Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection
Western Regional Office • 436 Dwight Street, Springfield MA 01103 • 413-784-1100

Charles D. Baker
Governor

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Secretary

Martin Suuberg
Commissioner

November 22, 2016

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

Re: **Administrative Amendment**
FINAL OPERATING PERMIT

Appl. #WE-16-019; Trans. # X272767

Dear Ms. McDonnell:

In accordance with 310 CMR 7.00 - APPENDIX C(8) of the Massachusetts Air Pollution Control Regulations ("the Regulations"), the Department of Environmental Protection ("MassDEP") is forwarding to EPA the attached ***Administrative Amendment*** to the Final Operating Permit for Essential Power Massachusetts, LLC ("EPMA") located at 15 Agawam Avenue in West Springfield, Massachusetts.

***The attached Administrative Amendment to the Final Operating Permit consists of a change in the name of the Responsible Official.***

Should you have any questions concerning this ***Administrative Amendment*** to the Final Operating Permit, please contact Todd Wheeler at (413) 755-2297.

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
Air Quality Permit Chief
Western Region

cc: Kim Marsili
Essential Power Massachusetts, LLC
15 Agawam Avenue
West Springfield, MA 01089

ecc: Peter Czapienski, WERO
Yi Tian, MassDEP, Boston
Karen Regas, MassDEP, Boston

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# Minor Modification to an
# AIR QUALITY OPERATING PERMIT

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

**ISSUED TO ["the Permittee"]:**
Essential Power Massachusetts, LLC
15 Agawam Avenue
West Springfield, MA 01089

**INFORMATION RELIED UPON:**
Application No. 1-O-05-040
Transmittal No. W066070
**Administrative Amendment #WE-14-019; Transmittal #X262482**

**FACILITY LOCATION:**
Essential Power Massachusetts, LLC
West Springfield Station
15 Agawam Avenue
West Springfield, MA 01089

**FACILITY IDENTIFYING NUMBERS:**
AQ ID: 0420117
FMF FAC NO. 323182
FMF RO NO. 329815

**NATURE OF BUSINESS:**
Electric Power Utility

**STANDARD INDUSTRIAL CODE (SIC):**
4911
**NORTH AMERICAN INDUSTRIAL CODE (NAICS):** 221112

**RESPONSIBLE OFFICIAL:**
Name: Kim Marsili
Title: Station Manager

**FACILITY CONTACT PERSON:**
Name: Kim Marsili
Title: Station Manager
Phone: (413)730-4721
Email: kim.marsili@essentialpowerllc.com

**This operating permit shall expire on August 14, 2019.**

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.

11/22/2016

Michael Gorski
Regional Director
Department of Environmental Protection
Western Regional Office

Date

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# SPECIAL CONDITIONS FOR OPERATING PERMIT

## 1. PERMITTED ACTIVITIES

In accordance with the provisions of 310 CMR 7.00:Appendix C and applicable rules and regulations, the Permittee 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

Essential Power (EP) Massachusetts, LLC, located on Agawam Avenue in West Springfield is an electric power generating station consisting of one steam electric generating unit (EGU) and three peaking combustion turbines. The facility submitted a timely operating permit renewal application to MassDEP, which was received on September 27, 2005, in accordance with 310 CMR 7.00 Appendix C(4)(b)(4).

The steam EGU (EU 15) is a tangentially- fired water tube boiler, manufactured by Combustion Engineering which is capable of producing a net electrical output of 112 megawatts ("MW") and has a maximum heat input rate of 1150 million Btu per hour (MMBtu/hr). EU 15 fires # 6 fuel oil, #2 fuel oil, natural gas and waste oil and was constructed in 1957. The oldest peaking turbine (EU 17), which was constructed at the facility in November 1968, is a Pratt & Whitney Engine that mostly fires ultra low sulfur kerosene, as well as jet fuel, and operates in a peaking mode with a net electrical output of 22 MW at base load condition. The two newer General Electric ("GE") Model LM6000 turbines (EUs 19 & 20), which were issued a non-major comprehensive permit approval on January 19, 2001 and constructed in 2002, fire natural gas and ultra low sulfur distillate (ULSD) oil and operate in peaking mode with a net total output of 90 MW. The facility has the capability of producing a combined output of 224 MW.

Ancillary air contaminant sources at the facility include a natural gas and #2 fuel oil–fired Cleaver Brooks CB(LE) 200-350, 14.6 million Btu per hour auxiliary boiler (EU 16), a natural gas-fired Reiner, GBC-100AC, 1.8 million Btu per hour (100 kw) emergency engine (EU 21) and two solvent metal degreasing operations (EU 18). The auxiliary boiler and emergency engine were constructed at the facility in 1995 and 1955, respectively.

The facility has demonstrated that it is an area source of hazardous air pollutant (HAP) emissions by calculating the facility-wide total and individual HAP potential to emit to be less than the major source thresholds of 25 tons per year and 10 tons per year, respectively. In calculating the potential to emit for HAP emissions, the facility included hydrogen chloride stack test emission data from the 1150 MMBtu/hr boiler while firing #6 fuel oil. The hydrogen chloride stack test emission data was considered to be more representative of the source when compared to the hydrogen chloride emission factor contained in Table 1.3-11 of AP 42, Fifth Edition, Volume I, Chapter 1: External Combustion Sources. The hydrogen chloride stack test was conducted in March 2010 as part of a United States Environmental Protection Agency (USEPA) Section 114 request. Since the facility is an area source of HAPs, a facility-wide emission limitation has been included in Table 3 herein to limit the facility-wide total and individual HAP emissions to less than 25 tons in any 12 consecutive month period and less than 10 tons in any 12 consecutive month period.

On February 16, 2012, the USEPA published final standards in the Federal Register for the National Emission Standards for Hazardous Air Pollutants (NESHAPS) for Coal-and Oil-Fired Electric Utility

Steam Generating Units (40 CFR Part 63, Subpart UUUUU). This subpart applies to the 1150 MMBtu/hr boiler (EU 15) which is an existing EGU located at an area source of hazardous air pollutants (HAPs). According to Subpart UUUUU, EU 15 must comply with the applicable requirements of the subpart no later than April 16, 2015. An initial notification for EU 15 was submitted to the USEPA on March 29, 2012. The facility has proposed to be classified as a limited-use liquid oil-fired electric utility steam generating unit which will have an annual capacity factor of less than 8 percent of its maximum or nameplate heat input, whichever is greater, averaged over a 24-month block contiguous period commencing April 16, 2015, as defined in 40 CFR Part 63.10042. The applicable requirements have been included in this operating permit.

On December 21, 2012, the USEPA published finalized changes to the NESHAPs for Area Sources: Industrial, Commercial, and Institutional Boilers (40 CFR Part 63 Subpart JJJJJJ) which applies to each new, reconstructed, or existing industrial, commercial or institutional boiler located at an area source. Therefore, Subpart JJJJJJ applies to the existing natural gas and #2 fuel oil–fired Cleaver Brooks 14.6 MMBtu/hr auxiliary boiler (EU 16), constructed in 1995. According to Subpart JJJJJJ, EU 16 must comply with the applicable requirements of the subpart no later than March 21, 2014. An initial notification was submitted to the USEPA on September 8, 2011. The applicable requirements have been included in this operating permit.

EU 16 is also subject to 40 CFR Part 60, Subpart Dc (Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units) since the subpart applies to each steam generating unit which has a maximum design heat input capacity of 100 MMBtu/hr or less, but greater than or equal to 10 MMBtu/hr that commenced construction, modification, or reconstruction after June 9, 1989. The applicable requirements have been included in this operating permit.

EU 17 is subject to Reasonably Available Control Technology for Sources of Oxides of Nitrogen (310 CMR 7.19). The facility is utilizing federally enforceable $NO_x$ Emission Reduction Credits certified by the MassDEP in accordance with 310 CMR 7.00: Appendix B(3) to comply with $NO_x$ RACT for the EU 17 combustion turbine.

The GE combustion turbines (EUs 19 & 20) are subject to 40 CFR Part 60, Subpart GG (Standards of Performance for Stationary Gas Turbines) since the subpart applies to all stationary gas turbines with a heat input peak load equal to or greater than 10 MMBtu/hr that commenced construction, modification, or reconstruction after October 3, 1977. EU 17 is exempt from Subpart GG since it commenced construction prior to October 3, 1977 pursuant to 40 CFR 60.330(b). The applicable requirements have been included in this operating permit.

On June 21, 2002, MassDEP approved alternative NOx, O2, CO and NH3 continuous emissions monitor calibration, quality assurance/quality control provisions, and continuous emission monitor data validation and data reduction for the GE combustion turbines (EUs 19 & 20). This alternative monitoring has been included in this operating permit since it was not previously included.

As previously discussed, the facility is not a major source of HAPs; therefore, the combustion turbines are not subject to the NESHAPs for Stationary Combustion Turbines (40 CFR Part 63, Subpart YYYY).

The 1150 MMBtu/hr boiler (EU 15) and combustion turbines (EUs 19 and 20) are subject to the Title IV Acid Rain Program of the 1990 Clean Air Act Amendments. 40 CFR 72.6(a)(1) states that simple cycle combustion turbines that commenced commercial operation after November 15, 1990 are subject to the requirements of the program.

The natural gas-fired Reiner, GBC-100AC, emergency stationary reciprocating internal combustion engine (RICE) (EU 21) is subject to the NESHAPs for Stationary Reciprocating Internal Combustion

Engines, 40 CFR Part 63 Subpart ZZZZ. According to Subpart ZZZZ, EU 21 is defined as an existing stationary spark ignition engine since it was installed before June 12, 2006 (installed in 1955) and must comply with the applicable requirements by no later than October 19, 2013. The applicable requirements have been included in this operating permit.

As part of this renewal operating permit application review, a compliance assurance monitoring (CAM) applicability determination was conducted. CAM applicability is separately determined for each pollutant emitted by an emission unit, or as it is defined in 40 CFR Part 64, pollutant-specific emission units ("PSEU"). The determination concluded that the combustion turbines (EU 19 and 20) 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 1150 MMBtu/hr boiler (EU 15) is also exempt from complying with the CAM requirements of 40 CFR Part 64 since it does not satisfy all of the criteria specified in 40 CFR 64.2(a)(1) through (3). More specifically, EU 15 has taken a voluntary restriction on the pre-control device potential emissions for particulate matter to less than the major source threshold of 100 tons per year. The facility has requested to limit the uncontrolled particulate matter emissions from EU 15 to no more than 83.11 tons per year which corresponds to fuel heat inputs of no more than 9,268,080 million Btu per year for natural gas and no more than 805,920 million Btu per year for #2 fuel oil, #6 fuel oil and waste oil fuel. The total combined heat input from firing natural gas, #2 fuel oil, #6 fuel oil and waste oil will be limited to no more than 10,074,000 million Btu per year. The combined heat input from firing #2 fuel oil, #6 fuel oil and waste oil fuel will be limited to less than 805,920 million Btu per year. By voluntarily restricting the pre-control particulate matter emissions from EU 15, the emission unit does not satisfy the criteria specified in 40 CFR 64.2(a)(3).

The facility is considered to be a major source since it has the potential to emit greater than 100 tons per year of PM including PM10 (PM with an aerodynamic diameter equal to or less than 10 microns) and PM2.5 (PM with an aerodynamic diameter equal to or less than 2.5 microns), 50 tons per year of nitrogen oxides ($NO_X$), 50 tons per year of volatile organic compounds (VOCs), 100 tons per year of carbon monoxide and 100 tons per year of sulfur dioxide. Therefore the facility is subject to the Operating Permit and Compliance Program pursuant to 310 CMR 7.00: Appendix C(2).

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 regulated pollutant.

The owner/operator of EP Massachusetts is subject to and shall comply with the Massachusetts Clean Air Interstate Rule (CAIR), 310 CMR 7.32 and has submitted a CAIR emission control application pursuant to 310 CMR 7.32(3). 310 CMR 7.28 has been superseded by 310 CMR 7.32.

The owner/operator of EP Massachusetts is subject to the "Massachusetts $CO_2$ Budget Trading Program" stated at Regulation 310 CMR 7.70. This is a "cap-and-trade" system addressing carbon dioxide emissions that took effect in January 2009. The requirements contained in the $CO_2$ Budget Trading Program Emission Control Plan Approval (Transmittal No. X005353) dated December 30, 2008, have been included in this operating permit.

Massachusetts promulgated the 310 CMR 7.71: Reporting of Greenhouse Gas Emissions regulations on June 26, 2009. Pursuant to 310 CMR 7.71(3)(a)1., EP Massachusetts is subject to the applicable

requirements of this regulation which have been included in this operating permit.

## 2. EMISSION UNIT IDENTIFICATION

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

**Table 1**

| Emission Unit (EU#) | Description of Emission Unit | EU Design Capacity | Pollution Control Device (PCD) |
|---|---|---|---|
| EU 15 | Natural Gas , #6 Fuel Oil, #2 Fuel Oil and Waste Oil – Fired Combustion Engineering Boiler Unit 3 (constructed 1957) | 1150 MMBtu/hr | Electrostatic precipitator |
| EU 16 | Natural Gas and #2 Fuel Oil – Fired Cleaver Brooks CB(LE) 200-350 Auxiliary Boiler (constructed 1995) | 12,075 lb steam/hr<br>14.6 MMBtu/hr | Flue gas recirculation & low $NO_X$ burner |
| EU 17 | Jet Fuel and Ultra Low Sulfur Kerosene–Fired Pratt and Whitney FT-4 Combustion Jet Turbine Unit 10 (constructed 1968) | 244 MM Btu/hr | None |
| EU 18 | Solvent metal degreasing operations | Various | None |
| EU 19 | Natural Gas and #2 Fuel Oil – Fired General Electric LM6000 Simple Cycle Combustion Turbine Generator CTG-1(constructed 2002) | 462.6 MMBtu/hr – Natural Gas<br>437 MMBtu/hr - #2 fuel Oil | Water injection, SCR, & CO catalyst |
| EU 20 | Natural Gas and #2 Fuel Oil – Fired General Electric LM6000 Simple Cycle Combustion Turbine Generator CTG-2 (constructed 2002) | 462.6 MMBtu/hr – Natural Gas<br>437 MMBtu/hr - #2 fuel Oil | Water injection, SCR, & CO catalyst |
| EU 21 | Natural Gas-Fired Reiner , GBC-100AC, Emergency Engine (constructed 1955) | 1.8 MMBtu/hr (100kW) | None |

CO = Carbon Monoxide
$NO_x$ = Nitrogen Oxides
MMBtu/hr = Million British thermal units per hour
SCR = Selective Catalytic Reduction
kW = kilowatt

# 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 | Emissions Limits [1] / Restrictions | Applicable Regulation and/or (Approval No.) |
|---|---|---|---|---|
| EU 15[2] | #6 oil, #2 oil, natural gas & waste oil | particulate matter | ≤ 0.12 lb/MMBtu | Regulation 310 CMR 7.02(8)(d) |
| | | | ≤ 83.11 tons uncontrolled in any 12 consecutive month period | TVOP #1-O-05-040 |
| | | nitrogen oxides | ≤ 0.25 lb/MMBtu (oil)<br>≤ 0.20 lb/MMBtu (natural gas) | Approval #1-E-94-010 (1/14/98)<br>Regulation 310 CMR 7.19(4)(a)3.a [3a] |
| | | carbon monoxide | ≤ 200 ppmvd @ 3% $O_2$ | Approval #1-E-94-010 (1/14/98)<br>Regulation 310 CMR 7.19(4)(f)[3b] |
| | | sulfur dioxide | See "Special Terms and Conditions" under Federal Acid Rain Program: Phase II Acid Rain Permit, Section 5 | 40 CFR Part 72 & 75 |
| | | n/a | Beginning April 16, 2015, EU 15 shall have an annual capacity factor, while firing liquid fuel oil, of less than 8 percent of its maximum or nameplate heat input, whichever is greater, averaged over a 24-month block contiguous period, as defined in 40 CFR Part 63.10042. | TVOP #1-O-05-040 |
| | #2 oil | sulfur in oil | ≤ 0.17 lb/MMBtu (≈ 0.3% S by weight) prior to July 1, 2014<br>≤ 0.05% S by weight July 1, 2014 through June 30, 2018<br>≤ 0.0015% S by weight on and after July 1, 2018 | Regulation 310 CMR 7.05 [5]<br>Regulation 310 CMR 7.22[4] |
| | #6 oil, waste oil | sulfur in oil | ≤ 0.55 lb/MMBtu (≈ 1.0% S by weight) prior to July 1, 2014<br>≤ 0.28 lb/MMBtu (≈ 0.5% S by weight) on and after July 1, 2014 | Regulation 310 CMR 7.05(1)(a)1. and 2.[5]<br>Regulation 310 CMR 7.22[4] |
| | waste oil | n/a | Combust ≤ 12,000 gallons/calendar year waste crankcase oil<br>Combust ≤ 18,000 gallons/calendar year waste lubricating oil | Approval #PV-83-C-009 (10/19/83; amended 11/7/83 & 5/12/89) |
| | #6 oil, #2 oil, & waste oil | n/a | Combust < 805,920 million Btu of heat input from #6 oil, #2 oil and waste oil combined in any 12 consecutive month period. | TVOP #1-O-05-040 |
| | Natural gas, #6 oil, #2 oil, & waste oil | n/a | Combust ≤ 10,074,000 million Btu of heat input from natural gas, #2 fuel oil, #6 fuel oil and waste oil combined in any 12 consecutive month period. | TVOP #1-O-05-040 |

