STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION
17 STATE HOUSE STATION AUGUSTA, MAINE 04333-0017

DEPARTMENT ORDER

Hyponex Corporation **Penobscot County** **Medway, Maine** **A-682-71-H-R (SM)**	**Departmental** **Findings of Fact and Order** **Air Emission License** **Renewal**

FINDINGS OF FACT

After review of the air emission license renewal 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

Hyponex Corporation (Hyponex) has applied to renew its Air Emission License for the operation of emission sources associated with its bark processing and bagging facility.

The equipment addressed in this license is located at 264 Nicatou Industrial Lane, Medway, Maine.

B. Emission Equipment

The following equipment is addressed in this air emission license:

Stationary Engines

Equipment	Max. Input Capacity (MMBtu/hr)	Rated Output Capacity (HP)	Fuel Type, % sulfur	Firing Rate (gal/hr)	Date of Manuf.	Date of Install.	Stack #
Diesel #1	5.2	800	Distillate Fuel, 0.0015% by weight	37.9	1996	1996	1
Diesel #2	0.8	109		5.6	1996	1996	2
Propane #1	0.8	107	Propane, Negligible Sulfur	8	2013	2013	3

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.

Portable Engine. For the purposes of this license, *portable engine* means an internal combustion engine which is portable or transportable, meaning designed to be and capable of being carried or moved from one location to another. Indicia of transportability include, but are not limited to, wheels, skids, carrying handles, dolly, trailer, or platform. This definition does NOT include engines which remain or will remain at a location (excluding storage locations) for more than 12 consecutive months or a shorter period of time for an engine located at a seasonal source. A location is any single site at a building, structure, facility, or installation. Any engine that replaces an engine at a location and that is intended to perform the same or similar function as the engine replaced will be included in calculating the consecutive time period.

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.

The application for Hyponex does not include the installation of new or modified equipment; the license does, however include more appropriate emission limits and a correction in the annual emissions calculation method. Because no operational changes are being proposed and because the limits are changing due to licensing adjustments, the license is considered to be a renewal of currently licensed emission units only and has been processed through *Major and Minor Source Air Emission License Regulations*, 06-096 Code of Maine Rules (C.M.R.) ch. 115.

With the annual fuel limit on the non-emergency engines and the operating hours restriction on the emergency engine, the facility is licensed below the major source thresholds for criteria pollutants and is considered a synthetic minor. The facility is also licensed below the major source thresholds for hazardous air pollutants (HAP) and is considered an area source of HAP.

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. Emergency Generator (Propane #1)

Hyponex operates Propane #1 as an emergency generator. Propane #1 is a generator set consisting of an engine and an electrical generator. The engine is rated at 0.8 MMBtu/hr and fires propane. The unit was manufactured in 2013.

1. BPT Findings

The BPT emission limits for Propane #1 are based on the following emission factors:

Propane

PM	0.000077 lb/MMBtu from AP-42 Table 3.2-2, dated 07/00
PM_{10}	0.000077 lb/MMBtu from AP-42 Table 3.2-2, dated 07/00
SO_2	0.000588 lb/MMBtu from AP-42 Table 3.2-2, dated 07/00
NO_x	4.08 lb/MMBtu from AP-42 Table 3.2-2, dated 07/00
CO	0.32 lb/MMBtu from AP-42 Table 3.2-2, dated 07/00
VOC	0.12 lb/MMBtu from AP-42 Table 3.2-2, dated 07/00
Visible Emissions	06-096 C.M.R. ch. 115, BPT

The emission factors were based on the combustion of natural gas as AP-42 does not provide emission factors for the combustion of propane in internal combustion engines.

The emission factors for NOx and CO have been changed from the values utilized in A-682-71-F-A to be more conservative and to account for operations above 90% load. The changes in these emission factors result in an increase in allowable emissions of less than 0.2 tons per year of NOx and 0.02 tons per year of CO.

The BPT emission limits for Propane #1 are the following:

Unit	PM (lb/hr)	PM_{10} (lb/hr)	SO_2 (lb/hr)	NO_x (lb/hr)	CO (lb/hr)	VOC (lb/hr)
Propane #1 (0.8 MMBtu/hr) propane	Negligible	Negligible	Negligible	3.26	0.26	0.10

Visible emissions from Propane #1 shall not exceed 10% opacity on a six-minute block average basis.

2. 40 C.F.R. Part 60, Subpart JJJJ

Standards of Performance for Spark Ignition Internal Combustion Engines, 40 C.F.R. Part 60, Subpart JJJJ is applicable to the emergency engine listed above since the unit was ordered after June 12, 2006, and manufactured after January 1, 2009. [40 C.F.R. § 60.4230] By meeting the requirements of 40 C.F.R. Part 60, Subpart JJJJ, the unit also meets the requirements found in the *National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines*, 40 C.F.R. Part 63, Subpart ZZZZ.
[40 C.F.R. § 63.6590(c)]

A summary of the currently applicable federal 40 C.F.R. Part 60, Subpart JJJJ requirements is listed below. At this time, the Department has not taken delegation of this federal rule promulgated by EPA; however, Hyponex is still subject to the requirements.

a. Emergency Engine Designation and Operating Criteria

Under 40 C.F.R. Part 60, Subpart JJJJ, a stationary reciprocating internal combustion engine (ICE) is considered an emergency stationary ICE (emergency engine) as long as the engine is operated in accordance with the following criteria. Operation of an engine outside of the criteria specified below may cause the engine to no longer be considered an emergency engine under 40 C.F.R. Part 60, Subpart JJJJ, resulting in the engine being subject to requirements applicable to non-emergency engines.

(1) Emergency Situation Operation (On-Site)

There is no operating time limit on the use of an emergency engine to provide electrical power or mechanical work during an emergency situation. Examples of use of an emergency engine during emergency situations include the following:

- Use of an engine to produce power for critical networks or equipment (including power supplied to portions of a facility) because of failure or interruption of electric power from the local utility (or the normal power source, if the facility runs on its own power production);
- Use of an engine to mitigate an on-site disaster or equipment failure;
- Use of an engine to pump water in the case of fire, flood, natural disaster, or severe weather conditions; and
- Similar instances.

(2) Non-Emergency Situation Operation

An emergency engine may be operated up to a maximum of 100 hours per calendar year for maintenance checks, readiness testing, and other non-emergency situations as described below.

