



STATE OF MAINE  
DEPARTMENT OF ENVIRONMENTAL PROTECTION

JOHN ELIAS BALDACCI  
GOVERNOR

DAVID P. LITTELL  
COMMISSIONER

**Lewiston Public Schools –  
Lewiston High School  
Androscoggin County  
Lewiston, Maine  
A-421-71-G-A**

**Departmental  
Findings of Fact and Order  
Air Emission License  
Amendment #1**

After review of the air emissions license amendment application, staff investigation reports and other documents in the applicant’s file in the Bureau of Air Quality, pursuant to 38 M.R.S.A., §344 and §590, the Department finds the following facts:

**I. REGISTRATION**

**A. Introduction**

1. Lewiston Public Schools – Lewiston High School was issued Air Emission License A-421-71-F-N on January 11, 2008, permitting the operation of emission sources associated with their educational facility.
2. The equipment addressed in this license is located at 156 East Avenue, Lewiston, Maine.
3. Lewiston High School has requested an amendment to their license in order to remove the two existing, #2 fueled package boilers and install four natural gas fueled package boilers and a hot water heater, and to replace the existing #2 fired generator which is currently located indoors with a new diesel fired generator located outside the building.

**B. Emission Equipment**

The following equipment is addressed in this air emission license:

AUGUSTA 17 STATE HOUSE STATION AUGUSTA, MAINE 04333-0017 (207) 287-7688 FAX: (207) 287-7826 RAY BLDG., HOSPITAL ST.	BANGOR 106 HOGAN ROAD BANGOR, MAINE 04401 (207) 941-4570 FAX: (207) 941-4584	PORTLAND 312 CANCO ROAD PORTLAND, MAINE 04103 (207) 822-6300 FAX: (207) 822-6303	PRESQUE ISLE 1235 CENTRAL DRIVE, SKYWAY PARK PRESQUE ISLE, MAINE 04769-2094 (207) 764-0477 FAX: (207) 760-3143
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**Boilers**

<u>Equipment</u>	<u>Maximum Capacity (MMBtu/hr)</u>	<u>Maximum Firing Rate (scf/hr)</u>	<u>Fuel Type, % sulfur</u>	<u>Stack #</u>
Boiler #1	2.61	2475	Natural Gas	1
Boiler #2	2.61	2475	Natural Gas	2
Boiler #3	2.61	2475	Natural Gas	3
Boiler #4	2.61	2475	Natural Gas	4
Water Heater*	.60	607	Natural Gas	

\* Insignificant activity as defined in 06-096 CMR 115

**Electrical Generation Equipment**

<u>Equipment</u>	<u>Horse Power (HP)</u>	<u>Firing Rate (gal/hr)</u>	<u>Fuel Type, % sulfur</u>	<u>Stack #</u>
Generator #1	175	12.1	Diesel, 0.05%S	1

**C. Application Classification**

The modification of a minor source is considered a major modification based on whether or not expected emission increases exceed the “Significant Emission Levels” as defined in the Department’s regulations. The emission increases are determined by subtracting the current licensed emissions preceding the modification from the maximum future licensed allowed emissions, as follows:

<u>Pollutant</u>	<u>Current License (TPY)</u>	<u>Future License (TPY)</u>	<u>Net Change (TPY)</u>	<u>Sig. Level</u>
PM	1.7	2.75	1.05	100
PM <sub>10</sub>	1.7	2.75	1.05	100
SO <sub>2</sub>	7.1	0.01	-7.09	100
NO <sub>x</sub>	3.8	2.3	-1.5	100
CO	0.9	1.9	1.0	100
VOC	0.3	0.1	-0.2	50

This modification is determined to be a minor modification and has been processed as such.

## II. BEST PRACTICAL TREATMENT (BPT)

### A. Introduction

In order to receive a license the applicant must control emissions from each unit to a level considered by the Department to represent Best Practical Treatment (BPT), as defined in *Definitions Regulation*, 06-096 CMR 100 (last amended December 24, 2005). Separate control requirement categories exist for new and existing equipment as well as for those sources located in designated non-attainment areas.

BPT for new sources and modifications requires a demonstration that emissions are receiving Best Available Control Technology (BACT), as defined in *Definitions Regulation*, 06-096 CMR 100 (last amended December 24, 2005). BACT is a top-down approach to selecting air emission controls considering economic, environmental and energy impacts.

### B. Boilers #1, #2, #3 and #4

Lewiston High School operates Boilers #1-#4 for facility heating needs. Domestic hot water is supplied by a .6 MMBtu/hr natural gas fired hot water heater. Boilers #1-#4 have maximum design heat input capacities of 2.61 MMBtu/hr, each, firing natural gas. Boilers #1-#4 and the hot water heater are therefore not subject to EPA New Source Performance Standards (NSPS) Subpart Dc, for boilers with a heat input of 10 MMBtu/hr or greater and manufactured after June 9, 1989.

