



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

436 Dwight Street • Springfield, Massachusetts 01103 • (413) 784-1100

DEVAL L. PATRICK
Governor

TIMOTHY P. MURRAY
Lieutenant Governor

IAN A. BOWLES
Secretary

LAURIE BURT
Commissioner

February 6, 2009

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

Re: FINAL OPERATING PERMIT
Appl. #1-O-04-051; Trans. # W058344

At: Erving Papers Mills, Inc.
97 East Main Street
Erving, MA 01344

Dear Ms. McDonnell:

In accordance with 310 CMR 7.00 – APPENDIX C(6) of the Air Pollution Control Regulations ("the Regulations"), the Department of Environmental Protection ("MassDEP") is forwarding to EPA the attached FINAL Operating Permit for the Erving Paper Mills, Inc. facility located in Erving, Massachusetts.

Public notice of the Draft Operating Permit was published by the MassDEP in the Springfield Union News on August 28, 2008 and in the Environmental Monitor on September 10, 2008, in accordance with the requirements of 310 CMR 7.00: Appendix C. As such, the public comment period ended on October 10, 2008. During that period, no public hearing was requested pursuant to 310 CMR 7.00: Appendix C(6)(f). Several minor comments were received from the internal MassDEP review, which were incorporated into the Proposed Operating Permit.

On October 20, 2008 the MassDEP forwarded to EPA Region 1, via electronic mail, the Proposed Operating Permit for this facility. EPA did not object or comment on the Proposed Operating Permit, nor did EPA receive a petition to object to the Proposed Operating Permit within the regulatory deadlines. Therefore, the MassDEP is issuing the Final Operating Permit.

The attached Final Operating Permit contains all of the federal and state air pollution control requirements, to which the facility is subject, and the terms and conditions for compliance with such applicable requirements.

If you have any questions concerning this FINAL Operating Permit, please contact Brad Palkovic of the Western Regional Office at (413) 755-2283.

Sincerely,

This final document copy is being provided to you electronically by the Department of Environmental Protection. A signed copy of this document is on file at the DEP office listed on the letterhead.

Marc Simpson
Permit Chief
Western Region

BWP/bwp

cc: Thomas G. Newton, General Mgr.
Erving Papers Mills, Inc.
97 East Main Street
Erving, MA 01344

ecc: Karen Regas, MassDEP, Boston
Yi Tian, MassDEP, Boston

Roberta Baker, MassDEP, WERO
Peter Czapienski, MassDEP, WERO



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AIR QUALITY OPERATING PERMIT

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

ISSUED TO ["the Permittee"]:

Erving Paper Mills, Inc.
97 East Main Street
Erving, MA 01344

INFORMATION RELIED UPON:

Application No.: 1-O-04-051
Transmittal No.: 058344

FACILITY LOCATION:

Erving Paper Mills, Inc.
97 East Main Street
Erving, MA 01344

FACILITY IDENTIFYING NUMBERS:

AQ ID No.: 0420121
FMF FAC No.: 130789
FMF RO No.: 50067

NATURE OF BUSINESS:

Paper Mill

STANDARD INDUSTRIAL CODE (SIC):

2621 – Establishments primarily engaged in manufacturing paper from woodpulp & other fiber pulp

RESPONSIBLE OFFICIAL:

Name: Thomas G. Newton
Title: General Manager
Phone: (413) 422-2700, ext. 269

FACILITY CONTACT PERSON:

Name: Julie M. Hubbard
Title: Environmental Manager
Phone: (413) 422-2700, ext. 209

This operating permit shall expire on February 6, 2014

For the Department of Environmental Protection

This final document copy is being provided to you electronically by the Department of Environmental Protection. A signed copy of this document is on file at the DEP office listed on the letterhead.

Michael Gorski
Regional Director
Department of Environmental Protection
Western Regional Office

2/10/2009

Date

This information is available in alternate format. Call Donald M. Gomes, ADA Coordinator at 617-556-1057. TDD# 866-539-7622 or 617-574-6868.

