



Commonwealth of Massachusetts  
Executive Office of Energy & Environmental Affairs

## Department of Environmental Protection

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### FINAL 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"]:**

Twin Rivers Technologies  
Manufacturing Corporation  
780 Washington Street  
Quincy, Massachusetts 02169

**FACILITY LOCATION:**

Same

**NATURE OF BUSINESS:**

Production and refining of fatty acids

**RESPONSIBLE OFFICIAL:**

Name: Scott Chatlin  
Title: Vice President and General Manager

**INFORMATION RELIED UPON:**

Application No. MBR-95-OPP-056MM1  
Transmittal No. X226879, X250940

**FACILITY IDENTIFYING NUMBERS:**

AQ ID: 1190497  
FMF FAC NO. 230622  
FMF RO NO. 230623

**STANDARD INDUSTRIAL CODES (SIC)**

2869, 2076, 2078

**NORTH AMERICAN INDUSTRIAL  
CLASSIFICATION SYSTEM**

(NAICS): 311225

**FACILITY CONTACT PERSON:**

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**This Operating Permit shall expire on October 21, 2016**

For MassDEP, Bureau of Waste Prevention

\_\_\_\_\_  
James E. Belsky  
Permit Chief, Bureau of Waste Prevention

Date Stamped September 27, 2012

\_\_\_\_\_  
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 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**

Twin Rivers Technologies Manufacturing Corporation (“the Permittee”) is a major source of Oxides of Nitrogen (NO<sub>x</sub>) and Sulfur Dioxide (SO<sub>2</sub>) emissions and a non-major source for Carbon Monoxide (CO), PM<sub>10</sub> and PM<sub>2.5</sub>, Hazardous Air Pollutants (HAP) and Volatile Organic Compounds (VOC). The Permittee is an oleo chemical processing facility, focused on the production and refining of animal fats and oils and the refining of fatty acids and glycerin. The facility is powered by three boilers described as EU1, EU2, and EU3 to support its operations to produce high and low pressure steam used in the hydrogenation, fractionation, and distillation processes at the facility. EU4 is the close loop production and refining of fatty acids process which includes reactors and distillation columns whose air emissions are vented to two scrubbers (PCD1 and PCD2) to control VOC and odors. Waste steam from EU1, EU2, and EU3 is captured to produce electricity for the Permittee.

EU1 and EU2 are subject to the requirements of 310 CMR 7.19 Reasonably Available Control Technology (RACT) for sources of NO<sub>x</sub> for medium and small boilers (310 CMR 7.19 (5), and 310 CMR 7.19 (6)), since Massachusetts is designated as nonattainment for ozone. EU3 is subject to 40 CFR Part 60 Subpart Dc.

Compliance Assurance Monitoring (CAM) does not apply to the Permittee since EU1, EU2, and EU3 do not use air pollution control devices and EU4 is not a major source of VOC before controls.

## **2. EMISSION UNIT IDENTIFICATION**

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

<b>Table 1</b>			
<b>Emission Unit (EU#)</b>	<b>Description of Emission Unit</b>	<b>EU Design Capacity</b>	<b>Pollution Control Device (PCD)</b>
EU1	Combustion Engineering Boiler Model No. 25-A-12	94.0 MMBtu/hr	None
EU2	Babcock & Wilcox Boiler Model No. F.M. 10-52B	44.6 MMBtu/hr	None
EU3	Clayton Boiler Model No. EOG-505-9FGR	22 MMBtu/hr	None
EU4	Production and refining of fatty acids and associated co-products	350 million pounds of fatty acids and 80 million pounds of associated co-products per year.	Cielcote Scrubber Model No. SPT-48-120 (PCD1)  Alloy Fabricators Safety Scrubber (PCD2)

### **Table 1 Key:**

EU# = Emission Unit Number

MMBtu/hr = million British thermal units per hour

### **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):

<b>Table 2</b>	
<b>Description of Current Exempt Activities</b>	<b>Reason</b>
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:

<b>Table 3</b>					
<b>EU#</b>	<b>Restriction/ Operating Practices</b>	<b>Fuel/Raw Materials</b>	<b>Pollutant</b>	<b>Emissions Limit/Standard</b>	<b>Applicable Regulation and/or Approval No.</b>
EU1	NA	Primary Fuel Natural gas	NO <sub>x</sub>	< 0.10 lb/MMBtu	310 CMR 7.19(5)(a)2.a
		Secondary Fuels  No.6 Fuel Oil <sup>1</sup> ≤ 1% S by weight ≤ 0.35% N by weight,	NO <sub>x</sub>	≤ 0.30 lb/MMBtu	310 CMR 7.19(5)(a) 2.c., MBR-95-ECP-005
		No.2 Fuel Oil ≤ 0.3% S by weight,  Natural Oil By- Products <sup>1</sup>	CO	≤ 200 ppm by volume, dry basis at 3% O <sub>2</sub>	310 CMR 7.19(5)(d), MBR-95-ECP-005
EU2	NA	Primary Fuel Natural gas  Secondary Fuels  No.6 Fuel Oil <sup>1</sup> ≤ 1% S by weight ≤ 0.35% N by weight,  No.2 Fuel Oil ≤ 0.3% S by weight,  Natural Oil By- Products <sup>1</sup>	NO <sub>x</sub> /CO	The boiler shall be tuned annually using the specified procedure to minimize NO <sub>x</sub> /CO emissions. At least once per month, verify that the settings determined during the tune- up have not changed.	310 CMR 7.19(6), MBR-95-ECP-005

<b>Table 3</b>					
<b>EU#</b>	<b>Restriction/ Operating Practices</b>	<b>Fuel/Raw Materials</b>	<b>Pollutant</b>	<b>Emissions Limit/Standard</b>	<b>Applicable Regulation and/or Approval No.</b>
EU1, EU2	NA	<b>Primary Fuel</b> Natural gas	N in Fuel No. 6 Fuel Oil and/or NOB	≤ 0.35% by weight	MBR-95-ECP-005
		Secondary Fuels	S in Fuel No. 6 Fuel Oil and/or NOB	≤ 1% by weight	
		No.6 Fuel Oil <sup>1</sup> ≤ 1% S by weight ≤ 0.35% N by weight,	S in Fuel No. 6 Fuel Oil	≤ 0.55 lb/MMBtu	310 CMR 7.05(1)(a) 1.
		No.2 Fuel Oil ≤ 0.3% S by weight,	S in Fuel No. 2 Fuel Oil	≤ 0.17 lb/MMBtu ≤ 0.3% by weight	310 CMR 7.05(1)(a) 2., MBR-95-ECP-005
		Natural Oil By- Products <sup>1</sup>	PM	≤ 0.10 lb/MMBtu	310 CMR 7.02(8)(h)
			Opacity	≤ 15% during normal operation based on a six-minute block average  ≤ 27% during Startup, Shutdown, Soot Blowing, Burner Change, and Tune-up/Testing based on a six- minute block average  Never to exceed 27% based upon a six-minute block average	310 CMR 7.06(1)(c), Approved Plan of Good Operating Practices
EU3	<b>Primary fuel:</b> Natural gas	Natural gas	NA	NA	MBR-08-COM- 006
	<b>Secondary fuel:</b> 157.5 gallons per hour of NOB or 144 gallons per hour of ULSD	NOB	S in NOB	≤ 0.1% by weight	40 CFR Part 60 Subpart Dc
		ULSD	S in ULSD	≤ 0.0015% by weight	
		both fuels	PM	≤ 0.10 lb/MMBtu	

