



Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection

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FINAL AIR QUALITY OPERATING PERMIT

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

Veolia Energy Boston, Inc.
15 Elkins Street
South Boston, Massachusetts 02127

INFORMATION RELIED UPON:

Application No. MBR-95-OPP-015R,
MBR-95-OPP-015RAA,
MBR-95-OPP-015RA2 & **MBR-95-OPP-015RA3**

Transmittal No. W149306, X235956,
X239645 & **X254341**

FACILITY LOCATION:

Kneeland Street Station
165 Kneeland Street
Boston, Massachusetts

FACILITY IDENTIFYING NUMBERS:

AQ ID: 1190507
FMF FAC NO. 22981
FMF RO NO. 161947

NATURE OF BUSINESS:

Steam Generation

North American Industry Classification System (NAICS): 221330

Standard Industrial Classification (SIC): 4961

RESPONSIBLE OFFICIAL:

Name: **Richard Scott McBurney**
Title: **Regional Vice President**

FACILITY CONTACT PERSON:

Name: Sean Caldwell
Title: Northeast Regional EH&S Manager
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This Operating Permit shall expire on May 19, 2015.

For the Department of Environmental Protection, Bureau of Waste Prevention

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.

James E. Belsky
Permit Chief, Bureau of Waste Prevention

Date Stamped February 1, 2013

Date

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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.

DESCRIPTION OF FACILITY AND OPERATIONS

Kneeland Street Station is a steam generating facility located at 165 Kneeland Street in Boston Massachusetts. The facility is capable of producing approximately 1,275,000 pounds per hour of steam for heating and cooling of businesses and buildings in the downtown Boston area. The facility operates four (4) boilers, noted as Emission Units 1, 2, 3, and 4 which combust natural gas, No. 6 oil, or, in the case of Emission Unit 3, a combination of No. 6 oil and No. 2 oil. Emission Units 1, 2, and 4 are rated at approximately 500 million British thermal units of energy input capacity per hour (MMBtu/hr); Emission Unit 3 is rated at approximately 600 MMBtu/hr.

Tables 3, 4, 5, 6, and 8 of this Operating Permit contain the air quality requirements and regulations to which Kneeland Street Station is subject. This facility is subject to Compliance Assurance Monitoring (CAM) requirements specified in 40 CFR Part 64. The requirements of the CAM plan are included in Table 4, 5, and 6 of this Operating Permit.

2. EMISSION UNIT IDENTIFICATION

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

Table 1			
Emission Unit (EU#)	Description of Emission Unit	EU Design Capacity	Pollution Control Device (PCD)
EU1	Boiler- Babcock & Wilcox Model No. HSB8477A	500 MMBtu per hour	Wet Scrubber (PCD1)
EU2	Boiler- Babcock & Wilcox Model No. HSB8477B	500 MMBtu per hour	Wet Scrubber (PCD 2)
EU3	Boiler- Foster Wheeler SC-Type	600 MMBtu per hour	Mechanical Collector (PCD 3)
EU4	Boiler- Babcock & Wilcox HSB8608A	500 MMBtu per hour	Wet Scrubber (PCD 4)
EU 5	Parts washer/degreaser		None

Table 1 Footnote:

MMBtu = million British thermal units

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 MassDEP's Regional Office. Emissions from these activities shall be reported on the annual emissions statement pursuant to 310 CMR 7.12.	310 CMR 7.00:Appendix C(5)(h)

4. APPLICABLE REQUIREMENTS

A. EMISSION LIMITS AND RESTRICTIONS

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

Table 3							
EU #	Fuel	Pollutant	Restrictions	Emissions Limit/Standard	Applicable Regulation and/or (Approval No.)		
EU1, EU2, EU3, EU4	Natural gas	NO _x		≤ ALE _{NOx} ^{1,2}	MBR-94-COM-015, 310 CMR 7.19(14)(a), 310 CMR 7.00: Appendix B(4)		
				≤ Daily Cap ³			
	No. 2 0.3% S Fuel Oil No. 6 0.5% S Fuel Oil				see "Special Terms and Conditions" Table 8	310 CMR 7.32	
					CO	≤ 200 ppm by volume, dry basis corrected to 3% O ₂ ⁴	310 CMR 7.19(4)(f) MBR-94-COM-015
					SO ₂	≤ 1.2 lb/MMBtu ⁵	310 CMR 7.22
					Sulfur in No. 2 fuel oil	≤ 0.3 percent by weight	310 CMR 7.05(1)(a)2
					Sulfur in fuel	≤ 0.5 percent by weight	310 CMR 7.05(1)(a) Table 1
Greenhouse Gases ⁶	n/a	310 CMR 7.71 (state only)					
EU1, EU2, EU4	All Fuels	PM		≤ 0.12 lb/MMBtu	310 CMR 7.02(8)(d) Table 4, April 25, 1973 Approval letter		
EU3 ⁷	natural gas	NO _x		≤ 0.20 lb/MMBtu ⁸	40 CFR 60.44(a)(1), April 25, 1973 Approval letter		
	No. 6 0.5% S Fuel Oil, No. 2 0.3% S Fuel Oil	NO _x		≤ 0.30 lb/MMBtu ⁸	40 CFR 60.44(a)(2), April 25, 1973 Approval letter		
	No. 6 0.5 % S Fuel Oil, No. 2 0.3% S Fuel Oil	SO ₂		≤ 0.80 lb/MMBtu ⁹	40 CFR 60.43(a)(1)		
	No. 6 0.5% S Fuel Oil	Sulfur in fuel		≤ 0.5 percent by weight	April 25, 1973 Approval letter, MBR-80-COM-041		
	No. 2 0.3% S Fuel Oil	Sulfur in fuel		≤ 0.3 percent by weight	310 CMR 7.05(1)(a)2.		

