



DEPARTMENT ORDER

**New Balance Athletics, Inc.
Oxford County
Norway, Maine
A-814-71-D-R**

**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

New Balance Athletics, Inc. (New Balance) has applied to renew their Air Emission License for the operation of emission sources associated with their shoe manufacturing facility.

The equipment addressed in this license is located at 72 Cottage Street, Norway, Maine.

B. Emission Equipment

The following equipment is addressed in this air emission license:

Boilers

<u>Equipment</u>	<u>Max. Capacity (MMBtu/hr)</u>	<u>Maximum Firing Rate</u>	<u>Fuel Type, % sulfur</u>	<u>Date of Manuf.</u>	<u>Date of Install.</u>
Boiler #1	4.2	30.0 gal/hr	distillate fuel, 0.5%	2004	2004

Process Equipment

<u>Equipment</u>	<u>Pollution Control Equipment</u>
Shoe Manufacturing Equipment	none

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.

The application for New Balance does not include the licensing of increased emissions or the installation of new or modified equipment. Therefore, 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.

This facility is considered a natural minor source of air emissions, because the licensed emissions are below the major source thresholds for criteria pollutants, and an area source of hazardous air pollutants (HAP), because the licensed emissions are below the major source thresholds for 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. Process Description

New Balance manufactures athletic shoes using a combination of automated and manual processes at their Norway facility. The New Balance facility utilizes solvent based technology and hot melt technology in footwear manufacturing. Solvent technology uses solvent based cements and cleaners, while hot melt technology reduces the use of solvent based materials. New Balance does not employ the use of any solvent based parts cleaners, nor does the facility utilize spray booths in either the solvent or the hot melt application.

Materials from which to make footwear uppers, the part of the shoe above the sole, are received in bulk, then cut and sewn together at numerous prefit and sewing stations, producing the uppers for the footwear manufactured at this facility. The uppers are then attached to the sole using solvent based adhesives or hot melt. Additionally, some uppers arrive at the factory completely assembled and ready for attachment to the sole using either hot melt or solvent based adhesives.

Footwear soles are prepped for attachment to the upper of the shoe through a hot melt spraying process. The upper is prepared for attachment to the sole by the application of a primer or, in the case of the solvent based process, the application of a solvent based adhesive.

In the next step of this manufacturing process, uppers, soles, lasts (plastic or wooden forms that footwear is made on), and other components are formed and fitted together to produce finished footwear. First, each upper is made more flexible through heating via a steam conditioner, so that the upper will more readily form to the last and bond to other shoe components. Uppers from the conditioner are placed on the last, where the toes and sides of the shoes are formed and glued to the bottom material using a non-VOC containing hot glue. Excess glue and bunched material is removed from each upper so it will seat correctly on the sole, and the material to be cemented is scuffed for a better bond to the sole.

Next, adhesive is applied to the uppers and allowed to dry. The uppers and soles are then heated to activate the adhesive, after which the soles and uppers are aligned and pressed together. Finally, any touch-up repairs are made before the shoes are inspected and packed.

New Balance continues to look for new products including cements, solvents, and technologies to reduce or eliminate air emissions sources in the shoe manufacturing process.

C. Boiler #1

New Balance operates Boiler #1 for facility heat. The boiler is rated at 4.2 MMBtu/hr and fires distillate fuel. The boiler was installed in 2004 and exhausts through its own stack.

1. BPT Findings

The BPT emission limits for the boiler were based on the following:

- PM/PM₁₀ – 0.08 lb/MMBtu based on 06-096 C.M.R. ch. 115, BPT
- SO₂ – based on firing distillate fuel with a maximum sulfur content of 0.5% by weight
- NO_x – 20 lb/1000 gal based on AP-42 Table 1.3-1 dated 5/10
- CO – 5 lb/1000 gal based on AP-42 Table 1.3-1 dated 5/10
- VOC – 0.34 lb/1000 gal based on AP-42 Table 1.3-3 dated 5/10
- Visible Emissions – 06-096 C.M.R. ch. 115, BPT

The BPT emission limits for the boiler are the following:

<u>Unit</u>	<u>Pollutant</u>	<u>lb/MMBtu</u>
Boiler #1	PM	0.08

<u>Unit</u>	<u>PM (lb/hr)</u>	<u>PM₁₀ (lb/hr)</u>	<u>SO₂ (lb/hr)</u>	<u>NO_x (lb/hr)</u>	<u>CO (lb/hr)</u>	<u>VOC (lb/hr)</u>
Boiler #1	0.34	0.34	2.12	0.60	0.15	0.01

Visible emissions from Boiler #1 shall not exceed 20% opacity on a six-minute block average basis.

