



Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection

Southeast Regional Office • 20 Riverside Drive, Lakeville MA 02347 • 508-946-2700

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April 4, 2012

Mr. Earl Larson, Plant Manager
Ocean Spray Cranberry, Inc.
152 Bridge St.
Middleboro, MA 02346

RE: MIDDLEBORO
Transmittal No.: X250366
Application No.: SE-12-006
Class: OP
FMF No.: 130746
**AIR QUALITY PLAN
APPROVAL**

Dear Mr. Larson:

The Massachusetts Department of Environmental Protection (“MassDEP”), Bureau of Waste Prevention, has reviewed your Limited Plan Application (“Application”) listed above. This Application concerns the proposed construction and operation of two new sweetened dried cranberry production lines and one natural gas fired boiler at your cranberry processing facility located at 152 Bridge St. in Middleboro, Massachusetts (“Facility”).

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 the 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 practice, 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

Ocean Spray currently operates two (2) sweetened dried cranberry (SDC) lines at their facility. The Permittee also has four (4) existing process boilers, each rated at 25.1 Million Btu per hour (MMBtu/hr). Each existing boiler is capable of firing natural gas or No. 6 fuel oil. The Permittee operates numerous ancillary operations and equipment as detailed in Final Air Quality Operating Permit 4V04038 (transmittal no. W055016), dated November 28, 2007, which includes a Minor Modification dated December 30, 2008 and an Administrative Amendment dated August 17, 2010.

The Permittee has proposed the installation and operation of two (2) new SDC lines and one (1) natural gas fired boiler rated at 24.494 MMBtu/ hr. The Two SDC lines and the boiler are subject to Best Available control Technology (BACT) as defined in Table 2. The boiler is subject to New Source Performance Standards (NSPS) as contained in 40 CFR 60 Subpart Dc “Standards of Performance for Small Industrial-Commercial-Industrial Steam Generating Units.” MassDEP has accepted delegation of this Subpart. Additionally, the boiler is subject to MassDEP Regulation 310 CMR 7.19 “Reasonably Available control Technology (RACT) for Sources of Oxides of Nitrogen (NOx).”

The application contains an applicability determination, which has found that the proposed modifications are not subject to 310 CMR 7.00: Appendix A: “Emissions Offsets and Nonattainment Review.”

2. EMISSION UNIT (EU) IDENTIFICATION

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

Table 1			
EU#	Description	Design Capacity	Pollution Control Device (PCD)
SDC2	Two Sweetened Dried Cranberry (SDC) Lines to stack nos. DEF501, DEF502, DEF503, DEF504, DEF505, DEF506	8,333 lbs/hr	None
B2	One Cleaver Brooks Model CBLE-700-600 to stack no. B2	24.494 MMBtu/hr	None

Table 1 Key:

EU# = Emission Unit Number
 PCD = Pollution Control Device
 lb/hr = pounds per hour
 MMBtu/hour = million British Thermal Units per hour.

3. APPLICABLE REQUIREMENTS

A. OPERATIONAL, PRODUCTION AND EMISSION LIMITS

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

Table 2			
EU#	Operational / Production Limit	Air Contaminant	Emission Limit
SDC2	None	VOC	1.81 lb / hr 7.92 tpy
		Opacity	0%
B2	None	PM	0.01 lbs / MMBtu 0.9 tpy
		SO ₂	0.001 lbs / MMBtu 0.11 tpy
		NO _x	0.035 lbs / MMBtu 3.8 tpy
		CO	0.04 lbs / MMBtu 4.3 tpy
		VOC	0.004 lbs / MMBtu 0.43 tpy
		Opacity	0 %

Table 2 Key:

EU# = Emission Unit Number
 NO_x = Nitrogen Oxides
 CO = Carbon Monoxide
 SO₂ = Sulfur Dioxide
 PM = Total Particulate Matter
 VOC = Volatile Organic Compounds
 TPY = tons per consecutive 12-month period
 lb/hr = pounds per hour
 lb/MMBtu = pounds per million Btu

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
Facility-wide	1. If and when MassDEP requires it, the Permittee shall conduct emission testing in accordance with USEPA Reference Test Methods and regulation 310 CMR 7.13.

Table 3 Key:

EU# = Emission Unit Number

Table 4	
EU#	Record Keeping Requirements
B2	1. The Permittee shall maintain a written record of all tune-ups as required by 310CMR7.19(6)(b).
Facility-wide	2. The Permittee shall maintain adequate records on-site to demonstrate compliance with all operational, production, and emission limits contained in Table 2 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. An electronic version of the MassDEP approved record keeping form, in Microsoft Excel format, can be downloaded at http://www.mass.gov/dep/air/approvals/aqforms.htm#report .
	3. The Permittee shall maintain records of monitoring and testing as required by Table 3.
	4. The Permittee shall maintain a copy of this Plan Approval, underlying Application and the most up-to-date SOMP for the EU(s) approved herein on-site.
	5. The Permittee shall maintain a record of routine maintenance activities performed on the approved EU(s), PCD(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.
	6. The Permittee shall maintain a record of all malfunctions affecting air contaminant emission rates on the approved EU(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.
	7. The Permittee shall maintain records required by this Plan Approval on-site for a minimum of five (5) years.
	8. The Permittee shall make records required by this Plan Approval available to MassDEP and USEPA personnel upon request.

