



Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection

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AIR QUALITY OPERATING PERMIT (Administrative Amendment)

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

ISSUED TO ["the Permittee"]:

MASSPOWER, LLC
750 Worcester Street, P.O. Box 51877
Indian Orchard, MA 01151

INFORMATION RELIED UPON:

Application No. 21-AQ11-0005-AMD
eplace Authorization No. AQ14-0000015
Approval No. WE-21-008

FACILITY LOCATION:

MASSPOWER, LLC
750 Worcester Street
Indian Orchard, MA 01151

FACILITY IDENTIFYING NUMBERS:

AQ ID: 042/0007
FMF FAC NO.: 205912
FMF RO NO.: 193985

NATURE OF BUSINESS:

Electric Power & Steam Generation

Standard Industrial Classification (SIC): 4911
North American Industrial Classification System
(NAICS): 221112

RESPONSIBLE OFFICIAL:

Name: Gregory Russell
Title: Plant Manager

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This Operating Permit shall expire on December 15, 2025.

For the Department of Environmental Protection

Michael Gorski
Regional Director
Department of Environmental Protection
Western Regional Office

June 14, 2021
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.

A. DESCRIPTION OF FACILITY AND OPERATIONS

MASSPOWER, LLC, hereto known as MASSPOWER, is a nominal 264 megawatts (“MW”) combined cycle cogeneration electric power plant located on 750 Worcester Street in Indian Orchard (Springfield), Massachusetts. It is a two-on-one configuration; two General Electric (“GE”) 7EA dual fuel (pipeline natural gas or distillate fuel oil delivered by truck) combustion turbine-generators each exhausting to a Zurn unfired heat recovery steam generator (“HRSG”). Although the facility is comprised of three generators, the facility is operated and rated as a single or dual unit within the Independent System Operator – New England (“ISO-NE”) system.

MASSPOWER is an electric wholesale generator (“EWG”) that sells its capacity, energy, and other ancillary services into the ISO-NE market. The facility was approved by MassDEP on September 15, 1990 and commenced commercial operation in 1993.

APPLICABLE AND NON-APPLICABLE REQUIREMENTS

The combustion turbines are subject to 40 CFR Part 60, New Source Performance Standards (NSPS) -Subpart GG “Standards of Performance for Stationary Gas Turbines”. The emission limits for Nitrogen Oxides (NO_x) and Sulfur Dioxide (SO₂) in MassDEP Approval #1-P-95-025 (dated 9/8/95) are more stringent than those listed in NSPS Subpart GG. Compliance with the emission limits in Table 3a of this Operating Permit will demonstrate compliance with NSPS limits. The combustion turbines are subject to the Title IV Acid Rain Program of the 1990 Clean Air Act Amendments as defined by EPA in 40 CFR Part 72.6 which states that a unit which commenced construction after November 15, 1990 and supplies greater than one-third of its potential electrical output capacity or equal to or greater than 219,000 MWe-hrs actual electric output on an annual basis to any utility power distribution system for sale (on a gross basis) shall be an affected unit.

As part of this operating permit renew application review, a compliance assurance monitoring (“CAM”) applicability determination was conducted. The determination concluded that the combustion turbines are exempt from complying with the CAM requirements of 40 CFR Part 64 since the emission limitations for which there is a control device are required to have a continuous compliance determination method, as defined in 40 CFR 64.1. This exemption is specified in 40 CFR 64.2(b)(1)(vi).

The facility has a remote reservoir cold cleaning degreaser which is exempt from the plan approval requirements of 310 CMR 7.02 in accordance with 310 CMR 7.03(8). However, the cold cleaning degreaser is subject to the applicable requirements of 310 CMR 7.18(1) and 7.18(8)a.

The facility is considered to be a major source since it has the potential to emit greater than 100 tons per year

of particulate matter (“PM”) including PM₁₀ (particulate matter with an aerodynamic diameter equal to or less than 10 microns) and PM_{2.5} (particulate matter with an aerodynamic diameter equal to or less than 2.5 microns), 50 tons per year of volatile organic compounds (“VOCs”), 50 tons per year of nitrogen oxides (“NO_x”), 100 tons per year of carbon monoxide (“CO”) and 100 tons per year of sulfur dioxide (“SO₂”). Therefor the facility is subject to the Operating Permit and Compliance Program pursuant to 310 CMR 7.00: Appendix C(2).

The facility submitted calculations to MassDEP in May 2002 demonstrating potential hazardous air pollutant (“HAP”) emissions of less than 10 tons per year of any individual HAP (formaldehyde) and 25 tons per year of any combination of HAPs.

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

The facility is a “major stationary source” pursuant to the Prevention of Significant Deterioration regulations of 40 CFR § 52.21 since it has the potential to emit more than 100 tons per year of a new source review (“NSR”) regulated pollutant.

Federal Acid Rain Program

The Permittee is subject to the requirements of Phase II of the Federal Acid Rain Program for Emission Unit ID Nos. EU 1 and EU 2 as defined by EPA in 40 CFR Part 72 and 40 CFR Part 75.

Pursuant to 40 CFR Part 72.71, 40 CFR Part 72.73, and 310 CMR 7.00: Appendix (C)(3)(n), MassDEP is the permitting authority for Phase II Acid Rain Permits. The Permittee was issued the initial Phase II Acid Rain Permit on July 15, 2005. The Department is incorporating the requirements of the renewal Phase II Acid Rain Permit into this Operating Permit. The Phase II Acid Rain requirements will renew in the Operating Permit.

Massachusetts NO_x Reasonably Available Control Technology (NO_x RACT)

The Permittee is not subject to the NO_x RACT requirements of 310 CMR 7.19. Specifically, EU 1 and EU 2 are not subject to 310 CMR 7.19(7) because approved best available control technology (“BACT”) or lowest achievable emission rate (“LAER”) limits are more stringent than RACT in accordance with 310 CMR 7.19(1)(c)9.

Massachusetts NO_x Ozone Season Program (MassNO_x)

The Permittee is subject to the requirements of the Massachusetts NO_x Ozone Season Program (MassNO_x) regulation for EU 1 and EU 2 as defined by MassDEP in 310 CMR 7.34(7)(b).

The Permittee shall comply with the NO_x emissions budget contained in 310 CMR 7.34(7)(b): *Table A* for the 2018 ozone season and each ozone season thereafter (May 1st through September 30th of each year). If the Department determines that the state-wide budget of 1,799 tons of NO_x per ozone season, is exceeded during any ozone season, 2018 or after, the Permittee may be required to offset all NO_x emissions beyond the NO_x emissions budget contained in 310 CMR 7.34(7)(b):*Table A* in accordance with 310 CMR 7.34(8).

Massachusetts CO₂ Budget Trading Program

The Permittee is subject to the requirements of the Massachusetts CO₂ Budget Trading Program for EU 1 and EU 2 as defined by MassDEP in 310 CMR 7.70(1)(d). This is a cap-and-trade system addressing carbon dioxide emissions that took effect in January 2009.

Pursuant to 310 CMR 7.70(3), the Permittee was issued a CO₂ Budget Program Emissions Control Plan

(“ECP”) Transmittal No. X006876 on December 10, 2008. In accordance with 310 CMR 7.70(8)(a), the owner or operator shall install, maintain, operate, and report emissions data from a CO₂ emissions monitoring system. **(State Only Requirement).**

Massachusetts Greenhouse Gas Reporting Program

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

Pursuant to 310 CMR 7.71(2): *Definitions:*

“Greenhouse Gas” means any chemical or physical substance that is emitted into the air and that MassDEP may reasonably anticipate will cause or contribute to climate change including, but not limited to, CO₂, CH₄, N₂O, SF₆, hydrofluorocarbons (HFCs), and perfluorocarbons (PFCs).

