

McCain Foods USA, Inc., Tatermeal Facility) Department
 Aroostook County) Findings of Fact and Order
 Presque Isle, Maine) Part 70 Air Emission License
 A-459-70-A-I

After review of the Initial Part 70 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, Section 344 and Section 590, the Department finds the following facts:

I. Registration

A. Introduction

FACILITY	McCain Foods USA, Inc., Tatermeal Facility
LICENSE NUMBER	A-459-70-A-I
LICENSE TYPE	Initial Part 70 License
NAICS CODES	311119, 311423
NATURE OF BUSINESS	Food and Kindred Products
FACILITY LOCATION	Presque Isle
DATE OF LICENSE ISSUANCE	February 25, 2004
LICENSE EXPIRATION DATE	February 25, 2009

B. Emission Equipment

The following emission units are addressed by this Part 70 License:

EMISSION UNIT ID	UNIT CAPACITY	UNIT TYPE
Rotary Kiln Dryer #1	19.05 MMBtu/hr	Process Equipment
Rotary Kiln Dryer #2	19.05 MMBtu/hr	Process Equipment
Rotary Kiln Dryer #3	45.15 MMBtu/hr	Process Equipment
RTO	15.0 MMBtu/hr	Control Device
Parts Degreaser	12 Gallon	Safety-Kleen Degreaser

The Tatermeal facility has additional insignificant activities that do not need to be listed in the emission equipment table above. The list of insignificant activities can be found in the Part 70 license application and in Appendix B of Chapter 140 of the Department's Regulations.

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C. Application Classification

The application for the Tatermeal facility does not include the licensing of increased emissions or the installation of new or modified equipment, therefore the license is considered to be an Initial Part 70 License issued under Chapter 140 of the Department’s regulations for a Part 70 source. This license supercedes all previous air emission licenses issued to Tatermeal by the Department. All previous licenses are no longer in effect.

II. EMISSION UNIT DESCRIPTION

A. Process Description

McCain Foods USA, Inc. (McCain) produces animal food at its Tatermeal facility. The facility is considered a major source because potential emissions of particulate matter (PM), sulfur dioxide (SO₂), nitrogen oxides (NO_x) and carbon monoxide (CO) each exceeds 100 tons per year (tons/yr) and Volatile Organic Compound (VOC) emissions exceed 50 tons/yr. Tatermeal is located on Taxiway in Skyway Industrial Park in Presque Isle, Maine. The site consists of one manufacturing building and a paved parking area.

The Tatermeal facility utilizes three dryers to dehydrate primarily potato wastes to produce a material used as a binder and nutrition supplement in animal feed. The potato waste is supplied by McCain’s potato processing operation in Easton, Maine and other regional food processing plants, as well as local potato growers. The potato waste is delivered by truck to the Tatermeal facility and dumped into storage bins. The waste is conveyed from the storage bins to grinders. The material is mixed in the grinders and previously processed product is recycled into the raw material. This recycled product (add-back) is used to reduce the moisture content of the material being fed into the dryers. Following mixing, the material is fed by a rotary screw conveyor to one of the three rotary kiln dryers, where the material is further mixed and dried. The dryers reduce the moisture content of the waste material from approximately 35% moisture to roughly 10% moisture.

The product and process combustion gases exit the dryer and enter a cyclone. Fine particulate matter from the exhaust gas stream at the top of the cyclone is directed back to the firebox of the dryer (skimmer return), reducing the load of the cyclone. A damper that is down stream of the cyclone discharge controls flow through the system. The product is discharged at the bottom of the cyclone and the final product is then either conveyed to a storage area or is recycled back through the process. Combustion and process gases are currently vented through stacks (Stacks #1, #2 and #3) in the building roof. Upon completion of the RTO and Stack #4 installation, McCain plans to abandon the currently used Stacks #1, #2 and #3 and combustion and process gases will be vented through Stack #4.

Process emissions associated with the drying of the potato waste include VOC emissions, which engineering studies suggest are the source of odors. McCain is voluntarily installing a regenerative thermal oxidizer to reduce VOC emissions for odor reductions from drying operations at the Tatermeal facility.

B. Rotary Kiln Dryers

The three rotary kiln dryers at the Tatermeal facility are direct-fired rotary dryers which utilize #6 fuel oil with a sulfur content of 2.0% or less sulfur by weight. The original manufacturer specified capacities and firing rates are 30 MMBtu/hr (215 gal/hr) each for Dryers #1 and #2 and 60 MMBtu/hr (428 gal/hr) for Dryer #3. The dryers are unable to operate at full design capacity due to load limitations and operate regularly at between 50% and 66% of design capacity. Dryers #1 and #2 normally burn 80 gallons of #6 fuel oil per hour each and Dryer #3 normally burns between 160 to 200 gallons of #6 fuel oil per hour. Amendment #3 to Air Emission License A-459-72-B-R established licensed heat input capacities and firing rates of 19.05 MMBtu/hr (127 gal/hr) each for Dryers #1 and #2 and 45.15 MMBtu/hr (301 gal/hr) for Dryer #3. To demonstrate compliance with heat input capacity (gal/hr fuel consumption) restrictions, McCain shall install, operate and maintain fuel meters on the fuel supply lines for each individual dryer units. McCain shall maintain a log of fuel use, which shall allow for daily entries of fuel oil meter readings from each of the dryer's fuel oil meters, daily run time for each dryer and the total fuel used by each dryer. McCain may, with Department approval, modify fuel oil meter requirements established by this license in the future to substitute fuel oil meters with an alternative method, such as an engineering design demonstration or physical restriction on the fuel flow system, to ensure that the facility does not experience exceedances to their dryer heat input capacity (gal/hr fuel consumption) restrictions.