Table 3

EU #	Fuel	Pollutant	Restrictions	Emissions Limit/Standard	Applicable Regulation and/or (Approval No.)
EU3 ⁷	All Fuels	PM		≤ 0.10 lb/MMBtu	40 CFR 60.42(a)(1) MBR-80-COM-041
	All Fuels	PM		≤ 0.05 lb/MMBtu	310 CMR 7.02(8)(h) Table 6, April 25, 1973 Approval letter, Stack Test Protocol APPROVAL letter dated March 14, 2003 issued under 310 CMR 7.13
		Opacity		≤ 20 percent, except ≤ 27 percent for one six-minute period per hour	40 CFR 60.42 (a)(2)
EU5	non-halogenated solvent	VOC		Each parts/degreaser shall use less than 100 gallons of solvent per month	310 CMR 7.03(8)
				Work Practices contained in 310 CMR 7.18(8)(e) are Incorporated by Reference	310 CMR 7.18(8)(e)
				Maintain instantaneous and continuous compliance with 7.18(8)(a) at all times	310 CMR 7.18(8)(f)
			Vapor pressure of cleaning degreaser greater than 1 liter of solvent that does not exceed 1.0 mmHg measured at 20 °C		310 CMR 7.18(8)(a)1.
			Repair any leaks immediately or shut down the degreaser.		310 CMR 7.18(8)(a)2.
			Degreaser with open drain area ≥ 100 cm ² and remote solvent reservoir	see "Special Terms and Conditions" Table 8	310 CMR 7.18(8)(a)3.
Facility wide	All fuels	smoke		< No. 1 of Chart ¹⁰ , except No. 1 to < No. 2 of Chart for ≤ six (6) minutes during any one hour	310 CMR 7.06 (1)(a)
Facility wide	All fuels	Opacity		≤ 20 percent, except 20 to ≤ 40 percent for ≤ two (2) minutes during any one hour	310 CMR 7.06(1)(b)

Table 3

EU #	Fuel	Pollutant	Restrictions	Emissions Limit/Standard	Applicable Regulation and/or (Approval No.)
Facility wide	No. 6 0.5 % S Fuel Oil	Sulfur in fuel		≤ 0.28 lb sulfur per MMBtu heat release potential ⁵	310 CMR 7.05(1)(a)
	No. 2 0.3% S Fuel Oil	Sulfur in fuel		≤ 0.17 lb sulfur per MMBtu heat release potential ⁵	310 CMR 7.05(1)(a)2.

Table 3 Notes:

- 1** EU1, EU2, EU3, and EU4 are included in the Permittee's NO_x emission averaging "bubble" whose facility-wide 30-day rolling average of actual NO_x emissions, as measured by the CEMS, shall not exceed the 30-day rolling average of daily allowable NO_x emissions, ALE_{NO_x}.

The 30-day rolling average of allowable NO_x emissions shall be calculated from daily allowable NO_x emission limitations ALE_{NO_x}, in pounds, based on the weighted average equation given below:

$$ALE_{NO_x} = \frac{[0.28 \text{ lb} \times (B_6 + B_{NG} + B_2)]}{MMBtu} + \frac{[0.20 \text{ lb} \times (B_{NG3})]}{MMBtu}$$

where:

- B₆ = heat input in MMBtu/day from EU1, EU2, EU3, EU4 inclusive when burning No. 6 Fuel Oil
- B_{NG} = heat input in MMBtu/day from EU1, EU2, EU4 inclusive when burning Natural Gas
- B₂ = heat input in MMBtu/day from EU1, EU2, EU3, EU4 inclusive when burning No. 2 Fuel Oil
- B_{NG3} = heat input in MMBtu/day from EU3 when burning Natural Gas

- 2** Compliance with emission limit(s)/standard(s) shall be based on a rolling 30 calendar day averaging time.

- 3** The "facility-wide" maximum "cap", in pounds per day (lb/day), on total NO_x emissions is determined from the following equation:

$$Cap = 3 * 0.28 \text{ lb/MMBtu} * 500 \text{ MMBtu/hr} * 24 \text{ hr/day} + 0.28 \text{ lb/MMBtu} * 600 \text{ MMBtu/hr} * T_{O3} \text{ hr} + 0.20 \text{ lb/MMBtu} * 600 \text{ MMBtu/hr} * T_{NG3} \text{ hr}$$

which reduces to:

$$Cap = 10080 + 168 * T_{O3} + 120 * T_{NG3}$$

Where:

T_{O3} = the amount of time per day in hours that Boiler No. 3 is burning No. 6 and/or No. 2 oil

T_{NG3} = the amount of time per day in hours that Boiler No. 3 is burning natural gas

The “facility-wide” daily “cap”, in pounds per day (lb/day), on total NO_x emissions is based on the worst-case condition of burning all oil and no natural gas in Boiler No. 3, and shall not exceed 14,112 pounds per day. The daily actual NO_x emissions, as measured by CEMS, shall not exceed the facility-wide maximum cap.

