



STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION



PAUL R. LEPAGE
GOVERNOR

PATRICIA W. AHO
COMMISSIONER

**Sprague Operating Resources LLC
dba Sprague Searsport Terminal
Waldo County
Searsport, Maine
A-097-71-J-R/A (SM)**

**Departmental
Findings of Fact and Order
Air Emission License
Renewal/Amendment**

FINDING OF FACT

After review of the air emissions license renewal 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., §344 and §590, the Department finds the following facts:

I. REGISTRATION

Introduction

1. Sprague Operating Resources LLC dba Sprague Searsport Terminal (Sprague) has applied to renew their Air Emission License permitting the operation of emission sources associated with their petroleum storage/distribution and bulk materials handling facility.
2. Sprague has also requested an amendment to replace the existing, 150 kW generator manufactured in 1967, with a 135 kW, 1991, diesel fired generator.
3. The equipment addressed in this license is located at Trundy Road, Searsport, ME.

B. Emission Equipment

The following equipment is addressed in this air emission license:

Boilers

<u>Equipment</u>	<u>Maximum Capacity</u> (MMBtu/hr)	<u>Maximum Firing Rate</u> (gal/hr)	<u>Fuel Type,</u> % sulfur	<u>Install. Date</u>	<u>Stack #</u>
Boiler #1	29.4	196	#6 Oil, 0.5%	1989	1
Boiler #2	29.4	196	#6 Oil, 0.5%	1989	1

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

Generator

<u>Unit</u>	<u>Maximum Capacity (MMBtu/hr)</u>	<u>kW</u>	<u>Firing Rate (gal/hr)</u>	<u>Fuel Type, % sulfur</u>	<u>Install. Date</u>	<u>Stack #</u>
Gen. #1	1.25	125	8.9	diesel, 0.0015%	1991	2

Bulk Storage Equipment

(Listed for inventory completeness only)

<u>Tank Number</u>	<u>Maximum Capacity (Gallons)</u>	<u>Product Stored</u>	<u>Year Installed</u>	<u>Roof Type</u>
1	3,927,756	#6 oil	1949	Fixed
2	3,949,890	Asphalt	1949	Fixed
3	6,023,598	#6 oil	1957	Fixed
4 (Irving Oil Tank)	7,057,764	Asphalt	--	Fixed
11	27,848	#2 oil	2004	Fixed
12	27,848	#2 oil	2004	Fixed
101	579,894	#2 oil	1951	Floating
102	2,792,076	#2 oil	1951	Floating
103	4,362,264	#2 oil	1951	Floating
104	4,362,624	#2 oil	1951	Floating
105	5,007,576	#2 oil	1951	Fixed
106	4,362,624	#2 oil	1951	Floating
107	2,014,866	#2 oil	1951	Floating
108	4,362,624	#2 oil	1951	Floating
109	4,362,624	#2 oil	1951	Floating

C. Application Classification

The application for Sprague does not include the licensing of increased emissions, but does include the installation of a replacement generator. Therefore, the license is considered to be a renewal and amendment of current licensed emission units and has been processed through *Major and Minor Source Air Emission License Regulations*, 06-096 CMR 115 (as amended). With the fuel limit on Boilers #1 and #2, and the operating hours restriction on the Emergency Generator, Sprague is licensed below the major source thresholds and is considered a synthetic minor.

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 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. Boiler #1 and #2

Boiler #1 and #2 are 1989 Cleaver Brooks boilers, each having a design capacity of 29.4 MMBtu/hr, firing #6 fuel oil with a maximum sulfur content of 0.5%. The boilers exhaust to common Stack #1. Due to their size and year of installation, both boilers are 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. BPT Findings

The BPT emission limits for the boilers were based on the following:

PM/PM ₁₀	- 0.1 lb/MMBtu based on 06-096 CMR 115, BPT
SO ₂	- based on firing #6 fuel oil with a maximum sulfur content of 0.5% by weight: mass balance - 0.53 lb/MMBtu
NO _x	- 0.5 lb/MMBtu based on AP-42, Table 1.3-1 dated 5/10
CO	- 5 lb/1000 gal, AP-42, Table 1.3-1, dated 5/10
VOC	- 0.28 lb/1000 gal, AP-42, Table 1.3-3, dated 5/10
Opacity	- Visible emissions from the common Stack #1 serving 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 one (1) hour period of not more than 27% opacity. [40 CFR 60, Subpart Dc]

<u>Unit</u>	<u>PM</u> (lb/hr)	<u>PM₁₀</u> (lb/hr)	<u>SO₂</u> (lb/hr)	<u>NO_x</u> (lb/hr)	<u>CO</u> (lb/hr)	<u>VOC</u> (lb/hr)
Boiler #1	2.94	2.94	15.44	14.70	0.98	0.05
Boiler #2	2.94	2.94	15.44	14.70	0.98	0.05

Sprague shall be limited to 1,000,000 gallons per year of #6 fuel oil.

