



DEPARTMENT ORDER

**MCI International LLC
Oxford County
Andover, Maine
A-51-71-Q-R**

**Departmental
Findings of Fact and Order
Air Emission License
Renewal**

FINDINGS OF FACT

After review of the air emission license renewal 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

MCI International LLC (MCI) has applied to renew their Air Emission License for the operation of emission sources associated with their telecommunications facility, update license requirements to reflect updates to *Visible Emission Regulation*, 06-096 C.M.R. ch. 101, and remove the annual fuel use limit associated with the boilers.

The equipment addressed in this license is located at 494 Roxbury Pond Rd, Andover, Maine.

B. Emission Equipment

The following equipment is addressed in this air emission license:

Boilers

Equipment	Max. Capacity (MMBtu/hr)	Maximum Firing Rate	Fuel Type	Date of Manuf.	Date of Install.	Stack #
Boiler #1	2.6	18.4 gal/hr	Distillate Fuel	1999	1999	1
Boiler #2	2.6	18.4 gal/hr	Distillate Fuel	1999	1999	2

Stationary Engines

Equipment	Max. Input Capacity	Rated Output Capacity	Fuel Type	Firing Rate (gal/hr)	Date of Manuf.	Date of Install.
Generator #1	18.08 MMBtu/hr	2,000 kW	Distillate Fuel	132	1999	1999
Generator #2	18.08 MMBtu/hr	2,000 kW	Distillate Fuel	132	1999	1999
Generator #3	9.85 MMBtu/hr	1,000 kW	Distillate Fuel	71.9	2021	2021
Generator #4	9.85 MMBtu/hr	1,000 kW	Distillate Fuel	71.9	2021	2021

Equipment	Max. Input Capacity	Rated Output Capacity	Fuel Type	Firing Rate (gal/hr)	Date of Manuf.	Date of Install.
Generator #5	9.85 MMBtu/hr	1,000 kW	Distillate Fuel	71.9	2021	2021
Generator #6	9.85 MMBtu/hr	1,000 kW	Distillate Fuel	71.9	2021	2021

Storage Tanks

Equipment	Storage Capacity	Stored Material	Date of Installation
Tank #1	25,000 gal	Distillate Fuel	1993
Tank #5	25,000 gal	Distillate Fuel	2021

C. 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.

Records or *Logs* mean either hardcopy or electronic records.

D. Application Classification

All rules, regulations, or statutes referenced in this air emission license refer to the amended version in effect as of the date this license was issued.

The application for MCI does not include the licensing of increased emissions or the installation of new or modified equipment. Therefore, the license is considered to be a renewal of currently licensed emission units only and has been processed through *Major and Minor Source Air Emission License Regulations*, 06-096 Code of Maine Rules (C.M.R.) ch. 115.

E. Facility Classification

With the operating hours restriction on the emergency generators, the facility is licensed as follows:

- As a synthetic minor source of air emissions for criteria pollutants, because MCI is subject to license restrictions that keep facility emissions below major source thresholds for NO_x and CO; and
- As an area source of hazardous air pollutants (HAP), because the licensed emissions are below the major source thresholds for HAP.

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.

BPT for existing emissions equipment means that method which controls or reduces emissions to the lowest possible level considering:

- the existing state of technology;
- the effectiveness of available alternatives for reducing emissions from the source being considered; and
- the economic feasibility for the type of establishment involved.

B. Boilers #1 and #2

MCI operates Boilers #1 and #2 for facility heating. The boilers are each rated at 2.6 MMBtu/hr and fire distillate fuel. The boilers were installed in 1999, and each one exhausts through its own stack, Stack #1 and #2, respectively.

With limited exceptions, no person shall import, distribute, or offer for sale any distillate fuel with a sulfur content greater than 0.0015% by weight (15 ppm) pursuant to 38 M.R.S. § 603-A(2)(A)(3). Therefore, the distillate fuel purchased or otherwise obtained for use in Boilers #1 and #2 shall not exceed 0.0015% by weight (15 ppm).

1. BPT Findings

The BPT emission limits for Boilers #1 and #2 were based on the following:

Distillate Fuel

PM	– 2 lb/1,000 gal based on AP-42, Table 1.3-1 dated 5/10
PM ₁₀	– 2.38 lb/1,000 gal based on AP-42 Tables 1.3-2 and 1.3-7 dated 5/10
PM _{2.5}	– 2.13 lb/1,000 gal based on AP-42 Tables 1.3-2 and 1.3-7 dated 5/10
SO ₂	– based on firing distillate fuel with a maximum sulfur content of 0.0015% by weight
NO _x	– 20 lb/1,000 gal based on AP-42 Table 1.3-1 dated 5/10
CO	– 5 lb/1,000 gal based on AP-42 Table 1.3-1 dated 5/10
VOC	– 0.34 lb/1,000 gal based on AP-42 Table 1.3-3 dated 5/10
Visible Emissions	– 06-096 C.M.R. ch. 101

The BPT emission limits for Boilers #1 and #2 each are the following:

Unit	PM (lb/hr)	PM ₁₀ (lb/hr)	PM _{2.5} (lb/hr)	SO ₂ (lb/hr)	NO _x (lb/hr)	CO (lb/hr)	VOC (lb/hr)
Boiler #1	0.04	0.04	0.04	-	0.37	0.09	-
Boiler #2	0.04	0.04	0.04	-	0.37	0.09	-

2. Visible Emissions

Visible emissions from Boilers #1 and #2 shall each not exceed 20% opacity on a six-minute block average basis.

3. Periodic Monitoring

Periodic monitoring for Boilers #1 and #2 shall include recordkeeping to document fuel use both on a monthly and calendar year total basis. Documentation shall include the type of fuel used and sulfur content of the fuel.

