



STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION



PAUL R. LEPAGE
GOVERNOR

PATRICIA W. AHO
COMMISSIONER

**City of Portland
Portland Police Department
Cumberland County
Portland, Maine
A-1082-71-A-N**

**Departmental
Findings of Fact and Order
Air Emission License
After-the-Fact**

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 M.R.S.A., §344 and §590, the Maine Department of Environmental Protection (Department) finds the following facts:

I. REGISTRATION

A. Introduction

The City of Portland – Portland Police Department (PPD) located at 109 Middle Street, Portland, Maine has requested an after-the-fact air emissions license for an existing source from the Department. The air emissions license is for fuel burning equipment including two natural gas heating units and an emergency generator at the police department building.

B. Emission Equipment

The following equipment is addressed in this air emission license:

Boilers

Equipment	Maximum Capacity (MMBtu/hr)	Maximum Firing Rate (scf/hr)	Fuel Type, % sulfur	Install. Date	Stack #
Boiler #1	3.35	3281	Natural gas	2008	1
Boiler #2	3.35	3281	Natural gas	2008	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 04679-2094
(207) 764-0477 FAX: (207) 760-3143

Generator

Equipment	Maximum Capacity (MMBtu/hr)	Firing Rate (gal/hr)	Fuel Type, % sulfur	Install. Date	Stack #
Generator #1	4.55 (400 kW)	33.2	diesel, 0.0015 %	2010	--

C. Application Classification

PPD is classified as an existing source that is applying for its first air emission license, after the fact. A source is considered a major source based on whether or not expected emissions exceed the "Significant Emission Levels" as defined in the Department's regulations. The emissions for the new source are determined by the maximum future license allowed emissions, as follows:

Pollutant	Max. Future License (TPY)	Sig. Level
PM	1.7	100
PM ₁₀	1.7	100
SO ₂	0.3	100
NO _x	3.7	100
CO	3.2	100
VOC	1.1	50
CO _{2e}	<100,000	100,000

The Department has determined PPD is a natural minor source and the application has been processed through *Major and Minor Source Air Emission License Regulations*, 06-096 CMR 115 (as amended). All criteria pollutants emitted from the existing units (licensed for the first time) are subject to Best Available Control Technology (BACT) requirements.

D. Regulatory Review

Provided in this section is a summary of State and Federal air regulations that apply to the existing emission sources at PPD. The source currently utilizes and has selected specific equipment that will achieve compliance with the following State and Federal air regulations.

06-096 CMR 101 Visible Emission Regulation

This rule establishes opacity limitations for emissions from several categories of air contaminant sources. The existing gas-fired boilers and diesel fired generator are subject to Section (2)(B)(1)(c) and (2)(B)(1)(d), which limits visible emissions from any unit firing natural gas to an opacity of 10 percent on a six (6) minute block average basis, except for no more than one (1) six (6) minute block average in a 3-hour period. The limit for the diesel fired generator is limited to an opacity of 20 percent on a six (6) minute block average basis, except for no more than one (1) six (6) minute block average in a 3-hour period.

06-096 CMR 106 Low Sulfur Fuel Regulation

This rule establishes the maximum sulfur content of fossil fuels allowed to be burned in various air quality control regions in the state unless the source is equipped with Sulfur Dioxide (SO₂) controls or is subject to more stringent sulfur limitations by other requirements. PPD is subject to this rule because the existing diesel fired generator burns a liquid fossil fuel. As such, PPD is limited to a fuel sulfur content of 2.0% by weight in its liquid fossil fuels, however, the Best Available Control Technology (BACT) analysis requires a more stringent limit.

06-096 CMR 115 Major and Minor Source Air Emission License Regulations

This rule specifies who must obtain an air emission license, describes the information an applicant must submit for a license, and describes the standards and criteria that must be complied with during and following the air licensing process. For minor sources such as PPD, 06-096 CMR 115 (as amended) serves as an operating licensing program and a pre-construction license review program.

Federal Air Regulations

New Source Performance Standards (NSPS)

40 CFR Part 60 Subpart Dc – PPD’s existing boilers are rated below 10 MMBtu/hr and therefore are not subject to the *New Source Performance Standards (NSPS) 40 CFR Part 60, Subpart Dc, Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units*, for units greater than 10 MMBtu/hr manufactured after June 9, 1989.

40 CFR Part 60, Subpart IIII , “*Standards of Performance for Stationary Compression Ignition Internal Combustion Engines*” is applicable to generators ordered after July 11, 2005 and manufactured after April 1, 2006. Since Generator #1 was manufactured in 2010 it is subject to 40 CFR Part 60 Subpart IIII. In

accordance with this regulation, Generator #1 is required to burn ultra-low sulfur diesel fuel. The sulfur content is not to exceed 0.0015% by weight (15 ppm).

National Emissions Standards for Hazardous Air Pollutants (NESHAP)

40 CFR Part 63 Subpart JJJJJ, “*National Emission Standards for Hazardous Air Pollutants for Area Sources: Industrial, Commercial, and Institutional Boilers*”. The boilers at PPD fire natural gas and therefore are not subject to 40 CFR Part 63 Subpart JJJJJ, which is not applicable to units firing gas, hot water heaters, temporary boilers, residential boilers, or electric utility steam generating units covered by Subpart UUUUU.

