



DEPARTMENT ORDER

**Central Maine Community College
 Androscoggin County
 Auburn, Maine
 A-819-71-F-R/M**

**Departmental
 Findings of Fact and Order
 Air Emission License
 Renewal with Minor Revision**

FINDINGS OF FACT

After review of the air emission license renewal with minor revision 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

Central Maine Community College (CMCC) has applied to renew their Air Emission License for the operation of emission sources associated with their educational facility. CMCC has requested the removal of propane as a licensed fuel for the Culinary Boiler and the clarifying of applicable federal requirements for boilers with dual-fuel firing capability.

The equipment addressed in this license is located at 1250 Turner Street in Auburn, Maine.

B. Emission Equipment

The following equipment is addressed in this air emission license:

Boilers

Equipment	Max. Capacity (MMBtu/hr)	Maximum Firing Rate	Fuel Type	Date of Manuf.	Date of Install.	Stack #
Jalbert Boiler #1	3.6	20.8 gal/hr	Distillate fuel	1991	1991	1
		3,475 scf/hr	Natural gas			
Jalbert Boiler #2	3.6	20.8 gal/hr	Distillate fuel	1993	1993	
		3,475 scf/hr	Natural gas			
Kirk Boiler	4.2	29.0 gal/hr	Distillate fuel	1992	1992	2
		4,058 scf/hr	Natural gas			
Fortin Boiler	1.9	13.0 gal/hr	Distillate fuel	2000	2000	3
		1,825 scf/hr	Natural gas			
LaPoint Boiler	1.3	9.3 gal/hr	Distillate fuel	2002	2002	5
		1,300 scf/hr	Natural gas			

Equipment	Max. Capacity (MMBtu/hr)	Maximum Firing Rate	Fuel Type	Date of Manuf.	Date of Install.	Stack #
Rancourt Boiler #1	1.9	13.0 gal/hr	Distillate fuel	2007	2007	6
		1,825 scf/hr	Natural gas			
Rancourt Boiler #2	1.9	13.0 gal/hr	Distillate fuel	2007	2007	
		1,825 scf/hr	Natural gas			
Culinary Boiler	1.4	1,320 scf/hr	Natural gas	1989	1989	4
Learning Tower Boiler #1	1.5	1,455 scf/hr	Natural gas	2017	2017	7
Learning Tower Boiler #2	1.5	1,455 scf/hr	Natural gas	2017	2017	

CMCC also has several small boilers, water heaters, and unit heaters not listed in the table above. These are considered insignificant emissions units because they are each rated below 1.0 MMBtu/hr, the heat input capacity level at or above which would require their inclusion in the license; therefore, these small boilers, water heaters, and unit heaters are not addressed further in this license.

Stationary Engines

Equipment	Max. Input Capacity (MMBtu/hr)	Rated Output Capacity (kW)	Fuel Type	Firing Rate (scf/hr)	Date of Manuf.	Date of Install.
Generator #1	5.0	400	Natural gas	4,823	2020	2020
Generator #2	5.0	400	Natural gas	4,823	2020	2020
Generator #3	5.0	400	Natural gas	4,823	2020	2020

CMCC may operate small stationary engines smaller than 0.5 MMBtu/hr. These engines are considered insignificant activities and are not required to be included in this license. However, they are still subject to applicable State and Federal regulations. More information regarding requirements for small stationary engines is available on the Department's website at the link below.

<http://www.maine.gov/dep/air/publications/docs/SmallRICEGuidance.pdf>

Additionally, CMCC may operate portable engines used for maintenance or emergency-only purposes. These engines are considered insignificant activities and are not required to be included in this license. However, they may still be subject to applicable State and Federal regulations.

CMCC operates an aqueous-based parts washer. The cleaning solution contains less than 5% VOC, it does not meet the definition of solvent cleaning machine, and there are no applicable requirements in *Solvent Cleaners*, 06-096 C.M.R. ch. 130. Therefore, it is considered an insignificant activity and mentioned for completeness purposes only.

C. Definitions

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.

Records or *Logs* mean either hardcopy or electronic records.

D. Application Classification

All rules, regulations, or statutes referenced in this air emission license refer to the amended version in effect as of the date this license was issued.

