Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
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Charles D. Baker
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PROPOSED AIR QUALITY OPERATING PERMIT

Issued by the Massachusetts Department of Environmental Protection ("Department" or "MassDEP") pursuant to its authority under M.G.L. c. 111, §142B and §142D, 310 CMR 7.00 et seq., and in accordance with the provisions of 310 CMR 7.00: Appendix C.

ISSUED TO ["the Permittee"]:

Ocean Spray Cranberries, Inc.
152 Bridge Street
Middleboro, MA 02346

FACILITY LOCATION:

Ocean Spray Cranberries, Inc.
152 Bridge Street
Middleboro, MA 02346

NATURE OF BUSINESS:

Cranberry and Fruit Juice Processing

RESPONSIBLE OFFICIAL:

Name: Mr. Scott Stears
Title: Plant Director

INFORMATION RELIED UPON:

Application No. 19-AQ14/12-000006-APP
ePlace Authorization No. XX-AQ14/12-XXXX

FACILITY IDENTIFYING NUMBERS:

AQ ID: 1200278
FMF FAC NO. 130746
FMF RO NO. 54426

Standard Industrial Classification(SIC): 2033
North American Industrial Classification System (NAICS): 42442005

FACILITY CONTACT PERSON:

Name: Ms. Patricia Gallagher
Title: EHS Manager
Phone: (508) 946-5896
e-mail: pgallagher@oceanspray.com

This operating permit shall expire on **PROPOSED**

For the Department of Environmental Protection

PROPOSED **PROPOSED**

Permit Chief, Bureau of Air and Waste Date

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SPECIAL CONDITIONS FOR OPERATING PERMIT

1. PERMITTED ACTIVITIES

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

A. DESCRIPTION OF FACILITY AND OPERATIONS

Ocean Spray Cranberries, Inc. ("Permittee") manufactures a variety of cranberry and other juice products at its Bridge Street Facility ("Facility"). The Facility conducts three major activities: fresh fruit packaging, concentrating and flavor manufacturing. The Permittee also operates a pilot and a wastewater pretreatment system. The fresh fruit packaging activity process and package 20,000 pounds of cranberries per hour and operates seasonally, from September to November. The concentrating activity produces concentrate product by grinding cranberries and water to produce cranberry mash through a series of process that include heat, microfiltration system, and evaporator. The flavor manufacturing activity include two separate processes at the main flavor facility and at the pilot plant, by pumping raw materials or pouring from smaller containers through access ports on the blend tanks. The pilot plant develops and tests process modifications, utilizing similar equipment, but smaller in size, as well as operating intermittently and for short durations. The wastewater pretreatment system is permitted by the Town of Middleborough to discharge treated wastewater.

The Facility is a major source, as defined in 310 CMR 7.00: Appendix C of Nitrogen Oxides (NO_x) and Sulfur Dioxides (SO_2). The Facility has potential NO_x and SO_2 emissions greater than the Major Source threshold (50 tons per year for NO_x and 100 tons per year for SO_2). The Facility is an area source for Hazardous Air Pollutants (HAPs).

The Facility operates four (4) Cleaver-Brooks Model CB-400-600 boilers, herein identified as Emission Unit (EU) B, each with rated fuel input capacities of 24,622,500 Btu per hour (Btu/hr) that mainly fire natural gas but are capable of burning no. 6 fuel oil. Each boiler is equipped with a Cleaver Brooks package air atomizing burner which burns no. 6 fuel oil at a rate of 1,290 pounds of hour (lbs/hr) and burns natural gas at a rate of 24,600 cubic feet per hour (ft^3/hr). The boilers (EU B) are located at an area source of HAPs; therefore, in accordance to 40 CFR Part 63, Subpart JJJJJJ, *National Emissions Standards for Hazardous Air Pollutants (NESHAPs) for Industrial, Commercial, and Institutional Boilers at Area Sources*, §63.11193, the boilers are subject to the subpart. As part of the requirement under 40 CFR 63 Subpart JJJJJJ, §63.11225(a)(2), the Permittee submitted an Initial Notification Report to United States Environmental Protection Agency (USEPA) Region 1 on May 5, 2012. In addition, the Permittee conducted a one-time energy assessment on February 26, 2014 and submitted the results of the assessment in a report dated March 19, 2014 to the MassDEP and the USEPA Region 1.

On April 14, 2012, the MassDEP approved a Plan Approval Application No. SE-12-006 (Transmittal No. X250366) for two (2) new sweetened dried cranberry (SDC) lines, herein identified as EU SDC2, and one (1) natural gas fired boiler, herein identified as EU B2. The Permittee indicated that

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EU B2 has yet to be installed at the Facility. In a letter dated May 19, 2020 addressed to Massachusetts Department of Environmental Protection (MassDEP), the Permittee has requested the removal of EU B2 from the Operating Permit.

The Permittee has indicated in this Operating Permit renewal application that the main flavor facility (previously identified as EU FF) has been closed and with no future plans to restart operations. In the May 19, 2020 letter, the Permittee has requested for a removal of EU FF from the Operating Permit. The letter shows that both tanks associated with EU FF have been physically disconnected and removed from the Facility.

Based on the May 19, 2020 letter, both EU B2 and EU FF are no longer applicable emission units; therefore, all associated requirements have been removed from this Operating Permit.

In addition, the Facility operates four (4) stationary Reciprocating Internal Combustion Engines (RICE). All engines meet the definition for emergency stationary engines under 40 CFR 63 Subpart ZZZZ, which is to provide electrical power or mechanical work during an emergency situation.

- Cummins KTA10-G2 (EU 4W) with a maximum rating of 4.06 million Btu per hour (MMBtu/hr) of heat input (600 hp) is located at the wastewater treatment plant for power loss at the plant.
- Kohler 100RZ272 (EU 49) with a maximum rating of 1.413 million Btu per hour (MMBtu/hr) of heat input (168hp) is located at the High Bay Area (upstairs) for power loss in that area.
- Cummins V504F2 (EU 1P) with a maximum rating of 1.134 million Btu per hour (MMBtu/hr) of heat input (157hp) is located at the fire pump house and operated to run the fire pump as a backup to the main fire system.
- Onan 60DGCBL37826A (EU 1T) with a maximum rating of 0.560 million Btu per hour (MMBtu/hr) of heat input (102hp) is located at the main lift station to power the pump to the wastewater treatment plant in the event of power loss at the main plant.

The units are located in an area source of HAPs and installed before June 12, 2006; therefore, in accordance to 40 CFR Part 63, Subpart ZZZZ, *National Emission Standards for Hazardous Air Pollutants (NESHAPs) for Stationary RICE*,§63.6585 and §63.6590(a)(1)(iii), the units are subject to the subpart.

The installation and operation of EU 4W was permitted through Plan Approval No. 4B89192 dated November 15. 1989. In accordance with 310 CMR 7.02(2)(b) 29, EU 49, EU 1P, and EU 1T are exempt from the requirement to obtain Plan Approval prior to operation. The Facility has recordkeeping obligation to maintain the exempt status for these EUs.

Massachusetts Greenhouse Gas Reporting Program

The Permittee is subject to the requirements of Greenhouse Gas Reporting as defined by MassDEP in 310 CMR 7.71(3)(a). **(State Only Requirement).**

Pursuant to 310 CMR 7.71(2): *Definitions:*"Greenhouse Gas" means any chemical or physical substance that is emitted into the air and that MassDEP may reasonably anticipate will cause or contribute to climate change including, but not limited to, CO_2, CH_4, N_2O, SF_6, hydrofluorocarbons (HFCs), and perfluorocarbons (PFCs).

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This Operating Permit contains the management practices and monitoring, record-keeping and reporting requirements as required by 310 CMR 7.00, 40 CFR Part 63, Subpart JJJJJJ and Subpart ZZZZ . Operating Permit Section 4, Tables 3, 4, 5, and 6 list the facility emission limits along with monitoring, testing, record-keeping and reporting requirements. Operating Permit Section 4, Table 7 lists regulations that are not applicable to the facility at this time. In accordance with 40 CFR Part 64.2, Compliance Assurance Monitoring (CAM) does not apply to the facility as the emission units do not use control devices to achieve compliance with emission limitations or standards.

