

4015

RIPUC Use Only	
Date Application Received:	___/___/___
Date Review Completed:	___/___/___
Date Commission Action:	___/___/___
Date Commission Approved:	___/___/___

GIS Certification #: MS 1052

2008 NOV 21 PM 4:1
 RECEIVED

RENEWABLE ENERGY RESOURCES ELIGIBILITY FORM

The Standard Application Form
Required of all Applicants for Certification of Eligibility of Renewable Energy Resource
(Version 6 – January 21, 2008)

STATE OF RHODE ISLAND PUBLIC UTILITIES COMMISSION
Pursuant to the Renewable Energy Act
Section 39-26-1 et. seq. of the General Laws of Rhode Island

NOTICE:

When completing this Renewable Energy Resources Eligibility Form and any applicable Appendices, please refer to the State of Rhode Island and Providence Plantations Public Utilities Commission Rules and Regulations Governing the Implementation of a Renewable Energy Standard (RES Regulations, Effective Date: January 1, 2006), and the associated RES Certification Filing Methodology Guide. All applicable regulations, procedures and guidelines are available on the Commission's web site: www.ripuc.org/utilityinfo/res.html. Also, all filings must be in conformance with the Commission's Rules of Practice and Procedure, in particular, Rule 1.5, or its successor regulation, entitled "Formal Requirements as to Filings."

- Please complete the Renewable Energy Resources Eligibility Form and Appendices using a typewriter or black ink.
- Please submit one original and three copies of the completed Application Form, applicable Appendices and all supporting documentation to the Commission at the following address:
 Rhode Island Public Utilities Commission
 89 Jefferson Blvd
 Warwick, RI 02888
 Attn: Renewable Energy Resources Eligibility
- In addition to the paper copies, electronic/email submittals are required under Commission regulations. Such electronic submittals should be sent to: Luly E. Massaro, Commission Clerk at lmassaro@puc.state.ri.us
- In addition to filing with the Commission, Applicants are required to send, electronically or electronically and in paper format, a copy of the completed Application including all attachments and supporting documentation, to the Division of Public Utilities and Carriers and to all interested parties. A list of interested parties can be obtained from the Commission's website at www.ripuc.org/utilityinfo/res.html.
- Keep a copy of the completed Application for your records.
- The Commission will notify the Authorized Representative if the Application is incomplete.
- Pursuant to Section 6.0 of the RES Regulations, the Commission shall provide a thirty (30) day period for public comment following posting of any administratively complete Application.
- Please note that all information submitted on or attached to the Application is considered to be a public record unless the Commission agrees to deem some portion of the application confidential after consideration under section 1.2(g) of the Commission's Rules of Practice and Procedure.
- In accordance with Section 6.2 of the RES Regulations, the Commission will provide prospective reviews for Applicants seeking a preliminary determination as to whether a facility would be eligible prior to the formal certification process described in Section 6.1 of the RES Regulations. Please note that space is provided on the Form for applicant to designate the type of review being requested.
- Questions related to this Renewable Energy Resources Eligibility Form should be submitted in writing, preferably via email and directed to: Luly E. Massaro, Commission Clerk at RES@puc.state.ri.us

SECTION I: Identification Information

- 1.1 Name of Generation Unit (sufficient for full and unique identification):
_____ GRS-East Bridgewater _____
- 1.2 Type of Certification being requested (check one):
 Standard Certification Prospective Certification (Declaratory Judgment)
- 1.3 This Application includes: (Check all that apply)¹
- APPENDIX A: Authorized Representative Certification for Individual Owner or Operator
 - APPENDIX B: Authorized Representative Certification for Non-Corporate Entities Other Than Individuals
 - APPENDIX C: Existing Renewable Energy Resources
 - APPENDIX D: Special Provisions for Aggregators of Customer-sited or Off-grid Generation Facilities
 - APPENDIX E: Special Provisions for a Generation Unit Located in a Control Area Adjacent to NEPOOL
 - APPENDIX F: Fuel Source Plan for Eligible Biomass Fuels
- 1.4 Primary Contact Person name and title: __ Massimo Passini, Director, Fortistar LLC _____
- 1.5 Primary Contact Person address and contact information:
Address: __ One North Lexington Ave., White Plains, NY 10601 _____
- Phone: __ (914) 421 4940 Fax: __ (914) 421 0052
Email: __ mpassini@fortistar.com _____
- 1.6 Backup Contact Person name and title: _____
- 1.7 Backup Contact Person address and contact information:
Address: _____
- Phone: _____ Fax: _____
Email: _____

¹ Please note that all Applicants are required to complete the Renewable Energy Resources Eligibility Standard Application Form and all of the Appendices that apply to the Generation Unit or Owner or Operator that is the subject of this Form. Please omit Appendices that do not apply.

SECTION II: Generation Unit Information, Fuels, Energy Resources and Technologies

- 2.1 ISO-NE Generation Unit Asset Identification Number or NEPOOL GIS Identification Number (either or both as applicable): MSS-1052
- 2.2 Generation Unit Nameplate Capacity: 1.8 MW
- 2.3 Maximum Demonstrated Capacity: 1.8 MW
- 2.4 Please indicate which of the following Eligible Renewable Energy Resources are used by the Generation Unit: (Check ALL that apply) – *per RES Regulations Section 5.0*
- Direct solar radiation
 - The wind
 - Movement of or the latent heat of the ocean
 - The heat of the earth
 - Small hydro facilities
 - Biomass facilities using Eligible Biomass Fuels and maintaining compliance with all aspects of current air permits; Eligible Biomass Fuels may be co-fired with fossil fuels, provided that only the renewable energy fraction of production from multi-fuel facilities shall be considered eligible.
 - Biomass facilities using unlisted biomass fuel
 - Biomass facilities, multi-fueled or using fossil fuel co-firing
 - Fuel cells using a renewable resource referenced in this section
- 2.5 If the box checked in Section 2.4 above is “Small hydro facilities”, please certify that the facility’s aggregate capacity does not exceed 30 MW. – *per RES Regulations Section 3.31*
- ← check this box to certify that the above statement is true
 - N/A or other (please explain) _____
- 2.6 If the box checked in Section 2.4 above is “Small hydro facilities”, please certify that the facility does not involve any new impoundment or diversion of water with an average salinity of twenty (20) parts per thousand or less. – *per RES Regulations Section 3.31*
- ← check this box to certify that the above statement is true
 - N/A or other (please explain) _____
- 2.7 If you checked one of the Biomass facilities boxes in Section 2.1 above, please respond to the following:
- A. Please specify the fuel or fuels used or to be used in the Unit: _____
 Landfill Methane Gas
 - B. Please complete and attach Appendix F, Eligible Biomass Fuel Source Plan.
Appendix F completed and attached? Yes No N/A

2.8 Has the Generation Unit been certified as a Renewable Energy Resource for eligibility in another state's renewable portfolio standard?

Yes No If yes, please attach a copy of that state's certifying order.

Copy of State's certifying order attached? Yes No N/A

SECTION III: Commercial Operation Date

Please provide documentation to support all claims and responses to the following questions:

3.1 Date Generation Unit first entered Commercial Operation: 01 / 01 / 1998 at the site.

3.2 Is there an Existing Renewable Energy Resource located at the site of Generation Unit?

Yes

No

3.3 If the date entered in response to question 3.1 is earlier than December 31, 1997 or if you checked "Yes" in response to question 3.2 above, please complete Appendix C.

Appendix C completed and attached? Yes No N/A

3.4 Was all or any part of the Generation Unit used on or before December 31, 1997 to generate electricity at any other site?

Yes

No

3.5 If you checked "Yes" to question 3.4 above, please specify the power production equipment used and the address where such power production equipment produced electricity (attach more detail if the space provided is not sufficient):

SECTION IV: Metering

4.1 Please indicate how the Generation Unit's electrical energy output is verified (check all that apply):

ISO-NE Market Settlement System

Self-reported to the NEPOOL GIS Administrator

Other (please specify below and see Appendix D: Eligibility for Aggregations):

Appendix D completed and attached? Yes No N/A

SECTION V: Location

5.1 Please check one of the following that apply to the Generation Unit:

- Grid Connected Generation
- Off-Grid Generation (not connected to a utility transmission or distribution system)
- Customer Sited Generation (interconnected on the end-use customer side of the retail electricity meter in such a manner that it displaces all or part of the metered consumption of the end-use customer)

5.2 Generation Unit address: _____ 234 Tathtcher Street, East Bridgewater, MA 02333

5.3 Please provide the Generation Unit's geographic location information:

A. Universal Transverse Mercator Coordinates: ^{Easting 370151} _{Northing 4643170}

B. Longitude/Latitude: -70.66 / 41.958 N

5.4 The Generation Unit located: (please check the appropriate box)

- In the NEPOOL control area
- In a control area adjacent to the NEPOOL control area
- In a control area other than NEPOOL which is not adjacent to the NEPOOL control area *← If you checked this box, then the generator does not qualify for the RI RES – therefore, please do not complete/submit this form.*

5.5 If you checked “In a control area adjacent to the NEPOOL control area” in Section 5.4 above, please complete Appendix E.

Appendix E completed and attached? Yes No N/A

APPENDIX C
**(Required of all Applicants with Generation Units at the Site of Existing
Renewable Energy Resources)**

**STATE OF RHODE ISLAND
PUBLIC UTILITIES COMMISSION**

RENEWABLE ENERGY RESOURCES ELIGIBILITY FORM

**Pursuant to the Renewable Energy Act
Section 39-26-1 et. seq. of the General Laws of Rhode Island**

If the Generation Unit: (1) first entered into commercial operation before December 31, 1997; or (2) is located at the exact site of an Existing Renewable Energy Resource, please complete the following and attach documentation, as necessary to support all responses:

- C.1 Is the Generating Unit seeking certification, either in whole or in part, as a New Renewable Energy Resource? Yes No
- C.2 If you answered "Yes" to question C.1, please complete the remainder of Appendix C. If you answered "No" and are seeking certification entirely as an Existing Renewable Energy Resource, you do NOT need to complete the remainder of Appendix C.
- C.3 If an Existing Renewable Energy Resource is/was located at the site, has such Existing Renewable Energy Resource been retired and replaced with the new Generation Unit at the same site? Yes No
- C.4 Is the Generation Unit a Repowered Generation Unit (as defined in Section 3.28 of the RES Regulations) which uses Eligible Renewable Energy Resources and which first entered commercial operation after December 31, 1997 at the site of an existing Generation Unit? Yes No
- C.5 If you checked "Yes" to question C.4 above, please provide documentation to support that the entire output of the Repowered Generation Unit first entered commercial operation after December 31, 1997.
- C.6 Is the Generation Unit a multi-fuel facility in which an Eligible Biomass Fuel is first co-fired with fossil fuels after December 31, 1997? Yes No
- C.7 If you checked "Yes" to question C.6 above, please provide documentation to support that the renewable energy fraction of the energy output first occurred after December 31, 1997.

- C.8 Is the Generation Unit an Existing Renewable Energy Resource other than an Intermittent Resource (as defined in Section 3.9 and 3.14 of the RES Regulations)? Yes No
- C.9 If you checked “Yes” to question C.8 above, please attach evidence of completed capital investments after December 31, 1997 attributable to efficiency improvements or additions of capacity that are sufficient to, were intended to, and can be demonstrated to increase annual electricity output in excess of ten percent (10%). As specified in Section 3.22.v of the RES Regulations, the determination of incremental production shall not be based on any operational changes at such facility **not directly** associated with the efficiency improvements or additions of capacity.
- C.10 Is the Generating Unit an Existing Renewable Energy Resource that is an Intermittent Resource? Yes No
- C.11 If you checked “Yes” to question C.10 above, please attach evidence of completed capital investments after December 31, 1997 attributable to efficiency improvements or additions of capacity that are sufficient to, were intended to, and have demonstrated on a normalized basis to increase annual electricity output in excess of ten percent (10%). The determination of incremental production shall not be based on any operational changes at such facility **not directly** associated with the efficiency improvements or additions of capacity. In no event shall any production that would have existed during the Historical Generation Baseline period in the absence of the efficiency improvements or additions to capacity be considered incremental production. Please refer to Section 3.22.vi of the RES Regulations for further guidance.
- C.12 If you checked “Yes” to C.10, provide the single proposed percentage of production to be deemed incremental, attributable to the efficiency improvements or additions of capacity placed in service after December 31, 1997. Please provide backup information sufficient for the Commission to make a determination of this incremental production percentage.
- C.13 If you checked “no” to both C.3 and C.4 above, please complete the following:
- a. Was the Existing Renewable Energy Resource located at the exact site at any time during calendar years 1995 through 1997? Yes No
 - b. If you checked “yes” in Subsection (a) above, please provide the Generation Unit Asset Identification Number and the average annual electrical production (MWhs) for the three calendar years 1995 through 1997, or for the first 36 months after the Commercial Operation Date if that date is after December 31, 1994, for each such Generation Unit.
 - c. Please attach a copy of the derivation of the average provided in (b) above, along with documentation support (such as ISO reports) for the information provided in Subsection (b) above. Data must be consistent with quantities used for ISO Market Settlement System.

GIS Certification #:

APPENDIX F
Eligible Biomass Fuel Source Plan
(Required of all Applicants Proposing to Use An Eligible Biomass Fuel)

STATE OF RHODE ISLAND PUBLIC UTILITIES COMMISSION
Part of Application for Certificate of Eligibility
RENEWABLE ENERGY RESOURCES ELIGIBILITY FORM
Pursuant to the Renewable Energy Act
Section 39-26-1 et. sq. of the General Laws of Rhode Island

Note to Applicants: Please refer to the RES Certification Filing Methodology Guide posted on the Commission's web site (www.ripuc.org/utilityinfo/res.html) for information, templates and suggestions regarding the types and levels of detail appropriate for responses to specific application items requested below. Also, please see Section 6.9 of the RES Regulations for additional details on specific requirements.

The phrase "Eligible Biomass Fuel" (per RES Regulations Section 3.6) means fuel sources including brush, stumps, lumber ends and trimmings, wood pallets, bark, wood chips, shavings, slash, yard trimmings, site clearing waste, wood packaging, and other clean wood that is not mixed with other unsorted solid wastes⁵; agricultural waste, food and vegetative material; energy crops; landfill methane⁶ or biogas⁷, provided that such gas is collected and conveyed directly to the Generation Unit without use of facilities used as common carriers of natural gas; or neat biodiesel and other neat liquid fuels that are derived from such fuel sources.

In determining if an Eligible Biomass Generation Unit shall be certified, the Commission will consider if the fuel source plan can reasonably be expected to ensure that only Eligible Biomass Fuels will be used, and in the case of co-firing ensure that only that proportion of generation attributable to an Eligible Biomass Fuel be eligible. Certification will not be granted to those Generation Units with fuel source plans the Commission deems inadequate for these purposes.

This Appendix must be attached to the front of Applicant's Fuel Source Plan required for Generating Units proposing to use an Eligible Biomass Fuel (per Section 6.9 of RES Regulations).

