



Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection

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FINAL AIR QUALITY OPERATING PERMIT

(Administrative Amendment to MBR-95-OPP-061R, Transmittal W120140)

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"]:

Ideal Tape Company
1400 Middlesex Street
Lowell, Massachusetts 01851

INFORMATION RELIED UPON:

Application No. MBR-95-IND-061 **A2**
Transmittal No. **X262798**

FACILITY LOCATION:

Ideal Tape Company
1400 Middlesex Street
Lowell, Massachusetts 01851

FACILITY IDENTIFYING NUMBERS:

AQ ID: 1210036
FMF FAC NO. 131011
FMF RO NO. 53618

NATURE OF BUSINESS:

Manufacturer of Pressure Sensitive Tapes

STANDARD INDUSTRIAL CODE (SIC): 2672

NORTH AMERICAN INDUSTRIAL
CLASSIFICATION SYSTEM (NAICS): 322222

RESPONSIBLE OFFICIAL:

Name: **Mr. Frank Flanagan**
Title: **Plant Manager**

FACILITY CONTACT PERSON:

Name: Mr. Tony DeProffio
Title: Facility Manager
Phone: (978) 275-3489
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This Operating Permit shall expire on June 20, 2017.

For the Department of Environmental Protection, Bureau of Waste Prevention

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

Susan Ruch
Deputy Regional Director, Bureau of Waste Prevention

September 3, 2013
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	4
4	Applicable Requirements	
	A. Operational and/or Production Emission Limits and Restrictions – Table 3	5
	B. Compliance Demonstration	
	- Monitoring and Testing Requirements – Table 4	6
	- Record Keeping Requirements - Table 5	8
	- Reporting Requirements – Table 6	11
	C. General Applicable Requirements	12
	D. Requirements Not Currently Applicable -Table 7	12
5	Special Terms and Conditions – Table 8	13
6	Alternative Operating Scenarios – Table 9	14
7	Emissions Trading – Table 10	15
8	Compliance Schedule	15
Section	General Conditions for Operating Permit	Page No.
9	Fees	15
10	Compliance Certification	16
11	Noncompliance	17
12	Permit Shield	17
13	Enforcement	17
14	Permit Term	18
15	Permit Renewal	18
16	Reopening for Cause	18
17	Duty to Provide Information	18
18	Duty to Supplement	18
19	Transfer of Ownership or Operation	19
20	Property Rights	19
21	Inspection and Entry	19
22	Permit Availability	19
23	Severability Clause	19
24	Emergency Conditions	20
25	Permit Deviation	20
26	Operational Flexibility	21
27	Modifications	21
28	Ozone Depleting Substances	22
29	Prevention of Accidental Releases	23

SPECIAL CONDITIONS FOR OPERATING PERMIT

1. **PERMITTED ACTIVITIES**

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

DESCRIPTION OF FACILITY AND OPERATIONS

Ideal Tape Company (“the Permittee”) is a manufacturer of pressure sensitive tape located at 1400 Middlesex Street, Lowell, Massachusetts (“the Facility”). The facility consists of two natural gas fired boilers rated at 4.18 MMBtu/hr each (Emission Unit (EU) 1 and EU 2), two knife-over roll coating lines (EU 5 and EU 9) and one comma-knife coating line (EU6). Each coating line is capable of producing 50 yards per minute of finished material.

The facility has potential emission of volatile organic compounds (VOC) and Hazardous Air Pollutants (HAP) greater than the applicable major thresholds. The VOC and HAP emissions from EU6 and EU9 are controlled via two (2) solvent recovery systems, PCD1 and PCD2 respectively. Each solvent recovery system consists of four (4) heat exchangers in series. Solvent recovery system PCD2 captures and recovers at least 95.5 percent (%) by weight of the VOC and HAPs applied on the associated coating line EU9. Solvent recovery system PCD1 captures and controls 90% by weight of the VOC and HAPs applied on the associated coating line EU6.

EU5’s uncontrolled VOC and HAP emissions are averaged with the controlled emissions from EU6 pursuant to an intra-facility voc emission bubble pursuant to 310 CMR 7.00: Appendix B(4). The final bubble, Approval No. MBR-86-BUB-009, was issued on September 8, 1988. The bubble is being renewed with this operating permit pursuant to 310 CMR 7.00 Appendix B(4)(f)2.

EU6 and EU9 are subject to the 40 CFR 64, Continuous Assurance Monitoring (CAM) requirements. EU9 is subject to the federal New Source Performance Standards (NSPS) for Pressure Sensitive Tape and Label Surface Coating Operations (40 CFR 60 Subpart RR). EU5, EU6, and EU9 are subject to the National Emission Standards for Hazardous Air Pollutants (NESHAPS) for Paper and Other Web Coating (40 CFR 63 Subpart JJJ).