The application for CMCC does not include the licensing of increased emissions or the installation of new equipment, it does however revise the licensed fuels for several boilers. Therefore, the license is considered to be a renewal of currently licensed emission units with a minor revision and has been processed through *Major and Minor Source Air Emission License Regulations*, 06-096 Code of Maine Rules (C.M.R.) ch. 115.

E. Facility Classification

The facility is licensed as follows:

- As a natural minor source of air emissions, because no license restrictions are necessary to keep facility emissions below major source thresholds for criteria pollutants; and
- As 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. Boilers

CMCC operates Jalbert Boilers #1 and #2, Kirk Boiler, Fortin Boiler, LaPoint Boiler, Rancourt Boilers #1 and #2, Culinary Boiler, and Learning Tower Boilers #1 and #2 to heat the buildings that comprise the CMCC campus. Boilers Jalbert Boilers #1 and #2, Kirk Boiler, Fortin Boiler, LaPoint Boiler, and Rancourt Boilers #1 and #2 can fire both natural gas as well as distillate fuel and have capacities of 3.6, 3.6, 4.2, 1.9, 1.3, 1.9, and 1.9 MMBtu/hr respectively. Boilers Culinary Boiler, and Learning Tower Boilers #1 and #2 fire natural gas exclusively and have capacities of 1.4, 1.5, and 1.5 MMBtu/hr respectively. Previously, Jalbert Boilers #1 and #2, Kirk Boiler, Fortin Boiler, LaPoint Boiler, and Rancourt Boilers #1 and #2 were licensed to fire distillate fuel without restriction. CMCC has requested that distillate fuel be removed as a regularly available fuel for these boilers and its use be limited to meet the definition of “gas-fired boilers” under 40 C.F.R. Part 63, Subpart JJJJJ, detailed below. The Culinary Boiler was previously licensed to fire both natural gas and propane; however, it no longer the ability to fire propane, so its inclusion as a licensed fuel will be eliminated in this license renewal.

Jalbert Boilers #1 and #2, Kirk Boiler, Fortin Boiler, LaPoint Boiler, and Rancourt Boilers #1 and #2 are licensed to fire distillate fuel. With limited exceptions, no person shall import, distribute, or offer for sale any distillate fuel with a sulfur content greater than 0.0015% by weight (15 ppm) pursuant to 38 M.R.S. § 603A(2)(A)(3). Therefore, the distillate fuel purchased or otherwise obtained for use in Jalbert Boilers #1 and #2, Kirk Boiler, Fortin Boiler, LaPoint Boiler, and Rancourt Boilers #1 and #2 shall not exceed 0.0015% by weight (15 ppm).

1. BPT Findings

The BPT emission limits for Jalbert Boilers #1 and #2, Kirk Boiler, Fortin Boiler, LaPoint Boiler, Rancourt Boilers #1 and #2, Culinary Boiler, and Learning Tower Boilers #1 and #2 were based on the following:

Distillate Fuel (Jalbert Boilers #1 and #2, Kirk Boiler, Fortin Boiler, LaPoint Boiler, Rancourt Boilers #1 and #2)

PM/PM ₁₀ /PM _{2.5}	– 0.08 lb/MMBtu based on 06-096 C.M.R. ch. 115, BPT
SO ₂	– based on firing distillate fuel with a maximum sulfur content of 0.0015% by weight
NO _x	– 20 lb/1,000 gal based on AP-42 Table 1.3-1 dated 5/10
CO	– 5 lb/1,000 gal based on AP-42 Table 1.3-1 dated 5/10
VOC	– 0.34 lb/1,000 gal based on AP-42 Table 1.3-3 dated 5/10
Visible Emissions	– 06-096 C.M.R. ch. 115, BPT

Natural Gas (Jalbert Boilers #1 and #2, Kirk Boiler, Fortin Boiler, LaPoint Boiler, Rancourt Boilers #1 and #2, Culinary Boiler, and Learning Tower Boilers #1 and #2)

