



STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION



PAUL R. LEPAGE
GOVERNOR

PATRICIA W. AHO
COMMISSIONER

**Expera Old Town, LLC
Penobscot County
Old Town, Maine
A-180-70-G-A**

**Departmental
Findings of Fact and Order
Part 70 Air Emission License
Amendment #4**

FINDINGS OF FACT

After review of the Part 70 License amendment application, staff investigation reports and other documents in the applicant's file in the Bureau of Air Quality, pursuant to 38 Maine Revised Statutes Annotated (M.R.S.A.), §344 and §590, the Maine Department of Environmental Protection (Department) finds the following facts:

I. REGISTRATION

A. Introduction

FACILITY	Expera Old Town, LLC (Expera)
LICENSE TYPE	Part 70 Administrative Revision
NAICS CODES	322110 Wood Pulp Manufacturing 221119 Electric Power Generation
NATURE OF BUSINESS	Pulp Manufacturing
FACILITY LOCATION	24 Portland Street, Old Town, Maine

Expera is a pulp manufacturing facility in Old Town, Maine, capable of additional on-site energy and steam production. Expera is an existing stationary source currently operating under a Part 70 license (A-180-70-A-I, issued December 2, 2009) and subsequent amendments. Expera is considered a Part 70 major source as defined in *Definitions Regulations*, 06-096 Code of Maine Rules (CMR) 100 (as amended).

Expera recently acquired the facility and has submitted a request to clarify the deadlines for performing biennial stack tests and for submittal of the Biomass Boiler startup and shutdown carbon monoxide (CO) minimization amendment application. The facility was temporarily shut down by the previous owners in August 2014 and Expera is currently in the process of inspecting and restarting equipment.

B. Emission Equipment

The stack testing deadline clarification addressed by this Part 70 License is for the following pieces of equipment: #5 Power Boiler, Biomass Boiler, Recovery Boiler, Smelt Dissolving Tank, and Lime Kiln. The deadline clarification for the startup and shutdown CO amendment application is for the Biomass Boiler.

C. Application Classification

A Part 70 Administrative Revision is for license changes that correct typographical errors; change the name, address, or phone number of any person or facility identified in the Part 70 license or a similar administrative change at the Part 70 source; or result in more frequent monitoring, reporting, recordkeeping or testing requirements. As defined in 06-096 Code of Maine Rules (CMR) 100, a Part 70 Administrative Revision may also be used to incorporate the terms and conditions of a major New Source Review air license issued pursuant to 06-096 CMR 115 into a Part 70 license.

The requested revision was submitted solely for the purpose of clarifying the stack testing and Biomass Boiler CO report deadlines for the facility, which has been temporarily shut down and recently transferred to a new owner; therefore, the request meets the definition of a Part 70 Administrative Revision and has been processed under *Part 70 Air Emission License Regulations*, 06-096 CMR 140 (as amended).

II. PART 70 ADMINISTRATIVE REVISION REQUESTS

A. Biennial Stack Testing

Expera has requested to clarify the requirement in the Part 70 license A-180-70-A-I to stack test for certain pollutants every other calendar year. The previous owner, Red Shield Acquisition, LLC, last conducted the required stack tests in 2012. The facility was temporarily shut down on August 15, 2014 and no biennial stack tests were conducted prior to the shutdown. Expera is in the process of restarting the facility, but will not have sufficient time to achieve normal operations and schedule stack testing prior to the end of 2014.

Expera has proposed that the revision to the relevant license stack testing conditions include the requirement to stack test within 180 days of restarting the affected units and every other calendar year thereafter. Expera has stated this proposed schedule could be considered more stringent than that currently required, since as a new licensee, Expera would need to stack test every other year from the date of obtaining ownership of the facility. This could be interpreted that the first stack test for Expera would not be due until 2016.

The Department approves clarifying the stack testing requirement schedule for the stack testing to occur by June 30, 2015 (approximately 180 days from restarting some of the affected units) and every other calendar year thereafter, based on the temporary shutdown of the facility since August 2014, the new ownership transfer occurring so close to the end of the year, and the time needed to restart the facility and bring the equipment up to normal operations. The affected units include the #5 Power Boiler, Biomass Boiler, Recovery Boiler, Smelt Dissolving Tank, and Lime Kiln. In addition, Expera shall submit monthly status reports to the Department for the affected units until the stack testing has been completed. The monthly reports should be submitted within 30 days of the end of each month, beginning with the December 2014 report. The status reports shall include a summary of the restarting status of the facility's affected emission units, the operational performance of those units as it relates to emissions performance, a summary of the maintenance and repair work performed on the units and/or the associated emission control systems, and any complaints received from the general public.