(a) An emergency engine may be operated for a maximum of 100 hours per calendar year for maintenance checks and readiness testing, provided that the tests are recommended by federal, state, or local government; the manufacturer; the vendor; the regional transmission organization or equivalent balancing authority and transmission operator; or the insurance company associated with the engine. The owner or operator may petition the Administrator for approval of additional hours to be used for maintenance checks and readiness testing, but a petition is not required if the owner or operator maintains records indicating that federal, state, or local standards require maintenance and testing of emergency ICE more than 100 hours per calendar year.

(b) An emergency engine may be operated for up to 50 hours per calendar year for other non-emergency situations. **However, these operating hours are counted as part of the 100 hours per calendar year operating limit described in paragraph (2) and (2) (a) above.**

The 50 hours per calendar year operating limit for other non-emergency situations cannot be used for peak shaving, demand response, or to generate income for a facility by providing power to an electric grid or otherwise supply power as part of a financial arrangement with another entity.

[40 C.F.R. §§ 60.4243(d) and 60.4248]

b. 40 C.F.R. Part 60, Subpart JJJJ Requirements

(1) Manufacturer Certification Requirement
The engine shall be certified by the manufacturer as meeting the emission standards for new nonroad spark ignition engines found in 40 C.F.R. Part 60, Subpart JJJJ, Table 1. [40 C.F.R. § 60.4233]

(2) Non-Resettable Hour Meter Requirement
A non-resettable hour meter shall be installed and operated on the engine. [40 C.F.R. § 60.4237]

(3) Operation and Maintenance Requirement
The engine shall be operated and maintained according to the manufacturer's written instructions or procedures developed by Hyponex that are approved by the engine manufacturer. Hyponex may only change those settings that are permitted by the manufacturer. [40 C.F.R. § 60.4243]

(4) Annual Time Limit for Maintenance and Testing
As an emergency engine, the unit shall be limited to 100 hours/year for maintenance and testing. The emergency engine may operate up to 50 hours per year in non-emergency situations, but those 50 hours are included in the 100 hours total allowed for maintenance and testing. The 50 hours for non-emergency use cannot be used for peak shaving or to generate income for a facility to supply power to an electric grid or otherwise supply power as part of a financial arrangement with another entity. [40 C.F.R. § 60.4243(d)]

(5) Recordkeeping
Hyponex shall keep records that include maintenance conducted on the engine and the hours of operation of the engine recorded through the non-resettable hour meter. Documentation shall include the number of hours the unit operated for emergency purposes, the number of hours the unit operated for non-emergency purposes, and the reason the engine was in operation during each time. [40 C.F.R. § 60.4245(b)]

C. Non-Emergency Generators (Diesel #1 and Diesel #2)

Hyponex operates two non-emergency generators, Diesel #1 and Diesel #2. Both engines are generator sets consisting of an engine and an electrical generator. The engines are rated at 5.2 and 0.8 MMBtu/hr, respectively, and they fire distillate fuel. Both units were manufactured in 1996.

1. BPT Findings

The BPT emission limits for the generators are based on the following:

Distillate Fuel:

	Diesel #1	Diesel #2
PM	0.12 lb/MMBtu 06-096 C.M.R. ch. 103	0.31 lb/MMBtu AP-42 Table 3.3-1, dated 10/96
PM_{10}	0.12 lb/MMBtu 06-096 C.M.R. ch. 103	0.31 lb/MMBtu AP-42 Table 3.3-1, dated 10/96
SO_2	0.0015 lb/MMBtu Based on the firing of distillate fuel with a sulfur content of 0.0015% by weight	
NO_x	3.2 lb/MMBtu AP-42 Table 3.4-1, dated 10/96	4.41 lb/MMBtu AP-42 Table 3.3-1, dated 10/96
CO	0.85 lb/MMBtu AP-42 Table 3.4-1, dated 10/96	0.95 lb/MMBtu AP-42 Table 3.3-1, dated 10/96
VOC	0.09 lb/MMBtu AP-42 Table 3.4-1, dated 10/96	0.36 lb/MMBtu AP-42 Table 3.3-1, dated 10/96
Visible Emissions	06-096 C.M.R. ch. 115, BPT	

The emission factors for PM and PM_{10} from Diesel #2 have been changed from the factors utilized in A-682-71-E-N (both 0.12 lb/MMBtu) to be more conservative and consistent with emissions from similarly sized engines according to AP-42 date. The change in emission factors results in an increase in potential emissions of less than 0.7 tons per year for each pollutant.

The BPT emission limits for the Generators are the following:

Unit	Pollutant	Limit	Origin and Authority
Diesel #1	PM	0.12 lb/MMBtu	06-096 C.M.R. ch. 103, § (2)(B)(1)(a)
	CO	70% reduction or 23 ppmvd @ 15% O_2	40 C.F.R. § 63.6603(a) and Table 2d(3)

Unit	PM (lb/hr)	PM_{10} (lb/hr)	SO_2 (lb/hr)	NO_x (lb/hr)	CO (lb/hr)	VOC (lb/hr)
Diesel #1 (5.2 MMBtu/hr) distillate fuel	0.62	0.62	0.01	16.64	4.42	0.47
Diesel #2 (0.8 MMBtu/hr) distillate fuel	0.25	0.25	Negligible	3.53	0.76	0.29

Visible Emissions

Visible emissions from each of the generators shall not exceed 20% opacity on a six-minute block average basis.

Fuel Limit for Non-Emergency Engines

Hyponex shall be limited to 90,000 gallons of distillate fuel for the non-emergency engines on a 12-month rolling total basis.

2. Periodic Monitoring

Periodic monitoring for the generators shall include recordkeeping to document fuel use both on a monthly and 12-month rolling total basis. Documentation shall include the type of fuel used and sulfur content of the fuel.

3. 40 C.F.R. Part 63, Subpart ZZZZ

National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines, 40 C.F.R. Part 63, Subpart ZZZZ is applicable to Diesel #1 and Diesel #2. The units are not subject to New Source Performance Standards regulations and EPA's August 9, 2010 memo (*Guidance Regarding Definition of Residential, Commercial, and Institutional Emergency Stationary RICE in the NESHAP for Stationary RICE*) specifically does not exempt these units from the federal requirements. [40 C.F.R. § 63.6585]

Diesel #1 is considered an existing, non-emergency, non-black start, compression ignition stationary, reciprocating internal combustion engine with a site rating of more than 500 brake HP at an area source of HAP and Diesel #2 is considered an existing, non-emergency, non-black start, compression ignition, stationary reciprocating internal combustion engine with a site rating of less than 300 brake HP at an area source of HAP.