Fuel Sulfur Content Requirements

Boiler #1 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 in Boiler #1 shall not exceed 0.0015% by weight (15 ppm).

2. New Source Performance Standards (NSPS): 40 C.F.R. Part 60, Subpart Dc

Due to its size, Boiler #1 is not subject to *Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units* 40 C.F.R. Part 60,

Subpart Dc for units greater than 10 MMBtu/hr manufactured after June 9, 1989. [40 C.F.R. § 60.40c]

3. National Emission Standards for Hazardous Air Pollutants (NESHAP): 40 C.F.R. Part 63, Subpart JJJJJ

Boiler #1 is 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 unit is considered an existing oil boiler. [40 C.F.R. §§63.11193 and 63.11195]

A summary of the currently applicable federal 40 C.F.R. Part 63, Subpart JJJJJ requirements is listed below. At this time, the Department has not taken delegation of this area source MACT (Maximum Achievable Control Technology) rule promulgated by EPA; however, New Balance is still subject to the requirements. Notification forms and additional rule information can be found on the following website: <http://www.epa.gov/ttn/atw/boiler/boilerpg.html>.

a. Compliance Dates, Notifications, and Work Practice Requirements

(1) Initial Notification of Compliance

An Initial Notification submittal to EPA was due no later than January 20, 2014. [40 C.F.R. § 63.11225(a)(2)]

(2) Boiler Tune-Up Program

(i) A boiler tune-up program shall be implemented. [40 C.F.R. § 63.11223]

(ii) Each tune-up shall be conducted at a frequency specified by the rule and based on the size, age, and operations of the boiler. See chart below:

Boiler Category	Tune-Up Frequency
Oil fired boilers with a heat input capacity of ≤ 5 MMBtu/hr	Every 5 years

[40 C.F.R. § 63.11223(a) and Table 2]

(iii) The boiler tune-up program, conducted to demonstrate continuous compliance, shall be performed as specified below:

1. As applicable, inspect the burner, and clean or replace any component of the burner as necessary. Delay of the burner inspection until the next scheduled shutdown is permitted for up to 72 months from the

- previous inspection for oil fired boilers less than or equal to 5 MMBtu/hour. [40 C.F.R. § 63.11223(b)(1)]
2. Inspect the flame pattern, as applicable, and adjust the burner as necessary to optimize the flame pattern, consistent with the manufacturer's specifications. [40 C.F.R. § 63.11223(b)(2)]
 3. Inspect the system controlling the air-to-fuel ratio, as applicable, and ensure it is correctly calibrated and functioning properly. Delay of the inspection until the next scheduled shutdown is permitted for up to 72 months from the previous inspection for oil fired boilers less than or equal to 5 MMBtu/hour. [40 C.F.R. § 63.11223(b)(3)]
 4. Optimize total emissions of CO, consistent with manufacturer's specifications. [40 C.F.R. § 63.11223(b)(4)]
 5. Measure the concentration in the effluent stream of CO in parts per million by volume (ppmv), and oxygen in volume percent, before and after adjustments are made (measurements may be either on a dry or wet basis, as long as it is the same basis before and after the adjustments are made). Measurements may be taken using a portable CO analyzer. [40 C.F.R. § 63.11223(b)(5)]
 6. If a unit is not operating on the required date for a tune-up, the tune-up must be conducted within 30 days of start-up. [40 C.F.R. § 63.11223(b)(7)]
- (iv) Tune-Up Report: A tune-up report shall be maintained onsite and, if requested, submitted to EPA. The report shall contain the following information:
1. The concentration of CO in the effluent stream (ppmv) and oxygen (volume percent) measured at high fire or typical operating load both **before** and **after** the boiler tune-up;
 2. A description of any corrective actions taken as part of the tune-up of the boiler; and
 3. The types and amounts of fuels used over the 12 months prior to the tune-up of the boiler, but only if the unit was physically and legally capable of using more than one type of fuel during that period. Units sharing a fuel meter may estimate the fuel use by each unit. [40 C.F.R. § 63.11223(b)(6)]
- (v) After conducting the initial boiler tune-up, a Notification of Compliance Status shall be submitted to EPA no later than July 19, 2014. [40 C.F.R. § 63.11225(a)(4) and 40 C.F.R. § 63.11214(b)]