DEP on the World Wide Web: <http://www.mass.gov/dep>

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SPECIAL CONDITIONS FOR OPERATING PERMIT

A legend to abbreviated terms found in the following tables is located in Section 28 of this Operating Permit.

1. PERMITTED ACTIVITIES

In accordance with the provisions of Regulation 310 CMR 7.00: Appendix C and applicable rules and regulations, the Permittee (Erving Paper Mills, Inc., hereinafter "Erving Paper") is authorized to operate the air emission units as shown in Table 1 and exempt and insignificant activities as described in Regulation 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 Regulation 310 CMR 4.00 and this permit.

DESCRIPTION OF FACILITY AND OPERATIONS

Erving Paper Mills, Inc. located at 97 East Main Street in Erving has been in the paper manufacturing business since 1908. The facility operates boilers and paper machines producing food service paper products such as napkins utilizing 100% waste (recycled) paper. MassDEP issued a 7.18(17) VOC RACT permit on 5/17/1990 (revised 10/16/1990 and 4/16/1991) and was approved by EPA as part of the SIP. This permit has been subsumed by MassDEP Approval #1-P-06-007. EU 1 & 2 are subject to 7.19 NOx RACT. The facility is not a major Hazardous Air Pollutant (HAP) source and is not subject to the Compliance Assurance Monitoring (CAM) rule.

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
EU 1	Union Iron Works, Model No. 101SA	78 MMBtu/hr	n/a
EU 2	Combustion Engineering, Model No. C30358-RO	49 MMBtu/hr	n/a
EU 3	Bigelow, Scotch Marine, Model No. 101SA	15 MMBtu/hr	n/a
EU 4	Paper Machine No. 5, Stevens, w/a Hauck paper machine hood	55 tons per day & 12 MMBtu/hr	n/a
EU 5	Paper Machine No. 4, Stevens	20.5 tons per day	n/a
EU 6	Paper Machine No. 3, Manchester	40 tons per day	n/a
EU 7	Solvent Degreaser(s)	n/a	n/a

3. IDENTIFICATION OF EXEMPT ACTIVITIES

The following are considered exempt activities in accordance with the criteria contained in Regulation 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 MassDEP's Regional Office. Emissions from these activities shall be reported on the annual emissions statement pursuant to Regulation 310 CMR 7.12	Regulation 310 CMR 7.00:Appendix C(5)(h)

4. APPLICABLE REQUIREMENTS

A. EMISSION LIMITS AND RESTRICTIONS -- The Permittee is subject to the emission limits/restrictions as contained in Table 3 below:

Table 3				
EU #	Fuel or Raw Material	Pollutant	Emission Limit/Restrictions	Applicable Regulation and/or Approval No.
EU 1	No. 6 fuel oil and waste oil	NOx	0.30 lb/MMBtu	MassDEP Approval #1-B-94-026 (8/5/1994) Regulation 310 CMR 7.19(5)
		CO	200 ppmvd @ 3% O ₂	
EU 1	Waste oil	-	600 gallons / year of waste oil, not to exceed 50 gallons waste oil per 25,000 gallons uncontaminated oil and not to exceed 100 gallons / calendar month	MassDEP Approval #1-B-93-020 (8/24/1993) Regulation 310 CMR 7.05(8) Table 310 CMR 7.05(8) Standards for Used Oil Fuel
EU 2	No. 6 fuel oil	NOx	n/a	Regulation 310 CMR 7.19(6)
		CO	n/a	Regulation 310 CMR 7.19(6)
EU 1	No. 6 fuel oil	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	Regulation 310 CMR 7.06(1)(a)
EU 2		opacity	≤ 20%, except 20 to ≤ 40% for ≤ 2 minutes during any one hour	Regulation 310 CMR 7.06(1)(b)
EU 3		sulfur in fuel	Not to exceed 0.55 lb per MMBtu heat release potential (approximately equivalent to 1% sulfur content fuel oil)	Regulation 310 CMR 7.05(1)(a)1.
		PM	0.15 lb/MMBtu	Regulation 310 CMR 7.02(8)
EU 4	Fibers, additives and No. 2 fuel oil	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	Regulation 310 CMR 7.06(1)(a)
		sulfur in fuel	Not to exceed 0.17 lb per MMBtu heat release potential (approximately equivalent to 0.3% sulfur content fuel oil)	Regulation 310 CMR 7.05(1)(a)2.
		PM	0.15 lb/MMBtu	Regulation 310 CMR 7.02(8)
EU 4	Fibers and additives	opacity	≤ 20%, except 20 to ≤ 40% for ≤ 2 minutes during any one hour	Regulation 310 CMR 7.06(1)(b)
EU 5		VOC	Not to exceed 2.2 tons per calendar month and 26.3 tons per year (rolling 12-month total)	MassDEP Approval #1-P-06-007 (3/30/2006; amended 3/20/2007)
EU 6	Solvent naphtha	VOC	Usage rate not to exceed 100 gallons per calendar month per degreaser	Regulation 310 CMR 7.03(8) Regulation 310 CMR 7.18(1) Regulation 310 CMR 7.18(8)
EU 7				
Facility Wide	Fuels, fibers and additives	HAPs	≤ 9.9 tpy individual HAPs or ≤ 24.9 tpy combined HAPs (see Table 8; Facility-Wide Special Condition 1)	MassDEP Approval #1-O-95-066 (8/31/2000)

