



Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection

Central Regional Office • 8 New Burd Street, Worcester MA 01606 • 508-792-7650

Charles D. Baker
Governor

Karyn E. Polito
Lieutenant Governor

Matthew A. Beaton
Secretary

Martin Suuberg
Commissioner

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"]:

Tennessee Gas Pipeline Company, L.L.C.
1001 Louisiana Street, Room 1446A
Houston, TX 77002

INFORMATION RELIED UPON:

Original Transmittal No. W100092
Renewal Transmittal No. X254681

FACILITY LOCATION:

Tennessee Gas Pipeline Co.
Compressor Station 266A
54 Thayer Road
Mendon, MA 01756

FACILITY IDENTIFYING NUMBERS:

AQ ID: 118-0060
FMF FAC NO. 204852
FMR RO NO. 194029

NATURE OF BUSINESS:

Natural Gas Supplier

STANDARD INDUSTRIAL CODE (SIC): 4922

North American Industrial Classification System
(NAICS): 486210

RESPONSIBLE OFFICIAL:

Name: Gary Buchler
Title: Vice President- Engineering/Operations
Name: Thomas Dender
Title: Vice President – Operations
Name: Ronald S. Bessette
Title: Director - Operations

FACILITY CONTACT PERSON:

Name: Michael Zeilstra
Title: Senior EH&S Specialist
Phone: 713-420-4333
E-mail: Michael_Zeilstra@kindermorgan.com

This Operating Permit shall expire on July 17, 2020.

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
Permit Chief, Bureau of Air and Waste

Date: July 17, 2015

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

TABLE OF CONTENTS

24	Emergency Conditions	24
25	Permit Deviation	24
26	Operational Flexibility	25
27	Modifications	25
28	Ozone Depleting Substances	26
29	Prevention of Accidental Releases	27
	Appeal Conditions for Operating Permit	27

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

This document is the five year renewal of the Operating Permit. The Permittee is required to obtain an operating permit by operation of the requirement of 310 CMR 7.00: Appendix C(2)(a)1 because the facility's potential emissions of nitrogen oxides are greater than 50 tons per year. An additional emission unit (EU 4) and related requirements is included herein to comply with the requirements of the federal National Emission Standards for Hazards Air Pollutants (NESHAP) for Stationary Reciprocating Internal Combustion Engines (RICE) (40 CFR 63 Subpart ZZZZ), which have been revised since the last renewal. EU 4 is an existing, natural gas fired, emergency spark ignition engine, less than 500 horsepower at an area source of Hazardous Air Pollutant emissions. The US EPA has delegated the administration of the RICE NESHAP at operating permit sources to MassDEP.

This facility is Tennessee Gas Pipeline Compressor Station 266A, located in Mendon, Massachusetts. It is used to assist the flow of natural gas in a major pipeline.

The natural gas in the pipeline flows at high pressure. When an increase in demand causes the pressure to go down, one or more of the compressors is started. The compressors burn a small portion of the natural gas as fuel to power the compressors. The compressors return the natural gas to the pipeline at a higher pressure.

The exhaust gas from the compressors contains regulated air pollutants.

Table 1 lists the equipment (emission units or EUs) subject to this Operating Permit. Table 2 describes the exempt activities that are not mentioned further in the Operating Permit. Tables 3, 4, 5, and 6 describe the applicable

requirements that the EUs are subject to in the Operating Permit. Table 7 lists the requirements that the Permittee is currently not subject to, including Compliance Assurance Monitoring (CAM).

The three combustion turbines are subject to 40 CFR 60 Subpart GG – Standards of Performance for Stationary Gas Turbines. The US Environmental Protection Agency has delegated the administration of Subpart GG to MassDEP. However, the emission limitations for nitrogen oxides and sulfur dioxide included in Table 3 are stricter than those required by 40 CFR 60 Subpart GG.

