



DEPARTMENT ORDER

State of Maine
Cross Office Building
Kennebec County
Augusta, Maine
A-659-71-F-M (SM)

Departmental
Findings of Fact and Order
Air Emission License
Minor Revision

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 (Department) finds the following facts:

I. REGISTRATION

A. Introduction

The State of Maine was issued Air Emission License A-659-71-E-N on 04/29/2015, for the operation of emission sources associated with the Cross Office Building.

The State of Maine (the Cross Building) has requested a minor revision to its license to classify natural gas as the primary fuel for Boilers #1-#3 and subsequently remove requirements of *National Emission Standards for Hazardous Air Pollutants for Industrial, commercial, and Institutional Boilers Area Sources*, 40 C.F.R. Part 63, Subpart JJJJJ associated with burning distillate fuel.

The equipment addressed in this license amendment is located at 111 Sewall Street, Augusta, Maine.

B. Emission Equipment

The following equipment is addressed in this air emission license amendment:

Boilers

Equipment	Maximum Capacity (MMBtu/hr)	Maximum Firing Rate	Fuel Type, % sulfur	Stack #
Boiler #1	14.6	14,314 scf/hr 102.1 gal/hr	Natural Gas, Distillate Fuel	1
Boiler #2	8.4	8,235 scf/hr 58.3 gal/hr	Natural Gas, Distillate Fuel	1
Boiler #3	12.5	12,500 scf/hr 83.5 gal/hr	Natural Gas, Distillate Fuel	1

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.

This amendment will not increase emissions of any pollutant. Therefore, this amendment is determined to be a minor revision and has been processed as such.

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.

BPT for existing emissions equipment means that method which controls or reduces emissions to the lowest possible level considering:

- the existing state of technology;
- the effectiveness of available alternatives for reducing emissions from the source being considered; and
- the economic feasibility for the type of establishment involved.

B. Boilers #1 - #3 NESHAP Requirements

License A-659-71-E-N, dated 04/29/2015, classified Boilers #1-#3 as oil fired boilers for the purposes of determining the applicability of *National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers Area Sources*, 40 C.F.R. Part 63, Subpart JJJJJ (NESHAP) and subsequently listed applicable conditions. Since issuance of the license, the Cross Building has fired natural gas in the dual fuel-fired boilers as the primary fuel and does not fire distillate fuel in the boilers outside of gas curtailment, gas supply interruptions, or for more than 48 cumulative hours for periodic testing. Because of this change, this amendment classifies the boilers as gas-fired and subsequently removes specific requirements of 40 C.F.R. Part 63, Subpart JJJJJ.

As required in 40 C.F.R. § 63.11225(g), CMCC submitted a letter to EPA and the Department dated 02/27/2018, providing notice of the fuel change. This notification resulted in the applicability classification change and rule exemption per 40 C.F.R. § 63.1195(e).

The following section updates NESHAP Subpart JJJJJ applicability classifications and requirements for the boilers:

Boilers #1-#3 are not subject to the *National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers Area Sources*, 40 C.F.R. Part 63, Subpart JJJJJ. The units are considered gas-fired boilers and are thus exempt. [40 C.F.R. §§63.11193 and 63.11195]

Gas-fired boilers are exempt from 40 C.F.R. Part 63, Subpart JJJJJ. However, boilers which fire fuel oil are not. A “gas-fired boiler” is defined as any boiler that burns gaseous fuels not combined with any solid fuels and burns liquid fuel only during periods of gas curtailment, gas supply interruption, startups, or periodic testing on liquid fuel. Periodic testing of liquid fuel shall not exceed a combined total of 48 hours during any calendar year. [40 C.F.R. § 63.11237]

Any boiler designed to burn fuels besides gaseous fuels prior to June 4, 2010, will be considered an existing boiler under this rule. A boiler which currently fires gaseous fuels, but converts back to firing another fuel (such as distillate fuel) in the future would become subject as an existing boiler at the time it is converted back to oil.

C. Annual Emissions

The Cross Building’s total licensed annual emissions do not change as a result of this minor revision.

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 Amendment A-659-71-F-M subject to the conditions found in Air Emission License A-659-71-E-N and the following conditions.

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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 Condition Replaces Specific Condition 16(F) in Air Emission License A-659-71-E-N.

(16) Boilers #1, #2, and #3

F. The Cross Building shall comply with all applicable requirements of *National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers Area Sources*, 40 C.F.R. Part 63, Subpart JJJJJ to Boilers #1-#3 if distillate fuel is fired in any of the three in a calendar year except for in periods of gas curtailment, gas supply interruptions, startups, or for more than 48 hours for periodic testing.

DONE AND DATED IN AUGUSTA, MAINE THIS 7 DAY OF March, 2018.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

BY: Marc Allen Robert Cune for
PAUL MERCER, COMMISSIONER

The term of this amendment shall be concurrent with the term of Air Emission License A-659-71-E-N.

PLEASE NOTE ATTACHED SHEET FOR GUIDANCE ON APPEAL PROCEDURES

Date of initial receipt of application :01/08/2018

Date of application acceptance :01/08/2018

Date filed with the Board of Environmental Protection:

This Order prepared by Colby Fortier-Brown, Bureau of Air Quality.

