



Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection

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AIR QUALITY OPERATING PERMIT

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

ISSUED TO ["the Permittee"]:

Erving Industries
97 East Main Street
Erving, MA 01344

FACILITY LOCATION:

Erving Industries, Inc.
97 East Main Street
Erving, MA 01344

NATURE OF BUSINESS:

Paper Manufacturing

RESPONSIBLE OFFICIAL:

Name: Michael McAuliffe
Title: Vice President of Operations

INFORMATION RELIED UPON:

Application No. 22-AQ14-0003-REN
ePlace Authorization No. AQ14-0000008
Approval No. WE-22-004

FACILITY IDENTIFYING NUMBERS:

AQ ID: 0420121
FMF FAC NO.: 130789
FMF RO NO.:50067

Standard Industrial Classification (SIC): 2621
North American Industrial Classification System (NAICS): 322121

FACILITY CONTACT PERSON:

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This Operating Permit shall expire on July 5, 2028 .

For the Department of Environmental Protection

Michael Gorski
Regional Director
Department of Environmental Protection
Western Regional Office

July 5, 2023
Date

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.
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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.

A. DESCRIPTION OF FACILITY AND OPERATIONS

Erving Paper Mills, Inc. located at 97 East Main Street in Erving has been in the paper manufacturing business since 1908. The company produces 100% recycled parent rolls of tissue grade paper used in food service products such as napkins, as well as toweling and table cover grades. The facility is a major source due to the potential emissions exceeding the 50 ton per year of nitrogen oxide (“NO_x”) and 100 tons per year of sulfur dioxide (“SO₂”) thresholds for applicability to 310 CMR 7.00: Appendix C, Operating Permit and Compliance Program. The facility is not classified as a major source of hazardous air pollutants (“HAP”) because the facility-wide potential to emit is less than 10 tons per year for single HAP and 25 tons per year for total HAPs. In 2015, the facility constructed a Combined Heat and Power (“CHP”) plant consisting of a 5.7-Megawatt (“MW”) Solar Taurus Combustion Turbine and ancillary 28.5 Million British thermal unit (“MMBtu”) Duct Burner as part of a Heat Recovery Steam Generator. The combustion turbine and duct burner utilize an oxidation catalyst and selective catalytic reduction to control carbon monoxide (“CO”) emissions and nitrogen oxide (“NO_x”) emissions respectively.

In conjunction with the CHP project, Erving Industries constructed a new Kohler 800-kilowatt (“kW”) #2 fuel oil-fired emergency generator. The new emergency generator was certified to the MassDEP Environmental Results Program (“ERP”) and is subject to 310 CMR 7.26(42) and New Source Performance Standards (“NSPS”) Subpart IIII. The Kohler 800-kilowatt (kW) #2 fuel oil-fired emergency generator is also subject to the requirements of 40 CFR 63 Subpart ZZZZ, however in accordance with §63.6590(c), this engine must only meet 40 CFR 60 Subpart IIII and no further requirements apply. The CHP facility and new 800 KW emergency engine was issued MassDEP Approval #WE-14-030, Tr.#X264103 on March 10, 2015. The CHP facility was completed in January 2016.

Several years prior to the addition of the new CHP facility, a 49 MMBtu/hr Combustion Engineering boiler and a 15MMBtu/hr Bigelow Scotch Marine boiler (Emission Units #2 and #3) were decommissioned, dismantled, and removed along with the 80-foot stack that serviced them. The existing Union Ironworks 78 MMBtu/hr boiler (EU 1) is now a back-up boiler and was modified in 2013 to use natural gas as the primary fuel and No. 2 ultra-low sulfur diesel (“ULSD”) as a back-up fuel. The retrofit of custom gas burners into the boiler increased heat input of the unit to 85 MMBtu/hr when burning natural gas. The Union Ironworks boiler is not subject to 40 CFR 63 Subpart JJJJJ – National Emissions Standards for Hazardous Air Pollutants (“NESHAP”) for Industrial, Commercial, and Institutional Boilers Area Sources, because natural gas is the main fuel after the retro-fit and the unit meets the definition of a Gas-fired boiler per §63.11237 of this subpart.

The combustion turbine and duct burner are subject to the requirements of 40 CFR Part 60 Subpart KKKK, Standards of Performance for Stationary Combustion Turbines. The turbine and duct burner are more than capable of complying with the applicable Subpart KKKK emission limits for NO_x and sulfur dioxide (“SO₂”).

since the 7.02 Approval NO_x and SO₂ emission limits are more stringent. The applicable NO_x and SO₂ emission limits are specified in Table 1 of Subpart KKKK and 40 CFR 60.4330(a)(2), respectively.

Since the duct burner is subject to the requirements of Subpart KKKK, it is not subject to 40 CFR Part 60 Subpart Dc, Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units. The duct burner is also not subject to 40 CFR 63 Subpart JJJJJ – National Emissions Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers Area Sources, because this subpart does not apply to units that only combust natural gas or propane.

The combustion turbine is not subject to 40 CFR Part 63 Subpart YYYY – NESHAPs for Combustion Turbines, because this subpart applies only to major sources of hazardous air pollutants. The facility is exempt from Compliance Assurance Monitoring (“CAM”). 40 CFR 64.2(b) lists several specific exemptions to the CAM rule. Certain emission limitations or standards are exempted, including new source performance standards (“NSPS”) or national emission standards for hazardous air pollutants (“NESHAP”) proposed after November 15, 1990. 40 CFR 60 NSPS and 40 CFR 63 NESHAP Subparts pertaining to the Facility that are exempt from CAM in accordance with 40 CFR 64.2(b)(i) are 40 CFR 60 Subpart KKKK – NSPS for Combustion Turbines and 40 CFR 63 Subpart ZZZZ – NESHAP for Stationary Reciprocating Internal Combustion Engines.

The facility has an existing Caterpillar 141 horsepower emergency fire pump diesel engine which was installed in June 1987. The engine is a 141-horsepower engine running at 1755 rpm which burns about 9 gallons per hour. The engine is not subject to 310 CMR 7.26(42) or New Source Performance Standards (“NSPS”) Subpart III. The Caterpillar fire pump engine is subject to 40 CFR 63 Subpart ZZZZ – National Emissions Standards for Hazardous Air Pollutants (“NESHAP”) for Stationary Reciprocating Internal Combustion Engines, because it is stationary reciprocating internal combustion engine (“RICE”) at an area source of HAP emissions and meets the definition of an emergency stationary RICE per §63.6640(f) of this subpart. The emergency stationary fire pump RICE has a site rating of greater than 100 brake horsepower but is not contractually obligated to be available for more than 15 hours per calendar year for purposes stated in 63.6640(f)(2)(ii) and (iii) and does not supply power as part of a financial arrangement with another entity.

MassDEP issued a 7.18(17) VOC RACT permit on 5/17/1990 (revised 10/16/1990 and 4/16/1991) and was approved by EPA as part of the SIP. This permit has been subsumed by MassDEP Approval #1-P-06-007 (approved 3/30/2006 and amended 3/20/2007).

Massachusetts promulgated the 310 CMR 7.71 Reporting for Greenhouse Gas Emissions regulations on June 26, 2009. The facility is subject to the requirements of Greenhouse Gas Emissions Reporting as defined by MassDEP in 310 CMR 7.71(3)(a).

Tables 3, 4, 5, 6, and 8 of this Operating Permit contain the air quality requirements and regulations to which Erving Industries is subject. Non applicability determinations are contained in Table 7.