4. New Source Performance Standards (NSPS): 40 C.F.R. Part 60, Subpart Dc

Due to their sizes, Boilers #1 and #2 are not subject to *Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units* 40 C.F.R. Part 60, Subpart Dc for units greater than 10 MMBtu/hr manufactured after June 9, 1989. [40 C.F.R. § 60.40c]

5. National Emission Standards for Hazardous Air Pollutants (NESHAP): 40 C.F.R. Part 63, Subpart JJJJJ

Boilers #1 and #2 are subject to the *National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers Area Sources*, 40 C.F.R. Part 63, Subpart JJJJJ. The units are considered existing oil boiler rated less than 10 MMBtu/hr. [40 C.F.R. §§ 63.11193 and 63.11195]

Applicable federal 40 C.F.R. Part 63, Subpart JJJJJ requirements include the following. Additional rule information can be found on the following website: <https://www.epa.gov/stationary-sources-air-pollution/compliance-industrial-commercial-and-institutional-area-source>.

a. Compliance Dates, Notifications, and Work Practice Requirements

(1) Boiler Tune-Up Program

(i) A boiler tune-up program shall be implemented. [40 C.F.R. § 63.11223]

- (ii) Tune-ups shall be conducted at a frequency specified by the rule and based on the size, age, and operations of the boiler. See chart below:

Boiler Category	Tune-Up Frequency
Oil fired boilers with a heat input capacity of ≤ 5 MMBtu/hr	Every 5 years

[40 C.F.R. § 63.11223(a) and Table 2]

- (iii) The boiler tune-up program, conducted to demonstrate continuous compliance, shall be performed as specified below:

1. As applicable, inspect the burner, and clean or replace any component of the burner as necessary. Delay of the burner inspection until the next scheduled shutdown is permitted for up to 72 months from the previous inspection for oil fired boilers less than or equal to 5 MMBtu/hour. [40 C.F.R. § 63.11223(b)(1)]
2. Inspect the flame pattern, as applicable, and adjust the burner as necessary to optimize the flame pattern, consistent with the manufacturer's specifications. [40 C.F.R. § 63.11223(b)(2)]
3. Inspect the system controlling the air-to-fuel ratio, as applicable, and ensure it is correctly calibrated and functioning properly. Delay of the inspection until the next scheduled shutdown is permitted for up to 72 months from the previous inspection for oil fired boilers less than or equal to 5 MMBtu/hour. [40 C.F.R. § 63.11223(b)(3)]
4. Optimize total emissions of CO, consistent with manufacturer's specifications. [40 C.F.R. § 63.11223(b)(4)]
5. Measure the concentration in the effluent stream of CO in parts per million by volume (ppmv), and oxygen in volume percent, before and after adjustments are made (measurements may be either on a dry or wet basis, as long as it is the same basis before and after the adjustments are made). Measurements may be taken using a portable CO analyzer. [40 C.F.R. § 63.11223(b)(5)]
6. If a unit is not operating on the required date for a tune-up, the tune-up must be conducted within 30 days of start-up. [40 C.F.R. § 63.11223(b)(7)]

- (iv) Tune-Up Report: A tune-up report shall be maintained onsite and, submitted to the Department and/or EPA upon request. The report shall contain the following information:

1. The concentration of CO in the effluent stream (ppmv) and oxygen (volume percent) measured at high fire or typical operating load both **before** and **after** the boiler tune-up;

2. A description of any corrective actions taken as part of the tune-up of the boiler; and
3. The types and amounts of fuels used over the 12 months prior to the tune-up of the boiler, but only if the unit was physically and legally capable of using more than one type of fuel during that period. Units sharing a fuel meter may estimate the fuel use by each unit. [40 C.F.R. § 63.11223(b)(6)]

(2) Compliance Report

For every five-year compliance period, MCI shall prepare a compliance report by March 1st of the following year to document the information below for the five-year period. The report shall be maintained by the source and submitted to the Department and/or to the EPA upon request. The report must include the items contained in §§ 63.11225(b)(1) and (2), including the following: [40 C.F.R. § 63.11225(b)]

- (i) Company name and address;
- (ii) A statement of whether the source has complied with all the relevant requirements of this Subpart;
- (iii) A statement certifying truth, accuracy, and completeness of the notification and signed by a responsible official and containing the official's name, title, phone number, email address, and signature;
- (iv) The following certifications, as applicable:
 1. "This facility complies with the requirements in 40 C.F.R. § 63.11223 to conduct tune-ups of each boiler in accordance with the frequency specified in this Subpart."
 2. "No secondary materials that are solid waste were combusted in any affected unit."
 3. "This facility complies with the requirement in §§ 63.11214(d) and 63.11223(g) to minimize the boiler's time spent during startup and shutdown and to conduct startups and shutdowns according to the manufacturer's recommended procedures or procedures specified for a boiler of similar design if manufacturer's recommended procedures are not available."

b. Recordkeeping

- (1) Records shall be maintained consistent with the requirements of 40 C.F.R. Part 63, Subpart JJJJJ including the following [40 C.F.R. § 63.11225(c)]:
 - (i) Copies of notifications and reports with supporting compliance documentation;
 - (ii) Identification of each boiler, the date of tune-up, procedures followed for tune-up, and the manufacturer's specifications to which the boiler was tuned;

- (iii) Records of the occurrence and duration of each malfunction of each applicable boiler; and
 - (iv) Records of actions taken during periods of malfunction to minimize emissions, including corrective actions to restore the malfunctioning boiler.
- (2) Records shall be in a form suitable and readily available for expeditious review. Each record must be kept for 5 years following the date of each recorded action. Each record must be kept on-site or be accessible from a central location by computer or other means that instantly provides access at the site for at least 2 years after the date of each recorded action. The records may be maintained off-site for the remaining 3 years. [40 C.F.R. § 63.11225(d)] Note: Standard Condition (8) of this license requires all records be retained for six years; therefore, the five-year record retention requirement of Subpart JJJJJ is satisfied by compliance with the more stringent six-year requirement.

