



STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION



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**HC Bangor, LLC
Penobscot County
Bangor, Maine
A-1006-71-D-R/T (SM)**

**Departmental
Findings of Fact and Order
Air Emission License
Renewal and Transfer**

FINDINGS OF FACT

After review of the air emissions license 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

HC Bangor, LLC has requested the transfer of this Air Emission License from Bangor Historic Track, Inc. to HC Bangor, LLC (HC Bangor) through a letter to the Bureau of Air Quality dated 1/15/14.

HC Bangor has applied to renew their Air Emission License permitting the operation of emission sources associated with their casino and hotel facility.

The equipment addressed in this license is located at 500 Main St, Bangor, Maine.

B. Emission Equipment

The following equipment is addressed in this air emission license:

Electrical Generation Equipment

<u>Equipment</u>	<u>Maximum Capacity</u>	<u>Firing Rate (gal/hr)</u>	<u>Fuel Type, % sulfur</u>	<u>Manf. Date</u>	<u>Install. Date</u>
Generator #1	19 MMBtu/hr 2000 ekW	138.9	diesel, 0.0015%	2007	2008

AUGUSTA
17 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0017
(207) 287-7688 FAX: (207) 287-7826
RAY BLDG., HOSPITAL ST.

BANGOR
106 HOGAN ROAD, SUITE 6
BANGOR, MAINE 04401
(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

Natural Gas-Fired Units

<u>Equipment</u>	<u>Maximum Capacity (MMBtu/hr)</u>	<u>Maximum Firing Rate (scf/hr)</u>	<u>Fuel Type</u>
ERU-1	2.63	2553	natural gas
ERU-2	2.63	2553	natural gas
ERU-3	2.63	2553	natural gas
MAU-1	1.05	1019	natural gas
MAU-2	1.05	1019	natural gas
MAU-3	1.05	1019	natural gas
B-1	3.00	2912	natural gas
B-2	3.00	2912	natural gas
B-5	2.00	1941	natural gas
HWH-1	1.70	1650	natural gas
HWH-2	1.70	1650	natural gas
HWH-3	1.50	1456	natural gas
HWH-4	1.50	1456	natural gas

Portable Snow Melter

<u>Equipment</u>	<u>Maximum Capacity (MMBtu/hr)</u>	<u>Maximum Firing Rate (gal/hr)</u>	<u>Fuel Type, % sulfur</u>	<u>Manf. Date</u>	<u>Install. Date</u>
Snow Melter Engine	0.5	3.9	diesel, 0.0015%	2005	2010
Snow Melter Burner	4.5	32.1	diesel, 0.0015%	2005	2010

C. Application Classification

The application for HC Bangor 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 (CMR) 115 (as amended). With the fuel limit on the boilers and the operating hours restriction on the generator and snow melter, the facility is licensed below the major source thresholds for criteria pollutants and is considered a synthetic minor, and the facility is licensed below the major source thresholds for hazardous air pollutants (HAP) and is considered an area source of HAP.

II. TRANSFER REQUIREMENTS

A. Title, Right, or Interest

In October 2013 Bangor Historic Track, Inc. merged with HC Bangor, LLC. A copy of the merger agreement has been provided to the Department. The parties have provided sufficient evidence of title, right, or interest in the facility to allow the transfer of the facility's licenses.

B. Technical Capacity and Intent

HC Bangor's acquisition of the facility is not expected to result in any significant change in the employees that currently operate the equipment, facilities, and conduct other activities. The facility's regulatory history with the Department demonstrates that the environmental personnel are competent in air pollution control. The information submitted in the application provides sufficient evidence that HC Bangor has the technical capacity and intent to comply with their air emission license.

C. Full Name and Address

The full name and address of the new owner is:

HC Bangor, LLC
500 Main St
Bangor, ME 04401

D. Certification

HC Bangor certifies that there will be no increase in air emissions beyond that provided for in the existing licenses, either in quantity or type.

III. 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 as well as for those sources located in designated non-attainment areas.

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. Natural Gas-Fired Units

HC Bangor operates many small natural gas-fired units for facility heating and hot water needs. Most of this equipment is less than 1.0 MMBtu/hr and considered insignificant. However, the following units are large enough to necessitate inclusion in this air emission license: Air Handling Units ERU-1, 2, and 3, MAU-1, 2, and 3, Boilers B-1, B-2, and B-5, and Hot Water Heaters HWH-1, 2, 3, and 4.