- 4 Compliance with emission limit(s)/standard(s) shall be based on a one calendar day averaging time.
- 5 Compliance with 310 CMR 7.05 for the Sulfur limits of No. 2 Fuel Oil and No. 6 Fuel Oil shall be deemed compliance with the SO_2 limit under the Massachusetts Acid Rain Regulation 310 CMR 7.22 for EU1, EU2, EU3, and EU4. The provisions of 310 CMR 7.22 are State-Only Requirements.
- 6 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), and perfluorocarbons(PFCs)
- 7 Emission Unit 3 was installed at the Kneeland Street Station in 1975, and is therefore subject to New Source Performance Standards in 40 CFR Part 60, Subpart D “Standards of Performance for Fossil-Fuel-Fired Steam Generators for Which Construction Is Commenced After August 17, 1971”.
- 8 As outlined in 60.45(g)(3)(i), incorporated herein by reference, compliance with emission limit(s)/standard(s) shall be based on any three-hour period (using the arithmetic average of any three contiguous one-hour periods) to determine if emissions meet or exceed applicable standards.
- 9 In accordance with 40 CFR 60.43(c), compliance shall be based on the total heat input from all fossil fuels burned, including gaseous fuels.
- 10 Chart means the Ringelmann Scale for grading the density of smoke, as published by the United States Bureau of Mines and as referred to in the Bureau of Mines Information Circular No. 8333, or any smoke inspection guide approved by MassDEP.

Table 3 Key:

EU# = Emission Unit Number
lb/MMBtu = pounds per million British Thermal Units
ppm = parts per million
 NO_x = Nitrogen Oxides
CO = Carbon Monoxide
PM = Particulate Matter
 SO_2 = Sulfur Dioxide
S = Sulfur
 O_2 = oxygen
% = percent by weight
< = less than
 \leq = less than or equal to
OPA = Operating Permit Application
CEMS = Continuous Emissions Monitoring System
lb = pound
mm Hg = millimeters of mercury
 $^{\circ}C$ = degrees Celsius
 cm^2 = square centimeters

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:

Table 4	
EU#	<i>MONITORING/TESTING REQUIREMENTS</i>
EU1, EU2, EU3, EU4	In accordance with 310 CMR 7.14(2), 310 CMR 7.19(13)(a)1., and Approval MBR-94-COM-015, compliance with NO _x and CO emission limits/standards shall be demonstrated with Continuous Emissions Monitoring Systems (CEMS). The NO _x and CO CEMS shall meet the requirements specified in 310 CMR 7.19(13)(b). Monitor NO _x and CO emissions with CEMS certified in accordance with the performance specifications contained in 40 CFR Part 60, Appendix B and use the procedures contained in 40 CFR Part 60, Appendix F to comply, provide quality assurance and quality control. Compliance with 40 CFR Part 60 and 310 CMR 7.19(13)(a)1. shall constitute compliance with this requirement.
	In accordance with Approval MBR-94-COM-015, MassDEP may, in accordance with 310 CMR 7.13, require source emissions testing (“stack testing”). All emissions testing, shall be conducted in accordance with the U.S. Environmental Protection Agency’s Reference Test Methods, which is found in 40 CFR 60-Appendix A. All testing must also be conducted by the methods outlined in 310 CMR 7.13 (a) – (d) and as required by MassDEP. Subsequent compliance emissions testing of boilers 1, 2, 3, and 4, to demonstrate compliance with 310 CMR 7.19, if and when requested by MassDEP.
	In accordance with 310 CMR 7.14(2) and 310 CMR 7.19(13)(b), measure oxygen (O ₂) or carbon dioxide (CO ₂) in the flue gas with CEMS. The O ₂ or CO ₂ CEMS shall meet the requirements of 40 CFR Part 60. Monitor O ₂ or CO ₂ with CEMS certified in accordance with the performance specifications contained in 40 CFR Part 60, Appendix B and use the procedures contained in 40 CFR Part 60, Appendix F to comply, provide quality assurance and quality control. Compliance with 40 CFR Part 60 and 310 CMR 7.19(13)(a)1. shall constitute compliance with this requirement.
	In accordance with the Standard Operating and Maintenance Procedures (SOMP) and 310 CMR 7.00:Appendix C(9)(b)2., monitor operations and control device(s) continuously to ensure compliance with PM limits.
	Compliance with the Massachusetts Acid Rain Law 310 CMR 7.22 shall be demonstrated through monitoring for and compliance with 310 CMR 7.05(1)(a), 310 CMR 7.05(1)(b) and 310 CMR 7.19(13)(d)(3).
EU1, EU2, EU3, EU4	In accordance with 310 CMR 7.04(2)(a), no person shall cause, suffer, allow, or permit the burning of any grade oil or solid fuel in any fuel utilization facility having an energy input capacity rated by MassDEP equal to or greater than 40 MMBtu per hour, unless such facility is equipped with a smoke density sensing instrument and recorder which are properly maintained in an accurate operating condition, operates continuously and is equipped with an audible alarm to signal the need for combustion equipment adjustment or repair when the smoke density is equal to or greater than No.1 of the Chart. Pursuant to MassDEP’s authority through 310 CMR 7.00: Appendix C(9)(b)2., the use of Continuous Opacity Monitoring Systems (COMS) equipped with audible alarms and recorders that signal the need for combustion equipment adjustment or repair when the opacity is equal to or greater than 20 percent shall constitute compliance with this requirement.

