



DEPARTMENT ORDER

**Portsmouth Naval Shipyard
 York County
 Kittery, Maine
 A-452-77-11-A**

**Departmental
 Findings of Fact and Order
 New Source Review
 NSR #11**

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 | Portsmouth Naval Shipyard (PNS) |
| LICENSE TYPE | 06-096 C.M.R. ch. 115, Minor Modification |
| NAICS CODES | 336611 (Ship Building and Repairing) |
| NATURE OF BUSINESS | National Security (Submarine repair for U.S. Navy) |
| FACILITY LOCATION | Kittery, Maine |

B. NSR License Description

Portsmouth Naval Shipyard (PNS, the Shipyard) has requested a New Source Review (NSR) license for the installation of one new 125 kW emergency generator and one new 1,000 kW emergency generator.

C. Emission Equipment

The following equipment is addressed in this NSR license:

Emergency Generators

| Equipment | Max. Heat Input Capacity (MMBtu/hr) | Max. Firing Rate (gal/hr) | Output (kW) | Fuel Type, % sulfur | Mfr. Date | Install. Date |
|-------------------------|--|----------------------------------|--------------------|----------------------------|------------------|----------------------|
| Emergency Generator G35 | 1.2 | 10.0 | 125 | Distillate fuel, 0.0015% | 2018 | 2019 |
| Emergency Generator G36 | 9.9 | 72.2 | 1,000 | | 2013 | 2019 |

D. 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.

E. 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 application for the addition of Emergency Generators G35 and G36 does not violate any applicable federal or state requirements and does not reduce monitoring, reporting, testing, or recordkeeping requirements.

The modification of a major source is considered a major or minor modification based on whether or not expected emissions increases exceed the “Significant Emission Increase” levels as given in *Definitions Regulation*, 06-096 Code of Maine Rules (C.M.R.) ch. 100. For a major stationary source, the expected emissions increase from each new, modified, or affected unit may be calculated as equal to the difference between the post-modification projected actual emissions and the baseline actual emissions for each NSR regulated pollutant.

1. Baseline Actual Emissions

Baseline actual emissions (BAE) for existing affected emission units are equal to the average annual emissions from any consecutive 24-month period within the ten years prior to submittal of a complete license application. The selected 24-month baseline period can differ on a pollutant-by-pollutant basis. However, there are no existing emission units which are considered “affected” by this project.

The only equipment addressed by this license are new emission units. Baseline actual emissions for new equipment are considered to be zero for all pollutants; therefore, the selection of a baseline year is unnecessary.

2. Projected Actual Emissions

New emission units must use potential to emit (PTE) emissions for projected actual emissions (PAE). Those emissions are presented in the following table.

Projected Actual Emissions

| Equipment | PM (tpy) | PM₁₀ (tpy) | PM_{2.5} (tpy) | SO₂ (tpy) | NO_x (tpy) | CO (tpy) | VOC (tpy) |
|-------------------------|---------------------|----------------------------------|-----------------------------------|---------------------------------|---------------------------------|---------------------|----------------------|
| Emergency Generator G35 | 0.008 | 0.009 | 0.009 | 0.01 | 0.30 | 0.07 | 0.02 |
| Emergency Generator G36 | 0.06 | 0.065 | 0.065 | 0.01 | 1.58 | 0.42 | 0.04 |
| Total | 0.068 | 0.074 | 0.074 | 0.02 | 1.88 | 0.49 | 0.06 |

Note: PM₁₀ and PM_{2.5} emissions are higher than PM emissions due to condensable particulate being included in the definitions of PM₁₀ and PM_{2.5} but not in the definition of PM.

3. Emissions Increases

Emissions increases are calculated by subtracting BAE from the PAE. The emission increase is then compared to the significant emissions increase levels.

| Pollutant | Baseline Actual Emissions (ton/year) | Projected Actual Emissions (ton/year) | Emissions Increase (ton/year) | Significant Emissions Increase Levels (ton/year) |
|-------------------|---|--|--|---|
| PM | 0 | 0.068 | +0.068 | 25 |
| PM ₁₀ | 0 | 0.074 | +0.074 | 15 |
| PM _{2.5} | 0 | 0.074 | +0.074 | 10 |
| SO ₂ | 0 | 0.02 | +0.02 | 40 |
| NO _x | 0 | 1.88 | +1.88 | 40 |
| CO | 0 | 0.49 | +0.49 | 100 |
| VOC | 0 | 0.06 | +0.06 | 40 |

4. Classification

Since emissions increases do not exceed significant emissions increase levels, this NSR license is determined to be a minor modification under *Minor and Major Source Air Emission License Regulations*, 06-096 C.M.R. ch. 115. 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 operations associated with

the addition of Emergency Generators G35 and G36. PNS submitted an application to incorporate the requirements of this NSR license into the facility's Part 70 air emission license on May 1, 2019.