40 CFR Part 89, “*Control of Emissions from New and In-use Non-road Compression-Ignition Engines*” establishes specific emission standards and certification requirements for manufacturers of stationary compression-ignition engines. The level of standards to be met depends on the size of the engine and date of manufacture. Generator #1 is required to meet the Tier 3 Standards.

40 CFR Part 63, Subpart ZZZZ, “*National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines*,” regulates certain diesel and gasoline engines, (reciprocating internal combustion engines, or “RICES”). However, pursuant to 40 CFR 63.6590 (c) “An affected source that meets any of the criteria in paragraphs (c)(1) through (7) of this section must meet the requirements of this part by meeting the requirements of 40 CFR Part 60 Subpart III, for compression ignition engines or 40 CFR Part 60 Subpart JJJJ, for spark ignition engines. No further requirements apply for such engines under this part.” Paragraph (c)(1) includes any new or reconstructed stationary RICE located at an area source. Therefore this unit must meet the requirements of 40 CFR Part 60 Subpart III to meet the provisions of this rule.

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 new sources and modifications requires a demonstration that emissions are receiving BACT, as defined in *Definitions Regulation*, 06-096 CMR 100 (as

amended). BACT is a top-down approach to selecting air emission controls considering economic, environmental and energy impacts.

B. Facility Description

The Portland Police Department is a public safety facility located at 109 Middle Street in Portland, Maine. The City of Portland is requesting an air emission license to operate two boilers and a generator at the Portland Police Department. The boilers have a maximum heat input of 3.35 million British Thermal Units per hour (MMBTU/hr) each and fire natural gas. The generator has a maximum heat input capacity of 4.55 MMBtu/hr and fires diesel fuel. The combined heating capacity of the boilers and generator equals 11.2 MMBtu/hr, exceeding the air emission licensing threshold of 10 MMBtu/hr.

C. Boilers # 1 and #2

PPD operates Boilers #1 and #2 for heat and to produce hot water. The boilers are each rated at 3.35 MMBtu/hr and fire natural gas. The boilers were installed in 2008 and exhaust through a 56 foot common stack.

1. BACT Findings

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

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

The BACT emission limits for the boilers are the following:

Unit	PM (lb/hr)	PM ₁₀ (lb/hr)	SO ₂ (lb/hr)	NO _x (lb/hr)	CO (lb/hr)	VOC (lb/hr)
Boiler # 1	0.2	0.2	0.1	0.4	0.3	0.1
Boiler # 2	0.2	0.2	0.1	0.4	0.3	0.1

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

PPD does not have a facility wide natural gas limit since operating the units 8760 hours per year still results in the facility to be classified as a minor

source. Therefore there is not periodic monitoring for recordkeeping to document fuel use.

2. 40 CFR Part 63 Subpart JJJJJ

Subpart JJJJJ is not applicable to units firing natural gas.

D. Generator #1

The generator (Generator #1) is a diesel-fired Kohler Generator and has a rated stand-by capacity of 400 kW and a heat input capacity of 4.55 MMBtu/hr. The estimated maximum fuel input is 33.2 gallons per hour. The generator was manufactured in 2010 and therefore must meet the requirements of Title 40 of the Code of Federal Regulations Part 89 (40 CFR Part 89), "*Control of Emissions from New and In-use Non-road Compression-Ignition Engines.*" The regulation requires the generator to meet Tier 3 emission standards as listed in the federal regulations and described in more detail below.

To meet the requirements of BACT, the emergency generator shall burn ultra low sulfur diesel oil (15 parts per million) and limit hours of operation to 500 hours per year. The City of Portland will maintain records of the actual operating time to ensure compliance with the 500 hours. Due to the operational limits and the type of fuel burned, emissions will be minimal and additional control measures would not be economically feasible. The City of Portland will ensure good combustion and maintenance practices for the proper operation of the generator.

PPD shall operate Generator #1, firing diesel fuel with a maximum sulfur content of 0.0015%, at a maximum rate of 33.2 gallons per hour.

1. BACT Findings for Generator # 1 for firing diesel fuel:

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

- PM/PM₁₀ – 0.2 grams/kW-hr, based on Tier 3 emission standard
- SO₂ – based on firing 0.0015% sulfur, 0.0015 lb/MMBtu
- NO_x – 4 grams/kW-hr, EPA's Tier 3 emission standard
- CO – 3.5 grams/kW-hr, EPA's Tier 3 emission standard
- VOC – 4 grams/kW-hr, EPA's Tier 3 emission standard
- Opacity – 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 3-hour period based on 06-096 CMR 101.