Based on the relatively small size of the Boilers, the fuel limit of 11,000,000 standard cubic feet (scf) of natural gas, and the quantity of pollutants that could potentially be emitted, it is determined by the Bureau of Air Quality that any add-on pollution control device would be economically unjustified. Therefore BPT for Boilers 1, 2, 3, 4 and the water heater shall be the firing of natural gas as fuel.

#### NSPS requirements

The boilers were installed in 2008, however because of their size (2.61 MMBtu/hr) they are not subject to the New Source Performance Standards (NSPS) 40 CFR Part 60, Subpart Dc, *Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units*, for units greater than 10 MMBtu/hr manufactured after June 9, 1989.

A summary of the BPT (or BACT) analysis for Boilers #1, #2, #3, and #4 is the following:

1. The PM and PM<sub>10</sub> limits are derived from 06-096 CMR 103.
2. SO<sub>2</sub>, NO<sub>x</sub>, CO and VOC emission limits are based upon AP-42 data dated 9/98.
3. Visible emissions from each boiler shall not exceed 10% opacity on a six (6) minute block average, except for no more than one (1) six (6) minute block average in a continuous 3-hour period.

C. NSPS Generator

Lewiston High School operates an Emergency Generator.

Emergency Generator is defined as any stationary internal combustion engine whose operation is limited to emergency situations and required testing and maintenance. Examples include stationary engines used to produce power for critical networks or equipment (including power supplied to portions of a facility) when electric power from the local utility (or the normal power source, if the facility runs on its own power production) is interrupted, or stationary engines used to pump water in the case of fire or flood. Stationary engines used to supply power to an electric grid or that supply power as part of a financial arrangement with another entity are not considered to be emergency engines.

The Emergency Generator was ordered after July 11, 2005 and manufactured after April 1, 2006. Therefore, the Emergency Generator is subject to New Source Performance Standards 40 CFR Part 60, Subpart IIII, *Standards of Performance for Stationary Compression Ignition Internal Combustion Engines*.

A summary of the BPT (or BACT) analysis for the Emergency Generator (175 kW) is the following:

1. The Emergency Generator shall fire only diesel fuel with a maximum sulfur content not to exceed 500 ppm (0.05%).
2. Beginning October 1, 2010, the Emergency Generator shall fire only diesel fuel with a maximum sulfur content not to exceed 15 ppm (0.0015%).
3. The Emergency Generator shall be limited to 100 hr/yr of operation for maintenance checks and readiness testing. The Emergency Generator shall be limited to 500 hours per year of total operation. Both of these limits are based on a 12 month rolling total.

Compliance shall be demonstrated by a written log of all generator operating hours.

4. The Emergency Generator shall be equipped with a non-resettable hour meter.
5. 06-096 CMR 103 regulates PM emission limits. The PM<sub>10</sub> limits are derived from the PM limits.
6. NO<sub>x</sub>, CO, and VOC emission limits are based upon AP-42 data dated 10/96.
7. Lewiston High School shall operate and maintain the Emergency Generator in accordance with the manufacturer's written instructions. Lewiston High School shall not change settings that are not approved in writing by the manufacturer.
8. Visible emissions from the Emergency Generator shall not exceed 20% opacity on a six (6) minute block average, except for no more than two (2) six (6) minute block averages in a continuous 3-hour period.

D. Annual Emissions

Lewiston High School shall be restricted to the following annual emissions, based on a 12 month rolling total:

**Total Licensed Annual Emissions for the Facility**

**Tons/year**

(Used to calculate the annual license fee)

	<b>PM</b>	<b>PM<sub>10</sub></b>	<b>SO<sub>2</sub></b>	<b>NO<sub>x</sub></b>	<b>CO</b>	<b>VOC</b>
Boiler #1	2.75	2.75	0.003	0.54	0.46	0.03
Boiler #2	2.75	2.75	0.003	0.54	0.46	0.03
Boiler #3	2.75	2.75	0.003	0.54	0.46	0.03
Boiler #4	2.75	2.75	0.003	0.54	0.46	0.03
Generator #1	0.004	0.004	0.002	0.15	0.03	0.01

<b>Total TPY</b>	<b>11.0</b>	<b>11.0</b>	<b>0.01</b>	<b>2.3</b>	<b>1.9</b>	<b>0.1</b>
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**III. AMBIENT AIR QUALITY ANALYSIS**

According to 06-096 CMR 115, the level of air quality analyses required for a minor new source shall be determined on a case-by case basis. Based on the information available in the file, and the similarity to existing sources, Maine Ambient Air Quality Standards (MAAQS) will not be violated by this source.

