



Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection

Western Regional Office • 436 Dwight Street, Springfield MA 01103 • 413-784-1100

Charles D. Baker
Governor

Karyn E. Polito
Lieutenant Governor

Matthew A. Beaton
Secretary

Martin Suuberg
Commissioner

October 5, 2015

Ida McDonnell, CAP
USEPA Region 1
1 Congress Street – Suite 1100
Boston, Massachusetts 02114-2023

Re: **Administrative Amendment**
FINAL OPERATING PERMIT
Appl. #1-O-07-022; Trans. # W128777

Dear Ms. McDonnell:

In accordance with 310 CMR 7.00 - APPENDIX C(8) of the Massachusetts Air Pollution Control Regulations (“the Regulations”), the Department of Environmental Protection (“MassDEP”) is forwarding to EPA the attached **Administrative Amendment** to the Final Operating Permit for Covanta Pittsfield, LLC located at 500 Hubbard Avenue in Pittsfield, Massachusetts.

The attached Administrative Amendment to the Final Operating Permit consists of a change in the responsible official.

Should you have any questions concerning this **Administrative Amendment** to the Final Operating Permit, please contact Cortney Danneker at (413) 755-2234.

Sincerely,

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.

Marc Simpson
Air Quality Permit Chief
Western Region

ecc: Peter Czapienski, MassDEP WERO
Yi Tian, MassDEP, Boston
Marc Wolman, MassDEP Boston



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Administrative Amendment to an AIR QUALITY OPERATING PERMIT

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"]:

Covanta Pittsfield, LLC
500 Hubbard Avenue
Pittsfield, MA 01201

FACILITY LOCATION:

Pittsfield Resource Recovery Facility
500 Hubbard Avenue
Pittsfield, MA 01201

NATURE OF BUSINESS:

Municipal Waste Combustion Plant

RESPONSIBLE OFFICIAL:

Name: Mr. Michael Rathbun
Title: Facility Manager

INFORMATION RELIED UPON:

Application No. : 1-O-07-022

Transmittal No. : W128777

Appl. #1-O-11-018; Trans. #X240159

(Minor Modification)

Appl. WE-15-012; Trans. #X267286

(Admin. Amend: Change Responsible Official)

FACILITY IDENTIFYING NUMBERS:

AQ ID: 1170004

FMF FAC NO.: 50772

FMF RO NO.: 161190

STANDARD INDUSTRIAL CODE (SIC):

4953

NORTH AMERICAN INDUSTRIAL

CLASSIFICATION SYSTEM (NAICS):

562213

FACILITY CONTACT PERSON:

Name: Harold Meyer

Title: Environmental Specialist

Phone: (413) 785-5015

Email: hmeyer@CovantaEnergy.com

This operating permit shall expire on April 2, 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.*

Michael Gorski
Regional Director
Department of Environmental Protection
Western Regional Office

10/5/15

Date

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SPECIAL CONDITIONS FOR OPERATING PERMIT

A Legend to Abbreviated Terms found in the following Tables is located in Section 28 of the 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

The facility began commercial operation in 1981 and consists of three Enercon municipal waste combustors (MWCs) with two waste heat boiler/economizers and associated air quality control equipment. Each MWC has a combustion capacity of 120 tons per day, assuming a higher heating value of 4,400 Btu per pound of waste. Under normal operation with all three MWCs on-line, throughput is approximately 80 tons per day of MSW per combustor. Heat is recovered from the combustion process in the form of steam which is sold to Crane & Company, Inc. and used to generate electricity for the internal needs of the facility. The short-term waste processing capacity of the Facility (4-hour block average) is based on 110 percent of the steam production rate during the most recent air emissions test. The permitted municipal solid waste (MSW) disposal capacity of Covanta is 84,000 tons per year (tpy).

An industrial sludge injection system was installed at the facility in 2011. It is designed to inject approximately 500 dry pounds per hour of dry sludge solids into each of the three MWC units at the facility on a daily average basis. The industrial sludge injection system at the facility is designed to receive industrial sludge by transport trucks and from the adjacent Crane & Company, Inc. The industrial sludge injection system includes a 25,000 gallon receiving tank and a 25,000 gallon day tank from which the industrial sludge will be injected into the combustors. The receiving tank, the day tank and associated equipment are located within the main building.

Each MWC has a primary and a secondary combustion chamber which operate in an excess air mode. Combustion air is a combination of fresh air and recirculated flue gas. The primary combustion chamber contains a primary burner with a maximum heat input rate of 7.5 million Btu per hour which is fired with #2 fuel oil and natural gas for a pilot flame. The primary chamber consists of five progressively lower refractory lined hearths resembling steps. MSW fuel is introduced at the first hearth and tumbles from step to step by the action of hydraulic rams. When the MSW reaches the final step, the fifth hearth, what remains are ash and other non-combustible materials such as glass, metal and stone.

Flue gas flows from the primary chamber into the secondary chamber where sufficient time and temperature is provided to assure complete combustion. Flue gas from the secondary chamber of each MWC flows into a common tertiary chamber before dividing again and entering one of the two heat recovery systems/air quality control trains (train).

The heat recovery system of each train consists of a Bigelow Water Tube waste heat boiler with superheater, a United McGill steaming economizer and a Bigelow trim economizer. Each heat recovery system has a rated capacity of approximately 34,000 pounds per hour of 220 psi, 540°F superheated steam. Most of this generated steam is sold to Crane & Company. Steam not sold passes through a turbine

generator or is vented into the atmosphere.

The air quality control system for each train consists of a Zurn multiclone, a Norit activated carbon injection system, a United McGill electrostatic precipitator (ESP), an induced draft fan, a Heil quench-venturi scrubber and a counter current packed tower scrubber with a demister. Exhaust gas from the scrubbers, located at the discharge end of both air pollution control trains, is combined and discharged to the atmosphere through a common 115 foot fiberglass reinforced plastic lined steel stack.

Flue gases exiting each of the two ESPs pass separate opacity monitors. A slipstream of flue gas is extracted by the continuous emissions monitoring system (CEMS) from the duct connecting the scrubber outlets to the stack. The CEMS provide the emission monitoring for sulfur dioxide (SO₂), nitrogen oxides (NO_x), and carbon monoxide (CO).

In addition to the MWCs, the facility has an existing 45.48 million Btu per hour of heat input, ultra low sulfur distillate fuel oil-fired, Cleaver Brooks model D-68S package boiler (auxiliary boiler) with a steam production rate of 35,000 pounds per hour which was installed at the facility in the 1980s for the purpose of supplying steam to the adjacent Crane facility in the event that two or all three waste combustors are not operating. On June 1, 2009, MassDEP revoked the portions of MassDEP's January 18, 1991 Conditional Approval (Application No. 1-I-90-018) which specifically applied to the existing auxiliary boiler due to the emission unit being inactive. However, Covanta reactivated the auxiliary boiler pursuant to Plan Approval # 1-P-09-014, Transmittal # X228643 dated December 18, 2009. The applicable conditions for the auxiliary boiler have been incorporated from Plan Approval #1-P-09-014.

The facility also has a 600 kilowatt ultra low sulfur distillate oil-fired emergency stationary reciprocating internal combustion engine (RICE) which was constructed at the site in 1981. The emergency stationary RICE is subject to 310 CMR 7.02(8)(i)2. through 5. even though it has not been previously identified in the facility's operating permit. The emergency stationary RICE is also subject to the federal National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines, 40 CFR Part 63 Subpart ZZZZ. The only applicable requirement from this subpart is 40 CFR 63.6640(f)(2). The emergency stationary RICE has been added to Operating Permit #1-O-07-022 and is identified as emission unit #7.

A non-major comprehensive plan approval #1-X-99-023 was issued on September 17, 1999, for the co-combustion of industrial and municipal sludge and MSW with a minor amendment issued on February 18, 2000. Two 1-year extensions for the commencement of construction of PA #1-X-99-023 were issued on October 5, 2001, and February 12, 2003, to allow more time to complete sludge disposal contract negotiations with prospective municipal customers. However, the last extension expired on February 18, 2004, at which time the project was abandoned. Therefore, all conditions pursuant to non-major comprehensive plan approval #1-X-99-023 have been removed from Operating Permit #1-O-07-022. However, Covanta submitted a non-major comprehensive plan approval #1-P-09-014, Transmittal # X227954 for the construction of an industrial sludge injection system which was issued December 18, 2009. Plan Approval #1-P-09-014 was superseded in its entirety by Limited Plan Approval #1-P-11-010, Transmittal # X237308 on October 3, 2011, which allowed for the combining of Crane & Co., Inc. industrial sludge with other sources of acceptable industrial sludge prior to injection in the waste combustors.

The facility is considered to be a major source since it has the potential to emit greater than 50 tons per year of nitrogen oxides (NO_x) and 10 tons per year of hydrogen chloride (HCl). Therefore the facility is subject to the Operating Permit and Compliance Program pursuant to 310 CMR 7.00: Appendix C(2).

The facility is a “major stationary source” pursuant to the Emission Offsets and Nonattainment Review regulations of 310 CMR 7.00: Appendix A because the facility has the potential to emit more than 50 tons per year of NOx.

The facility is no longer a “major stationary source” pursuant to the PSD regulations of 40 CFR § 52.21 since it does not have the potential to emit more than 100 tpy of a new source review (NSR) regulated pollutant even though the municipal waste combustor is capable of charging more than 50 tons of refuse per day.

The United States Environmental Protection Agency (USEPA) promulgated emission guidelines on December 6, 2000 for states with existing small MWC units (40 CFR Part 60, Subpart BBBB) for which construction was commenced on or before August 30, 1999. 40 CFR Part 60, Subpart BBBB required states with small MWCs to submit to USEPA a state plan which implements and enforces the Subpart BBBB emission guidelines. Since a state plan has not been approved by USEPA, the small MWC units are subject to 40 CFR Part 62, Subpart JJJ, Federal Plan Requirements for Small Municipal Waste Combustion Units Constructed On or Before August 30, 1999. 40 CFR Part 62, Subpart JJJ was promulgated by the USEPA on January 31, 2003 and amended April 9, 2004.

On March 19, 1999, Covanta Pittsfield, LLC, formerly Pittsfield Investors Limited Partnership, agreed to make modifications to enable full compliance with Regulation 310 CMR 7.08, by December 31, 2000, as applicable to large MWC units in accordance with MassDEP’s Administrative Consent Order File No. ACO-WE-99-9001-27-SEP. In the Consent Order, Pittsfield Investors Limited Partnership agreed to comply with these standards which otherwise would not apply because each unit has a capacity of less than 250 tons/day of municipal solid waste and are therefore not large MWC units. In addition to satisfying the provisions of the Consent Order, the proposed modifications of the small MWCs would also provide for compliance with the Federal plan requirements of 40 CFR Part 62, Subpart JJJ. The requirements of 310 CMR 7.08 for large MWC units are equal to or more stringent than the requirements of 40 CFR Part 62, Subpart JJJ.