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 as well as for those sources located in designated non-attainment areas.

BPT for new sources and modifications requires a demonstration that emissions are receiving Best Available Control Technology (BACT), as defined in 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. Emergency Generators G35 and G36

PNS has requested approval to install one new 125 kW (1.2 MMBtu/hr heat input) emergency generator, Emergency Generator G35, and one new 1,000 kW (9.9 MMBtu/hr heat input) emergency generator, Emergency Generator G36. Emergency Generator G35 is a genset with a Caterpillar Model C7.1 engine and a Caterpillar brand electrical generator. Emergency Generator G36 is a genset with a Cummins Model QST30-G5 engine. The units were manufactured in 2018 and 2013, respectively. Due to an equipment malfunction, Emergency Generator G36 replaced a 1,500 kW unit previously designated as a temporary emission unit under 06-096 C.M.R. ch. 115 and was brought on site in May 2019. Emergency Generator G35 will be installed at the facility later this year.

Emergency Generators G35 and G36 will meet the following state and federal regulations and requirements as described below.

1. BACT Findings

a. Particulate Matter (PM and PM₁₀)

PM emissions from distillate fuel-fired engines are generally controlled through proper operation and maintenance. Additionally, these engines will be subject to 40 C.F.R. Part 60, Subpart III, which means they will be required to meet EPA emission standards for emergency stationary engines as discussed below. Given the operating hours restrictions included in 40 C.F.R. Part 60, Subpart III, the use of add-on controls for PM is not economically feasible. BACT for PM and PM₁₀

emissions from Emergency Generators G35 and G36 shall be proper operation and maintenance of the units, installation of EPA certified emergency stationary engines as required in 40 C.F.R. § 60.4205(b), and emission limits of 0.14 lb/hr each for PM and PM₁₀ from Emergency Generator G35 and emission limits of 1.19 lb/hr each for PM and PM₁₀ and 0.12 lb/MMBtu for PM from Emergency Generator G36.

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 would not be economically feasible considering the minimal emissions due to the limited use of the engines. The most practical method for limiting SO₂ emissions from such engines is the use of ultra-low sulfur fuel, such as distillate fuel with a sulfur content no greater than 0.0015% by weight. BACT for SO₂ emissions from Emergency Generators G35 and G36 shall be the use of distillate fuel with a sulfur content no greater than 0.0015% by weight, installation of EPA certified emergency stationary engines as required in 40 C.F.R. § 60.4205(b), and emission limits of 0.01 lb/hr for Emergency Generator G35 and 0.02 lb/hr for Emergency Generator G36.

c. Nitrogen Oxides (NO_x)

Potentially available control options for reducing emissions of NO_x 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 uses 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 usage (emergency back-up engine), neither SCR nor NSCR would be economically feasible considering the minimal emissions due to the limited use of the engines.

BACT for NO_x emissions from Emergency Generators G35 and G36 shall be the use of good combustion controls, proper operation and maintenance of the units, installation of EPA certified emergency stationary engines as required in 40 C.F.R. § 60.4205(b), and emission limits of 5.29 lb/hr and 31.68 lb/hr, respectively.

