



STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION



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**York County Jail
York County
Alfred, Maine
A-848-71-D-R/M (SM)**

**Departmental
Findings of Fact and Order
Air Emission License
Renewal and Minor Revision**

FINDINGS OF FACT

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

I. REGISTRATION

A. Introduction

York County Jail (Y CJ) has applied to renew their Air Emission License permitting the operation of emission sources associated with their correctional facility.

In addition, Y CJ has requested to make the following minor revisions to their license:

1. Allow the capability to burn propane in Boiler #1 and Boiler #2, using #2 Fuel Oil (distillate), with a sulfur content 0.5%, as a back-up fuel. For consistency, the sulfur content for distillate was raised to 0.5%.
2. Y CJ originally licensed Boiler #3 in A-848-71-B-A. Boiler #3 was never installed and Y CJ has requested to have this boiler removed from the license.

The equipment addressed in this license is located at 1 Layman Way, Alfred, Maine.

B. Emission Equipment

The following equipment is addressed in this air emission license:

Boilers

<u>Equipment</u>	<u>Maximum Capacity (MMBtu/hr)</u>	<u>Maximum Firing Rate (gal/hr)</u>	<u>Fuel Type, % sulfur</u>	<u>Date of Manuf./ Install.</u>	<u>Stack #</u>
Boiler #1	8.0	57.4 88.4	distillate, 0.5% propane	2002	1
Boiler #2	8.0	57.14 88.4	distillate, 0.5% propane	2002	2

AUGUSTA
17 STATE HOUSE STATION
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(207) 287-7688 FAX: (207) 287-7826
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BANGOR
106 HOGAN ROAD, SUITE 6
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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

Generator

<u>Equipment</u>	<u>KW</u>	<u>Design Capacity</u>	<u>Firing Rate (gal/hr)</u>	<u>Fuel Type, % sulfur</u>	<u>Date of Manuf.</u>
Generator #1	1500	14.5	103.6	Distillate, 0.0015%	2002

C. Application Classification

The application for YCJ includes an increase in emissions of less than 4 ton/year for each single pollutant and less than 8 ton/year for all pollutants combined. Therefore, this modification is determined to be a minor revision and has been processed as such.

In addition, this license is considered a renewal of currently licensed emission units and has been processed through *Major and Minor Source Air Emission License Regulations*, 06-096 Code of Maine Rules (CMR) 115 (as amended). YCJ is considered to be a synthetic minor with the following restrictions:

- 1) Boilers #1 and #2 are limited to an annual heat input limit of 49,000 MMBtu/year based on the total amount of distillate and propane combusted.
- 2) YCJ's Generator #1 is restricted to 100 hours/year of non-emergency use.
YCJ is licensed below the major source thresholds for criteria pollutants and is considered a synthetic minor, the facility is also licensed below the major source thresholds for hazardous air pollutants (HAP) and is considered an area source of 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 CMR 100 (as amended). Separate control requirement categories exist for new and existing equipment.

BPT for new sources and modifications requires a demonstration that emissions are receiving Best Available Control Technology (BACT), as defined in *Definitions Regulation*, 06-096 CMR 100 (as amended). BACT is a top-down approach to selecting air emission controls considering economic, environmental and energy impacts.

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 #1 and #2

YCJ operates Boilers #1 and #2 to provide heat and hot water for the facility. Boilers #1 and #2 were each manufactured by Bryan Boilers, installed in 2002 and rated at 8.0 MMBtu/hr. The boilers can fire distillate fuel or propane.

Due to their size, the boilers are not subject to the New Source Performance Standards (NSPS) 40 CFR Part 60, Subpart Dc, *Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units*, for units greater than 10 MMBtu/hr manufactured after June 9, 1989.

1. BACT Findings

The BACT emission limits for each boiler firing propane were based on the following:

Propane

- PM/PM₁₀ – 0.05 lb/MMBtu based on 06-096 CMR 115, BACT
- SO₂ – 0.018 lb/1000 gal based on AP-42, Table 1.5-2, dated 7/08
- NO_x – 13 lb/1000 gal. based on AP-42, Table 1.5-1, dated 7/08
- CO – 7.5 lb/1000 gal based on AP-42, Table 1.5-1, dated 7/08
- VOC – 1 lb/1000 gal based on AP-42, Table 1.5-1, dated 7/08
- Opacity – BACT

The BACT emission limits for each boiler firing propane are the following:

<u>Unit</u>	<u>Pollutant</u>	<u>lb/MMBtu</u>
Boiler #1	PM	0.05
Boiler #2	PM	0.05

<u>Unit</u>	<u>PM</u> <u>(lb/hr)</u>	<u>PM₁₀</u> <u>(lb/hr)</u>	<u>SO₂</u> <u>(lb/hr)</u>	<u>NO_x</u> <u>(lb/hr)</u>	<u>CO</u> <u>(lb/hr)</u>	<u>VOC</u> <u>(lb/hr)</u>
Boiler #1	0.4	0.4	0.01	1.15	0.66	0.09
Boiler #2	0.4	0.4	0.01	1.15	0.66	0.09

Visible emissions from each boiler when firing propane shall not exceed 10% opacity on a 6 minute block average basis, except for no more than one (1) six (6) minute block average in a 3 hour period.