⁵ Generation Units using wood sources other than those listed above may make application, as part of the required fuel source plan described in Section 6.9 of the RES Regulations, for the Commission to approve a particular wood source as "clean wood." The burden will be on the applicant to demonstrate that the wood source is at least as clean as those listed in the legislation. Wood sources containing resins, glues, laminates, paints, preservatives, or other treatments that would combust or off-gas, or mixed with any other material that would burn, melt, or create other residue aside from wood ash, will not be approved as clean wood.

⁶ Landfill gas, which is an Eligible Biomass Fuel, means only that gas recovered from inside a landfill and resulting from the natural decomposition of waste, and that would otherwise be vented or flared as part of the landfill's normal operation if not used as a fuel source.

⁷ Gas resulting from the anaerobic digestion of sewage or manure is considered to be a type of biogas, and therefore an Eligible Biomass Fuel that has been fully separated from the waste stream.

F.1 The attached Fuel Source Plan includes a detailed description of the type of Eligible Biomass Fuel to be used at the Generation Unit.

Detailed description attached? Yes No N/A
Comments: _____

F.2 If the proposed fuel is "other clean wood," the Fuel Source Plan should include any further substantiation to demonstrate why the fuel source should be considered as clean as those clean wood sources listed in the legislation.

Further substantiation attached? Yes No N/A
Comments: only landfill methane gas

F.3 In the case of co-firing with ineligible fuels, the Fuel Source Plan must include a description of (a) how such co-firing will occur; (b) how the relative amounts of Eligible Biomass Fuel and ineligible fuel will be measured; and (c) how the eligible portion of generation output will be calculated. Such calculations shall be based on the energy content of all of the proposed fuels used.

Description attached? Yes No N/A
Comments: _____

F.4 The Fuel Source Plan must provide a description of what measures will be taken to ensure that only the Eligible Biomass Fuel are used, examples of which may include: standard operating protocols or procedures that will be implemented at the Generation Unit, contracts with fuel suppliers, testing or sampling regimes.

Description provided? Yes No N/A
Comments: _____

F.5 Please include in the Fuel Source Plan an acknowledgement that the fuels stored at or brought to the Generation Unit will only be either Eligible Biomass Fuels or fossil fuels used for co-firing and that Biomass Fuels not deemed eligible will not be allowed at the premises of the certified Generation Unit. And please check the following box to certify that this statement is true.

← check this box to certify that the above statement is true

N/A or other (please explain) only landfill methane gas is used

F.6 If the proposed fuel includes recycled wood waste, please submit documentation that such fuel meets the definition of Eligible Biomass Fuel and also meets material separation, storage, or handling standards acceptable to the Commission and furthermore consistent with the RES Regulations.

Documentation attached?

Yes

No

N/A

Comments: _____

F.7 Please certify that you will file all reports and other information necessary to enable the Commission to verify the on-going eligibility of the renewable energy generators pursuant to Section 6.3 of the RES Regulations.

← check this box to certify that the above statement is true

N/A or other (please explain) only LFA is used

F.8 Please attach a copy of the Generation Unit's Valid Air Permit or equivalent authorization.

Valid Air Permit or equivalent attached?

Yes

No

N/A

Comments: _____

F.9 Effective date of Valid Air Permit or equivalent authorization:

11 12 9 10 5

F.10 State or jurisdiction issuing Valid Air Permit or equivalent authorization:

Massachusetts

SECTION VI: Certification

6.1 Please attach documentation, using one of the applicable forms below, demonstrating the authority of the Authorized Representative indicated in Section 1.8 to certify and submit this Application.

Corporations

If the Owner or Operator is a corporation, the Authorized Representative shall provide either:

- (a) Evidence of a board of directors vote granting authority to the Authorized Representative to execute the Renewable Energy Resources Eligibility Form, or
- (b) A certification from the Corporate Clerk or Secretary of the Corporation that the Authorized Representative is authorized to execute the Renewable Energy Resources Eligibility Form or is otherwise authorized to legally bind the corporation in like matters.

Evidence of Board Vote provided?	Yes	No	<input checked="" type="radio"/> N/A
Corporate Certification provided?	<input checked="" type="radio"/> Yes	No	N/A

Individuals

If the Owner or Operator is an individual, that individual shall complete and attach APPENDIX A, or a similar form of certification from the Owner or Operator, duly notarized, that certifies that the Authorized Representative has authority to execute the Renewable Energy Resources Eligibility Form.

Appendix A completed and attached?	Yes	No	<input checked="" type="radio"/> N/A
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Non-Corporate Entities

(Proprietorships, Partnerships, Cooperatives, etc.) If the Owner or Operator is not an individual or a corporation, it shall complete and attach APPENDIX B or execute a resolution indicating that the Authorized Representative named in Section 1.8 has authority to execute the Renewable Energy Resources Eligibility Form or to otherwise legally bind the non-corporate entity in like matters.

Appendix B completed and attached?	Yes	No	<input checked="" type="radio"/> N/A
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6.2 Authorized Representative Certification and Signature:

I hereby certify, under pains and penalties of perjury, that I have personally examined and am familiar with the information submitted herein and based upon 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, both civil and criminal, for submitting false information, including possible fines and punishment. My signature below certifies all information submitted on this Renewable Energy Resources Eligibility Form. The Renewable Energy Resources Eligibility Form includes the Standard Application Form and all required Appendices and attachments. I acknowledge that the Generation Unit is obligated to and will notify the Commission promptly in the event of a change in a generator's eligibility status (including, without limitation, the status of the air permits) and that when and if, in the Commission's opinion, after due consideration, there is a material change in the characteristics of a Generation Unit or its fuel stream that could alter its eligibility, such Generation Unit must be re-certified in accordance with Section 9.0 of the RES Regulations. I further acknowledge that the Generation Unit is obligated to and will file such quarterly or other reports as required by the Regulations and the Commission in its certification order. I understand that the Generation Unit will be immediately de-certified if it fails to file such reports.

Signature of Authorized Representative:

SIGNATURE:

Mariusz J. [Signature]

DATE:

10/20/08

DIRECTOR

(Title)

SECRETARY'S CERTIFICATE

OF


GAS RECOVERY SYSTEMS, LLC

The undersigned, being the Assistant Secretary of Gas Recovery Systems, LLC, a California limited liability company (the "Company"), does hereby certify the following:

The Company is duly authorized to participate in REC markets in the United States, including, without limitation, the Rhode Island RPS program.

The Company's President, any Senior Vice President or Vice President, and Massimo Passini (each an "Authorized Representative") are each authorized to execute and deliver, for and on behalf of the Company, all necessary instruments, documents and certificates for and on behalf of the Company to participate in the Rhode Island RPS program, including, without limitation, execution of Rhode Island's Renewable Energy Resources Eligibility Form.

IN WITNESS WHEREOF, the undersigned has duly executed this Secretary's Certificate of Gas Recovery Systems, LLC this twentieth day of October, 2008.



Scott Contino
Assistant Secretary



COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE OF ENVIRONMENTAL AFFAIRS
DEPARTMENT OF ENVIRONMENTAL PROTECTION
SOUTHEAST REGIONAL OFFICE
20 RIVERSIDE DRIVE, LAKEVILLE, MA 02347 508-946-2700

MITT ROMNEY
Governor

STEPHEN R. PRITCHARD
Secretary

KERRY HEALEY
Lieutenant Governor

ROBERT W. GOLLEDGE, Jr.
Commissioner

FINAL AIR QUALITY OPERATING PERMIT

(Replacement page date: 11/29/05)

Issued by the Massachusetts Department of Environmental Protection ("The Department") 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"]:

Gas Recovery Systems, LLC
5717 Brisa Street
Livermore, CA 94550

INFORMATION RELIED UPON:

Application No. 4V02027 and 4M05034
Transmittal No. W028385 and W066782

FACILITY LOCATION:

Gas Recovery Systems
East Bridgewater Facility
234 Thatcher Street
East Bridgewater, MA 02333

FACILITY IDENTIFYING NUMBERS:

SSEIS ID: 119 1905
FMF FAC NO.: 382491
FMF RO NO.: 382492

NATURE OF BUSINESS:

Electric Power Generation

STANDARD INDUSTRIAL CODE (SIC):

4911

RESPONSIBLE OFFICIAL:

Name: Mr. Peter Keskinen
Title: Vice President of Operations

FACILITY CONTACT PERSON:

Name: Mr. Matt Nourot
Title: Engineering/Environmental Manager
Phone: (508) 580-6871

This operating permit shall expire on 12/17/08.

For the Department of Environmental Protection, Bureau of Waste Prevention

(Replacement Page Dated 11/29/05)

Regional Director

Date 12/17/03

This information is available in alternate format. Call Donald M. Gomes, ADA Coordinator at 617-556-1057. TDD Service - 1-800-298-2207.

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

Printed on Recycled Paper

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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 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.

DESCRIPTION OF FACILITY AND OPERATIONS

Gas Recovery Systems, LLC. (GRS) operates a Landfill Gas to Energy facility in East Bridgewater Massachusetts. The operation consists of six (6) internal combustion engines which combust collected landfill gas and produce electricity. The Landfill Gas (LFG) comes from the adjacent (closed) BFINA East Bridgewater Landfill.

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)
1 thru 6	Waukesha Internal Combustion Eng. Model No. 7042 GL	13.0 MMBtu/hr maximum heat input 1.052MW generator	None
7	Parts Cleaner (cold cleaning degreaser)	Complies with 310 CMR 7.18(8)(a)	None

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
A list of exempt activities is contained in the Operating Permit application and shall be updated by Gas Recovery Systems (GRS) to reflect changes at the facility over the permit term. An up-to-date copy of exempt activities shall be kept on-site at the facility and a copy shall be submitted to the Department's Southeast Regional Office.	310 CMR 7.00, Appendix C(5)(h)

4. APPLICABLE REQUIREMENTS

A. EMISSION LIMITS AND RESTRICTIONS

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

Table 3				
Emission Unit (EU)	Fuel	Pollutant	Emission Limit/Standard	Applicable Regulations and/or Approval No.
EU No. 1,2,3,4,5,6 (per engine)	LFG	SO ₂	0.020 lb/MMBtu 0.10 ton/month 1.14 tpy ⁽¹⁾	4B01007
			Sulfur content of fuel < 0.01% by weight	
		PM	0.025 lb/MMBtu 0.12 ton/month 1.42 tpy ⁽¹⁾	
		NO _x	0.151 lb/MMBtu (0.60 grams/Bhp-hour) 0.73 ton/month 8.60 tpy ⁽¹⁾	
		CO	0.752 lb/MMBtu 3.64 ton/month 42.82 tpy ⁽¹⁾	
		NMOC	0.063 lb/MMBtu 0.30 ton/month 3.59 tpy ⁽¹⁾	

Table 3				
Emission Unit (EU)	Fuel	Pollutant	Emission Limit/Standard	Applicable Regulations and/or Approval No.
<u>EU No.</u> 1,2,3,4,5,6 (per engine)	LFG	Visible emissions	Stack emissions shall not exceed 0% opacity (no visible emissions), with the exception of up to five (5) minutes during startup. During startup visible emissions shall comply with the provisions of 310 CMR 7.06	4B01007
<u>EU No.</u> 1,2,3,4,5,6 (Combined)	LFG	SO ₂	6.83 tpy ⁽¹⁾	4B01007
		PM	8.54 tpy ⁽¹⁾	
		NO _x	51.59 tpy ⁽¹⁾	
		CO	256.91 tpy ⁽¹⁾	
		NMOC	21.52 tpy ⁽¹⁾	
<u>EU No.</u> 7	N/A	VOC	Solvent usage rate < 100 gallons/month	310 CMR 7.03(8)
			Design features and operating procedures identified in 310 CMR 7.18(8)(a) and (e) ^(see Note 2)	310 CMR 7.18(8)

Table 3 Notes:

- 1) tpy means tons per year based on a rolling twelve-month average.
- 2) Design features [310 CMR 7.18(8)(a)]:
 1. each cold cleaning degreaser is equipped with a cover which is designed to be easily operated with one hand; and
 2. each cold cleaning degreaser is equipped to drain clean parts so that, while draining, the cleaned parts are enclosed for 15 seconds or until dripping ceases, whichever is longer; and
 3. each cold cleaning degreaser is designed with:
 - a) a freeboard ratio of 0.75 or greater, or
 - b) a water blanket (if the solvent used is insoluble and heavier than water), or
 - c) an equivalent system of air pollution control which has been approved by the Department and EPA; and
 4. the covers of each cold cleaning degreaser are closed whenever parts are not being handled in the degreaser, or when the degreaser is not in use; and
 5. the drafts across the top of each cold cleaning degreaser are minimized such that when the cover is open the degreaser is not exposed to drafts > 40 meters per minute (1.5 mph), as measured between one and two meters up wind at the same elevation as the tank lip; and
 6. any leaks are repaired immediately, or the degreaser is shut down.

OR

 6. any leaks are repaired immediately, or the degreaser is shut down; and
 7. the cold cleaner must have a remote reservoir; and
 8. the solvent used in the cold cleaner must not have a vapor pressure that exceeds 4.3 kPa (33 mmHg or 0.6 PSI) measured at 38° C (100° F) or be heated above 50° C (120° F); and
 9. the sink-like work area must have an open drain area less than 100 square centimeters.

Operating procedures [310 CMR 7.18(8)(e)]:

1. 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
2. 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 into the atmosphere; and
3. 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 10 PSI as measured at the pump outlet, and use any such spray within the confines of the degreaser.

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), as well as applicable requirements contained in Table 3:

Table 4	
Emission Unit (EU)	Monitoring/Testing Requirements
<u>EU No.</u> 1,2,3,4,5,6	In accordance with Approval No. 4B01007, a LFG flow recorder shall be maintained so that an on-site record of the volume of LFG fired in each unit will be available by date and time period.
	In accordance with Approval No. 4B01007, the heat input of LFG (Btu) fired in Units Nos. 1 through 6 for each month and for each twelve month rolling period shall be maintained on-site. These heat input records may be generated by gas chromatograph and/or field measurements.
	In accordance with Approval No. 4B01007, one operable oxygen analyzer shall be maintained on-site and record shall be maintained of the stack outlet oxygen levels at least once per week on each engine.
	In accordance with Approval No. 4B01007, The facility shall be constructed to accommodate the emission testing requirements contained in 40 CFR Part 60 Appendix A.
	In accordance with Approval No. 4B01007, Compliance emission testing, if requested by the Department, shall be conducted in accordance with the test methods and procedures contained in 40 CFR Part 60 Appendix A
	Gas Recovery Systems (GRS) shall monitor operations such that information may be compiled for the annual preparation of a Source Registration/ Emission Statement as required by 310 CMR 7.12.