(3) Compliance Report

A compliance report shall be prepared by March 1st every five years which covers the previous five calendar years. The report shall be maintained by the source and submitted to the Department and to the EPA upon request. The report must include the items contained in §§ 63.11225(b)(1) and (2), including the following: [40 C.F.R. § 63.11225(b)]

- (i) Company name and address;
- (ii) A statement of whether the source has complied with all the relevant requirements of this Subpart;
- (iii) A statement certifying truth, accuracy, and completeness of the notification and signed by a responsible official and containing the official's name, title, phone number, email address, and signature;
- (iv) The following certifications, as applicable:
 - 1. "This facility complies with the requirements in 40 C.F.R. § 63.11223 to conduct tune-ups of each boiler in accordance with the frequency specified in this Subpart."
 - 2. "No secondary materials that are solid waste were combusted in any affected unit."
 - 3. "This facility complies with the requirement in §§ 63.11214(d) and 63.11223(g) to minimize the boiler's time spent during startup and shutdown and to conduct startups and shutdowns according to the manufacturer's recommended procedures or procedures specified for a boiler of similar design if manufacturer's recommended procedures are not available."

b. Recordkeeping

Records shall be maintained consistent with the requirements of 40 C.F.R. Part 63, Subpart JJJJJ including the following [40 C.F.R. § 63.11225(c)]:

- (1) Copies of notifications and reports with supporting compliance documentation;
- (2) Identification of each boiler, the date of tune-up, procedures followed for tune-up, and the manufacturer's specifications to which the boiler was tuned;
- (3) Records of the occurrence and duration of each malfunction of each applicable boiler; and
- (4) Records of actions taken during periods of malfunction to minimize emissions, including corrective actions to restore the malfunctioning boiler.

Records shall be in a form suitable and readily available for expeditious review. EPA requires submission of Notification of Compliance Status reports for tune-ups through their electronic reporting system.

[40 C.F.R. § 63.11225(a)(4)(vi)]

D. Process VOC and HAP Emissions

New Balance emits VOC and HAP as identified in section 112(b) of the Clean Air Act. The majority of VOC and HAP emissions from this facility are generated through the use of adhesives, solvent-based cements and cleaners during the shoe finishing process.

New Balance has a VOC potential to emit (PTE) less than 40 tons/year and is therefore not subject to *VOC RACT*, 06-096 C.M.R. ch. 134. [06-096 C.M.R. ch. 134 (1)(A)(1)]

To document emissions of VOC and HAP from the facility, New Balance will continue their recordkeeping program to document material usage, monthly inventory of materials purchased and in-house quantities, and the determination of VOC and HAP emissions on a monthly basis.

The recordkeeping program consists of a solvent-based materials inventory to document the quantity of solvent at the facility. Safety Data Sheet (SDS) data is used to quantify the VOC and HAP content of each substance. All purchases of solvent-based materials are recorded. At the end of each month, an inventory report is generated. Total VOC and HAP usage for each month is then determined from the net gain/loss of solvent in inventory plus the quantity of solvent purchased during the month. Documented off-site disposal of solvent-containing waste may be quantified and subtracted from the total solvent usage.

The implemented work practice standards and continued pursuit of low- or no-VOC releasing technologies and materials represents BPT for VOC and HAP emissions from New Balance. New Balance will practice good housekeeping procedures, such as keeping container lids closed and cleaning accidental spills immediately, to minimize VOC and HAP emissions. New Balance shall continue to seek process modifications which reduce VOC and HAP emissions.

Total facility VOC emissions from New Balance shall not exceed 10.0 tons per year (tpy) on a calendar year basis. Total emissions of HAP shall not exceed 5.0 tpy on a calendar year basis.

E. Annual Emissions

1. Total Annual Emissions

New Balance shall be restricted to the following annual emissions, based on a calendar year total. The tons per year limits were calculated based on unlimited use of distillate fuel in Boiler #1.