### ORDER

Based on the above Findings and subject to conditions listed below, the Department concludes that the emissions from this source:

- will receive Best Practical Treatment,
- will not violate applicable emission standards,
- will not violate applicable ambient air quality standards in conjunction with emissions from other sources.

The Department hereby grants Air Emission License A-421-71-G-A subject to the conditions found in Air Emission License A-421-71-F-N.

Severability. The invalidity or unenforceability of any provision, or part thereof, of this License shall not affect the remainder of the provision or any other provisions. This License shall be construed and enforced in all respects as if such invalid or unenforceable provision or part thereof had been omitted.

### STANDARD CONDITIONS

- (1) Employees and authorized representatives of the Department shall be allowed access to the licensee's premises during business hours, or any time during which any emissions units are in operation, and at such other times as the Department deems necessary for the purpose of performing tests, collecting samples, conducting inspections, or examining and copying records relating to emissions (38 M.R.S.A. §347-C).
- (2) The licensee shall acquire a new or amended air emission license prior to commencing construction of a modification, unless specifically provided for in Chapter 115. [06-096 CMR 115]
- (3) Approval to construct shall become invalid if the source has not commenced construction within eighteen (18) months after receipt of such approval or if construction is discontinued for a period of eighteen (18) months or more. The Department may extend this time period upon a satisfactory showing that an extension is justified, but may condition such extension upon a review of either the control technology analysis or the ambient air quality standards analysis, or both. [06-096 CMR 115]

- (4) The licensee shall establish and maintain a continuing program of best management practices for suppression of fugitive particulate matter during any period of construction, reconstruction, or operation which may result in fugitive dust, and shall submit a description of the program to the Department upon request. [06-096 CMR 115]
- (5) The licensee shall pay the annual air emission license fee to the Department, calculated pursuant to Title 38 M.R.S.A. §353. [06-096 CMR 115]
- (6) The license does not convey any property rights of any sort, or any exclusive privilege. [06-096 CMR 115]
- (7) The licensee shall maintain and operate all emission units and air pollution systems required by the air emission license in a manner consistent with good air pollution control practice for minimizing emissions. [06-096 CMR 115]
- (8) The licensee shall maintain sufficient records to accurately document compliance with emission standards and license conditions and shall maintain such records for a minimum of six (6) years. The records shall be submitted to the Department upon written request. [06-096 CMR 115]
- (9) The licensee shall comply with all terms and conditions of the air emission license. The filing of an appeal by the licensee, the notification of planned changes or anticipated noncompliance by the licensee, or the filing of an application by the licensee for a renewal of a license or amendment shall not stay any condition of the license. [06-096 CMR 115]
- (10) The licensee may not use as a defense in an enforcement action that the disruption, cessation, or reduction of licensed operations would have been necessary in order to maintain compliance with the conditions of the air emission license. [06-096 CMR 115]
- (11) In accordance with the Department's air emission compliance test protocol and 40 CFR Part 60 or other method approved or required by the Department, the licensee shall:
  - A. perform stack testing to demonstrate compliance with the applicable emission standards under circumstances representative of the facility's normal process and operating conditions:

1. within sixty (60) calendar days of receipt of a notification to test from the Department or EPA, if visible emissions, equipment operating parameters, staff inspection, air monitoring or other cause indicate to the Department that equipment may be operating out of compliance with emission standards or license conditions; or
  2. pursuant to any other requirement of this license to perform stack testing.
- B. install or make provisions to install test ports that meet the criteria of 40 CFR Part 60, Appendix A, and test platforms, if necessary, and other accommodations necessary to allow emission testing; and
- C. submit a written report to the Department within thirty (30) days from date of test completion.
- [06-096 CMR 115]
- (12) If the results of a stack test performed under circumstances representative of the facility's normal process and operating conditions indicate emissions in excess of the applicable standards, then:
- A. within thirty (30) days following receipt of such test results, the licensee shall re-test the non-complying emission source under circumstances representative of the facility's normal process and operating conditions and in accordance with the Department's air emission compliance test protocol and 40 CFR Part 60 or other method approved or required by the Department; and
  - B. the days of violation shall be presumed to include the date of stack test and each and every day of operation thereafter until compliance is demonstrated under normal and representative process and operating conditions, except to the extent that the facility can prove to the satisfaction of the Department that there were intervening days during which no violation occurred or that the violation was not continuing in nature; and
  - C. the licensee may, upon the approval of the Department following the successful demonstration of compliance at alternative load conditions, operate under such alternative load conditions on an interim basis prior to a demonstration of compliance under normal and representative process and operating conditions.
- [06-096 CMR 115]
- (13) Notwithstanding any other provisions in the State Implementation Plan approved by the EPA or Section 114(a) of the CAA, any credible evidence may be used for the purpose of establishing whether a person has violated or is in violation of any statute, regulation, or Part 70 license requirement. [06-096 CMR 115]