The BPT emission limits for each boiler firing distillate fuel were based on the following:

Distillate Fuel

- PM/PM₁₀ – 0.08 lb/MMBtu based on 06-096 CMR 103
- SO₂ – based on firing ASTM D396 compliant #2 fuel oil (0.5% sulfur by weight)
- NO_x – 20 lb/1000 gal based on AP-42, Table 1.3-1, dated 5/10
- CO – 5 lb/1000 gal based on AP-42, Table 1.3-1, dated 5/10
- VOC – 0.34 lb/1000 gal based on AP-42, Table 1.3-3, dated 5/10
- Opacity – 06-096 CMR 101

The BPT emission limits for each boiler firing distillate fuel are the following:

<u>Unit</u>	<u>Pollutant</u>	<u>lb/MMBtu</u>
Boiler #1	PM	0.08
Boiler #2	PM	0.08

<u>Unit</u>	<u>PM (lb/hr)</u>	<u>PM₁₀ (lb/hr)</u>	<u>SO₂ (lb/hr)</u>	<u>NO_x (lb/hr)</u>	<u>CO (lb/hr)</u>	<u>VOC (lb/hr)</u>
Boiler #1 distillate fuel	0.64	0.64	4.03	1.14	0.29	0.02
Boiler #2 distillate fuel	0.64	0.64	4.03	1.14	0.29	0.02

Visible emissions from each boiler firing distillate fuel shall not exceed 20% opacity on a 6 minute block average, except for no more than one (1) six (6) minute block average in a 3 hour period.

Prior to July 1, 2016, or by the date otherwise stated in 38 MRSA §603-A(2)(A)(3), the distillate fuel in Boilers #1 and #2 shall have a maximum sulfur content of 0.5% by weight. Per 38 MRSA §603-A(2)(A)(3), beginning July 1, 2016, or on the date specified in the statute, the facility shall fire distillate fuel with a maximum sulfur content limit of 0.005% by weight (50 ppm), and beginning January 1, 2018, or on the date specified in the statute, the facility shall fire distillate fuel with a maximum sulfur content limit of 0.0015% by weight (15 ppm). The specific dates contained in this paragraph reflect the current dates in the statute as of the effective date of this license; however, if the statute is revised, the facility shall comply with the revised dates upon promulgation of the statute revision.

Y CJ shall be limited to a total annual heat input of 49,000 MMBtu/year. (Heating values of 0.0905 MMBtu/gal for propane and 0.014 MMBtu/gallon for distillate fuel were used).

Periodic Monitoring

Periodic monitoring for the boilers shall include recordkeeping to document fuel use and heat input on a calendar year basis. Documentation shall also include the type of fuel used and sulfur content of the fuel.

2. 40 CFR Part 63 Subpart JJJJJ

Boilers #1 and #2 are subject to the National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers Area Sources (40 CFR Part 63 Subpart JJJJJ). The units are considered existing oil boilers rated less than 10 MMBtu/hr.

Gas and propane fired boilers are exempt from 40 CFR Part 63, Subpart JJJJJ. However, boilers which fire fuel oil are not. A "gas-fired boiler" is defined as any boiler that burns gaseous fuels not combined with any solid fuels and burns liquid fuel only during periods of gas curtailment, gas supply interruption, startups, or periodic testing on liquid fuel. Periodic testing of liquid fuel shall not exceed a combined total of 48 hours during any calendar year.[40 CFR Part 63.11237]

Any boiler designed to burn fuels besides gaseous fuels prior to June 4, 2010 will be considered an existing boiler under this rule. A boiler which currently fires gaseous fuels, but converts back to firing another fuel (such as distillate fuel) in the future would become subject as an existing boiler at the time it is converted back to oil.

Y CJ's boilers were firing oil on the compliance date, March 21, 2014, therefore, its boilers are subject to the requirements listed below. If Y CJ's boilers meet the definition of gas fired boiler at the beginning of the next calendar year, Y CJ's boilers can then be considered gas fired boilers and are no longer subject to the area source boiler rule. A notification must be submitted upon fuel switching according to §63.1225(g).