Gas Insulated Switchgear

The Permittee is subject to the requirements of Reducing Sulfur Hexafluoride (“SF₆”) Emissions from Gas-Insulated Switchgear for EU 1 and EU 2, as defined by MassDEP in 310 CMR 7.72(3) for non-federal, state-only GIS owners for each piece of active GIS equipment that was placed under the Permittee’s ownership, lease, operation, or control on or after January 1, 2015. **(State Only Requirement).**

Pursuant to 310 CMR 7.72(2) Definitions: “Gas-Insulated Switchgear or “GIS” means all electrical power system equipment insulated with SF₆ gas. Gas-Insulated Switchgear or GIS includes switches, stand-alone gas-insulated equipment, and any combination of electrical disconnects fuses, electrical transmission lines, transformers and/or circuit breakers used to isolate gas insulated electrical power system equipment.

Reducing CO₂ Emissions from Electricity Generating Facilities

The Permittee is subject to the requirements of the Reducing CO₂ Emissions from Electricity Generating Facilities regulation for EU 1 and EU 2 as defined by MassDEP in 310 CMR 7.74(3).

The Permittee shall comply with the CO₂ emissions limits contained in 310 CMR 7.74(5) for calendar year 2018 and each year thereafter. The Permittee may offset all emissions using allowances in the facility allowance registry account in accordance with 310 CMR 7.74(6)(b) or request deferred compliance due to an emergency in accordance with 310 CMR 7.74(6)(d). **(State Only Requirement).**

2. EMISSION UNIT IDENTIFICATION

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

Table 1			
EU	Description of EU	EU Design Capacity	Pollution Control Device (PCD)
EU 1	Gas Turbine 1A ⁽¹⁾ – Natural Gas and #2 Fuel Oil- Fired General Electric 7EA Combined Cycle Combustion Turbine	1250 MMBtu/hr ⁽²⁾	Steam Injection & Selective Catalytic Reduction
EU 2	Gas Turbine 1B ⁽¹⁾ – Natural Gas and #2 Fuel Oil- Fired General Electric 7EA Combined Cycle Combustion Turbine	1250 MMBtu/hr ⁽²⁾	Steam Injection & Selective Catalytic Reduction
EU 5	Remote Reservoir Cold Cleaning Degreaser	n/a	None

Table 1 Key

EU = Emission Unit	PCD = Pollution Control Device
ISO = International Standards Organization	n/a = not applicable
MMBtu/hr = Million British Thermal Units per hour	psia = pounds per square inch absolute
°F = degrees Fahrenheit	% = percent
Ht. = Height	I.D. = Inside Diameter
inches Hg = Inches of Mercury	

Table 1 Footnotes:

- (1) The stack parameters for Gas Turbine 1A and 1B are identical, and are as follows: Ht.= 213 feet, I.D.= 15.75 feet
- (2) At ISO conditions (59°F), 60% relative humidity, and an atmospheric pressure of 14.7psia (29.92 inches Hg)

3. IDENTIFICATION OF EXEMPT ACTIVITIES

The following are considered exempt activities in accordance with the criteria contained in 310 CMR 7.00: Appendix C(5)(h):

Table 2	
Description of Current Exempt Activities	Reason
The list of current exempt activities is contained in the Operating Permit application and shall be updated by the Permittee to reflect changes at the facility over the Permit term. An up-to-date copy of exempt activities list shall be kept on-site at the facility and a copy shall be submitted to the MassDEP's Regional Office. Emissions from these activities shall be reported on the annual emissions statement pursuant to 310 CMR 7.12.	310 CMR 7.00:Appendix C(5)(h)

4. APPLICABLE REQUIREMENTS

A. OPERATIONAL AND/OR PRODUCTION EMISSION LIMITS AND RESTRICTIONS

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

Table 3a						
EU	Fuel/Raw Material	Pollutant	Operational and/or Production Limits	Emissions Limits/Standards⁽¹⁾⁽²⁾	Restrictions	Applicable Regulation and/or Approval No
EU 1 EU 2	Natural Gas and Distillate Oil	PM ⁽⁴⁾	Limit distillate oil use per turbine to no more than 840 hours operation for any consecutive 12-month period	Gas- 6.3 lb/hr; 0.006 lb/MMBtu Oil- 51.0 lb/hr; 0.049 lb/MMBtu	93.6 tpy ⁽³⁾	DEP Approval #1-P-95-025 (9/8/95)
		SO ₂		Gas- 6.4 lb/hr; 0.006 lb/MMBtu Oil- 222.0 lb/hr; 0.204 lb/MMBtu	237.0 tpy ⁽³⁾	DEP Approval #1-P-95-025 (9/8/95)
				The Permittee shall hold SO ₂ allowances, as of the allowance transfer deadline in the Permittee's compliance account not less than the total annual emissions of SO ₂ for the previous calendar year; and comply with the applicable Acid Rain emission limitations for SO ₂ .		310 CMR 7.00: Appendix C(3)(n); 40 CFR 72.9 [1-O-04-009; Transmittal #W047998 (dated 07/15/2005)]
		NO _x		Gas- 37.6 lb/hr; 0.036 lb/MMBtu Oil- 77.0 lb/hr; 0.070 lb/MMBtu 300 lb per startup or shutdown event ⁽⁵⁾	394.0 tpy ⁽³⁾	DEP Approval 1-P-95-025 (9/8/95)
				N/A		310 CMR 7.00: Appendix C(3)(n) [1-O-04-009; Transmittal #W047998 (dated 07/15/2005)]
				Beginning May 1, 2017, the emissions budget for MASSPOWER Units 1 & 2 = 93 tons/ozone season ⁽⁶⁾	93.0 tons NO _x per ozone season	310 CMR 7.34(7)(b): <i>Table A</i>

Table 3b

EU	Fuel/Raw Material	Pollutant	Operational and/or Production Limits	Emissions Limits/Standards ⁽¹⁾⁽²⁾	Restrictions	Applicable Regulation and/or Approval No
EU 1 EU 2	Natural Gas and Distillate Oil	CO	Limit distillate oil use per turbine to no more than 840 hours operation for any consecutive 12-month period	Gas- 23.95 lb/hr; 0.022 lb/MMBtu Oil- 23.95 lb/hr; 0.022 lb/MMBtu 1,000 lb per startup or shutdown event ⁽⁵⁾	98.0 tpy ⁽³⁾	DEP Approval# 1-P-95-025 (9/8/95)
		VOC		Gas- 2.31 lb/hr; 0.002 lb/MMBtu Oil- 11.0 lb/hr; 0.01 lb/MMBtu	28.0 tpy ⁽³⁾	DEP Approval# 1-P-95-025 (9/8/95)
		NH ₃ ⁽⁷⁾		Gas or Oil- 15.3 lb/hr 80 lb per startup or shutdown event ⁽⁵⁾	134.0 tpy ⁽³⁾	DEP Approval# 1-P-95-025 (9/8/95)
Natural Gas	Sulfur in Gas	None	≤ 0.8% sulfur by weight	None	DEP Approval# 1-P-95-025 (9/8/95) 40 CFR 60.333(b)	
	Opacity	None	≤ 20%, except 20 to ≤ 40% for ≤ 2 minutes during any one hour		Regulation 310 CMR 7.06(1)(b)	
Distillate Oil	Sulfur in Oil	Limit distillate oil use per turbine to no more than 840 hours operation for any consecutive 12-month period	≤ 0.0015% S by weight on and after July 1, 2018	None	DEP Approval# 1-P-95-025 (9/8/95) Regulation 310 CMR 7.05 ⁽⁸⁾	
	Opacity		≤ 10%, at all times	None	DEP Approval# 1-P-95-025 (9/8/95)	
All	CO ₂	NA	The Permittee shall hold CO ₂ allowances in a compliance account in an amount not less than the CO ₂ Budget Emissions Limitation.	NA	Transmittal # X006876 (12/10/08) 310 CMR 7.70(1)(e)3 (State Only Requirement).	
		NA	CO ₂ allowance transfers		Transmittal # X006876 (12/10/08) Regulation 310 CMR 7.70(7) (State Only Requirement)	

