



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"]:

Hopkinton LNG Corporation
157 Cordaville Road
Southborough, MA 01772

INFORMATION RELIED UPON:

Application No. CE-11-002
Transmittal No. X236053

FACILITY LOCATION:

Hopkinton LNG Facility
52 Wilson Street
Hopkinton, MA 01748

FACILITY IDENTIFYING NUMBERS:

AQ ID: 119-0957
FMF FAC NO.: 130904
FMF RO NO.: 51707

NATURE OF BUSINESS:

Natural Gas Processing and Distribution

Standard Industrial Code (SIC): 4925

North American Industrial Classification System
(NAICS): 221210

RESPONSIBLE OFFICIAL:

Name: Scott Laplante
Title: Manager of Gas Supply and LNG Operations

FACILITY CONTACT PERSON:

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This Operating Permit shall expire on August 17, 2017.

For the Department of Environmental Protection

This final document copy is being provided to you electronically by the Department of Environmental Protection. A signed copy of this document is on file at the DEP office listed on the letterhead.

Roseanna E. Stanley
Acting Permit Chief, Bureau of Waste Prevention

August 17, 2012
Date

TABLE OF CONTENTS

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

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

Hopkinton LNG Corporation, a subsidiary of NSTAR, operates a liquefied natural gas (LNG) vaporization and natural gas (NG) liquefaction facility located at 52 Wilson Street, Hopkinton, Massachusetts. The facility's operations are classified under Standard Industrial Classification Code 4925, Mixed Manufactured or Liquefied Petroleum Gas Production and/or Distribution, and NAICS Code 221210, Natural Gas Brokers, Marketers and Distribution Systems.

The facility purifies, liquefies, stores as liquid, and vaporizes natural gas for distribution into the natural gas supply distribution system of NSTAR. The facility operates in two distinct modes. During high demand periods, such as the winter months, the facility operates in vaporization mode. During low demand periods, such as the summer months, the facility liquefies natural gas for storage for use during peak demand periods.

The facility maintains five internal combustion engines (EU#1-5) to compress gases for refrigeration cycles, four boilers (EU#6-9) to vaporize liquefied natural gas, one parts washer (EU#10) to clean parts during maintenance activities, two flares (EU#11-12) to combust waste gases, three boilers (EU#13-14) to provide hot water and steam to the facility and other equipment, 4 identical microturbines (grouped as EU #15) that generate electricity from gaseous fuels, two small emergency generator sets (EU #16-17), and one diesel powered fire water pump (EU #18).

The compressor engines and vaporizer boilers are subject to Massachusetts NO_x RACT regulations. Specifically, the engines (EU#1-5) are subject to the engine nitrogen oxides (NO_x) Reasonably Available Control Technology (RACT) regulations found at 310 CMR 7.19(8) and the vaporizer boilers (EU#6-9) are subject to the small boiler NO_x RACT regulations found at 310 CMR 7.19(6). Additionally, the Waukesha rich-burn engine (EU#5) is subject to the Compliance Assurance Monitoring Rule (CAM Rule) found at 40 CFR 64. The CAM requirement pertains to the operation of EU #5's non-selective catalytic reduction (NSCR) control system for nitrogen oxides (NO_x) in the engine exhaust. Under 40 CFR Subpart ZZZZ, the same NSCR system is subject to requirements for control of Hazardous Air Pollutants (HAPs) in the engine exhaust.

The parts washer (EU#10) is subject to the volatile organic compounds (VOC) RACT regulations found at 310 CMR 7.18(8). The steam boiler (EU#14) is subject to the New Source Performance Standard (NSPS) for Small Industrial-Commercial-Institutional Steam Generating Units found at 40 CFR 60 Subpart Dc. All of the engines (EU #1-5 and 16-18) are subject to 40 CFR 63 Subpart ZZZZ rules for Reciprocating Internal Engines (RICE). The four microturbines (EU #15) were installed in 2011 and are subject to 310 CMR 7.26(43) Environmental Results Program (ERP) requirements for turbines. All

equipment is subject to generally applicable requirements such as sulfur in fuel, general particulate and opacity regulations which are identified in Table 3, below.

The facility is not a major source of Hazardous Air Pollutants (HAPs). 40 CFR 63 Subpart JJJJJ does not apply to this facility because all boilers are gas fired.