2. EMISSION UNIT IDENTIFICATION

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

Table 1			
EU	Description of Emission Unit	EU Design Capacity	Pollution Control Device (PCD)
1	Solar Saturn T-1300S Combustion Turbine driving a natural gas pipeline compressor	14.7 MM BTU/hour rated at 1343 hp @ ISO Conditions	N/A
2	Solar Saturn T-1300S Combustion Turbine driving a natural gas pipeline compressor	14.7 MM BTU/hour rated at 1343 hp @ ISO Conditions	N/A
3	Solar Taurus 60 Combustion Turbine driving a natural gas pipeline compressor	60.65 MM BTU/hour rated at 6716 hp @ ISO Conditions	N/A
4	150 kW Waukesha F18G-G, 4-stroke rich-burn natural gas-fired spark-ignition emergency engine	2.20 MMBTU/hour (input) 201 hp (output)	N/A

Table 1 Key:

EU = Emission Unit
 hp = horsepower
 ISO = International Organization for Standardization
 ISO Conditions = 59°F, 60% relative humidity at sea level.
 kW = Kilowatts
 MMBTU = Million British Thermal Units

3. IDENTIFICATION OF EXEMPT ACTIVITIES

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

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

Table 3					
EU	Fuel/Raw Material	Pollutant	Operational and/or Production Limits	Emissions Limit/Standards	Applicable Regulation and/or Approval No.
1 and 2 ¹	Natural Gas	NO _x		4.34 pounds/hr/EU, 19.0 tpy/EU, 38 tpy combined	Plan Approval Tr. No. 31727 and 40 CFR 60 Subpart GG
		CO		4.15 pounds/hr/EU, 18.2 tpy/EU, 36.4 tpy combined	
		PM		0.21 pounds/hr/EU, 0.92 tpy/EU, 1.8 tpy combined	

Table 3

EU	Fuel/Raw Material	Pollutant	Operational and/or Production Limits	Emissions Limit/Standards	Applicable Regulation and/or Approval No.
		SO ₂		0.0088 pounds/hr/EU, 0.039 tpy/EU, 0.078 tpy combined	
		VOC		0.582 pounds/hr/EU, 2.5 tpy/EU, 5.0 tpy combined	
3 Typical ^{2,3} Condition	Natural Gas ⁴	PM	1) The only fuel shall be natural gas. 2) The Permittee shall not operate the unit more than 300 hours per twelve month rolling total during extreme conditions. ⁵	0.02 pounds/MMBtu, 1.33 pounds/hr, 0.495 tpm, 5.45 tpy	Plan Approval Tr. No. W067106 and 40 CFR 60 Subpart GG
		SO ₂		0.0006 pounds/MMBtu, 0.04 pounds/hr, 0.015 tpm, 0.16 tpy	
		NO _x		15 ppmvd, 3.7 pounds/hr, 1.38 tpm, 16.0 tpy	
		CO		10 ppmvd, 1.5 pounds/hr, 0.558 tpm, 15.1 tpy	

Table 3					
EU	Fuel/Raw Material	Pollutant	Operational and/or Production Limits	Emissions Limit/Standards	Applicable Regulation and/or Approval No.
		VOC		less than 0.03 pounds/MMBtu, less than 2.13 pounds/hr, 0.79 tpm, 9.48 tpy	
3 Extreme Condition	Natural Gas	NOx	Maximum Heat Input 66.65 MMBtu/hr (HHV)	9.63 pounds/hr	Plan Approval Tr. No. W067106
		CO		13.95 pounds/hr	
		VOC		3.99 pounds/hr	
		SO2		0.04 pounds/hr	
		PM		1.46 pounds/hr	
1, 2 and 3	Natural Gas	Opacity	Opacity shall not exceed 10% at all time, during all modes of operation, including startup and shutdown of the combustion turbine generators.		Plan Approval Tr. Nos. 31727 and W067106
		Smoke	Not to exceed No. 1 of the Chart for a period or aggregate period of time in excess of 6 minutes during any one hour provided that at no time shall the shade, density or appearance be greater than No. 2 of the Chart.		310 CMR 7.06
Facility-Wide		Greenhouse Gas ⁶	N/A		310 CMR 7.71 (state only)

Table 3 Key:

- CO = Carbon Monoxide
- EU = Emission Unit
- °F = Degrees Fahrenheit
- HHV = Higher Heating Value
- hr = hour
- MMBtu – Million British Thermal Units
- NOx – Nitrogen Oxides
- PM – Particulate Matter
- ppmvd – parts per million by volume, dry basis
- % = percent
- tpm – tons per month
- tpy – tons per year, that is, tons per 12-month rolling period
- SO2 – Sulfur Dioxide
- VOC – Volatile Organic Compounds

Table 3 Foot Notes:

1. Emissions rates for EUs 1 & 2 reflect ISO conditions 59°F, 60% relative humidity at sea level).
2. Typical conditions are defined as ambient temperatures at or above 0°F.
3. Short-term emission limits for EU 3 represent worst case conditions of 0°F and 100% load. Short term limits include pounds/MMBtu, pounds/hr, tpm and ppmvd. Long-term emission limits for EU 3 were developed based on 100% load and an average temperature of 50°F. Long-term emission limits are based on tons per twelve month rolling total and include 300 hours of operation under extreme conditions and short duration increased emissions during 250 startups and shutdowns per year.
4. Natural Gas as defined in 40 CFR 60 Subpart GG, Standards of Performance for Stationary Gas Turbines, final rule amended, July 8, 2004.
5. Extreme conditions are defined as ambient temperature below 0°F.
6. Greenhouse Gas means any chemical or physical substance that is emitted into the air and that the MassDEP may reasonably anticipate will cause or contribute to climate change including, but not limited to, carbon dioxide, methane, nitrous oxide, sulfur hexafluoride, hydrofluorocarbons (HFCs), and perfluorocarbons (PFCs).
7. To calculate the amount of a consecutive 12 month rolling period take the current calendar month amount and add it to the previous 11 calendar months total amount.

Table 3A Emergency Engine		
EU	Operational and/or Production Limits	Applicable Regulation and/or Approval No.
4	1) Effective October 19, 2013, the Permittee shall operate EU 4 according to the requirements in paragraphs 2) through 4) of Table 3A. In order for EU 4 to be considered an emergency stationary RICE under 40 CFR 63 Subpart ZZZZ, any operation other than emergency operation, maintenance and testing, emergency demand response, and operation in non-emergency situations for 50 hours per year, as described in paragraphs 2) through 4) of Table 3A, is prohibited. If the Permittee does not operate EU 4 according to the requirements in paragraphs 2) through 4) of Table 3A, EU 4 will not be considered an emergency engine under 40 CFR 63 Subpart ZZZZ and must meet all requirements for non-emergency engines.	40 CFR 63.6640(f)
	2) There is no time limit on the use of EU 4 in emergency situations.	40 CFR 63.6640(f)(1)

Table 3A Emergency Engine

EU	Operational and/or Production Limits	Applicable Regulation and/or Approval No.
	<p>3) The Permittee may operate the EU 4 for any combination of the purposes specified in paragraphs 3) a. through c. of Table 3A for a maximum of 100 hours per calendar year. Any operation for non-emergency situations as allowed by paragraph 4) of Table 3A counts as part of the 100 hours per calendar year allowed by this paragraph 3).</p> <p>a. EU 4 may be operated for maintenance checks and readiness testing, provided that the tests are recommended by federal, state or local government, the manufacturer, the vendor, the regional transmission organization or equivalent balancing authority and transmission operator, or the insurance company associated with EU 4. The Permittee may petition the Administrator for approval of additional hours to be used for maintenance checks and readiness testing, but a petition is not required if the Permittee maintains records indicating that federal, state, or local standards require maintenance and testing of EU 4 beyond 100 hours per calendar year.</p> <p>b. EU 4 may be operated for emergency demand response for periods in which the Reliability Coordinator under the North American Electric Reliability Corporation (NERC) Reliability Standard EOP-002-3, Capacity and Energy Emergencies (incorporated by reference, 40 CFR 63.14), or other authorized entity as determined by the Reliability Coordinator, has declared an Energy Emergency Alert Level 2 as defined in the NERC Reliability Standard EOP-002-3.</p> <p>c. EU 4 may be operated for periods where there is a deviation of voltage or frequency of 5 percent or greater below standard voltage or frequency.</p>	<p>40 CFR 63.6640(f)(2)</p>