## Table 3b

| EU # | Fuel/Raw Material | Pollutant | Emissions Limits [(1)] / Restrictions | Applicable Regulation and/or (Approval No.) |
|---|---|---|---|---|
| EU 16 | #2 oil & natural gas | particulate matter | ≤ 0.10 lb/MMBtu | Regulation 310 CMR 7.02(8)(h) |
| | | nitrogen oxides | ≤ 246ppmv @ 3% $O_2$ (oil)<br>≤ 30ppmv @ 3% $O_2$ (natural gas) | Approval #1-B-94-058 (12/23/94) |
| | | visible emissions | No visible emissions during normal operation | Approval #1-B-94-058 (12/23/94) |
| | | sulfur in oil | ≤ 0.3% S by weight | Approval #1-B-94-058 (12/23/94; amended 4/17/02)<br>40 CFR Part 60 Subpart Dc |
| | | | ≤ 0.05% S by weight July 1, 2014 through June 30, 2018<br>≤ 0.0015% S by weight on and after July 1, 2018 | Regulation 310 CMR 7.05[(5)] |
| EU 17 | Jet fuel &ultra low sulfur kerosene | nitrogen oxides | ≤ 100ppmvd @15% $O_2$ | Regulation 310 CMR 7.19(7)(a)2.b.<br>Approval #1-E-94-010 (1/14/98) |
| | | carbon monoxide | ≤ 100ppmvd @15% $O_2$ | Regulation 310 CMR 7.19(7)(a)2.c.<br>Approval #1-E-94-010 (1/14/98) |
| | | sulfur in oil | 0.02 % S by weight<br>≤ 0.0015% S by weight on and after July 1, 2018 | Approval #1-E-94-010 (1/14/98)<br>Regulation 310 CMR 7.05[(5)]<br>Regulation 310 CMR 7.22[(4)] |
| EU 18 | cleaning solvent | volatile organic compounds [(17)] | Each must use < 100 gallons of solvent/calendar month | Regulation 310 CMR 7.03(8) |

# Table 3c

| EU # | Fuel/Raw Material/ | Pollutant | Emissions Limits [6] / Restrictions | | | | | | Restrictions tons per year [7] (both CTGs combined) | Applicable Regulation and/or (Approval No.) |
|---|---|---|---|---|---|---|---|---|---|---|
| | | | Natural Gas | | | Oil | | | | |
| | | | ppmvd @ 15%$O_2$ | lb/MMBtu | lb/hr (each CTG) | ppmvd @ 15%$O_2$ | lb/MMBtu | lb/hr (each CTG) | | |
| EU 19<br>EU 20 | natural gas<br>or<br>distillate oil | particulate matter [8] | n/a | 0.01 | 4.5 | n/a | 0.025 | 11.3 | 14.7 | Approval #1-P-04-011 (7/30/04) |
| | | nitrogen oxides | 3.5 | 0.0129 | 5.9 | 6.0 | 0.0231 | 10.8 | 19.3 | Approval #1-P-04-011 (7/30/04)<br>40 CFR 60-Subpart GG |
| | | carbon monoxide | 5.0[9]<br>10.0[10] | 0.0112[9]<br>0.0224[10] | 4.3 | 5.0[9]<br>10.0[10] | 0.0112[9]<br>0.0224[10] | $\leq$ 4.3 | 27.7 | Approval #1-P-04-011 (7/30/04)<br>Approval #WE-14-012 (7/9/14) |
| | | volatile organic compounds | 2.0 | 0.0026 | 1.1 | 12.0 | 0.0162 | 6.4 | 7.4 | Approval #1-P-04-011 (7/30/04) |
| | | sulfuric acid mist | n/a | n/a | 0.15 | n/a | 0.00043 | 0.2 | 0.3 | Approval #1-P-04-011 (7/30/04) |
| | | ammonia | 7.0 | n/a | 4.4 | 10.0 | n/a | 6.2 | 10.6[11] | Approval #1-P-04-011 (7/30/04) |
| | | Sulfur dioxide [12] | 0.4 | 0.0021 | 0.9 | 0.7 | 0.0038 | 1.5 | 2.9 | Approval #1-P-04-011 (7/30/04) |
| | | | See "Special Terms and Conditions" under "Federal Acid Rain Program: Phase II Acid Rain Permit, Section 5 | | | | | | | 40 CFR Part 72 & 75 |
| | | Opacity [13] | ≤ 5 percent | | | ≤ 20 percent | | | n/a | Approval #1-P-04-011 (7/30/04) |
| | | sulfur in fuel | ng: ≤ 0.8 grains/100ft$^3$ | | | oil: ≤ 0.0030% by weight | | | | Approval #1-P-04-011 (7/30/04)<br>40 CFR Part 72 & 75<br>40 CFR Part 60 Subpart GG<br>Regulation 310 CMR 7.22[4] |
| | | | n/a | | | oil:≤ 0.0015% S by weight on and after July 1, 2018 | | | | Regulation 310 CMR 7.05(1)(a)<br>Regulation 310 CMR 7.22[4] |

## Table 3d

| EU # | Fuel/Raw Material/ | Pollutant | Emissions Limit / Standards | Restrictions | Applicable Regulation and/or (Approval No.) |
|---|---|---|---|---|---|
| EU 15<br>EU 17<br>EU 19<br>EU 20 | all fuels | nitrogen oxides | As of the allowance deadline for a control period, the owners and operators of each CAIR $NO_x$ Ozone Season source and each CAIR $NO_x$ Ozone Season unit at the source shall hold, in the source's compliance account, CAIR $NO_x$ Ozone Season allowances available for compliance deductions for the control period under 310 CMR 7.32(6)(e)1. in an amount not less than the tons of total nitrogen oxides emissions for the control period from all CAIR $NO_x$ Ozone Season units at the source, as determined in accordance with 310 CMR 7.32(8). | n/a | Regulation 310 CMR 7.32 |
| EU 19<br>EU 20 | natural gas | n/a | n/a | 344,174,400 $ft^3$/calendar month (14)<br>3,019,640,000 $ft^3$/year (15)(16) | Approval #1-P-04-011 (7/30/2004) |
| | distillate oil | n/a | n/a | 2,455,731 gallons/calendar month (14)<br>5,828,607 gallons/year (15)(16) | |
| | all fuels | nitrogen oxides | 205 lb/hr each | Startup or Shutdown (18) | Approval #1-P-03-032 (11/14/03) |
| | | carbon monoxide | 10.4 lb/hr each | | Approval #1-P-03-032 (11/14/03) |
| | | ammonia | 6.3 lb/hr each | | Approval #1-P-03-032 (11/14/03) |
| EU 15<br>EU 19<br>EU 20 | All fuels | $CO_2$ | Hold $CO_2$ allowances available for compliance **(notes 20 and 21)** | n/a | Regulation 310 CMR 7.70(1)(e)3.a.<br>Transmittal # X005353 (12/30/08)<br>(state only) |
| | | | $CO_2$ allowance transfers | | Regulation 310 CMR 7.70(7)<br>Transmittal # X005353 (12/30/08)<br>(state only) |
| EU 21 | natural gas | n/a | n/a | ≤ 300 hours per year (15) | Regulation 310 CMR 7.02(8)(i)2. through 5 |
| | | | See Section 5. Special Terms and Conditions, Table 8. | | 40 CFR Part 63, Subpart ZZZZ |

## Table 3e

| EU # | Fuel/Raw Material/ | Pollutant | Emissions Limit / Standards | Restrictions | Applicable Regulation and/or (Approval No.) |
|---|---|---|---|---|---|
| Facility -wide | all fuels | Smoke | No. 1 of "the Chart" no more than 6 minutes during any one hour, no time to exceed No. 2 of "the Chart" | n/a | Regulation 310 CMR 7.06(1)(a) |
| | | Opacity | ≤ 20%, except 20 to ≤ 40% for ≤ 2 minutes during any one hour | | Regulation 310 CMR 7.06(1)(b) |
| | | Greenhouse gas[19] | n/a | | Regulation 310 CMR 7.71 (state only) |
| | | Individual HAPs | <10.0 tons in any 12 consecutive month period | | TVOP #1-O-05-040 |
| | | Total HAPs | < 25.0 tons in any 12 consecutive month period | | |

CTG = Combustion Turbine Generator
S = Sulfur
Opacity = exclusive of uncombined water vapor
HAPs = Hazardous Air Pollutants
ft3 = Cubic Feet
ng = Natural Gas
lbs/MMBtu = pounds per Million British thermal units
lb/hr = pounds per hour
ppmvd @ 3% O2 = parts per million by volume, corrected to 3 percent oxygen
ppmvd @ 15% O2 = parts per million by volume, corrected to 15 percent oxygen
ppm = parts per million
≤ = less than or equal to
< = less than
% = percent
n/a = not applicable

*Table 3a-e Foot Notes:*

(1) Emission Limits expressed as pound per million British Thermal Units (lb/MMBtu) and pounds per hour (lb/hr) are based on a one-hour average.

(2) This unit is subject to 40 CFR Part 60 Appendices, 40 CFR Part 72 and 40 CFR Part 75.

(3a) Nitrogen Oxide Emission Limits are based on a calendar day average for boilers using a continuous emissions monitoring system in accordance with 310 CMR 7.19(4)(a)6.

(3b) Carbon Monoxide Emission Limits are based on a calendar day average for boilers using a continuous emissions monitoring system in accordance with 310 CMR 7.19(4)(f).

(4) Compliance with 310 CMR 7.05 for the sulfur content limit shall be deemed compliance with the SO2 limit under the Massachusetts acid rain requirement 310 CMR 7.22.

(5) As provided in 310 CMR 7.05(1)(b)2. any person owning, leasing or controlling the operation of a fossil fuel utilization facility may burn any existing stock of fossil fuel oil at the facility, but shall not accept delivery of a fuel with a sulfur content in excess of the limits in 310 CMR 7.05(1)(a)1.: Table 1 on or after the applicable date(s) in 310 CMR 7.05(1)(a)1.: Table 1, except as provided in 310 CMR 7.05(1)(b)3.

(6) All 'ppmvd, 'lb/MMBtu', and 'lb/hr' emission limits are based on a one hour block average and are for normal operation, excluding startup, shutdown and malfunction. The emission rates for natural gas and oil firing are based on ambient temperatures of 49 °F and 54 °F respectively.

During any period of operating fuel transition of natural gas-to-oil or oil-to-natural gas, the limits for oil firing shall be applied. An operating fuel transition period shall not extend beyond 15 minutes in duration for any single event.

(7) Based on a rolling 12-month total. Annual emission limit includes excess emissions due to startup, shutdown, malfunction and for all other causes.

(8) Particulate matter consists of both the "front half" and "back-half" catch of the Method 5 sampling train. Particulate matter is regarded as consisting solely of $PM_{10}$.

(9) Based on one-hour block average at temperature ≥ 42 °F.

(10) Based on one-hour block average at temperature < 42 °F.

(11) Includes the breathing & working losses from the ammonia storage tanks.

(12) Based on natural gas fuel sulfur content of 0.8 grain/100 scf or oil sulfur content of 30 ppm by weight.

(13) Compliance with the allowable opacity limits shall be determined by use of an opacity monitor in conformance with 40 CFR Part 75.

(14) Both units combined.

(15) Rolling 12 month total. To calculate a consecutive 12 month rolling period take the current calendar month amount and add it to the previous 11 calendar months total.

(16) For every gallon of oil fired, the natural gas allowance (per calendar month or per rolling 12-month total) shall be reduced by 359.4 cubic feet.

(17) Petroleum hydrocarbon (contains no halogens).

(18) The duration of Startups shall be no greater than 30 minutes after the daily on-line calibration is complete. The duration of shutdowns shall be no greater than 15 minutes after the shutdown command has been received by the turbine control system.

(19) Greenhouse Gas means any chemical or physical substance that is emitted into the air and that the MassDEP may reasonably anticipate will cause or contribute to climate change including, but not limited to, $CO_2$, $CH_4$, $N_2O$, $SF_6$, hydrofluorocarbons (HFCs), and perfluorocarbons (PFCs)

(20) Compliance with $CO_2$ allowances shall be based on the control period. The control period is a three-calendar-year time period, unless extended to four years upon occurrence of a stage two trigger event. Control period and stage two trigger event are defined at 310 CMR 7.70(1)(b).

(21) Hold $CO_2$ allowances available for compliance deductions under 310 CMR 7.70(6)(e), as of the $CO_2$ allowance transfer deadline, in the source's compliance account in an amount not less than the total $CO_2$ emissions for the control period from all $CO_2$ budget units at the source, as determined in accordance with 310 CMR 7.70(6) and (8).