2. EMISSION UNIT IDENTIFICATION

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

Table 1			
Emission Unit (EU#)	Description of Emission Unit	EU Design Capacity	Pollution Control Device (PCD)
EU1 - C201A/C301A	One NG fired IC engine - 2,700 HP Cooper Bessemer Model 8V-250 2-Stroke Lean Burn Compressor Engine (1967)	19.2 million Btu/hr (MMBtu/hr)	None
EU2 - C201B/C301B	One NG fired IC engine - 2,700 HP Cooper Bessemer Model 8V-250 2-Stroke Lean Burn Compressor Engine (1967)	19.2 MMBtu/hr	None
EU3 - C401	One NG fired IC engine - 3,400 HP Cooper Bessemer Model 10V-250 2-Stroke Lean Burn Compressor Engine (1967)	24.1 MMBtu/hr	None
EU4 - C402	One NG fired IC engine - 2,700 HP Cooper Bessemer Model 8V-250 2-Stroke Lean Burn Compressor Engine (1967)	19.2 MMBtu/hr	None
EU5 - 01.20	One NG fired IC engine - 810 HP Waukesha Model L-5790-G 4-Stroke Rich Burn Compressor Engine (1971)	6.0 MMBtu/hr	Non-selective catalytic reduction (NSCR)
EU6 - H501A	One NG fired Boiler – Thermal Research Model 50 Vaporizer (1967)	46.5 MMBtu/hr	None
EU7 - H501B	One NG fired Boiler - Thermal Research Model 50 Vaporizer (1967)	46.5 MMBtu/hr	None
EU8 - H501C	One NG fired Boiler - Thermal Research Model 50 Vaporizer (1967)	46.5 MMBtu/hr	None
EU9 - H501D	One NG fired Boiler - Thermal Research Model 50 Vaporizer (1967)	46.5 MMBtu/hr	None
EU10 -PW1	One Parts Washer (non-halogenated solvent)	<100 gal/month solvent	None
EU11- K601	One Utility Flare, John Zink Model STF-U-24 (1967)	817,000 scfh methane	None
EU12 -17.81	One Utility Flare, John Zink Model STF-LH-914-18 (1973)	20,000 #/hr propane	None
EU13 –	Two NG fired Hot Water Boilers – Burnham	3.68 MMBtu/hr each	None

Table 1			
Emission Unit (EU#)	Description of Emission Unit	EU Design Capacity	Pollution Control Device (PCD)
H1301A/H1301B	Model V-1115 (1997)		
EU14	One NG fired Process Steam Boiler - Burnham Model 3P-250-50-G-GP (2004)	10.46 MMBtu/hr	None
EU15	Four FlexEnergy MT 250 microturbines (2011)	250 kilowatts each	None
EU 16 – EG1	Main Facility NG fired Emergency Generator – Waukesha Model F1197GV (1967)	1.7 MMBtu/hr	None
EU 17 – EG2	Tank Farm NG fired Emergency Generator – Ford Model WSG-1068 (2004)	0.83 MMBtu/hr	None
EU 18 – Engine 6	Firewater Pump Engine – Detroit Diesel Model No. 10447312 (1983)	1.53 MMBtu/hr	None

Table 1 Key:
 MMBtu/hr = Million British Thermal Units per hour
 scfh = standard cubic feet per hour
 #/hr = pounds per hour

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					
EU #	Fuel/Raw Material/	Pollutant	Operational and/or Production Limits	Emissions Limits/Standards	Applicable Regulation and/or Approval No
1-4	Natural Gas	NOx		3.0 grams per bhp-hr, based on a one-hour average	Approval Tr. #89494, 310 CMR 7.19(8)
5	Natural Gas	NOx		1.5 grams per bhp-hr, based on a one-hour average	Approval Tr. #89494, 310 CMR 7.19(8)
		HAPs	Adhere to requirements in Table 8. Special Conditions for Subpart ZZZZ	(a) Limit concentration of formaldehyde in the stationary RICE exhaust to 2.7 ppmvd at 15% O ₂ , or (b) Reduce formaldehyde emissions by 76% or more.	40 CFR 63 Subpart ZZZZ Compliance date: October 19, 2013
6-9	Natural Gas	NOx	Work practices and tune-up.		310 CMR 7.19(6) (<i>Small Boiler NOx RACT</i>)
1-9, 11-15	Any Fossil Fuel	SO ₂		sulfur content ≤ 0.55 lbs sulfur per million BTU	310 CMR 7.05(1)(a)
		Opacity		20% ¹	310 CMR 7.06(1)(b)
		Smoke		No.1 ²	310 CMR 7.06(1)(a)
6-9, 11-12	Fossil Fuel	PM		≤ 0.15 lb/MMBtu	310CMR 7.02(8)(e) Table 5 (<i>existing units not in a CAC</i>)
13-14	Natural gas	PM		≤ 0.10 lb/MMBtu	310CMR 7.02(8)(h) Table 6 (<i>new units not in a CAC</i>)
10	Mineral spirits	VOC	Solvent usage of less than 100 gpm, work practices	Solvent vapor pressure ≤ 1.0 mm Hg at 20 C	310 CMR 7.18(8), 310 CMR 7.03(8)
15	Natural Gas	NOx		0.47 lb/MW-hr	310 CMR 7.26(43)(b)
		CO		0.47 lb/MW-hr	
		CO ₂		1900 lb/MW-hr	
Facility-wide		Greenhouse gas ³		N/A	310 CMR 7.71 (state only)
		HAPs		≤ 9.9 tons of a single HAP per 12 month rolling period. ≤ 24.9 tons per 12 month rolling period for combined HAPs	Tr. #65750

