



# DEPARTMENT OF ENVIRONMENTAL PROTECTION

## Monthly Enforcement Report

### for actions during June 2024

ISSUED: July 15<sup>th</sup>, 2024

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*This report has been prepared to satisfy a statutory obligation under 38 M.R.S. § 349(7) that the Maine Department of Environmental Protection inform the public of certain enforcement resolutions. Please contact Ronald Mongeon at (207) 530-3138 or [ronald.mongeon@maine.gov](mailto:ronald.mongeon@maine.gov) for additional information regarding the activities listed in this report.*

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The following cases were resolved to achieve compliance with the law, remediate environmental damage, restore natural resources to appropriate conditions, and/or impose penalties to deter similar actions in the future.

#### **Consent Agreements Approved by the Board of Environmental Protection and Office of the Attorney General (party followed by location):**

**T&D Wood Energy LLC and Player Design, Inc., Sanford, York County, Maine.** T&D Wood Energy LLC (T&D) and Player Design, Inc. (Player Design) were co-permittees during the period of the administrative consent agreement for the construction and operation of a wood pellet manufacturing facility in Sanford, Maine. Air emissions license (AEL), AEL A-1129-71-A-N was issued on April 24, 2018, which was amended on May 20, 2021, and July 25, 2023.

The facility includes a direct heat contact dryer for the purposes of drying green soft wood that is subsequently run through a hammer mill to be ground down to a size that can be easily pressed into a pellet form. Heat for the drying process comes from a 27.2 million British thermal unit per hour (MMBtu/hr) combustion unit that fires green wood and bark material. The 2018 AEL was subsequently amended on May 20, 2021, to include changes in equipment and operations, new emission standards for particulate matter of less than 2.5 micrometers in diameter, and new performance stack testing requirements.

On February 12, 2020, following failed attempts to demonstrate compliance with emission standards through emissions testing and after review of the T&D license and compliance file, the Department issued a notice of violation (NOV) to T&D and Player Design. After a full compliance evaluation on February 22, 2022, T&D and Player Design were issued a second NOV.

An amendment to the AEL (AEL A-1129-71-C-A, Amendment #2), was issued on July 25, 2023, which, among other changes, removed Player Design from the license leaving T&D as the sole entity responsible for maintaining compliance with the AEL.



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On December 21, 2023, a second full compliance evaluation was conducted, and a third NOV was issued to T&D and Player Design in April 2024, which included the violations that were discovered as a result of the second full compliance evaluation and a subsequent file review.

The following violations were observed by Department staff:

- Failure to conduct emission testing within required deadlines, in violation of AEL A-1129-71-A-N, Standard Conditions 11(A and B) and Specific Condition 16(J);
- Failure to submit emission test result reports within the required time period, in violation of AEL A-1129-71-A-N, Standard Condition 11(C);
- Failure to construct emissions-related equipment in conformance with licensed specifications, in violation of AEL A-1129-71-A-N, Standard Condition 16(G);
- Failure of compliance emission tests, in violation of AEL A-1129-71-B-A, Specific Condition 16(D);
- Failure to operate at or below the dryer inlet temperature standard, in violation of Specific Condition 16(F) in AELs A-1129-71-A-N and A-1129-71-B-A;
- Failure to maintain records sufficient to demonstrate compliance with Air Emission License requirements, in violation of AEL A-1129-71-A-N Standard Condition 8 and Specific Condition 19, and AEL A-1129-71-B-A Specific Condition 19;
- Installation and operation of unlicensed equipment, in violation of AEL A-1129-71-A-N, Standard Condition 2 and Specific Condition 18; and
- Failure to submit reports outlining facility upsets that resulted in emission exceedances, in violation of AEL A-1129-71-A-N, Standard Condition 14 and Specific Condition 21.

To resolve these violations, T&D and Player Design agreed to pay the *Treasurer, State of Maine*, a civil monetary penalty in the amount of one hundred fifty one thousand five hundred and fifty dollars (\$151,550.00), provide documentation demonstrating an acceptable plan for inspection and maintenance, provide documentation on monthly inspections of particulate control devices and appropriate maintenance, provide documentation of a written plan outlining malfunctions and breakdown record keeping, and provide malfunction and breakdown updates to the Department monthly. T&D and Player Design also agreed to pay stipulated penalties for failure to complete the above corrective actions to the Department's satisfaction.