STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION

JOHN ELIAS BALDACCI
GOVERNOR

DAVID P. LITTELL
COMMISSIONER

Sunday River Skiway Corporation
Oxford County
Newry, Maine
A-634-71-I-R/A (SM)

Departmental
Findings of Fact and Order
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., §344 and §590, the Department finds the following facts:

I. REGISTRATION

A. Introduction

1. Sunday River Skiway Corporation (Sunday River) has applied to renew and amend their Air Emission License permitting the operation of emission sources associated with their ski resort facility.

2. Sunday River has requested an amendment to their license to add two back-up ski lift engines, Lift #7 and Lift #7 Aux.

3. The equipment addressed in this license is located at 15 South Ridge Road, Newry, Maine.

B. Emission Equipment

The following equipment is addressed in this air emission license:

Electrical Generation Equipment

Equipment	Power Output (kW)	Maximum Capacity (MMBtu/hr)	Firing Rate (gal/hr)	Fuel Type, % sulfur
Diesel #1	1250	12.3	89.3	Diesel, 0.05%
Diesel #2	1250	12.3	89.3	Diesel, 0.05%
Diesel #3	1250	12.3	89.3	Diesel, 0.05%
Diesel #4	1250	12.3	89.3	Diesel, 0.05%
Diesel #5	1250	12.3	89.3	Diesel, 0.05%
Diesel #6	1250	12.3	89.3	Diesel, 0.05%
Diesel #7	1250	12.3	89.3	Diesel, 0.05%
Diesel #8	1250	12.3	89.3	Diesel, 0.05%

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Back-up Ski Lift Engines

Equipment	Maximum Capacity (HP)	Maximum Capacity (MMBtu/hr)	Fuel Type, % Sulfur
Lift #1	280	1.96	Diesel, 0.05%
Lift #2	152	1.07	Diesel, 0.05%
Lift #6	400	2.81	Diesel, 0.05%
Lift #7	800	5.61	Diesel, 0.05%
Lift #7 Aux.	571	4.00	Diesel, 0.05%
Lift #9	152	1.07	Diesel, 0.05%
Lift #10	335	2.35	Diesel, 0.05%
Lift #11	177	1.24	Diesel, 0.05%
Lift #12	450	3.16	Diesel, 0.05%
Lift #14	290	2.03	Diesel, 0.05%
Lift #15	177	1.24	Diesel, 0.05%

C. Application Classification

The application for Sunday River includes the licensing of increased emissions because of the installation of new equipment. Therefore, the license is considered to be a renewal and amendment of current licensed emission units and has been processed through *Major and Minor Source Air Emission License Regulations*, 06-096 CMR 115 (last amended December 24, 2005).

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:

Pollutant	Current License (TPY)	Future License (TPY)	Net Change (TPY)	Sig. Level
PM	9.1	8.7	-0.4	100
PM_{10}	9.1	8.7	-0.4	100
SO_2	4.6	3.7	-0.9	100
NO_x	53.7	59.0	5.3	100
CO	58.1	59.2	1.1	100
VOC	9.6	8.7	-0.9	50

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

With the fuel limit on the electrical generation equipment, Sunday River is licensed below the major source thresholds and is considered a synthetic minor.

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 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 emissions from the source being considered; and
- the economic feasibility for the type of establishment involved.

B. Diesel Units #1 - #8

Sunday River proposed, through Air Emission License A-634-71-A-N, to install and operate Diesel Units #1 - #8 primarily for snowmaking during the ski season. Sunday River has not yet installed these units, however, the facility has requested to renew the license for potential installation in the future. When installed, each of these units shall be Certified Tier 2 engines by the manufacturer. Each unit has a maximum design heat input capacity of 12.3 MMBtu/hr and fires diesel fuel with a sulfur content not to exceed 0.05% by weight.

A summary of the BACT for Diesel Units #1 - #8 inclusive, is the following:

1. The total fuel use for the facility shall not exceed 1,000,000 gallons per year of diesel fuel with a sulfur content not to exceed 0.05%, based on a 12-month rolling total.