Table 3 Key:

- NO_x = Nitrogen Oxides
- CO = Carbon Monoxide
- CO₂ = Carbon Dioxide
- VOC = Volatile Organic Compounds
- SO₂ = Sulfur Dioxide
- PM = Total Particulate Matter
- Opacity = exclusive of uncombined water vapor?
- lbs/MMBtu = pounds per Million British thermal units
- grams per bhp-hr = grams per brake horsepower for one hour (engine output)
- ≤ = less than or equal to
- % = percent
- lb/MW-hr = pounds per megawatt electricity generated for one hour
- HAPs = Hazardous Air Pollutants
- ppmvd = parts per million by volume, dry basis
- lbs = pounds
- gpm = gallons per month
- RACT = Reasonably Available Control Technology

CAC = Critical Area of Concern

Table 3 Foot Notes:

¹ Not to exceed 20% for a period or aggregate period in excess of 2 minutes during any one hour provided that at no time during the said 2 minutes shall the opacity exceed 40%.

² Not to exceed #1 of the Ringelman Scale Chart for a period or aggregate period of time in excess of 6 minutes during any one hour provided that at no time during the said 6 minutes shall the shade, density or appearance be greater than No. 2 of the Chart.

³ 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, CO₂, CH₄, N₂O, SF₆, hydrofluorocarbons (HFCs), and perfluorocarbons (PFCs)

B. COMPLIANCE DEMONSTRATION

The Permittee is subject to the monitoring/testing, record keeping, and reporting requirements as contained in Tables 4, 5, and 6 below and 310 CMR 7.00 Appendix C (9) and (10) and applicable requirements contained in Table 3:

Table 4	
EU#	Monitoring And Testing Requirements
1-5	1. In accordance with 310 CMR 7.19(13)(d)(3) and 310 CMR 7.00 Appendix C (9)(b), maintain fuel flow meters to indicate fuel usage on a daily basis and during the previous twelve (12) month period.
6-9	2. In accordance with 310 CMR 7.19(6)(a), tune the emission units annually according to the procedure described in 310 CMR 7.19(6)(a) 1. - 12. In accordance with 310 CMR 7.19(6)(b), at least once per month verify the settings determined during the tune-up have not changed.
6-9, 11-14	3. In accordance with 310 CMR 7.04(4)(a), inspect and maintain the fuel utilization facility in accordance with manufacturer's recommendations and test for efficient operation at least once each calendar year.
5	4. The Permittee shall monitor the non-selective catalytic reduction system (NSCR). The Permittee shall: a) In accordance with 40 CFR 64 Compliance Assurance Monitoring (CAM) rule, monitor the temperature of and pressure drop across the catalyst element on a daily basis. An increase of 25 °F or more, or a drop of 2 inches water column (2" w.c.), or more, indicates that the catalyst must be replaced; and b) Conform to the Continuous Compliance/Subsequent Performance Testing requirements for NSCR under 40 CFR 63 Subpart ZZZZ.
10	5. In accordance with 310 CMR 7.18(8)(g), prepare and maintain daily records sufficient to demonstrate compliance with an instantaneous averaging time as stated in 310 CMR 7.18(2)(a). Records shall include, but are not limited to; a) identity, quantity, formulation and density of solvent(s); b) quantity, formulation and density of all waste solvent generated; c) actual operational and performance characteristics of the degreaser and any appurtenant emissions capture and control equipment, if applicable and d) any other requirements specified by MassDEP in any approval(s) and/or order(s) issued to the person. 6. In accordance with 310 CMR 7.18(8)(h), when requested by MassDEP, perform tests to demonstrate compliance. Testing shall be conducted in accordance with a method approved by MassDEP and EPA.
14	7. Determine the amount of fuel combusted in this Emission Unit each day as provided in 40 CFR Part 60 Subpart Dc Section 60.48c(g). 8. Pursuant to 310 CMR 7.00: Appendix C(9)(b)2, monitor fuel usage and emissions.
Facility Wide	9. In accordance with 310 CMR 7.13(1), any person owning, leasing, operating, or controlling a facility for which MassDEP has determined that stack testing is necessary to ascertain compliance with MassDEP's regulations shall cause such stack testing:

Table 4	
EU#	Monitoring And Testing Requirements
	<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 MassDEP approved test protocol, c) to be in the presence of a representative of MassDEP when such is deemed necessary, and d) to be summarized and submitted to MassDEP with analyses and report within such time as agreed to in the approved test protocol.
	10. All required 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.
	11. 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.
	12. In accordance with 310 CMR 7.00 Appendix C (9)(b), smoke and opacity limits shall be determined in accordance with EPA Test Method 9, as specified in 40 CFR Part 60, Appendix A.
	13. In accordance with 310 CMR 7.71(1) and Appendix C(9) establish and maintain data systems or record keeping practices (e.g. fuel use records, SF ₆ usage documentation, Continuous Emissions Monitoring System) for greenhouse gas emissions to ensure compliance with the reporting provisions of M.G.L. c. 21N, the Climate Protection and Green Economy Act, St. 2008, c. 298, § 6. (State only requirement)

Table 4 Key:

VOC = volatile organic compounds

SF₆ = sulfur hexafluoride

Table 5	
EU#	Record Keeping Requirements
1-5	1. In accordance with 310 CMR 7.19(13)(d) 3., record the type of fuel burned, the heat content of said fuel, the total heating value of the fuel consumed and the allowable emission rate on a daily basis for each engine.
5	2. The Permittee shall keep records on the non-selective catalytic reduction system (NSCR). The Permittee shall: <ul style="list-style-type: none"> a) In accordance with 40 CFR 64, document and maintain records of NSCR operating parameters, including temperature increase and pressure drop across the catalyst, and routine maintenance, e.g. catalyst replacement, repairs, malfunctions. Specifically identify stop and start-up times, cause and response of malfunctions, and personnel involved; and b) Conform to the record keeping requirements under 40 CFR 63 Subpart ZZZZ as applicable to the NSCR.
6-9	3. In accordance with 310 CMR 7.19(6)(b) 2., record the date of tune-up; person(s) conducting tune up; O ₂ /CO (for gas); correlations obtained during tune-up; boiler/burner manufacturer's recommended set-points; final boiler set-points as result of tune-up; normal boiler/burner maintenance records; and verification that the settings determined during the tune-up have not changed.
10	4. In accordance with 310 CMR 7.18(8) g, and 7.03(8), maintain records which; (a) identify the quantity, formulation and density of solvent(s) used; and, (b) identify the quantity, formulation and density of all waste solvent(s) generated.
11 & 12	5. In accordance with the provisions of Operating Permit Tr. # 65750 (issued in 2000), record and maintain records identifying date of flare malfunction, start and stop times, cause and the response to the event.
14	6. Maintain a record of the amount of fuel combusted in this Emission Unit each day as provided in 40 CFR Part 60 Subpart Dc, Section 60.48c(g).
15	7. In accordance with 310 CMR 7.26(43)(f), maintain the following records for the microturbines: <ul style="list-style-type: none"> a) Information on equipment type, make and model, and maximum power output; b) A monthly log of hours of operation, gallons of fuel used, fuel type, heating value, sulfur content. A monthly calculation of the total hours operated and gallons of fuel used in the previous 12 months shall be

