COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE OF ENVIRONMENTAL AFFAIRS
DEPARTMENT OF ENVIRONMENTAL PROTECTION
WESTERN REGIONAL OFFICE

ARGEO PAUL CELLUCCI
Governor

JANE SWIFT
Lieutenant Governor

BOB DURAND
Secretary

LAUREN A. LISS
Commissioner

AIR QUALITY OPERATING PERMIT

Issued by the Massachusetts Department of Environmental Protection ("The Department") 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"]:

Rexam Image Products
28 Gaylord Street
South Hadley, MA 01075-2894

INFORMATION RELIED UPON:

Application No. 1-O-95-073
Transmittal No. 116970

FACILITY LOCATION:

Rexam Image Products
28 Gaylord Street
South Hadley, MA 01075-2894

FACILITY IDENTIFYING NUMBERS:

SSEIS ID No. 0420193
FMF FAC No. 211387
FMF RO No. 50125

NATURE OF BUSINESS: Production of coated paper and film for color electronic imaging

RESPONSIBLE OFFICIAL:

Name: Michael Gorski
Title: Environmental Safety & Health Manager
Phone: (413) 536-7800

FACILITY CONTACT PERSON:

Name: Bradley W. Palkovic
Title: Environmental Engineer
Phone: (413) 539-5393

This operating permit shall expire on March 13, 2005.

For the Department of Environmental Protection, Bureau of Waste Prevention

_____
Alan Weinberg
Acting Regional Director
Department of Environmental Protection
Western Regional Office

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 (Rexam Image Products, hereinafter "Rexam") is authorized to operate the 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 insignificant 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.

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 [1]	Pollution Control Device [2]
1	Boilers #1 and #2	38.5 MMBtu/hr (each)	none
2	Boiler #3	76.9 MMBtu/hr	none
3	Coater #12, 16, 18, 19, and 20	#12 - 200 fpm; #16 - 270 fpm; #18 - 300 fpm; #19 - 150 fpm; #20 - 400 fpm	#2 Reeco, #3 Smith, and #4 Reeco afterburners
4	Flexible web coater #9	150 fpm	#4 Reeco afterburner
5	Flexible web coaters: #15 and #17	#15 - 600 fpm; #17 - 1200 fpm	#3 Smith and #4 Reeco afterburners
6	Flexible web coater #21 and proposed flexible web coater #23	#21 - 300 fpm; #23 - 1,000 fpm (proposed)	#2 Reeco afterburner
7	Flexible web coater #22	700 fpm	#4 Reeco afterburner
8	Wide web striper flexible web coater	300 fpm	#3 Smith and #4 Reeco afterburners
9	Cold cleaning degreaser	N/A	none
10	Coating mixing tanks and ancillary equipment	10 to 1,000 gal	none
11	Solvent recovery operations and related ancillary equipment	N/A	none
12	Cleaning operations and other miscellaneous emission sources	N/A	none

Notes for Table 1:

1. The listed design capacities for EU 3 though EU 8 are included for informational purposes only. These design capacities may be modified by the owner/operator in accordance with the facility's Plantwide Applicability Limit and this Operating Permit. Such a modification shall not require an amendment to this Operating Permit.

2. The listed air pollution control devices for EU 3 through EU 8 are included for informational purposes only. The owner/operator may change control device assignments or replace an existing control device with a new one in accordance with the facility's Plantwide Applicability Limit and this Operating Permit. Such a modification shall not require an amendment to this Operating Permit.

Abbreviations for Table 1:

EU	= Emission Unit	hr	= hour
N/A	= not applicable	gal	= gallon
MMBtu	= million British Thermal Units	fpm	= feet per minute
lb	= pound		

3. IDENTIFICATION OF INSIGNIFICANT ACTIVITIES

The following have been found to be insignificant activities as provided in 310 CMR 7.00: Appendix C(5)(h):

Table 2

Emission Unit (EU)	Description of Current Insignificant Activities	Reason
	The list of insignificant 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.	

4. APPLICABLE REQUIREMENTS

A. EMISSION LIMITS AND RESTRICTIONS

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

Table 3

EU#	Fuel or Raw Material	Restrictions	Pollutant	Emission Limit/Standards	Applicable Regulation and/or Approval No.
EU 1	gas (primary) No. 6 fuel oil (secondary)	none	PM [(1)]	≤ 0.10 lb/MMBtu	Approval #PV-86-BR-004
			Smoke	No. 1 of the Chart no more than 6 minutes during any one hour, at no time to 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	310 CMR 7.06(1)(b)
			S in fuel	For fuel oil: ≤ 0.55 lb/MMBtu heat release potential (approximately equivalent to 1% sulfur by weight)	310 CMR 7.05(1)(e)
			Ash in fuel	For fuel oil: ≤ 4% by dry weight	310 CMR 7.05(4)(a)
EU 2	natural gas (primary) No. 6 fuel oil (secondary)	Rexam shall burn only natural gas in EU 2 between May 1 and September 30 of each year unless natural gas is not available per 310 CMR 7.19(2)(f).	PM [(1)]	≤ 0.10 lb/MMBtu	Approval #PV-86-BR-004
			Smoke	No. 1 of the Chart no more than 6 minutes during any one hour, at no time to 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	310 CMR 7.06(1)(b)
			NO_x	≤ 0.38 lb/MMBtu (No. 6 oil, hourly limit) ≤ 0.037 lb/MMBtu (nat. gas, hourly limit) ≤ 0.20 lb/MMBtu (annual average) ≤ 64 ton/yr	Approval #1-B-94-031 310 CMR 7.19
			CO	≤ 200 ppmvd @ 3% O_2 (one hour average)	Approval #1-B-94-031
			S in fuel	For fuel oil: ≤ 0.55 lb/MMBtu heat release potential (approximately equivalent to 1% sulfur by weight)	310 CMR 7.05(1)(e)

Table 3 (continued)

