



Commonwealth of Massachusetts  
Executive Office of Energy & Environmental Affairs

## Department of Environmental Protection

Western Regional Office • 436 Dwight Street, Springfield MA 01103 • 413-784-1100

Charles D. Baker  
Governor

Karyn E. Polito  
Lieutenant Governor

Kathleen A. Theoharides  
Secretary

Martin Suuberg  
Commissioner

June 5, 2019

Patrick Bird  
Manager  
USEPA Region 1  
5 Post Office Square (OEP05-2)  
Boston, Massachusetts 02109-3912

Re: **Administrative Amendment**  
FINAL OPERATING PERMIT  
Appl. # WE-15-002; Trans. # X264829

Dear Mr. Bird:

In accordance with 310 CMR 7.00 - APPENDIX C(8) of the Massachusetts Air Pollution Control Regulations (“the Regulations”), the Department of Environmental Protection (“MassDEP”) is forwarding to EPA the attached **Administrative Amendment** to the Final Operating Permit for Community Eco Springfield, LLC located at 188 M Street in Agawam, Massachusetts.

***The attached Administrative Amendment to the Final Operating Permit consists of a change in the business name and facility contact name. The business name has been changed from Covanta Springfield, LLC to Community Eco Springfield, LLC. The facility contact name has been changed from Rick Meyer to John Foley.***

Should you have any questions concerning this **Administrative Amendment** to the Final Operating Permit, please contact Cortney Danneker at (413) 755-2234.

Sincerely,

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.

---

Marc Simpson  
Air Quality Permit Chief  
Western Region

ecc: Peter Czapienski, MassDEP WERO  
Yi Tian, MassDEP, Boston  
Marc Wolman, MassDEP Boston



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### AIR QUALITY OPERATING PERMIT

Issued by the Massachusetts Department of Environmental Protection ("Department" or "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"]:**

Community Eco Springfield, LLC  
188 M Street  
Agawam, MA 01001

**INFORMATION RELIED UPON:**

Application No. WE-15-002  
Transmittal No. X264829  
**Appl. WE-19-012; Trans. #X283592**  
**(Admin. Amend: Change Business Name and Facility Contact)**

**FACILITY LOCATION:**

Pioneer Valley Resource Recovery Facility  
188 M Street  
Agawam, MA 01001

**FACILITY IDENTIFYING NUMBERS:**

AQ ID: 0420006  
FMF FAC NO.: 50005  
FMF RO NO.: 173185

**NATURE OF BUSINESS:**

Municipal Waste Combustion Plant

Standard Industrial Classification (SIC): 4953  
North American Industrial Classification System (NAICS): 562213

**RESPONSIBLE OFFICIAL:**

Name: E. Scott Porter  
Title: Site Manager

**FACILITY CONTACT PERSON:**

Name: John Foley  
Title: Environmental Manager  
Phone: 413-785-5120  
Email: jfoley@cecopower.com

**This Operating Permit shall expire on 11/2/2020.**

For the Department of Environmental Protection

*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.*

6/5/19

\_\_\_\_\_  
Michael Gorski  
Regional Director  
Department of Environmental Protection  
Western Regional Office

\_\_\_\_\_  
Date

**This information is available in alternate format. Contact Michelle Waters-Ekanem, Director of Diversity/Civil Rights at 617-292-5751.**

**TTY# MassRelay Service 1-800-439-2370**

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## TABLE OF CONTENTS

Section	Special Conditions for Operating Permit	Page No.
1	Permitted Activities and Description of Facility and Operations	3
2	Emission Unit Identification – Table 1	6
3	Identification of Exempt Activities – Table 2	6
4	Applicable Requirements	
	A. Operational and/or Production Emission Limits and Restrictions – Table 3a/3b	7-8
	B. Compliance Demonstration	
	- Monitoring and Testing Requirements – Table 4a/4b/4c/4d	9-12
	- Record Keeping Requirements - Table 5a/5b/5c/5d/5e	13-17
	- Reporting Requirements – Table 6a/6b/6c	18-20
	C. General Applicable Requirements	21
	D. Requirements Not Currently Applicable -Table 7	21
5	Special Terms and Conditions – Table 8a/8b/8c/8d	22-25
6	Alternative Operating Scenarios	26
7	Emissions Trading	26
8	Compliance Schedule	26
Section	General Conditions for Operating Permit	
9	Fees	27
10	Compliance Certification	27
11	Noncompliance	28
12	Permit Shield	28
13	Enforcement	29
14	Permit Term	29
15	Permit Renewal	29
16	Reopening for Cause	30
17	Duty to Provide Information	30
18	Duty to Supplement	30
19	Transfer of Ownership or Operation	30
20	Property Rights	31
21	Inspection and Entry	31
22	Permit Availability	31
23	Severability Clause	31
24	Emergency Conditions	31
25	Permit Deviation	32
26	Operational Flexibility	33
27	Modifications	33
28	Ozone Depleting Substances	34
29	Prevention of Accidental Releases	35
Section	Appeal Conditions for Operating Permit	36

## **SPECIAL CONDITIONS FOR 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.

#### **A. DESCRIPTION OF FACILITY AND OPERATIONS**

The facility began commercial operation in 1988 and consists of three municipal waste combustors ("MWCs"), each having a design capacity of approximately 136 tons per day of municipal solid waste ("MSW"), assuming a higher heating value of 4,500 Btu per pound. The facility is also equipped with a sludge injection system designed to inject municipal wastewater treatment plant sludge and industrial sludge which meets specified criteria into each of the MWC units. Heat is recovered from the combustion process in the form of steam. The steam turns a turbine generator to produce electricity. The short-term waste processing capacity of the facility (4-hour block average) is based on 110 percent of the steam production rate during the most recent air emissions test. Throughput for the facility is limited to 131,400 tons in any 12 consecutive month period (MSW plus dry sludge solids).

The MWC units are Enercon Model WESG-120M, mass-burn refractory-lined combustors. The primary combustion chamber of each combustor consists of six progressively lower refractory lined hearths. Solid waste is tumbled from step to step by hydraulically activated rams. Following the primary combustion chamber, a secondary chamber provides time for completion of combustion reactions. The secondary chamber is operated to provide combustion gas one second residence time at about 1725°F.

The facility is also equipped with a technology developed by Energy Answers Corporation which allows for the combustion of sludge/FOG ("fats, oils and greases") in the MWC units. Sludge/FOG is stored in four-50,000 gallon tanks located behind the ash house.

Combustion gases from the secondary chambers pass into separate waste heat boilers sharing a common turbine, condenser, cooling tower and water treatment system. Steam drives the turbine generator, which generates electricity for internal plant use and for sale. Each boiler produces about 32,000 pounds per hour of 750°F, 650 psig steam. The steam turbine generator generates up to 9.4 MW of electricity for internal plant use (1.9MW) and for sale (7.5MW) to the Western Massachusetts Electric Company. The electricity sold to WMECO is enough to power approximately 7,500 homes.

Flue gas leaving each boiler passes through an economizer and then splits into two streams. A portion of the flue gas is recirculated back to the combustor where it is used to assist in controlling combustion gas temperatures entering the waste heat boilers and inhibiting the formation of oxides of nitrogen. The majority of the flue gas is further cooled in a gas temperature control heat exchanger for energy recovery and improved air quality control system performance.

The flue gas cleaning system for each combustor includes the dry injection of powdered activated carbon for mercury control and the dry injection of lime for acid gas control, followed by a pulsed jet cleaned fabric filter (baghouse) for particulate control. Activated carbon is injected into the ductwork after the Gas Temperature Controller of each train. The combustor flue gas then enters a dry absorption reactor where it is mixed with dry, finely powdered hydrated lime,  $\text{Ca}(\text{OH})_2$ , to remove acid gases. The gas, now carrying dry reaction products and fly ash particulate, exits the reactor and is directed to the fabric filter for particulate removal and collection. Powdered activated carbon is automatically fed from bulk bags (one 900-pound bag per train) housed within a separate structure. A silo is provided for storage of the hydrated lime.

The cleaned flue gas then passes through the induced draft fan and is discharged into a 175-foot stack that is common to all three units. The continuous emission monitoring system (“CEMS”) is located on the stack, downstream of the air pollution control systems. The CEMS monitors emissions of sulfur dioxide, oxides of nitrogen, carbon monoxide, oxygen and opacity. CEMS data are used for compliance demonstration purposes.

The facility is subject to the Operating Permit and Compliance Program pursuant to 310 CMR 7.00: Appendix C(2) since it has the potential to emit greater than 50 tons per year of nitrogen oxides ( $\text{NO}_x$ ), 100 tons per year of carbon monoxide ( $\text{CO}$ ) and 10 tons per year of hydrogen chloride ( $\text{HCl}$ ) and it is subject to 40 CFR 62 Subpart JJJ (40 CFR 62.15395).

The facility is a “major stationary source” pursuant to the PSD regulations of 40 CFR § 52.21 because the municipal waste combustor is capable of charging more than 50 tons of refuse per day<sup>1</sup> and has the potential to emit more than 100 tpy of a new source review (NSR) regulated pollutant.

The facility is also a “major stationary source” pursuant to the Emission Offsets and Nonattainment Review regulations of 310 CMR 7.00: Appendix A because the facility has the potential to emit more than 50 tons per year of  $\text{NO}_x$ .

The United States Environmental Protection Agency (USEPA) promulgated emission guidelines on December 6, 2000 for states with existing small MWC units (40 CFR Part 60, Subpart BBBB) for which construction was commenced on or before August 30, 1999. 40 CFR Part 60, Subpart BBBB required states with small MWCs to submit to USEPA a state plan which implements and enforces the Subpart BBBB emission guidelines. Since a state plan has not been approved by USEPA, the small MWC units are subject to 40 CFR Part 62, Subpart JJJ, Federal Plan Requirements for Small Municipal Waste Combustion Units Constructed On or Before August 30, 1999. 40 CFR Part 62, Subpart JJJ was promulgated by the USEPA on January 31, 2003.

In the April 30, 2004, Conditional Approval 1-E-03-042 and the March 23, 2004, Condition Approval 1-P-03-041, the Permittee agreed to make modifications to enable full compliance with Regulation 310 CMR 7.08 as applicable to large MWC units in accordance with MassDEP’s Administrative Consent Order File No. ACO-WE-03-70012-SEP. In the Consent Order, the Permittee agreed to comply with

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<sup>1</sup> Under the 1977 Clean Air Act (CAA), “municipal incinerators capable of charging more than 250 tons of refuse per day” was one of the stationary sources specified in 40 CFR 52.21(b)(1)(i)(a). Under the CAA amendments of 1990, municipal incinerators capable of charging more than 250 tons of refuse per day category was amended to 50 tons of refuse per day - Clean Air Act, Section 169(1), as amended by Section 305(b) of the 1990 CAA Amendments. 40 CFR 52.21(b)(1)(i)(a) has not been amended to reflect this PSD threshold category change.

these standards which otherwise would not apply because each unit has a capacity of less than 250 tons/day of municipal solid waste and are therefore not large MWC units. In addition to satisfying the provisions of the Consent Order, the proposed modifications of the small MWCs would also provide for compliance with the Federal plan requirements of 40 CFR Part 62, Subpart JJJ since the requirements of 310 CMR 7.08 for large MWC units are equally or more stringent than the requirements of 40 CFR Part 62, Subpart JJJ.