Table 4

Emission Unit (EU)	Monitoring/Testing Requirements
<p><u>EU No.</u> 1,2,3,4,5,6</p>	<p>In accordance with 310 CMR 7.13(1) Any person owning, leasing, operating or controlling a facility for which the Department has determined that stack testing is necessary to ascertain compliance with the Department's regulations or design approval provisos shall cause such stack testing:</p> <ul style="list-style-type: none"> a) to be conducted by a person knowledgeable in stack testing, b) to be conducted in accordance with procedures contained in a test protocol which has been approved by the Department, c) to be conducted in the presence of a representative of the Department when such is deemed necessary, and d) to be summarized and submitted to the Department with analysis and report within such time as agreed to in the approved test protocol. <p>In accordance with 310 CMR 7.13(2) Any person having control of a facility relative to which the Department determines that stack testing (to ascertain the mass emission rates of air contaminants emitted under various operating conditions) is necessary for the purposes of regulatory enforcement or determination of regulatory compliance shall cooperate with the Department to provide:</p> <ul style="list-style-type: none"> a) entrance to a location suitable for stack sampling, b) sampling ports at locations where representative samples may be obtained, c) staging and ladders to support personnel and equipment for performing the tests, d) a suitable power source at the sampling location for the operation of sampling equipment, and e) such other reasonable facilities as may be requested by the Department.
<p><u>EU No.</u> 7</p>	<p>In accordance with 310 CMR 7.18(8)(h), upon request of the Department, perform or have performed tests to demonstrate compliance. Testing shall be conducted in accordance with a method approved by the Department and EPA.</p>
<p>Facility wide</p>	<p>In accordance with 310 CMR 7.00 <i>Appendix C (9)(b)</i>, GRS shall;</p> <ul style="list-style-type: none"> 1. comply with all emissions monitoring and analysis procedures or test methods required under the applicable requirements, including those promulgated pursuant to 42 U.S.C. 7401, §§ 504(a) and 504(b) or 114(a)(3); 2. If the applicable requirement does not require periodic testing or instrumental or non-instrumental monitoring (which may consist of record keeping designed to serve as monitoring), then the permittee shall perform periodic monitoring sufficient to yield reliable data from the relevant time period that is representative of the source's compliance with the permit. Such monitoring requirements shall assure the use of terms, test methods, units, averaging periods, and other statistical conventions consistent with the applicable requirement. Record keeping provisions may be sufficient to meet the requirements; and 3. The permittee shall comply with requirements concerning the use, maintenance and installation of monitoring equipment or methods as the Department deems appropriate.

Table 5

Emission Unit (EU)	Record Keeping Requirements
<u>EU No.</u>	In accordance with Approval No. 4B01007, Records of the volume of LFG (scf) fired in each unit for each month and for each twelve month rolling period shall be maintained on-site.
1,2,3,4,5,6	In accordance with Approval No. 4B01007, NO _x , CO, NMOC, PM, and SO ₂ , monthly and twelve month rolling period emission rate records for each unit shall be maintained on-site.
	In accordance with Approval No. 4B01007, the heat input of LFG (Btu) fired in Unit Nos. 1 through 6, for each month and for each twelve month rolling period records shall be maintained on-site. These heat input records may be generated by gas chromatograph and/or field measurements.
	In accordance with Approval No. 4B01007, a copy of the NO _x /CO optimization/minimization program report shall be maintained on-site.
	In accordance with Approval No. 4B01007, records of the weekly stack outlet oxygen levels on each engine shall be maintained.
	In accordance with Approval No. 4B01007, a copy of the Standard Operating and Maintenance Procedures for all subject equipment shall be maintained on-site.
	In accordance with Approval No. 4B01007, an operation log, or other record keeping system, shall be maintained on-site at a level of detail sufficient to document that the operation and emission limits contained in Table 3 are not exceeded.
	<p>In accordance with Approval No. 4B01007, a record keeping system shall be established and maintained on-site. All records shall be maintained up-to-date such that the year-to-date information is readily available for Department examination. Record keeping shall, at a minimum, include:</p> <ul style="list-style-type: none"> - a record of routine maintenance activities performed on emission unit control and monitoring equipment including, at a minimum, the type or a description of the maintenance performed and the date and time the work was completed; and - a record of all malfunctions on emissions unit control and monitoring equipment shall include, at a minimum: the date and time the malfunctions occurred; a description of the malfunctions and the corrective action taken; the date and time corrective actions were initiated; and the date and time corrective actions were completed and the emission unit returned to compliance.
	All records shall be kept on-site for five (5) years and shall be made available to Department personnel upon request.
	In accordance with Approval No. 4B01007, GRS shall maintain all operating and monitoring records, including emission test reports for the life of the facility; the five (5) most recent years of data/records shall be maintained on-site.
	Maintain records of any emissions compliance testing done in accordance with 310 CMR 7.13 and 40 CFR 60, Appendix A, if such testing is requested by the Department.

Table 5	
Emission Unit (EU)	Record Keeping Requirements
<u>EU No.</u> 7	In accordance with 310 CMR 7.18(8)(g) and 310 CMR 7.03(6), Prepare and maintain records sufficient to demonstrate compliance with an instantaneous averaging time as stated in 310 CMR 7.18(8)(f) and with the monthly solvent usage restriction in 310 CMR 7.03(8). Records shall include, but are not limited to: identity, quantity, formulation and density of solvent(s) used and waste solvent(s) generated.
Facility wide	Maintain records to facilitate compilation of data for the annual Source Registration required by 310 CMR 7.12. Copies of Source Registration and any other information supplied to the Department to comply with 310 CMR 7.12, shall be retained by the facility owner or operator for five years from the date of submittal.
	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 5 years from the date of the monitoring sample, measurement, report or initial operating permit application.

Table 6	
Emission Unit (EU)	Reporting Requirements
<u>EU No.</u> 1,2,3,4,5,6	In accordance with Approval No. 4B01007, all revisions to the Standard Operating and Maintenance Procedures shall be submitted to the Department within seven (7) days from their initial use.
	In accordance with Approval No. 4B01007, the Department's Permit Chief for the Bureau of Waste Prevention at this office must be notified by telephone, or fax within 24 hours, and with written notification within ten (10) days, after occurrence of any upsets or malfunctions to the facility equipment, air pollution control equipment, or monitoring equipment which result in an excess emission to the air and/or a condition of air pollution.
Facility wide	In accordance with 310 CMR 7.00: <i>Appendix C (10)(c)</i> : GRS, shall report a summary of all monitoring data and related supporting information to the Department at least every six months in a format and time frequency specified by the Department.
	In accordance with 310 CMR 7.00: <i>Appendix C (10)(f)</i> : GRS, shall promptly report to the Department all instances of deviations from permit requirements. This report shall include the deviation itself, including those attributable to upset conditions as defined in the permit, the probable cause of the deviation, and any corrective actions or preventative measures taken.
	In accordance with 310 CMR 7.00: <i>Appendix C (10)(h)</i> : all required reports must be certified by a responsible official consistent with 310 CMR 7.00: <i>Appendix C (5)(c)</i>
	In accordance with Approval No. 4B01007 and 310 CMR 7.12(1)(a) 1., GRS, will submit annually an emission statement/ source registration.

Table 6	
Emission Unit (EU)	Reporting Requirements
Facility wide	<p>All notifications and reporting required in accordance with Section No. 25 of this Operating Permit shall be sent directly to:</p> <p style="text-align: center;">Department of Environmental Protection Bureau of Waste Prevention Southeast Regional Office 20 Riverside Drive Lakeville, MA 02347</p> <p style="text-align: center;">ATTN: Chief, Permit Section</p> <p style="text-align: center;">Telephone: (508) 946-2770 Fax: (508) 947-6557</p> <p>The annual Source Registration/Emission Statement shall be submitted to the DEP Office specified in the instructions.</p>

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 shall comply with any applicable requirements that become effective during the permit term.

Table 7	
Regulation	Description
310 CMR 7.07	Open Burning
310 CMR 7.15	Asbestos
310 CMR 7.16	Reduction of Single Occupant Commuter Vehicle Use
42 USC 7401, §112	Hazardous Air Pollutants
42 USC 7401, §112(r)(7)	Accidental Release Prevention Requirements: Risk Management under the Clean Air Act §112(r)
42 USC 7401, §601	Protection of Stratospheric Ozone

5. SPECIAL TERMS AND CONDITIONS

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

1. Unit Nos. 1 through 6 construction and design shall be consistent with Attachment No.1, Equipment and Design Schedule, in Plan Approval No. 4B01007.

Unit Nos. 1 through 6 – Engine/Electric Generator Sets

Manufacturer	Waukesha
Model No.	7042GL
Max. Heat Input	13.0 MMBtu/hr/engine
Fuel	Landfill Gas
Maximum Output	1.052 MW/generator
Max. Stack Exit Temperature	810 °F
Stack Material	Carbon Steel
Stack Height	27.3 feet
Stack Exit Diameter	13 inches
Silencer	Maxim (Model 42 or equivalent)

2. In accordance with Approval No. 4B01007:
 - a. Unit No. 1 through 6 will operate at all times when the collected LFG is routed to the Unit.
 - b. The maximum heat input of LFG shall not exceed 9,672 MMBtu per month per engine.
 - c. The maximum heat input of LFG for the six engines, in total, shall not exceed 683,280 MMBtu in any consecutive twelve-month period.
 - d. The engine exhaust O₂ content shall be maintained between 6.8 percent and 9.8 percent by volume.
 - e. Each engine shall reduce NMOC emissions by 98 percent by weight, or reduce the stack NMOC concentration to 20 parts per million as hexane by volume, dry basis at 3 percent oxygen, or less.
3. In accordance with Plan Approval No. 4B01007, sound impacts shall not exceed 10 dB (A) above background and shall not cause a puretone condition as defined in the Department's DAQC Policy No. 90-001. (state only requirement)
4. In accordance with Plan Approval No. 4B01007, department personnel shall be provided immediate access to the plant site, buildings, and all pertinent records for the purpose of making inspections and surveys, collecting samples, obtaining data, and reviewing records.
5. In accordance with Plan Approval No. 4B01007, if any nuisance condition(s) should be generated by the operation of this facility, immediate appropriate steps shall be taken to abate the nuisance condition(s). (state only requirement)

6. ALTERNATIVE OPERATING SCENARIOS

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

7. EMISSIONS TRADING

(a) Intra-facility emission trading

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

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 Department 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 Department pursuant to 310 CMR 7.00: Appendix B.

(b) Inter-facility emission trading

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

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 Department 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 Department will submit an "Operating Permit Reporting Kit" to the Permittee which contains instructions and the Annual Compliance Report and Certification and the Semi-Annual Monitoring summary Report and Certification.

(a) Annual Compliance Report and Certification

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

The compliance certification and report shall describe:

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

The compliance certification and report shall describe:

- i. the terms and conditions of the permit that are the basis of the certification;
- ii. the current compliance status during the reporting period;
- iii. the methods used for determining compliance, including a description of the monitoring, record keeping, and reporting requirements and test methods;
- iv. whether there were any deviations during the reporting period;
- v. if there are any outstanding deviations at the time of reporting, and the Corrective Action Plan to remedy said deviation;
- vi. whether deviations in the reporting period were previously reported;
- vii. if there are any outstanding deviations at the time of reporting, the proposed date of return to compliance;
- viii. if the deviations in the reporting period have returned to compliance and date of such return to compliance; and
- ix. any additional information required by the Department 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 Department 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 Department has determined that the permittee is not currently subject to the requirements listed in Section 4, Table 7.

(c) Nothing in this permit shall alter or affect the following:

- (i) the liability of the source for any violation of applicable requirements prior to or at the time of permit issuance.
- (ii) the applicable requirements of the Acid Rain Program, consistent with 42 U.S.C. §7401, §408(a); or
- (iii) the ability of EPA to obtain information under 42 U.S.C. §7401, §114 or §303 of the Act.

13. ENFORCEMENT

The following regulations found at 310 CMR 7.02(8)(h) Table 6 for wood fuel, 7.02(8)(i), 7.04(9), 7.05(8), 7.09 (odor), 7.10 (noise), 7.18(1)(b), 7.21, 7.22 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 Department, 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 Department's receipt of a complete and timely application for renewal, this facility may continue to operate subject to final action by the Department on the renewal application.

In the event the Department 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 Department 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 Department and/or EPA. The responsible official of the facility may request that the Department terminate the facility's operating permit for cause. The Department 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 Department'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 Department 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 Department a material error or omission in any records, reports, plans, or other documents previously provided to the Department.

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 Department.

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 Department, and EPA to perform the following:

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

22. PERMIT AVAILABILITY

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

23. SEVERABILITY CLAUSE

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

24. EMERGENCY CONDITIONS

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

(a) an emergency occurred and that the permittee can identify the cause(s) of the emergency;

(b) the permitted facility was at the time being properly operated;

(c) during the period of the emergency, the permittee took all reasonable steps as expeditiously as possible, to minimize levels of emissions that exceeded the emissions standards, or other requirements in this permit; and

(d) the permittee submitted notice of the emergency to the Department 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 Division of Hazardous Waste/Emergency Response and the Emergency Response Planning Council, immediate notification to the appropriate parties should be made as required by law.

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.

25. PERMIT DEVIATION

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

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

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

For all other deviations, three (3) day notification is waived and is satisfied by the documentation required in the subsequent Semi-Annual Monitoring Summary and Certification. Instructions and forms for reporting deviations are found in the Massachusetts Department of Environmental Protection Bureau of Waste Prevention Air Operating Permit Reporting Kit, which is included with the Operating Permit. This report shall include the deviation, including those attributable to upset conditions as defined in the permit, the probable cause of such deviations, and the corrective actions or preventative measures taken.

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

26. OPERATIONAL FLEXIBILITY

The permittee is allowed to make changes at the facility consistent with 42 U.S.C. §7401, §502(b)(10) not specifically prohibited by the permit and in compliance with all applicable requirements provided the permittee gives the EPA and the Department written notice fifteen days prior to said change; notification is not required for exempt activities listed at 310 CMR 7.00: Appendix C(5)(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. List of Abbreviations

Btu	= British thermal units
CFR	= Code of Federal Regulations
CMR	= Code of Massachusetts Regulations
CO	= Carbon monoxide
ft ³	= Cubic foot
°C	= Degrees Celsius
°F	= Degrees Fahrenheit
Eng.	= Engine
EU	= Emission Unit
Gallons/Month	= Gallons per month
GRS	= Gas Recovery Systems, Inc
grams/Bhp-hour	= Grams per brake-horsepower hour
IA	= insignificant activity
lb/MMBtu	= Pounds per million Btu
LFG	= Landfill Gas
Mg	= Megagrams
MW	= Megawatt
MMBtu	= Million Btu
MMBtu/hr	= Million British thermal units per hour
mm HG	= millimeters of mercury
MM m ²	= Million square meters
MM Mg	= Million Megagrams
N/A	= Not Applicable
NMOC	= Non-Methane organic compounds
No.	= Number
NO _x	= Oxides of nitrogen
O ₂	= Oxygen
PCD	= Pollution Control Device
PM	= Particulate matter
ppm	= Parts per million
PSI	= pounds per square inch
scf	= Standard cubic foot
SO ₂	= Sulfur dioxide
tpy	= Tons per consecutive 12 month period
U.S.C.	= United States Code
%	= Percent
<	= Less than
>	= Greater than
≤	= Less than or equal to
≥	= Greater than or equal to
§	= Section

APPEAL CONDITIONS FOR OPERATING PERMIT

This permit is an action of the Department. 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 Department'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 Department 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.