EU#	Fuel or Raw Material	Restrictions	Pollutant	Emission Limit/Standards	Applicable Regulation and/or Approval No.
EU 2 (cont.)			Ash in fuel	For fuel oil: ≤ 4% by dry weight	310 CMR 7.05(4)(a)
EU 3 - EU 8	coatings, solvents	See Special Condition 5.	Smoke	No. 1 of the Chart no more than 6 minutes during any one hour, at no time to 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	310 CMR 7.06(1)(b)
EU 3	coatings	none	VOC	≤ 4.8 lb VOC per gallon solids applied after control (2)	Approval #1-P-98-024
EU 4	coatings	none	VOC	≤ 4.8 lb VOC per gallon solids applied after control	Approval #1-P-98-024
EU 5	coatings	none	VOC	≤ 4.8 lb VOC per gallon solids applied after control	Approval #1-P-98-024
EU 6	coatings	See Special Condition 9.	VOC	No. 21: ≤ 75.3 ton/year (3) No. 23: ≤ 134 ton/year (3) ≤ 4.8 lb VOC per gallon solids applied after control	Approval #1-P-98-024
			NO_x	No. 23 dryer burners: ≤ 9.6 ton/year (3)	Approval #1-P-98-024
EU 7	coatings	See Special Condition 8.	VOC	≤ 4.8 lb VOC/GSA after control (3-hr average) when applying coatings with a VOC content > 0.75 lb VOC/GSA	Approval #1-P-98-024
EU 8	coatings	none	VOC	≤ 4.8 lb VOC per gallon solids applied after control	Approval #1-P-98-024
EU 9	degreasing solvent	Solvent usage rate not to exceed 100 gallons per month.	VOC	none	310 CMR 7.03(5) 310 CMR 7.18(1) 310 CMR 7.18(8)
Facility-Wide	solvents, coatings	See Special Conditions 1 and 2.	VOC and acetone	See Special Conditions 1 and 2.	Approval #1-P-98-024

NOTES

(1) Particulate matter as measured according to the applicable procedures specified in 40 CFR Part 60 Appendix A, Method 5, based on a 1-hour average.
(2) Emissions averaged over bubbled coaters (Coater Nos. 12, 16, 18, 19, and 20) on a daily basis.
(3) Rolling 12-month basis.

Abbreviations for Table 3:

EU = Emission Unit	NO_x = oxides of nitrogen
MMBtu = million British Thermal Units	S = sulfur
hr = hour	VOC = volatile organic compounds
mon = month	PM = particulate matter
yr = year	N/A = not applicable
gal = gallon	DRE = destruction removal efficiency

lb VOC/GSA = pound VOC per gallon solids applied

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 as outlined in Table 3, unless otherwise specified below:

Table 4

EU#	MONITORING/TESTING REQUIREMENTS
EU 1	(1) In accordance with 310 CMR 7.04(2)(a), Rexam shall install and maintain a smoke density sensing instrument and recorder which are properly maintained in an accurate operating condition and 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. Such smoke density sensing equipment must be operated when the boiler is burning fuel oil, but need not be operated when the boiler is burning natural gas. Such smoke density equipment shall be available for inspection at reasonable times by a representative of the Department.
	(2) In accordance with 310 CMR 7.04(4)(a), said facility shall be inspected and maintained in accordance with the manufacturers recommendations and tested for efficient operation at least once each calendar year.
	(3) In accordance with 310 CMR 7.19(6), Rexam shall tune EU 1 annually according to the procedures listed in 310 CMR 7.19(6)(a). At least once per month, Rexam shall verify that the settings determined during the tune-up have not changed.
	(4) In accordance with 310 CMR 7.00 Appendix C(9)(b), Rexam shall monitor the sulfur and ash content of each new shipment of fuel oil received. Compliance with the percent sulfur in fuel and percent ash in fuel requirements can be demonstrated by maintaining a shipping receipt from the fuel supplier (shipping certification) or through testing (testing certification). The shipping receipt certification or testing certification of sulfur and ash content of fuel oil shall document that the testing has been conducted in accordance with the applicable ASTM test methods: (for sulfur D129-64, D1072-56, D12266-67, D1552-83, D2622-87, D4294-90; and for ash: D482-95) or any other method approved by the Department and EPA.
	(5) In accordance with 310 CMR 7.00 Appendix C(9)(b), Rexam shall monitor consumption of natural gas and fuel oil and maintain a fuel usage log consisting of standard bills for fuel usage.
EU 2	(6) In accordance with 310 CMR 7.04(2)(a), Rexam shall install and maintain a smoke density sensing instrument and recorder which are properly maintained in an accurate operating condition and 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. Such smoke density sensing equipment must be operated when the boiler is burning fuel oil, but need not be operated when the boiler is burning natural gas. Such smoke density equipment shall be available for inspection at reasonable times by a representative of the Department.
	(7) In accordance with 310 CMR 7.04(4)(a), said facility shall be inspected and maintained in accordance with the manufacturers recommendations and tested for efficient operation at least once each calendar year.

Table 4 (continued)