A summary of the currently applicable federal 40 CFR Part 63 Subpart JJJJJ requirements is listed below. At this time, the Department has not taken delegation of this area source rule promulgated by EPA, however Y CJ is still subject to the requirements. Notification forms and additional rule information can be found on the following website:

<http://www.epa.gov/ttn/atw/boiler/boilerpg.html>.

a. Compliance Dates, Notifications, and Work Practice Requirements

i. Initial Notification of Compliance

An Initial Notification submittal to EPA. [40 CFR Part 63.11225(a)(2)]

ii. Boiler Tune-Up Program

(a) A boiler tune-up program was to be implemented to include the initial tune-up of applicable boilers. [40 CFR Part 63.11223]

1. Each tune-up shall be conducted at a frequency specified by the rule and based on the size, age, and operations of the boiler. See chart below:

Boiler Category	Tune-Up Frequency
Existing Oil, fired boilers	Every 2 years

[40 CFR Part 63.11223(a) and Table 2]

2. The tune-up compliance report shall be maintained onsite and, if requested, submitted to EPA. The report shall contain the concentration of CO in the effluent stream (ppmv) and oxygen in volume percent, measured at high fire or typical operating load, before and after the boiler tune-up, a description of any corrective actions taken as part of the tune-up of the boiler, and the types and amounts of fuels used over the 12 months prior to the tune-up of the boiler. [40 CFR Part 63.11223(b)(6)] The compliance report shall also include the company name and address; a compliance statement signed by a responsible official certifying truth, accuracy, and completeness; and a description of any deviations and corrective actions. [40 CFR Part 63.11225(b)]
- (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 36 months from the previous inspection for boilers greater than 5 MMBtu/hr or 72 months from the previous inspection for oil fired boilers less than 5

- MMBtu/hr, boilers with oxygen trim systems, seasonal boilers, and limited use boilers. [40 CFR Part 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 CFR Part 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 for boilers greater than 5 MMBtu/hr or 72 months from the previous inspection for oil fired boilers less than 5 MMBtu/hr, boilers with oxygen trim systems, seasonal boilers, and limited use boilers. [40 CFR Part 63.11223(b)(3)]
 4. Optimize total emissions of CO, consistent with manufacturer's specifications. [40 CFR Part 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 CFR Part 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 CFR Part 63.11223(b)(7)]
- (c) After conducting the initial boiler tune-up, a Notification of Compliance Status was to be submitted to EPA no later than July 19, 2014. [40 CFR Part 63.11225(a)(4) and 40 CFR Part 63.11214(b)]
- b. Recordkeeping

Records shall be maintained consistent with the requirements of 40 CFR Part 63 Subpart JJJJJ including the following [40 CFR Part 63.11225(c)]: copies of notifications and reports with supporting compliance documentation; 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; documentation of fuel types used monthly by each boiler; the occurrence and duration of each malfunction of the boiler; and actions taken during periods of malfunction to minimize emissions and actions taken to restore the malfunctioning boiler to its usual manner of operation. Records shall be in a form suitable and readily available for expeditious review.

EPA requires submission of Notification of Compliance Status reports for tune-ups through their electronic reporting system. [63.1125(a)(4)(vi)]

C. Generator #1

YCJ operates Generator #1 as an emergency generator manufactured by Cummins in 2002. It is rated at 1500 kW (14.5 MMBtu/hr) and is used in case of emergencies and for emergency demand response.

1. BPT Findings

The BPT emission limit for the generator is based on the following:

- PM/PM₁₀ - 0.12 lb/MMBtu from 06-096 CMR 103
- SO₂ - combustion of distillate fuel with a maximum sulfur content not to exceed 15 ppm (0.0015% sulfur by weight)
- NO_x - 3.2 lb/MMBtu from AP-42 dated 10/96
- CO - 0.85 lb/MMBtu from AP-42 dated 10/96
- VOC - 0.09 lb/MMBtu from AP-42 dated 10/96
- Opacity - 06-096 CMR 101

The BPT emission limits for the generator are as follows:

<u>Unit</u>	<u>Pollutant</u>	<u>lb/MMBtu</u>
Generator #1	PM	0.12

<u>Unit</u>	<u>PM (lb/hr)</u>	<u>PM₁₀ (lb/hr)</u>	<u>SO₂ (lb/hr)</u>	<u>NO_x (lb/hr)</u>	<u>CO (lb/hr)</u>	<u>VOC (lb/hr)</u>
Generator #1 (14.5 MMBtu/hr) Distillate fuel	1.74	1.74	0.02	46.4	12.33	1.31

Visible emissions from the Generator #1 shall not exceed 20% opacity on a 6-minute block average, except for no more than two (2) six (6) minute block averages in a 3-hour period.