C. Generators #1 - #6

MCI operates six emergency generators. The emergency generators are generator sets with each set consisting of an engine and an electrical generator. There are two emergency generators with engines rated at 18.08 MMBtu/hr each that were manufactured and installed in 1999, and four emergency generators with engines rated at 9.85 MMBtu/hr each that were manufactured and installed in 2021. All of the engines fire distillate fuel.

1. BPT Findings

The BPT emission limits for Generators #1, #2, #3, #4, #5, and #6 are based on the following:

- PM/PM₁₀/PM_{2.5} – 0.12 lb/MMBtu from 06-096 C.M.R. ch. 103
- 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 4/25
- CO – 0.85 lb/MMBtu from AP-42 Table 3.4-1 dated 4/25
- VOC – 0.09 lb/MMBtu from AP-42 Table 3.4-1 dated 4/25
- Visible Emissions – 06-096 C.M.R. ch. 101

The BPT emission limits for the generators are the following:

Unit	Pollutant	lb/MMBtu
Generator #1	PM	0.12
Generator #2	PM	0.12
Generator #3	PM	0.12
Generator #4	PM	0.12
Generator #5	PM	0.12
Generator #6	PM	0.12

Unit	PM (lb/hr)	PM ₁₀ (lb/hr)	PM _{2.5} (lb/hr)	SO ₂ (lb/hr)	NO _x (lb/hr)	CO (lb/hr)	VOC (lb/hr)
Generator #1	2.17	2.17	2.17	0.03	57.86	15.37	1.63
Generator #2	2.17	2.17	2.17	0.03	57.86	15.37	1.63
Generator #3	1.18	1.18	1.18	0.02	31.52	8.37	0.89
Generator #4	1.18	1.18	1.18	0.02	31.52	8.37	0.89
Generator #5	1.18	1.18	1.18	0.02	31.52	8.37	0.89
Generator #6	1.18	1.18	1.18	0.02	31.52	8.37	0.89

Generators #1 and #2

Visible emissions from Generators #1 and #2 shall not exceed 20% opacity on a six-minute block average basis except for periods of startup during which time MCI shall either meet the normal operating visible emissions standard or the following work practice standards and alternative visible emissions standard.

- a. The duration of the startup shall not exceed 30 minutes per event;
- b. Visible emissions shall not exceed 50% opacity on a six-minute block average basis; and
- c. MCI shall keep records of the date, time, and duration of each startup.

Use of the work practice standards and alternative visible emissions standard in lieu of the normal operating standard is limited to no more than once per day.

Note: This does not limit the engine to one startup per day. It only limits the use of the alternative emission standard to once per day.

Generators #3, #4, #5, and #6

Visible emissions from Generators #3, #4, #5, and #6 shall each not exceed 20% opacity on a six-minute block average basis.

Each of the emergency generators shall be limited to 100 hours of operation per calendar year, excluding operating hours during emergency situations. There is no limit on emergency operation. Each emergency generator shall be equipped with a non-resettable hour-meter to record operating time. To demonstrate compliance with the operating hours limit, MCI shall keep records of the total hours of operation and the hours of emergency operation for each unit.

Emergency generators are only to be operated for maintenance purposes and for situations arising from sudden and reasonably unforeseeable events beyond the control of the source. Emergency generators are not to be used for prime power when reliable offsite power is available; nor to operate or to be contractually obligated to be available in a demand response program, during a period of deviation from standard voltage or frequency, or supplying power during a non-emergency situation as part of a financial arrangement with another entity.

2. Stack Heights

The heights of each stack for Generators #3, #4, #5, and #6 shall be 27 feet above ground level. This represents 60% good engineering practice (GEP) stack height and reasonably assures compliance with National Ambient Air Quality Standards (NAAQS) in accordance with *Prohibited Dispersion Techniques*, 06-096 C.M.R. ch. 116, § 2(C).

3. Chapter 169

Generators #1 through #6 were installed prior to the effective date of *Stationary Generators*, 06-096 C.M.R. ch. 169 and are therefore exempt from this rule pursuant to section 1.

4. New Source Performance Standards (NSPS)

Due to the dates of manufacture of Generators #1 and #2, they are not subject to the New Source Performance Standards (NSPS) *Standards of Performance for Stationary Compression Ignition Internal Combustion Engines (CI ICE)*, 40 C.F.R. Part 60, Subpart III since the units were manufactured prior to April 1, 2006. [40 C.F.R. § 60.4200]

40 C.F.R. Part 60, Subpart III is applicable to Generators #3, #4, #5, and #6 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 III, 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 summary of the federal 40 C.F.R. Part 60, Subpart III requirements applicable to Generators #3, #4, #5, and #6 is listed below.

a. Emergency Engine Designation and Operating Criteria

Under 40 C.F.R. Part 60, Subpart III, 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;
- 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 [40 C.F.R. §§ 60.4211(f) and 60.4219]

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.

b. 40 C.F.R. Part 60, Subpart III Requirements

(1) Manufacturer Certification Requirement

Generators #3, #4, #5, and #6 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 Generators #3, #4, #5, and #6 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

Generators #3, #4, #5, and #6 shall be operated and maintained according to the manufacturer's emission-related written instructions. MCI may only change those emission-related settings that are permitted by the manufacturer. [40 C.F.R. § 60.4211(a)]

MCI shall have available for review by the Department a copy of the manufacturer's emission-related written instructions for engine operation and maintenance. [06-096 C.M.R. ch. 115, BPT]

(5) Annual Time Limit for Maintenance and Testing

Generators #3, #4, #5, and #6 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). [40 C.F.R. § 60.4211(f)]

(6) Initial Notification Requirement

No initial notification is required under 40 C.F.R. Part 60, Subpart III for emergency engines. [40 C.F.R. § 60.4214(b)]

(7) Recordkeeping

MCI shall keep records that include the hours of operation of each engine recorded through the non-resettable hour meter. 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. National Emission Standards for Hazardous Air Pollutants (NESHAP):
40 C.F.R. Part 63, Subpart ZZZZ

National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines, 40 C.F.R. Part 63, Subpart ZZZZ is not applicable to Generators #1 and #2. The units are considered existing, emergency stationary reciprocating internal combustion engines at an area HAP source. However, they are considered exempt from the requirements of 40 C.F.R. Part 63, Subpart ZZZZ since they are categorized as commercial emergency engines and they do not operate or are not contractually obligated to be available in a demand response program, during a period of deviation from standard voltage or frequency, or for supplying power during a non-emergency situation as part of a financial arrangement with another entity as specified in 40 C.F.R. § 63.6640(f)(4)(ii).