Table 3c						
EU	Fuel/Raw Material	Pollutant	Operational and/or Production Limits	Emissions Limits/Standards⁽¹⁾⁽²⁾	Restrictions	Applicable Regulation and/or Approval No
EU 1 EU 2	All	CO ₂	None	The Permittee shall hold CO ₂ allowances in an allowance registry account in an amount equal to or greater than the sum of either: (1) The prior calendar year CO ₂ emissions, minus any emissions for which compliance is deferred in accordance with 310 CMR 7.74(6)(d); or (2) Twice the amount of CO ₂ emissions emitted during the year before the prior calendar year if compliance was deferred pursuant to 310 CMR 7.74(6)(d).		310 CMR 7.74(6)(e) (State Only Requirement).
EU 5	Degreasing Solvents ⁽⁸⁾	VOC	None	Solvent Vapor Pressure ≤ 1.0 mm Hg at 20 °C	Each Degreaser shall use less than 100 gallons of solvent per calendar month	Regulation 310 CMR 7.18(8)(a) Regulation 310 CMR 7.18(1) Regulation 310 CMR 7.03(8)
Facility-wide	Natural Gas and Distillate Oil	Smoke	None	No. 1 of “the Chart” no more than 6 minutes during any one hour, no time to exceed No.2 of “the Chart”	None	Regulation 310 CMR 7.06(1)(a)
		Greenhouse Gas ⁽⁹⁾		N/A		310 CMR 7.71 (State Only Requirement).
	None	SF6	NA	Gas Insulated Switchgear – The permittee shall ensure that any newly manufactured GIS that is in operation on or after January 1, 2015 is represented by the manufacturer to have a 1% maximum annual leak rate.	None	310 CMR 7.72(4)(a) (State Only Requirement)

Table 3 Key:

EU = Emission Unit
 CO = Carbon Monoxide

NO_x = Nitrogen Oxides
 SO₂ = Sulfur Dioxide

PM = Total Particulate Matter	VOC = Volatile Organic Compound
CO ₂ = Carbon Dioxide	S = Sulfur
NH ₃ = Ammonia	SF ₆ = Sulfur Hexafluoride
lbs/MMBtu = pounds per Million British thermal units	lb = pounds
Opacity = exclusive of uncombined water vapor	lb/hr = pounds per hour
ppm = parts per million	tpy = tons per consecutive 12-month period ²
mm Hg = millimeters of mercury	° C = degrees Celsius
% = percent	≤ = less than or equal to

Table 3 Foot Notes:

1. Emission limits expressed as pounds per hour (lbs/hr) and pound per million Btu (lb/MMBtu) are based on a one-hour average.
2. The "lb/hr" and "lb/MMBtu" emission limits are "per turbine" limits and do not apply during conditions of startup, shutdown, malfunction or equipment cleaning.
3. Emission limits expressed as tons per year (tpy) are based on a rolling 12-month total for both turbines combined.
4. Particulate matter (PM) are measured according to the applicable procedures specified in 40 CFR Part 60 Appendix A, Method 5.
5. The "lb/event" emission limits are "per turbine" limits under startup or shutdown conditions and apply to natural gas firing only. Emission limits expressed as lb/event are based on a startup or shutdown event that may last up to 3 hours. Emission limits for pollutants other than NO_x, CO, & NH₃ during startup or shutdown are defined by the 'normal operation' limits specified herein.
6. Ozone Season refers to the calendar period from May 1st through September 30th of each year.
7. Massachusetts State only limit.
8. Petroleum hydrocarbon (contains no halogens).
9. Greenhouse Gas means any chemical or physical substance that is emitted into the air and that MassDEP may reasonably anticipate will cause or contribute to climate change including, but not limited to: carbon dioxide (CO₂), methane (CH₄), nitrous oxide (N₂O), sulfur hexafluoride (SF₆), hydrofluorocarbons (HFCs), and perfluorocarbons (PFCs).

B. COMPLIANCE DEMONSTRATION

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

Table 4a	
EU	Monitoring And Testing Requirements
EU 1 EU 2	<ol style="list-style-type: none"> 1. In accordance with MassDEP Approval #1-P-95-025 (9/8/95), calibrate, test and operate continuous emissions monitors (CEMs) and Data Acquisition System (DAS) to continuously monitor and record the gas emissions of NO_x, CO, and NH₃ (after the SCR unit). 2. In accordance with MassDEP Approval #1-P-95-025 (9/8/95), calibrate, test, and operate a continuous opacity monitoring system (COMs) including a DAS to continuously monitor and record the opacity of each unit when burning distillate oil. 3. In accordance with MassDEP Approval #1-P-95-025 (9/8/95), operate and maintain the opacity COMs in accordance with the quality assurance provisions of 40 CFR 60 Appendix B and F. 4. In accordance with MassDEP Approval #1-P-95-025 (9/8/95), ensure that the CO and NH₃ CEMs and Opacity Monitors comply with the quality assurance provisions of 40 CFR 60 Appendix B and F, as applicable, except that the data validation and frequency for performing daily calibration error (CE) tests and frequency of performing routine QA cylinder gas audits (CGA) and Relative Accuracy Test Audits (RATA), as applicable, will be in accordance with quality assurance provisions for NO_x CEMs contained in 40 CFR 75 Appendix B, Section 2.1 for CE, Section 2.2 for CGA and Section 2.3 for RATA. 5. In accordance with MassDEP Approval #1-P-95-025 (9/8/95) and 40 CFR 60.334, ensure that the NO_x CEMs complies with the quality assurance provisions of 40 CFR Part 75 Appendix B. 6. In accordance with 310 CMR 7.00 Appendix C(9)(b)2., ensure that the flue gas CEMs equipment operates at all times the emission unit is operating, except for periods of CEMs QA/QC activities, maintenance and repair. Except for periods of CEMs QA/QC activities obtain valid hourly-average data for at least 90% of the hours per calendar-year quarter (January-March, April-June, July-September, October-December) during which the emission unit is operating. 7. In accordance with 310 CMR 7.00: Appendix C(9)(b)3., use only valid data to calculate the emissions rate averages using conversion factors from 40 CFR 60 or approved by MassDEP and EPA. 8. In accordance with MassDEP Approval #1-P-95-025 (9/8/95) a quality control /quality assurance (QA/QC) program which has been developed and approved by MassDEP for the long-term operation of the CEMs shall conform to 40 CFR 60 Appendix F requirements. Any subsequent changes will be done with approval from MassDEP. 9. In accordance with MassDEP Approval #1-P-95-025 (9/8/95) continuously monitor the fuel consumption of each turbine except for periods of QA/QC activities, maintenance and repair of the fuel consumption monitoring equipment. 10. In accordance with MassDEP Approval #1-P-95-025 (9/8/95), equip each unit with alarms and continuously monitor the temperatures at the inlets to the SCR catalyst, except for periods of QA/QC activities, maintenance and repair of the SCR inlet temperature monitoring equipment. 11. In accordance with 40 CFR §60.334(h)(4), 40 CFR 75 Appendix D Section 2.3, and the custom sampling schedule approved in EPA's letter (dated 3/23/93), monitor the sulfur content and gross calorific value of the natural gas taken from the supply lines leading to the MASSPOWER facility on semi-annual basis. Compliance with % sulfur-in-fuel requirement will be demonstrated through testing certification, which shall document that sulfur testing has been done in accordance with the applicable ASTM test methods (D129-95, D1266-91, D1552-95, D2622-92, and D4294-90 for sulfur), or any other method approved by MassDEP and EPA.

