



Department of Environmental Protection

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FINAL OPERATING PERMIT RENEWAL

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

ISSUED TO ["the Permittee"]:

Distrigas of Massachusetts LLC
Everett Marine Terminal
18 Rover Street
Everett, Massachusetts 02149

INFORMATION RELIED UPON:

Initial Transmittal No. 115774
Application No. MBR-95-OPP-030R2
Renewal Transmittal No. X270287

FACILITY LOCATION:

Distrigas of Massachusetts LLC
Everett Marine Terminal
18 Rover Street
Everett, Massachusetts 02149

FACILITY IDENTIFYING NUMBERS:

AQ ID: 1190814
FMF FAC NO. 52602
FMF RO NO. 162115

NATURE OF BUSINESS:

Import/store/distribute
liquefied natural gas

**STANDARD INDUSTRIAL
CLASSIFICATION:**

4924
NAICS: 221210

RESPONSIBLE OFFICIAL:

Name: Anthony J. Scaraggi
Title: Vice President / Plant Manager

FACILITY CONTACT PERSON:

Name: Frank DiLiberto
Title: Senior Environmental Specialist
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This Operating Permit shall expire on Dec. 26, 2023.

For the Department of Environmental Protection, Bureau of Air and Waste

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.

Edward J. Braczyk
Acting Permit Chief,
Bureau of Air and Waste

Dec. 26, 2018
Date

TABLE OF CONTENTS

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

SPECIAL CONDITIONS FOR OPERATING PERMIT

1. PERMITTED ACTIVITIES

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

A. DESCRIPTION OF FACILITY AND OPERATIONS

The Distrigas of Massachusetts LLC Everett Marine Terminal is located on a 35 acre site within the Island End Industrial District at 18 Rover Street in Everett, Massachusetts. The site is bounded on all sides by other companies involved with heavy industrial activities including scrap metal processing, oil and gas distribution terminals, concrete production operations, electrical power generation, and warehousing. The neighboring community consists of a mix of industrial and commercial properties. The nearest residential area is located approximately 1600 feet northwest of the property fence line.

The Distrigas of Massachusetts LLC Everett Marine Terminal is a fully integrated industrial complex designed to receive, store and vaporize liquefied natural gas (LNG) in both liquid and re-gasified states. The site includes a marine terminal for cargo unloading, two double-wall above ground LNG storage tanks, truck loading stations, vaporizers, boilers, emergency generators, sales gas metering, odorization equipment, hot water heating, instrument air supply, combustible gas detection, fire detection and extinguishing equipment, a central control room, an administration building, a maintenance shop, and other services to support the self contained facilities.

The first Renewal Operating Permit was issued on November 21, 2011 for the Distrigas of Massachusetts LLC Everett Marine Terminal. This second Renewal Operating Permit has been updated to include a natural gas-fired emergency generator, Emission Unit No. 45. In addition this second Renewal Operating Permit reflects that the current Responsible Official at the Facility is Mr. Anthony Scaraggi.

The Distrigas of Massachusetts LLC Everett Marine Terminal continues to be subject to state and federal Air Quality regulations for its combustion emission units. The Distrigas of Massachusetts LLC Everett Marine Terminal is considered a major source under 310 CMR 7.00: Appendix C: Operating Permit and Compliance Program for nitrogen oxides (NO_x) but is not a major source of Hazardous Air Pollutants (HAPs). However the facility is an area source of HAPs, and as such, the internal combustion emergency generators (EU11, EU37, and EU45) and emergency fire pump engines (EU43 and EU44) are subject to federal regulations at 40 CFR Part 63 Subpart ZZZZ, "National Emission Standard for Hazardous Air Pollutant for Stationary Reciprocating Internal Combustion Engines." Emission Unit (EU) Nos. EU11, EU37, EU43, and EU44, which are diesel fired, are not subject to 40 CFR Part 60, Subpart IIII due to their dates of construction

being earlier than the applicable date of that regulation and EU45, a natural gas fired generator, is not subject to 40 CFR Part 60, Subpart JJJJ due to its date of construction being earlier than the applicable date of that regulation.

Boilers EU8, EU12, and EU13 are subject to 40 CFR Part 60, Subpart Dc, “Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units.” 40 CFR Part 60, Subpart Dc is not applicable to the remaining boilers at the facility due to either their input rating being below the applicability threshold or their dates of installation being earlier than the applicable date of the regulation. Regulation 40 CFR Part 63 Subpart JJJJJ, “National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers Area Sources” is not applicable to the facility, under 40 CFR 63.11195(e), due to the fact that all of the boilers are natural gas-fired boilers, as defined in said regulation.

The submerged combustion vaporizers, EU17, EU18, EU19, and EU20, although of sizes and installation dates applicable to 40 CFR Part 60, Subpart Db, are not, by definition, steam generating units and are therefore not subject to 40 CFR Part 60, Subpart Db, “Standards of Performance for Industrial-Commercial-Institutional Steam Generating Units.”

40 CFR Part 64, “Compliance Assurance Monitoring” (CAM) is not applicable to this facility for the following reasons. Although EU17, EU18, EU19, and EU20 have pre-control NO_x emissions greater than the major source threshold, have applicable emission limits, and utilize a control device (DeNO_x), this Operating Permit specifies use of a continuous compliance determination method (Continuous Emissions Monitoring Systems) thereby exempting them from CAM per 40 CFR 64.2(b)(1)(vi). EU8, EU12, and EU13 have applicable emission limits, and utilize a control device (flue gas recirculation). However since EU8, EU12, and EU13 do not have pre-flue gas recirculation NO_x emissions greater than the major source threshold, they are not subject to requirements under 40 CFR Part 64. Although emergency generator EU37 has emission limits and utilizes a turbocharger with intercooler as a control device, its pre-control emissions are less than major source thresholds based on its 300 hour per consecutive twelve month time period potential operating hours restriction. No other units at the facility utilize air pollution control devices. Therefore these units are also exempt from CAM.

The Permittee 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 Distrigas of Massachusetts LLC is subject. Table 7 of this Operating Permit contains Air Quality requirements to which Distrigas of Massachusetts LLC is not subject as well as the reasoning utilized in determining the non-applicability status.

