



Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection

DEVAL L. PATRICK
Governor

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Lieutenant Governor

RICHARD K. SULLIVAN JR.
Secretary

KENNETH L. KIMMELL
Commissioner

Date Stamped November 16, 2012

Mr. James Dunlop
Universal Wilde, Inc.
26 Dartmouth Street
Westwood, MA 02090

RE: **SOMERVILLE**
Transmittal No.: X235625
Application No.: NE-12-001
Class: Large ERP Printer
FMF No.: 428177
AIR QUALITY PLAN APPROVAL

Dear Mr. Dunlop:

The Massachusetts Department of Environmental Protection (MassDEP), Bureau of Waste Prevention, has reviewed your Non-major Comprehensive Plan Application (“Application”) listed above. This Application concerns the operation of two (2) heatset web printing presses at your printing facility located at 48 Third Avenue facility in Somerville, Massachusetts (“Facility”). The Application bears the seal and signature of Mr. Gary W. Siegel, Massachusetts Registered Professional Engineer number 35279.

This Application was submitted in accordance with 310 CMR 7.02 Plan Approval and Emission Limitations as contained in 310 CMR 7.00 “Air Pollution Control,” regulations adopted by MassDEP pursuant to the authority granted by Massachusetts General Laws, Chapter 111, Section 142 A-J, Chapter 21C, Section 4 and 6, and Chapter 21E, Section 6. MassDEP’s review of your Application has been limited to air pollution control regulation compliance and does not relieve you of the obligation to comply with any other regulatory requirements.

MassDEP has determined that your application is administratively and technically complete and that the Application is in conformance with the Air Pollution Control regulations and current air pollution control engineering practices, and hereby grants this **Plan Approval** for said Application, as submitted, subject to the conditions listed below.

Please review the entire Plan Approval, as it stipulates the conditions with which the Facility owner/operator (“Permittee”) must comply in order for the Facility to be operated in compliance with this Plan Approval.

1. DESCRIPTION OF FACILITY AND APPLICATION

Universal Wilde, Inc. ("Permittee") operates offset lithographic printing equipment located at 48 Third Avenue facility in Somerville, Massachusetts ("the Facility"). The Permittee specializes in the production of magazine inserts, business forms, catalogs, posters, charts, financial documents, advertising brochures, and informational leaflets. The Facility houses two Man Roland heatset web printing presses (EU-1 and EU-2). Each press is equipped with an integral, gas-fired dryer and recuperative thermal oxidizer (PCD-1 and PCD-2), which each provide a minimum destruction efficiency of 98 percent by weight of the volatile organic compounds (VOC) and hazardous air pollutants (HAPs) that are captured within each associated dryer/thermal oxidizer.

EU-1 and EU-2 utilize heatset, petroleum distillate oil based inks, i.e. heat is required to set the inks. These heatset inks can have a maximum VOC and HAPs content as high as 45 percent (%) by weight. Any ink that cannot be reused is collected and appropriately disposed off-site.

Fountain solutions used on the two web presses consist of a mixture of water and fountain concentrates that are diluted prior to use. The fountain solution concentrates used on these presses are predominantly alcohol substitutes. The VOC and HAPs content in these concentrates is less than 25% by volume and is diluted with water to an application concentration of approximately 3% VOC by volume. Fountain solution recirculation equipment includes a refrigeration unit that keeps the fountain solution temperature at no greater than 60 degrees Fahrenheit (°F) to minimize volatilization of the VOC.

Multiple cleaning solutions can be used to clean ink rollers and blanket cylinders on EU-1 and EU-2. These web presses utilize both automatic and manual blanket washing systems. For manual blanket washing and other press washing and clean-up activities, the blanket washes are applied with shop towels to the press blanket cylinders and cleaned off with shop towels. The used shop towels are accumulated in closed containers and sent to a commercial service for laundering. Any free solvent wastes that accumulate must be disposed of appropriately.