2. 40 CFR Part 63, Subpart ZZZZ

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 emergency generator listed above. The unit is considered an existing, emergency stationary reciprocating internal combustion engine at an area HAP source and is not subject to New Source Performance Standards regulations. EPA's August 9, 2010 memo (*Guidance Regarding Definition of Residential, Commercial, and Institutional Emergency Stationary RICE in the NESHAP for Stationary RICE*) specifically does exempt this unit from the federal

requirements because it is categorized as an institutional emergency engine; however the engine is contractually obligated to be available for more than 15 hours per calendar year in a demand response program, during a period of deviation from standard voltage or frequency, or supplying power during a non-emergency situation as part of a financial arrangement with another entity as specified in §63.6640(f)(4)(ii), and therefore is required to comply with all applicable requirements of 40 CFR Part 60, Subpart ZZZZ.

a. Emergency Definition:

Emergency stationary RICE means any stationary reciprocating internal combustion engine that meets all of the following criteria:

- (1) The stationary RICE is operated to provide electrical power or mechanical work during an emergency situation. Examples include stationary RICE used to produce power for critical networks or equipment (including power supplied to portions of a facility) when electric power from the local utility (or the normal power source, if the facility runs on its own power production) is interrupted, or stationary RICE used to pump water in the case of fire or flood, etc. There is no time limit on the use of emergency stationary RICE in emergency situations.
- (2) Paragraph (1) above notwithstanding, the emergency stationary RICE may be operated for any combination of the purposes specified below for a maximum of 100 hours per calendar year:
 - (i) Maintenance checks and readiness testing, provided that the tests are recommended by federal, state or local government, the manufacturer, the vendor, the regional transmission organization or equivalent balancing authority and transmission operator, or the insurance company associated with the engine. The owner or operator may petition the Administrator for approval of additional hours to be used for maintenance checks and readiness testing, but a petition is not required if the owner or operator maintains records indicating that federal, state, or local standards require maintenance and testing of emergency RICE beyond 100 hours per calendar year.
 - (ii) Emergency demand response for periods in which the Reliability Coordinator under the North American Electric Reliability Corporation (NERC) Reliability Standard EOP-002-3, Capacity and Energy Emergencies (incorporated by reference, see §63.14), or other authorized entity as determined by the Reliability Coordinator, has declared an Energy Emergency Alert Level 2 as defined in the NERC Reliability Standard EOP-002-3.
 - (iii) Periods where there is a deviation of voltage or frequency of 5 percent or greater below standard voltage or frequency.

- (3) Paragraphs (1) and (2) above notwithstanding, emergency stationary RICE may be operated for up to 50 hours per calendar year in non-emergency situations. These 50 hours are counted as part of the 100 hours per calendar year for maintenance checks and readiness testing, emergency demand response, and periods of voltage deviation or low frequency, as provided in paragraph (2) above.

The 50 hours per calendar year for non-emergency situations cannot be used for peak shaving, non-emergency demand response, or to generate income for a facility by providing power to an electric grid or otherwise supply power as part of a financial arrangement with another entity, except provided in the following paragraphs:

- (i) Prior to May 3, 2014, the 50 hours per year for non-emergency situations can be used for peak shaving or non-emergency demand response to generate income for a facility, or to otherwise supply power as part of a financial arrangement with another entity if the engine is operated as part of a peak shaving (load management program) with the local distribution system operator and the power is provided only to the facility itself or to support the local distribution center.
- (ii) The 50 hours per year for non-emergency situations can be used to supply power as part of a financial arrangement with another entity if all of the following conditions are met:
- (a) The engine is dispatched by the local balancing authority or local transmission and distribution system operator.
 - (b) The dispatch is intended to mitigate local transmission and/or distribution limitations so as to avert potential voltage collapse or line overloads that could lead to the interruption of power supply in a local area or region.
 - (c) The dispatch follows reliability, emergency operation or similar protocols that follow specific NERC, regional, state, public utility commission or local standards or guidelines.
 - (d) The power is provided only to the facility itself or to support the local transmission and distribution system.
 - (e) The owner or operator identifies and records the entity that dispatches the engine and the specific NERC, regional, state, public utility commission or local standards or guidelines that are being followed for dispatching the engine. The local balancing authority or local transmission and distribution system operator may keep these records on behalf of the engine owner or operator.

Emergency Generator #1 shall be limited to the usage outlined in §63.6640(f) and therefore may be classified as an existing emergency stationary RICE as defined in 40 CFR Part 63, Subpart ZZZZ. Failure to comply with all of the requirements

listed in §63.6640(f) may cause this engine to not be considered an emergency engine and therefore subject to all the requirements for non-emergency engines.

b. 40 CFR Part 63, Subpart ZZZZ Requirements:

(1) Operation and Maintenance Requirements

	Operating Limitations* (40 CFR §63.6603(a) and Table 2(d))
Compression ignition (distillate fuel) units: Emergency Generator #1	<ul style="list-style-type: none">- Change oil and filter every 500 hours of operation or annually, whichever comes first;- Inspect the air cleaner every 1000 hours of operation or annually, whichever comes first, and replace as necessary; and- Inspect all hoses and belts every 500 hours of operation or annually, whichever comes first, and replace as necessary.