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)
EU 1	Union Iron Works, Model No. 101SA	78 MMBtu/hr – No. 2 ULSD Oil & No. 6 Oil 85 MMBtu/hr – Nat. Gas	n/a
EU 4	Maxxon Paper Machine Hood Burner	9.5 MM Btu/hr – Nat. Gas & No. 2 ULSD Fuel Oil	n/a
EU 4A	Paper Machine No. 5, Stevens	55 tons per day	n/a
EU 5	Paper Machine No. 4, Stevens	20.5 tons per day	n/a
EU 6	Paper Machine No. 3, Manchester/Holder	45 tons per day	n/a
EU 7	Solvent Degreaser(s), Safety Kleen	n/a	n/a
EU 15	Solar Taurus Model No. 60-7901S Combustion Turbine	76.8 MMBtu/hr – Nat. Gas 72.6 MMBtu/hr – ULSD 5.7 MW	Oxidation Catalyst & Selective Catalytic Reduction
EU 16	Eclipse Model No. 36FFB Heat Recovery Steam Generator Duct Burner	28.5 MMBtu/hr	Oxidation Catalyst & Selective Catalytic Reduction
EU 17	Open Flare System	30 MMBtu/hr	n/a
EU 18	Emergency Fire Pump Diesel (1987)	1.26 MMBtu/hr	n/a
EU 19	Kohler Model No. 800REOZRMD – Diesel Emergency Generator	9.335 MMBtu/hr 800 KW / 1073 hp	n/a

Table 1 Key

EU = Emission Unit
 hp = horsepower
 KW = kilowatts
 MMBtu/hr = million British thermal units per hour

PCD = Pollution Control Device
 MW = megawatts
 n/a = not applicable
 No. = number

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 3a					
EU	Operational and/or Production Limits	Fuel/Raw Material	Pollutant	Emissions Limits/Standards	Applicable Regulation and/or Approval No
EU 1	None	No. 6. fuel oil	NO _x	0.30 lb/MMBtu	MassDEP Approval No. 1-B-94-026 (8/5/1994) Regulation 310 CMR 7.19(5)
			CO	200 ppmv @ 3% O ₂	
			PM	0.15 lb/MMBtu	Regulation 310 CMR 7.02(8)
			Smoke	< No. 1 of Chart ¹ , except No. 1 to < No. 2 of Chart for ≤ 6 minutes during any one hour	Regulation 310 CMR 7.06(1)(a)
			Opacity	≤ 20%, except 20 to ≤ 40% for ≤ 2 minutes during any one hour	Regulation 310 CMR 7.06(1)(b)
			sulfur in fuel	≤ 0.28 lb/MMBtu on and after July 1, 2018	Regulation 310 CMR 7.05(1)(a)1
	To be qualified as NG fired boiler under 40 CFR 63 Subpart JJJJJJ: "burn liquid fuel only during periods of gas curtailment, gas supply interruption, startups, or for periodic testing, maintenance, or operator training on liquid fuel. Periodic testing, maintenance, or operator training on liquid fuel shall not exceed a combined total of 48 hours during any calendar year."	Natural Gas and No. 2 ULSD fuel oil	NO _x	0.12 lb/MMBtu	Regulation 310 CMR 7.19(5)(a)2.b
			CO	200 ppmv@3% O ₂	Regulation 310 CMR 7.19(5)(d)
			PM	0.15 lb/MMBtu	Regulation 310 CMR 7.02(8)(e)
			Smoke	< No. 1 of Chart ¹ , except No. 1 to < No. 2 of Chart for ≤ 6 minutes during any one hour	Regulation 310 CMR 7.06(1)(a)
			Opacity	≤ 20%, except 20 to ≤ 40% for ≤ 2 minutes during any one hour	Regulation 310 CMR 7.06(1)(b)

Table 3b

EU	Operational and/or Production Limits	Fuel/Raw Material	Pollutant	Emissions Limits/Standards	Applicable Regulation and/or Approval No
EU 4	None	Nat. Gas No. 2 ULSD fuel oil	PM	0.10 lb/MMBtu	Regulation 310 CMR 7.02(8)(h)
			smoke	< No. 1 of Chart ¹ , except No. 1 to < No. 2 of Chart for ≤ 6 minutes during any one hour	Regulation 310 CMR 7.06(1)(a)
			Opacity	≤ 20%, except 20 to ≤ 40% for ≤ 2 minutes during any one hour	Regulation 310 CMR 7.06(1)(b)
EU 1 EU 4	None	No. 2 ULSD fuel oil	sulfur in fuel	≤ 0.0015% S on and after July 1, 2018	Regulation 310 CMR 7.05(1)(a)(1)
EU 4A EU 5 EU 6	Usage rate not to exceed 4498 gallons of Betz 2278 (or equivalent) per month, and not to exceed 8 gallons of Betz 2278 (or equivalent) per wash cycle.	Fibers and additives	VOC	Not to exceed 2.2 tons per calendar month and 26.3 tons per year (rolling 12-month total) ⁶	MassDEP Approval No. 1-P-06-007 (3/30/2006; amended 3/20/2007)
			Opacity	≤ 20%, except 20 to ≤ 40% for ≤ 2 minutes during any one hour	Regulation 310 CMR 7.06(1)(b)
EU 7	Usage rate not to exceed 100 gallons per calendar month per degreaser	Solvent naptha	VOC	Solvent Vapor Pressure ≤ 1.0 mm Hg at 20 °C	Regulation 310 CMR 7.03(8) Regulation 310 CMR 7.18(1) Regulation 310 CMR 7.18(8)

Table 3c

EU	Operational and/or Production Limits	Fuel/Raw Material	Pollutant	Emissions Limits/Standards	Applicable Regulation and/or Approval No
EU 15 EU 16 (combined emissions)	1. EU 15 shall be fired using only compressed natural gas, propane, or ultra-low sulfur distillate oil. 2. EU 15 usage rate not to exceed 1,310,222 gallons of No. 2 fuel oil (ultra-low sulfur distillate) in any 12 consecutive month period. 3. EU 15 shall not exceed 67 million Btu per hour of heat input based on any 12 consecutive month average. 4. EU 16 shall be fired using only compressed natural gas or propane. 5. EU 16 shall only be operated in conjunction with EU 15.	Natural Gas ^{2,4} Propane ²	NO _x	0.011 lb/MMBtu, 1.12 lb/hr	MassDEP Approval No. WE-14-030; Tr. X264103 (3/10/2015) 310 CMR 7.02(8)(a)2
			CO	0.007 lb/MMBtu, 0.71 lb/hr	
			VOC	0.005 lb/MMBtu, 0.53 lb/hr	
			PM/PM ₁₀ / PM _{2.5}	0.015 lb/MMBtu, 1.63 lb/hr, 9.1 TPY	
			SO ₂	0.003 lb/MMBtu, 0.31 lb/hr	
			Ammonia	0.003 lb/MMBtu, 0.28 lb/hr	
		No. 2 fuel oil ^{3,4}	NO _x	0.024 lb/MMBtu, 2.39 lb/hr	
			CO	0.013 lb/MMBtu, 1.28 lb/hr	
			VOC	0.013 lb/MMBtu, 1.30 lb/hr	
			PM/PM ₁₀ / PM _{2.5}	0.034 lb/MMBtu, 3.39 lb/hr	
			SO ₂	0.004 lb/MMBtu, 0.44 lb/hr	
			Ammonia	0.003 lb/MMBtu, 0.29 lb/hr	
		Natural Gas Propane No. 2 fuel oil	NO _x	6.0 TPY	
			CO	3.5 TPY	
			VOC	3.2 TPY	
			PM/PM ₁₀ / PM _{2.5}	9.1 TPY	
			SO ₂	2.1 TPY	
			Ammonia	1.2 TPY	
			HAP (total)	0.26 TPY 0.043 TPM	
			Smoke	< No. 1 of Chart ¹ , except No. 1 to < No. 2 of Chart for ≤ 6 minutes during any one hour	
		Opacity	10% (excluding water vapor) at any time		