As part of this operating permit renewal application review, a compliance assurance monitoring (CAM) applicability determination was conducted. The determination concluded that the MWCs do meet the CAM general applicability criteria pursuant to 40 CFR 64.2(a) for certain regulated air pollutants which have an emission limit and a control device; however, each of these regulated air pollutants have emission limitations pursuant to 40 CFR Part 62 Subpart JJJ which have been subsumed by 310 CMR 7.08. Therefore, the regulated air pollutants which are subject to 40 CFR Part 62 Subpart JJJ are exempt from CAM requirements pursuant to 40 CFR 64.2(b) (1)(i) which states:

b) *Exemptions* —(1) *Exempt emission limitations or standards*. The requirements of this part shall not apply to any of the following emission limitations or standards:

(i) Emission limitations or standards proposed by the Administrator after November 15, 1990 pursuant to section 111 or 112 of the Act.

Massachusetts promulgated the 310 CMR 7.71: Reporting of Greenhouse Gas Emissions regulations on June 26, 2009. Pursuant to 310 CMR 7.71(3)(a)1., Covanta Pittsfield, LLC is subject to the applicable requirements of this regulation. The applicable requirements of 310 CMR 7.71 have been included in this operating permit

On March 21, 2011, the USEPA published final standards in the Federal Register for the National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers and Process

Heaters which apply to the existing 45.48 million Btu per hour of heat input, ultra low sulfur distillate fuel oil-fired, Cleaver Brooks model D-68S package boiler since it is located at a facility which is a major source of HAPS. On May 18, 2011, the USEPA delayed the effective date of the new standards until after it completes the reconsideration of the rule or after the courts complete their review of the legal challenges (whichever is earlier).

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)
EU 1	Enercon Incinerator #1	120 tons MSW/day	ESP, venturi scrubber, wet scrubber, activated carbon injection; flue gas recirculation, flue gas temperature control
EU 2	Enercon Incinerator #2	120 tons MSW/day	ESP, venturi scrubber, wet scrubber, activated carbon injection; flue gas recirculation, flue gas temperature control
EU 3	Enercon Incinerator #3	120 tons MSW/day	ESP, venturi scrubber, wet scrubber, activated carbon injection; flue gas recirculation, flue gas temperature control
EU 4	Cleaver Brooks model D-68S package boiler	45.48 MMBtu/hr	none
EU 5	Remote Reservoir Cold Cleaning Degreaser	n/a	none
EU 6	Ash Handling & Fugitive Emissions		Enclosed building & conveyors
EU 7	Emergency Stationary Reciprocating Internal Combustion Engine	600 kilowatts	none

Table 1 Footnote:

MSW = municipal solid waste
 MMBtu/hr = million British thermal units per hour
 ESP = electrostatic precipitator

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. EMISSION LIMITS AND RESTRICTIONS

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

Table 3				
EU #	Fuel/Raw Material	Pollutant	Emission Limits/Standards⁽¹⁾	Applicable Regulation and/or Approval No.
EU 1	municipal solid waste and municipal solid waste & industrial sludge; (including sludge from Crane & Company, Inc.) 84,000 tons in any 12 consecutive month period (DEP Application # B-78-IN-002 12/23/1986)	SO ₂ ⁽²⁾	10 ppmvd @ 7% O ₂ (or 75% reduction)	DEP Approval 1-P-06-023 (4/24/2006)
EU 2		PM ⁽⁵⁾	27.0 mg/dscm @ 7% O ₂	DEP Approval 1-I-00-001 (6/20/2000) Regulation 310 CMR 7.08(2)(f)2.
EU 3		NO _x	0.33 lb/MMBtu ⁽³⁾ / 192 ppmvd @ 7% O ₂ ⁽³⁾	DEP Approval 1-I-90-018 (1/18/91)
			≤0.180 lb/MMBtu ⁽⁴⁾ / ≤105ppmvd @ 7% O ₂ ⁽⁴⁾ ----- ≤75.5 tons in any 12 consecutive calendar month period	DEP Approval 1-P-11-010 (10/3/2011)
		CO ⁽⁶⁾	100 ppmvd @ 7% O ₂	DEP Approval 1-I-00-001 (6/20/2000) Regulation 310 CMR 7.08(2)(f)(1)(a)(i)
		HCl ⁽⁷⁾	20 ppmvd @ 7% O ₂ (or 95% reduction)	DEP Approval 1-P-06-023 (4/24/2006)
		smoke	< No. 1 of the Chart	Regulation 310 CMR 7.06(2)(a)
		opacity	≤ 10% opacity	DEP Approval 1-I-00-001 (6/20/2000) Regulation 310 CMR 7.08(2)(f)2.
		Particle size	particle size < 100 microns	Regulation 310 CMR 7.06(2)(c)
		cadmium ⁽⁷⁾	0.040 mg/dscm @ 7% O ₂	DEP Approval 1-I-00-001 (6/20/2000) Regulation 310 CMR 7.08(2)(f)2.
		mercury ⁽⁷⁾	0.08 mg/dscm @ 7% O ₂ (1 test) 0.028 mg/dscm @ 7% O ₂ (rolling 4-test average)	
		lead ⁽⁷⁾	0.440 mg/dscm @ 7% O ₂	DEP Approval 1-P-11-010 (10/3/2011)
			≤0.0095 lb/hr from the combustion of industrial sludge alone, not including solid waste, when two or three waste combustors are in operation ----- ≤0.0047 lb/hr from the combustion of industrial sludge alone, not including solid waste, when one waste combustor is in operation.	
		PCDD/PCDF ⁽⁷⁾ (tetra thru octa)	36 ng/dscm @ 7% O ₂	DEP Approval 1-P-05-023 (6/20/2006)
EU 4		ultra low sulfur distillate oil	NO _x	≤0.146 lb/MMBtu / 6.64 lb/hr
	CO		≤0.036 lb/MMBtu / 1.64 lb/hr	
	VOC		≤0.001 lb/MMBtu / 0.05 lb/hr	

Table 3

EU #	Fuel/Raw Material	Pollutant	Emission Limits/Standards ⁽¹⁾	Applicable Regulation and/or Approval No.
EU4	ultra low sulfur distillate oil	SO ₂	0.0016 lb/MMBtu/0.073 lb/hr	DEP Approval 1-P-11-010 (10/3/2011)
		Total filterable PM ⁽⁵⁾	≤0.015 lb/MMBtu / 0.68 lb/hr	
		Filterable PM-10	≤0.007 lb/MMBtu/ 0.32 lb/hr	
		Filterable PM-2.5	≤0.002 lb/MMBtu / 0.09 lb/hr	
		Condensable PM ⁽⁹⁾	≤0.009 lb/MMBtu / 0.41 lb/hr	
		opacity	No Visible Emissions	
	sulfur in fuel	≤15 ppm(≈0.0015% S by weight)		
EU 1 EU 2 EU 3 EU 4		NO _x	≤76.1 tons in any 12 consecutive calendar month period	DEP Approval 1-P-11-010 (10/3/2011)
EU 5	degreasing solvent	VOC (no halogens)	Each degreaser shall use less than 100 gallons of solvent per month	Regulation 310 CMR 7.18(8)(a) Regulation 310 CMR 7.18(1) Regulation 310 CMR 7.03(8) See special terms and conditions #29-#33
EU 6		Visible Emissions of Fugitive Ash	No discharge into the atmosphere of any visible emissions of combustion ash from an ash conveying system (including transfer points) in excess of 5 percent of the observation period (nine minutes per three hour period). This emission limit does not cover visible emissions discharged inside buildings or enclosures of ash conveying systems; however the emission limit does apply to visible emissions discharged to the atmosphere from buildings or enclosures of ash conveying systems. The limit does not apply during maintenance and repair of ash conveying systems. Maintenance and repair of the ash conveying systems must be done in accordance with best management practices.	DEP Approval 1-I-00-001 (6/20/2000) Regulation 310 CMR 7.08(2)(f)5.
EU 7	ultra low sulfur distillate oil	sulfur in fuel	≤15 ppm (≈0.0015% S by weight)	310 CMR 7.02(8)(i)2. through 5. 40 CFR 63.6640(f) See special terms and conditions #34 and #35
Facility -Wide		Greenhouse Gas ⁽¹⁰⁾	n/a	Regulation 310 CMR 7.71 (state only)

NO_x = Nitrogen Oxides
CO = Carbon Monoxide
VOC = Volatile Organic Compounds
SO₂ = Sulfur Dioxide
PM = Total Particulate Matter
PM₁₀ = Particulate Matter less than or equal to 10 microns in diameter
PM_{2.5} = Particulate Matter less than or equal to 2.5 microns in diameter
HCl = Hydrogen Chloride
PCDD/PCDF = Dioxin/Furan
Opacity = exclusive of uncombined water vapor
lbs/MMBtu = pounds per Million British thermal units
lbs/hr = pounds per hour
mg/dscm = milligram per dry standard cubic meter
ppmvd @ 7% O₂ = parts per million by volume, corrected to 7 percent oxygen
≤ = less than or equal to
% = percent

Table 3 Notes:

- (1) Pursuant to 310 CMR 7.08(2)(g), excluded from compliance calculations are a) periods of malfunction not exceeding 3 hours duration, b) periods of incinerator warm-up when an incinerator is burning non-MSW fuel and has not begun the continuous burning of MSW, c) the three hour period commencing after start-up (start-up begins with the continuous burning of MSW), d) the three hour period commencing after shut-down (shut-down begins when MSW and wood fuel are no longer being fed to the incinerator) and e) for the purpose of compliance with the carbon monoxide emission limits, periods when a loss of boiler water level control (e.g., boiler waterwall tube failure) or a loss of combustion air control (e.g., loss of combustion air fan, induced draft fan, combustion grate bar failure) is determined to be a malfunction, the duration of the malfunction period is limited to 15 hours per occurrence.
- (2) Compliance is determined based on a 24-hour block geometric mean using the hourly averages from the SO₂ CEM for the following interval: 0000-2400 hours.
- (3) Compliance is determined based on a 24-hour block arithmetic average using the hourly averages from the NO_x CEM for the following interval: 0000-2400 hours.
- (4) Based on a rolling 365 day average, as determined by the NO_x CEM.
- (5) Particulate matter as measured according to the applicable procedures specified in 40 CFR Part 60 Appendix A, Method 5.
- (6) Compliance is determined based on a 4-hour block average using the hourly averages from the CO CEM for the following intervals: 0000-0400, 0400-0800, 0800-1200, 1200-1600, 1600-2000, and 2000-2400 hours.
- (7) Compliance is determined through periodic stack testing in accordance with the applicable USEPA reference test method(s).
- (8) Pursuant to 310 CMR 7.08(2), the indicated emission limit for Hg shall be based on the average of four (4) quarterly compliance tests per 12-month rolling period, but shall not exceed 0.080 mg/dscm in any quarterly test. If compliance with the mercury emission limit has been achieved in each quarter for eight consecutive quarters, then compliance testing may be performed on a nine month basis. Quarterly compliance testing shall resume if compliance cannot be achieved with the emission limitation.
- (9) All condensable particulate matter is assumed to be less than 1.0 microns in diameter.
- (10) 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)

B. COMPLIANCE DEMONSTRATION

The permittee is subject to the monitoring/testing, recordkeeping, and reporting requirements as contained in Tables 4a/4b/4c/4d/4e, Table 5a/5b/5c/5d/5e/5f/5g and Table 6a/6b/6c/6d below and 310 CMR 7.00 Appendix C (9) and (10) and applicable requirements contained in Table 3:

Table 4a	
EU#	Monitoring/Testing Requirements
EU 1 EU 2 EU 3	<p>Covanta Pittsfield, LLC shall:</p> <ol style="list-style-type: none"> 1) In accordance with DEP Approval 1-I-90-018 (1/18/91) and 310 CMR 7.08(2)(g), operate, calibrate, test, and maintain continuous emission monitors ("CEMs") to measure and record emissions of carbon monoxide, nitrogen oxides, sulfur dioxide, and oxygen, and a continuous opacity monitor ("COM") to measure and record opacity. 2) In accordance with DEP Approval 1-I-90-018 (1/18/91), install and operate, if required by the MassDEP, CEMs for hydrogen chloride. 3) In accordance with DEP Approval 1-I-90-018 (1/18/91), equip all CEMs/COMs with audible and visible alarms to activate when emissions exceed limits established in Table 3. 4) In accordance with DEP Approval 1-I-90-018 (1/18/91) and 310 CMR 7.08(2)(g), ensure that all CEMs/COMs and the monitoring system meet all parts of the appropriate Performance Specifications as set forth in the Code of Federal Regulations 40 CFR Part 60, Appendix B (Opacity, SO₂, NO_x, O₂, and CO). 5) In accordance with DEP Approval 1-I-90-018 (1/18/91) and 310 CMR 7.08(2)(g), ensure that the CEMs/COMs are operated and maintained in accordance with a MassDEP approved Quality Assurance/Quality Control program that minimally meets the requirements of 40 CFR Part 60, Appendix F—Quality Control Procedures. 6) In accordance with DEP Approval 1-I-90-018 (1/18/91) and 310 CMR 7.08(2)(g), use the CEMs/COMs data as the means of determining compliance on an ongoing basis with the carbon monoxide, nitrogen oxides, sulfur dioxide and opacity emission limitations listed in Table 3. 7) In accordance with DEP Approval 1-I-90-018 (1/18/91) and 310 CMR 7.08(2)(g) 5.a., ensure that for the CEMS which monitor NO_x, SO₂, operating practices and parameters, (e.g., CO, unit load and PM control device inlet temperature) obtains at a minimum valid continuous emissions monitoring system data for 75% of the hours per day (18 hours per day) for 75% of the days per month (23 days per month for a 30 day month), and 90% of the hours per quarter that the municipal waste combustor unit is combusting municipal solid waste. If the CEM/COM availability will be less than this, Covanta Pittsfield will institute, subject to approval by the MassDEP, an alternate means of monitoring stack emissions to ensure compliance with the emission limitations in Table 3, or will shutdown the incinerator until monitoring of stack emissions can be instituted. 8) In accordance with DEP Approval 1-I-90-018 (1/18/91), equip the incinerators with instrumentation to accurately measure the temperature at the end of the primary and secondary combustion chambers, steam pressure, steam temperature, steam flow, and scrubber water pH. 9) In accordance with 310 CMR 7.08(2)(g)5.b., be aware that a CO CEMS in accordance with Performance Specification 4 of 40 CFR Part 60, Appendix B, will satisfy the requirements in 7.08(2)(g). 10) In accordance with DEP Approval 1-I-90-018 (1/18/91), alarm the scrubber flow rate for low flow at no less than 225 gallons per minute. 11) In accordance with DEP Approval 1-I-90-018 (1/18/91), alarm the scrubber pH for pH values < 6.0.

Table 4b

EU#	Monitoring/Testing Requirements
EU 1 EU 2 EU 3	<p>Covanta Pittsfield, LLC shall:</p> <p>12) In accordance with DEP Approval 1-P-05-023 (6/20/2006), continuously monitor the pressure drop across each venturi scrubber.</p> <p>13) In accordance with DEP Approval 1-P-05-023 (6/20/2006), continuously monitor the water recirculation rate and water makeup rate to each venturi scrubber.</p> <p>14) In accordance with 310 CMR 7.08(2)(f)1.a.ii. and 40 CFR 60.58b(i)(6), monitor steam flow in kilograms per hour (or pounds per hour) on a continuous basis. Steam flow shall be calculated in 4-hour block arithmetic averages for each unit for the purpose of demonstrating compliance with the maximum demonstrated facility load restriction.</p> <p>15) In accordance with 310 CMR 7.08(2)(f)1.a.iii. and 40 CFR 60.58b(i)(7), calibrate, maintain, and operate a device for measuring on a continuous basis the temperature of the flue gas stream at the inlet to each particulate matter control device utilized by the affected facility. Temperature shall be calculated in 4-hour block arithmetic averages.</p> <p>16) In accordance with DEP Approval 1-I-90-018 (1/18/91) and pursuant to Chapter 21H, Section 5(c) of the Solid Waste Act of 1987, perform emission testing for dioxins, furans, heavy metals or other hazardous constituents at least once every nine months from the last date of testing.</p> <p>17) In accordance with DEP Approval 1-I-90-018 (1/18/91) and DEP Approval 1-I-00-001 (6/20/2000), test while operating at maximum capacity at a minimum of once every nine months for the following pollutants:</p> <p>total particulate, PM-10 particulate (as measured by EPA Method 5 or other method as approved by MassDEP), sulfur dioxide, nitrogen oxides, carbon monoxide, hydrogen chloride, antimony, arsenic, beryllium, cadmium, chromium, copper, lead, manganese, mercury, molybdenum, nickel, selenium, tin, vanadium, zinc, polychlorinated dibenzo-p-dioxins ("PCDD", tri-octa), polychlorinated dibenzofurans ("PCDF", tri-octa)2,3,7,8 tetrachlorodibenzo-p-dioxin ("TCDD"), 2,3,7,8 tetrachlorodibenzo-furan ("TCDF")</p> <p>18) In accordance with 310 CMR 7.08(2)(g) 6, conduct compliance testing for opacity, particulate matter, hydrogen chloride, cadmium, lead, and visible fugitive emissions every nine months. Compliance testing for dioxin/furan and mercury shall be as specified in Regulation 310 CMR 7.08(2)(g)1. and 2.</p> <p>19) In accordance with 310 CMR 7.08(2)(g) 2., conduct compliance testing for Hg in the stack on a quarterly basis following the date of the initial performance test. Compliance with the emissions limit specified in Regulation 310 CMR 7.08(2)(f)2. shall be based on the average of four quarterly compliance tests per rolling twelve months but shall not exceed 0.080 mg/dscm in any quarterly test. If compliance with the Hg emission limit has been achieved in each quarter for eight consecutive quarters, then the facility may elect to perform compliance testing on a nine-month basis. Any municipal waste combustor unit(s) which cannot achieve compliance with the emission limitation in 310 CMR 7.08(2)(f)2. during the nine month compliance test shall resume quarterly compliance testing as specified above.</p>

Table 4c

EU#	Monitoring/Testing Requirements
EU 1 EU 2 EU 3	<p>Covanta Pittsfield, LLC shall:</p> <p>20) In accordance with 310 CMR 7.08(2)(g) 3.a. and c., conduct optimization tests to determine the optimum feed rate for the Hg emissions control apparatus by determining the carbon (or equivalent) feed rate at which the emissions of Hg are equal to or less than the applicable limit at Regulation 310 CMR 7.08(2)(f) 2. The optimization test shall be conducted as follows:</p> <p>a. The optimization tests shall be performed during the initial performance test, after a change in carbon (or equivalent), upon request by the MassDEP, upon request by the Facility or annually if required under Regulation 310 CMR 7.08(2)(g) 4.</p> <p>b. Within 30 calendar days of the conclusion of any optimization test, the Facility shall submit to the MassDEP for approval a proposed optimized carbon (or equivalent) feed rate, which minimizes Hg emissions. An approvable feed rate is the feed rate such that a higher feed rate achieves insignificant additional reductions in Hg emissions compared to the amount of carbon (or equivalent) added. The carbon (or equivalent) feed rate approved by the MassDEP shall be used to operate the carbon injection (or equivalent) Hg control system until the next optimization test is performed and the feed rate approved.</p> <p>21) In accordance with 310 CMR 7.08(2)(g)1.d., follow the procedures specified in 40 CFR 60.58b(m) effective December 19, 1995 and as amended October 25, 1997, for measuring and calculating the carbon (or equivalent) usage rate to comply with the dioxin/furan emission limits specified in section 310 CMR 7.08(2)(f)2.</p> <p>22) In accordance with Regulation 310 CMR 7.01 and DEP Policy 91-001 dated January 30, 1991, model the results of the most recent stack test to ascertain compliance with the DEP's Allowable Ambient Limits for dioxins and furans and for compliance with all applicable air toxic Allowable Ambient Limits ("AAL"), in accordance with the most current applicable DEP policy and/or AAL guidelines.</p> <p>Industrial Sludge Monitoring/Testing Requirements</p> <p>23) In accordance with DEP Approval 1-P-11-010 (10/3/2011), take a sample of each truck delivery of industrial sludge delivered to the facility at the time of delivery using a sampling technique capable of achieving a representative sample of the entire load. The sample shall be retained onsite for 30 days. The samples are to be sealed and identified as to the identity of the supplier, date of delivery, delivery invoice number, amount delivered, etc.</p> <p>24) In accordance with DEP Approval 1-P-11-010 (10/3/2011) and Regulation 310 CMR 7.02(8)(a)2, ensure that the industrial sludge injection system is equipped with instrumentation which is capable of continuously monitoring the industrial sludge injection rate to each waste combustor.</p> <p>25) In accordance with DEP Approval 1-P-11-010 (10/3/2011), display the monitored industrial sludge injection rate for each individual waste combustor and for all the waste combustors combined in the operator control room.</p> <p>26) In accordance with DEP Approval 1-P-11-010 (10/3/2011), conspicuously display the calculated total maximum industrial sludge injection rate to all the waste combustors for each batch of Crane industrial sludge or mixture of Crane industrial sludge with other acceptable sources of industrial sludge in the operator control room.</p> <p>27) In accordance with DEP Approval 1-P-11-010 (10/3/2011), monitor and confirm for each truck delivery of industrial sludge that MassDEP has been notified 30 days prior to the initial receipt of the industrial sludge and that a copy of the original industrial sludge analysis results is on record at Covanta Pittsfield, LLC. The initial industrial sludge delivery may be accepted before 30 days after notification, upon approval by the MassDEP.</p> <p>28) In accordance with DEP Approval 1-P-11-010 (10/3/2011), sample each batch of any industrial sludge in the receiving tank and test for the solids content (in units of percent by weight) prior to being transferred into the day tank.</p>