Table 3A Emergency Engine		
EU	Operational and/or Production Limits	Applicable Regulation and/or Approval No.
	<p>4) The Permittee may operate EU 4 for up to 50 hours per calendar year in non-emergency situations. The 50 hours of operation in non-emergency situations are counted as part of the 100 hours per calendar year for maintenance and testing and emergency demand response provided in paragraph 3) of Table 3A. Except as provided in paragraphs 4) a. and b. of Table 3A, the 50 hours per year for non-emergency situations cannot be used for peak shaving or non-emergency demand response, or to generate income for a facility to an electric grid or otherwise supply power as part of a financial arrangement with another entity.</p> <p>a. Prior to May 3, 2014, the 50 hours per year for non-emergency situations can be used for peak shaving or non-emergency demand response to generate income for a facility, or to otherwise supply power as part of a financial arrangement with another entity if EU 4 is operated as part of a peak shaving (load management program) with the local distribution system operator and the power is provided only to the facility itself or to support the local distribution system.</p> <p>b. The 50 hours per year for non-emergency situations can be used to supply power as part of a financial arrangement with another entity if all of the following conditions are met:</p> <ol style="list-style-type: none"> 1. EU 4 is dispatched by the local balancing authority or local transmission and distribution system operator. 2. The dispatch is intended to mitigate local transmission and/or distribution limitations so as to avert potential voltage collapse or line overloads that could lead to the interruption of power supply in a local area or region. 3. The dispatch follows reliability, emergency operation or similar protocols that follow specific NERC, regional, state, public utility commission or local standards or guidelines. 4. The power is provided only to the facility itself or to support the local transmission and distribution system. 5. The Permittee identifies and records the entity that dispatches EU 4 and the specific NERC, regional, state, public utility commission or local standards or guidelines that are being followed for dispatching EU 4. The local balancing authority or local transmission and distribution system operator may keep these records on behalf of Permittee. 	<p>40 CFR 63.6640(f)(4)</p>

Table 3A Key:

EU = Emission Unit
 RICE =Reciprocating Internal Combustion Engine

B. COMPLIANCE DEMONSTRATION

The Permittee is subject to the monitoring/testing, record keeping, and reporting requirements as contained in Tables 4, 5, and 6 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 and 2	1) In accordance with Plan Approval Tr. No. 31727, the Permittee shall construct the Facility to accommodate emission testing requirements contained herein. The compliance testing for oxides of nitrogen shall be in accordance with the MassDEP guidelines for source emission testing and the Environmental Protection Agency testing requirements as specified in 40 CFR 60 Appendix A and with 40 CFR 60 Subpart GG Standards of Performance for Gas Turbines, Section 60.335 Test Methods and Procedures.
1, 2 and 3	2) In accordance with Plan Approval Tr. Nos. 31727 and W067106, the Permittee shall install and maintain the following recording devices and shall monitor the following parameters: <ul style="list-style-type: none"> a. total hours of operation for each unit, including auxiliary equipment, and b. total fuel consumption (ft³/yr) for each unit. 3) The Permittee shall demonstrate that the fuel burned meets the definition of natural gas in 40 CFR 60.331(u), in accordance with 40 CFR 60.334(h)(3). 4) The Permittee shall determine compliance with smoke and opacity limits in accordance with EPA Method 9, as specified in 40 CFR 60 Appendix A in accordance with 310 CMR 7.00: Appendix C(9)(b).
4	5) In accordance with 40 CFR 63.6625(e)(3), and effective October 19, 2013, the Permittee shall operate and maintain EU 4 according to the manufacturer's emission-related written instructions or develop its 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. 6) In accordance with 40 CFR 63.6625(f), and effective October 19, 2013, EU 4 shall be equipped with a non-resettable hour meter. 7) In accordance with 40 CFR 63.6625(h), and effective October 19, 2013, the Permittee shall minimize EU 4'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.

Table 4	
EU	MONITORING and TESTING REQUIREMENTS
	<p>8) In accordance with 40 CFR 63.6625(j), and effective October 19, 2013, the Permittee has the option of utilizing an oil analysis program in order to extend the specified oil change requirement in Tables 2d to 40 CFR 63 Subpart ZZZZ. The oil analysis must be performed at the same frequency specified for changing the oil in Table 2d to 40 CFR Part 63 Subpart ZZZZ. The analysis program must at a minimum analyze the following three parameters: Total Acid Number, viscosity, and percent water content. The condemning limits for these parameters are as follows: Total Acid Number increases by more than 3.0 milligrams of potassium hydroxide (KOH) per gram from Total Acid Number of the oil when new; viscosity of the oil has changed by more than 20 percent from the viscosity of the oil when new; or percent water content (by volume) is greater than 0.5. If all of these condemning limits are not exceeded, the Permittee is not required to change the oil. If any of the limits are exceeded, the Permittee must change the oil within 2 days of receiving the results of the analysis; if EU 4 is not in operation when the results of the analysis are received, Permittee must change the oil within 2 days or before commencing operation, whichever is later. The Permittee must keep records of the parameters that are analyzed as part of the program, the results of the analysis, and the oil changes for EU 4. The analysis program must be part of the maintenance plan for EU 4.</p>
	<p>9) In accordance with 310 CMR 7.13(1), if and when the MassDEP determines that stack testing is necessary to ascertain compliance with MassDEP's regulations or design approval provisos the Permittee shall cause such stack testing:</p> <ul style="list-style-type: none"> a. to be conducted by a person knowledgeable in stack testing, b. to be conducted in accordance with procedures contained in a test protocol approved by the MassDEP, and c. to be conducted in the presence of a representative of the MassDEP when such is deemed necessary.
Facility-wide	<p>10) The Permittee shall demonstrate compliance with the Emission Limits specified in Table 3 by using EPA approved reference test methods unless otherwise approved by EPA and the MassDEP or unless otherwise specified and shall include Methods 1 through 4 and for Particulate Matter (Method 5), Sulfur Dioxide (Method 6C), Nitrogen Oxides (Method 7E), Carbon Monoxide (Method 10). Methods 19 and 20 are an acceptable alternative for the above methods.</p>
	<p>11) The Permittee shall monitor the operations of the entire facility such that necessary information is available for the preparation of the annual Source Registration/Emission Statement Forms as required by 310 CMR 7.12.</p>
	<p>12) In accordance with 310 CMR 7.71(1) and Appendix C(9), the Permittee shall establish and maintain data systems or record keeping practices (e.g. fuel use records, sulfur hexafluoride usage documentation, Continuous Emissions Monitoring System) for greenhouse gas emissions to ensure compliance with the reporting provisions of M.G.L. c. 21N, the Climate Protection and Green Economy Act, St. 2008, c. 298, § 6. (State only)</p>

