



STATE OF MAINE  
DEPARTMENT OF ENVIRONMENTAL PROTECTION

JOHN ELIAS BALDACCI  
GOVERNOR

DAVID P. LITTELL  
COMMISSIONER

**Verso Androscoggin LLC**  
**Franklin County**  
**Jay, Maine**  
**A-203-77-6-A**

**Departmental**  
**Findings of Fact and Order**  
**New Source Review**  
**Amendment #6**

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

**I. REGISTRATION**

A. Introduction

FACILITY	Verso Androscoggin LLC
PART 70 LICENSE NUMBER	A-203-70-A-I
LICENSE TYPE	NSR License Amendment pursuant to <i>Major and Minor Source Air Emission Regulations</i> , 06-096 CMR 115
NAICS CODES	322121
NATURE OF BUSINESS	Pulp & Paper Mill
FACILITY LOCATION	Jay, Maine
PART 70 LICENSE ISSUANCE DATE	January 12, 2005
NSR AMENDMENT ISSUANCE DATE	<b>July 15, 2009</b>
PART 70 LICENSE EXPIRATION DATE	January 12, 2010

B. Amendment Description

Verso Androscoggin LLC (Verso Androscoggin) of Jay, Maine has applied for a new source review (NSR) air emission license pursuant to *Major and Minor Source Air Emission Regulations*, 06-096 CMR 115, to change the maximum allowed sulfur content of the #2 fuel oil used in both the Flash Dryer and the No. 4 Paper Machine Calendar Roll (No. 4 PM Calendar Roll) from 0.3% to 0.5% by weight.

This change in the license allowed maximum sulfur content in #2 fuel oil is being requested based on guidance from the Department dated October 20, 2006, because although there is evidence that #2 fuel oil is readily available at a sulfur content of 0.3% or lower, sources have found it difficult to obtain reliable documentation of the sulfur content for smaller individual loads of #2 fuel oil. Therefore, where a lower sulfur content requirement is not needed to demonstrate

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compliance with Ambient Air Quality Standards, as is the case here, the Department finds it appropriate to allow an increase in the license allowed maximum sulfur content up to 0.5% as defined by ASTM D396 standards for #2 fuel oil.

C. Emission Equipment

The following equipment is addressed in this air emission license:

**Fuel Burning Equipment**

<b><u>Equipment</u></b>	<b><u>Maximum Capacity (MMBtu/hr)</u></b>	<b><u>Maximum Firing Rate (gal/hr)</u></b>	<b><u>Fuel Type, % sulfur</u></b>
Flash Dryer	84	600	#2 fuel oil, 0.5%
No. 4 PM Calendar Roll	14	100	#2 fuel oil, 0.5%

Production capacities within the Findings of Fact of this license are referenced for the purpose of description only. Capacities that are determined to be a license limit are listed as such within the Order of this license or other licenses.

D. Application Classification

The application for Verso Androscoggin does not violate any applicable federal or state requirements and does not reduce monitoring, reporting, testing or record keeping. This application does seek to modify a Best Available Control Technology (BACT) analysis performed per New Source Review, however based on guidance issued by the Department dated October 20, 2006, this license amendment incorporates the Department's current presumptive BACT determination for the sulfur content for # 2 fuel oil meeting ASTM D396 requirements.

The Department does not consider the change in the maximum allowed sulfur content for the #2 fuel oil used in the Flash Dryer and the No. 4 PM Calendar Roll to be a modification under 06-096 CMR 115 as it is not a physical change nor a change in the method of operation. Therefore, this amendment is determined to be a minor revision and has been processed as such.

**II. BEST PRACTICAL TREATMENT (BPT)**

A. Introduction

In order to receive a license the applicant must control emissions from each unit to a level considered by the Department to represent Best Practical Treatment

(BPT), as defined in 06-096 CMR 100. 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. Flash Dryer

The Flash Dryer is a hot air furnace used to dry wet pulp produced at the facility for temporary storage and/or sale. The Flash Dryer fires #2 fuel oil at a maximum design heat input capacity of 84 MMBtu/hr. The only change to the license regarding this unit is the replacement of the 0.3% #2 fuel oil sulfur content limit with 0.5%.

The proposed change only affects sulfur dioxide (SO<sub>2</sub>) emissions from the Flash Dryer. A summary of the BPT analysis for SO<sub>2</sub> emissions from the Flash Dryer is the following:

SO<sub>2</sub>

- a. *Low Sulfur Fuel*, 06-096 CMR 106, Section 2(A)(2) contains an applicable liquid fossil fuel sulfur content standard of 2.0%.
- b. BPT, determined in License A-203-71-E-R, issued September 3, 1996, established a SO<sub>2</sub> emission limit of 25.56 lb/hr, which was based on a #2 fuel oil sulfur content limit of 0.3%.
- c. Based on guidance issued by the Department dated October 20, 2006 regarding appropriate sulfur content limits for #2 fuel oil, the Department has determined that a BPT and ambient air quality standards based sulfur content limit of 0.5% is appropriate and shall be used. The associated SO<sub>2</sub> emission limit of 42.6 lb/hr shall also be included in this license.

