Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection

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

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"]:
Northeast Energy Associates, LP
92 Depot Street

PO Box 1213
Bellingham, MA 02019

INFORMATION RELIED UPON:
Application No. 22-AQ14-0008-REN
ePlace Authorization No. AQ14-0000075
Approval No. CE-22-018
PSD Permit Transmittal No. X239473
Acid Rain Permit (ORIS Code 10307)
7.02 Air Plan Approval Tr. No. X268834
CO_2 ECP Transmittal No. X003180

FACILITY LOCATION:
Northeast Energy Associates, LP
92 Depot Street
Bellingham, Massachusetts 02019

FACILITY IDENTIFYING NUMBERS:
AQ ID: 1201550
SMS Site (FMF FAC) No.: 204934
SMS RI (FMF RO) No.: 194085

NATURE OF BUSINESS:
Electrical Power Generation

Standard Industrial Classification (SIC): 4911
North American Industrial Classification System (NAICS): 221112

RESPONSIBLE OFFICIAL:
Name: A duly authorized Official
of Northeast Energy Associates,
a Limited Partnership

FACILITY CONTACT PERSON:
Name: Christian Nielsen
Title: General Manager
Phone: (207) 846-8105
Email: Christian.Nielsen@nexteraenergy.com

This Operating Permit shall expire on March 12, 2029.

For the Department of Environmental Protection

Permit Chief, Bureau of Air and Waste

March 12, 2024
Date

TABLE OF CONTENTS

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

1) The power generating Facility consists of two Westinghouse Model No. W-501D5 combustion turbines ("CTs") each with an unfired heat recovery steam generator ("HRSG") containing a high-pressure vessel and a low-pressure vessel. Both the high and low-pressure steam are directed to a single steam turbine ("ST") to generate additional energy. Steam is extracted from an intermediate stage within the ST for steam injection to control NO_x.

2) Auxiliary systems to the main equipment include inlet air fogging systems, an air-cooled steam condenser, a high voltage switchyard, a 2.3-million-gallon fuel oil storage tank and a water storage tank.

3) The two CTs are rated at 111 megawatts ("MW") each. Each CT contains 14 Westinghouse Model DF42 mechanical atomizing burners. The turndown ratio of each is 20 to 1. Total electrical output from the CTs under base load design conditions is 222 MW.

4) Combustion gases from each of the CTs are directed to a HRSG. At the CT base load design conditions, steam is produced in each HRSG at a rate of 690,000 pounds per hour at 900 psig (and 168,100 lb./hour at 70 psig). The high-pressure steam from both HRSG's is directed to the ST.

5) The ST under base load design conditions generates 82 MW of electric power. Combining this with the electrical output from the CT's the total electrical production for the Facility is 304 MW. An electrical switchyard includes transformers to step up the 13.8 KV generator voltage to the 345 KV transmission voltage.

6) Fuel for the Facility is natural gas and distillate fuel oil. The natural gas is delivered via a natural gas pipeline that traverses the site. Fuel oil is transported to the Facility by tank car along the railway bed, which presently traverses the site, and/or by tank trucks. The fuel oil is stored in a 2.3 million gallon storage tank.

7) The Facility uses steam injection to control NO_x emissions. Steam is injected into the turbine combustors to lower the flame temperature and reduce the formation of NO_x to lowest achievable limits while utilizing natural gas or fuel oil.

The Permittee is subject to 40 CFR 60 Subpart GG Standards of Performance for Stationary Combustion Turbines. The Permittee is subject to 40 CFR 63 Subpart ZZZZ requirements for reciprocating internal combustion engines ("RICE") for its Caterpillar Model 3306 diesel fire pump rated at 287 horsepower.

The Permittee has documented that the Facility is an area source of HAP emissions. As an area source, the facility-wide total and individual HAP potential to emit are less than the major source thresholds of 25 tons per year and 10 tons per year, respectively.

The Facility is not subject to 40 CFR 64 Compliance Assurance Monitoring ("CAM") requirements because it uses a Continuous Emissions Monitoring System ("CEMS") and therefore is exempt under 40 CFR 64.2(b)(1)(vi).

The CTs are covered by Potential for Significant Deterioration ("PSD") permit No. X239473 issued August 10, 2015.

The CTs NO_x and CO emission rates are below the NO_x and CO emission standards listed in 310 CMR 7.19(7)(b)1 Reasonably Available Control Technology (RACT) for Source of Oxides of Nitrogen (NO_x).

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 ("NOx") and 100 tons per year of carbon monoxide ("CO") and Particulate Matter ("PM"). The Facility is also a "major stationary source" pursuant to the Prevention of Significant Deterioration regulations of 40 CFR § 52.21 since it has the potential to emit more than 250 tons per year of a new source review regulated pollutant (carbon monoxide and nitrogen oxides).

Federal Acid Rain Program

The Permittee is subject to the requirements of Phase II of the Federal Acid Rain Program for EU1 and EU2 as defined by EPA in 40 CFR Part 72 and 40 CFR Part 75.

Pursuant to 40 CFR Part 72.71, 40 CFR Part 72.73, and 310 CMR 7.00: Appendix (C)(3)(n), MassDEP is the permitting authority for Phase II Acid Rain Permits. The Permittee was issued the initial Phase II Acid Rain Permit on June 14, 2005, and renewed said permit on January 8, 2018.
The Department is incorporating the requirements of the renewal Phase II Acid Rain Permit into this Operating Permit. The Phase II Acid Rain requirements will renew in the Operating Permit.

Massachusetts NO_X Ozone Season Program (MassNO_X)

The Permittee is subject to the requirements of the Massachusetts NO_X Ozone Season Program (MassNO_X) regulation for EU1 and EU2 as defined by MassDEP in 310 CMR 7.34(7)(b).

If the Department determines that the state-wide budget of 1,799 tons of NO_X per ozone season, is exceeded

during any ozone season, 2018 or after, the Permittee may be required to offset all NO_x emissions beyond the NO_X emissions budget contained in 310 CMR 7.34(7)(b): *Table A* in accordance with 310 CMR 7.34(8).

Massachusetts CO_2 Budget Trading Program
The Permittee is subject to the requirements of the Massachusetts CO_2 Budget Trading Program for EU1 and EU2 as defined by MassDEP in 310 CMR 7.70(1)(d).

Pursuant to 310 CMR 7.70(3), the Permittee was issued a CO_2 Budget Program Emissions Control Plan (ECP) Transmittal No. X003180 on February 24, 2009. In accordance with 310 CMR 7.70(8)(a), the owner or operator shall install, maintain, operate, and report emissions data from a CO_2 emissions monitoring system. **(State Only Requirement)**.

Massachusetts Greenhouse Gas Reporting Program
The Permittee is subject to the requirements of Greenhouse Gas Reporting as defined by MassDEP in 310 CMR 7.71(3)(a). **(State Only Requirement).**

Pursuant to 310 CMR 7.71(2): *Definitions:*

"Greenhouse Gas" means any chemical or physical substance that is emitted into the air and that MassDEP may reasonably anticipate will cause or contribute to climate change including, but not limited to, CO_2, CH_4, N_2O, SF_6, hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), and any other gas for which 40 CFR Part 98 includes a method for calculating greenhouse gas emissions from any stationary emissions source.

Reducing CO_2 Emissions from Electricity Generating Facilities
The Permittee is subject to the requirements of the Reducing CO_2 Emissions from Electricity Generating Facilities regulation for EU1 and EU2 as defined by MassDEP in 310 CMR 7.74(3).