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/TESTING REQUIREMENTS |
|---|---|
| EU 15 | EP Massachusetts, LLC shall<br>1. In accordance with MassDEP Approvals #1-E-94-010(1/14/1998), and 310 CMR 7.14(2), 310 CMR 7.19(13)(a)1., and 40 CFR Part 72 monitor the $NO_X$ emission standards using Continuous Emissions Monitoring Systems (CEMS) meeting the requirements 40 CFR Part 75, and use the procedures contained therein to gather and analyze data and provide quality assurance and quality control. Compliance with 40 CFR Part 75 shall constitute compliance with this requirement.<br>2. In accordance with Approval #1-E-94-010(1/14/1998), calculate one hour averages for $NO_X$ emissions as specified by 310 CMR 7.19(13)(b)9, and calculate the $NO_X$ emission rate using the procedures specified in 40 CFR Part 75 Appendix F, Conversion and Procedures.<br>3. In accordance with 40 CFR Part 72 and 310 CMR 7.14(2), monitor $SO_2$ emissions with CEMS meeting the requirements of 40 CFR Part 75 and use the procedures contained therein to gather and analyze data, provide quality assurance and quality control. Compliance with 40 CFR Part 75 shall constitute compliance with this requirement.<br>4. In accordance with Approval #1-E-94-010 (1/14/1998) and 40 CFR Part 72, measure $CO_2$ or $O_2$ in the flue gas using CEMS. The $CO_2/O_2$ CEMS shall meet the requirements of 40 CFR Part 75 in order to convert $SO_2$ and $NO_X$ continuous monitoring data to units of the applicable emission standards as specified in Table 3. Compliance with 40 CFR Part 75 shall constitute compliance with this requirement.<br>5. In accordance with 40 CFR Part 75, use the substitution procedures for missing data specified in 40 CFR Part 75 Subpart D and/or 40 CFR Part 75 §75.70(f) whenever the CEMS fail to measure and record a valid quality-assured hour of data for $SO_2$, $NO_X$, $CO_2$, exhaust flow, or heat input.<br>6. In accordance with 40 CFR Part 75, perform annual Relative Accuracy Test Audits (RATA), quarterly Cylinder Gas Audits (CGA), calibrations for the Continuous Opacity Monitoring System (COMS), and CEMS calibrations using the procedures specified in 40 CFR Part 75.<br>7. In accordance with 310 CMR 7.14(2) and 40 CFR Part 72 and 40 CFR Part 75, monitor the opacity of the flue gas using a COMS. The COMS shall meet the requirements of Performance Specification 1 of 40 CFR Part 60, Appendix B.<br>8. In accordance with 310 CMR 7.04(2)(a), ensure the COMS is equipped with audible alarms and recorders that signal the need for combustion equipment adjustment or repair when the smoke density is equal to or greater than No. 1 of the Chart.<br>9. In accordance with 310 CMR 7.19(13)(a)1., demonstrate compliance with $NO_X$ emission limits / standard using CEMS. The $NO_x$ CEMS shall meet the requirements specified in 310 CMR 7.19(13)(b).<br>10. In accordance with 310 CMR 7.19(13)(a)1., demonstrate compliance with CO emission limits / standard using CEMS as specified in 310 CMR 7.19(13)(b). CO emissions shall be monitored as specified in 310 CMR 7.19(13)(b)1. through 310 CMR 7.19(13)(b)12.<br>11. In accordance with 310 CMR 7.19(13)(a)1., monitor CO emissions with CEMS certified in accordance with the performance specifications contained in 40 CFR Part 60, Appendix B and use the procedures contained in 40 CFR Part 60, Appendix F to comply, provide quality assurance and quality control. |

## Table 4b

| EU# | MONITORING/TESTING REQUIREMENTS |
|---|---|
| EU 15 | EP Massachusetts, LLC shall<br>12. In accordance with 310 CMR 7.19(13)(d)5. and 310 CMR 7.19(13)(d)6., monitor nitrogen content of each new shipment of No. 6 Fuel Oil received, by obtaining a certification from the fuel oil supplier that includes the following information:<br>a. the name of the fuel oil supplier.<br>b. the nitrogen content of each oil shipment; and<br>c. the location where the sample was drawn for analysis to determine the nitrogen content of the fuel oil, specifically including whether the fuel oil was sampled as delivered to the Permittee's facility or 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. |
| | 13. In accordance with 310 CMR 7.19(13)(d)3., measure 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 the allowable emission rate for CO and $NO_X$. |
| | 14. In accordance with 310 CMR 7.04(5), operate and maintain automatic viscosity controllers of a type approved by MassDEP to control the viscosity of No. 6 Fuel Oil to the burners. |
| | 15. In accordance with 310 CMR 7.04(2)(a), operate continuously and maintain in an accurate operating condition smoke density indicators equipped with audible alarms and recorders that signal the need for combustion equipment adjustment or repair when the smoke density is equal to or greater than No. 1 of the Chart. Compliance with 40 CFR Part 75 for opacity monitoring shall constitute compliance with this requirement. |
| | 16. In accordance with 310 CMR 7.00 Appendix C(9)(b)3., ensure that the flue gas CEM and COM equipment are operated at all times the emission unit is operating, except for periods of CEM/COM calibration checks, zero span adjustment, preventative maintenance and CEM malfunctions. Notwithstanding such exceptions, in all cases 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. |
| | 17. In accordance with 310 CMR 7.00 Appendix C, monitor any occurrences when visible emissions (opacity and/or smoke exclusive of uncombined water) and emission rates of $NO_X$, CO, and $SO_2$ are in excess of the emission limits / standard contained in Table 3. |
| | 18. In accordance with 40 CFR 63.10005(e), EU #15 is subject to the work practice standards in Table 3 of 40 CFR Part 63 Subpart UUUUU. As part of initial compliance demonstration, the Permittee shall conduct a performance tune-up of EU #15 according to 40 CFR 63.10021(e). |
| | 19. In accordance with 40 CFR 63.9991 and 63.10000(e), perform periodic tune-ups of EU #15 according to 40 CFR 63.10021(e). A tune-up of the EGU burner and combustion controls shall be conducted at least each 36 calendar months as specified in §63.10021(e). |
| | 20. In accordance with 40 CFR 63.10005(f), for existing affected sources a tune-up may occur prior to April 16, 2012, so that existing sources without neural networks have up to 42 calendar months (3 years from promulgation plus 180 days) or, in the case of units employing neural network combustion controls, up to 54 calendar months (48 months from promulgation plus 180 days) after the date that is specified for your source in §63.9984 and according to the applicable provisions in §63.7(a)(2) as cited in Table 9 to this 40 CFR Part 63 Subpart UUUUU to demonstrate compliance with this requirement. If a tune-up occurs prior to such date, the Permittee must maintain adequate records to show that the tune-up met the requirements of this standard. |

## Table 4c

| EU# | MONITORING/TESTING REQUIREMENTS |
|---|---|
| EU 15 | EP Massachusetts, LLC shall<br><br>21. In accordance with 40 CFR 63.10021(a) and (e)(1) through(7), perform the first tune-up as part of the initial compliance demonstration. Notwithstanding this requirement, the Permittee may delay the first burner inspection until the next scheduled unit outage provided the Permittee meets the requirements of §63.10005. Subsequently, the Permittee must perform an inspection of the burner at least once every 36 calendar months.<br><br>a. As applicable, inspect the burner and combustion controls, and clean or replace any components of the burner or combustion controls as necessary upon initiation of the work practice program and at least once every required inspection period. Repair of a burner or combustion control component requiring special order parts may be scheduled as follows:<br><br>(i) Burner or combustion control component parts needing replacement that affect the ability to optimize $NO_X$ and CO must be installed within 3 calendar months after the burner inspection,<br><br>(ii) Burner or combustion control component parts that do not affect the ability to optimize $NO_X$ and CO may be installed on a schedule determined by the operator;<br><br>b. As applicable, inspect the flame pattern and make any adjustments to the burner or combustion controls necessary to optimize the flame pattern. The adjustment should be consistent with the manufacturer's specifications, if available, or in accordance with best combustion engineering practice for that burner type;<br><br>c. As applicable, observe the damper operations as a function of mill and/or cyclone loadings, cyclone and pulverizer coal feeder loadings, or other pulverizer and coal mill performance parameters, making adjustments and effecting repair to dampers, controls, mills, pulverizers, cyclones, and sensors;<br><br>d. As applicable, evaluate windbox pressures and air proportions, making adjustments and effecting repair to dampers, actuators, controls, and sensors;<br><br>e. Inspect the system controlling the air-to-fuel ratio and ensure that it is correctly calibrated and functioning properly. Such inspection may include calibrating excess $O_2$ probes and/or sensors, adjusting overfire air systems, changing software parameters, and calibrating associated actuators and dampers to ensure that the systems are operated as designed. Any component out of calibration, in or near failure, or in a state that is likely to negate combustion optimization efforts prior to the next tune-up, should be corrected or repaired as necessary;<br><br>f. Optimize combustion to minimize generation of CO and $NO_X$. This optimization should be consistent with the manufacturer's specifications, if available, or best combustion engineering practice for the applicable burner type. $NO_X$ optimization includes burners, overfire air controls, concentric firing system improvements, neural network or combustion efficiency software, control systems calibrations, adjusting combustion zone temperature profiles, and add-on controls such as SCR and SNCR; CO optimization includes burners, overfire air controls, concentric firing system improvements, neural network or combustion efficiency software, control systems calibrations, and adjusting combustion zone temperature profiles;<br><br>g. While operating at full load or the predominantly operated load, measure the concentration in the effluent stream of CO and $NO_X$ in ppm, by volume, and oxygen in volume percent, before and after the tune-up adjustments are made (measurements may be either on a dry or wet basis, as long as it is the same basis before and after the adjustments are made). You may use portable CO, $NO_X$ and $O_2$ monitors for this measurement. EGU's employing neural network optimization systems need only provide a single pre- and post-tune-up value rather than continual values before and after each optimization adjustment made by the system. |

## Table 4d

| EU# | MONITORING/TESTING REQUIREMENTS |
|---|---|
| EU 16 | EP Massachusetts, LLC shall<br>22. In accordance with 40 CFR 63.11201(b) and Table 2, the Permittee shall conduct an initial performance tune-up of EU #16 as specified in 40 CFR 63.11214, and conduct a tune-up of EU #16 biennially as specified in 40 CFR 63.11223(b)(1) through (7). |
| | 23. In accordance with 40 CFR 63.11210(c) , 40 CFR 63.11201(b) and Table 2, EU #16 shall have a one time energy assessment performed by a qualified energy assessor as specified in Table 2 of 40 CFR Part 63 Subpart JJJJJJ. The Permittee must demonstrate initial compliance no later than the compliance date that is specified in § 63.11196(a)(3)and according to the applicable provisions in § 63.7(a)(2), |
| | 24. In accordance with 40 CFR 63.11223(a) and (b)(1) through (5) and (b)(7), the Permittee shall conduct each tune-up while burning the type of fuel (or fuels in the case of boilers that routinely burn two types of fuels at the same time) that provided the majority of the heat input to the boiler over the 12 months prior to the tune-up. Each biennial performance tune-up must be conducted no more than 25 months after the previous tune-up. The tune-up shall be conducted as specified below.<br>a. As applicable, inspect the burner, and clean or replace any components of the burner as necessary (you may delay the burner inspection until the next scheduled unit shutdown, not to exceed 36 months from the previous inspection). Units that produce electricity for sale may delay the burner inspection until the first outage, not to exceed 36 months from the previous inspection.<br>b. Inspect the flame pattern, as applicable, and adjust the burner as necessary to optimize the flame pattern. The adjustment should be consistent with the manufacturer's specifications, if available.<br>c. Inspect the system controlling the air-to-fuel ratio, as applicable, and ensure that it is correctly calibrated and functioning properly (you may delay the inspection until the next scheduled unit shutdown, not to exceed 36 months from the previous inspection). Units that produce electricity for sale may delay the inspection until the first outage, not to exceed 36 months from the previous inspection.<br>d. Optimize total emissions of carbon monoxide. This optimization should be consistent with the manufacturer's specifications, if available, and with any nitrogen oxide requirement to which the unit is subject.<br>e. Measure the concentrations in the effluent stream of carbon monoxide in parts per million, by volume, and oxygen in volume percent, before and after the adjustments are made (measurements may be either on a dry or wet basis, as long as it is the same basis before and after the adjustments are made). Measurements may be taken using a portable carbon monoxide analyzer.<br>f. If the unit is not operating on the required date for a tune-up, the tune-up must be conducted within 30 days of startup. |
| EU 15<br>EU 16 | 25. In accordance with 310 CMR 7.04(4)(a), inspect and maintain each fuel burning emission unit in accordance with the manufacturer's recommendations and test each unit in accordance with the manufacturer's recommendations for efficient operation (consistent with any concurrent requirements to comply with all applicable $NO_X$ emission limits) once each calendar year. |

## Table 4e

| EU# | MONITORING/TESTING REQUIREMENTS |
|---|---|
| EU 17 | EP Massachusetts, LLC shall<br><br>26. In accordance with 310 CMR 7.04(2)(a), not cause, suffer, allow, or permit the burning of any grade oil or solid fuel in this combustion gas turbine unless it is equipped with a smoke density sensing instrument and recorder which are properly maintained in an accurate operating condition, operates continuously and is equipped with an audible alarm to signal the need for combustion equipment adjustment or repair when the smoke density is equal to or greater than No. 1 of the Chart.<br><br>As an alternate to the use of a smoke density sensing instrument and recorder (due to technical infeasibility on EU 17), and pursuant to the MassDEP's authority through 310 CMR 7.00: Appendix C(9)(b)2., ensure that a Method 9 visible emission test is performed at least once during the time period June 1st to August 31st of any year, and at least once during the time period December 1st to February 28th of the following year, provided EU 17 operates during said time period. |
| | 27. In accordance with 310 CMR 7.19(13)(a)7., and MassDEP Approval #1-E-94-010 (1/14/1998), conduct stack testing for $NO_X$ and CO annually before October 1 of each year as specified in 310 CMR 7.19(13)(c) and in accordance with EPA Method 7E for $NO_X$ and Method 10 for CO. |
| EU 18 | 28. In accordance with 310 CMR 7.18(8)(h), upon request by MassDEP, perform or have performed tests to demonstrate compliance with 310 CMR 7.18(8). Testing shall be conducted in accordance with a method approved by MassDEP and EPA. |
| EU 19<br>EU 20 | 29. In accordance with MassDEP Approval #WE-14-012 (7/9/14), EU #19 and #20 shall comply with the monitoring and testing requirements specified in MassDEP Approval #1-B-02-003/004 (issued 2/4/2002), MassDEP Approval #1-B-03-015 (issued 6/9/2003), MassDEP Approval #1-P-03-032 (issued 11/14/2003) and MassDEP approval letter dated June 21, 2002. |
| | 30. In accordance with MassDEP Approval #1-B-02-003/004 (2/4/02), ensure that all monitors and the monitoring system conform with all applicable requirements as specified in the Code of Federal Regulations 40 CFR Part 60, Appendix B and Appendix F, 40 CFR Part 72 & Part 75, and the Massachusetts State Regulations at 310 CMR 7.19. |
| | 31. In accordance with MassDEP Approvals #1-B-03-015 (6/9/03) and #1-P-03-032 (11/14/03), EP Massachusetts shall test, calibrate, and operate a data acquisition system(s) (DAS) and stack CEMs to continuously monitor and record flue gas emissions of $NO_X$, CO, Opacity and $NH_3$ from each CTG. |
| | 32. In accordance with MassDEP Approvals #1-B-03-015 (6/9/03) and #1-P-03-032(11/14/2003), test, calibrate and operate a temperature measurement system to continuously monitor and record the inlet temperatures to the SCR and the CO catalysts for each CTG. |
| | 33. In accordance with MassDEP Approvals #1-B-03-015 (6/9/03), and #1-P-03-032(11/14/2003), at a minimum, equip each CEMs with audible and visible alarms that activate when emissions exceed the limits established in Table 3c. |
| | 34. In accordance with MassDEP Approvals #1-B-03-015 (6/9/03) and #1-P-03-032(11/14/2003), at a minimum, equip each SCR catalyst and CO catalyst temperature monitoring system with audible and visible alarms that activate when these temperatures deviate from prescribed values. |
| | 35. In accordance with MassDEP Approvals #1-B-03-015 (6/9/03) and #1-P-03-032(11/14/2003), use and maintain its CEMs system as "direct-compliance" monitors to measure $NO_X$, CO (and VOC) and $NH_3$. "Direct-compliance" monitors generate data that legally documents the compliance status of a source. |

# Table 4f

| EU# | MONITORING/TESTING REQUIREMENTS |
|---|---|
| EU 19<br>EU 20 | EP Massachusetts, LLC shall<br><br>36. In accordance with MassDEP Approvals #1-B-03-015 (6/9/03) and #1-P-03-032(11/14/2003), determine continuous compliance with the VOC emission limits contained herein by monitoring CO emissions with the CO CEM.<br><br>If a CTG is operating at 50% load or greater, and if CO emissions are below the CO emission limit at the given CTG operating conditions, the VOC emissions shall be considered as occurring at the emission limit contained in this Final Approval.<br><br>If a CTG is operating at 50% load or greater and if CO emissions are above the CO emission limit at the given CTG operating conditions, the VOC emissions shall be considered as occurring at a rate determined by the equation; $VOC_{actual} = VOC_{limit} \times ( CO_{actual} / CO_{limit} )$ |
| | 37. In accordance with MassDEP Approvals #1-B-03-015 (6/9/03) and #1-P-03-032(11/14/2003), ensure that all stack monitors and recording equipment comply with MassDEP approved performance and location specifications, and conform with the EPA monitoring specifications in 40 CFR Part 60.13 & 40 CFR 60 Appendices B and F, and all applicable portions of 40 CFR Parts 72 and 75. |
| | 38. In accordance with MassDEP Approvals #1-B-03-015 (6/9/03) and #1-P-03-032(11/14/2003), operate the CEMs at all times a CTG is operating, except for periods of CEMs calibration checks, zero and span adjustments, preventative maintenance, and malfunction(s). |
| | 39. In accordance with MassDEP Approvals #1-B-03-015 (6/9/03) and #1-P-03-032(11/14/2003), obtain and record emission data from each CEMs for at least 75% of the hours per calendar day, 75% of the days per calendar month, and 95% of the hours per calendar quarter that each emission unit operates, except for periods of calibration checks, zero and span adjustments, preventative maintenance and periods of malfunction. |
| | 40. In accordance with MassDEP Approvals #1-B-03-015 (6/9/03) and #1-P-03-032(11/14/2003), operate a continuous monitoring system to record the fuel consumption and the ratio of water-to-fuel being fired in the combustion turbine, or pursuant to any alternative monitoring arrangements approved by the U.S. EPA. The monitoring system shall be accurate to within ±5%. |
| | 41. In accordance with MassDEP Approvals #1-B-03-015 (6/9/03), #1-P-03-032(11/14/2003), and in accordance with provisions in 40 CFR Part 72 & 75, conduct fuel sampling analysis and fuel flow monitoring to determine $SO_2$ emissions from each stack. The emissions of $CO_2$ from each stack shall be calculated using EPA specified factors. |
| | 42. In accordance with 40 CFR 60.334 (Subpart GG), ensure that the applicable monitoring requirements for the CTGs are adhered to. |
| | 43. In accordance with MassDEP approval letter dated June 21, 2002, 40 CFR Part 60, Appendix B, Performance Specification 2 includes a $NO_x$ calibration drift requirement of 2.5% of monitor span during the 7-day calibration drift test. The Permittee may calibrate such that the drift is no more than 5% of span (0.5 ppm) during the 7-day calibration drift test on the $NO_x$ monitor. |
| | 44. In accordance with MassDEP approval letter dated June 21, 2002, the Permittee may perform the 7-day calibration drift test on 7 consecutive unit operating days rather than on seven consecutive calendar days. This item applies to all emissions monitors at the facility. |

