



JANET T. MILLS  
GOVERNOR

STATE OF MAINE  
DEPARTMENT OF ENVIRONMENTAL PROTECTION



MELANIE LOYZIM  
COMMISSIONER

May 18, 2022

Erik Heim  
Nordic Aquafarms Inc.  
159 High Street  
PO Box 283  
Belfast, ME 04915

RE: Air Emission License A-1146-71-A-N Extension to Approval to Construct

Dear Mr. Heim:

The Maine Department of Environmental Protection (Department) is in receipt a letter dated April 25, 2022, submitted by Steven Whipple on behalf of Nordic Aquafarms Inc. (Nordic) and received by the Department on May 9, 2022. In the letter, Nordic requests an 18-month extension to commence construction of air emission sources at its facility to be located in Belfast, Maine.

The Department issued Air Emission License A-1146-71-A-N to Nordic on November 19, 2020, for the construction, installation, and operation of emission sources associated with a land-based salmon aquaculture farm. Standard Condition (3) of the air emission license establishes a timeframe of 18 months after approval to commence construction, stating:

- (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]

The air emission license thereby anticipates that additional time to commence construction may be needed and provides the licensee the ability to request an extension by means of this standard condition. Requests for extensions pursuant to this standard condition are not unusual.

The Department does not consider an extension request pursuant to Standard Condition (3) to be a reopening or amendment of the air emission license, but instead recognizes it to be the licensee electing to make use of an option already provided for in the license.

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AUGUSTA, MAINE 04333-0017  
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(207) 941-4570 FAX: (207) 941-4584

PORTLAND  
312 CANCO ROAD  
PORTLAND, MAINE 04103  
(207) 822-6300 FAX: (207) 822-6303

PRESQUE ISLE  
1235 CENTRAL DRIVE, SKYWAY PARK  
PRESQUE ISLE, MAINE 04769  
(207) 764-0477 FAX: (207) 760-3143

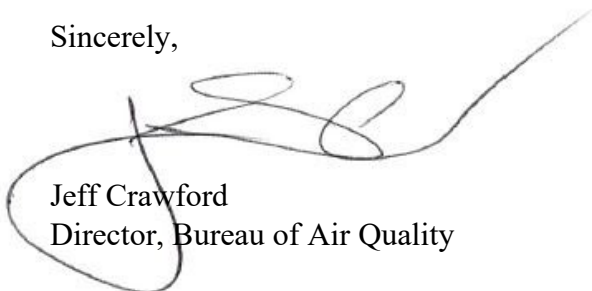
The purpose of this standard condition is to provide the Department with the opportunity to evaluate whether it is appropriate to update the best available control technology analysis based on current control methods or to update the ambient air quality impact analysis based on applicable ambient air quality standards.

In this case, the Department finds that an extension is justified based on Nordic's stated need for additional time to obtain required permits prior to commencing construction of the facility and to complete planning of the project and make adjustments due to market conditions.

The Department has considered the information provided in Nordic's letter along with current ambient air quality standards, information in the Environmental Protection Agency's (EPA's) RACT/BACT/LAER Clearinghouse (RBLC),<sup>1</sup> and comments<sup>2</sup> on Nordic's request for an extension. The Department is unaware of any advancements in control technologies beyond that provided for in the existing air emission license. As correctly stated in Nordic's letter, the emission control technologies considered and included in the current air emission license have not changed in the past 18 months based on a review of engine manufacturer control options and the RBLC. Further, there have been no changes to applicable ambient air quality standards that would necessitate an update of the ambient air quality impact analysis. The Department therefore finds there is no justification to require an update of the control technology analysis or the ambient air quality impact analysis at this time.

The Department hereby extends the allowable period to commence construction of the air emission sources at the facility to 18 months from the date of this letter.

Sincerely,



Jeff Crawford  
Director, Bureau of Air Quality

cc: Steven Whipple [Mainly Environmental]  
Nordic Service List

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<sup>1</sup> The RBLC database contains case-specific information on air pollution control technologies required to be used at stationary sources subject to Reasonably Available Control Technology (RACT), Best Available Control Technology (BACT), or Lowest Achievable Emission Rate (LAER) requirements under EPA's New Source Review (NSR) permitting programs.

<sup>2</sup> These comments were submitted by Kim Ervin Tucker by email dated May 11, 2022 and by Mike Lannan by email dated May 16, 2022. Northport Village Corporation (NVC) requested that the Department hold a hearing and consider information that has arisen since the air emission license was issued. Because, as explained above, an extension of time pursuant to Standard Condition (3) is not an amendment or reopening of the air emission license, a hearing to consider new information is neither required nor warranted. The Department also notes that the kind of information discussed by NVC in its comments is not relevant to the narrow question presented by Nordic's request or the Department's analysis of that request pursuant to the terms of Standard Condition (3).