9. MATERIAL SITE AGREEMENTS
9.7 EAST BRIDGEWATER
9.7.3 Interconnection Agreement dated May 31,
1995 between Eastern Edison Company and
Browning Ferris Gas Services, Inc.

*EAST
BRIDGEWATER*

INTERCONNECTION AGREEMENT
BETWEEN
EASTERN EDISON COMPANY
AND
BROWNING FERRIS GAS SERVICES, INCORPORATED

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INTERCONNECTION AGREEMENT BETWEEN
EASTERN EDISON COMPANY
AND
BROWNING FERRIS GAS SERVICES, INCORPORATED

This Agreement, entered into as of the ____ day of ____, 199__, between Eastern Edison Company, a Massachusetts corporation having its principal place of business at 110 Mulberry Street, Brockton, Massachusetts (hereinafter "Company") a subsidiary of Eastern Utilities Associates ("EDA") and Browning Ferris Gas Services, Incorporated, a Delaware Corporation, having its principal place of business at 757 North Eldridge, Houston, Texas (hereinafter "BFGSI").

W I T N E S S E T H:

WHEREAS, BFGSI plans to cause to be constructed, to own or to lease, and to operate or cause to be operated, an Independent Power Production facility ("IPP") to be located on property situated at 234 Thatcher Street, East Bridgewater, Massachusetts 02333 (the "Facility"); and

WHEREAS, the Facility shall have a design net electrical capability of 4.5 megawatts under International Standard Organization ("ISO") conditions; and

WHEREAS, the Facility includes four (4) gas-fired, engines/generators rated at 1.025 MW each plus an auxiliary diesel with an estimated rating of 0.644 MW for black start capability and ancillary equipment; and

WHEREAS, this Interconnection Agreement is to establish the requirements, terms and conditions for the interconnection of BFGSI's Facilities with the distribution system of the Company; and

Whereas, the Interconnection Facilities are intended to enable BFGSI to operate in parallel with Company's electrical system, to receive backup and maintenance power from Company, and to sell power pursuant to the Power Purchase Agreement, dated _____ as amended from time to time, entered into by and between BFGSI as Seller and Taunton Municipal Lighting Plant as Buyer, for the purchase of one hundred percent (100%) of the Net Capability of the Facility described therein; and

WHEREAS, Company and BFGSI desire to interconnect the Facility with Company's distribution facilities, on terms mutually beneficial to the Parties.

NOW THEREFORE, in consideration of the premises and the mutual promises and agreements of Company and BFGSI (herein after referred to collectively as the "Parties" and individually as a "Party"), intending to be legally bound, hereby agree to the following:

ARTICLE 1
DEFINITIONS

The following terms shall have the meanings specified in this Article 1 when capitalized and used in this Interconnection Agreement. The meanings specified are applicable to both the singular and plural.

- 1.1 "Commercial Date" means the date upon which BFGSI declares the Facility to be commercial in accordance with the Power Purchase Agreement.
- 1.2 "Interconnection Agreement" means this Interconnection Agreement, providing for the construction, ownership, and operation and maintenance of, and payment for, Interconnection Facilities and related facilities.
- 1.3 "Interconnection Facilities" means the facilities to be constructed pursuant to this Interconnection Agreement, as set forth in Appendix A.
- 1.4 "Interconnection Point" means the point where Company's distribution system connects with BFGSI's facility on the high voltage side of the generator step-up transformer.
- 1.5 "Interconnection Study" means the engineering study conducted by EHA at the request and expense of BFGSI, conceptualizing the interconnection design. The Interconnection Study is included in this Agreement as Appendix A.

1.6 "NEPEX" means the New England Power Exchange or any successor entity performing substantially similar functions.

1.7 "NEPOOL" means the New England Power Pool or any successor power pool performing substantially similar functions.

1.8 "Power Purchase Agreement" means that Agreement dated _____ as amended from time to time, between Taunton Municipal Lighting Plant and BFGSI for the purchase and sale of capacity and associated energy from the Facility.

1.9 "SCADA" means Supervisory Control and Data Acquisition.

1.10 "Site" means the parcel of land located in East Bridgewater, Massachusetts on which the Facility is to be constructed.

1.11 "System Operator" means Company's designated entity responsible for coordinating all operational matters concerned with the Facility.

ARTICLE 2
SCOPE OF WORK

- 2.1 Interconnection Facility Requirements. In order for BFGSI to make delivery of power from the Facility, the Interconnection Facilities described in Appendix A must be constructed.

2.1.1 BFGSI agrees to install and own, at its sole expense, a portion of the Interconnection Facilities, as described in Appendix A. Appendix A may be revised by Company to include additional drawings, plans and specifications dated and marked "Final" supplied by BFGSI to Company. Said Interconnection Facilities shall be constructed in a good and workmanlike manner, duly tested at the Site after completion and found to be in safe and reliable operating condition to the satisfaction of Company in accordance with good utility practice and all applicable Federal, State and local laws and regulations. A certification of completion shall be delivered to Company in the form as specified in Appendix D.

2.1.2 Company agrees to engineer, design, furnish, construct and own, at BFGSI's sole expense, the remaining portion of the Interconnection Facilities as described in Appendix A. These facilities consist of additions or modifications to Company's distribution system necessary to accommodate the interconnection of Company's system and the Facility.

2.2 Requirements Related to Construction

2.2.1 Certain pieces of equipment need to be permanently marked for identification purposes. BFGSI shall submit two (2) copies of each of the drawings related to its portion of the Interconnection Facilities. Company will mark each relevant piece of equipment shown on each drawing with a designation and return one complete set of drawings to BFGSI. BFGSI shall permanently mark such equipment as indicated by Company.

2.2.2 All relay settings and coordination of protective devices will be reviewed and approved by Company. Prior to interconnection, all equipment will be tested per a mutually agreeable schedule and procedure. Company personnel or personnel retained by Company, at the sole expense of BFGSI, will perform or witness the tests and verify the results.

2.3 Completion of Interconnection Facilities. The Parties agree that prior to operation of the Interconnection Facilities, and subject to Company's sole discretion, the Interconnection Facilities including all modifications and installations of equipment on Company's system required to ensure safe and reliable interconnected operation of said system with the Facility, in accordance with good utility practice, shall

have been completed and tested to the reasonable satisfaction of Company. Responsibility for making the final connection between Company's and BFGSI's Interconnection Facilities is reserved exclusively to Company. Before making such interconnection, Company shall have the right to require BFGSI to provide documentation demonstrating that the Facility and the Interconnection Facilities constructed by BFGSI have been constructed in accordance with good utility practice and comply with all applicable safety and electrical codes, including, but not limited to, the National Electrical Code and the National Electrical Safety Code. BFGSI will ensure that the Interconnection Facilities conform to and are maintained in accordance with NEPOOL Standards as amended from time to time.

ARTICLE 3
TIMELINESS

3.1 Timely Completion and Best Efforts. Company and BFGSI recognize the importance of timely completion of the Interconnection Facilities, and agree to utilize their best efforts to support each other in the completion of the Interconnection Facilities on a timely basis. The Parties further recognize the need to adhere to the timelines and milestones for design, purchasing and installing equipment as shown in Section 8.3 of the Interconnection Study.

3.2 Timely Response. Company and BFGSI will respond, in a timely manner, to inquiries and requests from each other for information regarding the construction of the Interconnection Facilities and other matters relating to this Interconnection Agreement.

ARTICLE 4
PAYMENT FOR INTERCONNECTION FACILITIES

4.1 Payments by BFGSI to Company. As Company constructs its portion of the Interconnection Facilities, as set forth in Article 2, Company shall receive progress payments from BFGSI for Contribution In-Aid-of-Construction ("CIAC") which include labor, materials, equipment, overheads, transportation expenses and any other expenses incurred on behalf of BFGSI.

4.2 Retainer. BFGSI also agrees to provide to Company an up front retainer of ten thousand dollars (\$10,000.00). This retainer, and any accrued interest, shall be held by Company and applied to the final invoice. If the final invoice is less than the \$10,000.00 and accrued interest, the difference shall be remitted to BFGSI. Company will pay interest on all cash deposits in accordance with Massachusetts Department of Public Utilities ("MDPU") Order 999 (Section 26.09). For 1995 the rate of interest will be 5.94 percent. Such rate of interest will be updated annually.

ARTICLE 5

OPERATION OF THE INTERCONNECTION FACILITIES

5.1 Operation of Interconnection Facilities. Company shall operate its Interconnection Facilities, through use of its personnel or its designees under the supervision of Company personnel, in accordance with good utility practice. Company may, in accordance with good utility practice, curtail or interrupt interconnected operation of the Interconnection Facilities, at any time that such curtailment or interruption or delay is necessary under good utility practice, in order for Company to inspect, repair, or replace equipment associated with Company's electric system, or to aid in the restoration of service on Company's system or on the systems with which it is directly or indirectly interconnected, provided any such interruption, reduction or refusal shall continue only for so long as it is reasonably necessary under good utility practice.

5.2 Company Access to Interconnection Facilities. BFGSI shall provide and grant to Company such access to BFGSI's Facility, as necessary or appropriate, to inspect, test, operate and maintain Company's Interconnection Facilities.

ARTICLE 6

METERING

6.1 Metering Requirements: The point of metering shall be at the high side of the Step-up Transformer at the Site. The meters will be installed, tested and maintained by Company or its designee at the sole expense of BFGSI. Equipment necessary for remote metering and indication of the Interconnection Facilities shall be furnished and installed by Company. Such equipment shall be compatible with Company or its affiliate's SCADA system equipment. BFGSI shall be responsible for the cost for regular routine testing of the meters and associated equipment in accordance with the standards set forth by Company.

6.1.1 The installation by Company or its designee, at BFGSI's sole expense, of metering equipment shall be as described in Appendix A. Company shall furnish and install the necessary meter sockets and wiring in accordance with accepted electrical standards and state and local codes. Company shall furnish, install, read, and maintain the metering equipment.

6.1.2 A separately executed agreement between the Parties shall provide for the responsibilities and costs associated with reading the meters and reporting pertinent data to NEPEX.

6.1.3 Company shall also conduct testing, other than routine maintenance testing, upon the reasonable request, and in the presence of, a representative of BFGSI. Company shall maintain an accurate log or record of all such meter testing. If the metering equipment is found in any such test to be inaccurate, it shall be made accurate, and if it is found to be inaccurate by more than two percent (2%) up or down, the meter readings for the period of inaccuracy shall be adjusted to correct such inaccuracies as far as the same can be reasonably ascertained and such adjusted readings shall be reported to BFGSI by Company for the purpose of billing. If the period of inaccuracy cannot be ascertained such period will be deemed to have encompassed one-half of the time period since the last test of the meter. The cost of any testing performed in accordance with this paragraph shall be borne by BFGSI, if the results of the tests conducted by Company prove the metering equipment to be inaccurate by less than two percent (2%) up or down, and otherwise by Company.

ARTICLE 7

DELIVERY AND MEASUREMENT

All electricity shall be delivered at the Interconnection Point in the form of three-phase sixty-hertz alternating current at a voltage of

13.8kV within the ANSI B voltage range. This range should allow BFGSI to operate inside the range of the Facility's design as determined from the equipment manufacturer's recommendations and within the range of the Facility's relaying capability.

ARTICLE 8

FORCE MAJEURE

Company shall not be considered to be in default of any obligation hereunder as a result of all or any part of the Interconnection Facilities being destroyed, damaged, or otherwise rendered inoperable or unavailable as a result of or caused by storm, flood, lightning, earthquake, fire, explosion, equipment failure, civil disturbance, labor dispute, regulatory lag, Act of God or the public enemy, or any cause beyond the control of Company. Nor shall the unavailability of all or any part of the Interconnection Facilities for any such cause relieve BFGSI of any obligations to make any payment under Articles 4 or 9 of this Agreement as long as Company shall use good utility practice to restore the availability of the Interconnection Facilities so rendered inoperable or unavailable at the cessation of the event causing or resulting in such inoperability or unavailability.

Company shall not be responsible in tort, contract or strict liability to BFGSI for damages of any description whatsoever which may result from any unavailability of the Interconnection Facilities unless such unavailability is the result of willful default, deliberate misconduct or gross negligence by Company.

ARTICLE 9
BILLING AND PAYMENT

OF
MONTHLY CIAC AND ON-GOING OPERATION AND MAINTENANCE CHARGES

Bills shall be rendered by Company to BFGSI during the first part of the succeeding month, and payment shall be due within ten (10) days of receipt of bill ("Due Date"). Such bills shall be delivered via first class mail postage pre-paid, or by facsimile.

Billing for CIAC shall be in the form as specified in Appendix B. Overheads for CIAC and the expenses and overheads for on-going operations and maintenance shall be as specified in Appendix C.

If the transmittal of payment is not postmarked by the Due Date, an interest charge shall be paid on the unpaid balance computed daily from the Due Date at an annual rate equal to two percent (2%) more than the then current Prime Interest rate charged by the Bank of Boston. In the event the bill is disputed, interest shall accrue only on the unpaid amount finally determined to be due and payable.

Notwithstanding the above, if any bill remains unpaid for more than sixty (60) days from the Due Date, except amounts in dispute, Company may suspend operation of the Interconnection Facilities hereunder until full payment has been made.

ARTICLE 10
PROCEDURES GOVERNING SHUTDOWN AND RESUMPTION
OF DELIVERY OF BFGSI'S GENERATION

The following procedures govern the shutdown and resumption of delivery of BFGSI's generation. Such procedures shall be subject to change as mutually agreeable:

10.1 BFGSI's Unscheduled Facility Outage. In the event of an unscheduled shutdown by BFGSI, it shall notify Company as promptly as is possible by telephone notice given directly to Company's System Operator, as to the circumstances believed to have caused the shutdown, and subsequently shall confirm to Company in writing its formal determination as to the reason for the interruption.

10.2 Emergency Relating to Facility Power. If a curtailment or interruption of the acceptance by Company of electric power generated by BFGSI in accordance with Article 5.1 is occasioned by emergency circumstances which do not permit advance notice, Company shall notify BFGSI by telephone, as promptly after the event as is reasonably possible under the circumstances, of the reasons for the shutdown and its expected duration.

10.3 Failure of SCADA. In the event of a failure of the SCADA terminal to transmit data to Company or its affiliate's SCADA system, at a time when the continuing inflow of BFGSI's

energy into Company's electrical system would unreasonably impair or threaten to impair the safe and reliable operation of Company's system, Company shall have the right to require BFGSI to shut down its Facility for the duration of such period. Company shall be subject to no liability in the event of such shutdown unless such failure is a result of gross negligence, or willful default of Company. The Parties agree to take all reasonable actions to prevent, mitigate or correct any such failures and to cooperate to that end.