The MWCs do meet the compliance assurance monitoring (CAM) general applicability criteria pursuant to 40 CFR 64.2(a) for certain regulated air pollutants which have an emission limit and a control device; however, each of these regulated air pollutants have emission limitations pursuant to 40 CFR Part 62 Subpart JJJ which have been subsumed by 310 CMR 7.08. Therefore, the regulated air pollutants which are subject to 40 CFR Part 62 Subpart JJJ are exempt from CAM requirements pursuant to 40 CFR 64.2(b) (1)(i) which states:

b) *Exemptions* —(1) *Exempt emission limitations or standards*. The requirements of this part shall not apply to any of the following emission limitations or standards:

(i) Emission limitations or standards proposed by the Administrator after November 15, 1990 pursuant to section 111 or 112 of the Act.

## 2. EMISSION UNIT IDENTIFICATION

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

<b>Table 1</b>			
<b>EU</b>	<b>Description of EU</b>	<b>EU Design Capacity</b>	<b>Pollution Control Device (PCD)</b>
1	Enercon Incinerator #1	136 tons MSW/day	dry scrubber activated carbon injection fabric filter
2	Enercon Incinerator #2	136 tons MSW/day	dry scrubber activated carbon injection fabric filter
3	Enercon Incinerator #3	136 tons MSW/day	dry scrubber activated carbon injection fabric filter
5	#2 Oil Storage Tank	15,000 gallon	None
6	Ash Handling & Fugitive Emissions	N/A	Enclosed building & conveyors
7	Remote Reservoir Cold Cleaning Degreaser	N/A	None

### Table 1 Key

EU = Emission Unit  
 MSW = municipal solid waste

PCD = Pollution Control Device

## 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):

<b>Table 2</b>	
<b>Description of Current Exempt Activities</b>	<b>Reason</b>
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 exempt activities list shall be kept on-site at the facility and a copy shall be submitted to the 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. OPERATIONAL AND/OR PRODUCTION EMISSION LIMITS AND RESTRICTIONS**

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

<b>Table 3a</b>				
EU	Fuel/Raw Material	Pollutant	Emissions Limits/Standards <sup>1</sup>	Applicable Regulation and/or Approval No
1	MSW and MSW + sludge, and #2 oil (auxiliary burners)	SO <sub>2</sub>	29 ppmvd @ 7% O <sub>2</sub> (24-hour block geometric mean), or 75% reduction by weight or volume <sup>2</sup>	Regulation 310 CMR 7.08(2)(f)2. DEP Approval #1-E-03-042 (4/30/2004)
2		PM <sup>3</sup>	27.0 mg/dscm @ 7% O <sub>2</sub> <sup>4</sup>	Regulation 310 CMR 7.08(2)(f)2. DEP Approval #1-E-03-042 (4/30/2004)
3		NO <sub>x</sub>	167 ppmvd @ 7% O <sub>2</sub> <sup>5</sup> (24-hour block average) 137 ppmvd @ 7% O <sub>2</sub> <sup>6</sup> (rolling 365-day average)	DEP Approval #1-I-93-003 (6/18/93; amended 1/13/94) DEP Approval #1-P-03-041 (3/23/2004)
		CO	100 ppmvd @ 7% O <sub>2</sub> <sup>7</sup> (4-hour block average)	Regulation 310 CMR 7.08(2)(f)(1)(a)(1) DEP Approval #1-E-03-042 (4/30/2004)
		HCl	29 ppmvd @ 7% O <sub>2</sub> , or 95% reduction by wt. or volume (whichever is least stringent) <sup>4</sup>	Regulation 310 CMR 7.08(2)(f)2. DEP Approval #1-E-03-042 (4/30/2004)
		Be	6.88 x 10 <sup>-4</sup> mg/dscm @ 7% O <sub>2</sub> <sup>4</sup>	DEP Approval #1-E-03-042 (04/30/2004)
		cadmium	0.040 mg/dscm @ 7% O <sub>2</sub> <sup>4</sup>	Regulation 310 CMR 7.08(2)(f)2. DEP Approval #1-E-03-042 (4/30/2004)
		lead	0.440 mg/dscm @ 7% O <sub>2</sub> <sup>4</sup>	Regulation 310 CMR 7.08(2)(f)2. DEP Approval #1-E-03-042 (4/30/2004)
		mercury	0.080 mg/dscm (1 test) <sup>4</sup> 0.028 mg/dscm @ 7% O <sub>2</sub> (rolling 4-test average) <sup>8</sup>	Regulation 310 CMR 7.08(2)(f)2. DEP Approval #1-P-03-041 (3/23/2004)
		PCDD/PCDF (tetra thru octa)	30 ng/dscm @ 7% O <sub>2</sub> <sup>4</sup>	Regulation 310 CMR 7.08(2)(f)2. DEP Approval #1-P-03-041 (3/23/2004)
		Opacity	≤ 10% (6-minute)	Regulation 310 CMR 7.08(2)(f)(2) DEP Approval #1-E-03-042 (4/30/2004)
		Sulfur in fuel (#2 oil)	≤0.05% by weight – July 1, 2014 through June 30, 2018  ≤0.0015% by weight – On and after July 1, 2018	Regulation 310 CMR 7.05(1)(a)1.
6		Visible Emissions of Fugitive Ash	No discharge into the atmosphere of any visible emissions of combustion ash from an ash conveying system (including transfer points) in excess of 5 percent of the observation period (nine minutes per three hour period).  This emission limit does not cover visible emissions discharged inside buildings or enclosures of ash conveying systems; however the emission limit does apply to visible emissions discharged to the atmosphere from buildings or enclosures of ash conveying systems. The limit does not apply during maintenance and repair of ash conveying systems. Maintenance and repair of the ash conveying systems must be done in accordance with best management practices.	Regulation 310 CMR 7.08(2)(f)5. DEP Approval #1-E-03-042 (4/30/2004)
7		VOC	Solvent consumption rate of less than 100 gallons per month.	Regulation 310 CMR 7.18(8)(a) Regulation 310 CMR 7.18(1) Regulation 310 CMR 7.03(8)



**Table 3b**

EU	Fuel/Raw Material	Pollutant	Emissions Limits/Standards <sup>1</sup>	Applicable Regulation and/or Approval No
Facility-wide		Greenhouse Gas <sup>9</sup>	n/a	Regulation 310 CMR 7.71 (state only)

**Table 3 Key:**

- |   |   |
|---|---|
| EU = Emission Unit<br>CO = Carbon Monoxide<br>PM = Total Particulate Matter<br>Be = Beryllium<br>S = sulfur<br>mg/dscm @ 7% O <sub>2</sub> = milligram per dry standard cubic meter corrected to 7 percent oxygen<br>lbs/MMBtu = pounds per Million British thermal units<br>% = percent<br>≤ = less than or equal to | NO <sub>x</sub> = Nitrogen Oxides<br>SO <sub>2</sub> = Sulfur Dioxide<br>HCl = Hydrogen Chloride<br>VOC = Volatile Organic Compounds<br>ppmvd @ 7% O <sub>2</sub> = parts per million by volume, corrected to 7 percent oxygen<br>PCDD = Polychlorinated dibenzo- <i>p</i> -dioxins<br>PCDF = Polychlorinated dibenzofurans |
|---|---|

**Table 3 Foot Notes:**

1. Pursuant to 310 CMR 7.08(2)(g), excluded from the data reduction intervals are a) periods of malfunction not exceeding 3 hours duration, b) periods of incinerator warm-up when an incinerator is burning non-MSW fuel and has not begun the continuous burning of MSW, c) the three hour period commencing after start-up (start-up begins with the continuous burning of MSW), d) the three hour period commencing after shut-down (shut-down begins when MSW is no longer being fed to the incinerator and the secondary burners are shut off) and e) for the purpose of compliance with the carbon monoxide emission limits, if a loss of boiler water level control ( e.g., boiler waterwall tube failure) or a loss of combustion air control ( e.g., loss of combustion air fan, induced draft fan, combustion grate bar failure) is determined to be a malfunction, the duration of the malfunction period is limited to 15 hours per occurrence.
2. Compliance is determined based on a 24-hour block geometric mean using the hourly averages from the SO<sub>2</sub> CEM for the following interval: 0000-2400 hours.
3. Particulate matter as measured according to the applicable procedures specified in 40 CFR Part 60 Appendix A, Method 5.
4. Compliance is determined through periodic stack testing in accordance with the applicable USEPA reference test method(s).
5. Compliance is determined based upon a 24-hour block arithmetic average using the hourly averages from the NO<sub>x</sub> CEM for the following interval: 0000-2400 hours.
6. Based on a rolling 365-day average, as determined by the NO<sub>x</sub> CEM.
7. Compliance is determined based on a 4-hour block average using the hourly averages from the CO CEM for the following intervals: 0000-0400, 0400-0800, 0800-1200, 1200-1600, 1600-2000, & 2000-2400 hours.
8. Pursuant to 310 CMR 7.08(2), the indicated emission limit for Hg shall be based on the average of four (4) quarterly compliance tests per 12-month rolling period, but shall not exceed 0.080 mg/dscm in any quarterly test. If compliance with the mercury emission limit has been achieved in each quarter for eight consecutive quarters, then compliance testing may be performed on a nine month basis. Quarterly compliance testing shall resume if compliance cannot be achieved with the emission limitation.
9. Greenhouse Gas means any chemical or physical substance that is emitted into the air and that the Department may reasonably anticipate will cause or contribute to climate change including, but not limited to, CO<sub>2</sub>, CH<sub>4</sub>, N<sub>2</sub>O, SF<sub>6</sub>, hydrofluorocarbons (HFCs), and perfluorocarbons(PFCs).

