hour.
	In accordance with 310 CMR 7.28(11)(b), any person who owns, leases, operates or controls a budget unit subject to 310 CMR 7.28 must comply with the notification requirements in 40 CFR 75.61, where applicable.
	In accordance with Approval No. 4B02019, comply with all provisions of 40 CFR 60, 40 CFR 72, 40 CFR 75, including 310 CMR 6.00 through 8.00, that are applicable to this facility.
	(a) In lieu of the calibration drift limit of 2.5%, as required by 40 CFR 60, Appendix B, Performance Specification PS 2, the Permittee shall use an alternative calibration drift limit of 5.0% (or 0.5 ppm) in the event that 40 CFR 60 calibration performance re-testing of the NO _x analyzer low range scale (10 ppm) is required. This alternative calibration drift limit is to be used for the 7-day drift test. The drift limits for routine daily calibration checks for determination of out-of-control periods will remain at the levels specified in 40 CFR 60, Appendix F, Section 4, and Appendix B, PS 2.
	(b) In lieu of the relative accuracy requirement of 20% of the Reference Method or 10% of the standard as required by 40 CFR 60, Appendix B, the Permittee shall use an alternative relative accuracy of 0.5 ppm of NO _x , corrected to 15% O ₂ , and 0.002 lb/MMBtu. For lb/hr emission limits, the Permittee shall use a relative accuracy corresponding to 0.002 lb/MMBtu times the arithmetic average of the average firing rate during each relative accuracy test audit (RATA) run. The lb/hr of NO _x emissions as measured by the Reference Method during the RATA will be the lb/MMBtu of NO _x as measured by the Reference Method times the MMBtu/hr firing rate during each RATA run as measured by the 40 CFR 75 compliant fuel flow meter.
	(c) In lieu of the quarterly cylinder gas audit (CGA) procedures required under 40 CFR 60, Appendix F, the Permittee shall use the 40 CFR 75, Appendices A and B, linearity procedures for the quarterly CGA testing for NO _x and O ₂ .
	(d) The Permittee will not be required to conduct a CGA for CO and NH ₃ in any quarter that the combustion turbine operates less than 168 hours.
(e) The Permittee shall perform hourly data validation in accordance with 40 CFR 75.10(d)(1) for NO _x , O ₂ , CO, and NH ₃ , which specifies that a valid data hour must contain at least one valid (quality assured) data point in each of the 15-minute quadrants that the combustion turbine is online. However, valid data is only required in two 15-minute quadrants for hours in which quality assurance or preventive maintenance activities are being conducted on the CEMS.	
(f) The Permittee shall apply O ₂ diluent caps in accordance with 40 CFR 75, Appendix F, Section 3 provisions for the determination of lb/MMBtu and ppmvd at 15% O ₂ emission rates.	

Table 4 (continued)	
Emission Unit (EU)	Monitoring/Testing Requirements
EU-1	<p>(g) The Permittee shall designate an hour during which fuel is fired for any period as an “operating hour”, in accordance with 40 CFR 72.2 definitions.</p> <p>(h) In lieu of 40 CFR 60 requirements, the high range of the NO_x analyzer shall be subject to quarterly quality assurance assessment in accordance with 40 CFR 75.</p>
	<p>In accordance with 310 CMR 7.04(4)(a), inspect and maintain each fuel utilization facility in accordance with the appropriate manufacturer’s recommendations, and test for efficient operation at least once in each calendar year. The results of said inspection, maintenance and testing, and the date upon which it was performed shall be recorded and posted conspicuously on or near the permitted facility.</p>
	<p>In accordance with Approval No. 4B02019, conduct annual emissions tests for VOC in the second or third quarter of each calendar year.</p>
EU-2	<p>In accordance with Approval No. 4B02019, monitor hours of operation and maintain records of fuel sulfur content analyses for fuel deliveries.</p>
EU-3	<p>In accordance with 310 CMR 7.03(8), monitor the amount of solvent added to the cold cleaner/degreaser on a monthly basis.</p>
Facility-Wide	<p>Monitor operations such that information may be compiled for the annual Source Registration required by 310 CMR 7.12. This information includes, but is not limited to, operating hours for the emergency diesel fire pump.</p>
	<p>Emissions compliance testing (stack testing), if and when requested by MassDEP or U.S. EPA, to be conducted in accordance with 310 CMR 7.13 and 40 CFR 60 utilizing the following methods:</p> <ul style="list-style-type: none"> • PM – Methods 1 through 5 • NO_x – Method 7E • CO – Method 10 • SO₂ – Method 6C • O₂ – Method 3A • Opacity – Method 9 <p>Any other testing if and when requested by MassDEP or U.S. EPA.</p>

In accordance with 310 CMR 7.00, Appendix C(10)(b), the Permittee shall maintain onsite the following records for 5 years from the date of generation, and these records shall be readily available to MassDEP and/or U.S. EPA personnel.

