



DEPARTMENT ORDER

**York Hospital  
York County  
York, Maine  
A-468-71-J-R/M (SM)**

**Departmental  
Findings of Fact and Order  
Air Emission License  
Renewal/Minor Revision**

**FINDINGS OF FACT**

After review of the air emission license renewal and minor revision 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**

York Hospital has applied to renew its Air Emission License for the operation of emission sources associated with its healthcare facility. York Hospital has also requested a minor revision to its license to remove Boiler #2.

The equipment addressed in this license is located at 15 Hospital Drive, York, Maine.

**B. Emission Equipment**

The following equipment is addressed in this air emission license:

**Boilers**

<b>Equipment</b>	<b>Input Capacity (MMBtu/hr)</b>	<b>Firing Rate (gal/hr)</b>	<b>Fuel Type, % sulfur</b>	<b>Date of Manuf.</b>	<b>Date of Install.</b>	<b>Stack #</b>
Boiler #1	2.6	18.89	Distillate Fuel, 0.5% by weight	2005	2005	1
Boiler #3	2.97	21.29	Distillate Fuel, 0.5% by weight	1968	1968	1

**Generators**

Equipment	Input Capacity (MMBtu/hr)	Output Capacity (kW)	Fuel Type, % sulfur	Firing Rate (gal/hr)	Date of Manuf.	Date of Install.
Generator #1	3.5	400	Distillate Fuel, 0.0015% by weight	25.0	1995	1996
Generator #2	3.9	500	Distillate Fuel, 0.0015% by weight	28.0	2004	2005
Generator #3	4.8	500	Distillate Fuel, 0.0015% by weight	34.9	2014	2014
Generator #4	1.4	125	Distillate Fuel, 0.0015% by weight	10.0	2016	2016

C. Definitions

*Distillate Fuel.* For the purposes of this license, *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.

D. 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 York Hospital includes the removal of a boiler; however, it 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 and a minor revision of currently licensed emission units and has been processed through *Major and Minor Source Air Emission License Regulations*, 06-096 Code of Maine Rules (C.M.R.) ch. 115. With the annual operating hours restriction on the emergency generators, the facility is licensed below the major source thresholds for criteria pollutants and is considered a synthetic minor source. The facility is also licensed below the major source thresholds for hazardous air pollutants (HAP) and is considered an area source of 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 #3

York Hospital operates Boilers #1 and #3 for heat and hot water at the hospital. The boilers are rated at 2.6 MMBtu/hr and 2.97 MMBtu/hr, respectively, fire distillate fuel, and each exhaust through a shared stack, Stack #1. Boiler #1 was installed in 2005, and Boiler #3 was installed in 1968.

#### 1. BPT Findings

The BPT emission limits for the boilers are based on the following:

#### Distillate Fuel

PM <sup>1</sup>	0.08 lb/MMBtu 06-096 C.M.R. ch. 115, BPT
PM <sub>10</sub>	0.08 lb/MMBtu 06-096 C.M.R. ch. 115, BPT
SO <sub>2</sub>	0.5 lb/MMBtu based on the firing of distillate fuel with a sulfur content of 0.5% by weight
NO <sub>x</sub>	20 lb/1000 gal AP-42 table 3.3-1, dated 05/10
CO	5 lb/1000 gal AP-42 table 3.3-1, dated 05/10
VOC	0.34 lb/1000 gal AP-42 table 3.3-3, dated 05/10
Visible Emissions	06-096 C.M.R. ch. 115, BPT

<sup>1</sup> Emission factors for PM, PM<sub>10</sub>, and NO<sub>x</sub> have been changed to be consistent with Department determinations for boilers of similar ages and sizes, burning distillate fuel.

The BPT emission limits for the boiler are the following:

Unit	PM (lb/hr)	PM <sub>10</sub> (lb/hr)	SO <sub>2</sub> (lb/hr)	NO <sub>x</sub> (lb/hr)	CO (lb/hr)	VOC (lb/hr)
Boiler #1 distillate fuel	0.21	0.21	1.30	0.38	0.09	0.01
Boiler #3 distillate fuel	0.24	0.24	1.49	0.43	0.11	0.01

#### Visible Emissions

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

#### Fuel Use Limit

York Hospital shall be limited to 150,000 gallons of distillate fuel per Calendar year.

#### Fuel Sulfur Content Requirements

Boilers #1 and #3 are licensed to fire distillate fuel which, by definition, has a sulfur content of 0.5% or less by weight. Per 38 M.R.S. § 603-A(2)(A)(3), as of July 1, 2018, no person shall import, distribute, or offer for sale any distillate fuel with a sulfur content greater than 0.0015% by weight (15 ppm). Therefore, beginning July 1, 2018, the distillate fuel purchased or otherwise obtained for use in the boilers shall not exceed 0.0015% by weight (15 ppm).