Note: 1. Compliance with Emission Limitations/Standards shall be based on a one-hour average.

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

Table 4a	
EU#	Monitoring/Testing Requirements
EU 1	Erving Paper shall 1) In accordance with Regulation 310 CMR 7.19(13)(d)3., measure and record on a daily basis: the type of fuel(s) burned each day, heat content of each fuel, and the total heating value of the fuel consumed for each day. 2) In accordance with Regulation 310 CMR 7.05(8), sample and analyze the waste / used oil annually to verify that it meets the specifications set forth in Table 310 CMR 7.05(8).
EU 2	Erving Paper shall 3) In accordance with Regulation 310 CMR 7.19(6), tune the boiler annually in accordance with the tune-up procedure based on "Combustion Efficiency Optimization Manual for Operators of Oil and Gas Fired Boilers (EPA 340/1-83-023), detailed in Regulation 310 CMR 7.19(6)(a) 1. through 12. 4) In accordance with Regulation 310 CMR 7.19(6)(b)2.(g), verify at least once per month, that the settings determined during the tune-up have not changed.
EU 1 EU 2	Erving Paper shall 5) In accordance with Regulation 310 CMR 7.04(2)(a), ensure the smoke density sensing instruments and recorders are properly maintained in an accurate operating condition, operate continuously and are 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 equipment shall be available for inspection at reasonable times by a representative of MassDEP. Such inspection may include the review of recording charts, which must be retained and made available for a period of five years from the date of use.
EU 1 EU 2 EU 3 EU 4	Erving Paper shall 7) In accordance with Regulation 310 CMR 7.04(4)(a), ensure the boilers are inspected and maintained in accordance with the manufacturer's recommendations and tested for efficient operation at least once each calendar year. 8) In accordance with Regulation 310 CMR 7.00 Appendix C(9)(b), monitor sulfur content of each new shipment of fuel oil received. Compliance with the percent sulfur 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 content of No. 6 fuel oil shall document that the testing has been conducted in accordance with the applicable ASTM test methods: (D129-64, D1072-56, D1266-67, D1552-83, D2622-87, D4294-90) or any other method approved by MassDEP and EPA.