<b>Table 3</b>					
<b>EU#</b>	<b>Restriction/ Operating Practices</b>	<b>Fuel/Raw Materials</b>	<b>Pollutant</b>	<b>Emissions Limit/Standard</b>	<b>Applicable Regulation and/or Approval No.</b>
EU4	5-35 gpm of water flow and maximum of 6,040 acfm at 115 °F process air flow to PCD1	Fatty acids and associated co-products	VOC	PCD1 – Wet Scrubber 94.0% overall control efficiency by weight Emission rate of PCD1, after control, is no more than 0.12 pounds VOC per hour.	MBR-09-IND-015
	4-6 gpm of water flow and maximum of 460 acfm at 135 °F process air flow to PCD2		VOC	PCD2 – Wet Scrubber 85.0% overall control efficiency by weight Emission rate of PCD2, after control, is no more than 0.03 pounds VOC per hour.	
Facility-Wide	NA	NA	Greenhouse Gas <sup>2</sup>	NA	310 CMR 7.71 (state only)
Facility-Wide (Except EU1, EU2)	NA	NA	Smoke	< No. 1 of Chart <sup>3</sup> , except No. 1 to < No. 2 of Chart for ≤ 6 minutes during any one hour	310 CMR 7.06(1)(a)
			Opacity	≤ 20 percent, except > 20 to ≤ 40 percent for ≤ 2 minutes during any one hour	310 CMR 7.06(1)(b)

**Table 3 Notes:**

1. In accordance with Approval MBR-95-ECP-005, the Permittee may combust and/or blend Natural Oil By-Products (NOB) produced on-site with No. 6 Fuel Oil, while maintaining a nitrogen (N) content of no greater than 0.35 percent by weight and a sulfur (S) content of no greater than 1.0 percent by weight, for EU1 and EU2. In the event NOB are not available, the Permittee shall utilize either: No. 6 Fuel Oil, having a N content of no greater than 0.35 percent by weight and a S content of no greater than 1.0 percent by weight, or No. 2 Fuel Oil, having a S content of no greater than 0.3 percent by weight, in EU1 and EU2.
2. Green House 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<sub>2</sub>, CH<sub>4</sub>, N<sub>2</sub>O, SF<sub>6</sub>, hydrofluorocarbons (HFCs), and perfluorocarbons(PFCs)
3. Chart means the Ringelmann Scale for grading the density of smoke, as published by the United States Bureau of Mines and as referred to in the Bureau of Mines Information Circular No. 8333, or any smoke inspection guide approved by the MassDEP.

**Table 3 Key:**

<b>EU#</b>	= Emission Unit Number	<b>lb/MMBtu</b>	= pounds per million British thermal units
<b>acfm</b>	= actual cubic feet per minute	<b>gpm</b>	= gallons per minute
<b>%</b>	= percent	<b>NO<sub>x</sub></b>	= Nitrogen Oxides
<b>ppm</b>	= parts per million	<b>CO</b>	= Carbon Monoxide
<b>PM</b>	= Particulate Matter	<b>S</b>	= Sulfur
<b>N</b>	= Nitrogen	<b>SO<sub>2</sub></b>	= Sulfur Dioxide
<b>O<sub>2</sub></b>	= Oxygen	<b>VOC</b>	= volatile organic compounds
<b>NA</b>	= Not Applicable	<b>&gt;</b>	= greater than
<b>&lt;</b>	= less than	<b>≤</b>	= less than or equal to
<b>°F</b>	= degrees Fahrenheit	<b>PCD</b>	= Pollution Control Device
<b>NOB</b>	= Natural Oil By-Products	<b>ULSD</b>	= Ultra Low Sulfur Diesel

**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) and applicable requirements contained in Table 3:

<b>Table 4</b>	
<b>EU#</b>	<b>MONITORING/TESTING REQUIREMENTS</b>
EU1	<p>1. In accordance with Approval MBR-95-ECP-005, 310 CMR 7.13, 310 CMR 7.19(13)(c), and 40 CFR Part 60, Appendix A, conduct NO<sub>x</sub> and CO emissions Compliance Testing (Stack Testing), beginning with calendar year 1996, and biennially thereafter, prior to December 31 of that calendar year.</p> <p>2. In accordance with 310 CMR 7.19(13)(d)3 and Approval MBR-95-ECP-005, measure on a daily basis: type fuel(s) burned each day, heat content of each fuel, and the total heating value of the fuel consumed for each day.</p> <p>3. In accordance with Approval MBR-95-ECP-005, Section III.e, perform a NO<sub>x</sub>/CO optimization program on EU1 to determine its operating range. This operating range is developed by correlating the NO<sub>x</sub> and CO emissions with the boiler's control room oxygen concentration. The Permittee shall incorporate this oxygen concentration range into EU1's Standard Operating and Maintenance Procedures (SOMP). The oxygen concentration range in the SOMP may be changed after the compliance test results have been reported to MassDEP, if applicable, and MassDEP has been notified of the change in this operating range, provided that the Permittee continues to comply with the NO<sub>x</sub> standard of 0.30 lb/MMBtu energy input for fuel oils and NOB and 0.10 lb/MMBtu energy input for natural gas.</p>
EU2	<p>4. In accordance with 310 CMR 7.19(6)a, and Approval MBR-95-ECP-005, tune the emission unit annually according to the procedures described in 310 CMR 7.19(6)(a)1. through 12.</p> <p>5. In accordance with 310 CMR 7.19(6)(b)2.g., and Approval MBR-95-ECP-005, at least once per month, verify that the settings determined during the tune-up have not changed.</p>
EU1, EU2	<p>6. In accordance with 310 CMR 7.19(13)(d)5., 310 CMR 7.19(13)(d)6., and Approval MBR-95-ECP-005, monitor nitrogen content of each new shipment of fuel received, by one of the following methods:</p> <p>(1) monitor through obtaining a certification from the fuel supplier that includes the following information:</p> <ul style="list-style-type: none"> <li>a. the name of fuel supplier;</li> <li>b. the nitrogen content* of each fuel shipment; and</li> <li>c. the location where the sample was drawn for analysis to determine the nitrogen content of fuel, specifically including whether the fuel was sampled as delivered to the Permittee's facility or whether the sample was drawn from the fuel in storage at the fuel supplier's or fuel refiner's facility or another location.</li> </ul> <p>(2) sample and analyze No. 6 fuel oil and/or NOB for nitrogen content* immediately after the fuel tank is filled and before any fuel is combusted.</p> <p>* The shipment certification or analysis of nitrogen content of the fuel shall be in accordance with applicable ASTM test methods or any other method approved by the MassDEP or EPA.</p>