Table 4

EU#	<i>MONITORING/TESTING REQUIREMENTS</i>
	<p>In accordance with 310 CMR 7.14(2) and 40 CFR Part 60, compliance with opacity shall be demonstrated utilizing COMS. The COMS shall meet Performance Specification 1 of 40 CFR Part 60, Appendix B. Compliance with 40 CFR Part 60 shall constitute compliance with this requirement.</p> <p>Pursuant to MassDEP's authority through 310 CMR 7.00: Appendix C(9)(b)2., opacity shall be determined in accordance with 40 CFR Part 60, Appendix A, Method 9 in the event of COMS malfunction. This method shall also apply to detached plumes.</p> <p>Measure operating time of each EU and the date and amount of time that any CEMS or COMS are inoperative. CEMS and COMS downtime shall be monitored in accordance with 310 CMR 7.00: Appendix C(9)(b)2.</p> <p>Monitor any occurrences when visible emissions (opacity and/or smoke exclusive of uncombined water) and emission rates of NO_x and CO are in excess of the emission limits/standards contained in Table 3. Excess emissions of visibles, NO_x, and CO shall be monitored in accordance with 310 CMR 7.00: Appendix C(9)(b)2.</p> <p>In accordance with 310 CMR 7.19(13)(d)3., and Approval MBR-94-COM-015, monitor for each boiler on a daily basis the following items: type fuel(s) burned each day, heat content of each fuel, daily quantity of each fuel used, and the total heating value of the fuel consumed for each day. In addition, monitor the actual "facility-wide" NO_x emission limitation in pounds per day and determine the allowable "facility-wide" NO_x emissions (ALE_{NO_x}) in pounds per day. Use this information to calculate a "facility-wide" 30-day rolling average of actual and allowable NO_x emission in pounds per day. Also use the data obtained to calculate the daily cap on the "facility-wide" maximum total NO_x emissions expressed in pounds per day.</p>
EU1, EU2, EU3, EU4	<p>In accordance with Approval MBR-94-COM-015, 310 CMR 7.19(13)(d)5. and 310 CMR 7.19(13)(d)6., monitor nitrogen content of each new shipment of No. 6 Fuel Oil received, by one of the following methods:</p> <p>(1) monitor through obtaining a certification from the fuel oil supplier that includes the following information:</p> <ul style="list-style-type: none"> a. the name of the fuel oil supplier; b. the nitrogen content* of each oil shipment; and c. the location where the sample was drawn for analysis to determine the nitrogen content of the oil, specifically including whether the oil was sampled as delivered to the Permittee's facility or whether the sample was drawn from oil in storage at the oil supplier's or oil refiner's facility or another location. <p>(2) sample and analyze the fuel oil for nitrogen content* immediately after the fuel oil tank is filled and before any oil is combusted.</p> <p>* The shipment certification or analysis of nitrogen content of the fuel oil shall be in accordance with the applicable American Society of Testing Materials (ASTM) test methods or any other method approved by MassDEP and EPA.</p> <p>In accordance with 310 CMR 7.04(5), operate and maintain automatic viscosity controllers of a type approved by MassDEP to control the viscosity of No. 6 Fuel Oil to the burners.</p>

Table 4

EU#	<i>MONITORING/TESTING REQUIREMENTS</i>
	<p>In accordance with 310 CMR 7.04(4)(a), inspect and maintain fuel utilization facility in accordance with manufacturer's recommendations and test for efficient operation at least annually.</p> <p>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, SF6 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).</p>
EU 3	<p>In accordance with 40 CFR 60.45(a), 60.45(c) and 60.45(e) calibrate, maintain, and operate continuous monitoring systems for measuring the opacity of emissions, nitrogen oxides emissions, and either oxygen or carbon dioxide.</p> <p>As allowed under 40 CFR 60.45(b)(2), monitor sulfur content of each new shipment of fuel received. The 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 ASTM test methods or any other method approved by MassDEP and EPA. Fuel sulfur information may be provided by the fuel suppliers.</p> <p>In accordance with 40 CFR 60.46, conduct performance testing as required in 40 CFR 60.8.</p> <p>In accordance with the Stack Test Protocol APPROVAL letter dated March 14, 2003 and the CAM plan, Veolia Energy Boston shall complete emissions testing of Boiler No. 3 annually. The testing shall include two types of particulate matter: a) particulate matter as measured by EPA Method 5, designated as "front-half" PM and b) particulate matter as measured by EPA Method 202, designated as "back-half" PM. The "front-half" PM will be used as the compliance measure, while the "back-half" PM will be used for informational purposes only.</p>
EU 3	<p>In accordance with 40 CFR 64.3 (CAM) and the CAM plan submitted by the facility on October 31, 2008, monitor the pressure differential between the inlet and the outlet of the cyclone to ensure it stays within the ranges observed during the most recent annual compliance testing demonstrating compliance with particulate matter emission limitations.</p> <p>In accordance with 40 CFR 64.3 (CAM) and the CAM plan submitted by the facility on October 31, 2008, conduct inspection and maintenance activities on the cyclone as detailed in the CAM plan and in accordance with manufacturer's specifications.</p>
EU1, EU2, EU4	<p>Veolia Energy Boston shall complete emissions testing of one of the three remaining boilers, designated Boiler Nos. 1, 2, and 4 such that all three boilers will have been tested once every three years. These boilers shall be tested for PM under the following testing program. The testing shall include two types of particulate matter: a) particulate matter as measured by EPA Method 5, designated as "front-half" PM and b) particulate matter as measured by EPA Method 202, designated as "back-half" PM. The "front-half" PM will be used as the compliance measure, while the "back-half" PM will be used for informational purposes only. Such testing shall be conducted in accordance with the Stack Test Protocol APPROVAL letter dated March 14, 2003.</p>
EU 5	<p>In accordance with 310 CMR 7.03(8) and 310 CMR 7.18(8)(e), monitor the amount of solvent used and all work practices pertaining to degreasing activities.</p> <p>Monitor operations such that information may be compiled to maintain daily records sufficient to demonstrate continuous compliance in accordance with 310 CMR 7.18(8)(g).</p>