Table 4 Key:

EU = Emission Unit

Table 5

Table 5	
EU	RECORD KEEPING REQUIREMENTS
1 and 2	<p>1) In accordance with Plan Approval Tr. No. 31727, the Permittee shall maintain for five years and make available to MassDEP personnel upon request the following records:</p> <ul style="list-style-type: none"> a. date and hours of operation of each unit including auxiliary equipment, b. date, time and maintenance reports on each unit including auxiliary equipment, and c. quantity of fuel burned each hour.
1, 2 and 3	<p>2) In accordance with Plan Approval Tr. No. W067106, the Permittee shall keep the following operating and maintenance records for the facility on-site:</p> <ul style="list-style-type: none"> a. Records of the hours of operation of each unit including start-ups and shutdowns; b. Records of all maintenance performed on the Taurus-60 turbine; c. The quantity of natural gas combusted within the Taurus-60 turbine during each calendar month; d. Emission factors for NO_x, CO, and VOCs as developed from appropriate stack test data, an emission factor for SO₂ based on fuel sulfur content, and an appropriate emission factor for PM based on the most recent revision of EPA's <i>Compilation of Air Pollutant Emission Factors - Volume I: Stationary Point and Area Sources</i>; e. The actual emissions of NO_x, CO, SO₂, PM, and VOCs during each calendar month and the previous rolling 12 calendar month period.
4	<p>3) In accordance with 40 CFR 63.6655(e) and (f), and effective October 19, 2013, the Permittee shall maintain comprehensive and accurate records of:</p> <ul style="list-style-type: none"> a. the maintenance conducted on EU 4 in order to demonstrate that the Permittee operated and maintained EU 4 and after-treatment control device (if any) according to the Permittee's own maintenance plan. b. the hours of operation of EU 4 that is recorded through the non-resettable hour meter. The Permittee must document how many hours are spent for emergency operation, including what classified the operation as emergency and how many hours are spent for non-emergency operation. If EU 4 is used for the purposes specified in 40 CFR 63.6640(f)(2)(ii) or (iii) or 40 CFR 63.6640(f)(4)(ii), the Permittee must keep records of the notification of the emergency situation, and the date, start time, and end time of EU 4 operation for these purposes.
Facility-wide	<p>4) In accordance with 310 CMR 7.00: Appendix C (10)(b), the Permittee shall maintain records of all monitoring data and supporting information on-site for a period of at least five years from the date of the monitoring sample, measurement, report or initial Operating Permit application.</p> <p>5) The Permittee shall 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.</p>

Table 5	
EU	RECORD KEEPING REQUIREMENTS
	6) The Permittee shall keep copies of Source Registration/Emission Statement Forms and other information submitted to the MassDEP for five years as required by 310 CMR 7.12(3)(b).
	7) In accordance with 310 CMR 7.71 (6) b. and c., the Permittee shall 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 greenhouse gas emissions. (State only)

Table 5 Key:

- CO = Carbon Monoxide
- EU = Emission Unit
- NOx = Nitrogen Oxides
- PM = Particulate Matter
- RICE = Reciprocating Internal Combustion Engine
- SO2 = Sulfur Dioxide
- VOC = Volatile Organic Compounds

Table 6	
EU	REPORTING REQUIREMENTS
3	1) In accordance with Plan Approval Tr. No. W067106, the Permittee shall notify the MassDEP in writing 90 days prior to any planned or routine construction, substantial reconstruction, alteration or replacement of the Taurus-60 turbine, including, but not limited to, any service life overhaul.
	2) In accordance with Plan Approval Tr. No. W067106, the Permittee shall notify the MassDEP by phone or fax within 24 hours of any construction, substantial reconstruction, alteration, or replacement of the Taurus-60 turbine due to malfunction, upset conditions, or premature degradation. The Permittee shall submit a detailed written description to the MassDEP of the actions taken within five days after completing such actions.
4	3) In accordance with 40 CFR 63.6603 and 63.6640, Footnote 2 of Table 2d of 40 CFR Subpart ZZZZ, and effective October 19, 2013, if EU 4 is operating during an emergency and it is not possible to shut down EU 4 in order to perform the management practice requirements on the schedule required in Table 2d of 40 CFR 63 Subpart ZZZZ, or if performing the management practice on the required schedule would otherwise pose an unacceptable risk under Federal, State, or local law, the management practice can be delayed until the emergency is over or the unacceptable risk under Federal, State, or local law has abated. The management practice should be performed as soon as practicable after the emergency has ended or the unacceptable risk under Federal, State, or local law has abated. The Permittee shall report any failure to perform the management practice as soon as practicable and the Federal, State or local law under which the risk was deemed unacceptable.
	4) In accordance with 40 CFR 63.6640(e) and effective October 19, 2013, the Permittee shall report each instance in which the Permittee did not meet the requirements in Table 8 of 40 CFR Subpart ZZZZ that applies to the Permittee.

Table 6

EU	REPORTING REQUIREMENTS
	<p>5) In accordance with 40 CFR 63.6650(h) and effective October 19, 2013, if EU 4 operates or is contractually obligated to be available for more than 15 hours per calendar year for the purposes specified in 40 CFR 63.6640(f)(2)(ii) and (iii) or that operates for the purpose specified in 40 CFR 63.6640(f)(4)(ii), the Permittee shall submit an annual report according to the requirements in paragraphs a. through c. of this section of Table 6 and as specified below.</p> <ul style="list-style-type: none"> a. The report must contain the following information: <ul style="list-style-type: none"> 1. Company name and address where EU 4 is located. 2. Date of the report and beginning and ending dates of the reporting period. 3. Engine site rating and model year. 4. Latitude and longitude of EU 4 in decimal degrees reported to the fifth decimal place. 5. Hours operated for the purposes specified in 40 CFR 63.6640(f)(2)(ii) and (iii), including the date, start time, and end time for EU 4 operation for the purposes specified in 40 CFR 63.6640(f)(2)(ii) and (iii). 6. Number of hours EU 4 is contractually obligated to be available for the purposes specified in 40 CFR 63.6640(f)(2)(ii) and (iii). 7. Hours spent for operation for the purpose specified in 40 CFR 63.6640(f)(4)(ii), including the date, start time, and end time for EU 4 operation for the purposes specified in 40 CFR 63.6640(f)(4)(ii). The report must also identify the entity that dispatched EU 4 and the situation that necessitated the dispatch of EU 4. 8. If there were no deviations from the fuel requirements in 40 CFR 63.6604 that apply to EU 4 (if any), a statement that there were no deviations from the fuel requirements during the reporting period. 9. If there were deviations from the fuel requirements in 40 CFR 63.6604 that apply to EU 4 (if any), information on the number, duration, and cause of deviations, and the corrective action taken. b. The first annual report must cover the calendar year 2015 and must be submitted no later than March 31, 2016. Subsequent annual reports for each calendar year must be submitted no later than March 31 of the following calendar year. c. The annual report must be submitted electronically using the subpart specific reporting form in the Compliance and Emissions Data Reporting Interface (CEDRI) that is accessed through EPA's Central Data Exchange (CDX) (www.epa.gov/cdx). However, if the reporting form specific to this subpart is not available in CEDRI at the time that the report is due, the written report must be submitted to the Administrator at the appropriate address listed in 40 CFR 63.13.
Facility-wide	<p>6) In accordance with Plan Approval Tr. No. W067106, the Permittee shall notify MassDEP as soon as reasonably practical by telephone or fax after the occurrence of any upsets or malfunctions (i.e., any piece of equipment or device breakdown that causes an excess emission) and in writing within two (2) business days of such event.</p>