2. EMISSION UNIT IDENTIFICATION

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

Table 1

EU	Description of EU	EU Design Capacity	Pollution Control Device (PCD)
B	Four Boilers Cleaver Brooks Model No. CB-400-600 (to Stack No. 1B, 2B, 3B, & 4B)	24,622,500 Btu/hr (each)	None
P105	Concentrator (to g.v.)	525 gal/hr of product	None
WWT	Wastewater Pretreatment System (to g.v.)	450,000 gal/day of wastewater	None
SUL/PP	Pilot Plant (to g.v.)	N/A	None
EM	Ancillary Solvent Use (to g.v.)		
SDC	Two Sweetened Dried Cranberry (SDC) Lines – SDC Lines #1 and #2 (to Stacks No. DEF401-404 & DEF401B-404B)		
SDC2	Two Sweetened Dried Cranberry (SDC) Lines – SDC Lines #3 and #4 (to Stacks No. DEF501-506)	8,333 lbs/hr	None

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Table 1(continued)			
EU	**Description of EU**	**EU Design Capacity**	**Pollution Control Device (PCD)**
4W	Diesel-fired, Compression Ignition (CI)Reciprocating Internal Combustion Engine (RICE) No. 1 Cummins Model No. KTA 10-G2 (to Stack No. 4W)	600 hp 4.06 MMBtu/hr	None
1P	Diesel-fired, Compression Ignition (CI) Reciprocating Internal Combustion Engine (RICE) No. 3 Cummins Model No. V504F2	157 hp 1.134 MMBtu/hr	None
49	Natural gas-fired, Spark Ignition (SI)Reciprocating Internal Combustion Engine (RICE) No. 2 Kohler Model No. 100RZ272	168 hp 1.413 MMBtu/hr	None
1T	Diesel-fired, Compression Ignition (CI)Reciprocating Internal Combustion Engine (RICE) No. 4 Onan Model No. 60DGCBL37826A	102 hp 0.560 MMBtu/hr	None

Table 1 Key:

EU	= Emission Unit	N/A	= Not Applicable
BTU	= British Thermal Unit	hp	= horse power
gal/hr	= gallons per hour	g.v.	= general ventilation
lbs/yr	= pounds per year	gal	= gallon
lbs/hr	= pounds per hour	gal/day	= gallon per day
MMBtu /hr	= million British Thermal Unit per hour	No.	= Number

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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 the exempt activities list shall be kept on-site at the facility and a copy shall be submitted to MassDEP's Regional Office. Emissions from these activities shall be reported on the annual emissions statement pursuant to 310 CMR 7.12.	310 CMR 7.00, Appendix C(5)(h)

Table 2 Key:

MassDEP = Massachusetts Department of Environmental Protection
CMR = Code of Massachusetts Regulations

4. APPLICABLE REQUIREMENTS

A. OPERATIONAL AND/OR PRODUCTION EMISSION LIMITS AND RESTRICTIONS

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

Table 3					
EU	**Fuel/Raw Material**	**Pollutant**	**Operational and/or Production Limits**	**Emissions Limits/Standards**	**Applicable Regulation and/or Approval No.**
B	No. 6 Fuel Oil	Sulfur in Fuel	3,245,000 gal/yr (total - all boilers)	≤ 0.28 lb sulfur/MMBtu (0.5% by weight)	SM-84-044-CO 310 CMR 7.05(1)(a)1
		PM	500,000 gal/mo (total - all boilers)	≤ 0.10 lb/MMBtu	SM-84-044-CO
	Natural Gas		N/A		
	All	See Table 4 - Monitoring and Testing Requirements, Table 5 – Record Keeping Requirements, and Table 6 – Recordkeeping Requirements			40 CFR 63, Subpart JJJJJJ
4W	No. 2 Fuel Oil	PM	N/A	≤ 0.10 lb/MMBtu	4B89192
4W 1P 1T	Diesel	Sulfur in Fuel		≤ 0.0015% S by weight (15 ppm)	310 CMR 7.05(1)(a)1, Table 1

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Table 3 (continued)

EU	Fuel/Raw Material	Pollutant	Operational and/or Production Limits	Emissions Limits/Standards		Applicable Regulation and/or Approval No.
4W 1P 1T	Diesel	See Table 4 – Monitoring and Testing Requirements, Table 5 – Record Keeping Requirements, and Table 8 – Special Terms and Conditions				40 CFR Part 63, Subpart ZZZZ
49	Natural Gas					
P105	Fruit and Water	VOC	Production ≤ 525 gal/hr	≤ 0.04 lb/hr ≤ 0.02 ton/mo(1) ≤ 0.18 ton/yr(1)		4P98045
WWT	Waste-water	VOC	Influent flow over screen: ≤ 450,000 gal/day ≤13,500,000 gal/mo(1) ≤164,000,000 gal/yr(1) Hours of pump operation: ≤16 hr/day ≤ 500 hr/mo ≤ 4,720 hr/yr	VSS concentration = 40% of COD or 100 mg/l, whichever is greater. VSS is allowed to, but not to exceed 870 mg/l		4P98045
				Screen-ing	≤ 0.67 lb/hr ≤ 0.17 ton/mo(1) ≤ 1.58 tons/yr(1)	
				Equal. Basin	≤ 0.10 lb/hr ≤ 0.04 ton/mo(1) ≤ 0.44 ton/yr(1)	
SUL/PP	Water and Fruit Additives		Hours of opera-tion: ≤ 2,000 hr/yr ≤ 250 hr/mo	Pilot Plant: Flavor	≤ 0.59 lb/hr ≤ 0.07 ton/mo(1) ≤ 0.59 ton/yr(1)	
				Pilot Plant: Other	≤ 0.23 lb/hr ≤ 0.03 ton/mo(1) ≤ 0.23 ton/yr(1)	

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Table 3 (continued)

EU	Fuel/Raw Material	Pollutant	Operational and/or Production Limits	Emissions Limits/Standards		Applicable Regulation and/or Approval No.
EM	N/A	VOC	Ancillary solvent usage shall not exceed 0.15 ton/mo and 1.0 ton/yr(1), excluding building and grounds mainten-ance, and office functions.	≤ 0.15 ton/mo(1) ≤ 1.0 ton/yr(1)		4P98045
				Blending	0.03 lb/hr 0.02 ton/mo(1) 0.13 ton/yr(1)	
				Bottling	0.18 lb/hr 0.10 ton/mo(1) 0.79 ton/yr(1)	
SDC	Cranberry Product		N/A	≤ 0.7 ton/mo(1) ≤ 7.7 ton/yr(1)		4P07049
		Opacity		0%		
SDC2		VOC		≤ 1.81 lb/hr ≤ 7.92 ton/yr(1)		SE-12-006
		Opacity		0%		
Facility-wide	All	Smoke		< No. 1 of Chart(2), except ≥ No. 1 to < No. 2 of Chart for ≤ 6 minutes during any one hour, no time to equal or exceed No. 2 of the Chart		310 CMR 7.06(1)(a)
		Opacity		≤ 20%, except > 20 to ≤ 40 % for ≤ 2 minutes during any one hour, at no time to exceed 40%		310 CMR 7.06(1)(b)
		Green-house Gas (GHG) Emissions (3)		N/A		310 CMR 7.71 (State-only requirement)

Table 3 Key:

EU	= Emission Unit	S	= Sulfur
PM	= Particulate Matter	CMR	= Code of Massachusetts Regulations
SO_2	= Sulfur Dioxide	gal/hr	= gallon per hour
NO_x	= Nitrogen Oxide	ton/mo	= ton per month
CO	= Carbon Monoxide	hr/yr	= hour per year
VOC	= Volatile Organic Compounds	hr/mo	= hour per month
VSS	= Volatile Suspended Solids	%	= percent
COD	= Chemical Oxygen Demand	gal/mo	= gallon per month
lb/MMBtu	= pound per million British Thermal Unit	mg/l	= milligram per liter

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Table 3 Key (continued):

gal/yr	= gallon per year	≤	= less than or equal to
lb/hr	= pound per hour	<	= less than
No.	= Number	>	= greater than
N/A	= Not Applicable		

Table 3 Note:

1. Unless otherwise specified, tons per month or tons per year emissions are based upon 8,760 hours. Tons per year emissions are regulated as tons per 12-month rolling period. A "12-month rolling period" is the current calendar month amount added to the previous 11 calendar months total amount.