Table 4

EU#	<i>MONITORING/TESTING REQUIREMENTS</i>
EU 5	In accordance with 310 CMR 7.18(8)(h), perform or have performed tests to demonstrate compliance when requested by the Department. Testing shall be conducted in accordance with a method approved by the Department and EPA.
Facility-Wide	<p>Pursuant to MassDEP's authority through 310 CMR 7.00: Appendix C(9)(b)2., monitor sulfur content of each new shipment of fuel received. Compliance with 310 CMR 7.05(1)(a) for 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 ASTM test methods or any other method approved by MassDEP and EPA. Fuel sulfur information may be provided by fuel suppliers.</p> <p>In accordance with 310 CMR 7.13(1), any person owning, leasing, operating or controlling a facility for which MassDEP has determined that stack testing is necessary to ascertain compliance with MassDEP's regulations or design approval provisos shall cause such stack testing:</p> <ul style="list-style-type: none">(a) to be conducted by a person knowledgeable in stack testing,(b) to be conducted in accordance with procedures contained in a test protocol which has been approved by MassDEP, and(c) to be conducted in the presence of a representative of MassDEP when such is deemed necessary. <p>Pursuant to MassDEP's authority through 310 CMR 7.00: Appendix C(9)(b)2., conduct any other testing or testing methodology if and when requested by MassDEP or EPA.</p>
Facility-Wide	Monitor operations such that information may be compiled for the annual preparation of a Source Registration/Emission Statement Form as required by 310 CMR 7.12.

Table 5

EU#	<i>RECORD KEEPING REQUIREMENTS</i>
EU1, EU2, EU3, EU4	Record on a continuous basis emissions of NO _x and CO in accordance with the requirements of 310 CMR 7.19(13)(a)1., 7.19(13)(b), 7.19(13)(d), 40 CFR Part 60, Appendix B, and 40 CFR Part 60, Appendix F.
	Record on a continuous basis O ₂ or CO ₂ in the flue gas in accordance with the requirements of 40 CFR Part 60, 310 CMR 7.19(13)(b) and 310 CMR 7.19(13)(d).
	In accordance with the SOMP and 310 CMR 7.00: Appendix C(9)(b)2., record the performance of the control device(s) and facility operations continuously.
	Compliance with the Massachusetts Acid Rain Regulation 310 CMR 7.22 shall be demonstrated through record keeping for and compliance with fuel sulfur requirements, and record keeping as required by 310 CMR 7.19(13)(d)3.
	In accordance with 310 CMR 7.04(2)(a), maintain records of Smoke Density Indicator Recording Charts. The keeping of COMS records shall constitute compliance with this requirement.
	Record on a continuous basis opacity in accordance with the requirements of 310 CMR 7.14(2) and 40 CFR Part 60, Appendix B.
	Consistent with the requirements of 310 CMR 7.04(2)(a), maintain records of opacity determined in accordance with 40 CFR Part 60, Appendix A, Method 9 in the event of COMS malfunction. This method shall also apply to any detached plumes.
	Record operating time of each EU and the date and amount of time that any CEMS or COMS are inoperative. CEMS and COMS downtime shall be recorded in accordance with 310 CMR 7.00: Appendix C(9)(b)2..
	Record any occurrences when visible emissions (opacity and/or smoke exclusive of uncombined water) and emission rates of NO _x and CO are in excess of the emission limits/standards contained in Table 3. Excess emissions of visibles, NO _x , and CO shall be recorded in accordance with 310 CMR 7.00: Appendix C(9)(b)2..
	In accordance with 310 CMR 7.19(13)(d)3. and MBR-94-COM-015, record for each boiler on a daily basis the following items: type fuel(s) burned, heat content of each fuel, daily quantity of each fuel used, and the total heating value of the fuel consumed. In addition, record the actual "facility-wide" NO _x emission limitation in pounds per day and determine the allowable "facility-wide" NO _x emissions (ALE _{NO_x}) in pounds per day. Use this information to calculate a "facility-wide" 30-day rolling average of actual and allowable NO _x emission in pounds per day. Maintain and record a daily "cap" on the "facility-wide" maximum total NO _x emissions expressed in pounds per day.
	In accordance with Approval MBR-94-COM-015 and 310 CMR 7.19(13)(d)7., maintain records of the nitrogen content of each new shipment of No. 6 Fuel Oil received. Such records shall include fuel analysis results and/or fuel oil supplier certifications that includes the name of the fuel oil supplier and the location where the sample was drawn for analysis to determine the nitrogen content.
	In accordance with Approval MBR-94-COM-015, maintain all daily records and certifications reports on site for a period of five years. Said records shall be permanently bound in a log book and shall be made available to MassDEP personnel upon request.