Table 3d					
EU	Operational and/or Production Limits	Fuel/Raw Material	Pollutant	Emissions Limits/Standards	Applicable Regulation and/or Approval No
EU 17	Use no more than 300 MMBtu of Propane in any 12 consecutive month period.	Propane	NO _x	0.068 lb/MMBtu, 2.0 lb/hr, 0.01 TPY	MassDEP Approval No. WE-14-030; Tr. X264103 (3/10/2015) 310 CMR 7.02(8)(a)2
			CO	0.37 lb/MMBtu, 11.0 lb/hr, 0.05 TPY	
			VOC	0.14 lb/MMBtu, 4.2 lb/hr, 0.02 TPY	
			SO ₂	0.011 lb/MMBtu, 0.33 lb/hr, 0.002 TPY	
			HAP (total)	0.14 lb/MMBtu, 4.2 lb/hr, 0.02 TPY	MassDEP Approval No. WE-14-030; Tr. X264103 (3/10/2015)
Opacity	No visible emissions except for periods not to exceed a total of 5 minutes during any 2 consecutive hours. If there are visible emissions occurring for 5 minutes or less, the visible emissions shall comply with 310 CMR 7.06.				
EU 18	Refer to Table 8 for Operating Requirements for Emergency Engines under Subpart ZZZZ	No. 2 fuel oil	sulfur in fuel	≤0.0015% S on and after July 1, 2018	Regulation 310 CMR 7.05(1)(a)(3) 40 CFR Part 63, Subpart ZZZZ
EU 19	Refer to Table 8 for Operating Requirements for Emergency Engines under Subpart IIII	No. 2 fuel oil	sulfur in fuel	≤0.0015% S on and after July 1, 2018	Regulation 310 CMR 7.26(42) 40 CFR 60, Subpart IIII
Facility-wide	All	Fuels, fibers and additives	HAPs	≤ 9.9 TPY individual HAPs or ≤ 24.8 TPY combined HAPs (see Table 8; Facility-wide Special Condition 1)	MassDEP Approval No. 1-O-95-066; Tr. 84385 (9/5/2000)
		All	Greenhouse Gas ⁵	NA	310 CMR 7.71 (State Only Requirement)

Table 3 Key:

EU = Emission Unit
 CO = Carbon Monoxide
 PM = Total Particulate Matter
 PM_{2.5} = Particulate Matter less than or equal to 2.5 microns in diameter
 HAP (single) = maximum single Hazardous Air Pollutant

NO_x = Nitrogen Oxides
 SO₂ = Sulfur Dioxide
 PM₁₀ = Particulate Matter less than or equal to 10 microns in diameter
 VOC = Volatile Organic Compound
 HAP (total) = total Hazardous Air Pollutant

CO₂ = Carbon Dioxide

TPY = tons per consecutive 12-month period ⁶

lbs/MMBtu = pounds per Million British thermal units

% = percent

TPM = tons per month

lbs/hr = pounds per hour

≤ = less than or equal to

Table 3 Foot Notes:

1. Chart means the Ringelmann Scale for grading the density of smoke, as published by the United States Bureau of Mines as referred to in the Bureau of Mines Information Circular No. 8333, or any smoke inspection guide approved by MassDEP.
2. The lb/MMBtu and lb/hr emission rates apply during the combustion of compressed natural gas or propane in the turbine in combination with the combustion of compressed natural gas or propane in the duct burner.
3. The lb/MMBtu and lb/hr emission rates apply during the combustion of ultra-low sulfur distillate (No. 2 fuel oil) in the turbine in combination with the combustion of compressed natural gas or propane in the duct burner.
4. Compliance with the lb/MMBtu and lb/hr emission Limits for NOX, CO, VOC, PM, including PM10 and PM2.5, SO2 and ammonia shall be based on the results of an applicable USEPA Reference Test Method.
5. 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 (CO₂), methane (CH₄), nitrous oxide (N₂O), sulfur hexafluoride (SF₆), hydrofluorocarbons (HFCs), and perfluorocarbons (PFCs).
6. 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.

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 4a	
EU	Monitoring And Testing Requirements
EU 1	<p>1. In accordance with Regulation 310 CMR 7.19(13)(d)3., measure and record on a daily basis: the type of fuel(s) burned each day, heat content of each fuel, and the total heating value of the fuel consumed for each day.</p> <p>2. In accordance with Regulation 310 CMR 7.04(2)(a), ensure the smoke density sensing instruments and recorders are properly maintained in an accurate operating condition, operate continuously and are 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 Chart¹. Such smoke density equipment shall be available for inspection at reasonable times by a representative of MassDEP. Such inspection may include the review of recording charts, which must be retained and made available for a period of five years from the date of use.</p>
EU 1 EU 4	<p>3. In accordance with Regulation 310 CMR 7.04(4)(a), ensure the fossil fuel utilization facilities are inspected and maintained in accordance with the manufacturer's recommendations and tested for efficient operation at least once each calendar year.</p> <p>4. In accordance with Regulation 310 CMR 7.00 Appendix C(9)(b), monitor sulfur content of each new shipment of fuel oil received. Compliance with the percent sulfur in fuel requirements can be demonstrated by maintaining a shipping receipt from the fuel supplier (shipping certification) or through testing (testing certification).</p> <p>The shipping receipt certification or testing certification of sulfur content of No. 6 fuel oil shall document that the testing has been conducted in accordance with the applicable ASTM test methods: (D129-64, D1072-56, D1266-67, D1552-83, D2622-87, D4294-90) or any other method approved by MassDEP and EPA.</p>
EU 1 EU 4 EU 4A EU 5 EU 6	<p>5. Monitor emission units to demonstrate compliance with the opacity limits contained in Table 3 and 310 CMR 7.06(1)(b).</p>
EU 7	<p>6. In accordance with Regulation 310 CMR 7.18(8)(h), upon request of MassDEP, perform or have performed tests to demonstrate compliance with Regulation 310 CMR 7.18(8). Testing shall be conducted in accordance with a method approved by the Department and EPA.</p>
EU 15 EU 16	<p>7. In accordance with MassDEP Approval #WE-14-030 (3/10/2015), continuously monitor the emissions of NO_x, CO and oxygen as a diluent by installing, calibrating, maintaining and operating a monitoring system.</p> <p>8. In accordance with MassDEP Approval #WE-14-030 (3/10/2015), install and maintain instrumentation for EU 15 and EU16 which is capable of continuously monitoring the ammonia injection rate for the SCR system.</p> <p>9. In accordance with MassDEP Approval #WE-14-030 (3/10/2015), install and maintain instrumentation for EU 15 and EU16 which is capable of continuously monitoring the exhaust gas temperature at the inlet to the oxidation catalyst and at the outlet of the SCR system.</p> <p>10. In accordance with MassDEP Approval #WE-14-030 (3/10/2015), operate the temperature, ammonia injection rate and emission monitoring equipment at all times that EU 15 and 16 are operating, except for periods of calibration checks, zero and span adjustments, and preventive maintenance.</p>