Table 4d

EU#	Monitoring/Testing Requirements
EU 1 EU 2 EU 3	<p>Covanta Pittsfield, LLC shall:</p> <p>29) In accordance with DEP Approval 1-P-11-010 (10/3/2011), sample, test and receive the results for each batch of Crane sludge and Crane sludge mixture for the lead and mercury content (in units of mg/kg, dry basis) as well as the specific gravity prior to being transferred into the day tank.</p> <p>30) In accordance with DEP Approval 1-P-11-010 (10/3/2011), sample and test at least three times during each calendar month, the industrial sludge from the day tank, regardless of the sludge source, for compliance with the criteria contained in Special Terms and Conditions, Condition #16 herein as well as the maximum solids content and verify accuracy of the original industrial sludge documentation when applicable. Each calendar month sample shall be taken no earlier than 4 days from the date of the previous sample. In the event that it is not possible to obtain at least three samples in a calendar month due to an empty day tank, fewer samples may be allowed provided there is reasonable supporting written justification kept on record.</p> <p>31) In accordance with DEP Approval 1-P-11-010 (10/3/2011), submit a request in writing, subject to MassDEP approval, to change the frequency of testing and the type of constituents tested once enough data has been generated to determine the consistency of the results.</p>
EU 4	<p>Covanta Pittsfield, LLC shall:</p> <p>32) In accordance with DEP Approval 1-P-11-010 (10/3/2011), verify in a log at least once per month that the settings determined for the Cleaver Brooks model D-68S package boiler during the annual tune-up have not changed.</p> <p>33) In accordance with DEP Approval 1-P-11-010 (10/3/2011) and 310 CMR 7.02(8)(a)2, ensure that the Cleaver Brooks model D-68S package boiler is equipped with instrumentation which is capable of monitoring the fuel oil usage.</p> <p>34) In accordance with DEP Approval 1-P-11-010 (10/3/2011), conduct an annual tune-up of the Cleaver Brooks model D-68S package boiler according to the procedure detailed in 310 CMR 7.19(6)(a) 1. through 12.</p> <p>35) In accordance with DEP Approval 1-P-11-010 (10/3/2011) and 310 CMR 7.04(4)(a), inspect and maintain the Cleaver Brooks model D-68S package boiler in accordance with the manufacturer's recommendations and tested for efficient operation once each calendar year.</p> <p>36) In accordance with 310 CMR 7.04(2), not cause suffer, allow or permit the burning of any grade oil or solid fuel in any fuel utilization facility having an energy input capacity rated by the Department equal to or greater than 40,000,000 Btu per hour, unless such facility is equipped with a smoke density sensing instrument and recorder which are properly maintained in an accurate operating condition, operates continuously and is equipped with an audible alarm to signal the need for combustion equipment adjustment or repair with the smoke density is equal to or greater than No.1 of the Chart. Such smoke density equipment shall be available for inspection at reasonable times by a representative of the Department. Such an inspection may include the review of recording charts which must be retained and made available for a period of one year from the date of use.</p>
EU 1 EU 2 EU 3 EU 4	<p>Covanta Pittsfield, LLC shall:</p> <p>37) In accordance with DEP Approval 1-P-11-010 (10/3/2011), monitor the % sulfur-in-fuel requirement for each new shipment of #2 fuel oil received to be used with the industrial sludge injection system or the Cleaver Brooks model D-68S package boiler. Compliance with % sulfur-in-fuel requirement can be demonstrated through testing (testing certification) or by maintaining a fuel certification report from the fuel supplier. Either of which must certify that the shipment complies with the specified % sulfur-in-fuel requirement. The test methods used in determining compliance with the % sulfur-in-fuel shall be documented in the testing certification and fuel certification report.</p> <p>38) In accordance with DEP Approval 1-P-11-010 (10/3/2011), perform any other testing deemed necessary, at the request of MassDEP, to determine compliance with DEP Approval 1-P-11-010 (10/3/2011) or any other regulatory requirement.</p>

Table 4e

EU#	Monitoring/Testing Requirements
EU5	Covanta Pittsfield, LLC shall: 39) In accordance with 310 CMR 7.18(8)(h), upon request by the Department, perform or have performed tests to demonstrate compliance. Testing shall be conducted in accordance with a method approved by the Department and EPA.
Facility-Wide	Covanta Pittsfield, LLC shall: 40) In accordance with 310 CMR 7.13 Stack Testing, conduct stack testing, upon written request of the MassDEP, for any air contaminant for which the MassDEP has determined testing is necessary, to ascertain compliance with the MassDEP's regulations or design approval provisos. All such testing shall be conducted in accordance with 310 CMR 7.13 (1) and (2), and in accordance with the applicable procedures specified in 40 CFR 60 Appendix A or other method if approved by the MassDEP and EPA. In accordance with 310 CMR 7.00 Appendix C(9)(b), any compliance determination with the allowable smoke/opacity emission limit shall be in accordance with EPA Method 9, as specified in 40 CFR 60, Appendix A or shall be made using a continuous opacity monitor installed and operated in accordance with 40 CFR Appendix B. 41) 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, SF6 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 5a

EU#	Recordkeeping Requirements
EU 1 EU 2 EU 3	<p>Covanta Pittsfield, LLC shall:</p> <ol style="list-style-type: none"> 1) In accordance with DEP Approval B-78-IN-002 (as amended 12/23/86), maintain records documenting the tons of MSW processed yearly, based on a rolling 12 calendar month total. 2) In accordance with DEP Approval 1-I-90-018 (1/18/91), maintain for each incinerator a running, written or printed log(s) or record(s) containing <ol style="list-style-type: none"> a. hours per day of operation for each incinerator including routine startup and shutdown events b. maintenance performed on the incinerator, combustion controls, emission control equipment, ash handling system and all monitoring devices c. malfunctions of the incinerator, combustion controls, emission control equipment, ash handling system and all monitoring devices d. calibration of all monitoring equipment 3) In accordance with DEP Approval 1-I-90-018 (1/18/91), keep, in the operation or maintenance log, a record of each use of the backup recirculation and soda ash transfer pumps. 4) In accordance with DEP Approval B-78-IN-002 (amended 1/18/91), maintain, for each unit, records of the primary and secondary combustion chamber temperatures, steam pressure, steam temperature, steam flow, and wet scrubber water pH. 5) In accordance with DEP Approval B-78-IN-002 (amended 1/18/91), maintain records documenting the percentage data collection as required in provision 7 in Table 4a. 6) In accordance with DEP Approval 1-P-99-019 (08/11/99), use scale records and MSW inventory estimates to document compliance with the MSW plus dry sludge solids processing limitation of 84,000 tons per year (based on a rolling 12 calendar month total). 7) In accordance with DEP Approval 1-P-05-023 (6/20/2006), maintain records of the pressure drop across each venturi scrubber and the water recirculation rate and water makeup rate to each venturi scrubber. 8) In accordance with 40 CFR Part 60, Appendix F—Quality Assurance Procedures and Regulation 310 CMR 7.00 Appendix C(10)(b), maintain records of the Cylinder Gas Audit (“CGA”) and the relative accuracy test audit (“RATA”) results and all CGA and RATA reports submitted to the MassDEP. 9) In accordance with DEP Approval 1-I-00-001 (6/20/2000), and 310 CMR 7.08(2)(h), maintain records of the information specified in this section, as applicable, for each municipal waste combustor unit. All records shall be retained at the Covanta Pittsfield for at least 5 years and shall be made available to MassDEP personnel upon request.

Table 5b

EU#	Recordkeeping Requirements
EU 1 EU 2 EU 3	<p>Covanta Pittsfield, LLC shall:</p> <p>10) In accordance with DEP Approval 1-I-00-001 (6/20/2000) and Regulation 310 CMR 7.08(2)(h)1., maintain the calendar date of each record.</p> <p>11) In accordance with DEP Approval 1-I-00-001 (6/20/2000) and Regulation 310 CMR 7.08(2)(h) 2., record the emission concentrations and parameters measured using continuous emissions monitoring systems. The measurements specified below shall be recorded and shall be available for submittal to the MassDEP or for onsite review by an inspector:</p> <ul style="list-style-type: none"> a. All 6-minute average opacity levels as specified under 40 CFR 60.58b(c) effective December 19, 1995 and as amended October 24, 1997, including the highest level measured. b. All 1-hour average SO₂ emission concentrations as specified under 40 CFR 60.58b(e) effective December 19, 1995 and as amended October 24, 1997. c. All 1-hour average NO_x emission concentrations as specified under 40 CFR 60.58b(h) effective December 19, 1995 and as amended October 24, 1997. d. All 1-hour average CO emission concentrations, municipal waste combustor unit load measurements, and PM control device inlet temperatures as specified under 40 CFR 60.58b(i) effective December 19, 1995 and as amended October 24, 1997. e. All 24-hour daily geometric average SO₂ emission concentrations and all 24-hour daily geometric average percent reductions in SO₂ emissions as applicable, as specified under 40 CFR 60.58b(e) effective December 19, 1995 and as amended October 24, 1997 including the highest level recorded. f. All 24-hour daily arithmetic average NO_x emission concentrations as specified under 40 CFR 60.58b(h) effective December 19, 1995 and as amended October 24, 1997, including the highest level recorded. g. All 4-hour block averages, CO emission concentrations, as applicable, as specified under 40 CFR 60.58b(i) effective December 19, 1995 and as amended October 24, 1997, including the highest level recorded. h. All 4-hour block arithmetic average municipal waste combustor unit load levels (steam flow) and PM control device inlet temperature as specified under 40 CFR 60.58b(i) effective December 19, 1995 and as amended October 24, 1997, including the highest level recorded. <p>12) In accordance with DEP Approval 1-I-00-001 (6/20/2000) and 310 CMR 7.08(2)(h)3., record the calendar dates when any of the average emissions concentrations or percent reductions, or operating parameters recorded under section 7.08(2)(h) 2., exceed the applicable limits, with detailed specific reasons for such exceedances and a description of corrective actions taken.</p> <p>13) In accordance with DEP Approval 1-I-00-001 (6/20/2000) and 310 CMR 7.08(2)(h) 4., maintain records of the following:</p> <ul style="list-style-type: none"> a. The average carbon mass feed rate (in lb/hr) estimated as required under 40 CFR 60.58b(m)(1)(i) effective December 19, 1995 and as amended October 24, 1997, during the initial Hg performance test and all subsequent compliance tests, with supporting calculations. b. The average carbon mass feed rate (in lbs/hr) estimated for each hour of operation as required under 40 CFR 60.58b(m)(1)(ii) effective December 19, 1995 and as amended October 24, 1997, during the initial dioxin/furan performance test and all subsequent nine month compliance tests, with supporting calculations. c. The average carbon mass feed rate (in lbs/hr) estimated for each hour of operation as required under 40 CFR 60.58b(m)(3)(ii) effective December 19, 1995 and as amended October 24, 1997, with supporting calculations. d. The total carbon usage for each calendar quarter estimated as specified under 40 CFR 60.58b(m)(3) effective December 19, 1995 and as amended October 24, 1997, with supporting calculations. e. The carbon injection system operating parameter data for the parameter(s) that are the primary indicator(s) of carbon feed rate.