2. Chart means the Ringlemann Scale for grading the density of smoke, as published by the United States Bureau of Mines and as referred to in the Bureau of Mines Information Circular No. 8333, or any smoke inspection guide approved by MassDEP.

3. 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, CO_2, CH_4, N_2O, SF_6, hydrofluorocarbons (HFCs), and perfluorocarbons (PFCs).

B. COMPLIANCE DEMONSTRATION

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

Table 4

EU	Monitoring and Testing Requirements
B	1. As required by 310 CMR 7.19(6)(a), the boilers shall be tuned annually according to the following procedure (tune-up procedure based on *Combustion Efficiency Optimization Manual for Operators of Oil and Gas Fired Boilers* (EPA 340/1-83-023)): 1. Operate the boiler at a firing rate most typical of normal operation. If the boiler experiences significant load variations during normal operation, operate it at its average firing rate. 2. At this firing rate record stack gas temperature, oxygen concentration, and CO concentration (for gaseous fuels) or smoke-spot number (For liquid fuels, the smoke spot number can be determined with ASTM Test Method D-2156 (Bacharach or equivalent)) and observe flame conditions after boiler operation stabilizes at the firing rate selected. If the excess oxygen in the stack gas is at the lower end of the range of typical minimum values (typical minimum oxygen levels for boilers at high firing rates are: for natural gas 0.5-3.0%; for liquid fuels 2.0-4.0%. The O_2 level should be reduced below this range with caution). If the CO emissions are low and there is no smoke, the boiler is probably operating at near optimum efficiency at this particular firing rate. However, complete the remaining portion of this procedure at 310 CMR 7.19(6)(a)3. through 10. to determine whether still lower oxygen levels are practical. 3. Increase combustion air flow to the boiler until stack gas oxygen levels increase by 1 to 2% over the level measured in 310 CMR 7.19(6)(a)2. As in 310 CMR 7.19(6)(a)2., record the stack gas temperature, CO concentration (for gaseous fuels) and smoke-spot number (for liquid fuels), and observe flame conditions for these higher oxygen levels after boiler operation stabilizes.

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Table 4 (continued)

EU	Monitoring and Testing Requirements
B	1.*continued ...* 4. Decrease combustion air flow until the stack gas oxygen concentration is at the level measured in 310 CMR 7.19(6)(a)2. From this level gradually reduce the combustion air flow, in small increments. After each increment, record the stack gas temperature, oxygen concentration, CO concentration (for gaseous fuels) and smoke-spot number (for liquid fuels). Also observe the flame and record any changes in its condition. 5. Continue to reduce combustion air flow stepwise, until one of these limits is reached: a. Unacceptable flame conditions - such as flame impingement on furnace walls or burner parts, excessive flame carryover, or flame instability. b. Stack gas CO concentrations greater than 400 ppm for gaseous fuels. c. Smoking at the stack for liquid fuels. d. Equipment-related limitation -such as low windbox/furnace pressure differential, built in air-flow limits, etc. 6. Develop an O_2 /CO curve (for gaseous fuels) or O_2 /smoke curve (for liquid fuels) similar to those shown in figures 310 CMR 7.19(6)-1 and 2 using the excess oxygen and CO or smoke-spot number data obtained at each combustion air flow setting. 7. From the curves prepared in 310 CMR 7.19(6)(a)6., find the stack gas oxygen levels where the CO emission or smoke spot number equals the following values: Fuel / Measurement / Value Gaseous / CO emissions / 400 ppm #1 & #2 oils / smoke-spot number / number 1 #4 oil / smoke-spot number / number 2 #5 oil / smoke-spot number / number 3 #6 oil / smoke-spot number / number 4 The above conditions are referred to as CO or smoke threshold, or as the minimum excess oxygen level. Compare this minimum value of excess oxygen to the expected value provided by the combustion unit manufacturer. If the minimum level found is substantially higher than the value provided by the combustion unit manufacturer, the owner or operator should improve fuel and air mixing, thereby allowing operation with less air. 8. Add 0.5 to 2.0% to the minimum excess oxygen level found in 310 CMR 7.19(6)(a)7. and reset burner controls to operate automatically at this higher stack gas oxygen level. This margin above the minimum oxygen level accounts for fuel variations, variations in atmospheric conditions, load changes, and non-repeatability or play in automatic controls. 9. If the load of the combustion unit varies significantly during normal operation, repeat 310 CMR 7.19(6)(a)1. through 8. for firing rates that represent the upper and lower limits of the range of the load. Because control adjustment at one firing rate may affect conditions at other firing rates, it may not be possible to establish the optimum excess oxygen level at all firing rates. If this is the case, choose the burner control settings that give best performance over the range of firing rates. If one firing rate predominates, settings should optimize conditions at that rate.

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Table 4 (continued)	
EU	**Monitoring and Testing Requirements**
B	1.*continued ...* 10. Verify that the new settings can accommodate the sudden changes that may occur in daily operation without adverse effects. Do this by increasing and decreasing load rapidly while observing the flame and stack. If any of the conditions in 310 CMR 7.19(6)(a)5. result, reset the combustion controls to provide a slightly higher level of excess oxygen at the affected firing rates. Next, verify these new settings in a similar fashion. Then make sure that the final control settings are recorded at steady-state operating conditions for future reference. 11. Alternatively, another tune-up procedure, such as found in MACT Subpart JJJJJJ [40 CFR 63.11223(b) and Table 2] or MACT Subpart DDDDD [40 CFR 63.7540(a)(10) and Table 3], may be used if approved in writing by the Department and EPA. 12. Nothing in any tune-up procedure shall be construed to require any act or omission that would result in unsafe conditions or would be in violation of any regulation or requirement established by National Fire Prevention Association, Federal Occupational Safety and Health Administration, or other applicable regulations or requirements.
	2. In accordance with 310 CMR 7.04(4)(a), inspect and maintain each fuel utilization facility in accordance with the appropriate manufacturer's recommendations, and test for efficient operation at least once in each calendar year. The results of said inspection, maintenance and testing, and the date upon which it was performed shall be recorded and posted conspicuously on or near the permitted facility.
	3. In accordance with 310 CMR 7.19(6)(b)2.g., at least once per month verify that the settings determined during the tune-up have not changed.
	4. In accordance with Approval No. SM-84-044-CO, monitor total quantities of fuel burned on a monthly and annual basis.
	5. In accordance with 40 CFR Part 63, Subpart JJJJJJ, §63.11201(b), the Permittee must comply with each work practice standard, emission reduction measure and management practice specified in Table 2 to this subpart that applies to the boilers.
	6. In accordance with 40 CFR Part 63, Subpart JJJJJJ, §63.11214(b), the Permittee must conduct a performance tune-up according to §63.11223(b).
	7. In accordance with 40 CFR Part 63, Subpart JJJJJJ, §63.11223(a) and (b), the Permittee must conduct a performance tune-up and keep records as required in §63.11225(c) to demonstrate continuous compliance. The Permittee must conduct the tune-up while burning the type of fuel (or fuels in the case of boilers that routinely burn two types of fuels at the same time) that provided the majority of the heat input to the boiler over the 12 months prior to the tune-up.