Table 4b

EU	Monitoring And Testing Requirements
EU 15 EU 16	11. In accordance with MassDEP Approval #WE-14-030 (3/10/2015), maintain on-site for the temperature, ammonia injection rate, NO _x , CO and oxygen monitoring equipment an adequate supply of spare parts.
	12. In accordance with MassDEP Approval #WE-14-030 (3/10/2015), equip the continuous temperature monitoring system for the oxidation catalyst and the SCR system with audible and visible alarms which activate when these temperatures deviate from normal operating temperatures.
	13. In accordance with MassDEP Approval #WE-14-030 (3/10/2015), EU 15 and EU 16 shall each be equipped with a fuel meter to continuously monitor the fuel flow rate for each fuel being used.
	14. In accordance with MassDEP Approval #WE-14-030 (3/10/2015), conduct annual compliance stack testing for NO _x , CO, VOC, NH ₃ , total PM, PM ₁₀ and PM _{2.5} while EU15 and EU16 are operating at or near design capacity to demonstrate compliance with the emission limitations as specified in Table 3 above in accordance with procedures set forth in Appendix A of 40 CFR Part 60 or another method approved by the Department and EPA. The stack testing shall be conducted when combusting natural gas and ultra-low sulfur distillate oil in EU 15. The initial compliance stack test shall be performed within 90 days of continuous operation of EU 15/16.
	15. In accordance with MassDEP Approval #WE-14-030 (3/10/2015) and 310 CMR 7.04(4)(a), inspect and maintain EU 16 in accordance with the manufacturer's recommendations and test each unit in accordance with the manufacturer's recommendations for efficient operation at least once each calendar year.
	16. In accordance with MassDEP Approval #WE-14-030 (3/10/2015) and 310 CMR 7.04(2)(a), EU 15 shall be 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 with the smoke density is equal to or greater than No. 1 of the Chart ¹ . Such smoke density equipment shall be available for inspection at reasonable times by a representative of the Department.
	17. In accordance with 40 CFR §60.4400(b), the performance test must be done at any load condition within plus or minus 25 percent of 100 percent of peak load. Testing must be performed at the highest achievable load point, if at least 75 percent of peak load cannot be achieved in practice. Three separate test runs must be conducted for each performance test. The minimum time per run is 20 minutes.
	18. In accordance with 40 CFR §60.4400(b)(1), separate performance testing is required for each fuel.
	19. In accordance with 40 CFR §60.4400(b)(2), for combined cycle and CHP turbine systems with supplemental heat (duct burner) NO _x emissions must be measured after the duct burner rather than directly after the turbine. The duct burner must be in operation during the performance test.
	20. In accordance with 40 CFR §60.4400(b)(6), the ambient temperature must be greater than 0 °F during the performance test.
	21. In accordance with 40 CFR §60.4415, conduct initial and subsequent SO ₂ performance tests in accordance with the appropriate methodologies referenced in the Subpart.
	22. In accordance with 40 CFR §60.4365, SO ₂ monitoring/fuel sulfur analysis is not required if the fuel is demonstrated not to exceed potential sulfur emissions of 26 ng SO ₂ /J (0.060 lb SO ₂ /MMBtu) heat input for areas which do not have access to natural gas if the fuel quality characteristics in a current, valid purchase contract, tariff sheet or transportation contract for the fuel specifies that: Natural Gas: The total sulfur content is 20 grains of sulfur or less per 100 scf; Fuel Oil: The total sulfur content is 0.05 weight percent (500 ppmw) or less Otherwise, regular SO ₂ monitoring, or fuel analysis is required as specified in §60.4365(b).

Table 4c	
EU	Monitoring And Testing Requirements
EU 17	23. In accordance with MassDEP Approval #WE-14-030 (3/10/2015), EU 17 shall be equipped with instrumentation which is capable of continuously monitoring the fuel flow rate.
EU 19	24. In accordance with 310 CMR 7.26(42)(d)1 and 40 CFR §60.4209, a non-turnback hour counter shall be installed, operated and maintained in good working order.
	25. In accordance with 310 CMR 7.26(42)(e), MassDEP may require emission or other monitoring to assure compliance with the requirements of 310 CMR 7.26(42)
	26. In accordance with 310 CMR 7.26(42)(e), any testing when required by MassDEP shall comply with the following: <ul style="list-style-type: none"> a. Tests to certify compliance with emission limitations shall be performed in accordance with EPA reference Methods, California Air Resources Board Methods approved by EPA, or equivalent methods as approved by the Department and EPA. b. Particulate matter from reciprocating engines using liquid fuel shall be determined using Method 8178 D2 of the International Organization for Standardization. c. The Department may require emission or other testing to assure compliance with the emission limitations or fuel requirements
Facility-wide	27. In accordance with Regulation 310 CMR 7.13(1), if and when MassDEP determines that stack testing is necessary to ascertain compliance with MassDEP's regulations or design approval provisos, cause such stack testing: <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 approved by MassDEP, c. to be conducted in the presence of a representative of MassDEP when such is deemed necessary.
	28. In accordance with Regulation 310 CMR 7.13(2), if MassDEP determines that stack testing (to ascertain the mass emission rates of air contaminants emitted under various operating conditions) is necessary for the purposes of regulation enforcement or determination of regulation compliance, cooperate with the Department to provide: <ul style="list-style-type: none"> a. entrance to a location suitable for stack sampling, b. sampling ports at locations where representative samples may be obtained, c. staging and ladders to support personnel and equipment for performing the tests, d. a suitable power source at the sampling location for the operation of sampling equipment, and e. such other reasonable facilities as may be requested by MassDEP. <p>Emissions from Compliance Testing (Stack Testing) shall be determined in accordance with Regulation 310 CMR 7.13, and 40 CFR Part 60, Appendix A (Method 7 for oxides of nitrogen (NO_x), Method 6 for sulfur dioxide (SO₂), Method 10 for carbon monoxide (CO), Methods 1 through 5 for TSP, Method 3A for Oxygen (O₂), Method 9 for opacity, or any other test method approved by MassDEP or EPA. Prior to Stack Testing, appropriate testing ports shall be constructed so as to accommodate the requirements as stipulated in 40 CFR Part 60, Appendix A.</p>
	29. 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.
	30. 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 ² 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:

EU = Emission Unit
 CO = Carbon Monoxide
 PM = Total Particulate Matter
 PM_{2.5} = Particulate Matter less than or equal to 2.5 microns in diameter

NO_x = Nitrogen Oxides
 SO₂ = Sulfur Dioxide
 CO₂ = Carbon Dioxide
 PM₁₀ = Particulate Matter less than or equal to 10 microns in diameter

NH₃ = Ammonia
HAP (single) = maximum single Hazardous Air Pollutant
SF₆ = Sulfur Hexafluoride
TPY = tons per consecutive 12-month period²
ASTM = American Society for Testing Materials
USEPA = United States Environmental Protection Agency

VOC = Volatile Organic Compounds
HAPs (total) = total Hazardous Air Pollutants
TPM = tons per month
CFR = Code of Federal Regulations
SCR = Selective Catalytic Reduction
CMR = Code of Massachusetts Regulations

Table 4 Foot Notes:

1. 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.
2. Greenhouse Gas means any chemical or physical substance that is emitted into the air and that the department may reasonably anticipate will cause or contribute to climate change including, but not limited to, CO₂, CH₄, N₂O, SF₆, hydrofluorocarbons (HFCs), and perfluorocarbons (PFCs).