Table 4b

EU	Monitoring And Testing Requirements
EU 1 EU 2	<p>12. In accordance with 40 CFR §60.334(h)(4), 40 CFR 75 Appendix D section 2.2, and a custom sampling schedule approved in EPA's Letter (dated 3/23/93), MassDEP Approval #1-P-95-025 (9/8/95), 310 CMR 7.05(1)(a)., monitor the sulfur content, density, and higher heating value of fuel oil received at the facility.</p> <p>Compliance with the % sulfur-in-fuel requirements will be demonstrated through testing certification, which shall document that sulfur and nitrogen testing has been done in accordance with the applicable ASTM test methods (D129-95, D1266-91, D1552-95, D2622-92, and D4294-90 for sulfur) or any other method approved by MassDEP and EPA.</p> <p>13. In accordance with 40 CFR 72.9, 40 CFR Part 75, and [1-O-04-009; Transmittal #W047998 (dated 07/15/2005)] the Permittee shall comply with all monitoring requirements for NO_x and SO₂ emissions.</p> <p>The requirements of 40 CFR Part 75 shall not affect the responsibility of the Permittee to monitor emissions of other pollutants from or other emissions characteristics of EU 1 and EU 2.</p> <p>14. In accordance with 310 CMR 7.34(3) the Permittee shall comply with all monitoring and testing requirements for ozone season NO_x emissions.</p> <p>The requirements of 310 CMR 7.34(3) shall not affect the responsibility of the Permittee to monitor emissions of other pollutants from or other emissions characteristics of EU 1 and EU 2.</p> <p>15. In accordance with 7.70(8) and Transmittal #X006876 the Permittee shall comply with all monitoring and testing requirements for annual CO₂ emissions, net electrical output, and net steam output. (State Only Requirement)</p>
EU 5	<p>16. In accordance with 310 CMR 7.18(8)(h), upon request by MassDEP, perform or have performed tests to demonstrate compliance. Testing shall be conducted in accordance with a method approved by MassDEP and EPA.</p>
Facility-wide	<p>17. In accordance with 310 CMR 7.13 Stack Testing, conduct stack testing, upon written request of MassDEP, for any air contaminant for which MassDEP has determined testing is necessary, to ascertain compliance with MassDEP's regulations or design approval provisos. All such testing shall be conducted in accordance with 310 CMR 7.13 (1) and (2), and in accordance with the applicable procedures specified in 40 CFR 60 Appendix A or other method if approved by MassDEP and EPA.</p> <p>In accordance with 310 CMR 7.02(8), any compliance determination with the allowable particulate emission rate shall be conducted under isokinetic sampling conditions and in accordance with EPA test methods, as appropriate, including but not limited to, EPA Methods 1-5, as specified in 40 CFR Part 60, Appendix A.</p> <p>In accordance with 310 CMR 7.00: Appendix C(9)(b), any emission testing to demonstrate compliance with the allowable emission limits shall be in accordance with, but not limited to, EPA Methods 1-5 for particulate matter, Method 7E for NO_x, Method 10 for CO, and Method 9 for smoke/opacity, as specified in 40 CFR 60, Appendix A.</p> <p>18. In accordance with 310 CMR 7.00 Appendix C(9)(b), 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.</p>

Table 4c	
EU	Monitoring And Testing Requirements
Facility-wide	<p>19. In accordance with 310 CMR 7.71(1) and Appendix C(9), the Permittee shall establish and maintain data systems or record keeping practices (e.g. fuel use records, SF₆ usage documentation, Continuous Emissions Monitoring System) for greenhouse gas emissions to ensure compliance with the reporting provisions of M.G.L. c. 21N, the Climate Protection and Green Economy Act, St. 2008, c. 298, § 6. (State Only Requirement)</p> <p>20. In accordance with 310 CMR 7.72(8)(a) and (b), the Permittee shall record, no less than annually, the amount of SF₆ added to each piece of active GIS equipment that was placed under the Permittee's ownership, lease, operation, or control on or after January 1, 2015. (State Only Requirement)</p>

Table 4 Key:

EU = Emission Unit
 CEM = Continuous Emission Monitor
 CFR = Code of Federal Regulations
 CMR = Code of Massachusetts Regulations
 COMS = Continuous Opacity Monitor
 DAS= Data Acquisition System
 EPA = Environmental Protection Agency
 CGA = Cylinder Gas Audit
 ASTM= American Society for Testing & Materials
 % = Percent

EGU = Electric Generating Unit
 NO_x = Nitrogen Oxides
 SO₂ = Sulfur Dioxide
 CO₂ = Carbon Dioxide
 CO = Carbon Monoxide
 NH₃= Ammonia
 QA = Quality Assurance
 QA/QC = Quality Assurance / Quality Control
 RATA = Relative Accuracy Test Audit
 SF₆ = Sulfur Hexafluoride

Table 5a

EU	Record Keeping Requirements
EU 1 EU 2	<ol style="list-style-type: none"> <li data-bbox="332 342 1466 468">1. In accordance with MassDEP Approval #8277 (9/8/92) and 310 CMR 7.00 Appendix C(10)(b)., the Permittee shall maintain a record of all measurements, calibration checks, maintenance or adjustments, and performance evaluations [i.e. quarterly records of the results of all cylinder gas audits (CGAs) and relative accuracy test audits (RATA)] performed on the NO_x, CO, O₂, and NH₃ CEMs. <li data-bbox="332 468 1466 594">2. In accordance with 310 CMR 7.00: Appendix C(9)(b)3., the Permittee shall measure and record for each unit on a daily basis : type fuel(s) burned each day, heat content of each fuel, the total heating value of the fuel consumed for each day, the actual emission rate (for emissions units demonstrating compliance with CEMs), and allowable emission rate. <li data-bbox="332 594 1466 720">3. In accordance with MassDEP Approval #1-P-95-025 (9/8/95) and 310 CMR 7.00: Appendix C, all operating and monitoring records and logs (including temperatures at the inlets to the SCR catalyst as specified in Table 4a), will be maintained for the life of the facility and make available to MassDEP upon request the five most recent years data. <li data-bbox="332 720 1466 846">4. In accordance with MassDEP Approval #1-P-95-025 (9/8/95) and 310 CMR 7.00: Appendix C(10)(b)., retain onsite, for five years, permanent records of output from all continuous monitors for flue gas emissions (CEMs and COMs), and fuel consumption will be retained onsite and be made available to MassDEP upon request. <li data-bbox="332 846 1466 930">5. In accordance with MassDEP Approval #1-P-95-025 (9/8/95) continuously record the fuel consumption of each unit. <li data-bbox="332 930 1466 1056">6. In accordance with MassDEP Approval #1-P-95-025 (9/8/95) and 310 CMR 7.00: Appendix C(10)(b), maintain a log (may be computer generated) of each period that distillate oil is fired in the turbines. This log shall contain the date, duration of oil firing, cumulative hours of oil firing for the previous 12 months and the amount of oil fired for each turbine. <li data-bbox="332 1056 1466 1224">7. In accordance with MassDEP Operating Permit #1-95-022 (9/3/99) and 310 CMR 7.00: Appendix C(10)(b), maintain a log (maybe computer generated) of the hours each turbine is operated in a condition of startup, shutdown, malfunction, and/or equipment cleaning. This log shall contain the date, duration of operation in the specified mode, and the cumulative hours of operation for the previous 12 months. <li data-bbox="332 1224 1466 1308">8. In accordance with MassDEP Approval #1-P-95-025 (9/8/95) and 310 CMR 7.00: Appendix C(10)(b), maintain continuous records documenting, for each turbine, the power output levels and whether the SCR control system is concurrently operational. <li data-bbox="332 1308 1466 1392">9. In accordance with 310 CMR 7.00: Appendix C(10)(b), maintain copies of all fuel supplier certifications or fuel oil analyses on site for a period of five years. <li data-bbox="332 1392 1466 1476">10. In accordance with 40 CFR §60.334(h)(4) and a custom sampling schedule approved in EPA’s Letter (dated 3/23/93), maintain a file of the certificates of analysis for each analysis (sulfur content and heating value analysis done semi-annually) of natural gas supplied to the facility. <li data-bbox="332 1476 1466 1602">11. In accordance with 40 CFR 60.334(h)(4) and a custom sampling schedule approved in EPA’s Letter (dated 3/23/93), and 310 CMR 7.00: Appendix C(9)(b)2., maintain a file of the certificates of analysis which shall document the sulfur content and higher heating value for each shipment of distillate fuel oil received at the facility. <li data-bbox="332 1602 1466 1728">12. In accordance with MassDEP Approval #1-P-95-025 (9/8/95) a running, written log for each fuel sampling procedure will be maintained. The log will identify the date and time the sample was taken, the sulfur content, and any action taken as a result of the reading. Records will be maintained of the analysis of natural gas. <li data-bbox="332 1728 1466 1854">13. In accordance with MassDEP Approval #1-P-95-025 (9/8/95), maintain a log book, which may be part of the operation logs, to record any emergency releases as well as any problems, upsets or failures associated with the emission control and ammonia handling systems. <li data-bbox="332 1854 1466 1938">14. In accordance with 310 CMR 7.34(6) the Permittee shall keep onsite at the source all records required under 40 CFR 75 Subpart H, for a period of 5 years, from the date of each record unless otherwise indicated in 40 CFR 75 Subpart H.