# Table 4g

| EU# | MONITORING/TESTING REQUIREMENTS |
|---|---|
| EU 19<br>EU 20 | EP Massachusetts, LLC shall<br>45. In accordance with MassDEP approval letter dated June 21, 2002, MassDEP is approving an alternate relative accuracy requirement of 0.5 ppmvd of $NO_x$, corrected to 15% $O_2$. For lb/MMBtu emission limits, MassDEP is approving an alternative relative accuracy requirement of 0.002 lb/MMBtu. For lb/hr emission limits, MassDEP is approving an alternative relative accuracy requirement equal to:<br><br>lb/hr relative accuracy = 0.002 lb/MMBtu*WA_MMBtu/hr<br><br>Where WA_MMBtu/hr = the weighted average MMBtu/hr determined by the data acquisition and handling system (DAHS) over the course of the most recent RATA testing, for every hour during which a RATA run was performed. |
| | 46. In accordance with MassDEP approval letter dated June 21, 2002, MassDEP is approving an alternative relative accuracy requirement of 0.5 ppmvd of CO corrected to 15% $O_2$. For lb/MMBtu emission limits, MassDEP is approving an alternative relative accuracy requirement of 0.001 lb/MMBtu. For lb/hr emission limits, MassDEP is approving an alternative relative accuracy requirement equal to:<br><br>lb/hr relative accuracy = 0.001 lb/MMBtu*WA_MMBtu/hr |
| | 47. In accordance with MassDEP approval letter dated June 21, 2002, the Permittee may substitute the requirements of the quarterly linearity test, required under 40 CFR Part 75, in lieu of the requirement to perform quarterly cylinder gas audits as specified in 40 CFR Part 60 for the $NO_x$ and $O_2$ monitors. |
| | 48. In accordance with MassDEP approval letter dated June 21, 2002, the Permittee shall not be required to perform cylinder gas audits on the CO and NH3 monitors during quarters where the unit associated with each monitor operates for < 168 operating hours, except that a CGA must be done for each pollutant (CO and $NH_3$) at least once every four quarters regardless of hours of operation. |
| | 49. In accordance with MassDEP approval letter dated June 21, 2002, MassDEP approves the request to exempt the CO low scale range of 10 ppm and the $NH_3$ low scale range of 10 ppm from quarterly cylinder gas audits consistent with the Part 75 linearity exemption for pollutant spans of <30 ppm. |
| | 50. In accordance with MassDEP approval letter dated June 21, 2002, the Permittee may perform hourly data validation in accordance with 40 CFR 75.10(d)(1) provisions for $NO_x$, $O_2$, CO and $NH_3$ which state that a valid data hour must contain at least one valid (quality assured) data point in each of the 15-minute quadrants that the units are on-line, with valid data required in only two 15-minute quadrants during hours that quality assurance or preventative maintenance activities are being conducted. |
| | 51. In accordance with MassDEP approval letter dated June 21, 2002, the Permittee may apply $O_2$ diluent caps in accordance with Part 75 Appendix F Section 3 provisions for the determination of lb/MMBtu and ppmvd @ 15% $O_2$ emission rates for any hours that excess air levels exceed certain thresholds. |
| | 52. In accordance with MassDEP approval letter dated June 21, 2002, MassDEP approves the request to designate an hour in which fuel is fired for any period as a “unit operating hour” in accordance with 40 CFR 72.2 definitions. |

# Table 4h

| EU# | MONITORING/TESTING REQUIREMENTS |
|---|---|
| EU 15<br>EU 17<br>EU 19<br>EU 20 | EP Massachusetts, LLC shall<br>53. In accordance with 310 CMR 7.32, monitor and test as required by the Massachusetts Clean Air Interstate Rule (CAIR). |
| EU 15<br>EU 19<br>EU 20 | 54. In accordance with 310 CMR 7.70(8)(a)1.a. and Transmittal # X005353, install all monitoring systems necessary to monitor $CO_2$ mass emissions in accordance with 40 CFR Part 75, except equation G-1in Appendix G shall not be used to determine $CO_2$ emissions under 310 CMR 7.70(8). (State only Requirement) |
| | 55. In accordance with 310 CMR 7.70(8)(a)2.a. and Transmittal # X005353, each $CO_2$ budget unit that commenced commercial operation before July 1, 2008, must be in compliance with the requirements of 310 CMR 7.70(8) by January 1, 2009. (State only Requirement |
| | 56. In accordance with 310 CMR 7.70(8)(h)1. and Transmittal # X005353, submit to the Department or its agent net electrical output. (State only Requirement) |
| | 57. In accordance with 310 CMR 7.70(8)(h)4.a. and Transmittal # X005353, the billing meter shall record the electric output. (State only Requirement) |
| | 58. In accordance with 310 CMR 7.70(8)(h)5.c. and Transmittal # X005353, when a component of output measurement equipment fails to pass an accuracy test, all data shall be replaced by either zero or an output value that is approved as part of the monitoring plan required under 310 CMR 7.70(8)(h)3.until the component passes an accuracy test or is replaced with another piece of equipment that passes the accuracy test. (State only Requirement) |
| EU 21 | 59. In accordance with 40 CFR 63.6625(e), and effective 10/19/2013, the Permittee must operate and maintain EU #21 according to the manufacturer's emission-related written instructions or develop your own maintenance plan which must provide to the extent practicable for the maintenance and operation of the engine in a manner consistent with good air pollution control practice for minimizing emissions. |
| | 60. In accordance with 40 CFR 63.6625(f), and effective 10/19/2013, EU #21 shall be equipped with a non-resettable hour meter. |
| | 61. In accordance with 40 CFR 63.6625(h), and effective 10/19/2013, the Permittee shall minimize the engine's time spent at idle during startup and minimize the engine's startup time to a period needed for appropriate and safe loading of the engine, not to exceed 30 minutes. |
| | 62. In accordance with 40 CFR 63.6625(j), and effective 10/19/2013, the Permittee has the option of utilizing an oil analysis program in order to extend the specified oil change requirement in Tables 2d to this subpart. The oil analysis must be performed at the same frequency specified for changing the oil in Table 2d to 40 CFR Part 63 Subpart ZZZZ. The analysis program must at a minimum analyze the following three parameters: Total Acid Number, viscosity, and percent water content. The condemning limits for these parameters are as follows: Total Acid Number increases by more than 3.0 milligrams of potassium hydroxide (KOH) per gram from Total Acid Number of the oil when new; viscosity of the oil has changed by more than 20 percent from the viscosity of the oil when new; or percent water content (by volume) is greater than 0.5. If all of these condemning limits are not exceeded, the engine owner or operator is not required to change the oil. If any of the limits are exceeded, the engine owner or operator must change the oil within 2 days of receiving the results of the analysis; if the engine is not in operation when the results of the analysis are received, the engine owner or operator must change the oil within 2 days or before commencing operation, whichever is later. The owner or operator must keep records of the parameters that are analyzed as part of the program, the results of the analysis, and the oil changes for the engine. The analysis program must be part of the maintenance plan for the engine. |

## Table 4i

| EU# | MONITORING/TESTING REQUIREMENTS |
|---|---|
| Facility -wide | EP Massachusetts, LLC shall<br><br>63. In accordance with 310 CMR 7.13 Stack Testing, conduct stack testing, upon written request of the MassDEP, for any air contaminant for which the MassDEP has determined testing is necessary, to ascertain compliance with the 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 the MassDEP and EPA.<br><br>In accordance with 310 CMR 7.02(8)(c), any emission testing to demonstrate compliance with the allowable particulate emission rate shall be in accordance with the EPA Methods 1-5, as specified in 40 CFR Part 60, Appendix A.<br><br>In accordance with 310 CMR 7.19(13)(c) and DEP Approval #1-E-94-010 (1/14/1998), any emission testing to determine compliance with the allowable $NO_x$ and CO emission limits shall be in accordance with EPA Method 7E for $NO_x$ and EPA Method 10 for CO, as specified in 40 CFR Part 60, Appendix A.<br><br>In accordance with 310 CMR 7.00 Appendix C(9)(b), any emission testing to demonstrate compliance with the allowable emission limit for smoke/opacity shall be in accordance with EPA Method 9, as specified in 40 CFR 60, Appendix A. |
| | 64. In accordance with 310 CMR 7.00 Appendix C(9)(b), monitor sulfur content of each new shipment of jet fuel, #2 oil and #6 oil received. Compliance with % sulfur-in-fuel requirement can be demonstrated through testing (testing certification) or by maintaining a shipping receipt from the fuel supplier (shipping receipt certification).<br><br>The testing certification or shipping receipt certification of % sulfur-in-fuel 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. |
| | 65. 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. |
| | 66. In accordance with 310 CMR 7.71(1) and Appendix C(9) establish and maintain data systems or record keeping practices (e.g. fuel use records, SF6 usage documentation, Continuous Emissions Monitoring System) for greenhouse gas emissions to ensure compliance with the reporting provisions of M.G.L. c. 21N, the Climate Protection and Green Economy Act, St. 2008, c. 298, § 6. (State only requirement) |

*Table 4Notes:*
EU # = Emission Unit
CFR = Code of Federal Regulations
EPA = Environmental Protection Agency
EGU = Electric Generating Unit

# Table 5a

| EU# | RECORDKEEPING REQUIREMENTS |
|---|---|
| EU 15 | EP Massachusetts, LLC shall<br>1. In accordance with 40 CFR Part 75, 310 CMR 7.19(13)(a)1., 310 CMR 7.19(13)(b)1. through 7.19(13)(b)12., 40 CFR Part 60, Appendix B, and 40 CFR Part 60 Appendix F, record the emissions of $NO_X$, CO, $SO_2$, $CO_2$ or $O_2$, and the flue gas opacity and volumetric flow rate on a continuous basis.<br>2. In accordance with 310 CMR 7.04(2)(a), 40 CFR Part 75, and/or 40 CFR Part 60 Appendix B., keep and maintain all required Smoke Density Indicator Recording Charts and/or COMS records.<br>3. In accordance with 310 CMR 7.19(13)(d)1. and 40 CFR Part 75, maintain a record of all measurements, performance evaluations, calibration checks, and maintenance or adjustments for each CEM.<br>4. In accordance with 40 CFR Part 75 §75.53, prepare and maintain a monitoring plan containing sufficient information on the CEMS and COMS to demonstrate that all emissions of $SO_2$, $NO_X$, $CO_2$, and opacity are monitored and reported. The Permittee shall update the monitoring plan whenever it makes a replacement, modification, or change in the certified CEMS and/or COMS, including a change in the automated data acquisition and handling system or in the flue gas handling system. The monitoring plan shall contain all of the information required by 40 CFR Part 75 § 75.53(c).<br>5. In accordance with 40 CFR Part 75 § 75.54, maintain a file of all measurements, data reports, and other information required by 40 CFR Part 75. Said file shall include all information required by 40 CFR Part 75 § 75.74(a)(1) through (6).<br>6. In accordance with 310 CMR 7.00 Appendix C(9)(c)1., record operating time of the EU and the date and amount of time that any CEMS or COMS are inoperative.<br>7. In accordance with 310 CMR 7.19(13)(d)(3)., record for each unit on a daily basis the type(s) of fuel burned, heat content of each fuel, total heating value of the fuel consumed, actual emission rate (for emission units demonstrating compliance with CEMS), and allowable emission rate for CO and $NO_X$.<br>8. In accordance with 310 CMR 7.19(13)(d)1., maintain a record of all measurements, performance evaluations, calibration checks, and maintenance or adjustments for each CEM.<br>9. In accordance with 310 CMR 7.19(13)(d)5. & 6., for each new shipment of jet fuel and #6 fuel oil received, maintain records (shipping receipt certifications and/or testing certifications) of the nitrogen content and the methods used for the nitrogen determination.<br>10. In accordance with 310 CMR 7.00 Appendix C(10)(b), record the following:<br>a. The heat input from firing natural gas in EU #15 during each month and in each 12 consecutive month period.<br>b. The heat input from firing fuel oils in EU #15 during each month and in each 12 consecutive month period.<br>c. The annual capacity factor, while firing liquid fuel oil, averaged over a 24-month block contiguous period.<br>11. In accordance with 40 CFR 63.10021(h), keep records as specified in §63.10032 during periods of startup and shutdown.<br>12. In accordance with 40 CFR 63.10032(a)(1) and (2), keep the following records:<br>a. A copy of each notification and report that the Permittee submitted to comply with 40 CFR Part 63 Subpart UUUUU, including all documentation supporting any Initial Notification or Notification of Compliance Status or semiannual compliance report that you submitted, according to the requirements in §63.10(b)(2)(xiv).<br>b. Records of performance stack tests, fuel analyses, or other compliance demonstrations and performance evaluations, as required in §63.10(b)(2)(viii).<br>13. In accordance with 40 CFR 63.10032(f), keep records of the occurrence and duration of each startup and /or shutdown.<br>14. In accordance with 40 CFR 63.10032(g), keep records of the occurrence and duration of each malfunction of an operation (*i.e.*, process equipment) or the air pollution control and monitoring equipment.<br>15. In accordance with 40 CFR 63.10032(h), keep records of actions taken during periods of malfunction to minimize emissions in accordance with §63.10000(b), including corrective actions to restore malfunctioning process and air pollution control and monitoring equipment to its normal or usual manner of operation. |