The Permittee shall comply with the CO_2 emissions limits contained in 310 CMR 7.74(5) for calendar year 2018 and each year thereafter. The Permittee may offset all emissions using allowances in the facility allowance registry account in accordance with 310 CMR 7.74(6)(b) or request deferred compliance due to an emergency in accordance with 310 CMR 7.74(6)(d). **(State Only Requirement).**

2. EMISSION UNIT IDENTIFICATION

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

Table 1			
EU	**Description of EU**	**EU Design Capacity**	**Pollution Control Device (PCD)**
1	Westinghouse Turbine Model No. 501D5	111 MW	Steam Injection
2	Westinghouse Turbine Model No. 501D5	111 MW	Steam Injection
3	Caterpillar Model No. 3306 Fire Pump	287 hp	None

Table 1 Key

EU = Emission Unit
MW = Megawatts
PCD = Pollution Control Device
hp = Horsepower

3. IDENTIFICATION OF EXEMPT ACTIVITIES

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

Table 2	
Description of Current Exempt Activities	**Reason**
The list of current exempt activities is contained in the Operating Permit application and shall be updated by the Permittee to reflect changes at the facility over the Permit term. An up-to-date copy of 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:

Table 3 Normal Operations

EU	Fuel/ Raw Material	Operational and/or Production Limits	Pollutant	Emissions Limits/Standards[1,2,3]		Applicable Regulation and/or Approval No.
				lb./MMBtu (Per Turbine)	lb./hour (EU 1 and 2 combined)	
1 and 2	Natural Gas		PM/PM_{10}	0.0047	12.0	MassDEP 7.02 Plan Approval Tr X268834 and Prevention of Significant Deterioration (PSD) No X239473
			SO_2	0.0016	4.0	
			NO_x	0.0859	220.0	
			CO	0.0516	132.0	
			VOC	0.0043	11.0	
	Fuel Oil	1. Not to exceed 2880 hours per year operation on fuel oil [4] 2. Sulfur content of fuel oil received not to exceed 15 ppmw [5]	PM/PM_{10}	0.0647	160.0	MassDEP 7.02 Plan Approval Tr X268834 and Prevention of Significant Deterioration (PSD) No X239473
			SO_2	0.0016[5]	4.6	
			NO_x	0.1497	370.0	
			CO	0.3277	810.0	
			VOC	0.0151	37.4	
	Natural Gas and/or Fuel Oil	4. The NOx control system shall be 100% operational within 120 minutes of startup of EU 1 or 2.	NO_x	0.0075 x (14.4)/Y + F (percent by volume at 15 percent oxygen and on a dry basis)[6]		40 CFR 60 Subpart GG
				978 tons per 12-month period [7,8]		MassDEP 7.02 Plan Approval Tr X268834 and Prevention of Significant Deterioration (PSD) No X239473
			PM/PM_{10}	106 tons per 12-month period[7,8]		
			SO_2	18 tons per 12-month period [7,8,9]		
			CO	822 tons per 12-month period [7,8]		
			VOC	46 tons per 12-month period[7,8]		

Table 3 Normal Operations

EU	Fuel/ Raw Material	Operational and/or Production Limits	Pollutant	Emissions Limits/Standards[1,2,3]		Applicable Regulation and/or Approval No.
				lb./MMBtu (Per Turbine)	lb./hour (EU 1 and 2 combined)	
1 and 2	Natural Gas and/or Fuel Oil		Opacity [10]	Exclusive of uncombined water shall not exceed 10% based on a 6 minute averaging period, during all modes of operation except oil-fired startups and shutdowns, when opacity shall not exceed 20% for a period or aggregate period of time in excess of six minutes during any one hour provided that, at no time during the said six minutes shall the opacity exceed 40%.		MassDEP 7.02 Plan Approval Tr X268834 and Prevention of Significant Deterioration (PSD) No X239473
	All	NA	CO_2	The Permittee shall hold CO_2 allowances in a compliance account in an amount not less than the CO_2 Budget Emissions Limitation.		310 CMR 7.70(1)(e)3 (State Only Requirement)
	All	NA	CO_2	The Permittee shall hold CO_2 allowances in an allowance registry account in an amount equal to or greater than the sum of either: (1) The prior calendar year CO_2 emissions, minus any emissions for which compliance is deferred in accordance with 310 CMR 7.74(6)(d); or (2) Twice the amount of CO_2 emissions emitted during the year before the prior calendar year if compliance was deferred pursuant to 310 CMR 7.74(6)(d).		310 CMR 7.74(6)(e) (State Only Requirement)

Table 3 Normal Operations

EU	Fuel/ Raw Material	Operational and/or Production Limits	Pollutant	Emissions Limits/Standards[1,2,3]		Applicable Regulation and/or Approval No.
				lb./MMBtu (Per Turbine)	lb./hour (EU 1 and 2 combined)	
1 and 2	All	NA	SO_2	The Permittee shall hold SO_2 allowances, as of the allowance transfer deadline in the Permittee's compliance account not less than the total annual emissions of SO_2 for the previous calendar year; and comply with the applicable Acid Rain emission limitations for SO_2.		310 CMR 7.00: Appendix C(3)(n); 40 CFR 72.9; Acid Rain Permit No. 10307
	All	NA	NO_x	NA		310 CMR 7.00: Appendix C(3)(n); Acid Rain Permit No. 10307
	All	NA	NO_X	138 tons of NO_x per Ozone Season[11]		310 CMR 7.34(7)(b): *Table A*
3	Fuel Oil	5. Operate only during emergency situations or for routine maintenance and testing recommended. Maintenance and testing is limited to 100 hours per calendar year; ≤ 50 hours of non-emergency operation per calendar year.	NA	Fuel Oil ≤ 0.0015 % sulfur by weight		40 CFR Part 63 Subpart ZZZZ
Facility-wide	All	NA	Greenhouse Gas[12]	NA		310 CMR 7.71 (State Only Requirement).

Table 3 Key:

EU = Emission Unit

% = percent

CO = Carbon Monoxide	NO_x = Nitrogen Oxides
CO_2 = Carbon Dioxide	SO_2 = Sulfur Dioxide
PM = Particulate Matter (filterable only)	ppmw = parts per million by weight
PM_{10} = Particulate Matter (filterable only) with an aerodynamic diameter less than or equal to 10 micrometers	VOC = Volatile Organic Compounds
lb./MMBtu = pounds per Million British thermal units	lb./hr. = pounds per hour
NA = Not Applicable	≤ = less than or equal to

Table 3 Foot Notes:

1. Averaging Time – Exclusive of startup and shutdown data, compliance with the NO_x and CO lbs./MMBtu and lbs./hour limits in Table 3 shall be determined using one hour block averages from the CEMS calculated using the valid hour criteria established in EPA 40 CFR 75.10(d)(1), for NO_x and 40 CFR 60.13(h)(2) for CO. Compliance with the opacity limit in shall be determined using six minute block averages from the COMS calculated using the criteria defined by 40 CFR 60.13(h)(1).
2. The VOC lbs./MMBtu and lb./hour emission limits are based on one hour block averages.
3. Normal operations are any operations occurring except for start-up or shutdown periods.
4. EU 1 and EU 2 may operate for any combination of hours on distillate fuel oil such that the Facility does not exceed a total of 2880 hours during any 12-month rolling period.
5. Equivalent to a sulfur-in-fuel limit of 15 ppmw. SO_2 limits of 0.2136 lb./MMBtu and 528 lb./hr., corresponding to the previously approved limit of 0.2 weight percent sulfur fuel oil, applied until such time as the previously received higher-sulfur fuel oil in tankage was diluted by receipts of 15 ppmw sulfur fuel oil to the point where the average sulfur content of the fuel oil did not exceed 15 ppmw for five consecutive samples.
6. Y = manufacturer's rated heat rate at manufacturer's rated load (kilojoules per watt hour) or, actual measured heat rate based on lower heating value of fuel as measured at actual peak load for the facility. The value of Y shall not exceed 14.4 kilojoules per watt hour, and F = NO_X emission allowance for fuel-bound nitrogen as defined in paragraph (a)(4) of this section.
7. The 12-month rolling total emission limits include emissions under **all** operating conditions including emissions that occur during emergencies, malfunctions, startups, and shutdowns.
8. To calculate the amount of a consecutive 12 month rolling period take the current calendar month amount and add it to the previous 11 calendar months total amount.
9. The 18 tons per 12-month period limit on SO_2 applies regardless of the sulfur content of fuel oil burned during the 12-month period.
10. Opacity means that characteristic of matter which renders it capable of interfering with the transmission of rays of light and causes an obscuration of an observer's view, exclusive of combined water vapor.
11. If the Department determines that the state-wide budget of 1,799 tons of NO_X per ozone season, is exceeded during any ozone season, 2018 or after, the Permittee may be required to offset all NO_x emissions beyond the NO_X emissions budget contained in 310 CMR 7.34(7)(b):*Table A* in accordance with 310 CMR 7.34(8).
12. Greenhouse Gas means any chemical or physical substance that is emitted into the air and that MassDEP may reasonably anticipate will cause or contribute to climate change including, but not limited to: carbon dioxide (CO_2), methane (CH_4), nitrous oxide (N_2O), sulfur hexafluoride (SF_6), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), and any other gas for which 40 CFR Part 98 includes a method for calculating greenhouse gas emissions from any stationary emissions source.

Table 3A Startup and Shutdown Emission Limits

EU	Fuel	Operational and/or Production Limits	Event	Pollutant	Emissions Limits/Standards [1,2]	
					lb./MMBtu (Per Turbine)	lb./hour (EU 1 and 2 Combined)
1 and 2	Natural Gas	Startup shall not exceed 120 minutes for either turbine. Shutdown shall not exceed 120 minutes for either turbine.	Startup	NO_x	0.676	865
			Shutdown		0.844	1080
			Startup and Shutdown	CO	0.183 [3]	132
			Startup and Shutdown	VOC	0.0153	11
1 and 2	Fuel Oil	Startup shall not exceed 120 minutes for either turbine. Shutdown shall not exceed 120 minutes for either turbine.	Startup	NO_x	0.7	865
			Shutdown		0.874	1080
			Startup and Shutdown	CO	0.655, an alternative limit of 1.2 applies when turbine does not operate for at least 120 consecutive minutes	810
			Startup and Shutdown	VOC	0.03	75

Table 3A Key:

EU = Emission Unit
CO = Carbon Monoxide
lb./MMBtu = pounds per Million British thermal units
lb./hr. = pounds per hour
NO_x = Nitrogen Oxides
VOC = Volatile Organic Compounds

Table 3A Foot Notes:

1. Startup: Unit startup commences when fuel is first ignited and shall not exceed 120 minutes for either turbine. Shutdown: Unit shutdown is the time period from steady state operation to cessation of combustion turbine firing. Shutdown shall not exceed 120 minutes for either turbine.
2. Emission limits are based on a 120-minute averaging period.

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 and Table 3A:

Table 4

EU	Monitoring And Testing Requirements
1 and 2	1. In accordance with Plan Approval No. X268834, the Permittee shall install, calibrate, test and operate a Data Acquisition System (DAS) and Continuous Emission Monitoring system ("CEMS") and Continuous Opacity Monitoring system ("COMs") to measure and record the following emissions: a. Oxygen (O_2) or Carbon Dioxide (CO_2) b. Oxides of Nitrogen (NO_x) c. Carbon Monoxide (CO) d. Opacity
	2. In accordance with Plan Approval No. X268834, the Permittee shall ensure that all stack monitors and recording equipment comply with Department approved performance and location specifications, and conform with the applicable EPA monitoring specifications in 40 CFR Part 60.13, 40 CFR Part 60 Appendices B and F, and 40 CFR Parts 72 and 75.
	3. In accordance with Plan Approval No. X268834, the Permittee shall use and maintain its CEMS and COMs as a "direct-compliance" monitor to measure NO_x, CO, O_2 or CO_2, and opacity. "Direct-compliance" monitors generate data that legally document the compliance status of a source. MassDEP shall utilize the data generated by the "direct-compliance" monitor, MassDEP recognized emission testing or other credible evidence for compliance and enforcement purposes.
	4. In accordance with Plan Approval No. X268834, the Permittee shall equip the CEMS with audible and visible alarms to activate when emissions exceed the limits established in Tables 3 and 3A above.
	5. In accordance with Plan Approval No. X268834, the Permittee shall comply with all applicable monitoring requirements contained in 40 CFR Parts 60, 72 and 75 and 310 CMR 7.70, 7.71 and 7.72
	6. In accordance with Plan Approval No. X268834, the Permittee shall operate each CEMS at all times that EU1 and/or EU2 is in operation except for periods of CEMS calibration checks, zero and span adjustments, preventive maintenance, and periods of malfunction.
	7. In accordance with Plan Approval No. X268834, the Permittee shall obtain and record emission data from each CEMS and COMS for at least 75% of the common stack operating hours per day, for at least 84% of the common stack operating hours per month, and for at least 95% of the emission unit operating hours per quarter. Notwithstanding these requirements, a minimum of four common stack operating hours are required during a unit operating day before compliance with the Percent Monitor Availability (PMA) requirement to obtain valid emissions data for at least 75% of the common stack operating hours per day be evaluated.
	8. In accordance with Plan Approval No. X268834, the Permittee shall quantify all periods of excess emissions, even if attributable to an emergency/malfunction, startup, shutdown, or equipment cleaning, and include them in the determination of annual emissions and compliance with the annual emission limits as stated in Table 3 above.

