



DEPARTMENT ORDER

Department of Veteran Affairs
Medical & Regional Office Center
Kennebec County
Augusta, Maine
A-372-71-T-A

Departmental
Findings of Fact and Order
Air Emissions License
Amendment #2

FINDINGS OF FACT

After review of the air emission license amendment application, staff investigation reports, and other documents in the applicant's file in the Bureau of Air Quality, pursuant to 38 Maine Revised Statutes (M.R.S.) § 344 and § 590, the Maine Department of Environmental Protection (Department) finds the following facts:

I. REGISTRATION

A. Introduction

The Department of Veteran Affairs Medical and Regional Office Center (DVA) was issued Air Emission License A-372-R-R/A on June 8, 2018, for the operation of emission sources associated with their medical and regional office center. The license was subsequently amended on July 7, 2020 (A-372-71-S-A) to add two new emergency generators, replace two generators and a fire pump, and to remove two sterilizers.

The equipment addressed in this license amendment is located at #1 VA Center, Augusta, Maine.

DVA has requested a minor revision to their license in order to remove Boiler #4, their biomass boiler.

B. Emission Equipment

The following equipment is addressed in this air emission license amendment:

Removed Boiler

Equipme nt	Max. Capacity (MMBtu/hr)	Maximum Firing Rate	Fuel Type	Date of Manuf.	Date of Install.	Stack #
Boiler #4	38.0	3.6 tons/hr	Biomass	2011	2011	239

C. Application Classification

All rules, regulations, or statutes referenced in this air emission license refer to the amended version in effect as of the date this license was issued.

This amendment will not increase licensed emissions of any pollutant. Therefore, this amendment is determined to be a minor revision and has been processed as such.

D. Facility Classification

With the annual fuel limit on Boilers #1, #2, and #3, and the operating hours restriction on the emergency generators and fire pump, the facility is licensed as follows:

- As a synthetic minor source of air emissions for criteria pollutants, because DVA is subject to license restrictions that keep facility emissions below major source thresholds for SO₂, NO_x, and HAP; and
- As an area source of hazardous air pollutants (HAP), because the licensed emissions are below the major source thresholds for HAP.

Emissions of HAP are licensed above 80% of the major source threshold. Therefore, this facility is classified as an “80% Synthetic Minor” for the purpose of determining the minimum required compliance inspection frequency in accordance with Maine’s Compliance Monitoring Strategy.

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 C.M.R. ch. 100. Separate control requirement categories exist for new and existing equipment.

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. Revision Description

DVA was previously licensed to operate a biomass boiler, Boiler # 4, that has since been rendered inoperable. DVA has requested a revision to the air emission license to remove Boiler #4 along with the Continuous Opacity Monitoring System (COMS) associated with the boiler stack (all four boilers exhaust through the same stack, Stack 239).

Boiler #4 was subject to *National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers Area Sources*, 40 C.F.R. Part 63, Subpart JJJJJJ, which has specific requirements for biomass-fired boilers. One of the Subpart JJJJJJ requirements applicable to Boiler #4 was to operate a COMS to monitor visible emissions from the shared boiler stack. Now that Boiler #4 is being removed, the COMS is no longer required under either federal or state requirements applicable to the remaining Boilers #1, #2, and #3.

DVA has elected to certify members of their personnel with EPA Method 9 to fulfill the visible emission opacity monitoring requirements for the remaining Boilers #1, #2, and #3.

Within 45 days of ceasing operation of the existing COMS, DVA shall conduct a visible emissions performance test for Boilers #1, #2, and #3 using 40 C.F.R. Part 60, Appendix A, Method 9.

For any performance testing required by this license, DVA shall submit to the Department for approval a performance test protocol, as outlined in the Department's Performance Testing Guidance, at least 30 days prior to the scheduled date of the performance test.

The Department's Performance Testing Guidance is available online at <https://www.maine.gov/dep/air/emissions/testing.html>.

C. Annual Emissions

The table below provides an estimate of facility-wide annual emissions for the purposes of calculating the facility's annual air license fee and establishing the facility's potential to emit (PTE). Only licensed equipment is included, i.e., emissions from insignificant activities are excluded. Similarly, unquantifiable fugitive particulate matter emissions are not included except when required by state or federal regulations. Maximum potential emissions were calculated based on the following assumptions:

- Firing a combined total of 1,800,000 gal/yr of distillate fuel in Boilers #1, #2, and #3;
- A non-emergency operating hours restriction of 100 hrs/yr for each of the emergency generators and fire pump.