**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) and applicable requirements contained in Table 3:

<b>Table 4a</b>	
<b>EU</b>	<b>Monitoring And Testing Requirements</b>
1 2 3	1. In accordance with DEP Approval #1-E-03-042 (4/30/2004) and 310 CMR 7.08(2)(g), calibrate, maintain, test, and operate continuous flue gas monitors and recorders for oxygen, sulfur dioxide, carbon monoxide, nitrogen dioxides, and opacity in accordance with the requirements of 40 CFR 60 Appendix B and Appendix F.
	2. In accordance with ACOP-WE-09-7003 (9/21/2009), by no later than June 1, 2010, install and make operational an O <sub>2</sub> CEM system which shall replace the existing CO <sub>2</sub> dilution CEM system.
	3. In accordance with DEP Approval #1-E-03-042 (4/30/2004) and 310 CMR 7.08(2)(g), monitor sulfur dioxide emissions in the stack using a CEM for the purpose of demonstrating compliance with the SO <sub>2</sub> emission limit specified in Table 3.
	4. In accordance with DEP Approval #1-E-03-042 (4/30/2004) and 310 CMR 7.08(2)(g), monitor carbon monoxide emissions in the stack using a CEM for the purpose of demonstrating compliance with the CO emission limit specified in Table 3.
	5. In accordance with DEP Approvals #1-E-03-042 (4/30/2004), # 1-P-03-041 (March 23, 2004) and #1-I-93-003 (6/18/93; Amended 1/13/94), monitor nitrogen oxide emissions in the stack using a CEM for the purpose of demonstrating compliance with the emission limits (24-hour block average and rolling 365-day average) specified in Table 3.
	6. In accordance with DEP Approval #1-E-03-042 (4/30/2004) and 310 CMR 7.08(2)(g), monitor opacity in the stack using a continuous opacity monitor for the purpose of demonstrating compliance with the opacity limit specified in Table 3
	7. In accordance with DEP Approval #1-E-03-042 (4/30/2004), alarm the SO <sub>2</sub> , CO, and NO <sub>x</sub> CEMS and the continuous opacity monitor at no greater than the emission limits specified in Table 3.
	8. In accordance with DEP Approval PV-85-IN-006 (amended 6/27/86), at the request of the MassDEP, monitor for hydrogen chloride if in the MassDEP's opinion this is deemed appropriate.
	9. In accordance with DEP Approval #1-E-03-042 (4/30/2004) and 310 CMR 7.08(2)(g) 5.a., ensure that for the CEMS which monitor NO <sub>x</sub> , SO <sub>2</sub> , operating practices and parameters, (e.g., CO, unit load and PM control device inlet temperature) obtains at a minimum valid continuous emissions monitoring system data for 75% of the hours per day (18 hours per day) for 75% of the days per month (23 days per month for a 30 day month), and 90% of the hours per quarter that the municipal waste combustor unit is combusting municipal solid waste.
	10. In accordance with DEP Approval #1-E-03-042 (4/30/2004) and 310 CMR 7.08(2)(g)5.b., ensure that the CO CEMS is in accordance with Performance Specification 4 of 40 CFR Part 60, Appendix B, thereby satisfying the requirements in 310 CMR 7.08(2)(g).
	11. In accordance with DEP and PSD Approval PV-85-IN-006 (amended 6/27/86), for each unit monitor the temperature in the secondary combustion chamber, steam pressure, steam temperature and steam flow (lb/hr), dry scrubber dry solids feed rate <sup>(1)</sup> , pressure drop across baghouse and baghouse inlet temperature, and exhaust gas recirculation rate. The types and location of monitors and recorders must be approved by the MassDEP prior to installation, or prior to relocation or replacement.

**Table 4a Notes:**

1. The dry scrubber dry solids feed rate shall be monitored as specified in the facility's approved Standard Operating & Maintenance Manual.

**Table 4b**

EU	Monitoring And Testing Requirements
1 2 3	<p>12. In accordance with 310 CMR 7.04(4)(a), inspect and maintain each auxiliary burner (<math>\geq 3</math> MMBtu/hr heat input rating) in accordance with the manufacturer's recommendations and test each burner in accordance with the manufacturer's recommendations for efficient operation once each calendar year.</p>
	<p>13. In accordance with DEP Approval #1-E-03-042 (4/30/2004), 310 CMR 7.08(2)(f)1.a.ii. and 40 CFR 60.58b(i)(6), monitor steam flow (four-hour block average basis) for each unit for the purpose of demonstrating compliance with the maximum demonstrated facility load restriction. Steam flow totalizer readings shall be used to demonstrate compliance with the maximum allowable load level limit.</p>
	<p>14. In accordance with DEP Approval #1-E-03-042 (4/30/2004), alarm steam flow at no greater than 110% of the maximum demonstrated municipal waste combustor unit load.</p>
	<p>15. In accordance with DEP Approval #1-E-03-042 (4/30/2004), comply with the 12-consecutive month throughput limit of 131,400 tons per year of MSW plus dry sludge solids through the use of MSW scale records and sludge solids firing rates/solids content analyses.</p>
	<p>16. In accordance with DEP Approval #1-E-03-042 (4/30/2004) and 310 CMR 7.08(2)(f)1.a.iii. and 40 CFR 60.58b(i)(7), shall calibrate, maintain, and operate a device for measuring on a continuous basis the temperature of the flue gas stream at the inlet to each particulate matter control device utilized by the affected facility. Temperature shall be calculated in 4-hour block arithmetic averages.</p>
	<p>17. In accordance with DEP Approval #1-E-03-042 (4/30/2004), alarm the particulate control inlet temperature monitor at no greater than 17 °C (30 °F) above the maximum demonstrated particulate matter control device temperature.</p>
	<p>18. In accordance with DEP Approval # 1-P-03-041 (3/23/2004), continuously monitor the activated carbon load cell weight and use this weight as one indication of carbon flow into the MWC units.</p>
	<p>19. In accordance with DEP Approval # 1-P-03-041 (3/23/2004), set an alarm to sound if activated carbon flow has stopped to a MWC unit, as indicated by an interruption of the load cell weight change.</p>
	<p>20. In accordance with DEP Approval dated 12/2/92 (amended 11/23/99), DEP Approval # 1-P-03-016 (6/17/2003) and 310 CMR 7.00 Appendix C(9)(b)3.,</p> <ul style="list-style-type: none"> <li>a. ensure that the bucket-loader operator responsible for charging the incinerators visually monitors each bucket load of tires, as the incinerator is being charged, to ensure that it consists only of passenger car tires or truck / tractor-trailer tires, or that it consists only of other larger tires (such as heavy equipment tires) that have been shredded into pieces no greater than 20 pounds each.</li> <li>b. for the purpose of determining the number of tires burned per hour, each "truck/tractor-trailer tire" shall be equivalent to six (6) passenger car tires and each shredded piece of other larger tires (such as heavy equipment tires) shall be considered to be one (1) passenger car tire.</li> <li>c. "Truck/tractor-trailer tires" are considered to be tires, other than passenger car tires, designed for a maximum rim diameter 24.5 inches, and "larger tires (such as heavy equipment tires)", are tires designed for a rim diameter greater than 24.5 inches.</li> <li>d. ensure that only tires designed for a rim diameter of 24.5 inches or less are counted in the category "truck/tractor-trailer tire".</li> </ul> <p>(This charge rate is approximately equivalent to 50% of the BTU heat input coming from tires, assuming a MSW heating value of 4500 BTU/pound. The intent of this provision is to limit the tire charge rate to below 50% of the total BTU heat input rate into any one incinerator.</p>

**Table 4c**

EU	Monitoring And Testing Requirements
1 2 3	<p>21. In accordance with 310 CMR 7.00 Appendix C(9)(b)2., continuously monitor the pressure drop (<math>\Delta P</math>) across the baghouse. If the pressure drop deviates from the values specified in the facility's Standard Operating &amp; Maintenance Procedures ("SOP/SMP") manual on file at the facility, corrective actions shall be implemented as detailed in the SOP/SMP manual.</p>
	<p>22. In accordance with DEP letters to PVRRF dated March 28, 1989 and as amended, and pursuant to Chapter 21H, Section 5C of the Solid Waste Act of 1987, conduct complete air emission and ash testing every nine (9) months the facility is in operation. The air emission samples will be drawn only from the common stack which serves all three incinerators and control systems. Testing will be done while all three incinerators are operating at maximum capacities, for the following pollutants: PM-10, HCl (inlet &amp; outlet), antimony, arsenic, beryllium, cadmium, total chromium, copper, lead, manganese, mercury, molybdenum, nickel, selenium, tin, vanadium, zinc, and polychlorinated dibenzo-p-dioxins (tri-octa), polychlorinated dibenzo-furans (tri-octa).</p>
	<p>23. In accordance with DEP letters to PVRRF dated March 28, 1989 and as amended, shall utilize EPA Method 201A when testing for PM-10, Method 23 for dioxin/furan, Method 26 for HCl, and Method 29 for metals. Other test methods may be substituted upon written request and as approved by MassDEP.</p>
	<p>24. In accordance with DEP Approval #1-E-03-042 (4/30/2004) and 310 CMR 7.08(2)(g) 6., conduct compliance testing for opacity, particulate matter, hydrogen chloride, cadmium, lead, and visible fugitive emissions every nine months. Compliance testing for dioxin/furan and mercury shall be as specified in Regulation 310 CMR 7.08(2)(g)1. and 2.</p>
	<p>25. In accordance with DEP Approval #1-P-03-041 (4/30/2004) and 310 CMR 7.08(2)(f)(2), compliance with the PCDD/PCDF emission standard shall be determined using the average of three Method 23 test runs. Compliance with the mercury standard shall be determined using the average of three Method 29 test runs.</p>
	<p>26. In accordance with DEP Approval #1-E-03-042 (4/30/2004) and 310 CMR 7.08(2)(g) 2., conduct compliance testing for Hg in the stack on a quarterly basis following the date of the initial performance test. Compliance with the emissions limit specified in Regulation 310 CMR 7.08(2)(f)2. shall be based on the average of four quarterly compliance tests per rolling twelve months but shall not exceed 0.080 mg/dscm in any quarterly test. If compliance with the Hg emission limit has been achieved in each quarter for eight consecutive quarters, then the facility may elect to perform compliance testing on a nine-month basis. Any municipal waste combustor unit(s) which cannot achieve compliance with the emission limitation in 310 CMR 7.08(2)(f)2. during the nine month compliance test shall resume quarterly compliance testing as specified above.</p>
	<p>27. In accordance with DEP Approval #1-E-03-042 (4/30/2004) and 310 CMR 7.08(2)(g) 3.a. and c., conduct optimization tests to determine the optimum feed rate for the Hg emissions control apparatus by determining the carbon (or equivalent) feed rate at which the emissions of Hg are equal to or less than the applicable limit at Regulation 310 CMR 7.08(2)(f) 2. The optimization test shall be conducted as follows:</p> <p style="margin-left: 40px;">a. The optimization tests shall be performed during the initial performance test, after a change in carbon (or equivalent), upon request by the MassDEP, upon request by the Facility or annually if required under Regulation 310 CMR 7.08(2)(g) 4.</p> <p style="margin-left: 40px;">b. Within 30 calendar days of the conclusion of any optimization test, the Facility shall submit to the MassDEP for approval a proposed optimized carbon (or equivalent) feed rate, which minimizes Hg emissions. An approvable feed rate is the feed rate such that a higher feed rate achieves insignificant additional reductions in Hg emissions compared to the amount of carbon (or equivalent) added. The carbon (or equivalent) feed rate approved by the MassDEP shall be used to operate the carbon injection (or equivalent) Hg control system until the next optimization test is performed and the feed rate approved.</p>
	<p>28. In accordance with DEP Approval # 1-P-03-041 (3/23/2004) and 310 CMR 7.08(2)(g)1.d., follow the procedures specified in 40 CFR 60.58b(m) effective December 19, 1995 and as amended October 25, 1997, for measuring and calculating the carbon (or equivalent) usage rate to comply with the dioxin/furan emission limits specified in section 310 CMR 7.08(2)(f)2.</p>