McCain shall also maintain a fuel use record of annual #6 fuel use in the dryers, which shall include purchase records from the supplier indicating the quantity of fuel consumed in gallons, the percent (2.0%) sulfur content of the fuel by weight, and the heat content of the fuel. The record shall be maintained on a monthly and twelve-month rolling total basis.

Dryers #1, #2 and #3 currently exhaust to 3 separate stacks designated Stacks #1, #2 and #3 respectively. Tatermeal shall continue to operate in this operational configuration until McCain completes the installation of a new RTO unit and new 100-foot above ground level (AGL) common stack (Stack #4) at the Tatermeal facility, which will be used to vent emissions from the facility's three kilns and the RTO unit. Upon completion of the RTO and Stack #4 installation, McCain plans to abandon the currently used Stacks #1, #2 and #3.

As per Chapter 101, Section 5(I) of the Department's regulations, visible emissions from Tatermeal shall be restricted to the following:

1. During periods when the three dryers are being operated and venting exhaust to separate stacks, visible emissions from each stack shall not exceed 30% opacity on a 6-minute block average, except for no more than 2 six-minute block averages in a 3-hour period. [MEDEP Chapter 101]
2. During periods when only one of the three dryers is being operated and venting exhaust to Stack #4, visible emissions from Stack #4 shall not exceed 30% opacity on a 6-minute block average, except for no more than 2 six-minute block averages in a 3-hour period. [MEDEP Chapter 101]
3. During periods when more than one of the three dryers is being operated at the same time and venting exhaust to Stack #4, visible emissions from Stack #4 shall not exceed 30% opacity on a 6-minute block average, except for no more than 3 six-minute block averages in a 3-hour period. [MEDEP Chapter 101]
4. During periods when one or more of the three dryers is being operated in conjunction with operation of the RTO unit, visible emissions from Stack #4 shall not exceed 30% opacity on a 6-minute block average, except for no more than 3 six-minute block averages in a 3-hour period. [MEDEP Chapter 101]

Emissions limitations for the kilns were based on previous licensed limits, which were based on stack test data, AP-42 factors and previously licensed fuel limits.

Periodic Monitoring

1. Periodic monitoring shall consist of a log of #6 fuel use in the dryers indicating a daily meter reading for each of the dryer's fuel oil meters, the daily run time for each dryer and the quantity of fuel consumed in gallons per hour for each dryer. McCain may calculate the quantity of fuel consumed in gallons per hour on a monthly basis.
2. Periodic monitoring shall consist of a record of annual #6 fuel use in the dryers, which shall include purchase records from the supplier indicating the quantity of fuel consumed in gallons, the percent (2.0%) sulfur content of the fuel by weight, and the heat content of the fuel. The record shall be maintained on a monthly and twelve-month rolling total basis.

C. Regenerative Thermal Oxidizer (RTO)

McCain utilizes a regenerative thermal oxidizer with a maximum heat input capacity of 15 MMBtu/hr and a maximum fuel firing rate of 100 gal/hr of #6 fuel oil with a sulfur content of no greater than 0.5% sulfur by weight, for odor reduction at the Tatermeal facility. The RTO was manufactured in 2003 by Biothermica and utilizes the Biotox[®] regenerative oxidation process.

The Biotox[®] regenerative oxidation process uses two oxidation/heat recovery chambers, which contain porcelain saddle beds and are preheated before introducing the dryer exhaust stream gases for treatment. During operation of the RTO unit, the function of each oxidation/heat recovery chamber will cycle between oxidation (combustion) mode and heat recovery (exhaust) mode. The exhaust stream gases enter the unit via a distribution manifold located at the lower portion of the unit and are progressively heated as they pass through the porcelain saddle bed of one of the two oxidation/heat recovery chambers before reaching the combustion chamber located in the upper portion of the unit. The combustion of fuel in the combustion chamber is regulated to aid in minimizing the formation of CO and NO_x emissions. The VOCs in the dryer exhaust gas stream will combust on contact with the porcelain saddles, which are kept at high temperatures. After combustion, the gas mixture returns down through the porcelain saddle bed of the other of the two oxidation/heat recovery chambers in order to recapture energy and cool the exhaust gases. The operation of the unit takes place on a cyclical basis over a short period of time through a successive action of entry and exit valves. A computer system controls the operation of the unit from start-up to shutdown without the need for a full time operator. The unit can achieve heat recovery efficiencies of up to 95% and VOC destruction efficiencies of up to 98%.

Exhaust generated from the operation of the RTO will vent to a new 100-foot AGL common stack (Stack #4), which will also be used to vent emissions from the facility's three potato drying units.