## Table 5b

| EU# | RECORDKEEPING REQUIREMENTS |
|---|---|
| 15 | EP Massachusetts, LLC shall<br><br>16. In accordance with 40 CFR 63.10032(i), keep records of the type(s) and amount(s) of fuel used during each startup or shutdown. |
| | 17. In accordance with 40 CFR 63.10032(j), keep records of the types and amounts of fuel use in each calendar quarter to document that the capacity factor limitation for the limited-use liquid oil-fired EGU subcategory is met. |
| | 18. In accordance with 40 CFR 63.10033(a), keep records in a form suitable and readily available for expeditious review, according to 40 CFR 63.10(b)(1). |
| 16 | 19. In accordance with 40 CFR 60.48c(g)(1), record and maintain records of the amounts of fuel combusted during each operating day. |
| | 20. In accordance with 40 CFR 60.48c(e), keep records of:<br>a. Calendar dates covered in the reporting period.<br>b. Fuel supplier certification which includes the name of the oil supplier; a statement from the oil supplier that the oil complies with the specifications under the definition of distillate oil in 40 CFR 60.41c; and the sulfur content or maximum sulfur content of the oil. |
| | 21. In accordance with 40 CFR 63.11225(c)(1), (c)(2)(i), (c)(2) (iii),(c) (4), (c)(5), the Permittee shall maintain the following records:<br>a. As required in 40 CFR 63.10(b)(2)(xiv), keep a copy of each notification and report that is submitted to comply with 40 CFR Part 63, Subpart JJJJJJ and all documentation supporting any Initial Notification or Notification of Compliance Status that you submitted.<br>b. The identity of each boiler, the date of tune-up, the procedures followed for tune-up, and the manufacturer's specifications to which the boiler was tuned.<br>c. A copy of the energy assessment report.<br>d. Records of the occurrence and duration of each malfunction of the boiler, or of the associated air pollution control and monitoring equipment.<br>e. Records of actions taken during periods of malfunction to minimize emissions in accordance with the general duty to minimize emissions in 40 CFR 63.11205(a), including corrective actions to restore the malfunctioning boiler, air pollution control, or monitoring equipment to its normal or usual manner of operation. |
| | 22. In accordance with 40 CFR 63.11223(b)(6), the Permittee shall maintain on-site and submit, if requested by MassDEP or the USEPA, a report containing the information in paragraphs 40 CFR 63.11223(b)(6)(i) through (iii) and as specified below.<br>a. The concentrations of CO in the effluent stream in parts per million, by volume, and oxygen in volume percent, measured at high fire or typical operating load, before and after the tune-up of the boiler.<br>b. A description of any corrective actions taken as a part of the tune-up of the boiler.<br>c. The type and amount of fuel used over the 12 months prior to the tune-up of the boiler, but only if the unit was physically and legally capable of using more than one type of fuel during that period. Units sharing a fuel meter may estimate the fuel use by each unit. |
| | 23. In accordance with 40 CFR 63.11225(d), keep records in a form suitable and readily available for expeditious review. |
| EU 15<br>EU 16 | 24. In accordance with 310 CMR 7.04(4)(a), the results of fuel utilization facility inspection, maintenance, and testing and the date upon which it was performed shall be recorded and posted conspicuously on or near the facility. |
| EU 17 | 25. In accordance with 310 CMR 7.04(2)(a), maintain records of all Method 9 opacity observations. |
| | 26. In accordance with 310 CMR 7.00 Appendix C: (10), record the quantity of $NO_x$ Emission Reduction Credits (ERCs), both ozone and non-ozone season, required to comply with 310 CMR 7.19(7). The Permiittee shall record the amount of $NO_x$ ERCs, both ozone (May 1 through September 30) and non-ozone season (October 1 through April 30), actually obtained. Said records shall also identify the source of $NO_x$ ERCs obtained, including company name, emission unit and method of generation, date of generation, and the Transmittal Number of the application for certification of $NO_x$ ERCs. |

## Table 5c

| EU# | RECORDKEEPING REQUIREMENTS |
|---|---|
| EU 15<br>EU 17 | EP Massachusetts, LLC shall<br>27. In accordance with 310 CMR 7.19(13)(d)3., measure and record for each unit on a daily basis the type of fuel(s) burned, the heat content of each fuel, the total heating value of the fuel consumed, the actual emission rate (for emissions units demonstrating compliance with CEMS), and the allowable emission rate for CO and NOx. |
| | 28. In accordance with 310 CMR 7.19(13)(d)7. & 8., and 310 CMR 7.00 Appendix C(10)(b), maintain copies of all fuel certifications or fuel analyses on-site for 5 years. All records required by 310 CMR 7.19(13)(d) shall be maintained 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. |
| EU 18 | 29. In accordance with 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, operational limitations, equipment specifications and other requirements pursuant to 310 CMR 7.03 are met. All records shall be maintained up-to-date such that year-to-date information is readily available for Department examination. |
| | 30. 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 the Department and EPA in accordance with the requirements of an approved compliance plan or upon request. Such records shall include, but are not limited to:<br>a. identity, quantity, formulation and density of solvent(s) used;<br>b. quantity, formulation and density of all waste solvent(s) generated;<br>c. actual operational and performance characteristics of the degreaser and any appurtenant emission capture and control equipment, if applicable; and<br>d. any other requirements specified by the Department in any approval(s) and/or order(s) issued to the person. |
| EU 19<br>EU 20 | 31. In accordance with MassDEP Approval #WE-14-012 (7/9/14), MassDEP Approval #1-B-03-015 (6/9/03), 40 CFR Part 75, 310 CMR 7.19(13)(a)1., 310 CMR 7.19(13)(b)1. through 7.19(13)(b)12., 40 CFR Part 60, Appendix B, and 40 CFR Part 60 Appendix F, record the emissions of $NO_X$, CO, $SO_2$, $CO_2$ or $O_2$, and the flue gas opacity and volumetric flow rate on a continuous basis. |
| | 32. In accordance with 310 CMR 7.04(2)(a), 40 CFR Part 75, and/or 40 CFR Part 60 Appendix B., keep and maintain all required Smoke Density Indicator Recording Charts and/or COMS records. |
| | 33. In accordance with 310 CMR 7.19(13)(d)1. and 40 CFR Part 75, maintain a record of all measurements, performance evaluations, calibration checks, and maintenance or adjustments for each CEM. |
| | 34. In accordance with 40 CFR Part 75 § 75.53, prepare and maintain a monitoring plan containing sufficient information on the CEMS and COMS to demonstrate that all emissions of $SO_2$, $NO_X$, $CO_2$, and opacity are monitored and reported. The Permittee shall update the monitoring plan whenever it makes a replacement, modification, or change in the certified CEMS and/or COMS, including a change in the automated data acquisition and handling system or in the flue gas handling system. The monitoring plan shall contain all of the information required by 40 CFR Part 75 § 75.53(c). |
| | 35. In accordance with 40 CFR Part 75 § 75.54, maintain a file of all measurements, data reports, and other information required by 40 CFR Part 75. Said file shall include all information required by 40 CFR Part 75 § 75.74(a)(1) through (6). |
| | 36. In accordance with 310 CMR 7.00 Appendix C(9)(c)1., record operating time of each EU and the date and amount of time that any CEMS or COMS are inoperative. |
| | 37. In accordance with 310 CMR 7.19(13)(d)(3)., record for each unit on a daily basis the type(s) of fuel burned, heat content of each fuel, total heating value of the fuel consumed, actual emission rate (for emission units demonstrating compliance with CEMS), and allowable emission rate for CO and $NO_X$. |
| | 38. In accordance with 40 CFR §60.334(h)(4), maintain a file of the certificates of analysis for each analysis (sulfur content analysis done semiannually and heating value done quarterly) of natural gas supplied to the facility. |
| | 39. In accordance with MassDEP Approval #1-B-03-015 (6/9/03), maintain on-site permanent records of output from all continuous monitors for flue gas emission, fuel consumption, water-to-fuel ratios, SCR & CO catalyst inlet temperatures, and CTG inlet & ambient temperatures, and shall make these records available to the MassDEP on request. |
| | 40. In accordance with MassDEP Approval #1-B-03-015 (6/9/03) maintain a log to record problems, upsets or failures associated with the emission control system, CEMs, or ammonia handling system.. |

# Table 5d

| EU# | RECORDKEEPING REQUIREMENTS |
|---|---|
| EU 19<br>EU 20 | EP Massachusetts, LLC shall<br>41. In accordance with MassDEP Approval 1-B-03-015 (6/9/03), maintain for the life of the facility all operating and monitoring records and logs. The Permittee shall make available to the MassDEP for inspection upon request the five most recent years data. |
| | 42. Comply with all applicable recordkeeping requirements contained in 40 CFR Part 60, Subpart GG. |
| | 43. In accordance with MassDEP Approval #WE-14-012 (7/9/14), the Permittee shall maintain a copy of Plan Approval WE-14-012 (7/9/14), underlying Application and the most up-to-date SOMP for EU 19 and 20 and pollution control device(s) on-site. |
| | 44. In accordance with MassDEP Approval #WE-14-012 (7/9/14), the Permittee shall maintain a record of routine maintenance activities performed on EU 19 and 20, the pollution control device(s) and monitoring equipment. The records shall include, at a minimum, the type or a description of the maintenance performed and the date and time the work was completed. |
| | 45. In accordance with MassDEP Approval #WE-14-012 (7/9/14), the Permittee shall maintain a record of all malfunctions affecting air contaminant emission rates on EU 19 and 20, pollution control device(s)and monitoring equipment. At a minimum, the records shall include: date and time the malfunction occurred; description of the malfunction; corrective actions taken; the date and time corrective actions were initiated and completed; and the date and time emission rates and monitoring equipment returned to compliant operation. |
| EU 15<br>EU 17<br>EU 19<br>EU 20 | 46. In accordance with 310 CMR 7.32, maintain records as required by the Massachusetts Clean Air Interstate Rule (CAIR). |
| EU 15<br>EU 19<br>EU 20 | 47. In accordance with 310 CMR 7.70(8)(e)1. and Transmittal # X005353, comply with all recordkeeping and reporting requirements in 310 CMR 7.70(8)(e), with all applicable record keeping and reporting requirements under 40 CFR 75.73, and with the requirements of 310 CMR 7.70(2)(a)5. (State only Requirement) |
| | 48. In accordance with 310 CMR 7.70(8)(h)6.a. and Transmittal # X005353, comply with all output recordkeeping and reporting requirements in 310 CMR 7.70(8)(h) and with the requirements of 310 CMR 7.70(1)(e)5. and (2)(a)5. (State only Requirement) |
| | 49. In accordance with 310 CMR 7.70(8)(h)6.b. and Transmittal # X005353, retain data used to monitor, determine, or calculate net generation for ten years from the date reported. (State only Requirement) |
| EU 21 | 50. In accordance with 310 CMR 7.02(8)(i)(3)., maintain on site the following records for the engine:<br>a. Information on equipment type, make and model, and maximum power input/ output; and<br>b. A monthly log(s) of hours of operation, gallons of fuel used, fuel type and heating value; and a monthly calculation of the total hours operated and gallons of fuel used in the previous 12 months; and<br>c. Purchase orders, invoices, and other documents to support information in the monthly log. |

# Table 5e

| EU# | RECORDKEEPING REQUIREMENTS |
|---|---|
| EU 21 | EP Massachusetts, LLC shall<br>51. In accordance with 40 CFR 63.6655(a),(d), (e) and (f) and effective 10/19/2013, the Permittee shall maintain comprehensive and accurate records of:<br>a. a copy of each notification and report that you submitted to comply with 40 CFR Part 63, Subpart ZZZZ, including all documentation supporting any initial Notification or Notification of Compliance Status that you submitted, according to the requirement in 40 CFR 63.10(b)(2)(xiv).<br>b. the occurrence and duration of each malfunction of operation (i.e. process equipment) or the air pollution control and monitoring equipment.<br>c. performance tests and performance evaluations as required in 40 CFR 63.10(b)(2)(vii).<br>d. all required maintenance performed on the air pollution control and monitoring equipment.<br>e. actions taken during periods of malfunction to minimize emissions in accordance with 40 CFR 63.6605(b) including corrective actions to restore malfunctioning process and air pollution control and monitoring equipment to its normal or usual manner of operation.<br>f. the records required in Table 6 of this subpart to show continuous compliance with each emission or operating limitation that applies to you.<br>g. the maintenance conducted on the stationary RICE in order to demonstrate that you operated and maintained the stationary RICE and after-treatment control device (if any) according to your own maintenance plan.<br>h. the hours of operation of the engine that is recorded through the non-resettable hour meter. The owner or operator must document how many hours are spent for emergency operation, including what classified the operation as emergency and how many hours are spent for non-emergency operation. If the engines are used for periods of demand response operation for an Energy Emergency Alert Level 2, periods of a deviation of voltage or frequency of 5% or greater below standard voltage or frequency, and non-emergency periods as part of a financial arrangement with another entity, the owner or operator must keep records of the notification of the emergency situation, and the date, start time, and end time of engine operation for these purposes. |
| Facility-wide | 52. 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 of initial operating permit application. |
| | 53. In accordance with 310 CMR 7.12(3)(b), retain 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. |
| | 54. In accordance with 310 CMR 7.00 Appendix C(10)(b), record the certification from the fuel supplier for each shipment of jet fuel, #2 fuel oil, and #6 fuel oil to be used which shall include the following information:<br>a. The name of the oil supplier;<br>b. Percent sulfur content (by weight); and<br>c. The location where the sample was drawn for analysis to determine the sulfur 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 other location. As an alternative, the Permittee may elect to analyze the oil immediately after the fuel storage tank is filled and before any oil is combusted for each new shipment according to methods approved by the MassDEP. These records shall be maintained on-site. |
| | 55. In accordance with 310 CMR 7.71(6)b. and c. retain at the facility for five years and make available to MassDEP upon request copies of the documentation of the methodology and data used to quantify emissions. (State only requirement) |
| | 56. In accordance with 310 CMR 7.00 Appendix C(10)(b), the Permittee shall maintain comprehensive and accurate records onsite to demonstrate compliance with the facility-wide total and individual HAP emission limits contained in Table 3 above. Records shall also include the actual emissions of air contaminant(s) emitted for each calendar month and for each consecutive twelve month period (current month plus prior eleven months). These records shall be compiled no later than the 15$^{th}$ day following each month. |

*Table 5 Notes:*

EU # = Emission Unit
CFR = Code of Federal Regulations
EPA = Environmental Protection Agency
EGU = Electric Generating Unit
SOMP = Standard Operating and Maintenance Procedure

# Table 6a

| EU# | REPORTING REQUIREMENTS |
|---|---|
| EU 15 | EP Massachusetts, LLC shall<br>1. Each calendar year In accordance with 40 CFR Part 75 Subpart G, comply with all reporting requirements set forth, including, but not limited to:<br>a. all notifications required by 40 CFR Part 75 §75.61; and<br>b. submittal of a monitoring plan as required by 40 CFR Part 75 §75.62; and<br>c. submittal of applications for recertification as required by 40 CFR Part 75 §75.63; and<br>d. submittal of quarterly reports as required by 40 CFR Part 75 §75.64. Said quarterly reports shall be submitted to EPA in an approved electronic format and shall include all information required by 40 CFR Part 75 §75.64 (a)-(c). |
| | 2. In accordance with DEP Approval #1-E-94-010 (1/14/98), 310 CMR 7.19(13)(d)2., and 310 CMR 7.00 Appendix C(10), submit a report to MassDEP by the 30th day of the month following the preceding calendar year quarter. The report shall, at a minimum, include:<br>a. the date and time of commencement and completion of each period in excess emission limits/standards contained in Table 3a and Table 3e and the magnitude of the excess emissions for each hour;<br>b. identification of the suspected reason for the excess emissions and any corrective action taken;<br>c. the date and time that any CEMs stopped collecting valid data and when it started to collect valid data again, except for zero and span checks;<br>d. the nature and date of system repairs;<br>e. the total number of fired hours for the emission unit;<br>f. a summary of any excursions caused by startup, shutdown and malfunctions;<br>g. a summary of the daily, monthly and quarterly availability of the NOx, CO, SO2, $O_2$ and opacity analyzers of each unit and an explanation of any period(s) which does not meet the applicable requirement;<br>h. summary results of any applicable quality assurance testing (i.e., CGA, RATA). |
| | 3. In accordance with Regulation 310 CMR 7.19(13)(d)9., submit compliance records within 10 days of written request by MassDEP or EPA. |
| | 4. In accordance with MassDEP Approval #PV-83-C-009 009 (10/19/1983; amended 11/17/1983 & 5/12/1989), report to the MassDEP every 6 months the quantity and source of waste oil burned. |
| | 5. In accordance with 40 CFR 63.10006(j), report the results of performance tests and performance tune-ups within 60 days after the completion of the performance test and performance tune-ups. |
| | 6. In accordance with 40 CFR 63.10021(e)(8) and (9), maintain on-site and submit, if requested by the USEPA or MassDEP, an annual report containing the information in 40 CFR 63.10021(e)(1) through (e)(9) of this section including:<br>a. The concentrations of CO and $NO_X$ in the effluent stream in ppm by volume, and oxygen in volume percent, measured before and after an adjustment of the EGU combustion systems;<br>b. A description of any corrective actions taken as a part of the combustion adjustment; and<br>c. The type(s) and amount(s) of fuel used over the 12 calendar months prior to an adjustment, but only if the unit was physically and legally capable of using more than one type of fuel during that period; and<br>d Report the dates of the initial and subsequent tune-ups as follows:<br>(i) If the first required tune-up is performed as part of the initial compliance demonstration, report the date of the tune-up in hard copy (as specified in §63.10030) and electronically (as specified in §63.10031). Report the date of each subsequent tune-up electronically (as specified in §63.10031).<br>(ii) If the first tune-up is not conducted as part of the initial compliance demonstration, but is postponed until the next unit outage, report the date of that tune-up and all subsequent tune-ups electronically, in accordance with §63.10031. |