Operation of any emergency engine in a demand response program, during a period of deviation from standard voltage or frequency, or for supplying power during a non-emergency situation as part of a financial arrangement with another entity as specified in 40 C.F.R. § 63.6640(f)(4)(ii), would cause the engine to be subject to 40 C.F.R. Part 63, Subpart ZZZZ and require compliance with all applicable requirements.

D. Generators #3 - #6 Total Operating Hours

In order to verify that the total Potential to Emit (PTE) of NO_x does not exceed any additional regulatory thresholds, MCI shall track the operating hours of Generators #3 - #6 on a monthly and 12-month rolling total basis.

If the sum of the operating hours for Generators #3 - #6 combined exceeds 1,187 hours on a 12-month rolling total basis, MCI shall submit to the Department an application to amend their license to include the requirements of 06-096 C.M.R. ch. 137 within 60 days of the date the generators exceed this operating threshold.

If the sum of the operating hours for Generators #3 - #6 combined exceeds 2,774 hours on a 12-month rolling total basis, MCI shall submit to the Department an air quality impact analysis pursuant to 06-096 C.M.R. ch. 115 within 90 days of the date the generators exceed this operating threshold. [06-096 C.M.R. ch. 115, § 7(B)(3)]

E. Fuel Storage Tanks

MCI has two fuel storage tanks larger than insignificant activities (insignificant activities being less than 10,000 gallons per tank for distillate fuel storage), Tank #1 and Tank #5. Tank #1 is an underground storage tank equipped with a tank monitoring system manufactured by Veeder Root and supplies fuel to Boilers #1 and #2 and Generators #1 and #2. Tank #5 is an above-ground horizontal storage tank which supplies fuel for Generators #3, #4, #5, and #6.

Tank	Capacity (gallons)	Material Stored	Reid Vapor Pressure	Tank Type	Tank Size (height x diameter)	Construction Material	Install. Year
Tank #1	25,000 (94.64 m ³)	Distillate Fuel	< 0.7 kPa	Fixed	47 feet x 10 feet	Fireguard Steel	1993
Tank #5	25,000 (94.64 m ³)	Distillate Fuel	< 0.7 kPa	Fixed	43 ft 2in x 10.5 ft	Fireguard Steel	2021

1. 06-096 C.M.R. ch. 111

Tanks #1 and #5 are not subject to the requirements of *Petroleum Liquid Storage Vapor Control*, 06-096 C.M.R. ch. 111 (Ch. 111), because they have tank capacities less than 39,000 gallons.

2. 06-096 C.M.R. ch. 118

Tanks #1 and #5 are not subject to the requirements of *Gasoline Dispensing Facilities Vapor Control*, 06-096 C.M.R. ch. 118 (Ch. 118), because they do not store gasoline.

3. 06-096 C.M.R. ch. 133

Tanks #1 and #5 are not subject to the requirements of *Petroleum Liquids Transfer Vapor Recovery at Bulk Gasoline Plants*, 06-096 C.M.R. ch. 133, because MCI is not a bulk gasoline plant (as defined by 06-096 C.M.R. ch. 100).

4. 06-096 C.M.R. ch. 170

Tanks #1 and #5 are not subject to the requirements of *Degassing of Petroleum Storage Tanks, Marine Vessels, and Transport Vessels*, 06-096 C.M.R. ch. 170 (Ch. 170), because they have capacities of less than 39,000 gallons each, are not transport vessels or marine vessels, and MCI is not a petroleum storage facility as defined by the rule.

5. 06-096 C.M.R. ch. 171

Tanks #1 and #5 are not subject to the requirements of *Control of Petroleum Storage Facilities*, 06-096 C.M.R. ch. 171, because MCI is not a petroleum storage facility as defined by the rule.

6. 40 C.F.R. Part 60, Subpart Kb

Tanks #1 and #5 are not subject to the requirements of *Standards of Performance for Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for which Construction, Reconstruction, or Modification Commenced After July 23, 1984, and On or Before October 4, 2023*, 40 C.F.R. Part 60, Subpart Kb

(Subpart Kb), because the true vapor pressure of the product stored is less than 15.0 kilopascals. [40 C.F.R. § 60.110b(b)]

7. BPT

Tanks #1 and #5 shall store only distillate fuel. MCI shall maintain records of the type and maximum true vapor pressure for each product stored in Tanks #1 and #5.

F. General Process Emissions

Visible emissions from any general process source shall not exceed 20% opacity on a six-minute block average basis.

G. Fugitive Emissions

MCI shall not cause emissions of any fugitive dust during any period of construction, reconstruction, or operation without taking reasonable precautions. Such reasonable precautions shall be included in the facility's continuing program of best management practices for suppression of fugitive particulate matter. See 06-096 C.M.R. ch. 101, § 4(C) for a list of potential reasonable precautions.

MCI shall not cause or allow visible emissions within 20 feet of ground level, measured as any level of opacity and not including water vapor, beyond the legal boundary of the property on which such emissions occur. Compliance with this standard shall be determined pursuant to 40 C.F.R. Part 60, Appendix A, Method 22.

