



DEPARTMENT ORDER

**Portsmouth Naval Shipyard
York County
Kittery, Maine
A-452-70-O-A**

**Departmental
Findings of Fact and Order
Part 70 Air Emission License
Amendment #9**

FINDINGS OF FACT

After review of the Part 70 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

FACILITY	Portsmouth Naval Shipyard
LICENSE TYPE	Part 70 Administrative Revision
NAICS CODES	336611 (Ship Building and Repairing)
NATURE OF BUSINESS	National Security (Submarine repair for the U.S. Navy)
FACILITY LOCATION	Seavey Island, Kittery, Maine

Portsmouth Naval Shipyard (PNS) is a repair, retrofit, and general maintenance facility for the U.S. Navy's submarines.

PNS is an existing stationary source currently operating under Part 70 License A-452-70-D-R/A issued July 23, 2015.

PNS has requested an amendment to remove Emergency Generator G17 from their Part 70 license.

B. Emission Equipment

Emergency Engine (Distillate Fuel)

Equipment	Location	Maximum Heat Input Capacity (MMBtu/hr)	Max. Firing Rate (gal/hr)	Output (kW)	Mfr. Date
G17	Building 167	1.0	7.3	100	pre-2000

This amendment removes Emergency Generator G17 from the PNS Part 70 license, A-452-70-D-R/A. During the drafting of A-452-70-D-R/A, previously unlicensed emergency engines were added to the license. Up to that time, engines with heat inputs less than 3 MMBtu/hr were identified as insignificant in *Part 70 Air Emission License Regulation*, 06-096 C.M.R. ch. 140 (Chapter 140), Appendix B, part B.3 and were therefore not addressed in the license. On December 1, 2012, the Department amended Chapter 140, making changes which included the removal of part B.3 of Appendix B, the 3 MMBtu/hr threshold for stationary internal combustion engines. Emergency Generator G17 was added to the PNS Part 70 license renewal as part of that update.

Emergency Generator G17 provides a source of emergency back up power to the Commissary located at PNS. The Commissary is owned by the Defense Commissary Agency (DeCA) which operates a worldwide chain of commissaries and provides groceries to military personnel, retirees, and their families. The Commissary is not under the control of PNS or the U.S. Navy. Although the Commissary is located on the PNS site, it is not associated with the shipbuilding and repair activities that are regulated under the PNS Part 70 license.

As such, G17 is being removed from the Part 70 license.

C. Application Classification

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

A Part 70 Administrative Revision is for license changes that correct typographical errors; change the name, address, or phone number of any person or facility identified in the Part 70 license or a similar administrative change at the Part 70 source; or result in more frequent monitoring, reporting, recordkeeping or testing requirements.

The requested revision to remove a piece of equipment not owned or operated by the license holder meets the definition of a Part 70 Administrative Revision and has been processed under *Part 70 Air Emission License Regulations*, 06-096 C.M.R. ch. 140.

D. Facility Annual Emissions

PNS is currently licensed with facility-wide limits of 2.26 billion cubic feet of natural gas per year and 4,900,000 gallons of distillate fuel per year, both based on a 12-month rolling total. Neither of these limits nor the licensed annual emissions based on them will change as a result of the removal of Emergency Generator G17 from the Part 70 License.

This license amendment will not change the facility's licensed annual emissions.

ORDER

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

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

The Department hereby grants the Part 70 License Amendment A-452-70-O-A pursuant to 06-096 C.M.R. 140 and the preconstruction permitting requirements of *Major and Minor Source Air Emission License Regulations*, 06-096 C.M.R. ch. 115 and subject to the conditions found in Air Emission License A-452-70-D-R/A; in amendments A-452-70-E-A, A-452-70-F-A, A-452-70-G-A, A-452-70-H-A, A-452-70-I-A, A-452-70-J-A, A-452-70-K-A, and A-452-70-N-A; and the following conditions.

Federally enforceable conditions in this Part 70 license must be changed pursuant to the applicable requirements in 06-096 C.M.R. ch. 115 for making such changes and pursuant to the applicable requirements in 06-096 C.M.R. ch. 140.

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

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 will replace the table in Specific Condition (17) D of Air Emission License A-452-70-D-R/A (7/23/2015). The remainder of Specific Condition (17) will remain the same.

(17) **Emergency Generators and Fire Pump**

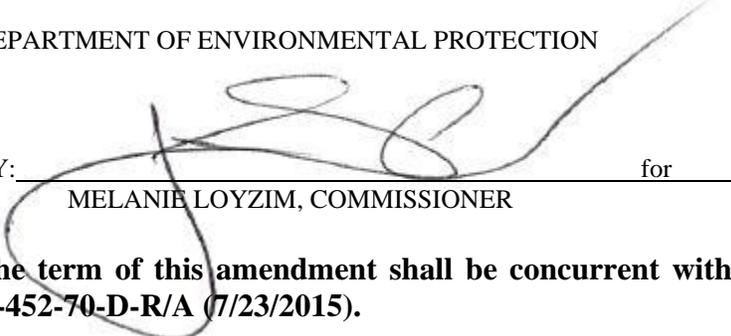
D. National Emissions Standards for Hazardous Air Pollutants (NESHAP)

The federal regulation 40 CFR Part 63, Subpart ZZZZ, *National Emission Standards for Hazardous Air Pollutants (NESHAP) for Stationary Reciprocating Internal Combustion Engines* is applicable to the following engines.

Equipment	Maximum Heat Input Capacity (MMBtu/hr)	Manufacture Date
G01	20	2003
G02	20	2003
G03	3.0	2005
G05	3.0	pre-1990
G06	3.0	pre-1990
G08	3.0	pre-1990
G18	2.51	pre-2000
G19	2.01	2004
G21	1.25	2008
G22	2.51	2003
G23	2.01	pre-2000
G24	2.51	pre-2000
G25	2.51	pre-2000
Fire Pump86A	1.23	pre-2000
Fire Pump132	0.90	1988
Fire Pump136	0.87	1986
Fire Pump306	0.74	1986
Fire Pump341	0.90	1980
Fire Pump343	1.56	1989

DONE AND DATED IN AUGUSTA, MAINE THIS 10th DAY OF MAY, 2024.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

BY:  for
MELANIE LOYZIM, COMMISSIONER

The term of this amendment shall be concurrent with the term of Air Emission License A-452-70-D-R/A (7/23/2015).

PLEASE NOTE ATTACHED SHEET FOR GUIDANCE ON APPEAL PROCEDURES

Date of initial receipt of application: 2/15/2024
Date of application acceptance: 2/15/2024

Date filed with the Board of Environmental Protection:

This Order prepared by Lisa P. Higgins, Bureau of Air Quality.

FILED
MAY 10, 2024
State of Maine
Board of Environmental Protection