STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION
17 STATE HOUSE STATION AUGUSTA, MAINE 04333-0017

DEPARTMENT ORDER

RSU #57 **York County** **Waterboro, Maine** **A-756-71-H-R**	**Departmental** **Findings of Fact and Order** **Air Emission License** **Renewal**

FINDINGS OF FACT

After review of the air emission license renewal 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

RSU #57 has applied to renew their Air Emission License for the operation of emission sources associated with their education facility.

The equipment addressed in this license is located at 86 West Road, Waterboro, Maine.

B. Emission Equipment

The following equipment is addressed in this air emission license:

Boilers

Equipment	Max. Capacity (MMBtu/hr)	Maximum Firing Rate	Fuel Type	Date of Manuf.	Date of Install.	Stack #
Massabesic West Boiler #1	6.3	45.0 gal/hr 69.6 gal/hr*	Distillate fuel Propane	2002	2002	1
Massabesic West Boiler #2	6.3	45.0 gal/hr 69.6 gal/hr	Distillate fuel Propane	2002	2002	1
Massabesic East Boiler #1	2.6	18.8 gal/hr 29.1 gal/hr	Distillate fuel Propane	2002	2002	2
Massabesic East Boiler #2	2.6	18.8 gal/hr 29.1 gal/hr	Distillate fuel Propane	2002	2002	2

RSU #57 also has several small hot water heaters and heating units not listed in the table above. These are considered insignificant emissions units because they are each rated below 1.0 MMBtu/hr, the heat input capacity level at or above which would require their inclusion in the license; therefore, these small hot water heaters and heating units are not addressed further in this license.

Process Equipment

Equipment	Production Rate	Pollution Control Equipment
Woodworking Operations	Varies	Torit Cyclone

Fuel Storage Tank

Equipment	Capacity (Gallons)
Gasoline Storage Tank	1,000

RSU #57 also has several storage tanks not listed in the table above. These are considered insignificant emissions units because they are below the licensing capacity limit; therefore, these fuel storage tanks are not addressed further in the license.

C. Definitions

Distillate Fuel means the following:

- Fuel oil that complies with the specifications for fuel oil numbers 1 or 2, as defined by the American Society for Testing and Materials (ASTM) in ASTM D396;
- Diesel fuel oil numbers 1 or 2, as defined in ASTM D975;
- Kerosene, as defined in ASTM D3699;
- Biodiesel, as defined in ASTM D6751; or
- Biodiesel blends, as defined in ASTM D7467.

Records or *Logs* mean either hardcopy or electronic records.

D. 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.

The application for RSU #57 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 currently licensed emission units only and has been processed through *Major and Minor Source Air Emission License Regulations*, 06-096 Code of Maine Rules (C.M.R.) ch. 115.

E. Facility Classification

The facility is licensed as follows:

- As a natural minor source of criteria pollutants, because no license restrictions are necessary to keep facility emissions below major source thresholds for criteria pollutants; and
- As an area source of hazardous air pollutants (HAP), because the licensed emissions are below the major source thresholds for HAP.

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. Boilers

RSU #57 operates Massabesic West Boilers #1 and #2 and Massabesic East Boilers #1 and #2 for heat and hot water. Massabesic West Boilers #1 and #2 are each rated at 6.3 MMBtu/hr, fire distillate fuel and propane, and are equipped with an oxygen trim system. Massabesic West Boilers #1 and #2 were each manufactured and installed in 2002 and exhaust through a shared stack, Stack #1. Massabesic East Boilers #1 and #2 are each rated at 2.6 MMBtu/hr and fire distillate fuel and propane. Massabesic East Boilers #1 and #2 were each manufactured and installed in 2002 and exhaust through a shared stack, Stack #2.

With limited exceptions, no person shall import, distribute, or offer for sale any distillate fuel with a sulfur content greater than 0.0015% by weight (15 ppm) pursuant to 38 M.R.S. § 603-A(2)(A)(3). Therefore, the distillate fuel purchased or otherwise obtained for use in the boilers shall not exceed 0.0015% by weight (15 ppm).