H. Annual Emissions

The table below provides an estimate of facility-wide annual emissions for the purposes of calculating the facility's annual air license fee and establishing the facility's potential to emit (PTE). Only licensed equipment is included, i.e., emissions from insignificant activities are excluded. Similarly, unquantifiable fugitive particulate matter emissions are not included except when required by state or federal regulations. Maximum potential emissions were calculated based on firing the boilers for 8,760 hours each and operating the emergency generators for 100 hours each per year of non-emergency use.

This information does not represent a comprehensive list of license restrictions or permissions. That information is provided in the Order section of this license.

Total Licensed Annual Emissions for the Facility
Tons/year
 (used to calculate the annual license fee)

	PM	PM ₁₀	PM _{2.5}	SO ₂	NO _x	CO	VOC
Boiler #1	0.2	0.2	0.2	-	1.6	0.4	-
Boiler #2	0.2	0.2	0.2	-	1.6	0.4	-
Generator #1	0.1	0.1	0.1	-	2.9	0.8	0.1
Generator #2	0.1	0.1	0.1	-	2.9	0.8	0.1
Generator #3	0.1	0.1	0.1	-	1.6	0.4	-
Generator #4	0.1	0.1	0.1	-	1.6	0.4	-
Generator #5	0.1	0.1	0.1	-	1.6	0.4	-
Generator #6	0.1	0.1	0.1	-	1.6	0.4	-
Total TPY	1.0	1.0	1.0	0.1 *	15.4	4.0	0.2

* Because estimated emissions are small but not zero, this value was rounded to the nearest tenth of a ton.

Pollutant	Tons/year
Single HAP	7.9
Total HAP	19.9

III. AMBIENT AIR QUALITY ANALYSIS

The level of ambient air quality impact modeling required for a minor source is determined by the Department on a case-by-case basis. In accordance with 06-096 C.M.R. ch. 115, an ambient air quality impact analysis is not required for a minor source if the total licensed annual emissions of any pollutant released do not exceed the following levels and there are no extenuating circumstances:

Pollutant	Tons/Year
PM ₁₀	25
PM _{2.5}	15
SO ₂	50
NO _x	50
CO	250

The total licensed annual emissions for the facility are below the emission levels contained in the table above and there are no extenuating circumstances; therefore, an ambient air quality impact analysis is not required as part of this license.

This determination is based on information provided by the applicant regarding licensed emission units. If the Department determines that any parameter (e.g., stack size, configuration, flow rate, emission rates, nearby structures, etc.) deviates from what was included in the application, the Department may require MCI to submit additional information and may require an ambient air quality impact analysis at that time.

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, and
- will not violate applicable ambient air quality standards in conjunction with emissions from other sources.

The Department hereby grants Air Emission License A-51-71-Q-R subject to the following conditions.

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.

STANDARD CONDITIONS

- (1) Employees and authorized representatives of the Department shall be allowed access to the licensee's premises during business hours, or any time during which any emissions units are in operation, and at such other times as the Department deems necessary for the purpose of performing tests, collecting samples, conducting inspections, or examining and copying records relating to emissions (38 M.R.S. § 347-C).
- (2) The licensee shall acquire a new or amended air emission license prior to beginning actual construction of a modification, unless specifically provided for in Chapter 115. [06-096 C.M.R. ch. 115]
- (3) 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. 115]
- (4) The licensee shall establish and maintain a continuing program of best management practices for suppression of fugitive particulate matter during any period of construction, reconstruction, or operation which may result in fugitive dust, and shall submit a description of the program to the Department upon request. [06-096 C.M.R. ch. 115]
- (5) The licensee shall pay the annual air emission license fee to the Department, calculated pursuant to Title 38 M.R.S. § 353-A. [06-096 C.M.R. ch. 115] Payment of the annual air emission license fee for MCI is due by the end of August of each year. [38 M.R.S. § 353-A(3)]

- (6) The license does not convey any property rights of any sort, or any exclusive privilege. [06-096 C.M.R. ch. 115]
- (7) The licensee shall maintain and operate all emission units and air pollution systems required by the air emission license in a manner consistent with good air pollution control practice for minimizing emissions. [06-096 C.M.R. ch. 115]
- (8) The licensee shall maintain sufficient records to accurately document compliance with emission standards and license conditions and shall maintain such records for a minimum of six (6) years. The records shall be submitted to the Department upon written request. [06-096 C.M.R. ch. 115]
- (9) The licensee shall comply with all terms and conditions of the air emission license. The filing of an appeal by the licensee, the notification of planned changes or anticipated noncompliance by the licensee, or the filing of an application by the licensee for a renewal of a license or amendment shall not stay any condition of the license. [06-096 C.M.R. ch. 115]
- (10) The licensee may not use as a defense in an enforcement action that the disruption, cessation, or reduction of licensed operations would have been necessary in order to maintain compliance with the conditions of the air emission license. [06-096 C.M.R. ch. 115]
- (11) In accordance with the Department's air emission compliance test protocol and 40 C.F.R. Part 60 or other method approved or required by the Department, the licensee shall:
 - A. Perform stack testing to demonstrate compliance with the applicable emission standards under circumstances representative of the facility's normal process and operating conditions:
 1. Within sixty (60) calendar days of receipt of a notification to test from the Department or EPA, if visible emissions, equipment operating parameters, staff inspection, air monitoring or other cause indicate to the Department that equipment may be operating out of compliance with emission standards or license conditions; or
 2. Pursuant to any other requirement of this license to perform stack testing.
 - B. Install or make provisions to install test ports that meet the criteria of 40 C.F.R. Part 60, Appendix A, and test platforms, if necessary, and other accommodations necessary to allow emission testing; and
 - C. Submit a written report to the Department within thirty (30) days from date of test completion. [06-096 C.M.R. ch. 115]