Table 5	
Emission Unit (EU)	Record Keeping Requirements
EU-1	In accordance with 40 CFR 60, Subpart GG, 60.334(h) and (i), maintain records on the natural gas fuel sulfur content, pursuant to the custom fuel monitoring schedule approved by U.S. EPA Region I (by letter dated April 28, 1998), or pursuant to any subsequent alternative fuel monitoring schedule issued for the facility.
	In accordance with Approval No. 4B02019, maintain onsite permanent records of output from all continuous monitors for flue gas emissions, daily and 12-month rolling fuel consumption, SCR and CO control system inlet temperatures, turbine inlet and ambient temperatures, and a tabulation of periods of operation (dispatch). All periods of excess emissions, even if attributable to emergency, malfunction, startup, or shutdown, shall be quantified and included in the determination of annual emissions and compliance with the emission limits. These records shall be made available to MassDEP and/or U.S. EPA on request.
	In accordance with Approval No. 4B02019, maintain a log to record problems, upsets, or failures associated with the emission control system, CEMS, or ammonia handling system.
	In accordance with Approval No. 4B02019, comply with all applicable recordkeeping requirements contained in 40 CFR 60, 40 CFR 72, 40 CFR 75, and 310 CMR 7.28.
	In accordance with Approval No. 4B01047 and 310 CMR 7.28(8)(e), information on the Authorized Account Representative (AAR) Form must be kept current.
	In accordance with Approval No. 4B01047 and 310 CMR 7.28(12), any person who owns, leases, operates or controls a budget unit must keep all measurements, data, reports and other information required by 310 CMR 7.28 for five (5) years, or any other period consistent with the budget unit's operating permit.
	In accordance with Approval No. 4B02019, maintain records of annual emissions tests for VOC conducted in the second quarter of each calendar year in accordance with 40 CFR 60, Appendix A, Methods 18 and 25A.
	In accordance with Approval No. 4B02019, maintain records of rolling 12-month emissions total of VOC using the results of the CO CEMS as a surrogate compliance indicator as specified in Table 4.
	In accordance with 310 CMR 7.04(4)(a), maintain records of the annual inspection and maintenance of the fuel utilization facility in accordance with the manufacturer's recommendations and test for efficient operation.

Table 5 (continued)	
Emission Unit (EU)	Record Keeping Requirements
EU-2	In accordance with Approval No. 4B02019, maintain records of engine operating hours.
	In accordance with Approval No. 4B02019, maintain shipping receipts from the fuel oil supplier(s) for each shipment of fuel oil delivered, certifying that the fuel oil sulfur content does not exceed 0.05% sulfur by weight.
EU-3	In accordance with 310 CMR 7.03(8), maintain records of the amount of solvent added to the cold cleaner/degreaser on a monthly basis.
Facility-Wide	Maintain records to facilitate compilation of data for the annual Source Registration required by 310 CMR 7.12. These records must be maintained for a period of five (5) years from the date of the Source Registration submittal.
	In accordance with Approval No. 4B02019, the Permittee shall maintain for the life of the facility all operating monitoring records and logs. The Permittee shall maintain onsite and make available to MassDEP and/or U.S. EPA for inspection upon request, the five (5) most recent years' data/records.
	Maintain records of any emissions compliance testing done in accordance with 310 CMR 7.13 and 40 CFR 60, Appendix A, if such testing is requested by MassDEP.
	In accordance with Approval No. 4B02019, maintain a log to record problems, upsets, or failures associated with the emission control system, the CEMS, and/or the ammonia handling system.

Table 6	
Emission Unit (EU)	Reporting Requirements⁽¹⁾
EU-1	<p>Comply with all applicable reporting requirements contained in 40 CFR 60, 40 CFR 72, 40 CFR 75, and 310 CMR 7.28.</p> <p>In accordance with Approval No. 4B02019, notify MassDEP immediately by telephone and in writing within two (2) working business days following a release or threat of a release of ammonia, and/or upsets or malfunctions to the ammonia handling or delivery systems. The Permittee must comply with all notification procedures required under MGL c. 21E <u>Spill Notification Regulations</u>.</p> <p>In accordance with Approval No. 4B02019, submit a report quarterly to MassDEP. This report shall be submitted by the 15th of the following month and shall minimally contain the following:</p> <p>(a) The monthly reports from the facility CEMS containing summary emission data in a format acceptable to MassDEP.</p> <p>(b) For each period of excess emissions or excursions from allowable operating conditions, list the duration, cause (including whether it is attributable to a malfunction* or emergency*), the response taken, and the amount of excess emissions. Periods of excess emissions shall include periods of startups and/or shutdowns, malfunction, emergency, and upsets or failures associated with the emission control system or CEMS.</p> <p>(c) A tabulation of periods of operation (dispatch).</p> <p><i>* Emergency means any situation arising from sudden and unreasonable unforeseeable events beyond the control of this source, including acts of God, which situation would require immediate corrective action to restore normal operation, and that causes the source to exceed a technology-based limitation under this Operating Permit, due to unavoidable increases in emissions attributable to an emergency. An emergency shall not include non-compliance to the extent caused by improperly designed equipment, lack of preventive maintenance, careless or improper operations, operator error or decision to keep operating despite knowledge of any of these things.</i></p> <p><i>* Malfunction means any sudden and unavoidable failure of air pollution control equipment or process equipment or of a process to operate in a normal or usual manner. Failures that are caused entirely or in part by poor maintenance, careless operation, or any other preventable upset condition or preventable equipment breakdown shall not be considered malfunctions.</i></p>

Note:

1. The annual Source Registration/Emission Statement shall be submitted to the DEP Office specified in the instructions. **All other reports, including both 6-month summary reports, are to be submitted to the Southeast Regional Office address, as specified on the letterhead of this Operating Permit.**