10.4 Shutdown, Reduction, Curtailment or Delay of Operation of Interconnection Facilities. In the event that Company reduces, curtails or delays the operation of the Interconnection Facilities in accordance with Article 5.1 Company shall be subject to no liability for such interruption. In the case when shutdown can be scheduled, Company shall notify BFGSI by telephone, at the earliest practical time, but not later than at least fifteen minutes prior to the scheduled shutdown, of reasons for the shutdown, the time scheduled for it to take place, and its expected duration. Company shall resume interconnected operation of the facility as quickly as possible in accordance with Article 5.1.

10.5 Procedures for Resumption of Facility Operation. On occasions when interconnected operation has been interrupted by BFGSI and BFGSI then wishes to resume such interconnected operation, it shall give telephone notice to Company or its

affiliate's System Operator at least fifteen minutes in advance as to the time at which resumption of operation is desired; provided, however, that such advance notice to Company may be waived by Company's said System Operator and BFGSI may institute a manual interconnection more quickly in any instance in which Company's said System Operator shall deem appropriate. In the event that BFGSI interconnection shall have been previously disconnected or locked out by Company, Company shall reconnect and/or reset the permissive relay so as to allow BFGSI to resume interconnected operation at the time scheduled in Company's telephone notice.

However, if technical conditions existing on Company's system are such that it is not feasible in accordance with this Article for Company to allow interconnection with BFGSI at the time proposed for the resumption of generation, Company may deny interconnected operation at that time, but shall thereafter notify BFGSI by telephone as to the earliest time that it is able to accept generation from BFGSI and shall cooperate diligently to resume interconnected operation with BFGSI at that time.

10.6 Right to Open Disconnects. BFGSI shall afford to Company reasonable access at all times to the disconnects associated with the Interconnection Facilities, and Company shall have the right to open said disconnects whenever it is appropriate to do so pursuant to Article 5.1.

ARTICLE 11
MAINTENANCE OF EQUIPMENT

BFGSI shall be responsible for maintaining its designated equipment and its associated telephone lines, as described in Appendix A, in good operational order. Upon request by BFGSI, Company agrees to carry out required maintenance upon the said equipment and associated lines, from time to time, as Company reasonably deems necessary or appropriate, with the understanding that BFGSI will reimburse it promptly against invoices duly submitted for such costs and expenses, including overheads, so incurred. So far as feasible, Company shall notify BFGSI in advance of undertaking such maintenance as to the work expected to be done and its expected cost; provided, however, that an inadvertent failure by Company to give such notice shall not excuse BFGSI from its obligation to reimburse Company for its costs and expenses, including overheads, so incurred.

ARTICLE 12
RESPONSIBILITY FOR PROTECTIVE RELAYS

The Interconnection Facilities are to be designed and constructed with mutually beneficial protective relay schemes, serving functions and meeting tolerances which have been agreed upon between the Parties. BFGSI shall own and be responsible for maintaining the said mutual relay schemes in good operation order and condition, and shall cause said mutual relay scheme to operate within prescribed tolerances. BFGSI shall be responsible for adhering to reasonable testing procedures and schedules for such testing for such equipment and the

reporting thereof as well as for any reasonable periodic maintenance or replacement, as determined by Company.

ARTICLE 13
RESPONSIBILITY TO PROTECT EACH PARTY'S SYSTEM
FROM OTHER PARTY'S SYSTEM

Except as may be set forth in this Agreement to the contrary, each Party shall be responsible both prior to and after the Commercial Date, for protecting its facilities from possible damage by reason of electrical disturbances or faults caused by the operation, faulty operation, or non-operation of the other Party's facilities, as well as for other electrical systems interconnected to Company's electrical system and unless due to wanton, willful or grossly negligent conduct, such other Party shall not be liable for any damages so caused.

ARTICLE 14
POWER FACTOR

Unless otherwise requested by Company or its designee, BFGSI will operate the Facility at unity power factor at the metering point and within the tolerance of the power factor controller. In no case however, will BFGSI be required to operate outside the volt-ampere range ("VAR") of the Facility's capability as determined from the equipment manufacturer's recommendations.

ARTICLE 15
TERM OF AGREEMENT

This Agreement shall become effective on the date first written above and the term of this Agreement shall continue for a period of twenty-five (25) years from such date. Company shall file this Agreement with the Federal Energy Regulatory Commission ("FERC") as a Rate Schedule within the meaning of 18 C.F.R. Part 35. BFGSI agrees to support such filing and cooperate with Company and provide any information reasonably required by Company to comply with applicable filing requirements. BFGSI shall bear the cost of all legal and other fees relating to filing this Agreement at FERC.

ARTICLE 16
ASSIGNMENT

This Agreement shall be binding upon and shall inure to the benefit of, and may be performed by, the successor and assigns of the Parties, except that no assignment, pledge or other transfer of this Agreement by any party shall operate to release the assignor, pledgor or transferor of any of its obligation hereunder unless: (1) consent to the assignment is given in writing by the other Party, such consent not to be unreasonably withheld; (2) such assignment, in whole or in part, is to financial institutions or entities for the purpose of financing construction and/or providing permanent debt financing of the Facility or modification thereof; or (3) Company assigns its interest in this Agreement to an affiliate of Company or to a transferee of all of the assets of Company.

ARTICLE 17
APPLICABLE LAWS

This Agreement shall be governed by and construed and enforced in accordance with the laws of the Commonwealth of Massachusetts.

ARTICLE 18
REGULATION

This Agreement is subject to all applicable state and federal laws and to all duly promulgated orders and other authorized action of governmental authority having jurisdiction.

ARTICLE 19
FUTURE OPERATIONS

BFGSI covenants and agrees that with Company, it will at all times operate and maintain its portion of the Interconnection Facilities in compliance with all applicable provisions of any Federal, State, or local laws, as may be supplemental or amended from time to time, and with all other applicable regulations and requirements of the MDPU and with all applicable provisions hereof.

ARTICLE 20

LIABILITY

Neither party hereto, nor its respective parents, subsidiaries, affiliates, agents, officers, directors, employees, successors, assigns, shall be liable, directly or indirectly, to the other or its respective parents, subsidiaries, affiliates, agents, officers, directors, employees, successors, assigns or customers for claims for special incidental, indirect or consequential damages, whether based on breach of warranty (express or implied), contract, tort or otherwise, connected with or resulting from, directly or indirectly, performance or the failure to perform by either party of any of its obligations under this Agreement.

ARTICLE 21

INSURANCE

21.1 Responsibility. BPGSI covenants and agrees with Company to maintain in full force and effect throughout the term of this Agreement the types and minimum dollar amounts of insurance coverage set forth in 21.2.

21.2 Coverage. BPGSI agrees to maintain at all times the following insurance:

- (1) Workmen's compensation insurance as prescribed or permitted by law.

- (2) Employer's liability insurance with limits of not less than one hundred thousand dollars (\$100,000) per occurrence.
- (3) Comprehensive general liability and property damage insurance with limits not less than five hundred thousand dollars (\$500,000) per person and one million dollars (\$1,000,000) per accident for property damage.
- (4) Automobile liability coverage with limits not less than five hundred thousand dollars (\$500,000) per person and one million dollars (\$1,000,000) per accident for bodily injury (including death) and one million dollars (\$1,000,000) aggregate for property damage.
- (5) Umbrella liability insurance in a minimum amount of eight million dollars (\$8,000,000).
- (6) All risk property and boiler and machinery insurance against damage to owned, leased or operated property, that is part of the Facility, on a replacement cost basis, with self-insurance of not more than five hundred thousand dollars (\$500,000); and business interruption insurance, of the types which a prudent developer, owner and operator of a similar project would provide, or as

may be required by a lender. BFGSI shall provide a copy of all state and/or insurance company inspection reports to Company within thirty (30) days of issuance.

(7) The minimum liability and amounts specified above shall be adjusted at least as often as at three-year intervals by the ratio of the value of the Consumer Price Index, all categories, for the Greater Boston areas as of January, 1988, to the most recent January value of such index at the time of adjustment.

21.3 Insured. The insurance policy or policies entered into pursuant to this Article of the Interconnection Agreement shall be endorsed naming Company or, at the option of Company, a Company affiliate as an additional insured, except to the extent of Company's negligence or willful misconduct, with respect to any and all third party bodily injury and/or property damage claims arising from the performance of this Agreement and shall require thirty (30) days written notice to be given to Company of cancellation and or material change in the policy(s). The insurance coverage described herein shall be primary to any other coverage available to Company and shall not be deemed to limit BFGSI's liability under this Agreement.

21.4 Certificate of Insurance. BFGSI shall provide Company with certificates of insurance as evidence of coverage. Such certificates shall include a statement that coverage will not be reduced or cancelled by the carrier without first providing Company at least thirty (30) days' prior written notice.

ARTICLE 22

NO DEDICATION OF FACILITIES

No undertaking by Company or BFGSI hereunder shall be deemed to constitute a dedication of its system, or any portion thereof, to the public or the requirements of the other Party, and all undertakings of each Party hereunder with respect to the other shall cease upon the termination of this Agreement.

ARTICLE 23

SAFETY STATEMENT

It is BFGSI's responsibility to assure that all work performed under this Agreement by other than Company personnel or personnel under Company supervision, reasonably complies with Company safety rules in addition to all applicable municipal, state, OSHA, and other federal regulations. Company shall furnish its safety rules to BFGSI.

ARTICLE 24
ENTIRE AGREEMENT

This Agreement constitutes the entire agreement between the Parties regarding the Interconnection Facilities and supersedes all previous agreements, discussions, communications and correspondence regarding such Interconnection Facilities.

ARTICLE 25
NOTICES AND BILLS

All notices hereunder, in which the manner of delivery is not otherwise specified, shall be sent by U.S. mail postage prepaid or shall be hand delivered. Notices and other communications by Company to BFGSI shall be addressed to:

Browning-Ferris Gas Services, Inc.

President
Browning-Ferris Gas Services, Inc.
750 No. Eldridge
Houston, TX 77079

Notices and other communications by BFGSI to Company shall be addressed to:

For Company

Vice President of Integrated Resource
Management
Eastern Utilities Associates
750 West Center Street
West Bridgewater, MA 02379

All payments to Company shall be sent to:

Eastern Utilities Associates
Accounts Receivable Department
750 West Center Street
West Bridgewater, MA 02379

Either party may change the address to which bills or notices are to be sent by written notice to the other party.

Witness the name of the Parties hereto affixed by their respective officers as of the date first written above. Executed in duplicate.

Eastern Edison Company

Date: 5-31-95

By: 

Title: President

Witness: Barbara Denton

APPENDIX A


Interconnection Study

Browning Ferris Gas Services,
Incorporated

Date: Feb. 16, 1995

By: Richard E. Osby III

Title: President

Witness: 

INTERCONNECTION STUDY
for
EAST BRIDGEWATER AND HALIFAX LANDFILLS
GAS-FIRED GENERATION

PREPARED FOR
BROWNING-FERRIS GAS SERVICES, INC

November, 1994

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 - 8.3) ADMINISTRATIVE PROCEDURES

1.0) INTRODUCTION

This report outlines the results of the study conducted by EUA Service Corporation (EUASC) for the interconnection of the proposed 4.5 megawatt gas-fired plants at the BFI landfills in East Bridgewater and Halifax, Massachusetts, by Browning-Ferris Gas Services, Inc (BFGSI) with the electrical system of Eastern Utilities (EUA).

The intent of the Interconnection Study is to determine the following:

- a) the interconnection point and voltage level;
- b) additions to and modifications of the EUA electrical system required to accommodate the proposed facility without adverse effects on EUA's System and customers;
- c) the scope of equipment and services that will be provided by EUA at BFGSI expense;
- d) the scope of interconnection construction for which BFGSI will be responsible; and
- e) a non-binding (planning accuracy) cost estimate for the services provided by EUA.

The East Bridgewater landfill is normally served by a 13.8kV feeder, designated "941", that is supplied by EUA's Dupont Substation.

The Halifax landfill is normally served by a 13.8kV feeder, designated "91274", that is supplied by EUA's Mill Street Substation. Both substations are 115/13.8kV.

The one-line diagrams for the proposed plants, supplied by BFGSI are shown as Figures 1.1 and 1.2. These drawings, which have been used to study the interconnection and determine interconnection design requirements, are approved with the inclusion of the minor revisions shown.

2.0) STUDY METHODOLOGY

An assessment was made of the 13.8kV distribution system to determine the thermal capacity of the conductors and to identify any construction required to establish the interconnection.

Load flow and short circuit simulations were used to examine the performance of the proposed installation on surrounding EUA customers, lines and substations. The computer simulation programs PSS/E and WESCARGO used for this analysis are licensed by Power Technologies, Inc. and ELECTROCON Corporation, respectively.

Since EUA is part of the New England Power Pool (NEPOOL), EUA's System must conform to NEPEX's "Metering and Telemetry Criteria, CRS 13" issued by the

NEPOOL Operations Committee. This criteria and EUA's standards were utilized to interpret and apply the study results.

3.0) DISTRIBUTION LINE ASSESSMENT

Dupont Feeder 941 conductor is a mix of 356.5 and 477 kcmil spacer cable that has a rating of 400 amps. The existing service to the East Bridgewater landfill is 356.4 spacer cable with a rating of 300 amps. This cable has adequate thermal capacity to carry the expected plant output of 188 amps.

Mill Street Feeder 91274 conductor is also a mix of 556.5 and 477 kcmil spacer cable that has a rating of 400 amps. The existing service from Plymouth Street along Laurel Street to the south entrance of the Halifax landfill is 1/0 aluminum conductor that has a rating of 100 amps. Therefore, it is inadequate to carry the full output of the generators.

Two methods of interconnecting at the Halifax site were studied. One would be to reconductor the existing Laurel Street service and upgrade to a wire with adequate ampacity at an estimated cost of \$34,000. The other plan would be to build about 1700 feet of new 13.8kV primary from Plymouth Street on the north entrance of the landfill to the interconnect point on the site at an estimated cost of \$23,000. The upgrade plan would also require several customer outages to complete construction whereas the new construction would not.

The new construction from Plymouth Street was chosen based on lower cost and less impact to EUA customers.

Feeder 941 had 32 interruptions of one minute or greater in 1993 resulting in an ASAI percent reliability of 99.9930; feeder 91274 had 28 interruptions and 99.9936 reliability.

4.0) COMPUTER SIMULATIONS

4.1) System Information

The existing EUA distribution system is 13.8kV, nominal line-to-line voltage, effectively-grounded wye. The system is supplied by a 115kV transmission network and the 115/13.8kV step down substation transformers are connected delta to solidly-grounded wye. Substation feeder breakers are rated 1200 amps continuous and 500 MVA interrupting capability.

Feeders are operated radially although most feeders have one or more normally open tie points to other feeders and substations. Single phase loads are commonplace and some current unbalance on feeders is typical.

Both feeders under study can have normal loads of 3-5 MW.

Feeder protection consists of phase and ground overcurrent relays with multi-shot reclosing. Remote breaker operation is available through the EUA SCADA System as well as status and metering points.