Table 5c

EU#	Recordkeeping Requirements
EU 1 EU 2 EU 3	<p>Covanta Pittsfield, LLC shall:</p> <p>14) In accordance with DEP Approval 1-I-00-001 (6/20/2000) and 310 CMR 7.08(2)(h)5., record the calendar dates and time periods for which the minimum number of hours of any of the data specified below have not been obtained including reasons for not obtaining sufficient data and a description of corrective actions taken:</p> <ul style="list-style-type: none"> a. SO₂ emissions data. b. NO_x emissions data. c. CO emissions data. d. Municipal waste combustor unit load data. e. PM control device inlet temperature data. <p>15) In accordance with DEP Approval 1-I-00-001 (6/20/2000) and 310 CMR 7.08(2)(h) 6., record each occurrence that SO₂ emissions data, NO_x emissions data, or operational data (e.g. CO emissions, unit load, and PM control device temperature) have been excluded from the calculation of average emission concentrations or parameters, along with detailed and specific reasons for excluding the data.</p> <p>16) In accordance with DEP Approval 1-I-00-001 (6/20/2000) and 310 CMR 7.08(2)(h) 7., record the results of daily drift tests and quarterly accuracy determinations for SO₂, NO_x, and CO continuous emission monitoring systems, as required under 40 CFR, Part 60, Appendix F, Procedure 1.</p> <p>17) In accordance with DEP Approval 1-I-00-001 (6/20/2000) and 310 CMR 7.08(2)(h) 8., record each occurrence of a start-up, shut-down or malfunction, including the specific reasons for each occurrence, date, time, and unit involved. Average emissions concentrations or percent reductions, or operating parameters recorded under section 7.08(2)(h) 2., shall be recorded during start-up, shut-down or malfunction.</p> <p>18) In accordance with DEP Approval 1-I-00-001 (6/20/2000) and 310 CMR 7.08(2)(h) 9., record the results and supporting calculations of all nine-month compliance tests conducted to determine compliance with the PM, opacity, Cd, Pb, Hg, dioxin/furan, HCl, and fugitive ash emission limits. These shall be submitted to MassDEP within 90 days after each such test.</p> <p>19) In accordance with DEP Approval 1-I-00-001 (6/20/2000) and 310 CMR 7.08(2)(h)10, record the maximum demonstrated municipal waste combustor load and maximum PM control device temperature (for each PM control device) along with supporting calculations for all dioxin/furan compliance tests recorded under 7.08(2)(h)9.</p> <p>20) In accordance with DEP Approval 1-I-00-001 (6/20/2000) and 310 CMR 7.08(2)(h) 11., maintain records showing the names of the municipal waste combustor chief facility operator, shift supervisors, and control room operators who are certified by ASME (Operator Certification and Provisional Certification), including the dates of initial and renewal certifications and documentation of current certification. Records showing the names of the municipal waste combustor chief facility operator, shift supervisors, and control room operators who have completed the EPA municipal waste combustor operator-training course if required.</p> <p>21) In accordance with DEP Approval 1-I-00-001 (6/20/2000) and 310 CMR 7.08(2)(h) 12., maintain records showing the names of the persons who have completed a review of the operating manual as required by section 7.08(2)(f)6.d. including the date of the initial review and subsequent annual reviews.</p>

Table 5d

EU#	Recordkeeping Requirements
EU 1 EU 2 EU 3	<p>Covanta Pittsfield, LLC shall:</p> <p>22) In accordance with DEP Approval 1-I-00-001 (6/20/2000) and 310 CMR 7.08(2)(h)13., maintain records of the following:</p> <ul style="list-style-type: none"> a. Identification of the calendar dates when the average carbon mass feed rates recorded under Regulation 310 CMR 7.08(2)(h) 4.c. were less than either of the hourly carbon feed rates measured during compliance tests for mercury or dioxin/furan emissions and recorded in Regulation 310 CMR 7.08(2)(h)4.a. or b. of this section, respectively, with reasons for such feed rates and a description of corrective actions taken. b. Identification of the calendar dates when the carbon system operating parameter(s) that are the primary indicator(s) of carbon mass feed rate recorded under Regulation 310 CMR 7.08(2)(h)4.e., are below the level(s) estimated during the compliance tests as specified in 40 CFR 60.58b(m)(1)(i) and 60.58b(m)(1)(ii) effective December 19, 1995 and as amended October 24, 1997, with reasons for such occurrences and a description of corrective actions taken. <p>23) In accordance with DEP Approval 1-I-90-018 (1/18/91), keep, in the operation or maintenance log, a record of each use of the backup recirculation and soda ash transfer pumps.</p> <p>24) In accordance with DEP Approval 1-P-11-010 (10/3/2011), maintain comprehensive and accurate records of the MWC's calculated NOx emissions for each rolling 365-day average and each 12 consecutive calendar month period</p> <p><u>Industrial Sludge Injection System Recordkeeping Requirements</u></p> <p>25) In accordance with DEP Approval 1-P-11-010 (10/3/2011), maintain comprehensive and accurate records of the following:</p> <ul style="list-style-type: none"> a. the identity of the industrial sludge source, volume delivered and date and time of delivery for each industrial sludge truck shipment received at the facility. As well as a verification that MassDEP has been notified 30 days prior to the initial receipt of the industrial sludge and that a copy of the original industrial sludge analysis results for the subject truck delivery is on record at Covanta Pittsfield, LLC (refer to Monitoring Requirements, Condition #27 herein); b. the calculated maximum industrial sludge injection rate (gallons per minute) for all the waste combustors for each batch of industrial sludge used in determining compliance with Special Terms and Conditions, Condition #17 and #19 herein with supporting calculations; c. the measured industrial sludge injection rate (gallons per minute) for each waste combustor based on a 4-hour block average; d. the measured industrial sludge injection rate (gallons per minute) for all the waste combustors based on a 4-hour block average; e. the ratio of dry industrial sludge solids to MSW combusted in each waste combustor based on a 4-hour block average with supporting calculations; f. the total combined amount of #2 fuel oil (in gallons) injected through the industrial sludge injection system and burned in the municipal waste combustors on a monthly basis and in any 12 consecutive calendar month period; g. the maximum amount of #2 fuel oil mixed with industrial sludge in the receiving tank and burned in the municipal waste combustors as a percentage of the total volume of industrial sludge burned in the municipal waste combustors on a calendar day basis; h. the total combined amount of industrial sludge (in gallons) burned in the waste combustors on a calendar day basis;

Table 5e

EU#	Recordkeeping Requirements
EU 1 EU 2 EU 3	<ul style="list-style-type: none"> i. the results of the industrial sludge analyses for each industrial sludge supplier; j. the solids content of each batch of industrial sludge (sampled from the receiving tank); k. a sequential record of each batch of Crane sludge or Crane sludge mixture which shall include: <ul style="list-style-type: none"> 1. the date and time for the completion of receiving Crane sludge to the receiving tank; 2. the date and time for the completion of mixing Crane sludge with other sources of industrial sludge, if applicable; 3. the date and time for each industrial sludge sample obtained for analysis as well as the type of industrial sludge sampled (i.e. Crane sludge or Crane sludge mixture); 4. the analysis results, including time received, for the solids content, specific gravity, lead and mercury concentration for each batch of Crane sludge or Crane sludge mixture; 5. the shift supervisor signoff authorizing transfer of each batch of Crane sludge or Crane sludge mixture; and 6. the date and time for the transfer of each batch of Crane sludge or Crane sludge mixture transferred from receiving tank to day tank. l. the industrial sludge samples and tests performed pursuant to Testing Requirements, Condition #30 herein shall include: <ul style="list-style-type: none"> 1. the date and time that each sample was taken; 2. the location (receiving tank, day tank, etc.) of where each sample was taken from; 3. the type of industrial sludge sampled (i.e Crane sludge, other industrial sludge, or mixture); and 4. the analysis results of each industrial sludge analysis. m. the results of any analyses performed on the industrial sludge delivered to the facility or Crane sludge received shall contain the identity of the specific source of industrial sludge represented by each such analysis or set of analyses, the name of the individual(s) and/or company who performed each such analysis or set of analyses and the identity of the analytical techniques and methods used to perform each such analysis or set of analyses. <p>Records kept to demonstrate compliance must be kept on site for five years and must be made available to representatives of the MassDEP upon request.</p> <p>26) In accordance with DEP Approval 1-P-11-010 (10/3/2011), shall equip the industrial sludge injection system with instrumentation which is capable of continuously recording the industrial sludge injection rate to each waste combustor.</p>

Table 5f

EU#	Recordkeeping Requirements
EU 4	<p>Covanta Pittsfield, LLC shall:</p> <p>27) In accordance with DEP Approval 1-P-11-010 (10/3/2011), maintain comprehensive and accurate records for the Cleaver Brooks model D-68S package boiler which shall include:</p> <ul style="list-style-type: none"> a. the amount of #2 fuel oil burned in the boiler on a monthly basis; b. calculated NOx emissions for each 12 consecutive calendar month period; c. the supporting calculations for the air contaminant emissions from the boiler to verify compliance with the emission limitations contained in Table 3 herein; d. the date of the annual tune-up; e. the person conducting the annual tune-up; f. the O₂/smoke spot (for oil) correlations obtained during the annual tune-up; g. the boiler/burner manufacturer's recommended set-points; h. final boiler set-points as result of the annual tune-up; i. normal boiler/burner maintenance records; <p>Records kept to demonstrate compliance must be kept on site for five years and must be made available to representatives of the MassDEP upon request.</p> <p>28) In accordance with DEP Approval 1-P-11-010 (10/3/2011), and 310 CMR 7.04(4)(a), maintain comprehensive and accurate records of the annual inspection, maintenance and testing and the date upon which it was performed. These said records shall be posted conspicuously on or near the boiler.</p>
EU 1 EU 2 EU 3 EU 4	<p>Covanta Pittsfield, LLC, shall:</p> <p>29) In accordance with DEP Approval 1-P-11-010 (10/3/2011), record the certification from the fuel supplier for each shipment of #2 fuel oil to be used which shall include the following information:</p> <ul style="list-style-type: none"> a. The name of the oil supplier; b. Percent sulfur content (by weight); and c. The location where the sample was drawn for analysis to determine the sulfur content of the oil, specifically including whether the oil was sampled as delivered to the affected facility or whether the sample was drawn from oil in storage at the oil supplier's or oil refiner's facility or other location. As an alternative, Covanta Pittsfield, LLC, may elect to analyze the oil immediately after the fuel storage tank is filled and before any oil is combusted for each new shipment according to methods approved by the MassDEP. These records shall be maintained on-site.
EU 5	<p>Covanta Pittsfield, LLC shall:</p> <p>30) In accordance with 310 CMR 7.03(6), establish and maintain a recordkeeping system on-site and in sufficient detail to document the date of construction, substantial reconstruction or alteration and that the respective emission rates, operational limitations, equipment specifications and other requirements pursuant to 310 CMR 7.03 are met. All records shall be maintained up-to-date such that year-to-date information is readily available for Department examination.</p> <p>31) In accordance with 310 CMR 7.18(8)(g), prepare and maintain daily records sufficient to demonstrate continuous compliance. Records kept to demonstrate compliance shall be kept on site for three years and shall be made available to representatives of the Department and EPA in accordance with the requirements of an approved compliance plan or upon request. Such records shall include, but are not limited to:</p> <ul style="list-style-type: none"> a. identity, quantity, formulation and density of solvent(s) used; b. quantity, formulation and density of all waste solvent(s) generated; c. actual operational and performance characteristics of the degreaser and any appurtenant emission capture and control equipment, if applicable; and d. any other requirements specified by the Department in any approval(s) and/or order(s) issued to the person.

Table 5g

EU#	Recordkeeping Requirements
EU7	Covanta Pittsfield, LLC shall: 32) In accordance with 310 CMR 7.02(8)(i)3, maintain on site the following records for the engine: a. Information on equipment type, make and model, and maximum power input/output; and b. A monthly log(s) of hours of operation, gallons of fuel used, fuel type and heating value, and a monthly calculation of the total hours operated and gallons of fuel used in the previous 12 months; and c. Purchase orders, invoices, and other documents to support information in the monthly log.
Facility-Wide	Covanta Pittsfield, LLC shall: 33) In accordance with 310 CMR 7.00 Appendix C(10)(b), maintain records of all monitoring data and supporting information, including all stack test results and all ambient air quality modeling results, on-site for a period of at least five years from the date of the monitoring sample, measurement, report or initial operating permit application. 34) In accordance with 310 CMR 7.12(3)(b), maintain copies of Source Registration and other information supplied to the Department to comply with 310 CMR 7.12, which shall be retained by the facility owner or operator for five years from the date of submittal. 35) 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) 36) In accordance with DEP Approval 1-I-90-018 (1/18/91), maintain on-site a record of training for all employees, and make this record available for inspection on request by the MassDEP or USEPA.