None of the natural gas fired equipment is greater than 10 MMBtu/hr. Therefore, there is no equipment subject to 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. BPT Findings

The BPT emission limits for the natural gas-fired units were based on the following:

- PM/PM₁₀ – 0.05 lb/MMBtu based on 06-096 CMR 115, BPT
- SO₂ – 0.6 lb/MMscf based on AP-42, Table 1.4-2, dated 7/98
- NO_x – 100 lb/MMscf based on AP-42, Table 1.4-1, dated 7/98
- CO – 84 lb/MMscf based on AP-42, Table 1.4-1, dated 7/98
- VOC – 5.5 lb/MMscf based on AP-42, Table 1.4-2, dated 7/98
- Opacity – 06-096 CMR 101

The BPT emission limits for the natural gas-fired units are the following:

Emission Unit	PM (lb/hr)	PM₁₀ (lb/hr)	NO_x (lb/hr)	CO (lb/hr)	VOC (lb/hr)
ERU-1	0.13	0.13	0.26	0.21	0.01
ERU-2	0.13	0.13	0.26	0.21	0.01
ERU-3	0.13	0.13	0.26	0.21	0.01
MAU-1	0.05	0.05	0.10	0.09	0.01
MAU-2	0.05	0.05	0.10	0.09	0.01
MAU-3	0.05	0.05	0.10	0.09	0.01

Emission Unit	PM (lb/hr)	PM ₁₀ (lb/hr)	NO _x (lb/hr)	CO (lb/hr)	VOC (lb/hr)
B-1	0.15	0.15	0.29	0.24	0.02
B-2	0.15	0.15	0.29	0.24	0.02
B-5	0.10	0.10	0.19	0.16	0.01
HWH-1	0.09	0.09	0.17	0.14	0.01
HWH-2	0.09	0.09	0.17	0.14	0.01
HWH-3	0.08	0.08	0.15	0.12	0.01
HWH-4	0.08	0.08	0.15	0.12	0.01

Visible emissions from each natural gas-fired unit shall not exceed 10% opacity on a 6 minute block average, except for no more than one (1) six (6) minute block average in a 3-hour period.

HC Bangor shall be limited to 30 million scf/year of natural gas usage.

2. Periodic Monitoring

Periodic monitoring for natural gas fired-units shall include recordkeeping to document fuel use on a calendar year basis.

3. 40 CFR Part 63 Subpart JJJJJ

Gas-fired boilers are exempt from *National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers Area Sources* (40 CFR Part 63 Subpart JJJJJ).

C. Generator #1

HC Bangor operates one emergency generator (Generator #1). Generator #1 is rated at 19 MMBtu/hr and fires diesel fuel. Generator #1 was manufactured in 2007 and installed in 2008.

1. BPT Findings

The BPT emission limits for Generator #1 are based on the following:

- PM/PM₁₀ - 0.12 lb/MMBtu from 06-096 CMR 103
- SO₂ - combustion of diesel fuel with a maximum sulfur content not to exceed 15 ppm (0.0015% sulfur)
- 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 Generator #1 are the following:

Emission Unit	PM (lb/hr)	PM ₁₀ (lb/hr)	SO ₂ (lb/hr)	NO _x (lb/hr)	CO (lb/hr)	VOC (lb/hr)
Generator #1	2.28	2.28	0.03	60.80	16.15	1.71

Visible emissions from 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 60, Subpart IIII

The federal regulation 40 CFR Part 60, Subpart IIII, *Standards of Performance for Stationary Compression Ignition Internal Combustion Engines (CI ICE)* is applicable to Generator #1 since the it was ordered after July 11, 2005 and manufactured after April 1, 2006. By meeting the requirements of Subpart IIII, Generator #1 also meets the requirements found in the *National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines*, 40 CFR Part 63, Subpart ZZZZ.

a. Emergency Definition:

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

- (1) The stationary ICE is operated to provide electrical power or mechanical work during an emergency situation. Examples include stationary ICE 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 ICE used to pump water in the case of fire or flood, etc. There is no time limit on the use of emergency stationary ICE in emergency situations.
- (2) Paragraph (1) above notwithstanding, the emergency stationary ICE 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 ICE 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 ICE 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 if the following conditions are met:

- (i) The engine is dispatched by the local balancing authority or local transmission and distribution system operator.
- (ii) 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.
- (iii) The dispatch follows reliability, emergency operation or similar protocols that follow specific NERC, regional, state, public utility commission or local standards or guidelines.
- (iv) The power is provided only to the facility itself or to support the local transmission and distribution system.
- (v) 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.

