



The State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES



Thomas S. Burack, Commissioner

October 28, 2008

Michael O'Leary
Plant Manager
Bridgewater Power Company, L.P.
PO Box 678
Ashland, NH 03217

**CERTIFIED MAIL (7007 3020 0000 5321 5397)
RETURN RECEIPT REQUESTED**

NOTICE OF PAST VIOLATION

**RE: Bridgewater Power Company
300 Routes 3
Bridgewater, New Hampshire**

Dear Mr. O'Leary:

On April 17, 2008, the New Hampshire Department of Environmental Services, Air Resources Division ("DES") conducted a compliance inspection at Bridgewater Power Co. ("Bridgewater"), located at 300 Route 3 in Bridgewater, NH ("the Facility"). The purpose of the inspection was to determine the Facility's compliance status with Title V Operating Permit TV-OP-008 ("the Title V Permit"), Temporary Permit TP-B-0533 ("the Temporary Permit") and NH Administrative Rules Env-A 100 *et seq.*, NH Rules Governing the Control of Air Pollution.

The purpose of this letter is to notify you of the violations discovered during the inspection and subsequent file review. The specific violations are as follows:

1. Env-A 907.01, Condition VIII. F., Table 8, Item 8 of the Title V Permit, and Condition VIII. Table 7, Item 1 of the Temporary Permit require Bridgewater to submit an annual emissions report, including actual emissions and fuel usage data recorded for all combustion devices pursuant to Env-A 903.03. This report is required to be submitted to DES on or before April 15 of the following calendar year. Bridgewater submitted a timely annual emission report for calendar year 2007 on March 27, 2008. However, in that report, Bridgewater did not submit actual emissions for the diesel fire pump and the cooling pond and fuel usage data for the combustion devices except the wood-fired boiler, Regenerative Selective Catalytic Reduction System ("RSCR") burners, and the emergency diesel generator for calendar year 2007 on March 27, 2008. At the close of the inspection, Bridgewater was told that it needed to revise its annual emission statement to add this information for calendar years 2003 through 2007 and that thereafter this information needed to be included in the annual emission statement that is due on or before April 15. Bridgewater submitted the missing annual emissions information for calendar years 2003 through 2007 on May 27, 2008.
2. Env-A 605.04 and Conditions VIII. F, Table 8, Item 1 and XXI. B. of the Title V Permit require Bridgewater to submit a Certification of Accuracy Statement signed by the responsible official with all documents submitted to DES. Bridgewater did not submit

DES Web site: www.des.nh.gov

P.O. Box 95, 29 Hazen Drive, Concord, New Hampshire 03302-0095

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the Certification of Accuracy Statement signed by the responsible official for the annual emissions report for calendar year 2007 submitted on March 27, 2008. At the close of the inspection, Bridgewater was told that it needed to revise the annual emissions report to add the Certification of Accuracy and that thereafter this information needed to be included with the annual emission statement that is due on or before April 15. Bridgewater submitted the Certification of Accuracy Statement with the revised annual emissions report for calendar year 2007 on May 27, 2008.

3. Env-A 705.01, Conditions VIII. F., Table 8, Item 7 and XXIII. of the Title V Permit, and Conditions VIII. Table 7, Item 8 and XII. of the Temporary Permit require the owner or operator of any stationary source, area source or device that is required to have a permit to annually pay emission-based fees for all devices required to be permitted. Env-A 609.04 and Condition IV. of the Title V Permit require Bridgewater to quantify emissions from the insignificant activities and include the emissions in the emission fee calculation. Since Bridgewater did not submit this information in its annual emission statement, it did not pay the appropriate fees on time. Env-A 705.04(a) requires annual emission fees to be submitted on or before April 15 for emissions from the previous calendar year. On May 27, 2008, Bridgewater paid the annual emission fees for the diesel fire pump, the cooling pond, and the insignificant activities for 2003 through 2007.
4. Env-A 909, Condition VIII. F., Table 8, Item 6 of the Title V Permit, and Condition VIII. Table 7, Item 2 of the Temporary Permit require the owner or operator of any stationary source, area source, or device that has actual nitrogen oxide ("NOx") emissions greater than or equal to 10 tons per year to submit an annual NOx emissions statement that contains the information set forth in Env-A 905 for all combustion devices. At the close of the inspection, Bridgewater was told that it needed to revise its annual emission statement to add this information and that thereafter this information needed to be included in the annual emission statement that is due on or before April 15. On May 27, 2008, Bridgewater submitted the NOx emission statement for 2007.
5. Conditions VIII. F., Table 8, Item 9 and XXI. A of the Title V Permit require Bridgewater to certify compliance with the permit requirements on or before April 15 of the following calendar year. In the 2007 annual compliance certification received on March 27, 2008, Bridgewater certified compliance with the annual emissions report and fee requirements for calendar year 2006 submitted in 2007, the NOx emissions statements for calendar year 2006 submitted in 2007, and the certification of accuracy requirements for submittals made in 2007. On May 27, 2008, Bridgewater submitted a revised annual emissions report and fee for calendar year 2007, the NOx emissions statements for calendar year 2007, and the certification of accuracy requirements for submittals made in 2008. Bridgewater can now accurately certify compliance with these requirements with the 2008 annual compliance certification.

DES believes that no further action in response to the listed violations is required and appreciates the efforts that Bridgewater has taken to come into compliance. DES requests that Bridgewater continue to comply with all obligations contained in the Permit.

If you believe that DES has cited these violations in error, or have questions regarding these matters, please contact Elizabeth Nixon, Enforcement Section Supervisor, at (603) 271-0883. A current copy of the Air Resources Division Rules can be obtained from the DES website at <http://des.nh.gov/organization/commissioner/legal/rules/index.htm>, or by contacting the DES Public Information Center at (603) 271-2975.

Sincerely,



Pamela G. Monroe
Compliance Bureau Administrator
Air Resources Division

PGM/ern

cc: E. Kudarauskas, EPA Region I
G. Hamel, NHDES Legal Unit Administrator
Terence Murphy, Board of Selectmen Chair, Town of Bridgewater
AFS #3300900021
(Stationary Source)