Table 6a	
EU#	Reporting Requirements⁽¹⁾
EU 1 EU 2 EU 3	<p>Covanta Pittsfield, LLC shall:</p> <ol style="list-style-type: none"> 1) In accordance with DEP Approval 1-I-90-018 (1/18/91), submit a report which shall be received by MassDEP by the 15th of each month providing the following information for the preceding calendar month: <ol style="list-style-type: none"> a. a listing of every hour during which the emission rate of any monitored pollutant exceeds the limit established in Table 3. b. a description/explanation for each exceedance and a description of the measures taken to avoid the exceedance and to minimize the duration of the exceedance. c. evidence of each calibrating event on the monitoring equipment. d. upsets or failures associated with the emission control system or CEM/COM equipment. These reports should include the duration of the upset or failure of the controls or CEM/COM, the causes, any action taken to remedy the problem and the amount of any excess emissions during any control upset. e. all alarm events (from Table 4a), the date and time of the alarm, the action taken in response to the alarm, and the time the condition causing the alarm was corrected. f. the eight hour block average for each MWCs carbon injection system operating parameter(s) that are the primary indicator(s) of the carbon mass feed rate during each month. g. the amount, in tons, of MSW burned in the incinerators during each month and the calculated rolling 12-month total. 2) In accordance with Regulation 310 CMR 7.08(2)(h)9., submit the results of all nine-month compliance stack tests conducted to determine compliance with the particulate matter, opacity, cadmium, lead, mercury, dioxin/furan, hydrogen chloride and fugitive ash emission limits along with supporting calculations and applicable process data (electrostatic precipitator inlet temperatures, carbon injection rates, primary indicator of carbon injection rates, steam flow rate, lime injection feed rates, secondary combustion chamber temperatures, etc.) to the MassDEP within 90 days after the completion of each such test. 3) In accordance with DEP Approval 1-I-00-001 (6/20/2000), submit final stack test reports within 90 days after the completion of the tests. 4) In accordance with 310 CMR 7.01, submit to the MassDEP (Western Office and Boston Office), within 90 days of completion of the stack test, all modeled results ascertaining compliance with the DEP's Allowable Ambient Limits as required in Table 4c. 5) In accordance with 310 CMR 7.01, submit to MassDEP a new stack test protocol or an ambient air quality modeling protocol when modifications or additions have been made to the protocol which was used for the previous stack test or air quality modeling analysis. 6) In accordance with 40 CFR Part 60, Appendix F—Quality Assurance Procedures, submit the Cylinder Gas Audit (“CGA”) or the relative accuracy test audit (“RATA”) reports (required once per calendar year quarter) within 30 days after the date the test procedure was completed. The report format shall conform to the specifications in Appendix F. 7) In accordance with DEP Approval 1-I-00-001 (6/20/2000), submit semi-annual and annual reports in accordance with Regulation 310 CMR 7.08(2)(i).

Table 6a Notes:

(1) All reports are to be submitted to the Western Regional Office address, as specified on the letterhead of this Operating Permit, except that the modeling reports shall also be sent to 1 Winter Street, 7th Floor, Boston, MA 02108.

Table 6b	
EU#	Reporting Requirements⁽¹⁾
EU 1 EU 2 EU 3	<p>Covanta Pittsfield, LLC shall:</p> <p>8) In accordance with 310 CMR 7.08(2)(i)1.a. through f., annually report the information specified in (a.) through (f.) below:</p> <ul style="list-style-type: none"> a. Regulation 310 CMR 7.08(2)(h) 2.a., e. through h. for the highest emission levels recorded. b. Regulation 310 CMR 7.08(2)(h) 4.a. and b. c. Regulation 310 CMR 7.08(2)(h) 5. through 6. d. Regulation 310 CMR 7.08(2)(h) 8. through 10. e. Summary of a. through d. for the previous year. f. The performance evaluation of the continuous emission monitoring system using the applicable performance specifications in Appendix B of 40 CFR, Part 60. <p>9) In accordance with 310 CMR 7.08(2)(i)1., submit the annual reports contained in Table 6b, condition #8 herein which shall be received by MassDEP no later than February 15 of each year following the calendar year in which the data was collected.</p> <p>10) In accordance with 310 CMR 7.08(2)(i)2.a. through e., semi-annually report the information specified in (a.) through (e) below:</p> <ul style="list-style-type: none"> a. 310 CMR 7.08(2)(h)2.a., e. through h. for each date recorded in 310 CMR 7.08(2)(h)3. b. 310 CMR 7.08(2)(h)3. c. 310 CMR 7.08(2)(h)4.c. d. 310 CMR 7.08(2)(h)9. ^c e. 310 CMR 7.08(2)(h)13. <p>11) In accordance with 310 CMR 7.08(2)(i)2., submit the semi-annual reports contained in Table 6b, condition #10 herein which shall be received by MassDEP no later than August 1 following the first calendar half in which the data was collected and no later than February 15 following the second calendar half in which the data was collected.</p> <p>12) In accordance with 310 CMR 7.08(2)(i) 1. and 310 CMR 7.08(2)(i) 2., report the information in a format determined by the MassDEP that is designed to be understandable and informative to the public. The information shall be submitted in written format and electronic format according to the Municipal Waste Combustors: Reporting Forms & Instructions located at http://www.mass.gov/dep/recycle/solid/mwcfsum.htm.</p> <p>13) In accordance with DEP Approval 1-I-00-001 (6/20/2000) and 1-P-01-071 (3/29/2002), notify the Department no later than the morning of the next business day by telephone, and notify the MassDEP by fax within three (3) business days, of any process upsets, failure to meet emissions limits, or the malfunction or failure of any critical component of the air pollution control or emissions monitoring equipment.</p> <p>14) In accordance with DEP Approval 1-I-90-018 (1/18/91), notify the MassDEP at least 24 hours in advance of any planned shutdown of major plant equipment.</p> <p>15) In accordance with DEP Approval 1-P-11-010 (10/3/2011), notify MassDEP in writing, at least thirty (30) days prior to its receipt, of the intent to receive and combust industrial sludge from sources other than Crane & Company, Inc. The notification shall include the identity of the source, the results of the industrial sludge analysis for solids content and metal concentrations (as specified in Special Terms and Conditions, Condition #16 herein) and the amount intended to be consumed. The initial delivery of the industrial sludge can be accepted prior to 30 days if approved by the MassDEP.</p>

Table 6b Notes:

- (1) All reports are to be submitted to the Western Regional Office address, as specified on the letterhead of this Operating Permit, except that the 310 CMR 7.08(2)(i) annual and semi-annual reports shall be submitted to the DEP office specified in the instructions located at <http://www.mass.gov/dep/recycle/solid/mwcfsum.htm>.

Table 6c	
EU#	Reporting Requirements⁽¹⁾
EU 1 EU 2 EU 3 EU 4	<p>Covanta Pittsfield, LLC shall:</p> <p>16) In accordance with DEP Approval 1-P-11-010 (10/3/2011), report to MassDEP immediately by telephone and in writing within three (3) business days of any operation upsets, emission exceedances or any other malfunctions or emergencies which occur during the operation of the sludge injection system or the auxiliary boiler. This report shall include a description of the upset, emergency or malfunction, the nature and cause of the upset, emergency or malfunction, time when the upset, emergency or malfunction was first observed, any steps taken to mitigate emissions, an estimate of the quantity of emissions released as a result of the upset, emergency or malfunction, duration of excess emissions and any corrective actions taken. The definitions for malfunction, emergency and upset have been defined in condition #37 of DEP Approval 1-P-11-010 (10/3/2011).</p>
EU 5	<p>Covanta Pittsfield, LLC shall:</p> <p>17) In accordance with 310 CMR 7.03(5) report to MassDEP any construction, substantial reconstruction or alteration, as described in 310 CMR 7.03, on the next required source registration.</p>
EU 7	<p>Covanta Pittsfield, LLC shall:</p> <p>18) In accordance with 310 CMR 7.02(8)(i)4., make available the monthly log(s) and records established under 310 CMR 7.02(8)(i)3. to the Department or its designee upon request. The owner or operator shall certify that the log is accurate and true in accordance with 310 CMR 7.01(2).</p>
Facility-Wide	<p>Covanta Pittsfield, LLC shall:</p> <p>19) In accordance with 310 CMR 7.12(2), submit a Source Registration/Emission Statement form to the MassDEP on an annual basis.</p> <p>20) In accordance with 310 CMR 7.00: Appendix C(10)(c). 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).</p> <p>21) Submit Annual Compliance report to MassDEP and EPA by January 30 of each year and as required by General Condition 10 of this Permit.</p> <p>22) In accordance with DEP Approval 1-I-00-001 (6/20/2000) and Regulation 310 CMR 7.08(2)(f)7.d., submit, one year following the date of implementation of the materials separation plan (MSP) and every year after, a progress report to the MassDEP documenting the effective implementation of the MSP. This progress report may be submitted concurrently with the semi-annual report due July 30 of each calendar year, in accordance with 310 CMR 7.00 Appendix C(10)I. The MassDEP may require modifications to the MSP if necessary. (state only)</p> <p>23) 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.</p> <p>24) In accordance with 310 CMR 7.00 Appendix C(10)(a), submit to the MassDEP any record relevant to this operating permit or to the emissions of any air contaminant from the facility within 30 days of the request by the MassDEP or EPA.</p> <p>25) In accordance with 310 CMR 7.00 Appendix C(10)(f), report to the MassDEP's Regional Bureau of Waste Prevention all instances of deviations from permit requirements. (See Provision 25 in "GENERAL CONDITIONS FOR OPERATING PERMIT")</p>

Table 6c Notes:

- (1) The annual Source Registration/Emission Statement report shall be submitted to the DEP office specified in the instructions. All other reports, including both 6-month summary reports, are to be submitted to the Western Regional Office address, as specified on the letterhead of this Operating Permit.

Table 6d	
EU#	Reporting Requirements⁽¹⁾
Facility-Wide	<p>Covanta Pittsfield, LLC shall:</p> <p>26) In accordance with DEP Approval #1-I-00-001 (6/20/2000), notify the MassDEP in writing of any changes to the SOP/SMP within 30 days of inception of the change.</p> <p>27) In accordance with DEP Approval #1-I-00-001 (6/20/2000), submit a limited plan application to the MassDEP by December 31st of any calendar year in which changes to the SOP/SMP were made.</p> <p>28) In accordance with 310 CMR 7.71(5), by April 15th, 2010 and April 15th 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 CO₂e. Report greenhouse gas emissions electronically in a format that can be accommodated by the registry. (State only requirement)</p> <p>29) 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)</p> <p>30) In accordance with 310 CMR 7.71(7), by December 31st of the applicable year submit to the Department documentation of triennial verification of the greenhouse gas emissions report. (State only requirement)</p>

Table 6d Notes:

- (1) The greenhouse gases report and certification shall be submitted to the DEP office specified in the instructions. All other reports are to be submitted to the Western Regional Office address, as specified on the letterhead of this Operating Permit.