**Table 4**

EU#	MONITORING/TESTING REQUIREMENTS
EU1, EU2	<p>7. In accordance with Approval MBR-95-ECP-005 and pursuant to the MassDEP's authority through 310 CMR 7.00: Appendix C (9)(b) 2., monitor sulfur content of each new shipment of fuel received. Compliance with Approval MBR-95-ECP-005, 310 CMR 7.05(1)(a) 1., and 310 CMR 7.05(1)(a) 2, for sulfur content of the fuel can be demonstrated through fuel analysis. The analysis of sulfur content of the fuel shall be in accordance with the applicable American Society for Testing Materials (ASTM) test methods or any other method approved by the MassDEP and EPA. Fuel sulfur information may be provided by fuel suppliers.</p> <p>8. In accordance with 310 CMR 7.00: Appendix C (9)(b) 2., monitor unit operations, as necessary, to ensure continuous compliance with PM emission limits.</p> <p>9. In accordance with 310 CMR 7.04(4)(a), inspect and maintain fuel utilization facility in accordance with manufacturer's recommendations and test for efficient operation at least annually.</p> <p>10. In accordance with 310 CMR 7.04(2)(a) and the Approved Plan of Good Operating Practices, no person shall 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 MassDEP equal to or greater than 40 MMBtu 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 when the smoke density is equal to or greater than No. 1 of the Chart. In accordance with 310 CMR 7.00: Appendix C (9)(b) 2., the use of Continuous Opacity Monitoring Systems (COMS) equipped with audible alarms and recorders that signal the need for combustion equipment adjustment or repair when the opacity is equal to or greater than 20 percent shall constitute compliance with this requirement. The opacity COMS shall meet Performance Specification 1 of 40 CFR Part 60, Appendix B.</p> <p>11. In accordance with 310 CMR 7.06(1)(c) and the Approved Plan of Good Operating Practices, as a minimum, calibrate the COMS at least annually in accordance with the manufacturer's recommended procedures.</p> <p>12. In accordance with 310 CMR 7.06(1)(c) and the Approved Plan of Good Operating Practices, the COMS, audible alarm and recorder system is used as an indicator to initiate corrective actions if the opacity level is in excess of the expected level, as defined in the Approved Plan of Good Operating Practices, for: normal operation, startup, shutdown, soot blowing, burner change, and tune-up/testing.</p> <p>13. In accordance with 310 CMR 7.06(1)(c), and the Approved Plan of Good Operating Practices, if measured opacity exceeds an applicable emission limit, the facility shall evaluate the exceedance to determine cause and if the Approved Plan of Good Operating Practices was being followed during the exceedance period. The reason(s) and any corrective action shall be documented in a logbook or other permanent record. If more than three (3) exceedances of a particular type (startup, shutdown, soot blowing, burner change, and tune-up/testing) should occur within a six (6) month period for any reason, then at the next scheduled event of that type, a Method 9 Test shall be conducted, and the Approved Plan of Good Operating Practices should be revised if appropriate. Based upon the cause of exceedance, the facility may request waiver of the Method 9 Test requirement. Any request shall be in writing to the MassDEP.</p>

**Table 4**

EU#	MONITORING/TESTING REQUIREMENTS
EU1, EU2	<p>14. In accordance with 310 CMR 7.06(1)(c), and the Approved Plan of Good Operating Practices, in the event a COMS and recorder is out-of-service for more than two business days while a boiler is operating and firing oil, then a Method 9 Test shall be conducted at least once per day during normal operations and once per day during any scheduled startup, shutdown, soot blowing, burner change, and tune-up/testing events until the day that the COMS and recorder is placed back in service.</p> <p>15. In accordance with 310 CMR 7.06(1)(c), and the Approved Plan of Good Operating Practices, the opacity levels during normal operation, startup, shutdown, soot blowing, burner change, and tune-up/testing, as applicable, shall be determined in accordance with 40 CFR Part 60, Appendix A, Method 9 at least once every twelve months.</p>
EU3	<p>16. In accordance with Approval MBR-08-COM-006, Special Condition No. 2, monitor to burn no more than 157.5 gallons per hour of natural oil byproduct (NOB) having a sulfur content of less than 0.1 percent by weight or no more than 144 gallons per hour of ultra low sulfur distillate (ULSD) having a sulfur content of less than 0.0015 percent by weight as the secondary fuels of use.</p> <p>17. In accordance with 310 CMR 7.04 (4)(a), inspect and maintain in accordance with the 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 equipment.</p> <p>18. In accordance with Regulation 310 CMR 7.13, MassDEP may require source emission testing ("stack testing"). All emission testing, shall be conducted in accordance with U.S. EPA standard test methods.</p> <p>19. In accordance with 310 CMR 7.06(1)(b), monitor opacity.</p> <p>20. Measure the amounts of each fuel combusted during each month as provided in 40 CFR 60.48c(g)(2) incorporated herein by reference.</p> <p>21. In accordance with 40 CFR 60.48c(b), monitor COMS data, performance tests under 40 CFR 60.8, any subsequent performance tests as requested by EPA, and performance evaluations of the COMS using applicable Performance Specifications of 40 CFR 60, Appendix B.</p> <p>22. In accordance with 40 CFR 60.42c(h), compliance with the SO<sub>2</sub> emission limits under 40 CFR 60.42c(d) and fuel oil sulfur limits under 40 CFR 60.42c(i) may be demonstrated based on a certification from the fuel supplier. The performance test as required under 40 CFR 60.8 shall consist of the certification from the fuel supplier as described under 40 CFR 60.48c(f). As stated under 40 CFR 60.48c(f)(1) for affected facilities that combust distillate oil, said certification shall include the name of the oil supplier and a statement from the oil supplier that the oil complies with the specifications under the definition of distillate oil in 40 CFR 60.41c; more specifically, that the oil complies with specifications for Fuel Oil No. 1 or 2, as defined by the American Society for Testing and Materials in ASTM D396-78, 89, 90, 92, 96, and 98 "Standard Specification for Fuel Oils" (incorporated herein by reference-see 40 CFR 60.17). Comply with applicable monitoring requirements in 40 CFR 60.48c(e)2 through (10).</p>

