



The State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES



Thomas S. Burack, Commissioner

August 11, 2010

Mr. Michael O'Leary
Plant Manager
Bridgewater Power Company, L.P.
P.O. Box 678
Ashland, NH 03217-0678

**CERTIFIED MAIL (7007 3020 0000 5329 3401)
RETURN RECEIPT REQUESTED**

NOTICE OF PAST VIOLATION

RE: 300 Route 3, Bridgewater, New Hampshire

Dear Mr. O'Leary:

On February 5, 2010, and March 10, 2010, the New Hampshire Department of Environmental Services, Air Resources Division ("DES") received permit deviation reports from Bridgewater Power Company, L.P. ("Bridgewater"). Bridgewater operates a 15 megawatt net output, power generation facility in Bridgewater, New Hampshire ("the Facility"). On March 22, 2006, DES issued Title V Operating Permit No. TV-OP-008 ("the Permit") to Bridgewater, authorizing the operation of the Facility. DES amended the Permit on August 17, 2009 and the Permit expires on March 31, 2011.

On February 5, 2010, DES received a permit deviation report for a deviation that occurred on February 4, 2010. The permit deviation report stated that the Facility had an opacity exceedance that was caused by a boiler upset that caused a fresh air damper of the regenerative selective catalytic reduction system ("RSCR") to open and draw in cold air. On March 10, 2010, DES received a permit deviation report for a deviation that occurred on February 20, 2010. The permit deviation report stated that Bridgewater did not meet the deadline for performing the first quarter relative accuracy audit ("RAA") of the Facility's Continuous Emission Monitoring Systems ("CEMS"). The permit deviation report stated that the reason Bridgewater missed the deadline was due to a scheduling error due to weather concerns.

The purpose of this letter is to notify you of the violations discovered during the DES review of the permit deviation reports. The specific violations are as follows:

1. Env-A 2002.02 and Condition VIII. B., Table 5, Item 2 of the Permit limit visible emissions from the Facility to an average of 20% opacity for any continuous 6-minute period, except for one 6-minute period per hour of not more than 27%. On February 4, 2010, visible emissions from the Facility exceeded 27% opacity for 12 minutes due to a boiler upset that caused a fresh air damper of the RSCR to open and draw in cold air, thus causing condensation in the flue gas. The fresh air damper was quickly closed, the boiler returned to normal operation and no further exceedances have occurred.

DES Web site: www.des.nh.gov

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

Telephone: (603) 271-1370 • Fax: (603) 271-1381 • TDD Access: Relay NH 1-800-735-2964

2. Env-A 808.07 and Condition VIII. D., Table 6, Item 11 of the Permit require Bridgewater to perform required quarterly RAAs on the CEMS any time during the calendar quarter, but successive quarterly RAAs shall occur no more than four months apart. On October 20, 2009, Bridgewater performed an RAA on the opacity CEMS, thus establishing the four month deadline for the next quarter's RAA on the opacity CEMS as February 20, 2010. On October 27, 2009, Bridgewater performed an RAA on the carbon monoxide ("CO"), oxides of nitrogen ("NOx"), oxygen ("O₂"), and diluent cylinder gas CEMS, thus establishing the four month deadline for the next quarter's RAA on the CO, NOx, O₂, and diluent cylinder gas CEMS as February 27, 2010. On March 10, 2010, Bridgewater performed an RAA on the opacity CEMS, 18 days past the deadline. On March 11, 2010, Bridgewater performed an RAA on the CO, NOx, O₂, and diluent cylinder gas CEMS, 12 days past the deadline.
3. Env-A 911.04 (a) and Condition XXVIII. of the Permit require Bridgewater to report deviations of any of the conditions in the Permit to DES within 10 days of the occurrence date of the deviation if the deviation does not cause any excess emissions. Bridgewater did not report the missed deadline for the quarterly RAA on the opacity CEMS until 17 days after the occurrence date of the deviation.

Because Bridgewater corrected the opacity deviation quickly and performed the required RAAs within three weeks of the deadline, DES believes that no further action is required in response to the listed violations. In the event that additional violations are identified, DES may take action, including issuing an administrative order, seeking administrative fines, and/or referring this matter to the New Hampshire Department of Justice for civil penalties.

If you believe that DES has cited these violations in error, or have questions regarding these matters, please contact Jacob Bernauer, Senior Enforcement Engineer, at (603) 271-0885. 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/jjb

cc: DES Legal Unit

cc: E. Kudarauskas, EPA Region 1
Bridgewater Select Board

AFS #3300900021
(Stationary Source)