EU#	MONITORING/TESTING REQUIREMENTS
EU 2 (continued)	(8) In accordance with 310 CMR 7.00 Appendix C(9)(b), Rexam shall monitor sulfur and ash content of each new shipment of fuel oil received. Compliance with the percent sulfur in fuel and percent ash in fuel requirements can be demonstrated by maintaining a shipping receipt from the fuel supplier (shipping certification) or through testing (testing certification). The shipping receipt certification or testing certification of sulfur and ash content of fuel oil shall document that the testing has been conducted in accordance with the applicable ASTM test methods: (for sulfur D129-64, D1072-56, D12266-67, D1552-83, D2622-87, D4294-90; and for ash: D482-95) or any other method approved by the Department and EPA.
	(9) In accordance with Approval No. 1-B-94-031, Rexam shall measure and record on a daily basis: fuel(s) burned, the heat content of each fuel (defaults: 1,050 Btu per cubic foot of natural gas and 147,000 Btu per gallon of No. 6 fuel oil containing 1% sulfur), and the total heating value of each fuel consumed. On a monthly basis, Rexam shall determine the 12-month rolling total fuel consumption ratio of natural gas (in ft^3) to No. 6 fuel oil (in gallons).
	(10) In accordance with Approval No. 1-B-94-031, upon request by the Department Rexam shall perform stack testing on EU 2 to demonstrate compliance with 310 CMR 7.19(2) and 7.19(5) and the CO and NO_x emission limitations set forth in Table 3 of this Permit. Such stack testing shall be conducted in accordance with the appropriate EPA test methods, as contained in 40 CFR Part 60 Appendix A.
EU 3	(11) In accordance with Approval No. 1-P-98-024, on a daily basis Rexam shall calculate the quantity (in pounds) of VOC emitted per gallon of solids applied by the coating units comprising EU 3. Said daily calculation shall be performed in accordance with the equations stated in Special Condition 3.a. of this Permit.
EU 3 - EU 8	(12) In accordance with Approval No. 1-P-98-024, Rexam shall monitor the thermal oxidizers in accordance with the following : a. Parametric monitoring shall be conducted for each oxidizer as a measure of compliance with the permitted destruction efficiencies. Monitoring shall be conducted in accordance with parts b. through e. of this condition. b. Rexam shall continuously record the combustion chamber temperature for each oxidizer. Each oxidizer's temperature shall be recorded using computer logging or a chart recorder. c. Each oxidizer shall be equipped with visual and audible alarms set to activate when the combustion chamber temperature sensor indicates a temperature below the minimum temperature stated in Special Condition 4 of this Permit. Coaters being vented to an oxidizer shall be shut down in the event the combustion chamber temperature is below the minimum temperature. d. The oxidizers shall be equipped with audible and visual high temperature warning alarms. e. Rexam shall keep records of coater exhaust flow rates into each oxidizer to prevent over-committing of any oxidizer. In accordance with 310 CMR Appendix C(9)(b)3., Rexam shall record the flow rates, manually or using an electronic data acquisition system, at least once per day of operation. f. Rexam shall perform an annual internal and external visual inspection of each oxidizer to ensure that there has been no physical detrimental deterioration. The inspection report shall be certified by a Massachusetts Registered Professional Engineer.
	(13) In accordance with Approval No. 1-P-98-024, Rexam shall perform any testing deemed necessary, at the request of the Department, to determine compliance with said Approval or any other Department requirement. If required, minimum destruction efficiencies shall be demonstrated through stack testing under maximum operating conditions or other conditions approved by the Department.
EU 9	(14) In accordance with 310 CMR 7.18(8)(g), upon request of the Department Rexam shall perform or have performed tests to demonstrate compliance with 310 CMR 7.18(8).
Facility-Wide	(15) In accordance with Approval No. 1-P-98-024, each month Rexam shall calculate the quantity (in tons) of VOC emitted from the entire facility during that month and during the rolling 12-month period ending with that month. Said monthly calculation shall be performed in accordance with the equations and methods stated in Special Conditions 1 and 3 of this Permit.

Table 4 (continued)	
EU#	**MONITORING/TESTING REQUIREMENTS**
Facility-Wide (continued)	(16) In accordance with Approval No. 1-P-98-024, each month Rexam shall calculate the combined quantity (in tons) of VOC and acetone emitted from the entire facility during that month and during the rolling 12-month period ending with that month. Said monthly calculation shall be performed in accordance with the equations and methods stated in Special Conditions 2 and 3 of this Permit. (State only applicable)
	(17) In accordance with 310 CMR 7.13, Rexam shall conduct stack testing, upon written request of the Department, for any air contaminant for which the Department has determined testing is necessary, to ascertain compliance with the Department's regulations or design approval provisos. All such testing shall be conducted in accordance with 310 CMR 7.13 (1) and (2), and in accordance with the applicable procedures specified in 40 CFR 60 Appendix A or other method(s) if approved by the Department and EPA.
	(18) Emissions Compliance Testing (Stack Testing), shall be performed in accordance with 310 CMR 7.13, 310 CMR 7.19(13)(c), and 40 CFR Part 60, Appendix A (Method 7 for oxides of nitrogen (NO_x), Method 6 for sulfur dioxide (SO_2), Method 10 for carbon monoxide (CO), Methods 1 to 5 for TSP, Method 3A for Oxygen (O_2), Method 9 for opacity, or any other test method approved by the Department or EPA). Prior to Stack Testing, appropriate testing ports shall be constructed so as to accommodate the requirements as stipulated in 40 CFR Part 60, Appendix A.
	(19) Rexam shall monitor operations such that information may be compiled for the annual preparation of a Source Registration/Emission Statement Form as required by 310 CMR 7.12.

Table 5	
EU#	**RECORD KEEPING REQUIREMENTS**
EU 1	(1) In accordance with 310 CMR 7.04(4)(a), Rexam shall record the results of each annual inspection, maintenance, and testing and the date on which it was performed. Said records shall be posted conspicuously on or near the facility.
	(2) In accordance with 310 CMR 7.04(2)(a) and 310 CMR 7.00: Appendix C(10)(b), Rexam shall keep and maintain smoke density and/or opacity recording charts.
	(3) In accordance with 310 CMR 7.00 Appendix C(9)(b), Rexam shall keep records of the sulfur and ash content of each new shipment of fuel oil received. Such records may include shipping receipts from the fuel supplier(s) and/or laboratory testing reports. Each shipping receipt or test report shall state the sulfur and ash content of the fuel oil and the test methods used.
	(4) In accordance with 310 CMR 7.19(6)(b), Rexam shall maintain records for five years of each annual boiler tune-up, including: a. date of tune-up; b. person conducting tune-up; c. O_2/CO (for gas) and/or O_2/smoke spot (for oil) correlations obtained during tune-up; d. boiler and burner manufacturers' recommended set points; e. final boiler set points as result of tune-up; f. normal boiler and burner maintenance records; and g. records of monthly verifications that the settings determined during the tune-up have not changed.
	(5) In accordance with 310 CMR 7.00 Appendix C(9)(b), Rexam shall maintain a fuel usage log consisting of standard bills for fuel usage.
EU 2	(6) In accordance with 310 CMR 7.04(4)(a), Rexam shall record the results of each annual inspection, maintenance, and testing and the date on which it was performed. Said records shall be posted conspicuously on or near the facility.
	(7) In accordance with 310 CMR 7.04(2)(a) and 310 CMR 7.00: Appendix C(10)(b), Rexam shall keep and maintain smoke density and/or opacity recording charts.
	(8) In accordance with Approval No. 1-B-94-031, Rexam shall comply with the NO_x emission recordkeeping and reporting requirements for EU 2 contained within 310 CMR 7.19(13), including 310 CMR 7.19(13)(d) "Recordkeeping and Reporting." At a minimum Rexam shall measure and record on a daily basis the fuel(s) burned, heat content of each fuel (defaults: 1,050 Btu/ft^3 for natural gas and 147,000 Btu/gal for No. 6 fuel oil containing 1% sulfur by weight), and the total heating value of each fuel consumed. The 12-month rolling total fuel consumption ratio of natural gas (in ft^3) to No. 6 fuel oil (in gallons) shall be determined and recorded on a monthly basis.
	(9) In accordance with 310 CMR 7.00 Appendix C(9)(b), Rexam shall keep records of the sulfur and ash content of each new shipment of fuel oil received. Such records may include shipping receipts from the fuel supplier(s) and/or laboratory testing reports. Each shipping receipt or test report shall state the sulfur and ash content of the fuel oil and the test methods used.
	(10) In accordance with 310 CMR 7.00 Appendix C(9)(b), Rexam shall maintain a fuel usage log consisting of standard bills for fuel usage.