Periodic Monitoring

Periodic monitoring for the boilers shall include recordkeeping to document fuel use both on a monthly and 12-month rolling total basis. Documentation shall include the type of fuel used and sulfur content of the fuel.

2. 40 CFR Part 63 Subpart JJJJJ

Boilers #1 and #2 may be 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.

For informational purposes, a summary of the current applicable federal 40 CFR Part 63 Subpart JJJJJ requirements is listed below. At this time, the Maine Department of Environmental Protection has not taken delegation of this area source MACT (Maximum Achievable Control Technology) rule promulgated by EPA, however Sprague 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/boilerp.html>.

a. Compliance Dates, Notifications, and Work Practice Requirements

i. Initial Notification of Compliance

An Initial Notification submittal to EPA was due on January 20, 2014.
[40 CFR Part 63.11225(a)(2)]

ii. Boiler Tune-Up Program

(a) A boiler tune-up program shall be implemented to include the initial tune-up of applicable boilers by March 21, 2014. [40 CFR Part 63.11210(f)].

- (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; however, the burner must be inspected at least once every 36 months. [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. [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 shall be submitted to EPA no later than July 19, 2014. [40 CFR Part 63.11225(a)(4) and 40 CFR Part 63.11214(b)]
- (d) The facility shall implement a boiler tune-up program after the initial tune-up and initial compliance report (called a Notification of Compliance Status) has been submitted.
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
New or Existing Oil, Biomass and Coal fired boilers that are not designated as "Boilers with less frequent tune up requirements" listed below	Every 2 years
<i>New and Existing Oil, Biomass, and Coal fired Boilers with less frequent tune up requirements</i>	
Seasonal (see definition §63.11237)	Every 5 years
Limited use (see definition §63.11237)	Every 5 years
With a heat input capacity of <5MMBtu/hr	Every 5 years
Boiler with oxygen trim system which maintains and optimum air-to-fuel ratio that would otherwise be subject to a biennial tune up	Every 5 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)]

iii. Energy Assessment

Boilers #1 and #2 may be subject to the energy assessment requirement as follows:

- (a) A one-time energy assessment shall be performed by a qualified energy assessor on the applicable boilers by March 21, 2014. [40 CFR Part 63.11196(a)(3)]
- (b) The energy assessment shall include a visual inspection of the boiler system; an evaluation of operating characteristics of energy using systems, operating and maintenance procedures, and unusual operating constraints; an inventory of major systems consuming energy from affected boiler(s); a review of available architectural and engineering plans, facility operation and maintenance procedures and logs, and fuel usage; a list of major energy conservation measures; a list of the energy savings potential of the energy conservation measures identified; and a comprehensive report detailing the ways to improve efficiency, the cost of specific improvements, benefits, and the time frame for recouping those investments. [40 CFR Part 63, Table 2(4)]
- (c) A Notification of Compliance Status shall be submitted to EPA no later than July 19, 2014. [40 CFR Part 63.11225(a)(4) and 40 CFR Part 63.11214(c)]

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 type(s) 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.

Note: EPA will require submission of Notification of Compliance Status reports for tune-ups and energy assessments through their electronic reporting system. However, the system will not be in place until October 2013, so sources may submit the written NOCS to the EPA Administrator. [63.1125(a)(4)(vi)]

C. Generator #1

Sprague previously operated a 150 kW, 1967 Fairbanks-Morse, emergency generator. Because of operational issues and the lack of available replacement parts, Sprague is proposing to replace the currently licensed generator with a 125 kW, Cummins-Onan, emergency generator, model DGEA, manufactured in 1991. The replacement emergency generator, to be designated Generator #1, is rated at 1.25 MMBtu/hr, and fires diesel fuel with a maximum sulfur content of 0.05% by weight.