Table 5

Table 5	
EU#	<i>RECORD KEEPING REQUIREMENTS</i>
EU1, EU2, EU3, EU4	In accordance with 310 CMR 7.04(4)(a), maintain results of fuel utilization facility inspection, maintenance, and testing and the date upon which it was performed posted conspicuously on or near the facility.
	Pursuant to MassDEP's authority through 310 CMR 7.00: Appendix C(9)(d) and in accordance with Approval MBR-94-COM-015, maintain on-site, at all times, a copy of the Standard Operating and Maintenance Procedure (SOMP) for the subject emission units.
	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)
EU3	Maintain records of the continuous monitoring system for opacity, nitrogen oxides, and either oxygen or carbon dioxide monitored in accordance with 40 CFR 60.45(a).
	In accordance with 40 CFR 60.45(a), maintain records or fuel analysis results used to determine compliance status with fuel sulfur content requirements.
	Maintain records of performance tests conducted in accordance with 40 CFR 60.46 and 40 CFR 60.8.
	Maintain records of performance tests conducted in accordance with the Stack Test Protocol APPROVAL letter dated March 14, 2003 and the CAM plan.
	In accordance with 40 CFR 64.3 (CAM) and the CAM plan submitted by the facility on October 31, 2008, record the pressure differential between the inlet and the outlet of the cyclone on a continuous basis.
	In accordance with 40 CFR 64.3 (CAM) and the CAM plan submitted by the facility on October 31, 2008, maintain records of inspection and maintenance activities on the cyclone as detailed in the CAM plan.
EU1, EU2, EU4	Maintain records of performance tests conducted in accordance with the Stack Test Protocol APPROVAL letter dated March 14, 2003.
EU 5	In accordance with 310 CMR 7.03(6) and 310 CMR 7.18(8)(g), maintain records sufficient to demonstrate compliance status. Said records shall include, at a minimum, the following:(1) identity, quantity, formulation and density of solvent(s) used; and (2) quantity, formulation and density of all waste solvent(s) generated, and; (3) actual operational and performance characteristics of the degreaser and any appurtenant emission capture and control equipment, if applicable; and (4) any other requirements specified by the Department in any approval(s) and/or order(s) issued to the person.
Facility-Wide	Pursuant to MassDEP's authority through 310 CMR 7.00: Appendix C(9)(b)2., maintain fuel analysis results used to demonstrate compliance with fuel sulfur content requirements.
	Maintain the test results of any stack testing performed in accordance with 310 CMR 7.13(1).
	Pursuant to MassDEP's authority through 310 CMR 7.00: Appendix C(9)(d), maintain the test results of any other testing or testing methodology required by MassDEP or EPA.
	Maintain records for the annual preparation of a Source Registration/Emission Statement Form as required by 310 CMR 7.12. Copies of the Source Registration/Emission Statements shall be retained by the facility owner or operator for five years from the date of submittal.

Table 5

Table 5	
EU#	<i>RECORD KEEPING REQUIREMENTS</i>
Facility-Wide	In accordance with 310 CMR 7.00: Appendix C(10)(b), maintain records of all monitoring data and supporting information required by this Operating Permit on site for five (5) years from the date of the monitoring sample, measurement, report or initial Operating Permit Application.

Table 6

EU#	REPORTING REQUIREMENTS
EU1, EU2, EU3, EU4	<p>In accordance with 310 CMR 7.14(2), and 310 CMR 7.19(13)(d)2., submit CEMS Excess Emission Reports for each calendar quarter by the thirtieth (30th) day of April, July, October, and January covering the previous calendar periods of January through March, April through June, July through September, and October through December, respectively. Such reports shall contain EU operating time, CEMS/COMS downtime, and visible emissions (opacity and/or smoke exclusive of uncombined water) and emission rates of NO_x and CO in excess of the emission limits/standards contained in Table 3. Start-up periods shall be reported in accordance with "The Department's Response to Comments on Proposed Amendments to 310 CMR 7.00: RACT for NO_x", dated June 1994. Start-up periods are not included in the calendar day NO_x and CO emission rate compliance averaging time as long as the mass emission rate, in pounds of NO_x and/or CO per hour, from the EU does not exceed the mass emission rate that would occur at the maximum firing rate.</p>
	<p>In accordance with Approval MBR-94-COM-015, submit to this Office, quarterly reports containing daily emission calculations of:</p> <ul style="list-style-type: none"> • actual NO_x emitted in pounds per calendar day, measured by the CEMS • the ALE_{NO_x} emission limitation in pounds per calendar day • actual NO_x emitted in pounds per 30 day rolling calendar period • the ALE_{NO_x} emission limitation in pounds per 30 day rolling calendar period • the daily cap on maximum total NO_x emissions • the difference between the actual NO_x emission and the "cap" over each calendar day • the difference between the actual NO_x emission and ALE_{NO_x} over each 30 day rolling calendar period.
	<p>This submittal must be made no later than 30 days after the end of the quarter for which the report is being prepared. Any exceedance of the facility-wide emission limitations must be recorded and submitted to include the date of exceedance and quantity of excess emissions and reported to MassDEP in the next quarterly report.</p>
	<p>Pursuant to MassDEP's authority through 310 CMR 7.00:Appendix C(9)(d) and in accordance with 310 CMR 7.00: Appendix C(10)(d), updated versions of the Standard Operating and Maintenance Procedures (SOMP) shall be submitted to MassDEP. MassDEP must approve of significant changes to the SOMP prior to the change becoming effective. The updated SOMP shall supersede prior versions of the SOMP.</p>
	<p>In accordance with 310 CMR 7.19(13)(d)9., submit compliance records within ten (10) days of written request by MassDEP or EPA.</p>
	<p>In accordance with 310 CMR 7.71(5), by April 15th, 2010 and April 15th 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 CO₂e. Report greenhouse gas emissions electronically in a format that can be accommodated by the registry. (state only)</p>
	<p>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)</p>