## Table 6b

| EU# | REPORTING REQUIREMENTS |
|---|---|
| EU 15 | EP Massachusetts, LLC shall<br><br>7. In accordance with 40 CFR 63.10021(i), provide reports as specified in §63.10031 concerning activities and periods of startup and shutdown. |
| | 8. In accordance with 40 CFR 63.10030(a), submit all of the notifications in §§63.7(b) and (c), 63.8 (e), (f)(4) and (6), and 63.9 (b) through (h) that apply to you by the dates specified. |
| | 9. In accordance with 40 CFR 63.10030(e), conduct an initial compliance demonstration as specified in §63.10011(a) and submit a Notification of Compliance Status according to §63.9(h)(2)(ii). The Notification of Compliance Status report shall contain all the information specified below.<br><br>a. A description of the affected source(s) including identification of which subcategory the source is in, the design capacity of the source, a description of the add-on controls used on the source, description of the fuel(s) burned, including whether the fuel(s) were determined by you or EPA through a petition process to be a non-waste under 40 CFR 241.3, whether the fuel(s) were processed from discarded non-hazardous secondary materials within the meaning of 40 CFR 241.3, and justification for the selection of fuel(s) burned during the performance test.<br><br>b. A signed certification that you have met all applicable emission limits and work practice standards.<br><br>c. If you had a deviation from a work practice standard, the Permittee shall also submit a brief description of the deviation, the duration of the deviation, and the cause of the deviation in the Notification of Compliance Status report.<br><br>d. In addition to the information required in §63.9(h)(2), the Permittee's notification of compliance status must include the following:<br><br>(ii) Certifications of compliance, as applicable, and must be signed by a responsible official stating:<br><br>(A) "This EGU complies with the requirements in §63.10021(a) to demonstrate continuous compliance." and<br><br>(B) "No secondary materials that are solid waste were combusted in any affected unit." |
| | 10. In accordance with 40 CFR 63.10031(a), submit each report in Table 8 of 40 CFR Part 63 Subpart UUUUU that applies to EU #15. |

## Table 6c

| EU# | REPORTING REQUIREMENTS |
|---|---|
| EU 15 | EP Massachusetts, LLC shall<br><br>11. In accordance with 40 CFR 63.10031(b), unless the Administrator has approved a different schedule for submission of reports under §63.10(a), the Permittee shall submit each report by the date in Table 8 to 40 CFR Part 63 Subpart UUUUU and according to the requirements in paragraphs (b)(1) through (5) of §63.10031 as specified below.<br><br>a The first compliance report must cover the period beginning on the compliance date that is specified for your affected source in §63.9984 (April 16, 2015) and ending on June 30 or December 31, whichever date is the first date that occurs at least 180 days after the compliance date that is specified for your source in §63.9984.<br><br>b. The first compliance report must be postmarked or submitted electronically no later than July 31 or January 31, whichever date is the first date following the end of the first calendar half after the compliance date that is specified for your source in §63.9984.<br><br>c. Each subsequent compliance report must cover the semiannual reporting period from January 1 through June 30 or the semiannual reporting period from July 1 through December 31.<br><br>d. Each subsequent compliance report must be postmarked or submitted electronically no later than July 31 or January 31, whichever date is the first date following the end of the semiannual reporting period.<br><br>e. For each affected source that is subject to permitting regulations pursuant to part 70 or part 71 of this chapter, and if the permitting authority has established dates for submitting semiannual reports pursuant to 40 CFR 70.6(a)(3)(iii)(A) or 40 CFR 71.6(a)(3)(iii)(A), you may submit the first and subsequent compliance reports according to the dates the permitting authority has established instead of according to the dates in paragraphs (b)(1) through (4) of this section. |
| | 12. In accordance with 40 CFR 63.10031(c), the compliance report shall contain the information required in paragraphs (c)(1), (3) and (4) of §63.10031(c), as specified below<br><br>a. The information required by the summary report located in 63.10(e)(3)(vi).<br><br>b. Indicate whether you burned new types of fuel during the reporting period. If you did burn new types of fuel you must include the date of the performance test where that fuel was in use.<br><br>c. Include the date of the most recent tune-up for each unit subject to the requirement to conduct a performance tune-up according to §63.10021(e). Include the date of the most recent burner inspection if it was not done every 36 months and was delayed until the next scheduled unit shutdown. |
| | 13. In accordance with 40 CFR 63.10031(e), Each affected source that has obtained a Title V operating permit pursuant to part 70 or part 71 of this chapter shall report all deviations as defined in this subpart in the semiannual monitoring report required by 40 CFR 70.6(a)(3)(iii)(A) or 40 CFR 71.6(a)(3)(iii)(A). If an affected source submits a compliance report pursuant to Table 8 to this subpart along with, or as part of, the semiannual monitoring report required by 40 CFR 70.6(a)(3)(iii)(A) or 40 CFR 71.6(a)(3)(iii)(A), and the compliance report includes all required information concerning deviations from any emission limit, operating limit, or work practice requirement in this subpart, submission of the compliance report satisfies any obligation to report the same deviations in the semiannual monitoring report. Submission of a compliance report does not otherwise affect any obligation the affected source may have to report deviations from permit requirements to the permit authority. |

## Table 6d

| EU# | REPORTING REQUIREMENTS |
|---|---|
| EU 16 | EP Massachusetts, LLC shall<br>14. In accordance with 40 CFR Part 60.48c (d) and (j), submit reports to the USEPA and MassDEP for each six-month period and shall be postmarked by the 30th day following the end of each reporting period. The reports shall include the following information:<br>a. Calendar dates covered in the reporting period<br>b. Fuel supplier certifications which shall include:<br>1. The name of the oil supplier;<br>2. A statement from the oil supplier that the oil complies with the specifications under the definition of distillate oil in 40 CFR 60.41c; and<br>3. The sulfur content or maximum sulfur content of the oil.<br>c. A certified statement signed by the Permittee of the affected facility that the records of fuel supplier certifications submitted represent all of the fuel combusted during the reporting period. |
| | 15. In accordance with 40 CFR 63.11214(b), submit a signed statement in the Notification of Compliance Status report that indicates that the Permittee conducted an initial tune-up of the boiler. |
| | 16. In accordance with 40 CFR 63.11214(c), submit a signed certification in the Notification of Compliance Status report that an energy assessment of the boiler and its energy use systems was completed according to Table 2 of 40 CFR Part 63 Subpart JJJJJJ and is an accurate depiction of your facility. |
| | 17. In accordance with 40 CFR 63.11225(a)(1) and (2) and 40 CFR 63.9(b)(2), an Initial Notification shall be submitted to the USEPA and MassDEP no later than January 20, 2014 or within 120 days after the source becomes subject to the standard. |
| | 18. In accordance with 40 CFR 63.11225(a)(4), submit the Notification of Compliance Status no later than 120 days after the applicable compliance date specified in § 63.11196. The Notification of Compliance Status must include the information and certification(s) of compliance in paragraphs (a)(4)(i) through (vi) of 40 CFR 63.11225 and as specified below, as applicable, and signed by a responsible official.<br>a. You must submit the information required in § 63.9(h)(2), except the information listed in § 63.9(h)(2)(i)(B), (D), (E), and (F).<br>b. "This facility complies with the requirements in § 63.11214 to conduct an initial tune-up of the boiler."<br>c. "This facility has had an energy assessment performed according to § 63.11214(c)."<br>d. For units that install bag leak detection systems: "This facility complies with the requirements in § 63.11224(f)."<br>e. For units that do not qualify for a statutory exemption as provided in section 129(g)(1) of the Clean Air Act: "No secondary materials that are solid waste were combusted in any affected unit."<br>f. The notification must be submitted electronically using the Compliance and Emissions Data Reporting Interface (CEDRI) that is accessed through EPA's Central Data Exchange (CDX) ( *www.epa.gov/cdx* ). However, if the reporting form specific to this subpart is not available in CEDRI at the time that the report is due, the written Notification of Compliance Status must be submitted to the Administrator at the appropriate address listed in § 63.13. |

# Table 6e

| EU# | REPORTING REQUIREMENTS |
|---|---|
| EU 16 | EP Massachusetts, LLC shall<br><br>19. In accordance with 40 CFR 63.11225(b), the Permittee shall prepare, by March 1 of every other year, and submit to MassDEP and the USEPA upon request, a biennial compliance certification report containing the information specified in 40 CFR 63.11225(b)(1) and (2) and as specified below. You must submit the report by March 15 if you had any instance described by paragraph 40 CFR 63.11225(b)(3).<br><br>a. Company name and address.<br><br>b. Statement by a responsible official, with the official's name, title, phone number, email address, and signature, certifying the truth, accuracy and completeness of the notification and a statement of whether the source has complied with all the relevant standards and other requirements of this subpart. Your notification must include the following certification(s) of compliance, as applicable, and signed by a responsible official:<br><br>1) "This facility complies with the requirements in 40 CFR 63.11223 to conduct a biennial or 5-year tune-up, as applicable, of each boiler."<br><br>2) For units that do not qualify for a statutory exemption as provided in section 129(g)(1) of the Clean Air Act: "No secondary materials that are solid waste were combusted in any affected unit."<br><br>3) "This facility complies with the requirement in 40 CFR 63.11214(d) and 63.11223(g) to minimize the boiler's time spent during startup and shutdown and to conduct startups and shutdowns according to the manufacturer's recommended procedures or procedures specified for a boiler of similar design if manufacturer's recommended procedures are not available." |
| EU 17 | 20. In accordance with 310 CMR 7.19(13)(c) and MassDEP Approval # 1-E-94-010 (1/14/1998),<br>a. submit a pretest protocol for the required $NO_X$ and CO testing emission test for review and MassDEP approval at least 60 days prior to the anticipated date of testing; and,<br>b. include in the pretest protocol a description of the sampling point locations, sampling equipment, sampling and analytical procedures, and the operating conditions for the required testing. |
| | 21. In accordance with 310 CMR 7.19(13)(c), submit the emission test report for the review and written MassDEP approval within 60 days of the completion of the annual compliance stack testing. |
| | 22. In accordance with 310 CMR 7.19(13)(d)(9)., submit compliance records within 10 days of written request by MassDEP and EPA. |
| | *23.* In accordance with 310 CMR 7.00: Appendix C(10), the Permittee shall submit a report to the Western Regional Office and to the BWP Air Stationary Source Branch at 1 Winter Street, Boston, MA 02108, by January 30 of each calendar year, which shall contain: 1) the total amounts of ozone season (May 1 through September 30) and non-ozone season (January 1 through April 30 and October 1 through December 31) $NO_x$ ERCs, with supporting calculations, that were necessary for compliance with the emission limitations contained in 310 CMR 7.19(7) in the previous calendar year, and 2) the identity of the source from which $NO_x$ ERCs were obtained, including company name, emission unit and method of generation, date of generation, and the Transmittal Number of the application for certification of $NO_x$ ERCs. |
| EU 18 | 24. In accordance with 310 CMR 7.03(5), report to the MassDEP any construction, substantial reconstruction or alteration of a degreaser described in 310 CMR 7.03(8) on the next required Source Registration / Emission Statement, in accordance with 310 CMR 7.12. |
| EU 19<br>EU 20 | 25. In accordance with MassDEP Approval #1-B-03-015 (6/9/03) and #1-B-02-004 (2/8/02), submit to the MassDEP, in a format acceptable to the MassDEP, a quarterly report no later than 30 days beyond the end of the most recent calendar quarter, which minimally contains the following information.<br>a. Reports from the facility CEMS containing summary emission data; and<br>b. For each period of excess emissions or excursions from allowable operating conditions, the Permittee shall list the duration, cause (including whether it is attributable to a malfunction or emergency), the response taken, and the amount of excess emissions. Periods of excess emissions shall include periods of startups/shutdowns, malfunction, emergency, and upsets or failures associated with the emission control system or CEMS.<br>c. A tabulation of periods of operation (dispatch). |

## Table 6f

| EU# | REPORTING REQUIREMENTS |
|---|---|
| EU 19<br>EU 20 | EP Massachusetts, LLC shall<br>26. In accordance with MassDEP Approval #1-B-03-015 (6/9/03) and #1B-02-004 (2/8/02), ensure that all periods of excess emissions, even if attributable to an emergency/malfunction or startup/shutdown, are quantified and included in the determination of annual emissions and compliance with the annual emission limits as stated herein. Any period of excess emission of CO shall count as a period of excess emission of VOC also. |
| | 27. In accordance with MassDEP Approvals #WE-14-012 ( 7/9/14), #1-B-03-015 (6/9/03) and #1-B-02-003/004 (2/4/02), submit a stack test protocol (including testing for startup and shutdown emissions, if required by the Department) for review and written Department approval at least 30 days prior to the date of actual testing. The test protocol must be submitted in accordance with MassDEP's "Air Contaminant Emission Test Guidelines." |
| | 28. In accordance with MassDEP Approvals #WE-14-012 (7/9/14), the Permittee shall submit to MassDEP a final stack emission test results report, within 45 days after emission testing. |
| | 29. Comply with all applicable reporting requirements contained in 40 CFR Part 60, Subpart GG. |
| EU 15<br>EU 17<br>EU 19<br>EU 20 | 30. In accordance with 310 CMR 7.32, submit reports as required by the Massachusetts Clean Air Interstate Rule (CAIR). |
| EU 15<br>EU 19<br>EU 20 | 31. In accordance with 310 CMR 7.70(2)(a)5. and Transmittal # X005353, 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) |
| | 32. In accordance with 310 CMR 7.70(4)(a) and Transmittal # X005353, for each control period in which a $CO_2$ budget source is subject to the $CO_2$ requirements of 310 CMR 7.70(1)(e)3., submit to the Department by the March 1 following the relevant control period, a compliance certification report. The compliance certification shall contain, at a minimum, the items listed in 310 CMR 7.70(4)(a)2. and 3. (State only Requirement) |
| | 33. In accordance with 310 CMR 7.70(6)(c) and Transmittal # X005353, following the establishment of a $CO_2$ Allowance Tracking System account, all submissions to the Department or its agent pertaining to the account, shall be made only by the $CO_2$ authorized account representative for the account. (State only Requirement) |
| | 34. In accordance with 310 CMR 7.70(8)(d) and Transmittal # X005353, the $CO_2$ authorized account representative shall submit written notifications to the Department and the Administrator in accordance with 40 CFR 75.61. (State only Requirement) |
| | 35. In accordance with 310 CMR 7.70(8)(e)1. and Transmittal # X005353, comply with all recordkeeping and reporting requirements in 310 CMR 7.70(8)(e), the applicable record keeping and reporting requirements under 40 CFR 75.73 and with the requirements of 310 CMR 7.70(2)(a)5. (State only Requirement) |
| | 36. In accordance with 310 CMR 7.70(8)(e)4.a.i. and Transmittal # X005353, report the $CO_2$ mass emissions data for the $CO_2$ budget unit that commenced commercial operation before July 1, 2008, in an electronic format prescribed by the Administrator, unless otherwise prescribed by the Department, for each calendar quarter beginning with the calendar quarter covering January 1, 2009 through March 31, 2009. (State only Requirement) |
| | 37. In accordance with 310 CMR 7.70(8)(e)4.c. and Transmittal # X005353, submit to the Department or its agent a compliance certification in support of each quarterly report. (State only Requirement) |