2. *Low Sulfur Fuel*, 06-096 CMR 106 (last amended June 9, 1999) regulates fuel sulfur content, however in this case it was determined a more stringent BACT limit of 0.05% is appropriate and shall be used.
3. *Fuel Burning Equipment Particulate Emission Standard*, 06-096 CMR 103 (last amended November 3, 1990) regulates PM emission limit of 0.12 lb/MMBtu for units with a heat input capacity of less than 50 MMBtu/hr. The PM_{10} limits are derived from the PM limits.
4. NO_x emission limits are based on the BACT analysis submitted for Air Emission License A-634-71-A-N. NO_x emissions will be controlled by using a Selective Catalytic Reduction (SCR) system. The SCR system will reduce uncontrolled NO_x emissions to 0.62 lb/MMBtu.
5. Sunday River will monitor the SCR system, shall keep monthly records of ammonia use and record all routine maintenance on the SCR system. Sunday River shall inspect the SCR system monthly, and keep records of these inspections.
6. CO emission limit is based upon previous BACT and shall be 0.81 lb/MMBtu.
7. VOC emission limit is based upon previous BACT and shall be 0.11 lb/MMBtu.
8. Visible emissions from each of the generators shall not exceed 20% opacity on a six (6) minute block average, except for no more than two (2) six (6) minute block average in a continuous 3-hour period.

C. <u>Back-up Ski Lift Engines Numbers 1, 2, 6, 9, 10, 11, 12, 14, and 15</u>

Sunday River operates a total of eleven back-up ski lift diesel engines. Nine engines (numbers 1, 2, 6, 9, 10, 11, 12, 14 and 15) were installed prior to 2005 and are therefore not subject to NSPS; two engines (#7 and #7 Aux.) were manufactured and installed in 2008 and are therefore subject to NSPS 40 CFR 60 IIII. Lift Engine #7 is a Detroit Diesel model R1238K40, Tier 2 certified engine. Lift Engine #7 Aux. is a Cummins model QSB4.5, Tier 3 certified engine.

The back-up ski lift engines are only to be operated for maintenance purposes and for situations arising from sudden and reasonably unforeseeable events beyond the control of the source. The back-up engines are not to be used for prime power when reliable offsite power is available.

A summary of the BPT analysis for the <u>non</u>-NSPS back-up ski lift engines 1, 2, 6, 9-12, 14 and 15 is the following:

1. The back-up ski lift engines shall fire only diesel fuel with a maximum sulfur content not to exceed 0.05% by weight.

2. The back-up ski lift engines shall each be limited to 300 hours per year of operation based on a 12-month rolling total. Compliance shall be demonstrated by a written log of all generator operating hours.
3. 06-096 CMR 106 regulates fuel sulfur content, however in this case a BPT/BACT analysis for SO_2 determined a more stringent limit of 0.05% was appropriate and shall be used.
4. 06-096 CMR 103 regulates PM emission limits. However, the previous BACT analysis determined a more stringent limit of 0.08 lb/MMBtu was appropriate and shall be used. The PM_{10} limits are derived from the PM limits.
5. NO_x, CO, and VOC emission limits are based upon AP-42 data dated 10/96.
6. Visible emissions from the back-up ski lift engines shall each 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. <u>NSPS Back Up Ski Lift Engines #7 and #7 Aux.</u>

Sunday River operates two NSPS back-up ski lift engines, #7 and #7 Aux. Lift Engine #7 is a Detroit Diesel model R1238K40, Tier 2 certified engine. Lift Engine #7 Aux. is a Cummins model QSB4.5, Tier 3 certified engine. Back-up ski lift engines #7 and #7 Aux were both manufactured and installed in 2008, therefore, both are subject to New Source Performance Standards 40 CFR Part 60, Subpart IIII, *Standards of Performance for Stationary Compression Ignition Internal Combustion Engines*.

Emergency Generator (back-up ski lift engine) 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.

A summary of the BPT analysis for back-up ski lift engines #7 and #7 Aux. is the following:

1. Back-up ski lift engines #7 and #7 Aux. shall fire only diesel fuel with a maximum sulfur content not to exceed 0.05% (500 ppm).
2. Beginning October 1, 2010, back-up engines #7 and #7 Aux. shall fire only diesel fuel with a maximum sulfur content not to exceed 0.0015% (15 ppm).
3. Back-up ski lift engines #7 and #7 Aux. shall each be limited to 100 hours per year of operation for maintenance checks and readiness testing. Back-up ski lift engines #7 and #7 Aux. shall each be limited to 300 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. Back-up ski lift engines #7 and #7 Aux. shall be equipped with a non-resettable hour meter.
5. 06-096 CMR 103 regulates PM emission limits, however, the BPT/BACT analysis determined a more stringent limit of 0.08 lb/MMBtu is appropriate and shall be used. The PM_{10} limits are derived from the PM limits.
6. NO_x, CO, and VOC emission limits are based upon AP-42 data dated 10/96.
7. Sunday River shall operate and maintain back-up ski lift engines #7 and #7 Aux. in accordance with the manufacturer's written instructions. Sunday River shall not change settings that are not approved in writing by the manufacturer.
8. Visible emissions from back-up ski lift engines #7 and #7 Aux. shall **each** 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.