Table 5b	
EU	Record Keeping Requirements
EU 1 EU 2	15. In accordance with 310 CMR 7.70(1), (2), (8) and Transmittal #X006876, the Permittee shall keep on site at the source all records required under 310 CMR 7.70(1), 310 CMR 7.70(2), and 310 CMR 7.70(8), or unless otherwise stated by MassDEP, for a period of 10 years. (State Only Requirement)
	16. In accordance with 310 CMR 7.74(8), the Permittee shall keep on site at the source all records required under 310 CMR 7.74, for a period of 3 years, unless otherwise required by MassDEP. (State Only Requirement)
	17. In accordance with 40 CFR 72.9, 40 CFR Part 75, and [1-O-04-009; Transmittal #W047998 (dated 07/15/2005)] the Permittee shall keep onsite at the source each of the following documents for a period of 5 years from the date the document is created. This period may be extended for cause, at any time prior to the end of 5 years, in writing by EPA or MassDEP; <ol style="list-style-type: none"> (1) Certificate of representation for the designated representative for the source and all supporting documents; (2) All emissions monitoring information, to the extent that a 3-year retention period applies under 40 CFR 75, the records shall be kept on site for a period of 3 years instead of 5 years; (3) Copies of all reports, compliance certifications, other submissions, and all records made or required by the Acid Rain Programs.
	18. The Permittee shall, contemporaneously with making a change authorized by this Operating Permit from one alternative operating scenario to another, enter in a log at the facility a record of the scenario under which it is operating. The Permittee shall record changes from one scenario to another contemporaneously with the change, as provided in 310 CMR 7.00: Appendix C(10)(g).
EU 5	19. In accordance with 310 CMR 7.03(6), prepare and maintain daily records sufficient to demonstrate compliance with the solvent use rates stated in 310 CMR 7.03(8).
	20. In accordance with 310 CMR 7.18(8)(g), prepare and maintain daily records sufficient to demonstrate continuous compliance. Records kept to demonstrate compliance shall be kept on-site for three years and shall be made available to representatives of MassDEP and EPA in accordance with the requirements of an approved compliance plan or upon request. Such records shall include, but are not limited to: <ol style="list-style-type: none"> a. identity, quantity, formulation and density of solvent(s) used; b. quantity, formulation and density of all waste solvent(s) generated; c. actual operational and performance characteristics of the degreaser; and d. any appurtenant emissions capture and control equipment, if applicable; and e. any other requirements specified by MassDEP in any approval(s) and/or orders issued to the facility
Facility-wide	21. In accordance with 310 CMR 7.00: Appendix C(10)(b), maintain 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.
	22. In accordance with 310 CMR 7.12(3)(c), maintain copies of Source Registration and other information supplied to MassDEP to comply with 310 CMR 7.12, which shall be retained by the facility owner or operator for five years from the date of submittal.
	23. In accordance with 310 CMR 7.71 (6) (b) and (c) the Permittee shall keep on site at the facility documents of the methodology and data used to quantify emissions for a period of 5 years from the date the document is created. The Permittee shall make these documents available to MassDEP upon request. (State Only Requirement)
	24. In accordance with 310 CMR 7.72(8)(c), the Permittee shall retain on-site documents sufficient to demonstrate compliance with 310 CMR 7.72 for a period of 5 years from the creation of the documentation. (State Only Requirement)

Table 5 Key

EU = Emission Unit
 CFR = Code of Federal Regulations
 CMR = Code of Massachusetts Regulations

PCD = Pollution Control Device
 CO = Carbon Monoxide
 NO_x = Nitrogen Oxides

COMS = Continuous Opacity Monitoring System
 CEMS = Continuous Emissions Monitoring System
 EGU = Electric Generating Unit

NH₃ = Ammonia
 SCR = Selective Catalytic Reduction
 EPA = United States Environmental Protection Agency

Table 6a

EU	Reporting Requirements ⁽¹⁾
EU 1 EU 2	<ol style="list-style-type: none"> <li data-bbox="332 495 1453 1192"> 1. In accordance with MassDEP Approval #1-P-95-025 (9/8/95) and 310 CMR 7.00: Appendix C(10)(c), submit a report to MassDEP and EPA regional office by the 30th day of the month following the preceding calendar quarter and will contain the following information: <ol style="list-style-type: none"> <li data-bbox="378 596 1437 684">a. a summary of emission data showing any excursions from allowable emission levels or operating conditions. An explanation of any excursions shall be included and quantified to the extent feasible. <li data-bbox="378 695 1437 814">b. each period during which there is any firing of oil. The report will include the date of oil firing, the amount of oil fired, the reasons and duration of firing. The report will summarize the number of hours of oil firing and the total amount burned for the year-to-date and for the previous 12-months; <li data-bbox="378 825 1437 884">c. a summary for each period during which a turbine operates in a condition of startup, shutdown, malfunction, and/or equipment cleaning; <li data-bbox="378 894 1437 982">d. each period when the SCR control equipment is not operating and a turbine is operating between 50% and 100% power output, except during periods of startup and shutdown, regardless of the fuel being burned; <li data-bbox="378 993 1437 1110">e. upsets or failures associated with emission control system or continuous monitoring equipment. These reports should include the duration of the upset of failure of the controls or CEMS, the causes, any action taken to remedy the problem and the amount of excess emissions during any control upset; <li data-bbox="378 1121 1268 1150">f. summary results of any applicable, quality assurance testing (i.e. CGA, RATA) <li data-bbox="378 1161 922 1190">g. a tabulation of periods of operation (dispatch). <li data-bbox="332 1203 1453 1291">2. In accordance with 40 CFR 72.9, 40 CFR Part 75, and [1-O-04-009; Transmittal #W047998 (dated 07/15/2005)] the Permittee shall submit a Quarterly SO₂ report to EPA within 30 days following the end of each calendar quarter. <li data-bbox="332 1304 1453 1392">3. In accordance with 40 CFR 72.9, 40 CFR §75.64(a), and [1-O-04-009; Transmittal #W047998 (dated 07/15/2005)] the Permittee shall submit a Quarterly NO_x report to EPA within 30 days following the end of each calendar quarter. <li data-bbox="332 1404 1453 1493">4. In accordance with 40 CFR §75.64(a), report results from QA daily Calibrations, quarterly Linearity checks and Appendix D Fuel Flowmeter tests electronically in the EDR submittal for the quarter in which the testing occurs. <li data-bbox="332 1505 1453 1564">5. In accordance with 40 CFR §60.7, submit quarterly excess emissions and monitoring system performance and/or summary reports to the EPA Regional Office and to the MassDEP Regional Office. <li data-bbox="332 1577 1453 1635">6. Within 60 days of the end of each calendar year, the designated representative shall submit to MassDEP an annual compliance certification report pursuant to 40 CFR Part §72.90 Subpart I. <li data-bbox="332 1648 1453 1944"> 7. In accordance with 40 CFR §75.61, provide notification of QA testing for Relative Accuracy Test Audits (RATAs) and 40 CFR Part 75: Appendix E/LME (Low Mass Emission) unit tests. Notification must be made at least 21 days prior to the scheduled test date to the EPA as required by 40 CFR 75.61(a)5 and to the MassDEP Regional office, Attn: BAW Permit Chief. If tests must be rescheduled, 24 hours' notice must be given, as specified in 40 CFR 75.61 (a)(5). A previously approved RATA protocol may be referenced at the time of test notification, provided that the referenced protocol was completed in accordance with current 40 CFR Part 75 procedures, addresses all previous MassDEP protocol comments to the satisfaction of the DEP, and none of the information has changed. If a revised protocol must be submitted, it must be submitted at least 21 days prior to the scheduled test date.