The generator shall be operated and maintained according to the manufacturer's emission-related written instructions or YCJ shall develop a maintenance plan which must provide to the extent practicable for the maintenance and operation of the engine in a manner consistent with good air pollution control practice for minimizing emissions. [40 CFR §63.6625(e)]

(2) Optional Oil Analysis Program

YCJ has the option of utilizing an oil analysis program which complies with the requirements of §63.6625(i) in order to extend the specified oil change requirement. If this option is used, YCJ must keep records of the parameters that are analyzed as part of the program, the results of the analysis, and the oil changes for the engine. The analysis program must be part of the maintenance plan for the engine. [40 CFR §63.6625(i)]

(3) Non-Resettable Hour Meter Requirement

A non-resettable hour meter shall be installed and operated on each generator. [40 CFR §63.6625(f)]

(4) Startup Idle and Startup Time Minimization Requirements

During periods of startup the facility must minimize the engine's time spent at idle and minimize the engine's startup time to a period needed for appropriate and safe loading of the engine, not to exceed 30 minutes, after which time the non-startup emission limitations apply. [40 CFR §63.6625(h) & 40 CFR Part 63, Subpart ZZZZ Table 2d]

(5) Annual Time Limit for Maintenance and Testing

The generator shall be limited to 100 hours/year for maintenance checks and readiness testing, emergency demand response, and periods of voltage or frequency deviation from standards. Up to 50 hours/year of the 100 hours/year may be used in non-emergency situations (this does not include peak shaving, non-emergency demand response, or to generate income for a facility by providing power to an electric grid or otherwise supply power as part of a financial arrangement with another entity unless the conditions in §63.6640(f)(4)(ii) are met). [40 CFR §63.6640(f)]

(6) Recordkeeping

Y CJ shall keep records that include maintenance conducted on the generator and the hours of operation of the engine recorded through the non-resettable hour meter. Documentation shall include the hours spent for emergency operation, including what classified the operation as emergency and how many hours spent for non-emergency. If the generator is operated during a period of demand response or deviation from standard voltage or frequency, or to supply power during a non-emergency situation as part of a financial arrangement with another entity as specified in §63.6640(f)(4)(ii), Y CJ shall keep records of the notification of the emergency situation, and the date, start time, and end time of generator operation for these purposes. [40 CFR §63.6655(e) and (f)]

(7) Requirements for Demand Response Availability Over 15 Hours Per Year (and greater than 100 brake hp)

If Y CJ operates or is contractually obligated to be available for more than 15 hours per calendar year in a demand response program, during a period of deviation from standard voltage or frequency, or supplying power during a non-emergency situation as part of a financial arrangement with another entity as specified in §63.6640(f)(4)(ii), beginning January 1, 2015, the fuel fired in the generator shall not exceed 15 ppm sulfur (0.0015%). Any existing fuel purchased (or otherwise obtained) prior to January 1, 2015, may be used until depleted. [40 CFR §63.6604(b)]

If Y CJ operates or is contractually obligated to be available for more than 15 hours per calendar year in a demand response program, during a period of deviation from standard voltage or frequency, or supplying power during a non-emergency situation as part of a financial arrangement with another entity as specified in §63.6640(f)(4)(ii), the facility shall submit an annual report containing the information in §63.6650(h)(1)(i) through (ix). The first annual report must cover the calendar year 2015 and must be submitted no later than March 31, 2016. Subsequent annual reports for each calendar year must be submitted no later than March 31 of the following calendar year. The annual report must be submitted electronically using the Compliance and Emissions

Data Reporting Interface (CEDRI) that is accessed through EPA's Central Data Exchange (CDX) (www.epa.gov/cdx). However, if the reporting form is not available in CEDRI at the time that the report is due, the written report must be submitted to the following address:

Director, Office of Ecosystem Protection
U.S. Environmental Protection Agency
5 Post Office Square, Suite 100
Boston, MA 02109-3912

[40 CFR §63.6650(h)]

D. Annual Emissions

1. Total Annual Emissions

YCJ shall be restricted to the following annual emissions, based on a calendar year. The tons per year limits were calculated based on a total heat input limit of 49,000 MMBtu/yr for Boilers #1 and #2 and 100 hrs/yr of non-emergency operation of Generator #1:

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

	PM	PM ₁₀	SO ₂	NO _x	CO	VOC
Boilers #1 & #2	1.96	1.96	12.34	3.52	2.03	0.27
Generator #1	0.09	0.09	0.01	2.27	0.60	0.06
Total TPY	2.05	2.05	12.35	5.79	2.63	0.33

2. Greenhouse Gases

Greenhouse gases are considered regulated pollutants as of January 2, 2011, through 'Tailoring' revisions made to EPA's *Approval and Promulgation of Implementation Plans*, 40 CFR Part 52, Subpart A, §52.21 Prevention of Significant Deterioration of Air Quality rule. Greenhouse gases, as defined in 06-096 CMR 100 (as amended), are the aggregate group of the following gases: Carbon dioxide, nitrous oxide, methane, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride. For licensing purposes, greenhouse gases (GHG) are calculated and reported as carbon dioxide equivalents (CO₂e).