MEDEP Chapter 103 and emissions factors from the Environmental Protection Agency (EPA)'s Compilation of Air Pollutant Emission Factors, AP-42, Fifth Edition, for industrial boilers of less than 100 MMBtu/hr were, used in calculating the short term (hourly) and annual emission limits generated from the operation of the RTO unit.

Emission limits may be reviewed upon renewal of the initial Part 70 license.

Streamlining

1. Particulate matter

McCain accepts streamlining for particulate emissions requirements for the Tatermeal RTO unit. Chapter 103 Section 2(A)(3) of the Department's regulations is applicable; however, the Best Practical Treatment (BPT) particulate emissions limit is more restrictive.

Periodic Monitoring

Periodic monitoring shall consist of a record of RTO use, which shall include hours of operation, fuel consumption and certification from the fuel supplier indicating the sulfur content of the fuel oil delivered to Tatermeal for use in the RTO unit

D. NO_x Reasonable Available Control Technology (RACT)

Following the installation of the RTO unit in December 2003, the Tatermeal facility will become a major source of NO_x emissions (119.7 tons/yr of NO_x emissions). The existing dryers were not subject to NO_x RACT because the facility's annual NO_x emissions for existing equipment were less than 100 tons per year. Several control technologies were available and were considered for limiting NO_x emissions from RTO unit at the Tatermeal facility. The NO_x BACT analysis for the RTO unit was addressed in Amendment #4 to Air Emission License A-459-72-B-R. The Department has determined that the existing equipment at the Tatermeal facility is meeting BPT and the RTO unit at the Tatermeal facility is meeting BACT, thus, the facility meets NO_x RACT.

E. Parts Degreaser

McCain makes use of a 12-gallon parts degreaser in the Tatermeal facility maintenance shop. The degreaser is a Safety-Kleen Degreaser and uses Safety-Kleen 105 solvent. This solvent is 100 percent VOCs based on the Safety-Kleen MSDS for Safety-Kleen 105 solvent. The facility uses a maximum of 50 gallons of solvent per year. The solvent weighs 6.7 lbs per gallon, therefore, Tatermeal emits approximately 0.17 tons/yr of VOCs from the parts washing activities.

1. In accordance with Chapter 130 section 3A of the Department regulations, McCain shall equip the Tatermeal facility's parts degreasing unit with the following:
 - a. Equip the parts degreaser with a cover that can be operated with one hand if vapor pressure >15 mmHG at 100°F, if the solvent is agitate or if the solvent is heated.

- b. Equip the parts degreaser with an internal drainage basket so that parts are under the cover while draining if the solvent true vapor pressure > 32 mmHG at 100°F , except that the drainage basket may be external where an internal basket cannot fit into the degreaser.
- c. Affix the parts degreaser with a permanent conspicuous label summarizing the following operating standards:
 - Close cover when not in use,
 - Drain cleaned parts for at least 15 seconds or until dripping ceases,
 - If applicable, solvent spray must be a solid fluid stream and shall not exceed a pressure of 10 pounds per square inch gauge (psig),
 - Do not degrease porous or absorbent materials,
 - Do not operate degreaser if draft is greater than 131.2 feet per minute (ft/min) as measured between 3.28 and 6.56 feet upwind and at the same elevation as the tank lip), and
 - Do not operate degreaser upon occurrence of any visible leak until such leak is repaired
2. In accordance with Chapter 130, Section 3A of the Department regulations, McCain shall follow operational standards when making use of the Tatermeal facility's parts degreaser.
3. In accordance with Chapter 130, Section 3A of the Department regulations, McCain shall implement one of the following control measures if the solvent true vapor pressure > 32 mmHG at 100°F or if the solvent is heated to above 120°F :
 - i. Freeboard height that gives a freeboard ratio (freeboard height divided by the smaller of the interior length, width or diameter) of greater than or equal to 0.7;
 - ii. Water cover at least 1 inch in depth (solvent shall be insoluble in and heavier than water); or
 - iii. Another system of equivalent control, such as refrigerated chiller or a carbon adsorber, approved by the Department and the Environmental Protection Agency (EPA).

Periodic Monitoring

A record shall be maintained in regards to solvent added and used, which would include the dates when solvent is added and removed, the volume of solvent added and removed and the VOC content of the solvent.

If, in the future, McCain switches to a solvent that contains 1% VOC or less for use in the Tatermeal parts degreaser, to satisfy record keeping requirements, McCain need only keep a copy of the MSDS sheet that demonstrates the VOC content of the solvent on file at the Tatermeal facility.

F. Liquid Petroleum Storage Tank

McCain makes use of several storage tanks for the storage of liquid organic material at the Tatermeal facility. These tanks include a 25,260-gallon steel tank to store #6 fuel oil, a 15,000-gallon diesel fuel tank, a 15,000-gallon gasoline tank and an additional 10,000-gallon tank to store #6 fuel oil with a sulfur content of no greater than 0.5% sulfur by weight.