<b>Table 4d</b>	
<b>EU</b>	<b>Monitoring And Testing Requirements</b>
1 2 3	<p>29. In accordance with DEP Policy 91-001 dated January 30, 1991, model the results of the most recent stack test to ascertain compliance with the MassDEP's Allowable Ambient Limits for dioxins and furans and for compliance with all applicable air toxic Allowable Ambient Limits ("AAL") [State Only].</p> <p>30. In accordance with DEP Approval 1-I-00-057 (12/17/01), sample the sludge at least once per calendar month to ensure that it meets the criteria specified in provision 3 under "SPECIAL TERMS AND CONDITION" and "Sludge Burning Requirements" in this Title V Operating Permit.</p> <p>31. In accordance with 310 CMR 7.00 Appendix C(9)(b) and DEP Approval #1-B-08-018 (5/29/2008), monitor sulfur content of each new shipment of No. 2 fuel oil received. Compliance with % sulfur-in-fuel requirements can be demonstrated through testing (<u>testing certification</u>) or by maintaining a shipping receipt from the fuel supplier (<u>shipping receipt certification</u>).</p> <p style="padding-left: 40px;">The <u>testing certification</u> or <u>shipping receipt certification</u> of % sulfur-in-fuel shall document that sulfur testing has been done in accordance with the applicable ASTM test methods (D129-95, D1266-91, D1552-95, D2622-92, and D4294-90), or any other method approved by the MassDEP and EPA.</p>
7	<p>32. In accordance with 310 CMR 7.18(8)(h), upon request by the Department, perform or have performed tests to demonstrate compliance. Testing shall be conducted in accordance with a method approved by the Department and EPA.</p>
Facility-wide	<p>33. In accordance with 310 CMR 7.13 <u>Stack Testing</u>, conduct stack testing, upon written request of the MassDEP, for any air contaminant for which the MassDEP has determined testing is necessary, to ascertain compliance with the MassDEP's regulations or design approval provisos. All such testing shall be conducted in accordance with 310 CMR 7.13 (1) and (2), and in accordance with the applicable procedures specified in 40 CFR 60 Appendix A or other method if approved by the MassDEP and EPA.</p> <p style="padding-left: 40px;">In accordance with 310 CMR 7.00 Appendix C(9)(b), any compliance determination with the allowable smoke/opacity emission limit shall be in accordance with EPA Method 9, as specified in 40 CFR 60, Appendix A or shall be made using a continuous opacity monitor installed and operated in accordance with 40 CFR Appendix B.</p> <p>34. In accordance with 310 CMR 7.71(1) and Appendix C(9) establish and maintain data systems or record keeping practices (e.g. fuel use records, SF<sub>6</sub> usage documentation, Continuous Emissions Monitoring System) for greenhouse gas emissions to ensure compliance with the reporting provisions of M.G.L. c. 21N§ 2, the Climate Protection and Green Economy Act, Acts of 2008, c. 298, § 6. (State only requirement)</p>

**Table 4 Key:**

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| <p>EU = Emission Unit<br/>         CEM = Continuous Emission Monitor<br/>         CEMS = Continuous Emission Monitor System<br/>         CO = Carbon Monoxide<br/>         PM = Total Particulate Matter<br/>         PM-10 = Particulate Matter less than or equal to 10 microns in diameter<br/>         PCDD = Polychlorinated dibenzo-<i>p</i>-dioxins<br/>         PCDF = Polychlorinated dibenzofurans<br/>         MSW = Municipal Solid Waste<br/>         MWC = Municipal Waste Combustor<br/>         lbs/hr = pounds per hour<br/>         lbs/MMBtu = pounds per Million British thermal units</p> | <p>NO<sub>x</sub> = Nitrogen Oxides<br/>         SO<sub>2</sub> = Sulfur Dioxide<br/>         CO<sub>2</sub> = Carbon Dioxide<br/>         O<sub>2</sub> = Oxygen<br/>         Hg = Mercury<br/>         HCl = Hydrogen Chloride<br/>         CFR = Code of Federal Regulations<br/>         SF<sub>6</sub> = Sulfur Hexafluoride<br/>         EPA = Environmental Protection Agency<br/>         PVRRF = Pioneer Valley Resource Recovery Facility<br/>         mg/dscm = milligram per dry standard cubic meter</p> |
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<b>Table 5a</b>	
<b>EU</b>	<b>Recordkeeping Requirements</b>
1 2 3	<p>1. In accordance with DEP and PSD Approval PV-85-IN-006 (amended 6/27/86), maintain records for each unit to accurately maintain at least the following records:</p> <ul style="list-style-type: none"> <li>a. the hours per day of operation of each furnace, including start-up and shut-down events; maintenance of the furnace, emission controls, ash handling system and all required monitoring devices; equipment malfunction; calibration of all monitoring devices.</li> <li>b. maintenance of the acid gas emission control system and the baghouse; all CEMs; primary and secondary air systems; all continuous operating parameter systems; automatic control system components.</li> <li>c. malfunction and repair of equipment items in b) above.</li> <li>d. quantity of refuse received per day.</li> </ul>
	2. In accordance with DEP PSD Approval PV-85-IN-006 (amended 6/27/86) and 310 CMR 7.00 Appendix C(10)(b), maintain, for each unit, records of the temperature in the secondary combustion chamber, steam pressure, steam temperature and steam flow (lb/hr), dry scrubber dry solids feed rate <sup>(1)</sup> , pressure drop across baghouse and baghouse inlet temperature, and exhaust gas recirculation rate.
	3. In accordance with 310 CMR 7.00 Appendix C(9)(b)2., maintain records of the hours per calendar-year quarter that each CEM is obtaining valid hourly-average data, except for periods of CEMs calibration checks, zero span adjustment, and preventive maintenance.
	4. In accordance with 310 CMR 7.00 Appendix C(9)(b)2., maintain records of the times when the pressure drop ( $\Delta P$ ) across the baghouse deviated from the values specified in the facility's SOP/SMP manual, and the corrective actions taken to remedy the situation.
	5. In accordance with DEP Consent Order signed November 4, 1991 and Regulation 310 CMR 7.00 Appendix C(10)(b), maintain records of the daily feed-rate of MSW (including wood and tires) to the incinerators.
	6. In accordance with DEP Approval #1-I-93-003 (6/18/93; amended 1/13/94), maintain records of the amount of MSW burned per year, calculated on a rolling 12-month total.
	7. In accordance with DEP Approval dated 12/2/92 (amended 11/23/99), DEP Approval # 1-P-03-016 (6/17/2003) and 310 CMR 7.00 Appendix C(9)(b)2., maintain records certified by the bucket-loader operator responsible for charging the incinerators that the number of passenger car tire equivalents burned per hour per unit is $\leq 60$ .
	8. In accordance with DEP Approval dated 12/2/92 (amended 11/23/99) and 310 CMR 7.00 Appendix C(10)(b), maintain certification records signed by the bucket-loader operator responsible for charging the combustors that all tires charged were visually confirmed to consist of only passenger car tires or truck/tractor-trailer tires, or consists only of heavy equipment tires that have been shredded into pieces no greater than 20 pounds each.
	9. In accordance with DEP Approval 1-I-00-057 (12/17/01), maintain sufficient records to document the daily and annual amount of sludge consumed at the facility. The records shall, at a minimum, include the following: <ul style="list-style-type: none"> <li>a. the source and volume of each sludge shipment.</li> <li>b. the solids content of each batch of prepared sludge charged to the MWCs.</li> <li>c. the rate of prepared sludge injection to each MWC (% w/w sludge dry solids to MSW burn rate).</li> <li>d. the rate of steam flow (total steam generation in pounds per hour) on a 4-hour block average basis</li> </ul>

**Table 5a Notes:**

1. The dry scrubber dry solids feed rate shall be recorded as specified in the facility's approved Standard Operating & Maintenance Manual.

<b>Table 5b</b>		
<b>EU</b>	<b>Recordkeeping Requirements</b>	
1	10. In accordance with DEP Approval 1-I-00-057 (12/17/01), maintain a record of the analyses of the sludge for each source	
2	11. In accordance with DEP Approval 1-I-00-057 (12/17/01), maintain a record of the calendar month analyses of sludge to determine if it conforms with the criteria specified in provision 3 under “SPECIAL TERMS AND CONDITION” and “Sludge Burning Requirements” in this Title V Operating Permit.	
3		
		12. In accordance with 40 CFR Part 60, Appendix F—Quality Assurance Procedures and Regulation 310 CMR 7.00 Appendix C(10)(b), maintain records of the Opacity Monitor Audit, Cylinder Gas Audit (“CGA”) and the relative accuracy test audit (“RATA”) results and all Opacity Monitor Audit Reports, CGA and RATA reports submitted to the MassDEP.
		13. In accordance with DEP Approval #1-E-03-042 (4/30/2004) and 310 CMR 7.08(2)(h), maintain records of the information specified in this section, as applicable, for each municipal waste combustor unit. All records shall be retained at the PVRRF for at least 5 years and shall be made available to MassDEP personnel upon request.
	14. In accordance with DEP Approval #1-E-03-042 (4/30/2004) and 310 CMR 7.08(2)(h) 1., maintain the calendar date of each record.	
	15. In accordance with DEP Approval #1-E-03-042 (4/30/2004) and 310 CMR 7.08(2)(h) 2., record the emission concentrations and parameters measured using continuous emissions monitoring systems. The measurements specified below shall be recorded and shall be available for submittal to the MassDEP or for onsite review by an inspector: <ul style="list-style-type: none"> <li>a. All 6-minute average opacity levels as specified under 40 CFR 60.58b(c) effective December 19, 1995 and as amended October 24, 1997, including the highest level measured.</li> <li>b. All 1-hour average SO<sub>2</sub> emission concentrations as specified under 40 CFR 60.58b(e) effective December 19, 1995 and as amended October 24, 1997.</li> <li>c. All 1-hour average NO<sub>x</sub> emission concentrations as specified under 40 CFR 60.58b(h) effective December 19, 1995 and as amended October 24, 1997.</li> <li>d. All 1-hour average CO emission concentrations, municipal waste combustor unit load measurements, and PM control device inlet temperatures as specified under 40 CFR 60.58b(i) effective December 19, 1995 and as amended October 24, 1997.</li> <li>e. All 24-hour daily geometric average SO<sub>2</sub> emission concentrations and all 24-hour daily geometric average percent reductions in SO<sub>2</sub> emissions as applicable, as specified under 40 CFR 60.58b(e) effective December 19, 1995 and as amended October 24, 1997 including the highest level recorded.</li> <li>f. All 24-hour daily arithmetic average NO<sub>x</sub> emission concentrations as specified under 40 CFR 60.58b(h) effective December 19, 1995 and as amended October 24, 1997, including the highest level recorded.</li> <li>g. All 4-hour block averages, CO emission concentrations, as applicable, as specified under 40 CFR 60.58b(i) effective December 19, 1995 and as amended October 24, 1997, including the highest level recorded.</li> <li>h. All 4-hour block arithmetic average municipal waste combustor unit load levels (steam flow) and PM control device inlet temperature as specified under 40 CFR 60.58b(i) effective December 19, 1995 and as amended October 24, 1997, including the highest level recorded.</li> </ul>	
	16. In accordance with DEP Approval #1-E-03-042 (4/30/2004) and 310 CMR 7.08(2)(h)3., record the calendar dates when any of the average emissions concentrations or percent reductions, or operating parameters recorded under section 7.08(2)(h) 2., exceed the applicable limits, with detailed specific reasons for such exceedances and a description of corrective actions taken.	