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 of the units. Oxidation catalysts have been used on large generators to reduce CO and VOC emission levels in the exhaust, but, like SCR and NSCR, use of an oxidation catalyst on an emergency engine with limited yearly use would not provide a significant environmental benefit and would not be economically feasible. BACT for CO and VOC emissions from Emergency Generators G35 and G36 shall be proper operation and maintenance of the units, installation of EPA certified emergency stationary engines as required in 40 C.F.R. § 60.4205(b), and the following emission limits:

| Unit | CO (lb/hr) | VOC (lb/hr) |
|-------------------------|-----------------------|------------------------|
| Emergency Generator G35 | 1.14 | 0.42 |
| Emergency Generator G36 | 8.42 | 0.89 |

e. Visible Emissions

BACT for visible emissions from Emergency Generators G35 and G36 shall be the following:

Visible emissions from Emergency Generators G35 and G36 shall each not exceed 20% opacity on a six-minute block average basis, except during periods of startup, when the unit operator may elect to comply with the following work practice standards in lieu of this visible emission standard:

- (1) The unit operator shall maintain a log (written or electronic) of the date, time, and duration of all unit startups;
- (2) The units shall each be operated in accordance with the manufacturer's emission-related operating instructions;
- (3) The unit operator shall minimize each engine's time spent at idle and minimize each engine's startup time to a period needed for appropriate and safe loading of the engines, not to exceed 30 minutes, after which time the non-startup emission limitations apply; and
- (4) The units, 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.

f. Fuel Use Restriction

The fuel fired in Emergency Generators G35 and G36 shall be included in the facility's distillate fuel limit of 4,900,000 gallons/year, based on a 12-month rolling total.

2. Emission Limits

The BACT emission limits for Emergency Generator G35 are based on the following:

- PM/PM₁₀ - 0.12 lb/MMBtu from 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 from AP-42, Table 3.3-1, dated 10/96
- CO - 0.95 lb/MMBtu from AP-42, Table 3.3-1, dated 10/96
- VOC - 0.35 lb/MMBtu from AP-42, Table 3.3-1, dated 10/96
- Visible Emissions - 06-096 C.M.R. ch. 115, BACT

The BACT emission limits for Emergency Generator G36 are based on the following:

- PM/PM₁₀ - 0.12 lb/MMBtu from 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 - 3.2 lb/MMBtu from AP-42, Table 3.4-1, dated 10/96
- CO - 0.85 lb/MMBtu from AP-42, Table 3.4-1, dated 10/96
- VOC - 0.09 lb/MMBtu from AP-42, Table 3.4-1, dated 10/96
- Visible Emissions - 06-096 C.M.R. ch. 115, BACT

The BACT emission limits for Emergency Generators G35 and G36 are the following:

| Unit | Pollutant | lb/MMBtu |
|-------------------------|-----------|----------|
| Emergency Generator G36 | PM | 0.12 |

| Units | PM (lb/hr) | PM ₁₀ (lb/hr) | SO ₂ (lb/hr) | NO _x (lb/hr) | CO (lb/hr) | VOC (lb/hr) |
|-------------------------|------------|--------------------------|-------------------------|-------------------------|------------|-------------|
| Emergency Generator G35 | 0.14 | 0.14 | 0.01 | 5.29 | 1.14 | 0.42 |
| Emergency Generator G36 | 1.19 | 1.19 | 0.02 | 31.68 | 8.42 | 0.89 |

Visible emissions from Emergency Generators G35 and G36 shall each not exceed 20% opacity on a six-minute block average basis, except during periods of startup, when the unit operator may elect to comply with the following work practice standards in lieu of this visible emission standard:

- a. The unit operator shall maintain a log (written or electronic) of the date, time, and duration of all unit startups;
- b. The units shall each be operated in accordance with the manufacturer's emission-related operating instructions;
- c. The unit operator shall minimize each engine's time spent at idle and minimize each engine's startup time to a period needed for appropriate and safe loading of the engines, not to exceed 30 minutes, after which time the non-startup emission limitations apply; and
- d. The units, 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.

3. Periodic Monitoring

The fuel used in Emergency Generators G35 and G36 shall be included in the facility's distillate fuel limit of 4,900,000 gallons/year based on a 12-month rolling total. Compliance shall be demonstrated by records of total distillate fuel use kept on a monthly and 12-month rolling total basis.

4. 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 Emergency Generators G35 and G36 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. 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 III, 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 IIII Requirements

(1) Manufacturer Certification Requirement

The engines 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 the engines 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

The engines shall each be operated and maintained according to the manufacturer's emission-related written instructions or procedures developed by PNS that are approved by the engine manufacturer. PNS 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 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 Generators G35 and G36. [40 C.F.R. § 60.4214(b)]

(7) Recordkeeping

PNS shall keep records that include maintenance conducted on each engine and the hours of operation of each engine recorded through the non-resettable hour meters. 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. Incorporation Into the Part 70 Air Emission License

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. An application to incorporate the requirements of this NSR license into the Part 70 air emission license was submitted to the Department on May 1, 2019.