Printing plates are produced by a series of lithographic processes. Most of the chemistry used during plate making activities contains a minimal amount of VOC and/or HAPs at extremely low vapor pressures and high water solubility. The emissions from these pre-press operations will be tracked and accounted for in the Permittee's record keeping system.

2. EMISSION UNIT (EU) IDENTIFICATION

Each Emission Unit (EU) identified in Table 1 is subject to and regulated by this Plan Approval:

Table 1			
EMISSION UNIT (EU)	DESCRIPTION OF EMISSION UNITS	EU DESIGN CAPACITY	POLLUTION CONTROL DEVICE (PCD)
EU-1	Man Roland Heatset Web Press No. 1	48,000 impressions per hour and 1600 feet per minute	PCD-1 (MegTEC Systems drying oven/Grace TEC Summit II direct thermal afterburner)
EU-2	Man Roland Heatset Web Press No. 2	48,000 impressions per hour and 1600 feet per minute	PCD-2 (MegTEC Systems TNV drying oven/Grace TEC Summit II direct thermal afterburner)

3. APPLICABLE REQUIREMENTS

A. OPERATIONAL, PRODUCTION and EMISSION LIMITS

1. The Permittee is subject to, and shall not exceed the Operational, Production, and Emission Limits as contained in Table 2 below:

Table 2			
EU#	RESTRICTION / OPERATING PRACTICES	AIR POLLUTANTS	EMISSION LIMIT
EU-1	PCD-1 combustion chamber temperature \geq 1400 °F; (or such other temperature as may be established pursuant to satisfactory compliance testing results as determined by MassDEP)	VOC and HAPs	\leq 2.0 tpm VOC and \leq 0.5 tpm total HAPs \leq 5.9 tpy VOC and \leq 1.9 tpy total HAPs PCD-1 minimum 98.0% control efficiency by weight or 0.16 pounds per hour (lbs/hr)

Table 2			
EU#	RESTRICTION / OPERATING PRACTICES	AIR POLLUTANTS	EMISSION LIMIT
EU-2	PCD-2 combustion chamber temperature \geq 1400 °F; (or such other temperature as may be established pursuant to satisfactory compliance testing results as determined by MassDEP)	VOC and HAPs	\leq 2.0 tpm VOC and \leq 0.5 tpm total HAPs \leq 5.9 tpy VOC and \leq 1.9 tpy total HAPs PCD-2 minimum 98.0% control efficiency by weight or 0.16 lbs/hr
Facility-wide	NA	VOC	\leq 4.0 tpm \leq 11.8 tpy
		Total HAPs	\leq 1.0 tpm \leq 3.8 tpy
		NO _x	\leq 1.5 tpm \leq 6.0 tpy

Table 2 Key:

VOC = volatile organic compounds	°F = degrees Fahrenheit
HAPs = hazardous air pollutants	% = percent
NO _x = nitrogen oxides	NA = not applicable
\leq = less than or equal to	\geq = greater than or equal to
$<$ = less than	tpm = tons per month
tpy = tons per rolling twelve month calendar period	

2. Emissions have been estimated based on the actual and potential use of VOC and HAPs containing chemicals and methods presented in the US EPA Guideline Series Control of Volatile Organic Compound Emissions from Offset Lithographic Printing (CTG) (Ref. 1) and the US EPA document Alternative Control Techniques (ACT) Document: Offset Lithographic Printing (Ref. 2). The potential annual emissions for the existing presses and other miscellaneous sources operating are based on maximum run hours of 8760 hours per year.

