



DEPARTMENT ORDER

ND OTM LLC  
Penobscot County  
Old Town, Maine  
A-180-77-16-M

Departmental  
Findings of Fact and Order  
New Source Review  
NSR #16

FINDINGS OF FACT

After review of the air emission license application, staff investigation reports, and other documents in the applicant's file in the Bureau of Air Quality, pursuant to 38 Maine Revised Statutes (M.R.S.) § 344 and § 590, the Maine Department of Environmental Protection (the Department) finds the following facts:

I. REGISTRATION

A. Introduction

FACILITY	ND OTM LLC
LICENSE TYPE	06-096 C.M.R. ch. 115, Minor Revision
NAICS CODES	322110 Wood Pulp Manufacturing
NATURE OF BUSINESS	Pulp Manufacturing
FACILITY LOCATION	24 Portland Street, Old Town, Maine

B. NSR License Description

ND OTM LLC (ND OTM, The Mill) has requested a New Source Review (NSR) license to add recycled fuel oil (RFO), which meets the criteria of *specification waste oil* as defined in this license, as a licensed fuel in the #4 Recovery Boiler.

C. Emission Equipment

The following equipment is addressed in this NSR license:

**Fuel Burning Equipment**

Equipment	Maximum Capacity (MMBtu/hr)	Fuel Type, % sulfur
#4 Recovery Boiler	2.57 MMBtu/day black liquor solids, 375 MMBtu/hr	Black liquor solids, #6 fuel oil, distillate fuel, recycled fuel oil

D. Definitions

*Specification Waste Oil* means a petroleum-based oil which, through use or handling, has become unsuitable for its original purpose due to the presence of impurities or loss of original properties, and meets all of the following requirements:

- It has sufficient liquid content to be free flowing;
- It meets all of the constituent and property standards as specified in *Waste Oil Management Rules*, 06-096 C.M.R. ch. 860;
- It does not otherwise exhibit hazardous waste characteristics; and
- It has not been mixed with a hazardous waste.

E. Application Classification

All rules, regulations, or statutes referenced in this air emission license refer to the amended version in effect as of the issued date of this license.

The application submitted by ND OTM does not violate any applicable federal or state requirements and does not reduce monitoring, reporting, testing, or recordkeeping requirements.

The proposed revision will not change the facility's emission limits. Therefore, the NSR license is determined to be a minor revision under *Minor and Major Source Air Emission License Regulations* 06-096 Code of Maine Rules (C.M.R.) ch. 115. The procedures found in 06-096 C.M.R. ch. 115 can be utilized to process this application since the proposed revision is not prohibited by the Part 70 air emission license. An application to incorporate the requirements of this NSR license into the Part 70 air emission license shall be submitted no later than 12 months from commencement of the requested operation.

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 C.M.R. ch. 100. Separate control requirement categories exist for new and existing equipment as well as for those sources located in designated non-attainment areas. The addition of RFO as a licensed fuel to the #4 Recovery Boiler does not change the Department's determination of BPT for the unit.

B. Specification Used Oil in the #4 Recovery Boiler

ND OTM has requested the inclusion of Recycled Fuel Oil (RFO) as a licensed fuel in the #4 Recovery Boiler. The used oil will be analyzed by the supplier to document compliance with the characterization of *specification waste oil* as defined in 06-096 C.M.R. ch. 860,

*Waste Oil Management Rules.* There will be no addition of solvents or hazardous materials to the used oil proposed for this use. The sulfur content of RFO has been measured at 0.21%, which is less than the current fuel sulfur limitation of 0.5% for #6 oil. The used oil will utilize the existing oil feed system for the #4 Recovery Boiler. No modifications to the #4 Recovery Boiler or the corresponding control equipment are needed to accommodate the use of RFO in the #4 Recovery Boiler. Licensed emission limits for the #4 Recovery Boiler shall not change because of the addition of this fuel. No changes to the daily average firing rate or annual fossil fuel heat input limitations for the #4 Recovery Boiler will occur as a result of this license.

ND OTM shall maintain records documenting compliance with the *specification waste oil* definition of 06-096 C.M.R. ch. 860 and the quantity of RFO combusted in the #4 Recovery Boiler on both a monthly and annual total basis.

C. Incorporation Into the Part 70 Air Emission License

Pursuant to *Part 70 Air Emission License Regulations*, 06-096 C.M.R. ch. 140 § 1(C)(8), for a modification at the facility that has undergone NSR requirements or been processed through 06-096 C.M.R. ch. 115, the source must apply for an amendment to their Part 70 license within one year of commencing the proposed operations, as provided in 40 C.F.R. Part 70.5.

D. Annual Emissions

This license will not change the facility's licensed annual emissions.

III. AMBIENT AIR QUALITY ANALYSIS

ND OTM previously submitted an ambient air quality impact analysis outlined in air emission license A-180-77-4-A (dated October 12, 2012) demonstrating that emissions from the facility, in conjunction with all other sources, do not violate ambient air quality standards (AAQS). An additional ambient air quality impact analysis is not required for this NSR license.

**ORDER**

The Department hereby grants New Source Review Minor Revision A-180-77-16-M pursuant to the preconstruction licensing requirements of 06-096 C.M.R. ch. 115 and subject to the specific conditions below.

Severability. The invalidity or unenforceability of any provision of this License or part thereof 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.

**SPECIFIC CONDITIONS**

**(1) Recycled Fuel Oil Addition as a Licensed Fuel for the #4 Recovery Boiler**

- A. ND OTM is licensed to fire black liquor, natural gas, #6 fuel oil, #2 fuel oil or diesel fuel, and recycled fuel oil (RFO) in the #4 Recovery Boiler. The facility shall continue to comply with the emission limits for the #4 Recovery Boiler and other requirements as specified in air emission license A-180-70-A-I (December 2, 2009), subsequently issued Part 70 license amendments, and NSR licenses issued pertaining to the #4 Recovery Boiler.
- B. The RFO fired in the #4 Recovery Boiler shall meet the definition of “specification waste oil” as defined in 06-096 C.M.R. ch. 860, *Waste Oil Management Rules*. Documentation of compliance with this requirement shall be maintained on-site. [06-096 C.M.R. ch. 115, BACT]
- C. ND OTM shall maintain records of the quantity of RFO combusted in the #4 Recovery Boiler on a monthly and annual basis. [06-096 C.M.R. ch. 115, BACT]

**(2) ND OTM shall submit an application to incorporate this NSR license into the facility’s Part 70 air emission license no later than 12 months from commencement of the requested operation. [06-096 C.M.R. ch. 140 § 1(C)(8)]**

DONE AND DATED IN AUGUSTA, MAINE THIS 23<sup>rd</sup> DAY OF December, 2022.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

BY:  for  
MELANIE LOYZIM, COMMISSIONER

PLEASE NOTE ATTACHED SHEET FOR GUIDANCE ON APPEAL PROCEDURES

Date of initial receipt of application: 12/22/2022

Date of application acceptance: 12/22/2022

Date filed with the Board of Environmental Protection:

This Order prepared by Benjamin Goundie, Bureau of Air Quality.

**FILED**  
DEC 23, 2022  
State of Maine  
Board of Environmental Protection