[40 CFR §60.4211(f) and §60.4219]

b. 40 CFR Part 60, Subpart III Requirements:

(1) Manufacturer Certification Requirement

Generator #1 shall be certified by the manufacturer as meeting the emission standards for new nonroad compression ignition engines found in 40 CFR §60.4202. [40 CFR §60.4205(b)]

(2) Ultra-Low Sulfur Diesel Fuel Requirement

The diesel fuel fired in Generator #1 shall not exceed 15 ppm sulfur (0.0015% sulfur), except that any existing diesel fuel purchased (or otherwise obtained) prior to October 1, 2010, may be used until depleted. [40 CFR §60.4207(b)]

(3) Non-Resettable Hour Meter Requirement

A non-resettable hour meter shall be installed and operated on Generator #1. [40 CFR §60.4209(a)]

(4) Operation and Maintenance Requirements

Generator #1 shall be operated and maintained according to the manufacturer's emission-related written instructions or procedures developed by facility that are approved by the engine manufacturer. HC Bangor may only change those emission-related settings that are permitted by the manufacturer. [40 CFR §60.4211(a)]

(5) Annual Time Limit for Maintenance and Testing

Generator #1 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 §60.4211(f)(3)(i) are met). [40 CFR §60.4211(f)]

(6) Initial Notification Requirement

No initial notification is required for emergency engines. [40 CFR §60.4214(b)]

(7) Recordkeeping

HC Bangor shall keep records that include maintenance conducted on Generator #1 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 Generator #1 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 §60.4211(f)(3)(i), HC Bangor 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 §60.4214(b)]

(8) Annual Reporting Requirements for Demand Response Availability
Over 15 Hours Per Year (for generators greater than 100 brake hp)

If HC Bangor 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 §60.4211(f)(3)(i), the facility shall submit an annual report containing the information in §60.4214(d)(1)(i) through (vii). 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 §60.4214(d)]

D. Portable Snow Melter

HC Bangor operates a Portable Snow Melter which consists of a John Deere model 4024T270 diesel engine (0.5 MMBtu/hr) and a Treccan Combustion Limited model 4.5-20-OH burner (4.5 MMBtu/hr).

Both the Snow Melter Engine and Snow Melter Burner fire diesel fuel with a sulfur content not to exceed 0.0015% sulfur by weight.

1. BPT Findings

The BPT emission limits for the Snow Melter Engine are based on the following:

- PM/PM₁₀ - 0.12 lb/MMBtu from 06-096 CMR 103
- SO₂ - combustion of diesel fuel with a maximum sulfur content not to exceed 15 ppm (0.0015% sulfur)
- NO_x - 4.41 lb/MMBtu from AP-42 dated 10/96
- CO - 0.95 lb/MMBtu from AP-42 dated 10/96
- VOC - 0.35 lb/MMBtu from AP-42 dated 10/96
- Opacity - 06-096 CMR 115, BPT

The BPT emission limits for the Snow Melter Burner are based on the following:

- PM/PM₁₀ - 0.08 lb/MMBtu from 06-096 CMR 115, BPT
- SO₂ - combustion of diesel fuel with a maximum sulfur content not to exceed 15 ppm (0.0015% sulfur)
- NO_x - 0.3 lb/MMBtu 06-096 CMR 115, BPT
- CO - 5 lb/1000 gal from AP-42 dated 9/98
- VOC - 0.34 lb/1000 gal from AP-42 dated 9/98
- Opacity - 06-096 CMR 115, BPT

The BPT emission limits for the Snow Melter Engine and Snow Melter Burner are the following:

Emission Unit	PM (lb/hr)	PM ₁₀ (lb/hr)	SO ₂ (lb/hr)	NO _x (lb/hr)	CO (lb/hr)	VOC (lb/hr)
Snow Melter Engine	0.06	0.06	0.01	2.34	0.50	0.19
Snow Melter Burner	0.36	0.36	0.01	1.35	0.16	0.01

Visible emissions from the Snow Melter Engine or Snow Melter Burner shall each 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.