Table 6 (continued)	
Emission Unit (EU)	Reporting Requirements⁽¹⁾
EU-1	In accordance with 40 CFR 60, Subpart GG 60.334(i)(3), provide reports of natural gas fuel sulfur content, pursuant to the custom fuel monitoring schedule approved by U.S. EPA Region I (by letter dated April 28, 1998), or pursuant to any subsequent alternative fuel monitoring schedule issued for the facility.
	In accordance with Approval No. 4B02019, provide reports of annual emissions tests for VOC conducted in the second quarter of each calendar year in accordance with 40 CFR 60, Appendix A, Methods 18 and 25A.
	In accordance with Approval No. 4B01047 and 310 CMR 7.28(13)(a)(1), for units commencing operation prior to May 1, 2002, the AAR must submit quarterly reports for each calendar quarter beginning with: the earlier of the calendar quarter that includes the date of initial certification or, if the certification tests are not completed by May 1, 2002, the partial calendar quarter from May 1, 2002 through June 30, 2002. Data shall be recorded and reported from the earlier of the date and hour corresponding to the date and hour of certification or the first hour on May 1, 2002.
	In accordance with Approval No. 4B01047 and 310 CMR 7.28(13)(b), the AAR for each budget unit using CEMS must submit to the Administrator all emissions and operating information for each calendar quarter of each year in accordance with the standards specified in 40 CFR 75, Subpart H, and 40 CFR 75.64.
	In accordance with Approval No. 4B01047 and 310 CMR 7.28(13)(c)(1), for units subject to an Acid Rain Emissions Limitation, quarterly reports shall include all of the data and information required in 40 CFR 75 Subpart H for each NO _x budget unit (or group of units using a common stack) as well as information required in 40 CFR 75, Subpart G.
	In accordance with Approval No. 4B01047, NO _x emissions data should be reported directly to EPA's Nation Computer Center mainframe computer in a method acceptable to EPA. The deadline to submit data to EPA is 30 days after the end of each calendar quarter.
	In accordance with Approval No. 4B01047 and 310 CMR 7.28(13)(d), should a budget unit be permanently shut down, MassDEP will grant an exemption from the requirements of 310 CMR 7.28 upon request from the budget unit's AAR, and provided the shutdown is part of an approved emission control plan or approved under 310 CMR 7.00, Appendix B. The request must include an identification of the budget unit being shut down, and the date of shutdown. MassDEP approval of the request for shutdown exemption will be sent to the AAR, and the Administrator, and may contain conditions as deemed necessary by MassDEP.

Note:

1. The annual Source Registration/Emission Statement shall be submitted to the DEP Office specified in the instructions. **All other reports, including both 6-month summary reports, are to be submitted to the Southeast Regional Office address, as specified on the letterhead of this Operating Permit.**

Table 6 (continued)	
Emission Unit (EU)	Reporting Requirements⁽¹⁾
EU-1	In accordance with Approval No. 4B01047 and 310 CMR 7.28(13)(e), by October 15 of each year, any person who owns, leases, operates or controls a new or existing budget unit must report to MassDEP each facility's metered net electric and useful steam output for that year's control period. Net electric output must be reported in megawatt-hours, and steam output in MMBtu. If data for steam output are not available, the person may report heat input providing useful steam output as a surrogate for steam output (see Special Terms and Conditions, Proviso R(4)).
	In accordance with Approval No. 4B01047 and 310 CMR 7.28(13), NO _x emissions data must be reported pursuant to the requirements of 310 CMR 7.28(11)(a)(6), (a)(7) and (b).
	In accordance with Approval No. 4B01047 and 310 CMR 7.28(15), for each control period, the AAR for the budget unit shall submit by November 30 of each year, an annual compliance certification report to MassDEP and the NATS Administrator. The compliance certification shall contain, at a minimum, the items listed in 310 CMR 7.28(15)(c) 1 through 8.
	Notification of QA testing is required for Relative Accuracy Test Audits (RATAs) and Appendix E/LME (Low Mass Emission) unit tests. Notification must be made at least 21 days prior to the scheduled test date to EPA as required by 40 CFR 75.61; to the MassDEP Boston Office at Massachusetts Department of Environmental Protection, One Winter Street, Boston, MA 02108, Attn: Patricio Silva; and to the DEP Regional Office, Attn: BWP Permit Chief. If tests must be rescheduled, 24 hours notice must be given, as specified in 40 CFR 75.61(a)(5).
	A previously approved RATA protocol may be referenced at the time of test notification provided that the referenced protocol was completed in accordance with current 40 CFR 75 procedures, addresses all previous MassDEP protocol comments to the satisfaction of the MassDEP, and none of the information has changed. If a revised protocol must be submitted, it must be submitted at least 21 days prior to the scheduled test date.
	A hard copy of the QA RATA or Appendix E/LME test results must be submitted to both the MassDEP Boston and MassDEP Regional Offices within 45 days of completion of tests. The electronic results must be submitted in the quarterly electronic data report (EDR).
	Results from QA daily calibrations, quarterly linearity checks, and Appendix D fuel flowmeter tests must be reported electronically in the EDR submittal for the quarter in which the testing occurs.
Facility-Wide	In accordance with 310 CMR 7.00, Appendix C(10)(c), report a summary of all monitoring data and related supporting information to MassDEP every six months (January 30 and July 30) of each calendar year.

Note:

1. The annual Source Registration/Emission Statement shall be submitted to the DEP Office specified in the instructions. **All other reports, including both 6-month summary reports, are to be submitted to the Southeast Regional Office address, as specified on the letterhead of this Operating Permit.**

Table 6 (continued)	
Emission Unit (EU)	Reporting Requirements⁽¹⁾
Facility-Wide	In accordance with 310 CMR 7.12, submit annually information pertinent to the nature and amounts of emissions on forms provided by MassDEP, and in addition, ensure that the facility is available for inspection by MassDEP and/or U.S. EPA personnel at any reasonable time.
	All notifications and reporting required in accordance with Section No. 25 of this Operating Permit shall be sent directly to: <div style="text-align: center;"> Department of Environmental Protection Bureau of Waste Prevention Southeast Regional Office 20 Riverside Drive Lakeville, MA 02347 ATTN: John Winkler, Chief Permit Section Telephone: (508) 946-2779 Fax: (508) 947-6557 </div>
	In accordance with 310 CMR 7.13(1) and 7.13(2), the Permittee, if determined by MassDEP that stack testing is necessary to ascertain compliance with MassDEP's regulations shall cause such stack testing to be summarized and submitted to MassDEP as prescribed in the agreed-to test protocol.
	In accordance with 310 CMR 7.00, Appendix C(10)(a), the Permittee, upon MassDEP's request shall transmit any record relevant to the Operating Permit within 30 days of the request by MassDEP or within a longer time period if approved in writing by MassDEP. The record shall be transmitted on paper, on computer disk, or electronically at the discretion of MassDEP.