Total Licensed Annual Emissions for the Facility

Tons/year

(used to calculate the annual license fee)

	<u>PM</u>	<u>PM₁₀</u>	<u>SO₂</u>	<u>NO_x</u>	<u>CO</u>	<u>VOC</u>	<u>Total HAP</u>
Boiler #1	1.5	1.5	9.3	2.6	0.7	0.1	–
Process Emissions	–	–	–	–	–	10.0	5.0
Total TPY	1.5	1.5	9.3	2.6	0.7	10.1	5.0

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 (CO₂e).

The quantity of CO₂e emissions from this facility is less than 100,000 tons per year, based on the following:

- 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-814-71-D-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) **Boiler #1**

A. Fuel

1. Boiler #1 is licensed to fire distillate fuel. [06-096 C.M.R. ch. 115, BPT]
2. Prior to July 1, 2018, the facility shall fire distillate fuel with a maximum sulfur content not to exceed 0.5% by weight. [06-096 C.M.R. ch. 115, BPT]
3. 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). [06-096 C.M.R. ch. 115, BPT]
4. Compliance shall be demonstrated by fuel records from the supplier showing the fuel type and the percent sulfur of the fuel delivered. [06-096 C.M.R. ch. 115, BPT]

B. Emissions shall not exceed the following:

Emission Unit	Pollutant	lb/MMBtu	Origin and Authority
Boiler #1	PM	0.08	06-096 C.M.R. ch. 115, BPT

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

Emission Unit	PM (lb/hr)	PM₁₀ (lb/hr)	SO₂ (lb/hr)	NO_x (lb/hr)	CO (lb/hr)	VOC (lb/hr)
Boiler #1	0.34	0.34	2.12	0.60	0.15	0.01

D. Visible emissions from Boiler #1 shall not exceed 20% opacity on a six-minute block average basis. [06-096 C.M.R. ch. 115, BPT]

E. Boiler MACT (40 C.F.R. Part 63, Subpart JJJJJ) Requirements for Boiler #1 [incorporated under 06-096 C.M.R. ch. 115, BPT]

1. The facility shall implement a boiler tune-up program. [40 C.F.R. § 63.11223]

a. Each tune-up shall be conducted at a frequency specified by the rule and based on the size, age, and operations of the boiler. See chart below:

Boiler Category	Tune-Up Frequency
Oil fired boilers with a heat input capacity of ≤5MMBtu/hr	Every 5 years

[40 C.F.R. § 63.11223(a) and Table 2]

b. The boiler tune-up program, conducted to demonstrate continuous compliance, shall be performed as specified below:

- (1) As applicable, inspect the burner, and clean or replace any component of the burner as necessary. Delay of the burner inspection until the next scheduled shutdown is permitted for up to 72 months from the previous inspection for oil fired boilers less than or equal to 5 MMBtu/hour. [40 C.F.R. § 63.11223(b)(1)]
- (2) Inspect the flame pattern, as applicable, and adjust the burner as necessary to optimize the flame pattern, consistent with the manufacturer's specifications. [40 C.F.R. § 63.11223(b)(2)]
- (3) Inspect the system controlling the air-to-fuel ratio, as applicable, and ensure it is correctly calibrated and functioning properly. Delay of the inspection until the next scheduled shutdown is permitted for up to 72 months from the previous inspection for oil fired boilers less than or equal to 5 MMBtu/hour. [40 C.F.R. § 63.11223(b)(3)]
- (4) Optimize total emissions of CO, consistent with manufacturer's specifications. [40 C.F.R. § 63.11223(b)(4)]
- (5) Measure the concentration in the effluent stream of CO in parts per million by volume (ppmv), and oxygen in volume percent, before and after adjustments are made (measurements may be either on a dry or wet basis,

as long as it is the same basis before and after the adjustments are made).
Measurements may be taken using a portable CO analyzer.

[40 C.F.R. § 63.11223(b)(5)]

- (6) If a unit is not operating on the required date for a tune-up, the tune-up must be conducted within 30 days of start-up.