Facility requirements for applicable emission units are listed in the following tables: Table 3 contains the emission limits and restrictions, Table 4 contains the monitoring and testing requirements, Table 5 contains the record keeping requirements, and Table 6 contains the reporting requirements to which the Permittee is subject. Table 7 contains regulations which do not apply to the Permittee.

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	Clayton Industries Model No. EOG-100-IRI-FM natural gas fired boiler	4.18 MMBtu/hr	None
EU2	Clayton Industries Model No. EOG-100-IRI-FM natural gas fired boiler	4.18 MMBtu/hr	None
EU5	Knife over Roll Coating Line No. 5	50 yards per minute	None
EU6	Comma Knife Coating Line No. 6	50 yards per minute	Airco ASRS120 solvent recovery system, PCD1
EU9	Knife Over Roll Coating Line No. 9	50 yards per minute	Airco ASRS120 solvent recovery system, PCD2

= number
 MMBtu/hr = Million British thermal units per hour
 No. = number

3. **IDENTIFICATION OF EXEMPT ACTIVITIES**

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

Table 2	
Description of Current Exempt Activities	Reason
The list of current exempt activities is contained in the Operating Permit application and shall be updated by the Permittee to reflect changes at the facility over the Permit term. An up-to-date copy of exempt activities list shall be kept on-site at the facility and a copy shall be submitted to 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 emission limits/restrictions as contained in Table 3 below:

Table 3					
Emission Unit (EU#)	Fuel/Raw Material	Pollutant	Operational and/or Production Limits	Emission Limit/Standards	Applicable Regulations and/or Approval No.
EU1, EU2	Natural Gas	Particulate	NA	0.10 pounds per MMBtu	MBR-85-COM-073 310 CMR 7.02(8)(h) Table 6
EU5, EU6	Coating	Volatile Organic Compounds (VOC)	AcE ≤ AIE (Please see Section 5.A of this Permit for details)	4.8 pounds VOC per gallon solids applied, combined for EU5 and EU6, on a 24 hour basis	MBR-86-BUB-009 VOC Bubble 310 CMR 7.00: Appendix B
EU6	Coating	VOC	Solvent recovery system shall capture and recover at least 90.0 percent (%) by weight of all VOC applied on EU6	NA	MBR-86-BUB-009
EU9	Coating	VOC	Solvent recovery system shall capture and recover at least 95.5 percent (%) by weight of all VOC applied on EU9	36.8 tons VOC per twelve month rolling calendar period ¹	MBR-00-IND-016
				5.5 tons VOC per month ²	
				4.8 pounds VOC/gallon solids applied	
			NA	0.20 kg ³ VOC/kg solids applied each month	40 CFR 60 Subpart RR
EU5, EU6, EU9	Coating	Organic HAPs	NA	0.20 kg organic HAP emitted/kg solids applied each month	40 CFR 63 Subpart JJJJ
Facility-Wide	NA	Opacity	NA	≤ 20 percent, except 20 to ≤ 40 percent for ≤ two (2) minutes during any one hour	310 CMR 7.06(1)(b)
		Smoke	NA	< No. 1 of Chart ⁴ , except No. 1 to < No. 2 of Chart for ≤ six (6) minutes during any one hour	310 CMR 7.06(1)(a)
		Greenhouse gas*	NA	NA	310 CMR 7.71 (state only)

Please Note:

¹ 1,635,600 pounds of VOC applied per twelve month rolling period, based on 95.5% by weight capture and recovery efficiency of PCD2

² 244,500 pounds of VOC applied per month, based on 95.5% by weight capture and recovery efficiency of PCD2

³ kg = kilogram

⁴ 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.

MMBtu = million British thermal units

NA = not applicable

HAPs = hazardous air pollutants

VOC = volatile organic compounds

≤ = less than or equal to

< = less than

/ = per

= number

No. = number

Table 3 Foot Notes:

- Greenhouse Gas means any chemical or physical substance that is emitted into the air and that the Department may reasonably anticipate will cause or contribute to climate change including, but not limited to, CO₂, CH₄, N₂O, SF₆, hydrofluorocarbons (HFCs), and perfluorocarbons (PFCs)
- To calculate the amount of a consecutive 12 month rolling period take the current calendar month and add it to the previous 11 calendar months total amount