This information does not represent a comprehensive list of license restrictions or permissions. That information is provided in the Order section of this license.

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

	PM	PM ₁₀	PM _{2.5}	SO ₂	NO _x	CO	VOC
Boilers #1, #2, and #3	10.1	10.1	10.1	63.9	18.0	4.5	0.3
Generator #1	0.04	0.04	0.04	--	0.55	0.12	0.05
Generator #4	0.04	0.04	0.04	0.01	0.99	0.26	0.03
Generator #5	0.03	0.03	0.03	--	1.08	0.23	0.09
Generator #7	0.01	0.01	0.01	0.01	0.26	0.06	0.02
Generator #8	0.03	0.03	0.03	0.01	0.75	0.20	0.02
Generator #9	0.01	0.01	0.01	0.01	0.54	0.12	0.04
Generator #10	0.05	0.05	0.05	--	1.28	0.34	0.04
Generator #11	0.02	0.02	0.02	--	0.86	0.19	0.07
Fire Pump (A)	0.02	0.02	0.02	--	0.26	0.06	0.02
Total TPY	10.4	10.4	10.4	63.9	24.6	6.1	0.7

Pollutant	Tons/year
Single HAP	9.9
Total HAP	24.9

III. AMBIENT AIR QUALITY ANALYSIS

The level of ambient air quality impact modeling required for a minor source is determined by the Department on a case-by-case basis. In accordance with 06-096 C.M.R. ch. 115, an ambient air quality impact analysis is not required for a minor source if the total licensed annual emissions of any pollutant released do not exceed the following levels and there are no extenuating circumstances:

Pollutant	Tons/Year
PM ₁₀	25
PM _{2.5}	15
SO ₂	50
NO _x	50

Pollutant	Tons/Year
CO	250

DVA previously submitted an ambient air quality impact analysis outlined in air emission license A-372-71-O-R/A (dated April 25, 2011) demonstrating that emissions from the facility, in conjunction with all other sources, do not violate Ambient Air Quality Standards (AAQS). An additional air quality impact analysis is not required for this license amendment.

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, and
- will not violate applicable ambient air quality standards in conjunction with emissions from other sources.

The Department hereby grants Air Emission License Amendment A-372-71-T-A subject to the conditions found in Air Emission License A-372-71-R-R/A, in amendment A-372-71-S-A, and the following conditions.

Severability. The invalidity or unenforceability of any provision of this License Amendment or part thereof shall not affect the remainder of the provision or any other provisions. This License Amendment shall be construed and enforced in all respects as if such invalid or unenforceable provision or part thereof had been omitted.

SPECIFIC CONDITIONS

The following shall replace Condition (16) of Air Emission License A-372-71-R-R/A (June 8, 2018):

(16) Boilers #1, #2, and #3

A. Fuel

1. Total fuel use for Boilers #1, #2, and #3 shall not exceed 1,800,000 gal/yr of distillate fuel, based on a 12-month rolling total. [06-096 C.M.R. ch. 115, BPT]
2. The facility shall not purchase or otherwise obtain distillate fuel with a maximum sulfur content that exceeds 0.0015% by weight (15 ppm). [06-096 C.M.R. ch. 115, BPT]

3. Compliance shall be demonstrated by fuel records showing the quantity, type, and percent sulfur of the fuel delivered. Records of annual fuel use shall be kept on a monthly and 12-month rolling total basis. Fuel sulfur content compliance shall be demonstrated by fuel delivery receipts from the supplier, a statement from the supplier that the fuel delivered meets Maine's fuel sulfur content standards, fuel supplier certification, certificate of analysis, or testing of fuel in the tank on-site. [06-096 C.M.R. ch. 115, BPT]

B. Emissions shall not exceed the following:

Emission Unit	Pollutant	lb/MMBtu	Origin and Authority
Boiler #1, #2, and #3	PM	0.08	06-096 C.M.R. ch. 115, BPT

