

# **Milford Power, LLC, Milford: Fact Sheet on MassDEP's Proposed Decision on Air Permit**

## ***Introduction***

Milford Power, LLC (the "Facility") is an existing electric generating facility located at 108 National Street in Milford, Massachusetts. Upon review of information provided by the Facility, the Massachusetts Department of Environmental Protection (MassDEP) has instructed the Facility to submit an application for a new air permit to correct a permitted emission limit for a combination of the pollutants that contribute to climate change, known as carbon dioxide equivalent ("CO<sub>2</sub>e"). The Facility has not increased the amount of fossil fuels (natural gas) they burn since their prior air permit was issued. MassDEP has determined that the emission factors that had previously been used to establish the Facility's permitted monthly CO<sub>2</sub>e limit was incorrect. Based on the correct emission factors, MassDEP has determined that the Facility's monthly emissions limit for CO<sub>2</sub>e needs to be adjusted upward by about 1.7%. The Facility submitted an air permit application to MassDEP on April 30, 2021. MassDEP is providing a 30-day public comment period on its draft decision regarding the Facility's air permit application. Information on how to review MassDEP's draft air permit decision and how to submit comments, as well as contact information for both Milford Power and MassDEP, are at the end of this Fact Sheet.

## ***Facility Description***

### ***Location:***

- Milford Power, LLC is an existing electric generating facility located at 108 National Street in Milford, Massachusetts. The Facility began operations in 1993.
- The Facility uses pipeline natural gas to produce electricity that is supplied to the New England power grid (ISO-NE).
- The Massachusetts Executive Office of Energy and Environmental Affairs (EEA), through its Environmental Justice Policy (2017), has directed that all EEA agencies establish an inclusive, robust public participation program for key agency actions that may potentially affect Environmental Justice (EJ) Populations. The EJ Policy defines EJ populations based on a percentage of minority, English isolation and income. MassDEP's outreach efforts, and the creation and distribution of this Fact Sheet, are among MassDEP's enhanced public participation efforts for the Milford Power air permit draft decision.
- Figure #1 at the end of this Fact Sheet provides a map that identifies the designated EJ population areas within a one-mile radius of the Facility.

### ***Permit Revision Information:***

- The facility currently operates under a MassDEP air permit, called a Non-Major Comprehensive Plan Approval ("NMCPA"), that was last issued on July 13, 2018, and a Final MassDEP Air Quality Operating Permit ("AQOP") that was last issued on October 20, 2009.
- CO<sub>2</sub>e is a combination of the pollutants that contribute to climate change. The CO<sub>2</sub>e emissions limits in MassDEP air permits for power plants are calculated based on the amount of fossil fuels burned and associated CO<sub>2</sub>e emission factors from the United States Environmental Protection Agency (EPA).

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- While the Facility has not increased the amount of fossil fuels (natural gas) they burn since their current air permit was issued, upon review of information provided by the Facility, MassDEP has determined that the CO<sub>2</sub>e emission factors that had previously been used to establish the Facility's CO<sub>2</sub>e permitted emission limits were incorrect.
- Based on the correct EPA emission factors, MassDEP has determined that the Facility's total CO<sub>2</sub>e monthly emissions limits need to be adjusted upward by about 1.7% from 84,800 tons/month to 86,235 tons/month.

### ***Summary of MassDEP's Air Quality Permit***

- MassDEP requested that the Facility submit a NMCPA application to make the correction to the CO<sub>2</sub>e emission limits as described above.
- Any resulting new air permit includes monitoring, testing, recordkeeping, and reporting requirements that are intended to ensure that the Facility will operate in compliance with applicable regulations and emissions limits.

### ***MassDEP Air Quality Permitting Process and Notice of Public Comment Opportunity***

- MassDEP has completed review of the Facility's permit application and issued a draft decision on the permit application on September 23, 2021. There is a 30-day public comment period on MassDEP's draft decision which ends at 5:00 pm on October 25, 2021. During the public comment period, anyone may submit comments to MassDEP about the draft decision. MassDEP has issued a Public Notice which includes instructions for submitting comments.
- After the 30-day public comment period, MassDEP will consider any comments received about MassDEP's draft decision.
- When MassDEP issues a final approval or denial of the permit application, a 21-day appeal period will begin. The right to appeal information will be included with MassDEP's final decision, and the rules for appeals are at 310 CMR 7.51(1) and 310 CMR 1.01. In order to preserve your right to appeal, any appellant must comment on MassDEP's draft decision during the public comment period in order to have standing.
- MassDEP has provided advance notice to interested stakeholders about this MassDEP draft permit, and MassDEP has also contact stakeholders again at the start of the public comment period. These stakeholders include the Milford Town Administrator, the Milford Board of Health, the District Translation and Interpretation Coordinator for the Milford Public Schools, and Alternatives for Community and the Environment (ACE).
- If you need assistance translating additional permit-related materials into another language, please contact the MassDEP Regional Air Quality Permit Unit at [thomas.hannah@mass.gov](mailto:thomas.hannah@mass.gov) and [maria.lannunziata@mass.gov](mailto:maria.lannunziata@mass.gov).

### ***Location of Draft Permit & Application Materials***

Online at MassDEP website: (<https://eeaonline.eea.state.ma.us/EEA/PublicApp/>), then search for Site Name "Milford Power" and Status "Under Review."

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***Applicant Contact for Questions:***

- Milford Power, LLC, Bill Vogel, Plant Manager, [bill.vogel@naes.com](mailto:bill.vogel@naes.com), (508) 482-7402

***MassDEP Contact for Questions:***

- Air Quality Permit Chief: Thomas Hannah – [thomas.hannah@mass.gov](mailto:thomas.hannah@mass.gov) – 508-767-2845

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Figure 1: Milford Power Location and Designated Environmental Justice area