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Table 4 (continued)	
EU	**Monitoring and Testing Requirements**
B	8. In accordance with 40 CFR Part 63, Subpart JJJJJJ, §63.11223(b), the Permittee must conduct a tune-up of the boiler biennially to demonstrate continuous compliance as specified in paragraph (b)(1) through (7) of this section. Each biennial tune-up must be conducted no more than 25 months after the previous tune-up. (1) As applicable, inspect the burner, and clean or replace any components of the burner as necessary (you may delay the burner inspection until the next scheduled unit shutdown, not to exceed 36 months from the previous inspection). (2) Inspect the flame pattern, as applicable, and adjust the burner as necessary to optimize the flame pattern. The adjustment should be consistent with the manufacturer's specifications, if available (3) Inspect the system controlling the air-to-fuel ratio, as applicable, and ensure that it is correctly calibrated and functioning properly (you may delay the inspection until the next scheduled unit shutdown, not to exceed 36 months from the previous inspection). Units that produce electricity for sale may delay the inspection until the first outage, not to exceed 36 months from the previous inspection. (4) Optimize total emissions of CO. This optimization should be consistent with the manufacturer's specifications, if available, and with any nitrogen oxide requirement to which the unit is subject. (5) Measure the concentrations in the effluent stream of CO in parts per million, by volume, and oxygen in volume percent, before and after the adjustments are made (measurements may be either on a dry or wet basis, as long as it is the same basis before and after the adjustments are made). Measurements may be taken using a portable CO analyzer. (6) Maintain on-site and submit, if requested by the Administrator, a report containing the information in paragraphs (b)(6)(i) through (iii) of this section. (i) The concentrations of CO in the effluent stream in parts per million, by volume, and oxygen in volume percent, measured at high fire or typical operating load, before and after the tune-up of the boiler. (ii) A description of any corrective actions taken as a part of the tune-up of the boiler. (iii) The type and amount of fuel used over the 12 months prior to the tune-up of the boiler, but only if the unit was physically and legally capable of using more than one type of fuel during that period, Units sharing a fuel meter may estimate the fuel use by each unit. (7) If the unit is not operating on the required date for a tune-up, the tune-up must be conducted within 30 days of startup.

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Table 4 (continued)	
EU	**Monitoring and Testing Requirements**
4W	11. In accordance with Approval No. 4B89192, the unit is to be equipped with an operating hour indicator that shall provide a permanent record of the consecutive operating hours for the diesel engine.
4W 49 1P 1T	12. In accordance with 40 CFR Part 63, Subpart ZZZZ, §63.6625(e) and Table 6, you must operate and maintain the stationary RICE and after-treatment control device (if any) according to the manufacturer's emission-related written instructions or develop your own maintenance plan which must provide to the extent practicable for the maintenance and operation of the engine in a manner consistent with good air pollution control practice for minimizing emissions.
	13. In accordance with 40 CFR Part 63, Subpart ZZZZ, Table 2d: (a) Change oil filter every 500 hours of operation or annually, whichever comes first; (b) Inspect air cleaner (for EUs 4W, 1P and 1T) and spark plugs (for EU 49) for every 1,000 hours of operation or annually, whichever comes first, and replace as necessary; and (c) Inspect all hoses and belts every 500 hours of operation or annually, whichever comes first, and replace as necessary.
	14. In accordance with 40 CFR Part 63, Subpart ZZZZ, §63.6640(f), you must operate the emergency stationary RICE according to the requirements in paragraphs (f)(1) through (4) of this section. In order for the engine to be considered an emergency stationary RICE under this subpart, any operation other than emergency operation, maintenance and testing, emergency demand response, and operation in non-emergency situations for 50 hours per year, as described in paragraphs (f)(1) through (4) of this section, is prohibited. If you do not operate the engine according to the requirements in paragraphs (f)(1) through (4) of this section, the engine will not be considered an emergency engine under this subpart and must meet all requirements for non-emergency engines. (1) There is no time limit on the use of emergency stationary RICE in emergency situations. (2) You may operate your emergency stationary RICE for any combination of the purposes specified in paragraph (f)(2)(i) of this section for a maximum of 100 hours per calendar year. Any operation for non-emergency situations as allowed by paragraphs (f)(3) and (4) of this section counts as part of the 100 hours per calendar year allowed by this paragraph (f)(2). (i) Emergency stationary RICE may be operated for maintenance checks and readiness testing, provided that the tests are recommended by federal, state or local government, the manufacturer, the vendor, the regional transmission organization or equivalent balancing authority and transmission operator, or the insurance company associated with the engine. The owner or operator may petition the Administrator for approval of additional hours to be used for maintenance checks and readiness testing, but a petition is not required if the owner or operator maintains records indicating that federal, state, or local standards require maintenance and testing of emergency RICE beyond 100 hours per calendar year.

PROPOSED

Table 4 (continued)	
EU	**Monitoring and Testing Requirements**
4W 49 1P 1T	*14. Continued…* (3) Emergency stationary RICE located at major sources of HAP may be operated for up to 50 hours per calendar year in non-emergency situations. The 50 hours of operation in non-emergency situations are counted as part of the 100 hours per calendar year for maintenance and testing and emergency demand response provided in paragraph (f)(2) of this section. The 50 hours per year for non-emergency situations cannot be used for peak shaving or non-emergency demand response, or to generate income for a facility to supply power to an electric grid or otherwise supply power as part of a financial arrangement with another entity. (4) Emergency stationary RICE located at area sources of HAP may be operated for up to 50 hours per calendar year in non-emergency situations. The 50 hours of operation in non-emergency situations are counted as part of the 100 hours per calendar year for maintenance and testing and emergency demand response provided in paragraph (f)(2) of this section. Except as provided in paragraphs (f)(4)(i) and (ii) of this section, the 50 hours per year for non-emergency situations cannot be used for peak shaving or non-emergency demand response, or to generate income for a facility to an electric grid or otherwise supply power as part of a financial arrangement with another entity. (i) Prior to May 3, 2014, the 50 hours per year for non-emergency situations can be used for peak shaving or non-emergency demand response to generate income for a facility, or to otherwise supply power as part of a financial arrangement with another entity if the engine is operated as part of a peak shaving (load management program) with the local distribution system operator and the power is provided only to the facility itself or to support the local distribution system. (ii) The 50 hours per year for non-emergency situations can be used to supply power as part of a financial arrangement with another entity if all of the following conditions are met: (A) The engine is dispatched by the local balancing authority or local transmission and distribution system operator. (B) The dispatch is intended to mitigate local transmission and/or distribution limitations so as to avert potential voltage collapse or line overloads that could lead to the interruption of power supply in a local area or region. (C) The dispatch follows reliability, emergency operation or similar protocols that follow specific NERC, regional, state, public utility commission or local standards or guidelines. (D) The power is provided only to the facility itself or to support the local transmission and distribution system. (E) The owner or operator identifies and records the entity that dispatches the engine and the specific NERC, regional, state, public utility commission or local standards or guidelines that are being followed for dispatching the engine. The local balancing authority or local transmission and distribution system operator may keep these records on behalf of the engine owner or operator.

PROPOSED

Table 4 (continued)	
EU	**Monitoring and Testing Requirements**
1P 1T	15. In accordance with 40 CFR Part 63, Subpart ZZZZ, §63.6604(b), use diesel fuel that meets the requirements in 40 CFR 80.510(b) for nonroad diesel fuel, except that any existing diesel fuel purchased (or otherwise obtained) prior to January 1, 2015, may be used until depleted.
P105	16. In accordance with Approval No. 4P98045, records of the hours of operation and the amount of juice processed in the concentrator shall be monitored and maintained on-site for each month and for each 12-month rolling period.
WWT	17. In accordance with Approval No. 4P98045: (a) Monitor the volatile suspended solids (VSS, or active biomass) concentration (mg/l) in the equalization basin on a twice-weekly basis (24-hour composite). (b) Monitor the chemical oxygen demand (COD), nitrogen, and phosphorus concentrations (mg/l) at the equalization basin effluent (which represents the concentration in the equalization basin also) on a daily basis (24-hour composite, weekdays).
	18. In accordance with Approval No. 4P98045, records of the hours of operation for the wastewater static screen shall be monitored and maintained on-site for each month and for each 12-month rolling period.
	19. Monitor daily flow and hours of pump operation.[(1)]
SUL/PP	20. In accordance with Approval No. 4P98045, records of the hours of operation of each portion of the pilot plant shall be monitored and maintained on-site for each month and for each 12-month rolling period.
Facility-Wide	21. In accordance with 310 CMR 7.00, Appendix C(9)(b)2, demonstrate compliance with 310 CMR 7.05(1)(a)1., Table 1, by obtaining and maintaining a shipping receipt from the fuel oil supplier for each shipment of oil delivered. The shipping receipt must certify that the shipment complies with the American Society for Testing and Materials (ASTM) specifications for residual fuel oil. MassDEP may require testing of the residual fuel oil if the shipping receipt does not clearly demonstrate compliance.
	22. In accordance with 310 CMR 7.12, monitor operations such that information may be compiled for submittal of Source Registration.