2. EMISSION UNIT IDENTIFICATION

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

Table 1			
EMISSION UNIT (EU) NUMBER	DESCRIPTION OF EMISSION UNIT	EMISSION UNIT DESIGN CAPACITY IN BRITISH THERMAL UNITS PER HOUR (BTU/HR)	POLLUTION CONTROL DEVICE (PCD)
EU1	Ryan Industries submerged combustion vaporizer # 36-45	36,700,000	None
EU2	Ryan Industries submerged combustion vaporizer # 36-45	36,700,000	
EU3	Ryan Industries submerged combustion vaporizer # 36-45	36,700,000	
EU4	Cleaver Brooks boiler # CB-700X-800	33,500,000	
EU5	Cleaver Brooks boiler # CB-700X-800	33,500,000	
EU6	Cleaver Brooks boiler # CB-700X-800	33,500,000	
EU7	Cleaver Brooks boiler # CB-700X-800	33,500,000	
EU8	Cleaver Brooks boiler #CB(LE) 200-800-125	33,475,000	Low oxides of nitrogen (NO _x) burner/induced flue gas recirculation
EU11	Caterpillar IC diesel emergency generator #1 Model # 3516 DITA	18,500,000	None
EU12	Johnston twin fire boiler system # 1600-3	65,350,000	Low NO _x burners/ flue gas recirculation
EU13		65,350,000	
EU17	Kaldair TX120 LNG submerged combustion vaporizer	115,000,000 Btu/hr (each) Liquified Natural Gas (LNG) vaporization capacity of 150 million standard cubic feet (MMscf) per day (each)	Water injection and Selective Catalytic Reduction (SCR) of NO _x via "Compact DeNOx" Unit V-03
EU18	Kaldair TX120 LNG submerged combustion vaporizer		
EU19	Kaldair TX120 LNG submerged combustion vaporizer		
EU20	Kaldair TX120 LNG submerged combustion vaporizer		
EU37	Caterpillar 3516B diesel emergency generator #2	20,900,000	Turbocharger, Intercooler
EU41	Cleaver Brooks steam boiler CB 700-100-15, BLR 600	4,200,000	None

Table 1			
EMISSION UNIT (EU) NUMBER	DESCRIPTION OF EMISSION UNIT	EMISSION UNIT DESIGN CAPACITY IN BRITISH THERMAL UNITS PER HOUR (BTU/HR)	POLLUTION CONTROL DEVICE (PCD)
EU42	Cleaver Brooks steam boiler CB 700-100-15, BLR 600	4,200,000	None
EU43	Cummins diesel emergency fire pump engine #1, Model # V8168F	850,000	
EU44	Caterpillar diesel emergency fire pump Engine #2, Model #3208	1,700,000	
EU45	Waukesha natural gas emergency generator, Model #L1616GU	2,810,000	

3. IDENTIFICATION OF EXEMPT ACTIVITIES

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

Table 2	
DESCRIPTION OF CURRENT EXEMPT ACTIVITIES	REASON
The list of current exempt activities is contained in the Operating Permit application and shall be updated by the Permittee to reflect changes at the facility over the Permit term. An up-to-date copy of exempt activities list shall be kept on-site at the facility and a copy shall be submitted to the MassDEP’s Regional Office. Emissions from these activities shall be reported on the annual emissions statement pursuant to 310 CMR 7.12.	310 CMR 7.00:Appendix C(5)(h)

4. APPLICABLE REQUIREMENTS

A. OPERATIONAL AND/OR PRODUCTION EMISSION LIMITS AND RESTRICTIONS

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

Table 3

EMISSION UNIT (EU)	ALLOW-ABLE FUEL	OPERATIONAL AND/OR PRODUCTION LIMITS	POLLUTANT	EMISSIONS LIMITS/STANDARDS	APPLICABLE REGULATION AND/OR APPROVAL NUMBER
EU1, EU2, EU3	Natural gas	N/A	PM	0.12 lb/MMBtu ¹	310 CMR 7.02(8) MB-77-C-057
			NO _x	N/A ²	310 CMR 7.19(6)
EU4, EU5, EU6, EU7	Natural gas	N/A	PM	0.10 lb/MMBtu ¹	310 CMR 7.02(8) MB-77-C-057
			NO _x	N/A ²	310 CMR 7.19(6)
EU8	Natural gas	N/A	PM ₁₀	0.01 lb/MMBtu ¹ 1.5 tons per consecutive twelve month time period	MBR-99-COM-014
			VOC	0.012 lb/MMBtu ¹ 1.8 tons per consecutive twelve month time period	
			SO ₂	0.001 lb/MMBtu ¹ 0.15 tons per consecutive twelve month time period	
			CO	0.08 lb/MMBtu 5.4 tons per consecutive twelve month time period	
			NO _x	0.035 lb/MMBtu 5.2 tons per consecutive twelve month time period	

Table 3

EMISSION UNIT (EU)	ALLOW-ABLE FUEL	OPERATIONAL AND/OR PRODUCTION LIMITS	POLLU-TANT	EMISSIONS LIMITS/STANDARDS	APPLICABLE REGULATION AND/OR APPROVAL NUMBER
EU11	No. 2 fuel oil	<p>Unit shall only be used to perform test/maintenance and to provide emergency standby power.</p> <p>Any test/maintenance period shall be limited to Monday through Friday between the hours of 10:00 am and 5:00 pm</p> <p>Unit shall not be used in an energy assistance program</p> <p>The operation of this unit shall not exceed the following limits (including test/maintenance operation): 50 hours per twelve month consecutive twelve month time period and 50 hours per month</p>	N/A	N/A	MBR-94-COM-030 and MBR-95-OPP-030

Table 3

EMISSION UNIT (EU)	ALLOW-ABLE FUEL	OPERATIONAL AND/OR PRODUCTION LIMITS	POLLU-TANT	EMISSIONS LIMITS/STANDARDS			APPLICABLE REGULATION AND/OR APPROVAL NUMBER		
EU12, EU13	Natural gas	N/A	SO ₂	0.04 lb/hr, each unit 0.34 tons per consecutive twelve month time period, both units combined			MBR-96-COM-003		
			CO	4.57 lb/hr, each unit 40 tons per consecutive twelve month time period, both units combined					
			VOC	0.26 lb/hr, each unit 2.3 tons per consecutive twelve month time period, both units combined					
			NO _x	2.51 lb/hr, each unit 22 tons per consecutive twelve month time period, both units combined ⁴					
			PM ₁₀	0.90 lb/hr, each unit 7.8 tons per consecutive twelve month time period, both units combined					
EU17, EU18, EU19, EU20	Natural Gas	Each cold start up shall not have a duration in excess of 24 hours. Cold start ups are limited to no more than 90 per consecutive twelve month time period. Each shut-down shall not have a duration in excess of one hour.	Sulfur in natural gas	0.8 grains per 100 cubic feet			MBR-09-COM-006		
			Each Combustion Vaporizer^{5,6}			Total Emissions from EU17, EU18, EU19, and EU20			
			Pollutant	lb/MMBtu	ppmvd@3%O₂	lb/hr		lb/hr	Tons per consecutive 12 month time period
			NO _x	N/A	N/A	N/A		N/A	14.6
			CO	0.0220	30.0	2.50		10.00	43.8
			VOC	0.0022	5.0	0.25		1.00	4.4
			SO ₂	0.0006	N/A	0.07		0.28	1.2
			PM	0.0031	N/A	0.35		1.40	6.2
			NH ₃	N/A	N/A	N/A		N/A	4.4
			Opacity	<5 percent (%), except 5 to < 10% for ≤ 2 minutes during any one hour					