Table 4	
EU	**Monitoring And Testing Requirements**
1 and 2	9. In accordance with Plan Approval No. X268834, the Permittee shall demonstrate continuous compliance with the VOC emission limits (short-term and annual) contained herein by monitoring CO emissions with the CO CEMS. If CO emissions are above the respective CO emission limit, the VOC emissions shall be considered as occurring at a rate determined by the equation: $VOC_{actual}=VOC_{limit}$ x (CO_{actual}/CO_{limit}).
	10. In accordance with Plan Approval No. X268834, the Permittee shall also count any period of excess emission of CO as a period of excess emission of VOC, and the excess emission of VOC shall count towards the annual emission limitation for VOC.
	11. In accordance with Plan Approval No. X268834, the Permittee shall maintain a quality control/quality assurance program ("QA/QC") for the long-term operation of the CEMS which conforms to applicable portions of 40 CFR Part 60, Appendix F, 40 CFR Parts 72 and 75. Any significant changes to QA/QC may only be done with approval from MassDEP.
	12. In accordance with Plan Approval No. X268834, the Permittee shall maintain on-site for the CEMS an adequate supply of spare parts to maintain the on-line availability and data capture requirements.
	13. In accordance with Plan Approval No. X268834, the Permittee may also determine compliance with the allowable opacity limits in accordance with EPA Method 9, as specified in 40 CFR 60, Appendix A and in accordance with 310 CMR 7.00 Appendix C(9)(b).
	14. In accordance with Plan Approval No. X268834, the Permittee shall comply with the requirements of the Federal New Source Performance Standards 40 CFR 60, Subparts A (General Provisions) and 40 CFR 60 Subpart GG (Stationary Gas Turbines).
	15. In accordance with Plan Approval No. X268834, using equation numbers 1 and 2 in Item 17 of this Table, the Permittee shall attribute emissions to each combustion turbine by pro-rating the common stack emissions using the electrical output from each combustion turbine. Pro-rating will not be done when one combustion turbine is in either startup and/or shutdown mode and the other combustion turbine is operating at steady state, or when both combustion turbines are in either startup and/or shutdown mode. All stack emissions will be attributed to one combustion turbine if the other combustion turbine is completely shutdown.
	16. In accordance with Plan Approval No. X268834, in the event the procedure set forth in Item 17 of this Table indicate an exceedance of an applicable emission limit, the Permittee may rebut any calculated pounds per million British Thermal Units exceedances with credible evidence. For example, if the formula indicates that both units exceeded the applicable limit, the Permittee may provide credible evidence to show that only one unit was in exceedance. Such evidence may include the results of parametric monitoring and shall be provided to EPA and MassDEP as part of the Permittee's quarterly CEMS reports. The burden of providing such credible evidence and of proving that a calculated exceedance is not an exceedance in fact shall be on the Permittee.

Table 4

EU	Monitoring And Testing Requirements
1 and 2	17. In accordance with PSD Permit Tr. X239473, the Permittee shall attribute CEM readings to each turbine by using approved methods from EPA's Acid Rain Program for combined stack emissions. 40 CFR Part 75, Appendix F, Section 5.6.1 calculates heat input for each turbine based on electric generation. The following equation shall be used to determine the heat input for each turbine when the turbines are burning the same fuel. Eq.1 $HU_1 = HU_{cs}(T_{cs}/T_1)(MW_1*T_1/(MW_1*T_1+MW_2T_2))$ Where: HU_1= Heat input rate for unit 1, MMBtu/hr. HU_{cs}= Heat input rate at the common pipe, MMBtu/hr. MW_1= Gross electrical output for unit 1, MWe. MW_2= Gross electrical output for unit 2, MWe. T_1 Unit operating time for turbine 1, in equal increments of $1/60^{th}$ of an hour. T_2 Unit operating time for turbine 2, in equal increments of $1/60^{th}$ of an hour. Tcs= Common stack or common pipe operating time, in equal increments of $1/60^{th}$ of an hour. The Permittee shall allocate the combined emissions determined in the common stack according to the electricity each turbine produces. Eq. 2 $EU_1 = EU_{cs}(T_{cs}/T_1)(MW_1*PL_1*T_1/(MW_1*PL_1*T_1+MW_2*PL_2*T_2))$ Where: EU_1= Emission rate for unit 1, lbs./hr. EU_{cs}= Emission rate at the common stack, lbs./hr. MW_1= Gross electrical output for unit 1, MWe. MW_2= Gross electrical output for unit 2, MWe. PL_1=Depending on firing oil or natural gas, the appropriate emission limit from Tables I or II in lbs./MMBtu for unit 1 PL_2=Depending on firing oil or natural gas, the appropriate emission limit from Tables I or II in lbs./MMBtu for unit 2 T_1 Unit operating time for turbine 1, in equal increments of $1/60^{th}$ of an hour. T_2 Unit operating time for turbine 2, in equal increments of $1/60^{th}$ of an hour. Tcs= Common stack or common pipe operating time, in equal increments of $1/60^{th}$ of an hour.
	18. In accordance with Plan Approval No. X268834, the Permittee shall conduct a Relative Accuracy Test Audit (RATA) on the NO_x and CO CEMS at a frequency determined in accordance with 40 CFR 75 Appendix B, Section 2.3.1, which shall supersede the test frequency contained in 40 CFR 60 Appendix F, Section 5.1.1.
	19. In accordance with Plan Approval No. X268834, the Permittee shall monitor sulfur content of each new shipment of fuel oil received. Sulfur content of the fuel can be demonstrated through fuel analysis. The analysis of sulfur content of the fuel shall be in accordance with the applicable American Society for Testing Materials (ASTM) test methods or any other method approved by the MassDEP and EPA. Fuel sulfur information may be provided by fuel suppliers.
	20. In accordance with Plan Approval No. X268834, the Permittee shall monitor the total sulfur content of the fuel being fired in the turbines in accordance with 40 CFR 60.334(h)(3)(ii) and 40 CFR 60.334(i)(1).
	21. In accordance with PSD Permit No. X239473, the Permittee shall operate a continuous monitoring system consistent with the requirements of 40 CFR 75 Appendix D to monitor and record the fuel oil and gas consumed by the turbines.

Table 4

<table>
<tr><th>EU</th><th>Monitoring And Testing Requirements</th></tr>
<tr><td rowspan="5">1 and 2</td><td>22. In accordance with PSD Permit No. X239473, all emission testing shall comply with the test methods in accordance with requirements contained in 40 CFR Parts 72 and 75 and 40 CFR 60 as noted below or another approved alternative method.
<table>
<tr><th colspan="2">Test Methods</th></tr>
<tr><th>Pollutant</th><th>40 CFR Part 60 Test Methods</th></tr>
<tr><td>NO_x</td><td>Method 20 or Method 7E</td></tr>
<tr><td>CO</td><td>Method 10 (gas filter correlation method)</td></tr>
<tr><td>VOC</td><td>Methods 25A and 18</td></tr>
<tr><td>Opacity</td><td>Method 9</td></tr>
<tr><td>SO_2</td><td>Method 20 (fuel test option)[1]</td></tr>
<tr><td>PM_{10}</td><td>Method 5</td></tr>
</table></td></tr>
<tr><td>23. The Permittee conducted a stack test in December 2009, while firing fuel oil on both turbines at base load for PM_{10} and VOC emissions using EPA's emission test methods 1- 5 for PM_{10} and either methods 18 or 25A for VOC, as contained in 40 CFR part 60, Appendix A. In accordance with PSD Permit No. X239473, after the December test, the Permittee shall use the same test methods to determine the rate of PM_{10} and VOC emissions prior to every interval of 600 operating hours in which either or both turbines combust fuel oil. The requirement to conduct testing in this context will expire after the third round of stack testing.</td></tr>
<tr><td>24. In accordance with 7.70(8) and ECP Approval Tr. X003180, the Permittee shall comply with all monitoring and testing requirements for annual CO_2 emissions, net electrical output, and net steam output. (State Only Requirement).</td></tr>
<tr><td>25. In accordance with 40 CFR 72.9, 40 CFR Part 75, and Acid Rain Permit No. 10307, the Permittee shall comply with all monitoring requirements for NO_X and SO_2 emissions. The requirements of 40 CFR Part 75 shall not affect the responsibility of the Permittee to monitor emissions of other pollutants from or other emissions characteristics of EU1 and EU2.</td></tr>
<tr><td>26. In accordance with 310 CMR 7.34(3) the Permittee shall comply with all monitoring and testing requirements for ozone season NO_X emissions. The requirements of 310 CMR 7.34(3) shall not affect the responsibility of the Permittee to monitor emissions of other pollutants from or other emissions characteristics of EU1 and EU2.</td></tr>
<tr><td rowspan="3">3</td><td>27. In accordance with 40 CFR 63.6625(e), the Permittee shall operate and maintain the stationary RICE and after treatment control device (if any) according to the manufacturer's emission-related written instructions or develop their own maintenance plan which must provide to the extent practicable for the maintenance and operation of the engine in a manner consistent with good air pollution control practice for minimizing emissions.</td></tr>
<tr><td>28. In accordance with 40 CFR 63.6625(f), the Permittee shall install a non-resettable hour meter.</td></tr>
<tr><td>29. In accordance with 40 CFR 63.6625(h), the Permittee shall minimize the engine's time spent at idle speed during startup and shall also minimize the engine's startup time so as to provide for safe loading of the engine, not to exceed 30 minutes.</td></tr>
</table>