**Table 5c**

EU	Recordkeeping Requirements
1 2 3	<p>17. In accordance with DEP Approval #1-E-03-042 (4/30/2004) and 310 CMR 7.08(2)(h) 4., maintain records of the following:</p> <ul style="list-style-type: none"> <li>a. The average carbon mass feed rate (in lb/hr) estimated as required under 40 CFR 60.58b(m)(1)(i) effective December 19, 1995 and as amended October 24, 1997, during the initial Hg performance test and all subsequent compliance tests, with supporting calculations.</li> <li>b. The average carbon mass feed rate (in lbs/hr) estimated for each hour of operation as required under 40 CFR 60.58b(m)(1)(ii) effective December 19, 1995 and as amended October 24, 1997, during the initial dioxin/furan performance test and all subsequent nine month compliance tests, with supporting calculations.</li> <li>c. The average carbon mass feed rate (in lbs/hr) estimated for each hour of operation as required under 40 CFR 60.58b(m)(3)(ii) effective December 19, 1995 and as amended October 24, 1997, with supporting calculations.</li> <li>d. The total carbon usage for each calendar quarter estimated as specified under 40 CFR 60.58b(m)(3) effective December 19, 1995 and as amended October 24, 1997, with supporting calculations.</li> <li>e. The carbon injection system operating parameter data for the parameter(s) that are the primary indicator(s) of carbon feed rate.</li> </ul>
	<p>18. In accordance with DEP Approval #1-E-03-042 (4/30/2004) and 310 CMR 7.08(2)(h)5., record the calendar dates and time periods for which the minimum number of hours of any of the data specified below have not been obtained including reasons for not obtaining sufficient data and a description of corrective actions taken:</p> <ul style="list-style-type: none"> <li>a. SO<sub>2</sub> emissions data.</li> <li>b. NO<sub>x</sub> emissions data.</li> <li>c. CO emissions data.</li> <li>d. Municipal waste combustor unit load data.</li> <li>e. PM control device inlet temperature data.</li> </ul>
	<p>19. In accordance with DEP Approval #1-E-03-042 (4/30/2004) and 310 CMR 7.08(2)(h) 6., record each occurrence that SO<sub>2</sub> emissions data, NO<sub>x</sub> emissions data, or operational data (e.g. CO emissions, unit load, and PM control device temperature) have been excluded from the calculation of average emission concentrations or parameters, along with detailed and specific reasons for excluding the data.</p>
	<p>20. In accordance with DEP Approval #1-E-03-042 (4/30/2004) and 310 CMR 7.08(2)(h) 7., record the results of daily drift tests and quarterly accuracy determinations for SO<sub>2</sub>, NO<sub>x</sub>, and CO continuous emission monitoring systems, as required under 40 CFR, Part 60, Appendix F, Procedure 1.</p>
	<p>21. In accordance with DEP Approval #1-E-03-042 (4/30/2004) and 310 CMR 7.08(2)(h) 8., record each occurrence of a start-up, shut-down or malfunction, including the specific reasons for each occurrence, date, time, and unit involved. Average emissions concentrations or percent reductions, or operating parameters recorded under section 7.08(2)(h) 2., shall be recorded during start-up, shut-down or malfunction.</p>
	<p>22. In accordance with DEP Approval #1-E-03-042 (4/30/2004) and 310 CMR 7.08(2)(h) 9., record the results and supporting calculations of all nine-month compliance tests conducted to determine compliance with the PM, opacity, Cd, Pb, Hg, dioxin/furan, HCl, and fugitive ash emission limits. These shall be submitted to MassDEP within 90 days after each such test.</p>
	<p>23. In accordance with DEP Approval #1-E-03-042 (4/30/2004) and 310 CMR 7.08(2)(h)10, record the maximum demonstrated municipal waste combustor load and maximum PM control device temperature (for each PM control device) along with supporting calculations for all dioxin/furan compliance tests recorded under 7.08(2)(h)9.</p>

<b>Table 5d</b>	
<b>EU</b>	<b>Recordkeeping Requirements</b>



**Table 5d**

EU	Recordkeeping Requirements
1 2 3	<p>24. In accordance with DEP Approval #1-E-03-042 (4/30/2004) and 310 CMR 7.08(2)(h) 11., maintain records showing the names of the municipal waste combustor chief facility operator, shift supervisors, and control room operators who are certified by ASME (Operator Certification and Provisional Certification), including the dates of initial and renewal certifications and documentation of current certification. Records showing the names of the municipal waste combustor chief facility operator, shift supervisors, and control room operators who have completed the EPA municipal waste combustor operator-training course if required.</p>
	<p>25. In accordance with DEP Approval #1-E-03-042 (4/30/2004) and 310 CMR 7.08(2)(h) 12., maintain records showing the names of the persons who have completed a review of the operating manual as required by section 7.08(2)(f)6.d. including the date of the initial review and subsequent annual reviews.</p>
	<p>26. In accordance with DEP Approval #1-E-03-042 (4/30/2004) and 310 CMR 7.08(2)(h)13., maintain records of the following:</p> <ul style="list-style-type: none"> <li>a. Identification of the calendar dates when the average carbon mass feed rates recorded under Regulation 310 CMR 7.08(2)(h) 4.c. were less than either of the hourly carbon feed rates measured during compliance tests for mercury or dioxin/furan emissions and recorded in Regulation 310 CMR 7.08(2)(h)4.a. or b. of this section, respectively, with reasons for such feed rates and a description of corrective actions taken.</li> <li>b. Identification of the calendar dates when the carbon system operating parameter(s) that are the primary indicator(s) of carbon mass feed rate recorded under Regulation 310 CMR 7.08(2)(h)4.e., are below the level(s) estimated during the compliance tests as specified in 40 CFR 60.58b(m)(1)(i) and 60.58b(m)(1)(ii) effective December 19, 1995 and as amended October 24, 1997, with reasons for such occurrences and a description of corrective actions taken.</li> </ul>
	<p>27. In accordance with DEP Approval #1-B-08-018 (5/29/2008), maintain comprehensive and accurate records of:</p> <ul style="list-style-type: none"> <li>a. the total combined amount of #2 fuel oil (in gallons) injected through the sludge injection system and burned in the municipal waste combustors on a monthly basis and in any 12 consecutive month period.</li> <li>b. the total combined amount of #2 fuel oil injected through the sludge injection system and burned in the municipal waste combustors in units of percent of the total volume of sludge burned in the municipal waste combustors on a daily basis.</li> <li>c. the total combined amount of sludge (in gallons) burned in the municipal waste combustors on a daily basis.</li> </ul> <p>Records kept to demonstrate compliance must be kept on site for five years and must be made available to representatives of the MassDEP upon request.</p>
5	<p>28. In accordance with 310 CMR 7.01, maintain readily accessible records showing the dimension of the storage vessel and an analysis showing the capacity of the storage vessel. (State only requirement)</p>
7	<p>29. In accordance with 310 CMR 7.03(6), establish and maintain a recordkeeping system on-site and in sufficient detail to document the date of construction, substantial reconstruction or alteration and that the respective emission rates, operational limitations, equipment specifications and other requirements pursuant to 310 CMR 7.03 are met. All records shall be maintained up-to-date such that year-to-date information is readily available for Department examination.</p>
	<p>30. In accordance with 310 CMR 7.18(8)(g), prepare and maintain daily records sufficient to demonstrate continuous compliance. Records kept to demonstrate compliance shall be kept on site for three years and shall be made available to representatives of the Department and EPA in accordance with the requirements of an approved compliance plan or upon request. Such records shall include, but are not limited to:</p> <ul style="list-style-type: none"> <li>a. identity, quantity, formulation and density of solvent(s) used;</li> <li>b. quantity, formulation and density of all waste solvent(s) generated;</li> <li>c. actual operational and performance characteristics of the degreaser and any appurtenant emission capture and control equipment, if applicable; and</li> <li>d. any other requirements specified by the Department in any approval(s) and/or order(s) issued to the person.</li> </ul>

<b>Table 5e</b>	
<b>EU</b>	<b>Recordkeeping Requirements</b>
Facility-wide	31. In accordance with 310 CMR 7.00 Appendix C(10)(b), maintain records of all monitoring data and supporting information on-site for a period of at least five years from the date of the monitoring sample, measurement, report or initial operating permit application.
	32. In accordance with 310 CMR 7.12(3)(b), maintain copies of Source Registration and other information supplied to the Department to comply with 310 CMR 7.12, which shall be retained by the facility owner or operator for five years from the date of submittal.
	33. In accordance with 310 CMR 7.71 (6) b. and c. retain at the facility for five years and make available to the Department upon request copies of the documentation of the methodology and data used to quantify emissions. (State only requirement)

**Table 5 Key**

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| <p>EU = Emission Unit<br/>         CEM = Continuous Emission Monitor<br/>         CO = Carbon Monoxide<br/>         PM = Total Particulate Matter<br/>         Pb = Lead<br/>         MSW = Municipal Solid Waste<br/>         MWC = Municipal Waste Combustor<br/>         lbs/hr = pounds per hour<br/>         SOP/SMP = Standard Operating &amp; Maintenance Procedures<br/>         ASME = The American Society for Mechanical Engineers</p> | <p>Cd = Cadmium<br/>         NO<sub>x</sub> = Nitrogen Oxides<br/>         SO<sub>2</sub> = Sulfur Dioxide<br/>         CO<sub>2</sub> = Carbon Dioxide<br/>         Hg = Mercury<br/>         HCl = Hydrogen Chloride<br/>         CFR = Code of Federal Regulations<br/>         EPA = Environmental Protection Agency<br/>         PVRRF = Pioneer Valley Resource Recovery Facility</p> |
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<b>Table 6a</b>	
<b>EU</b>	<b>Reporting Requirements<sup>1</sup></b>
1	1. In accordance with DEP Approval PV-85-IN-006 (amended 6/27/86), notify the MassDEP at least 24 hours in advance of any planned shutdown of major plant equipment.
2	
3	2. In accordance with DEP Approval PV-85-IN-006 (amended 6/27/86) and 310 CMR 7.00 Appendix C(10)(d), submit a report which shall be received by MassDEP by the 15th of each month providing the following information for the preceding calendar month: <ol style="list-style-type: none"> <li>a. a summary of continuous monitoring data showing any excursions from allowable emission levels or operating conditions. An explanation of any excursions shall be included.</li> <li>b. evidence of each calibration event on the monitoring devices.</li> <li>c. For the most recent calendar-year quarter, whether the 75% valid data requirement in Table 4a for EU 1, 2, &amp; 3 has been met.</li> <li>d. a summary of the events where pressure drop (<math>\Delta P</math>) across the baghouse varied from the values specified in the SOP/SMP manual.</li> <li>e. a summary of occasions when the dry solids (lime) feed rate falls below the level established in the most recent 21H stack test.</li> <li>f. the eight hour block average for each MWCs carbon injection system operating parameter(s) that are the primary indicator(s) of the carbon mass feed rate during each month.</li> <li>g. the amount, in tons, of MSW burned in the incinerators during each month and the calculated rolling 12-month total.</li> </ol>
	3. In accordance with DEP Approval #1-E-03-042 (4/30/2004) and 310 CMR 7.08(2)(h)9., submit the results of all nine-month compliance stack tests conducted to determine compliance with the particulate matter, opacity, cadmium, lead, mercury, dioxin/furan, hydrogen chloride and fugitive ash emission limits along with supporting calculations and applicable process data (baghouse inlet temperatures, carbon injection rates, primary indicator of carbon injection rates, steam flow rate, lime injection feed rates, secondary combustion chamber temperatures, etc.) to the MassDEP within 90 days after the completion of each such test.
	4. In accordance with DEP letters to PVRRF dated March 28, 1989 and as amended, and pursuant to Chapter 21H, Section 5C of the Solid Waste Act of 1987, submit the stack test results along with supporting calculations and applicable process data (baghouse inlet temperatures, carbon injection rates, steam flow rate, lime injection feed rates, secondary combustion chamber temperatures, etc.) to the MassDEP within 90 days after the completion of each such test for the following pollutants: PM-10, hydrogen chloride (inlet & outlet), antimony, arsenic, beryllium, chromium, copper, manganese, molybdenum, nickel, selenium, tin, vanadium, and zinc.
	5. In accordance with 310 CMR 7.01, submit to the MassDEP (Western Office and Boston Office), within 90 days of completion of the stack test, all modeled results ascertaining compliance with the DEP's Allowable Ambient Limits as required in Table 4d.
	6. In accordance with 310 CMR 7.01, submit to MassDEP a new stack test protocol or an ambient air quality modeling protocol when modifications or additions have been made to the protocol which was used for the previous stack test or air quality modeling analysis.
	7. In accordance with 40 CFR Part 60, Appendix F—Quality Assurance Procedures, submit the Opacity Monitor Audit, Cylinder Gas Audit (“CGA”) or the relative accuracy test audit (“RATA”) reports (required once per calendar year quarter) within 30 days after the date the test procedure was completed. The report format shall conform to the specifications in Appendix F.
	8. In accordance with DEP Approval 1-I-00-057 (12/17/01), notify the MassDEP within three days by telephone or fax of any operation upsets, emission exceedances or any other malfunctions which occur during the operation of the sludge injection system.