Based on the facility's fuel use limit, the worst case emission factors from AP-42, IPCC (Intergovernmental Panel on Climate Change), and *Mandatory Greenhouse Gas Reporting*, 40 CFR Part 98, and the global warming potentials contained in 40

CFR Part 98, YCJ is below the major source threshold of 100,000 tons of CO₂e per year. Therefore, no additional licensing requirements are needed to address GHG emissions at this time.

III. AMBIENT AIR QUALITY ANALYSIS

The level of ambient air quality impact modeling required for a minor source shall be determined by the Department on a case-by case basis. In accordance with 06-096 CMR 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
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.

The Department has determined that an ambient air quality impact analysis is not required for the facility and that Ambient Air Quality Standards (AAQS) will not be exceeded.

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-848-71-D-R/M subject to the conditions found in Air Emission License and in the following conditions.

Severability. The invalidity or unenforceability of any provision, or part thereof, of this License 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.A. §347-C).
- (2) The licensee shall acquire a new or amended air emission license prior to commencing construction of a modification, unless specifically provided for in Chapter 115. [06-096 CMR 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 CMR 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 CMR 115]
- (5) The licensee shall pay the annual air emission license fee to the Department, calculated pursuant to Title 38 M.R.S.A. §353-A. [06-096 CMR 115]
- (6) The license does not convey any property rights of any sort, or any exclusive privilege. [06-096 CMR 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 CMR 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 CMR 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 CMR 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 CMR 115]
- (11) In accordance with the Department's air emission compliance test protocol and 40 CFR 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 CFR 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 CMR 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 such test results, 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 CFR 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 CMR 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 Part 70 license requirement. [06-096 CMR 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 CMR 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 CMR 115]

SPECIFIC CONDITIONS

(16) **Boilers #1 & #2**

- A. Total heat input for Boilers #1 & #2 shall not exceed 49,000 MMBtu/yr of distillate fuel and propane fired based on a calendar year total basis. [06-096 CMR 115, BPT]
- B. Distillate Fuel
1. Prior to July 1, 2016 or the date specified in 38 MRSA §603-A(2)(A)(3), the distillate fuel fired in the boilers shall have a maximum sulfur content of 0.5% by weight. [06-096 CMR 115, BPT]
 2. Beginning July 1, 2016 or on the date specified in 38 MRSA §603-A(2)(A)(3), the facility shall fire distillate fuel with a maximum sulfur content limit of 0.005% by weight (50 ppm). [38 MRSA §603-A(2)(A)(3)]
 3. Beginning January 1, 2018 or on the date specified in 38 MRSA §603-A(2)(A)(3), the facility shall fire distillate fuel with a maximum sulfur content limit of 0.0015% by weight (15 ppm). [38 MRSA §603-A(2)(A)(3)]
 4. Compliance shall be demonstrated by fuel records from the supplier showing the quantity, type, and the percent sulfur of the fuel delivered (if applicable). Records of annual fuel use shall be kept on a monthly and calendar year total basis. [06-096 CMR 115, BPT]
 5. Emissions shall not exceed the following when firing distillate fuel:

Emission Unit	Pollutant	lb/MMBtu	Origin and Authority
Boilers #1 & #2	PM	0.08	06-096 CMR 103(2)(B)(1)(a)

6. Emissions shall not exceed the following when firing distillate fuel [06-096 CMR 115, BPT]:

Emission Unit	PM (lb/hr)	PM₁₀ (lb/hr)	SO₂ (lb/hr)	NO_x (lb/hr)	CO (lb/hr)	VOC (lb/hr)
Boilers #1 & #2	0.64	0.64	4.03	1.14	0.29	0.02

7. Visible emissions from Boilers #1 and #2 shall not exceed 20% opacity on a six (6) minute block average, except for no more than one (1) six (6) minute block average in a continuous 3-hour period. [06-096 CMR 101]

C. Propane

1. Compliance shall be demonstrated by fuel records from the supplier showing quantity of the fuel delivered. Records of annual fuel use shall be kept on a monthly and calendar year total basis. [06-096 CMR 115, BACT]
2. Emissions shall not exceed the following when firing propane:

Emission Unit	Pollutant	lb/MMBtu	Origin and Authority
Boiler #1	PM	0.05	06-096 CMR 103(2)(B)(1)(a)
Boiler #2	PM	0.05	06-096 CMR 103(2)(B)(1)(a)