## Table 6g

| EU# | REPORTING REQUIREMENTS |
|---|---|
| EU 15<br>EU 19<br>EU 20 | EP Massachusetts, LLC shall<br>38. In accordance with 310 CMR 7.70(8)(h)6.a. and Transmittal # X005353, comply with all output recordkeeping and reporting requirements in 310 CMR 7.70(8)(h) and with the requirements of 310 CMR 7.70(1)(e)5. and (2)(a)5. (State only Requirement) |
| | 39. In accordance with 310 CMR 7.70(8)(h)6.c. and Transmittal # X005353, submit annual output reports in a spreadsheet both electronically and in hardcopy by March 1 for the immediately preceding calendar year **to Sue Ann Richardson at the MassDEP Boston office** or the Department's agent. (State only Requirement) |
| EU 21 | 40. In accordance with 310 CMR 7.02(8)(i)4., make available the monthly log(s) and records established under 310 CMR 7.02(8)(i)3. to MassDEP or its designee upon request. The owner or operator shall certify that the log is accurate and true in accordance with 310 CMR 7.01(2). |
| | 41. In accordance with 40 CFR 63.6650(h) and effective 10/19/2013, if you own or operate an emergency stationary RICE with a site rating of more than 100 brake HP that operates or is contractually obligated to be available for more than 15 hours per calendar year for the purposes specified in 40 CFR 63.6640(f)(2)(ii) and (iii) or that operates for the purpose specified in 40 CFR 63.6640(f)(4)(ii), you must submit an annual report according to the requirements in paragraphs (h)(1) through (3) of this section and as specified below.<br>a. The report must contain the following information:<br>1) Company name and address where the engine is located.<br>2) Date of the report and beginning and ending dates of the reporting period.<br>3) Engine site rating and model year.<br>4) Latitude and longitude of the engine in decimal degrees reported to the fifth decimal place.<br>5) Hours operated for the purposes specified in 40 CFR 63.6640(f)(2)(ii) and (iii), including the date, start time, and end time for engine operation for the purposes specified in § 63.6640(f)(2)(ii) and (iii).<br>6) Number of hours the engine is contractually obligated to be available for the purposes specified in 40 CFR 63.6640(f)(2)(ii) and (iii).<br>7) Hours spent for operation for the purpose specified in 40 CFR 63.6640(f)(4)(ii), including the date, start time, and end time for engine operation for the purposes specified in 40 CFR 63.6640(f)(4)(ii). The report must also identify the entity that dispatched the engine and the situation that necessitated the dispatch of the engine.<br>8) If there were no deviations from the fuel requirements in 40 CFR 63.6604 that apply to the engine (if any), a statement that there were no deviations from the fuel requirements during the reporting period.<br>9) If there were deviations from the fuel requirements in 40 CFR 63.6604 that apply to the engine (if any), information on the number, duration, and cause of deviations, and the corrective action taken.<br>b. The first annual report must cover the calendar year 2015 and must be submitted no later than March 31, 2016. Subsequent annual reports for each calendar year must be submitted no later than March 31 of the following calendar year.<br>c. The annual report must be submitted electronically using the subpart specific reporting form in the Compliance and Emissions Data Reporting Interface (CEDRI) that is accessed through EPA's Central Data Exchange (CDX) ( *www.epa.gov/cdx* ). However, if the reporting form specific to this subpart is not available in CEDRI at the time that the report is due, the written report must be submitted to the Administrator at the appropriate address listed in 40 CFR 63.13. |

## Table 6h

| EU# | REPORTING REQUIREMENTS(1) |
|---|---|
| EU 21 | EP Massachusetts, LLC shall<br>42. In accordance with 40 CFR 63.6640(e) and effective 10/19/2013, the Permittee shall report each instance in which you did not meet the requirements in Table 8 to 40 CFR Part 63 Subpart ZZZZ that apply to you. |
| | 43. In accordance with 40 CFR 63.6603 and 63.6640, Footnote 2 of Table 2d, and effective 10/19/2013, if an emergency engine is operating during an emergency and it is not possible to shut down the engine in order to perform the management practice requirements on the schedule required in Table 2d of this subpart, or if performing the management practice on the required schedule would otherwise pose an unacceptable risk under Federal, State, or local law, the management practice can be delayed until the emergency is over or the unacceptable risk under Federal, State, or local law has abated. The management practice should be performed as soon as practicable after the emergency has ended or the unacceptable risk under Federal, State, or local law has abated. Sources must report any failure to perform the management practice as soon as practicable and the Federal, State or local law under which the risk was deemed unacceptable. |
| Facility -wide | 44. Submit a Source Registration/Emission Statement Form to MassDEP on an annual basis as required by 310 CMR 7.12. |
| | 45. 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 MassDEP's regulations or design approval provisos shall cause such stack testing to be summarized and submitted to MassDEP as prescribed in the agreed to pretest protocol. |
| | 46. In accordance with 310 CMR 7.00 Appendix C(10)(c), submit to the 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")** |
| | 47. Submit Annual Compliance report to MassDEP and EPA by January 30 of each year and as required by General Condition 10 of this Permit. |
| | 48. In accordance with 310 CMR 7.00 Appendix C(10)(a), submit to the 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 the MassDEP or EPA. |
| | 49. In accordance with 310 CMR 7.00 Appendix C(10)(f), the Permittee shall report to the MassDEP's Regional Bureau of Waste Prevention all instances of deviations from permit requirements. **(See Provision 25 in "GENERAL CONDITIONS FOR OPERATING PERMIT")** |
| | 50. In accordance with 310 CMR 7.71(5), by April 15th, 2010 and April 15th of each year thereafter report emissions of greenhouse gases from stationary emissions sources including, but not limited to, emissions from factory stacks, manufacturing processes and vents, fugitive emissions, and other process emissions; and owned or leased motor vehicles when stationary source greenhouse gas emissions are greater than 5,000 short tons CO2e. Report greenhouse gas emissions electronically in a format that can be accommodated by the registry. (State only requirement) |
| | 51. In accordance with 310 CMR 7.71(6), certify greenhouse gas emissions reports using a form provided by MassDEP or the registry. (State only requirement) |
| | 52. In accordance with 310 CMR 7.71(7), by December 31st of the applicable year submit to MassDEP documentation of triennial verification of the greenhouse gas emissions report. (State only requirement) |

*Table 6 Notes:*
EU # = Emission Unit
CO2e = Carbon Dioxide Equivalent
HAP = Hazardous Air Pollutant
CFR = Code of Federal Regulations
EPA = Environmental Protection Agency
EGU = Electric Generating Unit

*Table 6 Foot Notes:*

(1) The annual Source Registration/Emission Statement report shall be submitted to the DEP 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 | DESCRIPTION/REASON |
|---|---|
| 310 CMR 7.27 | Superseded by 310 CMR 7.28 and 7.32 |
| 310 CMR 7.28 | As of January 1, 2009, this regulation is no longer applicable; it was superseded by 310 CMR 7.32 |
| 310 CMR 7.16: Reduction of Single Occupant Commuter Vehicle Use | Facility employs fewer than 250 people. |
| 40 CFR Part 64 -Compliance Assurance Monitoring | Facility is exempt since it does not meet the applicability criteria specified in 40 CFR 64.2(a)(1) through (3). |

# 5. SPECIAL TERMS AND CONDITIONS

The permittee is subject to the following special provisions that are not contained in Table 3, 4, 5, and 6:

## Table 8a

| EU# | SPECIAL TERMS AND CONDITIONS |
|---|---|
| EU 15 | **Waste Oil Burning** - EP Massachusetts, LLC shall<br>1. In accordance with MassDEP Approval #PV-83-C-009 (10/19/1983; amended 11/17/1983 & 5/12/1989), burn waste oil generated only at Massachusetts facilities. |
| | 2. In accordance with MassDEP Approval #PV-83-C-009 (10/19/1983; amended 11/17/1983 & 5/12/1989), burn waste oil only in Unit #3 (EU 15). |
| | 3. In accordance with MassDEP Approval #PV-83-C-009 009 (10/19/1983; amended 11/17/1983 & 5/12/1989), ensure that the concentration of waste oil in the #6 oil being burned will not exceed 10% by volume. |
| | 4. In accordance with MassDEP Approval #PV-83-C-009 009 (10/19/1983; amended 11/17/1983 & 5/12/1989) and Regulation 310 CMR 7.05(8), ensure that all waste oil combusted meets the standards for used oil fuel tabulated therein. |
| | 5. In accordance with MassDEP Approval #PV-83-C-009 009 (10/19/1983; amended 11/17/1983 & 5/12/1989), combust waste oil only after the boiler is at normal firing rate and temperature. |
| | 6. In accordance with MassDEP Approval #PV-83-C-009 009 (10/19/1983; amended 11/17/1983 & 5/12/1989), at least once a year (at the MassDEP's discretion), analyze at a qualified independent laboratory, a composite sample of the waste oil in the holding tank. |
| | **Federal Acid Rain Program; Phase II Acid Rain Permit**<br>7. Emission Unit 15 is a Phase II Acid Rain Unit as defined by the EPA in 40 CFR Part 72. Pursuant to 40 CFR §72.71, 40 CFR §72.73, and 310 CMR 7.00: Appendix C(3)(n), the MassDEP is the permitting authority for Phase II Acid Rain Permits. MassDEP issued the FINAL Phase II acid rain permit for EU 15 on January 27, 2003. MassDEP 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. |
| | 8. Within 60 days of the end of each calendar year the Permittee shall hold in its $SO_2$ allowance account at least one allowance for each ton of $SO_2$ emitted during the previous year. An allowance is a limited authorization to emit $SO_2$ in accordance with the Acid Rain Program. |
| | 9. If the facility has excess emissions in any calendar year, it shall submit a proposed offset plan as required under 40 CFR Part 77. In addition, the Permittee shall pay any penalties specified in 40 CFR Part 77 and comply with the terms of an approved offset plan. |
| | 10. In accordance with 40 CFR Part 73, the Permittee's designated representative may buy, sell, trade, or transfer allowances between EU accounts at any time, except between within 60 days of the end of the calendar year and the completion of the annual $SO_2$ allowance reconciliation for the preceding year(s). |
| | 11. Pursuant to 40 CFR Part 73 Table 2 (as amended), EPA will annually allocate the following $SO_2$ allowances for EU 15: |

| Year | 2013 | 2014 | 2015 | 2016 |
|---|---|---|---|---|
| Allowances | 3017 | 3017 | 3017 | 3017 |

## Table 8b

| EU# | SPECIAL TERMS AND CONDITIONS |
|---|---|
| EU 15 | 12. Emission Unit #15 is subject to the National Emission Standard for Hazardous Air Pollutants for Area Sources: Coal and Oil-Fired Electric Utility Steam Generating Units, 40 CFR Part 63.9980 through 63.10041 and shall comply with all applicable standards by April 16, 2015. |
| | 13. In accordance with 40 CFR 63.9991(a)(1) and 63.10021(a), at all times, the Permittee shall meet each work practice standard in Table 3 of 40 CFR Part 63 Subpart UUUUU that applies to EU #15 according to the monitoring specified in Table 7 of 40 CFR Part 63 Subpart UUUUU and in paragraphs (e) through (g) of §63.10021. |
| | 14. In accordance with 40 CFR 63.10000(a), the Permittee shall meet the work practice requirements in Table 3 of 40 CFR Part 63 Subpart UUUUU that apply to EU#15 during periods of startup or shutdown. |
| | 15. In accordance with 40 CFR 63.10000(b), at all times the Permittee shall operate and maintain EU #15, including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions. Determination of whether such operation and maintenance procedures are being used will be based on information available to the USEPA and the MassDEP which may include, but is not limited to, monitoring results, review of operation and maintenance procedures, review of operation and maintenance records, and inspection of the source. |
| | 16. In accordance with 40 CFR 63.10005(a), the Permittee shall demonstrate initial compliance no later than the applicable date in paragraph (f) of §63.10005(a)for tune-up work practices for existing EGUs, in §63.9984 for other requirements for existing EGUs |
| | 17. In accordance with 40 CFR 63.10011(f)(1) and (2), the Permittee shall determine the fuel whose combustion produces the least uncontrolled emissions, *i.e.*, the cleanest fuel, either natural gas or distillate oil, that is available on site or accessible nearby for use during periods of startup or shutdown. Your cleanest fuel, either natural gas or distillate oil, for use during periods of startup or shutdown determination may take safety considerations into account. |
| | 18. In accordance with 40 CFR 63.10011(g), the Permittee shall follow the startup or shutdown requirements given in Table 3 of 40 CFR Part 63 Subpart UUUUU for EU #15. |

# Table 8c

| EU# | SPECIAL TERMS AND CONDITIONS |
|---|---|
| EU 16 | EP Massachusetts, LLC shall<br>19. In accordance with Regulation 310 CMR 7.02(8)(f), continue to be subject to 40 CFR 60 Subpart Dc and operate in compliance with such standard(s). |
| | 20. Emission Unit #16 is subject to the National Emission Standard for Hazardous Air Pollutants for Area Sources: Industrial, Commercial, and Institutional Boilers, 40 CFR Part 63.11193 through 63.11237 and shall comply with all applicable standards by March 21, 2014. |
| | 21. In accordance with 40 CFR 63.11205, at all times operate and maintain EU #16, including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions. |
| | 22. EU# 16 is subject to the requirements of 40 CFR 63.1-10,12-16, Subpart A, "General Provisions" [as indicated in Table"8" to Subpart JJJJJJ of 40 CFR 63]. Compliance with all applicable provisions therein is required. |
| EU 17 | 23. As allowed according to 310 CMR 7.19(2)(g), use Emission Reduction Credits (ERCs) to offset any actual $NO_x$ emissions in excess of allowable NOx emission limits listed herein. The Permittee shall purchase ERCs as provided in 310 CMR 7.00, Appendix B(3), to offset all actual $NO_x$ emissions in excess of allowable emission limits.<br><br>The Permittee shall calculate the total amounts of ozone season (May 1 through September 30) and non-ozone season (October 1 through April 30)NOx ERCs that are necessary for compliance with 310 CMR 7.19, and obtain and use (or retire) ERCs in accordance with the provisions of 310 CMR 7.00: Appendix B(3)(e)8. The calculated needed ERCs shall be rounded up to the nearest ton.<br><br>In accordance with 310 CMR 7.00: Appendix B(3)(e)8., NOx ERCs generated during the ozone control period May 1 through September 30 can be used for compliance at any time during the year. However, NOx ERCs generated during the non-ozone control period of October 1 through April 30 shall only be used for compliance the same season as generated (October 1 through April 30). |
| EU 18 | 24. In accordance with 310 CMR 7.18(8), ensure that the degreasers comply with the criteria specified therein. |
| | 25. In accordance with 310 CMR 7.18(1)(c), store and dispose of volatile organic compounds 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. |
| | 26. 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:<br>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<br>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<br>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. |
| | 27. In accordance with 310 CMR 7.18(8)(f), maintain instantaneous and continuous compliance at all times. |
| EU 19<br>EU 20 | **Federal Acid Rain Program; Phase II Acid Rain Permit**<br><br>28. Emission Units 19 and 20 are Phase II Acid Rain units as defined by the EPA in 40 CFR Part 72. Pursuant to 40 CFR §72.71, 40 CFR §72.73, and 310 CMR 7;00: Appendix C (3)(n), MassDEP is the permitting authority for Phase II Acid Rain Permits. The MassDEP issued the FINAL Phase II Acid Rain Permit on May 20, 2002. MassDEP 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. |