1. BPT Findings

The BPT emission limits for Massabesic West Boilers #1 and #2 and Massabesic East Boilers #1 and #2 were based on the following:

Distillate Fuel

$PM/PM_{10}/PM_{2.5}$	–	0.08 lb/MMBtu based on 06-096 C.M.R. ch. 115, BPT
SO_2	–	based on firing distillate fuel with a maximum sulfur content of 0.0015% by weight
NO_x	–	20 lb/1,000 gal based on AP-42 Table 1.3-1 dated 5/10
CO	–	5 lb/1,000 gal based on AP-42 Table 1.3-1 dated 5/10
VOC	–	0.34 lb/1,000 gal based on AP-42 Table 1.3-3 dated 5/10
Visible Emissions	–	06-096 C.M.R. ch. 101, §§ 4(A)(2) and 4(D)(1)

Propane

$PM/PM_{10}/PM_{2.5}$	–	0.05 lb/MMBtu based on 06-096 C.M.R. ch. 115, BPT
SO_2	–	0.054 lb/1,000 gal based on AP-42 Table 1.5-1 dated 7/08
NO_x	–	13 lb/1,000 gal based on AP-42 Table 1.5-1 dated 7/08
CO	–	7.5 lb/1,000 gal based on AP-42 Table 1.5-1 dated 7/08
VOC	–	1 lb/1,000 gal based on AP-42 Table 1.5-1 dated 7/08
Visible Emissions	–	06-096 C.M.R. ch. 101, §§ 4(A)(3) and 4(D)(1)

The BPT emission limits for Massabesic West Boilers #1 and #2 and Massabesic East Boilers #1 and #2 are the following:

Unit	Pollutant	lb/MMBtu
Massabesic West Boiler #1 *Distillate fuel*	PM	0.08
Massabesic West Boiler #2 *Distillate fuel*	PM	0.08
Massabesic West Boiler #1 *Propane*	PM	0.05
Massabesic West Boiler #2 *Propane*	PM	0.05

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)
Massabesic West Boiler #1 *Distillate fuel*	0.50	0.50	0.50	0.01	0.90	0.23	0.02
Massabesic West Boiler #2 *Distillate fuel*	0.50	0.50	0.50	0.01	0.90	0.23	0.02

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)
Massabesic East Boiler #1 *Distillate fuel*	0.21	0.21	0.21	0.004	0.38	0.09	0.01
Massabesic East Boiler #2 *Distillate fuel*	0.21	0.21	0.21	0.004	0.38	0.09	0.01
Massabesic West Boiler #1 *Propane*	0.32	0.32	0.32	0.004	0.90	0.52	0.07
Massabesic West Boiler #2 *Propane*	0.32	0.32	0.32	0.004	0.90	0.52	0.07
Massabesic East Boiler #1 *Propane*	0.13	0.13	0.13	0.002	0.38	0.22	0.03
Massabesic East Boiler #2 *Propane*	0.13	0.13	0.13	0.002	0.38	0.22	0.03

RSU #57 shall operate the oxygen trim systems installed on Massabesic Boilers #1 and #2 according to the manufacturer's instructions.

2. Visible Emissions

Visible emissions from Stack #1 (Massabesic West Boilers #1 and #2) and Stack #2 (Massabesic East Boilers #1 and #2) shall each not exceed 20% opacity on a six-minute block average basis.

Visible emissions from Stack #1 (Massabesic West Boilers #1 and #2) shall not exceed 10% opacity on a six-minute block average basis when only propane is being burned in Massabesic West Boilers #1 and #2. Visible emissions from Stack #2 (Massabesic East Boilers #1 and #2) shall not exceed 10% opacity on a six-minute block average basis when only propane is being burned in Massabesic East Boilers #1 and #2.

3. Recordkeeping

Documentation shall include the type of fuel used and sulfur content of the fuel, if applicable.

4. New Source Performance Standards (NSPS): 40 C.F.R. Part 60, Subpart Dc

Due to their sizes, the boilers are not subject to *Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units* 40 C.F.R. Part 60, Subpart Dc for units greater than 10 MMBtu/hr manufactured after June 9, 1989. [40 C.F.R. § 60.40c]

5. National Emission Standards for Hazardous Air Pollutants (NESHAP): 40 C.F.R. Part 63, Subpart JJJJJJ

Massabesic West Boilers #1 and #2 and Massabesic East Boilers #1 and #2 are subject to the *National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers Area Sources*, 40 C.F.R. Part 63, Subpart JJJJJJ. The units are considered existing oil boilers. [40 C.F.R. §§ 63.11193 and 63.11195]

Applicable federal 40 C.F.R. Part 63, Subpart JJJJJJ requirements include the following. Additional rule information can be found on the following website: https://www.epa.gov/stationary-sources-air-pollution/compliance-industrial-commercial-and-institutional-area-source.