3. EU-1 and EU-2 generate VOC emissions and HAPs emissions from the usage of heatset inks, fountain solutions, and blanketwash cleaning solutions. These VOC and HAPs emissions are controlled by PCD-1 and PCD-2. The VOC and HAPs capture efficiency of the heatset inks by the dryer/afterburner systems on EU-1 and EU-2 is 100 percent by weight. Based on Ref. 2, the estimated capture efficiencies for the VOC emissions from the fountain solutions and the automatic blanketwash solutions are 70 percent by weight and 40 percent by weight, respectively. PCD-1 and PCD-2 shall provide a minimum VOC control efficiency of 98 percent by weight or a maximum outlet stack emission rate not to exceed 0.16 pounds of VOC and HAPs per hour, whichever is least stringent. The capture efficiency and control efficiency of the dryer/afterburner systems for EU-1 and EU-2 shall continue to be demonstrated through compliance testing as specified in Table 3, paragraph number 4 below. Fugitive VOC and HAPS emissions are produced from the fountain solution and that portion of the blanketwash solution, which are neither captured nor controlled by PCD-1 and PCD-2. The manual usage of blanketwash solution shall be considered as fugitive emissions with a retention factor of 50% when the vapor pressure of the blanket wash is 10 mm Hg or less, or contains less than 30 % VOC by weight, and the shop towels are kept in closed containers as per the USEPA Control Techniques Guidelines for Offset Lithographic Printing and Letterpress Printing.

4. The Permittee shall ensure that the minimum capture, destruction and overall VOC and HAPs control efficiencies for inks, fountain solutions and blanket washes on EU-1 and EU-2 are as contained in Table 2a. below. The capture efficiencies are consistent with those contained in Ref. 1 and Ref. 2.

Table 2a.: Capture, Destruction and Overall Control Efficiencies for Heatset Offset Web Presses

Materials	EU-1			EU-2		
	Capture	Destruction	Overall	Capture	Destruction	Overall
Inks	100% ¹	98%	98%	100% ¹	98%	98%
Fountain Solution	70%	98%	68.6%	70%	98%	68.6%
Blanket Wash (Automatic)	40%	98%	39.2%	40%	98%	39.2%

¹ Of the VOC applied to the web, 20% by weight is retained on the web and the remainder is captured and controlled.
% = weight percent

5. The Permittee shall utilize inks, fountain solutions and blanket washes on its heatset offset web presses that meet the requirements contained in Table 2b. below.

Table 2b.: VOC Limitations for Each Heatset Offset Web Press

Product Formulation	Maximum VOC Content
Inks	≤ 45% by weight
Fountain Solution	≤ 3% by volume, as applied
Blanket Washes	≤30% by weight or VOC composite partial pressure ≤ 10 mmHg @ 20°C (68°F)

VOC = volatile organic compounds
 ≤ = less than or equal to
 °F = degrees Fahrenheit

% = percent
 °C = degrees Celsius

6. Fountain solution mixing tanks shall be kept covered at all times, except for necessary operator access.
7. Cleaning solutions, such as blanketwashes, shall be transported and stored in non-leaking covered containers. Any cleaning rags used in conjunction with the cleaning solutions shall be placed, when not in use, in tightly covered containers and collected for proper recycling or disposal.

B. COMPLIANCE DEMONSTRATION

The Permittee is subject to, and shall comply with, the monitoring, testing, record keeping, and reporting requirements as contained in Tables 3, 4, and 5 below:

Table 3	
EU #	MONITORING AND TESTING REQUIREMENTS
EU-1, EU-2	<p>1) Monitor the VOC-containing and HAPs-containing materials used during each month, the VOC and HAPs content of each material, and the actual emissions of VOC and HAPs for each month, as well as for the prior 11 months. Alternatively, a material with a higher VOC or HAP content may be used to represent all materials used in the class of materials (e.g., inks, fountain solutions, cleaning solutions, etc.).</p> <p>2) Monitor operations so that a minimum combustion chamber temperature of 1,400 degrees Fahrenheit, or such other temperature as may have been established pursuant to satisfactory compliance testing results as determined by MassDEP, for each pollution control device (PCD) is achieved prior to start-up of any associated emission unit, and this minimum temperature is maintained at all times while that emission unit is in operation. Temperature monitoring shall include date and time and any necessary description of operational changes that may occur.</p>