B. COMPLIANCE DEMONSTRATION

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

Table 4	
EU #	Monitoring and Testing Requirements
EU1, EU2	(1) Inspect and maintain each fuel utilization facility, having an energy input capacity of ≥ 3 MMBtu/hr in accordance with manufacturer's recommendations 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.
EU5, EU6	(2) Pursuant to MassDEP's authority through 310 CMR 7.00: Appendix C(9)(b)2., monitor operations of EU5 and EU6 such that the monthly report required in No. 1 of Table 6 of this Permit can be submitted. Specifically, said monitoring shall include the following items, broken down by coating and by Coating Line: Pounds of VOC applied on a daily basis Pounds of VOC emitted on a daily basis Gallons of solids applied on a daily basis The actual RACT value (pounds VOC/gallon solids applied) met by EU5 and EU6 combined on a daily basis must also be monitored.
EU6	(3) Pursuant to MassDEP's authority through 310 CMR 7.00: Appendix C(9)(b)2, monitor operations so that if any upset occurs with PCD1, the Permittee shall discontinue operation of EU5 and EU6 until the equipment in question is repaired and operating. So that compliance with No. 2 of Table 6 of this Permit can be maintained, the Permittee shall monitor the reason(s) for any upset, the extent of downtime, and all steps that will be taken to avoid future occurrences. (4) Pursuant to MassDEP's authority through 310 CMR 7.00: Appendix C(9)(b)2 and the Permittee's Compliance Assurance Monitoring (CAM) Plan dated May 27, 2011, monitor the operating temperatures of the various heat exchangers once per shift such that PCD1 is operating within its required parameters.
EU9	(5) An electronic interlock system shall prevent EU9 from operating unless PCD2 is operating properly as referenced in Approval No. MBR-00-IND-016, Proviso C.4. (6) Monitor all instances of emergency venting including the date, time, and approximate amount of VOC that was vented so that the record keeping required in No. 6 of Table 5 of this Permit can be performed, as referenced in Approval MBR-00-IND-016, Proviso No. C(5). (7) Monitor operations so that if any upset occurs with PCD2, the Permittee shall discontinue operation of EU9 until the equipment in question is repaired and operating properly as referenced in Approval MBR-00-IND-016, Proviso D.6. So that compliance with No. 4 of Table 6 of this Permit can be maintained, the Permittee shall monitor the reason(s) for any upset, the extent of downtime, and all steps that will be taken to avoid future occurrences. (8) Pursuant to MassDEP's authority through 310 CMR 7.00: Appendix C(9)(b)2 and the Permittee's CAM Plan, monitor the operating temperatures of the various heat exchangers once per shift such that PCD2 is operating within its required parameters.

Table 4	
EU #	Monitoring and Testing Requirements
	(9) Pursuant to MassDEP’s authority through 310 CMR 7.00: Appendix C(9)(b)2, monitor the quantity of VOC-containing coatings used on EU9, the VOC content of each coating, and the actual VOC emissions, all on a monthly and twelve month rolling calendar period basis so that the report required in No. 5 of Table 6 of this Permit can be filed.
EU9 (continued)	(10) Monitor operations such that the calculations required in 40 CFR 60 Subpart RR Section 60.443(a) and incorporated herein by reference can be performed. Specifically, said calculations include a weighted average of the mass of solvent used per mass of coating solids applied for a calendar month period according to the following procedure: <ul style="list-style-type: none"> a) Determine the weight fraction of organics and the weight fraction of solids of each coating applied by using Reference Method 24 or by the coating manufacturer’s formulation data. b) Compute the weighted average “G” using the equation given at 40 CFR 60 Subpart RR Section 60.443(a)(2). c) For each affected facility where the value of G is less than or equal to 0.20 kg VOC per kg of coating solids applied, the affected facility is in compliance with 40 CFR 60 Subpart RR, Section 60.442(a)(1).
	(11) Monitor operations so that a compliance test can be completed at the end of each calendar month and a new calendar month’s average VOC emission reduction can be calculated to show compliance with the standard as provided in 40 CFR 60 Subpart RR, Section 60.443(f) and incorporated herein by reference.
	(12) Monitor operations such that a calendar month record of all coatings used and the results of the reference test method specified in Section 60.446(a) or the manufacturer’s formulation data used for determining the VOC content of those coatings can be maintained as referenced in 40 CFR 60 Subpart RR Section 60.445(a) and incorporated herein by reference.
	(13) Monitor operations so that a calendar month record of the amount of solvent applied in the coating can be maintained as required by 40 CFR 60 Subpart RR Section 60.445(b) and incorporated herein by reference.
	(14) Calibrate, maintain, and operate a monitoring device for indicating the cumulative amount of solvent recovered by PCD2 over a calendar month period. The monitoring device shall be accurate within +/- 2.0 percent as referenced in 40 CFR 60 Subpart RR Section 60.445(c) and incorporated herein by reference.
	(15) Monitor the identity, quantity, formulation, and density of coatings used as well as pounds of VOC emitted and gallons of solids applied in order to demonstrate compliance with the 4.8 pounds of VOC per gallon solids applied limit in Table 3 of this Permit.
EU5, EU6, EU9	(16) Monitor operations so that EU5, EU6, EU9, and all ancillary equipment comply with the requirement that the total mass of organic HAP emitted based on coating solids applied is not more than 0.20 kg organic HAP per kg coating solids applied as found in 40 CFR 63 Subpart JJJJ, 63.3370(f) to determine compliance with 63.3320(b)(3) according to 63.3370(n).
EU6, EU9	(17) Perform monthly liquid-liquid material balances on PCD1 and PCD2 in accordance with 63.3370(i) of 40 CFR 63 Subpart JJJJ.
Facility-wide	(18) Monitor facility operations such that information may be compiled for the annual preparation of a Source Registration/Emission Statement Form as required for compliance with 310 CMR 7.12.
	(19) In accordance with 310 CMR 7.13(1), any person owning, leasing, operating or controlling a facility for which MassDEP has determined that stack testing is necessary to ascertain compliance with MassDEP’s regulations or design approval provisos shall cause such stack testing: <ul style="list-style-type: none"> (a) to be conducted by a person knowledgeable in stack testing, (b) to be conducted in accordance with procedures contained in a test protocol which has been approved by MassDEP, and (c) to be conducted in the presence of a representative of MassDEP when such is deemed necessary, and (d) to be summarized and submitted to MassDEP with analyses and report within such time as agreed to in the approved test protocol.
	(20) Conduct any performance/compliance testing if and when requested by MassDEP or EPA as referenced in Approval MBR-00-IND-016, Proviso No. E(14), Approval MBR-85-COM-073, and in Final Approval No. MBR-86-BUB-009, Proviso Nos. 3 and 4.
	(21) Opacity shall be determined in accordance with EPA Test Method 9, as specified in 40 CFR 60, Appendix A, if and when requested by MassDEP or EPA.