1. BACT Findings

The BACT emission limits for the generator are based on the following:

- PM/PM₁₀ – 0.12 lb/MMBtu, 06-096 CMR 103
- SO₂ – based on firing 0.0015% sulfur, 0.05 lb/MMBtu
- NO_x – 4.41 lb/MMBtu, AP-42, Table 3.3-1 (dated 10/96);
- CO – 0.95 lb/MMBtu, AP-42, Table 3.3-1 (dated 10/96);
- VOC – 0.36 lb/MMBtu, AP-42, Table 3.3-1 (dated 10/96);
- Opacity – Visible emissions from the diesel emergency 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 three (3) hour period.

<u>Unit</u>	<u>PM</u> (lb/hr)	<u>PM₁₀</u> (lb/hr)	<u>SO₂</u> (lb/hr)	<u>NO_x</u> (lb/hr)	<u>CO</u> (lb/hr)	<u>VOC</u> (lb/hr)
Generator #1	0.15	0.15	0.01	5.38	1.16	0.43

The emergency generator shall be limited to 500 hours of operation a year, based on a 12-month rolling total. Sprague shall keep records of the hours of operation for the unit.

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.

Emergency Definition:

Emergency stationary reciprocating internal combustion engine (RICE) is defined in 40 CFR Part 63, Subpart ZZZZ as any stationary internal combustion engine whose operation is limited to emergency situations and required testing and maintenance. 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. Stationary RICE used for peak shaving are not considered emergency stationary RICE. Stationary RICE used to supply power to an electric grid or that supply non-emergency power as part of a financial arrangement with another entity are not considered to be emergency engines, except as permitted under §63.6640(f).

§63.6640(f) limits maintenance checks and readiness testing of the units to 100 hours per year. Emergency stationary RICE may operate up to 50 hours per year in non-emergency situations, but those 50 hours are counted towards the 100 hours per year provided for maintenance and testing. The 50 hours per year for non-emergency situations cannot be used for peak shaving or to generate income for a facility to supply power to an electric grid or otherwise supply power as part of a financial arrangement with another entity; except that owners and operators may operate the emergency engine for a maximum of 15 hours per year as part of a demand response program if the regional transmission organization or equivalent balancing authority and transmission operator has determined there are emergency conditions that could lead to a potential electrical blackout, such as unusually low frequency, equipment overload, capacity or energy deficiency, or unacceptable voltage level. The engine may not be operated for more than 30 minutes prior to the time when the emergency condition is expected to occur, and the engine operation must be terminated immediately after the facility is notified that the emergency condition is no longer imminent. The 15 hours per year of demand response operation are counted as part of the 50 hours of operation per year provided for non-emergency situations. The supply of emergency power to another entity or entities pursuant to financial arrangement is not limited by this paragraph, as long as the power provided by the financial arrangement is limited to emergency power.

40 CFR Part 63, Subpart ZZZZ Requirements:

	Compliance Dates	Operating Limitations* (40 CFR §63.6603(a) and Table 2(d))
Compression ignition (diesel, fuel oil) units: Generator #1	No later than May 3, 2013	<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;- Inspect all hoses and belts every 500 hours of operation or annually, whichever comes first, and replace as necessary

* Note: Due to the 500 hour operation limit on the generator, the inspections and oil/filter changes shall be performed annually to meet the requirements of 40 CFR Part 63, Subpart ZZZZ.

The generator shall be operated and maintained according to the manufacturer's emission-related written instructions or Sprague 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)]

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

The generator shall be limited to 100 hours per year for maintenance and testing. Up to 50 hours per year of the 100 hours per year may be used in non-emergency situations (this does not include peak shaving or generating income or a financial arrangement with another entity). A maximum of 15 hours per year (of the 50 hours per year) may be used as part of a demand response program. [40 CFR §63.6640(f)(1)]

Sprague 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 generators are used for demand response operation, Sprague must keep records of the notification of the emergency situation, and the time the engine was operated as part of demand response. [40 CFR §63.6655(e) and (f)]

D. Bulk Storage Tanks

The Bulk Storage Tanks 1-4, and 101-109, are not subject to New Source Performance Standards (NSPS) 40 CFR Part 60 Subpart Kb, *Standards of Performance for Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for Which Construction, Reconstruction, or Modification Commenced After July 23, 1984*, as they were constructed before the 1984 implementation date, and have not undergone reconstruction or modification. Tanks 11 and 12 are not subject to 40 CFR Part 60 Kb as they are used to store #2 fuel oil.