Table 4b	
EU #	Monitoring/Testing requirements
EU 7	Erving Paper shall 1) In accordance with Regulation 310 CMR 7.18(8)(h), upon request of MassDEP, perform or have performed tests to demonstrate compliance with Regulation 310 CMR 7.18(8).
EU 1 EU 2 EU 3 EU 4 EU 5 EU 6	Erving Paper shall 2) Monitor emission units to demonstrate compliance with the opacity limits contained in Table 3 and 310 CMR 7.06(1)(b). 3) In accordance with Regulation 310 CMR 7.13(1), if and when MassDEP determines that stack testing is necessary to ascertain compliance with MassDEP's regulations or design approval provisos, cause such stack testing: a. to be conducted by a person knowledgeable in stack testing, b. to be conducted in accordance with procedures contained in a test protocol approved by MassDEP, c. to be conducted in the presence of a representative of MassDEP when such is deemed necessary. 4) In accordance with Regulation 310 CMR 7.13(2), if MassDEP determines that stack testing (to ascertain the mass emission rates of air contaminants emitted under various operating conditions) is necessary for the purposes of regulation enforcement or determination of regulation compliance, cooperate with the Department to provide: a. entrance to a location suitable for stack sampling, b. sampling ports at locations where representative samples may be obtained, c. staging and ladders to support personnel and equipment for performing the tests, d. a suitable power source at the sampling location for the operation of sampling equipment, and e. such other reasonable facilities as may be requested by MassDEP. Emissions from Compliance Testing (Stack Testing) shall be determined in accordance with Regulation 310 CMR 7.13, 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 MassDEP 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. 5) 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 5a	
EU #	Record Keeping Requirements
EU 1	<p>Erving Paper shall</p> <ol style="list-style-type: none"> 1) In accordance with MassDEP Approval #1-B-93-020 (8/24/1993), keep a record on site of each quantity of waste oil charged to tank #2 and the total quantity of waste oil charged to tank #2 each month. 2) In accordance with Regulation 310 CMR 7.19(13)(d)3., measure and record on a daily basis: <ol style="list-style-type: none"> a. type fuel(s) burned each day, b. heat content of each fuel, and c. the total heating value of the fuel consumed for each day. 3) In accordance with Regulation 310 CMR 7.19(13)(d)5., obtain a certification from the fuel supplier for each shipment of residual oil that includes the following information: <ol style="list-style-type: none"> a. the name of the oil supplier, b. the nitrogen content of each oil shipment (acceptable test methods for determining nitrogen content of oil are ASTM methods D3228 and D4629 or any other method approved by MassDEP and EPA); c. the location where the sample was drawn for analysis to determine the nitrogen content of the oil, specifically including whether the oil was sampled as delivered to the affected facility or whether the sample was drawn from oil in storage at the oil supplier's or oil refiner's facility or another location. 4) In accordance with Regulation 310 CMR 7.19(13)(d)8., maintain all records required by Regulation 310 CMR 7.19(13)(d), for a period of five years in a permanently bound log book or any other form acceptable to MassDEP including computer retained and generated data. 5) Maintain all records required by regulation 310 CMR 7.05(8), and Table 4a (2) for a period of five years.
EU 2	<p>Erving Paper shall</p> <ol style="list-style-type: none"> 6) In accordance with Regulation 310 CMR 7.19(6)(b)2., maintain records for five years of the required tune-up, such records shall include: <ol style="list-style-type: none"> a. date of tune up; b. person(s) conducting the tune-up; c. O₂/CO(for gas) or smoke spot (for oil) correlations obtained during tune-up; d. boiler/burner manufacturer's recommended set-points; e. final boiler set-points as result of tune-up; f. normal boiler/burner maintenance records. g. at least once per month verify that the settings determined during the tune-up have not changed.
EU 1 EU 2	<p>Erving Paper shall</p> <ol style="list-style-type: none"> 7) In accordance with Regulation 310 CMR 7.04(2)(a) and Regulation 310 CMR Appendix C(10)(b), maintain records of smoke density recording charts for a period of five years from the date of use.
EU 1 EU 2 EU 3 EU 4	<p>Erving Paper shall</p> <ol style="list-style-type: none"> 8) In accordance with Regulation 310 CMR 7.04(4)(a), maintain the results of said inspection, maintenance, and testing and date which it was performed shall be recorded and posted conspicuously on or near the facility. These records shall be maintained on site for a minimum of five (5) years. 9) In accordance with Regulation 310 CMR 7.00 Appendix C (9)(b)(2), maintain records on site for five (5) years of the sulfur content of the fuel oil burned to demonstrate compliance with Regulation 310 CMR 7.05(1).