Table 4	
EU #	Monitoring and Testing Requirements
	(22) Monitor any net VOC emissions increase at the Facility occurring over a period of five consecutive calendar years which equates to 25 or more tons of VOC per year, since said increase shall become subject to the Nonattainment New Source Review requirements contained in 310 CMR 7.00: Appendix A concerning “major modifications”.
Facility-wide (continued)	(23) Monitor all actions associated with environmental issues and overall emissions changes at the facility. The facility shall monitor information such as the results of federal, state, or local environmental inspections; maintenance or corrective actions related to pollution control equipment; and measures taken to lower overall emissions to the environment (air, solvent waste, etc.) so that the record keeping required in No. 21 of Table 5 of this Permit can be performed, as referenced in Approval MBR-00-IND-016, Proviso No. E(5).
	(24) As referenced in Approval MBR-00-IND-016, Proviso E.4, the Permittee shall continue to monitor the feasibility of implementing alternative technologies or reformulated raw material inputs which will lead to the decrease of overall emissions from the subject facility to the environment (air emissions, solvent waste, etc.). The subject facility shall seek assistance from outside sources such as suppliers, vendors, or the Office of Technical Assistance (which is located at the Executive Office of Environmental Affairs, 100 Cambridge Street, Boston, Massachusetts, Telephone No. 617-727-3260).
	(25) Pursuant to MassDEP’s authority through 310 CMR 7.00: Appendix C(9)(b)2, monitor operations so that the occurrence of any upset or malfunction of any equipment can be identified so compliance with No. 11 of Table 6 can be maintained.
	(26) 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 5	
EU #	Record Keeping Requirements
EU1, EU2	(1) The results of the required inspection, maintenance, and testing and the date upon which it was performed shall be recorded and posted conspicuously on or near each fuel utilization facility having an energy input capacity of ≥ 3 MMBtu/hr, as provided in 310 CMR 7.04(4)(a) incorporated herein by reference. Said records shall be maintained on site for a period of the five most recent years.
EU5, EU6	(2) Pursuant to MassDEP’s authority through 310 CMR 7.00: Appendix C(9)(b)2., maintain records of operations of EU5 and EU6 such that the monthly reports in No. 1 of Table 6 can be submitted. Specifically, said records must state the following items, broken down by coating and by Coating Line: Pounds of VOC applied on a daily basis Pounds of VOC emitted on a daily basis Gallons of solids applied on a daily basis Additionally records must include the actual RACT value met by EU5 and EU6 combined on a daily basis.
EU6	(3) Pursuant to MassDEP’s authority through 310 CMR 7.00: Appendix C(9)(b)2 and the Permittee’s CAM Plan, maintain a record of instances when upsets occur with PCD1, so that the Permittee can notify MassDEP as required in No. 2 of Table 6. Said records shall include but shall not be limited to a description of the reason(s) for and the extent of downtime of the equipment and all steps that were taken to prevent said occurrence from recurring. (4) Pursuant to MassDEP’s authority through 310 CMR 7.00: Appendix C(9)(b)2 and the Permittee’s CAM Plan, maintain records of the actual operating temperatures of the various heat exchangers once per shift such that PCD1 is operating within its required parameters.
EU9	(5) In the event that oxygen levels in the drying oven rise to 8 percent or greater, the emergency bypass vent will open and purge the nitrogen/VOC stream from the drying oven for safety concerns. All instances of emergency venting shall be recorded, noting the date, time, and approximate amount of VOC that were vented as referenced in Approval MBR-00-IND-016, Proviso C.5.