Table 5a

EU	Record Keeping Requirements												
EU 1	<ol style="list-style-type: none"> 1. In accordance with Regulation 310 CMR 7.19(13)(d)3., measure and record on a daily basis: <ol style="list-style-type: none"> a. type fuel(s) burned each day, b. heat content of each fuel, and c. the total heating value of the fuel consumed for each day 2. In accordance with Regulation 310 CMR 7.19(13)(d)5., obtain a certification from the fuel supplier for each shipment of residual oil that includes the following information: <ol style="list-style-type: none"> a. the name of the oil supplier, b. the nitrogen content of each oil shipment (acceptable test methods for determining nitrogen content of oil are ASTM methods D3228 and D4629 or any other method approved by MassDEP and EPA); 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 affected facility or whether the sample was drawn from oil in storage at the oil supplier’s or oil refiner’s facility or another location. 3. In accordance with Regulation 310 CMR 7.19(13)(d)8., maintain all records required by Regulation 310 CMR 7.19(13)(d), for a period of five years in a permanently bound log book or any other form acceptable to MassDEP including computer retained and generated data. 4. In accordance with Regulation 310 CMR 7.04(2)(a) and Regulation 310 CMR Appendix C(10)(b), maintain records of smoke density recording charts for a period of five years from the date of use. 5. The Permittee shall maintain records for oil burning, when and why oil was used and how many hours per calendar year oil was used for maintenance, testing and operator training in order to demonstrate EU1 meets the definition under §63.11237 of “Gas-fired boiler” and is exempt from 63 subpart JJJJJJ, in accordance with §63.11225(c) and (g). 												
EU 1 EU 4	<ol style="list-style-type: none"> 6. In accordance with Regulation 310 CMR 7.04(4)(a), maintain the results of said inspection, maintenance, and testing and date which it was performed shall be recorded and posted conspicuously on or near the facility. These records shall be maintained on site for a minimum of five (5) years. 7. In accordance with Regulation 310 CMR 7.00 Appendix C (9)(b)(2), maintain records on site for five (5) years of the sulfur content of the fuel oil burned to demonstrate compliance with Regulation 310 CMR 7.05(1). 												
EU 4A EU 5 EU 6	<ol style="list-style-type: none"> 8. In accordance with MassDEP Approval #1-P-06-007 (3/30/2006; amended 3/20/2007), maintain a written log of the maintenance, repair, and down times (maintenance log) for the stock cleaning devices (side hill washers, forward cleaners, reverse flow cleaners, coarse screen, flotation unit, and fine screens) that includes the following: <table border="0" style="width: 100%; margin-left: 20px;"> <tr> <td style="width: 50%;">a. date and time of log entry</td> <td style="width: 50%;">g. status of paper machines, while the equipment was out of service</td> </tr> <tr> <td>b. the equipment affected</td> <td>h. cumulative hours (rolling 12 month total) this equipment was out of service last year while the paper machines were operating</td> </tr> <tr> <td>c. time taken out of service</td> <td>i. the designation of the person recording the log entry</td> </tr> <tr> <td>d. time put back in service</td> <td></td> </tr> <tr> <td>e. hours out of service</td> <td></td> </tr> <tr> <td>f. type of repair performed</td> <td></td> </tr> </table> 9. In accordance with MassDEP Approval #1-P-06-007 (3/30/2006; amended 3/20/2007), maintain daily a written log of gallons of Betz 2278 (or equivalent) solvent used per day and a cumulative total for the current month. This solvent use log must be maintained on site for a minimum of five years and must be made available to MassDEP for inspection upon request. 	a. date and time of log entry	g. status of paper machines, while the equipment was out of service	b. the equipment affected	h. cumulative hours (rolling 12 month total) this equipment was out of service last year while the paper machines were operating	c. time taken out of service	i. the designation of the person recording the log entry	d. time put back in service		e. hours out of service		f. type of repair performed	
a. date and time of log entry	g. status of paper machines, while the equipment was out of service												
b. the equipment affected	h. cumulative hours (rolling 12 month total) this equipment was out of service last year while the paper machines were operating												
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d. time put back in service													
e. hours out of service													
f. type of repair performed													

Table 5b

EU	Record Keeping Requirements
EU 7	<p>10. In accordance with Regulation 310 CMR 7.03(6), establish and maintain a recordkeeping system on site and in sufficient detail to document the date of construction, substantial reconstruction or alteration and, that the respective emission rates pursuant to Regulation 310 CMR 7.03 are not exceeded. All records shall be maintained up-to-date such that year-to-date information is readily available for MassDEP examination.</p> <p>11. In accordance with 310 CMR 7.03(6) and 7.18(8), prepare and maintain daily records sufficient to demonstrate compliance with the solvent use rates stated in 310 CMR 7.03(8).</p> <p>12. In accordance with 310 CMR 7.18(8)(g), prepare and maintain daily records sufficient to demonstrate continuous compliance. Such records shall be kept on-site for five years and shall be made available to representatives of MassDEP and EPA upon request. Such records shall include, but are not limited to:</p> <ul style="list-style-type: none"> a. identity, quantity, formulation and density of solvent(s) used b. quantity, formulation and density of all waste solvent(s) generated; c. actual operational and performance characteristics of the degreaser and any appurtenant emissions capture and control equipment, if applicable.
EU 15 EU 16	<p>13. In accordance with MassDEP Approval #WE-14-030 (3/10/15), the Permittee shall continuously record the emissions of NO_x, CO and O₂ as a diluent gas.</p> <p>14. In accordance with MassDEP Approval #WE-14-030 (3/10/15), the Permittee shall continuously record the ammonia injection rate.</p> <p>15. In accordance with MassDEP Approval #WE-14-030 (3/10/15), the Permittee shall continuously record the exhaust gas temperature at the inlet to the oxidation catalyst and at the outlet of the SCR system.</p> <p>16. In accordance with MassDEP Approval #WE-14-030 (3/10/15), each unit shall record with a fuel meter, for each fuel of use, the amount of fuel combusted.</p> <p>17. In accordance with 310 CMR 7.04(4)(a), the results of the EU 16 inspection, maintenance, and testing and the date upon which it was performed shall be recorded and posted conspicuously on or near EU 16.</p> <p>18. In accordance with 310 CMR 7.04(2)(a), the smoke density recording charts must be retained and made available for a period of one year from the date of use.</p> <p>19. In accordance with 40 CFR §60.7(b), the Permittee shall maintain records of the occurrence and duration of any startup, shutdown, or malfunction; or any malfunction of the air pollution equipment.</p> <p>20. In accordance with 40 CFR §60.4365(a), the Permittee shall record the fuel quality characteristics in a current, valid purchase contract or tariff sheet for the fuel, specifying that the maximum total sulfur content for oil is 0.05 weight percent (500 ppmw) or less, the total sulfur content for natural gas is 20 grains of sulfur or less per 100 standard cubic feet and has potential sulfur emissions of less than 26 ng SO₂/J (0.060 lb SO₂/MMBtu) heat input.</p>
EU 17	<p>21. In accordance with MassDEP Approval #WE-14-030 (3/10/15), the Permittee shall continuously record the fuel flow rate.</p>