Table 5b	
EU #	Record Keeping Requirements
EU 4 EU 5 EU 6	Erving Paper shall 1) In accordance with MassDEP Approval #1-P-06-007 (3/30/2006; amended 3/20/2007), maintain a written log of the maintenance, repair, and down times (maintenance log) for the stock cleaning devices (side hill washers, forward cleaners, reverse flow cleaners, coarse screen, flotation unit, and fine screens) that includes the following: a. date and time of log entry b. the equipment affected c. time taken out of service d. time put back in service e. hours out of service f. type of repair performed g. status of paper machines, while the equipment was out of service h. cumulative hours (rolling 12 month total) this equipment was out of service last year while the paper machines were operating i. the designation of the person recording the log entry 2) In accordance with MassDEP Approval #1-P-06-007 (3/30/2006; amended 3/20/2007), maintain daily a written log of gallons of Betz 2278 (or equivalent) solvent used per day and a cumulative total for the current month. This solvent use log must be maintained on site for a minimum of five years and must be made available to MassDEP for inspection upon request.
EU 7	Erving Paper shall 3) In accordance with Regulation 310 CMR 7.03(6), establish and maintain a recordkeeping system on site and in sufficient detail to document the date of construction, substantial reconstruction or alteration and, that the respective emission rates pursuant to Regulation 310 CMR 7.03 are not exceeded. All records shall be maintained up-to-date such that year-to-date information is readily available for MassDEP examination. 4) In accordance with 310 CMR 7.03(6) and 7.18(8), prepare and maintain daily records sufficient to demonstrate compliance with the solvent use rates stated in 310 CMR 7.03(8). 5) In accordance with 310 CMR 7.18(8)(g), prepare and maintain daily records sufficient to demonstrate continuous compliance. Such records shall be kept on-site for five years and shall be made available to representatives of MassDEP and EPA upon request. Such records shall include, but are not limited to: a. identity, quantity, formulation and density of solvent(s) used b. quantity, formulation and density of all waste solvent(s) generated; c. actual operational and performance characteristics of the degreaser and any appurtenant emissions capture and control equipment, if applicable.
EU 1 EU 2 EU 3 EU 4 EU 5 EU 6 EU 7	Erving Paper shall 6) 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. 7) In accordance with 310 CMR 7.12, maintain the records required to determine the nature and amounts of emissions from the facility. 8) In accordance with 310 CMR 7.12(3)(b), retain copies of Source Registration and other information supplied to the Department to comply with 310 CMR 7.12 for five years from the date of submittal.
Facility Wide	Erving Paper shall 9) In accordance with Regulation 310 CMR 7.00 Appendix C(9)(b)(2), keep sufficiently detailed records on a monthly basis to demonstrate that emissions of Hazardous Air Pollutants comply with the emission limits set forth in Table 8; Facility-Wide, Provision 1 of this permit. Such records shall include, but are not limited to, Material Safety Data sheets for all Hazardous Air Pollutants containing materials and records of the consumption and emission rates of such materials.