Table 5	
EU #	Record Keeping Requirements
	(6) Maintain a record of instances when upsets occur with PCD2, so that the Permittee can notify MassDEP as required in No. 4 of Table 6. Said records shall include but shall not be limited to a description of the reason(s) for and the extent of downtime of the equipment and all steps that were taken to prevent said occurrence from recurring as referenced in Approval MBR-00-IND-016, Proviso D.6.
EU9 (continued)	(7) Pursuant to MassDEP’s authority through 310 CMR 7.00: Appendix C(9)(b)2 and the Permittee’s CAM Plan, maintain records of the actual operating temperatures of the various heat exchangers once per shift such that PCD2 is operating within its required parameters.
	(8) Maintain a record of the quantity of VOC-containing coatings used on EU9 on a monthly and twelve month rolling calendar basis, the VOC content of each coating, and the actual VOC emissions on a monthly and twelve month rolling calendar period basis so that the report required in No. 5 of Table 6 of this Permit can be filed. The usage of VOC in EU9 shall be restricted to no more than 244,500 pounds per month and to no more than 1,635,600 pounds per twelve month rolling calendar period as referenced in Approval MBR-00-IND-016, Proviso C.1. An adequate audit trail documenting each report shall be maintained on site by the Permittee for a minimum of five years as referenced in Approval MBR-00-IND-016, Proviso D.8.
	(9) As provided in 40 CFR 60 Subpart RR, Section 60.443(a) and incorporated herein, to determine compliance with Section 60.442, calculate a weighted average of the mass of solvent used per mass of coating solids applied for a one calendar month period according to the following procedure: (a) Determine the weight fraction of organics and the weight fraction of solids of each coating applied by using Reference Method 24 or by the coating manufacturer’s formulation data. (b) Compute the weighted average “G” using the equation given at 40 CFR 60 Subpart RR Section 60.443(a)(2). (c) For each affected facility where the value of G is less than or equal to 0.20 kg VOC per kg of coating solids applied, the affected facility is in compliance with 40 CFR 60 Subpart RR, Section 60.442(a)(1).
	(10) Compliance with the VOC emission limitation under Section 60.442 is based on the average emission reduction for one calendar month. A separate compliance test shall be completed at the end of each calendar month and a new calendar month’s average VOC emission reduction shall be calculated to show compliance with the standard as provided in 40 CFR 60 Subpart RR, Section 60.443(f) and incorporated herein by reference.
	(11) Maintain a calendar month record of all coatings used and the results of the reference test method specified in Section 60.446(a) or the manufacturer’s formulation data used for determining the VOC content of those coatings as provided in 40 CFR 60 Subpart RR Section 60.445(a) and incorporated herein by reference.
	(12) Maintain a calendar month record of the amount of solvent applied in the coating as required by 40 CFR 60 Subpart RR Section 60.445(b) and incorporated herein by reference.
	(13) Maintain a calendar month record of the amount of solvent recovered by PCD2 as required by 40 CFR 60 Subpart RR Section 60.445(c) and incorporated herein by reference.
	(14) Maintain records so that the quarterly reports of exceedances of the VOC emission limits specified in 40 CFR 60 Subpart RR, Section 60.442 can be submitted to MassDEP and to the USEPA. Maintain records so that if no exceedances occur during a particular quarter, a report stating this can be submitted to MassDEP and to the USEPA semiannually as provided in 40 CFR 60 Subpart RR, Section 60.447(b) and incorporated herein by reference.
	(15) As referenced in 310 CMR 7.18(15)(c), maintain daily records including but not limited to identity, quantity, formulation, and density of coatings used as well as pounds of VOC emitted and gallons of solids applied in order to demonstrate compliance with the 4.8 pounds of VOC per gallon solids applied limit in Table 3 of this Permit.
	EU5, EU6, EU9
EU6, EU9	(17) Maintain records of the monthly liquid-liquid material balances on PCD1 and PCD2 in accordance with 63.3370(i) of 40 CFR 63 Subpart JJJJ.