- PM/PM₁₀/PM_{2.5} – 0.05 lb/MMBtu based on 06-096 C.M.R. ch. 115, BPT
 - SO₂ – 0.6 lb/MMscf based on AP-42 Table 1.4-2 dated 7/98
 - NO_x – 100 lb/MMscf based on AP-42 Table 1.4-1 dated 7/98
 - CO – 84 lb/MMscf based on AP-42 Table 1.4-1 dated 7/98
 - VOC – 5.5 lb/MMscf based on AP-42 Table 1.4-2 dated 7/98
 - Visible – 06-096 C.M.R. ch. 115, BPT
- Emissions

The BPT emission limits for Jalbert Boilers #1 and #2, Kirk Boiler, Fortin Boiler, LaPoint Boiler, Rancourt Boilers #1 and #2, Culinary Boiler, and Learning Tower Boilers #1 and #2 are the following:

Unit	Fuel	Pollutant	lb/MMBtu
Jalbert Boiler #1	Distillate fuel	PM	0.08
	Natural gas		0.05
Jalbert Boiler #2	Distillate fuel	PM	0.08
	Natural gas		0.05
Kirk Boiler	Distillate fuel	PM	0.08
	Natural gas		0.05

Unit	Fuel	PM (lb/hr)	PM ₁₀ (lb/hr)	PM _{2.5} (lb/hr)	SO ₂ (lb/hr)	NO _x (lb/hr)	CO (lb/hr)	VOC (lb/hr)
Jalbert Boiler #1	Distillate fuel	0.29	0.29	0.29	0.01	0.42	0.11	0.01
	Natural Gas	0.18	0.18	0.18	0.01	0.35	0.30	0.02
Jalbert Boiler #2	Distillate fuel	0.29	0.29	0.29	0.01	0.42	0.11	0.01
	Natural Gas	0.18	0.18	0.18	0.01	0.35	0.30	0.02
Kirk Boiler	Distillate fuel	0.34	0.34	0.34	0.01	0.58	0.15	0.01
	Natural Gas	0.21	0.21	0.21	0.01	0.41	0.35	0.03
Fortin Boiler	Distillate fuel	0.16	0.16	0.16	0.01	0.26	0.07	0.01
	Natural Gas	0.10	0.10	0.10	0.01	0.19	0.16	0.02
LaPoint Boiler	Distillate fuel	0.11	0.11	0.11	0.01	0.19	0.05	0.01
	Natural Gas	0.07	0.07	0.07	0.01	0.13	0.11	0.01
Rancourt Boiler #1	Distillate fuel	0.16	0.16	0.16	0.01	0.26	0.07	0.01
	Natural Gas	0.10	0.10	0.10	0.01	0.19	0.16	0.02
Rancourt Boiler #1	Distillate fuel	0.16	0.16	0.16	0.01	0.26	0.07	0.01
	Natural Gas	0.10	0.10	0.10	0.01	0.19	0.16	0.02
Culinary Boiler	Natural Gas	0.07	0.07	0.07	0.01	0.14	0.12	0.01
Learning Tower Boiler #1	Natural Gas	0.08	0.08	0.08	0.01	0.15	0.13	0.01
Learning Tower Boiler #2	Natural Gas	0.08	0.08	0.08	0.01	0.15	0.13	0.01

2. Visible Emissions

Visible emissions from any stack through which a boiler firing distillate fuel is venting shall not exceed 20% opacity on a six-minute block average basis.

Visible emissions from any stack where all boilers venting through it are firing natural gas shall not exceed 10% opacity on a six-minute block average basis.

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

Due to the size, Jalbert Boilers #1 and #2, Kirk Boiler, Fortin Boiler, LaPoint Boiler, Rancourt Boilers #1 and #2, Culinary Boiler, and Learning Tower Boilers #1 and #2 are 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]

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

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

In order to maintain the classification of gas-fired boiler, CMCC may only fire distillate fuel in Jalbert Boilers #1 and #2, Kirk Boiler, Fortin Boiler, LaPoint Boiler, and Rancourt Boilers #1 and #2 during periods of gas curtailment or supply interruption (as defined in 40 C.F.R. § 63.11237 “Period of gas curtailment or supply interruption”), startups, or for periodic testing, maintenance, or operator training on liquid fuel. Periodic testing, maintenance, or operator training on liquid fuel shall not exceed a combined total of 48 hours during any calendar year. CMCC shall maintain records of distillate fuel use to demonstrate compliance with the above operational limitations.