- (12) If the results of a stack test performed under circumstances representative of the facility's normal process and operating conditions indicate emissions in excess of the applicable standards, then:
- A. Within thirty (30) days following receipt of the written test report by the Department, or another alternative timeframe approved by the Department, the licensee shall re-test the non-complying emission source under circumstances representative of the facility's normal process and operating conditions and in accordance with the Department's air emission compliance test protocol and 40 C.F.R. Part 60 or other method approved or required by the Department; and
 - B. The days of violation shall be presumed to include the date of stack test and each and every day of operation thereafter until compliance is demonstrated under normal and representative process and operating conditions, except to the extent that the facility can prove to the satisfaction of the Department that there were intervening days during which no violation occurred or that the violation was not continuing in nature; and
 - C. The licensee may, upon the approval of the Department following the successful demonstration of compliance at alternative load conditions, operate under such alternative load conditions on an interim basis prior to a demonstration of compliance under normal and representative process and operating conditions.
[06-096 C.M.R. ch. 115]
- (13) Notwithstanding any other provisions in the State Implementation Plan approved by the EPA or Section 114(a) of the CAA, any credible evidence may be used for the purpose of establishing whether a person has violated or is in violation of any statute, regulation, or license requirement. [06-096 C.M.R. ch. 115]
- (14) The licensee shall maintain records of malfunctions, failures, downtime, and any other similar change in operation of air pollution control systems or the emissions unit itself that would affect emissions and that is not consistent with the terms and conditions of the air emission license. The licensee shall notify the Department within two (2) days or the next state working day, whichever is later, of such occasions where such changes result in an increase of emissions. The licensee shall report all excess emissions in the units of the applicable emission limitation. [06-096 C.M.R. ch. 115]
- (15) Upon written request from the Department, the licensee shall establish and maintain such records, make such reports, install, use and maintain such monitoring equipment, sample such emissions (in accordance with such methods, at such locations, at such intervals, and in such a manner as the Department shall prescribe), and provide other information as the Department may reasonably require to determine the licensee's compliance status.
[06-096 C.M.R. ch. 115]

- (16) The licensee shall notify the Department within 48 hours and submit a report to the Department on a quarterly basis if a malfunction or breakdown in any component causes a violation of any emission standard. [38 M.R.S. § 605]

SPECIFIC CONDITIONS

(17) **Boilers #1 and #2**

A. Fuel

1. The facility shall not purchase or otherwise obtain distillate fuel with a maximum sulfur content that exceeds 0.0015% by weight (15 ppm). [06-096 C.M.R. ch. 115, BPT]
2. Compliance shall be demonstrated by fuel records showing the quantity, type, and the percent sulfur of the fuel delivered. Records of annual fuel use shall be kept on a monthly and calendar year basis. Fuel sulfur content compliance shall be demonstrated by fuel delivery receipts from the supplier, a statement from the supplier that the fuel delivered meets Maine’s fuel sulfur content standards, certificate of analysis, or testing of fuel in the tank on-site. [06-096 C.M.R. ch. 115, BPT]

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

Emission Unit	PM (lb/hr)	PM ₁₀ (lb/hr)	PM _{2.5} (lb/hr)	SO ₂ (lb/hr)	NO _x (lb/hr)	CO (lb/hr)	VOC (lb/hr)
Boiler #1	0.04	0.04	0.04	-	0.37	0.09	-
Boiler #2	0.04	0.04	0.04	-	0.37	0.09	-

- C. Visible emissions from Boilers #1 and #2 shall each not exceed 20% opacity on a six-minute block average basis. [06-096 C.M.R. ch. 101, § 4(A)(2)]
- D. MCI shall comply with all requirements of 40 C.F.R. Part 63, Subpart JJJJJ applicable to Boilers #1 and #2 including, but not limited to, the following: [incorporated under 06-096 C.M.R. ch. 115, BPT]

1. The facility shall implement a boiler tune-up program. [40 C.F.R. § 63.11223]
 - a. Each tune-up shall be conducted at a frequency specified by the rule and based on the size, age, and operations of the boiler. See chart below:

Boiler Category	Tune-Up Frequency
Oil fired boilers with a heat input capacity of ≤5MMBtu/hr	Every 5 years

[40 C.F.R. § 63.11223(a) and Table 2]

- b. The boiler tune-up program, conducted to demonstrate continuous compliance, shall be performed as specified below:
- (1) As applicable, inspect the burner, and clean or replace any component of the burner as necessary. Delay of the burner inspection until the next scheduled shutdown is permitted for up to 72 months from the previous inspection for oil fired boilers less than or equal to 5 MMBtu/hour. [40 C.F.R. § 63.11223(b)(1)]
 - (2) Inspect the flame pattern, as applicable, and adjust the burner as necessary to optimize the flame pattern, consistent with the manufacturer's specifications. [40 C.F.R. § 63.11223(b)(2)]
 - (3) Inspect the system controlling the air-to-fuel ratio, as applicable, and ensure it is correctly calibrated and functioning properly. Delay of the inspection until the next scheduled shutdown is permitted for up to 72 months from the previous inspection for oil fired boilers less than or equal to 5 MMBtu/hour. [40 C.F.R. § 63.11223(b)(3)]
 - (4) Optimize total emissions of CO, consistent with manufacturer's specifications. [40 C.F.R. § 63.11223(b)(4)]
 - (5) Measure the concentration in the effluent stream of CO in parts per million by volume (ppmv), and oxygen in volume percent, before and after adjustments are made (measurements may be either on a dry or wet basis, as long as it is the same basis before and after the adjustments are made). Measurements may be taken using a portable CO analyzer. [40 C.F.R. § 63.11223(b)(5)]
 - (6) If a unit is not operating on the required date for a tune-up, the tune-up must be conducted within 30 days of start-up. [40 C.F.R. § 63.11223(b)(7)]
- c. Tune-Up Report: A tune-up report shall be maintained onsite and submitted to the Department and EPA upon request. The report shall contain the following information:
- (1) The concentration of CO in the effluent stream (ppmv) and oxygen (volume percent) measured at high fire or typical operating load both **before** and **after** the boiler tune-up;
 - (2) A description of any corrective actions taken as part of the tune-up of the boiler; and
 - (3) The types and amounts of fuels used over the 12 months prior to the tune-up of the boiler, but only if the unit was physically and legally capable of using more than one type of fuel during that period. Units sharing a fuel meter may estimate the fuel use by each unit. [40 C.F.R. § 63.11223(b)(6)]
2. Compliance Report

