



DEPARTMENT ORDER

**Sprague Operating Resources LLC**  
**Waldo County**  
**Searsport, Maine**  
**A-97-71-R-A**

**Departmental**  
**Findings of Fact and Order**  
**Air Emission License**  
**After-the-Fact Amendment #1**

**FINDINGS OF FACT**

After review of the air emission 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

Sprague Operating Resources LLC (Sprague) was issued Air Emission License A-97-71-Q-R on February 13, 2024, for the operation of emission sources associated with their petroleum storage/distribution and bulk materials handling facility.

The equipment addressed in this license amendment is located on Trundy Road in Searsport, Maine.

Sprague has requested an amendment to their license in order to address three bulk storage tanks at the facility that have not been previously included in the air license.

B. Emission Equipment

The following equipment is addressed in this air emission license amendment:

**Bulk Storage Equipment**

<b>Tank Number</b>	<b>Capacity (Gallons)</b>	<b>Product Stored</b>	<b>Tank Type</b>	<b>Date of Install.</b>
5	17,976	Distillate Fuel	Horizontal	1990
7	462	Gasoline	Horizontal	1989
9	18,900	Distillate Fuel	Horizontal	1995

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 modification of a minor source is considered a major or minor modification based on whether or not expected emission increases exceed the “Significant Emissions” levels as defined in the Department’s *Definitions Regulation*, 06-096 Code of Maine Rules (C.M.R.) ch. 100. The emission increases are determined by subtracting the current licensed annual emissions preceding the modification from the maximum future licensed annual emissions, as follows:

Pollutant	Current License (tpy)	Future License (tpy)	Net Change (tpy)	Significant Emissions Levels
PM	4.8	4.8	0.0	100
PM <sub>10</sub>	4.8	4.8	0.0	100
PM <sub>2.5</sub>	4.8	4.8	0.0	100
SO <sub>2</sub>	0.1	0.1	0.0	100
NO <sub>x</sub>	33.9	33.9	0.0	100
CO	9.3	9.3	0.0	100
VOC	39.9	39.9	0.0	100

This modification is determined to be a minor modification and has been processed as such.

E. Facility Classification

With the annual operating limits on the facility’s boilers and generators and the facility-wide annual VOC emission limit, the facility is licensed as follows:

- As a synthetic minor source of air emissions for criteria pollutants, because Sprague is subject to license restrictions that keep facility emissions below major source thresholds for VOC; 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 new sources and modifications requires a demonstration that emissions are receiving Best Available Control Technology (BACT), as defined in *Definitions Regulation*, 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. Distillate Fuel Storage Tanks

Tanks #5 and #9 are both horizontal steel tanks, each with a diameter of 11 feet and with capacities of 17,976 and 18,900 gallons, respectively. Both Tanks store distillate fuel. These tanks were erroneously left out of the facility's previous air emission licenses.

#### 1. BACT Findings

Based on a BACT analysis performed by Sprague, the Department finds that BACT for Tanks #5 and #9 is the exclusive storage of distillate fuel and for the tanks to be painted white to reduce solar absorptance.

#### 2. Chapter 170

Distillate fuel is not an affected product as that term is defined in *Degassing of Petroleum Storage Tanks, Marine Vessels, and Transport Vessels*, 06-096 C.M.R. ch. 170. Therefore, 06-096 C.M.R. ch. 170 is not applicable to Tanks #5 and #9.

However, as a requirement of BPT, Sprague shall notify the Department at least seven days in advance of any planned degassing event, and as soon as possible for any unplanned degassing event for the distillate fuel storage tanks. Sprague shall provide the Department with the identification of the tank to be degassed and the date(s) when degassing will occur. [06-096 C.M.R. ch. 115, BPT]

3. Chapter 171

Because the capacities of Tanks #5 and #9 are below 39,000 gallons each, they are not subject to *Control of Petroleum Storage Facilities* 06-096 C.M.R. ch. 171. [06-096 C.M.R. ch. 171 § (3)(c)]

4. New Source Performance Standards

Tanks #5 and #9 are not subject to *Standards of Performance for Volatile Organic Liquid Storage Vessels (Including Petroleum Storage Vessels) for which Construction, Reconstruction, or Modification Commenced After July 23, 1984*, 40 C.F.R. Part 60, Subpart Kb, because the maximum vapor pressure of distillate fuel is less than 3.5 kilopascals. [40 C.F.R. § 60.110b(b)]

C. Gasoline Storage Tank

Tank #7 is a horizontal, double-walled steel tank which measures four feet in diameter and holds a volume of 460 gallons. Tank #7 is used to store gasoline. This tank was erroneously left out of the facility's previous air emission licenses.

1. BACT Findings

Based on a BACT analysis performed by Sprague, the Department finds that BACT for Tank #7 is the exclusive storage of gasoline, for the tank to be painted white to reduce solar absorptance, and having a submerged fill pipe.

2. Chapter 118

Because Tank #7 meets the definition of a gasoline dispensing facility, it is subject to *Gasoline Dispensing Facilities Vapor Control* 06-096 C.M.R. ch. 118. However, to verify that Tank #7 does not exceed the applicability threshold of the Stage I provisions of Ch. 118, Sprague must abide by the following:

- a. Tank #7 shall be fitted with a submerged fill pipe which extends to within six (6) inches of the bottom of the tank.
- b. Sprague shall maintain records sufficient to determine the monthly and annual throughput of gasoline in Tank #7.