Table 5	
EU#	Record Keeping Requirements
	kept on site; c) Purchase orders, invoices, and other documents to support information in the monthly log. d) Copies of certificates and documents from the manufacturer related to certificates.
Facility Wide	8. In accordance with the provisions of 310 CMR 7.00 Appendix C(10)(b), track and record individual and combined HAP emissions per 12 month rolling period.
	9. In accordance with 310 CMR 7.04(4)(a), maintain results of any fossil fuel utilization facility inspection, maintenance, and testing and the date upon which it was performed.
	10. Maintain records of any EPA Test Method 9 smoke and opacity determinations performed according to 40 CFR Part 60, Appendix A, including detached plumes, required by MassDEP or EPA.
	11. In accordance with 310 CMR 7.00: Appendix C (10)(b), maintain records of all monitoring data and supporting information on-site. 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: 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
	12. Keep copies of Source Registration/Emission Statement Forms submitted annually to MassDEP as required per 310 CMR 7.12(3)(b).
	13. Maintain sufficient records of its operations and monitoring information for the annual preparation of a Source Registration/Emission Statement Form as required by 310 CMR 7.12.
	14. In accordance with 310 CMR 7.00 Appendix C(10)(b), all records shall be kept on-site for a period of at least five (5) years and shall be readily available to Department personnel upon request.
	15. In accordance with 310 CMR 7.71 (6) b. and c. retain at the facility for five years and make available to MassDEP upon request copies of the documentation of the methodology and data used to quantify emissions. (State only requirement)

Table 5 Key:

- NSCR = non-selective catalytic reduction
 O₂ = oxygen
 CO = carbon monoxide

Table 6	
EU#	Reporting Requirements
1-5	1. In accordance with 310 CMR 7.19(13)(d) 9., submit compliance records within ten (10) days of written request by MassDEP or EPA.
Facility wide	2. Submit a Source Registration/Emission Statement Form to MassDEP on an annual basis as required by 310 CMR 7.12.
	3. 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 MassDEP's regulations or design approval provisos shall cause such stack testing to be summarized and submitted to MassDEP as prescribed in the agreed to pretest protocol.
	4. In accordance with 310 CMR 7.00: Appendix C(10)(c). the Permittee shall report a summary of all

Table 6	
EU#	Reporting Requirements
	monitoring data and related supporting information to MassDEP at least every six months (January 30 and July 30 of each calendar year).
	5. Submit Annual Compliance report to MassDEP and EPA by January 30 of each year and as required by General Condition 10 of this Permit.
Facility wide	6. In accordance with 310 CMR 7.71(5), by April 15 th , 2010 and April 15 th of each year thereafter report emissions of greenhouse gases from stationary emissions sources including, but not limited to, emissions from factory stacks, manufacturing processes and vents, fugitive emissions, and other process emissions; and owned or leased motor vehicles when stationary source greenhouse gas emissions are greater than 5,000 short tons CO ₂ e. Report greenhouse gas emissions electronically in a format that can be accommodated by the registry. (State only requirement)
	7. In accordance with 310 CMR 7.71(6), certify greenhouse gas emissions reports using a form provided by MassDEP or the registry. (State only requirement)
	8. In accordance with 310 CMR 7.71(7), by December 31 st of the applicable year submit to MassDEP documentation of triennial verification of the greenhouse gas emissions report. (State only requirement)

Table 6 Key:

CO₂e = carbon dioxide equivalent

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
40 CFR Part 68 Chemical Accident Prevention Provisions	Permittee is regulated under 49 CFR 192 and 193 (Transportation of Natural Gas and LNG Facilities) and is not a stationary source under 40 CFR 68.
Emission Control Plans for Implementation of VOC RACT- 310 CMR 7.18(20)	The Permittee is exempt from VOC RACT since EU10 is subject to 7.03 and other emission units emit <25 tpy VOC.
Reduction of Single Occupant Commuter Vehicle Use 310 CMR 7.16:	Permittee has less than 250 employees.

Table 7 Key:

VOC = volatile organic compounds

RACT = Reasonably Available Control Technology

< = less than

LNG = Liquefied Natural Gas

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 8				
EU #	Special Terms And Conditions			
1-12	1. Per Operating Permit Transmittal Nos. 65750 and W056161, the emission units listed in Table 1 shall emit through stacks having the parameters as listed below. The stacks shall not be altered without prior written Department Approval.			
	<i>EU#</i>	<i>Stack Height (feet)</i>	<i>Stack Exit Diameter (inches)</i>	<i>Stack Material</i>
	EU1	43	48	Metal
	EU2	43	48	Metal
	EU3	43	48	Metal
	EU4	43	48	Metal
	EU5	43	8	Metal
	EU6	25	24	Metal
	EU7	25	24	Metal
	EU8	25	24	Metal
	EU9	25	24	Metal
	EU11	150	24	Metal
	EU12	60	24	Metal
1-5	2. That should any nuisance condition(s) occur as a result of the operation of the engines, then appropriate steps shall immediately be taken to abate said nuisance condition(s). [State Only requirement 310 CMR 7.01(1)].			
15	3. Emission Unit #15 (four microturbines) shall comply with all applicable requirements of the Environmental Results Program (ERP) in accordance with 310 CMR 7.26(43).			
1-5 & 16-18	4. These emission units 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.			
1-5, 16-17	5. Initial performance tests or other initial compliance demonstration must be completed within 180 days of the compliance date in 40 CFR 63.6595, i.e., by April 17, 2014 , in accordance with 40 CFR 63.6612.			
18	6. Initial performance tests or other initial compliance demonstration must be completed within 180 days of the compliance date in 40 CFR 63.6595, i.e., by October 30, 2013 , in accordance with 40 CFR 63.6612.			
1-4	7. In accordance with 40 CFR 63 Subpart ZZZZ, by October 19, 2013: <ol style="list-style-type: none"> a) Change oil and filter every 4,320 hours of operation or annually, whichever comes first. b) Inspect spark plugs every 4,320 hours of operation or annually, whichever comes first. c) Inspect all hoses and belts every 4,320 hours of operation or annually, whichever comes first, and replace as necessary. d) You have the option of utilizing an oil analysis program in order to extend the specified oil change requirement in Table 2d of Subpart ZZZZ. e) Operation and maintenance: <ol style="list-style-type: none"> i. Operate and maintain the stationary RICE according to the manufacturer's emission-related operation and maintenance instructions; or ii. 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. 			
5	8. In accordance with 40 CFR 63 Subpart ZZZZ, by October 19, 2013: <p><i>Compliance Demonstration</i></p> <ol style="list-style-type: none"> a) By April 17, 2014, conduct an initial performance test to demonstrate compliance with requirement to reduce formaldehyde emissions, in accordance with 40 CFR 63 Subpart ZZZZ, Table 4, item 2. b) Initial compliance with requirements to reduce formaldehyde emissions is demonstrated if the initial performance test shows compliance with either 40 CFR 63 ZZZZ, Table 5, item 7 (if complying with the 			

	<p>requirement to reduce formaldehyde emissions and using NSCR), or Table 5, item 10 (if complying with the requirement to limit the concentration of formaldehyde in the stationary RICE exhaust and using oxidation catalyst or NSCR), which are incorporated herein by reference.</p> <p>c) Continuous Compliance/Subsequent Performance Testing: In accordance with 40 CFR 63.6615, 6635, and 6640; and 40 CFR 63 ZZZZ, Table 3, item 4, and Table 6, item 10:</p> <ul style="list-style-type: none"> i. Conduct performance tests every 8,760 hours or 3 years, whichever comes first; and ii. Install a CPMS and collect the catalyst inlet temperature data according to s.63.6625(b); and iii. Reduce these data to 4-hour rolling averages; and iv. Maintain the 4-hour rolling averages within the operating limitations for the catalyst inlet temperature; and v. Measure the pressure drop across the catalyst once per month and demonstrating that the pressure drop across the catalyst is within the operating limitation established during the performance test. <p><i>O&M Requirements</i></p> <ul style="list-style-type: none"> a) Maintain your catalyst so that the pressure drop across the catalyst does not change by more than 2 inches of water at 100% load plus or minus 10% from the pressure drop across the catalyst measured during the initial performance test. b) Maintain the temperature of your stationary RICE exhaust so the catalyst inlet temperature is greater than or equal to 750 °F and less than or equal to 1250 °F. c) Follow the standards in 40 CFR 63.6625(b) for installation, operation and maintenance of CPMS and temperature measurement devices. <p><i>Notification/Reporting Requirements</i></p> <ul style="list-style-type: none"> a) Notify the Administrator in writing that the source is subject to the relevant standard, not later than 120 calendar days after the effective date of the relevant standard, in accordance with 40 CFR s.63.9(b)(2). b) Submit the applicable notifications in 40 CFR 63.7(b) and (c), 63.8(e), (f)(4) and (f)(6), 63.9(b) through (e), and (g) and (h) by the dates specified, in accordance with 40 CFR 63.6645(a). c) If a performance test is required, submit a Notification of Intent to conduct a performance test at least 60 days before the performance test is scheduled to begin, in accordance with 40 CFR 63.6645(g). d) If a performance test or other initial compliance demonstration is required, submit an Initial Notification of Compliance Status (NOC). For each initial compliance demonstration that does not include a performance test, the NOC must be submitted before the close of business on the 30th day following the completion of the initial compliance demonstration. For each initial compliance demonstration that includes a performance test, the NOC must be submitted before the close of business on the 60th day following the completion of the performance test, in accordance with 40 CFR 63.6630(c) and 40 CFR 63.6645(h). e) Submit semi-annual compliance reports as needed by January 31 and July 31 identifying deviations or malfunctions of CPMS, in accordance with 40 CFR 63.6650 and 40 CFR 63 ZZZZ, Table 7, item 1.
16 & 17	<p>9. In accordance with 40 CFR 63 Subpart ZZZZ, by October 19, 2013:</p> <ul style="list-style-type: none"> a) Change oil and filter every 500 hours of operation or annually, whichever comes first. b) Inspect spark plugs every 1,000 hours of operation or annually, whichever comes first. c) Inspect all hoses and belts every 500 hours of operation or annually, whichever comes first, and replace as necessary. d) You have the option of utilizing an oil analysis program in order to extend the specified oil change requirement in Table 2d of Subpart ZZZZ. e) Install a non-resettable hour meter. f) Operation and maintenance: <ul style="list-style-type: none"> i. Operate and maintain the stationary RICE according to the manufacturer’s emission-related operation and maintenance instructions; or ii. 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. g) Unit operation is limited to: <ul style="list-style-type: none"> i. No limits on use during emergency situations; ii. 100 hours per year for maintenance checks and readiness testing; and iii. 50 hours per year for use during non-emergency situations, which counts towards the 100 hours per year provided for maintenance and testing (cannot be used for peak shaving or income generation, except in accordance with 40 CFR 63.6640 as part of a demand response program).
18	<p>10. In accordance with 40 CFR 63 Subpart ZZZZ, by May 3, 2013:</p> <ul style="list-style-type: none"> a) Change oil and filter every 500 hours of operation or annually, whichever comes first.