PROPOSED

Table 4 (continued)	
EU	**Monitoring and Testing Requirements**
Facility-Wide	23. In accordance with 310 CMR 7.13(1), any person owning, leasing, operating, or controlling a facility for which MassDEP has determined that stack testing is necessary to ascertain compliance with MassDEP's regulations shall cause such stack testing: (a) to be conducted by a person knowledgeable in stack testing, (b) to be conducted in accordance with procedures contained in a test protocol which has been approved by MassDEP, (c) to be in the presence of a representative of MassDEP when such is deemed necessary, and (d) to be summarized and submitted to MassDEP with analyses and report within such time as agreed in the approved test protocol.
	24. In accordance with Approval No. 4P98045, records of the hours of operation of each processing area shall be monitored and maintained on-site for each month and for each 12-month rolling period.
	25. In accordance with 310 CMR 7.71(1) and Appendix C(9) establish and maintain data systems or record keeping practices (e.g. fuel use records, SF_6 usage documentation, Continuous Emissions Monitoring System) for greenhouse gas emissions to ensure compliance with the reporting provisions of M.G.L. c. 21N§ 2, the Climate Protection and Green Economy Act, Acts of 2008, c. 298, § 6. (State only requirement)

Table 4 Key:

mg/l	= milligram per liter	EU	= Emission Unit
PM	= Particulate Matter	EUs	= Emission Units
NO_x	= Nitrogen Oxide	M.G.L.	= Massachusetts General Law
CO	= Carbon Monoxide	No.	= Number
SO_2	= Sulfur Dioxide	U.S.C.	= United States Code
O_2	= Oxygen	§	= Section
%	= percent	c.	= chapter
SF_6	= Sulfur Hexafluoride		
hp	= horse power		
CI	= Compression Ignition		
SI	= Sparks Ignition		
VSS	= Volatile Suspended Solids		
CFR	= Code of Federal Regulations		
CMR	= Code of Massachusetts Regulations		
COD	= Chemical Oxygen Demand		
ISO	= International Standards Organization		
ASTM	= American Society for Testing and Materials		
ppm	= part per million		
RICE	= Reciprocating Internal Combustion Engines		
U.S. EPA	= United States Environmental Protection Agency		
MassDEP	= Massachusetts Department of Environmental Protection		
EPA	= United States Environmental Protection Agency		
Department	= Massachusetts Department of Environmental Protection		
OP	= Operating Permit		

Table 4 Note:

1. Requested by the Permittee as a new limit/restriction in the Operating Permit Application No. 4V04038, Transmittal No. W055016 – Final Operating Permit was issued on 11/28/2007.

PROPOSED

Table 5	
EU	**Record Keeping Requirements**
B	1. As required by 310 CMR 7.19(6)(b)2., maintain records for five (5) years of the annual tune-up, to include: (a) Date of tune-up. (b) Person(s) conducting the tune-up. (c) O_2/CO (for gas) or O_2/smoke spot (for oil) correlations obtained during tune-up. (d) Boiler/burner manufacturer's recommended set-points. (e) Final boiler set-points as a result of tune-up. (f) Normal boiler/burner maintenance records. (g) At least once per month verify that the settings determined during the tune-up have not changed.
	2. In accordance with 310 CMR 7.00, Appendix C(10)(b), demonstrate compliance with 310 CMR 7.05(1)(a)1 by maintaining records of fuel oil delivered for a period of at least five (5) years.
	3. In accordance with 310 CMR 7.04(4)(a), the Facility shall be inspected and maintained in accordance with the manufacturers recommendation and tested for efficient operation at least once in each calendar year. The results of said inspection, maintenance, and testing and the date upon which it was performed shall be recorded and posted conspicuously on or near the Facility.
	4. In accordance with Approval No. SM-84-044-COand OP No. SE-12-025, record total quantities of fuel burned on a monthly and annual basis.
	5. In accordance with 40 CFR Part 63, Subpart JJJJJJ, §63.11223(b)(6), maintain onsite records containing the following: (i) The concentrations of CO in the effluent stream in parts per million, by volume, and oxygen in volume percent, measured before and after the tune-up of the boiler, (ii) A description of any corrective actions taken as part of the tune-up of the boiler, and (iii) The type and amount of fuel used over the 12 months prior to the tune-up of the boiler, but only if the unit was physically and legally capable of using more than one type of fuel during that period.

PROPOSED

Table 5 (continued)	
EU	**Record Keeping Requirements**
B	6. In accordance with 40 CFR Part 63, Subpart JJJJJJ, §63.11225(b), maintain adequate records required to prepare biennial Compliance Certification Reports, including: (1) Company name and address (2) Statement by a responsible official, with the official's name, title, phone number, email address, and signature, certifying the truth, accuracy and completeness of the notification and a statement of whether the source has complied with all the relevant standards and other requirements of this subpart, and (3) If the source experiences any deviations from the applicable requirements during the reporting period, including a description of deviations, the time periods during which the deviations occurred, and the corrective actions taken. Maintain adequate records such that the first Compliance Certification Report shall be prepared by March 1, 2015with subsequent reports prepared by March 1st every second year thereafter.
	7. In accordance with 40 CFR Part 63, Subpart JJJJJJ, §63.11225(c)(1), keep a copy of each notification and report that is submitted to comply with Subpart JJJJJJ, and all documentation supporting the initial Notification or Notification of Compliance Status.
	8. In accordance with 40 CFR Part 63, Subpart JJJJJJ, §63.11225(c)(2)(i), keep records to document conformance with the work practices, emission reduction measures, and management practices required by Subpart JJJJJJ. Records must identify each boiler, the date of tune-up, the procedures followed for tune-up, and the manufacturer's specifications to which the boiler was tuned.
	9. In accordance with 40 CFR Part 63, Subpart JJJJJJ, §63.11225(c)(2)(iii), keep a copy of the one-time energy assessment report.
	10. In accordance with 40 CFR Part 63, Subpart JJJJJJ, §63.11225(c)(4) and (5), maintain records of the occurrence and duration of each malfunction of the boiler, or of the associated air pollution control and monitoring equipment. The records must include a list of actions taken during periods of malfunction to minimize emissions, including corrective actions to restore the malfunctioning boiler, air pollution control, or monitoring equipment to its normal or usual manner of operation.
	11. In accordance with 40 CFR Part 63, Subpart JJJJJJ, §63.11225(d), records must be in a form suitable and readily available for expeditious review, and records must be kept for 5 years following the date of each recorded action. Each record must be kept on-site or be accessible from a central location by computer or other means that instantly provide access at the site for at least 2 years after the date of each recorded action. Records may be kept off site for the remaining 3 years.