For every five-year compliance period, MCI shall prepare a compliance report shall be prepared by March 1st of the following year to document the information below for the five-year period. The report shall be maintained by the source and submitted to the Department and/or to the EPA upon request. The report must include the

items contained in §§ 63.11225(b)(1) and (2), including the following:
[40 C.F.R. § 63.11225(b)]

- a. Company name and address;
- b. A statement of whether the source has complied with all the relevant requirements of this Subpart;
- c. A statement certifying truth, accuracy, and completeness of the notification and signed by a responsible official and containing the official's name, title, phone number, email address, and signature;
- d. The following certifications, as applicable:
 - (1) "This facility complies with the requirements in 40 C.F.R. § 63.11223 to conduct tune-ups of each boiler in accordance with the frequency specified in this Subpart."
 - (2) "No secondary materials that are solid waste were combusted in any affected unit."
 - (3) "This facility complies with the requirement in §§ 63.11214(d) and 63.11223(g) to minimize the boiler's time spent during startup and shutdown and to conduct startups and shutdowns according to the manufacturer's recommended procedures or procedures specified for a boiler of similar design if manufacturer's recommended procedures are not available."

3. Recordkeeping

- a. Records shall be maintained consistent with the requirements of 40 C.F.R. Part 63, Subpart JJJJJ including the following [40 C.F.R. § 63.11225(c)]:
 - (1) Copies of notifications and reports with supporting compliance documentation;
 - (2) Identification of each boiler, the date of tune-up, procedures followed for tune-up, and the manufacturer's specifications to which the boiler was tuned;
 - (3) Records of the occurrence and duration of each malfunction of each applicable boiler; and
 - (4) Records of actions taken during periods of malfunction to minimize emissions, including corrective actions to restore the malfunctioning boiler.
- b. Records shall be in a form suitable and readily available for expeditious review. Each record must be kept for 5 years following the date of each recorded action. Each record must be kept on-site or be accessible from a central location by computer or other means that instantly provides access at the site for at least 2 years after the date of each recorded action. The records may be maintained off-site for the remaining 3 years. [40 C.F.R. § 63.11225(d)] Note: Standard Condition (8) of this license requires all records be retained for six years;

therefore, the five-year record retention requirement of Subpart JJJJJJ is satisfied by compliance with the more stringent six-year requirement.

(18) **Generators #1 - #6**

- A. Each of the emergency generators shall 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. MCI shall keep records that include maintenance conducted on the engines and the hours of operation of each of the engines recorded through the non-resettable hour meter. 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 the engine was in operation during each time. [06-096 C.M.R. ch. 115, BPT]
- C. The fuel sulfur content for Generators #1 - #6 shall be limited to 0.0015% sulfur by weight. Compliance shall be demonstrated by fuel delivery receipts from the supplier, fuel supplier certification, certificate of analysis, or testing of the fuel in the tank onsite. [06-096 C.M.R. ch. 115, BPT]
- D. Emissions shall not exceed the following:

Unit	Pollutant	lb/MMBtu	Origin and Authority
Generator #1	PM	0.12	06-096 C.M.R. ch. 103, § (2)(B)(1)(a)
Generator #2	PM	0.12	
Generator #3	PM	0.12	
Generator #4	PM	0.12	
Generator #5	PM	0.12	
Generator #6	PM	0.12	

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

Unit	PM (lb/hr)	PM ₁₀ (lb/hr)	PM _{2.5} (lb/hr)	SO ₂ (lb/hr)	NO _x (lb/hr)	CO (lb/hr)	VOC (lb/hr)
Generator #1	2.17	2.17	2.17	0.03	57.86	15.37	1.63
Generator #2	2.17	2.17	2.17	0.03	57.86	15.37	1.63
Generator #3	1.18	1.18	1.18	0.02	31.52	8.37	0.89
Generator #4	1.18	1.18	1.18	0.02	31.52	8.37	0.89
Generator #5	1.18	1.18	1.18	0.02	31.52	8.37	0.89
Generator #6	1.18	1.18	1.18	0.02	31.52	8.37	0.89

F. Visible Emissions

1. Visible emissions from Generators #1 and #2 shall each not exceed 20% opacity on a six-minute block average basis except for periods of startup during which time MCI shall either meet the normal operating visible emissions standard or the following work practice standards and alternative visible emissions standard.
 - a. The duration of the startup shall not exceed 30 minutes per event;
 - b. Visible emissions shall not exceed 50% opacity on a six-minute block average basis; and
 - c. MCI shall keep records of the date, time, and duration of each startup.

Use of the work practice standards and alternative visible emissions standard in lieu of the normal operating standard is limited to no more than once per day.

Note: This does not limit the engine to one startup per day. It only limits the use of the alternative emission standard to once per day.