**Table 6a Notes:**

1. All reports are to be submitted to the Western Regional Office address, as specified on the letterhead of this Operating Permit, except that the modeling reports shall also be sent to 1 Winter Street, 7<sup>th</sup> Floor, Boston, MA 02108.

<b>Table 6b</b>	
<b>EU</b>	<b>Reporting Requirements<sup>1</sup></b>
1 2 3	<p>9. In accordance with DEP Approval 1-I-00-057 (12/17/01), notify the MassDEP in writing at least 30 days in advance of the intent to receive and combust sludge from any source other than the Springfield Waste Water Treatment Plant. The notification shall include the analysis of the sludge and the amount that the Permittee intends to consume.</p>
	<p>10. In accordance with DEP Approval 1-I-00-057 (12/17/01), notify the MassDEP by telephone or fax of any malfunction which may result in the storage limit of sludge being exceeded.</p>
	<p>11. In accordance with DEP Approval #1-E-03-042 (4/30/2004) and 310 CMR 7.08(2)(i), submit an initial performance report, any re-test reports, as well as an annual report of the information specified in Regulation 310 CMR 7.08(2)(i) 1., as applicable.</p>
	<p>12. In accordance with DEP Approval #1-E-03-042 (4/30/2004) and 310 CMR 7.08(2)(i)1.a. through f., annually report the information specified in (a.) through (f.) below:</p> <ul style="list-style-type: none"> <li>a. Regulation 310 CMR 7.08(2)(h) 2.a., e. through h. for the highest emission levels recorded.</li> <li>b. Regulation 310 CMR 7.08(2)(h) 4.a. and b.</li> <li>c. Regulation 310 CMR 7.08(2)(h) 5. through 6.</li> <li>d. Regulation 310 CMR 7.08(2)(h) 8. through 10.</li> <li>e. Summary of a. through d. for the previous year.</li> <li>f. The performance evaluation of the continuous emission monitoring system using the applicable performance specifications in Appendix B of 40 CFR, Part 60.</li> </ul>
	<p>13. In accordance with DEP Approval #1-E-03-042 (4/30/2004) and 310 CMR 7.08(2)(i)1., submit the annual reports contained in Table 6b, condition #12 herein which shall be received by MassDEP no later than February 15 of each year following the calendar year in which the data was collected.</p>
	<p>14. In accordance with DEP Approval #1-E-03-042 (4/30/2004) and 310 CMR 7.08(2)(i)2.a. through e., semi-annually report the information specified in (a.) through (e) below:</p> <ul style="list-style-type: none"> <li>a. 310 CMR 7.08(2)(h)2.a., e. through h. for each date recorded in 310 CMR 7.08(2)(h)3.</li> <li>b. 310 CMR 7.08(2)(h)3.</li> <li>c. 310 CMR 7.08(2)(h)4.c.</li> <li>d. 310 CMR 7.08(2)(h)9.<sup>2</sup></li> <li>e. 310 CMR 7.08(2)(h)13.</li> </ul>
	<p>15. In accordance with DEP Approval #1-E-03-042 (4/30/2004) and 310 CMR 7.08(2)(i)2., submit the semi-annual reports contained in Table 6b, condition #14 herein which shall be received by MassDEP no later than August 1 following the first calendar half in which the data was collected and no later than February 15 following the second calendar half in which the data was collected.</p>
	<p>16. In accordance with DEP Approval #1-E-03-042 (4/30/2004), 310 CMR 7.08(2)(i) 1. and 310 CMR 7.08(2)(i) 2., report the information in a format determined by the MassDEP that is designed to be understandable and informative to the public. The information shall be submitted in written format and electronic format according to the Municipal Waste Combustors: Reporting Forms &amp; Instructions located at <a href="http://www.mass.gov/dep/recycle/solid/mwcfsum.htm">http://www.mass.gov/dep/recycle/solid/mwcfsum.htm</a>.</p>
	<p>17. In accordance with DEP Approval #1-E-03-042 (4/30/2004), notify the MassDEP in writing of any change to the Standard Operating &amp; Maintenance Manual within 30 days of inception of the change.</p>

**Table 6b Notes:**

1. All reports are to be submitted to the Western Regional Office address, as specified on the letterhead of this Operating Permit, except that the 310 CMR 7.08(2)(i) annual and semi-annual reports shall be submitted to the DEP office specified in the instructions located at <http://www.mass.gov/dep/recycle/solid/mwcfsum.htm>.
2. Include only the reports which document emission levels that were above the applicable requirements and the corrective actions taken.

<b>Table 6c</b>	
<b>EU</b>	<b>Reporting Requirements<sup>1</sup></b>
1 2 3	18. In accordance with DEP Approval #1-E-03-042 (4/30/2004), submit a limited plan application to the MassDEP by December 31 <sup>st</sup> of any calendar year in which changes to the Standard Operating & Maintenance Manual were made.
7	19. In accordance with DEP Approval # 1-P-03-041 (3/23/2004) and 310 CMR 7.08(2)(f)7.d., submit, one year following the date of implementation of the materials separation plan (MSP) and every year after, a progress report to the MassDEP documenting the effective implementation of the MSP. This progress report may be submitted concurrently with the semi-annual report due July 30 of each calendar year, in accordance with 310 CMR 7.00 Appendix C(10)(c). The MassDEP may require modifications to the MSP if necessary. (State only requirement)
7	20. In accordance with 310 CMR 7.03(5) report to MassDEP any construction, substantial reconstruction or alteration, as described in 310 CMR 7.03, on the next required source registration.
Facility-wide	21. Submit a Source Registration/Emission Statement Form to MassDEP on an annual basis as required by 310 CMR 7.12.
Facility-wide	22. In accordance with 310 CMR 7.00: Appendix C(10)(c), the Permittee shall report a summary of all monitoring data and related supporting information to MassDEP at least every six months (January 30 and July 30 of each calendar year). <b>(See Provision 10 in “GENERAL CONDITIONS FOR OPERATING PERMIT”)</b>
Facility-wide	23. Submit Annual Compliance report to MassDEP and EPA by January 30 of each year and as required by General Condition 10 of this Permit.
Facility-wide	24. In accordance with 310 CMR 7.13(1) and 7.13(2), if determined by the Department that stack testing is necessary to ascertain compliance with the Department’s regulations or design approval provisos shall cause such stack testing to be summarized and submitted to the Department as prescribed in the agreed to pretest protocol.
Facility-wide	25. In accordance with 310 CMR 7.00 Appendix C(10)(a), submit to the MassDEP any record relevant to this operating permit or to the emissions of any air contaminant from the facility within 30 days of the request by the MassDEP or EPA.
Facility-wide	26. In accordance with 310 CMR 7.00 Appendix C(10)(f), the Permittee shall report to the MassDEP’s Regional Bureau of Waste Prevention all instances of deviations from permit requirements. This report shall include the deviation itself, including those attributable to upset conditions as defined in the permit, the probable cause of the deviation, and any corrective actions or preventive measures taken. <b>(See Provision 25 in “GENERAL CONDITIONS FOR OPERATING PERMIT”)</b>
Facility-wide	27. In accordance with 310 CMR 7.71(5), by April 15 <sup>th</sup> , 2010 and April 15 <sup>th</sup> of each year thereafter report emissions of greenhouse gases from stationary emissions sources including, but not limited to, emissions from factory stacks, manufacturing processes and vents, fugitive emissions, and other process emissions; and owned or leased motor vehicles when stationary source greenhouse gas emissions are greater than 5,000 short tons CO <sub>2</sub> e. Report greenhouse gas emissions electronically in a format that can be accommodated by the registry. (State only requirement)
Facility-wide	28. In accordance with 310 CMR 7.71(6), certify greenhouse gas emissions reports using a form provided by the Department or the registry. (State only requirement)
Facility-wide	29. In accordance with 310 CMR 7.71(7), by December 31 <sup>st</sup> of the applicable year submit to the Department documentation of triennial verification of the greenhouse gas emissions report. (State only requirement)

**Table 6c Notes:**

- (1) The annual Source Registration/Emission Statement report and greenhouse gases report and certification 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 Western Regional Office address, as specified on the letterhead of this Operating Permit.