PROPOSED

Table 5 (continued)	
EU	**Record Keeping Requirements**
4W	12. In accordance with Approval No. 4B89192, keep an accurate log of the hours of operation for the diesel generator. This log shall be accessible for MassDEP personnel for inspection. The diesel engine shall be equipped with an operating hour indication that shall provide a permanent record of the consecutive operating hours for the diesel.
4W 49 1P 1T	13. In accordance with 40 CFR 63 Subpart ZZZZ, the Permittee shall maintain records associated with the requirements of the Subpart.
49 1P 1T	14. In accordance with 310 CMR 7.02(2)(d), for emission unit that is exempt from plan approval under 310 CMR 7.02(2)(b), the Permittee shall keep the following records on-site and up-to-date, such that year-to-date information is readily available for Department examination upon request: 1. Documentation of the date of construction, substantial reconstruction or alteration. 2. Documentation, including emission calculations, under the specific condition(s) that qualifies the activity for exemption (e.g., size threshold, emissions). 3. Air pollution control and other equipment performance specifications. 4. Verification of the overall efficiency of any air pollution control device adequate to support assumptions of emission control equipment capture efficiency (documentation of permanent total enclosures) and destruction/removal efficiency.
P105	15. In accordance with Approval No. 4P98045, maintain records of the hours of operation and the amount of juice processed in the concentrator. The records shall be maintained on-site for each month and for each 12-month rolling period.
WWT	16. In accordance with Approval No. 4P98045, a copy of operating and maintenance procedures for the wastewater pretreatment system shall be maintained at the pretreatment facility office.
	17. In accordance with Approval No. 4P98045: (a) Maintain records of the volatile suspended solids (VSS, or active biomass) concentration (mg/l) in the equalization basin on a twice-weekly basis (24-hour composite). (b) Maintain records of the chemical oxygen demand (COD), nitrogen, and phosphorus concentrations (mg/l) at the equalization basin effluent (which represents the concentration in the equalization basin also) on a daily basis (24-hour composite, weekdays).
	18. In accordance with Approval No. 4P98045, records of the hours of operation for the waste-water static screen shall be maintained on-site for each month and for each 12-month rolling period.
	19. Record daily flow and hours of pump operation. On a monthly basis, calculate monthly and 12-month rolling period total flows and hours of pump operation.[(1)]

PROPOSED

Table 5 (continued)	
EU	**Record Keeping Requirements**
SUL/PP	20. In accordance with Approval No. 4P98045, records of the hours of operation for the pilot plant shall be maintained on-site for each month and for each 12-month rolling period.
SDC	21. In accordance with Approval No. 4P07049, maintain detailed VOC records on a monthly basis and on a consecutive 12-month period basis (the total from the latest month plus the sum for the eleven months preceding the latest month). These records, including any other "credible evidence" shall document the compliance status of the facility regarding the conditions, provisions, and limits contained in Approval No. 4P07049. Supporting documentation, including purchase, inventory, hazardous waste, receiving, cleaning, and production records shall be maintained.
SDC2	22. In accordance with Approval No. SE-12-006, maintain detailed VOC records on a monthly basis and on a consecutive 12-month period basis (the total from the latest month plus the sum for the eleven months preceding the latest month). These records, including any other "credible evidence" shall document the compliance status of the facility regarding the conditions, provisions, and limits contained in Approval No. SE-12-006. Supporting documentation, including purchase, inventory, hazardous waste, receiving, cleaning, and production records shall be maintained.
	23. In accordance with Approval No. SE-12-006, the Permittee shall maintain adequate record on-site to demonstrate compliance with all operational, production, and emission limits contained in this Operating Permit. Records shall also include the actual emissions of air contaminant(s) emitted for each calendar month and for each consecutive twelve month period (current month plus prior eleven months). These records shall be compiled no later than 15th day following each month. An electronic version of the MassDEP approved record keeping form, in Microsoft Excel format, can be downloaded at http://https://www.mass.gov/service-details/massdep-air-quality-forms#report
Facility-Wide	24. In accordance with Approval No. 4P98045, records of the emission rate records for each area shall be maintained on-site for each month and for each 12-month rolling period.
	25. Maintain records of the fuel oil purchase receipts necessary in order to demonstrate compliance with the fuel sulfur content requirements as provided in 310 CMR 7.05(1)(a)1, Table 1.
	26. In accordance with 310 CMR 7.12(c), copies of Source Registration and other information supplied to MassDEP shall be retained by the Facility owner or operator for five years from the date of submittal.
	27. In accordance with Approval No. 4P98045, documentation of the evaluation of emissions from the production of new or modified flavors shall be maintained on site.

PROPOSED

Table 5 (continued)	
EU	**Record Keeping Requirements**
Facility-Wide	28. In accordance with 310 CMR 7.00, Appendix C(10), maintain records of all monitoring data and supporting information on-site for a period of at least 5 years from the date of the monitoring sample to include at a minimum, all calibration and maintenance records and copies of all reports required by the Operating Permit, and any other information required to interpret the monitoring data. Records required to be maintained shall include: (a) The date, place as defined in the permit, and time of sampling or measurements. (b) The date(s) analyses were performed. (c) The company or entity that performed the analyses. (d) The analytical techniques or methods used. (e) The results of such analyses. (f) The operating conditions as existing at the time of sampling or measurement. These records shall be readily available to MassDEP and/or U.S. EPA personnel.
	29. In accordance with Approval No. SE-12-006, the Permittee shall maintain a copy of the Plan Approval, underlying Application and the most up-to-date SOMP for the EU(s) approved on-site.
	30. In accordance with Approval No. SE-12-006, the Permittee shall maintain a record of routine maintenance activities performed on the approved EU(s), PCD(s) and monitoring equipment. The records shall include, at a minimum, the type or a description of the maintenance performed and the date and the time the work was completed. The maintenance records shall be kept on-site for a minimum of 5 years, and are readily available to MassDEP and U.S. EPA personnel upon request.
	31. In accordance with Approval No. SE-12-006, the Permittee shall maintain a record of all malfunctions affecting air contaminant emission rates on the approved EU(s) and monitoring equipment. At a minimum, the records shall include: date and time the malfunction occurred; description of the malfunction; corrective actions taken; the date and time corrective actions were initiated and completed; and the date and time emission rates and monitoring equipment returned to compliant operation. The malfunction records shall be kept on-site for a minimum of 5 years and are readily available to MassDEP and U.S. EPA personnel upon request.
	32. In accordance with 310 CMR 7.71 (6) b. and c., the Permittee shall keep on site at the Facility documents of the methodology and data used to quantify emissions for a period of 5 years from the date the document is created. The Permittee shall make these documents available to MassDEP upon request. (State only requirement)

Table 5 Key:

EU	= Emission Unit	VSS	= Volatile Suspended Solids
CMR	= Code of Massachusetts Regulations	PCD	= Pollution Control Device
CFR	= Code of Federal Regulations	mg/l	= milligram per liter
O_2	= Oxygen	VOC	= Volatile Organic Compounds
CO	= Carbon Monoxide	§	= Section
SO_2	= Sulfur Dioxide	No.	= Number

PROPOSED

Table 5 Key (continued):

Department	= Massachusetts Department of Environmental Protection
U.S. EPA	= United States Environmental Protection Agency
MassDEP	= Massachusetts Department of Environmental Protection
SOMP	= Standard Operating and Maintenance Procedures
COD	= Chemical Oxygen Demand
OP	= Operating Permit

Table 5 Note:

1. Requested by the Permittee as a new limit/restriction in Operating Permit Application No. 4V04038, Transmittal No. W055016 – Final Operating Permit was issued on 11/28/2007.

Table 6	
EU	**Reporting Requirements[(1)]**
B	1. In accordance with 40 CFR Part 63, Subpart JJJJJJ, §63.11225(b), the Permittee must prepare by March 1 of each year, and submit to the delegated authority upon request, an annual compliance certification report for the previous calendar year containing the information specified in paragraphs (b)(1) through (4) of this section. For boilers that are subject only to a requirement to conduct a biennial or 5-year tune-up according to §63.11223(a) and not subject to emission limits or operating limits, you may prepare only a biennial or 5-year compliance report as specified in paragraphs (b)(1) and (2) of this section. (1) Company name and address (2) Statement by a responsible official, with the official's name, title, phone number, email address, and signature, certifying the truth, accuracy and completeness of the notification and a statement of whether the source has complied with all the relevant standards and other requirements of this subpart. Your notification must include the following certification(s) of compliance, as applicable, and signed by a responsible official: (i) *"This facility complies with the requirements in §63.11223 to conduct a biennial or 5-year tune-up, as applicable, of each boiler."* (ii) For units that do not qualify for a statutory exemption as provided in section 129(g)(1) of the Clean Air Act: *"No secondary materials that are solid waste were combusted in any affected unit."* (iii) *"This facility complies with the requirement in §§63.11214(d) and 63.11223(g) to minimize the boiler's time spent during startup and shutdown and to conduct startups and shutdowns according to the manufacturer's recommended procedures or procedures specified for a boiler of similar design if manufacturer's recommended procedures are not available."* (3) If the source experiences any deviations from the applicable requirements during the reporting period, include a description of deviations, the time periods during which the deviations occurred, and the corrective actions taken.

