



STATE OF MAINE  
DEPARTMENT OF ENVIRONMENTAL PROTECTION

PAUL R. LEPAGE  
GOVERNOR

PATRICIA W. AHO  
COMMISSIONER

Roy Continental Mill, LLC )  
Androscoggin County ) Departmental  
Lewiston, Maine ) Findings of Fact and Order  
A-392-71-G-R ) Air Emission License

After review of the air emissions license renewal 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., Section 344 and Section 590, the Department finds the following facts:

**I. REGISTRATION**

**A. Introduction**

Roy Continental Mill, LLC (RCM) of 2 Cedar Street, Lewiston, Maine has applied to renew their Air Emission License permitting the operation of an emission source associated with their manufacturing and storage rental facility.

**B. Emission Equipment**

RCM is authorized to operate the following equipment:

**Boilers**

<u>Equipment</u>	<u>Maximum Capacity (MMBtu/hr)</u>	<u>Maximum Firing Rate (scf/hr)</u>	<u>Fuel Type</u>	<u>Stack #</u>
Boiler 1	16.0	10,680	Natural gas	1

**C. Application Classification**

The application for RCM does not include the licensing of increased emissions or the installation of new or modified equipment. Therefore, the license is considered to be a renewal of current licensed emission units only.

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## 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 (as amended). Separate control requirement categories exist for new and existing equipment as well as for those sources located in designated non-attainment areas.

BPT for existing emissions equipment means that method which controls or reduces emissions to the lowest possible level considering:

- the existing state of technology;
- the effectiveness of available alternatives for reducing emission from the source being considered; and
- the economic feasibility for the type of establishment involved.

### B. Emissions Units

Boiler 1 has a maximum design capacity of 16.0 MMBtu/hr and was installed in 1971, and is therefore 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. In addition, gas-fired boilers are not subject to the *National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers Area Sources* (40 CFR Part 63 Subpart JJJJJ).

A summary of the BPT analysis for Boiler 1 is as follows:

1. Fuel sulfur content is regulated by 06-096 CMR 106. However, the firing of natural gas is more stringent and shall be considered BPT.
2. 06-096 CMR 103 (as amended) regulated PM emissions. However, the PM emission limit of 0.05 lb/MMBtu is more stringent and shall be considered BPT. The PM<sub>10</sub> emission limit is derived from the PM limit.
3. NO<sub>x</sub>, CO and VOC emission limits are based upon AP-42 data dated 7/98 for the combustion of natural gas.
4. Visible emissions from the 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.

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C. Annual Emission Restrictions

1. RCM shall be restricted to the following annual emissions, based on a calendar year:

**Total Licensed Annual Emissions for the Facility**  
**Tons/year**  
(used to calculate the annual license fee)

	PM	PM <sub>10</sub>	SO <sub>2</sub>	NO <sub>x</sub>	CO	VOC
Boiler 1	2.38	2.38	0.03	4.76	3.99	0.26

2. Greenhouse Gases

Greenhouse gases are considered regulated pollutants as of January 2, 2011 through 'Tailoring' revisions made to EPA's *Approval and Promulgation of Implementation Plans*, 40 CFR Part 52, Subpart A, §52.21 Prevention of Significant Deterioration of Air Quality rule. "Greenhouse gases" as defined in 06-096 CMR 100 (as amended) means the aggregate group of the following gases: Carbon dioxide, nitrous oxide, methane, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride. Greenhouse gases (GHG) for purposes of licensing are calculated and reported as carbon dioxide equivalents (CO<sub>2</sub> e).

Based on the facility's fuel use limit(s), the worst case emission factors from AP-42, IPCC (Intergovernmental Panel on Climate Change), and *Mandatory Greenhouse Gas Reporting*, 40 CFR Part 98, and the global warming potentials contained in 40 CFR Part 98, RCM is below the major source threshold of 100,000 tons of CO<sub>2</sub> e per year. Therefore, no additional licensing requirements are needed to address GHG emissions at this time.

### III. AMBIENT AIR QUALITY ANALYSIS

According to 06-096 CMR 115, the level of air quality analyses required for a minor 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,

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- 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-392-71-G-R subject to the following conditions:

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-A. [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

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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) Boiler 1

- A. Boiler 1 shall fire natural gas. RCM shall maintain records of annual fuel use which shall be kept on a calendar year basis. [06-096 CMR 115, BPT]

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B. Emissions shall not exceed the following:

Emission Unit	Pollutant	lb/MMBtu	Origin and Authority
Boiler 1	PM	0.05	06-096 CMR 103(2)(B)(1)(a), BPT

C. 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	0.80	0.80	0.01	1.60	1.34	0.09

D. 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 average in a continuous 3-hour period. [06-096 CMR 101]

- (17) Roy Continental Mill, LLC 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 (Title 38 MRSA §605-C).

DONE AND DATED IN AUGUSTA, MAINE THIS 28<sup>th</sup> DAY OF March, 2012.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

BY: Melanie Lajoie  
PATRICIA W. LAJOIE, COMMISSIONER

**The term of this license shall be five (5) years from the signature date above.**

PLEASE NOTE ATTACHED SHEET FOR GUIDANCE ON APPEAL PROCEDURES

Date of initial receipt of application: 8/17/2011

Date of application acceptance: 9/8/2011

Date filed with the Board of Environmental Protection:

This Order prepared by Jonathan Voisine, Bureau of Air Quality.