Consideration was given to the 13.8kV (EUA side) transformer connection at the BFGSI sites. The one-line supplied to EUA shows a reactance-grounded, wye connected transformer. This connection is necessary to prevent customer overvoltages during line-to-ground faults. The transformer impedance values of 5.5%, LV to HV, 7.0%, TV to HV, and 2.0%, TV to LV, supplied by BFGSI, were used in all analyses and the size of the required 13.8kV neutral reactor was calculated using these values.

Steady-state investigations were performed both for normal operation with all breakers closed and for islanded operation, where the BFGSI generators continue to serve EUA customers when the EUA feeder breaker opens at the substation. Islanded operation of the generators is unacceptable to EUA.

4.2) Load Flow Analysis

There were no thermal or voltage constraints found for the existing feeder configurations without BFGSI generation.

The generators were added to the computer models and the new system was analyzed for its voltage profile and flicker.

All bus voltages were within +/-5% including the light load/maximum generation case.

Flicker was found to be acceptable, less than 3%, when unity power factor was maintained at the 13.8kV BFGSI bus. When BFGSI was allowed to supply vars to EUA, however, flicker exceeded 3% at customer buses in a number of cases. Therefore, BFGSI plans to operate the plants at unity power factor which is maintained by automatic controllers.

4.3) Short Circuit Analysis

A single phase line-to-ground fault applied at the BFGSI Halifax 13.8kV bus produced about 2400 amps total fault current with a reactance-grounded neutral. The current division shows about a 70/30 split between the EUA source and the BFGSI source.

A single phase line-to-ground fault applied at the BFGSI East Bridgewater 13.8kV bus produced about 3400 amps total fault current with a reactance-grounded neutral. The current division shows about an 85/15 split between the EUA source and the BFGSI source.

Since the neutral reactance was chosen to keep X_0/X_1 less than 3.0, the neutral shift was acceptable for all conditions.

The reactance grounding does provide several benefits. The fault current splits in favor of the EUA source should allow EUA relays a better opportunity to see the fault and operate properly. The reactance grounding will allow better coordination between BFGSI relays and feeder tap fuses thus reducing nuisance trips for BFGSI. It will also allow full use of the negative sequence thermal capability of the generators by limiting the corresponding transformer zero sequence current loading associated with phase-to-ground load. Properly sized, the reactance will limit overvoltages during line-to-ground faults.

4.4) Operational and Relaying Considerations

The prime objective in relaying for distribution connected generation is to disconnect that generation from the system as rapidly and securely as possible for failures of that equipment. In addition, this generation must also be disconnected for failures of the interconnecting system. BFGSI has stated their commitment to a transfer trip scheme as one means to accomplish this objective.

A transfer trip scheme would be initiated by the EUA feeder breaker and would send a signal over a leased phone line to trip the main BFGSI breaker.

There are circumstances where such a scheme will not be available, although in general it will have a high availability. The transfer trip equipment or the phone line may fail. It is also possible that the primary source to the feeder is out of service due to failure or maintenance. At this time, the feeder will have been switched to another source and the transfer trip will be unavailable.

This is when the other generator plant relaying must be relied on to rapidly remove the generators from service. This consists generally of overcurrent, over/undervoltage and frequency protection.

5.0) METERING REQUIREMENTS

The NEPEX metering criteria for this type of installation requires hourly kilowatt-hour readings that are telemetered daily to NEPEX.

An EUA SCADA RTU installed at each site will collect this data and send it to NEPEX over leased telephone lines. Billing is then accomplished through the NEPEX Automated Billing System (NABS). The EUA meters at each site will be read once a month and that reading will be reconciled with the daily telemetered quantities.

6.0) INTERCONNECTION DESIGN

No major modifications are required to EUA feeders or substations to accommodate the BFGSI generating facilities.

Minor additions are required to the existing 13.8kV service to the East Bridgewater landfill to provide a visible switching point and primary metering.

A new 13.8kV service will be required at the Halifax site to provide the appropriate conductor thermal ratings, a visible switching point and primary metering.

Relays and controls will be required at both EUA substations to provide proper protection for EUA customers and the BFGSI plants.

A SCADA RTU will be required at each generating site to fulfill billing requirements.

The EUA work associated with these additions is discussed in the following Distribution, Metering, and Protection and Control sections. The major aspects of BFGSI additions are described in sections 6.4, Generating Plant, and 8.2, BFGSI Responsibilities.

6.1) Distribution

The interconnection voltage will be 13.8kV, nominal line-to-line voltage for both locations. The exact construction and cost for each location will be set when site plans are finalized by BFGSI in conjunction with EUASC.

At the East Bridgewater site, EUA will install approximately 350 feet of 13.8kV distribution to connect the existing primary service from EUA Feeder 941 with the plant dead-end structure. The construction will include one pole-top switch and a pole-mounted primary metering system including PT's and CT's. The switch is required by EUA Standards as a visible break separate from other disconnecting devices.

At the Halifax site, EUA will install approximately 1700 feet of 13.8kV distribution to connect the primary conductors of EUA Feeder 91274 on Plymouth Street to the plant dead-end structure. The construction will include one pole-top switch and a pole-mounted primary metering system including PT's and CT's.

Typical EUA construction is shown on sketch 6.1. The phase conductors will be 336.4cmil AAC and the neutral will be 1/0 AAC. The line will be unshielded. The last span to the BFGSI dead-end will be less than 100 feet and the tension will be slack.

All arrestors will be 10kV.

Service voltage connections will be those set by ANSI Standard C84.1a-1973, Voltage Range "B", at +/- 3% over nominal voltage.

6.2) Metering

The PT's, CT's and meters for the primary metering will be supplied and installed by EUA on a pole structure just outside each plant as shown in Sketch 6.1.

EUA will install a wall-mounted Landis & Gyr 9000 RTU at each generation site to fulfill NEPEX billing requirements and provide breaker and instantaneous power indications. EUA will also purchase, install and connect transducers for the 13.8kV voltage and instantaneous MW and MVAR. EUA will mount the transducers in a cabinet next to the RTU. Both cabinets will be mounted indoors and require 4 feet by 8 feet of clear wall space with at least 3 feet of working space in front of the units. BFGSI will supply a 2-1/2" steel conduit between the outdoor primary metering equipment and the RTU. BFGSI will install conduits and wire their instrument transformers to the transducer cabinet.

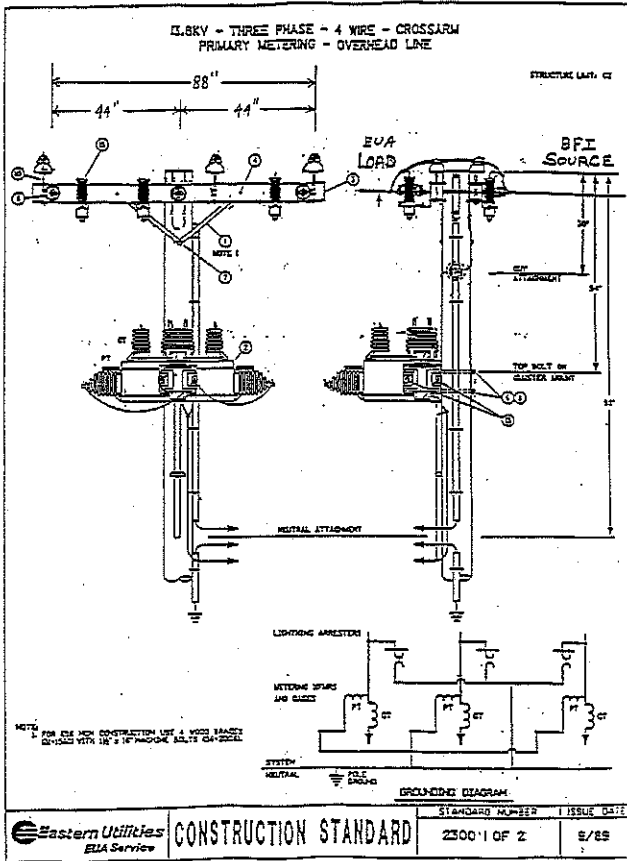
BFGSI will provide the RTU with a dedicated 120v AC source and a dedicated 125v DC source to supply the RTU with a carry-over capability of eight hours in case of a station service failure. The power circuits will be in separate conduits from each other and from all other metering and indication circuits.

Leased telephone circuits will be required to connect the RTU's with EUA System Operations in Lincoln, RI. A telephone line entrance will be needed near each RTU following the requirements of the local telephone company. BFGSI will supply the plant GPR as part of the telephone requirements.

6.3) Protection and Control

An RFL transfer trip scheme will be required to ensure rapid removal of the BFGSI generators when the associated EUA substation breaker trips. Leased telephone lines, separate from the metering lines, will be used for communication.

Sync-check relays and associated line PT's will be installed at the EUA Mill St and Dupont Substations to prevent reclosing on a live line.



Under the circumstances described in Section 4.4, when a plant is fed from other than its designated feeder, the transfer trip will not be in service. The SCADA unit will therefore be used to provide EUA System Operators with breaker indication and reclosing will be turned off on the tie feeder.

6.4) Generating Plant

Each site will have four 1025kW generators with provisions for one additional 1025kW generator. Each main step-up transformer will be rated 5000 kVA at 55C rise with a tertiary rating of from 40-100%, to be determined during the design phase.

As shown on the BFGSI one-line, the main plant step-up transformers will be three-winding units connected wye-wye with a delta tertiary; there will be a reactor for grounding the 13.8kV side.

All equipment on the 13.8kV side shall have a BIL of 110kV.

The main 13.8kV interrupting device for the plant is a breaker with a continuous rating of 600 amps and an interrupting capability of 500MVA. The 4kV generator breakers have ratings of 1200 amps continuous and 250MVA interrupting.

BFGSI will provide dry contacts wired to the RTU location for status indication of breaker position and transfer, trip/trouble. EUA will make the final connections at the RTU.

Each site shall have adequate protection and control systems that include but are not limited to the following relays:

- 1) transfer trip;
- 2) over/under frequency;
- 3) over/under voltage;
- 4) phase and ground overcurrent; and
- 5) synch check.

The plant will run at unity power factor under automatic control.

The plant will not be allowed to close in on a dead line. EUA understands that plant start-up will be accomplished through use of the stand-by generator "GS". With all breakers open, GS is started to supply station load. Breaker F is closed to energize the step-up transformer from the EUA system. The 4160 bus is synchronized to the EUA system across breaker 1. Through electrical interlocks, breaker 1 can not be closed before breaker F. Each generator is started and synchronized to the 4160 bus through its respective breaker (breakers 3,4,5 or 6 on the drawings). GS is synchronized to the 4160 bus across breaker 2. GS is taken off line.

It was noted that the location of the generator protection package does not afford generator protection prior to the closing of the generator breaker. Also, the CT's for generator protection will carry heavy currents for generator faults due to contributions from both the EUA system and the other generators in service. These 300/5, class C10 CT's will have secondary currents in excess of 100 amps. Depending on the burden, they will saturate and not provide sufficient current to initiate clearing of the fault. The arrangement, accuracy class and ratio of these CT's will be evaluated during the design phase.

7.0 COST ESTIMATES (in thousands)

	Halifax	E. Bridgewater
7.1) Distribution		
poles, switches, wire, etc	\$11,000	\$ 6,500
labor and overheads	16,000	6,500
7.2) Metering		
meters, PT's, CT's, etc	6,000	6,000
labor and overheads	3,000	3,000
7.3) Protection and Control		
SCADA RTU and transducers	5,500	5,500
communications	3,000	3,000
RFL Transmitter	5,000	5,000
substation relays and control wires	5,500	5,500
labor and overheads	36,000	36,000
7.4) Administrative and Engineering Charges	40,000	40,000
PROJECT TOTALS	<u>\$131,000</u>	<u>\$119,000</u>

EUA requirements for other equipment at the BFGSI sites, such as that for protection and control, are not included in the estimates.

8.0) AREAS OF RESPONSIBILITY AND ADMINISTRATIVE PROCEDURE
8.1) EUA Responsibilities

EUA will be responsible for all additions and modifications at Dupont and Mill Street Substations as well as the primary 13.8kV metering and SCADA equipment at the BFGSI sites.

EUA will assist BFGSI in acquiring telephone lines for the RFL systems. EUA will lease the telephone lines for the SCADA RTU's.

EUA will install all the 13.8kV distribution interconnection facilities and will terminate all distribution conductors on BFGSI's dead-end structure.

8.2 BFGSI Responsibilities

BFGSI's responsibilities, associated with the engineering and construction of the interconnection facilities, include but are not limited to the following:

- 1) installation of the step-up transformer and reactor;
- 2) installation and connection of RFL transfer trip equipment at the generating sites and installation of the phone lines for the transfer trip systems;
- 3) installation and testing of all protection and control systems at the generating sites;
- 4) installation of breaker indication, transfer trip status and AC and DC power to the SCADA RTU's.

8.3) Administrative Procedures

After EUA has issued this Interconnection Study Report, there are certain tasks that must be accomplished and procedures that must be followed to achieve these interconnections.

Before EUA proceeds with any design engineering and at least nine (9) months prior to the BFGSI required interconnection in-service date, the Interconnection Agreement between EUA and BFGSI must be executed.

Before EUA proceeds with any design engineering and at least eight (8) months prior to the BFGSI required interconnection in-service date, a meeting must be held between EUA and BFGSI to initiate the projects. Prior to or at the time of this meeting, BFGSI must make any pre-payments stipulated in the Interconnection Agreement.

Also prior to this meeting, BFGSI must submit a design/construction schedule for each project using as a minimum the following timeline and milestones. EUA must be allowed twenty (20) working days to review and approve the schedules.

- 1) BFGSI completes plant and interconnection design.
- 2) BFGSI submits electrical equipment and relay bills of material, all elementaries, transformer test sheets, relay settings, conduit plans for metering, SCADA and telephone, and plan and section views of physical interconnection for twenty (20) working day approval process.
- 3) Upon EUA approval of BFGSI design, EUA requires:
 - A) Six (6) months to design, purchase and install the protection schemes at the EUA substations.
 - B) Four (4) months to purchase and install the primary, pole-mounted metering package.
 - C) Three (3) months to install the distribution facilities.
 - D) Three (3) months to order the telephone lines.
 - E) Six months to specify and purchase the SCADA RTU and two months to install it in the BFGSI plant.
 - F) Four (4) months to develop and agree on administrative and operational procedures.
- 4) EUA reviews all final testing and inspects plant and interconnection.
- 5) EUA witnesses all in-service testing.

EUA reserves the right to make reasonable revisions to all aspects of the electrical design including protection and control schemes. An allowance of twenty (20) working days should be made for all approval drawings. Any delays in receiving information from BFGSI will result in a commensurate delay in EUA work and possibly the in-service date of an interconnection.

Appendix B

Responsibility for making the final interconnection between the systems is reserved exclusively to EUA. Before making such interconnection, EUA shall have the right to require BFGSI to provide documentation demonstrating that the BFGSI Facility and the Interconnection Facilities built by BFGSI have been constructed and fully tested in accordance with all EUA requirements and comply with all applicable safety and electrical codes including but not limited to the National Electrical Code and the National Electrical Safety Code. Also, all operational and administrative procedures must be agreed on prior to final interconnection.

