



DEPARTMENT ORDER

**Mid-Maine Waste Action Corporation
Androscoggin County
Auburn, Maine
A-378-70-E-A**

**Departmental
Findings of Fact and Order
Part 70 Air Emission License
Amendment #3**

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 (M.R.S.) § 344 and § 590, the Maine Department of Environmental Protection (Department) finds the following facts:

I. REGISTRATION

A. Introduction

FACILITY	Mid-Maine Waste Action Corporation (MMWAC)
LICENSE TYPE	Part 70 Administrative Revision
NAICS CODES	562212, 562920
NATURE OF BUSINESS	Refuse Systems: Municipal Waste Combustion and Materials Recovery
FACILITY LOCATION	110 Goldthwaite Road, Auburn, Maine

The Mid-Maine Waste Action Corporation (MMWAC) was created by twelve area municipalities in 1986 to process and dispose of residential and commercial waste. The waste-to-energy process converts solid waste into an ash residue, which minimizes landfill reliance in the State and produces electricity from the fuel value of the trash. MMWAC produces electricity from the waste that is incinerated and sells excess to the local power grid.

MMWAC has the potential to emit more than 100 tons per year (TPY) of nitrogen oxides (NO_x); therefore, the source is a major source for this criteria pollutant. MMWAC has the potential to emit more than 10 TPY of a single hazardous air pollutant (HAP) and more than 25 TPY of combined HAP; therefore, the source is a major source for HAP.

B. Revision Description

MMWAC has requested a Part 70 Administrative Revision to clarify the monitoring requirements for sulfur dioxide (SO₂) from each municipal solid waste (MSW) combustor.

MSW Combustor Unit #1 and Unit #2 are each subject to an SO₂ emission limit of 30 parts per million on a volume basis (ppmv) at 7% oxygen (O₂) or 80% reduction by weight or volume at 7% O₂, whichever is less stringent, based on a 1-hour, 24-hour daily geometric mean. These limits were established as Best Available Control Technology (BACT) in air emission license A-378-72-B-A (issued July 27, 1990).

MSW Combustor Unit #1 and Unit #2 are each subject to *Emission Guidelines and Compliance Times for Small Municipal Waste Combustion Units Constructed on or Before August 30, 1999*, 40 C.F.R. Part 60, Subpart BBBB. This regulation contains similar SO₂ emission standards which have been determined to be less stringent than the BACT emission limits.

Compliance with the SO₂ emission limits is demonstrated through the use of SO₂ Continuous Emissions Monitoring Systems (CEMS) downstream of each unit's fabric filter. In order to demonstrate compliance with the 80% reduction in SO₂ emissions, MMWAC also operates an SO₂ CEMS at the inlet of each control device (a spray dryer absorber followed by a fabric filter).

MMWAC is concerned that Condition (16)(A) of the current Part 70 air emission license (A-378-70-B-R/A) could be interpreted to require both an inlet and outlet SO₂ CEMS be operated at all times on each unit. MMWAC has requested clarification that the SO₂ CEMS located at the inlet to the control device must only be operated and maintained if MMWAC elects to demonstrate compliance with the option requiring 80% reduction. If MMWAC elects to demonstrate compliance by meeting the 30 ppmv emission limit, the inlet SO₂ CEMS is not required to be operated or maintained as prescribed by the facility's air emission license or *Source Surveillance – Emissions Monitoring*, 06-096 C.M.R. ch. 117.

The Department agrees with MMWAC's assessment that the inlet SO₂ CEMS is not required to be operated or maintained if MMWAC chooses to demonstrate compliance by meeting the 30 ppmv emission limit. This is also consistent with the monitoring requirements contained in 40 C.F.R. Part 60, Subpart BBBB, § 60.1720. However, if MMWAC discontinues use of either inlet SO₂ CEMS, the facility loses the option of demonstrating compliance through monitoring the percent reduction until such time as the SO₂ CEMS is restarted and recertified.

C. 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.

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 stated in *Part 70 Air Emission License Regulations*, 06-096 C.M.R. ch. 140, § 7(A)(5), a Part 70 Administrative Revision may also be used for any other type of change which the Department determines to be similar.

The requested revision to clarify monitoring requirements meets the definition of a Part 70 Administrative Revision and has been processed under *Part 70 Air Emission License Regulations*, 06-096 C.M.R. ch. 140.

D. Facility Annual Emissions

This administrative revision will not change licensed emissions of any regulated pollutant.

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 Amendment A-378-70-E-A pursuant to 06-096 C.M.R. 140 and the preconstruction permitting requirements of *Major and Minor Source Air Emission License Regulations*, 06-096 C.M.R. ch. 115 and subject to the conditions found in Air Emission License A-378-70-B-R/A, in amendments A-378-70-C-A and A-378-70-D-A, and the following conditions.

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

SPECIFIC CONDITIONS

The following Specific Condition shall replace Specific Condition (16)(A) of air emission license A-378-70-B-R/A:

(16) Compliance Demonstration Methods

- A. MMWAC shall maintain an SO₂ CEMS certified and installed downstream of the fabric filter and in accordance with 06-096 C.M.R. ch. 117 and the Specific Conditions of this license. If MMWAC elects to demonstrate compliance through monitoring the percent reduction of SO₂, MMWAC shall measure both inlet and outlet SO₂ concentrations of the control device with a certified CEMS.
[06-096 C.M.R. ch. 117 and 06-096 C.M.R. ch. 121]

DONE AND DATED IN AUGUSTA, MAINE THIS 13 DAY OF September, 2018.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

BY: Max Allen Robert Cone for
PAUL MERCER, COMMISSIONER

The term of this amendment shall be concurrent with the term of Air Emission License A-378-70-B-R/A.

PLEASE NOTE ATTACHED SHEET FOR GUIDANCE ON APPEAL PROCEDURES

Date of initial receipt of application: 9/10/18

Date of application acceptance: 9/12/18

Date filed with the Board of Environmental Protection:

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