Note:

1. The annual Source Registration/Emission Statement shall be submitted to the DEP Office specified in the instructions. ***All other reports, including both 6-month summary reports, are to be submitted to the Southeast Regional Office address, as specified on the letterhead of this Operating Permit.***

C. GENERAL APPLICABLE REQUIREMENTS

The Permittee shall comply with all generally applicable requirements contained in 310 CMR 7.00 et. seq. and 310 CMR 8.00 et. seq., when subject.

D. REQUIREMENTS NOT CURRENTLY APPLICABLE

The Permittee shall comply with any applicable requirements that become effective during the permit term.

The Permittee is currently not subject to the following requirements:

Table 7	
Regulation	Description
310 CMR 7.07	Open Burning
310 CMR 7.16	Reduction of Single Occupant Commuter Vehicle Use
42 USC 7401, §112(r)(7)	Accidental Release Prevention Requirements: Risk Management under the Clean Air Act §112(r)
310 CMR 7.25	Consumer and Commercial Products
40 CFR 64	Compliance Assurance Monitoring

5. SPECIAL TERMS AND CONDITIONS

(Provisos A – P, and S are in accordance with Approval No. 4B02019.)

The Permittee is subject to the following special provisions that are not contained in Tables 3, 4, 5 and 6.

- A. Emission Unit No. 1 shall continue to emit through a single stack having the following parameters:

Stack No.	1
Stack Height	150 feet
Stack Exit Diameter	204 inches
Stack Material	Steel

- B. Emission Unit No. 2 shall continue to emit through a single stack having the following parameters:

Stack No.	2
Stack Height	12.3 feet
Stack Exit Diameter	6 inches
Stack Material	Carbon Steel

- C. The Permittee shall comply with the short-term emission limits (lb/hr, lb/MMBtu, and ppmvd) contained in Table 3 based upon a one (1) hour block average.
- D. The SCR control equipment for Emission Unit No. 1 shall be operational whenever the turbine is operated at 50 percent power or greater.
- E. The combustion turbine shall be allowed to operate at less than 50 percent power only during startups and shutdowns as defined herein. Operation at these loads for hot start

shall not exceed 90 minutes. The hot start period may be extended for no more than an additional 60 minutes if the steam turbine is not ready to accept additional steam flow. The combustion turbine must be in stable operation and all emission levels must be in compliance during the extended hot start. Should the hot start be extended, the Permittee shall report the extension and the reasons for it in the quarterly report to MassDEP (identified in Table 6). Operation for cold start shall not exceed four (4) hours. Operation for shutdown shall not exceed ninety (90) minutes.

*A **hot start** is defined as the maximum duration of time to achieve emissions compliance representative of steady-state operation (at emission rates not to exceed those listed in Table 3) at nominal 50 percent load with the turbine offline for 24 hours or less. A **cold start** is defined as the maximum duration of time to achieve emissions compliance representative of steady-state operation (at emission rates not to exceed those listed in Table 3) at nominal 50 percent load with the turbine having been offline for a period greater than 24 hours. If the turbine has had less than 60 minutes of flame time in the 24 hours preceding a start, the start will be considered a cold start. **Shutdown** is defined as the maximum duration of time from emissions compliance representative of steady-state operation (at emission rates not to exceed those listed in Table 3) at 50 percent nominal load to a **no flame** condition.*

- F. The Permittee shall at all times keep enough of the ball-plastic baffles within the containment area around the ammonium hydroxide storage tank to provide 91 percent surface coverage of any spilled ammonium hydroxide. The balls must be free of ice and other restrictions that would inhibit their flotation.
- G. The Permittee shall maintain in the facility control room portable ammonia detectors (e.g., Draeger tubes) for use during a spill or a typical atmospheric release.
- H. All personnel shall be properly trained to operate the facility and control equipment in accordance with vendor specifications. All persons responsible for the operation of the ammonia handling and SCR control systems shall sign a statement affirming that they have read and understand the approved standard operating and standard maintenance procedures (SOPs/SMPs). This training shall be updated at least once annually.
- I. The maximum allowable heat rate input for the combustion turbine shall not exceed 1,423.08 MMBtu/hr (HHV) at 100 percent load operation, nor shall it exceed 1,150.35 MMBtu/hr (HHV) at 75 percent load operation.
- J. The maximum allowable heat rate input for the combustion turbine shall not exceed 11,628,900 MMBtu/year at 100 percent load operation (maximum total input if turbine operated 8,760 hours per year at 100 percent load). Operation of the turbine at variable load conditions (i.e., conditions other than full-time operation at 100 percent load, 8,760 hours per year), including startup and shutdown periods, shall not result in an exceedance of the maximum allowable potential emissions listed in Table 3 of this Operating Permit. Records shall be maintained to document that the maximum allowable emission limitations in Table 3 of this Operating Permit are not exceeded. The term “per year” means a rolling 12-month period of time.