A summary of the currently applicable federal 40 C.F.R. Part 63, Subpart ZZZZ requirements is listed below for the two generators. At this time, the Department has not taken delegation of this federal rule promulgated by EPA; however, Hyponex is still subject to the requirements.

a. Emission and Operating Limitations

Because the two engines have different classifications within the subpart, they have separate emission and operating limitations. Hyponex shall comply with the requirements in the following table:

Engine	Emission Limits (except during startup)	Operating Requirements
Diesel # 1 800 HP CBI Grinder **(non-emergency, non-black start)**	Limit concentration of CO in the stationary RICE exhaust to 23 ppmvd at 15% O_2; or Reduce CO emissions by 70% or more. [40 C.F.R. § 63.6603(a) and Table 2d(3)] --- Diesel #1 is equipped with a diesel oxidation catalyst to comply with the emission limits.	1. Maintain the catalyst so that the pressure drop across the catalyst does not change by more than 2 inches of water from the pressure drop across the catalyst that was measured during the initial performance test. 2. Maintain the temperature of the stationary RICE exhaust so that the catalyst inlet temperature is greater than or equal to 450 °F and less than or equal to 1350 °F. [40 C.F.R. § 63.6603(a) and Table 2b(2)(b)]

Engine	Emission Limits (except during startup)	Operating Requirements
Diesel # 2 109 HP Truck Dump **(non-emergency non-black start)**	*This unit is not subject to any emission limitations pursuant to 40 CFR Part 63, Subpart ZZZZ.*	1. Change oil and filter every 1,000 hours of operation or annually, whichever comes first; 2. Inspect air cleaner every 1,000 hours of operations or annually, whichever comes first, and replace as necessary; 3. Inspect all hoses and belts every 500 hours of operation or annually, whichever comes first, and replace as necessary. [40 C.F.R. § 63.6603(a) and Table 2b(2)(b)] Hyponex has the option of utilizing an oil analysis program in order to extend the oil change requirement according to the following requirements: 1. The oil analysis shall be performed at the same frequency specified for changing the oil. 2. The analysis program shall, as minimum, analyze the following three parameters: - Total Base Number (TBN) - Viscosity - Percent water content. 3. If the following values of the three parameters are met, Hyponex is not required to change the oil. - TBN ≥30% TBN when new - Viscosity ≤20% change from value when new - ≤0.5% water by volume If the parameters are not met, Hyponex shall change the oil within 2 business days of receiving the results or before commencing operation, whichever is later. 4. Hyponex shall keep records of the analyses and oil changes, and the program must be a part of the maintenance plan for the engine. [40 C.F.R. § 63.6625(i)]

b. Ultra-Low Sulfur Diesel Fuel Use *(Both Engines)*

The diesel fuel fired in the engines shall not exceed 15 ppm sulfur (0.0015%sulfur) by weight. [40 C.F.R. § 63.6604(a)]

c. General requirements *(Both Engines)*

(1) Hyponex shall be in compliance with the emission limitations, operating limitations, and other requirements in this subpart that apply to it at all times. Hyponex shall operate and maintain all applicable engines and associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions.

Hyponex may instead choose to develop its own maintenance plan, for Diesel #2, which provides, to the extent practicable, for the maintenance and operation of the engine in a manner consistent with good air pollution control practices for minimizing emissions.

The general duty to minimize emissions does not require the facility to make any further efforts to reduce emissions if levels required by this standard have been achieved. Determination of whether such operations and maintenance procedures are being used will be based on information available to the Administrator which may include, but is not limited to, monitoring results, review of operation and maintenance procedures, review of operation and maintenance records, and inspection of the source.
[§§ 63.6605 63.6625(e)]

(2) Hyponex shall minimize the engine's time spent at idle during startup and minimize the engine's startup time to a period needed for appropriate and safe loading for each engine. Startup time shall not exceed 30 minutes, after which time the emissions restrictions applicable to all times other than startup for the engine applies. [40 C.F.R. §63.6625(h)

d. Performance tests (*Diesel #1 Only*)

Hyponex was required to conduct an initial performance test within 180 days after the specified compliance date and demonstrate initial compliance according § 63.6630 and Table 5 of the subpart. [40 C.F.R. §§ 63.6612(a) and 63.6630, and Tables 4(3) and 5(2)]

Hyponex completed an initial performance tests on Diesel #1 on 10/29/2013

Hyponex is required to conduct subsequent performance tests on Diesel #1 every 8,760 hours of operation or 3 years, whichever comes first. Hyponex shall conduct the tests in accordance with 40 C.F.R. § 63.6620 and Table 4 of the subpart.[1] [40 C.F.R. § 63.6620, Table 3(2) and Table 4(3)]

[1] Applicable notification dates are outlined in the "Notifications and Reports" part of this section.

e. Monitoring, Installation, Collection, Operation, and Maintenance (*Diesel #1 only*)

(1) Hyponex is required to install either a CEMS or a continuous parameter monitoring system (CPMS) in order to comply with the operational and emission requirements 40 C.F.R. Part 63, Subpart ZZZZ, according to Table 5 of the subpart. [40 C.F.R. § 63.6625, and Table 5]

Hyponex complies with this requirement by utilizing CPMS on Diesel #1.

(2) Hyponex shall operate and maintain the CPMS according to the following:

(a) Hyponex must prepare a site-specific monitoring plan that addresses the monitoring system design, data collection, and the quality assurance and quality control elements outlined in § 63.6625(b)(1)(i-v).

Hyponex prepared this monitoring plan upon installation of the controls and CPMS in the engines.

(b) The CPMS shall be operated and maintained according to the procedures in the site-specific monitoring plan.

(c) The CPMS shall collect data at least once every 15 minutes[2].

(d) For the CPMS for measuring temperature range, the temperature sensor shall have a minimum tolerance of 2.8 °C (5 °F) or 1% of the measurement range, whichever is larger.

(e) Hyponex shall conduct the CPMS equipment performance evaluation, system accuracy audits, or other auditing procedures specified in its site-specific monitoring plan at least annually.

(f) CPMS equipment performance evaluations shall be conducted in accordance with the site-specific monitoring plan.
[40 C.F.R. §§ 63.6625(b) and 63.6635]

(3) Hyponex was required to install a closed crankcase ventilation system, or another applicable control device, in accordance with the requirements of § 63.6625(g).