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

Emission Unit	PM (lb/hr)	PM ₁₀ (lb/hr)	PM _{2.5} (lb/hr)	SO ₂ (lb/hr)	NO _x (lb/hr)	CO (lb/hr)	VOC (lb/hr)
Boiler #1	4.02	4.02	4.02	25.46	7.18	1.80	0.12
Boiler #2	6.01	6.01	6.01	38.09	10.72	2.68	0.18
Boiler #3	2.05	2.05	2.05	12.98	3.66	0.92	0.06

- D. Visible emissions from Boilers #1, #2, and #3 shall not exceed 20% opacity on a six-minute block average basis. [06-096 C.M.R. ch. 101, § 4(A)(2)]

Within 45 days of ceasing operation of the existing COMS, DVA shall conduct a visible emissions performance test using 40 C.F.R. Part 60, Appendix A, Method 9. [06-096 C.M.R. ch. 115, BPT]

For any performance testing required by this license, DVA shall submit to the Department for approval a performance test protocol, as outlined in the Department's Performance Testing Guidance, at least 30 days prior to the scheduled date of the performance test. [06-096 C.M.R. ch. 115, BPT]

The Department's Performance Testing Guidance is available online at <https://www.maine.gov/dep/air/emissions/testing.html>.

- E. DVA shall comply with all requirements of 40 C.F.R. Part 60, Subpart Dc applicable to Boilers #1, #2, and #3 including, but not limited to, the following:

1. Standards

Sulfur Dioxide (SO₂)

The distillate fuel fired in Boilers #1 and #2 shall not exceed 0.5% sulfur by weight. [40 C.F.R. § 60.42c(d)] This fuel sulfur content limit has been streamlined to the lower limit of 0.0015% by weight required by State statute as of July 1, 2018.

Visible Emissions

Visible emissions from the common stack (Stack 239) for Boilers #1, #2, and #3 shall not exceed 20% opacity on a six-minute block average basis, except for one six-minute block average per hour of not more than 27% opacity. [40 C.F.R. § 60.43c(c)]

2. Monitoring Requirements

a. Except as provided in paragraph (3) below, DVA shall conduct performance tests on Boilers #1, and #2 for opacity using 40 C.F.R. Part 60, Appendix A, Method 9 according to the following schedule: [40 C.F.R. § 60.47c(a)]

- (1) If no visible emissions were observed in the most recent Method 9 performance test, the next performance test shall be completed within 12 calendar months or within 45 days of firing oil in the boiler, whichever is later.
- (2) If visible emissions were observed in the most recent Method 9 performance test, and the maximum 6-minute block average was less than or equal to 5% opacity, the next performance test shall be completed within 6 calendar months or within 45 days of firing oil in the boiler, whichever is later.
- (3) If visible emissions were observed in the most recent Method 9 performance test, and the maximum 6-minute block average was greater than 5% but less than or equal to 10% opacity, the next performance test shall be completed within 3 calendar months or within 45 days of firing oil in the boiler, whichever is later.
- (4) If visible emissions were observed in the most recent Method 9 performance test, and the maximum 6-minute block average was greater than 10% opacity, the next performance test shall be completed within 45 days.

b. The observation period for the Method 9 performance test may be reduced from 3 hours to 60 minutes if all 6-minute block averages are less than 10% opacity and all individual 15-second observations are less than or equal to 20% opacity during the initial 60 minutes of observation.

c. If the visible emission observed in the most recent Method 9 performance test were less than 10% opacity, DVA may elect to perform subsequent performance tests using 40 C.F.R. Part 60, Appendix A, Method 22 as follows:

- (1) DVA shall conduct 10-minute observations using Method 22 each operating day either Boiler #1, #2, or #3 fires oil.
- (2) If no visible emissions are observed for 10 operating days, DVA may reduce observations to once every 7 operating days. If any visible emissions are observed, daily observations shall be resumed.
- (3) If the sum of the occurrence of any visible emissions is greater than 30 seconds per 10-minute observation, DVA shall immediately conduct a 30-minute observation.
- (4) If the sum of the occurrence of any visible emissions is greater than 90 seconds per 30-minute observation, DVA shall either document the adjustments made to Boiler # and demonstrate within 24 hours that the sum of the occurrence of any visible emissions is not greater than 90 seconds per 30-minute observation or conduct a Method 9 performance test within 45 days.