[06-096 C.M.R. ch. 101, § 4(A)(4)]

2. Visible emissions from Generators #3 - #6 shall each not exceed 20% opacity on a six-minute block average basis. [06-096 C.M.R. ch. 101, § 4(A)(4)]
- G. Emergency generators and/or fire pumps are only to be operated for maintenance purposes and for situations arising from sudden and reasonably unforeseeable events beyond the control of the source. Emergency generators and/or fire pumps are not to be used for prime power when reliable offsite power is available; nor to operate or to be contractually obligated to be available in a demand response program, during a period of deviation from standard voltage or frequency, or supplying power during a non-emergency situation as part of a financial arrangement with another entity. [06-096 C.M.R. ch. 115, BPT]
- H. Generators #3, #4, #5, and #6 shall exhaust through vertical stacks which are at least 27 feet above ground level. [06-096 C.M.R. ch. 115, BPT]
- I. Generators #3 - #6 shall meet the applicable requirements of 40 C.F.R. Part 60, Subpart IIII, including the following: [incorporated under 06-096 C.M.R. ch. 115, BPT]
1. Manufacturer Certification
Generators #3, #4, #5, and #6 shall be certified by the manufacturer as meeting the emission standards for new nonroad compression ignition engines found in § 60.4202. [40 C.F.R. § 60.4205(b)]

2. Ultra-Low Sulfur Fuel

The fuel fired in the engines shall not exceed 15 ppm sulfur (0.0015% sulfur). Compliance with the fuel sulfur content limit shall be demonstrated by fuel delivery receipts from the supplier, fuel supplier certification, certificate of analysis, or testing of the fuel in the tank on-site. [40 C.F.R. § 60.4207(b) and 06-096 C.M.R. ch. 115, BPT]

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, BPT]

b. MCI shall keep records that include the hours of operation of each engine recorded through the non-resettable hour meter. 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. MCI may only change those emission-related settings that are permitted by the manufacturer. [40 C.F.R. § 60.4211(a)]

MCI shall have available for review by the Department a copy of the manufacturer's emission-related written instructions for engine operation and maintenance. [06-096 C.M.R. ch. 115, BPT]

(19) **Generators #3 - #6 Total Operating Hours**

A. MCI shall track the operating hours of Generators #3 - #6 on a monthly and 12-month rolling total basis. [06-096 C.M.R. ch. 115, BPT]

B. If the sum of the operating hours for Generators #3 - #6 combined exceeds 1,187 hours on a 12-month rolling total basis, MCI shall submit to the Department an application

to amend their license to include the requirements of 06-096 C.M.R. ch. 137 within 60 days of the date the generators exceed this operating threshold. [06-096 C.M.R. ch. 137, § (1)(B)]

- C. If the sum of the operating hours for Generators #3 - #6 combined exceeds 2,774 hours on a 12-month rolling total basis, MCI shall submit to the Department an air quality impact analysis pursuant to 06-096 C.M.R. ch. 115 within 90 days of the date the generators exceed this operating threshold. [06-096 C.M.R. ch. 115, § 7(B)(3)]

(20) **Fuel Storage Tanks**

Tanks #1 and #5 shall store only distillate fuel. MCI shall maintain records of the type and maximum true vapor pressure for each product stored in Tanks #1 and #5. [06-096 C.M.R. ch. 115, BPT]

(21) **General Process Sources**

Visible emissions from any general process source shall not exceed 20% opacity on a six-minute block average basis. [06-096 C.M.R. ch. 101, § 4(B)(4)]

(22) **Fugitive Emissions**

- A. MCI shall not cause emissions of any fugitive dust during any period of construction, reconstruction, or operation without taking reasonable precautions. Such reasonable precautions shall be included in the facility's continuing program of best management practices for suppression of fugitive particulate matter. See 06-096 C.M.R. ch. 101, § 4(C) for a list of potential reasonable precautions.
- B. MCI shall not cause or allow visible emissions within 20 feet of ground level, measured as any level of opacity and not including water vapor, beyond the legal boundary of the property on which such emissions occur. Compliance with this standard shall be determined pursuant to 40 C.F.R. Part 60, Appendix A, Method 22.

[06-096 C.M.R. ch. 101, § 4(C)]

**MCI International LLC
Oxford County
Andover, Maine
A-51-71-Q-R**

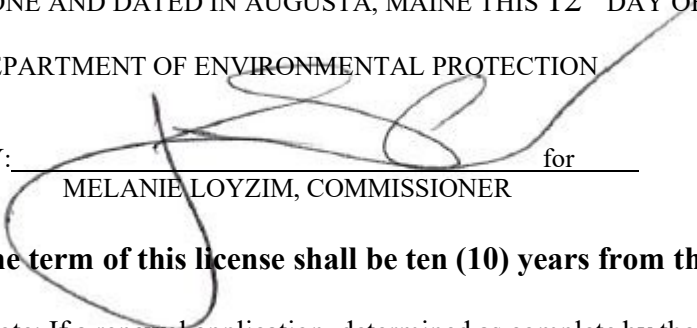
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**Departmental
Findings of Fact and Order
Air Emission License
Renewal**

- (23) If the Department determines that any parameter value pertaining to construction and operation of the emissions units, including but not limited to stack size, configuration, flow rate, emission rates, nearby structures, etc., deviates from what was submitted in the application or ambient air quality impact analysis for this air emission license, MCI may be required to submit additional information. Upon written request from the Department, MCI shall provide information necessary to demonstrate AAQS will not be exceeded, potentially including submission of an ambient air quality impact analysis or an application to amend this air emission license to resolve any deficiencies and ensure compliance with AAQS. Submission of this information is due within 60 days of the Department's written request unless otherwise stated in the Department's letter. [06-096 C.M.R. ch. 115, § 2(O)]

DONE AND DATED IN AUGUSTA, MAINE THIS 12th DAY OF JANUARY, 2026.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

BY:  for
MELANIE LOYZIM, COMMISSIONER

The term of this license shall be ten (10) years from the signature date above.

[Note: If a renewal application, determined as complete by the Department, is submitted prior to expiration of this license, then pursuant to Title 5 M.R.S. § 10002, all terms and conditions of the license shall remain in effect until the Department takes final action on the license renewal application.]

PLEASE NOTE ATTACHED SHEET FOR GUIDANCE ON APPEAL PROCEDURES

Date of initial receipt of application: June 25, 2024

Date of application acceptance: June 26, 2024

This Order prepared by Zac Hicks, Bureau of Air Quality.