Hyponex installed a crankcase ventilation and filtration system on Diesel #1 as part of the control installation project in order comply with this requirement.

[2] Except as allowed in the Demonstrating Continuous Compliance part of this section.

f. Demonstrating Continuous Compliance (*Both Engines*)

(1) Except for monitoring malfunctions[3], associated repairs, required performance evaluations, and required quality assurance or control activities, Hyponex shall monitor continuously at all times that the engines are operating. [40 C.F.R. § 63.6635(b)]

(2) Hyponex shall not use data recorded during monitoring malfunctions, associated repairs, and required quality assurance or control activities in data averages and calculations used to report emission or operating levels. Hyponex shall, however, use all valid data collected during all other periods. [40 C.F.R. § 63.6635(c)]

(3) Hyponex shall demonstrate continuous compliance with each applicable emission limitation and operating limitation, and other applicable requirements according to methods specified in Table 6 of the subpart. [40 C.F.R. § 63.6640(a) and Table 6(9) and (10)]

(4) Hyponex shall report each instance in which the facility did not meet each applicable emission limitation or operating limitation. These "deviations from the emission and operating limitations in this subpart" shall be reported according to the requirements in § 63.6650[4]. [40 C.F.R. § 63.6640 (b)]

(5) Hyponex shall report each instance when the requirements in Table 8 (General Provisions) of this subpart were not met. [40 C.F.R. § 63.6640 (e)]

g. Notifications and Reports (*Diesel #1*)

(1) Hyponex shall submit all of the applicable notifications in §§ 63.7(b) and (c), 63.8(e), (f)(4) and (f)(6), 63.9(b) through (e), and (g) and (h) by the dates specified. [40 C.F.R. § 63.6645(a)]

(2) Hyponex shall submit a Notification of Intent to conduct a performance test at least 60 days before each performance test is scheduled to begin. [40 C.F.R. § 63.7(b)(1) and 63.6645(g)]

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[3] A monitoring malfunction is any sudden, infrequent, not reasonably preventable failure of the monitoring to provide valid data. Monitoring failures that are caused in part by poor maintenance or careless operation are not malfunctions.

[4] This is outlined in the Notifications and Reports part of this section.

(3) Hyponex was required to submit a Notification of Compliance Status before the close of business on the 60th day following the completion of the initial performance test. [40 C.F.R. § 63.9(h)(2)(ii), 63.10(d)(2), and 63.6645(g) and (h)(2)]

Hyponex submitted two Notifications of Compliance Status on 10/12/2016 and 12/03/2016, based on initial performance testing dates.

(4) Hyponex shall submit Semiannual Compliance Reports according to § 63.6650 and Table 7 of the subpart. The Semiannual Compliance Reports shall be submitted according to § 63.6650(b)(1)-(4). [40 C.F.R. § 63.6650(b) and (f) and Table 7(1)]

(5) Hyponex shall submit Annual Compliance Reports according to § 63.6650 and Table 7 of the subpart. [40 C.F.R. § 63.6650(b) and Table 7(1)]

(6) The compliance reports required under this subpart shall include the following information:
   (a) Organization name and address;
   (b) Statement by a responsible official, with that official's name, title, and signature, certifying the accuracy of the content of the report;
   (c) The Date of report and beginning and ending dates of the reporting period;
   (d) If the facility had a malfunction during the reporting period, the number, duration, and a brief description for each type of malfunction that occurred during the reporting period and that caused or may have caused any applicable emission limitation to be exceeded. The report must also include a description of the actions taken by an owner or operator during a malfunction of an affected source to minimize emissions in accordance with § 63.6605(b), including actions taken to correct a malfunction;
   (e) If the facility did not have any deviations from any applicable emission or operating limitation, statement that there were no deviations from the emission or operating limitations during the reporting period;
   (f) If there were no periods during which the CPMS was out-of-control, as specified in § 63.8(c)(7), a statement that there were no periods during which the CPMS was out-of-control during the reporting period; and
   (g) For each deviation from an emission or operating limitation, the following information:
      - The date and time each malfunction started and stopped;
      - The date, time, and duration that each CPMS was inoperative, except for zero (low-level) and high-level checks;
      - The date, time, and duration that each CPMS was out-of-control, including the information in § 63.8(c)(8);

- A summary of the total duration of the deviation during the reporting period, and the total duration as the percent of the total source operating time during the reporting period;
- A breakdown of the total duration of the deviations during the reporting period into those that are due to control equipment problems, process problems, other known causes, and other unknown causes;
- A summary of the total duration of CPMS downtime during the reporting period, and the total duration of the CPMS downtime as a percent of the total operating time of the engine at which the CPMS downtime occurred during that reporting period;
- An identification of each parameter and pollutant (CO) that was monitored at the engine;
- A brief description of the applicable engine;
- A brief description of the applicable CPMS;
- The date of the latest CPMS certification or audit; and
- A description of any changes in CMS, processes, or controls since the last reporting period.

[40 C.F.R § 63.6650(c) and (e)]

h. Recordkeeping (*Both Engines*)

Hyponex shall keep the following records:

(1) A copy of each notification and report that has been submitted to comply with this subpart, including all documentation supporting the Initial Notification and Notification of Compliance Status, according to the requirement in § 63.10(b)(2)(xiv);

(2) Records of the occurrence and duration of each malfunction of operation (*i.e.*, process equipment) or the air pollution control and monitoring equipment;

(3) Records of performance tests and performance evaluations as required in §63.10(b)(2)(vii);

(4) Records of all required maintenance performed on the air pollution control and monitoring equipment;

(5) Records of action taken during periods of malfunction to minimize emissions in accordance with § 63.6605(b), including corrective actions to restore malfunctioning process and air pollution control and monitoring equipment to its normal or usual manner of operation;

(6) For each CPMS:
(a) Records described in § 63.10(b)(2)(vi)-(xi),

(b) Previous versions of the performance evaluation plan as required in § 63.8(d)(3), and
(c) Requests for alternatives to the relative accuracy test for CPMS as required in § 63.8(f)(6)(i), if applicable;

(7) Records required in Table 6 of this subpart to show continuous compliance with each emission or operating limitation;

(8) Records of maintenance conducted on each engine in order to demonstrate that they, and their control devices, were operated and maintained according to the facility's maintenance plan.