The Part 70 License conditions in which the 'every other calendar year' language shall be replaced with 'by June 30, 2015 and every other calendar year thereafter (2017, 2019, etc.)' includes the following, with the exception of the #5 Power Boiler PM and the Lime Kiln NO_x as noted:

Condition	Unit	Pollutants
14(E)*	#5 Power Boiler	PM (lb/MMBtu and lb/hr)
15(K)(1)	Biomass Boiler	PM (lb/MMBtu and lb/hr)
22(C)	Recovery Boiler	PM (gr/DSCF)
23(A)	#4 Smelt Dissolving Tank	PM (lb/ton black liquor solids and lb/hr)
		TRS (lb/ton black liquor solids and lb/hr)
25(B)	Lime Kiln	PM (gr/DSCF and lb/hr)
		NO _x (ppm) [note: this will remain as every 5 years]

* Note that condition 14(J) still applies, which took into account the revised PM stack testing statute and reduced boiler operating times, and states the facility 'shall demonstrate compliance with the lb/MMBtu and lb/hr particulate matter limit by stack testing if the #5 Power Boiler is operated 1000 hours or greater over a five calendar year period. The particulate matter stack test shall be performed within 60 days of the end of the five year period in accordance with 40 CFR Part 60, Appendix A, Method 5. [06-096 CMR 140, BPT and licenses A-180-71-AT-M, 2007 and A-180-71-AY-M, 2009]'. Condition 14(E) shall be clarified to reference condition 14(J) and the five year timeframe after the June 30, 2015 stack test.

Additional sources at the facility on a stack test schedule include the bleach plant operations. The facility is required to test for chlorine dioxide (ClO₂) and chlorine (Cl₂) once every five calendar years. The last test was performed in October 2013. The bleach plant operations testing schedule is not being revised.

B. Biomass Boiler CO Startup and Shutdown Minimization Submittal

Expera has requested to clarify the date in condition 15(M) of Part 70 license amendment A-180-70-D-A (issued October 12, 2012) by which the facility is to submit a Biomass Boiler startup and shutdown CO emissions minimization amendment application which clearly defines startup and shutdown periods. The current submittal date requirement is by January 1, 2015 and an amendment was not submitted prior to the transfer of the facility to Expera. In order to gain sufficient operating experience with the Biomass Boiler to determine appropriate startup and shutdown periods, Expera has requested a revised amendment submittal date of July 1, 2015.

The Department approves revising the submittal date for the Biomass Boiler startup and shutdown CO emissions minimization amendment to June 30, 2015 due to the new ownership transfer occurring so close to the end of the year and the time needed for the facility to gain sufficient Biomass Boiler operating experience to be able to propose appropriately defined startup and shutdown periods and parameters.

C. Facility Annual Emissions

The facility's annual emissions are not being revised with this amendment and shall remain as currently licensed.

ORDER

Based on the above Findings and subject to conditions listed below, the Department concludes that emissions from this source:

- will receive Best Practical Treatment;
- will not violate applicable emissions standards; and
- will not violate applicable ambient air quality standards in conjunction with emissions from other sources.

The Department hereby grants the Part 70 License A180-70-G-A pursuant to 06-096 CMR 140 and the preconstruction permitting requirements of 06-096 CMR 115 and subject to the conditions found in Air Emission License A-180-70-A-I, in amendments A-180-70-B-A, A-180-70-C-A, and A-180-70-D-A, and in the following conditions.

Federally enforceable conditions in this Part 70 license must be changed pursuant to the applicable requirements in 06-096 CMR 115 for making such changes and pursuant to the applicable requirements in 06-096 CMR 140.

For each specific condition which is state enforceable only, state-only enforceability is designated with the following statement: **Enforceable by State-only.**

Severability. The invalidity or unenforceability of any provision, or part thereof, of this License 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.

SPECIFIC CONDITIONS

The following shall replace the portion of Condition 14(E) addressing PM in air emission license A-180-70-A-I (December 2, 2009):

(14) #5 Power Boiler

E. Emissions from #5 Power Boiler shall not exceed the following limits:

Pollutant	lb/MMBtu	Ave Time	Compliance Method
PM	0.08	-	Stack Test (by June 30, 2015 and per Condition 14(J) thereafter)

Pollutant	lb/hr	Ave Time	Compliance Method
PM	19.92	-	Stack Test (by June 30, 2015 and per Condition 14(J) thereafter)

The following shall replace Condition 15(K)(1) in air emission license A-180-70-A-I (December 2, 2009):

(15) Biomass Boiler and Turbine

K. Emission Limit Compliance Demonstration

1. Expera shall conduct PM emission testing to demonstrate compliance by June 30, 2015 and every other calendar year thereafter (2017, 2019, etc.) for the Biomass Boiler.