Table 5c

EU	Record Keeping Requirements
EU 15 EU 16 EU 17	<p>22. In accordance with MassDEP Approval #WE-14-030 (3/10/15), the Permittee shall maintain adequate records on-site to demonstrate compliance status with all operational, production, and emission limits contained in Table 3 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#-record-keeping-&-reporting-.</p> <p>23. In accordance with MassDEP Approval #WE-14-030 (3/10/15), the Permittee shall maintain records of monitoring, testing and fuel usage as required by Table 4.</p> <p>24. In accordance with MassDEP Approval #WE-14-030 (3/10/15), the Permittee shall maintain a copy of this Plan Approval, underlying Application and the most up-to-date SOMP for the EU(s) and PCD(s) approved herein on-site.</p> <p>25. In accordance with MassDEP Approval #WE-14-030 (3/10/15), the Permittee shall maintain a record of routine maintenance activities performed on the approved EU(s), PCD(s) 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.</p> <p>26. In accordance with MassDEP Approval #WE-14-030 (3/10/15), the Permittee shall maintain a record of all malfunctions affecting air contaminant emission rates on the approved EU(s), PCD(s) 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.</p> <p>27. In accordance with MassDEP Approval #WE-14-030 (3/10/15), the Permittee shall make records required by Plan Approval #WE-14-030 (3/10/15) available to MassDEP and USEPA personnel upon request.</p>
EU 18	<p>28. In accordance with 40 CFR §63.6655(e), the Permittee must keep record of the maintenance conducted on the stationary RICE in order to demonstrate that the owner/operator operated and maintained the stationary RICE and after-treatment control device (if any) according to the Permittee's own maintenance plan.</p> <p>29. In accordance with 40 CFR §63.6655(f), the Permittee must keep records of the hours of operation of the engine that is recorded through the non-resettable hour meter. The owner or operator must document how many hours are spent for emergency operation; including what classified the operation as emergency and how many hours are spent for non-emergency operation. If the engine is used for the purposes specified in §63.6640(f)(4)(ii), the owner or operator must keep records of the notification of the emergency situation, and the date, start time, and end time of engine operation for these purposes.</p>
EU 19	<p>30. In accordance with 310 CMR 7.26(42)(f), the owner or operator shall maintain on site or, for remote locations, at the closest facility where records can be maintained, the following records:</p> <ul style="list-style-type: none"> a. Information on equipment type, make and model, and maximum power output; and b. A monthly log of hours of operation, fuel type, heating value, and sulfur content for fuel oil. A monthly calculation of the total hours operated in the previous 12 months; and c. Purchase orders, invoices, and other documents to substantiate information in the monthly log, and d. Copies of certificates and documents from the manufacturer related to certificates.

Table 5d	
EU	Record Keeping Requirements
EU 19	31. In accordance with 40 CFR 60.4214(c), if the stationary CI internal combustion engine is equipped with a diesel particulate filter, the owner or operator must keep any records of any corrective action taken after the backpressure monitor has notified the owner or operator that the high backpressure limit of the engine is approached
Facility-wide	32. In accordance with 310 CMR 7.00 Appendix C(10)(b), maintain records of all monitoring data and supporting information on-site for a period of at least 5 years from the date of the monitoring sample, measurement, report or initial operating permit application.
	33. In accordance with 310 CMR 7.12, maintain the records required to determine the nature and amounts of emissions from the facility.
	34. 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.
	35. In accordance with 310 CMR 7.00 Appendix C(9)(b)(2)., keep sufficiently detailed records on a monthly basis to demonstrate that emissions of Hazardous Air Pollutants comply with the emission limits set forth in Table 8; Facility-Wide, Provision 1 of this permit. Such records shall include, but are not limited to, Safety Data Sheets for all Hazardous Air Pollutants containing materials and records of the consumption and emission rates of such materials.
	36. In accordance with 310 CMR 7.71 (6) (b) and (c), the Permittee shall keep on site at the facility documents 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
 ASTM= American Society for Testing Materials
 NO_x = Oxides of Nitrogen
 CO = Carbon Monoxide

PCD = Pollution Control Device
 SCR = Selective Catalytic Reduction
 O₂ = Oxygen
 SOMP = Standard Operating and Maintenance Procedure

Table 6a	
EU	Reporting Requirements
EU 1	1. In accordance with Regulation 310 CMR 7.19(13)(d)9, submit compliance records within ten days of written request by MassDEP or EPA.
EU 4A EU 5 EU 6	2. In accordance with MassDEP Approval #1-P-06-007 (3/30/2006; amended 3/20/2007), submit quarterly reports to MassDEP by January 15, April 15, July 15, and October 15 summarizing monthly Betz 2278 (or equivalent) usage for the previous quarter, and summarizing the maintenance and repair, down time of stock cleaning devices. Erving Paper shall in the January 15 report, summarize all activity to date, including operational and equipment changes, designed to further reduce Betz 2278 (or equivalent) usage associated with VOC emissions.
EU 7	3. In accordance with Regulation 310 CMR 7.03(5), Erving Paper shall report to MassDEP any construction, substantial reconstruction or alteration, as described in Regulation 310 CMR 7.03, on the next required source registration.
EU 15 EU 16	4. In accordance with MassDEP Approval #WE-14-030 (3/10/2015), the Permittee shall submit a pretest protocol for the required emission test for review and MassDEP approval at least 30 days prior to the anticipated date of test. The pretest protocol shall include a description of sampling point locations, sampling equipment, sampling and analytical procedures, and the operating conditions for the required testing.
	5. In accordance with MassDEP Approval #WE-14-030 (3/10/2015), the Permittee shall submit to MassDEP a notification of the anticipated test date a minimum of 30 days prior to conducting the stack emission test as required by Table 3a Monitoring and Testing Requirements herein.
	6. In accordance with MassDEP Approval #WE-14-030 (3/10/2015), the Permittee shall submit to MassDEP a final stack emission test results report, within 60 days after emission testing, for emission testing as defined in Table 3 Monitoring and Testing Requirements. The emission test report shall contain the results of the testing, a description of the test methods and procedures actually used in the performance of the tests, copies of all process data (ex. exhaust gas temperature at the inlet to the oxidation catalyst and at the outlet of the SCR system, ammonia injection rate and fuel usage rate) collected during the testing, copies of all raw test data and copies of all calculations generated during data analysis. The results of the testing shall be expressed in units which allow for a direct comparison, and determination of compliance, with the air contaminant emission limitations contained herein.
	7. In accordance with 40 CFR §60.8(d), the Permittee shall provide MassDEP and the U.S. EPA at least 30 days prior notice of any performance test. Notify the U.S. EPA as soon as possible of any delay in the original test date, either by providing at least 7 days prior notice of the rescheduled date of the performance test, or by arranging a rescheduled date by mutual agreement.
	8. In accordance with 40 CFR §60.4375(b), the Permittee shall submit to MassDEP and the U.S. EPA a written report of each performance test before the close of business on the 60 th day following the completion of the performance test.
EU 15 EU 16 EU 17	9. In accordance with MassDEP Approval #WE-14-030 (3/10/2015), 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).
EU 18	10. In accordance with 40 CFR 63 Subpart ZZZZ Table 2d, Footnote 2., sources must report any failure to perform the management practice on the schedule required and the federal, state or local law under which the risk was deemed unacceptable.

Table 6b	
EU	Reporting Requirements
Facility-wide	11. 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.
	12. 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.
	13. 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).
	14. 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.
	15. In accordance with 310 CMR 7.00 Appendix C(10)(a), submit to MassDEP any record relevant to this operating permit or to the emissions of any air contaminant from the facility within 30 days of the request by MassDEP or EPA.
	16. In accordance with 310 CMR 7.00 Appendix C(10)(f), the Permittee shall report to MassDEP's Regional Bureau of Air and Waste all instances of deviations from permit requirements. (See Provision 25 in “GENERAL CONDITIONS FOR OPERATING PERMIT”).
	17. The Permittee is subject to the reporting requirements of 40 CFR 98 “Mandatory Greenhouse Gas Reporting”, Subparts A, "General Provisions" and Subpart C “General Stationary Fuel Combustion Sources”. Compliance with all applicable provisions therein is required.
	18. In accordance with 310 CMR 7.71(5) 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

EU = Emission Unit
 SCR = Selective Catalytic Reduction
 CI = Compression Ignition
 MassDEP = Massachusetts Department of Environmental Protection

PCD = Pollution Control Device
 VOC = Volatile Organic Compounds
 ICE = Internal Combustion Engine
 U.S. EPA = United States Environmental Protection Agency.