All Records shall be kept in a form suitable and readily available for expeditious review according to § 63.10(b)(1); they must be kept for 5 years of each occurrence, measurement, maintenance, corrective action, report or record.
[40 C.F.R. §§ 63.6655(a), (b), and (d) and 63.6660]

D. Fugitive Emissions

Visible emissions from a fugitive emission source (including stockpiles and roadways) shall not exceed 20% opacity, except for no more than five minutes in any one-hour period during which time visible emissions shall not exceed 30% opacity. Compliance shall be determined by an aggregate of the individual fifteen-second opacity observations which exceed 20% in any one hour.

E. General Process Emissions

Visible emissions from any general process source shall not exceed 20% opacity on a six-minute block average basis.

F. Annual Emissions

1. Total Annual Emissions

Hyponex shall be restricted to the following annual emissions on a 12-month rolling total basis. The tons per year limits were calculated based on the highest emission resulting scenario for 90,000 gallons of fuel fired in the non-emergency engines and on 100 hours of operation per year of Propane #1.

Increased ton/year values from air emission licenses A-682-71-E-N, dated 06/21/2012, and A-682-71-F-A, dated 03/21/2014b are a result of a calculation correction for maximum emissions from 90,000 gallons of fuel fired in the non-emergency engines and the adjustment to more appropriate emission factors for PM and PM_{10} for Diesel #2 and CO and NOx for Propane #1:

Total Licensed Annual Emissions for the Facility
Tons/year
(used to calculate the annual license fee)

	PM	PM_{10}	SO_2	NO_x	CO	VOC
Propane #1	--	--	--	0.16	0.01	0.01
Non-Emergency Generators	1.41	1.41	0.01	23.97	5.59	1.50
Total TPY	**1.4**	**1.4**	**0.1**	**24.2**	**5.6**	**1.5**

Pollutant	Tons/year
Single HAP	9.9
Total HAP	24.9

2. Greenhouse Gases

Greenhouse gases are considered regulated pollutants as of January 2, 2011, through 'Tailoring' revisions made to EPA's *Approval and Promulgation of Implementation Plans,* 40 C.F.R. Part 52, Subpart A, § 52.21, *Prevention of Significant Deterioration of Air Quality* rule. Greenhouse gases, as defined in 06-096 C.M.R. ch. 100, are the aggregate group of the following gases: carbon dioxide, nitrous oxide, methane, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride. For licensing purposes, greenhouse gases (GHG) are calculated and reported as carbon dioxide equivalents (CO_2e).

The quantity of CO_2e emissions from this facility is less than 100,000 tons per year, based on the following:

- the facility's operational and fuel limits;
- worst case emission factors from the following sources: U.S. EPA's AP-42, the Intergovernmental Panel on Climate Change (IPCC), and *Mandatory Greenhouse Gas Reporting,* 40 C.F.R. Part 98; and
- global warming potentials contained in 40 C.F.R. Part 98.

No additional licensing actions to address GHG emissions are required at this time.

III. AMBIENT AIR QUALITY ANALYSIS

The level of ambient air quality impact modeling required for a minor source is determined by the Department on a case-by case basis. In accordance with 06-096 C.M.R. ch. 115, an ambient air quality impact analysis is not required for a minor source if the total licensed annual emissions of any pollutant released do not exceed the following levels and there are no extenuating circumstances:

Pollutant	Tons/Year
PM_{10}	25
SO_2	50
NO_x	50
CO	250

The total licensed annual emissions for the facility are below the emission levels contained in the table above and there are no extenuating circumstances; therefore, an ambient air quality impact analysis is not required as part of this license.

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-682-71-H-R subject to the following conditions.

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.

STANDARD CONDITIONS

(1) Employees and authorized representatives of the Department shall be allowed access to the licensee's premises during business hours, or any time during which any emissions units are in operation, and at such other times as the Department deems necessary for the purpose of performing tests, collecting samples, conducting inspections, or examining and copying records relating to emissions (38 M.R.S. § 347-C).

(2) The licensee shall acquire a new or amended air emission license prior to commencing construction of a modification, unless specifically provided for in Chapter 115. [06-096 C.M.R. ch. 115]

(3) Approval to construct shall become invalid if the source has not commenced construction within eighteen (18) months after receipt of such approval or if construction is discontinued for a period of eighteen (18) months or more. The Department may extend this time period upon a satisfactory showing that an extension is justified, but may condition such extension upon a review of either the control technology analysis or the ambient air quality standards analysis, or both. [06-096 C.M.R. ch. 115]

(4) The licensee shall establish and maintain a continuing program of best management practices for suppression of fugitive particulate matter during any period of construction, reconstruction, or operation which may result in fugitive dust, and shall submit a description of the program to the Department upon request. [06-096 C.M.R. ch. 115]

(5) The licensee shall pay the annual air emission license fee to the Department, calculated pursuant to Title 38 M.R.S. § 353-A. [06-096 C.M.R. ch. 115]

(6) The license does not convey any property rights of any sort, or any exclusive privilege. [06-096 C.M.R. ch. 115]

(7) The licensee shall maintain and operate all emission units and air pollution systems required by the air emission license in a manner consistent with good air pollution control practice for minimizing emissions. [06-096 C.M.R. ch. 115]

(8) The licensee shall maintain sufficient records to accurately document compliance with emission standards and license conditions and shall maintain such records for a minimum of six (6) years. The records shall be submitted to the Department upon written request. [06-096 C.M.R. ch. 115]

(9) The licensee shall comply with all terms and conditions of the air emission license. The filing of an appeal by the licensee, the notification of planned changes or anticipated noncompliance by the licensee, or the filing of an application by the licensee for a renewal of a license or amendment shall not stay any condition of the license. [06-096 C.M.R. ch. 115]

(10) The licensee may not use as a defense in an enforcement action that the disruption, cessation, or reduction of licensed operations would have been necessary in order to maintain compliance with the conditions of the air emission license.
[06-096 C.M.R. ch. 115]

(11) In accordance with the Department's air emission compliance test protocol and 40 C.F.R. Part 60 or other method approved or required by the Department, the licensee shall:

A. Perform stack testing to demonstrate compliance with the applicable emission standards under circumstances representative of the facility's normal process and operating conditions:
   1. Within sixty (60) calendar days of receipt of a notification to test from the Department or EPA, if visible emissions, equipment operating parameters, staff inspection, air monitoring or other cause indicate to the Department that equipment may be operating out of compliance with emission standards or license conditions; or
   2. Pursuant to any other requirement of this license to perform stack testing.