E. General Process and Fugitive Emissions

Cargo ships and barges deliver coal, salt and other raw materials to Sprague to be offloaded using pier mounted clamshell scoops, conveyor belts and chutes are infrequently utilized in this offload process to transport the raw materials to stockpiles, railcars and trucks. BPT for these potential sources of particulate matter emissions shall be best management practices which include, but are not limited to: 1. covering conveyor belts; 2. using chutes to direct the product into truck hoppers; 3. covering material stockpiles and 4. sweeping roadways to remove dust.

Offloading of material using pier mounted clamshell scoops, conveyor belts and chutes will occur only when the wind speed is no longer greater than 20 miles per hour, unless Method 9 opacity measurements specifically indicate the properties of the cargo being off loaded are such that the cargo does not present risk of emissions violations. During offloading using pier mounted clamshell scoops, conveyor belts and chutes, the wind speed and direction shall be recorded in a log in half-hour intervals.

Sprague will offload coal, petroleum coke (pet coke), klinker and other materials that contribute to particulate matter emissions from cargo ships and barges to stockpiles, railcars and trucks using pier mounted clamshell scoops, conveyor belts and chutes only under the observation of an employee with a current certification in Reference Method 9 Determination of Visible Emissions. During offloading that occurs at wind speeds of 10 to 20 miles per hour, the certified employee shall periodically record the opacity of the fugitive visible emissions. Opacity measurements shall be made during daylight hours at the start of product off load for one hour, for 12 continuous minutes after each subsequent hour of offloading, and following significant changes in off-load conditions, including wind speed, wind direction, product off-load rate, and product quality and consistency. Based on information records during offloading at wind speeds of 10 to 20 miles per hour, Sprague may submit an alternate plan for approval by the Enforcement Section.

General process visible emissions from Sprague shall not exceed 20% opacity on a six (6) minute block average basis, except for no more than one (1) six minute block average in a one (1) hour period.

Visible emissions from a fugitive emission source (including stockpiles and roadways) shall not exceed 20% opacity except for no more than five (5) minutes in any one (1) hour period. Compliance shall be determined by an aggregate of the individual fifteen (15) second opacity observations which exceed 20% in any one (1) hour.

F. Parts Washer

Sprague maintains a 15 gallon solvent degreaser, using Safety-Kleen Premium Solvent. This equipment is subject to the requirements of 06-096 CMR 130.

BPT shall be to maintain covers on all solvent tanks when the tanks are not in use and maintain records of the quantity of solvent added and removed.

G. Annual Emissions

1. Sprague shall be restricted to the following annual emissions, based on a 12-month rolling total. The tons per year emission limits were calculated based on the following:
 - an annual fuel limit of 1,000,000 gallons of #6 oil fired in the boilers; and
 - an operating limit of 500 hours per year for the generator.

Total Licensed Annual Emissions for the Facility
Tons per Year
(Used to calculate the annual license fee)

	PM	PM ₁₀	SO ₂	NO _x	CO	VOC
Boilers #1 & #2	7.5	7.5	39.4	37.5	2.5	0.14
Generator #1	0.1	0.1	0.1	1.4	0.3	0.11
Total TPY	7.6	7.6	39.5	38.9	2.8	0.3

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) means the aggregate group of the following gases: Carbon dioxide, nitrous oxide, methane, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride. Greenhouse gases (GHG) for purposes of licensing 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, Sprague 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

According to 06-096 CMR 115, the level of air quality analyses required for a renewal source shall be determined on a case-by case basis. Modeling is not required for a renewal if the total emissions of any pollutant released do not exceed the following and there are no extenuating circumstances:

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**Departmental
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Pollutant	Tons/Year
PM	25
PM ₁₀	25
SO ₂	50
NO _x	100
CO	250

Based on the total facility licensed emissions, Sprague is below the emissions level required for modeling.

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-97-71-J-R/A 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 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. [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 and #2

A. Fuel

1. Total fuel use for Boilers #1 and #2 shall not exceed 1,000,000 gallons per year of #6 fuel oil, with a sulfur content not exceeding 0.5% by weight, based on a 12-month rolling total basis.
2. Compliance shall be demonstrated by fuel records from the supplier showing the quantity, type, and the percent sulfur of the fuel delivered. Records of annual fuel use shall be kept on a monthly and 12-month rolling total basis. [06-096 CMR 115, BPT]

B. Emissions from each of the boilers shall not exceed the following:

<u>Emission Unit</u>	<u>Pollutant</u>	<u>lb/MMBtu</u>	<u>Origin and Authority</u>
Boilers #1 & #2	PM	0.10	06-096 CMR 115, BPT

