



DEPARTMENT ORDER

**Irving Forest Products, Inc.  
Aroostook County  
Nashville Plantation, Maine  
A-314-77-4-M**

**Departmental  
Findings of Fact and Order  
New Source Review  
NSR #4**

**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 (the Department) finds the following facts:

**I. REGISTRATION**

**A. Introduction**

FACILITY	Irving Forest Products, Inc. (Irving) – Ashland Sawmill
LICENSE TYPE	06-096 C.M.R. ch. 115, Minor Revision
NAICS CODES	321912 (cutstock, resawing, planing), 321113 (sawmill), 321999 (misc. wood product mfg.)
NATURE OF BUSINESS	Wood Products
FACILITY LOCATION	1218 Portage Road, Nashville Plantation, ME 04732

**B. NSR License Description**

Irving Forest Products, Inc. (Irving) has requested a New Source Review (NSR) license to extend its 18-month construction timeframe for Boiler #6 from May 6, 2018, to November 6, 2019.

**C. Emission Equipment**

The following equipment is addressed in this NSR license:

**Fuel Burning Equipment**

<u>Equipment</u>	<u>Maximum Capacity (MMBtu/hr)</u>	<u>Maximum Firing Rate (ton/hr)</u>	<u>Fuel Type, % sulfur</u>	<u>Stack #</u>
Boiler #6	23	2.6*	Biomass, negl.	6

\*At 4,500 Btu/lb and 50% moisture

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 proposed revision will not change the facility's emission limits. Therefore, the NSR license is determined to be a minor revision under *Minor and Major Source Air Emission License Regulations* 06-096 Code of Maine Rules (C.M.R.) ch. 115. The procedures found in 06-096 C.M.R. ch. 115 can be utilized to process this application since the proposed revision not prohibited by the Part 70 air emission license. An application to incorporate the requirements of this NSR license into the Part 70 air emission license shall be submitted no later than 12 months from commencement of the requested operation.

II. BEST PRACTICAL TREATMENT (BPT)

A. Construction Timeframe Extension

1. Background

NSR License A-314-77-3-A, issued November 6, 2016, approved the construction of Boiler #6. Standard Statement (1) of Air Emission License A-314-70-E-R, issued January 11, 2011, establishes an original construction timeframe of 18 months after approval to construct, as follows:

*(1) 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. 140]*

Irving's original 18-month timeframe for construction of Boiler #6 began on November 6, 2016 with the issuance of NSR License A-314-77-3-A, and will end on May 6, 2018. Pursuant to the above statement, Irving has demonstrated reasonable justification for a delay and the Department has elected to extend the allowable construction period by an additional 18 months. As of this issuance of this NSR license, Irving shall have until November 6, 2019, to commence construction on Boiler #6.

2. Best Available Control Technology (BACT)

A complete BACT analysis for Boiler #6 at Irving was completed in New Source Review License A-314-77-3-A, issued November 6, 2016. No new information or technology has become available since the issuance of that license; therefore, BACT will remain as stated.

B. Incorporation Into the Part 70 Air Emission License

The requirements in this 06-096 C.M.R. ch. 115 New Source Review license shall apply to the facility upon issuance. Per *Part 70 Air Emission License Regulations*, 06-096 C.M.R. ch. 140 § 1(C)(8), for a modification at the facility that has undergone NSR requirements or been processed through 06-096 C.M.R. ch. 115, the source must apply for an amendment to their Part 70 license within one year of commencing the proposed operations, as provided in 40 C.F.R. Part 70.5. Because this NSR license is extending the timeframe to commence construction of Boiler #6, it shall be incorporated into the facility's Part 70 license concurrently with NSR License A-314-77-3-A (issued November 6, 2016), which originally permitted the construction of Boiler #6.

C. Annual Emissions

This New Source Review license will not result in a change in annual emission limits for any pollutants.

**ORDER**

The Department hereby grants New Source Review Minor Revision A-314-77-4-M pursuant to the preconstruction licensing requirements of 06-096 C.M.R. ch. 115 and subject to the specific conditions below.

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. his License shall be construed and enforced in all respects as if such invalid or unenforceable provision or part thereof had been omitted.

**SPECIFIC CONDITIONS**

- (1) The Department grants an additional 18-month construction timeframe extension to Irving to commence construction on Boiler #6 by November 6, 2019. If Irving does not commence construction prior to that date, approval to construct Boiler #6 shall become invalid, and Irving shall be required to apply for a NSR license amendment to re-address BACT for the unit. [06-096 C.M.R. ch. 140 § 3.E.(7)(a)(i)]
- (2) Irving shall submit an application to incorporate this NSR license into the facility's Part 70 air emission license no later than 12 months from the commencement of the requested operation, concurrently with the incorporation of NSR License A-314-77-3-A (issued November 6, 2016. [06-096 C.M.R. ch. 140 § 1(C)(8)]

DONE AND DATED IN AUGUSTA, MAINE THIS 5 DAY OF December, 2017.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

BY: Marc Allen Robert Cove for  
PAUL MERCER, COMMISSIONER

PLEASE NOTE ATTACHED SHEET FOR GUIDANCE ON APPEAL PROCEDURES

Date of initial receipt of application: 10/5/2017

Date of application acceptance: 10/11/2017

Date filed with the Board of Environmental Protection:

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