Table 3

EMISSION UNIT (EU)	ALLOW-ABLE FUEL	OPERATIONAL AND/OR PRODUCTION LIMITS	POLLU-TANT	EMISSIONS LIMITS/STANDARDS			APPLICABLE REGULATION AND/OR APPROVAL NUMBER
EU17, EU18, EU19, EU20	Natural Gas	Each cold start up shall not have a duration in excess of 24 hours. Cold start ups are limited to no more than 90 per consecutive twelve month time period. Each shut-down shall not have a duration in excess of one hour.	Limits for Each Compact DeNOx Unit, V-03 and V-04				MBR-09-COM-006
			Pollutant	Catalyst Age: Day 1 through Day 180	Catalyst Age: Day 181 through Day 379		
			NO _x	42.3 lb/day ⁷	45.7 lb/day ⁷		
			NH ₃	24.0 lb/day ⁸	36.0 lb/day ⁸		
			Start-Up and Shut-Down Emission Limits for each Compact DeNOx Unit, V-03 and V-04				
			Pollutant	Start-Up Emission Limits	Shut-Down Emission Limits		
			NO _x	17.04 lb/hr	17.04 lb/hr		
EU37	No. 2 fuel oil	Unit shall only be used to perform test/maintenance and to provide emergency standby power Unit shall not be used in an energy assistance program or as a peak shaving unit Limited to 300 hours and 44,700 gallons per consecutive twelve month time period Limited to 250 hours and 37,250 gallons per month (including test/maintenance operation)	Pollutant	Grams per brake horsepower-hour⁹	Pounds per hour¹⁰	Allowable emissions tons per consecutive 12 month time period¹⁰	MBR-03-COM-013
			NO _x	5.5	34.8	5.2	
			CO	0.50	2.31	0.35	
			VOC	0.24	0.82	0.12	
			PM	0.10	0.65	0.10	
			SO ₂	0.01	0.06	0.01	
			Sulfur in fuel	Limit in percent by weight	Applicable time period		
				0.003	On or before 06/30/2018		
				0.0015	Beginning 07/01/2018		310 CMR 7.05(1)(a)1.: Table 1

Table 3

EMISSION UNIT (EU)	ALLOW-ABLE FUEL	OPERATIONAL AND/OR PRODUCTION LIMITS	POLLUTANT	EMISSIONS LIMITS/STANDARDS		APPLICABLE REGULATION AND/OR APPROVAL NUMBER
EU41, EU42	Natural gas	N/A	PM	0.10 lb/MMBtu ¹		310 CMR7.02(8)
EU11, EU37, EU43, EU44, EU45	No. 2 fuel oil	Operation for maintenance checks and readiness testing is limited to no more than 100 hours per calendar year	N/A	N/A		40 CFR Part 63 Subpart ZZZZ Section 63.6640(f)(2)
EU11, EU43, EU44	No. 2 fuel oil	N/A	Sulfur in fuel	Limit in percent by weight	Applicable time period	310 CMR 7.05(1)(a)1.: Table 1
				0.05	On or before 06/30/2018	
				0.0015	Beginning 07/01/2018	
Facility-Wide	NA	N/A	NO _x	165.2 tons per consecutive twelve month time period		MBR-03-COM-013
			Opacity	≤ 20 percent, except 20 to ≤ 40 percent for ≤ two (2) minutes during any one hour		310 CMR 7.06(1)(b)
			Smoke	< No. 1 of Chart ³ , except No. 1 to < No. 2 of Chart for ≤ six (6) minutes during any one hour		310 CMR 7.06(1)(a)
	All	Greenhouse Gas ¹¹	N/A		310 CMR 7.71 (State Only Requirement)	

Table 3 Notes:

1. Compliance shall be based on a one hour averaging time.
2. Units are subject to 310 CMR 7.19(6) NO_x Reasonably Available Control Technology for Small Boilers. The applicable requirements from said regulation can be found in Tables 4 and 5 of this Permit.
3. 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.
4. 22 tons NO_x per consecutive twelve month time period, for the two units combined in accordance with the following equation:

$$22 \geq [(CF_{12.13}) * (0.0000384)] \div 2000$$

Please see Section 5 of this Permit for emission limit details.
5. Emission limits are one-hour block averages and do not apply during start-ups and shutdowns. Start-ups shall not last longer than 24 hours and shutdowns shall not last longer than 1 hour.
6. Emission rates are for burning natural gas in each submerged combustion vaporizer and based on 100% load. These constitute worst case emissions.
7. Emission Limits are 24 hour block averages and do not apply during start-up and shut-down operations.
8. Emission Limits are 24 hour block averages and apply at all times.
9. These emission limitations shall only apply to engine loads of 50 % or greater.
10. These emission limitations shall apply to all engine loads.

11. 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).

Table 3 Key:

PM = particulate matter,
 NO_x = nitrogen oxides,
 PM₁₀ = particulate matter having a diameter of 10 microns or less, VOC = volatile organic compounds,
 SO₂ = sulfur dioxide,
 CO = carbon monoxide,
 lb/MMBtu = pounds per million British thermal units, % = percent,
 NH₃ = ammonia,
 ppmvd@3%O₂ = parts per million dry volume at 3 percent oxygen,
 lb/hr = pounds per hour,
 lb/day = pounds per day,
 lb = pounds
 MMBtu = 1,000,000 British thermal units
 CMR= Code of Massachusetts Regulations
 CFR = Code of Federal Regulations
 ≤ = less than or equal to
 < = less than
 N/A = Not applicable

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	MONITORING AND TESTING REQUIREMENTS
EU1,EU2,EU3, EU4,EU5,EU6, EU7	1. Units shall be tuned annually according to the procedure provided in 310 CMR 7.19(6)(a)1. through 12. incorporated herein by reference. 2. As provided in 310 CMR 7.19(6)(b)2.g., at least once per month verify that the settings determined during the required tune-up have not changed.
EU8	3. Pursuant to MassDEP’s authority through 310 CMR 7.00: Appendix C(9)(b)2, monitor fuel usage and emissions.
EU11	4. Pursuant to MassDEP’s authority through 310 CMR 7.00: Appendix C(9)(b)2, monitor the hours of operation including the time of day for the unit on a monthly and consecutive twelve month time period basis.
EU12, EU13	5. Pursuant to MassDEP’s authority through 310 CMR 7.00: Appendix C(9)(b)2, monitor fuel usage and emissions on a monthly and consecutive twelve month time period basis.
EU8, EU12, EU13	6. Determine the amount of fuel combusted in this Emission Unit in accordance with 40 CFR Part 60 Subpart Dc Section 60.48c(g), incorporated herein by reference.
EU17, EU18, EU19, EU20	7. Monitor to ensure that the DeNOx control equipment for each subject pair of combustion vaporizers is operational whenever the exhaust temperature attains 600 °F at the Selective Catalytic Reduction (SCR) unit during natural gas firing, as referenced in Approval MBR-09-COM-006, Section IX, No. 1. 8. Monitor to ensure that the subject ammonia storage tank shall be equipped with high and low level audible alarm monitors, as referenced in Approval MBR-09-COM-006, Section IX, No. 3.