<b>Table 4</b>	
<b>EU#</b>	<b>MONITORING/TESTING REQUIREMENTS</b>
EU4	<p>23. In accordance with Approval MBR-09-IND-015, Table 3, No. 1, monitor the raw materials used by mass balance and calculate the actual emissions of VOC annually.</p> <p>24. In accordance with Approval MBR-09-IND-015, Table 3, No. 2, monitor EU4 operations such that PCD1 warning-failure shall be indicated by High-Higher stack temperature audible alarms set at 115 °F-140 °F and a minimum water flow audible alarm set at 5 gpm; and PCD2 warning-failure shall be indicated by High-Higher stack temperature audible alarm set at 135 °F-200 °F and a minimum water pressure audible alarm set at 15 psig. Said parameters indicating first warning shall immediately trigger corrective action for PCD1 and PCD2 in accordance with the Standard Operating and Maintenance Procedures (SOMP) established by the Permittee to bring PCD1 and PCD2 back to normal operating conditions.</p> <p>25. In accordance with Approval MBR-09-IND-015, Table 3, No. 3, conduct an odor control survey of each system vented to PCD1 and PCD2, if the first level of operating parameters troubleshooting as indicated in Condition No. 21 above does not allow for odor discovery, in accordance with secondary systems checks contained in SOMP.</p> <p>26. In accordance with Approval MBR-09-IND-015, Table 3, No. 4, monitor PCD1 maintenance that includes quarterly TSP washes and annual inspection and refit of tower packing and nozzles, and other maintenance as required to keep differential pressure within operating range. Daily checks shall also be performed in accordance with the SOMP.</p> <p>27. In accordance with Approval MBR-09-IND-015, Table 3, No. 5, perform emissions compliance testing on PCD1 and PCD2 biennially, using methods approved by MassDEP and the United States Environmental Protection Agency. Said emissions compliance testing shall be on the same biennial schedule as that of EU1.</p> <p>28. In accordance with Approval MBR-09-IND-015, Table 3, No. 6, monitor all maintenance activities associated with EU4, PCD1, and PCD2 as applicable in accordance with SOMP.</p> <p>29. In accordance with Approval MBR-09-IND-015, Table 5, No. 15, monitor EU4, PCD1, and PCD2 operations so that any revisions made to their SOMP, which are then submitted to the MassDEP within seven days of the modifications.</p>
Facility-Wide	<p>30. In accordance with 310 CMR 7.13(1), any person owning, leasing, operating or controlling a facility for which the MassDEP has determined that stack testing is necessary to ascertain compliance with the MassDEP's regulations or design Approval provisos shall cause such stack testing:</p> <ul style="list-style-type: none"> <li>(a) to be conducted by a person knowledgeable in stack testing,</li> <li>(b) to be conducted in accordance with procedures contained in a test protocol which has been approved by the MassDEP, and</li> <li>(c) to be conducted in the presence of a representative of the MassDEP when such is deemed necessary.</li> </ul> <p>Pursuant to the MassDEP's authority through 310 CMR 7.00: Appendix C (9)(b) 2., conduct any other testing or testing methodology if and when requested by the MassDEP or EPA.</p> <p>31. In accordance with 310 CMR 7.12, monitor operations such that information may be compiled for the annual preparation of a Source Registration/Emission Statement Form.</p>

<b>Table 4</b>	
<b>EU#</b>	<b>MONITORING/TESTING REQUIREMENTS</b>
Facility-Wide	32. 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)

<b>Table 5</b>	
<b>EU#</b>	<b>RECORD KEEPING REQUIREMENTS</b>
EU1	<p>1. In accordance with Approval MBR-95-ECP-005, 310 CMR 7.13, 310 CMR 7.19(13)(c), and 40 CFR Part 60, Appendix A, maintain the test results of biennial Emissions Compliance Testing (Stack Testing) performed.</p> <p>2. In accordance with 310 CMR 7.19(13)(d) 3., and Approval MBR-95-ECP-005, record on a daily basis: type fuel(s) burned each day, heat content of each fuel, and the total heating value of the fuel consumed for each day.</p> <p>3. In accordance with 310 CMR 7.19(13)(d) 8., all records required by 310 CMR 7.19(13)(d), including computer retained and generated data, shall be kept in a permanently bound log book or any other form acceptable to the MassDEP.</p>
EU2	4. In accordance with 310 CMR 7.19(6)(b) 2., and Approval MBR-95-ECP-005, maintain records of the date of tune-up; person(s) conducting tune-up; O <sub>2</sub> /smoke spot correlations obtained during annual tune-up; boiler/burner manufacturer's recommended set-points; final boiler set-points as result of tune-up; normal boiler/burner maintenance records; and monthly verifications that the settings determined during the tune-up have not changed.
EU1, EU2	<p>5. In accordance with 310 CMR 7.19(13)(d) 7., and Approval MBR-95-ECP-005, maintain records of the nitrogen and sulfur content of each new shipment of No. 6 and No. 2 fuel received. Such records shall include fuel analysis results and/or fuel supplier certifications that include the name of the fuel supplier and the location where the sample was drawn for analysis to determine the nitrogen content.</p> <p>6. In accordance with Approval MBR-95-ECP-005, Section II.c, and pursuant to the MassDEP's authority through 310 CMR 7.00: Appendix C (9)(b) 2., maintain copies of all fuel supplier certifications or fuel analyses used to demonstrate compliance with fuel sulfur and nitrogen content requirements on site for a period of five years. In accordance with, 310 CMR 7.19(13)(d), all records required, including computer retained and generated data, shall be kept in a permanently bound logbook or any other form acceptable to MassDEP.</p> <p>7. In accordance with 310 CMR 7.00: Appendix C (9)(b) 2., record unit parameters, as necessary, to ensure continuous compliance with PM emission limits.</p> <p>8. In accordance with 310 CMR 7.04(4)(a), maintain results of fuel utilization facility inspection, maintenance, and testing and the date upon which it was performed posted conspicuously on or near the facility.</p> <p>9. In accordance with 310 CMR 7.04(2)(a), 310 CMR 7.06(1)(c), and the Approved Plan of Good Operating Practices maintain records of COMS Recording Charts. The keeping of COMS records shall constitute compliance with this requirement.</p>