2. 40 CFR Part 60, Subpart IIII and 40 CFR Part 63, Subpart ZZZZ

The Snow Melter Engine is considered a non-road engine, as opposed to a stationary engine, since the Snow Melter Engine is portable and will be

moved to various sites within the facility. Therefore, the Snow Melter Engine is not subject to 40 CFR Part 60, Subpart IIII, *Standards of Performance for Stationary Compression Ignition Internal Combustion Engines* nor to 40 CFR Part 63, Subpart ZZZZ, *National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines*.

The definition in 40 CFR Part 1068.30 states that a non-road engine is an internal combustion engine that meets certain criteria, including: "Portable or transportable, meaning designed to be and capable of being carried or moved from one location to another. Indicia of transportability include, but are not limited to, wheels, skids, carrying handles, dolly, trailer, or platform." Section 40 CFR Part 1068.30 further states that an engine is not a non-road engine if it remains or will remain at a location for more than 12 consecutive months or a shorter period of time for an engine located at a seasonal source. An engine located at a seasonal source (a stationary source that remains in a single location on a permanent basis (i.e., at least two years) and that operates at that single location approximately three months (or more) each year) is an engine that remains at a seasonal source during the full annual operating period of the seasonal source.

3. 40 CFR Part 63, Subpart JJJJJ

The Snow Melter Burner is not a boiler. *National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers Area Sources* (40 CFR Part 63 Subpart JJJJJ) is not applicable to this equipment.

E. Annual Emissions

1. Total Annual Emissions

HC Bangor shall be restricted to the following annual emissions, based on a calendar year. The tons per year limits were calculated based on the following:

- Firing 30 million scf/year of natural gas
- Operation of Generator #1 for 100 hr/year
- Operation of the Portable Snow Melter for 2,000 hr/year

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

	PM	PM₁₀	SO₂	NO_x	CO	VOC
Natural Gas Use	0.8	0.8	–	1.5	1.3	0.1
Generator #1	0.1	0.1	–	3.0	0.8	0.1
Snow Melter Engine	0.1	0.1	–	2.3	0.5	0.2
Snow Melter Burner	0.4	0.4	–	1.4	0.2	–
Total TPY	1.4	1.4	–	8.2	2.8	0.4

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(s), 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, HC Bangor 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.

IV. 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 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 facility licensed emissions 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.

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.

Based on the above, the Department concludes that the applicant for the air emission license transfer has the capacity to satisfy all applicable statutory criteria and hereby APPROVES the transfer of this Air Emission License from Bangor Historic Track, Inc. to HC Bangor, LLC.

The Department hereby grants Air Emission License A-1006-71-D-R/T subject to 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) Natural Gas-Fired Units

- A. Total natural gas fuel use for HC Bangor shall not exceed 30 million scf/year based on a calendar year. Compliance shall be demonstrated by fuel records from the supplier showing the quantity of fuel delivered.
 [06-096 CMR 115, BPT]

- B. Emissions shall not exceed the following:

Emission Unit	Pollutant	lb/MMBtu	Origin and Authority
B-1	PM	0.05	06-096 CMR 115, BPT
B-2	PM	0.05	06-096 CMR 115, BPT

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

Emission Unit	PM (lb/hr)	PM ₁₀ (lb/hr)	NO _x (lb/hr)	CO (lb/hr)	VOC (lb/hr)
ERU-1	0.13	0.13	0.26	0.21	0.01
ERU-2	0.13	0.13	0.26	0.21	0.01
ERU-3	0.13	0.13	0.26	0.21	0.01
MAU-1	0.05	0.05	0.10	0.09	0.01
MAU-2	0.05	0.05	0.10	0.09	0.01
MAU-3	0.05	0.05	0.10	0.09	0.01
B-1	0.15	0.15	0.29	0.24	0.02
B-2	0.15	0.15	0.29	0.24	0.02
B-5	0.10	0.10	0.19	0.16	0.01
HWH-1	0.09	0.09	0.17	0.14	0.01
HWH-2	0.09	0.09	0.17	0.14	0.01
HWH-3	0.08	0.08	0.15	0.12	0.01
HWH-4	0.08	0.08	0.15	0.12	0.01