As Jalbert Boilers #1 and #2, Kirk Boiler, Fortin Boiler, LaPoint Boiler, and Rancourt Boilers #1 and #2 were previously subject to 40 C.F.R. Part 63, Subpart JJJJJ, CMCC shall notify the EPA and the Department within 30 days of the issuance of this license of the change in applicability for Subpart JJJJJ. The notice shall contain the following information:

- a. The name of the owner or operator of the affected source, the location of the source, the boilers that have taken a permit limit, and the date of the notice.

- b. The date upon which the permit limit occurred constraining the use of distillate fuel to be in accordance with the definition of “gas-fired boiler” in [§ 63.11237](#).
 [40 C.F.R. § 63.11225(g)]

C. Generators #1, #2, and #3

CMCC operates three generators in a demand response program, with each generator set consisting of an engine and an electrical generator. Each generator has an engine rated at 5.0 MMBtu/hr and fires natural gas. The generators were manufactured by Generac in 2020 and are certified to run as stationary, non-emergency engines under 40 C.F.R. Part 60, Subpart JJJJ. Each of the generators shall be limited to 1,000 hours of operation per calendar year.

1. BPT Findings

The emission factors used to calculate the short-term emission limits have been updated to better reflect current practice. Previously, the emission limits which were based on emissions limits as found in 40 C.F.R. Part 60, Subpart JJJJ. The Department has found that these numbers are not reflective of actual emissions in all load cases. The BPT emission limits for the Generators #1, #2, and #3 are based on the following:

- PM/PM₁₀/PM_{2.5} – 0.05 lb/MMBtu from 06-096 C.M.R. ch. 103
- SO₂ – 5.88E-4 lb/MMBtu from AP-42, Table 3.2-1 dated 7/00
- NO_x – 0.847 lb/MMBtu from AP-42, Table 3.2-1 dated 7/00
- CO – 0.557 lb/MMBtu from AP-42, Table 3.2-1 dated 7/00
- VOC – 0.118 lb/MMBtu from AP-42, Table 3.2-1 dated 7/00
- Visible Emissions – 06-096 C.M.R. ch. 115, BPT

The BPT emission limits for the Generators #1, #2, and #3 are the following:

Unit	Pollutant	lb/MMBtu
Generator #1	PM	0.05
Generator #2	PM	0.05
Generator #3	PM	0.05

Unit	PM (lb/hr)	PM ₁₀ (lb/hr)	PM _{2.5} (lb/hr)	SO ₂ (lb/hr)	NO _x (lb/hr)	CO (lb/hr)	VOC (lb/hr)
Generator #1	0.25	0.25	0.25	0.01	4.24	2.79	0.59
Generator #2	0.25	0.25	0.25	0.01	4.24	2.79	0.59
Generator #3	0.25	0.25	0.25	0.01	4.24	2.79	0.59

Visible emissions from each of the non-emergency generators shall not exceed 10% opacity on a six-minute block average basis.

2. Chapter 169

Generators #1, #2, and #3 were installed prior to the effective date of *Stationary Generators*, 06-096 C.M.R. ch. 169 and are therefore exempt from this rule pursuant to section 1.

3. New Source Performance Standards

Standards of Performance for Spark Ignition Internal Combustion Engines, 40 C.F.R. Part 60, Subpart JJJJ is applicable to the engines listed above since the units were 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 units also meet 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.

- a. The engines 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. § 60.4243]
- b. The engines shall be operated and maintained according to the manufacturer's written instructions or procedures developed by CMCC that are approved by the engine manufacturer. CMCC may only change those settings that are permitted by the manufacturer. [40 C.F.R. § 60.4243]
- c. CMCC may operate the above engines using propane for a maximum of 100 hours per year as an alternative fuel solely during emergency operations but shall keep records of such use. If propane is used for more than 100 hours per year in an engine that is not certified to the emission standards when using propane, CMCC shall conduct a performance test to demonstrate compliance with the emission standards of § 60.4233. [40 C.F.R. § 60.4243]
- d. CMCC shall install a non-resettable hour meter on each engine. [40 C.F.R. § 60.4245]

e. Recordkeeping

CMCC shall keep the following records.