3. Reporting and Recordkeeping

- a. DVA shall maintain records of the amounts of fuel combusted in each boiler during each calendar month with fuel certifications. [40 C.F.R. § 60.48c(g)]
- b. For each opacity performance test performed, DVA shall maintain records of the following:
 - (1) Dates and time intervals of all opacity or visible emissions observation periods;
 - (2) Name and affiliation for each visible emission observer participating in the performance test. For Method 9 performance tests, include a copy of the current visible emission reading certification for each visible emission observer.
 - (3) Copies of all visible emission observer opacity field data sheets; and
 - (4) Documentation of any adjustments made and the time the adjustments were completed to demonstrate compliance with the applicable monitoring requirements (Method 22 observations only).
- c. DVA shall submit semi-annual reports to EPA and to the Department. [40 C.F.R. § 60.48c(d)] These reports shall include the following:

- (1) Calendar dates covered in the reporting period; [40 C.F.R. § 60.48c(e)(1)]
 - (2) Records of fuel supplier certifications; [40 C.F.R. § 60.48c(e)(11)] and
 - (3) Any instances of excess emissions (including opacity) from Boilers #1, #2, and #3. [40 C.F.R. § 60.48c(c)]
- d. The semi-annual reports are due within 30 days of the end of each six-month period. [40 C.F.R. § 60.48c(j)]
- F. DVA shall comply with all requirements of 40 C.F.R. Part 63, Subpart JJJJJJ applicable to Boilers #1, #2, and #3 including, but not limited to, the following: [incorporated under 06-096 C.M.R. ch. 115, BPT]
1. The facility shall implement a boiler tune-up program. [40 C.F.R. § 63.11223]
 - a. Tune-ups shall be conducted every two years. [40 C.F.R. § 63.11223(a) and Table 2]
 - b. The boiler tune-up program, shall be performed as specified below:
 - (1) As applicable, inspect the burner, and clean or replace any component of the burner as necessary. Delay of the burner inspection until the next scheduled shutdown is permitted, not to exceed 36 months from the previous inspection. [40 C.F.R. § 63.11223(b)(1)]
 - (2) Inspect the flame pattern, as applicable, and adjust the burner as necessary to optimize the flame pattern, consistent with the manufacturer's specifications. [40 C.F.R. § 63.11223(b)(2)]
 - (3) Inspect the system controlling the air-to-fuel ratio, as applicable, and ensure it is correctly calibrated and functioning properly. Delay of the inspection until the next scheduled shutdown is permitted, not to exceed 36 months from the previous inspection. [40 C.F.R. § 63.11223(b)(3)]
 - (4) Optimize total emissions of CO, consistent with manufacturer's specifications. [40 C.F.R. § 63.11223(b)(4)]
 - (5) Measure the concentration in the effluent stream of CO in parts per million by volume (ppmv), and oxygen in volume percent, before and after adjustments are made (measurements may be either on a dry or wet basis, as long as it is the same basis before and after the adjustments are made). Measurements may be taken using a portable CO analyzer. [40 C.F.R. § 63.11223(b)(5)]

(6) If a unit is not operating on the required date for a tune-up, the tune-up must be conducted within 30 days of start-up.
[40 C.F.R. § 63.11223(b)(7)]

- c. Tune-Up Report: A tune-up report shall be maintained onsite and submitted to the Department and EPA upon request. The report shall contain the following information:
- (1) The concentration of CO in the effluent stream (ppmv) and oxygen (volume percent) measured at high fire or typical operating load both **before** and **after** the boiler tune-up;
 - (2) A description of any corrective actions taken as part of the tune-up of the boiler; and
 - (3) The types and amounts of fuels used over the 12 months prior to the tune-up of the boiler, but only if the unit was physically and legally capable of using more than one type of fuel during that period. Units sharing a fuel meter may estimate the fuel use by each unit. [40 C.F.R. § 63.11223(b)(6)]

2. Compliance Report

For every two-year compliance period, DVA shall prepare a compliance report by March 1st of the following year to document the information below for the two-year period. The report shall be maintained by the source and submitted to the Department and/or to the EPA upon request. The report must include the items contained in §§ 63.11225(b)(1) and (2), including the following: [40 C.F.R. § 63.11225(b)]