Table 6b

EU	Reporting Requirements ⁽¹⁾
EU 1 EU 2	8. In accordance with 40 CFR §75.63(a)(2) submit a hardcopy of the QA RATA or 40 CFR Part 75: Appendix E/LME test results to the MassDEP Regional offices within 45 days of completion of tests. The electronic results must be submitted in the quarterly electronic data report (EDR).
	9. In accordance with 40 CFR 72.9, 40 CFR Part 75, and [1-O-04-009; Transmittal #W047998 (dated 07/15/2005)] the Permittee shall submit to the appropriate MassDEP Regional Office and EPA any notification of testing or any testing protocol.
	10. In accordance with 40 CFR Part 77 and [1-O-04-009; Transmittal #W047998 (dated 07/15/2005)] the Permittee shall submit a proposed offset plan in any calendar year where EU 1 and EU 2 have excess emissions. In addition, the Permittee shall pay any penalties specified in 40 CFR Part 77 and comply with the terms of an approved offset plan.
	11. In accordance with 310 CMR 7.34(4) the Permittee shall electronically submit to the appropriate MassDEP Regional Office and EPA any notification of testing or any testing protocol no later than 21 days prior to the first scheduled day of testing.
	12. In accordance with 310 CMR 7.34(4)(b) the Permittee shall electronically submit and certify a Quarterly NO _x report to EPA within 30 days following the end of the calendar quarter that falls during the ozone season (May 1 st – September 30 th).
	13. In accordance with 40 CFR Part 60, 40 CFR Part 72, 40 CFR Part 75 and 310 CMR 7.34, comply with all applicable reporting requirements contained therein.
	14. In accordance with 310 CMR 7.70(2)(a)5. and Transmittal #X006876, each submission under the CO ₂ Budget Trading Program shall be submitted, signed, and certified by the CO ₂ authorized account representative. (State Only Requirement)
	15. In accordance with 310 CMR 7.70(4)(a)1. and Transmittal #X006876, the Permittee shall submit a Triennial Compliance Certification Report for each control period electronically in the RGGI CO ₂ Allowance Tracking System (COATS) to MassDEP by March 1 st of the calendar year following the control period. (State Only Requirement) .
	16. In accordance with 310 CMR 7.70(8)(d) the Permittee shall submit to the appropriate MassDEP Regional Office and EPA any notification of testing or any testing protocol in compliance with the requirements of 40 CFR 75.61. (State Only Requirement) .
	17. In accordance with 310 CMR 7.70(8)(e)3. and Transmittal #X006876 the Permittee shall submit a Monitoring System certification to the appropriate MassDEP Regional Office within 45 days after completing all CO ₂ monitoring system initial certification or recertification tests required under 310 CMR 7.70(8)(b). (State Only Requirement)
	18. In accordance with 310 CMR 7.70(8)(e)4.b and Transmittal #X006876, the Permittee shall submit a Quarterly CO ₂ Emissions Report electronically to EPA within 30 days following the end of the calendar quarter covered by the report. (State Only Requirement) .
19. In accordance with 310 CMR 7.70(8)(h)6.c. and Transmittal #X006876, the Permittee shall submit an Annual Net Output Report for each calendar year electronically to MassDEP’s agent in a format prescribed by MassDEP by March 1 st of the preceding calendar year. (State Only Requirement) .	
20. In accordance with 310 CMR 7.74(7)(a) the Permittee shall submit to MassDEP by February 1 st , 2019, and each February 1 st thereafter, a CO ₂ Emissions Report. (State Only Requirement) .	
21. In accordance with 310 CMR 7.74(7)(b) the Permittee shall submit to MassDEP by March 1 st , 2019 and each March 1 st thereafter, a Compliance Certification Report. (State Only Requirement) .	
EU 5	22. In accordance with 310 CMR 7.03(5) report to MassDEP any construction, substantial reconstruction or alteration of a degreaser, as described in 310 CMR 7.03(8), on the next required Source Registration/Emission Statement, in accordance with 310 CMR 7.12.

Table 6c	
EU	Reporting Requirements⁽¹⁾
Facility-wide	23. In accordance with 310 CMR 7.12, the Permittee shall submit a Source Registration/Emission Statement Form to MassDEP on an annual basis using MassDEP's electronic data system.
	24. In accordance with 310 CMR 7.13(1) and 7.13(2), if determined by MassDEP that stack testing is necessary to ascertain compliance with the Department's regulations or design approval provisos, the Permittee shall cause such stack testing to be summarized and submitted to MassDEP as prescribed in the agreed to pretest protocol.
	25. In accordance with 310 CMR 7.00: Appendix C(10)(a), submit to MassDEP any record relevant to this operating permit or to the emissions of any air contaminant from the facility within 30 days of the request by MassDEP or EPA.
	26. In accordance with 310 CMR 7.00: Appendix C(10)(c), the Permittee shall report a summary of all monitoring data and related supporting information to MassDEP at least every six months (January 30 and July 30 of each calendar year). (See Provision 10 in "GENERAL CONDITIONS FOR OPERATING PERMIT")
	27. In accordance with 310 CMR 7.00: Appendix C(10)(f), the Permittee shall report to MassDEP's Regional Bureau of Waste Prevention all instances of deviations from permit requirements. (See Provision 25 in "GENERAL CONDITIONS FOR OPERATING PERMIT")
	28. In accordance with 310 CMR 7.71(5), the Permittee shall electronically submit and certify by April 15 th of each year a greenhouse gas emissions report to MassDEP. (State Only Requirement).
	29. In accordance with 310 CMR 7.72(4)(c), the Permittee shall submit a Gas-Insulated Switchgear Leak Rate Exceedance Reporting Form by April 15 of the following year for any active piece of GIS equipment placed under the Permittee's ownership, lease, or control on or after January 1, 2015 that does not meet the 1.0% maximum annual leak rate. (State Only Requirement)

Table 6 Key

- | | |
|--|--|
| EU = Emission Unit | PCD = Pollution Control Device |
| BAW = Bureau of Air and Waste | NOX = Nitrogen Oxides |
| CFR = Code of Federal Regulations | CO = Carbon Monoxide |
| CMR = Code of Massachusetts Regulations | CO ₂ = Carbon Dioxide |
| CEMS = Continuous Emission Monitoring System | CO _{2e} = Carbon Dioxide Equivalent |
| COMS = Continuous Opacity Monitoring System | HAP = Hazardous Air Pollutant |
| CGA = Cylinder Gas Audit | NH ₃ = Ammonia |
| EGU = Electric Generating Unit | QA = Quality Assurance |
| EPA = Environmental Protection Agency | SCR = Selective Catalytic Reduction |
| % = Percent | SO ₂ = Sulfur Dioxide |

Table 6 Notes:

- (1) The annual Source Registration/Emission Statement report shall be submitted to the MassDEP office specified in the instructions. All other reports, including both 6-month summary reports, are to be submitted to the Western Regional Office.