Table 4	
EU	**Monitoring And Testing Requirements**
3	30. In accordance with Table 2d, items 4a – 4c to 40 CFR 63 Subpart ZZZZ, the Permittee shall perform the following maintenance: a. Track the hours of operation of the unit to ensure the change of oil every 500 hours of operation or annually, whichever comes first, or as an alternative, the Permittee may utilize an oil analysis program as allowed in 40 CFR 63.6625(i). If elected, the oil analysis must be performed every 500 hours of operation or annually, whichever comes first. The analysis program must at a minimum analyze the following three parameters: Total Base Number, viscosity, and percent water content. The limits for these parameters are as follows: Total Base Number is less than 30 percent of the Total Base Number of the oil when new; viscosity of the oil has changed by more than 20 percent from the viscosity of the oil when new; or percent water content (by volume) is greater than 0.5. If any of the limits are exceeded, the engine owner or operator must change the oil within 2 days of receiving the results of the analysis or before continuing; b. Inspect air cleaner every 1,000 hours of operation or annually, whichever comes first; and c. Inspect all hoses and belts every 500 hours of operation or annually, whichever comes first and replace as necessary.
	31. In accordance with 40 CFR 63.6640(f), the Permittee may operate an emergency stationary RICE for the purpose of maintenance checks and readiness testing, provided that the tests are recommended by Federal, State or local government, the manufacturer, the vendor, or the insurance company associated with the engine. Maintenance checks and readiness testing of such units is limited to 100 hours per year. The Permittee may petition the Administrator for approval of additional hours to be used for maintenance checks and readiness testing, but a petition is not required if the owner or operator maintains records indicating that federal, state, or local standards require maintenance and testing of emergency RICE beyond 100 hours per year.
Facility-wide	32. In accordance with Plan Approval Tr. X268834, the Permittee shall monitor all operations to ensure sufficient information is available to comply with 310 CMR 7.12 Source Registration.
	33. In accordance with Plan Approval Tr. X268834, if and when MassDEP requires it, the Permittee shall conduct emission testing in accordance with USEPA Reference Test Methods and Regulation 310 CMR 7.13.
	34. In accordance with 310 CMR 7.71(1) and Appendix C(9), the Permittee shall establish and maintain data systems or record keeping practices (e.g. fuel use records, SF_6 usage documentation, Continuous Emissions Monitoring System) for greenhouse gas emissions to ensure compliance with the reporting provisions of M.G.L. c. 21N, the Climate Protection and Green Economy Act, St. 2008, c. 298, § 6. **(State Only Requirement).**

Table 4 Key*:*

CEMS = Continuous Emission Monitoring System
CO_2 = Carbon Dioxide
CO = Carbon Monoxide
COMS = Continuous Opacity Monitoring System
EU = Emission Unit
ECP = Emission Control Plan
EPA = Environmental Protection Agency
NO_x = Nitrogen Oxides
O_2 = Oxygen
PM_{10} = Particles Matter (filterable only) with an aerodynamic diameter of a less than 10 micrometers
PSD = Prevention of Significant Deterioration
RICE = Reciprocating Internal Combustion Engine
SF_6 = Sulfur Hexafluoride
VOC = Volatile Organic Compounds

GIS = Gas-Insulated Switchgear
lb./MMBtu = pounds per Million British Thermal Units
MW = Megawatt
% = percent
SO_2 = Sulfur Dioxide
MMBtu/hr. = Million British Thermal Units per hour
lbs./hr. = Pounds per hour

Table 4 Foot Notes*:*

1. An approved alternative uses the sulfur content determined by 40 CFR 75 Appendix D, see Table 5, Condition 10 of this Operating Permit.

Table 5

EU	Record Keeping Requirements
1 and 2	1. In accordance with Plan Approval Tr. X268834, the Permittee shall maintain the following records (electronic and/or hardcopy) for at least five years. All records shall be maintained up-to-date such that the previous two calendar years of data is readily available for MassDEP examination. Records shall include: a. Date and hours of operation of each combustion turbine. b. Date and time of start-up and shutdown of each combustion turbine. c. Date, time and specifications of all maintenance performed on each the combustion turbine, steam injection system and continuous monitoring devices and the type or a description of the maintenance performed and the date and time the work was completed. d. Calibration of all CEMS monitoring devices including the date, time and the name of contractor who performed the calibrations. e. Record of any upsets or failures associated with the CEMS. f. Combustion equipment, emission control or monitoring device malfunctions, time and date of malfunction, description of event, time and date of corrective action taken and description of said action. g. Total fuel consumption of natural gas in cubic feet per hour and total fuel consumption of fuel oil in gallons per hour, month and for each twelve month period. h. Total pounds steam flow per hour for each operating hour of the day. i. Total hours of operation on natural gas per day and fuel oil per day. j. Gross electrical output (MWh) produced for each hour of the day for each combustion turbine. k. Hourly heat input (MMBtu) to each combustion turbine. l. Hourly NOx and CO emissions on a lb./MMBtu basis for each combustion turbine and lb./hr. basis. m. Sulfur content records for fuel oil and natural gas.
	2. In accordance with Plan Approval Tr. X268834, the Permittee shall maintain records required by the Federal New Source Performance Standards 40 CFR 60, Subparts A (General Provisions) and GG (Stationary Gas Turbines).
	3. In accordance with Plan Approval Tr. X268834, the Permittee shall comply with all applicable record keeping requirements contained in 40 CFR Parts 72 and 75 and 310 CMR 7.70 and 7.72.
	4. In accordance with Plan Approval Tr. X268834, the Permittee shall maintain documentation of the fuel oil sulfur content as required by the methods specified in Table 4, Item 22; and shall maintain records of natural gas sulfur content annually in accordance with 40 CFR 75, Appendix D Section 2.3.1.4(e).