a. Work Practice Requirements

(1) Boiler Tune-Up Program

(i) A boiler tune-up program shall be implemented. [40 C.F.R. § 63.11223]

(ii) Tune-ups shall be conducted every 5 years [40 C.F.R. § 63.11223(a) and Table 2]

(iii) The boiler tune-up program, conducted to demonstrate continuous compliance, 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 72 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 72 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)]

(iv) Tune-Up Report: A tune-up report shall be maintained onsite and, submitted to the Department and/or 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 five-year compliance period, RSU #57 shall prepare a compliance report by March 1st of the following year to document the information below for the five-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)]

(i) Company name and address;
(ii) A statement of whether the source has complied with all the relevant requirements of this Subpart;
(iii) 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;
(iv) 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."

b. Recordkeeping

(1) 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)]:
(i) Copies of notifications and reports with supporting compliance documentation;
(ii) 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;
(iii) Records of the occurrence and duration of each malfunction of each applicable boiler; and
(iv) Records of actions taken during periods of malfunction to minimize emissions, including corrective actions to restore the malfunctioning boiler.

(2) 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.

C. Woodworking Operations

Students at RSU #57 perform woodworking operations as part of their curriculum. The emissions from these operations are vented through a Torit™ cyclone to collect the wood dust. The cyclone continuously empties into 55-gallon drums, which are periodically shipped off-site.

Visible emissions from the woodworking operations shall each not exceed 20% opacity on a six-minute block average basis. [06-096 C.M.R. ch. 101, § 4(B)(4)]

D. Gasoline Storage Tank

RSU #57 operates a 1,000-gallon above ground gasoline storage tank located near the Transportation Building. Gasoline from the tank is used to fuel equipment at the facility.

1. National Emissions Standards for Hazardous Air Pollutants (NESHAP)

   The Gasoline Storage Tank, which has a capacity of 1,000 gallons, is subject to *NESHAP for Source Category: Gasoline Dispensing Facilities*, 40 C.F.R. Part 63, Subpart CCCCCC**.** The Gasoline Storage Tank has a monthly throughput of less than 10,000 gallons of gasoline.

   The applicable requirements of Subpart CCCCCC for the Gasoline Storage Tank are the following:

   a. RSU #57 shall, at all times, operate and maintain any affected source, including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions. Determination of whether such operation and maintenance procedures are being used will be based on information available to the Department which may include, but is not limited to, monitoring results, review of operation and maintenance procedures, review of operation and maintenance records, and inspection of the source. [40 C.F.R. § 63.11115(a)]

   b. RSU #57 shall keep applicable records and submit reports as specified in § 63.11125(d) and § 63.11126(b). [40 C.F.R. § 63.11115(b)]

   c. RSU #57 shall not allow gasoline to be handled in a manner that would result in vapor releases to the atmosphere for extended periods of time. Measures to be taken include, but are not limited to, the following: [40 C.F.R. §63.11116(a)]

      (1) Minimize gasoline spills;
      (2) Clean up spills as expeditiously as practicable;
      (3) Cover all open gasoline containers and all gasoline storage tank fill-pipes with a gasketed seal when not in use;
      (4) Minimize gasoline sent to open waste collection systems that collect and transport gasoline to reclamation and recycling devices, such as oil/water separators.

   d. RSU #57 shall have records available within 24 hours of a request by the Department to document the gasoline throughput of the Gasoline Storage Tank. [40 C.F.R §63.11116(b)]

2. *Gasoline Dispensing Facilities Vapor Control,* 06-096 C.M.R. ch. 118

   Although the Gasoline Storage Tank has always had a throughput below the 100,000 gallons per month applicability threshold included in *Gasoline Dispensing Facilities Vapor Control,* 06-096 C.M.R. ch. 118 and thus has not been subject to requirements of 06-096 C.M.R. ch. 118 (vapor system, testing, training, and public education), the Gasoline Storage Tank is still subject to the following two requirements of that regulation:

a. The fill pipe must extend within six inches of the bottom of the gasoline storage tank. [06-096 C.M.R. ch. 118, § 4(A)]

b. RSU #57 shall maintain records of the monthly and annual throughput of gasoline and notify the Department of its applicability within 30 days if the monthly or annual throughput of the Gasoline Storage Tank ever exceeds the initial applicability threshold of 06-096 C.M.R. ch. 118, which is 100,000 gallons. These records must be maintained for a minimum of three years, be available for inspection during normal business hours, and be provided to the Department and/or EPA upon request. [06-096 C.M.R. ch. 118, § 10(B)] Note: Standard Condition (8) of this license requires all records be retained for six years; therefore, the three-year record retention requirement of 06-096 C.M.R. ch. 118 shall be streamlined to the more stringent six-year requirement.