Table 6	
EU #	Reporting Requirements
EU 1	Erving Paper shall 1) In accordance with Regulation 310 CMR 7.19(13)(d)9, submit compliance records within ten days of written request by MassDEP or EPA.
EU 4 EU 5 EU 6	Erving Paper shall 2) In accordance with MassDEP Approval #1-P-06-007 (3/30/2006; amended 3/20/2007), submit quarterly reports to MassDEP by January 15, April 15, July 15, and October 15 summarizing monthly Betz 2278 (or equivalent) usage for the previous quarter, and summarizing the maintenance and repair, down time of stock cleaning devices. Erving Paper shall in the January 15 report, summarize all activity to date, including operational and equipment changes, designed to further reduce Betz 2278 (or equivalent) usage associated with VOC emissions.
EU 7	Erving Paper shall 3) In accordance with Regulation 310 CMR 7.03(5), Erving Paper shall report to MassDEP any construction, substantial reconstruction or alteration, as described in Regulation 310 CMR 7.03, on the next required source registration.
EU 1 EU 2 EU 3 EU 4 EU 5 EU 6 EU 7	Erving Paper shall 4) In accordance with 310 CMR 7.12, submit a Source Registration/Emission Statement form to MassDEP on an annual basis. 5) In accordance with 310 CMR 7.00 Appendix C(10)(c), submit to MassDEP two compliance summaries, one by January 30 for the time period July – December of the previous calendar year, and the other by July 30 for the time period January – June of the current calendar year. (See Provision 10 in “GENERAL CONDITIONS FOR OPERATING PERMIT”) 6) In accordance with 310 CMR 7.13(1)(d), submit to MassDEP any stack test results for any air contaminant obtained from stack testing required by MassDEP within such time as agreed to in the approved test protocol. 7) In accordance with 310 CMR 7.00 Appendix C(5)(b)9., submit annually a certification that the facility is maintaining the required records to assure the facility is in compliance with the applicable requirements designated in this permit. (See Provision 10 in “GENERAL CONDITIONS FOR OPERATING PERMIT”) 8) 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. 9) 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”) .

- C. GENERAL APPLICABLE REQUIREMENTS – The Permittee shall comply with all generally applicable requirements contained in Regulation 310 CMR 7.00 et. seq. and Regulation 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
Regulation 310 CMR 7.16: Reduction of Single Occupant Commuter Vehicle Use	Employs fewer than 250 people
Regulation 310 CMR 7.25: Consumer and Commercial Products	not applicable
40 CFR 63 Subpart T, National Emission Standards for Halogenated Solvent Cleaning	not applicable
42 U.S.C. 7401 § 112 (r): Prevention of Accidental Release	Facility does not store, use or process any of the listed compounds in quantities greater than thresholds.
42 U.S.C. 7401 § 601: Stratospheric Ozone	not applicable
40 CFR Part 64 – Compliance Assurance Monitoring	Facility does not satisfy all applicable criteria