B. Install or make provisions to install test ports that meet the criteria of 40 C.F.R. Part 60, Appendix A, and test platforms, if necessary, and other accommodations necessary to allow emission testing; and

C. Submit a written report to the Department within thirty (30) days from date of test completion.

[06-096 C.M.R. ch. 115]

(12) If the results of a stack test performed under circumstances representative of the facility's normal process and operating conditions indicate emissions in excess of the applicable standards, then:

A. Within thirty (30) days following receipt of such test results, the licensee shall re-test the non-complying emission source under circumstances representative of the facility's normal process and operating conditions and in accordance with the Department's air emission compliance test protocol and 40 C.F.R. Part 60 or other method approved or required by the Department; and

B. The days of violation shall be presumed to include the date of stack test and each and every day of operation thereafter until compliance is demonstrated under normal and representative process and operating conditions, except to the extent that the facility can prove to the satisfaction of the Department that there were intervening days during which no violation occurred or that the violation was not continuing in nature; and

C. The licensee may, upon the approval of the Department following the successful demonstration of compliance at alternative load conditions, operate under such alternative load conditions on an interim basis prior to a demonstration of compliance under normal and representative process and operating conditions.

[06-096 C.M.R. ch. 115]

(13) Notwithstanding any other provisions in the State Implementation Plan approved by the EPA or Section 114(a) of the CAA, any credible evidence may be used for the purpose of establishing whether a person has violated or is in violation of any statute, regulation, or Part 70 license requirement. [06-096 C.M.R. ch. 115]

(14) The licensee shall maintain records of malfunctions, failures, downtime, and any other similar change in operation of air pollution control systems or the emissions unit itself that would affect emissions and that is not consistent with the terms and conditions of the air emission license. The licensee shall notify the Department within two (2) days or the next state working day, whichever is later, of such occasions where such changes result in an increase of emissions. The licensee shall report all excess emissions in the units of the applicable emission limitation. [06-096 C.M.R. ch. 115]

(15) Upon written request from the Department, the licensee shall establish and maintain such records, make such reports, install, use and maintain such monitoring equipment, sample such emissions (in accordance with such methods, at such locations, at such intervals, and in such a manner as the Department shall prescribe), and provide other information as the Department may reasonably require to determine the licensee's compliance status. [06-096 C.M.R. ch. 115]

SPECIFIC CONDITIONS

(16) **Emergency Generator (Propane #1)**

A. Propane #1 shall be limited to 100 hours of operation per calendar year, excluding operating hours during emergency situations. [06-096 C.M.R. ch. 115, BPT]

B. Emissions shall not exceed the following [06-096 C.M.R. ch. 115, BPT]:

Unit	PM (lb/hr)	PM_{10} (lb/hr)	SO_2 (lb/hr)	NO_x (lb/hr)	CO (lb/hr)	VOC (lb/hr)
Propane #1 (0.8 MMBtu/hr) propane	--	--	--	3.26	0.26	0.10

C. Visible Emissions

Visible emissions from Propane #1 shall not exceed 10% opacity on a six-minute block average basis. [06-096 C.M.R. ch. 115, BPT]

D. Propane #1 shall meet the applicable requirements of 40 C.F.R. Part 60, Subpart JJJJ, including the following:
[incorporated under 06-096 C.M.R. ch. 115, BPT]

1. Manufacturer Certification
The engine shall be certified by the manufacturer as meeting the emission standards for new nonroad spark ignition engines found in 40 C.F.R. Part 60, Subpart JJJJ, Table 1.

2. Non-Resettable Hour Meter
A non-resettable hour meter shall be installed and operated on the engine. [40 C.F.R. § 60.4237 and 06-096 C.M.R. ch. 115, BPT]

3. Annual Time Limit for Maintenance and Testing
   a. As an emergency engine, the unit shall be limited to 100 hours/year for maintenance checks and readiness testing. Up to 50 hours/year of the 100 hours/year may be used in non-emergency situations (this does not include peak shaving, demand response, or to generate income for a facility by providing power to an electric grid or otherwise supply power as part of a financial arrangement with another entity). The limits are based on a calendar year. Compliance shall be demonstrated by records (electronic or written log) of all engine operating hours. [40 C.F.R. § 60.4243(d) and 06-096 C.M.R. ch. 115]

   b. Hyponex shall keep records that include maintenance conducted on the engine and the hours of operation of the engine recorded through the non-resettable hour meter. Documentation shall include the number of hours the unit operated for emergency purposes, the number of hours the unit operated for non-emergency purposes, and the reason the engine was in operation during each time. [40 C.F.R. § 60.4245(b)]

4. Operation and Maintenance
The engine shall be operated and maintained according to the manufacturer's written instructions or procedures developed by Hyponex that are approved by the engine manufacturer. Hyponex may only change those settings that are permitted by the manufacturer. [40 C.F.R. § 60.4243]

(17) **Non-Emergency Generators (Diesel #1 and Diesel #2)**

A. Fuel

1. Total fuel use for the non-emergency engines shall not exceed 90,000 gal/yr of distillate fuel on a 12-month rolling total basis. [06-096 C.M.R. ch. 115, BPT]
2. The fuel sulfur content for Diesels #1 and #2 shall be limited to 0.0015% sulfur by weight.
3. Compliance shall be demonstrated by fuel records from the supplier showing the quantity, type, and the percent sulfur of the fuel delivered. Records of annual fuel use shall be kept on a monthly and 12-month rolling total basis. [06-096 C.M.R. ch. 115, BPT]

B. Emissions shall not exceed the following:

Unit	Pollutant	Limit	Origin and Authority
Diesel #1	PM	0.12 lb/MMBtu	06-096 C.M.R. ch. 103, § (2)(B)(1)(a)
	CO	70% reduction or 23 ppmvd @ 15% O_2	40 C.F.R. § 63.6603(a) and Table 2d(3)

C. Emissions shall not exceed the following [06-096 C.M.R. ch. 115, BPT]:

Unit	PM (lb/hr)	PM_{10} (lb/hr)	SO_2 (lb/hr)	NO_x (lb/hr)	CO (lb/hr)	VOC (lb/hr)
Diesel #1 distillate fuel	0.62	0.62	0.01	16.64	4.42	0.47
Diesel #2 distillate fuel	0.25	0.25	Negligible	3.53	0.76	0.29

D. Visible emissions from each of the distillate fuel-fired generators shall not exceed 20% opacity on a six-minute block average basis. [06-096 C.M.R. ch. 115, BPT]