Table 4

EU	MONITORING AND TESTING REQUIREMENTS
EU17, EU18, EU19, EU20	<p>9. Continue to calibrate, test and operate a Data Acquisition and Handling System(s) (DAHS) and Continuous Emissions Monitoring System (CEMS) to measure the following emissions from the subject Emission Units, as referenced in Approval MBR-09-COM-006, Section X, No. 1:</p> <p style="margin-left: 40px;">a) Oxides of Nitrogen (NO_x) b) Carbon Monoxide (CO) c) Ammonia (NH₃) d) Oxygen (O₂)</p>
	<p>10. Monitor to ensure that all emission monitors and recording equipment serving the project comply with MassDEP approved performance and location specifications and conform with all applicable United States Environmental Protection Agency monitoring specifications, as referenced in Approval MBR-09-COM-006, Section X, No.2</p>
	<p>11. As referenced in Approval MBR-09-COM-006, Section X, No.3, equip all emissions monitors with audible and visible alarms to activate whenever emissions from the project exceed the emissions limits established in Table 3 of this Permit, except with regard to start-up and shut-down.</p>
	<p>12. As referenced in Approval MBR-09-COM-006, Section X, No. 4, operate the CEMS serving the subject EUs at all times except for periods of calibration checks, zero and span adjustments, preventive maintenance, and periods of unavoidable malfunction.</p>
	<p>13. As referenced in Approval MBR-09-COM-006, Section X, No. 8, continue to properly operate a continuous monitor and alarm system to monitor the temperature at the inlet to the SCR (DeNO_x) catalysts serving the subject EUs.</p>
	<p>14. Pursuant to MassDEP’s authority through 310 CMR 7.00: Appendix C(9)(b)2, monitor compliance, maintenance activities and malfunctions so that compliance with the record keeping requirements in Table 5 of this Permit can be maintained.</p>
	<p>15. Pursuant to MassDEP’s authority through 310 CMR 7.00: Appendix C(9)(b)2, monitor problems, upsets, or failures associated with emission control systems, other monitoring systems, Data Acquisition and Handling System (DAHS), Continuous Emissions Monitoring System (CEMS), or ammonia handling systems.</p>
	<p>16. Pursuant to MassDEP’s authority through 310 CMR 7.00: Appendix C(9)(b)2, monitor CEMS excess emissions data.</p>
	<p>17. All emissions testing shall be conducted in accordance with MassDEP's "Guidelines for Source Emissions Testing" and in accordance with the Environmental Protection Agency reference test methods as specified in 40 CFR Part 60, Appendix A, or by another method which has been correlated to the above method to the satisfaction of MassDEP.</p>
	<p>18. Pursuant to MassDEP’s authority through 310 CMR 7.00:Appendix C(9)(b)2, monitor that all affected personnel receive initial and refresher training regarding operation of the subject EUs, the associated ammonia handling, and the associated DeNO_x control systems.</p>
	<p>19. Pursuant to MassDEP’s authority through 310 CMR 7.00:Appendix C(9)(b)2, monitor operations such that compliance with the quarterly reports required in Table 6 of this Operating Permit can be maintained.</p>

Table 4

EU	MONITORING AND TESTING REQUIREMENTS
EU17, EU18, EU19, EU20	20. As referenced in Approval MBR-09-COM-006, Section X, No. 10, monitor operations to ensure that each catalyst serving each Compact DeNOx Unit is replaced with a new catalyst at least once every 379 days.
	21. As referenced in Approval MBR-09-COM-006, Section X, No. 11, monitor operation of the subject EUs to ensure that each shut-down operation does not exceed one hour, that each cold start-up does not exceed 24 hours, and to ensure that no more than 90 cold start-ups occur in any consecutive twelve month time period.
	22. As referenced in Approval MBR-09-COM-006, Section X, No. 5, obtain emissions data from the CEMS at least 75 percent (%) of each Emission Unit’s operating hours per day, for at least 75% of each Emission Unit’s hours per month, and for at least 95% of each Emission Unit’s operating hours per quarter, except for periods of CEMS calibration checks, zero and span adjustments, and preventive maintenance.
	23. As referenced in Approval MBR-09-COM-006, Section X, No.6, use and maintain the CEMS serving the subject EUs as “direct compliance” monitors to measure NO _x , CO, NH ₃ , and O ₂ . “Direct-compliance” monitors generate data that legally documents the compliance status of a source.
	24. Pursuant to MassDEP’s authority through 310 CMR 7.00:Appendix C(9)(b)2, monitor operations such that the records of Compliance, Maintenance, and Malfunctions, as required in Table 5 of this Operating Permit, can be maintained.
EU37	25. As referenced in Renewal Application MBR-95-OPP-030, Transmittal No. X226074, EU37 shall be equipped with an hour meter to monitor run time.
	26. Pursuant to MassDEP’s authority through 310 CMR 7.00:Appendix C(9)(b)2, monitor hours of operation, fuel usage, fuel sulfur content, emissions, maintenance activities, and upsets or malfunctions.
EU11, EU37, EU43, EU44, EU45	27. Monitor operations to ensure compliance with applicable sections of 40 CFR Part 63, Subpart ZZZZ, as included in Tables 5 and 6 and the Special Terms and Conditions of this Permit.
	28. On or before the applicable compliance date (May 3, 2013 for EU11, EU37, EU43, and EU44 and October 19, 2013 for EU45), as referenced in 40 CFR Part 63, Subpart ZZZZ, Section 63.6625(f), install a non-resettable hour meter if one is not already installed on each of the subject reciprocating internal combustion engines (RICE).
	29. Monitor operations to ensure compliance with 40 CFR Part 63, Subpart ZZZZ Section 63.6640 (f)(2)(i). As referenced in 40 CFR Part 63, Subpart ZZZZ Section 63.6640 (f)(2)(i), and incorporated herein by reference, you may operate your emergency stationary RICE for the purpose of maintenance checks and readiness testing, provided that the tests are recommended by Federal, State or local government, the manufacturer, the vendor, or the insurance company associated with the engine. Maintenance checks and readiness testing of such units is limited to 100 hours per year per EU.

Table 4	
EU	MONITORING AND TESTING REQUIREMENTS
Facility-Wide	30. Inspect and maintain each fuel utilization facility having an energy input capacity equal to or greater than 3 MMBtu/hr, excluding stationary reciprocating engines, in accordance with manufacturer's recommendation and test for efficient operation at least once in each calendar year as provided in 310 CMR 7.04(4)(a) incorporated herein by reference.
	31. Pursuant to MassDEP's authority through 310 CMR 7.00: Appendix C(9)(b)2, monitor facility operations such that compliance with the restrictions and emission limitations/standards contained in Table 3 of this Permit can be determined.
	32. Emissions Compliance Testing (Stack Testing), in accordance with 310 CMR 7.13, 310 CMR 7.19(13)(c), and 40 CFR Part 60, Appendix A or any other testing if and when requested by MassDEP or EPA.
	33. In accordance with 310 CMR 7.00: Appendix C(9)(b)2., monitor the sulfur content of each new shipment of No. 2 fuel oil received. Compliance with sulfur content can be demonstrated through testing or maintaining a shipping receipt from the fuel supplier. The shipment certification or testing of sulfur content of No. 2 fuel oil shall be in accordance with the applicable American Society for Testing Materials (ASTM) test methods or any other method approved by MassDEP and EPA.
	34. In accordance with 310 CMR 7.71(1) and Appendix C(9) the Permittee shall establish and maintain data systems or record keeping practices (e.g. fuel use records, sulfur hexafluoride usage documentation, Continuous Emissions Monitoring System) for greenhouse gas emissions to ensure compliance with the reporting provisions of M.G.L. c. 21N, the Climate Protection and Green Economy Act, St. 2008, c. 298, § 6. (State Only Requirement).
	35. Monitor facility operations such that emissions may be calculated as required for compliance with 310 CMR 7.12.