- (1) All notifications submitted to comply with Subpart JJJJ and all documentation supporting any notification. [40 C.F.R. § 60.4245(a)]
- (2) Maintenance conducted on the engines. [40 C.F.R. § 60.4245(a)]
- (3) Documentation from the manufacturer that each engine is certified to meet the emission standards and information as required in 40 C.F.R. Parts 90, 1048, 1054, and 1060, as applicable. [40 C.F.R. § 60.4245(a)]
- (4) If the engine is operating in a non-certified manner and subject to § 60.4243(a)(2), documentation that the engine meets the emission standards. [40 C.F.R. § 60.4245(a)]
- (5) CMCC shall maintain a log (written or electronic) of the date, time, and duration of all occurrences of engine operation. [40 C.F.R. § 60.4245(b)]

D. Fugitive Emissions

CMCC shall not cause emissions of any fugitive dust during any period of construction, reconstruction, or operation without taking reasonable precautions. Such reasonable precautions shall be included in the facility's continuing program of best management practices for suppression of fugitive particulate matter.

CMCC shall not cause or allow visible emissions within 20 feet of ground level, measured as any level of opacity and not including water vapor, beyond the legal boundary of the property on which such emissions occur. Compliance with this standard shall be determined pursuant to 40 C.F.R. Part 60, Appendix A, Method 22.

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

The table below provides an estimate of facility-wide annual emissions for the purposes of calculating the facility's annual air license fee and establishing the facility's potential to emit (PTE). Only licensed equipment is included, i.e., emissions from insignificant activities are excluded. Similarly, unquantifiable fugitive particulate matter emissions are not included except when required by state or federal regulations. Maximum potential emissions were calculated based on the following assumptions:

- Operating Generators #1, #2, and #3 for 1,000 hrs/yr each; and
- Operating the boilers for 8,760 hr/yr each.

This information does not represent a comprehensive list of license restrictions or permissions. That information is provided in the Order section of this license.

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

	PM	PM ₁₀	PM _{2.5}	SO ₂	NO _x	CO	VOC
Boilers	5.2	5.2	5.2	0.5	9.9	8.5	0.8
Generators	0.4	0.4	0.4	0.1	6.4	4.2	0.9
Total TPY	5.6	5.6	5.6	0.6	16.3	12.7	1.7

Pollutant	Tons/year
Single HAP	9.9
Total HAP	24.9

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
PM _{2.5}	15
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.

This determination is based on information provided by the applicant regarding licensed emission units. If the Department determines that any parameter (e.g., stack size, configuration, flow rate, emission rates, nearby structures, etc.) deviates from what was included in the application, the Department may require CMCC to submit additional information and may require an ambient air quality impact analysis at that time.

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-819-71-F-R/M 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 beginning actual 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 the written test report by the Department, or another alternative timeframe approved by the Department, 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 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]

- (16) The licensee 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). [06-096 C.M.R. ch. 115]

SPECIFIC CONDITIONS

(17) **Boilers**

A. Fuel

1. Jalbert Boilers #1 and #2, Kirk Boiler, Fortin Boiler, LaPoint Boiler, and Rancourt Boilers #1 and #2, are licensed to fire both distillate fuel and natural gas. [06-096 C.M.R. ch. 115, BPT]
2. Culinary Boiler and Learning Tower Boilers #1 and #2 are licensed to fire natural gas. [06-096 C.M.R. ch. 115, BPT]
3. CMCC 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 showing the quantity, type, and the percent sulfur of the fuel delivered (if applicable). Fuel sulfur content compliance shall be demonstrated by fuel delivery receipts from the supplier, a statement from the supplier that the fuel delivered meets Maine's fuel sulfur content standards, certificate of analysis, or testing of fuel in the tank on-site. [06-096 C.M.R. ch. 115, BPT]
5. CMCC may only fire distillate fuel in Jalbert Boilers #1 and #2, Kirk Boiler, Fortin Boiler, LaPoint Boiler, and Rancourt Boilers #1 and #2 during periods of gas curtailment or supply interruption (as defined in 40 C.F.R. § 63.11237 "Period of gas curtailment or supply interruption"), startups, or for periodic testing, maintenance, or operator training on liquid fuel. Periodic testing, maintenance, or operator training on liquid fuel shall not exceed a combined total of 48 hours during any calendar year. CMCC shall maintain records of distillate fuel use to demonstrate compliance with the above operational limitations. [06-096 C.M.R. ch. 115, BPT]