E. Diesel #1 and Diesel #2 shall meet the applicable requirements of 40 C.F.R. Part 63, Subpart ZZZZ, including the following:
[incorporated under 06-096 C.M.R. ch. 115, BPT]

1. Emission and Operating Limitations

Because the two engines have different classifications within the subpart, they have separate emission and operating limitations. Hyponex shall comply with the requirements in the following table:

Engine	Emission Limits (except during startup)	Operating Requirements
Diesel # 1 800 HP CBI Grinder **(non-emergency, non-black start)**	Limit concentration of CO in the stationary RICE exhaust to 23 ppmvd at 15% O_2; or Reduce CO emissions by 70% or more. [40 C.F.R. § 63.6603(a) and Table 2d(3)]	1. Maintain the catalyst so that the pressure drop across the catalyst does not change by more than 2 inches of water from the pressure drop across the catalyst that was measured during the initial performance test. 2. Maintain the temperature of the stationary RICE exhaust so that the catalyst inlet temperature is greater than or equal to 450 °F and less than or equal to 1350 °F. [40 C.F.R. § 63.6603(a) and Table 2b(2)(b)]
	Diesel #1 is equipped with a diesel oxidation catalyst to comply with the emission limits.	
Diesel # 2 109 HP Truck Dump **(non-emergency non-black start)**	*This unit is not subject to any emission limitations pursuant to 40 CFR Part 63, Subpart ZZZZ.*	1. Change oil and filter every 1,000 hours of operation or annually, whichever comes first; 2. Inspect air cleaner every 1,000 hours of operations or annually, whichever comes first, and replace as necessary; 3. Inspect all hoses and belts every 500 hours of operation or annually, whichever comes first, and replace as necessary. [40 C.F.R. § 63.6603(a) and Table 2b(2)(b)]
		Hyponex has the option of utilizing an oil analysis program in order to extend the oil change requirement according to the following requirements: 1. The oil analysis shall be performed at the same frequency specified for changing the oil. 2. The analysis program shall, as minimum, analyze the following three parameters: - Total Base Number (TBN) - Viscosity - Percent water content. 3. If the following values of the three parameters are met, Hyponex is not required to change the oil. - TBN ≥30% TBN when new - Viscosity ≤20% change from value when new - ≤0.5% water by volume If the parameters are not met, Hyponex shall change the oil within 2 business days of receiving the results or before commencing operation, whichever is later. 4. Hyponex shall keep records of the analyses and oil changes, and the program must be a part of the maintenance plan for the engine. [40 C.F.R. § 63.6625(i)]

2. Ultra-Low Sulfur Diesel Fuel Use *(Both Engines)*

The diesel fuel fired in the engines shall not exceed 15 ppm sulfur (0.0015% sulfur) by weight [40 C.F.R. § 63.6604(a)]

3. General requirements *(Both Engines)*

   a. Hyponex shall be in compliance with the emission limitations, operating limitations, and other requirements in this subpart that apply to it at all times. Hyponex shall operate and maintain all applicable engines and associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions.

   Hyponex may instead choose to develop its own maintenance plan, for Diesel #2, which provides, to the extent practicable, for the maintenance and operation of the engine in a manner consistent with good air pollution control practices for minimizing emissions.

   The general duty to minimize emissions does not require the facility to make any further efforts to reduce emissions if levels required by this standard have been achieved. Determination of whether such operations and maintenance procedures are being used will be based on information available to the Administrator which may include, but is not limited to, monitoring results, review of operation and maintenance procedures, review of operation and maintenance records, and inspection of the source.
   [§§ 63.6605 63.6625(e)]

   b. Hyponex shall minimize the engine's time spent at idle during startup and minimize the engine's startup time to a period needed for appropriate and safe loading for each engine. Startup time shall not exceed 30 minutes, after which time the emissions restrictions applicable to all times other than startup for the engine applies. [40 C.F.R. § 63.6625(h)]

4. Performance tests (*Diesel #1 Only*)

   Hyponex is required to conduct performance tests on Diesel #1 every 8,760 hours of operation or 3 years, whichever comes first. Hyponex shall conduct the tests in accordance with 40 C.F.R. § 63.6620 and Table 4 of the subpart.[5] [40 C.F.R. § 63.6620, Table 3(2) and Table 4(3)]

5. Monitoring, Installation, Collection, Operation, and Maintenance (*Diesel #1 only*)

   Hyponex shall operate and maintain the CPMS according to the following:

   a. The CPMS shall be operated and maintained according to the procedures in the site-specific monitoring plan that addresses the monitoring system design, data collection, and the quality assurance and quality control elements outlined in § 63.6625(b)(1)(i-v).

[5] Applicable notification dates are outlined in the "Notifications and Reports" part of this section.

b. The CPMS shall collect data at least once every 15 minutes[6].

c. For the CPMS for measuring temperature range, the temperature sensor shall have a minimum tolerance of 2.8 °C (5 °F) or 1% of the measurement range, whichever is larger.

d. Hyponex shall conduct the CPMS equipment performance evaluation, system accuracy audits, or other auditing procedures specified in its site-specific monitoring plan at least annually.

e. CPMS equipment performance evaluations shall be conducted in accordance with the site-specific monitoring plan.

[40 C.F.R. §§ 63.6625(b) and 63.6635]

6. Demonstrating Continuous Compliance (*Both Engines*)

a. Except for monitoring malfunctions[7], associated repairs, required performance evaluations, and required quality assurance or control activities, Hyponex shall monitor continuously at all times that the engines are operating. [40 C.F.R. § 63.6635(b)]

b. Hyponex shall not use data recorded during monitoring malfunctions, associated repairs, and required quality assurance or control activities in data averages and calculations used to report emission or operating levels. Hyponex shall, however, use all valid data collected during all other periods. [40 C.F.R. § 63.6635(c)]

c. Hyponex shall demonstrate continuous compliance with each applicable emission limitation and operating limitation, and other applicable requirements according to methods specified in Table 6 of the subpart. [40 C.F.R. § 63.6640(a) and Table 6(9) and (10)]

d. Hyponex shall report each instance in which the facility did not meet each applicable emission limitation or operating limitation. These "deviations from the emission and operating limitations in this subpart" shall be reported according to the requirements in § 63.6650[8]. [40 C.F.R. § 63.6640 (b)]

e. Hyponex shall report each instance when the requirements in Table 8 (General Provisions) of this subpart were not met. [40 C.F.R. § 63.6640 (e)]

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[6] Except as allowed in the Demonstrating Continuous Compliance part of this section.

