



STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION



PAUL R. LEPAGE
GOVERNOR

PATRICIA W. AHO
COMMISSIONER

**Exeter Agri-Energy, LLC
Penobscot County
Exeter, Maine
A-1047-71-E-M (SM)**

**Departmental
Findings of Fact and Order
Air Emission License
Amendment #4**

FINDINGS OF FACT

After review of the air emissions license 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

Exeter Agri-Energy, LLC (Exeter Agri-Energy) was issued Air Emission License A-1047-71-A-N on October 5, 2011, for their anaerobic digester facility. The facility was issued three subsequent air emission license amendments.

The most recent air emission license amendment, A-1047-71-D-A issued to Exeter Agri-Energy on October 23, 2013, addressed a proposed phased facility operations expansion, including two new electricity-producing cogeneration units and two new anaerobic digesters with associated flares.

Exeter Agri-Energy has requested a minor revision to the facility’s air emission license in order to extend the 18 month construction timeframe for the expansion project. The 18 month construction extension request would extend the timeframe to October 23, 2016.

The equipment addressed in this license is located at Stonyvale Farm at 226 Fogler Road, Exeter, Maine.

B. Emission Equipment

The equipment addressed by the construction schedule extension includes the proposed biogas-fired Cogeneration Units 2 and 3 and two proposed anaerobic digesters with associated flares. The cogeneration units are Gusascor Power Model HGM 560s to be

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106 HOGAN ROAD, SUITE 6
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PORTLAND
312 CANCO ROAD
PORTLAND, MAINE 04103
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1235 CENTRAL DRIVE, SKYWAY PARK
PRESQUE ISLE, MAINE 04769
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operated by Exeter Agri-Energy at an annual average rating of 1610 hp each (9.85 MMBtu/hr and 16,584 scf/hr).

C. Application Classification

This amendment will not increase emissions of any pollutant previously licensed. Therefore, this amendment is determined to be a minor revision and has been processed as such through *Major and Minor Source Air Emission License Regulations*, 06-096 Code of Maine Rules (CMR) 115 (as amended).

II. **BEST PRACTICAL TREATMENT (BPT)**

A. Construction Timeframe Extension

1. Background

Exeter Agri-Energy has requested an 18 month construction timeframe extension to begin construction on the proposed facility expansion consisting of two combined heat and power generators, two digesters, and flares

The standard conditions of the original license for the facility A-1047-71-A-N (March 8, 2011) apply to all subsequent amendments.

Standard condition (3) of air emission license A-1047-71-A-N states:

(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]

April 23, 2015 is the end of the 18 month period from the issuance of the facility expansion amendment, A-1047-71-D-A (October 23, 2013). Exeter Agri-Energy has stated that actual construction may begin by that April date, but has submitted a minor revision for an 18 month construction timeframe extension just in case the April date is not met.

2. Best Available Control Technology (BACT)

A complete BACT analysis was submitted as part of Exeter Agri-Energy's application for the proposed facility expansion. No new information or new technology for the proposed biogas-fired cogeneration units has become available

since the June 2013 application. The licensed BACT findings for the equipment proposed for the facility expansion continues to be valid.

B. Annual Emissions

This minor revision does not change the total annual licensed emissions from Exeter Agri-Energy.

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-1047-71-E-M subject to the conditions found in Air Emission License A-1047-71-A-N, subsequent amendments A-1047-71-B-M, A-1047-71-C-A, A-1047-71-D-A, 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.

Exeter Agri-Energy, LLC
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Exeter, Maine
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4

Departmental
Findings of Fact and Order
Air Emission License
Amendment #4

SPECIFIC CONDITIONS

The following is a new condition:

- (24) The Department grants an additional 18 month construction timeframe extension to Exeter Agri-Energy to commence construction on proposed Cogeneration Units 2 and 3 and the two anaerobic digesters with associated flares. Construction must commence no later than October 23, 2016.

DONE AND DATED IN AUGUSTA, MAINE THIS 15 DAY OF April, 2015.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

BY: Mara Allen Robert Cone for
PATRICIA W. AHO, COMMISSIONER

The term of this amendment shall be concurrent with the term of Air Emission License A-1047-71-A-N.

PLEASE NOTE ATTACHED SHEET FOR GUIDANCE ON APPEAL PROCEDURES

Date of initial receipt of application: April 3, 2015

Date of application acceptance: April 3, 2015

Date filed with the Board of Environmental Protection:

This Order prepared by Kathleen E. Tarbuck, Bureau of Air Quality.