Table 5	
EU #	Record Keeping Requirements
Facility-wide	<p>(18) Maintain records of facility operations such that information may be reported as required for compliance with 310 CMR 7.12, “Source Registration” incorporated herein by reference.</p> <p>(19) 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 as required in 310 CMR 7.12(3)(b) incorporated herein by reference.</p>
Facility-wide (continued)	<p>(20) 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 of Operating Permit Renewal 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:</p> <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. <p>(21) The Permittee personnel shall record any information supplied to them relative to reducing overall emissions and pollution prevention techniques. This information as well as any progress towards decreasing overall emissions to the environment shall be recorded in an Environmental Logbook or equivalent record keeping system, which shall document all actions associated with environmental issues and overall emissions changes at the facility. The Permittee shall record information such as the results of federal, state, or local environmental inspections; maintenance or corrective actions related to pollution control equipment; and measures taken to lower overall emissions to the environment (air, solvent waste, etc.). This Logbook, or equivalent record keeping system, shall be made available to Department personnel upon request as referenced in Approval MBR-00-IND-016, Proviso Nos. E.4 and E.5.</p> <p>(22) Pursuant to MassDEP’s authority under 310 CMR 7.00: Appendix C(9)(d), maintain records of any EPA Method 9 opacity determinations performed according to 40 CFR 60, Appendix A if and when said testing is required by MassDEP or EPA.</p> <p>(23) Pursuant to MassDEP’s authority under 310 CMR 7.00: Appendix C(9)(d), maintain records of the test results of any Emissions Compliance Testing required by MassDEP or EPA.</p> <p>(24) Pursuant to MassDEP’s authority through 310 CMR 7.00: Appendix C(9)(b)2, maintain a record of the occurrence (s) of upsets or malfunctions of facility equipment so that the report required in No. 11 of Table 6 can be submitted.</p> <p>(25) Maintain all records of any net VOC emissions increase at the Facility occurring over a period of five consecutive calendar years which equates to 25 or more tons of VOC per year, since said increase shall become subject to the Nonattainment New Source Review requirements contained in 310 CMR 7.00: Appendix A concerning “major modifications”.</p> <p>(26) In accordance with 310 CMR 7.71 (6) b. and c. retain at the facility for five years and make available to the Department upon request copies of the documentation of the methodology and data used to quantify emissions. (State only requirement)</p>

Table 6	
EU #	Reporting Requirements
EU5, EU6	<p>(1) Submit monthly VOC reports to MassDEP on or before the 15th day of the following month as referenced in Final Approval MBR-86-BUB-009, Proviso No. 1. Specifically, said reports are required to state the following items, broken down by coating and by Coating Line:</p> <ul style="list-style-type: none"> Pounds of VOC applied on a daily basis, Pounds of VOC emitted on a daily basis, Gallons of solids applied on a daily basis. <p>Additionally, records must include the actual RACT value met by EU5 and EU6 combined on a daily 24-hour basis (7:30 am to 7:30 am).</p>
EU6	<p>(2) Notify MassDEP, attention Bureau of Waste Prevention Compliance and Enforcement Chief, of the occurrence of any upset condition with PCD1, within 24 hours by fax at (978) 694-3499, and subsequently in writing within seven (7) days of occurrence describing the reason(s) for and the extent of down time of the equipment and all steps that have been or will be taken to prevent said occurrence from recurring.</p>
EU9	<p>(3) Submit quarterly reports to MassDEP and to the USEPA of exceedances of the VOC emission limits specified in 40 CFR 60 Subpart RR, Section 60.442. If no exceedances occur during a particular quarter, a report stating this shall be submitted to MassDEP and to the USEPA semiannually as provided in 40 CFR 60 Subpart RR, Section 60.447(b) and incorporated herein by reference.</p> <p>(4) Notify MassDEP, attention Bureau of Waste Prevention Compliance and Enforcement Chief, of the occurrence of any upset condition with PCD2, within 24 hours by fax at (978) 694-3499, and subsequently in writing within seven (7) days of occurrence describing the reason(s) for and the extent of down time of the equipment and all steps that have been or will be taken to prevent said occurrence from recurring as referenced in Approval MBR-00-IND-016, Proviso D.6.</p> <p>(5) The Permittee shall submit semi-annual VOC emissions reports to this Office, attention Bureau of Waste Prevention Permit Chief. Each report shall include the quantity of VOC-containing coatings used on EU9 on a monthly and twelve month rolling calendar basis, the VOC content of each coating, and the actual VOC emissions on a monthly and twelve month rolling calendar period basis. Said semi-annual reports shall be due on July 15th (covering the months January through June) and on January 15th (covering the months July through December) as referenced in Approval MBR-00-IND-016, Proviso D.8.</p>
EU5, EU6, EU9	<p>(6) Submit by January 30th and July 30th for the previous six months respectively, a report to document the compliance status of EU5, EU6, EU9, and all ancillary equipment with respect to the monthly requirement that the total mass of organic HAP emitted based on coating solids applied is not more than 0.20 kg organic HAP per kg of coatings solids as required in 40 CFR 63 Subpart JJJJ.</p>
Facility-wide	<p>(7) 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.</p> <p>(8) Submit Source Registration/Emission Statement Form to MassDEP on an annual basis as required in 310 CMR 7.12.</p> <p>(9) The Permittee shall submit an annual report to this Office, attention Bureau of Waste Prevention Permit Chief, by January 31 of the following year, summarizing its progress towards decreasing overall emissions to the environment. This report shall discuss alternative technologies or reformulated materials which have been or will be implemented at the subject facility as referenced in Approval MBR-00-IND-016, Proviso No. E.6.</p> <p>(10) 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). (Please also see General Condition No. 10 of this Permit).</p> <p>(11) Promptly report to MassDEP all instances of deviations from Permit requirements by telephone or fax, within three days of discovery of such deviation, as provided in 310 CMR 7.00: Appendix C(10)(f), incorporated herein by reference. (Please also see General Condition No. 25 of this Permit).</p> <p>(12) Submit an Annual Compliance report to MassDEP and EPA by January 30 of each year and as required by General Condition No.10 of this Permit.</p> <p>(13) 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.</p>