D. Visible emissions from each natural gas-fired unit shall not exceed 10% opacity on a 6 minute block average, except for no more than one (1) six (6) minute block average in a 3 hour period. [06-096 CMR 101]

(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, BPT]

B. Emissions shall not exceed the following:

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

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

Emission Unit	PM (lb/hr)	PM ₁₀ (lb/hr)	SO ₂ (lb/hr)	NO _x (lb/hr)	CO (lb/hr)	VOC (lb/hr)
Generator #1	2.28	2.28	0.03	60.80	16.15	1.71

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

E. Generator #1 shall meet the applicable requirements of 40 CFR Part 60, Subpart IIII, including the following:

1. **Manufacturer Certification**

Generator #1 shall be certified by the manufacturer as meeting the emission standards for new nonroad compression ignition engines found in §60.4202. [40 CFR §60.4205(b)]

2. **Ultra-Low Sulfur Diesel Fuel**

The diesel fuel fired in Generator #1 shall not exceed 15 ppm sulfur (0.0015% sulfur), except that any existing diesel fuel purchased (or otherwise obtained) prior to October 1, 2010, may be used until depleted. Compliance with the fuel sulfur content limit shall be based on fuel records from the supplier documenting the type of fuel delivered and the sulfur content of the fuel. [40 CFR §60.4207(b) and 06-096 CMR 115]

3. Non-Resettable Hour Meter
A non-resettable hour meter shall be installed and operated on Generator #1. [40 CFR §60.4209(a)]
4. Annual Time Limit for Maintenance and Testing
 - a. Generator #1 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 §60.4211(f)(3)(i) 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 §60.4211(f) and 06-096 CMR 115]
 - b. HC Bangor shall keep records that include maintenance conducted on Generator #1 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 Generator #1 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 §60.4211(f)(3)(i), the HC Bangor shall keep records of the notification of the emergency situation, and the date, start time, and end time of generator operation for these purposes.
5. Operation and Maintenance
Generator #1 shall be operated and maintained according to the manufacturer's emission-related written instructions or procedures developed by HC Bangor that are approved by the engine manufacturer. HC Bangor may only change those emission-related settings that are permitted by the manufacturer. [40 CFR §60.4211(a)]
6. Annual Reporting For Demand Response Availability Over 15 Hours Per Year (for generators greater than 100 brake hp)
If HC Bangor 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 §60.4211(f)(3)(i), the facility shall submit an annual report containing the information in

§60.4214(d)(1)(i) through (vii). 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 §60.4214(d)]

(18) **Portable Snow Melter**

- A. The Snow Melter Engine and Snow Melter Burner shall each only fire diesel fuel with a maximum sulfur content of 0.0015% by weight (15 ppm). Compliance shall be demonstrated by fuel records from the supplier showing the type and percent sulfur of the fuel delivered. [06-096 CMR 115, BPT]
- B. The Snow Melter shall be limited to 2,000 hr/year of total operation based on a calendar year total. Compliance shall be demonstrated by a log of all operating hours. [06-096 CMR 115, BPT]
- C. The Snow Melter Engine shall be equipped with a non-resettable hour meter. [06-096 CMR 115, BPT]
- D. Emissions shall not exceed the following:

<u>Unit</u>	<u>Pollutant</u>	<u>lb/MMBtu</u>	<u>Origin and Authority</u>
Snow Melter Burner	PM	0.08	06-096 CMR 115, BPT

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

<u>Emission 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>
Snow Melter Engine	0.06	0.06	0.01	2.34	0.50	0.19
Snow Melter Burner	0.36	0.36	0.01	1.35	0.16	0.01

- F. Visible emissions from the Snow Melter Engine or Snow Melter Burner shall each 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. [06-096 CMR 115, BPT]
- (19) HC Bangor 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 20 DAY OF February, 2014.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

BY: Patricia W. Aho
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: 12/26/13
Date of application acceptance: 1/23/14

Date filed with the Board of Environmental Protection:

This Order prepared by Lynn Poland, Bureau of Air Quality.