Table 5

EU	Record Keeping Requirements
1 and 2	5. In accordance with Plan Approval Tr. X268834, the Permittee shall maintain adequate records on-site to demonstrate compliance with all operational, production, and emission limits contained in Tables 3 and 3A above. Records shall also include the actual emissions of air contaminant(s) emitted for each calendar month and for each consecutive twelve-month period (current month plus prior eleven months). These records shall be compiled no later than the 15th day following each month. An electronic version of the MassDEP approved record keeping form, in Microsoft Excel format, can be downloaded at https://www.mass.gov/guides/massdep-facility-wide-emission-restrictions-caps-reporting#-application-&-notification-forms.
	6. In accordance with Plan Approval Tr. X268834, the Permittee shall maintain records of monitoring and testing as required by Table 4.
	7. In accordance with Plan Approval Tr. X268834, the Permittee shall maintain a copy of Plan Approval Tr. X268834, the underlying Application and the most up-to-date SOMP for the EU(s) and PCD approved herein on-site.
	8. In accordance with Plan Approval Tr. X268834, the Permittee shall maintain a record of routine maintenance activities performed on the approved EU(s), PCD, and monitoring equipment. The records shall include, at a minimum, the type or a description of the maintenance performed and the date and time the work was completed.
	9. In accordance with Plan Approval Tr. X268834, the Permittee shall maintain a record of all malfunctions affecting air contaminant emission rates on the approved EU(s) and PCD and monitoring equipment. At a minimum, the records shall include: date and time the malfunction occurred; description of the malfunction; corrective actions taken; the date and time corrective actions were initiated and completed; and the date and time emission rates and monitoring equipment returned to compliant operation.
	10. In accordance with PSD Permit Tr. X237473, the Permittee shall use the following methodology for calculating mass emissions for each pollutant: a. PM10: The Permittee shall multiply the results from the most recent stack test (in terms of b. lb./MMBtu) by the fuel consumed (in terms of MMBtu) to determine the PM10 mass emissions from natural gas and fuel oil. The amount of fuel consumed (in terms of MMBtu) shall be determined in accordance with 40 CFR 75 Appendix D. c. Carbon Monoxide and Nitrogen Oxides: The Permittee shall use emission data from the existing continuous emission monitoring system. d. Sulfur Dioxide: The Permittee shall use the sulfur content determined by 40 CFR 75 Appendix D with the exception of missing data substitution for the oil's sulfur content shall be the maximum sample value obtained in the 36 months prior to the missing data period if that value is greater than 0.0015% sulfur by weight. e. Volatile Organic Compounds: The Permittee shall multiply the results from the most recent stack test (in terms of lb./MMBtu) by the fuel consumed (in terms of MMBtu) to determine the VOC mass emissions from natural gas and fuel oil. The amount of fuel consumed (in terms of MMBtu) shall be determined in accordance with 40 CFR 75 Appendix D.

Table 5	
EU	**Record Keeping Requirements**
1 and 2	11. In accordance with 310 CMR 7.70(1), (2), (8) and ECP Approval Tr. X003180 the Permittee shall keep on site at the source all records required under 310 CMR 7.70(1), 310 CMR 7.70(2), and 310 CMR 7.70(8), or unless otherwise stated by MassDEP, for a period of 10 years. (State Only Requirement).
	12. In accordance with 310 CMR 7.74(8) the Permittee shall keep on site at the source all records required under 310 CMR 7.74, for a period of 3 years, unless otherwise required by MassDEP. (State Only Requirement).
	13. In accordance with 40 CFR 72.9, 40 CFR Part 75, and Acid Rain Permit No. 10307 the Permittee shall keep onsite at the source each of the following documents for a period of 5 years from the date the document is created. This period may be extended for cause, at any time prior to the end of 5 years, in writing by EPA or MassDEP; a) Certificate of representation for the designated representative for the source and all supporting documents; b) All emissions monitoring information, to the extent that a 3 year retention period applies under 40 CFR 75, the records shall be kept on site for a period of 3 years instead of 5 years; c) Copies of all reports, compliance certifications, other submissions, and all records made or required by the Acid Rain Program.
	14. In accordance with 310 CMR 7.34(6) the Permittee shall keep onsite at the source all records required under 40 CFR 75 Subpart H, for a period of 5 years, from the date of each record unless otherwise indicated in 40 CFR 75 Subpart H.
3	15. In accordance with 40 CFR 63.6625(i), if the Permittee elects to utilize the analysis program described in 40 CFR 63.6625(i), the Permittee shall keep records of the parameters that are analyzed as part of the program, the results of the analysis, and the oil changes for the engine.
	16. In accordance with 40 CFR 63.6655, the Permittee shall keep records of the hours of operation of the engine recorded through the non-resettable hour meter and any maintenance conducted on the engine.
	17. In accordance with 40 CFR 63.10(b)(1) and 40 CFR 63.6660, the Permittee shall maintain all records required by Subpart ZZZZ in a form suitable and readily available for review for no less than 5 years following the date of each occurrence, measurement, maintenance, corrective, action, report, or record. Records must be in hard copy or electronic format.
Facility-wide	18. In accordance with 310 CMR 7.12(3)(c), Copies of Source Registration and other information supplied to the Department, to comply with 310 CMR 7.12 shall be retained by the facility owner/operator for five years from the date of submittal
	19. In accordance with Plan Approval Tr. X268834, the Permittee shall maintain records required by Plan Approval and PSD Permit Tr. X239473 on-site for a minimum of five (5) years.
	20. In accordance with Plan Approval Tr. X268834, the Permittee shall make records required by Plan Approval and PSD Permit Tr. X239473 available to MassDEP and USEPA personnel upon request.
	21. In accordance with 310 CMR 7.71 (5) (b) and (c) the Permittee shall keep on site at the facility documents

Table 5	
EU	**Record Keeping Requirements**
Facility-wide	of the methodology and data used to quantify emissions for a period of 5 years from the date the document is created. The Permittee shall make these documents available to MassDEP upon request. (State Only Requirement).

Table 5 Key

EU = Emission Unit
CEMS = Continuous Emission Monitoring System
EPA = Environmental Protection Agency
lb./hr. = pounds per hour
MMBtu = Million British Thermal Units
CO = Carbon Monoxide
PM_{10} = Particulate Matter (filterable only) with an aerodynamic diameter less than or equal to 10 micrometers
lb./MMBtu = pounds per Million British thermal units
PSD = Potential for Significant Deterioration
PCD = Pollution Control Device
VOC = Volatile Organic Compounds
SOMP = Standard Operating and Maintenance Procedure
USEPA = United States Environmental Protection Agency
MWh = Megawatt-hours
NO_x = Nitrogen Oxides
% = Percent
ECP = Emission Control Plan

Table 6	
EU	**Reporting Requirements**
1 and 2	1. In accordance with Plan Approval Tr. X268834, the Permittee shall submit quarterly CEMS reports to the MassDEP via MassDEP's Compliance Reporting System (*https://eeaonline.eea.state.ma.us/EEA/ComplianceReport/*), and to U.S. Environmental Protection Agency - Region 1. The reports will be submitted by January 30th, April 30th, July 30th, and October 30th of each year and will contain at least the following information (except that the Permittee does not have to report as a deviation the down time of the monitoring equipment during calibration procedures): a. The reports from the facility CEMS and COMS shall identify any periods of excess emissions; b. For each period of excess emissions or excursions from allowable operating conditions, the Permittee shall list the duration, cause, the response taken, and the amount of excess emissions. Periods of excess emissions shall include periods of start-up, shutdowns, malfunction, emergency, equipment cleaning, and upsets or failures associated with the emission control system or CEMS; c. The date and time of any NOx, CO and opacity downtime periods, defined as periods when the data capture requirements of 40 CFR 75.10(d)(1) for NOx, 40 CFR 60.13(h)(2) for CO, and 40 CFR 60.13(h)(1) for opacity are not met; d. A statement of whether or not the Table 4, Item 7 CEMS and/or COMS percent data recording requirements were achieved; and e. A tabulation of periods of common stack and per turbine operating hours per reporting period.