<b>Table 5</b>	
<b>EU#</b>	<b>RECORD KEEPING REQUIREMENTS</b>
EU1, EU2	<p>10. In accordance with 310 CMR 7.06(1)(c) and the Approved Plan of Good Operating Practices, maintain records of the information specified in Table 4. The calendar date for each record shall be clearly identified on the record.</p> <p>11. In accordance with 310 CMR 7.06(1)(c) and the Approved Plan of Good Operating Practices, maintain all 40 CFR 60 Appendix A Method 9 records.</p> <p>12. In accordance with 310 CMR 7.06(1)(c) and the Approved Plan of Good Operating Practices, maintain a copy of the Plan of Good Operating Practices approved by the MassDEP.</p> <p>13. In accordance with 310 CMR 7.06(1)(c) and the Approved Plan of Good Operating Practices, maintain a logbook or other permanent record that identifies the calendar date, start time, and end time for all COMS calibrations.</p> <p>14. In accordance with 310 CMR 7.06(1)(c) and the Approved Plan of Good Operating Practices, maintain a logbook or other permanent record that identifies the calendar date, start time, and end time for any period of malfunction of the COMS, recorder and alarm system.</p> <p>15. In accordance with 310 CMR 7.06(1)(c) and the Approved Plan of Good Operating Practices, maintain a logbook or other permanent record that identifies the calendar date, start time, and end time for each startup, shutdown, soot blowing, burner change, and tune-up/testing period.</p> <p>16. In accordance with 310 CMR 7.06(1)(c) and the Approved Plan of Good Operating Practices, maintain a logbook or other permanent record that identifies the calendar date, start time, end time and a description of all maintenance performed on the COMS, recorder and audible alarm system.</p> <p>17. In accordance with 310 CMR 7.06(1)(c) and the Approved Plan of Good Operating Practices, maintain a logbook or other permanent record that identifies the calendar date, start time, end time and a description of the operating conditions for each event when the COMS, recorder and alarm system or Method 9 observations identifies that the opacity exceeded the level for the specific operating condition identified in Table 3.</p> <p>18. In accordance with 310 CMR 7.06(1)(c) and the Approved Plan of Good Operating Practices, maintain a copy of the certification of the qualified observer for each 40 CFR 60, Appendix A, Method 9 observation.</p>
EU3	<p>19. In accordance with Approval MBR-08-COM-006, Special Condition No. 2, keep fuel records showing compliance with the following restrictions. The Permittee shall burn no more than 157.5 gallons per hour of natural oil byproduct (NOB) having a sulfur content of less than 0.1 percent by weight or no more than 144 gallons per hour of ultra low sulfur distillate (ULSD) having a sulfur content of less than 0.0015 percent by weight as the secondary fuels of use.</p> <p>20. In accordance with Approval MBR-08-COM-006, Special Condition No. 5, a copy of this Approval letter shall be affixed at or adjacent to EU3.</p>

**Table 5**

EU#	RECORD KEEPING REQUIREMENTS
EU3	<p>21. In accordance with Approval MBR-08-COM-006, General Condition No. 2, a record keeping system shall be established and continued on site. All records shall be maintained up-to-date such that year-to-date information is readily available for MassDEP examination. Record keeping shall, at a minimum, include:</p> <ul style="list-style-type: none"> <li>(a) Fuel usage log which consist of standard bills for fuel usage.</li> <li>(b) A record of routine maintenance activities including, at a minimum, the type or a description of the maintenance performed and the date and time the work was completed.</li> <li>(c) A record of all malfunctions including, at a minimum: the date and time the malfunction occurred; a description of the malfunction and the corrective action taken; the date and time corrective actions were initiated; and the date and time corrective actions were completed and the facility returned to compliance.</li> <li>(d) Records shall be maintained documenting the annual tune-up as required by 310 CMR 7.04(4)(a).</li> <li>(e) All records shall be kept on site for five (5) years from date of record and shall be made available to the MassDEP upon request.</li> </ul> <p>22. Maintain records of the amount of each fuel combusted during each month as provided in 40 CFR 60.48c(g)(2) incorporated herein by reference.</p> <p>23. In accordance with 40 CFR 60.48c(b), maintain records of COMS data, performance tests under 40 CFR 60.8, any subsequent performance tests as requested by EPA, and performance evaluations of the COMS using applicable Performance Specifications of 40 CFR 60, Appendix B.</p> <p>24. In accordance with 40 CFR 60.48c(e)(11) and 40 CFR 60.48c(f)(1), maintain records of fuel supplier certifications to demonstrate compliance with 40 CFR 60.42c(h) , SO<sub>2</sub> emission limits under 40 CFR 60.42c(d) and fuel oil sulfur limits under 40 CFR 60.42c(i). Said certifications shall include the name of the oil supplier and a statement from the oil supplier that the oil complies with the specifications under the definition of distillate oil in 40 CFR 60.41c; more specifically, that the oil complies with specifications for Fuel Oil No. 1 or 2, as defined by the American Society for Testing and Materials in ASTM D396-78, 89, 90, 92, 96, and 98 "Standard Specification for Fuel Oils" (incorporated herein by reference-see 40 CFR 60.17). Comply with applicable record keeping requirements in 40 CFR 60.48c(e)2 through (10).</p>
EU4	<p>25. In accordance with Approval MBR-09-IND-015, Table 4, No. 7, maintain adequate records on site to document compliance with the emission restrictions contained in Table 3 above for VOC. These records shall include a list of raw materials, mass balance of materials, and the actual emissions of VOC. Said records shall be made available to MassDEP personnel upon request, and shall be kept on site for a minimum of five (5) years.</p>