	<ul style="list-style-type: none"> b) Inspect air cleaner every 1,000 hours of operation or annually, whichever comes first. c) Inspect all hoses and belts every 500 hours of operation or annually, whichever comes first, and replace as necessary. d) You have the option of utilizing an oil analysis program in order to extend the specified oil change requirement in Table 2d of Subpart ZZZZ. e) Install a non-resettable hour meter. f) Operation and maintenance: <ul style="list-style-type: none"> i. Operate and maintain the stationary RICE according to the manufacturer’s emission-related operation and maintenance instructions; or ii. 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. g) Unit operation is limited to: <ul style="list-style-type: none"> i. No limits on use during emergency situations; ii. 100 hours per year for maintenance checks and readiness testing; and iii. 50 hours per year for use during non-emergency situations, which counts towards the 100 hours per year provided for maintenance and testing (cannot be used for peak shaving or income generation, except in accordance with 40 CFR 63.6640 as part of a demand response program).
1-5, 16-18	<p>11. In accordance with 40 CFR 63 Subpart ZZZZ, minimize the engine’s time spent at idle during startup and minimize the engine’s startup time to a period needed for appropriate and safe loading of the engine, not to exceed 30 minutes, after which time the emission standards applicable to all times other than startup in Tables 1a, 2a, 2c, and 2d to this subpart ZZZZ apply.</p>
	<p>12. Maintain records in accordance with 40 CFR 63.6655 and 63.6660.</p>

6. ALTERNATIVE OPERATING SCENARIOS

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

7. EMISSIONS TRADING

A. INTRA-FACILITY EMISSION TRADING

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

B. INTER-FACILITY EMISSION TRADING

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

8. COMPLIANCE SCHEDULE

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

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

GENERAL CONDITIONS FOR OPERATING PERMIT

9. FEES

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

10. COMPLIANCE CERTIFICATION

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

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

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

A. Annual Compliance Report and Certification

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

The compliance certification and report shall describe:

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

B. Semi-Annual Monitoring Summary Report and Certification

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

The compliance certification and report shall describe:

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

11. NONCOMPLIANCE

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

12. PERMIT SHIELD

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

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

- B. The MassDEP has determined that the Permittee is not currently subject to the requirements listed

in Section 4, Table 7.

C. Nothing in this Permit shall alter or affect the following:

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

13. ENFORCEMENT

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

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

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

14. PERMIT TERM

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

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

15. PERMIT RENEWAL

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

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

16. REOPENING FOR CAUSE

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

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

17. DUTY TO PROVIDE INFORMATION

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

18. DUTY TO SUPPLEMENT

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

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

19. TRANSFER OF OWNERSHIP OR OPERATION

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

20. PROPERTY RIGHTS

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

21. INSPECTION AND ENTRY

- A. 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:
- B. 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;

- C. have access to and copy, at reasonable times, any records that must be kept under the conditions of this Permit;
- D. inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Permit; and
- E. 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

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.

