



DEPARTMENT ORDER

**Charter Communications, LLC
Cumberland County
Sebago, Maine
A-1143-71-A-N**

**Departmental
Findings of Fact and Order
Air Emission License
Initial License**

FINDINGS OF FACT

After review of the air emission license 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

Charter Communications, LLC (Charter) has applied for an Air Emission License for the operation of emission sources associated with their telecommunications facility.

The equipment addressed in this license is located at 16 Abbey Road, Sebago, Maine.

B. Emission Equipment

The following equipment is addressed in this air emission license:

Emergency Generators

Equipment	Max. Input Capacity (MMBtu/hr)	Rated Output Capacity (kW)	Fuel Type, % sulfur	Firing Rate (gal/hr)	Date of Manuf.	Date of Install.
Generator #1	2.63 [each]	250 [each]	Distillate fuel, 0.0015%	19.2 [each]	2009	2010
Generator #2					2009	2010

Charter 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, Charter 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.

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.

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 date this license was issued.

A new source is considered a major source based on whether or not total licensed annual emissions exceed the "Significant Emission" levels as defined in the Department's *Definitions Regulation*, 06-096 Code of Maine Rules (C.M.R.) ch. 100.

Pollutant	Total Licensed Annual Emissions (TPY)	Significant Emission Levels
PM	0.1	100
PM ₁₀	0.1	100
SO ₂	0.1	100
NO _x	1.2	100
CO	0.3	100
VOC	0.1	50

The Department has determined the facility is a minor source and the application has been processed through *Major and Minor Source Air Emission License Regulations*, 06-096 C.M.R. ch. 115.

E. Facility Classification

With the annual operating hour restrictions on Generators #1 and #2, the facility is licensed as follows:

- As a synthetic minor source of air emissions, because Charter is subject to license restrictions that 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 new sources and modifications requires a demonstration that emissions are receiving Best Available Control Technology (BACT), as defined in *Definitions Regulation*, 06-096 C.M.R. ch. 100. BACT is a top-down approach to selecting air emission controls considering economic, environmental, and energy impacts.

B. Generators #1 and #2

Charter operates Generators #1 and #2 as emergency generators. The emergency generators are generator sets with each gen set consisting of an engine and an electrical generator. The emergency generators both have engines with maximum heat input capacities of 2.63 MMBtu/hr (250 kW electrical output) which fire distillate fuel. Generators #1 and #2 were both manufactured in 2009 and installed at the facility in 2010.

1. **BACT Findings**

a. **Particulate Matter (PM and PM₁₀)**

PM emissions from distillate fuel-fired engines are generally controlled through proper operation and maintenance of the engines. Additionally, these engines are

subject to 40 C.F.R. Part 60, Subpart IIII, which means they are required to meet EPA emission standards for emergency stationary engines as discussed below. Given the small size of the units (2.63 MMBtu/hr, each) and the operating hours restriction included in 40 C.F.R. Part 60, Subpart IIII for emergency engines, additional control for PM is not economically feasible. BACT for PM/PM₁₀ emissions from Generators #1 and #2 shall be proper operation and maintenance of the units and emission limits of 0.32 lb/hr for both PM and PM₁₀ from each unit.

b. Sulfur Dioxide (SO₂)

For emergency engines that fire distillate fuel and operate for only short periods of time, the use of wet scrubbers or other additional SO₂ add-on control methods are not economically feasible considering the minimal emissions due to the limited use of the engines. The most practical method for limiting SO₂ emissions of such engines is the use of low sulfur fuel, such as distillate fuel with a sulfur content no greater than 0.0015% by weight. BACT for SO₂ emissions from Generators #1 and #2 shall be the use of distillate fuel with a sulfur content no greater than 0.0015% by weight and SO₂ emission limits of 0.01 lb/hr for each unit.

c. Nitrogen Oxides (NO_x)

Potentially available control options for reducing NO_x emissions from distillate fuel-fired generators include combustion controls, selective catalytic reduction (SCR), and non-selective catalytic reduction (NSCR). Combustion controls are typically implemented through design features such as electronic engine controls, injection systems, combustion chamber geometry, and turbocharging systems.

SCR and NSCR are both post-combustion NO_x reduction technologies. SCR injects ammonia to react with NO_x in the gas stream in the presence of a catalyst to form nitrogen and water. NSCR uses a catalyst to convert CO, NO_x, and hydrocarbons into carbon dioxide, nitrogen, and water without the use of an additional reagent, and requires strict air-to-fuel control to maintain high reduction effectiveness without increasing hydrocarbon emissions. For units of this size (2.63 MMBtu/hr, each) and usage (emergency back-up engine), neither SCR nor NSCR are economically feasible considering the small size of the units and the minimal emissions due to the limited use of the engines.