E. <u>Annual Emissions</u>

Sunday River shall be restricted to the following annual emissions, calculated on annual fuel use of 1,000,000 gallons, based on a 12-month rolling total:

Total Licensed Annual Emissions for the Facility
Tons per year
(Used to calculate the annual license fee)

	PM	PM_{10}	SO_2	NO_x	CO	VOC
Lift #1	0.1	0.1	0.1	1.3	0.3	0.1
Lift #2	0.1	0.1	0.1	0.7	0.2	0.1
Lift #6	0.1	0.1	0.1	1.9	0.4	0.2
Lift #7	0.1	0.1	0.1	2.7	0.7	0.1
Lift #7 Aux.	0.1	0.1	0.1	2.7	0.6	0.2
Lift #9	0.1	0.1	0.1	0.7	0.2	0.1
Lift #10	0.1	0.1	0.1	1.6	0.3	0.1
Lift #11	0.1	0.1	0.1	0.8	0.2	0.1
Lift #12	0.1	0.1	0.1	2.1	0.5	0.2
Lift #14	0.1	0.1	0.1	1.3	0.3	0.1
Lift #15	0.1	0.1	0.1	0.8	0.2	0.1
Diesels #1- #8	8.2	8.2	3.5	42.6	55.6	7.5
Total TPY	**9.3**	**9.3**	**4.6**	**59.2**	**59.5**	**8.9**

III. AMBIENT AIR QUALITY ANALYSIS

According to 06-096 CMR 115, the level of air quality analyses required for a renewal source shall be determined on a case-by-case basis. Modeling and monitoring are not required for a renewal if the total emissions of any pollutant released do not exceed the following:

Pollutant	Tons/Year
PM	25
PM_{10}	25
SO_2	50
NO_x	100
CO	250

Based on the total facility licensed emissions, Sunday River is below the emissions level required for modeling and monitoring.

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-634-71-I-R/A 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. [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) **Diesel Units #1 - #8**

A. Total facility fuel use shall not exceed 1,000,000 gallons per year of diesel fuel with a maximum sulfur content not to exceed 0.05% by weight. Compliance shall be demonstrated by fuel records from the supplier showing the quantity of fuel delivered and the percent sulfur of the fuel. Records of annual fuel use shall be kept on a 12-month rolling total basis. [06-096 CMR 115, BPT]

B. Emissions shall not exceed the following:

Emission Unit	Pollutant	lb/MMBtu	Origin and Authority
Diesel Units #1 - #8 - Each	PM	0.12	06-096 CMR 103(2)(B)(1)(a)

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

Emission Unit	PM (lb/hr)	PM_{10} (lb/hr)	SO_2 (lb/hr)	NO_x (lb/hr)	CO (lb/hr)	VOC (lb/hr)
Diesel Units #1 - #8 - Each	1.48	1.48	0.63	7.63	9.96	1.35

D. Visible emissions from each of the Diesel Units 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]

(17) **Back-up Ski Lift Engines Numbers 1, 2, 6, 9, 10, 11, 12, 14 and 15**

A. Total facility fuel use shall not exceed 1,000,000 gallons per year of diesel fuel with a maximum sulfur content not to exceed 0.05% by weight. Compliance shall be demonstrated by fuel records from the supplier showing the quantity of fuel delivered and the percent sulfur of the fuel. Records of annual fuel use shall be kept on a 12-month rolling total basis. [06-096 CMR 115, BPT]

B. Sunday River shall limit each back-up ski lift engine to 300 hours per year of operation (based on a 12-month rolling total). An hour meter shall be maintained and operated on each back-up ski lift engine. [06-096 CMR 115, BPT]

C. The back-up ski lift engines shall only be operated for maintenance purposes and for situations arising from sudden and reasonably unforeseeable events beyond the control of the source. The back-up ski lift engines shall not be used for prime power when reliable offsite power is available.