PROPOSED

Table 6 (continued)	
EU	**Reporting Requirements[1]**
B	2. In accordance with 40 CFR Part 63, Subpart JJJJJJ, §63.11225(a)(4)(vi), the notification must be submitted electronically using the Compliance and Emissions Data Reporting Interface (CEDRI) that is accessed through EPA's Central Data Exchange (CDX) (*www.epa.gov/cdx*). However, if the reporting form specific to this subpart is not available in CEDRI at the time that the report is due, the written Notification of Compliance Status must be submitted to the Administrator at the following address, as listed in §63.13. EPA Region I Director Office of Ecosystem Protection 5 Post Office Square – Suite 100 Boston, MA 02109-3912
	3. In accordance with 40 CFR Part 63, Subpart JJJJJJ, §63.11225(g), if you have switched fuel or made a physical change to the boiler and the fuel switch or change resulted in the applicability of a different subcategory within subpart JJJJJJ, in the boiler becoming subject to subpart JJJJJJ, or in the boiler switching out of subpart JJJJJJ due to a change to 100 percent natural gas, or you have taken a permit limit that resulted in you being subject to subpart JJJJJJ, you must provide notice of the date upon which you switched fuels, made the physical change, or took a permit limit within 30 days of the change. The notification must identify: (1) The name of the owner or operator of the affected source, the location of the source, the boiler(s) that have switched fuels, were physically changed, or took a permit limit, and the date of the notice. (2) The date upon which the fuel switch, physical change, or permit limit occurred.
Facility-Wide	7. In accordance with 310 CMR 7.12, the Permittee shall submit a Source Registration/Emission Statement Form to MassDEP on an annual basis using MassDEP's electronic data system.
	8. In accordance with 310 CMR 7.13(1) and 7.13(2), if determined by MassDEP that stack testing is necessary to ascertain compliance with the Department's regulations or design approval provisos, the Permittee shall cause such stack testing to be summarized and submitted to MassDEP as prescribed in the agreed to pretest protocol.
	9. In accordance with 310 CMR 7.00: Appendix C(10)(c)., the Permittee shall report a summary of all monitoring data and related supporting information to MassDEP at least every six months (January 30 and July 30 of each calendar year).
	10. In accordance with General Condition 10 of this Permit, the Permittee shall submit the Annual Compliance report to MassDEP and EPA by January 30 of each year.

PROPOSED

Table 6 (continued)	
EU	**Reporting Requirements[1]**
Facility-Wide	11. All notifications and reporting required in accordance with Section No. 25 of this Operating Permit shall be sent directly to: Department of Environmental Protection Bureau of Air and Waste Southeast Regional Office 20 Riverside Drive Lakeville, MA 02347 ATTN: Chief, Permit Section Bureau of Air and Waste Telephone: (508) 946-2824 Fax: (508) 947-6557 Email: sero.air@state.ma.us
	12. In accordance with 310 CMR 7.13(1) and 7.13(2), the Permittee, if determined by MassDEP that stack testing is necessary to ascertain compliance with MassDEP's regulations shall cause such stack testing to be summarized and submitted to MassDEP as prescribed in the agreed-to test protocol.
	13. In accordance with 310 CMR 7.00, Appendix C(10)(a), the Permittee, upon MassDEP's request shall transmit any record relevant to the Operating Permit within 30 days of the request by MassDEP or within a longer time period if approved in writing by MassDEP. The record shall be transmitted on paper, on computer disk, or electronically at the discretion of MassDEP.
	14. In accordance with Approval No. SE-12-006, notify the Southeast Regional Office of MassDEP, BAW Permit Chief by telephone 508-946-2824, by email (*sero.air@state.ma.us*) or fax 508-947-6557 as soon as possible, but no later than one (1) business day after discovery of exceedance(s) of Table 3 requirements. A written report shall be submitted to Permit Chief at MassDEP within three (3) business days thereafter and shall include: identification of exceedance(s), duration of exceedance(s), reason for the exceedance(s), corrective actions taken, and action plan to prevent future exceedance(s).
	15. In accordance with Approval No. SE-12-006, submit to MassDEP for approval a stack emission pretest protocol, at least 30 days prior to emission testing, for emission testing as defined in Table 4 Monitoring and Testing Requirements.
	16. In accordance with Approval No. SE-12-006, submit to MassDEP a final stack emission test results report, within 45 days after emission testing, for emission testing as defined in Table 4 Monitoring and Testing Requirements.

PROPOSED

Table 6 (continued)	
EU	**Reporting Requirements[1]**
Facility-Wide	17. In accordance with 310 CMR 7.00: Appendix C(10)(f), the Permittee shall promptly report to MassDEP all instances of deviations from permit requirements. This report shall include the deviation itself, including those attributable to upset conditions as defined in the permit, the probable cause of the deviation, and any corrective actions or preventive measures taken. (See General Condition No. 25)
	18. In accordance with 310 CMR 7.71(5), the Permittee shall electronically submit and certify by April 15th of each year a greenhouse gas emissions report to MassDEP. (State Only Requirement).

Table 6 Key:

EU = Emission Unit
CMR = Code of Massachusetts Regulations
CFR = Code of Federal Regulations
EPA = United States Environmental Protection Agency
U.S. EPA = United States Environmental Protection Agency
MassDEP = Massachusetts Department of Environmental Protection
CEDRI = Compliance and Emissions Data Reporting Interface
§ = Section
BAW = Bureau of Air and Waste
CO2e = Carbon Dioxide equivalent

C. GENERAL APPLICABLE REQUIREMENTS

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

D. REQUIREMENTS NOT CURRENTLY APPLICABLE

The Permittee is currently not subject to the following requirements:

Table 7	
Regulation	**Reason**
310 CMR 7.16	The Facility employs less than 150 employees including all seasonal employees.
40 CFR Part 64	The Facility's EUs do not use control devices to achieve compliance with emission limitation or standards.

Table 7 Key:

CMR = Code of Massachusetts Regulations
CFR = Code of Federal Regulations
USC = United States Code
§ = Section
EUs = Emission Units

PROPOSED

5. SPECIAL TERMS AND CONDITIONS

The Permittee is subject to and shall comply with the following special terms and conditions that are not contained in Tables 3, 4, 5 and 6.

Table 8	
EU	**Special Terms and Conditions**
B	1. Emission units are subject to the requirements of 40 CFR 63.1-16, Subpart A, "General Provisions" as indicated in Table 8 to Subpart JJJJJJ of 40 CFR 63. Compliance with all applicable provisions therein is required.
	2. In accordance with Approval No. SM-84-044-CO, each boiler shall continue to emit through a single stack having the following parameters: Stack No. B (1B, 2B, 3B, 4B) Stack Height 69 feet Stack Exit Diameter 2 feet Stack Material Refractory lined steel
4W 49 1P 1T	3. Emission units are subject to the requirements of 40 CFR 63.1-16, Subpart A, "General Provisions" as indicated in Table 8 to Subpart ZZZZ of 40 CFR 63. Compliance with all applicable provisions therein is required.
4W	4. In accordance with Approval No. 4B89192, continue to emit through a single stack having the following parameters: Stack No. 4W Stack Height 20.3 feet Stack Exit Diameter 8 inches Stack Material Steel, with Cummins muffler (or equivalent)
	5. In accordance with Approval No. 4B89192, operate only for emergency standby power during an unforeseen emergency situation when utility power to the facility has been interrupted. The equipment shall not be utilized during periods of voltage reduction or for peak shaving purposes.
	6. In accordance with Approval No. 4B89192, the Permittee shall not operate the diesel generator for testing and/or maintenance periods in excess of 48.0 hours per calendar year.
P105	7. In accordance with Approval No. 4P98045, access hatches on all tanks shall remain closed unless material is being added to or removed from the tanks or the tanks are otherwise being serviced.
	8. In accordance with Approval No. 4P98045, no forced or induced venting shall be used on any tanks. Venting may be added and used when access hatches are open for worker safety and comfort.
SUL/PP	9. In accordance with Approval No. 4P98045, all drums, tanks and containers shall remain covered unless material is being added to or removed from them.
	10. In accordance with Approval No. 4P98045, spills and leaks of material shall be cleaned up as expediently as possible.