- D. the Permittee submitted notice of the emergency to the MassDEP within two (2) business days of the time when emission limitations were exceeded due to the emergency. This notice must contain a description of the emergency, any steps taken to mitigate emission, and corrective actions taken.

If an emergency episode requires immediate notification to the Bureau of Waste Site Cleanup/Emergency Response, immediate notification to the appropriate parties should be made as required by law.

25. PERMIT DEVIATION

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

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

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

For all other deviations, three (3) day notification is waived and is satisfied by the documentation required in the subsequent Semi-Annual Monitoring Summary and Certification. Instructions and forms for reporting deviations are found in the MassDEP Bureau of Waste Prevention Air Operating Permit Reporting Kit, which is available to the Permittee via the MassDEP's web site, <http://www.mass.gov/dep/air/approvals/aqforms.htm#op>.

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

Deviations that were reported by telephone, fax or electronic mail (e-mail) within 3 days of discovery, said deviations shall also be submitted in writing via the Operating Permit Deviation Report to the regional Bureau of Waste Prevention within ten (10) days of discovery. For deviations, which do not require 3-day verbal notification, follow-up reporting requirements are satisfied by the documentation required in the aforementioned Semi-Annual Monitoring Summary and Certification.

26. OPERATIONAL FLEXIBILITY

The Permittee is allowed to make changes at the facility consistent with 42 U.S.C. §7401, §502(b)(10) not specifically prohibited by the Permit and in compliance with all applicable requirements provided the Permittee gives the EPA and the MassDEP written notice fifteen days prior to said change; notification is not required for exempt activities listed at 310 CMR 7.00: Appendix C(5)(h) and (i). The notice shall comply with the requirements stated at 310 CMR 7.00: Appendix C(7)(a) and will be appended to the facility's Permit. The permit shield allowed for at 310 CMR 7.00: Appendix C(12) shall not apply to these changes.

27. MODIFICATIONS

- A. Administrative Amendments - The Permittee may make changes at the facility which are considered administrative amendments pursuant to 310 CMR 7.00: Appendix C(8)(a)1., provided they comply with the requirements established at 310 CMR 7.00: Appendix C(8)(b).
- B. Minor Modifications - The Permittee may make changes at the facility which are considered minor modifications pursuant to 310 CMR 7.00: Appendix C(8)(a)2., provided they comply with the requirements established at 310 CMR 7.00: Appendix C(8)(d).
- C. Significant Modifications - The Permittee may make changes at the facility which are considered significant modifications pursuant to 310 CMR 7.00: Appendix C(8)(a)3., provided they comply with the requirements established at 310 CMR 7.00: Appendix C(8)(c).
- D. No permit revision shall be required, under any approved economic incentives program, marketable permits program, emission trading program and other similar programs or processes, for changes that are provided in this Operating Permit. A revision to the Permit is not required for increases in emissions that are authorized by allowances acquired pursuant to the Acid Rain Program under Title IV of the Act, provided that such increases do not require an Operating Permit revision under any other applicable requirement.

28. OZONE DEPLETING SUBSTANCES

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

- 1. The Permittee shall comply with the standards for labeling of products using ozone-depleting substances pursuant to 40 CFR Part 82, Subpart E:
 - a. 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.
 - b. The placement of the required warning statement must comply with the requirements of 40 CFR 82.108.
 - c. The form of the label bearing the required warning statement must comply with the requirements of 40 CFR 82.110.
 - d. No person may modify, remove or interfere with the required warning statement except

as described in 40 CFR 82.112.

2. 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:
 - a. Persons opening appliances for maintenance, service, repair or disposal must comply with the required practices of 40 CFR 82.156.
 - b. 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.
 - c. Persons performing maintenance, service, repair or disposal of appliances must be certified by an approved technician certification program pursuant to 40 CFR 82.161.
 - d. 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.
 - e. Persons owning commercial or industrial process refrigeration equipment must comply with the leak repair equipment requirements of 40 CFR 82.156.
 - f. 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.
3. 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".
4. 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.
5. The Permittee shall be allowed to switch from any ozone-depleting substance to any alternative that is listed in the Significant New Alternatives Program (SNAP) promulgated pursuant to 40 CFR Part 82, Subpart G, "Significant New Alternatives Policy Program".

29. PREVENTION OF ACCIDENTAL RELEASES

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

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

APPEAL CONDITIONS FOR OPERATING PERMIT

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

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

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

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

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

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

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

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