



DEPARTMENT ORDER

**Portland Pipe Line Corporation
Cumberland County
South Portland, Maine
A-197-70-F-A**

**Departmental
Findings of Fact and Order
Part 70 Air Emission License
Amendment #1**

FINDINGS OF FACT

After review of the Part 70 License amendment 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 (Department) finds the following facts:

I. REGISTRATION

A. Introduction

FACILITY	Portland Pipe Line Corporation (PPLC)
LICENSE TYPE	Part 70 Administrative Revision
NAICS CODES	42271 (Petroleum Bulk Stations and Terminals)
NATURE OF BUSINESS	Crude Petroleum Storage Facility
FACILITY LOCATION	30 Hill Street, South Portland, Maine

Portland Pipe Line Corporation (PPLC) is a crude petroleum storage facility consisting of 23 petroleum storage tanks, two boilers to heat the crude oil during the winter months, two generators, a pier, and insignificant activities.

PPLC has requested a Part 70 Administrative Revision in order to revise the fuel sulfur content requirement currently contained in their license so it is in alignment with the revised version of 38 M.R.S. § 603-A promulgated on May 10, 2015.

PPLC has the potential to emit more than 50 TPY of volatile organic compounds (VOC); therefore, the source is a major source for criteria pollutants. PPLC does not have the potential to emit 10 TPY or more of a single hazardous air pollutant (HAP) or 25 TPY or more of combined HAP; therefore, the source is an area source for HAP.

B. Emission Equipment

The following emission units are addressed by this Part 70 License Amendment:

Boilers

Equipment	Maximum Heat Input Capacity (MMBtu/hr)	Max. Firing Rate (gal/hr)	Fuel Type, % sulfur	Manuf. Date	Install. Date	Stack #
Boiler #3	21 [each]	149.5 [each]	Distillate fuel, 0.5%	1983	1983	1
Boiler #4				1983	1983	

C. Definitions

Distillate Fuel. For the purposes of this license, *distillate fuel* means the following:

- Fuel oil that complies with the specifications for fuel oil numbers 1 or 2, as defined by the American Society for Testing and Materials (ASTM) 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.

D. 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.

A Part 70 Administrative Revision is for license changes that correct typographical errors; change the name, address, or phone number of any person or facility identified in the Part 70 license or a similar administrative change at the Part 70 source; or result in more frequent monitoring, reporting, recordkeeping or testing requirements. As defined in *Definitions Regulation*, 06-096 Code of Maine Rules (C.M.R.) ch. 100, a Part 70 Administrative Revision may also be used to incorporate the terms and conditions of a major New Source Review (NSR) air license, issued pursuant to *Major and Minor Source Air Emission License Regulations*, 06-096 C.M.R. ch. 115, into a Part 70 license.

The requested revision to align the fuel sulfur content limits in their license with the most recent statute language meets the definition of a Part 70 Administrative Revision and has been processed under *Part 70 Air Emission License Regulations*, 06-096 C.M.R. ch. 140.

II. AMENDMENT DESCRIPTION

A. Fuel Sulfur Content Requirement Revision

Air Emission License Renewal A-197-70-E-R (2/2/2015) included the fuel sulfur content requirements of 38 M.R.S. § 603-A(2)(A)(3). These requirements focused on the consumer of the fuel, and included fuel sulfur content limits of 0.005% sulfur by weight beginning July 1, 2016, and 0.0015% sulfur by weight beginning January 1, 2018.

Several months after that license was issued, on May 10, 2015, the Maine Legislature revised 38 M.R.S. § 603-A to switch the focus of the statute from the consumer to the distributor, to remove the interim fuel sulfur content of 0.005% sulfur by weight, and to change the date requiring the change to 0.0015% sulfur by weight from January 1, 2018, to July 1, 2018. This change was made to make the sulfur content levels and applicability dates more consistent with the levels and dates being proposed in other New England States.

For consistency, PPLC has requested to amend their air emission license to update the fuel sulfur content language included for Boilers #3 and #4 to mirror the revised language of 38 M.R.S. § 603-A(2)(A)(3), as follows:

PPLC is licensed to fire distillate fuel which, by definition, has a sulfur content of 0.5% or less by weight. Per 38 M.R.S. § 603-A(2)(A)(3), as of July 1, 2018, no person shall import, distribute, or offer for sale any distillate fuel with a sulfur content greater than 0.0015% by weight (15 ppm). Therefore, beginning July 1, 2018, the distillate fuel purchased or otherwise obtained for use at this facility shall not exceed 0.0015% by weight (15 ppm).

B. Facility Annual Emissions

The facility's licensed annual emission totals are not changing as a result of this amendment and shall remain as currently licensed.

ORDER

Based on the above Findings and subject to conditions listed below, the Department concludes that emissions from this source:

- will receive Best Practical Treatment;
- will not violate applicable emissions standards; and
- will not violate applicable ambient air quality standards in conjunction with emissions from other sources.

The Department hereby grants the Part 70 License Amendment A-197-70-F-A pursuant to 06-096 C.M.R. 140 and the preconstruction permitting requirements of *Major and Minor Source Air Emission License Regulations*, 06-096 C.M.R. ch. 115 and subject to the conditions found in Air Emission License A-197-70-E-R and the following condition.

Federally enforceable conditions in this Part 70 license must be changed pursuant to the applicable requirements in 06-096 C.M.R. ch. 115 for making such changes and pursuant to the applicable requirements in 06-096 C.M.R. ch. 140.

For each specific condition which is state enforceable only, state-only enforceability is designated with the following statement: **Enforceable by State-only**.

Severability. The invalidity or unenforceability of any provision of this License Amendment or part thereof shall not affect the remainder of the provision or any other provisions. This License Amendment shall be construed and enforced in all respects as if such invalid or unenforceable provision or part thereof had been omitted.

SPECIFIC CONDITIONS

The following shall replace Condition (14)(B.)(1) of Air Emission License A-197-70-E-R (2/2/2015):

(14) **Boilers #3 and #4**

B. Fuel Sulfur Content

1. Distillate Fuel

- a. Prior to July 1, 2018, the distillate fuel fired at the facility shall have a maximum sulfur content of 0.5% by weight. [06-096 C.M.R. ch. 140, BPT]
- b. Beginning July 1, 2018, the facility shall not purchase or otherwise obtain distillate fuel with a maximum sulfur content that exceeds 0.0015% by weight (15 ppm). [38 M.R.S. § 603-A(2)(A)(3)(a)]

DONE AND DATED IN AUGUSTA, MAINE THIS 22 DAY OF February, 2018.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

BY: Marc Allen Robert Cone for
PAUL MERCER, COMMISSIONER

The term of this amendment shall be concurrent with the term of Air Emission License A-197-70-E-R.

PLEASE NOTE ATTACHED SHEET FOR GUIDANCE ON APPEAL PROCEDURES

Date of initial receipt of application: 12/29/2017

Date of application acceptance: 1/2/2018

Date filed with the Board of Environmental Protection:

This Order prepared by Jonathan E. Rice, Bureau of Air Quality.