E. 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 operating Massabesic West Boilers #1 and #2 and Massabesic East Boilers #1 and #2 for 8,760 hr/yr, each.

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
Massabesic West Boiler #1	2.2	2.2	2.2	--	3.9	2.3	0.3
Massabesic West Boiler #2	2.2	2.2	2.2	--	3.9	2.3	0.3
Massabesic East Boiler #1	0.9	0.9	0.9	--	1.6	0.9	0.1
Massabesic East Boiler #2	0.9	0.9	0.9	--	1.6	0.9	0.1
Total TPY	**6.2**	**6.2**	**6.2**	**--**	**11.4**	**6.6**	**0.8**

Pollutant	Tons/year
Single HAP	7.9
Total HAP	19.9

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
CO	250

The total licensed annual emissions for the facility are below the emission levels contained in the table above and there are no extenuating circumstances; therefore, an ambient air quality impact analysis is not required as part of this license.

This determination is based on information provided by the applicant regarding licensed emission units. If the Department determines that any parameter (e.g., stack size, configuration, flow rate, emission rates, nearby structures, etc.) deviates from what was included in the application, the Department may require RSU #57 to submit additional information and may require an ambient air quality impact analysis at that time.

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 A-756-71-H-R subject to the following conditions.

Severability. The invalidity or unenforceability of any provision of this License or part thereof 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. § 347-C).

(2) The licensee shall acquire a new or amended air emission license prior to beginning actual construction of a modification, unless specifically provided for in Chapter 115. [06-096 C.M.R. ch. 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 C.M.R. ch. 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 C.M.R. ch. 115]

(5) The licensee shall pay the annual air emission license fee to the Department, calculated pursuant to Title 38 M.R.S. § 353-A. [06-096 C.M.R. ch. 115] Payment of the annual air emission license fee for RSU #57 is due by the end of February of each year. [38 M.R.S. § 353-A(3)]

(6) The license does not convey any property rights of any sort, or any exclusive privilege. [06-096 C.M.R. ch. 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 C.M.R. ch. 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 C.M.R. ch. 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 C.M.R. ch. 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 C.M.R. ch. 115]

(11) In accordance with the Department's air emission compliance test protocol and 40 C.F.R. 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 C.F.R. 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 C.M.R. ch. 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 the written test report by the Department, or another alternative timeframe approved by the Department, 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 C.F.R. 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 C.M.R. ch. 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 license requirement. [06-096 C.M.R. ch. 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 emissions 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 C.M.R. ch. 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 C.M.R. ch. 115]

(16) The licensee 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. § 605). [06-096 C.M.R. ch. 115]

SPECIFIC CONDITIONS

(17) **Massabesic West Boilers #1 and #2 and Massabesic East Boilers #1 and #2**

A. Fuel

1. Massabesic West Boilers #1 and #2 and Massabesic East Boilers #1 and #2 are each licensed to fire distillate fuel and propane. [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. 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, certificate of analysis, or testing of fuel in the tank on-site. [06-096 C.M.R. ch. 115, BPT]

4. RSU #57 shall operate the oxygen trim systems installed on Massabesic Boilers #1 and #2 according to the manufacturer's instructions. [06-096 C.M.R. ch. 115, BPT]

B. Emissions shall not exceed the following:

Emission Unit	Pollutant	lb/MMBtu	Origin and Authority
Massabesic West Boiler #1 *Distillate fuel*	PM	0.08	06-096 C.M.R. ch. 115, BPT
Massabesic West Boiler #2 *Distillate fuel*	PM	0.08	06-096 C.M.R. ch. 115, BPT
Massabesic West Boiler #1 *Propane*	PM	0.05	06-096 C.M.R. ch. 115, BPT
Massabesic West Boiler #2 *Propane*	PM	0.05	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)
Massabesic West Boiler #1 *Distillate fuel*	0.50	0.50	0.50	0.01	0.90	0.23	0.02
Massabesic West Boiler #2 *Distillate fuel*	0.50	0.50	0.50	0.01	0.90	0.23	0.02
Massabesic East Boiler #1 *Distillate fuel*	0.21	0.21	0.21	0.004	0.38	0.09	0.01
Massabesic East Boiler #2 *Distillate fuel*	0.21	0.21	0.21	0.004	0.38	0.09	0.01
Massabesic West Boiler #1 *Propane*	0.32	0.32	0.32	0.004	0.90	0.52	0.07
Massabesic West Boiler #2 *Propane*	0.32	0.32	0.32	0.004	0.90	0.52	0.07
Massabesic East Boiler #1 *Propane*	0.13	0.13	0.13	0.002	0.38	0.22	0.03
Massabesic East Boiler #2 *Propane*	0.13	0.13	0.13	0.002	0.38	0.22	0.03