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 7.16	Reduction of Single Occupant Commuter Vehicle Use: Facility employs fewer than 250 people.
310 CMR 7.18(31)	The requirements of 310 CMR 7.18(31)(d) do not apply to stripping of cured coatings, cured ink, or cured adhesives.
310 CMR 7.02(2)(b)(70)	EU 13 – Yard Office Heater
40 CFR 60 Subpart Dc	EU 16 – Subject to the Requirements of Subpart KKKK
40 CFR 63 Subpart JJJJJ	EU 1 – Meets the definition of a Gas-fired Boiler per §63.11237 of this subpart EU 16 – Only Combusts Natural Gas or Propane
40 CFR 63 Subpart T	National Emission Standards for Halogenated Solvent Cleaning: not applicable
40 CFR 63 Subpart YYYY	The Facility is not a Major Source of Hazardous Air Pollutants
40 CFR 64	Compliance Assurance Monitoring Rule: Facility does not satisfy all applicable criteria.

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, 4, 5, and 6:

Table 8a	
EU	Special Terms and Conditions
EU 1	1. In accordance with Application # X255795 (5/38/2013) which was determined by MassDEP as not required because of conversion to a cleaner fuel source, the Permittee designated this boiler as a “Gas-fired boiler” as defined under §63.11237.
EU 4A EU 5 EU 6	2. In accordance with MassDEP Approval #1-P-06-007 (3/30/2006; amended 3/20/2007), ensure that VOC emissions from cleaning the paper machines does not exceed 2.2 tons per calendar month and 26.3 tons per year (rolling 12-month total). 3. In accordance with MassDEP Approval #1-P-06-007 (3/30/2006; amended 3/20/2007), Erving Paper may substitute “equivalent” cleaning solutions for Betz 2278. Erving may demonstrate to MassDEP that a cleaning solution is "equivalent" by documenting solvent characteristics such as a vapor pressure, percent volatiles, flash point, and/or evaporation rate, and by providing a reasonable explanation why VOC emissions to the atmosphere can be expected to be equal to or less than what was emitted when using Betz 2278. 4. In accordance with MassDEP Approval #1-P-06-007 (3/30/2006; amended 3/20/2007), Erving must obtain written approval from MassDEP before any “equivalent” solvent substitutes can be used. The solvent Erving is using as of the date of this Final Approval (amended) (Ashland 14266) qualifies as an equivalent solvent. 5. In accordance with MassDEP Approval #1-P-06-007 (3/30/2006; amended 3/20/2007), not exceed 4498 gallons of Betz 2278 (or equivalent)/month, not exceed 8 gallons of Betz 2278 (or equivalent) per wash cycle. 6. In accordance with MassDEP Approval #1-P-06-007 (3/30/2006; amended 3/20/2007), maintain the stock cleaning devices in accordance with the manufacturers’ specifications.
EU 15	7. In accordance with MassDEP Approval #WE-14-030 (3/10/2015), EU 15 shall be operated in accordance with the requirements specified in 310 CMR 7.26(43).
EU 15 EU 16	8. In accordance with MassDEP Approval #WE-14-030 (3/10/2015), EU 15 and EU 16 shall consist of the equipment specified in Table 1 herein. 9. In accordance with MassDEP Approval #WE-14-030 (3/10/2015), EU 15 and EU 16 shall be equipped with a Rentech, or equivalent, oxidation catalyst and a Cormetech Model CM21, or equivalent, selective catalytic reduction system. 10. In accordance with MassDEP Approval #WE-14-030 (3/10/2015), the Permittee shall operate the selective catalytic reduction system and oxidation catalyst at all times that EU 15 and EU 16 are operating 11. In accordance with MassDEP Approval #WE-14-030 (3/10/2015), the operating temperature for the selective catalytic reduction system shall be within 480°F to 800°F. 12. In accordance with MassDEP Approval #WE-14-030 (3/10/2015), the operating temperature for the oxidation catalyst shall be within 600°F to 1150°F. 13. In accordance with MassDEP Approval #WE-14-030 (3/10/2015), EU 15 and EU 16 are subject to Subpart KKKK of the federal Standards of Performance for Stationary Combustion Turbines, 40 CFR Part 60.4300 through 60.4420 and shall comply with the applicable requirements.

Table 8b	
EU	Special Terms and Conditions
EU 18	<p>14. In accordance with 40 CFR §63.6603(a), comply with the applicable requirements in 40 CFR 63 Subpart ZZZZ, Table 2d and Table 2b.</p> <p>15. In accordance with 40 CFR Subpart ZZZZ Table 2d(4), the Permittee shall:</p> <ol style="list-style-type: none"> a. Change oil and filter every 500 hours of operation or annually, whichever comes first; ⁽¹⁾ b. Inspect air cleaner every 1,000 hours of operation or annually, whichever comes first, and replace as necessary; and c. Inspect all hoses and belts every 500 hours of operation or annually, whichever comes first, and replace as necessary. <p>16. In accordance with 40 CFR 63 Subpart ZZZZ Table 6(9)(a), the Permittee shall:</p> <ol style="list-style-type: none"> 1. Operate and maintain the stationary RICE according to the manufacturer's emission related operation and maintenance instructions; or 2. Develop and follow your 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. <p>17. In accordance with 40 CFR 63.6640(f), operate the engine according to the conditions described in 40 CFR 63.6640(f)(1) through (4). If you do not operate the engine according to the requirements in 40 CFR 63.6640(f)(1) through (4), as specified in a. through c. below, the engine will not be considered an emergency engine under this subpart and will need to meet all requirements for non-emergency engines.</p> <ol style="list-style-type: none"> a. There is no time limit on the use of emergency stationary RICE in emergency situations. b. You may operate your emergency stationary RICE for the purpose of maintenance checks and readiness testing, provided that the tests are recommended by the manufacturer, the vendor, or the insurance company associated with the engine. Required testing of such units should be minimized, but there is no time limit on the use of emergency stationary RICE in emergency situations and for routine testing and maintenance. c. You may operate your emergency stationary RICE for an additional 50 hours per year in non-emergency situations. The 50 hours per year for non-emergency situations cannot be used for peak shaving or to generate income for a facility to supply power to an electric grid or otherwise supply power as part of a financial arrangement with another entity <p>18. Emission unit EU 18 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.</p>
EU 19	<p>19. In accordance with 40 CFR §60.4205(b), owners and operators of 2007 model year and later emergency stationary CI ICE with a displacement of less than 30 liters per cylinder that are not fire pump engines must comply with the emission standards for new non-road CI engines in §60.4202, for all pollutants, for the same model year and maximum engine power for their 2007 model year and later emergency stationary CI ICE.</p> <p>20. In accordance with 40 CFR §60.4207(b), Beginning October 1, 2010, owners and operators of stationary CI ICE subject to this subpart with a displacement of less than 30 liters per cylinder that use diesel fuel must use diesel fuel that meets the requirements of 40 CFR 80.510(b) for non-road diesel fuel, except that any existing diesel fuel purchased (or otherwise obtained) prior to October 1, 2010, may be used until depleted.</p> <p>21. In accordance with 40 CFR §60.4211(a) and (c), install, configure, operate and maintain the engine and control device according to the manufacturer's emission-related written instructions, and change only those emission-related settings that are permitted by the manufacturer.</p>