3. Emissions shall not exceed the following [06-096 CMR 115, BACT]:

Emission Unit	PM (lb/hr)	PM₁₀ (lb/hr)	SO₂ (lb/hr)	NO_x (lb/hr)	CO (lb/hr)	VOC (lb/hr)
Boiler #1	0.40	0.40	0.01	1.15	0.66	0.09
Boiler #2	0.40	0.40	0.01	1.15	0.66	0.09

4. Visible emissions from each boiler firing propane shall not exceed 10% opacity on a 6 minute block average basis, except for no more than one (1) six (6) minute block average in a 3 hour period. [06-096 CMR 101]

D. Boiler MACT (40 CFR Part 63, Subpart JJJJJ) Requirements for Boilers #1 & #2 apply to these boilers if they do not meet the definition of a gas-fired boiler defined by this subpart.

[incorporated under 06-096 CMR 115, BPT]

1. An Initial Notification submittal to EPA. [40 CFR Part 63.11225(a)(2)]
2. The facility shall have implemented a boiler tune-up program to include the initial tune-up of applicable boilers. [40 CFR Part 63.11223]

- (a) Each tune-up shall be conducted at a frequency specified by the rule and based on the size, age, and operations of the boiler. See chart below:

Boiler Category	Tune-Up Frequency
Existing Oil fired boilers	Every 2 years

[40 CFR Part 63.11223(a) and Table 2]

- (b) The tune-up compliance report shall be maintained onsite and, if requested, submitted to EPA. The report shall contain the concentration of CO in the effluent stream (ppmv) and oxygen in volume percent, measured at high fire or typical operating load, before and after the boiler tune-up, a description of any corrective actions taken as part of the tune-up of the boiler, and the types and amounts of fuels used over the 12 months prior to the tune-up of the boiler. [40 CFR Part 63.11223(b)(6)] The compliance report shall also include the company name and address; a compliance statement signed by a responsible official certifying truth, accuracy, and completeness; and a description of any deviations and corrective actions. [40 CFR Part 63.11225(b)]
3. The boiler tune-up program, conducted to demonstrate continuous compliance, shall be performed as specified below:
- (a) 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 for boilers greater than 5 MMBtu/hr or 72 months from the previous inspection for oil fired boilers less than 5 MMBtu/hr, boilers with oxygen trim systems, seasonal boilers, and limited use boilers. [40 CFR Part 63.11223(b)(1)]
- (b) Inspect the flame pattern, as applicable, and adjust the burner as necessary to optimize the flame pattern, consistent with the manufacturer's specifications. [40 CFR Part 63.11223(b)(2)]
- (c) 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 for boilers greater than 5 MMBtu/hr or 72 months from the previous inspection for oil fired boilers less than 5 MMBtu/hr, boilers with oxygen trim systems, seasonal boilers, and limited use boilers. [40 CFR Part 63.11223(b)(3)]
- (d) Optimize total emissions of CO, consistent with manufacturer's specifications. [40 CFR Part 63.11223(b)(4)]

- (e) 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 CFR Part 63.11223(b)(5)]
- (f) 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 CFR Part 63.11223(b)(7)]

4. After conducting the initial boiler tune-up, a Notification of Compliance Status shall be submitted to EPA. [40 CFR Part 63.11225(a)(4) and 40 CFR Part 63.11214(b)]

(17) **Generator #1**

A. Generator #1, shall be limited to 100 hours of operation per calendar year, excluding operating hours during emergency situations. [06-096 CMR 115]

B. Sulfur Content

- 1. The fuel sulfur content for Generator #1 shall be limited to 0.0015% sulfur by weight. Compliance shall be demonstrated by fuel records from the supplier documenting the type of fuel delivered and the sulfur content of the fuel. [06-096 CMR 115, BPT]
- 2. Any existing distillate fuel purchased prior to the November 1, 2014, may be used until depleted.

C. Emissions shall not exceed the following:

<u>Unit</u>	<u>Pollutant</u>	<u>lb/MMBtu</u>	<u>Origin and Authority</u>
Generator #1	PM	0.12	06-096 CMR 103(2)(B)(1)(a)

D. Emissions shall not exceed the following [06-096 CMR 115, BPT]:

<u>Unit</u>	<u>PM (lb/hr)</u>	<u>PM₁₀ (lb/hr)</u>	<u>SO₂ (lb/hr)</u>	<u>NO_x (lb/hr)</u>	<u>CO (lb/hr)</u>	<u>VOC (lb/hr)</u>
Generator #1 (14.5 MMBtu/hr), distillate fuel	1.74	1.74	0.02	46.4	12.33	1.31

E. Visible Emissions

Visible emissions from the Generator #1 shall not exceed 20% opacity on a 6 minute block average, except for no more than two (2) six (6) minute block averages in a 3 hour period. [06-096 CMR 101]

F. The Emergency Generator #1 shall meet the applicable requirements of 40 CFR Part 63, Subpart ZZZZ, including the following:

1. YCJ shall meet the following operational limitations for the compression ignition emergency generator:

- a. Change the oil and filter annually,
- b. Inspect the air cleaner annually and replace as necessary, and
- c. Inspect the hoses and belts annually and replace as necessary.