1. The 10,000-gallon #6 fuel oil storage tank (designated Tank #1) is utilized to store the lower sulfur #6 fuel oil that will be utilized in the RTO unit. The tank was installed in October 2003 during the installation of the RTO unit. The tank has a volume of approximately 38.6 cubic meters, which is less than the NSPS de minimus level of 40 cubic meters and is therefore not subject to EPA's New Source Performance Standards (NSPS), Subpart Kb (Standards of Performance for Volatile Organic Liquid Storage Vessels).
2. The 15,000-gallon diesel fuel oil storage tank (designated Tank #2) was manufactured and installed in 1966 and has an approximate annual throughput of approximately 20,000-gallons of diesel fuel oil per year. The tank was installed prior to the NSPS applicability date of June 11, 1973 and is therefore not subject to EPA's New Source Performance Standards (NSPS), Subpart K (Standards of Performance for Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction or Modification Commenced After June 11, 1973 and Prior to May 19, 1978).
3. The 15,000-gallon gasoline storage tank (designated Tank #3) was manufactured and installed in 1966. The tank was installed prior to the NSPS applicability date of June 11, 1973 and is therefore not subject to EPA's New Source Performance Standards (NSPS), Subpart K (Standards of Performance for Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction or Modification Commenced After June 11, 1973 and Prior to May 19, 1978). The 15,000-gallon gasoline storage tank is not currently being used and McCain does not plan to use the tank in the future. If, in the future, McCain makes the tank operational again, the tank will be subject to the applicable requirements of Chapter 118 of the Departments regulations (Gasoline Dispensing Facilities Vapor Control).

4. The 25,260-gallon tank (designated Tank #4) is utilized to store #6 fuel oil with a sulfur content of no greater than 2.0% sulfur by weight for use in the facility's three drying units. The tank has a volume of approximately 135 cubic feet (ft³) and has an approximate annual throughput of 2,000,000-gallons of #6 fuel oil per year. Tank #4 was manufactured and installed in 2001 and is therefore subject to EPA's New Source Performance Standards (NSPS), Subpart Kb (Standards of Performance for Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction or Modification Commenced After June 11, 1973 and Prior to May 19, 1978). EPA's NSPS Subpart Kb record keeping requirement require the facility to maintain records of the tank's dimensions and capacity for the life of the tank.

G. Facility Emissions

Total Licensed Annual Emissions for the Facility
 (used to calculate the license fee)

Pollutant	Emissions in (Tons/Year)		
	Dryers	RTO	Total
PM	208.0	7.9	215.9
PM ₁₀	208.0	7.9	215.9
SO ₂	412.6	34.4	447.0
NO _x	95.6	24.1	119.7
CO	159.2	2.2	161.4
VOC*	208.0	0.6	208.6

*Facility wide VOC emissions total does not include VOC emissions from the parts degreaser.

III. AIR QUALITY ANALYSIS

McCain previously submitted an ambient air quality analysis for the Tatermeal facility demonstrating that emissions from the facility, in conjunction with all other sources, do not violate ambient air quality standards. The findings from the modeling analysis are included in Amendment #4 to Tatermeal's Air Emission License A-459-72-B-R. An additional ambient air quality analysis is not required for this Initial Part 70 License.

ORDER

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

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

The Department hereby grants the Part 70 License A-459-70-A-I pursuant to MEDEP Chapter 140 and the preconstruction permitting requirements of MEDEP Chapter 115 and subject to the standard and special conditions below.

All federally enforceable and State-only enforceable conditions in existing air licenses previously issued to **McCain** for the Tatermeal facility pursuant to the Department's preconstruction permitting requirements in Chapters 108 or 115 have been incorporated into this Part 70 license, except for such conditions that MEDEP has determined are obsolete, extraneous or otherwise environmentally insignificant, as explained in the findings of fact accompanying this permit. As such the conditions in this license supercede all previously issued air license conditions.

Federally enforceable conditions in this Part 70 license must be changed pursuant to the applicable requirements in Chapter 115 for making such changes and pursuant to the applicable requirements in Chapter 140.

For each standard and special condition which is state enforceable only, state-only enforceability is designated with the following statement: **Enforceable by State-only**.

Standard Statements

- (1) 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;
- (2) The Part 70 license does not convey any property rights of any sort, or any exclusive privilege;
- (3) All terms and conditions are enforceable by EPA and citizens under the CAA unless specifically designated as state enforceable.
- (4) 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;

- (5) Notwithstanding any other provision 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.
- (6) Compliance with the conditions of this Part 70 license shall be deemed compliance with any Applicable requirement as of the date of license issuance and is deemed a permit shield, provided that:
- (a) Such Applicable and state requirements are included and are specifically identified in the Part 70 license, except where the Part 70 license term or condition is specifically identified as not having a permit shield; or
 - (b) The Department, in acting on the Part 70 license application or revision, determines in writing that other requirements specifically identified are not applicable to the source, and the Part 70 license includes the determination or a concise summary, thereof.

Nothing in this section or any Part 70 license shall alter or effect the provisions of Section 303 of the CAA (emergency orders), including the authority of EPA under Section 303; the liability of an owner or operator of a source for any violation of Applicable requirements prior to or at the time of permit issuance; or the ability of EPA to obtain information from a source pursuant to Section 114 of the CAA.

The following requirements have been specifically identified as not applicable based upon information submitted by the licensee in an application dated November 16, 2001.