- K. The maximum allowable hours of operation for the emergency diesel fire pump shall not exceed 300 hours per year. The engine shall operate for “emergency purposes” only, including normal maintenance and testing, as defined in 310 CMR 7.00. The term “per year” means a rolling 12-month period of time.
- L. The carbon monoxide (CO) catalyst shall achieve and maintain a 75 percent minimum CO removal efficiency under 100 percent load operation, and a 76 percent minimum CO removal efficiency under 75 percent load operation. Demonstration of compliance with the CO emission limits in Table 3 shall be deemed to satisfy demonstration of compliance with the CO removal efficiencies in this proviso.
- M. Natural gas shall be the only fuel burned in the combustion turbine.
- N. Transportation-grade No. 2 distillate oil shall be the only fuel burned in the emergency diesel fire pump. The distillate oil to be burned shall have a sulfur content not in excess of 0.05 percent sulfur by weight.
- O. In accordance with 40 CFR 63 Subpart Q, the facility’s auxiliary cooling tower shall use no chromium-based water treatment chemicals.
- P. The standard operating and maintenance procedures for the ammonia handling system shall be stored in a convenient location (control room/technical library) and shall be made readily available to all employees.
- Q. State NO_x Allowance Trading Program, 310 CMR 7.28
1. Emission Unit No. EU-1 is subject to the requirements of the Massachusetts NO_x Allowance Trading Program under 310 CMR 7.28. MassDEP, in a letter dated March 14, 2002, issued Phase I of the NO_x Allowance Trading Program Emission Control Plan (ECP) No. 4B01047. Phase I consists of approval of the emissions monitoring plan required under 310 CMR 7.28(11) and the net output documentation required under 310 CMR 7.28(7)(b)(9). In a letter dated October 18, 2002, MassDEP issued Phase II of the NO_x Allowance Trading Program Emission Control Plan (ECP) No. 4B01047. Phase II consists of approval of the certification of the monitoring systems required in accordance with 310 CMR 7.28(11).
 2. NO_x allowance use and transfer must comply with 310 CMR 7.28(10).
 3. In accordance with 310 CMR 7.28(14), each year by November 30, for each budget unit, the total number of banked or current year allowances in its compliance or overdraft account must equal or exceed the NO_x emissions from the budget unit in the current control period.
 4. Each budget unit shall meter electric and/or steam output in accordance with the approved monitoring methodology contained in Table II and Table III of the ECP Approval No. 4B01047.
 - (a) In the case where billing meters are used to determine output, no QA/QC

activities beyond those already performed are required. To qualify as a billing meter, the measurement device must be used to measure electric or thermal output for commercial billing under a contract. The facility selling the electric or thermal output must have different owners from the owners of the part purchasing the electric or thermal output. Any electric or thermal output values that the facility reports must be the same as the values used in billing for the output.

- (b) In the case where non-billing meters are used to determine output, if the facility decides to adopt a system approach to accuracy then a system accuracy of 10.0 percent must be achieved. If testing an output measurement system shows that the output readings are not accurate to 10.0 percent or less, then the measurement equipment must be retested or replaced, and meet that requirement. If the facility decides to adopt a component approach to accuracy, then a component accuracy of 3.0 percent must be achieved. If testing a piece of output measurement equipment shows that the output readings are not accurate to 3.0 percent or less of the full scale, then the measurement equipment must be retested or replaced, and meet that requirement. When a non-billing system fails to meet the 10 percent or 3 percent requirement, data should be considered invalid, prospectively, for purposes of determining allocations. Data remain invalid until the output measurement equipment passes an accuracy test or is replaced with another piece of equipment that passes the accuracy test. The invalid data must be omitted and either zero or an output value that is likely to be lower than a measured value must be reported.
- (c) Output measurement equipment must be tested for accuracy or recalibrated at least once every two years, in accordance with applicable consensus or NIST traceable standards, unless a standard allows for less frequent calibrations or accuracy tests.

R. Federal Acid Rain Program: Phase II Acid Rain Permit

1. Emission Unit No. 1 is subject to the requirements of Phase II of the federal Acid Rain Program. Pursuant to 40 CFR 72.71, 40 CFR 72.73, and 310 CMR 7.00, Appendix C(3)(n), MassDEP is the permitting authority for Phase II Acid Rain Permits. MassDEP issued Phase II Acid Rain Permit No. 4B97112 to the Permittee on December 30, 1997.
2. The Permittee's designated representative may buy, sell, trade, or transfer allowances for or between Emission Unit accounts at any time, except between January 30th and the completion of the annual SO₂ allowance reconciliation, for the preceding year(s). By January 30th of each year, the Permittee must hold in the SO₂ allowance account for each emission unit at least one allowance for each ton of SO₂ emitted the previous year. The number of allowances allocated to Phase II affected emission units by U.S. EPA was changed in a 1998 revision to 40 CFR 73, Tables 2, 3, and 4. This revision affected allowances from the year 2000 forward. In addition, the number of allowances actually held by an affected Emission Unit

in a unit account may differ from the number allocated by the U.S. EPA.

3. The yearly allowance allocations as identified in 40 CFR 73 and Phase II Acid Rain Permit No. 4B97112, as revised in 40 CFR 73, are listed below:

Emission Unit	Calendar Year	
	2000-2009	2010 and beyond
1	0	0

4. Acid Rain Approval No. 4B97112 is incorporated by reference into Operating Permit No. 4V00033.

S. Allowable Sound Impacts (State-Only Requirement)

- 1.

Noise Receptors	A-Weighted Sound Levels in Decibels – dB(A)					
	Ambient (night)	Ambient (night) + Plant Impact	Night-time Change	Ambient (day)	Ambient (day) + Plant Impact	Day-time Change
RP-1	30	40	10	44	45	1
RP-2	28	38	10	37	40	3
RP-3	28	38	10	38	41	3
RP-4	28	38	10	34	39	5
RP-5	29	39	10	32	40	8
CNL-1	30	55	25	44	55	11
CNL-2	28	60	32	34	60	26
CNL-3	28	60	32	34	60	26
CNL-4	(see note)	-	-	-	-	-

where;

- RP-1: The closest residence east – owned by the Permittee
- RP-2: The residence southeast
- RP-3: The residential neighborhood near Susan Road west
- RP-4: The residence northwest
- RP-5: The residence north
- CNL-1: The property line east
- CNL-2: The property line north
- CNL-3: The property line southwest
- CNL-4: The former property line to the south – now on land owned by the Permittee

2. The operation of the facility shall result in no “pure tones” as defined by MassDEP Noise Policy No. 90-001.

- T. The Permittee has stated in its Operating Permit Renewal Application, Transmittal No. X224279, “Not Applicable” regarding the requirements of 40 CFR 82, Protection of

Stratospheric Ozone. The U.S. Environmental Protection Agency enforces these requirements.

