

University of Maine at Fort Kent)
Aroostook County)
Fort Kent, Maine)
A-604-71-F-R)

Departmental
Findings of Fact and Order
Air Emission License

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 M.R.S.A., Section 344 and Section 590, the Department finds the following facts:

I. REGISTRATION

A. Introduction

University of Maine at Fort Kent (UMFK) has applied to renew their Air Emission License permitting the operation of emission sources associated with their Fort Kent campus.

B. Emission Equipment

UMFK is authorized to operate the following equipment:

Fuel Burning Equipment

<u>Equipment</u>	<u>Maximum Capacity (MMBtu/hr)</u>	<u>Maximum Firing Rate (gal/hr)</u>	<u>Fuel Type, % sulfur</u>	<u>Stack #</u>
1PE1	2.22	23.0	#2 fuel oil, 0.5% sulfur	1PE
1PE2	3.20	22.9	#2 fuel oil, 0.5% sulfur	1PE
2Aud	1.40	10.0	#2 fuel oil, 0.5% sulfur	2Cyr
2Cyr	3.08	22.0	#2 fuel oil, 0.5% sulfur	2Cyr
5BL1	1.54	11.0	#2 fuel oil, 0.5% sulfur	5BL
5BL2	1.33	9.5	#2 fuel oil, 0.5% sulfur	5BL
7POW1	1.40	10.0	#2 fuel oil, 0.5% sulfur	7POW
7POW2	1.40	10.0	#2 fuel oil, 0.5% sulfur	7POW
8NOW	1.26	9.0	#2 fuel oil, 0.5% sulfur	8NOW
LDG1	1.20	7.90	#2 fuel oil, 0.5% sulfur	1LDG
LDG2	1.40	10.0	#2 fuel oil, 0.5% sulfur	1LDG
Portable Generator	0.8	5.9	diesel, 0.05% sulfur	DE1

C. Application Classification

The application for UMFK 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 current licensed emission units only.

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 Chapter 100 of the Air Regulations. 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 emission from the source being considered; and
- the economic feasibility for the type of establishment involved.

B. Boilers

The boilers are used primarily for providing heat to the campus buildings of UMFK. None of the boilers are larger than 10 MMBtu/hr and are therefore not subject to New Source Performance Standards (NSPS), Subpart Dc.

A BPT summary for the Boilers is as follows:

1. Boilers 1PE2 and 2Cyr are subject to the PM standards of MEDEP Chapter 103. The PM emissions from the other boilers shall be calculated from the BPT PM emission rate of 0.12 lb PM/MMBtu. PM₁₀ emission limits are derived from PM limits.
2. MEDEP Chapter 106 regulates fuel sulfur content. However, the use of #2 fuel oil with a sulfur content not to exceed 0.5% is more stringent and shall be used.
3. NO_x, CO and VOC emission limits are derived from AP-42 data dated 9/98.
4. Visible emissions from the boilers shall not exceed 20% opacity on a six (6) minute block average, except for no more than one (1), six (6) minute block averages in a continuous 3-hour period.

C. Portable Generator

The Portable Generator is a stand-by diesel generator for emergency purposes.

A summary of the BPT analysis for each of the pollutants is discussed below:

1. The emergency generator shall fire only diesel fuel with a maximum sulfur content not to exceed 0.05% by weight.
2. The emergency generator shall be limited to 500 hr/yr of operation based on a 12 month rolling total. A written log shall be kept and an hour meter shall be operated and maintained for compliance purposes.
3. The PM emissions from the portable generator shall be calculated from the BPT PM emission rate of 0.12 lb PM/MMBtu. PM₁₀ emission limits are derived from PM limits
4. NO_x, CO, and VOC emission limits are based upon AP-42 data dated 10/96.
5. Visible emissions from the emergency generators 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.

“Emergency” is defined in Chapter 100 and throughout this document as: “... any situation arising from sudden and reasonably unforeseeable events beyond the control of the source, including acts of God, which situation requires immediate corrective action to restore normal operation, and that causes the source to exceed a technology based emission limitation under the license, due to unavoidable increases in emissions attributable to the emergency. An emergency shall not include noncompliance to the extent caused by improperly designed equipment, lack of preventative maintenance, careless or improper operation, or operator error.”