Unit	PM (lb/MMBtu)
Generator #1 4.55 MMBtu/hr, Diesel	0.12

Unit	PM (lb/hr)	PM ₁₀ (lb/hr)	SO ₂ (lb/hr)	NO _x (lb/hr)	CO (lb/hr)	VOC (lb/hr)
Generator #1	0.2	0.2	0.1	3.5	3.1	3.5

The generator shall be limited to 500 hours of operation a year, based on a calendar year. PPD shall keep records of the hours of operation for the unit.

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 the emergency generator listed above since the unit was ordered after July 11, 2005 and manufactured after April 1, 2006. By meeting the requirements of Subpart IIII, the unit 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.

(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 IIII Requirements:

(1) Manufacturer Certification Requirement

The generator 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 the generator 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 the generator. [40 CFR §60.4209(a)]

(4) Operation and Maintenance Requirements

The generator 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. PPD 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

The generator shall be limited to 100 hours/year for maintenance checks and readiness testing, emergency demand response, and periods of voltage or frequency deviation from standards. Up to 50 hours/year of the 100 hours/year may be used in non-emergency situations (this does not include peak shaving, non-emergency demand response, or to generate income for a facility by providing power to an electric grid or otherwise supply power as part of a financial arrangement with another entity unless the conditions in §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) Annual Reporting Requirements for Demand Response Availability Over 15 Hours Per Year (for generators greater than 100 brake hp). If PPD 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)]

E. Annual Emissions

1. PPD shall be restricted to the following annual emissions, based on a calendar year. The tons per year limits were calculated based on unlimited firing of natural gas in the boilers and the 500 hours/year limit for the emergency generator:

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

	PM	PM ₁₀	SO ₂	NO _x	CO	VOC
Boiler #1	0.8	0.8	0.1	1.4	1.2	0.1
Boiler #2	0.8	0.8	0.1	1.4	1.2	0.1
Generator #1	0.1	0.1	0.1	0.9	0.8	0.9
Total TPY	1.7	1.7	0.3	3.7	3.2	1.1

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

III. AMBIENT AIR QUALITY ANALYSIS

The level of ambient air quality impact modeling required for a minor source shall be determined by the Department on a case-by case basis. In accordance with 06-096 CMR 115, an ambient air quality impact analysis is not required for a minor source if the total 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.

The Department hereby grants Air Emission License A-1082-71-A-N 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) Boilers #1 and #2

- A. PPD shall fire natural gas in Boilers #1 and #2 as described in this air emissions license.
- B. Emissions shall not exceed the following: [06-096 CMR 115, BACT]

Unit	Pollutant	lb/MMBtu	Origin and Authority
Boilers #1 and #2 (each)	PM	0.05	06-096 CMR 115, BACT

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

Emission Unit	PM (lb/hr)	PM ₁₀ (lb/hr)	SO ₂ (lb/hr)	NO _x (lb/hr)	CO (lb/hr)	VOC (lb/hr)
Boiler #1	0.2	0.2	0.1	0.4	0.3	0.1
Boiler #2	0.2	0.2	0.1	0.4	0.3	0.1

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

(17) Emergency Generator

- A. The emergency generator (Generator #1) is limited to 500 hours per year total operation, based on a calendar year. Compliance shall be demonstrated by a written log of all generator operating hours. [06-096 CMR 115]
- B. The diesel fuel sulfur content for Generator #1 shall be limited to 0.0015% sulfur. 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:

Unit	Pollutant	lb/MMBtu	Origin and Authority
Generator # 1	PM	0.2 g/kW-hr	Tier III (40 CFR Part 63 Subpart III)

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

Unit	PM (lb/hr)	PM ₁₀ (lb/hr)	SO ₂ (lb/hr)	NO _x (lb/hr)	CO (lb/hr)	VOC (lb/hr)
Generator # 1 (4.55 MMBtu/hr)	0.2	0.2	0.1	3.5	3.1	3.5

E. Visible Emissions

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

F. The Emergency Generator (Generator #1) shall meet the applicable requirements of 40 CFR Part 60, Subpart IIII, including the following:

1. Manufacturer Certification

The generator 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 the generator 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 the generator. [40 CFR §60.4209(a)]

4. Annual Time Limit for Maintenance and Testing

The generator shall be limited to 100 hours/year for maintenance checks and readiness testing, emergency demand response, and periods of voltage

or frequency deviation from standards. Up to 50 hours/year of the 100 hours/year may be used in non-emergency situations (this does not include peak shaving, non-emergency demand response, or to generate income for a facility by providing power to an electric grid or otherwise supply power as part of a financial arrangement with another entity unless the conditions in §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]

5. Operation and Maintenance

The generator shall be operated and maintained according to the manufacturer's emission-related written instructions or procedures developed by PPD that are approved by the engine manufacturer. PPD 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 PPD 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)]

City of Portland
Portland Police Department
Cumberland County
Portland, Maine
A-1082-71-A-N

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Departmental
Findings of Fact and Order
Air Emission License
After-the-Fact

- (18) PPD 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 June, 2013.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

BY: Marc Allen Robert Cone 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: April 9, 2013
Date of application acceptance: April 24, 2013

Date filed with the Board of Environmental Protection:

This Order prepared by Edwin Cousins, Bureau of Air Quality