C. GENERAL APPLICABLE REQUIREMENTS

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

D. REQUIREMENTS NOT CURRENTLY APPLICABLE

The Permittee is currently not subject to the following requirements:

Table 7	
Regulation	Reason
310 CMR 7.19 (NO _x RACT)	In accordance with 310 CMR 7.19(1)(c)9, MASSPOWER has a plan approval issued after 1/1/1990 under 310 CMR 7.02 with limits more stringent than RACT standards
40 CFR Part 64 - Compliance Assurance Monitoring	Not Applicable
40 CFR Part 63 Subpart T: National Emission Standards for Halogenated Solvent Cleaning	Not Applicable
310 CMR 7.16: Reduction of Single Occupant Commuter Vehicle Use	Facility employs less than 250 people.

Table 7 Key:

CMR = Code of Massachusetts Regulations
NOX = Nitrogen Oxides

RACT = Reasonably Available Control Technology

5. SPECIAL TERMS AND CONDITIONS

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

Table 8a							
EU	Special Terms and Conditions						
EU 1 EU 2	<p>1. In accordance with MassDEP Approval #1-P-95-025 (9/8/95), all emissions (including startup, shutdown, malfunction, equipment cleaning and normal operations) must be quantified and included in the total gas turbine emissions limits to meet the annual requirements of this Operating Permit. A “malfunction” must be both unexpected and unavoidable (assuming normal preventative maintenance procedures have been done on a timely basis).</p> <p>2. In accordance with MassDEP Approval #1-P-95-025 (9/8/95), ensure that a turbine startup not last more than three (3) hours duration. The turbine shall be brought into compliance with emission limits as quickly as possible while operating within the manufacturers recommended startup procedures.</p> <p>3. In accordance with MassDEP Approval #1-P-95-025 (9/8/95), during normal operation, except during periods of startup and shutdown, each turbine may operate at from 50% to 100% power output and shall continuously use SCR control equipment, regardless of the fuel being burned.</p> <p>4. EUs #1 and 2 are subject to the federal standards of Performance for Stationary Gas Turbines, 40 CFR Part 60.330 to §60.335 and shall comply with all applicable standards.</p> <p>5. MASSPOWER became subject to the Federal Acid Rain Program on March 2, 2005. EUs #1 & 2 are subject to the requirements of Phase II of the Federal Acid Rain Program as defined by EPA in 40 CFR Part 72. Pursuant to 40 CFR Part 72.71, 40 CFR Part 72.73, and 310 CMR 7.00: Appendix C(3)(n), MassDEP is the permitting authority for Phase II Acid Rain Permits. MassDEP issued the initial Phase II Acid Rain Permit [#1-O-04-009; Transmittal #W047998] for MASSPOWER on July 15, 2005. The Phase II Acid Rain permit is incorporated into this Title V Operating Permit. The renewal of the Title V Operating Permit constitutes a renewal of the Phase II Acid Rain Permit.</p> <p>6. In accordance with 40 CFR Part 73, Tables 2, 3, or 4 (as amended) and Acid Rain Permit [#1-O-04-009; Transmittal #W047998] the Permittee’s yearly allowance allocations are identified below:</p> <table border="1" style="margin-left: auto; margin-right: auto;"> <thead> <tr> <th style="text-align: center;">Emission Unit</th> <th style="text-align: center;">2010 and beyond (annual SO₂ allocation)</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">EU 1</td> <td style="text-align: center;">0 tons</td> </tr> <tr> <td style="text-align: center;">EU 2</td> <td style="text-align: center;">0 tons</td> </tr> </tbody> </table>	Emission Unit	2010 and beyond (annual SO ₂ allocation)	EU 1	0 tons	EU 2	0 tons
Emission Unit	2010 and beyond (annual SO ₂ allocation)						
EU 1	0 tons						
EU 2	0 tons						
	<p>7. EUs #1& 2 are subject to and shall comply with the Massachusetts NO_x Ozone Season Program (MassNO_x), 310 CMR 7.34.</p>						

Table 8b

EU	Special Terms and Conditions
EU 1 EU 2	<p>8. In accordance with 310 CMR 7.34(8) Statewide Emissions Budget Exceedance and Required Actions:</p> <ul style="list-style-type: none"> a. If the Department determines that the state-wide emissions budget of 1,799 tons of NO_x per ozone season is exceeded, the Department shall notify the owner or operator of each MassNO_x Facility that emitted greater than the MassNO_x Facility Emissions Budget listed in 310 CMR 7.34(7)(b): Table A, no later than 30 days after the close of the ozone season. b. Within 60 days of being notified by the Department, each such MassNO_x Facility shall transfer to the Department CSAPR NO_x Ozone Season Group 2 Allowances, 2017 vintage or later, at a rate of one CSAPR NO_x Ozone Season Group 2 Allowance for every one tone of excess emissions above the MassNO_x Facility Emissions Budget. c. The Department may request NO_x emissions data or any additional related information from any MassNO_x Facility during or after the applicable ozone season for verification purposes.
EU 5	<p>9. In accordance with 310 CMR 7.18(8)(a)1., use solvent in the cold cleaning degreaser which has a vapor pressure that does not exceed 1.0 mm Hg measured at 20 degrees Celsius. This requirement shall not apply to the following:</p> <ul style="list-style-type: none"> a. cold cleaning degreasers used in special and extreme solvent metal cleaning; b. cold cleaning degreasers for which the owner or operator has received Department approval of a demonstration that compliance with the requirement to use a solvent with a vapor pressure of 1.0 mm Hg or less at 20 degrees Celsius will result in unsafe operating condition; and c. cold cleaning degreasers that are located in a permanent total enclosure having control equipment that is designed and operated with an overall VOC control efficiency of 90% or greater. <p>10. In accordance with 310 CMR 7.18(8)(a)2., immediately repair any leaks, or the degreaser shall be shut down.</p> <p>11. In accordance with 310 CMR 7.18(8)(a)3., ensure the remote solvent reservoir has an open drain area less than 100 square centimeters, otherwise the requirements of 310 CMR 7.18(8)(a)3.a – e. shall apply.</p> <p>12. In accordance with 310 CMR 7.18(8)(e)1. through 3, operate any solvent metal degreaser using procedures which minimize evaporative emissions and prohibit spills from the use of said degreaser. Such procedures include but are not limited to:</p> <ul style="list-style-type: none"> a. notification to operators of the performance requirements that must be practiced in the operation of the degreaser, including the permanent and conspicuous posting of labels in the vicinity of the degreaser detailing performance requirements; and b. storage of waste degreasing solvent in closed containers, and disposal or transfer of waste degreasing solvent to another party, in a manner such that less than 20% of the waste degreasing solvent by weight can evaporate in to the atmosphere; and c. where applicable, supplying a degreasing solvent spray which is a continuous fluid stream (not a fine, atomized or shower type spray) at a pressure which does not exceed ten pounds per square inch as measured at the pump outlet, and use any such spray within the confines of the degreaser. <p>13. In accordance with 310 CMR 7.18(8)(f), maintain instantaneous and continuous compliance at all times.</p> <p>14. In accordance with 310 CMR 7.18(1)(c), store and dispose of volatile organic compounds (VOCs) in a manner which will minimize evaporation to the atmosphere. Proper storage shall be in a container with a tight-fitting cover. Proper disposal shall include incineration in an incinerator approved by MassDEP, transfer to another person licensed by MassDEP to handle VOC or any other equivalent method approved by MassDEP.</p>