# Table 8d

| EU# | SPECIAL TERMS AND CONDITIONS |
|---|---|
| EU 19<br>EU 20 | EP Massachusetts, LLC shall<br>29. Within 60 days of the end of each calendar year the Permittee shall hold in its $SO_2$ allowance account at least one allowance for each ton of $SO_2$ emitted during the previous year. An allowance is a limited authorization to emit $SO_2$ in accordance with the Acid Rain Program. |
| | 30. If the facility has excess emissions in any calendar year, it shall submit a proposed offset plan as required under 40 CFR Part 77. In addition, the Permittee shall pay penalties specified in 40 CFR Part 77 and comply with the terms of an approved offset plan. |
| | 31. In accordance with 40 CFR Part 73, the Permittee's designated representative may buy, sell, trade, or transfer allowances between EU accounts at any time except between 60 days of the end of the calendar year and the completion of the annual SO2 allowance reconciliation for the preceding year(s). |
| | 32. Pursuant to 40 CFR Part 73 Table 2 (as amended), EPA will annually allocate the following SO2 allowances for each affected unit: |

| Emission Unit | | 2013 | 2014 | 2015 | 2016 |
|---|---|---|---|---|---|
| **EU 19** | **SO2 allowances** | 0 | 0 | 0 | 0 |
| **EU 20** | **SO2 allowances** | 0 | 0 | 0 | 0 |

| | |
|---|---|
| | 33. In accordance with MassDEP Approval #1-B-03-015 (6/9/03) and #1-B-02-003/004 (2/8/02), not burn Ultra Low Sulfur oil during the time period May 1 through September 30 inclusive of any calendar year, except during initial compliance testing, initial plant demonstration and performance testing, periodic readiness testing, in the event of the unavailability of natural gas, or in the case of a variance obtained from the MassDEP to operate during an emergency. |
| | 34. In accordance with MassDEP Approval #1-B-03-015 (6/9/03) and #1-B-02-003/004 (2/8/02) , store the standard operating and maintenance procedures for the ammonia handling system in a convenient location (control room/technical library) and make them readily available to all employees. |
| | 35. In accordance with Mass DEP Approval #1-B-03-015 (6/9/03) and #1-B-02-003/004 (2/8/02), ensure that the ammonia storage tank employs a water trap or similar device (as described in the plan application materials) so the ammonia emissions during storage, filling, and transfer are insignificantly small compared to stack ammonia emissions. |
| | 36. In accordance with MassDEP Approval #1-B-03-015 (6/9/03) and #1-B-02-003/004 (2/8/02), maintain in the facility control room portable ammonia detectors (e.g. draeger tubes or other monitoring instrument) for use during an ammonia spill or atypical atmospheric release. |
| | 37. In accordance with MassDEP Approval #1-B-03-015 (6/9/03) and #1-B-02-003/004 (2/8/02), train all personnel to operate the facility monitoring and control equipment in accordance with vendor specifications and all applicable regulations. This training shall be updated at least once annually. |
| | 38. In accordance with MassDEP Approval #1-B-03-015 (6/9/03) and #1-B-02-003/004 (2/8/02), maintain on-site for the CEMS equipment an adequate supply of spare parts to maintain the on-line availability and data capture requirements of provision 38 in Table 4e. |
| | 39. In accordance with MassDEP Approval #1-B-03-015 (6/9/03) and #1-B-02-003/004 (2/8/02), comply with all applicable monitoring, testing, reporting and record-keeping requirements, and all applicable operational standards contained in 40 CFR Parts 72 and 75 (Acid Rain Program). |

# Table 8e

| EU# | SPECIAL TERMS AND CONDITIONS |
|---|---|
| EU 19<br>EU 20 | EP Massachusetts, LLC shall<br>40. In accordance with MassDEP Approval #1-B-02-004 (2/8/02), post conspicuous signs at the ammonia unloading rack specifying that the vapor recovery system must be used by all trucks unloading product.<br>41. In accordance with MassDEP Approval #1-B-02-004 (2/8/02), not allow any trucks to unload product at the ammonia loading rack unless the truck is equipped with a vapor recovery system.<br>42. In accordance with MassDEP Approval #1-B-02-004 (2/8/02), incorporate a "surface reduction device" with freeze protection, in the bermed area of the ammonia storage tank to minimize any evaporation of ammonia in the event of an accidental release.<br>43. In accordance with MassDEP Approval #1-B-02-003 (2/8/02), ensure there are four test ports (of suitable diameter for use with an EPA Method 5 sample probe) at 90° angles and minimally four feet above the stack test/CEM platform grate. The Method 5 test ports shall be located to conform to the requirements contained in 40 CFR 60 Appendix A, Method 1. The grate platform shall extend 360° around the stack circumference.<br>44. In accordance with MassDEP Approval #1-B-02-003 (2/8/02), ensure there are four monorail systems for use at each of the EPA test ports specified above. The monorails shall provide for safe and facile handling of an EPA Method 5 sampling train.<br>45. In accordance with MassDEP Approval #1-B-02-003 (2/8/02), ensure that, minimally, two 120 volt ac power plugs are available at/on the sampling platform(s) for access by test team member(s) of sufficient amperage to support operation of an EPA Method 5 sampling train and auxiliaries, as required by a test team.<br>46. **[STATE ONLY]** In accordance with MassDEP Approval #1-B-00-038 (1/19/01), ensure that the facility (new and existing units) shall be operated and maintained such at all times:<br>a. No condition of air pollution will be caused by emissions of sound as provided in 310 CMR 7.01; and<br>b. No sound emissions resulting in noise will occur as provided in 310 CMR 7.10 and MassDEP's Policy 90-001 other than approved herein.<br>47. **[STATE ONLY]** In accordance with MassDEP Approval #1-B-00-038 (1/19/01), accept the MassDEP's right to require additional measurement periods, locations, or events if in the opinion of the MassDEP such additional measurements are necessary to determine compliance with the Air Pollution Control Regulations.<br>48. EU 19 & 20 are subject to the federal Standards of Performance for Stationary Gas Turbines, 40 CFR Part 60.330 through 60.335 and shall comply with all applicable standards.<br>49. In accordance with MassDEP Approval #WE-14-012 (7/9/14), EU #19 and #20 shall utilize an exhaust stack on each of the emission units that is consistent with good air pollution control engineering practice and that discharges so as to not cause or contribute to a condition of air pollution. The exhaust stack shall be configured to discharge the gases vertically and shall not be equipped with any part or device that restricts the vertical exhaust flow of the emitted gases, including but not limited to rain protection devices known as "shanty caps" and "egg beaters." The Permittee shall utilize exhaust stacks with the following parameters: |

| EU# | Stack Height Above Ground (feet) | Stack Inside Exit Dimensions (feet) | Stack Gas Exit Velocity Range (feet per second) | Stack Gas Exit Temperature Range ($^{o}$F) |
|---|---|---|---|---|
| 19 | 179 | 12 | 86 | 849 |
| 20 | 179 | 12 | 86 | 849 |

# Table 8f

| EU# | SPECIAL TERMS AND CONDITIONS |
|---|---|
| EU 15<br>EU 17<br>EU 19<br>EU 20 | EP Massachusetts, LLC shall<br>50. EU # 15,17,19, and 20 are subject to and shall comply with the Massachusetts Clean Air Interstate Rule (CAIR), 310 CMR 7.32, and has submitted a CAIR emission control application pursuant to 310 CMR 7.32(3). |
| | 51. The owner/operator of EU#15, 17, 19, and 20 are subject to the Massachusetts $CO_2$ Budget Trading Program, 310 CMR 7.70 and shall comply with all applicable requirements therein. The $CO_2$ authorized account representative has submitted to MassDEP, on or before August 1, 2008, a complete $CO_2$ budget emission control plan in accordance with 310 CMR 7.70(3)(b) which contained the required contents under 310 CMR 7.70(3)(c) covering EU#15, 17, 19 and 20. |
| EU 21 | 52. In accordance with 40 CFR 63.6595(a)(1), the Permittee shall comply with the applicable requirements of 40 CFR Subpart ZZZZ by no later than October 19, 2013. |
| | 53. In accordance with 40 CFR 63.6603, item 5 of Table 2d, and effective 10/19/2013, the Permittee shall:<br>a. Change oil and filter every 500 hours of operation or annually, whichever comes first;<br>b. Inspect spark plugs every 1,000 hours of operation or annually, whichever comes first, and replace as necessary; and<br>c. Inspect all hoses and belts every 500 hours of operation or annually, whichever comes first, and replace as necessary<br>Sources have the option to utilize an oil analysis program as described in 40 CFR 63.6625(j) in order to extend the specified oil change requirement in Table 2d of 40 CFR Part 63 Subpart ZZZZ. |
| | 54. In accordance with 40 CFR 63.6605(a) and (b), and effective 10/19/2013,<br>a. The Permittee shall be in compliance with the emission limitations, operating limitations and other requirements in this subpart that apply to you at all times.<br>b. At all times the Permittee must operate and maintain any affected source, including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions. The general duty to minimize emissions does not require you to make any further efforts to reduce emissions if levels required by this standard have been achieved. Determination of whether such operation and maintenance procedures are being used will be based on information available to the Administrator which may include, but is not limited to, monitoring results, review of operation and maintenance procedures, review of operation and maintenance records, and inspection of the source. |
| | 55. In accordance with 40 CFR 63.6640(a), Table 6, and effective 10/19/2013, the Permittee shall continuously comply with the work or management practices as required by the following :<br>a. Operate and maintain EU#21 according to the manufacturer's emission-related operation and maintenance instructions; or<br>b. Develop and follow your own maintenance plan which must provide to the extent practicable for the maintenance and operation of the engine in a manner consistent with good air pollution control practice for minimizing emissions. |
| | 56. In accordance with 40 CFR 63.6640(f)(1) and (2), operate the engine according to the conditions described in 40 CFR 63.6640(f)(1) and (2). In order for the engine to be considered an emergency stationary RICE under this subpart, any operation other than emergency operation, maintenance and testing and emergency demand response, as described in 40 CFR 63.6640(f)(1) and (2), is prohibited. If you do not operate the engine according to the requirements in 40 CFR 63.6640(f)(1) and (2), the engine will not be considered an emergency engine under this subpart and will need to meet all requirements for non-emergency engines. |

## Table 8g

| EU# | SPECIAL TERMS AND CONDITIONS |
|---|---|
| EU 21 | EP Massachusetts, LLC shall<br>57. EU# 21 is subject to the requirements of 40 CFR 63.1-10,12-15, Subpart A, "General Provisions" [as indicated in Table"8" to Subpart ZZZZ of 40 CFR 63]. Compliance with all applicable provisions therein is required. |
| Facility -wide | 58. The Permittee is subject to, and has stated in their operating application that they are in compliance with the requirements of 40 CFR 82: Protection of Stratospheric Ozone. These requirements are applicable to this facility and the United States Environmental Protection Agency enforces these requirements. |

*Table 8 Notes*

CFR = Code of Federal Regulations
RICE = Reciprocating Internal Combustion Engine
USEPA = United States Environmental Protection Agency
EGU = Electric Generating Unit
EU# = Emission Unit Number
$^{o}$F = Degree Fahrenheit

## 6. ALTERNATIVE OPERATING SCENARIOS

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

## 7. EMISSIONS TRADING

**Table 10.**

| EMISSIONS TRADING | |
|---|---|
| 40 CFR Part 72, 73, and 74 | SO2 Allowance System |
| 310 CMR 7.00, Appendix A | Emissions Offsets |
| 310 CMR 7.00, Appendix B | Emission Reduction Credits |

(a) Intra-facility emission trading

Pursuant to 310 CMR 7.00: Appendix C(7)(b), emission trades, provided for in this permit, may be implemented provided the Permittee notifies The United States Environmental Protection Agency (EPA) and the 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 the 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.

## 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 the MassDEP. The report shall be submitted in compliance with the submission requirements below.

The compliance certification and report shall describe:

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

## 11. NONCOMPLIANCE

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

## 12. PERMIT SHIELD

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

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

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

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

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

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

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

## 13. ENFORCEMENT

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

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

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

## 14. PERMIT TERM

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

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

## 15. PERMIT RENEWAL

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

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

## 16. REOPENING FOR CAUSE

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

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

## 17. DUTY TO PROVIDE INFORMATION

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

## 18. DUTY TO SUPPLEMENT

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

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

## 19. TRANSFER OF OWNERSHIP OR OPERATION

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

## 20. PROPERTY RIGHTS

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

## 21. INSPECTION AND ENTRY

Upon presentation of credentials and other documents as may be required by law, the Permittee shall allow authorized representatives of 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 based[1] emission limitations specified in this Permit as a result of an emergency[2]. In order to use emergency as an affirmative defense to an action brought for noncompliance, the Permittee shall demonstrate the affirmative defense through properly signed, contemporaneous operating logs, or other relevant evidence that:

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

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

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 Waste Prevention the following deviations from permit requirements, by telephone, fax or 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 your Operating Permit or other approvals, where the parameter limit is identified by the Permit or approval as surrogate for an emission limit.

C. Exceedances of Permit operational limitations directly correlated to excess emissions.

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

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

For all other deviations, three (3) day notification is waived and is satisfied by the documentation required in the subsequent Semi-Annual Monitoring Summary and Certification. Instructions and forms for reporting deviations are found in the MassDEP Bureau of Waste Prevention 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 Waste Prevention within ten (10) days of discovery. For deviations, which do not require 3-day verbal notification, follow-up reporting requirements are satisfied by the documentation required in the aforementioned Semi-Annual Monitoring Summary and Certification.

## 26. OPERATIONAL FLEXIBILITY

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

## 27. MODIFICATIONS

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

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

C. Significant Modifications - The Permittee may make changes at the facility which are considered significant modifications pursuant to 310 CMR 7.00: Appendix C(8)(a)3., provided they comply with the requirements established at 310 CMR 7.00: Appendix C(8)(c).

D. No permit revision shall be required, under any approved economic incentives program, marketable permits program, emission trading program and other similar programs or processes, for changes that are provided in this Operating Permit. A revision to the Permit is not required for increases in emissions that are authorized by allowances acquired pursuant to the Acid Rain Program under Title IV of the Act, provided that such increases do not require an Operating Permit revision under any other applicable requirement.

## 28. OZONE DEPLETING SUBSTANCES

This section contains air pollution control requirements that are applicable to this facility, and the United States Environmental Protection Agency enforces these requirements.

A. The Permittee shall comply with the standards for labeling of products using ozone-depleting substances pursuant to 40 CFR Part 82, Subpart E:

1) All containers containing a class I or class II substance that is stored or transported, all products containing a class I substance, and all products directly manufactured with a class I substance must bear the required warning statement if it is being introduced into interstate commerce pursuant to 40 CFR 82.106.
2) The placement of the required warning statement must comply with the requirements of 40 CFR 82.108.
3) The form of the label bearing the required warning statement must comply with the requirements of 40 CFR 82.110.
4) No person may modify, remove or interfere with the required warning statement except as described in 40 CFR 82.112.

B. The Permittee shall comply with the standards for recycling and emissions reduction pursuant to 40 CFR Part 82, Subpart F, except as provided for motor vehicle air conditioners (MVAC) in Subpart B:

1) Persons opening appliances for maintenance, service, repair or disposal must comply with the required practices of 40 CFR 82.156.
2) Equipment used during the maintenance, service, repair or disposal of appliances must comply with the standards for recycling and recovery equipment of 40 CFR 82.158.
3) Persons performing maintenance, service, repair or disposal of appliances must be certified by an approved technician certification program pursuant to 40 CFR 82.161.
4) Persons disposing of small appliances, MVACs and MVAC-like appliances (as defined in 40 CFR 82.152) must comply with recordkeeping requirements of 40 CFR 82.166.
5) Persons owning commercial or industrial process refrigeration equipment must comply with the leak repair equipment requirements of 40 CFR 82.156.
6) Owners/operators of appliances normally containing 50 or more pounds of refrigerant must keep records of refrigerant purchased and added to such appliances pursuant to 40 CFR 82.166.

C. If the Permittee manufactures, transforms, imports or exports a class I or class II substance, the Permittee is subject to all the requirements as specified in 40 CFR Part82, Subpart A, "Production and Consumption Controls".

D. If the Permittee performs a service on motor (fleet) vehicles when this service involves ozone-depleting substance refrigerant (or regulated substitute substance) in the motor vehicle air conditioner (MVAC), the permittee is subject to all the applicable requirements as specified in 40 CFR Part 82, Subpart B, "Servicing of Motor Vehicle Air Conditioners". The term "motor vehicle" as used in Subpart B does not include a vehicle in which final assembly of the vehicle has not been completed. The term "MVAC" as used in Subpart B does not include the air-tight sealed refrigeration system used as refrigerated cargo or system used on passenger buses using HCFC-22 refrigerant.

E. The Permittee shall be allowed to switch from any ozone-depleting substance to any alternative that is listed in the Significant New Alternatives Program (SNAP) promulgated pursuant to 40 CFR Part 82, Subpart G, "Significant New Alternatives Policy Program".

## 29. PREVENTION OF ACCIDENTAL RELEASES

This section contains air pollution control requirements that are applicable to this facility, and the United States Environmental Protection Agency enforces these requirements.

Your facility is subject to the requirements of the General Duty Clause, under 112(r)(1) of the CAA Amendments of 1990. This clause specifies that owners or operators of stationary sources producing, processing, handling or storing a chemical in any quantity listed in 40 CFR Part 68 or any other extremely hazardous substance have a general duty to identify hazards associated with these substances and to design, operate and maintain a safe facility, in order to prevent releases and to minimize the consequences of accidental releases which may occur.

# 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.