D. Annual Emission and Fuel Restrictions

1. UMFK shall be limited to firing 500,000 gal of #2 fuel oil on a 12 month rolling total with a sulfur content not to exceed 0.5%.
2. The portable generator shall be limited to 500 hours of operation on a 12 month rolling total.
3. UMFK shall be restricted to the following annual emissions, based on a 12-month rolling total:

Total Allowable Annual Emission for the Facility

(used to calculate the annual license fee)

Tons/Year

Emission Unit	PM	PM ₁₀	SO ₂	NO _x	CO	VOC
Boilers	4.20	4.20	17.63	5.00	1.25	0.14
Portable Generator	0.02	0.02	0.01	0.88	0.19	0.07
Total	4.22	4.22	17.64	5.88	1.44	0.21

III. AMBIENT AIR QUALITY ANALYSIS

According to the Maine Regulations Chapter 115, the level of air quality analyses required for a renewal source shall be determined on a case-by case basis. Based on the total facility emissions, UMFK is below the emissions level required for modeling and monitoring.

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,
- will not violate applicable ambient air quality standards in conjunction with emissions from other sources.

The Department hereby grants Air Emission License A-604-71-F-R subject to the following conditions:

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 MRSA §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. [MEDEP Chapter 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. [MEDEP Chapter 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. [MEDEP Chapter 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. [MEDEP Chapter 115]
- (6) The license does not convey any property rights of any sort, or any exclusive privilege. [MEDEP Chapter 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. [MEDEP Chapter 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. [MEDEP Chapter 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. [MEDEP Chapter 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. [MEDEP Chapter 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.[MEDEP Chapter 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.
- [MEDEP Chapter 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. [MEDEP Chapter 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 emission 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. [MEDEP Chapter 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. [MEDEP Chapter 115]

SPECIFIC CONDITIONS

(16) Boilers

- A. Fuel use shall not exceed 500,000 gallons/yr of #2 fuel oil with a maximum sulfur content of 0.5% by weight based on a 12-month rolling total. Records from the supplier documenting quantity delivered and sulfur content shall be maintained for compliance purposes. [MEDEP Chapter 115, BPT]
- B. Emissions from the boilers shall not exceed the following: [MEDEP Chapter 115, Chapter 103, BPT]

Equipment		PM	PM ₁₀	SO ₂	NO _x	CO	VOC
1PE1	lb/hr	0.27	0.27	1.12	0.32	0.08	0.01
1PE2	lb/MMBtu	0.12	-	-	-	-	-
	lb/hr	0.38	0.38	1.61	0.46	0.11	0.01
2Aud	lb/hr	0.17	0.17	0.71	0.20	0.05	0.01
2Cyr	lb/MMBtu	0.12	-	-	-	-	-
	lb/hr	0.37	0.37	1.55	0.44	0.11	0.01
5BL1	lb/hr	0.18	0.18	0.78	0.22	0.06	0.01
5BL2	lb/hr	0.16	0.16	0.67	0.19	0.05	0.01
7Pow1	lb/hr	0.17	0.17	0.71	0.20	0.05	0.01
7Pow2	lb/hr	0.17	0.17	0.71	0.20	0.05	0.01
8Now	lb/hr	0.15	0.15	0.63	0.18	0.05	0.01
LDG1	lb/hr	0.14	0.14	0.60	0.17	0.04	0.01
LDG2	lb/hr	0.17	0.17	0.71	0.20	0.05	0.01

- C. Visible emissions from the boilers 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. [MEDEP Chapter 101]

(17) Portable Generator

- A. The portable generator shall be limited to 500 hours of operation on a 12 month rolling total. A written log shall be kept and an hour meter operated and maintained for compliance purposes. [MEDEP Chapter 115, BPT]
- B. The portable generator shall only fire diesel fuel with a sulfur content not to exceed 0.05%. Records from the supplier documenting sulfur content shall be kept for compliance purposes. [MEDEP Chapter 115, BPT]

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C. Emissions shall not exceed the following: [MEDEP Chapter 115, BPT]

Equipment		PM	PM ₁₀	SO ₂	NO _x	CO	VOC
Portable Generator	lb/hr	0.10	0.10	0.04	3.53	0.76	0.28

D. Visible emissions from the portable generator shall 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. [MEDEP Chapter 101]

- (18) UMFK 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 (Title 38 MRSA §605).
- (19) **Payment of Annual License Fee**
UMFK shall pay the annual air emission license fee within 30 days of **September 30th** of each year. Pursuant to 38 MRSA §353-A, failure to pay this annual fee in the stated timeframe is sufficient grounds for revocation of the license under 38 MRSA §341-D, subsection 3. [38 MRSA §353-A]

DONE AND DATED IN AUGUSTA, MAINE THIS DAY OF 2005.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

BY: _____
DAWN R. GALLAGHER, COMMISSIONER

The term of this license shall be five (5) years from the signature date above.

PLEASE NOTE ATTACHED SHEET FOR GUIDANCE ON APPEAL PROCEDURES

Date of initial receipt of application: 4/20/2005

Date of application acceptance: 5/3/2005

Date filed with the Board of Environmental Protection: _____

This Order prepared by Jonathan Voisine, Bureau of Air Quality.