BACT for NO_x emissions from Generators #1 and #2 shall be the use of good combustion controls, proper operation and maintenance of the units, and NO_x emission limits of 11.60 lb/hr for each unit.

d. Carbon Monoxide (CO) and Volatile Organic Compounds (VOC)

CO and VOC emissions are a result of incomplete combustion, caused by conditions such as insufficient residence time or limited oxygen availability. CO and VOC emissions from distillate fuel-fired generators are generally controlled through proper operation and maintenance. Oxidation catalysts have been used on larger generators to reduce CO and VOC emission levels in the exhaust, but, like SCR and NSCR, use of an oxidation catalyst on such small emergency engines with limited yearly use would not provide a significant environmental benefit and would not be economically feasible. BACT for CO and VOC emissions from Generators #1 and #2 shall be proper operation and maintenance of the units, and emission limits of 2.50 lb/hr for CO and 0.92 lb/hr for VOC for each unit.

e. Visible Emissions

Visible emissions from Generators #1 and #2 shall each not exceed 20% opacity on a six-minute block average basis except for periods of startup, during which time Charter may elect to comply with the following work practice standards in lieu of the numerical emission limit:

- (1) Charter shall maintain a log (written or electronic) of the date, time, and duration of all generator startups.
- (2) The generators shall be operated in accordance with the manufacturer's emission-related operating instructions.
- (3) Charter shall minimize each unit's time spent at idle during startup and minimize each unit's startup time to a period needed for appropriate and safe loading of the unit, not to exceed 30 minutes, after which time the non-startup emission limitations shall apply.
- (4) The generators, including any associated air pollution control equipment, shall be operated at all times in a manner consistent with safety and good air pollution control practices for minimizing emissions. Determination of whether such operation and maintenance procedures are being used will be based on information available to the Department that 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 unit.

2. Emission Limits

The BACT emission limits for Generators #1 and #2 are based on the following:

- PM/PM₁₀ - 0.12 lb/MMBtu based on 06-096 C.M.R. ch. 115, BACT
- SO₂ - combustion of distillate fuel with a maximum sulfur content not to exceed 15 ppm (0.0015% sulfur by weight)
- NO_x - 4.41 lb/MMBtu based on AP-42, Table 3.3-1, dated 10/96
- CO - 0.95 lb/MMBtu based on AP-42, Table 3.3-1, dated 10/96
- VOC - 0.35 lb/MMBtu based on AP-42, Table 3.3-1, dated 10/96
- Visible Emissions - 06-096 C.M.R. ch. 115, BACT

The BACT emission limits for Generators #1 and #2 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)
Generator #1	0.32	0.32	0.01	11.60	2.50	0.92
Generator #2	0.32	0.32	0.01	11.60	2.50	0.92

Visible emissions from Generators #1 and #2 shall each not exceed 20% opacity on a six-minute block average basis except for periods of startup, during which time Charter may elect to comply with the following work practice standards in lieu of the numerical emission limit:

- a. Charter shall maintain a log (written or electronic) of the date, time, and duration of all generator startups.
- b. The generators shall be operated in accordance with the manufacturer's emission-related operating instructions.
- c. Charter shall minimize each unit's time spent at idle during startup and minimize each unit's startup time to a period needed for appropriate and safe loading of the unit, not to exceed 30 minutes, after which time the non-startup emission limitations shall apply.
- d. The generators, including any associated air pollution control equipment, shall be operated at all times in a manner consistent with safety and good air pollution control practices for minimizing emissions. Determination of whether such operation and maintenance procedures are being used will be based on information available to the Department that 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 unit.

The Department has determined that the proposed BACT visible emission limit is more stringent than the applicable limit in 06-096 C.M.R. ch. 101. Therefore, the visible emission limit for each generator has been streamlined to the more stringent BACT limit, and only this more stringent limit shall be included in the air emission license.

3. 40 C.F.R. Part 60, Subpart IIII

Standards of Performance for Stationary Compression Ignition Internal Combustion Engines, 40 C.F.R. Part 60, Subpart IIII is applicable to Generators #1 and #2 since the units were ordered after July 11, 2005, and manufactured after April 1, 2006. [40 C.F.R. § 60.4200] By meeting the requirements of 40 C.F.R. Part 60, Subpart IIII, 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 IIII requirements is listed below.

a. Emergency Engine Designation and Operating Criteria

Under 40 C.F.R. Part 60, Subpart IIII, 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 IIII, 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.

- (i) 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.
- (ii) 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) (i) 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. §§ 60.4211(f) and 60.4219]

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

(1) Manufacturer Certification Requirement

Generators #1 and #2 shall be certified by the manufacturer as meeting the emission standards for new nonroad compression ignition engines found in 40 C.F.R. § 60.4202. [40 C.F.R. § 60.4205(b)]

(2) Ultra-Low Sulfur Fuel Requirement

The fuel fired in Generators #1 and #2 shall not exceed 15 ppm sulfur (0.0015% sulfur). [40 C.F.R. § 60.4207(b)]

(3) Non-Resettable Hour Meter Requirement

A non-resettable hour meter shall be installed and operated on each engine. [40 C.F.R. § 60.4209(a)]

(4) Operation and Maintenance Requirements

Generators #1 and #2 shall be operated and maintained according to the manufacturer's emission-related written instructions. Charter may only change those emission-related settings that are permitted by the manufacturer. [40 C.F.R. § 60.4211(a)]