Table 6	
EU #	Reporting Requirements
Facility-wide (continued)	(14) In accordance with 310 CMR 7.00: Appendix C(10)(h) all required reports must be certified by a responsible official consistent with 310 CMR 7.00: Appendix C(5)(c).
	(15) Notify MassDEP via written documentation if there is a net VOC emissions increase at the Facility occurring over a period of five consecutive calendar years which equates to 25 or more tons of VOC per year, since said increase shall become subject to the Nonattainment New Source Review requirements contained in 310 CMR 7.00: Appendix A concerning “major modifications”.
	(16) 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)
	(17) In accordance with 310 CMR 7.71(6), certify greenhouse gas emissions reports using a form provided by the Department or the registry. (State only requirement)
	(18) In accordance with 310 CMR 7.71(7), by December 31 st of the applicable year submit to the Department documentation of triennial verification of the greenhouse gas emissions report. (State only requirement)

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, contained in Table 7 below:

Table 7	
Regulation	Reason
310 CMR 7.16	Below the thresholds

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 Tables 3, 4, 5 and 6.

Table 8	
EU#	Special Terms and Conditions
EU5, EU6	<p>1)As per 310 CMR 7.00: Appendix B(4)(f), MassDEP has determined that Approval MBR-86-BUB-009 shall be renewed. As such and as referenced in 310 CMR 7.00: Appendix B(4)(e)1, the Permittee shall continue to perform the following daily bubble calculations to determine compliance with their 24-hour bubble emission limit of 4.8 pounds VOC per gallon solids applied (bubbled for EU5 and EU6):</p> <p>In order to comply with a bubble for VOC, the combined actual emissions (AcE) over a daily period from all emission units in the bubble must be less than or equal to the allowable emission total (AIE) as determined by the following equations:</p> $AcE = (Ac_{EU5} \times B_{EU5}) + (Ac_{EU6} \times B_{EU6})$ $AIE = (A_{EU5} \times B_{EU5}) + (A_{EU6} \times B_{EU6})$ <p>Where:</p> <p>AcE = the combined actual emissions from EU5 and EU6 in pounds per day. AIE = the allowable emissions from EU5 and EU6 in pounds per day. Ac_{EU5} = the actual emission rate of EU5 in pounds of VOC per gallon of solids applied Ac_{EU6} = the actual emission rate of EU6 in pounds of VOC per gallon of solids applied A_{EU5} = the most stringent applicable emission limitation for each unit of production, which is 4.8 pounds of VOC per gallon of solids applied on EU5 A_{EU6} = the most stringent applicable emission limitation for each unit of production, which is 4.8 pounds of VOC per gallon of solids applied on EU6 B_{EU5} = the actual number of production units processed each day on EU5 in gallons of solids applied B_{EU6} = the actual number of production units processed each day on EU6 in gallons of solids applied</p> <p>In accordance with 310 CMR 7.00: Appendix B(4)(f), MassDEP is renewing Approval MBR-86-BUB-009 herein.</p>
EU9	<p>2) The VOC content per unit of coating solids applied and compliance with 40 CFR 60 Subpart RR, Section 60.442(a)(1) shall be determined by either Reference Method 24 and the equations specified in Section 60.443 or by manufacturers’ formulation data. In the event of any inconsistency between a Method 24 test and manufacturers’ formulation data, the Method 24 test will govern as referenced in 40 CFR 60 Subpart RR, Section 60.446(a) and incorporated herein by reference.</p> <p>3) A copy of Final Approval letter MBR-00-IND-016 shall be posted at or near EU9 as referenced in Approval MBR-00-IND-016, Proviso No. D.4.</p> <p>4) A copy of PCD2’s Standard Operating and Maintenance Procedure (SOMP) shall be maintained at the facility at all times as referenced in Approval MBR-00-IND-016, Proviso No. D.5.</p> <p>5) The Permittee shall be permitted to utilize any materials with resultant comparable or lower VOC than those proposed in Application No. MBR-00-IND-016 as long as these emissions are included in and do not result in an exceedance of any applicable VOC emission limit, as referenced in Approval MBR-00-IND-016, Proviso No. E.3.</p>