[40 C.F.R. § 63.11223(b)(7)]

- c. Tune-Up Report: A tune-up report shall be maintained onsite and, if requested, submitted to EPA. The report shall contain the following information:

- (1) The concentration of CO in the effluent stream (ppmv) and oxygen (volume percent) measured at high fire or typical operating load both **before** and **after** the boiler tune-up;
- (2) A description of any corrective actions taken as part of the tune-up of the boiler; and
- (3) The types and amounts of fuels used over the 12 months prior to the tune-up of the boiler, but only if the unit was physically and legally capable of using more than one type of fuel during that period. Units sharing a fuel meter may estimate the fuel use by each unit. [40 C.F.R. § 63.11223(b)(6)]

2. Compliance Report

A compliance report shall be prepared by March 1st every five years which covers the previous five calendar years. The report shall be maintained by the source and submitted to the Department and to the EPA upon request. The report must include the items contained in §§ 63.11225(b)(1) and (2), including the following:
[40 C.F.R. § 63.11225(b)]

- a. Company name and address;
- b. A statement of whether the source has complied with all the relevant requirements of this Subpart;
- c. A statement certifying truth, accuracy, and completeness of the notification and signed by a responsible official and containing the official's name, title, phone number, email address, and signature;
- d. The following certifications, as applicable:
 - (1) "This facility complies with the requirements in 40 C.F.R. § 63.11223 to conduct tune-ups of each boiler in accordance with the frequency specified in this Subpart."
 - (2) "No secondary materials that are solid waste were combusted in any affected unit."
 - (3) "This facility complies with the requirement in §§ 63.11214(d) and 63.11223(g) to minimize the boiler's time spent during startup and shutdown and to conduct startups and shutdowns according to the manufacturer's recommended procedures or procedures specified for a

boiler of similar design if manufacturer's recommended procedures are not available."

3. Records shall be maintained consistent with the requirements of 40 C.F.R. Part 63, Subpart JJJJJJ including the following [40 C.F.R. § 63.11225(c)]:
 - a. Copies of notifications and reports with supporting compliance documentation;
 - b. Identification of each boiler, the date of tune-up, procedures followed for tune-up, and the manufacturer's specifications to which the boiler was tuned;
 - c. Records of the occurrence and duration of each malfunction of each applicable boiler; and
 - d. Records of actions taken during periods of malfunction to minimize emissions, including corrective actions to restore the malfunctioning boiler.

Records shall be in a form suitable and readily available for expeditious review.
[40 C.F.R. § 63.11225(a)(4)(vi)]

(17) Process Emissions

- A. Total VOC emissions from the facility shall not exceed 10.0 tons per year on a calendar year total basis. [06-096 C.M.R. ch. 115, BPT]
- B. Combined emissions of HAP as listed in section 112(b) of the Clean Air Act shall not exceed 5.0 tons/year on a calendar year total basis. [06-096 C.M.R. ch. 115, BPT]
- C. Compliance with the stated VOC and HAP emission limits shall be documented according to the following recordkeeping process:

New Balance shall maintain current inventory records of solvent-based materials at this facility. Safety Data Sheet (SDS) data shall be used to quantify the VOC and HAP content of each substance. All purchases of solvent-based materials shall be recorded, and at the end of each month, an inventory report generated. Total VOC and HAP usage for each month shall then be determined from the net gain/loss of solvent in inventory and the quantity of solvent purchased during the month. At the facility's discretion, documented off-site disposal of solvent-containing waste may be quantified and subtracted from the total solvent usage.
[06-096 C.M.R. ch. 115, BPT]

- (18) New Balance shall maintain standard operating and maintenance procedures to minimize VOC & HAP losses and maintain copies of these procedures at appropriate locations within the facility. These procedures are as follows [06-096 C.M.R. ch. 115, BPT]:
 - A. A procedure to minimize the volatilization of solvents during the measuring and/or mixing of VOC/HAP containing material.

New Balance Athletics, Inc.
Oxford County
Norway, Maine
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- B. A procedure to minimize VOC/HAP fugitive losses from the chemical and solvent storage rooms. Procedures should include methods of securely sealing containers and methods to clean up accidental spills.
- C. A procedure to minimize solvent usage or VOC/HAP losses during equipment cleanup and during transport, including the transferring of chemicals from the mixing areas to the production lines.
- (19) New Balance 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 9 DAY OF March, 2017.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

BY: Maia Allen Robert Core 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: 11/30/16

Date of application acceptance: 12/13/16

Date filed with the Board of Environmental Protection:

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