Table 8c	
EU	Special Terms and Conditions
Facility- Wide	15. In accordance with MassDEP Approval #1-P-95-025 (9/8/95), ensure that broadband sound pressure levels from the operation of the facility not increase more than 10 dB(a) above ambient or produce a "puretone" condition. [applicable per 310 CMR 7.10: Noise] (State Only Requirement)
	16. In accordance with MassDEP Approval Trans. #8278 (10/30/92), post conspicuous signs at the ammonia unloading rack specifying that the vapor recovery system must be used by all trucks unloading product.
	17. In accordance with MassDEP Approval Trans. #8278 (10/30/92), not allow any trucks to unload product at the ammonia loading rack unless the truck is equipped with a vapor recovery system.
	18. In accordance with MassDEP Approval Trans. #8278 (10/30/92), take whatever measures are necessary to ensure that the flotation spheres in the ammonia storage tank containment at all times remain free from ice, snow, or other blockages that would prevent them from performing their intended function.

Table 8 Key

EU = Emission Unit
 CFR = Code of Federal Regulations
 CMR = Code of Massachusetts Regulations
 CSPAR = Cross-State Air Pollution Rule
 dB(a) = Decibel (A weighted) sound pressure level
 mm Hg = Millimeters of Mercury
 % = Percent

PCD = Pollution Control Device
 NO_x = Nitrogen Oxides
 CO = Carbon Monoxide
 CO₂ = Carbon Dioxide
 SO₂ = Sulfur Dioxide
 SCR = Selective Catalytic Reduction

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 is currently authorized to engage in emissions trading under the following federal and state regulatory programs.

Table 10	
Regulation	Emissions Trading
40 CFR Parts 72 & 73	1. SO ₂ Allowance System
310 CMR 7.34	2. Massachusetts NO _x Ozone Season Program (MassNO _x)
310 CMR 7.70	3. Massachusetts CO ₂ Budget Trading Program

Table 10 Key

CFR = Code of Federal Regulations
CMR = Code of Massachusetts Regulations
CO₂ = Carbon Dioxide

NO_x = Nitrogen Oxides
SO₂ = Sulfur Dioxide

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 Air Compliance Clerk, 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 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), 7.70, 7.71, 7.72, 7.74, 7.75 and any condition(s) designated as "state only" are not federally enforceable because they are not required under the Act or under any of its applicable requirements. These regulations and conditions are not enforceable by the EPA. Citizens may seek equitable or declaratory relief to enforce these regulations and conditions pursuant to Massachusetts General Law Chapter 214, Section 7A

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

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

14. PERMIT TERM

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

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

15. PERMIT RENEWAL

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

In the event the MassDEP has not taken final action on the Operating Permit renewal application prior to this Permit's expiration date, this Permit shall remain in effect until the MassDEP takes final action on the renewal application, provided that a timely and complete renewal application has been submitted in

accordance with 310 CMR 7.00: Appendix C(13).

16. REOPENING FOR CAUSE

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

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

17. DUTY TO PROVIDE INFORMATION

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

18. DUTY TO SUPPLEMENT

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

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

19. TRANSFER OF OWNERSHIP OR OPERATION

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

20. PROPERTY RIGHTS

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

21. INSPECTION AND ENTRY

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

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

22. PERMIT AVAILABILITY

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

23. SEVERABILITY CLAUSE

The provisions of this Permit are severable, and if any provision of this Permit, or the application of any provision of this Permit to any circumstances, is held invalid, the application of such provision to other circumstances, and the remainder of this Permit, shall not be affected thereby.

24. EMERGENCY CONDITIONS

The Permittee shall be shielded from enforcement action brought for noncompliance with technology based¹ emission limitations specified in this Permit as a result of an emergency². In order to use emergency as an

¹ Technology based emission limits are those established on the basis of emission reductions achievable with various control measures or process changes (e.g., a new source performance standard) rather than those established to attain health based air quality standards.

² An "emergency" means any situation arising from sudden and reasonably unforeseeable events beyond the control of

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

- A. an emergency occurred and that the Permittee can identify the cause(s) of the emergency;
- B. the permitted Facility was at the time being properly operated;
- C. during the period of the emergency, the Permittee took all reasonable steps as expeditiously as possible, to minimize levels of emissions that exceeded the emissions standards, or other requirements in this Permit; and
- D. the Permittee submitted notice of the emergency to the MassDEP within two (2) business days of the time when emission limitations were exceeded due to the emergency. This notice must contain a description of the emergency, any steps taken to mitigate emission, and corrective actions taken.

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

25. PERMIT DEVIATION

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

The Permittee shall report to the MassDEP's Regional Bureau of Air and Waste the following deviations from permit requirements, by telephone, by fax or by electronic mail (e-mail), 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 this 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, this Operating Permit, or other approvals.
- E. Failure to perform QA/QC measures as required by this Operating Permit or other approvals for instruments that directly monitor compliance.

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.

For all other deviations, three (3) day notification is waived and is satisfied by the documentation required in the subsequent Semi-Annual Monitoring Summary and Certification. Instructions and forms for reporting deviations are found in the MassDEP Bureau of Air and Waste Air Operating Permit Reporting Kit, which is available to the Permittee via the MassDEP's web site,

<http://www.mass.gov/dep/air/approvals/aqforms.htm#op>.

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

Deviations that were reported by telephone, 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 Air and Waste 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 (15) 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.

This 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.

30. GAS INSULATED SWITCHGEAR

Pursuant to 310 CMR 7.72(2) *Definitions*:

"Gas Insulated Switchgear or GIS" means all electrical power system equipment insulated with SF₆ gas. Gas-insulated switchgear or GIS includes switches, stand-alone gas-insulated equipment, and any combination of electrical disconnects, fuses, electrical transmission lines, transformers and/or circuit breakers used to isolate gas-insulated electrical power system equipment.

The Permittee shall comply with the following requirements under 310 CMR 7.72 for any GIS purchased after January 1st, 2015:

- Ensure that the GIS has a maximum annual SF₆ leak rate of 1%, as represented by the manufacturer
- Maintain the GIS in accordance with maintenance procedures or industry best management practices that have the effect of reducing leakage of SF₆ (310 CMR 7.72(4)(b))
- If, beginning with the second time that a GIS owner adds SF₆ to a GIS unit, or group of commonly-owned, leased, operated, or controlled GIS, the GIS owner becomes aware that the annual average leakage rate for the new GIS equipment is greater than 1%, the GIS owner must inform MassDEP and describe actions that are expected to reduce the emission rate in the future (310 CMR 7.72(4)(c))
- Record, no less than annually, the amount of SF₆ added to each piece of active GIS equipment (310 CMR 7.72(8)(b)).

The Permittee shall comply with the following requirements under 310 CMR 7.72 for any GIS regardless of purchase date:

- Upon removal of any GIS containing SF6 from the ownership, lease, operation, or control of a GIS owner, the GIS owner must provide for the secure storage, re-use, recycling, or destruction of the SF6 (310 CMR 7.72(4)(d)).

This is a state only requirement.

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.