EU5, EU6, EU9	6) Emission units 5, 6, and 9 are subject to the requirements of 40 CFR 63.1 – 15, Subpart A, “General Provisions” as indicated in Table 3 to Subpart JJJJ of 40 CFR 63. Compliance with all applicable provisions therein is required.
Facility-wide	7) 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).
	8) Any net VOC emissions increase at the Facility occurring over a period of five consecutive calendar years which equates to 25 or more tons of VOC per year shall become subject to the Nonattainment New Source Review requirements as referenced in Approval MBR-00-IND-016, Proviso No. D.9.
	9) The Permittee shall continue to evaluate and utilize low and no VOC coatings and clean-up solutions which are technically and economically feasible in accordance with 310 CMR 50 (Toxic Use Reduction) as referenced in Approval MBR-00-IND-016, Proviso D.7.
	10) All VOC-containing materials, such as coatings and cleanup solutions, shall be transported and stored in tightly covered containers as referenced in Approval MBR-00-IND-016, Proviso C.2.
	11) All cleaning rags used in conjunction with the cleaning solutions shall be placed in tightly covered containers when not in use, and shall be collected for proper recycling or disposal, as referenced in Approval MBR 00-IND-016, Proviso C.3.
12) The Permittee shall not permit any dust or odor operations to cause or contribute to a condition of air pollution. (State only requirement - 310 CMR 7.09 Dust, Odor, Construction, and Demolition)	

6. **ALTERNATIVE OPERATING SCENARIOS**

Table 9
Alternative Operating Scenarios
The Permittee did not request alternative operating scenarios in its Operating Permit Renewal Application.

7. **EMISSIONS TRADING**

Table 10	
EU#	Emissions Trading
EU5, EU6	(a) Intra-facility emissions trading The Permittee did not request intra-facility emissions trading in its Operating Permit Renewal Application.
Facility-wide	(b) Inter-facility emissions trading The Permittee did not request inter-facility emissions trading in its Operating Permit Renewal Application. All increases in emissions due to emission trading, must be authorized under the applicable requirements of 310 CMR 7.00: Appendix B (the "Emissions Trading Program") and the 42 U.S.C. §7401 et seq. (the "Act"), and provided for in this Permit.

8. **COMPLIANCE SCHEDULE**

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

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

GENERAL CONDITIONS FOR OPERATING PERMIT

9. **FEES**

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

10. COMPLIANCE CERTIFICATION

All documents submitted to 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 MassDEP's web site, <http://www.mass.gov/dep/air/approvals/aqforms.htm#op>.

(a) Annual Compliance Report and Certification

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

The compliance certification and report shall describe:

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

- i. the terms and conditions of the Permit that are the basis of the certification;
- ii. the current compliance status during the reporting period;
- iii. the methods used for determining compliance, including a description of the monitoring, record keeping, and reporting requirements and test methods;
- iv. whether there were any deviations during the reporting period;
- v. if there are any outstanding deviations at the time of reporting, and the Corrective Action Plan to remedy said deviation;
- vi. whether deviations in the reporting period were previously reported;
- vii. if there are any outstanding deviations at the time of reporting, the proposed date of return to compliance;
- viii. if the deviations in the reporting period have returned to compliance and date of such return to compliance; and
- ix. any additional information required by 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 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) MassDEP has determined that the Permittee is not currently subject to the requirements listed in Section 4, Table 7.

(c) Nothing in this Permit shall alter or affect the following:

(i) the liability of the source for any violation of applicable requirements prior to or at the time of Permit issuance.

(ii) the applicable requirements of the Acid Rain Program, consistent with 42 U.S.C. §7401, §408(a); or

(iii) the ability of EPA to obtain information under 42 U.S.C. §7401, §114 or §303 of the Act.

13. **ENFORCEMENT**

The following regulations found at 310 CMR 7.02(8)(h) Table 6 for wood fuel, 7.02(8)(i), 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 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 MassDEP's receipt of a complete and timely application for renewal, this facility may continue to operate subject to final action by MassDEP on the renewal application.

In the event 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 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 MassDEP and/or EPA. The responsible official of the facility may request that MassDEP terminate the facility's Operating Permit for cause. 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 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 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 Proposed Permit.

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

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

22. **PERMIT AVAILABILITY**

The Permittee shall have available at the facility, at all times, a copy of the materials listed under 310 CMR 7.00: Appendix C(10)(e) and shall provide a copy of the Permit, including any amendments or attachments thereto, upon request by 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 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 supercede the following deviation reporting requirements, if applicable.

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

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

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.

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 Massachusetts Department of Environmental Protection Bureau of Waste Prevention Air Operating Permit Reporting Kit, which is available to the Permittee via MassDEP's web site, <http://www.mass.gov/dep/air/approvals/aqforms.htm#op>. This report shall include the deviation, including those attributable to upset conditions as defined in the Permit, the probable cause of such deviations, and the corrective actions or preventative measures taken.

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

26. **OPERATIONAL FLEXIBILITY**

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

- 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.

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.