Table 3	
EU #	MONITORING AND TESTING REQUIREMENTS
EU-1, EU-2	3) Monitor operations so that in the event of a PCD malfunction that lasts for more than five (5) minutes which prevents it from operating properly, then an electronic interlock system shall automatically shut down the associated emission unit until the PCD is repaired and operating properly.
	4) Compliance testing shall be completed on PCD-1 and PCD-2 every three years, with the first compliance test to be completed by no later than April 30, 2013. The compliance testing of each PCD must demonstrate that the overall VOC and HAPs destruction efficiency of each PCD is a minimum of 98 percent by weight, or meets an outlet stack emission rate not to exceed 0.16 pounds of VOC and HAPs per hour. The compliance testing procedures must follow USEPA and MassDEP methods and guidelines.
	5) The Permittee shall submit a pretest protocol to this Office, attention Bureau of Waste Prevention Permit Chief, at least sixty (60) days prior to the commencement of any compliance testing at its facility, for review and MassDEP approval. This test protocol shall describe the test methodologies to be employed during the required compliance testing.
	6) The Permittee shall submit a final compliance test results report to this Office within sixty (60) days of completion of any required compliance testing.
	7) Monitor all maintenance activities associated with each PCD.
Facility-Wide	8) Perform Emissions Compliance Testing (Stack Testing), in accordance with 310 CMR 7.13, or any other testing if and when requested by the MassDEP or USEPA using methods under 40 CFR 60, Appendix A and/or other methods approved in a pre-test protocol by the MassDEP or USEPA.
	9) Monitor operations to ensure that all VOC and HAPs-containing materials, such as coatings, solvents, and cleanup solutions, shall be transported and stored in tightly covered containers.
	10) Monitor that all shop towels used in conjunction with the cleaning solutions are placed in non-leaking covered containers when not in use, and are collected for proper recycling or disposal.
	11) Monitor Facility operations so that deviations from Plan Approval requirements can be reported to MassDEP.
	12) Monitor Facility operations such that emissions may be calculated as required for compliance with 310 CMR 7.12.

Table 4	
EU #	RECORD KEEPING REQUIREMENTS
EU-1, EU-2	1) In order to verify that the VOC and HAPs emission rates from these emission units at the Facility do not exceed the emission limits specified in Table 2 of this Plan Approval, maintain on-site adequate records to document actual emissions. These records shall include a list of the VOC-containing and/or HAPs-containing materials used during each month, the VOC and HAPs content of each material, and the actual emissions of VOC and HAPs for each month, as well as for the prior 11 months. Alternatively, a material with a higher VOC or HAP content may be used to represent all materials used in the class of materials (e.g., inks, fountain solutions, cleaning solutions, etc.).

Table 4

EU #	RECORD KEEPING REQUIREMENTS
EU-1, EU-2	2) Maintain records documenting that the combustion chamber temperature of 1,400 degrees Fahrenheit, or such other temperature as may have been established pursuant to satisfactory compliance testing results as determined by MassDEP, for each PCD prior to start-up of its associated emission unit, and that this minimum temperature is maintained at all times while the associated emission unit is in operation. Temperature monitoring shall include the date and time and any necessary description of operational changes that may occur. The combustion chamber temperature of each PCD shall be recorded with temperature monitoring and recording equipment using a digital readout and stored on a computerized flash card or disc. The Permittee shall have on-site a temperature data back up to the flash card or disc. These records shall be made available to MassDEP personnel upon request.
	3) Maintain records of all malfunctions and history of the interlock system usage associated with each PCD, including the cause and steps taken to prevent similar malfunctions from reoccurring in the future.
	4) Maintain records of all emission testing for each PCD.
	5) Maintain a maintenance log for each PCD which shall record all routine and emergency maintenance work and repairs performed on it. Said log shall indicate all malfunctions and down time and shall be maintained on-site.
	6) A copy of the Standard Operating and Maintenance Procedure (SOMP) for each PCD shall be easily accessible on-site.
	7) The start-up specifications and maintenance procedures for each PCD shall be incorporated in its SOMP.
	Facility-Wide
9) Maintain the test results of any testing or testing methodology required by the MassDEP or EPA.	
10) Maintain records of facility operations such that information may be reported as required for compliance with 310 CMR 7.12.	
11) Maintain an Environmental Logbook, or similar record keeping system, which shall record actions associated with environmental issues and overall emissions changes at the facility. The facility shall record information such as the results of federal, state, or local environmental inspections; and maintenance or corrective actions related to pollution control equipment. This Logbook, or similar, shall be made available to MassDEP personnel upon request and shall also record any accidental or emergency releases to the ambient air. Separate logbooks can be maintained for Standard Operating and Maintenance actions, if necessary.	
12) Maintain all records required by this Plan Approval on-site for a minimum of five (5) years.	
13) Make records required by this Plan Approval available to MassDEP and USEPA personnel upon request.	