5. SPECIAL TERMS AND CONDITIONS

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

Table 8																						
EU #	Special Terms and Conditions																					
EU 4 EU 5 EU 6	Erving Paper shall 1) In accordance with MassDEP Approval #1-P-06-007 (3/30/2006; amended 3/20/2007), ensure that VOC emissions from cleaning the paper machines does not exceed 2.2 tons per calendar month and 26.3 tons per year (rolling 12-month total). 2) In accordance with MassDEP Approval #1-P-06-007 (3/30/2006; amended 3/20/2007), Erving Paper may substitute "equivalent" cleaning solutions for Betz 2278. Erving may demonstrate to MassDEP that a cleaning solution is "equivalent" by documenting solvent characteristics such as a vapor pressure, percent volatiles, flash point, and/or evaporation rate, and by providing a reasonable explanation why VOC emissions to the atmosphere can be expected to be equal to or less than what was emitted when using Betz 2278. 3) In accordance with MassDEP Approval #1-P-06-007 (3/30/2006; amended 3/20/2007), Erving must obtain written approval from MassDEP before any "equivalent" solvent substitutes can be used. The solvent Erving is using as of the date of this Final Approval (amended) (Ashland 14266) qualifies as an equivalent solvent. 4) In accordance with MassDEP Approval #1-P-06-007 (3/30/2006; amended 3/20/2007), not exceed 4498 gallons of Betz 2278 (or equivalent)/month, not exceed 8 gallons of Betz 2278 (or equivalent) per wash cycle. 5) In accordance with MassDEP Approval #1-P-06-007 (3/30/2006; amended 3/20/2007), maintain the stock cleaning devices in accordance with the manufacturers' specifications.																					
EU 1 EU 2 EU 3	Erving Paper shall 6) In accordance with Regulation 310 CMR 7.02(4)(a) 3, ensure that no actions are taken to modify the air contaminant ventilation characteristics of the stacks (for instance, through modifying stack height or stack exit velocity) unless written plan approval is obtained from MassDEP. The existing stack specifications are as follows: <table style="margin-left: 40px; border: none;"> <tr> <td style="padding-right: 20px;">EU 1</td> <td style="padding-right: 20px;">Sack Height (feet):</td> <td>100</td> </tr> <tr> <td></td> <td>Stack Exit Diameter (inches):</td> <td>48</td> </tr> <tr> <td></td> <td>Stack Material:</td> <td>steel</td> </tr> <tr> <td colspan="3"> </td> </tr> <tr> <td style="padding-right: 20px;">EU 2 & 3</td> <td style="padding-right: 20px;">Stack Height (feet):</td> <td>80</td> </tr> <tr> <td></td> <td>Stack Exit diameter (inches):</td> <td>48</td> </tr> <tr> <td></td> <td>Stack Material:</td> <td>steel</td> </tr> </table>	EU 1	Sack Height (feet):	100		Stack Exit Diameter (inches):	48		Stack Material:	steel				EU 2 & 3	Stack Height (feet):	80		Stack Exit diameter (inches):	48		Stack Material:	steel
EU 1	Sack Height (feet):	100																				
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	Stack Exit diameter (inches):	48																				
	Stack Material:	steel																				
Facility-Wide	Erving Paper shall 7) In accordance with MassDEP Approval #1-O-95-066 (8/31/2000), limit emissions of any single Hazardous Air Pollutant to ≤ 9.9 tons and any combination of Hazardous air Pollutants to ≤ 24.9 tons during any rolling twelve month consecutive calendar month period. For purposes of this permit "Hazardous Air Pollutant" shall be defined as any air pollutant listed in Section 112(b) of the Clean Air Act Amendments of 1990 (as amended in the Federal Register). 8) In accordance with 310 CMR 7.01(1), should any nuisance condition(s) occur as a result of the operation, take appropriate steps immediately to abate said nuisance condition(s). [State Only] 9) In accordance with 310 CMR 7.09, shall not cause or allow emissions of odor or dust that cause or contribute to a condition of air pollution. [State Only] 10) In accordance with 310 CMR 7.10, ensure that they do not willfully, negligently, or through failure to provide necessary equipment, service, or maintenance or take necessary precautions cause, suffer, allow, or permit unnecessary emissions from said source of sound that may cause noise. [State Only]																					

6. ALTERNATIVE OPERATING SCENARIOS

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

7. EMISSIONS TRADING

A. Intra-facility emission trading

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

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 MassDEP at least fifteen (15) 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 MassDEP 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.

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

8. COMPLIANCE SCHEDULE

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

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

GENERAL CONDITIONS FOR OPERATING PERMITS

9. FEES

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

10. COMPLIANCE CERTIFICATION

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

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

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

(a) Annual Compliance Report and Certification

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

The compliance certification and report shall describe:

- i. the terms and conditions of the permit that are the basis of the certification;
- ii. the current compliance status and whether compliance was continuous or intermittent during the reporting period;
- iii. the methods used for determining compliance, including a description of the monitoring, record keeping, and reporting requirements and test methods; and
- iv. any additional information required by 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:

- i. the terms and conditions of the permit that are the basis of the certification;
- ii. the current compliance status during the reporting period;
- iii. the methods used for determining compliance, including a description of the monitoring, record keeping, and reporting requirements and test methods;
- iv. whether there were any deviations during the reporting period;
- v. if there are any outstanding deviations at the time of reporting, and the Corrective Action Plan to remedy said deviation;
- vi. whether deviations in the reporting period were previously reported;
- vii. if there are any outstanding deviations at the time of reporting, the proposed date of return to compliance;
- viii. if the deviations in the reporting period have returned to compliance and date of such return to compliance; and 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) MassDEP has determined that the Permittee is not currently subject to the requirements listed in Section 4, Table 7.
- (c) Nothing in this permit shall alter or affect the following:
- i. the liability of the source for any violation of applicable requirements prior to or at the time of permit issuance.
 - ii. the applicable requirements of the Acid Rain Program, consistent with 42 U.S.C. §7401, §408(a); or
 - iii. the ability of EPA to obtain information under 42 U.S.C. §7401, §114 or §303 of the Act.