	SOURCE	CITATION	DESCRIPTION	BASIS FOR DETERMINATION
a.	Tank #1	40 CFR Part 60 Subpart Kb	Standards of Performance for Volatile Organic Liquid Storage Vessels	The tank volume is less than the NSPS de minimus level of 40 cubic meters
b.	Tank #2	40 CFR Part 60 Subpart K	Standards of Performance for Storage Vessels for Petroleum Liquids for	The tank was installed prior to the applicability date of June 11, 1973
c.	Tank #3	40 CFR Part 60 Subpart K	Standards of Performance for Storage Vessels for Petroleum Liquids for	The tank was installed prior to the applicability date of June 11, 1973
d.	Dryer Units #1, #2 and #3	MEDEP Chapter 103	Fuel Burning Equipment Particulate Emission Standard	Dryer units are considered process, rather than fuel-burning, equipment

(7) The Part 70 license shall be reopened for cause by the Department or EPA, prior to the expiration of the Part 70 license, if:

(a) Additional Applicable requirements under the CAA become applicable to a Part 70 major source with a remaining Part 70 license term of 3 or more years. However, no opening is required if the effective date of the requirement is later than the date on which the Part 70 license is due to expire, unless the original Part 70 license or any of its terms and conditions has been extended pursuant to Chapter 140;

(b) Additional requirements (including excess emissions requirements) become applicable to a Title IV source under the acid rain program. Upon approval by EPA, excess emissions offset plans shall be deemed to be incorporated into the Part 70 license;

(c) The Department or EPA determines that the Part 70 license contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the Part 70 license; or

(d) The Department or EPA determines that the Part 70 license must be revised or revoked to assure compliance with the Applicable requirements.

The licensee shall furnish to the Department within a reasonable time any information that the Department may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the Part 70 license or to determine compliance with the Part 70 license.

(8) No license revision or amendment shall be required, under any approved economic incentives, marketable licenses, emissions trading and other similar programs or processes for changes that are provided for in the Part 70 license.

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 and this license (Title 38 MRSA §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 140;

- (3) 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;

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- (4) The licensee shall pay the annual air emission license fee to the Department, calculated pursuant to Title 38 MRSA §353.

- (5) The licensee shall maintain and operate all emission units and air pollution control systems required by the air emission license in a manner consistent with good air pollution control practice for minimizing emissions;

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- (6) The licensee shall retain records of all required monitoring data and support information for a period of at least six (6) years from the date of the monitoring sample, measurement, report, or application. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the Part 70 license. The records shall be submitted to the Department upon written request or in accordance with other provisions of this license;

- (7) The licensee shall comply with all terms and conditions of the air emission license. The submission of notice of intent to reopen for cause by the Department, 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 the renewal of a Part 70 license or amendment shall not stay any condition of the Part 70 license.

- (8) 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 under circumstances representative of the facility's normal process and operating conditions:

- (i) 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;

- (ii) to demonstrate compliance with the applicable emission standards; or

- (iii) 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.

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- (9) If the results of a stack test performed under circumstances representative of the facility's normal process and operating conditions indicates 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.

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- (10) The licensee shall maintain records of all deviations from license requirements. Such deviations shall include, but are not limited to malfunctions, failures, downtime, and any other similar change in operation of air pollution control systems or the emission unit itself that is not consistent with the terms and conditions of the air emission license.

- a. The licensee shall notify the Commissioner within 48 hours of a violation in emission standards and/or a malfunction or breakdown in any component part that causes a violation of any emission standard, and shall report the probable cause, corrective action, and any excess emissions in the units of the applicable emission limitation;
- b. The licensee shall submit a report to the Department on a quarterly basis if a malfunction or breakdown in any component part causes a violation of any emission standard, together with any exemption requests.

Pursuant to 38 MRS § 349(9), the Commissioner may exempt from civil penalty an air emission in excess of license limitations if the emission occurs during start-up or shutdown or results exclusively from an unavoidable malfunction entirely beyond the control of the licensee and the licensee has taken all reasonable steps to minimize or prevent any emission and takes corrective action as soon as possible. There may be no exemption if the malfunction is caused, entirely or in part, by poor maintenance, careless operation, poor design or any other reasonably preventable condition or preventable equipment breakdown. The burden of proof is on the licensee seeking the exemption under this subsection.

- c. All other deviations shall be reported to the Department in the facility's semiannual report.
- (11) Upon the written request of 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 manner as the Department shall prescribe), and provide other information as the Department may reasonably require to determine the licensee's compliance status.
 - (12) The licensee shall submit semiannual reports of any required periodic monitoring. All instances of deviations from Part 70 license requirements must be clearly identified in such reports. All required reports must be certified by a responsible official.
 - (13) The licensee shall submit a compliance certification to the Department and EPA at least annually, or more frequently if specified in the applicable requirement or by the Department. The compliance certification shall include the following:
 - (a) The identification of each term or condition of the Part 70 license that is the basis of the certification;
 - (b) The compliance status;
 - (c) Whether compliance was continuous or intermittent;

- (d) The method(s) used for determining the compliance status of the source, currently and over the reporting period; and
- (e) Such other facts as the Department may require to determine the compliance status of the source.