B. Emissions shall not exceed the following:

Unit	Fuel	Pollutant	lb/MMBtu	Origin and Authority
Jalbert Boiler #1	Distillate fuel	PM	0.08	06-096 C.M.R. ch. 115, BPT
	Natural gas		0.05	
Jalbert Boiler #2	Distillate fuel	PM	0.08	
	Natural gas		0.05	
Kirk Boiler	Distillate fuel	PM	0.08	
	Natural gas		0.05	

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

Unit	Fuel	PM (lb/hr)	PM ₁₀ (lb/hr)	PM _{2.5} (lb/hr)	SO ₂ (lb/hr)	NO _x (lb/hr)	CO (lb/hr)	VOC (lb/hr)
Jalbert Boiler #1	Distillate fuel	0.29	0.29	0.29	0.01	0.42	0.11	0.01
	Natural Gas	0.18	0.18	0.18	0.01	0.35	0.30	0.02
Jalbert Boiler #2	Distillate fuel	0.29	0.29	0.29	0.01	0.42	0.11	0.01
	Natural Gas	0.18	0.18	0.18	0.01	0.35	0.30	0.02
Kirk Boiler	Distillate fuel	0.34	0.34	0.34	0.01	0.58	0.15	0.01
	Natural Gas	0.21	0.21	0.21	0.01	0.41	0.35	0.03
Fortin Boiler	Distillate fuel	0.16	0.16	0.16	0.01	0.26	0.07	0.01
	Natural Gas	0.10	0.10	0.10	0.01	0.19	0.16	0.02
LaPoint Boiler	Distillate fuel	0.11	0.11	0.11	0.01	0.19	0.05	0.01
	Natural Gas	0.07	0.07	0.07	0.01	0.13	0.11	0.01
Rancourt Boiler #1	Distillate fuel	0.16	0.16	0.16	0.01	0.26	0.07	0.01
	Natural Gas	0.10	0.10	0.10	0.01	0.19	0.16	0.02
Rancourt Boiler #1	Distillate fuel	0.16	0.16	0.16	0.01	0.26	0.07	0.01
	Natural Gas	0.10	0.10	0.10	0.01	0.19	0.16	0.02
Culinary Boiler	Natural Gas	0.07	0.07	0.07	0.01	0.14	0.12	0.01
Learning Tower Boiler #1	Natural Gas	0.08	0.08	0.08	0.01	0.15	0.13	0.01
Learning Tower Boiler #2	Natural Gas	0.08	0.08	0.08	0.01	0.15	0.13	0.01

D. Visible emissions from any stack through which a boiler firing distillate fuel is venting shall not exceed 20% opacity on a six-minute block average basis.
 [06-096 C.M.R. ch. 115, BPT]

E. Visible emissions from any stack where all boilers venting through it are firing natural gas shall not exceed 10% opacity on a six-minute block average basis.
 [06-096 C.M.R. ch. 115, BPT]

F. CMCC shall notify the EPA and the Department within 30 days of the issuance of this license of the change in applicability for 40 C.F.R. Part 63, Subpart JJJJJ for Jalbert Boilers #1 and #2, Kirk Boiler, Fortin Boiler, LaPoint Boiler, and Rancourt Boilers #1 and #2. The notice shall contain the following information:

1. The name of the owner or operator of the affected source, the location of the source, the boilers that have taken a permit limit, and the date of the notice.
2. The date upon which the permit limit occurred constraining the use of distillate fuel to be in accordance with the definition of “gas-fired boiler” in [§ 63.11237](#).
 [40 C.F.R. § 63.11225(g)]