#### 2. Periodic Monitoring

Periodic monitoring for the boilers shall include recordkeeping to document fuel use both on a monthly and calendar year total basis. Documentation shall include the type, quantity, and the sulfur content of the fuel used.

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

Due to the sizes of the boilers and the age of Boiler #3, neither boiler is 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]

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

Boilers #1 and #3 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 boilers rated below 10 MMBtu/hr. [40 C.F.R. §§63.11193 and 63.11195]

A summary of the currently applicable federal 40 C.F.R. Part 63, Subpart JJJJJ requirements is listed below. At this time, the Department has not taken delegation of this federal rule promulgated by EPA; however, York Hospital is still subject to the requirements. Notification forms and 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) Initial Notification of Compliance

An Initial Notification submittal to EPA was due no later than January 20, 2014. [40 C.F.R. § 63.11225(a)(2)]

York Hospital submitted its Initial Notification to EPA on September 14, 2011

(2) Boiler Tune-Up Program

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

(ii) Each tune-up shall be conducted at a frequency specified by the rule and based on the size, age, and operations of the boiler. Because both boilers are considered to be oil fired boilers with heat input capacities of equal to or less than 5 MMBtu/hr, they shall be tuned up 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, if requested, submitted to EPA. 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)]
- (v) After conducting the initial boiler tune-up, a Notification of Compliance Status shall be submitted to EPA no later than July 19, 2014.  
[40 C.F.R. § 63.11225(a)(4) and 40 C.F.R. § 63.11214(b)]

York Hospital submitted its Notification of Compliance Status to EPA on March 19, 2012.

(3) Compliance Report

A compliance report shall be prepared by March 1<sup>st</sup> every five years which covers the previous five calendar years. 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

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.

Records shall be in a form suitable and readily available for expeditious review. EPA requires submission of Notification of Compliance Status reports for tune-ups and energy assessments through their electronic reporting system. [40 C.F.R. § 63.11225(a)(4)(vi)]

C. Generators #1, #2, #3, and #4

York Hospital operates four emergency generators. The emergency generators are generator sets with each gen set consisting of an engine and an electrical generator. The emergency generators have engines rated at 3.5 MMBtu/hr, 3.9 MMBtu/hr, 4.8 MMBtu/hr, and 1.4 MMBtu/hr which all fire distillate fuel. The emergency generators were manufactured in 1995, 2004, 2014, and 2016, respectively.

1. BPT Findings

The BPT emission limits for the generators are based on the following<sup>2</sup>:

Distillate Fuel:

	<b>Generators #1, #2, and #3</b>	<b>Generator #4</b>
PM	0.12 lb/MMBtu 06-096 C.M.R. ch. 103	0.31 lb/MMBtu AP-42 Table 3.3-1, dated 10/96
PM <sub>10</sub>	0.12 lb/MMBtu 06-096 C.M.R. ch. 103	0.31 lb/MMBtu AP-42 Table 3.3-1, dated 10/96
	<b>Generators #2 and #3</b>	<b>Generators #1 and #4</b>
SO <sub>2</sub>	0.0015 lb/MMBtu Based on the firing of distillate fuel with a sulfur content of 0.0015% by weight	
NO <sub>x</sub>	3.2 lb/MMBtu AP-42 Table 3.4-1, dated 10/96	4.41 lb/MMBtu AP-42 Table 3.3-1, dated 10/96
CO	0.85 lb/MMBtu AP-42 Table 3.4-1, dated 10/96	0.95 lb/MMBtu AP-42 Table 3.3-1, dated 10/96
VOC	0.09 lb/MMBtu AP-42 Table 3.4-1, dated 10/96	0.36 lb/MMBtu AP-42 Table 3.3-1, dated 10/96
Visible Emissions	06-096 C.M.R. ch. 115, BPT	

<sup>2</sup> Emission factors for Generator #4 have been changed to be consistent with department determinations for generators of similar ages and sizes, burning distillate fuel.



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

Unit	PM (lb/hr)	PM <sub>10</sub> (lb/hr)	SO <sub>2</sub> (lb/hr)	NO <sub>x</sub> (lb/hr)	CO (lb/hr)	VOC (lb/hr)
Generator #1 (3.5 MMBtu/hr) Distillate fuel	0.42	0.42	0.01	15.44	3.33	1.26
Generator #2 (3.9 MMBtu/hr) Distillate fuel	0.47	0.47	0.01	12.48	3.32	0.35
Generator #3 (4.8 MMBtu/hr) Distillate fuel	0.58	0.58	0.01	15.36	4.08	0.43
Generator #4 (1.4 MMBtu/hr) Distillate fuel	0.43	0.43	Negligible	6.17	1.33	0.50

Visible Emissions

Visible emissions from each of the distillate fuel-fired emergency generators shall not exceed 20% opacity on a six-minute block average basis.