Specific Conditions

(14) Dryers #1 and #2

- A. McCain is licensed to operate Dryers #1 and #2 at the Tatermeal facility, at heat input capacities of no greater than 19.05 MMBtu/hr (127 gallons per hour) each, firing #6 fuel oil. [MEDEP Chapter 140, BPT]
- B. The sulfur content of the #6 fuel oil fired in Dryers #1 and #2 shall not exceed 2.0% by weight demonstrated by purchase records from the supplier. [MEDEP Chapter 140, BPT]
- C. Dryers #1 and #2 shall exhaust to Stacks #1 and #2 respectively until the new RTO and Stack #4 installation is complete at which time Dryers #1 and #2 shall exhaust to Stack #4. [MEDEP Chapter 140, BPT]
- D. McCain shall install, operate and maintain a fuel oil meter on the fuel oil supply line for Dryers #1 and #2 each. [MEDEP Chapter 140, BPT]

(15) Dryer #3

- A. McCain is licensed to operate Dryer #3 at the Taermeal facility, at a heat input capacity of no greater than 45.15 MMBtu/hr (301 gallons per hour) and firing #6 fuel oil. [MEDEP Chapter 140, BPT]
- B. The sulfur content of the #6 fuel oil fired in Dryer #3 shall not exceed 2.0% by weight demonstrated by purchase records from the supplier. [MEDEP Chapter 140, BPT]
- C. Dryer #3 shall exhaust to Stack #3 until the new RTO and Stack #4 installation is complete at which time Dryer #3 shall exhaust to Stack #4. [MEDEP Chapter 140, BPT]
- D. McCain shall install, operate and maintain a fuel oil meter on the fuel oil supply line for Dryer #3. [MEDEP Chapter 140, BPT]

(16) Regenerative Thermal Oxidizer (RTO)

- A. McCain is licensed to operate the RTO, combusting #6 fuel oil, at the Tatermeal facility, which shall exhaust to Tatermeal's Stack #4. [Air Emission License A-459-71-F-A, BACT]
- B. The sulfur content of the #6 fuel oil fired in the Tatermeal RTO unit shall not exceed 0.5% by weight demonstrated by purchase records from the supplier. [Air Emission License A-459-71-F-A, BACT]
- C. McCain shall maintain a record of the Tatermeal RTO operation, which shall include hours of operation, fuel consumption and certification from the fuel supplier indicating the sulfur content of the fuel oil delivered to Tatermeal for use in the RTO unit. [Air Emission License A-459-71-F-A, BACT]
- D. McCain shall conduct stack testing for PM, NO_x and VOCs from the Tatermeal Stack #4 while the three dryer units and RTO unit are in operation within 18 months of the initial activation of the RTO. Stack testing for particulate matter shall follow 40 CFR, Part 60, Appendix A Method 5 testing for particulate matter and shall follow Department protocol. [Air Emission License A-459-71-F-A, BACT]

(17) Emissions Restrictions

- A. During periods that the RTO is not in operation, emissions from Dryers #1 and #2 each shall not exceed the following limits:

Pollutant	lb/MMBtu	Origin and Authority
PM	0.88	MEDEP, Chapter 103, Section 2(B)(1)(a)

Pollutant	lb/hr	Origin and Authority	Enforceability
PM	16.7	MEDEP Chapter 140, BPT	Enforceable by State Only
PM ₁₀	16.7	MEDEP Chapter 140, BPT	Enforceable by State Only
SO ₂	39.9	MEDEP Chapter 140, BPT	Enforceable by State Only
NO _x	9.2	MEDEP Chapter 140, BPT	Enforceable by State Only
CO	6.9	MEDEP Chapter 140, BPT	Enforceable by State Only
VOC	17.4	MEDEP Chapter 140, BPT	Enforceable by State Only

- B. During periods that the RTO is not in operation, emissions from Dryer #3 shall not exceed the following limits:

Pollutant	lb/MMBtu	Origin and Authority
PM	0.31	MEDEP, Chapter 103, Section 2(B)(1)(a)

Pollutant	lb/hr	Origin and Authority	Enforceability
PM	14.0	MEDEP Chapter 140, BPT	Enforceable by State Only
PM ₁₀	14.0	MEDEP Chapter 140, BPT	Enforceable by State Only
SO ₂	94.5	MEDEP Chapter 140, BPT	Enforceable by State Only
NO _x	21.9	MEDEP Chapter 140, BPT	Enforceable by State Only
CO	23.4	MEDEP Chapter 140, BPT	Enforceable by State Only
VOC	17.4	MEDEP Chapter 140, BPT	Enforceable by State Only

C. Emissions from fuel combustion in the RTO shall be restricted to the following:

Pollutant	lb/MMBtu	Origin and Authority
PM	0.12	MEDEP, Chapter 103, Section 2(B)(1)(a)

Pollutant	lb/hr	Origin and Authority
PM	1.8	MEDEP Chapter 140, BPT
PM ₁₀	1.8	MEDEP Chapter 140, BPT
SO ₂	7.9	MEDEP Chapter 140, BPT
NO _x	5.5	MEDEP Chapter 140, BPT
CO	0.5	MEDEP Chapter 140, BPT
VOC	0.13	MEDEP Chapter 140, BPT

D. In calculating lb/hr emission restrictions for Stack #4 emissions for periods when the RTO is operational, the following methods will be used in compliance demonstration:

1. Lb/hr limits for PM₁₀, SO₂, NO_x, CO and VOC shall be the sum of the lb/hr limits as given in Condition 17 (A), Condition 17 (B) and Condition 17 (C) for each individual unit operational at the time of testing.
2. The lb/hr limit for PM for each individual unit shall be calculated from the following formula:

(Average fuel consumption rate recorded during testing in gals/hr multiplied by the lb/MMBtu restriction for PM as given in Condition 17 (A), Condition 17 (B) and Condition 17 (C) multiplied by the heating content value of the fuel being combusted.)