Table 6	
EU	REPORTING REQUIREMENTS
	7) In accordance with 310 CMR 7.13(1) and 7.13(2), if determined by the Department that stack testing is necessary to ascertain compliance with the Department's regulations or design approval provisos shall cause such stack testing to be summarized and submitted to the Department as prescribed in the agreed to pretest protocol.
	8) In accordance with Plan Approval Tr. No. W067106, upon the MassDEP's request, any records required by the applicable requirements identified in Plan Approval Tr. No. W067106, or the emissions of any air contaminant from the Facility, shall be submitted to the MassDEP within 30 days of the request by the MassDEP, or within a longer time period if approved in writing by the MassDEP. Said response shall be transmitted on paper, on computer disk, or electronically at the discretion of the MassDEP.
	9) The Permittee shall submit a Source Registration/Emission Statement form to the MassDEP on an annual basis as required by 310 CMR 7.12.
	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).
	11) In accordance with 310 CMR 7.00: Appendix C(10)(h), a responsible official of the Permittee shall certify all required reports.
	12) The Permittee shall submit an Annual Compliance report to MassDEP and EPA by January 30 of each year and as required by General Condition 10 of this Permit.
	13) 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)
	14) 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)
	15) 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)

Table 6 Key:

CO₂e = carbon dioxide equivalents
 EU = Emission Unit

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 in Table 7:

Table 7	
REGULATION	REASON
40 CFR 64 Compliance Assurance Monitoring	No equipment with air pollution control devices
310 CMR 7.07 Open Burning	No open burning conducted at this Facility.
310 CMR 7.16 Reduction of Single Occupant Commuter Vehicle Use	Permittee has less than 250 employees.
310 CMR 7.25 Consumer and Commercial Products	Permittee does not manufacture consumer or commercial products.

5. SPECIAL TERMS AND CONDITIONS

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

Table 8	
EU	SPECIAL TERMS AND CONDITIONS
1, 2 and 3	1) Should any nuisance condition(s) occur as a result of the operation of EU 1, EU 2 and EU 3 then appropriate steps shall be taken to abate said condition(s). (State only applicable per 310 CMR 7.01(1))
	2) EUs 1 – 3 shall continue to emit through their respective exhaust stacks, having the following parameters: EUs 1 and 2: Stack Height (feet above ground): 58.7 EU 3: Stack Height (feet above ground): 48 Stack Exit diameter (inches): 30 Stack Exit dimensions (inches): 66 x 66 Stack Material: steel Stack Material: steel
	3) The Permittee shall comply with all applicable requirements of 40 CFR 60 Subpart GG - Standards of Performance for Stationary Gas Turbines.
4	4) In accordance with 40 CFR 63.6595(a)(1), the Permittee shall comply with the applicable requirements

Table 8

EU	SPECIAL TERMS AND CONDITIONS
	<p>of 40 CFR 63 Subpart ZZZZ by no later than October 19, 2013.</p> <p>5) In accordance with 40 CFR 63.6603(a), Table 2d of 40 CFR 63 Subpart ZZZZ, and effective October 19, 2013, the Permittee shall:</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, and replace as necessary, and c. Inspect all hoses and belts every 500 hours of operation or annually, whichever comes first, and replace as necessary. <p>The Permittee has the option to utilize an oil analysis program as described in 40 CFR 63.6625(i) or (j) in order to extend the specified oil change requirement in Table 2d of 40 CFR 63 Subpart ZZZZ.</p> <p>6) In accordance with 40 CFR 63.6605(a) and (b), and effective October 19, 2013,</p> <ul style="list-style-type: none"> a. The Permittee shall be in compliance with the emission limitations, operating limitations, and other requirements in this subpart that apply to the Permittee at all times. b. At all times the Permittee must operate and maintain any affected source, including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions. The general duty to minimize emissions does not require the Permittee to make any further efforts to reduce emissions if levels required by this standard have been achieved. Determination of whether such operation and maintenance procedures are being used will be based on information available to the Administrator which may include, but is not limited to, monitoring results, review of operation and maintenance procedures, review of operation and maintenance records, and inspection of the source. <p>7) In accordance with 40 CFR 63.6640(a), Table 6, and effective October 19, 2013, the Permittee shall continuously comply with the work or management practices as required by the following :</p> <ul style="list-style-type: none"> a. Operate and maintain EU 4 according to the manufacturer's emission-related operation and maintenance instructions; or b. Develop and follow its own maintenance plan which must provide to the extent practicable for the maintenance and operation of the engine in a manner consistent with good air pollution control practice for minimizing emissions. <p>8) EU 4 is subject to the requirements of 40 CFR 63.1-15, Subpart A, "General Provisions" as indicated in Table 8 to Subpart ZZZZ of 40 CFR 63. Compliance with all applicable provisions therein is required.</p>
Facility-wide	<p>9) In accordance with 310 CMR 7.10, no person owning, leasing, or controlling a source of sound shall willfully, negligently, or through failure to provide necessary equipment, service, or maintenance or take necessary precautions cause, suffer, allow, or permit unnecessary emissions from said source of sound that may cause noise. (State only)</p>