Table 5 (continued)	
EU#	**RECORD KEEPING REQUIREMENTS**
EU 3	(11) In accordance with Approval No. 1-P-98-024, on a daily basis Rexam shall keep the following records for the RACT Bubble coaters (EU 3): a. total pounds of VOC emitted before control; b. total pounds of VOC emitted after control; c. total gallons of solids applied; d. the daily average pounds of VOC emitted per gallon of solids applied (lb VOC/GSA); e. the number of pounds of each coating applied; f. the VOC content of each coating applied in units of lb VOC/GSA; and g. the capture efficiency and DRE used in the calculation of VOC emissions.
EU 3 - EU 8	(12) In accordance with Approval No. 1-P-98-024 and 310 CMR Appendix C(9)(b)2., for each coating applied at each machine, Rexam shall keep records of the coating parameters required to demonstrate compliance with the provisions of this Permit, including coating usage (in pounds), VOC coating content (by weight percent), acetone content (by weight percent), gallons of solids per pound of coating, capture efficiency, and control efficiency. For non-RACT Bubble coaters, at least once per month Rexam shall perform data reduction and calculations on coating records to determine compliance for the previous one-month period. However, after data reduction, said coating records shall demonstrate compliance on a daily basis. For RACT Bubble coaters, Rexam shall perform data reduction and calculations on a daily basis to determine compliance.
	(13) In accordance with Approval No. 1-P-98-024, Rexam shall keep records of minimum destruction removal efficiency ("DRE") for each oxidizer (stack test results).
	(14) In accordance with Approval No. 1-P-98-024, Rexam shall keep operational records for each oxidizer, including: a. combustion chamber temperature records; b. manual air flow rate logs; and c. records of any control device alarms, malfunctions (shut downs, problems, temperature below allowable minimum, air flow rate exceedences), and any corrective actions taken.
	(15) In accordance with Approval No. 1-P-98-024, Rexam shall keep records of the capture efficiency for each coating line including records of capture efficiency testing.
	(16) In accordance with Approval No. 1-P-98-024, Rexam shall keep records of the 12-month rolling VOC emissions including: a. records demonstrating that the VOC emissions from Coater Nos. 21 and 23 were less than or equal to 75.3 tons and 134 tons, respectively; and b. records of the facility-wide VOC emissions calculated in accordance with Special Conditions 1 and 3 of this Permit.
	(17) In accordance with Approval No. 1-P-98-024, Rexam shall keep records of the 12-month rolling total of natural gas consumption by the #4 Reeco oxidizer.
	(18) In accordance with Approval No. 1-P-98-024, Rexam shall keep records tracking all modifications to existing equipment as specified in Special Condition 6.c. of this Permit.

Table 5 (continued)	
EU#	**RECORD KEEPING REQUIREMENTS**
EU 8	(19) In accordance with 40 CFR Part 63 §§ 63.821(a)(2) and 63.829(f), Rexam shall keep records demonstrating that the total mass of inks, coatings, varnishes, adhesives, primers, solvents, thinners, reducers, and other materials applied by the press using wide-web flexographic print stations in each month never exceeds five weight-percent of the total mass of said materials applied by the press in that month, including all inboard and outboard stations. Rexam shall submit such records to the EPA upon request. Such records shall include, at a minimum, the following: a. the total mass of each material applied each month on the press, including all inboard and outboard stations; and b. the total mass of each material applied each month on the press by wide-web flexographic printing operations.
EU 9	(20) In accordance with 310 CMR 7.03(3), Rexam shall establish and maintain a recordkeeping system on-site and in sufficient detail to document the date of construction, substantial reconstruction, or alteration and that the respective emission rates pursuant to 310 CMR 7.03 are not exceeded.
EU 10 and EU 11	(21) In accordance with 310 CMR 7.18(27)(f), Rexam shall maintain records sufficient to demonstrate compliance. Such records shall be kept on-site for five years and shall be made available to representatives of the Department or EPA upon request. Such records shall include, but are not limited to, the date and description of any repair or replacement of a mixing tank lid.
Facility-Wide	(22) In accordance with Approval No. 1-P-98-024, each month Rexam shall record the quantity (in tons) of VOC emitted from the entire facility during that month and during the rolling 12-month period ending with that month.
	(23) In accordance with Approval No. 1-P-98-024, each month Rexam shall record the combined quantity (in tons) of VOC and acetone emitted from the entire facility during that month and during the rolling 12-month period ending with that month. (State only applicable)
	(24) In accordance with 40 CFR Part 63 §§ 63.821(b)(2) and 63.829(e)(2), Rexam shall maintain records of the total volume and organic HAP content of each material applied on product and packaging rotogravure or wide-web flexographic printing presses during each calendar month. Such records shall demonstrate that Rexam has applied no more than a total of 400 kg of organic HAP on such presses during any calendar month.
	(25) In accordance with 310 CMR 7.00 Appendix C(10)(b) and Approval No. 1-P-98-024, Rexam shall maintain all emissions related records and records of all monitoring data and supporting information on-site for a period of at least five years from the date of the monitoring sample, measurement, report or initial operating permit application. Rexam shall make such records available to the Department or EPA upon request.
	(26) In accordance with 310 CMR 7.12(1)(d), upon verification of the information required by 310 CMR 7.12(1)(a), the Department will review the supplied information. All such emissions data shall be available to the public during normal working hours at the DEP offices and at such other offices as the Department may specify. Copies of all information supplied to the Department pursuant to 310 CMR 7.12 shall be retained by the facility owner or operator for five (5) years after the date the report is submitted.