- (14) The licensee shall maintain records of malfunctions, failures, downtime, and any other similar change in operation of air pollution control systems or the emissions unit itself that would affect emission and that is not consistent with the terms and conditions of the air emission license. The licensee shall notify the Department within two (2) days or the next state working day, whichever is later, of such occasions where such changes result in an increase of emissions. The licensee shall report all excess emissions in the units of the applicable emission limitation. [06-096 CMR 115]
- (15) Upon written request from the Department, the licensee shall establish and maintain such records, make such reports, install, use and maintain such monitoring equipment, sample such emissions (in accordance with such methods, at such locations, at such intervals, and in such a manner as the Department shall prescribe), and provide other information as the Department may reasonably require to determine the licensee's compliance status. [06-096 CMR 115]

#### SPECIFIC CONDITIONS

(16) **Boilers #1, #2, #3 and #4**

- A. Emissions shall not exceed the following [06-096 CMR 115, BPT]:

Emission Unit	PM (lb/hr)	PM <sub>10</sub> (lb/hr)	SO <sub>2</sub> (lb/hr)	NO <sub>x</sub> (lb/hr)	CO (lb/hr)	VOC (lb/hr)
Boiler #1	0.31	0.31	0.002	0.25	0.21	0.01
Boiler #2	0.31	0.31	0.002	0.25	0.21	0.01
Boiler #3	0.31	0.31	0.002	0.25	0.21	0.01
Boiler #4	0.31	0.31	0.002	0.25	0.21	0.01

- B. Visible emissions from Boiler #1 shall not exceed 10% opacity on a six (6) minute block average, except for no more than one (1) six (6) minute block averages in a continuous 3-hour period. [06-096 CMR 101]

(17) **NSPS Emergency Generator**

- A. The Emergency Generator shall fire only diesel fuel with a maximum sulfur content not to exceed 500 ppm. [40 CFR 60.4207(a)]

- B. Beginning October 1, 2010, the Emergency Generator shall fire only diesel fuel with a maximum sulfur content not to exceed 15 ppm. [40 CFR 60.4207(b)]
- C. The Emergency Generator shall be limited to 100 hr/yr of operation for maintenance checks and readiness testing. The Emergency Generator shall be limited to 500 hours per year of total operation. Both of these limits are based on a 12 month rolling total. Compliance shall be demonstrated by a written log of all generator operating hours. [40 CFR 60.4211(E) and 06-096 CMR 115, BACT]
- D. The Emergency Generator shall be equipped with a non-resettable hour meter. [40 CFR 60.4209(a)]
- E. Emissions shall not exceed the following [06-096 CMR 115, BPT]:

<b>Emission Unit</b>	<b>PM (lb/hr)</b>	<b>PM<sub>10</sub> (lb/hr)</b>	<b>SO<sub>2</sub> (lb/hr)</b>	<b>NO<sub>x</sub> (lb/hr)</b>	<b>CO (lb/hr)</b>	<b>VOC (lb/hr)</b>
Emergency Generator	0.07	0.07	0.03	2.63	0.57	0.21

- F. The Emergency Generator is subject to PM, CO, and NO<sub>x</sub> + VOC emission requirements set forth in 40 CFR 60, Subpart IIII. Compliance with these emission requirements shall be demonstrated by certification from the manufacturer that this engine class meets the appropriate Tier standards. [40 CFR 60, Subpart IIII]
- G. Lewiston High School shall operate and maintain the Emergency Generator in accordance with the manufacturer's written instructions. Lewiston High School shall not change settings that are not approved in writing by the manufacturer. [40 CFR 60.4211(a)]
- H. Visible emissions from the Emergency generator shall not exceed 20% opacity on a six (6) minute block average, except for no more than two (2) six (6) minute block averages in a continuous 3-hour period. [06-096 CMR 101]

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Lewiston, Maine  
A-421-71-G-A

11

Departmental  
Findings of Fact and Order  
Air Emission License  
Amendment # 1

- (18) Lewiston High School shall notify the Department within 48 hours and submit a report to the Department on a quarterly basis if a malfunction or breakdown in any component causes a violation of any emission standard (38 M.R.S.A. §605).

DONE AND DATED IN AUGUSTA, MAINE THIS 9th DAY OF April, 2009.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

BY: James P. Brackley  
DAVID P. LITTELL, COMMISSIONER

**The term of this amendment shall be concurrent with the term of Air Emission License A-421-71-F-N.**

PLEASE NOTE ATTACHED SHEET FOR GUIDANCE ON APPEAL PROCEDURES

Date of initial receipt of application: 17 Nov. 2008

Date of application acceptance: 3 Dec. 2008

Date filed with the Board of Environmental Protection:

This Order prepared by N. Lynn Cornfield, Bureau of Air Quality.