Table 4 Key:

EU# = Emission Unit Number

PCD = Pollution Control Device

SOMP = Standard Operating and Maintenance Procedure

USEPA = United States Environmental Protection Agency

Table 5	
EU#	Reporting Requirements
SDC	1. The Permittee shall submit notification of the date of startup of the sweetened dried cranberry line. This notification shall be submitted within 15 days after the line is started and deemed ready for continuous use.
B2	2. The Permittee shall submit notification of the date construction of the boiler is commenced postmarked no later than 30 days after such date.
B2	3. The Permittee shall submit a notification of the actual date of initial startup of the boiler postmarked within 15 days after such date.
Facility-wide	4. 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).
Facility-wide	5. The Permittee shall notify the Southeast Regional Office of MassDEP, BWP Permit Chief by telephone 508-9462779, by email (sero.air@state.ma.us) or fax 508-94-76557 as soon as possible, but no later than one (1) business day after discovery of an exceedance(s) of Table 2 requirements. A written report shall be submitted to Permit Chief at MassDEP within three (3) business days thereafter and shall include: identification of exceedance(s), duration of exceedance(s), reason for the exceedance(s), corrective actions taken, and action plan to prevent future exceedance(s).
Facility-wide	6. The Permittee shall provide a copy to MassDEP of any record required to be maintained by this Plan Approval within 30-days from MassDEP's request.
Facility-wide	7. The Permittee shall submit to MassDEP for approval a stack emission pretest protocol, at least 30 days prior to emission testing, for emission testing as defined in Table 3 Monitoring and Testing Requirements.
Facility-wide	8. The Permittee shall submit to MassDEP a final stack emission test results report, within 45 days after emission testing, for emission testing as defined in Table 3 Monitoring and Testing Requirements.

Table 5 Key:

EU# = Emission Unit Number

4. SPECIAL TERMS AND CONDITIONS

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

- A. The Permittee shall comply with the Special Terms and Conditions as contained in Table 6 below:

Table 6	
EU#	Special Terms and Conditions
B2	1. The boiler and appurtenances shall be operated in accordance with the manufacturer's standard operating and maintenance procedures.
B2	2. A boiler tune-up shall be performed annually in accordance with 310 CMR 7.19(6).

Table 6	
EU#	Special Terms and Conditions
Facility-wide	<p>3. The Permittee is subject to the terms and conditions contained in Departmental Final Air Quality Operating Permit 4V04038 (transmittal no. W055016), dated November 28, 2007. Within 90 days from the date of issuance of this Plan Approval, the Permittee shall submit an Operating Permit Minor Modification application that reflects this Plan Approval and any other requirements that apply to the Facility. Mr. Mark Poudrier of this office may be contacted at 508-946-2783 for additional guidance on this matter.</p> <p>4. Any prior Plan Approvals issued under 310 CMR 7.02 shall remain in effect unless specifically changed or superseded by this Plan Approval. The Facility shall not exceed the emission limits and shall comply with approved conditions specified in the prior Plan Approval(s) unless specifically altered by this Plan Approval.</p>

Table 6 Key:

EU# = Emission Unit Number

- B. The Permittee shall install and use an exhaust stack, as required in Table 7, 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. 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 known as “shanty caps” and “egg beaters.” The Permittee shall install and utilize exhaust stacks with the following parameters, as contained in Table 7 below, for the Emission Units that are regulated by this Plan Approval:

Table 7				
EU#	Stack Height Above Ground (feet)	Stack Inside Exit Dimensions (inches)	Stack Gas Exit Velocity Range (feet per second)	Stack Gas Exit Temperature Range (°F)
SDC2	33.5	24	18-28	100-125
	33.5	26	18-28	110-140
	33.5	32	18-28	115-150
B2	68	48	40	390

Table 7 Key:

EU# = Emission Unit Number

°F = Degree Fahrenheit

6. 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.

7. 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.

8. 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.

Enclosed is a stamped approved copy of the application submittal.

Should you have any questions concerning this Plan Approval, please contact Thomas Cushing by telephone at (508) 946-2824, or in writing at the letterhead address.

**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.**

**John Winkler
Permit Chief
Bureau of Waste Prevention**

enclosure

ecc: Middleboro Board of Health
Middleboro Fire Dept.
EBI Consulting, attn: J. Hovsepian
MassDEP/Boston - Yi Tian
MassDEP/SERO attn: L. Carlson
M. Poudrier
L. Black