Table 6	
EU #	**REPORTING REQUIREMENTS**
EU 2	(1) In accordance with Approval No. 1-B-94-031 and 310 CMR 7.19(13)(d)9., Rexam shall submit compliance records within 10 days of written request by the Department or EPA.
EU 3 - EU 8	(2) In accordance with Approval No. 1-P-98-024, Rexam shall maintain the following data and submit it to the Department biannually (one report shall be submitted concurrent with the annual Source Registration/Emission Statement for the time period July through December of the previous calendar year, and the other no later than 6 months after the annual Source Registration/Emission Statement submittal for the time period January through June of the current calendar year): a. The twelve month rolling total VOC emissions from: (1) Coater No. 21; (2) Coater No. 23; (3) all coaters combined; and (4) all coaters combined plus the acetone emissions from all coaters combined. b. Summaries of RACT Bubble reporting requirements, including: (1) the average daily VOC content for the RACT bubble coaters (in units of lb VOC/GSA) after control; (2) the total pounds of VOC before control; (3) the total pounds of VOC emitted after control; and (4) the total gallons of solids applied.
	(3) In accordance with Approval No. 1-P-98-024, Rexam shall submit, to the Department, biannual reports summarizing all monitoring data and related supporting information to demonstrate compliance with the NO_x and CO emission limits stated in Special Conditions 5.b. and 5.c. of this Permit. In addition, such reports shall summarize any control device alarms, malfunctions (shut downs, problems, temperature below allowable minimum, air flow rate exceedences), and any corrective actions taken. One biannual report shall be submitted concurrent with the annual Source Registration/Emission Statement for the time period July through December of the previous calendar year. The other biannual report shall be submitted no later than 6 months after the annual Source Registration/Emission Statement submittal for the time period January through June of the current calendar year.
	(4) In accordance with Approval No. 1-P-98-024, Rexam shall submit, to the Department, any stack test results for any air contaminant obtained from stack testing required by the Department within such time as agreed to in the approved test protocol.
	(5) In accordance with Approval No. 1-P-98-024, Rexam shall submit, to the Department, any records relevant to Approval No. 1-P-98-024 or to the emissions of any air contaminant from the facility within 10 days of request by the Department or within an alternative time period as approved by the Department in writing.
	(6) Rexam shall report to the Department following the discovery of an instance of noncompliance with Approval No. 1-P-98-024. This report shall include a description of each instance of noncompliance (including those attributable to upset conditions), the probable cause of the noncompliance, and any corrective or preventative actions taken by Rexam. The report shall be submitted within the time periods stated in General Condition 25 of this Permit.
Facility-Wide	(7) Rexam shall Submit Annual Emission Statements in accordance with 310 CMR 7.12.
	(8) In accordance with 310 CMR 7.13(1) and 310 CMR 7.13(2), if and when the Department has determined that stack testing is necessary to ascertain compliance with the Department's regulations or design approval provisions, Rexam shall cause such stack testing to be summarized and submitted to the Department with analysis, and report within such time frame as agreed to in the approved test protocol.
	(9) In accordance with 310 CMR 7.00 Appendix C:(10)(c), Rexam shall submit to the Department two summaries (one report shall be submitted concurrent with the annual Source Registration/Emission Statement for the time period July through December of the previous calendar year, and the other no later than 6 months after the annual Source Registration/Emission Statement submittal for the time period January through June of the current calendar year) of all monitoring data and related supporting information. The summaries shall correspond to items in Table 4 of this Operating Permit.
	(10) In accordance with 310 CMR 7.00 Appendix C:(5)(b)(9), Rexam shall submit annually a certification that the facility is in compliance with the applicable requirements designated in the permit.
	(11) In accordance with 310 CMR 7.00 Appendix C(10)(a), Rexam shall submit to the Department any record relevant to this operating permit or to the emissions of any air contaminant from the facility within 30 days of the request by the Department.

Table 6 (continued)	
EU #	**REPORTING REQUIREMENTS**
Facility-Wide (continued)	(12) All reporting shall be in accordance with 310 CMR 7.01(2)(a), (b), and (c).
	(13) In accordance with Approval No. 1-P-98-024, Rexam shall notify the Department's Western Regional Office by fax (413-784-1149) as soon as possible after the occurrence of any upsets or malfunctions to the Facility's equipment, air pollution control equipment, or monitoring equipment. The report shall be submitted within three days of discovery of such upsets or malfunctions.

C. GENERAL APPLICABLE REQUIREMENTS - The Permittee shall comply with all general applicable requirements contained in 310 CMR 7.00 et. seq. and 310 CMR 8.00 et. seq., when subject.

D. REQUIREMENTS NOT CURRENTLY APPLICABLE - The Permittee is currently not subject to the following requirements, as outlined in Table 7 below:

Table 7	
Regulation	**Reason**
42 U.S.C. 7401, § 112 (r): Prevention of Accidental Releases	Facility does not store, use or process any of the listed compounds in quantities greater than thresholds.

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, or 6:

1. In accordance with Approval No. 1-P-98-024, facility-wide VOC emissions shall not exceed 387.9 tons during any rolling 12-month period. Rexam shall use the following equation to demonstrate compliance:

   VOC emissions (12-month rolling total) = (VOC emissions current month) + (VOC emissions past 11 months)

   The term "VOC emissions current month" shall be calculated from the month's coating usage records and the appropriate compliance equations contained in Special Condition 3. To this monthly total will be added the miscellaneous monthly non-coating fugitive VOC emissions (e.g. from wipe up, cleaning, etc.). For the purposes of this condition, the monthly fugitive emissions shall be $1/12^{th}$ of the previous year's fugitive emissions. The fugitive emissions shall be adjusted annually based on facility purchasing and inventory records as reported on the Source Registration.

2. In accordance with Approval No. 1-P-98-024, total facility-wide emissions of VOC and acetone shall not exceed 637.9 tons during any rolling 12-month period. Rexam shall use the following equation to demonstrate compliance:

VOC and acetone emissions (12-month rolling total) = (VOC and acetone emissions current month) + (VOC and acetone emissions past 11 months)

The term "VOC and acetone emissions current month" shall be calculated from the month's coating usage records and the appropriate compliance equations contained in Special Condition 3. To this monthly total will be added the miscellaneous monthly non-coating fugitive VOC and acetone emissions (e.g. from wipe up, cleaning, etc.). For the purposes of this condition, the monthly fugitive emissions shall be $1/12^{th}$ of the previous year's fugitive emissions. The fugitive emissions shall be adjusted annually based on facility purchasing and inventory records as reported on the Source Registration. (State only applicable)