(5) Annual Time Limit for Maintenance and Testing

As emergency engines, the units shall each 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). [40 C.F.R. § 60.4211(f)]

(6) Initial Notification Requirement

No initial notification is required under 40 C.F.R. Part 60, Subpart IIII for emergency engines. [40 C.F.R. § 60.4214(b)]

(7) Recordkeeping

Charter shall keep records that include maintenance conducted on the engines and the hours of operation of each engine recorded through the non-resettable hour meter. Documentation shall include the number of hours each unit operated for emergency purposes, the number of hours each unit operated for non-emergency purposes, and the reason each engine was in operation during each time. [40 C.F.R. § 60.4214(b)]

C. Fugitive Emissions

Visible emissions from a fugitive emission source (including stockpiles and roadways) shall not exceed 20% opacity on a five-minute block average basis.

D. Annual Emissions

Charter shall be restricted to the following annual emissions, based on a calendar year total. The tons per year limits were calculated based on operating Generators #1 and #2 for 100 hrs/year, each.

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

	PM	PM₁₀	SO₂	NO_x	CO	VOC
Generators #1 and #2	0.1	0.1	0.1	1.2	0.3	0.1
Total TPY	0.1	0.1	0.1	1.2	0.3	0.1

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
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-1143-71-A-N 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) Generators #1 and #2

- A. Each of the emergency generators shall be limited to 100 hours of operation per calendar year, excluding operating hours during emergency situations. [06-096 C.M.R. ch. 115, BACT]
- B. Emissions shall not exceed the following [06-096 C.M.R. ch. 115, BACT]:

Unit	PM (lb/hr)	PM₁₀ (lb/hr)	SO₂ (lb/hr)	NO_x (lb/hr)	CO (lb/hr)	VOC (lb/hr)
Generator #1	0.32	0.32	0.01	11.60	2.50	0.92
Generator #2	0.32	0.32	0.01	11.60	2.50	0.92

C. Visible Emissions

Visible emissions from Generators #1 and #2 shall each not exceed 20% opacity on a six-minute block average basis except for periods of startup, during which time Charter may elect to comply with the following work practice standards in lieu of the numerical emission standard [06-096 C.M.R. ch. 115, BACT]:

- 1. Charter shall maintain a log (written or electronic) of the date, time, and duration of all generator startups.
- 2. The generators shall be operated in accordance with the manufacturer's emission-related operating instructions.
- 3. Charter shall minimize each unit's time spent at idle during startup and minimize each unit's startup time to a period needed for appropriate and safe loading of the unit, not to exceed 30 minutes, after which time the non-startup emission limitations shall apply.
- 4. The generators, including any associated air pollution control equipment, shall be operated at all times in a manner consistent with safety and good air pollution control practices for minimizing emissions. Determination of whether such operation and maintenance procedures are being used will be based on information available to the Department that 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 unit.

D. Generators #1 and #2 shall meet the applicable requirements of 40 C.F.R. Part 60, Subpart III, including the following [incorporated under 06-096 C.M.R. ch. 115, BACT]:

1. Manufacturer Certification

Generators #1 and #2 shall be certified by the manufacturer as meeting the emission standards for new nonroad compression ignition engines found in 40 C.F.R. § 60.4202. [40 C.F.R. § 60.4205(b)]

2. Ultra-Low Sulfur Fuel

The fuel fired in Generators #1 and #2 shall not exceed 15 ppm sulfur (0.0015% sulfur). Compliance with the fuel sulfur content limit shall be demonstrated by fuel delivery receipts from the supplier, fuel supplier certification, certificate of analysis, or testing of the tank containing the fuel to be fired. [40 C.F.R. § 60.4207(b) and 06-096 C.M.R. ch. 115, BPT]

3. Non-Resettable Hour Meter

A non-resettable hour meter shall be installed and operated on each engine. [40 C.F.R. § 60.4209(a)]

4. Annual Time Limit for Maintenance and Testing

a. As emergency engines, Generators #1 and #2 shall each 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). These 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. § 60.4211(f) and 06-096 C.M.R. ch. 115, BPT]

b. Charter shall keep records that include maintenance conducted on each engine and the hours of operation of each engine recorded through the non-resettable hour meter. Documentation shall include the number of hours each unit operated for emergency purposes, the number of hours each unit operated for non-emergency purposes, and the reason each engine was in operation during each time. [40 C.F.R. § 60.4214(b)]

5. Operation and Maintenance

Generators #1 and #2 shall be operated and maintained according to the manufacturer's emission-related written instructions. Charter may only change those emission-related settings that are permitted by the manufacturer. [40 C.F.R. § 60.4211(a)]

(17) **Fugitive Emissions**

Visible emissions from a fugitive emission source (including stockpiles and roadways) shall not exceed 20% opacity on a five-minute block average basis. [06-096 C.M.R. ch. 115, BACT]

- (18) Charter 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 7th DAY OF June, 2019.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

BY: 
GERALD D. REID, 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: February 11, 2019
Date of application acceptance: March 4, 2019

Date filed with the Board of Environmental Protection:

This Order prepared by Jonathan E. Rice, Bureau of Air Quality.