Table 4 key:
 EU = Emission Unit
 CMR= Code of Massachusetts Regulations
 CFR = Code of Federal Regulations
 MMBtu/hr = 1,000,000 British thermal units per hour
 M.G.L. = Massachusetts General Laws
 RICE = Reciprocating Internal Combustion Engine

Table 5	
EU	RECORD KEEPING REQUIREMENTS
EU1,EU2,EU3, EU4,EU5,EU6, EU7	1. Maintain records for five years of the annual tune up required by 310 CMR 7.19(6)(b)2 and incorporated herein by reference, including: <ul style="list-style-type: none"> a) date of tune up; b) person(s) conducting tune-up; c) Oxygen (O₂)/Carbon Monoxide (CO) (for gas) or O₂/smoke spot (for oil) correlations obtained during tune-up; d) boiler/burner manufacturer's recommended set-points; e) final boiler set-points as result of tune-up; f) normal boiler/burner maintenance records.

Table 5	
EU	RECORD KEEPING REQUIREMENTS
EU8	2. Maintain on-site adequate records on a monthly and 12 month basis, including fuel usage records to document the compliance status with respect to the monthly and consecutive twelve month time period emission limits in Table 3 of this Permit, as referenced in Approval MBR-99-COM-014, Special Condition No. 5.
EU11	3. An operation and maintenance log shall be maintained on site, for a period of five years, in order to document compliance with the 50 hours per month, 50 hours per consecutive twelve month time period, day of week, and time of day operating restrictions. Specifically, said operating time log shall include the actual hours of operation including the day, the time of day and the maintenance performed on EU11 on both a monthly and consecutive twelve month time period. The operating time log shall include any test/maintenance periods, as referenced in Approval MBR-94-COM-030, Proviso No. 4.
EU12, EU13	4. Pursuant to MassDEP's authority through 310 CMR 7.00: Appendix C(10)(b), maintain records of fuel usage and emissions on a monthly and consecutive twelve month time period basis.
EU8, EU12, EU13	5. Maintain a record of the amount of fuel combusted in each Emission Unit in accordance with 40 CFR Part 60 Subpart Dc Section 60.48c(g), incorporated herein by reference.
EU17, EU18, EU19, EU20	6. Continue to calibrate, test and operate a Data Acquisition and Handling System(s) (DAHS) and Continuous Emissions Monitoring System (CEMS) to record the following emissions from the subject EUs, as referenced in Approval MBR-09-COM-006, Section X, No. 1: <ul style="list-style-type: none"> a) Oxides of Nitrogen (NO_x) b) Carbon Monoxide (CO) c) Ammonia (NH₃) d) Oxygen (O₂)
	7. As referenced in Approval MBR-09-COM-006, Section X, No.2, ensure that all emission recording equipment serving the subject EUs complies with MassDEP approved performance and location specifications and conforms with all applicable United States Environmental Protection Agency monitoring specifications.

Table 5	
EU	RECORD KEEPING REQUIREMENTS
EU17, EU18, EU19, EU20	<p>8. As referenced in Approval MBR-09-COM-006, Section XI, No.1, a record keeping system for the subject EUs shall continue to be maintained on site by the Permittee. All such records shall be maintained up-to-date such that year-to-date and consecutive twelve month time period information is readily available MassDEP examination upon request and shall be kept on-site for a minimum of five (5) years. Record keeping shall, at a minimum, include:</p> <ul style="list-style-type: none"> a) Compliance records sufficient to demonstrate actual emissions of NO_x, CO, and NH₃ from the facility, so as to be able to compare actual emissions with the applicable allowable emissions contained in Table 3 of this Operating Permit. Such records may include, but are not limited to, fuel usage rates, emissions test results, monitoring equipment data and reports. b) Maintenance: A record of routine maintenance activities performed on the proposed emission units, control equipment and monitoring equipment including, at a minimum, the type or a description of the maintenance performed and the date and time the work was completed. c) Malfunctions: A record of all malfunctions on the emission units' control and monitoring equipment including, at a minimum: the date and time the malfunction occurred; a description of the malfunction and the corrective action taken; the date and time corrective actions were initiated; and the date and time corrective actions were completed and the equipment was returned to compliance.
	<p>9. As referenced in Approval MBR-09-COM-006, Section XI, No.2, maintain on-site for five (5) years all permanent records of output from all continuous emissions and other monitors for flue gas emissions, fuel consumption, water-to-fuel ratios, SCR control system inlet temperatures, and combustion vaporizers inlet and ambient temperatures, and shall make these records available to MassDEP upon request.</p>
	<p>10. As referenced in Approval MBR-09-COM-006, Section XI, No.3, maintain a log to record problems, upsets or failures associated with the subject emission control systems, other monitoring systems, DAHS, CEMS, or ammonia handling system.</p>
	<p>11. As referenced in Approval MBR-09-COM-006, Section X, No. 5, record emissions data from the CEMS at least 75 percent (%) of each Emission Unit's operating hours per day, for at least 75% of each Emission Unit's hours per month, and for at least 95% of each Emission Unit's operating hours per quarter, except for periods of CEMS calibration checks, zero and span adjustments, and preventive maintenance.</p>
	<p>12. Pursuant to MassDEP's authority through 310 CMR 7.00:Appendix C(9)(b)2, maintain records of CEMS excess emissions such that compliance with the quarterly reports required in Table 6 of this Operating Permit can be maintained.</p>
	<p>13. Pursuant to MassDEP's authority through 310 CMR 7.00:Appendix C(9)(b)2, maintain a record of initial and refresher training attendees regarding operation of the subject EUs, the associated ammonia handling, and the associated DeNO_x control systems.</p>
	<p>14. As referenced in Approval MBR-09-COM-006, Section X, No.6, maintain records of catalyst change-out dates to verify that each catalyst serving each compact DeNO_x Unit is replaced with a new catalyst at least once every 379 days.</p>