3. In accordance with Approval No. 1-P-98-024, Rexam shall use the following compliance calculation procedures, as appropriate, to demonstrate compliance with the emission limits contained in this Operating Permit:

   a. RACT Bubble Coaters - Daily Compliance Calculations: Rexam shall use the following equation to determine compliance where the pounds of VOC per gallon solids applied is a daily average for all of the RACT coaters (EU 3).

$$\frac{\sum_{\text{head}}\left(lb\ coating \times \frac{wt.\%\ VOC}{100}\right)\times\left(1-control\ efficiency\right)}{\sum_{\text{head}}\left(lb\ coating \times \frac{gal\ solids}{lb\ coating}\right)} \le 4.8\frac{lb\,VOC}{gal\ solids\ applied}$$

$$\text{where } control\ efficiency = \left(\frac{\%\ DRE\ of\ the\ oxidizer}{100}\right)\times\left(\frac{\%\ capture\ efficiency}{100}\right)$$

   b. BACT Coaters - Water-based coatings (≤ 2.0 lb VOC/GSA) shall be identified using the following equation (note: for Coater no. 22 (EU 7) the criterion for water-based coatings is ≤ 0.75 lb VOC/GSA):

$$\frac{\left(lb\ coating \times \frac{wt\,\%\,VOC}{100}\right)}{\left(lb\ coating \times \frac{gal\ solids}{lb\ coating}\right)} \le 2.0\frac{lb\,VOC}{GSA}$$

   c. BACT Coaters - Compliance with the solvent-based limit for each BACT coater (EU 4, 5, 6, 7, and 8) will be calculated using the following equation:

$$\frac{\sum_{\text{head}}\left(lb\ coating \times \frac{wt.\%\ VOC}{100}\right)\times(1-control\ efficiency)}{\sum_{\text{head}}\left(lb\ coating \times \frac{gal\ solids}{lb\ coating}\right)} \le 4.8\frac{lb\ VOC}{gal\ solids\ applied}$$

where "control efficiency" is calculated according to the equation in part (a) of this condition.

d. Emissions of VOC from each water-based coating shall be calculated using the following equation:

$$lb\ VOC = (coating\ usage\ in\ lb)\times\left(\frac{wt\ \%\ VOC\ of\ \ coating}{100}\right)$$

e. Emissions of VOC from each solvent-based coating shall be calculated using the following equation:

$$lb\ VOC = (coating\ usage\ in\ lb)\times\left(\frac{wt\ \%\ VOC\ of\ \ coating}{100}\right)\times(1-control\ efficiency)$$

where "control efficiency" is calculated according to the equation in part (a) of this condition.

f. Compliance with the PAL caps is determined by summing the VOC emissions from each water-based and solvent-based coating and the fugitive emissions:

$$PAL\ cap \ge \sum_{water\ based\ coatings}^{emissions\ \ from} + \sum_{solvent\ based\ coatings}^{emissions\ \ from} + \ fugitive\ emissions$$

g. The following table contains the capture efficiency for each coating machine, which Rexam shall use to calculate control efficiency using the equation in part (a) of this condition. Rexam shall maintain these minimum efficiencies:

Rexam Coater Number	Minimum Capture Efficiency
9	98%
12	95%
15	95%
16	95% (A head) 92% (B head)
17	95%
18	98% (main head) 95% (bond head)
19	95%

Rexam Coater Number	Minimum Capture Efficiency
20	96%
21	98%
Wide Web Striper	95%
22, New Business Development Facility	100%

4. In accordance with Approval No. 1-P-98-024, Rexam shall operate its thermal oxidizers in compliance with the limits listed in the following table:

Thermal Oxidizer	Destruction Removal Efficiency	Combustion Chamber Temperature	Inlet Air Flow Rate
#2 Reeco	≥ 99.0% *	≥ 1500°F	≤ 20,900 scfm
#3 Smith	≥ 97%	≥ 1400°F	≤ 55,000 scfm
#4 Reeco	≥ 99.0%	≥ 1500°F	≤ 85,000 scfm

* 99.0% after Coater #21 upgrade; 98% prior to that

5. In accordance with Approval No.1-P-98-024:

   a. Rexam shall not use an oxidizer to control emissions of VOC unless that oxidizer is at or above its minimum operating temperature.

   b. Rexam shall not burn more than 228.57×10^6 cubic feet of natural gas in the #4 Reeco thermal oxidizer during any rolling 12-month period (this is equivalent to 24.0 tons per year of NO_x).

   c. Emissions of carbon monoxide (CO) from the #4 Reeco thermal oxidizer shall not exceed 2.3 tons per year at an emission rate of 20 lb CO per million cubic feet of natural gas burned.

   d. The maximum VOC inlet loading to the #4 Reeco thermal oxidizer shall be 4,280 lb/hr.

6. Facility operations under the PAL (Approval No. 1-P-98-024):

   a. Review under 310 CMR 7.00 Appendix A shall not be required for Facility modifications as long as the Facility does not exceed the PAL cap of 387.9 tons of VOC per year.

      (1) Any proposed alteration or increase in operation that would result in the increase of VOC emissions above the PAL shall be subject to the New Source Review requirements for a major modification as required by 310 CMR 7.00 Appendix A (i.e. Lowest Achievable Emission Rate ("LAER") and emission offsets).

      (2) Any unapproved increase above the PAL is a permit violation and is subject to enforcement by the Department.

   b. Rexam may make operational changes to existing BACT coating equipment (currently Coater Nos. 9, 15, 17, 21, 22, and 23 and the Wide Web Striper) such as, but not limited to, changes in line speed, web width, air flow rate, rerouting of coaters to alternative control equipment, and replacement or modification of a drying oven, which would

otherwise require an approval pursuant to 310 CMR 7.02(2), provided such changes meet the conditions outlined in part 6.c. of this condition.

c. All modifications made pursuant to part 6.b. of this condition must meet the following conditions:

(1) Rexam shall notify the Department in writing of each proposed operational change at least seven days prior to making the change;

(2) Rexam shall certify that these changes do not violate any of the RACT or BACT limits that currently apply to the operating line;

(3) Except for Coater No. 12, if Rexam makes any change to a coating line currently in the RACT bubble which the Department deems to constitute a modification (i.e., a construction, substantial reconstruction, or alteration) pursuant to 310 CMR 7.02(2), Rexam shall remove that coating line from the bubble and make it subject to the requirements of Part 6.f. of this Condition. If Coater No. 12 is removed from the RACT bubble, BACT for Coater No. 12 shall be 97% overall control efficiency when using coatings with a VOC content greater than 2.0 lb VOC/GSA.

