



DEPARTMENT ORDER

**Louisiana-Pacific Corporation  
Aroostook County  
New Limerick, Maine  
A-327-77-7-M**

**Departmental  
Findings of Fact and Order  
New Source Review  
NSR #7**

**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 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	Louisiana-Pacific Corporation
LICENSE TYPE	06-096 C.M.R. ch. 115, Minor Revision
NAICS CODES	321219
NATURE OF BUSINESS	Reconstituted Wood Product Manufacturing
FACILITY LOCATION	240 Station Road, New Limerick, Maine

B. NSR License Description

Louisiana-Pacific Corporation (LP) has requested a New Source Review (NSR) license to license the firing of three new fuels in the Central Heating Unit (CHU). The new fuels include specification used oil, solid oily material, and material collected in the facility's wet electrostatic precipitator (WESP) known as E-Tube residual.

C. Emission Equipment

The following equipment is addressed in this NSR license:

**Fuel Burning Equipment**

Equipment	Maximum Heat Input Capacity (MMBtu/hr)	Fuel Type	Manuf. Date	Install. Date
Central Heating Unit (CHU)	278	Bark, wood, mill trimmings, specification used oil, solid oily materials, E-Tube residual	2007	2008

D. Definitions

Biomass means any biomass-based solid fuel that is not a solid waste. This includes, but is not limited to, wood residue and wood products (*e.g.*, trees, tree stumps, tree limbs, bark, lumber, sawdust, sander dust, chips, scraps, slabs, millings, and shavings). This definition also includes wood chips and processed pellets made from wood or other forest residues. Inclusion in this definition does not constitute a determination that the material is not considered a solid waste. LP should consult with the Department before adding any new biomass type to its fuel mix.

Records or Logs mean either hardcopy or electronic records.

Solid Oily Material means biomass, rags, and other similar organic absorbent materials which are soaked with specification used oil.

Specification Used 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 for specification waste oil as contained in *Waste Oil Management Rules*, 06-096 C.M.R. ch. 860;
- It meets all of the constituent and property standards for used oil contained in 40 C.F.R. § 279.11;
- It does not otherwise exhibit hazardous waste characteristics; and
- It has not been mixed with a hazardous waste.

E. Revision Description

LP proposes to include specification used oil, solid oily material, and E-Tube residual as allowable fuels for the CHU which is designed and licensed to burn biomass.

1. E-Tube Residual

E-Tube residual is generated from the maintenance and cleaning of the WESP. The WESP collects particulate and wood fiber from the facility's direct-contact wood dryers. Therefore, this material is similar in composition to the biomass fired in the CHU.

a. Non-Hazardous Secondary Material Determination

In accordance with *Solid Wastes Used As Fuels or Ingredients in Combustion Units*, 40 C.F.R. Part 241, LP affirms that the E-Tube residual meets the legitimacy criteria pursuant to 40 C.F.R. §§ 241.3(b)(1) and 241.3(d)(1). This claim is supported by information provided in a letter to the Department dated October 26, 2021, showing that the E-Tube residual will be managed as a valuable commodity, has a meaningful heating value, and contains contaminants at levels comparable in concentration (or lower) to the traditional fuel it replaces (biomass). Therefore, the E-Tube residual is not considered a solid waste when burned in the CHU<sup>1</sup>. It is a non-hazardous secondary material (NHSM) that is not a solid waste, and it is considered equivalent to the traditional fuel it is intended to replace, i.e., biomass.

b. Modification Determination

Adding E-Tube residual to the CHU fuel mix will not require any physical changes be made. Since the E-Tube residual is considered equivalent to the traditional fuel it replaces (biomass) and the CHU is already licensed to fire biomass, adding this fuel is not considered a change in the method of operation. In addition, combustion of the E-Tube residual in the CHU will not result in any emissions increases from this equipment, as the E-Tube residual will simply offset the use of other similar fuels. Therefore, addition of E-Tube residual to the CHU is not considered a modification and the CHU is not subject to Best Available Control Technology (BACT).