D. A log shall be maintained documenting the date, time, and reason for operation. [06-096 CMR 115, BPT]

E. The back-up ski lift engines shall fire diesel fuel with a sulfur limit not to exceed 0.05% by weight. Compliance shall be based on fuel records from the supplier showing the quantity of fuel delivered and the percent sulfur of the fuel. [06-096 CMR 115, BPT]

F. Emissions shall not exceed the following:

Emission Unit	Pollutant	lb/MMBtu	Origin and Authority
Back-up Ski Lift Engines #1, 2, 6, 9, 10, 11, 12, 14, 15	PM	0.08	06-096 CMR 103(2)(B)(1)(a)

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

Emission Unit	PM (lb/hr)	PM_{10} (lb/hr)	SO_2 (lb/hr)	NO_x (lb/hr)	CO (lb/hr)	VOC (lb/hr)
Lift Engine #1	0.24	0.24	0.10	8.64	1.86	0.69
Lift Engine #2	0.13	0.13	0.06	4.72	1.02	0.37
Lift Engine #6	0.34	0.34	0.14	12.39	2.67	0.98
Lift Engine #9	0.13	0.13	0.06	4.72	1.02	0.37
Lift Engine #10	0.28	0.28	0.12	10.36	2.23	0.82
Lift Engine #11	0.15	0.15	0.06	5.47	1.18	0.43
Lift Engine #12	0.38	0.38	0.16	13.94	3.00	1.11
Lift Engine #14	0.24	0.24	0.10	8.95	1.93	0.71
Lift Engine #15	0.15	0.15	0.06	5.47	1.18	0.43

H. Visible emissions from the back-up ski lift engines 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]

(18) **NSPS Back Up Ski Lift Engines #7 and #7Aux.**

Emergency Generator (back-up ski lift engine) 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.

Back-up ski lift engines #7 and #7 Aux. were manufactured and installed in 2008. Therefore, these back-up ski lift engines are subject to New Source Performance Standards 40 CFR Part 60, Subpart IIII, *Standards of Performance for Stationary Compression Ignition Internal Combustion Engines*.

A. Total facility fuel use shall not exceed 1,000,000 gallons per year of diesel fuel with a maximum sulfur content not to exceed 0.05% by weight. Compliance shall be demonstrated by fuel records from the supplier showing the quantity of fuel delivered and the percent sulfur of the fuel. Records of annual fuel use shall be kept on a 12-month rolling total basis. [06-096 CMR 115, BPT]
B. Back-up ski lift engines #7 and #7 Aux. shall fire only diesel fuel with a maximum sulfur content not to exceed 0.05% (500 ppm). [40 CFR 60.4207(a)]
C. Beginning October 1, 2010, back-up ski lift engines #7 and #7 Aux. shall fire only diesel fuel with a maximum sulfur content not to exceed (0.0015%) (15 ppm). [40 CFR 60.4207(b)]
D. Back-up ski lift engines #7 and #7 Aux. shall each be limited to 100 hours per year of operation for maintenance checks and readiness testing. Back-up ski lift engines #7 and #7 Aux. shall each be limited to 300 hours per year of total operation. Both of these limits are based on a 12-month rolling total basis. Compliance shall be demonstrated by a written log of all back up ski lift engine operating hours. [40 CFR 60.4211(E) and 06-096 CMR 115, BACT]
E. Back-up ski lift engines #7 and #7 Aux. shall be equipped with a non-resettable hour meter. [40 CFR 60.4209(a)]
F. Emissions shall not exceed the following:

Emission Unit	Pollutant	lb/MMBtu	Origin and Authority
Back-up Ski Lift Engines #7 & #7 Aux.	PM	0.08	06-096 CMR 103(2)(B)(1)(a)

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

Emission Unit	PM (lb/hr)	PM_{10} (lb/hr)	SO_2 (lb/hr)	NO_x (lb/hr)	CO (lb/hr)	VOC (lb/hr)
Lift Engine #7	0.68	0.68	0.29	18.02	4.79	0.51
Lift Eng. #7 Aux.	0.48	0.48	.021	17.73	3.82	1.41

H. Back-up ski lift engines #7 and #7 Aux. are subject to PM, CO, and NO_x + 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]

I. Sunday River shall operate and maintain back-up ski lift engines #7 and #7 Aux. in accordance with the manufacturer's written instructions. Sunday River shall not change settings that are not approved in writing by the manufacturer. [40 CFR 60.4211(a)]

J. Visible emissions from each of the back-up ski lift engines shall each 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]

(19) **Annual Emission Statement**

In accordance with *Emission Statements*, 06-096 CMR 137 (last amended November 8, 2008), the licensee shall annually report to the Department the information necessary to accurately update the State's emission inventory by means of:

1) A computer program and accompanying instructions supplied by the Department; or
2) A written emission statement containing the information required in 06-096 CMR 137.

The emission statement must be submitted as specified by the date in 06-096 CMR 137.

(20) Sunday River 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 24th DAY OF February, 2010.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

BY: James P. Brooks for
DAVID P. LITTELL, 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: 3/20/2009
Date of application acceptance: 4/02/2009

Date filed with the Board of Environmental Protection: _____

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

FILED
FEB 25 2010
BOARD OF ENVIRONMENTAL PROT.
STATE OF MAINE