EASTERN EDISON COMPANY

ESTIMATED INTERCONNECTION FACILITIES

CONTRIBUTION IN AID OF CONSTRUCTION (CIAC)

Labor Costs	=
Material Cost ¹	=
Equipment Cost ²	=
Transportation Cost	=
Associated Cost ³	=
Overhead Cost ⁴	=
AFUDC ⁵	=
Outside Service ⁶	=
Total Cost	=

- NOTES:
1. Invoiced cost of materials on hand used for the Interconnection Facilities plus overheads associated with storeroom operations.
 2. Invoiced cost of equipment purchased for the Interconnection Facilities.
 3. Associated Costs would include land costs, acquisition costs, environmental assessments, permitting, zoning, filing, taxes, per diem expenses, and any other expenses directly related to the Interconnection Facilities. No such costs were applicable.
 4. Overheads will be calculated using the methodology as shown in Exhibit C.
 5. Per Article 4.

Appendix B

6. Those services performed by other than Company personnel which are directly provided for the Interconnection Facilities.

Appendix C
Page 1 of 1

EASTERN EDISON COMPANY

PROCEDURE FOR CALCULATING MONTHLY EXPENSES

BFGSI shall be responsible for paying all on-going operation and maintenance expenses, including overheads, and real estate and personal property taxes associated with the Interconnection Facilities as follows:

I. OPERATION AND MAINTENANCE EXPENSES

Operation and Maintenance ("O&M") expenses shall be the labor cost, material cost, equipment cost and overheads related to the Interconnection Facilities. The Company will maintain a record of the charges, for all work, on its books under an internal class code for the Interconnection Facilities (designated internal class code _____).

O&M expenses shall be determined in accordance with the following formula:

$$\text{Total O\&M Cost} = \text{Total Labor Cost} + \text{Total Material Cost} + \text{Equipment Costs}^1 + \text{Outside Services}^2$$

$$\text{Total Labor Cost} = A + A (B/E + C/E + D/E)$$

$$\text{Total Material Cost} = P + (F \times G/R)$$

Where:

- A = Direct Labor
- B = Unproductive Labor Expense ³
- C = Administrative & General Expense ⁴
- D = Total Payroll Taxes ⁵
- E = Company Total Wages & Salaries ⁶
- F = Direct Material Cost as Invoiced for materials on hand for the Interconnection Facilities.
- G = Stores Expense ⁷
- H = Total Stock Issues ⁸

- NOTES:
1. Equipment purchased directly for the Interconnection Facilities at invoiced cost.
 2. Those services performed by other than Company personnel which are directly provided for the Interconnection Facilities.
 3. Unproductive Labor Expenses include Vacations, Holidays, Sick days, Occupational Accident, Jury Duty, etc. Unproductive Expenses are not included in Administrative & General Expenses.

4. Administrative & General Expenses include Salaries associated with Administrative and General Operations, Worker's Compensation, Injuries & Damages, and Pension Benefits. (Eastern Edison FERC Form 1, page 323, line 167b). This item does not include stores related expenses.
5. Total Payroll Taxes include employer FICA and Federal & State Unemployment Taxes. (Eastern Edison FERC Form 1, page 262, sum of lines 6d, 7d, 16d, and 17d). Payroll taxes are not included in Administrative and General Expenses.
6. Reference Eastern Edison FERC Form 1, page 335, line 96b.
7. Stores Expense meaning material handling and warehousing costs, include the costs of supervision, labor and expenses in the operation of general storerooms including purchasing, storage, handling and distribution of material and supplies. Warehousing costs shall be limited to those costs associated with items issued in the calendar year. These expenses are not included in Administrative and General Expenses.
8. Total Stock Issues include the total cost of all transmission and distribution inventory issued, not including handling or warehousing expenses.

II. REAL ESTATE AND PERSONAL PROPERTY TAXES

Texas = X (1/2)

Appendix C
Page 4 of 4

Where: X = Real Estate and Personal Property Taxes¹
 Y = Interconnection Facilities Investment²
 Z = Total Electric Plant in Service³

- Notes:
1. Real Estate and Personal Property Taxes are shown on pages 262-263 of Eastern Edison's FERC Form 1.
 2. The average of the beginning/end of year balances for the Interconnection Facilities.
 3. FERC Accounts 301-399, 102-103 comprise Total Electric Plant in Service. The beginning/end of year figures are shown on pages 204-207 of Eastern Edison's FERC Form 1. The Interconnection Facilities investment will be added to the Total Electric Plant in Service.

ALLOCATION FACTORS BASED
ON EASTERN EDISON'S 1993 FERC FORM 1

I. Unproductive Labor Expenses Factor

$$\begin{aligned} B/E &= \$ 2,493,862 &= 17.1\% \\ & \$14,620,726 \end{aligned}$$

II. Administrative & General Expenses Factor

$$\begin{aligned} C/E &= \$17,277,380 &= 118.2\% \\ & \$14,620,726 \end{aligned}$$

III. Total Payroll Taxes Factor

$$\begin{aligned} D/E &= \$ 1,179,871 &= 8.1\% \\ & \$14,620,726 \end{aligned}$$

IV. Stores Expenses Factor

$$\begin{aligned} G/H &= \$ 1,404,217 &= 53.7\% \\ & \$ 2,613,284 \end{aligned}$$

V. Real Estate and Personal Property Taxes Factor

$$\begin{aligned} Y/Z &= \frac{Y}{(\$181,088,699 + \$187,533,696)/2 + Y} \end{aligned}$$

Attachment C-2-1

Appendix D

Explanation of Stores Clearing Costs Report

1. Direct Overheads are applied to storeroom payroll. These overheads are not included in Administrative and General expenses.
2. Budgeted O&M Costs are direct costs associated with operating the storeroom (i.e., taxes, insurance).
3. EHA Direct, Allocated and Convenience Payments include Service Corporation direct and allocated expenses and Service Corporation's purchases for any and all storerooms.
4. Lobby Stock are fast moving, low cost small items.
5. Electricity costs used only for the storeroom. These costs are not included in any other account.
6. Other includes sales tax, freight charges and discounts.

CERTIFICATE OF COMPLIANCE

This will certify that _____
_____ has complied with all applicable provisions
of the Interconnection Agreement between _____
_____ and _____ in
the design and installation of the Interconnection
Facilities, described in Appendix A, between its
generation facility and the connection with _____
_____ electric system, located at
_____ substation, and the Interconnection
Facilities has been tested and found to be safe and
reliable operating condition ready for commercial use.

Browning Ferris Gas Services,
Incorporated

Date: _____

By: _____

Title: _____



COMMONWEALTH OF MASSACHUSETTS
 EXECUTIVE OFFICE OF ENVIRONMENTAL AFFAIRS
 DEPARTMENT OF ENVIRONMENTAL PROTECTION
 SOUTHEAST REGIONAL OFFICE
 20 RIVERSIDE DRIVE, LAKEVILLE, MA 02347 508-946-2700

COPY

MITT ROMNEY
 Governor
 KERRY HEALEY
 Lieutenant Governor

STEPHEN R. FRITCHARD
 Secretary
 ROBERT W. COLLEGE, Jr.
 Commissioner

FINAL AIR QUALITY OPERATING PERMIT
 (Replacement page date: 11/29/05)

Issued by the Massachusetts Department of Environmental Protection ("The Department") 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"):	INFORMATION RELIED UPON:
Gas Recovery Systems, LLC 5717 Brisa Street Livermore, CA 94550	Application No. 4V02027 and 4M05034 Transmittal No. W028385 and W066782
FACILITY LOCATION:	FACILITY IDENTIFYING NUMBERS:
Gas Recovery Systems East Bridgewater Facility 234 Thacher Street East Bridgewater, MA 02333	SSEIS ID: 119 1905 FMP FAC NO.: 382491 FMP RO NO.: 382492
NATURE OF BUSINESS:	STANDARD INDUSTRIAL CODE (SIC):
Electric Power Generation	4911
RESPONSIBLE OFFICIAL:	FACILITY CONTACT PERSON:
Name: Mr. Peter Keskinen Title: Vice President of Operations	Name: Mr. Matt Nourot Title: Engineering/Environmental Manager Phone: (508) 580-6871

This operating permit shall expire on 12/17/08.

For the Department of Environmental Protection, Bureau of Waste Prevention
 (Replacement Page Dated 11/29/05) _____
 Regional Director Date 12/17/03

GRS, LLC East Bridgewater
 FINAL Operating Permit
 Application No. 4V02027
 Transmittal No. W028385
 11/29/05 Minor Modification No. 4M05034
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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 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.

DESCRIPTION OF FACILITY AND OPERATIONS

Gas Recovery Systems, LLC, (GRS) operates a Landfill Gas to Energy facility in East Bridgewater Massachusetts. The operation consists of six (6) internal combustion engines which combust collected landfill gas and produce electricity. The Landfill Gas (LFG) comes from the adjacent (closed) BFINA East Bridgewater Landfill.

2. EMISSION UNIT IDENTIFICATION

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

Emission Unit (EU)	Description of Emission Unit	EU Design Capacity	Pollution Control Devices (PCD)
1 thru 6	Waukesha Internal Combustion Eng. Model No. 7042 GL	13.0 MMBtu/hr maximum heat input 1.052MW generator	None
7	Parts Cleaner (cold cleaning degreaser)	Complies with 310 CMR 7.18(8)(a)	None

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):

Description of Current Exempt Activities	Reason
A list of exempt activities is contained in the Operating Permit application and shall be updated by Gas Recovery Systems (GRS) to reflect changes at the facility over the permit term. An up-to-date copy of exempt activities shall be kept on-site at the facility and a copy shall be submitted to the Department's Southeast Regional Office.	310 CMR 7.00, Appendix C(5)(h)

4. APPLICABLE REQUIREMENTS

A. EMISSION LIMITS AND RESTRICTIONS

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

Emission Unit (EU)	Fuel	Pollutant	Emission Limit/Standard	Applicable Regulations Section/Approval No.
1, 2, 3, 4, 5, 6 (per engine)	LFG	SO ₂	0.020 lb/MMBtu 0.10 ton/month 1.14 tpy ⁽¹⁾	4801007
			Sulfur content of fuel < 0.01% by weight	
		PM	0.025 lb/MMBtu 0.12 ton/month 1.42 tpy ⁽¹⁾	
		NO _x	0.151 lb/MMBtu (0.80 grams/Bhp-hour) 0.73 ton/month 8.60 tpy ⁽¹⁾	
		CO	0.752 lb/MMBtu 3.64 ton/month 42.62 tpy ⁽¹⁾	
		NMOC	0.063 lb/MMBtu 0.30 ton/month 3.59 tpy ⁽¹⁾	

Emission Unit (EU)	Use	Pollutant	Emission Limit/Standard	Applicable Regulations and Approval No.
EU No. 1,2,3,4,5,6 (per engine)	LFG	Visible emissions	Stack emissions shall not exceed 0% opacity (no visible emissions), with the exception of up to five (5) minutes during startup. During startup visible emissions shall comply with the provisions of 310 CMR 7.06	4B01007
EU No. 1,2,3,4,5,6 (Combined)	LFG	SO ₂	6.83 tpy ⁽¹⁾	4B01007
		PM	8.54 tpy ⁽¹⁾	
		NO _x	51.59 tpy ⁽¹⁾	
		CO	256.91 tpy ⁽¹⁾	
EU No. 7	N/A	VOC	Solvent usage rate < 100 gallons/month	310 CMR 7.03(g)
			Design features and operating procedures identified in 310 CMR 7.18(b)(a) and (e) ^(See Note 2)	310 CMR 7.18(b)

Table 3 Notes:

- 1) tpy means tons per year based on a rolling twelve-month average.
- 2) **Design features [310 CMR 7.18(b)(a)]:**
 1. each cold cleaning degreaser is equipped with a cover which is designed to be easily operated with one hand; and
 2. each cold cleaning degreaser is equipped to drain clean parts so that, while draining, the cleaned parts are enclosed for 15 seconds or until dripping ceases, whichever is longer; and
 3. each cold cleaning degreaser is designed with:
 - a) a fireboard ratio of 0.75 or greater, or
 - b) a water blanket (if the solvent used is insoluble and heavier than water), or
 - c) an equivalent system of air pollution control which has been approved by the Department and EPA; and
 4. the covers of each cold cleaning degreaser are closed whenever parts are not being handled in the degreaser, or when the degreaser is not in use; and
 5. the drafts across the top of each cold cleaning degreaser are minimized such that when the cover is open the degreaser is not exposed to drafts > 40 meters per minute (1.5 mph), as measured between one and two meters up wind at the same elevation as the tank lip; and
 6. any leaks are repaired immediately, or the degreaser is shut down.

OR
 6. any leaks are repaired immediately, or the degreaser is shut down; and
 7. the cold cleaner must have a remote reservoir; and
 8. the solvent used in the cold cleaner must not have a vapor pressure that exceeds 4.3 kPa (33 mmHg or 0.6 PSD) measured at 38° C (100° F) or be heated above 50° C (120° F); and
 9. the sink-like work area must have an open drain area less than 100 square centimeters.

Operating procedures [310 CMR 7.18(b)(c)]:

1. 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
2. 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 into the atmosphere; and
3. where applicable, supplying a degreasing solvent spray which is a continuous fluid stream (not a fire, atomized or shower type spray) at a pressure which does not exceed 10 PSI as measured at the pump outlet, and use any such spray within the confines of the degreaser.

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), as well as applicable requirements contained in Table 3:

Emission Unit (EU)	Monitoring/Testing Requirements
EU No. 1,2,3,4,5,6	In accordance with Approval No. 4B01007, a LFG flow recorder shall be maintained so that an on-site record of the volume of LFG fired in each unit will be available by date and time period.
	In accordance with Approval No. 4B01007, the heat input of LFG (Btu) fired in Units Nos. 1 through 6 for each month and for each twelve month rolling period shall be maintained on-site. These heat input records may be generated by gas chromatograph and/or field measurements.
	In accordance with Approval No. 4B01007, one operable oxygen analyzer shall be maintained on-site and record shall be maintained of the stack outlet oxygen levels at least once per week on each engine.
	In accordance with Approval No. 4B01007, The facility shall be constructed to accommodate the emission testing requirements contained in 40 CFR Part 60 Appendix A.
	In accordance with Approval No. 4B01007, Compliance emission testing, if requested by the Department, shall be conducted in accordance with the test methods and procedures contained in 40 CFR Part 60 Appendix A.
	Gas Recovery Systems (GRS) shall monitor operations such that information may be compiled for the annual preparation of a Source Registration/ Emission Statement as required by 310 CMR 7.12.