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

<u>Emission Unit</u>	<u>PM</u> (lb/hr)	<u>PM₁₀</u> (lb/hr)	<u>SO₂</u> (lb/hr)	<u>NO_x</u> (lb/hr)	<u>CO</u> (lb/hr)	<u>VOC</u> (lb/hr)
Boilers #1 & #2	2.94	2.94	15.44	14.70	0.98	0.05

D. Visible emissions from the common Stack #1 serving both 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 per hour of not more than 27% opacity. [40 CFR 60.43c(c)]

E. Sprague shall comply with all requirements of 40 CFR Part 60, Subpart Dc applicable to Boiler #1 and #2 including, but not limited to, the following:

1. Sprague shall record and maintain records of the amounts of each fuel combusted during each day. [40 CFR §60.48c(g)]
2. Sprague shall submit to EPA and the Department semi-annual reports. These reports shall include the calendar dates covered in the reporting period and records of fuel supplier certifications. The semi-annual reports are due within 30 days of the end of each 6-month period.
3. The following address for EPA shall be used for any reports or notifications required to be copied to them:

Compliance Clerk
USEPA Region 1
5 Post Office Sq., Suite 100
Boston, MA 02109-3912

(17) **Generator #1**

- A. Generator #1 is limited to 500 hours per year total operation, based on a 12-month rolling total. Compliance shall be demonstrated by a written log of all generator operating hours. [06-096 CMR 115]
- B. The fuel oil sulfur content for Generator #1 shall be limited to 0.05% 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]
- C. Emissions shall not exceed the following [06-096 CMR 115, BPT]:

<u>Unit</u>	<u>PM</u> (lb/hr)	<u>PM₁₀</u> (lb/hr)	<u>SO₂</u> (lb/hr)	<u>NO_x</u> (lb/hr)	<u>CO</u> (lb/hr)	<u>VOC</u> (lb/hr)
Generator #1	0.15	0.15	0.01	5.38	1.16	0.43

D. Visible Emissions

Visible emissions from Generator #1 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 three (3) hour period. [06-096 CMR 101]

- E. Generator #1 shall only be operated for maintenance purposes and for situations arising from sudden and reasonably unforeseeable events beyond the control of the source. Generator #1 shall not be used for prime power when reliable offsite power is available; nor used to supply power to an electric grid as part of a financial arrangement with an independent system operator (ISO) or another entity.
- F. Generator #1 shall meet the applicable requirements of 40 CFR Part 63, Subpart ZZZZ, including the following:
 - 1. No later than May 3, 2013, Sprague 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
 - 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. A non-resettable hour meter shall be installed and operated on the generator. [40 CFR §63.6625(f)]
3. Maintenance, Testing, and Non-Emergency Operating Situations
 - a. The generator shall be limited to 100 hours per year for maintenance and testing. Up to 50 hours per year of the 100 hours per year may be used in non-emergency situations (this does not include peak shaving or generating income or a financial arrangement with another entity). A maximum of 15 hours per year (of the 50 hours per year) may be used as part of a demand response program. These limits are based on a 12 month rolling total. Compliance shall be demonstrated by a written log of all generator operating hours. [40 CFR §63.6640(f)(1) and 06-096 CMR 115]
 - b. Sprague 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 used for demand response operation, Sprague must keep records of the notification of the emergency situation, and the time the engine was operated as part of demand response. [40 CFR §63.6655(e) and (f)]
4. The generator shall be operated and maintained according to the manufacturer's emission-related written instructions or Sprague 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)]

(18) Parts Washer

Parts washers at Sprague are subject to *Solvent Cleaners*, 06-096 CMR 130 (as amended).

- A. Sprague shall keep records of the amount of solvent added to each parts washer. [06-096 CMR 115, BPT]
- B. The following are exempt from the requirements of 06-096 CMR 130 [06-096 CMR 130]:
 1. Solvent cleaners using less than two liters (68 oz) of cleaning solvent with a vapor pressure of 1.00 mmHg, or less, at 20° C (68° F);
 2. Wipe cleaning; and,
 3. Cold cleaning machines using solvents containing less than or equal to 5% VOC by weight.
- C. The following standards apply to cold cleaning machines that are applicable sources under Chapter 130.
 1. Sprague shall attach a permanent conspicuous label to each unit summarizing the following operational standards [06-096 CMR 130]:
 - (i) Waste solvent shall be collected and stored in closed containers.
 - (ii) Cleaned parts shall be drained of solvent directly back to the cold cleaning machine by tipping or rotating the part for at least 15 seconds or until dripping ceases, whichever is longer.
 - (iii) Flushing of parts shall be performed with a solid solvent spray that is a solid fluid stream (not a fine, atomized or shower type spray) at a pressure that does not exceed 10 psig. Flushing shall be performed only within the freeboard area of the cold cleaning machine.
 - (iv) The cold cleaning machine shall not be exposed to drafts greater than 40 meters per minute when the cover is open.
 - (v) Sponges, fabric, wood, leather, paper products and other absorbent materials shall not be cleaned in the degreaser.
 - (vi) When a pump-agitated solvent bath is used, the agitator shall be operated to produce no observable splashing of the solvent against the tank walls or the parts being cleaned. Air agitated solvent baths may not be used.

