



DEPARTMENT ORDER

**Portsmouth Naval Shipyard
York County
Kittery, Maine
A-452-70-N-A**

**Departmental
Findings of Fact and Order
Part 70 Air Emission License
Amendment #8**

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	Portsmouth Naval Shipyard
LICENSE TYPE	Part 70 Administrative Revision
NAICS CODES	336611 (Ship Building and Repairing)
NATURE OF BUSINESS	National Security (Submarine repair for the U.S. Navy)
FACILITY LOCATION	Seavey Island, Kittery, Maine

Portsmouth Naval Shipyard (PNS) is a repair, retrofit, and general maintenance facility for the U.S. Navy's submarines.

PNS is an existing stationary source currently operating under Part 70 License A-452-70-D-R/A issued July 23, 2015.

B. Emission Equipment

The amendment shall affect all emergency engines located at PNS. The amendment modifies language in the license to require enhanced monitoring of the operation of these emergency engines to address past and recent automatic transfer switch malfunctions that have caused some of these engines to experience deviations with respect to the amount of time the engines may be operated for non-emergency purposes and still be classified as emergency engines.

C. Definitions

Subpart IIII - Standards of Performance for Stationary Compression Ignition Internal Combustion Engines, 40 C.F.R. Part 60, Subpart IIII.

Subpart ZZZZ - National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines, 40 C.F.R. Part 63, Subpart ZZZZ.

D. 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.

The requested revision to enhance monitoring and record keeping requirements for emergency engines meets the definition of a Part 70 Administrative Revision and has been processed as such under *Part 70 Air Emission License Regulations*, 06-096 C.M.R. ch. 140.

II. REVISION DESCRIPTION

Enhanced Monitoring and Record Keeping for Operating Hours of Emergency Engines

Per an agreement with the Department and the EPA, PNS shall implement additional measures to ensure their emergency engines do not operate more than allowed for by Subpart IIII or Subpart ZZZZ in non-emergency service. These enhanced monitoring and record keeping provisions do not apply to engines subject to Subpart ZZZZ with a site rating less than or equal to 300 hp. These engines shall comply with the provisions in Table 2d of Subpart ZZZZ.

The enhanced monitoring shall include weekly inspections of all emergency engines. Inspections shall include recording the number of hours each emergency engine operated for emergency purposes, the number of hours each engine operated for non-emergency purposes, and the reason each engine was in operation during each time.

In addition to weekly inspections, emergency engines shall be inspected as soon as practicable, but not greater than 8 hours directly following each power outage for which the engine could operate. These inspections are being required to help minimize the amount of time an emergency engine may unintentionally operate following the end of a power outage and shall include the recording of the date/time the power was restored, the date/time of inspection, and whether the generator was running or not.

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-452-70-N-A pursuant to 06-096 C.M.R. ch. 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-452-70-D-R/A, in amendments A-452-70-E-A, A-452-70-F-A, A-452-70-G-A, A-452-70-H-A, A-452-70-I-A, A-452-70-J-A, and A-452-70-K-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 Administrative Revision or part thereof shall not affect the remainder of the provision or any other provisions. This License Administrative Revision 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 are new Conditions to Air Emission License A-452-70-D-R/A (July 23, 2015):

(44) **Emergency Engines Enhanced Monitoring and Recordkeeping**

The following shall apply to all Emergency Engines located at the PNS facility:

- A. Inspections of all emergency engines shall be conducted on a weekly basis.
- B. Inspections shall entail the same recordkeeping requirements as required by Subpart IIII and/or Subpart ZZZZ: PNS shall record the number of hours each engine

operated for emergency purposes, the number of hours the engine operated for non-emergency purposes, and the reason each engine was in operation during each time.

Note: These enhanced monitoring and record keeping provisions do not apply to engines subject to Subpart ZZZZ with a site rating less than or equal to 300 hp. These engines shall comply with the provisions in Table 2d of Subpart ZZZZ.

- C. In addition to weekly inspections, emergency engines shall be inspected as soon as practicable, but not greater than 8 hours directly following each power outage for which the engine could operate. These inspections are being required to help minimize the amount of time an emergency engine may unintentionally operate following the end of a power outage and shall include recording of the date/time the power was restored, the date/time of inspection, and whether the generator was running or not..

DONE AND DATED IN AUGUSTA, MAINE THIS 7th DAY OF March, 2022.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

BY:  for
MELANIE LOYZIM, COMMISSIONER

The term of this amendment shall be concurrent with the term of Air Emission License A-452-70-D-R/A.

PLEASE NOTE ATTACHED SHEET FOR GUIDANCE ON APPEAL PROCEDURES

Date of initial receipt of application: December 1, 2021

Date of application acceptance: December 7, 2021

Date filed with the Board of Environmental Protection:

This Order prepared by Lisa P. Higgins, Bureau of Air Quality.