- a. Company name and address;
- b. A statement of whether the source has complied with all the relevant requirements of this Subpart;
- c. A statement certifying truth, accuracy, and completeness of the notification and signed by a responsible official and containing the official's name, title, phone number, email address, and signature;
- d. The following certifications, as applicable:
 - (1) "This facility complies with the requirements in 40 C.F.R. § 63.11223 to conduct tune-ups of each boiler in accordance with the frequency specified in this Subpart."
 - (2) "No secondary materials that are solid waste were combusted in any affected unit."
 - (3) "This facility complies with the requirement in §§ 63.11214(d) and 63.11223(g) to minimize the boiler's time spent during startup and shutdown and to conduct startups and shutdowns according to the manufacturer's recommended procedures or procedures specified

for a boiler of similar design if manufacturer's recommended procedures are not available."

3. Recordkeeping

- a. Records shall be maintained consistent with the requirements of 40 C.F.R. Part 63, Subpart JJJJJJ including the following [40 C.F.R. § 63.11225(c)]:
 - (1) Copies of notifications and reports with supporting compliance documentation;
 - (2) 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;
 - (3) Records of the occurrence and duration of each malfunction of each applicable boiler; and
 - (4) Records of actions taken during periods of malfunction to minimize emissions, including corrective actions to restore the malfunctioning boiler.
- b. Records shall be in a form suitable and readily available for expeditious review. Each record must be kept for 5 years following the date of each recorded action. Each record must be kept on-site or be accessible from a central location by computer or other means that instantly provides access at the site for at least 2 years after the date of each recorded action. The records may be maintained off-site for the remaining 3 years. [40 C.F.R. § 63.11225(d)] Note: Standard Condition (8) of this license requires all records be retained for six years; therefore, the five-year record retention requirement of Subpart JJJJJJ shall be streamlined to the more stringent six-year requirement.

The following is a new condition:

- (24) If the Department determines that any parameter value pertaining to construction and operation of the emissions units, including but not limited to stack size, configuration, flow rate, emission rates, nearby structures, etc., deviates from what was submitted in the application or ambient air quality impact analysis for this air emission license, DVA may be required to submit additional information. Upon written request from the Department, DVA shall provide information necessary to demonstrate AAQS will not be exceeded, potentially including submission of an ambient air quality impact analysis or an application to amend this air emission license to resolve any deficiencies and ensure compliance with AAQS. Submission

Department of Veteran Affairs
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A-372-71-T-A

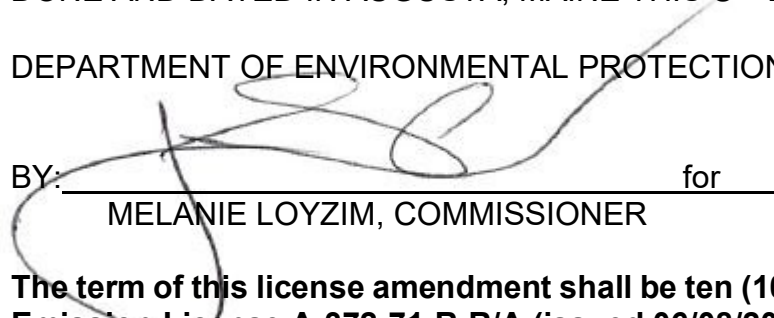
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of this information is due within 60 days of the Department's written request unless otherwise stated in the Department's letter.
[06-096 C.M.R. ch. 115, § 2(O)]

DONE AND DATED IN AUGUSTA, MAINE THIS 8th DAY OF MAY, 2026.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

BY:  for
MELANIE LOYZIM, COMMISSIONER

The term of this license amendment shall be ten (10) years from the issuance of Air Emission License A-372-71-R-R/A (issued 06/08/2018).

[Note: If a renewal application, determined as complete by the Department, is submitted prior to expiration of this license, then pursuant to Title 5 M.R.S. § 10002, all terms and conditions of the license shall remain in effect until the Department takes final action on the license renewal application.]

PLEASE NOTE ATTACHED SHEET FOR GUIDANCE ON APPEAL PROCEDURES

Date of initial receipt of application: 1/22/26

Date of application acceptance: 1/23/26

This Order prepared by Jack Doran, Bureau of Air Quality.