Table 8c	
EU	Special Terms and Conditions
EU 19	<p>22. In accordance with 40 CFR §60.4211(f), in order for the engine to be considered an emergency stationary ICE under this subpart, any operation other than emergency operation, maintenance and testing, emergency demand response, and operation in non-emergency situations for 50 hours per year, as described in paragraphs (f)(1) through (3) of this section, is prohibited. If you do not operate the engine according to the requirements in paragraphs (f)(1) through (3) of this section, the engine will not be considered an emergency engine under this subpart and must meet all requirements for non-emergency engines.</p>
	<p>23. In accordance with 40 CFR §60.4211(f)(2)(i), emergency stationary ICE may be operated for maintenance checks and readiness testing, provided that the tests are recommended by federal, state or local government, the manufacturer, the vendor, the regional transmission organization or equivalent balancing authority and transmission operator, or the insurance company associated with the engine. The owner or operator 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 ICE beyond 100 hours per calendar year.</p>
	<p>24. In accordance with 40 CFR §60.4211(f)(3)(i), the 50 hours of operation in non-emergency situations can only be used to supply power as a part of a financial arrangement with another entity if all of the following conditions are met:</p> <ul style="list-style-type: none"> a. The engine is dispatched by the local balancing authority or local transmission and distribution system operator. b. The dispatch is intended to mitigate local transmission and/or distribution limitations so as to avert potential voltage collapse or line overloads that could lead to the interruption of power supply in a local area or region. c. The dispatch follows reliability, emergency operation or similar protocols that follow specific NERC, regional, state, public utility commission or local standards or guidelines. d. The power is provided only to the facility itself or to support the local transmission and distribution system. e. The owner or operator identifies and records the entity that dispatches the engine and the specific NERC, regional, state, public utility commission or local standards or guidelines that are being followed for dispatching the engine. The local balancing authority or local transmission and distribution system operator may keep these records on behalf of the engine owner or operator.
	<p>25. In accordance with 310 CMR 7.26(42)(c)3., engines, turbines and associated equipment shall be constructed, located, operated, and maintained in a manner to comply with the requirements of 310 CMR 7.10: Noise.</p>
	<p>26. In accordance with 310 CMR 7.26(42)(d)5., emergency engines shall comply with all the requirements of 310 CMR 7.06(1)(a) and (b).</p>

Table 8d						
EU	Special Terms and Conditions					
EU 1 EU 4 EU 15 EU 16 EU 17 EU 19	27. In accordance with Regulation 310 CMR 7.02(4)(a) 3, ensure that no actions are taken to modify the air contaminant ventilation characteristics of the stacks (for instance, through modifying stack height or stack exit velocity) unless written plan approval is obtained from MassDEP. The existing stack specifications are as follows:					
	EU 1 EU 15 EU 16 EU 19	Stack Height (feet) Stack Exit Diameter (inches) Stack Material	100 48 Steel	EU 4 EU 17	Stack Height (feet) Stack Exit Diameter (inches) Stack Material	59 48 Steel 15 12 Steel
Facility-wide	28. In accordance with MassDEP Approval #1-O-95-066 (8/31/2000), limit emissions of any single Hazardous Air Pollutant to ≤ 9.9 tons and any combination of Hazardous air Pollutants to ≤ 24.9 tons during any rolling twelve-month consecutive calendar month period. For purposes of this permit "Hazardous Air Pollutant" shall be defined as any air pollutant listed in Section 112(b) of the Clean Air Act Amendments of 1990 (as amended in the Federal Register).					
	29. In accordance with 310 CMR 7.01(1), should any nuisance condition(s) occur as a result of the operation, take appropriate steps immediately to abate said nuisance condition(s). [State Only Requirement]					
	30. In accordance with 310 CMR 7.09, shall not cause or allow emissions of odor or dust that cause or contribute to a condition of air pollution.					
	31. In accordance with 310 CMR 7.10, ensure that they do not willfully, negligently, or through failure to provide necessary equipment, service, or maintenance or take necessary precautions cause, suffer, allow, or permit unnecessary emissions from said source of sound that may cause noise.					

Table 8 Key

- | | |
|-----------------------------------|---|
| EU = Emission Unit | PCD = Pollution Control Device |
| °F = Degrees Fahrenheit | RICE = Reciprocating Internal Combustion Engine |
| CI = Compression Ignition | ICE = Internal Combustion Engine |
| CFR = Code of Federal Regulations | CMR = Code of Massachusetts Regulations |

Table 8 Notes:

1. Sources have the option to utilize an oil analysis program as described in 40 CFR §63.6625(i) or (j) in order to extend the specified oil change requirement in Table 2d of 40 CFR 63 Subpart ZZZZ.

6. ALTERNATIVE OPERATING SCENARIOS

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

7. EMISSIONS TRADING

A. INTRA-FACILITY EMISSION TRADING

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

B. INTER-FACILITY EMISSION TRADING

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

8. COMPLIANCE SCHEDULE

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

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

GENERAL CONDITIONS FOR OPERATING PERMIT

9. FEES

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

10. COMPLIANCE CERTIFICATION

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

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

The "Operating Permit Reporting Kit" contains instructions and the Annual Compliance Report and Certification and the Semi-Annual Monitoring Summary Report and Certification. The "Operating Permit Reporting Kit" is available to the Permittee via the MassDEP's web site, <http://www.mass.gov/dep/air/approvals/aqforms.htm#op>.

A. Annual Compliance Report and Certification

The Responsible Official shall certify, annually for the calendar year, that the facility is in compliance with the requirements of this Operating Permit. The report shall be postmarked or delivered by January 30 to the MassDEP and to
Director, Enforcement and Compliance Assurance Division
Attn: Air Compliance Clerk (Mail Code 04-2)
U.S. Environmental Protection Agency - Region 1
5 Post Office Square, Suite 100
Boston, MA 02109.

The report shall be submitted in compliance with the submission requirements below.

The compliance certification and report shall describe:

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

B. Semi-Annual Monitoring Summary Report and Certification

The Responsible Official shall certify, semi-annually on the calendar year, that the Facility is in compliance with the requirements of this Permit. The report shall be postmarked or delivered by January 30 and July 30 to 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. EMERGENCY CONDITIONS

The Permittee shall be shielded from enforcement action brought for noncompliance with technology based¹

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.

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.

25. PERMIT DEVIATION

Deviations are instances where any permit condition is violated and not reported as an emergency pursuant to section 24 of this Permit. Reporting a permit deviation is not an affirmative defense for action brought for noncompliance. Any reporting requirements listed in Table 6 of this Operating Permit shall supersede the following deviation reporting requirements, if applicable.

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

- A. Unpermitted pollutant releases, excess emissions or opacity exceedances measured directly by CEMS/COMS, by EPA reference methods or by other credible evidence, which are ten percent (10%) or more above the emission limit.
- B. Exceedances of parameter limits established by 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

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.

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

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

Deviations that were reported by telephone, fax or electronic mail (e-mail) within 3 days of discovery, said deviations shall also be submitted in writing via the Operating Permit Deviation Report to the regional Bureau of 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 Part 82, Subpart A, "Production and Consumption Controls".
- D. If the Permittee performs a service on motor (fleet) vehicles when this service involves ozone-depleting substance refrigerant (or regulated substitute substance) in the motor vehicle air conditioner (MVAC), the Permittee is subject to all the applicable requirements as specified in 40

CFR Part 82, Subpart B, "Servicing of Motor Vehicle Air Conditioners". The term "motor vehicle" as used in Subpart B does not include a vehicle in which final assembly of the vehicle has not been completed. The term "MVAC" as used in Subpart B does not include the air-tight sealed refrigeration system used as refrigerated cargo or system used on passenger buses using HCFC-22 refrigerant.

- E. The Permittee shall be allowed to switch from any ozone-depleting substance to any alternative that is listed in the Significant New Alternatives Program (SNAP) promulgated pursuant to 40 CFR Part 82, Subpart G, "Significant New Alternatives Policy Program".

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.