(4) Rexam shall track all operational changes made pursuant to Part 6.b. of this Condition. Records of all such operational changes shall be maintained onsite for a period of five years. All notices shall be attached to the PAL approval and shall become an enforceable term and condition of the approval and this Permit.

d. Rexam may replace an existing thermal oxidizer with a new oxidizer as long as the BACT requirements contained in Part 6.f.(2) of this Condition are met and the Department is notified in writing at least 30 days prior to installation.

e. Rexam may add new coating lines and/or new oxidizers as long as the requirements contained in Part 6.f. of this condition are met.

f. Modifications made pursuant to Parts 6.c., 6.d., and 6.e. of this Condition must meet the following requirements:

(1) Rexam must meet all of the requirements under 310 CMR 7.02(2); or

(2) Rexam must certify in writing that the modification meets the pre-approved BACT requirements specified in Subparts 6.f.(2)A. through 6.f.(2)D. below and the recordkeeping and reporting requirements contained in Conditions IV. and V., respectively, of Approval No. 1-P-98-024.

A. Rexam must complete and submit all necessary 310 CMR 7.02(2) plan application forms to the Department;

B. The modification must achieve 100% capture and 99% destruction removal efficiency for solvent-based coatings (i.e., coatings containing greater than 2.0 lb VOC/GSA);

C. The VOC emissions after control shall be no greater than 4.8 lb VOC/GSA for solvent coatings as per 310 CMR 7.18(14);

D. All coatings with a VOC content greater than 2.0 lb VOC/GSA shall be vented to an oxidizer meeting the conditions specified in Condition 6.f.(2)B.;

E. The Department, in the PAL approval (Approval No. 1-P-98-024), has pre-approved as BACT new installations or modifications at the Facility which meet the emission requirements contained in Conditions 6.f.(2)A. through D. above. However, Rexam must submit a complete plan application to the Department in accordance with 310 CMR 7.02(2) for such proposed new installations or modifications for conformity with the BACT requirements cited in this section and for final approval; and

F. Unless notified by the Department, Rexam may install and operate a proposed new coating line or modification after thirty days from the date the application was deemed administratively complete by the Department. Once the Department has issued a written approval, it will incorporate the approval into the PAL (Approval No. 1-P-98-024). Should the Department disapprove the application because it does not meet the requirements of the approval letter or Condition 6.f. (2) of this Permit, it will immediately notify Rexam by fax of such disapproval. Rexam shall immediately shut down the coating line or modification immediately upon receiving such notification from the Department. If, in the opinion of the Department, a condition of air pollution resulted from the operation of the coating line presumptively approved, the installation of the coating line or modification shall be subject to enforcement by the Department.

g. Every five years, with the reissuance of this Permit, the Department will reevaluate what constitutes BACT (in 6.f.(2) above) for subsequent modifications. At the time of Permit reissuance, the Department may determine that technological advances in air pollution control equipment, coating formulations, or coating processes justify a lower (i.e. more stringent) BACT emission limit for subsequent modifications.

h. Any modifications allowed under Condition VI. of the PAL approval (Approval No. 1-P-98-024) must meet the following requirements:

(1) The change or modification shall not relax any federally enforceable condition, including any conditions contained in a single source SIP revision;

(2) The change or modification shall not increase any existing emission limits or cause a relaxation of any BACT determination;

(3) The change or modification shall not modify any existing recordkeeping or reporting requirements;

(4) Rexam shall implement the compliance determination methodology on existing and modified operations as specified in Special Condition (3) of this Permit.

(5) Rexam shall not make any change under the PAL approval that changes a monitoring, recordkeeping, or reporting requirement contained in Approval No. 1-P-98-024 without first obtaining a 310 CMR 7.02(2) plan approval.

i. Nothing in Approval No. 1-P-98-024 or this Permit prohibits Rexam from making other modifications that can be included and incorporated into Approval No. 1-P-98-024 after going through a complete 310 CMR 7.02(2) approval.

7. In accordance with Approval No. 1-P-98-024, for each BACT coating line (including Coater Nos. 9, 15, 17, 21, and 22, the Wide Web Striper, and the proposed No. 23 coater) applying coatings containing VOC, the coating mix room tanks shall minimally conform to the requirements of 310 CMR 7.18(27)(b), (c), (e), and (f).

8. In accordance with Approval No. 1-P-98-024, Rexam shall maintain a Permanent Total Enclosure, as defined in 40 CFR Part 51 Appendix M, Method 204, for Coater No. 22 and the mix room during all VOC coating, mixing, and clean up operations.

9. In accordance with Approval No. 1-P-98-024, after the modifications pursuant to Approval No. 1-P-98-005 are completed, Rexam shall:

   a. maintain a Permanent Total Enclosure around the coating heads of Coater No. 21 when apply coatings with a VOC content greater than 2.0 lb VOC/GSA; and

   b. vent VOC emissions from Coater No. 21 to a control device achieving a minimum overall control efficiency of 99% (100% capture, 99.0% DRE) when using coatings with a VOC content greater than 2.0 lb VOC/GSA.

10. In accordance with Approval #1-P-98-024, emissions from EU 3 shall be vented to the #3 Smith, #2 Reeco, and/or #4 Reeco afterburners, or to any other oxidizer of equal or greater destruction efficiency.

11. In accordance with Approval #1-P-98-024, emissions from EU 4 shall be vented to an oxidizer when running coatings with a VOC content > 2.0 lb VOC/GSA. BACT for EU 4 shall be 100% capture and ≥ 99.0% DRE when running coatings with a VOC content > 2.0 lb VOC/GSA.

12. In accordance with Approval #1-P-98-024, emissions from EU 5 shall be vented to an oxidizer when running coatings with a VOC content > 2.0 lb VOC/GSA.

13. In accordance with Approval #1-P-98-024, emissions from EU 6 shall be vented to an oxidizer when running coatings with a VOC content > 2.0 lb VOC/GSA. During cleanup of

VOC based coatings from the Coater #21 coating heads, Rexam shall continue to vent VOC emissions from wash solvents and coating residuals to an oxidizer for destruction.

14. In accordance with Approval #1-P-98-024, emissions from EU 7 shall be vented to an oxidizer achieving a DRE ≥ 99.0% when running coatings with a VOC content > 0.75 lb VOC/GSA. VOC emissions from the mixing room and from all cleaning operations that utilize VOC shall be vented to an oxidizer.

