



STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION

PAUL R. LEPAGE
GOVERNOR

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RSU #38 Maranacook School
Kennebec County
Readfield, Maine
A-793-71-C-R

Departmental
Findings of Fact and Order
Air Emission License

After review of the air emissions license 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. RSU #38 Maranacook School (RSU 38) has applied to renew their Air Emission License permitting the operation of emission sources associated with their educational facilities.
2. The equipment addressed in this license is located at 2250 Millard Harrison Drive, Readfield, Maine.

B. Emission Equipment

The following equipment is addressed in this air emission license:

Boilers

<u>Equipment</u>	<u>Maximum Capacity (MMBtu/hr)</u>	<u>Maximum Firing Rate (gal/hr)</u>	<u>Fuel Type, % sulfur</u>	<u>Stack #</u>
Boiler 1	4.91	35.1	#2 fuel oil, 0.5%	1
Boiler 2	4.91	35.1	#2 fuel oil, 0.5%	1
Boiler 3	0.85	6.1	#2 fuel oil, 0.5%	2
Boiler 4	5.67	40.5	#2 fuel oil, 0.5%	3
Boiler 5	1.05	7.5	#2 fuel oil, 0.5%	3

C. Application Classification

The application for RSU 38 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 and has been

processed through *Major and Minor Source Air Emission License Regulations*, 06-096 CMR 115 (as amended).

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

B. Boilers

RSU 38 operates five boilers for facility heating and hot water needs. Boilers 1, 2, 3, 4 and 5 have respective maximum design capacities of 4.91, 4.91, 0.85, 5.67, and 1.05 MMBtu/hr.

The boilers each have maximum design capacities less than 10 MMBtu/hr and are 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.

Boilers 1, 2, 3, 4 and 5 are subject to the *National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers Area Sources* (40 CFR Part 63 Subpart JJJJJ). The units are each rated under 10 MMBtu/hr and are thus not subject to PM, CO, or mercury emission limits from 40 CFR Part 63 Subpart JJJJJ.

A summary of the BPT analysis for Boiler 1 (4.91 MMBtu/hr), Boiler 2 (4.91 MMBtu/hr), Boiler 3 (0.85 MMBtu/hr), Boiler 4 (5.67 MMBtu/hr), and Boiler 5 (1.05 MMBtu/hr) is the following:

1. Total fuel use for RSU 38 shall not exceed 300,000 gal/year of #2 fuel oil, based on a calendar year, with maximum sulfur content not to exceed 0.5% by weight.

2. The SO₂ emission limits are based on the firing of fuel which meets the criteria in ASTM D396 for #2 fuel oil.
3. The PM and PM₁₀ limits for units larger than 3 MMBtu/hr are derived from 06-096 CMR 103 (as amended). The PM and PM₁₀ limits for smaller units are based upon BPT analysis from the previous license.
4. NO_x emission limits are based on data from similar #2 oil fired boilers of this size and age.
5. CO and VOC emission limits are based upon AP-42 data dated 9/98.
6. Visible emissions from Stacks 1, 2, and 3 shall each not exceed 20% 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.

For informational purposes, a summary of the applicable federal 40 CFR Part 63 Subpart JJJJJ requirements are listed below. The Maine Department of Environmental Protection has not taken delegation of this area source MACT (Maximum Achievable Control Technology) rule promulgated by EPA, however RSU #38 is still subject to the requirements.

- A boiler tune-up program shall be implemented to include the tune-up of Boilers 1, 2, 3, 4 and 5 within one year of the date of publication of 40 CFR Part 63 Subpart JJJJJ in the federal register. [40 CFR Part 63.11196)(a)(1)]
- A Notification of Compliance status report shall be submitted to EPA no later than 120 days after conducting the initial boiler tune-up. [40 CFR Part 63.9(h)] The initial Notification of Compliance status report shall include:
 - The following certification of compliance signed by a responsible official, "This facility complies with the requirements in §63.11214 to conduct an initial tune-up of the boiler." [40 CFR Part 63.11225(a)(4)(i)]
 - The methods used to determine compliance [40 CFR Part 63.9(h)(2)(i)(A)]
 - Results of opacity/visible emission observations, and/or other monitoring procedures or methods that were conducted [40 CFR Part 63.9(h)(2)(i)(B)]
 - Methods that will be used for determining continuing compliance [40 CFR Part 63.9(h)(2)(i)(C)]
 - Type and quantity of HAPs emitted [40 CFR Part 63.9(h)(2)(i)(D)]
 - An analysis demonstrating that the facility is an area source of HAPs [40 CFR Part 63.9(h)(2)(i)(E)]
 - A description of air pollution control equipment for each emission point, including each control device for each hazardous air pollutant and the control efficiency for each control device [40 CFR Part 63.9(h)(2)(i)(F)]
- After the initial tune-up and initial compliance report has been submitted, the facility shall implement a biennial boiler tune-up program and submit biennial

compliance reports. The following are requirements of the boiler tune-up program:

- Each biennial tune-up shall be conducted no more than 25 months after the previous tune-up. [40 CFR Part 63.11223(a)]
- Each biennial tune-up shall include the following, as applicable:
 - Inspection of the burner, cleaning/replacing any component of the burner, as necessary. Delay of the burner inspection until the next scheduled shutdown is permitted; however, the burner must be inspected at least once every 36 months. [40 CFR Part 63.11223(b)(1)]
 - Inspection of the flame pattern, and adjustment of the burner as necessary to optimize the flame pattern, consistent with the manufacturer's specifications. [40 CFR Part 63.11223(b)(2)]
 - Inspection of the system controlling the air-to-fuel ratio, to ensure proper calibration and that it is functioning properly. [40 CFR Part 63.11223(b)(3)]
 - Optimization of total emissions of CO, consistent with manufacturer's specifications. [40 CFR Part 63.11223(b)(4)]
 - Measurement of concentration in the effluent stream of CO in parts per million (ppm), by volume, and oxygen in volume percent, before and after adjustments are made. [40 CFR Part 63.11223(b)(5)]
- If a unit is not operating on the required date for a tune-up, the tune-up must be conducted within one week of start-up. [40 CFR Part 63.11223(b)(7)]
- Records shall be maintained consistent with the requirements of 40 CFR Part 63 Subpart JJJJJ including the following [40 CFR Part 63.11225(c)]: copies of compliance reports; identification of each boiler, the date of tune-up, procedures followed for tune-up, and the manufacturer's specifications to which the boiler was tuned; documentation of fuel type(s) used monthly by each boiler; the occurrence and duration of each malfunction of the boiler; and actions taken during periods of malfunction to minimize emissions and actions taken to restore the malfunctioning boiler to its usual manner of operation.

C. Annual Emissions

RSU 38 shall be restricted to the following annual emissions, based on a calendar year total:

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

	PM	PM ₁₀	SO ₂	NO _x	CO	VOC
Boilers	1.68	1.68	10.58	6.30	0.75	0.03
Total TPY	1.7	1.7	10.6	6.3	0.8	0.03

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:

<u>Pollutant</u>	<u>Tons/Year</u>
PM	25
PM ₁₀	25
SO ₂	50
NO _x	100
CO	250

Based on the total facility licensed emissions, RSU 38 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-793-71-C-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 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**

- A. Total fuel use for Boilers 1, 2, 3, 4 and 5 shall not exceed 300,000 gal/yr of #2 fuel oil. Compliance shall be demonstrated by fuel records from the supplier showing the quantity and type of fuel delivered (ASTM D396 compliant). Records of annual fuel use shall be kept on a calendar year total basis. [06-096 CMR 115, BPT]
- B. Emissions shall not exceed the following:

Emission Unit	Pollutant	lb/MMBtu	Origin and Authority
Boiler 1	PM	0.08	06-096 CMR 103(2)(B)(1)(a)
Boiler 2	PM	0.08	06-096 CMR 103(2)(B)(1)(a)
Boiler 4	PM	0.08	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)
Boiler 1	0.39	0.39	2.47	1.47	0.18	0.01
Boiler 2	0.39	0.39	2.47	1.47	0.18	0.01
Boiler 3	0.07	0.07	0.43	0.26	0.03	0.01
Boiler 4	0.45	0.45	2.86	1.70	0.20	0.01
Boiler 5	0.08	0.08	0.53	0.32	0.04	0.01

D. Visible emissions from stacks 1, 2, and 3 shall each not exceed 20% 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) RSU 38 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 12th DAY OF April, 2011.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

BY: *Darryl N. Brown*
DARRYL N. BROWN, 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: 2/23/2010

Date of application acceptance: 2/26/2010

Date filed with the Board of Environmental Protection:

This Order prepared by Amanda L. Gray, Bureau of Air Quality.