Table 5	
EU	RECORD KEEPING REQUIREMENTS
EU17, EU18, EU19, EU20	15. As referenced in Approval MBR-09-COM-006, Section X, No.7 maintain records of operations to document that each shut down operation does not exceed one hour, that each cold start –up does not exceed 24 hours, and to document that no more than 90 cold start ups occur in each consecutive twelve month time period.
EU37	16. Per Renewal Application Approval MBR-95-OPP-030, Transmittal No. X226074, maintain records of operating hours and estimated fuel usage based on maximum firing rates.
	17. As referenced in Approval MBR-03-COM-013, Proviso No. C.10, maintain adequate monthly records to demonstrate that the operational limits and NO _x , CO, VOC, SO ₂ and PM emissions from the subject emergency generator do not exceed the restrictions and emission limits specified in Table 3. At a minimum, the information shall include the hours of operation, sulfur content of fuel oil, amount of fuel used during the month for the subject emergency generator, and the actual emissions (i.e. actual fuel multiplied by emission rate) of NO _x , CO, VOC, SO ₂ and PM for the month, as well as the prior 11 months. An electronic version of the MassDEP approved Record Keeping Form in Microsoft Excel format can be obtained at http://www.mass.gov/dep/air/approvals/aqforms.htm . Also the Permittee shall keep monthly records of maintenance activities and upsets or malfunctions for the subject emergency generator.
EU11, EU37, EU43, EU44, EU45	18. Pursuant to MassDEP’s authority through 310 CMR 7.00: Appendix C(10)(b), maintain records so that compliance with the reporting requirements in Table 6 of this Permit can be maintained.
	19. As referenced in 40 CFR 63.6655(e) and incorporated herein by reference, keep records of the maintenance conducted on the stationary RICE. Please see Special Terms and Conditions of this Permit.
	20. As referenced in 40 CFR 63.6655(f) and incorporated herein by reference, keep records of the hours of operation of each subject EU that is recorded through the non-resettable hour meter.
Facility-wide	21. For each fuel utilization facility having a heat input equal to or greater than 3 MMBtu/hr, excluding stationary reciprocating engines, the results of inspection, maintenance, and testing and the date upon which it was performed shall be recorded and posted conspicuously on or near each emission unit, as provided in 310 CMR 7.04(4)(a) incorporated herein by reference.

Table 5	
EU	RECORD KEEPING REQUIREMENTS
Facility-wide	22. The Permittee shall maintain records of all monitoring data and supporting information on site for a period of at least five years from the date of the monitoring sample, measurement, report or Operating Permit Application. Supporting information includes at a minimum, all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, and copies of all reports required by the Operating Permit, and any other information required to interpret the monitoring data. Records required to be maintained shall include, where applicable: <ul style="list-style-type: none"> a) The date, place as defined in the Permit, and time of sampling or measurements; b) The date(s) analyses were performed; c) The company or entity that performed the analyses; d) The analytical techniques or methods used; e) The results of such analyses; and f) The operating conditions as existing at the time of sampling or measurement as provided in 310 CMR 7.00:Appendix C(10)(b) incorporated herein by reference.
	23. Maintain fuel purchase records in order to demonstrate compliance with fuel oil sulfur content requirements as referenced in 310 CMR 7.05(1) incorporated herein by reference.
	24. Maintain a record of the results of any required testing so that the stack testing report can be submitted to MassDEP as provided in 310 CMR 7.13(1)(d) and incorporated herein by reference.
	25. Maintain records of facility operations such that emissions may be reported as required for compliance with 310 CMR 7.12.
	26. Keep copies of all information supplied to MassDEP pursuant to 310 CMR 7.12 on site for five (5) years after the date the report is submitted.
	27. 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).
	28. Pursuant to MassDEP's authority through 310 CMR 7.00: Appendix C(10)(b), maintain on-site records of short and long term emissions.

Table 5 key:

- EU = Emission Unit
- CMR= Code of Massachusetts Regulations
- CFR -= Code of Federal Regulations
- MMBtu/hr = 1,000,000 British thermal units per hour
- M.G.L. = Massachusetts General Laws
- CO = Carbon Monoxide
- SO₂ = Sulfur Dioxide
- PM = Total Particulate Matter
- SCR = Selective Catalytic Reduction
- RICE = Reciprocating Internal Combustion Engine
- VOC = Volatile Organic Compounds

Table 6	
EU	REPORTING REQUIREMENTS
EU8, EU12, EU13	1. Comply with reporting requirements contained in 40 CFR 60 Subpart Dc.
EU17, EU18, EU19, EU20	<p>2. As referenced in Approval MBR-09-COM-006, Section XII, No. 3, notify MassDEP immediately by telephone or fax and within three (3) working days, in writing, of any upset or malfunction to the ammonia handling or delivery systems. Also comply with all notification procedures required under M.G.L. c. 21 E for any release or threat of release of ammonia.</p> <p>3. As referenced in Approval MBR-09-COM-006, Section XII, No. 2, notify MassDEP by telephone or fax as soon as possible, but in any case no later than three (3) business days after the occurrence of any upsets or malfunctions to the subject EUs, air pollution control equipment, or monitoring equipment which result in an excess emission to the air and/or a condition of air pollution.</p> <p>4. As referenced in Approval MBR-09-COM-006, Section XII, No. 4, submit a quarterly report to MassDEP. The report shall be submitted by the 30th of the following month after the end of each quarter and shall contain at least the following information:</p> <ul style="list-style-type: none"> a) Continuous Emissions Monitoring System (CEMS) excess emission data, in a format acceptable to MassDEP. b) For each period of all excess emissions or excursions from allowable operating conditions for the subject EUs, the Permittee shall list the duration, cause, the response taken, and the amount of excess emissions. Periods of excess emissions shall include periods of start-up, shutdown, malfunction, emergency, and upsets or failures associated with the emission control system or CEMS. (“Malfunction” means any sudden and unavoidable failure of air pollution control equipment or process equipment or of a process to operate in a normal or usual manner. Failures that are caused entirely or in part by poor maintenance, careless operation, or any other preventable upset condition or preventable equipment breakdown shall not be considered malfunctions. “Emergency” means any situation arising from sudden and reasonably unforeseeable events beyond the control of this source, including acts of God, which situation would require immediate corrective action to restore normal operation, and that causes the source to exceed a technology based limitation under the Approval, 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 these things.) c) A tabulation of periods of operation of the subject EUs d) Documentation indicating the most recent date(s) of replacement of each catalyst serving each Compact DeNOx Unit.
EU37	5. The Northeast Regional Bureau of Air and Waste, attention Compliance and Enforcement Chief, must be notified by FAX, within but no later than one business day, and subsequently in writing within seven days, after the occurrence of any upsets or malfunctions to facility equipment, which result in an excess emission to the air and/or a condition of air pollution, as referenced in Approval MBR-03-COM-013, Proviso No. C.15.

Table 6	
EU	REPORTING REQUIREMENTS
Facility-wide	6. In accordance with 310 CMR 7.12, the Permittee shall submit a Source Registration/Emission Statement Form to MassDEP on an annual basis.
	7. 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.
	8. Upon MassDEP's request, any record relative to the Operating Permit or to the emissions of any air contaminant from the facility shall be submitted to MassDEP within 30 days of the request by MassDEP or within a longer time period if approved in writing by MassDEP, and shall be transmitted on paper, on computer disk, or electronically at the discretion of MassDEP, pursuant to 310 CMR 7.00: Appendix C(10)(a) incorporated herein by reference.
	9. 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).
	10. Promptly report to MassDEP all instances of deviations from Permit requirements by telephone or fax, within three (3) days of discovery of such deviation, as provided in 310 CMR 7.00: Appendix C(10)(f), incorporated herein by reference and General Condition No. 25 of this Permit.
	11. 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.
	12. In accordance with 310 CMR 7.71(5), the Permittee shall electronically submit and certify by April 15th of each year a greenhouse gas emissions report to MassDEP. (State Only Requirement).
	13. All required reports must be certified by a responsible official pursuant to 310 CMR 7.00:Appendix C(10)(h) incorporated herein by reference.