15. In accordance with Approval #1-P-98-024, when EU 8 is used to apply coatings with a VOC content > 2.0 lb VOC/GSA, Rexam shall vent the emissions to an oxidizer achieving an overall control efficiency ≥ 93% (≥ 95% capture efficiency and ≥ 98% DRE) or 97% when routed to an alternative oxidizer after capture efficiency has been upgraded to 100%.

16. In accordance with Approval No. 1-P-98-024, Rexam shall employ all reasonable good housekeeping practices to minimize fugitive VOC, acetone, and odor-producing emissions from the use of clean-up solutions, the handling and preparation of coatings, and other VOC and odor-producing materials. Rexam shall keep any containers containing VOC, acetone, and odor-producing materials tightly covered as much as practicable during use and at all times when not in use.

17. In accordance with Approval No. 1-P-98-024, Rexam shall take steps immediately to abate any nuisance condition should one arise due to the operation of this facility. (State only applicable per 310 CMR 7.01(1))

18. In accordance with Approval No. 1-P-98-024, Rexam shall work closely with the Office of Technical Assistance ("OTA") and the Toxics Use Reduction Institute ("TURI") to review and determine options for using materials other than VOC and acetone to further advance Rexam's ongoing pollution prevention efforts in the area of wash materials.

19. In accordance with Approval No. 1-P-98-024, any new or reconstructed coating line that has potential emissions ≥ 10 tons per year of a single hazardous air pollutant or ≥ 25 tons per year of a combination of all hazardous air pollutants will be reviewed by the Department to determine if the new/reconstructed line will be subject to additional regulation.

20. In accordance with 310 CMR 7.18(1), for EU 9, 10, 11, and 12 Rexam shall handle VOC containing materials in a manner to minimize evaporation to the atmosphere.

21. For EU 9, Rexam shall comply with all equipment and work practice standards contained in 310 CMR 7.18(8).

22. For EU 10 and EU 11, Rexam shall comply with all equipment and work practice standards contained in 310 CMR 7.18(27).

23. Rexam has stated in its operating permit application that the facility is subject to, and in compliance with, the requirements of 40 CFR Part 82: *Protection of Stratospheric Ozone*. These requirements, which are enforced by the United States Environmental Protection Agency, are applicable to the facility.

24. Rexam has stated in its operating permit application that the facility is subject to, and in compliance with, the requirements of 310 CMR 7.16: *Reduction of Single Occupant Commuter Vehicle Use*.

6. ALTERNATIVE OPERATING SCENARIOS

There are no proposed or approved alternative operating scenarios for this facility.

7. EMISSIONS TRADING

A. Intra-facility emission trading - the facility did not request intra-facility emissions trading in its operating permit application.

Pursuant to 310 CMR 7.00: Appendix C(7)(b), emission trades, provided for in this permit, may be implemented provided the Permittee notifies the United States Environmental Protection Agency (EPA) and the Department at least fifteen days in advance of the proposed changes and the Permittee provides the information required in 310 CMR 7.00: Appendix C(7)(b)3.

Any intra-facility change that does not qualify pursuant to 310 CMR 7.00: Appendix C(7)(b)2. is required to be submitted to the Department pursuant to 310 CMR 7.00: Appendix B.

B. Inter-facility emission trading - All increases in emissions due to emission trading must be authorized under the applicable requirements of 310 CMR 7.00: Appendix B (the "Emissions Trading Program") and the 42 U.S.C. §7401 et. seq. (the "Act"), and provided for in this permit.

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

A. Compliance Report - The Responsible Official shall certify, annually from the date of issuance, that the facility is in compliance with the requirements of this permit. The report shall be submitted to the Department 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 report shall describe:

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

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

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

(iv) any additional information required by the Department to determine the compliance status of the source.

B. Certification - All documents submitted to the Department 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."

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 Department 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 Department has determined that the Permittee is not currently subject to the requirements listed in Section 4, Part D.

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

(i) the liability of the source for any violation of applicable requirements prior to or at the time of permit issuance.
(ii) the applicable requirements of the Acid Rain Program, consistent with 42 U.S.C. §7401, §408(a); or
(iii) the ability of EPA to obtain information under 42 U.S.C. §7401, §114 or §303 of the Act.

13. ENFORCEMENT

The following regulations found at 310 CMR 7.02(8) Table 1A, 7.02(14), 7.04(9), 7.05(8), 7.09 (odor), 7.10 (noise), 7.18(1)(b), 7.21, 7.22 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 Department, 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 Department's receipt of a complete and timely application for renewal, this facility may continue to operate subject to final action by the Department on the renewal application.

In the event the Department 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 Department 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 Department and/or EPA. The responsible official of the facility may request that the Department terminate the facility's operating permit for cause. The Department 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 Department'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 Department 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 Department a material error or omission in any records, reports, plans, or other documents previously provided to the Department.

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 Department.

20. PROPERTY RIGHTS

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

21. INSPECTION AND ENTRY

Upon presentation of credentials and other documents as may be required by law, the Permittee shall allow authorized representatives of the Department, 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 Department 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[1] emission limitations specified in this permit as a result of an emergency[2].In

[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.

order to use emergency as an affirmative defense to an action brought for noncompliance, the Permittee shall demonstrate the affirmative defense through properly signed, contemporaneous operating logs, or other relevant evidence that:

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

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

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

D. the Permittee submitted notice of the emergency to the Department 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 Division of Hazardous Waste/Emergency Response and the Emergency Response Planning Council, immediate notification to the appropriate parties should be made as required by law.

25. PERMIT DEVIATION

The Permittee shall report to the Department's Regional Bureau of Waste Prevention all instances of deviations from permit requirements, by telephone or fax, within 3 days of discovery of such deviation. This report shall include the deviation itself, including those attributable to upset conditions as defined in the permit, the probable cause of such deviations, and any corrective actions or preventative measures taken.

Said permit deviation shall also be submitted in writing to the Regional Bureau of Waste Prevention within seven (7) days of documentation of the deviation by facility personnel. Deviations are instances where any permit condition is violated and has not already been 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.

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

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

requirements provided the Permittee gives the EPA and the Department written notice fifteen days prior to said change; notification is not required for exempt activities listed at 310 CMR 7.00: Appendix C(5)(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.

APPEAL CONDITIONS FOR OPERATING PERMIT

This permit is an action of the Department. 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 Department'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 Department 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.