**Table 6 Key**

CO <sub>2e</sub> = Carbon Dioxide Equivalent	PCD = Pollution Control Device
EU = Emission Unit	PM-10 = Particulate Matter less than or equal to 10 microns in diameter
EPA = Environmental Protection Agency	SOP/SMP = Standard Operating & Maintenance Procedures
MSW = Municipal Solid Waste	
MWC = Municipal Waste Combustor	

**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 is currently not subject to the following requirements:

<b>Table 7</b>	
<b>Regulation</b>	<b>Reason</b>
310 CMR 7.16: Reduction of Single Occupant Commuter Vehicle Use	Facility employs fewer than 250 people.
40 CFR Part 64 -Compliance Assurance Monitoring	Facility is exempt pursuant to 40 CFR 64.2(b)(1)(i)

## 5. SPECIAL TERMS AND CONDITIONS

The Permittee is subject to and shall comply with the following special terms and conditions that are not contained in Table 3, Tables 4a/4b/4c/4d, 5a/5b/5c/5d/5e, and 6a/6b/6c:

<b>Table 8a.</b>																													
<b>EU</b>	<b>Special Terms and Conditions –Sludge Burning Requirements</b>																												
1 2 3	<p>1. In accordance with DEP Approval 1-I-00-057 (12/17/01), Community Eco Springfield, LLC shall inject sludge into the MWCs with a maximum solids content of 15%.</p> <p>2. In accordance with DEP Approval 1-I-00-057 (12/17/01), Community Eco Springfield, LLC shall burn sludge at disposal ratios of no greater than 5% (by weight) dry solids to MSW disposal capacity (four-hour block average).</p> <p>3. In accordance with DEP Approval 1-I-00-057 (12/17/01), Community Eco Springfield, LLC shall not receive, store, handle or consume any municipal or industrial sludge unless said sludge meets the criteria established below:</p> <table border="1" style="margin-left: auto; margin-right: auto; border-collapse: collapse;"> <thead> <tr> <th style="text-align: center;">Metal</th> <th style="text-align: center;">Maximum Concentration (mg/kg)</th> <th style="text-align: center;">Metal</th> <th style="text-align: center;">Maximum Concentration (mg/kg)</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">Antimony</td> <td style="text-align: center;">125.</td> <td style="text-align: center;">Copper</td> <td style="text-align: center;">1000.</td> </tr> <tr> <td style="text-align: center;">Arsenic</td> <td style="text-align: center;">19.3</td> <td style="text-align: center;">Lead</td> <td style="text-align: center;">187.5</td> </tr> <tr> <td style="text-align: center;">Beryllium</td> <td style="text-align: center;">2.5</td> <td style="text-align: center;">Mercury</td> <td style="text-align: center;">5.4</td> </tr> <tr> <td style="text-align: center;">Cadmium</td> <td style="text-align: center;">11.9</td> <td style="text-align: center;">Nickel</td> <td style="text-align: center;">149.3</td> </tr> <tr> <td style="text-align: center;">Chromium</td> <td style="text-align: center;">165.4</td> <td style="text-align: center;">Selenium</td> <td style="text-align: center;">10.1</td> </tr> <tr> <td style="text-align: center;">Zinc</td> <td style="text-align: center;">2500.</td> <td style="text-align: center;">Boron (water soluble)</td> <td style="text-align: center;">300.</td> </tr> </tbody> </table>	Metal	Maximum Concentration (mg/kg)	Metal	Maximum Concentration (mg/kg)	Antimony	125.	Copper	1000.	Arsenic	19.3	Lead	187.5	Beryllium	2.5	Mercury	5.4	Cadmium	11.9	Nickel	149.3	Chromium	165.4	Selenium	10.1	Zinc	2500.	Boron (water soluble)	300.
Metal	Maximum Concentration (mg/kg)	Metal	Maximum Concentration (mg/kg)																										
Antimony	125.	Copper	1000.																										
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Cadmium	11.9	Nickel	149.3																										
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Zinc	2500.	Boron (water soluble)	300.																										
	4. In accordance with DEP Approval 1-I-00-057 (12/17/01), Community Eco Springfield, LLC shall monitor and keep records on a daily basis of the availability of sludge storage capacity and not accept sludge from any source which cannot be stored and consumed on-site within seven days. (State only requirement)																												
	5. In accordance with DEP Approval 1-B-08-018 (5/29/08) and pursuant to the best available control technology provision of 310 CMR 7.02(8)(a)2, Community Eco Springfield, LLC shall mix and burn no more than 13,140 gallons of #2 fuel oil with sludge in the municipal waste combustors in any 12 consecutive month period.																												
	6. In accordance with DEP Approval 1-B-08-018 (5/29/08) and pursuant to the best available control technology provision of 310 CMR 7.02(8)(a)2, the maximum amount of #2 fuel oil that shall be mixed with sludge and burned in the municipal waste combustors shall not exceed 0.2% of the total volume of sludge burned in the municipal waste combustors each day.																												
	7. In accordance with DEP Approval 1-B-08-018 (5/29/08) and pursuant to the best available control technology provision of 310 CMR 7.02(8)(a)2, all #2 fuel oil which is to be used with the sludge injection system shall have a sulfur content not to exceed 0.0015% by weight, at any time, and shall contain no reclaimed or reprocessed oil or other waste materials.																												
	8. In accordance with DEP Approval 1-B-08-018 (5/29/08) and pursuant to the best available control technology provision of 310 CMR 7.02(8)(a)2, each storage tank which will contain a mixture of #2 fuel oil and sludge shall be equipped with a device that will prevent stratification and it shall be operated as needed.																												
	9. In accordance with DEP Approval 1-B-08-018 (5/29/08), the addition of #2 fuel oil to the sludge injection system shall be operated in accordance with the plans submitted with the limited plan application 1-B-08-018 (5/29/08) (as approved therein).																												
	10. In accordance with DEP Approval 1-B-08-018 (5/29/08) and pursuant to the best available control technology provision of 310 CMR 7.02(8)(a)2, sludge and #2 fuel oil shall be properly mixed prior to being injected into the MWC through the sludge injection system. At no time shall only #2 fuel oil be injected into the MWC through the sludge injection system.																												

**Table 8b.**

<b>EU</b>	<b>Special Terms and Conditions – Other Requirements</b>
1	11. In accordance with DEP Approval 1-P-10-024 (9/2/2010), maintain a minimum temperature of 1400°F in the secondary combustion chamber at any time during the combustion of municipal solid waste or municipal or industrial sludge.
2	
3	12. In accordance with DEP Approval 1-P-10-024 (9/2/2010), maintain a minimum temperature of 1400°F in the secondary combustion chamber prior to loading any municipal solid waste or municipal or industrial sludge into the combustors during a startup.
	13. In accordance with DEP Approval 1-P-10-024 (9/2/2010), maintain a minimum temperature of 1400°F in the secondary combustion chamber during the three hour period commencing after shutdown which begins when municipal solid waste and municipal or industrial sludge are no longer being fed into the combustors.
	14. In accordance with DEP Approval PV-85-IN-006 (amended 6/27/86), in the event of failure of the air pollution control equipment, as indicated by pressure detecting devices or continuous emission monitoring instruments, cease charging MSW to the affected furnace(s) as soon as thereafter as possible.
	15. In accordance with 310 CMR 7.02(3)(n), not operate any of the MWCs without the simultaneous operation of their respective air pollution control equipment as specified in Table 1 herein.
	16. In accordance with DEP Approval PV-87-IN-002 (4/16/87), use a 175 foot stack (instead of the 150 foot stack originally approved by the DEP).
	17. In accordance with DEP Approval dated 12/2/92 (amended 11/23/99) and DEP Approval # 1-P-03-016 (6/17/2003), burn tires at a rate not greater than 60 passenger tire equivalents per hour per unit.
	18. In accordance with DEP Approval #1-I-93-003 (6/18/93; amended 1/13/94) and DEP Approval 1-I-00-057 (12/17/01), not burn MSW (or MSW + sludge[as dry solids]) at a rate greater than 131,400 tons per year, calculated on a rolling-12 month total.
	19. In accordance with DEP Permit 1-X-99-025 (9/14/99), maintain dry solids feed rate (dry scrubber) at or above the level established in the most recent 21H stack test.
	20. In accordance with DEP Approval # 1-P-03-041 (3/23/2004), 310 CMR 7.08(2)(g)1.d. and 310 CMR 7.08(2)(g)3.c., operate each unit such that the 8-hour block average of the carbon injection system operating parameter(s), that are the primary indicator(s) of the carbon mass feed rate, equal or exceed the level(s) documented during the PCDD/PCDF and mercury performance / optimization tests.
	21. In accordance with DEP Approval # 1-P-03-041 (3/23/2004), implement the provisions of the Material Separation Plan as detailed in Appendix B of that approval. (State only requirement)
	22. In accordance with DEP Approval #1-E-03-042 (4/30/2004) and 310 CMR 7.08 (2) (f) 1. a. iii., not allow any municipal waste combustor unit to operate at a temperature, measured at the particulate matter control device inlet, exceeding 17° C (30° F) above the maximum demonstrated particulate matter control device temperature, calculated in four-hour block arithmetic averages, measured during the most recent dioxin/furan compliance test in which compliance is achieved.
	23. In accordance with DEP Approval #1-E-03-042 (4/30/2004), not allow steam flow to exceed 110% of the maximum demonstrated municipal waste combustor unit load, 4-hour block average basis.



**Table 8c.**

EU	Special Terms and Conditions – Other Requirements
1 2 3	<p>24. In accordance with DEP Approval #1-E-03-042 (4/30/2004), during any nine-month dioxin/furan compliance test and the 2 weeks preceding each nine-month dioxin/furan compliance test, municipal waste combustor unit load limit and PM control device temperature limitations are not applicable.</p> <p>25. In accordance with DEP Approval #1-E-03-042 (4/30/2004), municipal waste combustor unit load limit and PM control device temperature limitations may be waived, if prior approval is granted by the MassDEP, for the purposes of evaluating system performance, testing new technology or control technologies, diagnostic testing, or related activities for the purpose of improving facility performance provided that there is an improvement in controlling air pollution, or advancing the state-of-the-art for controlling facility emissions.</p> <p>26. In accordance with 40 CFR 60.58b(m)(2)(i), during the annual dioxin/furan or mercury performance test and the 2 weeks preceding the annual dioxin/furan or mercury performance test, no limit is applicable for average mass carbon feed rate if the provisions of paragraph (m)(2)(ii) of this section are met.</p> <p style="padding-left: 40px;">In accordance with 40 CFR 60.58b(m)(2)(ii), the limit for average mass carbon feed rate may be waived in accordance with permission granted by the Administrator for the purpose of evaluating system performance, testing new technology or control technologies, diagnostic testing, or related activities for the purpose of improving facility performance or advancing the state-of-the-art for controlling facility emissions.</p> <p>27. In accordance with DEP Approval #1-E-03-042 (4/30/2004) and 310 CMR 7.08(2)(f) 6., implement the following municipal waste combustor operator training and certification requirements. The Permittee:</p> <ul style="list-style-type: none"> <li>a. shall have each chief facility operator and shift supervisor obtain and maintain an Operator Certificate issued by the American Society of Mechanical Engineers (ASME).</li> <li>b. shall not allow the municipal waste combustor unit to be operated at any time unless one of the following persons is on duty: A chief facility operator or a shift supervisor who has obtained an Operator Certificate. (A Provisional Certificate is acceptable provided the supervisor is scheduled to obtain an Operator Certificate in accordance with section (f) below). If one of the persons listed above must leave the municipal waste combustor plant during his or her operating shift, a provisionally certified control room operator who is onsite at the municipal waste combustor plant may fulfill these requirements.</li> <li>c. shall have all chief facility operators, shift supervisors, and control room operators who have not obtained an Operator Certificate from ASME complete the National Technical Information Service - "EPA Municipal Waste Combustor Operating Course."</li> <li>d. shall establish a training program to review the operating manual with each person who has responsibilities affecting the operation of an affected municipal waste combustor unit, including, but not limited to, chief facility operators, shift supervisors, control room operators, ash handlers, maintenance personnel, and crane/load handlers. The operating manual shall address at a minimum the following:             <ul style="list-style-type: none"> <li>i. A summary of all applicable requirements in this regulation;</li> <li>ii. Basic combustion theory applicable to a municipal waste combustor unit;</li> <li>iii. Procedures for receiving, handling, and feeding municipal solid waste;</li> <li>iv. Municipal waste combustor unit startup, shutdown, and malfunction procedures;</li> <li>v. Procedures for maintaining proper combustion air supply levels;</li> <li>vi. Procedures for operating the municipal waste combustor unit within the requirements established under this regulation;</li> <li>vii. Procedures for responding to periodic upset or off-specification conditions;</li> <li>viii. Procedures for minimizing PM carryover;</li> <li>ix. Procedures for handling ash;</li> <li>x. Procedures for monitoring municipal waste combustor unit emissions; and</li> <li>xi. Reporting and record keeping procedures.</li> </ul> </li> <li>e. shall make available to the MassDEP for inspection upon request all the operating manuals and records of training.</li> <li>f. shall be in compliance with all training and certification requirements specified in Regulation 310 CMR 7.08(2)(f) 6. by six months after the date of start up or August 21, 1999, whichever is later.</li> </ul>