[7] A monitoring malfunction is any sudden, infrequent, not reasonably preventable failure of the monitoring to provide valid data. Monitoring failures that are caused in part by poor maintenance or careless operation are not malfunctions.

[8] This is outlined in the Notifications and Reports part of this section.

7. Notifications and Reports (*Diesel #1*)

   a. Hyponex shall submit all of the applicable notifications in §§ 63.7(b) and (c), 63.8(e), (f)(4) and (f)(6), 63.9(b) through (e), and (g) and (h) by the dates specified. [40 C.F.R. § 63.6645(a)]

   b. Hyponex shall submit a Notification of Intent to conduct a performance test at least 60 days before each performance test is scheduled to begin. [40 C.F.R. § 63.7(b)(1) and 63.6645(g)]

   c. Hyponex shall submit Semiannual Compliance Reports according to § 63.6650 and Table 7 of the subpart. The Semiannual Compliance Reports shall be submitted according to § 63.6650(b)(1)-(4). [40 C.F.R. § 63.6650(b) and (f) and Table 7(1)]

   d. Hyponex shall submit Annual Compliance Reports according to § 63.6650 and Table 7 of the subpart. [40 C.F.R. § 63.6650(b) and Table 7(1)]

   e. The compliance reports required under this subpart shall include the following information:
      (1) Organization name and address;
      (2) Statement by a responsible official, with that official's name, title, and signature, certifying the accuracy of the content of the report;
      (3) The Date of report and beginning and ending dates of the reporting period;
      (4) If the facility had a malfunction during the reporting period, the number, duration, and a brief description for each type of malfunction that occurred during the reporting period and that caused or may have caused any applicable emission limitation to be exceeded. The report must also include a description of the actions taken by an owner or operator during a malfunction of an affected source to minimize emissions in accordance with § 63.6605(b), including actions taken to correct a malfunction;
      (5) If the facility did not have any deviations from any applicable emission or operating limitation, statement that there were no deviations from the emission or operating limitations during the reporting period;
      (6) If there were no periods during which the CPMS was out-of-control, as specified in § 63.8(c)(7), a statement that there were no periods during which the CPMS was out-of-control during the reporting period; and
      (7) For each deviation from an emission or operating limitation, the following information:
         - The date and time the each malfunction started and stopped;
         - The date, time, and duration that each CPMS was inoperative, except for zero (low-level) and high-level checks;
         - The date, time, and duration that each CPMS was out-of-control, including the information in § 63.8(c)(8);

- A summary of the total duration of the deviation during the reporting period, and the total duration as the percent of the total source operating time during the reporting period;
- A breakdown of the total duration of the deviations during the reporting period into those that are due to control equipment problems, process problems, other known causes, and other unknown causes;
- A summary of the total duration of CPMS downtime during the reporting period, and the total duration of the CPMS downtime as a percent of the total operating time of the engine at which the CPMS downtime occurred during that reporting period;
- An identification of each parameter and pollutant (CO) that was monitored at the engine;
- A brief description of the applicable engine;
- A brief description of the applicable CPMS;
- The date of the latest CPMS certification or audit; and
- A description of any changes in CMS, processes, or controls since the last reporting period.

[40 C.F.R § 63.6650(c) and (e)]

8. Recordkeeping (*Both Engines*)

Hyponex shall keep the following records:

a. A copy of each notification and report that has been submitted to comply with this subpart, including all documentation supporting the Initial Notification and Notification of Compliance Status, according to the requirement in § 63.10(b)(2)(xiv);

b. Records of the occurrence and duration of each malfunction of operation (*i.e.*, process equipment) or the air pollution control and monitoring equipment;

c. Records of performance tests and performance evaluations as required in §63.10(b)(2)(vii);

d. Records of all required maintenance performed on the air pollution control and monitoring equipment;

e. Records of action taken during periods of malfunction to minimize emissions in accordance with § 63.6605(b), including corrective actions to restore malfunctioning process and air pollution control and monitoring equipment to its normal or usual manner of operation;

f. For each CPMS:
   (1) Records described in § 63.10(b)(2)(vi)-(xi),
   (2) Previous versions of the performance evaluation plan as required in § 63.8(d)(3), and
   (3) Requests for alternatives to the relative accuracy test for CPMS as required in § 63.8(f)(6)(i), if applicable;

g. Records required in Table 6 of this subpart to show continuous compliance with each emission or operating limitation;

h. Records of maintenance conducted on each engine in order to demonstrate that they, and their control devices, were operated and maintained according to the facility's maintenance plan.

All Records shall be kept in a form suitable and readily available for expeditious review according to § 63.10(b)(1); they must be kept for 5 years of each occurrence, measurement, maintenance, corrective action, report or record. [40 C.F.R. §§ 63.6655(a),(b), and (d) and 63.6660]

(18) **Fugitive Emissions**

Visible emissions from a fugitive emission source (including stockpiles and roadways) shall not exceed 20% opacity, except for no more than five minutes in any one-hour period during which time visible emissions shall not exceed 30% opacity. Compliance shall be determined by an aggregate of the individual fifteen-second opacity observations which exceed 20% in any one hour. [06-096 C.M.R. ch. 115, BPT/BACT]

(19) **General Process Sources**

Visible emissions from any general process source shall not exceed 20% opacity on a six-minute block average basis. [06-096 C.M.R. ch. 115, BPT/BACT]

(20) Hyponex shall notify the Department within 48 hours and submit a report to the Department on a quarterly basis if a malfunction or breakdown in any component causes a violation of any emission standard (38 M.R.S. § 605).

DONE AND DATED IN AUGUSTA, MAINE THIS 21 DAY OF November , 2017.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

BY: Marc Allen Robert Cone for
PAUL MERCER, COMMISSIONER

The term of this license shall be ten (10) years from the signature date above.

[Note: If a renewal application, determined as complete by the Department, is submitted prior to expiration of this license, then pursuant to Title 5 M.R.S. § 10002, all terms and conditions of the license shall remain in effect until the Department takes final action on the license renewal application.]

PLEASE NOTE ATTACHED SHEET FOR GUIDANCE ON APPEAL PROCEDURES

Date of initial receipt of application: 03/20/2017
Date of application acceptance: 03/27/2017

Date filed with the Board of Environmental Protection:

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

Filed
NOV 21 2017
State of Maine
Board of Environmental Protection