D. Visible Emissions

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

Visible emissions from Stack #1 (Massabesic West Boilers #1 and #2) shall not exceed 10% opacity on a six-minute block average basis when only propane is being burned in Massabesic West Boilers #1 and #2. Visible emissions from Stack #2 (Massabesic East Boilers #1 and #2) shall not exceed 10% opacity on a six-minute block average

basis when only propane is being burned in Massabesic East Boilers #1 and #2. [06-096 C.M.R. ch. 101, §§ 4(A)(3) and 4(D)(1)]

E. RSU #57 shall comply with all requirements of 40 C.F.R. Part 63, Subpart JJJJJJ applicable to Massabesic West Boilers #1 and #2 and Massabesic East Boilers #1 and #2 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. Each tune-up shall be conducted every 5 years. [40 C.F.R. § 63.11223(a) and Table 2]

   b. The boiler tune-up program, conducted to demonstrate continuous compliance, 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 72 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 72 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 five-year compliance period, RSU #57 shall prepare a compliance report shall be prepared by March 1st of the following year to document the information below for the five-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.

(18) **Woodworking Operations**

Visible emissions from the woodworking operations shall not exceed 20% opacity on a six-minute block average basis. [06-096 C.M.R. ch. 101, § 4(B)(4)]

(19) **Gasoline Storage Tank**

A. 40 C.F.R. Part 63, Subpart CCCCCC

The applicable requirements of Subpart CCCCCC for the Gasoline Storage Tank are the following:

1. RSU #57 shall, at all times, operate and maintain any affected source, including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions. Determination of whether such operation and maintenance procedures are being used will be based on information available to the Department which may include, but is not limited to, monitoring results, review of operation and maintenance procedures, review of operation and maintenance records, and inspection of the source. [40 C.F.R. § 63.11115(a)]

2. RSU #57 shall keep applicable records and submit reports as specified in § 63.11125(d) and § 63.11126(b). [40 C.F.R. § 63.11115(b)]

3. RSU #57 shall not allow gasoline to be handled in a manner that would result in vapor releases to the atmosphere for extended periods of time. Measures to be taken include, but are not limited to, the following: [40 C.F.R. §63.11116(a)]

   a. Minimize gasoline spills;
   b. Clean up spills as expeditiously as practicable;

c. Cover all open gasoline containers and all gasoline storage tank fill-pipes with a gasketed seal when not in use;
d. Minimize gasoline sent to open waste collection systems that collect and transport gasoline to reclamation and recycling devices, such as oil/water separators.

4. RSU #57 shall have records available within 24 hours of a request by the Department to document the gasoline throughput of the Gasoline Storage Tank. [40 C.F.R §63.11116(b)]

B. Gasoline Dispensing Facilities Vapor Control 06-096 C.M.R. ch. 118

1. The fill pipe must extend within six inches of the bottom of the gasoline storage tank. [06-096 C.M.R. ch. 118, § 4(A)]

2. RSU #57 shall maintain records of the monthly and annual throughput of gasoline. and shall notify the Department of its applicability within 30 days if the monthly or annual throughput of the Gasoline Storage Tank ever exceeds the initial applicability threshold, which is 100,000 gallons. These records shall be maintained for a minimum of three years, shall be available for inspection during normal business hours, and shall be provided to the Department and/or EPA upon request. [06-096 C.M.R. ch. 118, § 10(B)] Note: Standard Condition (8) of this license requires all records be retained for six years; therefore, the three-year record retention requirement of 06-096 C.M.R. ch. 118 shall be streamlined to the more stringent six-year requirement.

(20) 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, RSU #57 may be required to submit additional information. Upon written request from the Department, RSU #57 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 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 18th DAY OF NOVEMBER, 2024.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

BY: _____ for _____
MELANIE LOYZIM, COMMISSIONER

The term of this license shall be ten (10) years from the signature date above.

[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: August 6, 2024
Date of application acceptance: August 8, 2024

This Order prepared by Kendra Nash, Bureau of Air Quality.