D. Annual Emissions

PNS is currently licensed to facility-wide limits of 2.26 billion cubic feet of natural gas per year and 4,900,000 gallons of distillate fuel per year, based on a 12-month rolling total. Neither these limits nor the licensed annual emissions based on them will change as a result of the installation of Emergency Generators G35 and G36.

III. AMBIENT AIR QUALITY ANALYSIS

PNS previously submitted an ambient air quality impact analysis outlined in air emission license A-452-70-A-I (dated March 1, 2000) demonstrating that emissions from the facility, in conjunction with all other sources, do not violate ambient air quality standards (AAQS). An additional ambient air quality impact analysis is not required for this NSR 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,
- will not violate applicable ambient air quality standards in conjunction with emissions from other sources.

The Department hereby grants New Source Review License A-452-77-11-A pursuant to the preconstruction licensing requirements of 06-096 C.M.R. ch. 115 and subject to the standard and 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. 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

(1) Emergency Generators G35 and G36

- A. Emergency Generators G35 and G36 shall each be limited to 100 hours of operation per calendar year, excluding operating hours during emergency situations. [06-096 C.M.R. ch. 115, BPT]
- B. Emissions shall not exceed the following:

| Unit | Pollutant | lb/MMBtu | Origin and Authority |
|-------------------------|------------------|-----------------|-----------------------------|
| Emergency Generator G36 | PM | 0.12 | 06-096 C.M.R. ch. 115, BACT |

- C. Emissions shall not exceed the following [06-096 C.M.R. ch. 115, BACT]:

| Units | PM (lb/hr) | PM₁₀ (lb/hr) | SO₂ (lb/hr) | NO_x (lb/hr) | CO (lb/hr) | VOC (lb/hr) |
|-------------------------|-------------------|--------------------------------|-------------------------------|-------------------------------|-------------------|--------------------|
| Emergency Generator G35 | 0.14 | 0.14 | 0.01 | 5.29 | 1.14 | 0.42 |
| Emergency Generator G36 | 1.19 | 1.19 | 0.02 | 31.68 | 8.42 | 0.89 |

- D. Visible emissions from Emergency Generators G35 and G36 shall each not exceed 20% opacity on a six-minute block average basis, except during periods of startup, during which time the facility may elect to comply with the following work practice standards:
1. The unit operator shall maintain a log (written or electronic) of the date, time, and duration of all unit startups;
 2. The units shall each be operated in accordance with the manufacturer's emission-related operating instructions;
 3. The unit operator shall minimize each engine's time spent at idle and minimize each engine's startup time to a period needed for appropriate and safe loading of the engines, not to exceed 30 minutes, after which time the non-startup emission limitations apply; and
 4. The units, 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 units.

[06-096 C.M.R. ch. 115, BACT]

- E. Emergency Generators G35 and G36 shall all meet the applicable requirements of 40 C.F.R. Part 60, Subpart IIII, including the following:

1. Manufacturer Certification

The engines 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 Distillate Fuel

The distillate fuel fired in the engines shall not exceed 15 ppm sulfur (0.0015% sulfur). Compliance with the fuel sulfur content limit shall be based on fuel records from the supplier documenting the type of fuel delivered and the sulfur content of the fuel. [40 C.F.R. § 60.4207(b) and 06-096 C.M.R. ch. 115, BACT]

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, 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). 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, BACT]
- b. PNS shall keep records that include maintenance conducted on each engine and the hours of operation of each engine recorded through the non-resettable hour meters. 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

The engines shall be operated and maintained according to the manufacturer's emission-related written instructions or procedures developed by PNS that are approved by the engine manufacturer. PNS may only change those emission-related settings that are permitted by the manufacturer. [40 C.F.R. § 60.4211(a)]

DONE AND DATED IN AUGUSTA, MAINE THIS 28th DAY OF June, 2019.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

BY:  for

GERALD D. REID, COMMISSIONER

PLEASE NOTE ATTACHED SHEET FOR GUIDANCE ON APPEAL PROCEDURES

Date of initial receipt of application: May 1, 2019

Date of application acceptance: May 2, 2019

Date filed with the Board of Environmental Protection:

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