Table 6 key:

EU = Emission Unit
 CMR= Code of Massachusetts Regulations
 CFR -= Code of Federal Regulations
 M.G.L. = Massachusetts General Laws
 EPA =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 less than the applicable number of employees.
40 CFR Part 64 Compliance Assurance Monitoring	Not applicable to emission units at the facility.
310 CMR 7.72 Reducing Sulfur Hexafluoride Gas Emissions from Gas-insulated Switchgear	There are no applicable switchgear at the facility.
310 CMR 7.70 Massachusetts CO ₂ Budget Trading Program	There are no CO ₂ budget units at the facility.

Table 7 key:
 CMR= Code of Massachusetts Regulations
 CFR = Code of Federal Regulations
 CO₂ = Carbon Dioxide

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	
EU	SPECIAL TERMS AND CONDITIONS
EU8	1. A copy of the Standard Operating and Maintenance Procedure (SOMP) shall be posted at or adjacent to the subject boiler as referenced in Approval MBR-99-COM-014 Section D, No. 1.
EU12, EU13	2. A copy of the SOMP for EU12 and EU13 shall be posted at or adjacent to the subject boiler system as referenced in Approval MBR-96-COM-003, Section C, Proviso No. 2.

Table 8	
EU	SPECIAL TERMS AND CONDITIONS
EU12, EU13	<p>3. As supplied in Application No. MBR-95-OPP-030, limit the potential oxides of nitrogen (NO_x) emissions from the subject boilers to no more than 22 tons per consecutive 12-month time period in accordance Equation No. 1 below:</p> <p style="text-align: center;"><u>EQUATION NO. 1</u></p> $22 \geq [(CF_{12,13}) * (0.0000384) \div 2,000$ <p style="text-align: center;">Where,</p> <p>CF_{12,13} = Natural gas use in cubic feet per consecutive 12-month time period for Johnston Boilers, Emission Unit Nos. EU12 and EU13 combined.</p> <p>0.0000384 = The NO_x emission rate in pounds per cubic feet natural gas for the Johnston Boilers, Emission Unit Nos. EU12 and EU13.</p> <p>2,000 = Conversion factor: 2,000 pounds per ton</p> <p>22 = Combined emissions of NO_x from Emission Unit Nos. EU12 and EU13, not to exceed 22 tons per consecutive 12-month time period.</p>
EU17, EU18, EU19, EU20	<p>4. Maintain in the facility control room, properly maintained operable, portable ammonia detectors for use during an ammonia spill, or other emergency situation involving ammonia, at the facility, as referenced in Approval MBR-09-COM-006, Section IX. No. 2.</p> <p>5. Maintain an adequate supply of spare parts on-site to maintain the Continuous Emissions Monitoring System (CEMS) equipment serving the subject EUs, as referenced in Approval MBR-09-COM-006, Section IX. No.4.</p> <p>6. As referenced in Approval MBR-09-COM-006, submit updated versions of the Standard Operating and Maintenance Procedures (SOMP) to MassDEP no later than 30 days prior to the occurrence of a significant change. MassDEP must approve of significant changes to the SOMP prior to the SOMP becoming effective. The updated SOMP shall supersede prior versions of the SOMP.</p> <p>7. As referenced in Approval MBR-09-COM-006, Section IX. No.6, replace each catalyst serving each Compact DeNO_x Unit with a new catalyst at least once every 379 days.</p> <p>8. As referenced in Approval MBR-09-COM-006, Section X. No.7, all periods of excess emissions from the subject EUs, even if attributable to an emergency/malfunction or start up/shutdown shall be quantified and included by the Permittee in the determination of annual emissions and compliance with the annual emission limits as stated in Table 3 of this Permit. (“Excess Emissions” are defined as “emissions, which are in excess of the short term emissions as stipulated in Table 3 of this Permit). An exceedance of short term emission limits in Table 3 due to an emergency or malfunction shall not be deemed a federally permitted release as that term is used in 42 U.S.C. Section 9601(10).</p> <p>9. As referenced in Approval MBR-09-COM-006, Section X. No.9, any changes to the quality assurance/quality control (QA/QC) program must be submitted to and approved in writing by MassDEP prior to initiating the change.</p>

Table 8	
EU	SPECIAL TERMS AND CONDITIONS
EU17, EU18, EU19, EU20	10. As referenced in Approval MBR-09-COM-006, Section XIV, No. 1, properly train all personnel to operate the subject EUs and associated control equipment in accordance with Distrigas Operating Procedures and vendor specifications. All persons responsible for the operation of the ammonia handling and Selective Catalytic Reduction (SCR) (DeNOx) control systems shall sign a statement affirming that they have read and understand the approved standard operating and standard maintenance procedures. Refresher training shall be given to facility personnel at least once annually.
	11. As referenced in Approval MBR-09-COM-006, Section XIV, No. 3, maintain the standard operating and maintenance procedures for the subject EUs, for the associated Air Pollution Control equipment, for all monitoring equipment, and for the subject ammonia handling systems in a convenient location (e.g., control room/technical library) and make them readily available to all employees.
	12. As referenced in Approval MBR-09-COM-006, Section IV, aqueous ammonia will be used as the reducing agent in the SCR (DeNOx) system. A solution of aqueous ammonia (19 percent (%) by weight solution of ammonia) will be stored onsite. A 9,500-gallon stainless steel tank will be provided for on-site storage of ammonia. A concrete containment dike designed to hold 110% of tank capacity surrounds the tank. The concrete dike will prevent accidental contact of vehicles or other equipment with the tank. A toxic vapor detection system provides audible alarms throughout the Terminal. Visible alarms are provided in the local area of the tank. The vapor detection system also provides for audible and visible alarms at the main control panel. The dike would contain a catastrophic release from the tank. Layers of plastic spheres in the dike function to reduce the surface area of any liquid exposed to the air by approximately 90% from that of an unobstructed surface.
	13. As referenced in Approval MBR-09-COM-006, Section VIII, MassDEP reserves the right to require further noise suppression for the subject EUs. (State only requirement)
	14. As referenced in Approval MBR-09-COM-006, Section XIV, No. 4, comply with all provisions of 40 CFR Part 60 and 310 CMR 6.00-8.00 that are applicable to the subject EUs.
EU37	15. The noise generated by the operation of the subject emergency generator shall be in compliance with Regulation 310 CMR 7.10 and the Bureau of Air and Waste Noise Policy No. 90-001 as referenced in Approval MBR-03-COM-013, Proviso No. C.4. (State-only requirement)
	16. The exhaust gases from the exhaust stack shall exit vertically and shall not be impeded by any stack exit rain protection devices; and the height of the stack exit shall be at least 14 feet above the rooftop as referenced in Approval MBR-03-COM-013, Proviso No. C.5.
EU11, EU37, EU43, EU44, EU45	17. As referenced in 40 CFR Part 63, Subpart ZZZZ, Sections 63.6640 and 63.6603, incorporated herein by reference, perform the following: Change oil and filter every 500 hours of operation or annually, whichever comes first; Inspect air cleaner every 1,000 hours of operation or annually, whichever comes first and replace as necessary; and Inspect all hoses and belts every 500 hours of operation or annually, whichever comes first, and replace as necessary.