3. Lb/hr limits for PM for Stack 4 emissions shall be the sum of the lb/hr limit of each individual unit operational at the time of testing as calculated from Condition 17 (D)(2).

[Air Emission License A-459-71-F-A, BACT]

E. Visible Emissions

1. During periods when the three dryers are being operated and venting exhaust to separate stacks, visible emissions from each stack shall not exceed 30% opacity on a 6-minute block average, except for no more than 2 six-minute block averages in a 3-hour period. [MEDEP Chapter 101]
2. During periods when only one of the three dryers is being operated and venting exhaust to Stack #4, visible emissions from Stack #4 shall not exceed 30% opacity on a 6-minute block average, except for no more than 2 six-minute block averages in a 3-hour period. [MEDEP Chapter 101]
3. During periods when more than one of the three dryers is being operated at the same time and venting exhaust to Stack #4, visible emissions from Stack #4 shall not exceed 30% opacity on a 6-minute block average, except for no more than 3 six-minute block averages in a 3-hour period. [MEDEP Chapter 101]
4. During periods when one or more of the three dryers is being operated in conjunction with operation of the RTO unit, visible emissions from Stack #4 shall not exceed 30% opacity on a 6-minute block average, except for no more than 3 six-minute block averages in a 3-hour period. [MEDEP Chapter 101]

(18) #6 Fuel Oil Limit

- A. McCain shall not exceed an annual #6 fuel oil use cap of 2.628×10^6 gallons per year in the Tatermeal dryers with a sulfur content not to exceed 2.0% sulfur by weight based on a twelve month rolling total. Compliance shall be demonstrated by supplier purchase records. [MEDEP Chapter 140, BPT]
Enforceable by State-only

(19) Parts Degreaser

- A. In accordance with Chapter 130, Section 3A of the Department regulations, McCain shall follow equipment and operational standards when making use of the Tatermeal parts degreaser. [MEDEP Chapter 130]
- B. In accordance with Chapter 130 section 3A of the Department regulations, McCain shall equip the Tatermeal parts degreasing unit with the following:
1. Equip the parts degreaser with a cover that can be operated with one hand if vapor pressure >15 mmHG at 100°F, if the solvent is agitate or if the solvent is heated. [MEDEP Chapter 130]

2. Equip the parts degreaser with an internal drainage basket so that parts are under the cover while draining if the solvent true vapor pressure > 32 mmHG at 100°F, except that the drainage basket may be external where an internal basket cannot fit into the degreaser. [MEDEP Chapter 130]
 3. Affix the parts degreaser with a permanent conspicuous label summarizing the following operating standards:
 - Close cover when not in use,
 - Drain cleaned parts for at least 15 seconds or until dripping ceases,
 - If applicable, solvent spray must be a solid fluid stream and shall not exceed a pressure of 10 pounds per square inch gauge (psig),
 - Do not degrease porous or absorbent materials,
 - Do not operate degreaser if draft is greater than 131.2 feet per minute (ft/min) as measured between 3.28 and 6.56 feet upwind and at the same elevation as the tank lip), and
 - Do not operate degreaser upon occurrence of any visible leak until such leak is repaired [MEDEP Chapter 130]
- C. In accordance with Chapter 130 section 3A of the Department regulations, McCain shall implement one of the following control measures if the solvent true vapor pressure > 32 mmHG at 100°F or if the solvent is heated to above 120°F:
- i. Freeboard height that gives a freeboard ratio (freeboard height divided by the smaller of the interior length, width or diameter) of greater than or equal to 0.7;
 - ii. Water cover at least 1 inch in depth (solvent shall be insoluble in and heavier than water); or
 - iii. Another system of equivalent control, such as refrigerated chiller or a carbon adsorber, approved by the Department and the Environmental Protection Agency (EPA). [MEDEP Chapter 130]
- D. McCain shall maintain a record of solvent use for the Tatermeal parts degreaser. The record shall include solvent added and removed, the dates when solvent is added and the volume of solvent added and removed and the VOC content of the solvent. If, in the future, McCain switches to a solvent that contains 1% VOC or less for use in the Tatermeal parts degreaser, to satisfy record keeping requirements, McCain need only keep a copy of the MSDS sheet that demonstrates the VOC content of the solvent on file at the Tatermeal facility. [MEDEP Chapter 140, BPT]

(20) Petroleum Liquid Storage Vessels

In accordance with EPA's NSPS Subpart Kb record keeping requirements, McCain shall maintain readily accessible records of the dimensions and capacity of the 25,260-gallon #6 fuel oil storage tank located at the Tatermeal facility. This record shall be maintained for the life of the tank.