Table 8

Table 8	
EU	SPECIAL TERMS AND CONDITIONS
	10) The Permittee is subject to, and has stated in their Operating Permit application, Tr. No. X254681, that the Permittee is in compliance with the requirements of 40 CFR 82: Protection of Stratospheric Ozone. These requirements are applicable to this facility and the United States Environmental Protection Agency enforces these requirements.

6. ALTERNATIVE OPERATING SCENARIOS

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

7. EMISSIONS TRADING

A. INTRA-FACILITY TRADING

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

B. INTER-FACILITY TRADING

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

8. COMPLIANCE SCHEDULE

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

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

GENERAL CONDITIONS FOR OPERATING PERMIT

9. FEES

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

10. COMPLIANCE CERTIFICATION

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

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

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

A. Annual Compliance Report and Certification

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

The compliance certification and report shall describe:

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

B. Semi-Annual Monitoring Summary Report and Certification

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

19. TRANSFER OF OWNERSHIP OR OPERATION

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

20. PROPERTY RIGHTS

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

21. INSPECTION AND ENTRY

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

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

22. PERMIT AVAILABILITY

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

23. SEVERABILITY CLAUSE

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

24. EMERGENCY CONDITIONS

The Permittee shall be shielded from enforcement action brought for noncompliance with technology based¹ emission limitations specified in this Permit as a result of an emergency². In order to use emergency as an affirmative defense to an action brought for noncompliance, the Permittee shall demonstrate the affirmative defense through properly signed, contemporaneous operating logs, or other relevant evidence that:

- A. an emergency occurred and that the Permittee can identify the cause(s) of the emergency;
- B. the permitted facility was at the time being properly operated;
- C. during the period of the emergency, the Permittee took all reasonable steps as expeditiously as possible, to minimize levels of emissions that exceeded the emissions standards, or other requirements in this Permit; and
- D. the Permittee submitted notice of the emergency to the MassDEP within two (2) business days of the time when emission limitations were exceeded due to the emergency. This notice must contain a description of the emergency, any steps taken to mitigate emission, and corrective actions taken.

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

25. PERMIT DEVIATION

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

The Permittee shall report to the MassDEP's Regional Bureau of Air and Waste the following deviations from permit requirements, by telephone, 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.

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

² An "emergency" means any situation arising from sudden and reasonably unforeseeable events beyond the control of the source, including acts of God, which situation would require immediate corrective action to restore normal operation, and that causes the source to exceed a technology based limitation under the permit, due to unavoidable increases in emissions attributable to the emergency. An emergency shall not include noncompliance to the extent caused by improperly designed equipment, lack of preventative maintenance, careless or improper operations, operator error or decision to keep operating despite knowledge of any of these things.

- C. Exceedances of Permit operational limitations directly correlated to excess emissions.
- D. Failure to capture valid emissions or opacity monitoring data or to maintain monitoring equipment as required by statutes, regulations, 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 Air and Waste Air Operating Permit Reporting Kit, which is available to the Permittee via the MassDEP's web site, <http://www.mass.gov/dep/air/approvals/aqforms.htm#op>. This report shall include the deviation, including those attributable to upset conditions as defined in the Permit, the probable cause of such deviations, and the corrective actions or preventative measures taken.

Deviations that were reported by telephone 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 Air and Waste within ten (10) days of discovery. For deviations, which do not require 3-day verbal notification, follow-up reporting requirements are satisfied by the documentation required in the aforementioned Semi-Annual Monitoring Summary and Certification.

26. OPERATIONAL FLEXIBILITY

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