- U. The owner/operator of Dighton Power, LLC is subject to and shall comply with the Massachusetts Clean Air Interstate Rule (CAIR), 310 CMR 7.32, and has submitted a CAIR emission control application pursuant to 310 CMR 7.32(3).
- V. Massachusetts CO₂ Budget Trading Program, 310 CMR 7.70
 - 1. The owner/operator of EU-1 is subject to the Massachusetts CO₂ Budget Trading Program, 310 CMR 7.70, and shall comply with all applicable requirements therein. In accordance with 310 CMR 7.70(3)(b), the CO₂ Authorized Account Representative submitted a complete CO₂ Budget Emission Control Plan under 310 CMR 7.70(3)(c) covering EU-1, which was approved by MassDEP on December 18, 2008 (refer to Approval No. 4B08036, Transmittal No. X223621).

6. ALTERNATIVE OPERATING SCENARIOS

The Permittee did not request alternative operating scenarios in its operating permit application.

7. EMISSIONS TRADING

(a) Intra-facility emission trading

The facility did not request intra-facility emissions trading in its operating permit application.

(b) Inter-facility emission trading

All increases in emissions due to emission trading, must be authorized under the applicable requirements of 310 CMR 7.00: Appendix B (the "Emissions Trading Program") and the 42 U.S.C. §7401 et seq. (the "Act"), and provided for in this permit.

8. COMPLIANCE SCHEDULE

The Permittee has indicated that the facility is in compliance and shall remain in compliance with the applicable requirements contained in Sections 4 and 5.

In addition, the Permittee shall comply with any applicable requirements that become effective during the permit term.

GENERAL CONDITIONS FOR OPERATING PERMIT

9. FEES

The Permittee has paid the permit application processing fee and shall pay the annual compliance fee in accordance with the fee schedule pursuant to 310 CMR 4.00.

10. COMPLIANCE CERTIFICATION

All documents submitted to MassDEP shall contain certification by the responsible official of truth, accuracy, and completeness. Such certification shall be in compliance with 310 CMR 7.01(2) and contain the following language:

“I certify that I have personally examined the foregoing and am familiar with the information contained in this document and all attachments and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including possible fines and imprisonment.”

The “Operating Permit Reporting Kit” contains instructions and the Annual Compliance Report and Certification and the Semi-Annual Monitoring Summary Report and Certification. The “Operating Permit Reporting Kit” is available to the Permittee via MassDEP’s web site,

<http://www.mass.gov/dep/air/approvals/aqforms.htm#op>

(a) Annual Compliance Report and Certification

The Responsible Official shall certify, annually for the calendar year, that the facility is in compliance with the requirements of this permit. The report shall be postmarked or delivered by January 30 to MassDEP and to the Regional Administrator, U.S. Environmental Protection Agency – New England Region. The report shall be submitted in compliance with the submission requirements below.

The compliance certification and report shall describe:

- (i) The terms and conditions of the permit that are the basis of the certification;
- (ii) the current compliance status and whether compliance was continuous or intermittent during the reporting period;
- (iii) the methods used for determining compliance, including a description of the monitoring, record keeping, and reporting requirements and test methods; and,
- (iv) any additional information required by MassDEP to determine the compliance status of the source.

(b) Semi-Annual Monitoring Summary Report and Certification

The Responsible Official shall certify, semi-annually on the calendar year, that the facility is in compliance with the requirements of this permit. The report shall be postmarked or delivered by January 30 and July 30 to MassDEP. The report shall be submitted in compliance with the submission requirements below.

The compliance certification and report shall describe:

- (i) the terms and conditions of the permit that are the basis of the certification;
- (ii) the current compliance status during the reporting period;
- (iii) the methods used for determining compliance, including a description of the monitoring, record keeping, and reporting requirements and test methods;
- (iv) whether there were any deviations during the reporting period;
- (v) if there were any outstanding deviations at the time of reporting, and the Corrective Action Plan to remedy said deviation;
- (vi) whether deviations in the reporting period were previously reported;
- (vii) if there were any outstanding deviations at the time of reporting, the proposed date of return to compliance;
- (viii) if the deviations in the reporting period have returned to compliance and date of such return to compliance; and,
- (ix) any additional information required by MassDEP to determine the compliance status of the source.

11. NONCOMPLIANCE

Any noncompliance with a permit condition constitutes a violation of 310 CMR 7.00: Appendix C and the Clean Air Act, and is grounds for enforcement action, for permit termination or revocation, or for denial of an operating permit renewal application by MassDEP and/or EPA. Noncompliance may also be grounds for assessment of administrative or civil penalties under M.G.L. c.21A, §16 and 310 CMR 5.00, and civil penalties under M.G.L. c.111, §142A and 142B. This permit does not relieve the Permittee from the obligation to comply with any other provisions of 310 CMR 7.00 or the Act, or to obtain any other necessary authorizations from other governmental agencies, or to comply with all other applicable Federal, State, or Local rules and regulations, not addressed in this permit.

12. PERMIT SHIELD

- (a) This facility has a permit shield provided that it operates in compliance with the terms and conditions of this permit. Compliance with the terms and conditions of this permit shall be deemed compliance with all applicable requirements specifically identified in Sections 4, 5, 6, and 7, for the emission units as described in the Permittee's application and as identified in this permit.

Where there is a conflict between the terms and conditions of this permit and any earlier permit, the terms and conditions of this permit control.

- (b) MassDEP has determined that the Permittee is not currently subject to the requirements listed in Section 4, Table 7.
- (c) Nothing in this permit shall alter or affect the following:
- (i) The liability of the source for any violation of applicable requirements prior to or at the time of permit issuance.
 - (ii) The applicable requirements of the Acid Rain Program, consistent with 42 U.S.C. §7401, §408(a); or,
 - (iii) the ability of EPA to obtain information under 42 U.S.C. §7401, §114 or §303 of the Act.

