



STATE OF MAINE  
DEPARTMENT OF ENVIRONMENTAL PROTECTION



PAUL R. LEPAGE  
GOVERNOR

PATRICIA W. AHO  
COMMISSIONER

**Expera Old Town, LLC  
Penobscot County  
Old Town, Maine  
A-180-77-8-A**

**Departmental  
Findings of Fact and Order  
New Source Review  
NSR #5**

**FINDINGS OF FACT**

After review of the air emission license amendment 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 Maine Department of Environmental Protection (Department) finds the following facts:

**I. REGISTRATION**

A. Introduction

FACILITY	Expera Old Town, LLC (Expera)
LICENSE TYPE	06-096 CMR 115, Minor Modification, NSR
NAICS CODES	322110 Wood Pulp Manufacturing 221119 Electric Power Generation
NATURE OF BUSINESS	Pulp Manufacturing
FACILITY LOCATION	24 Portland Street, Old Town, Maine

Expera is a pulp manufacturing facility in Old Town, Maine, capable of on-site energy and steam production. The facility is considered an existing Part 70 Major Source as defined in *Definitions Regulations*, 06-096 Code of Maine Rules (CMR) 100 (as amended).

Expera has submitted a minor modification application to specifically address the firing of distillate fuel as a licensed fuel in #5 Power Boiler.

B. Amendment Description

The amendment application consists of adding distillate fuel as a licensed fuel in #5 Power Boiler. Currently, the boiler is licensed to fire #6 fuel oil as the primary fuel. Distillate fuel (#2 fuel oil) is mentioned in the current Part 70 License as being used for startup purposes in the equipment table in the Findings of Fact section of the license. This amendment clarifies that distillate fuel may be fired for continuous combustion, not just in a startup capacity. When fired, the distillate fuel would be utilized in lieu of #6 fuel oil since the amendment is not a

request to co-fire both fuels at the same time. Expera has requested that the ability to fire #6 fuel oil in the boiler be retained.

C. Emission Equipment

The equipment addressed in this air emission license amendment is the #5 Power Boiler (249 MMBtu/hr).

D. Definitions

*Distillate Fuel* means fuel oil that complies with the specifications for fuel oil numbers 1 or 2, as defined by the American Society for Testing and Materials in ASTM D396, diesel fuel oil numbers 1 or 2, as defined in ASTM D975, kerosene, as defined in ASTM D3699, biodiesel as defined in ASTM D6751, or biodiesel blends as defined in ASTM D7467.

E. Application Classification

The modification of a major source is considered a major modification based on whether or not expected emissions increases exceed the "Significant Emission Increase Levels" as given in *Definitions Regulation*, 06-096 CMR 100 (as amended).

The emissions will be reduced when firing distillate fuel in place of #6 fuel oil in #5 Power Boiler since firing distillate fuel results in lower emissions than firing #6 fuel oil. The distillate fuel will be fired in place of residual fuel oil, not in addition to the residual oil.

This amendment is determined to be a minor modification under *Minor and Major Source Air Emission License Regulations* 06-096 CMR 115 (as amended) since the changes being made are not addressed or prohibited in the Part 70 air emission license. An application to incorporate the requirements of this amendment 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 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 Best Available Control Technology (BACT), as defined in 06-096 CMR 100. BACT is a top-down approach to selecting air emission controls considering economic, environmental and energy impacts.

B. Distillate Fuel in #5 Power Boiler

Expera has requested to fire distillate fuel as a licensed fuel in the #5 Power Boiler. Currently the license only addresses the use of distillate fuel (#2 fuel oil) for startup purposes. This license clarifies that distillate fuel may be fired for continuous combustion. Expera shall continue to meet the existing license emission limits established for fuel oil combustion. Actual emissions are expected to be lower firing distillate fuel as compared to residual oil.