PROPOSED

Table 8 (continued)	
EU	**Special Terms and Conditions**
SUL/PP	11. In accordance with Approval No. 4P98045, production of any new or modified flavors shall not exceed the emission rates listed in Table 3. Approval shall be sought for emission rates in excess of those identified in Table 3.
WWT	12. In accordance with Approval No. 4P98045, the volatile suspended solids (VSS, or active biomass) concentration shall be maintained using the procedures listed in Attachment No. 2 of Section 5 of Application No. 4P98045.
	13. In accordance with Approval No. 4P98045, the calculations used to determine the amount of activated return sludge (MLVSS) from the aeration basins required to be added to the equalization basin are contained in Attachment No. 2 of Section 5 of Application No. 4P98045 (VOC Seed Sludge Calculation).
SDC2	14. In accordance with Approval No. SE-12-006, the lines shall exhaust through stacks having the following parameters: Stack Nos. DEF501, DEF504 Stack Height 33.5 feet Stack Exit Diameter 24 inches Stack Nos. DEF502, DEF505 Stack Height 33.5 feet Stack Exit Diameter 26 inches Stack Nos. DEF503, DEF506 Stack Height 33.5 feet Stack Exit Diameter 32 inches
Facility-wide	15. This Operating Permit does not negate the responsibility of the Permittee to comply with all the applicable General Conditions set forth in all the Plan Approvals issued for the facility.

Table 8 Key:

USC = United States Code
U.S. EPA = United States Environmental Protection Agency
VOC = Volatile Organic Carbon
§ = Section
MLVSS = Mixed Liquor Volatile Suspended Solids
Nos. = Numbers
VSS = Volatile Suspended Solids
lb/hr = pound per hour
ton/mo = ton per month
ton/yr = ton per year
No. = number

6. ALTERNATIVE OPERATING SCENARIOS

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

7. EMISSIONS TRADING

A. INTRA-FACILITY EMISSION TRADING

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

PROPOSED

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

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

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

A. Annual Compliance Report and Certification

A 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 Air Compliance Clerk, U.S. Environmental Protection Agency - New England Region. The report shall be submitted in compliance with the submission requirements below.

PROPOSED

The compliance certification and report shall describe:

1) the terms and conditions of the permit that are the basis of the certification;

2) the current compliance status and whether compliance was continuous or intermittent during the reporting period;

3) the methods used for determining compliance, including a description of the monitoring, record keeping, and reporting requirements and test methods; and,

4) any additional information required by MassDEP to determine thecompliance status of the source.

B. Semi-Annual Monitoring Summary Report and Certification

A 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 the 30th day following December 31 and June 30 to MassDEP. The report shall be submitted in compliance with the submission requirements below.

The compliance certification and report shall describe:

1) the terms and conditions of the permit that are the basis of the certification;

2) the current compliance status during the reporting period;

3) the methods used for determining compliance, including a description of the monitoring, record keeping, and reporting requirements and test methods;

4) whether there were any deviations during the reporting period;

5) if there were any outstanding deviations at the time of reporting, and the Corrective Action Plan to remedy said deviation;

6) whether deviations in the reporting period were previously reported;

7) if there were any outstanding deviations at the time of reporting, the proposed date of return to compliance

8) if the deviations in the reporting period have returned to compliance and date of such return to compliance; and,

9) any additional information required by MassDEP to determine the compliance status of the source.

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11. NONCOMPLIANCE

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

12. PERMIT SHIELD

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

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

B. MassDEP has determined that the Permittee is not currently subject to the requirements listed in Section 4, Table 7.

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

1) the liability of the source for any violation of applicable requirements prior to or at the time of permit issuance.

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

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

13. ENFORCEMENT

The following regulations found at 310 CMR 7.02(8)(h) Table 6 for wood fuel, 7.04(9), 7.05(8), 7.09 (odor), 7.10 (noise), 7.18(1)(b), 7.70, 7.71, 7.72, 7.74, 7.75, and any condition(s) designated as "state only" are not federally enforceable because they are not required under the Act or under any of its applicable requirements. These regulations and conditions are not enforceable by the EPA. Citizens may seek equitable or declaratory relief to enforce these regulations and conditions pursuant to Massachusetts General Law Chapter 214, Section 7A.

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

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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 five (5) years after the issuance of this permit.

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

15. PERMIT RENEWAL

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

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

16. REOPENING FOR CAUSE

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

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

17. DUTY TO PROVIDE INFORMATION

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

18. DUTY TO SUPPLEMENT

The Permittee, upon becoming aware that any relevant facts were omitted or that 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

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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 MassDEP a material error or omission in any records, reports, plans, or other documents previously provided to MassDEP.

19. TRANSFER OF OWNERSHIP OR OPERATION

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

20. PROPERTY RIGHTS

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

21. INSPECTION AND ENTRY

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

A. enter upon the Permittee's premises where an operating permit source activity is located or emissions-related activity is conducted, or where records must be kept under the conditions of this permit;

B. have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;

C. inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and

D. Sample or monitor at reasonable times, any substances or parameters for the purpose of assuring compliance with the operating permit or applicable requirements as per 310 CMR 7.00 Appendix C.(3)(g)12.

22. PERMIT AVAILABILITY

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

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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 based[1] emission limitations specified in this permit as a result of an emergency[2]. In order to use emergency as an affirmative defense to an action brought for noncompliance, the Permittee shall demonstrate the affirmative defense through properly signed, contemporaneous operating logs, or other relevant evidence that:

A. an emergency occurred and that the Permittee can identify the cause(s) of the emergency;

B. the permitted facility was at the time being properly operated;

C. during the period of the emergency the Permittee took all reasonable steps as expeditiously as possible to minimize levels of emissions that exceeded the emissions standards, or other requirements in this permit; and

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

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

25. PERMIT DEVIATION

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

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

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[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 facility, 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.

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A. Unpermitted pollutant releases, excess emissions or opacity exceedances measured directly by CEMS/COMS, by EPA reference methods or by other credible evidence, which are ten percent (10%) or more above the emission limit.

B. Exceedances of parameter limits established by your Operating Permit or other approvals, where the parameter limit is identified by the permit or approval as surrogate for an emission limit.

C. Exceedances or permit operational limitations directly correlated to excess emissions.

D. Failure to capture valid emissions or opacity monitoring data or to maintain monitoring equipment as required by statutes, regulations, your Operating Permit, or other approvals.

E. Failure to perform QA/QC measures as required by your Operating Permit or other approvals for instruments that directly monitor compliance.

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

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

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

26. OPERATIONAL FLEXIBILITY

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

27. MODIFICATIONS

A. Administrative Amendments - The Permittee may make changes at the facility which are considered administrative amendments pursuant to 310 CMR 7.00: Appendix C(8)(a)1., provided they comply with the requirements established at 310 CMR 7.00: Appendix C(8)(b).

B. Minor Modifications - The Permittee may make changes at the facility which are considered minor modifications pursuant to 310 CMR 7.00: Appendix C(8)(a)2., provided they comply with the requirements established at 310 CMR 7.00: Appendix C(8)(d).

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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 SUSBTANCES

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.

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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 Part82, 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.

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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.

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