Table 5

EU #	REPORTING REQUIREMENTS
EU-1, EU-2	<p>1) At least 60 days prior to compliance testing, submit a pretest protocol to the MassDEP for review and approval. This protocol shall describe the test methodologies, sampling point locations, sampling equipment, and the sampling and analytical procedures to be employed during the required compliance testing. A final compliance test results report must be submitted by the Permittee to this Office, attention Permit Chief for the Bureau of Waste Prevention, within sixty (60) days of completion of the above required compliance testing.</p> <p>2) In the event of any PCD malfunction which results in any uncontrolled emissions, the Permittee shall notify MassDEP by telephone, email at nero.air@state.ma.us, or fax at 978-694-3499 within one business day and subsequently in writing within seven days of said occurrence. This written notification shall describe the reason(s) for and the extent of down time of the equipment and all steps that have been or will be taken to prevent similar malfunctions from occurring in the future.</p>
Facility-wide	<p>3) The Permittee shall submit an annual report of the Facility's actual VOC and HAPs emissions rates for the period of January 1 through December 31 inclusive, to this Office, attention BWP Permit Chief, by no later than the following January 30th. This report shall document actual EU by EU and facility-wide VOC and total HAPs emissions. An electronic version of the MassDEP approved On-site Record-keeping Form and Report Form in Microsoft Excel format can be obtained at http://www.mass.gov/dep/air/approvals/aqforms.htm.</p> <p>4) The Permittee shall submit, in writing, an Exceedance Report to MassDEP should the Facility exceed any limitation/restriction established within this Plan Approval. Said Exceedance Report shall be submitted to this Office within seven (7) days of determination of the exceedance of the limitation. The Exceedance Report shall include identification, duration, reason for the exceedance, and remedial action plan to prevent future exceedances.</p> <p>5) The Permittee shall accurately report the Facility's air emissions on Source Registration/Emission Statement Forms as required by Regulation 310 CMR 7.12.</p> <p>6) The Permittee shall submit to MassDEP all information required by this Plan Approval over the signature of a "Responsible Official" as defined in 310 CMR 7.00 and shall include the Certification statement as provided in 310 CMR 7.01(2)(c).</p> <p>7) The Permittee shall provide a copy to MassDEP of any record required to be maintained by this Plan Approval within thirty (30) days from MassDEP's request.</p>

4. SPECIAL TERMS AND CONDITIONS

The Permittee is subject to, and shall comply with the following special terms and conditions:

1. Within thirty (30) days of receipt of this Approval, the Permittee shall provide permanent, visible signage on EU-1 and EU-2 identifying its designated EU name as listed in Table 1 of this Approval.
2. Sound impacts from the subject facility shall not exceed 10 dB (A) above background at the property line and shall not cause a puretone condition as defined in the Division of Air Quality Control Noise Policy No. 90-001 (copy attached).
3. For compliance testing purposes, the compliance test sampling ports for each PCD must be located in accordance with 40 CFR 60, Appendix A, Method 1.
4. The Permittee shall use an exhaust stack on each of the emission units listed in Table 6 below 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. Each exhaust stack shall be configured to discharge the gases vertically, and shall not be equipped with any part or device that restricts the vertical exhaust flow of the emitted gases, including but not limited to rain protection devices “shanty caps” and “egg beaters”. Any emission impacts of exhaust stacks upon sensitive receptors including, but not limited to, people, windows and doors that open, and building fresh air intakes shall be minimized by employing good air pollution control engineering practices. Such practices include without limitation: a) avoiding stack locations that may be subject to downwash of the exhaust; and, b) installing stacks of sufficient height in locations that will prevent and minimize exhaust gas impacts upon sensitive receptors. The Permittee shall maintain and utilize exhaust stacks with the following parameters (Table 6) for its subject emission units that are regulated by this Approval:

Table 6				
EU Stack	Stack Height Above Ground, feet	Stack Exit Diameter, inches	Maximum Exhaust Gas Exit Velocity, feet per second	Outside Stack Shell Material
EU-1	46.5	22	29	Stainless Steel
EU-2	38	20	35	Stainless Steel

5. The Permittee shall be permitted to utilize on each subject press any chemicals or inks with comparable or lower emissions than those presently in use as long as said chemicals or inks pose no greater toxicity hazard than those which they replace and as long as these emissions are included in and comply with the rolling twelve month calendar period and monthly facility-wide emission restrictions. Material Safety Data Sheet (MSDS) for each compound shall be maintained on-site and made available to MassDEP personnel upon request.
6. Each integrated dryer/thermal oxidizer shall utilize natural gas as their only fuel of use.
7. An electronic interlock system shall prevent the operation of EU-1 or EU-2 until the associated PCD achieves and maintains the minimum operating temperature of 1,400°F (or such other temperature as may be established pursuant to satisfactory compliance testing results as determined by MassDEP). The electronic interlock system shall also prevent the ink(s) from being applied to the substrate of EU-1 or EU-2 if the associated PCD's operating temperature falls below the minimum required operating temperature for more than five (5) minutes.
8. If a PCD experiences an upset condition that lasts for more than five (5) minutes which prevents it from operating properly, then the Permittee shall discontinue operation of the associated emission unit until the PCD is repaired and operating properly.
9. There are four (4) PCD upset conditions for which the associated emission unit shall immediately be shut down. The four conditions are as follows:
 - a) if the PCD's combustion chamber temperature exceeds 1,600°F;
 - b) if the PCD-RTO exhaust fan fails;
 - c) if the natural gas pressure falls below 27 inches water column; and/or
 - d) if the natural gas pressure exceeds 5 pounds per square inch gauge (psig).
10. The start-up specifications and maintenance procedures for each PCD shall be incorporated into its SOMP. In addition, a copy of any subsequent revisions made to the SOMP must be submitted to this office within seven (7) days of the modification(s).
11. Should a PCD becomes inoperable for more than 1 hour, the Permittee shall notify MassDEP within one business day by fax, attention Bureau of Waste Prevention Compliance & Enforcement Chief, at (978) 694-3499 or email at nero.air@state.ma.us, and subsequently in writing within seven (7) days of occurrence, describing the reason(s) for and the extent of down time of the equipment and all steps that have been or will be taken to prevent said occurrence from recurring. The Permittee shall take immediate action to minimize emissions and diagnose and repair the problem.

12. The Permittee shall ensure that any modification or new equipment installation which increases emissions by one (1) ton or more per year shall comply with the requirements of Regulation 310 CMR 7.02.

5. GENERAL CONDITIONS

The Permittee is subject to, and shall comply with, the following general conditions:

- A. Pursuant to 310 CMR 7.01, 7.02, 7.09 and 7.10, should any nuisance condition(s), including but not limited to smoke, dust, odor or noise, occur as the result of the operation of the Facility, then the Permittee shall immediately take appropriate steps including shutdown, if necessary, to abate said nuisance condition(s).
- B. If asbestos remediation/removal will occur as a result of the approved construction, reconstruction, or alteration of this Facility, the Permittee shall ensure that all removal/remediation of asbestos shall be done in accordance with 310 CMR 7.15 in its entirety and 310 CMR 4.00.
- C. If construction or demolition of an industrial, commercial or institutional building will occur as a result of the approved construction, reconstruction, or alteration of this Facility, the Permittee shall ensure that said construction or demolition shall be done in accordance with 310 CMR 7.09(2) and 310 CMR 4.00.
- D. Pursuant to 310 CMR 7.01(2)(b) and 7.02(7)(b), the Permittee shall allow MassDEP and / or USEPA personnel access to the Facility, buildings, and all pertinent records for the purpose of making inspections and surveys, collecting samples, obtaining data, and reviewing records.
- E. This Plan Approval does not negate the responsibility of the Permittee to comply with any other applicable Federal, State, or local regulations now or in the future.
- F. Should there be any differences between the Application and this Plan Approval, the Plan Approval shall govern.
- G. Pursuant to 310 CMR 7.02(3)(k), MassDEP may revoke this Plan Approval if the construction work is not commenced within two years from the date of issuance of this Plan Approval, or if the construction work is suspended for one year or more.

- H. This Plan Approval may be suspended, modified, or revoked by MassDEP if MassDEP determines that any condition or part of this Plan Approval is being violated.
- I. This Plan Approval may be modified or amended when in the opinion of MassDEP such is necessary or appropriate to clarify the Plan Approval conditions or after consideration of a written request by the Permittee to amend the Plan Approval conditions.
- J. The Permittee shall conduct emission testing, if requested by MassDEP, in accordance with USEPA Reference Test Methods and regulation 310 CMR 7.13. If required, a pretest protocol report shall be submitted to MassDEP at least 30 days prior to emission testing and the final test results report shall be submitted within 45 days after emission testing.
- K. Pursuant to 310 CMR 7.01(3) and 7.02(3)(f), the Permittee shall comply with all conditions contained in this Plan Approval. Should there be any differences between provisions contained in the General Conditions and provisions contained elsewhere in the Plan Approval, the latter shall govern.

6. MASSACHUSETTS ENVIRONMENTAL POLICY ACT

MassDEP has determined that the filing of an Environmental Notification Form (ENF) with the Secretary of Energy & Environmental Affairs, for air quality control purposes, was not required prior to this action by MassDEP. Notwithstanding this determination, the Massachusetts Environmental Policy Act (MEPA) and 301 CMR 11.00, Section 11.04, provide certain “Fail-Safe Provisions,” which allow the Secretary to require the filing of an ENF and/or an Environmental Impact Report (EIR) at a later time.

7. APPEAL PROCESS

This Plan Approval is an action of MassDEP. If you are aggrieved by this action, you may request an adjudicatory hearing. A request for a hearing must be made in writing and postmarked within twenty-one (21) days of the date of issuance of this Plan Approval.

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 Plan Approval 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:

Commonwealth of Massachusetts
Department of Environmental Protection
P.O. Box 4062
Boston, MA 02211

This request will be dismissed if the filing fee is not paid, unless the appellant is exempt or granted a waiver as described below. The filing fee is not required if the appellant is a city or town (or municipal agency), county, or district of the Commonwealth of Massachusetts, or a municipal housing authority.

MassDEP may waive the adjudicatory hearing-filing fee for a person who shows that paying the fee will create an undue financial hardship. A person seeking a waiver must file, together with the hearing request as provided above, an affidavit setting forth the facts believed to support the claim of undue financial hardship.

Should you have any questions concerning this Plan Approval, please contact Mr. Mun Wong by telephone at 978-694-3286, or in writing at the letterhead address.

Very truly yours,

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.

Mun S. Wong
Environmental Engineer
Bureau of Waste Prevention

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.

James E. Belsky
Permit Chief
Bureau of Waste Prevention

JEB/EMW/mw

cc: Board of Health, 50 Evergreen Avenue, Somerville, MA 02143
Fire Headquarters, 266 Broadway, Somerville, MA 02145
DEP, Boston, Yi Tian (e-copy)
DEP/NERO, Attn: M. Wong, M. Altobelli, M. Persky, M. Bolis