Prior to July 1, 2016, or by the date otherwise stated in 38 MRSA §603-A(2)(A)(3), the distillate fuel fired in #5 Power Boiler shall have a maximum sulfur content of 0.5% by weight. Per 38 MRSA §603-A(2)(A)(3), beginning July 1, 2016, or on the date specified in the statute, distillate fuel fired at the facility shall have a maximum sulfur content of 0.005% by weight (50 ppm), and beginning January 1, 2018, or on the date specified in the statute, distillate fuel fired at the facility shall have a maximum sulfur content of 0.0015% by weight (15 ppm). The specific dates and requirements contained in this paragraph reflect the current dates and requirements in the statute as of the effective date of this license; however, if the statute is revised, the facility shall comply with the revised dates and requirements upon promulgation of the statute revision.

C. Incorporation into the Part 70 Air Emission License

The requirements in this 06-096 CMR 115 New Source Review amendment shall apply to the facility upon amendment issuance. Per *Part 70 Air Emission License Regulations*, 06-096 CMR 140 (as amended), Section 1(C)(8), for a modification that has undergone NSR requirements or been processed through 06-096 CMR 115, the source must then apply for an amendment to the Part 70 license within one year of commencing the proposed operations as provided in 40 CFR Part 70.5.

D. Annual Emissions

The facility's annual emissions are not being revised with this amendment and shall remain as currently licensed.

### III. AMBIENT AIR QUALITY ANALYSIS

Expera previously submitted ambient air quality analyses demonstrating that emissions from the facility, in conjunction with all other sources, do not violate ambient air quality standards. An additional ambient air quality analysis is not required for this amendment.

### 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-180-77-8-A pursuant to the preconstruction licensing requirements of 06-096 CMR 115 and subject to the standard and special conditions below.

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.

### SPECIFIC CONDITIONS

(1) **#5 Power Boiler – Distillate Fuel**

- A. Expera is licensed to fire distillate fuel in #5 Power Boiler. [06-096 CMR 115, BACT]
- B. Expera shall meet the licensed emission limits established for #5 Power Boiler firing fuel oil. [06-096 CMR 115, BACT]
- C. Per the current dates and requirements of 38 M.R.S.A. §603-A(2)(A)(3), the facility shall comply with the following statements; however, if the statute is

revised, the facility shall comply with the revised dates and requirements upon promulgation of the statute revision.

1. Prior to July 1, 2016, or the date specified in 38 MRSA §603-A(2)(A)(3), the distillate fuel fired in the boiler shall have a maximum sulfur content of 0.5% by weight. [06-096 CMR 115, BPT]
2. Beginning July 1, 2016, or on the date specified in 38 MRSA §603-A(2)(A)(3), distillate fuel fired in the boiler shall have a maximum sulfur content of 0.005% by weight (50 ppm). [38 MRSA §603-A(2)(A)(3)]
3. Beginning January 1, 2018, or on the date specified in 38 MRSA §603-A(2)(A)(3), distillate fuel fired in the boiler shall have a maximum sulfur content of 0.0015% by weight (15 ppm). [38 MRSA §603-A(2)(A)(3)]

D. Compliance shall be demonstrated by fuel records from the supplier showing the quantity, type, and the percent sulfur of the fuel delivered (if applicable). Records of annual fuel use shall be kept on a monthly and 12-month rolling total basis. [06-096 CMR 115, BPT]

- (2) Expera shall submit an application to incorporate this amendment into the Part 70 air emission license no later than 12 months from commencement of the requested operation. [06-096 CMR 140, Section 1(C)(8)]

DONE AND DATED IN AUGUSTA, MAINE THIS 17 DAY OF June, 2015.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

BY: Marc Allen Robert Cove for  
PATRICIA W. AHO, COMMISSIONER

PLEASE NOTE ATTACHED SHEET FOR GUIDANCE ON APPEAL PROCEDURES

Date of initial receipt of application: May 13, 2015

Date of application acceptance: May 15, 2015

Date filed with the Board of Environmental Protection:

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