- (vii) Spills during solvent transfer shall be cleaned immediately. Sorbent material shall be immediately stored in covered containers.
- (viii) Work area fans shall not blow across the opening of the degreaser unit.
- (ix) The solvent level shall not exceed the fill line.
- 2. The remote reservoir cold cleaning machine shall be equipped with a perforated drain with a diameter of not more than six inches. [06-096 CMR 130]

(19) **General Process and Fugitive Emissions**

A. Particulate emissions from the site shall be controlled by, but not limited to:

- 1. covering conveyor belts;
- 2. using chutes to direct the product into truck hoppers;
- 3. covering material stockpiles; and
- 4. sweeping roadways to remove dust.

[06-096 CMR 115, BPT]

B. Off-loading

- 1. Off-loadings of material using pier-mounted clamshell scoops, conveyor belts and chutes shall occur only when the wind speed is no greater than 20 miles per hour, unless Method 9 opacity measurements specifically indicate the properties of the cargo being off-loaded are such that the cargo does not present risk of emission violations. During such off-loadings, the wind speed and direction shall be recorded in a log in half-hour intervals. [06-096 CMR 115, BPT]
- 2. When using pier-mounted clamshell scoops, conveyor belts and chutes to off-load coal, pet coke, klinker, and other materials that contribute to particulate matter emissions from cargo ships and barges to stockpiles, railcars and trucks, the operation shall be performed only under the observation of an employee with a current certification in Reference Method 9 Determination of Visible Emissions.

3. During off-loading that occurs at wind speeds of 10 to 20 miles per hour, the certified employee shall periodically record the opacity of the fugitive visible emissions. Opacity measurements shall be made during daylight hours at the start of the product off-load for one hour, for 12 continuous minutes after each subsequent hour of off-loading, and following significant changes in off-load conditions, including wind speed, wind direction, product off-load rate, and product quality and consistency. Based on information recorded during off-loading at wind speeds of 10 to 20 miles per hour, Sprague may submit an alternate plan for approval by the Enforcement Section. [06-096 CMR 115, BPT]

C. Visible emissions from any general process source shall not exceed 20% opacity on a six (6) minute block average basis, except for no more than one (1) six (6) minute block average in a 1-hour period. [06-096 CMR 101]

D. Visible emissions from a fugitive emission source (including stockpiles and roadways) shall not exceed 20% opacity, except for no more than five (5) minutes in any 1-hour period. Compliance shall be determined by an aggregate of the individual fifteen (15)-second opacity observations which exceed 20% in any one (1) hour. [06-096 CMR 101]

(20) **Annual Emission Statement**

In accordance with *Emission Statements*, 06-096 CMR 137 (as amended), the licensee shall annually report to the Department the information necessary to accurately update the State's emission inventory by means of:

- 1) A computer program and accompanying instructions supplied by the Department; or
- 2) A written emission statement containing the information required in 06-096 CMR 137.

The emission statement must be submitted as specified by the date in 06-096 CMR 137.

Sprague Operating Resources LLC
dba Sprague Searsport Terminal
Waldo County
Searsport, Maine
A-97-71-J-R/A (SM)

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Departmental
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Renewal/Amendment

- (21) Sprague shall maintain a continuing program of Best Management Practices (BMP) for the suppression of fugitive particulate matter during any period of construction, reconstruction, or operation, which may result in fugitive dust. [06-096 CMR 115, BPT]
- (22) Sprague 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 21 DAY OF May, 2013.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

BY:

Marc Allen Robert Core 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: Feb. 24, 2011

Date of application acceptance: Feb. 24, 2011

Date filed with the Board of Environmental Protection:

This Order prepared by N. Lynn Cornfield, Bureau of Air Quality.