(21) Units Containing Ozone Depleting Substances

When repairing or disposing of units containing ozone depleting substances at the Tatermeal facility, McCain shall comply with the Standards for Recycling and Emission Reduction pursuant to 40 CFR Part 82, Subpart F, except as provided for motor vehicle air conditioning units in Subpart B. An example of such units include refrigerators and any size air conditioner that contain CFCs. [40 CFR, Part 82, Subpart F]

(22) Asbestos Abatement

When undertaking Asbestos regulated abatement activities at the Tatermeal facility, McCain shall comply with the Standard for Asbestos Demolition and Renovation 40 CFR Part 61, Subpart M.

(23) Record Keeping Requirements

Periodic Monitoring

The following is a list of the periodic monitoring required by this license:

1. McCain shall maintain records of Tatermeal's annual #6 fuel use in the dryer units indicating the quantity of fuel consumed (gallons), the percent (2.0%) sulfur content of the fuel by weight, and the heat content of the fuel, demonstrated by purchase records from the supplier. [MEDEP Chapter 140, BPT]
2. McCain shall maintain a log of #6 fuel use in the dryers, which shall allow for a daily meter reading for each of the dryer's fuel oil meters, the daily run time for each dryer and the quantity of fuel consumed in gallons per hour for each dryer. [MEDEP Chapter 140, BPT]
3. McCain shall maintain a record of the Tatermeal RTO operation, which shall include hours of operation, fuel consumption and certification from the fuel supplier indicating the sulfur content of the fuel oil delivered to Tatermeal for use in the RTO unit. [MEDEP Chapter 140, BPT]

4. McCain shall maintain a record of solvent use for the Tatermeal parts degreaser. The record shall include solvent added and removed, the dates when solvent is added and the volume of solvent added and removed and the VOC content of the solvent. If, in the future, McCain switches to a solvent that contains 1% VOC or less for use in the Tatermeal parts degreaser, to satisfy record keeping requirements, McCain need only keep a copy of the MSDS sheet that demonstrates the VOC content of the solvent on file at the Tatermeal facility. [MEDEP Chapter 140, BPT]

(24) Semiannual Reporting

The licensee shall submit semiannual reports every six months to the Bureau of Air Quality. The semiannual reports are due on January 31st and July 31st of each year with the initial semiannual report due July 31, 2004. The semiannual report shall be considered on time if the postmark of the submittal is before the due date or if the report is received by the DEP within seven calendar days of the due date.

- A. Each semiannual report shall include a summary of the periodic monitoring required by Condition (24) of this license.
- B. All instances of deviations from license requirements and the corrective action taken must be clearly identified and provided to the Department in summary form for each six-month interval.

[MEDEP Chapter 140]

(25) Annual Compliance Certification

The licensee shall submit an annual compliance certification to the Department in accordance with Standard Condition (13) of this license. The annual compliance certification is due January 31 of each year with the initial annual compliance certification due January 31, 2005. The annual compliance certification shall be considered on time if the postmark of the submittal is before the due date or if the report is received by the DEP within seven calendar days of the due date. Certification of compliance is to be based on the stack testing or monitoring data required by this license. Where the license does not require such data, or the license requires such data upon request of the Department and the Department has not requested the testing or monitoring, compliance may be certified based upon other reasonably available information such as the design of the equipment or applicable emission factors. [MEDEP Chapter 140]

(26) Annual Emission Statement

In accordance with MEDEP Chapter 137, 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 MEDEP Chapter 137.

Reports and questions should be directed to:

Attn: Criteria Emission Inventory Coordinator
 Maine DEP
 Bureau of Air Quality
 17 State House Station
 Augusta, ME 04333-0017

Phone: (207) 287-2437

(27) The Licensee is subject to the State Regulations listed below

<u>Origin and Authority</u>	<u>Requirement Summary</u>	<u>Enforceability</u>
Chapter 102	Open Burning	-
Chapter 109	Emergency Episode Regulation	-
Chapter 110	Ambient Air Quality Standard	-
Chapter 116	Prohibited Dispersion Techniques	-
38M.R.S.A. Section 3 §585-B, sub-§5	Reduce Mercury Use and Emissions	Enforceable by State-only

(28) Certification by a Responsible Official

All reports (including quarterly reports, semiannual reports, and annual compliance certifications) required by this license to be submitted to the Bureau of Air Quality must be signed by a responsible official. [MEDEP Chapter 140]

(29) McCain shall pay the annual air emission license fee within 30 days of January 31 of each year. Pursuant to 38 MRSA 353-A, failure to pay this annual fee in the stated timeframe is sufficient grounds for the revocation of the license under 38 MRSA 341-D, Subsection 3. [MEDEP Chapter 140]

McCain Foods USA, Inc., Tatermeal Facility) Department
Aroostook County) Findings of Fact and Order
Presque Isle, Maine) Part 70 Air Emission License
A-459-70-A-I 24

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

DONE AND DATED IN AUGUSTA, MAINE THIS DAY OF 2004.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

BY: _____
DAWN R. GALLAGHER, COMMISSIONER

PLEASE NOTE ATTACHED SHEET FOR GUIDANCE ON APPEAL PROCEDURES

Date of initial receipt of application: March 23, 1998

Date of application acceptance: March 23, 1998

Date filed with the Board of Environmental Protection _____

This Order prepared by Peter G. Carleton, Bureau of Air Quality.