Table 6	
EU	**Reporting Requirements**
1 and 2	2. In accordance with the following regulations, the Permittee shall comply with all applicable reporting requirements contained in 40 CFR Parts 60, 72, 73, 75 and 77; and 310 CMR 7.32, 7.70, 7.71, and 7.72.
	3. In accordance with 310 CMR 7.70(8)(d) the Permittee shall submit to the appropriate MassDEP Regional Office and EPA any notification of testing or any testing protocol in compliance with the requirements of 40 CFR 75.61. (State Only Requirement).
	4. In accordance with 310 CMR 7.70(8)(e)3. and ECP Approval No. X003180 the Permittee shall submit a Monitoring System certification to the appropriate MassDEP Regional Office within 45 days after completing all CO_2 monitoring system initial certification or recertification tests required under 310 CMR 7.70(8)(b). (State Only Requirement).
	5. In accordance with 310 CMR 7.70(4)(a)1. and ECP Approval No. X003180, the Permittee shall submit a Triennial Compliance Certification Report for each control period electronically in the RGGI CO_2 Allowance Tracking System (COATS) to MassDEP by March 1st of the calendar year following the control period. (State Only Requirement).
	6. In accordance with 310 CMR 7.70(8)(h)6.c. and ECP Approval No. X003180, the Permittee shall submit an Annual Net Output Report for each calendar year electronically to MassDEP's agent in a format prescribed by MassDEP by March 1st of the preceding calendar year. (State Only Requirement).
	7. In accordance with 310 CMR 7.70(8)(e)4.b. and ECP Approval No. X003180, the Permittee shall submit a Quarterly CO_2 Emissions Report electronically to EPA within 30 days following the end of the calendar quarter covered by the report. (State Only Requirement).
	8. In accordance with 310 CMR 7.74(7)(a) the Permittee shall submit to MassDEP by February 1st, 2019, and each February 1st thereafter, a CO_2 Emissions Report. (State Only Requirement).
	9. In accordance with 310 CMR 7.74(7)(b) the Permittee shall submit to MassDEP by March 1st, 2019 and each March 1st thereafter, a Compliance Certification Report. (State Only Requirement)
	10. In accordance with 40 CFR 72.9, 40 CFR Part 75, and Acid Rain Permit No. 10307, the Permittee shall submit to the appropriate MassDEP Regional Office and EPA any notification of testing or any testing protocol.
	11. In accordance with 40 CFR 72.9, 40 CFR Part 75, and Acid Rain Permit No. 10307, the Permittee shall submit a Quarterly SO_2 report to EPA within 30 days following the end of each calendar quarter.
	12. In accordance with 40 CFR 72.9, 40 CFR Part 75, and Acid Rain Permit No. 10307, the Permittee shall submit a Quarterly NO_X report to EPA within 30 days following the end of each calendar quarter.
	13. In accordance with 40 CFR Part 77 and Acid Rain Permit No. 10307 the Permittee shall submit a proposed offset plan in any calendar year where EU1 and EU2 has/have excess emissions. In addition, the Permittee shall pay any penalties specified in 40 CFR Part 77 and comply with the terms of an approved offset plan.
	14. In accordance with 310 CMR 7.34(4) the Permittee shall electronically submit to the appropriate MassDEP Regional Office and EPA any notification of testing or any testing protocol no later than 21 days prior to the first scheduled day of testing.

Table 6	
EU	**Reporting Requirements**
1 and 2	15. In accordance with 310 CMR 7.34(4)(b) the Permittee shall electronically submit and certify a Quarterly NO_X report to EPA within 30 days following the end of the calendar quarter that falls during the ozone season (May 1st – September 30th).
Facility-wide	16. In accordance with Plan Approval Tr. X268834, the Permittee shall submit any records or reports that are required to be submitted to MassDEP in digitized format in a format usable to MassDEP.
	17. In accordance with Plan Approval Tr. X268834, the Permittee shall submit to MassDEP all information required by this Plan Approval over the signature of a "Responsible Official" as defined in 310 CMR 7.00 and shall include the Certification statement as provided in 310 CMR 7.01(2)(c).
	18. In accordance with Plan Approval Tr. X268834, the Permittee shall notify the Central Regional Office of MassDEP, BAW Permit Chief by telephone: 781-540-6177, email: Thomas.Hannah@mass.gov and CERO.air@mass.gov, as soon as possible, but no later than three (3) business days after discovery of an exceedance(s) of Tables 3 and 3A requirements. A written report shall be uploaded to MassDEP's Compliance Reporting System (*https://eeaonline.eea.state.ma.us/EEA/ComplianceReport/*) within ten (10) business days thereafter and shall include: identification of exceedance(s), duration of exceedance(s), reason for the exceedance(s), corrective actions taken, and action plan to prevent future exceedance(s).
	19. In accordance with 310 CMR 7.12, the Permittee shall submit a Source Registration/Emission Statement Form to MassDEP using the electronic data system on an annual basis. In accordance with Plan Approval Tr X268834, the Permittee shall note therein any minor changes (under 310 CMR 7.02(2)(e), 7.03, 7.26, etc.), which did not require Plan Approval.
	20. In accordance with Plan Approval Tr. X268834, the Permittee shall submit to MassDEP for approval a stack emission pretest protocol, at least 30 days prior to emission testing, for emission testing as defined in Table 4 Monitoring and Testing Requirements.
	21. In accordance with Plan Approval Tr. X268834, the Permittee shall submit to MassDEP's Compliance Reporting System (*https://eeaonline.eea.state.ma.us/EEA/ComplianceReport/*) under Compliance Stack Test Report (STKRPT), a final stack emission test results report, within 60 days after emission testing, for emission testing as defined in Table 4 Monitoring and Testing Requirements.
	22. In accordance with Plan Approval Tr. X268834, the Permittee shall provide a copy to MassDEP of any record required to be maintained by Plan Approval Tr. X268834 within 30-days from MassDEP's request.
	23. In accordance with 310 CMR 7.13(1) and 7.13(2), if determined by MassDEP that stack testing is necessary to ascertain compliance with the Department's regulations or design approval provisos, the Permittee shall cause such stack testing to be summarized and submitted to MassDEP as prescribed in the agreed to pretest protocol.
	24. 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).
	25. In accordance with General Condition 10 of this Permit, the Permittee shall submit the Annual Compliance report to MassDEP and EPA by January 30 of each year.

Table 6	
EU	**Reporting Requirements**
Facility-wide	26. In accordance with 310 CMR 7.71(4) and 7.12, the Permittee shall electronically submit and certify a greenhouse gas emissions report to MassDEP on an annual basis. (State Only Requirement).

Table 6 Key

CEMS = Continuous Emission Monitoring System
CO = Carbon Monoxide
EU = Emission Unit
NO_x = Nitrogen Oxides
EPA = Environmental Protection Agency
RGGI = Regional Greenhouse Gas Initiative
BAW = Bureau of Air and Waste
CO_2 = Carbon Dioxide
COMS = Continuous Opacity Monitoring System
GIS = Gas-Insulated Switchgear
% = Percent
SO_2 = Sulfur Dioxide
ECP = Emission Control Plan

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:

Table 7	
Regulation	**Reason**
310 CMR 7.08:	The Facility does not use incinerators.
310 CMR 7.16:	Does not meet the criteria for Reduction of Single Occupant Commuter Vehicle Use
310 CMR 7.18:	Permittee does not use Volatile Organic Compounds in its process operations
310 CMR 7.24:	Permittee does not have an Organic Storage Vessel on site
40 CFR 64 Compliance Assurance Monitoring (CAM)	Facility is exempt under 40 CFR 64.2(b)(1)(vi).