Verso Androscoggin accepts streamlining for the #2 fuel oil sulfur content limit and the associated lb/hr SO<sub>2</sub> emission limit for the Flash Dryer. The BPT and ambient air quality standards based limits contained in paragraph c. above meet the Department's presumptive BACT determination for the maximum sulfur content for #2 fuel oil and are therefore the only #2 fuel oil sulfur content limit and lb/hr SO<sub>2</sub> emission limit included in this license for the Flash Dryer.

All other emission limitations are unchanged as a result of this license amendment.

C. No. 4 PM Calendar Roll

The No. 4 PM Calendar Roll is a Beloit Soft-Nip calendar roll capable of firing either #2 fuel oil or propane in two American Hydrotherm burners each with a maximum design heat input capacity of 7 MMBtu/hr for a combined maximum design heat input capacity of 14 MMBtu/hr. The only change to the license regarding this unit is the replacement of the 0.3% #2 fuel oil sulfur content limit with 0.5%.

The proposed change only affects sulfur dioxide (SO<sub>2</sub>) emissions from the No. 4 PM Calendar Roll. A summary of the BPT analysis for SO<sub>2</sub> emissions from the No. 4 PM Calendar Roll is the following:

SO<sub>2</sub>

- a. *Low Sulfur Fuel*, 06-096 CMR 106, Section 2(A)(2) contains an applicable liquid fossil fuel sulfur content standard of 2.0%.
- b. BACT, determined in License A-203-71-AA-A, issued June 27, 1996, established a SO<sub>2</sub> emission limit of 4.2 lb/hr, which was based on a #2 fuel oil sulfur content limit of 0.3%.
- c. Based on guidance issued by the Department dated October 20, 2006 regarding appropriate sulfur content limits for #2 fuel oil, the Department has determined that a BPT based sulfur content limit of 0.5% is appropriate and shall be used. The associated SO<sub>2</sub> emission limit of 7.1 lb/hr shall also be included in this license.

Verso Androscoggin accepts streamlining for the #2 fuel oil sulfur content limit and the associated lb/hr SO<sub>2</sub> emission limit for the No. 4 PM Calendar Roll. The BPT based limits contained in paragraph c. above meet the Department's presumptive BACT determination for the maximum sulfur content for #2 fuel oil and are therefore the only #2 fuel oil sulfur content limit and lb/hr SO<sub>2</sub> emission limit included in this license for the No. 4 PM Calendar Roll.

All other emission limitations are unchanged as a result of this license amendment.

D. Annual Emissions

There will be no change to the annual emission rates contained in Verso Androscoggin's Part 70 License, A-203-70-A-I, either for the Flash Dryer, the No. 4 PM Calendar Roll, or the facility as a whole.

### III. AMBIENT AIR QUALITY ANALYSIS

Verso Androscoggin previously submitted an ambient air quality analysis demonstrating that emissions from the facility, in conjunction with all other sources, do not violate

ambient air quality standards. This ambient air quality analysis was reviewed based on the proposed change to the maximum allowed sulfur content for #2 fuel oil from 0.3% to 0.5%, and the Department has determined that ambient air quality standards will continue to be met by the facility.

### ORDER

The Department hereby grants Air Emission License Minor Revision A-203-77-6-A pursuant to the preconstruction licensing requirements of 06-096 CMR 115 and subject to the standard and special conditions below.

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 (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 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**

**(1) Flash Dryer**

A. When firing fuel oil in the hot air furnace associated with the Flash Dryer, Verso Androscoggin shall only fire fuel oil that meets ASTM D396 standards for #2 fuel oil. Compliance shall be demonstrated by fuel records from the supplier.

[06-096 CMR 115, BPT]

B. SO<sub>2</sub> emissions from the Flash Dryer shall not exceed 42.6 lb/hr.

[06-096 CMR 115, BPT]

**(2) No. 4 PM Calendar Roll**

A. When firing fuel oil in the burners associated with the No. 4 PM Calendar Roll, Verso Androscoggin shall only fire fuel oil that meets ASTM D396 standards for #2 fuel oil. Compliance shall be demonstrated by fuel records from the supplier.

[06-096 CMR 115, BPT]

B. SO<sub>2</sub> emissions from the No. 4 PM Calendar Roll shall not exceed 7.1 lb/hr.

[06-096 CMR 115, BPT]

DONE AND DATED IN AUGUSTA, MAINE THIS *15<sup>th</sup>* DAY OF *July* 2009.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

BY: *James P. Little*  
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DAVID P. LITTELL, COMMISSIONER

PLEASE NOTE ATTACHED SHEET FOR GUIDANCE ON APPEAL PROCEDURES

Date of initial receipt of application: June 26, 2008

Date of application acceptance: July 18, 2008

Date filed with the Board of Environmental Protection: \_\_\_\_\_

This Order prepared by Eric Kennedy, Bureau of Air Quality.