13. ENFORCEMENT

The following regulations found at 310 CMR 7.02(8)(h) Table 6 for wood fuel, 7.04(9), 7.05(8), 7.09 (odor), 7.10 (noise), 7.18(1)(b), 7.21, 7.22, 7.70 and any condition(s) designated as "state only" are not federally enforceable because they are not required under the Act or under any of its applicable requirements. These regulations and conditions are not enforceable by the EPA. Citizens may seek equitable or declaratory relief to enforce these regulations and conditions pursuant to Massachusetts General Law Chapter 214, Section 7A.

All other terms and conditions contained in this permit, including any provisions designed to limit a facility's potential to emit, are enforceable by MassDEP, EPA and citizens as defined under the Act.

A Permittee shall not claim as a defense in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

14. PERMIT TERM

This permit shall expire on the date specified on the cover page of this permit, which shall not be later than the date five (5) years after the issuance of this permit.

Permit expiration terminates the Permittee's right to operate the facility's emission units, control equipment or associated equipment covered by this permit, unless a timely and complete renewal application is submitted at least 6 months before the expiration date.

15. PERMIT RENEWAL

Upon MassDEP's receipt of a complete and timely application for renewal, this facility may continue to operate subject to final action by MassDEP on the renewal application.

In the event MassDEP has not taken final action on the operating permit renewal application prior to this permit's expiration date, this permit shall remain in effect until MassDEP takes final action on the renewal application, provided that a timely and complete renewal application has been submitted in accordance with 310 CMR 7.00: Appendix C(13).

16. REOPENING FOR CAUSE

This permit may be modified, revoked, reopened, and reissued, or terminated for cause by MassDEP and/or EPA. The responsible official of the facility may request that MassDEP terminate the facility's operating permit for cause. MassDEP will reopen and amend this permit in accordance with the conditions and procedures under 310 CMR 7.00: Appendix C(14).

The filing of a request by the Permittee for an operating permit revision, revocation and reissuance, or termination, or a notification of a planned change or anticipated noncompliance does not stay any operating permit condition.

17. DUTY TO PROVIDE INFORMATION

Upon MassDEP's written request, the Permittee shall furnish, within a reasonable time, any information necessary for determining whether cause exists for modifying, revoking and reissuing, or terminating the permit, or to determine compliance with the permit. Upon request, the Permittee shall furnish to MassDEP copies of records that the Permittee is required to retain by this permit.

18. DUTY TO SUPPLEMENT

The Permittee, upon becoming aware that any relevant facts were omitted or that incorrect information was submitted in the permit application, shall promptly submit such supplementary facts or corrected information. The Permittee shall also provide additional information as necessary to address any requirements that become applicable to the facility after the date a complete renewal application was submitted but prior to release of a draft permit.

The Permittee shall promptly, on discovery, report to MassDEP a material error or omission in any records, reports, plans, or other documents previously provided to MassDEP.

19. TRANSFER OF OWNERSHIP OR OPERATION

This permit is not transferable by the Permittee unless done in accordance with 310 CMR 7.00: Appendix C(8)(a). A change in ownership or operation control is considered an administrative permit amendment if no other change in the permit is necessary and provided that a written agreement containing a specific date for transfer of permit responsibility, coverage, liability between current and new Permittee has been submitted to MassDEP.

20. PROPERTY RIGHTS

This permit does not convey any property rights of any sort, or any exclusive privilege.

21. INSPECTION AND ENTRY

Upon presentation of credentials and other documents as may be required by law, the Permittee shall allow authorized representatives of MassDEP and EPA to perform the following:

- (a) Enter upon the Permittee's premises where an operating permit source activity is located or emissions-related activity is conducted, or where records must be kept under the conditions of this permit;
- (b) have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
- (c) inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and,
- (d) sample or monitor at reasonable times, any substances or parameters for the purpose of assuring compliance with the operating permit or applicable requirements as per 310 CMR 7.00 Appendix C(3)(g)12.

22. PERMIT AVAILABILITY

The Permittee shall have available at the facility at all times a copy of the materials listed under 310 CMR 7.00: Appendix C(10)(e) and shall provide a copy of the permit, including any amendments or attachments thereto, upon request by MassDEP or EPA.

23. SEVERABILITY CLAUSE

The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstances, is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.

24. EMERGENCY CONDITIONS

The Permittee shall be shielded from enforcement action brought for noncompliance with technology based⁽¹⁾ emission limitations specified in this permit as a result of an emergency⁽²⁾. In order to use emergency as an affirmative defense to an action brought for noncompliance, the Permittee shall demonstrate the affirmative defense through properly signed, contemporaneous operating logs, or other relevant evidence that:

- (a) an emergency occurred and that the Permittee can identify the cause(s) of the emergency;
- (b) the permitted facility was at the time being properly operated;
- (c) during the period of the emergency the Permittee took all reasonable steps as expeditiously as possible to minimize levels of emissions that exceeded the emissions standards, or other requirements in this permit; and,
- (d) the Permittee submitted notice of the emergency to MassDEP within two (2) business days of the time when emission limitations were exceeded due to the emergency. This notice must contain a description of the emergency, any steps taken to mitigate emission, and corrective actions taken.

If an emergency episode requires immediate notification to the Bureau of Waste Site Cleanup/-Emergency Response, immediate notification to the appropriate parties should be made as required by law.

25. PERMIT DEVIATION

Deviations are instances where any permit condition is violated and not reported as an emergency pursuant to Section No. 24 of this Operating Permit. Reporting a permit deviation is not an affirmative defense for action brought for noncompliance. Any reporting requirements listed in

⁽¹⁾ Technology based emission limits are those established on the basis of emission reductions achievable with various control measures or process changes (e.g., a new source performance standard) rather than those established to attain health based air quality standards.