**Table 5**

<b>EU#</b>	<b>RECORD KEEPING REQUIREMENTS</b>
EU4	<p>26. In accordance with Approval MBR-09-IND-015, Table 4, No. 8, maintain a maintenance log for PCD1 and PCD2 which shall record all routine and emergency maintenance work and repairs performed on them. Said log shall indicate all malfunctions, down time, corrective measures, and steps taken to prevent similar malfunctions from reoccurring in the future. Said records shall be made available to MassDEP personnel upon request, and shall be kept on site for a minimum of five (5) years.</p> <p>27. In accordance with Approval MBR-09-IND-015, Table 4, No. 9, maintain records of all High-Higher stack temperature alarms on PCD1 and PCD2, records of minimum water pressure (psig) audible alarms, and associated corrective actions taken in each scrubber's logbook. Said records shall be made available by MassDEP personnel upon request, and shall be kept on site for a minimum of five (5) years.</p> <p>28. In accordance with Approval MBR-09-IND-015, Table 4, No. 10, maintain records of secondary system checks as contained in SOMP whenever applicable. Said records shall be made available to MassDEP personnel upon request, and shall be kept on site for a minimum of five (5) years.</p> <p>29. In accordance with Approval MBR-09-IND-015, Table 4, No. 11, maintain the most updated SOMP for EU4, PCD1, and PCD2 on-site and each shall be made available for inspection by MassDEP personnel upon request.</p> <p>30. In accordance with Approval MBR-09-IND-015, Table 4, No. 12, maintain the test results of all emissions compliance testing on-site and each shall be made available for inspection by MassDEP personnel upon request.</p>
Facility-Wide	<p>31. In accordance with Approval MBR-95-ECP-005, maintain on-site, at all times, an updated copy of the SOMP.</p> <p>32. In accordance with MassDEP's authority through 310 CMR 7.00: Appendix C (9)(d), maintain the test results of any other testing or testing methodology required by the MassDEP or EPA.</p> <p>33. In accordance with 310 CMR 7.12, maintain records for the annual preparation of a Source Registration/Emission Statement Form.</p> <p>34. In accordance with 310 CMR 7.12(3)(b), keep copies of all information supplied to the MassDEP on site for five (5) years after the date the report is submitted including copies of Source Registration/ Emission Statement Forms.</p> <p>35. In accordance with 310 CMR 7.00: Appendix C (10)(b), maintain records of all monitoring data and supporting information required by this Operating Permit on site for five (5) years from the date of the monitoring sample, measurement, report or Operating Permit Application.</p> <p>36. In accordance with 310 CMR 7.71 (6) b. and c, retain at the facility for five years and make available to MassDEP upon request copies of the documentation of the methodology and data used to quantify emissions. (state only)</p>

**Table 6**

<b>EU#</b>	<b>REPORTING REQUIREMENTS</b>
EU1	<p>1. In accordance with 310 CMR 7.19(13)(c) and Approval MBR-95-ECP-005, on a biennial basis beginning with calendar year 1996:</p> <p>(a) submit a pretest protocol for the required Emissions Compliance Test (Stack Test) for review and written MassDEP approval at least 60 days prior to the anticipated date of testing,</p> <p>(b) include in the pretest protocol a description of sampling point locations, sampling equipment, sampling and analytical procedures, and the operating conditions for the required Emissions Compliance Testing, and</p> <p>(c) submit an emission test result report for the review and written MassDEP approval within 60 days of the completion of the required compliance stack testing.</p> <p>2. In accordance with 310 CMR 7.19(13)(d) 9., submit compliance records within ten (10) days of written request by the MassDEP or EPA.</p>
EU1, EU2	<p>3. In accordance with 310 CMR 7.06(1)(c) and the Approved Plan of Good Operating Practices, notify the MassDEP, in writing, of any 40 CFR 60, Appendix A, Method 9 test result that indicates the percent opacity to be in excess of that defined in Table 3. The notice shall be given within one business day. Within three business days the facility shall submit: a copy of the Method 9 data sheet(s), copy of COMS records, an explanation for the elevated opacity, and any proposed revisions to the Approved Plan of Good Operating Practices which will be implemented so as to prevent a recurrence of said exceedance in the future.</p>
EU3	<p>4. In accordance with Approval MBR-08-COM-006, General Condition No. 3, any construction, substantial reconstruction or alteration, as described in 310 CMR 7.02(2), at a facility subject to the reporting requirements of 310 CMR 7.12, shall be reported to the MassDEP on the next required Emission Statement Forms.</p> <p>5. In accordance with Approval MBR-08-COM-006, General Condition No. 6, visible emissions or opacity which exceed the limits set forth in this Operating Permit, shall be reported to the MassDEP in writing or by fax within seven (7) days.</p> <p>6. In accordance with Approval MBR-08-COM-006, General Condition No. 11, MassDEP must be notified by telephone or fax as soon as possible after the occurrence of any upsets or malfunctions to the facility equipment, air pollution control equipment, or monitoring equipment which result in an excess emission to the air and/or a condition of air pollution.</p>

<b>Table 6</b>	
<b>EU#</b>	<b>REPORTING REQUIREMENTS</b>
EU3	7. In accordance with 40 CFR 60.48c(d), an affected facility subject to the SO <sub>2</sub> emission limits or fuel oil sulfur limits under 40 CFR 60.42c(d) and 40 CFR 60.42c(i) shall submit to EPA and to MassDEP quarterly reports. The initial quarterly report shall be postmarked by the 30 <sup>th</sup> day of the third month following the completion of the initial performance test as required under 40 CFR 60.8. Each subsequent quarterly report shall be postmarked by the 30 <sup>th</sup> day following the end of the reporting period. The quarterly report shall contain calendar dates covered in the reporting period as per 40 CFR 60.48c(e)(1) and records of fuel supplier certifications as per 40 CFR 60.48c(e)(11) and 40 CFR 60.48c(f)(1). In addition to records of fuel supplier certifications, the quarterly report shall include a certified statement signed by the responsible official of the affected facility that the records of fuel supplier certifications submitted represent all of the fuel combusted during the quarter. Said certifications shall include the name of the oil supplier and a statement from the oil supplier that the oil complies with the specifications under the definition of distillate oil in 40 CFR 60.41c; more specifically, that the oil complies with specifications for Fuel Oil No. 1 or 2, as defined by the American Society for Testing and Materials in ASTM D396-78, 89, 90, 92, 96, 98, "Standard Specification for Fuel Oils" (incorporated herein by reference-see 40 CFR 60.17). Comply with applicable reporting requirements in 40 CFR 60.48c(e)2 through (10).
	8. In accordance with 40 CFR 60.48c(b), an affected facility subject to the opacity standards under 40 CFR 60.43c(c) and 40 CFR 60.43c(d) shall submit to EPA the COMS performance data from the initial performance test as required under 40 CFR 60.8 and any subsequent performance tests as requested by EPA, including performance evaluations of the COMS using applicable Performance Specifications of 40 CFR 60, Appendix B.
	9. Submit any other required information to EPA and MassDEP to comply with 40 CFR 60.48c.
EU4	10. In accordance with Approval MBR-09-IND-015, Table 5, No. 14, in the event of any malfunction of PCD1 and PCD2, notify MassDEP by no later than the end of the next business day via e-mail or telephone and subsequently in writing within seven days of said occurrence. This written notification shall indicate the cause and duration of the malfunction, and the steps taken to prevent similar malfunctions from occurring in the future.
	11. In accordance with Approval MBR-09-IND-015, Table 5, No. 15, submit a copy of any subsequent revisions made to the SOMP of EU4, PCD1, and PCD2 to MassDEP within seven (7) days of the modification(s).
	12. In accordance with Approval MBR-09-IND-015, Table 5, No. 16, report all High–Higher stack temperature alarm records on PCD1 and PCD2, minimum water flow (gpm) alarm records, and associated corrective actions taken by the Permittee in a Quarterly Compliance Report to MassDEP. These Quarterly Reports shall be submitted to MassDEP no later than April 30, July 30, October 30, and January 30 for the applicable Quarter.
Facility-Wide	13. In accordance with MassDEP's authority through 310 CMR 7.00: Appendix C (9)(d) and in accordance with 310 CMR 7.00: Appendix C (10)(d), and Approval MBR-95-ECP-005, updated versions of the SOMP shall be submitted to the MassDEP. The MassDEP must approve of significant changes to the SOMP prior to the change becoming effective. The updated SOMP shall supersede prior versions of the SOMP.
	14. In accordance with 310 CMR 7.00: Appendix C (10)(d), submit, upon request, the test results of any other testing or testing methodology required by the MassDEP or EPA.