<b>Table 8d.</b>	
<b>EU</b>	<b>Special Terms and Conditions – Other Requirements</b>
7	<p>28. In accordance with 310 CMR 7.18(8)(a)1., use solvent in the cold cleaning degreaser which has a vapor pressure that does not exceed 1.0 mm Hg measured at 20 degrees Celsius. This requirement shall not apply to the following:</p> <ul style="list-style-type: none"> <li>a. cold cleaning degreasers used in special and extreme solvent metal cleaning;</li> <li>b. cold cleaning degreasers for which the owner or operator has received Department approval of a demonstration that compliance with the requirement to use a solvent with a vapor pressure of 1.0 mm Hg or less at 20 degrees Celsius will result in unsafe operating condition; and</li> <li>c. cold cleaning degreasers that are located in a permanent total enclosure having control equipment that is designed and operated with an overall VOC control efficiency of 90% or greater.</li> </ul>
	<p>29. In accordance with 310 CMR 7.18(8)(a)2., immediately repair any leaks, or the degreaser shall be shut down.</p>
	<p>30. In accordance with 310 CMR 7.18(8)(e)1. through 3, operate any solvent metal degreaser using procedures which minimize evaporative emissions and prohibit spills from the use of said degreaser. Such procedures include but are not limited to:</p> <ul style="list-style-type: none"> <li>a. notification to operators of the performance requirements that must be practiced in the operation of the degreaser, including the permanent and conspicuous posting of labels in the vicinity of the degreaser detailing performance requirements; and</li> <li>b. storage of waste degreasing solvent in closed containers, and disposal or transfer of waste degreasing solvent to another party, in a manner such that less than 20% of the waste degreasing solvent by weight can evaporate in to the atmosphere; and</li> <li>c. where applicable, supplying a degreasing solvent spray which is a continuous fluid stream (not a fine, atomized or shower type spray) at a pressure which does not exceed ten pounds per square inch as measured at the pump outlet, and use any such spray within the confines of the degreaser.</li> </ul>
	<p>31. In accordance with 310 CMR 7.18(8)(f), maintain instantaneous and continuous compliance at all times.</p>
Facility -wide	<p>32. In accordance with DEP Approval PV-85-IN-006 (amended 6/27/86) and DEP Approval 1-I-00-057 (12/17/01), not incinerate any hazardous waste as defined in 310 CMR 30.00.</p>
	<p>33. In accordance with DEP Approval PV-85-IN-006 (amended 6/27/86), properly train all personnel to operate the facility. The facility must document all facility staffing and training activities.</p>
	<p>34. In accordance with DEP Approval PV-85-IN-006 (amended 6/27/86), must allow DEP representatives access to the plant site and pertinent records at reasonable times for the purpose of making inspections, surveys, sample collection, data review and monitoring records.</p>
	<p>35. In accordance with DEP Approval dated 12/2/92 (amended 11/23/99) and a written request from the Permittee dated 5/30/2000, burn tires at a rate not greater than 9 tire equivalents per incinerator load [bucket load] and 160 incinerator loads per incinerator per day.</p> <p>For the purpose of determining the number of tires burned, each truck/tractor-trailer tire shall be equivalent to six (6) passenger car tires and each shredded piece shall be considered to be one (1) passenger car tire.</p>

**Table 8 Key**

- |   |                                       |
|---|---------------------------------------|
| EU = Emission Unit                                | % = percent                           |
| mg/kg = milligram/kilogram                        | EPA = Environmental Protection Agency |
| PCDD = Polychlorinated dibenzo- <i>p</i> -dioxins | mm Hg = millimeter of mercury         |
| PCDF = Polychlorinated dibenzofurans              | MSW = Municipal Solid Waste           |
| PM = Total Particulate Matter                     | MWC = Municipal Waste Combustor       |
| VOC = volatile organic compound                   |                                       |

**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 Permittee did not request intra-facility emissions trading in its Operating Permit application.

**B. INTER-FACILITY EMISSION TRADING**

The Permittee did not request inter-facility emissions trading in its Operating Permit application.

**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 the 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 the 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 Operating Permit. The report shall be postmarked or delivered by January 30 to the MassDEP and to the Air Compliance Clerk, 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:

- 1) the terms and conditions of the Permit that are the basis of the certification;
- 2) the current compliance status and whether compliance was continuous or intermittent during the reporting period;
- 3) the methods used for determining compliance, including a description of the monitoring, record keeping, and reporting requirements and test methods; and
- 4) any additional information required by the 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 the MassDEP. The report shall be submitted in compliance with the submission requirements below.

The compliance certification and report shall describe:

- 1) the terms and conditions of the Permit that are the basis of the certification;
- 2) the current compliance status during the reporting period;
- 3) the methods used for determining compliance, including a description of the monitoring, record keeping, and reporting requirements and test methods;
- 4) whether there were any deviations during the reporting period;
- 5) if there are any outstanding deviations at the time of reporting, and the Corrective Action Plan to remedy said deviation;
- 6) whether deviations in the reporting period were previously reported;
- 7) if there are any outstanding deviations at the time of reporting, the proposed date of return to compliance;
- 8) if the deviations in the reporting period have returned to compliance and date of such return to compliance; and
- 9) any additional information required by the 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 the 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 approval or Permit, the terms and conditions of this Permit control.

- B. The 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:
- 1) the liability of the source for any violation of applicable requirements prior to or at the time of Permit issuance.
  - 2) the applicable requirements of the Acid Rain Program, consistent with 42 U.S.C. §7401, §408(a); or
  - 3) 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 the 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 5 years after 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 the MassDEP's receipt of a complete and timely application for renewal, this facility may continue to operate subject to final action by the MassDEP on the renewal application.

In the event the 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 the 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 the MassDEP and/or EPA. The responsible official of the facility may request that the MassDEP terminate the facility's Operating Permit for cause. The 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 the 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 the 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 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 the MassDEP a material error or omission in any records, reports, plans, or other documents previously provided to the 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 and liability between current and new Permittee, has been submitted to the 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 the 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 Operating Permit, including any amendments or attachments thereto, upon request by the 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<sup>2</sup>

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<sup>2</sup> Technology based emission limits are those established on the basis of emission reductions achievable with



emission limitations specified in this Permit as a result of an emergency<sup>3</sup>. 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 the 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 24 of this Permit. Reporting a permit deviation is not an affirmative defense for action brought for noncompliance. Any reporting requirements listed in Table 6 of this Operating Permit shall supersede the following deviation reporting requirements, if applicable.

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

- A. 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.
- B. Exceedances of parameter limits established by your Operating Permit or other approvals, where the parameter limit is identified by the Permit or approval as surrogate for an emission limit.
- C. Exceedances of Permit operational limitations directly correlated to excess emissions.
- D. Failure to capture valid emissions or opacity monitoring data or to maintain monitoring equipment

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various control measures or process changes (e.g., a new source performance standard) rather than those established to attain health based air quality standards.

<sup>3</sup> An "emergency" means any situation arising from sudden and reasonably unforeseeable events beyond the control of the 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 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.

as required by statutes, regulations, your Operating Permit, or other approvals.

- E. 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 the 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 preventative measures taken.

Deviations that were reported by telephone, fax or electronic mail (e-mail) 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 the 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. OZONE DEPLETING SUBSTANCES**

This section contains air pollution control requirements that are applicable to this facility, and the United States Environmental Protection Agency enforces these requirements.

- A. The Permittee shall comply with the standards for labeling of products using ozone-depleting substances pursuant to 40 CFR Part 82, Subpart E:
- 1) All containers containing a class I or class II substance that is stored or transported, all products containing a class I substance, and all products directly manufactured with a class I substance must bear the required warning statement if it is being introduced into interstate commerce pursuant to 40 CFR 82.106.
  - 2) The placement of the required warning statement must comply with the requirements of 40 CFR 82.108.
  - 3) The form of the label bearing the required warning statement must comply with the requirements of 40 CFR 82.110.
  - 4) No person may modify, remove or interfere with the required warning statement except as described in 40 CFR 82.112.
- B. The Permittee shall comply with the standards for recycling and emissions reduction pursuant to 40 CFR Part 82, Subpart F, except as provided for motor vehicle air conditioners (MVAC) in Subpart B:
- 1) Persons opening appliances for maintenance, service, repair or disposal must comply with the required practices of 40 CFR 82.156.
  - 2) Equipment used during the maintenance, service, repair or disposal of appliances must comply with the standards for recycling and recovery equipment of 40 CFR 82.158.
  - 3) Persons performing maintenance, service, repair or disposal of appliances must be certified by an approved technician certification program pursuant to 40 CFR 82.161.
  - 4) Persons disposing of small appliances, MVACs and MVAC-like appliances (as defined in 40 CFR 82.152) must comply with recordkeeping requirements of 40 CFR 82.166.
  - 5) Persons owning commercial or industrial process refrigeration equipment must comply with the leak repair equipment requirements of 40 CFR 82.156.
  - 6) Owners/operators of appliances normally containing 50 or more pounds of refrigerant must keep records of refrigerant purchased and added to such appliances pursuant to 40 CFR 82.166.

- C. If the Permittee manufactures, transforms, imports or exports a class I or class II substance, the Permittee is subject to all the requirements as specified in 40 CFR Part 82, Subpart A, "Production and Consumption Controls".
- D. If the Permittee performs a service on motor (fleet) vehicles when this service involves ozone-depleting substance refrigerant (or regulated substitute substance) in the motor vehicle air conditioner (MVAC), the Permittee is subject to all the applicable requirements as specified in 40 CFR Part 82, Subpart B, "Servicing of Motor Vehicle Air Conditioners". The term "motor vehicle" as used in Subpart B does not include a vehicle in which final assembly of the vehicle has not been completed. The term "MVAC" as used in Subpart B does not include the air-tight sealed refrigeration system used as refrigerated cargo or system used on passenger buses using HCFC-22 refrigerant.
- E. The Permittee shall be allowed to switch from any ozone-depleting substance to any alternative that is listed in the Significant New Alternatives Program (SNAP) promulgated pursuant to 40 CFR Part 82, Subpart G, "Significant New Alternatives Policy Program".

## **29. PREVENTION OF ACCIDENTAL RELEASES**

This section contains air pollution control requirements that are applicable to this facility, and the United States Environmental Protection Agency enforces these requirements.

Your facility is subject to the requirements of the General Duty Clause, under 112(r)(1) of the CAA Amendments of 1990. This clause specifies that owners or operators of stationary sources producing, processing, handling or storing a chemical in any quantity listed in 40 CFR Part 68 or any other extremely hazardous substance have a general duty to identify hazards associated with these substances and to design, operate and maintain a safe facility, in order to prevent releases and to minimize the consequences of accidental releases which may occur.

## **APPEAL CONDITIONS FOR OPERATING PERMIT**

This Permit is an action of the 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 the 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.

The 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.