13. ENFORCEMENT

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

All other terms and conditions contained in this permit, including any provisions designed to limit a facility's potential to emit, are enforceable by 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 MassDEP's receipt of a complete and timely application for renewal, this facility may continue to operate subject to final action by MassDEP on the renewal application.

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

16. REOPENING FOR CAUSE

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

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

17. DUTY TO PROVIDE INFORMATION

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

18. DUTY TO SUPPLEMENT

The Permittee, upon becoming aware that any relevant facts were omitted or 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 MassDEP a material error or omission in any records, reports, plans, or other documents previously provided to MassDEP.

19. TRANSFER OF OWNERSHIP OR OPERATION

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

20. PROPERTY RIGHTS

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

21. INSPECTIONS AND ENTRY

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

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

22. PERMIT AVAILABILITY

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

23. SEVERABILITY CLAUSE

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

24. EMERGENCY CONDITIONS

The Permittee shall be shielded from enforcement action brought for noncompliance with technology based¹ emission limitations specified in this permit as a result of an emergency². In order to use emergency as an affirmative defense to an action brought for noncompliance, the Permittee shall demonstrate the affirmative defense through properly signed, contemporaneous operating logs, or other relevant evidence that:

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

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

25. PERMIT DEVIATION

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

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

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

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

- Unpermitted pollutant releases, excess emissions or opacity exceedances measured directly by CEMS/COMS, by EPA reference methods or by other credible evidence, which are ten percent (10%) or more above the emission limit.
- Exceedances of parameter limits established by your Operating Permit or other approvals, where the parameter limit is identified by the permit or approval as surrogate for an emission limit.
- Exceedances of permit operational limitations directly correlated to excess emissions.
- Failure to capture valid emissions or opacity monitoring data or to maintain monitoring equipment as required by statutes, regulations, your Operating Permit, or other approvals.
- Failure to perform QA/QC measures as required by your Operating Permit or other approvals for instruments that directly monitor compliance.

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

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

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

26. OPERATIONAL FLEXIBILITY

The Permittee is allowed to make changes at the facility consistent with 42 U.S.C. §7401, §502(b)(10) not specifically prohibited by the permit and in compliance with all applicable requirements provided the Permittee gives the EPA and the Department 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. LEGEND OF ABBREVIATED TERMS IN OPERATING PERMIT

Not all abbreviations are present in every Operating Permit

10⁶ Btu/hr – 1,000,000 Btu per hour
CEM – continuous emission monitor
CGA – cylinder gas audit
the Chart – the Ringelmann Scale for grading the density of smoke
CO – carbon monoxide
CO₂ – carbon dioxide
COM – continuous opacity monitor
DAS – data acquisition system
EPA – Environmental Protection Agency
FMF FAC. NO. – Facility Master File Number
FMF RO NO. – Facility Master File Regulated Object Number
ft³ – cubic feet
HHV – higher heating value
hr – hour
ISO – represents 59°F, 60% relative humidity, 29.92 inches mercury at sea level
lb – pound
lb/MMBtu – pounds per million British thermal units
MMBtu/hr – million British thermal units per hour
MW – megawatt (1,000,000 watts)
ng – natural gas
NH₃ – ammonia
NO_x – nitrogen oxides
PLT ID – plant identification
PM – particulate matter
ppm – parts per million
ppmvd – parts per million (by volume, dry)
PTE – potential to emit
RATA – relative accuracy test audit
SO₂ – sulfur dioxide
SSEIS – Stationary Source Emission Inventory System
tpy – tons per year
VOC – volatile organic compound

APPEAL CONDITIONS FOR OPERATING PERMIT

This permit is an action of 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 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.

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.