C. GENERAL APPLICABLE REQUIREMENTS

The Permittee shall comply with all general applicable requirements contained in 310 CMR 7.00 et. Seq. and 310 CMR 8.00 et. Seq., when subject.

D. REQUIREMENTS NOT CURRENTLY APPLICABLE

The Permittee is currently not subject to the following requirements:

Table 7	
Regulation	Reason
310 CMR 7.16: Reduction of Single Occupant Commuter Vehicle Use	Facility employs fewer than 250 people.
40 CFR Part 64 -Compliance Assurance Monitoring	Facility is exempt pursuant to 40 CFR 64.2(b)(1)(i)

5. SPECIAL TERMS AND CONDITIONS

The permittee is subject to the following special provisions that are not contained in Table 3 and 4a/4b/4c/4d/4e, Table 5a/5b/5c/5d/5e/5f/5g and Table 6a/6b/6c/6d:

Table 8a	
EU#	Special Terms And Conditions
EU 1 EU 2 EU 3	<p>Covanta Pittsfield, LLC shall:</p> <ol style="list-style-type: none"> 1) In accordance with DEP Approval 1-I-90-018 (1/18/91), not burn in the incinerator any hazardous waste as defined under Regulations 310 CMR 30.00, infectious wastes, or special wastes as defined under 310 CMR 19.00 unless approved by the DEP in writing. 2) In accordance with DEP Approval 1-I-90-018 (1/18/91), maintain in good repair the loader enclosures and dust control barrier wall between the furnace charging area and the remainder of the building. [State only] 3) In accordance with DEP Approval 1-I-90-018 (1/18/91), ensure the air pollution control equipment for the incinerators is operational whenever the incinerators are on-line. 4) In accordance with DEP Approval 1-I-90-018 (1/18/91), ensure that the electrostatic precipitator ("ESP") is operated so that the transformer rectifier primary current, primary voltage, secondary current, secondary voltage, and the ESP sparking rate do not differ significantly from its operation during the performance tests or as determined by the MassDEP to represent optimum performance 5) In accordance with DEP Approval 1-P-99-019 (8/11/99), may operate all three incinerators simultaneously provided the daily or annual MSW and sludge processing limits are not exceeded. 6) In accordance with DEP Approval 1-I-90-018 (1/18/91), maintain on-site an inventory of spare parts for the air pollution control equipment, associated controls and recording devices that will minimize downtime and optimize performance. The inventory should not only consist of the physical spare parts but should also include a parts list which consists of an up- to-date, accurate and easily searchable list of parts which are currently available for use at the facility.

Table 8b

EU#	Special Terms And Conditions
EU 1 EU 2 EU 3	<p>Covanta Pittsfield, LLC shall:</p> <p>7) In accordance with DEP Approval 1-I-00-001 (6/20/2000) and Regulation 310 CMR 7.08 (2)(f)1.a. iii., not allow any municipal waste combustor unit to operate at a temperature, measured at the ESP control device inlet, exceeding 17° C (30° F) above the maximum demonstrated particulate matter control device temperature, calculated in four-hour block arithmetic averages, measured during the most recent dioxin/furan compliance test in which compliance is achieved.</p> <p>8) In accordance with DEP Approval 1-I-00-001 (6/20/2000) and Regulation 310 CMR 7.08(2)(f)1.a.ii., not operate at a steam load level greater than 110% of the maximum demonstrated MWC unit load calculated in four-hour block arithmetic averages, measured during the most recent dioxin/furan test in which compliance is achieved.</p> <p>9) In accordance with DEP Approval 1-I-00-001 (6/20/2000) and Regulation 310 CMR 7.08(2)(g)1.d. and 7.08(2)(g)3.c., operate each unit such that the 8-hour block average of the carbon injection system operating parameter(s), that are the primary indicator(s) of the carbon mass feed rate, equal or exceed the level(s) documented during the dioxin/furan and mercury performance / optimization tests.</p> <p>10) In accordance with DEP Approval 1-I-00-001 (6/20/2000) and Regulation 310 CMR 7.08(2)(f)(6), implement the following municipal waste combustor operator training and certification requirements. The permittee:</p> <ul style="list-style-type: none"> a. shall have each chief facility operator and shift supervisor obtain and maintain an Operator Certificate issued by the American Society of Mechanical Engineers (ASME). b. shall not allow the municipal waste combustor unit to be operated at any time unless one of the following persons is on duty: A chief facility operator or a shift supervisor who has obtained an Operator Certificate. (A Provisional Certificate is acceptable provided the supervisor is scheduled to obtain an Operator Certificate in accordance with section (f) below). If one of the persons listed above must leave the municipal waste combustor plant during his or her operating shift, a provisionally certified control room operator who is onsite at the municipal waste combustor plant may fulfill these requirements. c. shall have all chief facility operators, shift supervisors, and control room operators who have not obtained an Operator Certificate from ASME complete the National Technical Information Service – “EPA Municipal Waste Combustor Operating Course.” d. shall establish a training program to review the operating manual with each person who has responsibilities affecting the operation of an affected municipal waste combustor unit, including, but not limited to, chief facility operators, shift supervisors, control room operators, ash handlers, maintenance personnel, and crane/load handlers. The operating manual shall address at a minimum the following: <ul style="list-style-type: none"> i. A summary of all applicable requirements in this regulation; ii. Basic combustion theory applicable to a municipal waste combustor unit; iii. Procedures for receiving, handling, and feeding municipal solid waste; iv. Municipal waste combustor unit startup, shutdown, and malfunction procedures; v. Procedures for maintaining proper combustion air supply levels; vi. Procedures for operating the municipal waste combustor unit within the requirements established under this regulation; vii. Procedures for responding to periodic upset or off-specification conditions; viii. Procedures for minimizing PM carryover; ix. Procedures for handling ash; x. Procedures for monitoring municipal waste combustor unit emissions; and xi. Reporting and record keeping procedures. e. shall make available to the MassDEP for inspection upon request all the operating manuals and records of training. f. shall be in compliance with all training and certification requirements specified in Regulation 310 CMR 7.08(2)(f) 6. By six months after the date of start up or August 21, 1999, whichever is later.

Table 8c

EU#	Special Terms And Conditions																																																
EU 1 EU 2 EU 3	<p>Covanta Pittsfield, LLC shall:</p> <p>11) In accordance with DEP Approval 1-I-90-018 (1/18/91), keep in good working condition the backup recirculation and soda ash transfer pumps for the scrubbing system. The pumps must either be rotated in use or be operated for one hour at least once per month.</p> <p>12) In accordance with DEP Approval 1-I-90-018 (1/18/91), operate the facility in accordance with a MassDEP approved Standard Operating Procedure that details for the facility how Covanta Pittsfield, LLC will minimize excess emissions of carbon monoxide during periods of startup/shutdown.</p> <p>13) In accordance with DEP Approval 1-I-90-018 (1/18/91), store and make available the Standard Operating and Maintenance Procedures in the control room of the facility.</p> <p>14) In accordance with DEP Approval 1-I-90-018 (1/18/91), ensure that the flue gas discharged from the two scrubbers is combined and exhausted through a stack minimally 115 feet tall, minimally 84 feet above the roof of the main building, and maximally 4 feet in diameter at the exit.</p> <p>15) In accordance with ACOP-WE-08-7004 (9/26/2008), prohibit the operation of a municipal waste combustor if the associated secondary combustion chamber oxygen analyzer is not functioning correctly.</p>																																																
	<p>Industrial Sludge Injection System Requirements</p>																																																
	<p>16) In accordance with DEP Approval 1-P-11-010 (10/3/2011) and Regulation 310 CMR 7.02(8)(a)2, neither consume any industrial sludge from Crane & Company, Inc., nor shall they receive any industrial sludge from other sources of industrial sludge which exceeds, at any time, the applicable concentration limits established below:</p>																																																
	<table border="1"> <thead> <tr> <th></th> <th>Crane Sludge</th> <th>Other Sources of Industrial Sludge</th> <th>Mixtures of Crane Sludge with Other Sources of Industrial Sludge</th> </tr> <tr> <th>Metal</th> <th>Concentration (mg/kg, dry basis)</th> <th>Concentration (mg/kg, dry basis)</th> <th>Concentration (mg/kg, dry basis)</th> </tr> </thead> <tbody> <tr> <td>Antimony</td> <td>125</td> <td>125</td> <td>125</td> </tr> <tr> <td>Arsenic</td> <td>19.3</td> <td>19.3</td> <td>19.3</td> </tr> <tr> <td>Beryllium</td> <td>2.5</td> <td>2.5</td> <td>2.5</td> </tr> <tr> <td>Cadmium</td> <td>11.9</td> <td>11.9</td> <td>11.9</td> </tr> <tr> <td>Chromium</td> <td>165.4</td> <td>165.4</td> <td>165.4</td> </tr> <tr> <td>Copper</td> <td>1,038</td> <td>1,038</td> <td>1,038</td> </tr> <tr> <td>Lead</td> <td>See Special Terms And Conditions #17</td> <td>187.5</td> <td>See Special Terms And Conditions #17</td> </tr> <tr> <td>Mercury</td> <td>5.4</td> <td>5.4</td> <td>5.4</td> </tr> <tr> <td>Nickel</td> <td>149.3</td> <td>149.3</td> <td>149.3</td> </tr> <tr> <td>Selenium</td> <td>10.1</td> <td>10.1</td> <td>10.1</td> </tr> </tbody> </table>		Crane Sludge	Other Sources of Industrial Sludge	Mixtures of Crane Sludge with Other Sources of Industrial Sludge	Metal	Concentration (mg/kg, dry basis)	Concentration (mg/kg, dry basis)	Concentration (mg/kg, dry basis)	Antimony	125	125	125	Arsenic	19.3	19.3	19.3	Beryllium	2.5	2.5	2.5	Cadmium	11.9	11.9	11.9	Chromium	165.4	165.4	165.4	Copper	1,038	1,038	1,038	Lead	See Special Terms And Conditions #17	187.5	See Special Terms And Conditions #17	Mercury	5.4	5.4	5.4	Nickel	149.3	149.3	149.3	Selenium	10.1	10.1	10.1
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	<p>17) In accordance with DEP Approval 1-P-11-010 (10/3/2011) and Regulation 310 CMR 7.02(8)(a)2, during the combustion of Crane sludge or Crane sludge mixtures the total maximum industrial sludge injection rate to all the waste combustors for each batch of industrial sludge shall not exceed, during any 4-hour block average (e.g. 00:00-04:00, 04:00-08:00, 08:00-12:00, etc.) the value calculated by the following equation:</p>																																																
	<p>Maximum Injection Rate of Crane Sludge or Crane Sludge Mixture $\left(\frac{\text{gallons}}{\text{minute}}\right)$</p> $= A * \left[\frac{100}{100 - B} \right] * \frac{453593 \text{ mg}}{\text{lb}} * \frac{\text{kg}}{\text{C mg}} * \frac{100}{\text{D}} * \frac{2.2 \text{ lb}}{\text{kg}} * \frac{\text{gal}}{\text{E lb}} * \frac{\text{hr}}{60 \text{ min}}$																																																