Table 4 Monitoring/Testing Requirements	
Emission Unit (EU)	Requirements
EU No. 1,2,3,4,5,6	<p>In accordance with 310 CMR 7.13(1) Any person owning, leasing, operating or controlling a facility for which the Department has determined that stack testing is necessary to ascertain compliance with the Department's regulations or design approval provisions shall cause such stack testing:</p> <ol style="list-style-type: none"> to be conducted by a person knowledgeable in stack testing, to be conducted in accordance with procedures contained in a test protocol which has been approved by the Department, to be conducted in the presence of a representative of the Department when such is deemed necessary, and to be summarized and submitted to the Department with analysis and report within such time as agreed to in the approved test protocol. <p>In accordance with 310 CMR 7.13(2) Any person having control of a facility relative to which the Department determines that stack testing (to ascertain the mass emission rates of air contaminants emitted under various operating conditions) is necessary for the purposes of regulatory enforcement or determination of regulatory compliance shall cooperate with the Department to provide:</p> <ol style="list-style-type: none"> entrance to a location suitable for stack sampling, sampling ports at locations where representative samples may be obtained, scaffolding and ladders to support personnel and equipment for performing the tests, a suitable power source at the sampling location for the operation of sampling equipment, and such other reasonable facilities as may be requested by the Department.
EU No. 7	<p>In accordance with 310 CMR 7.18(8)(h), upon request of the Department, perform or have performed tests to demonstrate compliance. Testing shall be conducted in accordance with a method approved by the Department and EPA.</p>
Facility wide	<p>In accordance with 310 CMR 7.00 Appendix C (9)(b), GRS shall:</p> <ol style="list-style-type: none"> comply with all emissions monitoring and analysis procedures or test methods required under the applicable requirements, including those promulgated pursuant to 42 U.S.C. 7401, §§ 504(a) and 504(b) or 114(a)(3); If the applicable requirement does not require periodic testing or instrumental or non-instrumental monitoring (which may consist of record keeping designed to serve as monitoring), then the permittee shall perform periodic monitoring sufficient to yield reliable data from the relevant time period that is representative of the source's compliance with the permit. Such monitoring requirements shall assure the use of terms, test methods, units, averaging periods, and other statistical conventions consistent with the applicable requirement. Record keeping provisions may be sufficient to meet the requirements; and The permittee shall comply with requirements concerning the use, maintenance and installation of monitoring equipment or methods as the Department deems appropriate.

Table 5 Record Keeping Requirements	
Emission Unit (EU)	Requirements
EU No. 1,2,3,4,5,6	<p>In accordance with Approval No. 4B01007, Records of the volume of LFG (scf) fired in each unit for each month and for each twelve month rolling period shall be maintained on-site.</p> <p>In accordance with Approval No. 4B01007, NO_x, CO, NMOC, PM, and SO₂ monthly and twelve month rolling period emission rate records for each unit shall be maintained on-site.</p> <p>In accordance with Approval No. 4B01007, the heat input of LFG (Btu) fired in Unit Nos. 1 through 6, for each month and for each twelve month rolling period records shall be maintained on-site. These heat input records may be generated by gas chromatograph and/or field measurements.</p> <p>In accordance with Approval No. 4B01007, a copy of the NO_x/CO optimization/minimization program report shall be maintained on-site.</p> <p>In accordance with Approval No. 4B01007, records of the weekly stack outlet oxygen levels on each engine shall be maintained.</p> <p>In accordance with Approval No. 4B01007, a copy of the Standard Operating and Maintenance Procedures for all subject equipment shall be maintained on-site.</p> <p>In accordance with Approval No. 4B01007, an operation log, or other record keeping system, shall be maintained on-site at a level of detail sufficient to document that the operation and emission limits contained in Table 3 are not exceeded.</p> <p>In accordance with Approval No. 4B01007, a record keeping system shall be established and maintained on-site. All records shall be maintained up-to-date such that the year-to-date information is readily available for Department examination. Record keeping shall, at a minimum, include:</p> <ul style="list-style-type: none"> a record of routine maintenance activities performed on emission unit control and monitoring equipment including, at a minimum, the type or a description of the maintenance performed and the date and time the work was completed; and a record of all malfunctions on emissions unit control and monitoring equipment shall include, at a minimum: the date and time the malfunctions occurred; a description of the malfunctions and the corrective action taken; the date and time corrective actions were initiated; and the date and time corrective actions were completed and the emission unit returned to compliance. <p>All records shall be kept on-site for five (5) years and shall be made available to Department personnel upon request.</p> <p>In accordance with Approval No. 4B01007, GRS shall maintain all operating and monitoring records, including emission test reports for the life of the facility; the five (5) most recent years of data/records shall be maintained on-site.</p> <p>Maintain records of any emissions compliance testing done in accordance with 310 CMR 7.13 and 40 CFR 60, Appendix A, if such testing is requested by the Department.</p>

Table 5	
Emission Unit (EU)	Records Keeping Requirements
EU No. 7	In accordance with 310 CMR 7.18(B)(g) and 310 CMR 7.03(6), Prepare and maintain records sufficient to demonstrate compliance with an instantaneous averaging time as stated in 310 CMR 7.18(B)(f) and with the monthly solvent usage restriction in 310 CMR 7.03(8). Records shall include, but are not limited to: identity, quantity, formulation and density of solvent(s) used and waste solvent(s) generated.
Facility wide	Maintain records to facilitate compilation of data for the annual Source Registration required by 310 CMR 7.12. Copies of Source Registration and any other information supplied to the Department to comply with 310 CMR 7.12, shall be retained by the facility owner or operator for five years from the date of submittal. 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 5 years from the date of the monitoring sample, measurement, report or initial operating permit application.

Table 6	
Emission Unit (EU)	Reporting Requirements
EU No. 1,2,3,4,5,6	In accordance with Approval No. 4B01007, all revisions to the Standard Operating and Maintenance Procedures shall be submitted to the Department within seven (7) days from their initial use. In accordance with Approval No. 4B01007, the Department's Permit Chief for the Bureau of Waste Prevention at this office must be notified by telephone, or fax within 24 hours, and with written notification within ten (10) days, after occurrence of any upsets or malfunctions to the facility equipment, air pollution control equipment, or monitoring equipment which result in an excess emission to the air and/or a condition of air pollution.
Facility wide	In accordance with 310 CMR 7.00: Appendix C (10)(c): GRS, shall report a summary of all monitoring data and related supporting information to the Department at least every six months in a format and time frequency specified by the Department. In accordance with 310 CMR 7.00: Appendix C (10)(g): GRS, shall promptly report to the Department all instances of deviations from permit requirements. This report shall include the deviation itself, including those attributable to upset conditions as defined in the permit, the probable cause of the deviation, and any corrective actions or preventative measures taken. In accordance with 310 CMR 7.00: Appendix C (10)(h): all required reports must be certified by a responsible official consistent with 310 CMR 7.00: Appendix C (5)(c) In accordance with Approval No. 4B01007 and 310 CMR 7.12(1)(a) 1., GRS, will submit annually an emission statement/ source registration.

Table 6	
Emission Unit (EU)	Reporting Requirements
Facility wide	All notifications and reporting required in accordance with Section No. 25 of this Operating Permit shall be sent directly to: Department of Environmental Protection Bureau of Waste Prevention Southeast Regional Office 20 Riverside Drive Lakeville, MA 02347 ATTN: Chief, Permit Section Telephone: (508) 946-2770 Fax: (508) 947-6557 The annual Source Registration/Emission Statement shall be submitted to the DEP Office specified in the instructions.

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 shall comply with any applicable requirements that become effective during the permit term.

Table 7	
Regulation	Description
310 CMR 7.07	Open Burning
310 CMR 7.15	Asbestos
310 CMR 7.18	Reduction of Single Occupant Commuter Vehicle Use
42 USC 7401, §112	Hazardous Air Pollutants
42 USC 7401, §112(p)(7)	Accidental Release Prevention Requirements: Risk Management under the Clean Air Act §112(p)
42 USC 7401, §601	Protection of Stratospheric Ozone

5. SPECIAL TERMS AND CONDITIONS

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

- Unit Nos. 1 through 6 construction and design shall be consistent with Attachment No.1, Equipment and Design Schedule, in Plan Approval No. 4B01007.

<u>Unit Nos. 1 through 6 – Engine/Electric Generator Sets</u>	
Manufacturer	Waukesha
Model No.	7042GL
Max. Heat Input	13.0 MMBtu/hr/engine
Fuel	Landfill Gas
Maximum Output	1.052 MW/generator
Max. Stack Exit Temperature	810 °F
Stack Material	Carbon Steel
Stack Height	27.3 feet
Stack Exit Diameter	13 inches
Silencer	Maxim (Model 42 or equivalent)

- In accordance with Approval No. 4B01007:
 - Unit No. 1 through 6 will operate at all times when the collected LFG is routed to the Unit.
 - The maximum heat input of LFG shall not exceed 9,672 MMBtu per month per engine.
 - The maximum heat input of LFG for the six engines, in total, shall not exceed 683,280 MMBtu in any consecutive twelve-month period.
 - The engine exhaust O₂ content shall be maintained between 5.8 percent and 9.8 percent by volume.
 - Each engine shall reduce NMOC emissions by 98 percent by weight, or reduce the stack NMOC concentration to 20 parts per million as hexane by volume, dry basis at 3 percent oxygen, or less.
- In accordance with Plan Approval No. 4B01007, sound impacts shall not exceed 10 dB (A) above background and shall not cause a puretone condition as defined in the Department's DAQC Policy No. 90-001. (state only requirement)
- In accordance with Plan Approval No. 4B01007, department personnel shall be provided immediate access to the plant site, buildings, and all pertinent records for the purpose of making inspections and surveys, collecting samples, obtaining data, and reviewing records.
- In accordance with Plan Approval No. 4B01007, if any nuisance condition(s) should be generated by the operation of this facility, immediate appropriate steps shall be taken to abate the nuisance condition(s). (state only requirement)

6. ALTERNATIVE OPERATING SCENARIOS

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

7. EMISSIONS TRADING

(a) Intra-facility emission trading

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

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 Department 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 Department pursuant to 310 CMR 7.00: Appendix B.

(b) Inter-facility emission trading

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

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 Department 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 Department will submit an "Operating Permit Reporting Kit" to the Permittee which contains instructions and the Annual Compliance Report and Certification and the Semi-Annual Monitoring Summary Report and Certification.

(a) Annual Compliance Report and Certification

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

The compliance certification and report shall describe:

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

The compliance certification and report shall describe:

- i. the terms and conditions of the permit that are the basis of the certification;
- ii. the current compliance status during the reporting period;
- iii. the methods used for determining compliance, including a description of the monitoring, record keeping, and reporting requirements and test methods;
- iv. whether there were any deviations during the reporting period;
- v. if there are any outstanding deviations at the time of reporting, and the Corrective Action Plan to remedy said deviation;
- vi. whether deviations in the reporting period were previously reported;
- vii. if there are any outstanding deviations at the time of reporting, the proposed date of return to compliance;
- viii. if the deviations in the reporting period have returned to compliance and date of such return to compliance; and
- ix. any additional information required by the Department 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 Department 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 Department has determined that the permittee is not currently subject to the requirements listed in Section 4, Table 7.

(c) Nothing in this permit shall alter or affect the following:

- (i) the liability of the source for any violation of applicable requirements prior to or at the time of permit issuance.
- (ii) the applicable requirements of the Acid Rain Program, consistent with 42 U.S.C. §7401, §408(a); or
- (iii) the ability of EPA to obtain information under 42 U.S.C. §7401, §114 or §303 of the Act.

13. ENFORCEMENT

The following regulations found at 310 CMR 7.02(8)(h) Table 6 for wood fuel, 7.02(8)(i), 7.04(9), 7.05(8), 7.09 (odor), 7.10 (noise), 7.18(1)(b), 7.21, 7.22 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 Department, 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 Department's receipt of a complete and timely application for renewal, this facility may continue to operate subject to final action by the Department on the renewal application.

In the event the Department 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 Department 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 Department and/or EPA. The responsible official of the facility may request that the Department terminate the facility's operating permit for cause. The Department 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 Department'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 Department 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 Department a material error or omission in any records, reports, plans, or other documents previously provided to the Department.

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 Department.

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 Department, 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(9)(12).

22. PERMIT AVAILABILITY

The permittee shall have available at the facility, at all times, a copy of the materials listed under 310 CMR 7.00: Appendix C(10)(e) and shall provide a copy of the permit, including any amendments or attachments thereto, upon request by the Department 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 emission limitations specified in this permit as a result of an emergency¹. 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:

- an emergency occurred and that the permittee can identify the cause(s) of the emergency;
- the permitted facility was at the time being properly operated;
- 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
- the permittee submitted notice of the emergency to the Department 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 Division of Hazardous Waste/Emergency Response and the Emergency Response Planning Council, immediate notification to the appropriate parties should be made as required by law.

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.

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

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

For all other deviations, three (3) day notification is waived and is satisfied by the documentation required in the subsequent Semi-Annual Monitoring Summary and Certification. Instructions and forms for reporting deviations are found in the Massachusetts Department of Environmental Protection Bureau of Waste Prevention Air Operating Permit Reporting Kit, which is included with the Operating Permit. This report shall include the deviation, including those attributable to upset conditions as defined in the permit, the probable cause of such deviations, and the corrective actions or preventative measures taken.

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

26. OPERATIONAL FLEXIBILITY

The permittee is allowed to make changes at the facility consistent with 42 U.S.C. §7401, §502(b)(10) not specifically prohibited by the permit and in compliance with all applicable requirements provided the permittee gives the EPA and the Department written notice fifteen days prior to said change; notification is not required for exempt activities listed at 310 CMR 7.00: Appendix C(5)(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)(e).

(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. List of Abbreviations

Btu	= British thermal unit
CFR	= Code of Federal Regulations
CMR	= Code of Massachusetts Regulations
CO	= Carbon monoxide
ft ³	= Cubic foot
°C	= Degrees Celsius
°F	= Degrees Fahrenheit
Eng.	= Engine
EU	= Emission Unit
Gallons/Month	= Gallons per month
GRS	= Gas Recovery Systems, Inc
grams/Bhp-hour	= Grams per brake-horsepower hour
IA	= insignificant activity
lb/MMBtu	= Pounds per million Btu
LFG	= Landfill Gas
Mg	= Megagrams
MW	= Megawatt
MMBtu	= Million Btu
MMBtu/hr	= Million British thermal units per hour
mm HG	= millimeters of mercury
MM m ²	= Million square meters
MM Mg	= Million Megagrams
N/A	= Not Applicable
NmOC	= Non-Methane organic compounds
Nr	= Number
NO _x	= Oxides of nitrogen
O ₂	= Oxygen
PCD	= Pollution Control Device
PM	= Particulate matter
ppm	= Parts per million
PSI	= pounds per square inch
scf	= Standard cubic foot
SO ₂	= Sulfur dioxide
tpy	= Tons per consecutive 12 month period
U.S.C.	= United States Code
%	= Percent
<	= Less than
>	= Greater than
≤	= Less than or equal to
≥	= Greater than or equal to
§	= Section

APPEAL CONDITIONS FOR OPERATING PERMIT

This permit is an action of the Department. 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 Department'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 Department 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.