<b>Table 6</b>	
<b>EU#</b>	<b>REPORTING REQUIREMENTS</b>
Facility-Wide	15. In accordance with 310 CMR 7.12, accurately report the facility's air emissions annually on Source Registration/Emission Statement Forms. 16. In accordance with 310 CMR 7.00: Appendix C (10)(c), submit by January 30 and July 30 for the previous six months respectively, a summary of all monitoring data and related supporting information to the MassDEP. 17. In accordance with 310 CMR 7.19 (13) (d), submit an Annual Compliance report to the MassDEP and EPA by January 30 of each year. 18. In accordance with 310 CMR 7.19(13)(d)9., submit compliance records within 10 days of request by the MassDEP or EPA. 19. In accordance with 310 CMR 7.00: Appendix C (10)(f), promptly report to MassDEP, all instances of deviations from Permit requirements which are not otherwise reported to the MassDEP by telephone or fax, within three days of discovery of such deviation. 20. In accordance with 310 CMR 7.00: Appendix C (10)(h), all required reports must be certified by a responsible official. 21. In accordance with 310 CMR 7.71(5), by April 15 <sup>th</sup> of each year, report emissions of greenhouse gases from stationary emissions sources including, but not limited to, emissions from factory stacks, manufacturing processes and vents, fugitive emissions, and other process emissions; and owned or leased motor vehicles when stationary source greenhouse gas emissions are greater than 5,000 short tons CO <sub>2</sub> e. Report greenhouse gas emissions electronically in a format that can be accommodated by the registry. (state only) 22. In accordance with 310 CMR 7.71(6), certify greenhouse gas emissions reports using a form provided by MassDEP or the registry. (state only) 23. In accordance with 310 CMR 7.71(7), by December 31 <sup>st</sup> of the applicable year submit to MassDEP documentation of triennial verification of the greenhouse gas emissions report. (state only)

**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:

<b>Table 7</b>	
<b>REGULATION &amp; TITLE</b>	<b>REASON</b>
310 CMR 7.16: Reduction of Single Occupant Commuter Vehicle Use	Not more than 250 commuters
40 CFR Part 64: Compliance Assurance Monitoring	No air pollution control devices used to achieve compliance on subject units
310 CMR 7.70, CO <sub>2</sub> Budget Trading Program	Do not generate more than 25 MW of power.

**5. SPECIAL TERMS AND CONDITIONS**

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

<b>Table 8.</b>	
<b>EU#</b>	<b>SPECIAL TERMS AND CONDITIONS</b>
EU1, EU2	1. In accordance with Approval MBR-95-ECP-005, the products of combustion shall be emitted through a common metallic stack having stack height of 255 feet and stack exit diameter of 48 inches.
	2. In accordance with Approval MBR-95-ECP-005, Section IV.c, the Approval may be suspended, modified, or revoked by the MassDEP if, at any time, the MassDEP determines that the Permittee is violating any condition or part of this Final Approval.
EU4	3. In accordance with Approval MBR-09-IND-015, Special Condition No. 2, a copy of this Approval letter and the Standard Operating and Maintenance Procedure for the subject equipment shall be affixed at or adjacent to the subject equipment.
	4. In accordance with Approval MBR-09-IND-015, Special Condition No. 4, the Permittee shall investigate the feasibility of implementing alternative technologies or reformulated raw material inputs which will lead to the decrease of overall emissions and/or odor from the facility to the environment. Seek assistance from outside sources such as the Office of Technical Assistance, located at the Executive Office of Environmental Affairs, 251 Causeway Street, Suite 900, Boston, Massachusetts 02114-2136, Telephone (617) 626-1060.
	5. In accordance with Approval MBR-09-IND-015, Special Condition No. 5, the Permittee shall minimize the fugitive emissions and odors when transferring raw materials from heated rail cars to EU4. The Permittee shall devise and operate in accordance with the corrective action plan to seal and secure all such fugitive emission points which result in odor.