3. Chapters 170 and 171

Tank #7 is not subject to *Degassing of Petroleum Storage Tanks, Marine Vessels, and Transport Vessels*, 06-096 C.M.R. ch. 170 or *Control of Petroleum Storage Facilities* 06-096 C.M.R. ch. 171, because the size of the tank is below the applicability threshold of 39,000 gallons for each chapter. [06-096 C.M.R. ch. 170 (1)(B)(1) and 06-096 C.M.R. ch. 171 (3)(C)]

4. New Source Performance Standards

Tank #7 is not subject to *Standards of Performance for Volatile Organic Liquid Storage Vessels (Including Petroleum Storage Vessels) for which Construction, Reconstruction, or Modification Commenced After July 23, 1984*, 40 C.F.R. Part 60, Subpart Kb, because the size of the tank is below the applicability threshold of 75 cubic meters. [40 C.F.R. § 60.110b(b)]

D. Annual Emissions

This license amendment will not change the facility's licensed annual emissions.

**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 Amendment A-97-71-R-A subject to the conditions found in Air Emission License A-97-71-Q-R, and the following conditions.

Severability. The invalidity or unenforceability of any provision of this License Amendment or part thereof shall not affect the remainder of the provision or any other provisions. This License Amendment 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 shall replace Condition (22) of Air Emission License A-97-71-Q-R:**

**(22) Distillate Fuel Storage Tanks (Tanks #3, #5, #9, #11, #12, #101 - 109)**

- A. Sprague shall store only distillate fuel in the distillate fuel storage tanks. [06-096 C.M.R. ch. 115, BPT and BACT]
- B. Sprague shall notify the Department at least seven days in advance of any planned degassing event, and as soon as possible for any unplanned degassing event for the distillate fuel storage tanks. Sprague shall provide the Department with the identification of the tank to be degassed and the date(s) when degassing will occur. [06-096 C.M.R. ch. 115, BPT]

- C. Tanks #3, #5, #9, #11, #12, and #101 - 109 shall be painted white. [06-096 C.M.R. ch. 115, BPT and BACT]
- D. Tanks #101 – 109 shall be equipped with internal floating roofs. [06-096 C.M.R. ch. 115, BPT]
- E. Chapter 171

Tanks #101 – 109 are internal floating roof (IFR) tanks that are subject to the following inspection requirements regardless of the product being stored.

1. Visual Inspections

At least once per calendar month, Sprague shall conduct a visual inspection of the roof of IFR tank through roof hatches. [06-096 C.M.R. ch. 171, § 5(B)(1)]

2. Instrument Inspections

- a. At least once per calendar month, Sprague shall conduct an external inspection of the internal floating roof for each IFR tank using photo ionization detection (PID) technology or, in lieu of PID technology, an LEL meter.
- b. The inspection of the internal floating roof must measure the percent LEL inside the vapor space within three feet of the internal floating roof. The PID or LEL meter must be equipped with Teflon sample tubing of sufficient length to meet this requirement. The external inspection of the IFR tank does not include or require human entry into the confined space between the tank's floating and fixed roofs.
- c. Sprague shall use a PID or LEL meter that logs data at 15 second intervals and for which the manufacturer has published correction factors for the VOCs in the tank to be measured.
- d. Readings must be taken when the wind speed is no more than five miles per hour above the average wind speed for the facility location.
- e. Readings must be conducted for a minimum of five minutes after the sample line purge is complete or in accordance with manufacturer recommendations, whichever is longer.

[06-096 C.M.R. ch. 171, § 5(B)(2)]

3. If a leak is detected, Sprague shall initiate corrective action and repair the leak within 15 calendar days. If the leak cannot be repaired within 15 days, Sprague shall notify the Department of the leak, the reason for the delay, and the expected date of the repair. Sprague shall promptly notify the Department of the date that the leak is successfully repaired. [06-096 C.M.R. ch. 171, § 5(B)(3)]
4. For each IFR tank, at least once every five calendar years and each time the tank is emptied and degassed, Sprague shall conduct a complete inspection by visually inspecting the floating roof deck, deck fittings, and rim seals from within the internal floating roof tank. The inspection may be performed entirely from the top side of the floating roof as long as there is visual access to all deck components. [06-096 C.M.R. ch. 171, § 5(B)(4)]
5. Sprague shall notify the Department at least 30 days before an inspection is to be performed from within the internal floating roof tank. If an inspection is unplanned and the facility could not have known about the inspection 30 days in advance, then the owner or operator shall notify the Department at least seven days before the inspection. Notification shall be made either by telephone immediately followed by written documentation demonstrating why the inspection was unplanned, or in writing only and sent such that it is received at least seven days before the inspection. [06-096 C.M.R. ch. 171, § 5(B)(5)]

**The following is a new condition of Air Emission License A-97-71-Q-R:**

**(30) Gasoline Storage Tank (Tank #7)**

- A. Tank #7 shall be fitted with a submerged fill pipe which extends to within six (6) inches of the bottom of the tank. [06-096 C.M.R. ch. 115, BACT]
- B. Sprague shall maintain records sufficient to determine the monthly and annual throughput of gasoline in Tank #7. [06-096 C.M.R. ch. 115, BPT]

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C. Tank #7 shall be painted white. [06-096 C.M.R. ch. 115, BACT]

DONE AND DATED IN AUGUSTA, MAINE THIS 8<sup>th</sup> DAY OF APRIL, 2026.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

BY:  for  
MELANIE LOYZIM, COMMISSIONER

**The term of this license amendment shall be ten (10) years from the issuance of Air Emission License A-97-71-Q-R (issued 2/13/2024).**

[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: 12/8/25

Date of application acceptance: 12/9/25

This Order prepared by Chris Ham, Bureau of Air Quality.