A log shall be maintained documenting compliance with the operational limitations.

[40 CFR §63.6603(a) and Table 2(d); and 06-096 CMR 115]

2. Oil Analysis Program Option

YCJ has the option of utilizing an oil analysis program which complies with the requirements of §63.6625(i) in order to extend the specified oil change requirement. If this option is used, YCJ must keep records of the parameters that are analyzed as part of the program, the results of the analysis, and the oil changes for the engine. The analysis program must be part of the maintenance plan for the engine. [40 CFR §63.6625(i)]

3. Non-Resettable Hour Meter

A non-resettable hour meter shall be installed and operated on the generator. [40 CFR §63.6625(f)]

4. Maintenance, Testing, and Non-Emergency Operating Situations

- a. The generator shall be limited to 100 hours/year for maintenance checks and readiness testing, emergency demand response, and periods of voltage or frequency deviation from standards. Up to 50 hours/year of the 100 hours/year may be used in non-emergency situations (this does not include peak shaving, non-emergency demand response, or to generate income for a facility by providing power to an electric grid or otherwise to supply power as part of a financial arrangement with another entity unless the conditions in §63.6640(f)(4)(ii) are met). These limits are based on a calendar year. Compliance shall be demonstrated by a written log of all generator operating hours. [40 CFR §63.6640(f) and 06-096 CMR 115]

b. YCJ shall keep records that include maintenance conducted on the generator and the hours of operation of the engine recorded through the non-resettable hour meter. Documentation shall include the hours spent for emergency operation, including what classified the operation as emergency and how many hours spent for non-emergency. If the generator is operated during a period of demand response or deviation from standard voltage or frequency, or to supply power during a non-emergency situation as part of a financial arrangement with another entity as specified in §63.6640(f)(4)(ii), the YCJ shall keep records of the notification of the emergency situation, and the date, start time, and end time of generator operation for these purposes. [40 CFR §63.6655(e) and (f) and 06-096 CMR 115]

5. Operation and Maintenance

The generator shall be operated and maintained according to the manufacturer's emission-related written instructions or YCJ shall develop a maintenance plan which must provide to the extent practicable for the maintenance and operation of the engine in a manner consistent with good air pollution control practice for minimizing emissions. [40 CFR §63.6625(e) and 06-096 CMR 115]

6. Startup Idle and Startup Time Minimization

During periods of startup the facility must minimize the engine's time spent at idle and minimize the engine's startup time to a period needed for appropriate and safe loading of the engine, not to exceed 30 minutes, after which time the non-startup emission limitations apply. [40 CFR §63.6625(h) & 40 CFR Part 63, Subpart ZZZZ Table 2d]

7. Requirements For Demand Response Availability Over 15 Hours Per Year (and greater than 100 brake hp)

If YCJ operates or is contractually obligated to be available for more than 15 hours per calendar year in a demand response program, during a period of deviation from standard voltage or frequency, or supplying power during a non-emergency situation as part of a financial arrangement with another entity as specified in §63.6640(f)(4)(ii), the facility shall submit an annual report containing the information in §63.6650(h)(1)(i) through (ix). The first annual report must cover the calendar year 2015 and must be submitted no later than March 31, 2016. Subsequent annual reports for each calendar year must be submitted no later than March 31 of the following calendar year. The annual report must be submitted electronically using the Compliance and Emissions Data Reporting Interface (CEDRI) that is accessed through EPA's Central Data Exchange (CDX) (www.epa.gov/cdx). However, if the reporting form is not

available in CEDRI at the time that the report is due, the written report must be submitted to the following address:

Director, Office of Ecosystem Protection
U.S. Environmental Protection Agency
5 Post Office Square, Suite 100
Boston, MA 02109-3912

[40 CFR §63.6650(h)]

- (18) YCJ 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.A. §605).

DONE AND DATED IN AUGUSTA, MAINE THIS 10 DAY OF November, 2014.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

BY: Marc Allen Robert Cora for
PATRICIA W. AHO, COMMISSIONER

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

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

PLEASE NOTE ATTACHED SHEET FOR GUIDANCE ON APPEAL PROCEDURES

Date of initial receipt of application: 1/30/2014

Date of application acceptance: 2/3/2014

Date filed with the Board of Environmental Protection:

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