**Table 8.**

EU#	SPECIAL TERMS AND CONDITIONS															
EU4	<p>6. In accordance with Approval MBR-09-IND-015, Special Condition No. 6, the Permittee shall maintain exhaust stacks on PCD1 and PCD2 which are consistent with good air pollution control engineering practice and that discharges so as to not cause or contribute to a condition of air pollution. Each exhaust stack shall be configured to discharge the gases vertically and shall not be equipped with any part or device that restricts the vertical exhaust flow of the emitted gases, including but not limited to rain protection devices “shanty caps” and “egg beaters”. Any emission impacts of exhaust stacks upon sensitive receptors including, but not limited to, people, windows and doors that open, and building fresh air intakes shall be minimized by employing good air pollution control engineering practices. Such practices include without limitation: a) avoiding stack locations that may be subject to downwash of the exhaust; and, b) installing stacks of sufficient height in locations that will prevent and minimize exhaust gas impacts upon sensitive receptors. The Permittee shall install and utilize exhaust stacks with the following parameters (see Table below) for the subject PCDs:</p> <table border="1" data-bbox="397 835 1468 1024"> <thead> <tr> <th data-bbox="397 835 505 947">PCD#</th> <th data-bbox="505 835 711 947">Stack Height Above PCD, feet</th> <th data-bbox="711 835 917 947">Stack Exit Diameter, inches</th> <th data-bbox="917 835 1242 947">Maximum Exhaust Gas Exit Velocity, feet per second</th> <th data-bbox="1242 835 1468 947">Outside Stack Shell Material</th> </tr> </thead> <tbody> <tr> <td data-bbox="397 947 505 982">PCD1</td> <td data-bbox="505 947 711 982">35</td> <td data-bbox="711 947 917 982">20</td> <td data-bbox="917 947 1242 982">80</td> <td data-bbox="1242 947 1468 982">FRP</td> </tr> <tr> <td data-bbox="397 982 505 1024">PCD2</td> <td data-bbox="505 982 711 1024">10</td> <td data-bbox="711 982 917 1024">3</td> <td data-bbox="917 982 1242 1024">100</td> <td data-bbox="1242 982 1468 1024">Stainless Steel</td> </tr> </tbody> </table> <p>98) In accordance with Approval MBR-09-IND-015, Special Condition No. 7, the Permittee shall ensure that any modification or new equipment installation which increases emissions by greater than one (1) ton per year of non-combustion emissions shall comply with the requirements of Regulation 310 CMR 7.02. Any other modifications (such as moving equipment for increased efficiency, changing solvents, or changing exhaust configurations) shall be noted on the Source Registration/Emission Statement Forms as required by Regulation 310 CMR 7.12. These modifications cannot violate the conditions of this facility wide approval, including the emission restrictions.</p>	PCD#	Stack Height Above PCD, feet	Stack Exit Diameter, inches	Maximum Exhaust Gas Exit Velocity, feet per second	Outside Stack Shell Material	PCD1	35	20	80	FRP	PCD2	10	3	100	Stainless Steel
PCD#	Stack Height Above PCD, feet	Stack Exit Diameter, inches	Maximum Exhaust Gas Exit Velocity, feet per second	Outside Stack Shell Material												
PCD1	35	20	80	FRP												
PCD2	10	3	100	Stainless Steel												
Facility-wide	<p>7. In accordance with Approval MBR-08-COM-006, Special Condition No. 1, should any nuisance condition(s) be generated by the operation of the emission units, then appropriate steps shall immediately be taken by the Permittee to abate said nuisance condition(s).</p> <p>8. In accordance with Approval MBR-08-COM-006, Special Condition No. 4, the Permittee shall become subject to Nonattainment Review, if the net, facility-wide NOx emissions increase(s) occurring over a period of five consecutive calendar years equates to 25 or more tons of NOx (including the 13.24 tons of allowable NOx emissions generated from the potential installation of EU3).</p> <p>9. In accordance with Approval MBR-09-IND-015, Special Condition No. 1, the Permittee shall operate the facility in such a manner as to prevent the occurrence of noise, dust, odor, and/or visible emissions from the facility, which cause or contribute to a condition of air pollution. The Permittee shall take immediate steps to abate any nuisance condition(s), including but not limited to noise, dust, odor, and/or visible emissions, that may be generated by the operation of this facility.</p>															

<b>Table 8.</b>	
<b>EU#</b>	<b>SPECIAL TERMS AND CONDITIONS</b>
Facility-wide	<p>10. In accordance with Approval MBR-09-IND-015, General Condition No. 1, the Permittee shall allow MassDEP personnel access to the site, buildings, and all pertinent records at all reasonable times for the purpose of making inspections and surveys, collecting samples, obtaining data, and reviewing records.</p> <p>11. The Permittee is subject to the requirement 40 CFR Part 82: Protection of Stratospheric Ozone and they are in compliance with this requirement. USEPA enforces these requirements.</p> <p>12. The Permittee is subject to the requirements of 42 U. S. C. 7401, §112(r) Accidental Release Prevention Requirements: Risk Management under Clean Air Act 112(r)(7), and has submitted to EPA the facility's contingency plan for responding to an accidental release of regulated substances.</p>

**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.

(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 Operating 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:

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

**B.**     **Semi-Annual Monitoring Summary Report and Certification**

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

The compliance certification and report shall describe:

- 1) the terms and conditions of the Permit that are the basis of the certification;
- 2) the current compliance status during the reporting period;
- 3) the methods used for determining compliance, including a description of the monitoring, record keeping, and reporting requirements and test methods;
- 4) whether there were any deviations during the reporting period;
- 5) if there are any outstanding deviations at the time of reporting, and the Corrective Action Plan to remedy said deviation;
- 6) whether deviations in the reporting period were previously reported;
- 7) if there are any outstanding deviations at the time of reporting, the proposed date of return to compliance;
- 8) if the deviations in the reporting period have returned to compliance and date of such return to compliance; and
- 9) any additional information required by the MassDEP to determine the compliance status of the source.

**11.**     **NONCOMPLIANCE**

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

**12.**     **PERMIT SHIELD**

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

Where there is a conflict between the terms and conditions of this Permit and any earlier approval

or Permit, the terms and conditions of this Permit control.

- B. The MassDEP has determined that the Permittee is not currently subject to the requirements listed in Section 4, Table 7.
- C. Nothing in this Permit shall alter or affect the following:
  - 1) the liability of the source for any violation of applicable requirements prior to or at the time of Permit issuance.
  - 2) the applicable requirements of the Acid Rain Program, consistent with 42 U.S.C. §7401, §408(a); or
  - 3) the ability of EPA to obtain information under 42 U.S.C. §7401, §114 or §303 of the Act.

### **13. ENFORCEMENT**

The following regulations found at 310 CMR 7.02(8)(h) Table 6 for wood fuel, 7.04(9), 7.05(8), 7.09 (odor), 7.10 (noise), 7.18(1)(b), 7.21, 7.22, 7.70 and any condition(s) designated as "state only" are not federally enforceable because they are not required under the Act or under any of its applicable requirements. These regulations and conditions are not enforceable by the EPA. Citizens may seek equitable or declaratory relief to enforce these regulations and conditions pursuant to Massachusetts General Law Chapter 214, Section 7A.

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

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

### **14. PERMIT TERM**

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

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

### **15. PERMIT RENEWAL**

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

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

## **16. REOPENING FOR CAUSE**

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

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

## **17. DUTY TO PROVIDE INFORMATION**

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

## **18. DUTY TO SUPPLEMENT**

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

The Permittee shall promptly, on discovery, report to the MassDEP a material error or omission in any records, reports, plans, or other documents previously provided to the 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 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 based<sup>1</sup> emission limitations specified in this Permit as a result of an emergency<sup>2</sup>. 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

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<sup>1</sup> 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.

<sup>2</sup> 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.

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 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:

- 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 of Permit operational limitations directly correlated to excess emissions.
- D. Failure to capture valid emissions or opacity monitoring data or to maintain monitoring equipment as required by statutes, regulations, your Operating Permit, or other approvals.
- E. Failure to perform QA/QC measures as required by your Operating Permit or other approvals for instruments that directly monitor compliance.

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

Deviations that were reported by telephone, fax or electronic mail (e-mail), 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.