Table 8d

EU#	Special Terms And Conditions
EU 1 EU 2 EU 3	<p>Where:</p> <p>A = Maximum allowable lead emission rate which shall be 0.0095 lb/hr during the operation of two or three waste combustors or 0.0047 lb/hr during the operation of one waste combustor.</p> <p>B = Removal efficiency of lead by the air pollution control equipment (98.5% as originally modeled). i.e. if the removal efficiency is 98.5%, then B shall equal 98.5.</p> <p>C = The numerical value of the lead concentration in units of mg/kg dry basis for the batch of Crane sludge or Crane sludge mixture.</p> <p>D = The percentage of solids in the batch of Crane sludge or Crane sludge mixture with other acceptable sources of industrial sludge. i.e. if the percent solids is 10% then D shall equal 10.</p> <p>E = The numerical value for the density of the Crane sludge or Crane sludge mixture calculated from the specific gravity of each batch.</p> <p>Covanta Pittsfield, LLC shall:</p> <p>18) In accordance with DEP Approval 1-P-11-010 (10/3/2011) and Regulation 310 CMR 7.02(8)(a)2, ensure that the maximum solids content of the industrial sludge being injected into each waste combustor does not exceed 15% by weight at any time.</p> <p>19) In accordance with DEP Approval 1-P-11-010 (10/3/2011) and Regulation 310 CMR 7.02(8)(a)2, ensure that the ratio of dry sludge solids to MSW combusted in each waste combustor does not exceed 5% by weight based on a 4-hour block average.</p> <p>20) In accordance with DEP Approval 1-P-11-010 (10/3/2011) and Regulation 310 CMR 7.02(8)(a)2, ensure that no more than 19,000 gallons of #2 fuel oil is mixed with industrial sludge and burned in the waste combustors in any 12 consecutive calendar month period.</p> <p>21) In accordance with DEP Approval 1-P-11-010 (10/3/2011) and Regulation 310 CMR 7.02(8)(a)2, ensure that the maximum amount of #2 fuel oil that is mixed with industrial sludge and burned in the waste combustors does not exceed 0.2% of the total volume of industrial sludge burned in the waste combustors in each calendar day.</p> <p>22) In accordance with DEP Approval 1-P-11-010 (10/3/2011) ensure that no municipal wastewater treatment plant sludge is used, at any time, in the industrial sludge injection system.</p> <p>23) In accordance with DEP Approval 1-P-11-010 (10/3/2011) and Regulation 310 CMR 7.02(8)(a)2, ensure that the industrial sludge receiving tank and day tank are equipped with an appropriately sized and designed activated carbon-based odor control system on the tank vent exhausts or a vent line connected to the inlet side of the combustion air fans.</p> <p>24) In accordance with DEP Approval 1-P-11-010 (10/3/2011) and Regulation 310 CMR 7.02(8)(a)2, ensure that the 25,000-gallon receiving tank and the 25,000-gallon day tank are each equipped with a device or devices that will provide mixing and prevent stratification. The device(s) shall be operated as needed.</p> <p>25) In accordance with DEP Approval 1-P-11-010 (10/3/2011), shall consume all industrial sludge on-site within seven days of delivery.</p>

Table 8e

EU#	Special Terms And Conditions
EU 1 EU 2 EU 3	<p>Covanta Pittsfield, LLC shall:</p> <p>26) In accordance with DEP Approval 1-P-11-010 (10/3/2011) and Regulation 310 CMR 7.02(8)(a)2, properly mix industrial sludge and #2 fuel oil prior to being injected into the waste combustor through the industrial sludge injection system. At no time shall only #2 fuel oil be injected into the waste combustor through the industrial sludge injection system.</p> <p>27) In accordance with DEP Approval 1-P-11-010 (10/3/2011), not add to or remove other materials from, other than #2 fuel oil (as described in Special Terms and Conditions, Condition #26 herein), any batch of industrial sludge after the solids content, specific gravity, mercury concentration and lead concentration, as applicable, have been tested, unless the batch of industrial sludge is retested as applicable after any such additions or removals of material to the batch of industrial sludge.</p> <p>28) In accordance with DEP Approval 1-P-11-010 (10/3/2011) and Regulation 310 CMR 7.02(8)(a)2, ensure that all #2 fuel oil which is to be used with the industrial sludge injection system shall have a sulfur content not to exceed 0.0015% by weight, at any time, and shall contain no reclaimed or reprocessed oil or other waste materials.</p>
EU 4	<p>Covanta Pittsfield, LLC shall:</p> <p>29) In accordance with DEP Approval 1-P-11-010 (10/3/2011), ensure that the exhaust stack for the Cleaver Brooks model D-68S package boiler is no less than 15 feet above the roof.</p>
EU5	<p>Covanta Pittsfield, LLC shall:</p> <p>30) In accordance with 310 CMR 7.18(8)(a)1., use solvent in the cold cleaning degreaser which has a vapor pressure that does not exceed 1.0 mm Hg measured at 20 degrees Celsius. This requirement shall not apply to the following:</p> <ul style="list-style-type: none"> a. cold cleaning degreasers used in special and extreme solvent metal cleaning; b. cold cleaning degreasers for which the owner or operator has received Department approval of a demonstration that compliance with the requirement to use a solvent with a vapor pressure of 1.0 mm Hg or less at 20 degrees Celsius will result in unsafe operating condition; and c. cold cleaning degreasers that are located in a permanent total enclosure having control equipment that is designed and operated with an overall VOC control efficiency of 90% or greater. <p>31) In accordance with 310 CMR 7.18(8)(a)2., immediately repair any leaks, or the degreaser shall be shut down.</p> <p>32) In accordance with 310 CMR 7.18(8)(a)3., ensure the remote solvent reservoir has an open drain area less than 100 square centimeters, otherwise the requirements of 310 CMR 7.18(8)(a)3.a.-e. shall apply.</p> <p>33) In accordance with 310 CMR 7.18(8)(e)1. through 3, operate any solvent metal degreaser using procedures which minimize evaporative emissions and prohibit spills from the use of said degreaser. Such procedures include but are not limited to:</p> <ul style="list-style-type: none"> a. notification to operators of the performance requirements that must be practiced in the operation of the degreaser, including the permanent and conspicuous posting of labels in the vicinity of the degreaser detailing performance requirements; and b. storage of waste degreasing solvent in closed containers, and disposal or transfer of waste degreasing solvent to another party, in a manner such that less than 20% of the waste degreasing solvent by weight can evaporate in to the atmosphere; and c. where applicable, supplying a degreasing solvent spray which is a continuous fluid stream (not a fine, atomized or shower type spray) at a pressure which does not exceed ten pounds per square inch as measured at the pump outlet, and use any such spray within the confines of the degreaser.

Table 8f

EU#	Special Terms And Conditions
EU 5	Covanta Pittsfield, LLC shall: 34) In accordance with 310 CMR 7.18(8)(f), maintain instantaneous and continuous compliance at all times.
EU 7	Covanta Pittsfield, LLC shall: 35) In accordance with 310 CMR 7.02(8)(i)2. ,operate the engine no more than a total of 300 hours per any rolling 12 month period, and only during: a. The normal maintenance and testing procedure as recommended by the manufacturer, and b. Periods of electric power outage due to failure of the grid, in whole or in part, onsite disaster, local equipment failure, flood, fire or natural disaster, and c. When the imminent threat of a power outage is likely due to failure of the electrical supply or when capacity deficiencies result in a deviation of voltage from the electrical supplier to the premises of 3% above or 5% below standard voltage, or periods during which the regional transmission organization directs the implementation of voltage reductions, voluntary load curtailments by customers, or automatic or manual load shedding within Massachusetts in response to unusually low frequency, equipment overload, capacity or energy deficiency, unacceptable voltage levels, or other emergency conditions. 36) In accordance with 40 CFR 63.6640(f)(2)(i) through (iii), operate the engine according to the conditions described in 40 CFR 63.6640(f)(2)(i) through (iii). If you do not operate the engine according to the requirements in 40 CFR 63.6640(f)(2)(i) through (iii), the engine will not be considered an emergency engine under this subpart and will need to meet all requirements for non-emergency engines. a. There is no time limit on the use of emergency stationary RICE in emergency situations. b. You may operate your emergency stationary RICE for the purpose of maintenance checks and readiness testing, provided that the tests are recommended by the manufacturer, the vendor, or the insurance company associated with the engine. Required testing of such units should be minimized, but there is no time limit on the use of emergency stationary RICE in emergency situations and for routine testing and maintenance. c. You may operate your emergency stationary RICE for an additional 50 hours per year in non-emergency situations. The 50 hours per year for non-emergency situations cannot be used for peak shaving or to generate income for a facility to supply power to an electric grid or otherwise supply power as part of a financial arrangement with another entity.
Facility-Wide	Covanta Pittsfield, LLC shall: 37) In accordance with Regulation 310 CMR 7.08(2)(f)(7), must comply with the Materials Separation Plan requirements described therein. (State only requirement)

6. ALTERNATIVE OPERATING SCENARIOS

The permittee did not request alternative operating scenarios in its operating permit application.

7. EMISSIONS TRADING

(a) Intra-facility emission trading

The facility did not request intra-facility emissions trading in its operating permit application.

(b) Inter-facility emission trading

The permittee did not request inter-facility emissions trading in its operating permit application.

8. COMPLIANCE SCHEDULE

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

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

GENERAL CONDITIONS FOR OPERATING PERMIT

9. FEES

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

10. COMPLIANCE CERTIFICATION

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

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

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

(a) Annual Compliance Report and Certification

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

The compliance certification and report shall describe:

- 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 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:

- 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 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:

- (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, 7.04(9), 7.05(8), 7.09

(odor), 7.10 (noise), 7.18(1)(b), 7.21, 7.22, 7.70 and any condition(s) designated as "state only" are not federally enforceable because they are not required under the Act or under any of its applicable requirements. These regulations and conditions are not enforceable by the EPA. Citizens may seek equitable or declaratory relief to enforce these regulations and conditions pursuant to Massachusetts General Law Chapter 214, Section 7A

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

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

14. PERMIT TERM

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

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

15. PERMIT RENEWAL

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

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

16. REOPENING FOR CAUSE

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

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

17. DUTY TO PROVIDE INFORMATION

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

18. DUTY TO SUPPLEMENT

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

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

19. TRANSFER OF OWNERSHIP OR OPERATION

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

20. PROPERTY RIGHTS

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

21. INSPECTION AND ENTRY

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

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

22. PERMIT AVAILABILITY

The permittee shall have available at the facility, at all times, a copy of the materials listed under 310 CMR 7.00: Appendix C(10)(e) and shall provide a copy of the 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 Waste Prevention the following deviations from permit requirements, by telephone or fax, within three (3) days of discovery of such deviation:

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.

- 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.

For all other deviations, three (3) day notification is waived and is satisfied by the documentation required in the subsequent Semi-Annual Monitoring Summary and Certification. Instructions and forms for reporting deviations are found in the MassDEP Bureau of Waste Prevention Air Operating Permit Reporting Kit, which is available to the permittee via the MassDEP's web site, <http://www.mass.gov/dep/air/approvals/aqforms.htm#op>. This report shall include the deviation, including those attributable to upset conditions as defined in the permit, the probable cause of such deviations, and the corrective actions or preventative measures taken.

Deviations that were reported by telephone 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 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 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.

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.