2. Specification Used Oil and Solid Oily Material

LP generates used oil on site which is captured from equipment operation, leaks, and maintenance activities. The oil is stored in drums or absorbed and collected by biomass, speedi-dry, absorbent pads, rags, or similar absorbent spill clean-up materials. LP estimates up to 4,000 gallons of liquid oil and 10 tons of solid oily material is generated on site. LP proposes to mix the specification used oil and solid oily material with biomass prior to combustion in the CHU.

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<sup>1</sup> The determination the E-Tube residual is not a solid waste is intended to apply to the applicability of federal air rules only.

a. Non-Hazardous Secondary Material Determination

Traditional fuels are defined in 40 C.F.R. § 241.2 as follows (emphasis added):

*Traditional fuels* means materials that are produced as fuels and are unused products that have not been discarded and therefore are not solid wastes, including:

(1) Fuels that have been historically managed as valuable fuel products rather than being managed as waste materials, including fossil fuels (e.g., coal, oil and natural gas), their derivatives (e.g., petroleum coke, bituminous coke, coal tar oil, refinery gas, synthetic fuel, heavy recycle, asphalts, blast furnace gas, recovered gaseous butane, and coke oven gas) and cellulosic biomass (virgin wood); and

(2) alternative fuels developed from virgin materials that can now be used as fuel products, including used oil which meets the specifications outlined in 40 C.F.R. § 279.11, currently mined coal refuse that previously had not been usable as coal, and clean cellulosic biomass. These fuels are not secondary materials or solid wastes unless discarded.

LP has demonstrated that the used oil meets the specifications in 40 C.F.R. § 279.11. Therefore, the specification used oil is considered a traditional fuel and not a solid waste<sup>2</sup>.

Biomass, rags, and other similar organic absorbent materials which are soaked with specification used oil are considered to be a mix of two traditional fuels, i.e., biomass and specification used oil. Plastic bags and other non-organic materials are not included in this determination.

b. Modification Determination

Adding specification used oil and biomass-based solid oily material to the CHU fuel mix will not require any physical changes be made. The addition of a new type of traditional fuel (i.e., oil) is a change in the method of operation. However, there will be no associated increase in emissions, licensed or actual, because these fuels will offset the use of other fuels. Additionally, LP has demonstrated that the specification used oil has contaminant levels equivalent to or lower than that of biomass. Therefore, addition of specification used oil and biomass-based solid oily material to the CHU is not considered a modification and the CHU is not subject to Best Available Control Technology (BACT).

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<sup>2</sup> The determination that specification used oil is not a solid waste is intended to apply to the applicability of federal air rules only.

F. 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 LP 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, this 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 has been submitted to the Department.

II. AMBIENT AIR QUALITY ANALYSIS

LP previously submitted an ambient air quality analysis demonstrating that emissions from the facility, in conjunction with all other sources, do not violate ambient air quality standards (see license A-327-77-1-N, issued 8/26/2006). An additional ambient air quality analysis is not required for this NSR license amendment.

**ORDER**

The Department hereby grants New Source Review Minor Revision A-327-77-7-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 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 (1)(B) of Air Emission License A-327-77-1-N:

(1) **Central Heating Unit**

B. The CHU is licensed to fire biomass (including bark, wood, mill trimmings, cleanup residue from the blenders and former infeed conveyors, and E-Tube residual), specification used oil, and solid oily materials as those terms are defined in this license. The specification used oil and solid oil materials fired must be produced on site. [06-096 C.M.R. ch. 115, BPT]

The following are New Conditions:

- (2) Combustion of specification used oil shall not exceed 4,000 gallons per year on a calendar year basis. LP shall maintain records of the amount of specification used oil burned in the CHU on a monthly and annual basis. [06-096 C.M.R. ch. 115, BPT]
- (3) Combustion of solid oily materials shall not exceed 10 tons per year on a calendar year basis. LP shall maintain records of the amount of solid oily material burned in the CHU on a monthly and annual basis. [06-096 C.M.R. ch. 115, BPT]

DONE AND DATED IN AUGUSTA, MAINE THIS 7<sup>th</sup> DAY OF OCTOBER, 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: 10/26/2021

Date of application acceptance: 10/28/2021

Date filed with the Board of Environmental Protection:

This Order prepared by Lynn Muzzey, Bureau of Air Quality.