(18) **Generators #1, #2, and #3**

- A. Each of the generators shall be limited to 1,000 hours of operation per calendar year.
 [06-096 C.M.R. ch. 115, BPT]
- B. Emissions shall not exceed the following:

Unit	Pollutant	lb/MMBtu	Origin and Authority
Generator #1	PM	0.05	06-096 C.M.R. ch. 115, BPT
Generator #2	PM	0.05	06-096 C.M.R. ch. 115, BPT
Generator #3	PM	0.05	06-096 C.M.R. ch. 115, BPT

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

Unit	PM (lb/hr)	PM ₁₀ (lb/hr)	PM _{2.5} (lb/hr)	SO ₂ (lb/hr)	NO _x (lb/hr)	CO (lb/hr)	VOC (lb/hr)
Generator #1	0.25	0.25	0.25	0.01	4.24	2.79	0.59
Generator #2	0.25	0.25	0.25	0.01	4.24	2.79	0.59
Generator #3	0.25	0.25	0.25	0.01	4.24	2.79	0.59

D. Visible Emissions

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

- E. The Generators 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. The engines 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. The engines shall be operated and maintained according to the manufacturer’s written instructions or procedures developed by CMCC that are approved by the

engine manufacturer. CMCC may only change those settings that are permitted by the manufacturer. [40 C.F.R. § 60.4243]

3. CMCC may operate the above engines using propane for a maximum of 100 hours per year as an alternative fuel solely during emergency operations but shall keep records of such use. If propane is used for more than 100 hours per year in an engine that is not certified to the emission standards when using propane, CMCC shall conduct a performance test to demonstrate compliance with the emission standards of §60.4233. [40 C.F.R. § 60.4243]
4. CMCC shall install a non-resettable hour meter on each engine. [40 C.F.R. § 60.4245]
5. Recordkeeping

CMCC shall keep the following records.

- a. All notifications submitted to comply with Subpart JJJJ and all documentation supporting any notification. [40 C.F.R. § 60.4245(a)]
- b. Maintenance conducted on the engines. [40 C.F.R. § 60.4245(a)]
- c. Documentation from the manufacturer that each engine is certified to meet the emission standards and information as required in 40 C.F.R. Parts 90, 1048, 1054, and 1060, as applicable. [40 C.F.R. § 60.4245(a)]
- d. If the engine is operating in a non-certified manner and subject to § 60.4243(a)(2), documentation that the engine meets the emission standards. [40 C.F.R. § 60.4245(a)]
- e. CMCC shall maintain a log (written or electronic) of the date, time, and duration of all occurrences of engine operation. [40 C.F.R. § 60.4245(b)]

(19) Fugitive Emissions

1. CMCC shall not cause emissions of any fugitive dust during any period of construction, reconstruction, or operation without taking reasonable precautions. Such reasonable precautions shall be included in the facility's continuing program of best management practices for suppression of fugitive particulate matter.
2. CMCC shall not cause or allow visible emissions within 20 feet of ground level, measured as any level of opacity and not including water vapor, beyond the legal boundary of the property on which such emissions occur. Compliance with this standard shall be determined pursuant to 40 C.F.R. Part 60, Appendix A, Method 22.

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

(20) **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. 101, § 3(B)(4)]

- (21) If the Department determines that any parameter value pertaining to construction and operation of the emissions units, including but not limited to stack size, configuration, flow rate, emission rates, nearby structures, etc., deviates from what was submitted in the application or ambient air quality impact analysis for this air emission license, CMCC may be required to submit additional information. Upon written request from the Department, CMCC shall provide information necessary to demonstrate AAQS will not be exceeded, potentially including submission of an ambient air quality impact analysis or an application to amend this air emission license to resolve any deficiencies and ensure compliance with AAQS. Submission of this information is due within 60 days of the Department's written request unless otherwise stated in the Department's letter.
[06-096 C.M.R. ch. 115, § 2(O)]

DONE AND DATED IN AUGUSTA, MAINE THIS 2nd DAY OF JANUARY, 2024.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

BY:  for
MELANIE LOYZIM, 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: 12/22/22

Date of application acceptance: 1/9/23

Date filed with the Board of Environmental Protection:

This Order prepared by Chris Ham, Bureau of Air Quality.