⁽²⁾ An "emergency" means any situation arising from sudden and reasonably unforeseeable events beyond the control of the facility, including acts of God, which situation would require immediate corrective action to restore normal operation, and that causes the source to exceed a technology based limitation under the permit, due to unavoidable increases in emissions attributable to the emergency. An emergency shall not include noncompliance to the extent caused by improperly designed equipment, lack of preventative maintenance, careless or improper operations, operator error or decision to keep operating despite knowledge of any of these things.

Table 6 of this Operating Permit shall supersede the following deviation reporting requirements, if applicable.

The Permittee shall report to MassDEP's Regional Bureau of Waste Prevention the following deviations from permit requirements, by telephone or fax, within three (3) days of discovery of such deviation:

- Unpermitted pollutant releases, excess emissions or opacity exceedances measured directly by CEMS/COMS, by EPA reference methods or by other credible evidence, which are ten percent (10%) or more above the emission limit.
- Exceedances of parameter limits established by your Operating Permits or other approvals, where the parameter limit is identified by the permit or approval as surrogate for an emission limit.
- Exceedances of permit operational limitations directly correlated to excess emissions.
- Failure to capture valid emissions or opacity monitoring data or to maintain monitoring equipment as required by statutes, regulations, your Operating Permit, or other approvals.
- Failure to perform QA/QC measures as required by your Operating Permit or other approvals for instruments that directly monitor compliance.

For all other deviations, three (3) day notification is waived and is satisfied by the documentation required in the subsequent Semi-Annual Monitoring Summary and Certification. Instructions and forms for reporting deviations are found in the MassDEP Bureau of Waste Prevention Air Operating Permit Reporting Kit, which is available to the Permittee via MassDEP's web site,

<http://www.mass.gov/dep/air/approvals/aqforms.htm#op>

This report shall include the deviation, including those attributable to upset conditions as defined in the permit, the probable cause of such deviations, and the corrective actions or preventive measures taken.

Deviations that were reported by telephone or fax within 3 days of discovery, said deviations shall also be submitted in writing via the Operating Permit Deviation Report to the regional Bureau of Waste Prevention within ten (10) days of discovery. For deviations which do not require 3 day verbal notification, follow-up reporting requirements are satisfied by the documentation required in the aforementioned Semi-Annual Monitoring Summary and Certification.

26. OPERATIONAL FLEXIBILITY

The Permittee is allowed to make changes at the facility consistent with 42 U.S.C. §7401, §502(b)(10) not specifically prohibited by the permit, and in compliance with all applicable requirements, provided the Permittee gives the EPA and MassDEP written notice fifteen days prior to said change; notification is not required for exempt activities listed at 310 CMR 7.00: Appendix C(5)(h) and (i). The notice shall comply with the requirements stated at 310 CMR 7.00: Appendix C(7)(a) and will be appended to the facility's permit. The permit shield allowed for at 310 CMR 7.00: Appendix C(12) shall not apply to these changes.

27. MODIFICATIONS

- (a) Administrative Amendments - The Permittee may make changes at the facility which are considered administrative amendments pursuant to 310 CMR 7.00: Appendix C(8)(a)1., provided they comply with the requirements established at 310 CMR 7.00: Appendix C(8)(b).
- (b) Minor Modifications - The Permittee may make changes at the facility which are considered minor modifications pursuant to 310 CMR 7.00: Appendix C(8)(a)2., provided they comply with the requirements established at 310 CMR 7.00: Appendix C(8)(d).
- (c) Significant Modifications - The Permittee may make changes at the facility which are considered significant modifications pursuant to 310 CMR 7.00: Appendix C(8)(a)3., provided they comply with the requirements established at 310 CMR 7.00: Appendix C(8)(c).
- (d) No permit revision shall be required, under any approved economic incentives program, marketable permits program, emission trading program and other similar programs or processes, for changes that are provided in this operating permit. A revision to the permit is not required for increases in emissions that are authorized by allowances acquired pursuant to the Acid Rain Program under Title IV of the Act, provided that such increases do not require an operating permit revision under any other applicable requirement.

28. LEGEND OF ABBREVIATED TERMS IN OPERATING PERMIT

SSEIS ID	Stationary Source Emission Inventory Identification Number
FMF FAC NO.	Facility Master File Facility Number
FMF RO NO.	Facility Master File Regulated Object Number
EU	emission unit no.
IA	insignificant activity
Btu/hr	British thermal units per hour
CO	carbon monoxide
SO ₂	sulfur dioxide
PM	particulate matter
NO _x	oxides of nitrogen
VOC	volatile organic compounds
NH ₃	ammonia
ppmvd	parts per million by volume, dry basis
lb/MMBtu	pounds per million British thermal units
HHV	higher heating value
lb/hr	pounds per hour
%	percent
°F	degrees Fahrenheit
<	less than
>	greater than
≤	less than or equal to
≥	greater than or equal to
ft ³	cubic feet

APPEAL CONDITIONS FOR OPERATING PERMIT

This permit is an action of MassDEP. If you are aggrieved by this action, you may request an adjudicatory hearing within 21 days of issuance of this permit. In addition, any person who participates in any public participation process required by the Federal Clean Air Act, 42 U.S.C. §7401, §502(b)(6) or under 310 CMR 7.00: Appendix C(6), with respect to MassDEP's final action on operating permits governing air emissions, and who has standing to sue with respect to the matter pursuant to federal constitutional law, may initiate an adjudicatory hearing pursuant to Chapter 30A, and may obtain judicial review, pursuant to Chapter 30A, of a final decision therein.

If an adjudicatory hearing is requested, the facility must continue to comply with all existing federal and state applicable requirements to which the facility is currently subject, until a final decision is issued in the case or the appeal is withdrawn. During this period, the application shield shall remain in effect, and the facility shall not be in violation of the Act for operating without a permit.

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 permit 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:

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

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

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

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