Table 8	
EU	SPECIAL TERMS AND CONDITIONS
EU11, EU37, EU43, EU44, EU45	18. As referenced in 40 CFR Part 63, Subpart ZZZZ, Sections 63.6625(e), 63.6640(a) and Table 6, No.9, all incorporated herein by reference, continuously operate and maintain each stationary RICE according to the manufacturer’s emission-related written instructions or develop 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.
	19. Emission units EU11, EU37, EU43, EU44, and EU45 are 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.
	20. Under 40 CFR 63.6640(f), if you own or operate an emergency stationary RICE, you must operate the emergency stationary RICE according to the requirements in 40 CFR 63.6640(f)(1) through (4). In order for the engine to be considered an emergency stationary RICE under Subpart ZZZZ, any operation other than emergency operation, maintenance and testing, and operation in non-emergency situations for 50 hours per year, as described in 40 CFR 63.6640 (f)(1) through (4), is prohibited. If you do not operate the engine according to the requirements in 40 CFR 63.6640(f) the engine will not be considered an emergency engine under Subpart ZZZZ and must meet all requirements for non-emergency engines.
	40 CFR 63.6640(f)(1): There is no time limit on the use of emergency stationary RICE in emergency situations.
	40 CFR 63.6640(f)(2): You may operate your emergency stationary RICE for any combination of the purposes specified in 40 CFR 63.6640(f)(2)(i) for a maximum of 100 hours per calendar year. Any operation for non-emergency situations as allowed by 40 CFR 63.6640(f)(4) counts as part of the 100 hours per calendar year allowed by 40 CFR 63.6640 (f)(2).
	40 CFR 63.6640(f)(2)(i): Emergency stationary RICE 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 RICE beyond 100 hours per calendar year.

Table 8	
EU	SPECIAL TERMS AND CONDITIONS
EU11, EU37, EU43, EU44, EU45	<p>40 CFR 63.6640(f)(4): Emergency stationary RICE located at area sources of HAP may be operated for up to 50 hours per calendar year in non-emergency situations. The 50 hours of operation in non-emergency situations are counted as part of the 100 hours per calendar year for maintenance and testing provided in 40 CFR 63.6640(f)(2). Except as provided in 40 CFR 63.6640(f)(4)(i) and (ii), the 50 hours per year for non-emergency situations cannot be used for peak shaving or non-emergency demand response, or to generate income for a facility to an electric grid or otherwise supply power as part of a financial arrangement with another entity.</p>
	<p>40 CFR 63.6640(f)(4)(i): Prior to the applicable compliance date, the 50 hours per year for non-emergency situations can be used for peak shaving or non-emergency demand response to generate income for a facility, or to otherwise supply power as part of a financial arrangement with another entity if the engine is operated as part of a peak shaving (load management program) with the local distribution system operator and the power is provided only to the facility itself or to support the local distribution system.</p>
	<p>40 CFR 63.6640(f)(4)(ii): The 50 hours per year for non-emergency situations can be used to supply power as part of a financial arrangement with another entity if all of the following conditions are met:</p> <p>(A) The engine is dispatched by the local balancing authority or local transmission and distribution system operator.</p> <p>(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.</p> <p>(C) The dispatch follows reliability, emergency operation or similar protocols that follow specific NERC, regional, state, public utility commission or local standards or guidelines.</p> <p>(D) The power is provided only to the facility itself or to support the local transmission and distribution system.</p> <p>(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>
Facility-wide	<p>21. Should any nuisance condition be generated at the facility, then appropriate steps shall immediately be taken to abate said nuisance condition(s) (State only requirement - 310 CMR 7.01 General Regulations to Prevent Air Pollution).</p>
	<p>22. All reciprocating internal combustion engines shall continue to be equipped and operated with exhaust silencers so that sound emissions do not cause or contribute to a condition of air pollution (State only requirement - 310 CMR 7.10 Noise).</p>

Table 8	
EU	SPECIAL TERMS AND CONDITIONS
Facility-wide	23. Any net NO _x increases above the facility baseline which equate to 25 or more tons occurring over a period of five consecutive calendar years shall become subject to Nonattainment Review as per the requirements of 310 CMR 7.00: Appendix A.

Table 8 key:

EU = Emission Unit
 CMR= Code of Massachusetts Regulations
 CFR = Code of Federal Regulations
 RICE = Reciprocating Internal Combustion Engine
 HAP = Hazardous Air Pollutant
 NO_x = Oxides of Nitrogen

6. ALTERNATIVE OPERATING SCENARIOS

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

7. EMISSIONS TRADING

A. INTRA-FACILITY EMISSIONS TRADING

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

B. INTER-FACILITY EMISSIONS TRADING

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

8. COMPLIANCE SCHEDULE

The Permittee has indicated that the facility is in compliance and shall remain in compliance with the applicable requirements contained in Sections 4 and 5. In addition, the Permittee shall comply with any applicable requirements that become effective during the Permit term.

GENERAL CONDITIONS FOR OPERATING PERMIT

9. FEES

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

10. COMPLIANCE CERTIFICATION

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

"I certify that I have personally examined the foregoing and am familiar with the information contained in this document and all attachments and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I

am aware that there are significant penalties for submitting false information, including possible fines and imprisonment."

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

A. Annual Compliance Report and Certification

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

The compliance certification and report shall describe:

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

B. Semi-Annual Monitoring Summary Report and Certification

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

The compliance certification and report shall describe:

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

- 9) any additional information required by the MassDEP to determine the compliance status of the source.

11. NONCOMPLIANCE

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

12. PERMIT SHIELD

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

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

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

13. ENFORCEMENT

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

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

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

14. PERMIT TERM

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

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

15. PERMIT RENEWAL

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

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

16. REOPENING FOR CAUSE

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

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

17. DUTY TO PROVIDE INFORMATION

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

18. DUTY TO SUPPLEMENT

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

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

19. TRANSFER OF OWNERSHIP OR OPERATION

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

20. PROPERTY RIGHTS

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

21. INSPECTION AND ENTRY

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

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

22. PERMIT AVAILABILITY

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

23. SEVERABILITY CLAUSE

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

24. EMERGENCY CONDITIONS

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

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.

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.

- C. Exceedances of Permit operational limitations directly correlated to excess emissions.
- D. Failure to capture valid emissions or opacity monitoring data or to maintain monitoring equipment as required by statutes, regulations, this Operating Permit, or other approvals.
- E. Failure to perform QA/QC measures as required by this Operating Permit or other approvals for instruments that directly monitor compliance.

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

29. PREVENTION OF ACCIDENTAL RELEASES

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

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

APPEAL CONDITIONS FOR OPERATING PERMIT

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

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

Under 310 CMR 1.01(6)(b), the request must state clearly and concisely the facts which are the grounds for the request, and the relief sought. Additionally, the request must state why the Permit is not consistent with applicable laws and regulations.

The hearing request along with a valid check payable to The Commonwealth of Massachusetts in the amount of one hundred dollars (\$100.00) must be mailed to:

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

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

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

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