The following shall replace Condition 15(M) in air emission license A-180-70-D-A (October 12, 2012):

(15) Biomass Boiler and Turbine

M. CO Startup/Shutdown Definition Submittal

By June 30, 2015 Expera shall submit a Biomass Boiler startup and shutdown CO emissions minimization amendment application which clearly defines startup and shutdown periods. If found acceptable, the submittal shall be approved by the Department in the form of an issued air license amendment. The amendment application shall be developed using appropriate internal and external expertise; and shall include information such as specific startup and shutdown timeframe ranges (including warm and cold startups), operating parameter measurements (ie. boiler temperature, definition of first fire, oxygen levels), and any additional information as necessary. [06-096 CMR 115, BACT]

The following shall replace the portion of Condition 22(C) addressing PM in air emission license A-180-70-A-I (December 2, 2009):

(22) #4 Recovery Boiler

C. Emissions from the #4 Recovery Boiler shall not exceed the following limits, based on firing 2.57 MMlb/black liquor solids per day as fired, when firing black liquor:

Pollutant	gr/DSCF	ppm	Ave Time	Compliance Method	Origin and Authority
PM	0.028 corrected to 8% O ₂	-	-	Stack Test (by June 30, 2015 and every other calendar year thereafter: 2017, 2019, etc.)	40 CFR Part 63, Subpart MM alternative

The following shall replace the portions of Condition 23(A) addressing PM and TRS in air emission license A-180-70-A-I (December 2, 2009):

(23) #4 Smelt Dissolving Tank

A. Emissions from the #4 Smelt Dissolving Tank shall be limited to the following:

Pollutant	lb/ton black liquor solids	lb/hr	Compliance Method	Origin and Authority
PM	0.12	-	Stack Test (by June 30, 2015 and every other calendar year thereafter: 2017, 2019, etc.)	40 CFR Part 63, Subpart MM alternative
	-	7.55*	Stack Test (by June 30, 2015 and every other calendar year thereafter: 2017, 2019, etc.)	06-096 CMR 140
TRS	0.0168	1.06*	Stack Test (by June 30, 2015 and every other calendar year thereafter: 2017, 2019, etc.)	06-096 CMR 124

* Enforceable by State-only

The following shall replace the portions of Condition 25(B) addressing PM and NO_x in air emission license A-180-70-A-I (December 2, 2009):

(25) Lime Kiln

B. Emissions from the Lime Kiln shall not exceed the following limits:

Pollutant	gr/DSCF	ppm	Ave Time	Compliance Method	Origin and Authority
PM	0.13 corrected to 10% O ₂	-	-	Stack Test: utilizing the fuel being fired at the time of the test (by June 30, 2015 and every other calendar year thereafter: 2017, 2019, etc.)	40 CFR Part 63, Subpart MM alternative, A-180-71-BB-A (Sept. 21, 2009)
NO _x	-	170 dry basis, corrected to 10% O ₂	1 Hr Average	Stack Test: utilizing the fuel being fired at the time of the test (by June 30, 2015 and once every five years thereafter: 2020, 2025, etc.)	06-096 CMR 138, NO _x RACT, A-180-71-BB-A (Sept. 21, 2009)

Pollutant	lb/hr	Compliance Method
PM	32.9	Stack Test: utilizing the fuel being fired at the time of the test (by June 30, 2015 and every other calendar year thereafter: 2017, 2019, etc.)

The following is a new condition:

(52) Facility Startup Monthly Reports

1. Expera shall submit monthly status reports to the Department on the following units: #5 Power Boiler, Biomass Boiler, Recovery Boiler, Smelt Dissolving Tank, and Lime Kiln. The reports shall be submitted from December 2014 until the stack testing required by June 30, 2015 is completed. The monthly reports shall be submitted within 30 days of the end of each month.
2. The status reports shall include a summary of the restarting status of the facility's affected emission units listed above, the operational performance of those units as it relates to emissions performance, a summary of the maintenance and repair work performed on the units and/or the associated emission control systems, and any complaints received from the general public.

[06-096 CMR 115, BACT] **Enforceable by State-only**

DONE AND DATED IN AUGUSTA, MAINE THIS 29 DAY OF December, 2014.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

BY: *Marie Allen Robert Corne for*
PATRICIA W. AHO, COMMISSIONER

The term of this amendment shall be concurrent with the term of Air Emission License A-180-70-A-I.

PLEASE NOTE ATTACHED SHEET FOR GUIDANCE ON APPEAL PROCEDURES

Date of initial receipt of application: December 8, 2014

Date of application acceptance: December 8, 2014

Date filed with the Board of Environmental Protection:

This Order prepared by Kathleen E. Tarbuck, Bureau of Air Quality.