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, 3A, 4, 5, and 6:

<table>
<tr><th colspan="2">Table 8</th></tr>
<tr><th>EU</th><th>Special Terms and Conditions</th></tr>
<tr><td rowspan="2">1 and 2</td><td>1. In accordance with Plan Approval Tr. X268834, the Permittee shall continue to emit products of combustion from each of the Emission Units through an existing exhaust stack that is consistent with good air pollution control engineering practice and that discharges so as to not cause or contribute to a condition of air pollution. The exhaust stack shall be configured to discharge the gases vertically and shall not be equipped with any part or device that restricts the vertical exhaust flow of the emitted gases, including but not limited to rain protection devices known as “shanty caps” and “egg beaters.” The Permittee shall utilize the exhaust stack with the following parameters for Emission Units 1 & 2 (combined stack):
a) Stack height: 190 feet
b) Stack Exit Diameter: 25 feet
c) Stack Gas Exit Velocity Range (feet per second): Variable up to 65 feet per second
d) Stack Gas Exit Temperature Range (°F): Variable up to 294 °F</td></tr>
<tr><td>2. In accordance with 40 CFR Part 73, Tables 2, 3, or 4 (as amended) and Acid Rain Permit No. 10307 the Permittee’s yearly allowance allocations are identified below:
<table>
<tr><th>EU</th><th>2010 and beyond (annual SO_2 allocation)</th></tr>
<tr><td>1</td><td>0</td></tr>
<tr><td>2</td><td>0</td></tr>
</table></td></tr>
<tr><td>3</td><td>3. In accordance with 40 CFR 63.6665, EU3 is subject to the requirements of 40 CFR 63.1-15, Subpart A, "General Provisions" as indicated in Table 8 to Subpart ZZZZ of 40 CFR 63. Compliance with all applicable provisions therein is required.</td></tr>
<tr><td rowspan="5">Facility-wide</td><td>4. In accordance with Plan Approval Tr. X268834, the Permittee shall operate the Facility in accordance with the MassDEP written Plan Approval letter Tr. X268834 and associated facility plans, specifications, Standard Operating Procedures and Standard Maintenance Procedures and protocols contained within previous 7.02 application package(s).</td></tr>
<tr><td>5. In accordance with Plan Approval Tr. X268834, during startup and shutdown of EU# 1, EU# 2 and/or the steam turbine, the Permittee shall take all necessary actions to minimize NOx emissions.</td></tr>
<tr><td>6. In accordance with Plan Approval Tr. X268834, the Permittee shall properly train all personnel to operate the facility and control equipment in accordance with vendor specifications. All persons responsible for the operation of the steam injection control system shall sign a statement affirming that they have read and understand the approved standard operating and standard maintenance procedures.</td></tr>
<tr><td>7. In accordance with Plan Approval Tr. X268834, the Permittee shall ensure that diesel powered train engines transporting rail cars are moved prior to the evening hours to an isolated area away from residential houses to minimize the impact of noise that may be caused by these sources.</td></tr>
<tr><td>8. In accordance with Plan Approval Tr. X268834, the Permittee shall take all necessary precautions to ensure that the Facility complies with MassDEP noise guidelines and that the Facility does not cause a violation</td></tr>
</table>

Table 8	
EU	**Special Terms and Conditions**
	of 310 CMR 7.10 of the Air Quality Control Regulations.

Table 8 Key

EU = Emission Unit
NO_x = Nitrogen Oxides
SO_2 = Sulfur Dioxide
$^{\circ}F$ = Degree Fahrenheit

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, https://www.mass.gov/guides/massdep-operating-permit-compliance-program#-operating-permit-reporting-kit-

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 submitted by January 30 to the MassDEP via MassDEP's Compliance Reporting System (https://eeaonline.eea.state.ma.us/EEA/ComplianceReport/) under Operating Permit Annual Certification (OPANN) and to U.S. Environmental Protection Agency - Region 1 through EPA's Compliance and Emissions Data Reporting Interface (https://cdx.epa.gov/). 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 submitted via MassDEP's

Compliance Reporting System (https://eeaonline.eea.state.ma.us/EEA/ComplianceReport/) under Operating Permit Semi-Annual Emissions Summary (OPSEMI) by January 30 and July 30 to MassDEP. The report shall be submitted in compliance with the submission requirements below.

The compliance certification and report shall describe:

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), 7.18(1)(b), 7.70, 7.71, 7.72, 7.73, 7.74, 7.75, 7.76 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. RESERVED

25. PERMIT DEVIATION

Deviations are instances where any permit condition is violated. 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 Air and Waste the following deviations from permit requirements, by telephone, 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 this 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 as required by statutes, regulations, this Operating Permit, or other approvals.

E. Failure to perform QA/QC measures as required by this 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 Air and Waste Air Operating Permit Reporting Kit, which is available to the Permittee via the MassDEP's web site, https://www.mass.gov/guides/massdep-operating-permit-compliance-program#-operating-permit-reporting-kit- .
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, or electronic mail (e-mail) within 3 days of discovery, said deviations shall also be submitted in writing via MassDEP's Compliance Reporting System (https://eeaonline.eea.state.ma.us/EEA/ComplianceReport/) under Operating Permit Deviation Report (OPDR) to the regional Bureau of Air and Waste 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 (15) 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 Part82, 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. GAS INSULATED SWITCHGEAR

Pursuant to 310 CMR 7.72(2) *Definitions*:

"Gas Insulated Switchgear or GIS" means all electrical power system equipment insulated with SF_6 gas. Gas-insulated switchgear or GIS includes switches, stand-alone gas-insulated equipment, and any combination of electrical disconnects, fuses, electrical transmission lines, transformers and/or circuit breakers used to isolate gas-insulated electrical power system equipment.

The Permittee shall comply with the following requirements under 310 CMR 7.72 for any GIS purchased after January 1st, 2015:

- Ensure that the GIS has a maximum annual SF6 leak rate of 1%, as represented by the manufacturer
- Maintain the GIS in accordance with maintenance procedures or industry best management practices that have the effect of reducing leakage of SF6 (310 CMR 7.72(4)(b))
- If, beginning with the second time that a GIS owner adds SF6 to a GIS unit, or group of commonly-owned, leased, operated, or controlled GIS, the GIS owner becomes aware that the annual average leakage rate for the new GIS equipment is greater than 1%, the GIS owner must inform MassDEP and describe actions that are expected to reduce the emission rate in the future (310 CMR 7.72(4)(c))
- Record, no less than annually, the amount of SF6 added to each piece of active GIS equipment (310 CMR 7.72(8)(b)).

The Permittee shall comply with the following requirements under 310 CMR 7.72 for any GIS regardless of purchase date:

- Upon removal of any GIS containing SF6 from the ownership, lease, operation, or control of a GIS owner, the GIS owner must provide for the secure storage, re-use, recycling, or destruction of the SF6 (310 CMR 7.72(4)(d)).

This is a state only requirement.

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.