Table 6

Table 6	
EU#	REPORTING REQUIREMENTS
EU1, EU2, EU3, EU4	In accordance with 310 CMR 7.71(7), by December 31 st of the applicable year submit to the Department documentation of triennial verification of the greenhouse gas emissions report. (state only)
EU 3	Submit an excess emission and monitoring system performance report to the Administrator as required by 40 CFR 60.45(g). All semiannual reports shall be postmarked by the 30 th day following the end of each six-month period. Each Excess emission and monitoring system performance report shall include the information required in § 60.7(c).
	Submit to the Administrator a written report of the results of performance tests as required in 40 CFR 60.46 and 40 CFR 60.8.
	In accordance with the Stack Test Protocol APPROVAL letter dated March 14, 2003, Veolia Energy Boston shall notify this Office of the actual testing date(s) at least 30 days in advance to allow MassDEP to witness said testing, if MassDEP deems such as being necessary. At least 30 days prior to the emissions testing program, Veolia Energy Boston shall submit a written test protocol that outlines the test methodology to be employed during the required testing to this Office for MassDEP review and approval.
	In accordance with the Stack Test Protocol APPROVAL letter dated March 14, 2003 and the CAM plan, submit a final emissions test results report to MassDEP within 30 days of the completion of required emissions testing at Kneeland Station. The complete test results report shall be submitted in an electronic version such as on a CD-ROM.
	In accordance with 40 CFR 64.3 (CAM) and the CAM plan submitted by the facility on October 31, 2008, report any excursions that are outside the normal pressure drop range as detailed in the CAM plan.
EU1, EU2, EU4	In accordance with the Stack Test Protocol APPROVAL letter dated March 14, 2003, Veolia Energy Boston shall notify this Office of the actual testing date(s) at least 30 days in advance to allow MassDEP to witness said testing, if MassDEP deems such as being necessary. At least 30 days prior to the emissions testing program, Veolia Energy Boston shall submit a written test protocol that outlines the test methodology to be employed during the required testing to this Office for MassDEP review and approval.
	In accordance with the Stack Test Protocol APPROVAL letter dated March 14, 2003, submit a final emissions test results report to MassDEP within 30 days of the completion of required emissions testing at Kneeland Station. The complete test results report shall be submitted in an electronic version such as on a CD-ROM.
EU 5	In accordance with 310 CMR 7.03(5), report to MassDEP any construction, substantial reconstruction or alteration of a degreaser described in 310 CMR 7.03(8) on the next required Source Registration/Emission Statement, in accordance with 310 CMR 7.12.
Facility Wide	Submit Emissions Compliance Testing (Stack Testing) Reports in accordance with 310 CMR 7.13.
	In accordance with 310 CMR 7.00: Appendix C(10)(d), submit, upon request, the test results of any other testing or testing methodology required by MassDEP or EPA.
	Submit a Source Registration/Emission Statement Form to MassDEP on an annual basis in accordance with 310 CMR 7.12.

Table 6

EU#	<i>REPORTING REQUIREMENTS</i>
	Submit by January 30 and July 30 for the previous six months respectively, a summary of all monitoring data and related supporting information to MassDEP as required by 310 CMR 7.00: Appendix C(10)(c) and General Condition No. 10 of this Permit.
Facility Wide	Submit an Annual Compliance report, annually by January 30 th , to MassDEP and EPA as required by General Condition No.10 of this Permit.
	Promptly report to MassDEP's Bureau of Waste Prevention, Compliance and Enforcement Section Chief all instances of deviations from Permit requirements which are not otherwise reported to MassDEP by telephone (978-694-3200) or fax (978-694-3498), within three days of discovery of such deviation, as provided in 310 CMR 7.00: Appendix C(10)(f). (See General Condition 25).
	In accordance with 310 CMR 7.00: Appendix C (10)(h), all required reports must be certified by a responsible official consistent with 310 CMR 7.00: Appendix C(5)(c).

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	<i>DESCRIPTION/REASON</i>
310 CMR 7.16: Reduction of Single Occupant Commuter Vehicle Use	Not more than 250 commuters
310 CMR 7.27: NO _x Allowance Program	Superseded by 310 CMR 7.28 and 7.32
310 CMR 7.28: NO _x Allowance Trading Program	As of January 1, 2009, this regulation is no longer applicable; it was superseded by 310 CMR 7.32.
42 U.S.C. 7401, §112(r)	Prevention of Accidental Releases

5. SPECIAL TERMS AND CONDITIONS

The Permittee is subject to the following special terms and conditions that are not contained in Table 3, 4, 5, and 6:

Table 8.							
<i>SPECIAL TERMS AND CONDITIONS</i>							
EU1, EU2, EU3, EU4	The owner/operator of - Veolia Energy Boston Kneeland Street Station is subject to and shall comply with the Massachusetts Clean Air Interstate Rule (CAIR), 310 CMR 7.32, and has submitted a CAIR Emission Control Plan Application pursuant to 310 CMR 7.32(3).						
EU1, EU2, EU3, EU4	As per Approval MBR-94-COM-015, maintain a copy of the Standard Operating and Maintenance Procedure (SOMP) for all the NO _x RACT subject combustion units on-site at all times.						
EU1, EU2, EU3, EU4	Per data as supplied through the Permittee's Operating Permit Application (MBR-95-OPP-015, Transmittal Number 118020), EU1, EU2, EU3, and EU4 shall emit through two stacks, each stack having the following parameters: <table style="margin-left: auto; margin-right: auto;"> <tr> <td style="padding-right: 20px;">Stack Height</td> <td>250 feet</td> </tr> <tr> <td>Stack Exit Diameter</td> <td>144 inches</td> </tr> <tr> <td>Stack Material</td> <td>brick</td> </tr> </table>	Stack Height	250 feet	Stack Exit Diameter	144 inches	Stack Material	brick
Stack Height	250 feet						
Stack Exit Diameter	144 inches						
Stack Material	brick						
EU1, EU2, EU3, EU4	That should any nuisance condition(s) occur as a result of the operation of this facility, then appropriate steps shall immediately be taken to abate said nuisance condition(s). (State Only Requirement Applicable per 310 CMR 7.01(1))						
EU1, EU2, EU3, EU4	Veolia Energy Boston – Kneeland Station is subject to, and has stated in their Operating Permit Application, Transmittal # 118020, that they are in compliance with the requirements of 40 CFR 82: Protection of Stratospheric Ozone. These requirements are applicable to this facility and the United States Environmental Protection Agency enforces these requirements.						
EU 5	The following requirements shall apply unless the cold cleaning degreaser is a sink-like work area with a remote solvent reservoir with an open drain area less than 100 square centimeters: <ol style="list-style-type: none"> a. Each cold cleaning degreaser is equipped with a cover that is designed to be easily operated with one hand; b. Each cold cleaning degreaser is equipped to drain clean parts so that, while draining, the cleaned parts are enclosed for 15 seconds or until dripping ceases, whichever is longer; c. Each cold cleaning degreaser is designed with: <ol style="list-style-type: none"> i. a freeboard ration of 0.75 or greater; or ii. a water blanket (only if the solvent used is insoluble in and heavier than water); or iii. an equivalent system of air pollution control which has been approved by the Department and EPA: d. The covers of each cold cleaning degreaser are closed whenever parts are not being handled in the degreaser, or when the degreaser is not in use; and e. The drafts across the top of each cold cleaning degreaser are minimized such that when the cover is open the degreaser is not exposed to drafts greater than 40 meters per minute (1.5 miles per hour), as measured between one and two meters upwind at the same elevation as the tank lip. 						

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

Pursuant to 310 CMR 7.00: Appendix C(7)(b), emission trades, provided for in this Permit, may be implemented provided the Permittee notifies The United States Environmental Protection Agency (EPA) and MassDEP at least fifteen (15) days in advance of the proposed changes and the Permittee provides the information required in 310 CMR 7.00: Appendix C(7)(b)3.

Any intra-facility change that does not qualify pursuant to 310 CMR 7.00: Appendix C(7)(b)2 is required to be submitted to MassDEP pursuant to 310 CMR 7.00: Appendix B.

(b) Inter-facility emission trading

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

8. COMPLIANCE SCHEDULE

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

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

GENERAL CONDITIONS FOR OPERATING PERMIT

9. FEES

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

10. COMPLIANCE CERTIFICATION

All documents submitted to 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 permit. The report shall be postmarked or delivered by January 30 to the MassDEP and to the Regional Administrator, U.S. Environmental Protection Agency - New England Region. The report shall be submitted in compliance with the submission requirements below.

The compliance certification and report shall describe:

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

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

- (i) the liability of the source for any violation of applicable requirements prior to or at the time of permit issuance.
- (ii) the applicable requirements of the Acid Rain Program, consistent with 42 U.S.C. §7401, §408(a); or
- (iii) the ability of EPA to obtain information under 42 U.S.C. §7401, §114 or §303 of the Act.

13. ENFORCEMENT

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

All other terms and conditions contained in this permit, including any provisions designed to limit a facility's potential to emit, are enforceable by 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 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 based¹ emission limitations specified in this permit as a result of an emergency². 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.

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

² An "emergency" means any situation arising from sudden and reasonably unforeseeable events beyond the control of the 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.

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 supercede 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 or fax, within three (3) days of discovery of such deviation:

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

For all other deviations, three (3) day notification is waived and is satisfied by the documentation required in the subsequent Semi-Annual Monitoring Summary and Certification. Instructions and forms for reporting deviations are found in the MassDEP Bureau of Waste Prevention Air Operating Permit Reporting Kit, which is available to the permittee via 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 or fax within 3 days of discovery, said deviations shall also be submitted in writing via the Operating Permit Deviation Report to the regional Bureau of Waste Prevention within ten (10) days of discovery. For deviations, which do not require 3-day verbal notification, follow-up reporting requirements are satisfied by the documentation required in the aforementioned Semi-Annual Monitoring Summary and Certification.

26. OPERATIONAL FLEXIBILITY

The permittee is allowed to make changes at the facility consistent with 42 U.S.C. §7401, §502(b)(10) not specifically prohibited by the permit and in compliance with all applicable requirements provided the permittee gives the EPA and 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.

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.

28. LEGEND OF ABBREVIATED TERMS IN OPERATING PERMIT

*Not all abbreviations are present in every Operating Permit

< - Less Than

> - Greater Than

#/hr - Pounds Per Hour

10⁶ BTU/hr - 1,000,000 BTU Per Hour

AOS – Alternative Operating Scenario

AQCR - Air Quality Control Region

CEM - Continuous Emission Monitor

CO - Carbon Monoxide

EPA - Environmental Protection Agency

FMF FAC. NO. - Facility Master File Number

FMF RO NO. - Facility Master File Regulated Object Number

FT³/day - Cubic Feet Per Day

HHV - Higher Heating Value

ISO - Represent 59°F, 60% Relative Humidity, 29.92 Inches Mercury At Sea Level

MassDEP - Massachusetts Department of Environmental Protection

MMBTU/hr - Million British Thermal Units Per Hour

NH₃ - Ammonia

NO_x - Nitrogen Oxides

PB - Lead

PLT ID - Plant Identification

PM - Particulate Matter

PPM - Parts Per Million

PTE - Potential To Emit

SO₂ - Sulfur Dioxide

TPY - Tons Per Year

VOC - Volatile Organic Compound