Operational Requirements (For Generators #1 and #2 only)

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, Facility 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. New Source Performance Standards (NSPS)

Generators #1 and #2

Because Generators #1 and #2 were manufactured prior to April 1, 2006, neither engine is 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. [40 C.F.R. § 60.4200]

Generators #3 and #4

*Standards of Performance for Stationary Compression Ignition Internal Combustion Engines*, 40 C.F.R. Part 60, Subpart III is applicable to the emergency engines listed above since the units were ordered after July 11, 2005, and manufactured after April 1, 2006. [40 C.F.R. § 60.4200]

A summary of the currently applicable federal 40 C.F.R. Part 60, Subpart III requirements is listed below. At this time, the Department has not taken delegation of this federal rule promulgated by EPA; however, York Hospital is still subject to the requirements.

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 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 III 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 engine(s) shall not exceed 15 ppm sulfur (0.0015% sulfur), except that any existing fuel purchased (or otherwise obtained) prior to October 1, 2010, may be used until depleted.

[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 be operated and maintained according to the manufacturers' emission-related written instructions or procedures developed by York Hospital that are approved by the engine manufacturers. York Hospital may only change those emission-related settings that are permitted by the manufacturers. [40 CFR §60.4211(a)]
- (5) Annual Time Limit for Maintenance and Testing  
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). [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 engines. [40 C.F.R. § 60.4214(b)]
- (7) Recordkeeping  
York Hospital shall keep records that include maintenance conducted on the engines and 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)]

3. 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 the emergency engines listed above. 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 institutional 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. Annual Emissions

1. Total Annual Emissions

York Hospital shall be restricted to the following annual emissions on a calendar year basis. The tons per year limits were calculated based on the firing of 150,000 gallons of fuel in the boilers and 100 hours of operation of each of the generators:

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

	PM	PM <sub>10</sub>	SO <sub>2</sub>	NO <sub>x</sub>	CO	VOC
Boilers	0.84	0.84	5.25	1.5	0.38	0.03
Generator #1	0.02	0.02	Negligible	0.77	0.17	0.06
Generator #2	0.02	0.02	Negligible	0.62	0.17	0.02
Generator #3	0.03	0.03	Negligible	0.77	0.20	0.02
Generator #4	0.02	0.02	Negligible	0.31	0.07	0.03
<b>Total TPY</b>	<b>1.0</b>	<b>1.0</b>	<b>5.3</b>	<b>4.0</b>	<b>1.0</b>	<b>0.2</b>

Pollutant	Tons/year
Single HAP	9.9
Total HAP	24.9

2. Greenhouse Gases

Greenhouse gases are considered regulated pollutants as of January 2, 2011, through 'Tailoring' revisions made to EPA's *Approval and Promulgation of Implementation Plans*, 40 C.F.R. Part 52, Subpart A, § 52.21, *Prevention of Significant Deterioration of Air Quality* rule. Greenhouse gases, as defined in 06-096 C.M.R. ch. 100, are the aggregate group of the following gases: carbon dioxide, nitrous oxide, methane, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride. For licensing purposes, greenhouse gases (GHG) are calculated and reported as carbon dioxide equivalents (CO<sub>2</sub>e).

The quantity of CO<sub>2</sub>e emissions from this facility is less than 100,000 tons per year, based on the following:

- the facility's fuel use limit;
- worst case emission factors from the following sources: U.S. EPA's AP-42, the Intergovernmental Panel on Climate Change (IPCC), and *Mandatory Greenhouse Gas Reporting*, 40 C.F.R. Part 98; and
- global warming potentials contained in 40 C.F.R. Part 98.

No additional licensing actions to address GHG emissions are required at this time.

### 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:

<b>Pollutant</b>	<b>Tons/Year</b>
PM <sub>10</sub>	25
SO <sub>2</sub>	50
NO <sub>x</sub>	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.

### 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-468-71-J-R/M 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 commencing 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]
- (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 such test results, 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 Part 70 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]

## SPECIFIC CONDITIONS

### (16) **Boilers #1 and #3**

#### A. Fuel

1. Total fuel use for Boilers #1 and #3 shall not exceed 150,000 gal/yr of distillate fuel on a calendar year total basis. [06-096 C.M.R. ch. 115, BPT]
2. Prior to July 1, 2018, the facility shall fire distillate fuel with a maximum sulfur content not to exceed 0.5% by weight. [06-096 C.M.R. ch. 115, BPT]
3. Beginning July 1, 2018, 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]
4. Compliance shall be demonstrated by fuel records from the supplier 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 total basis. [06-096 C.M.R. ch. 115, BPT]

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

Emission Unit	PM (lb/hr)	PM <sub>10</sub> (lb/hr)	SO <sub>2</sub> (lb/hr)	NO <sub>x</sub> (lb/hr)	CO (lb/hr)	VOC (lb/hr)
Boiler #1 distillate fuel	0.21	0.21	1.30	0.38	0.09	0.01
Boiler #3 distillate fuel	0.24	0.24	1.49	0.43	0.11	0.01

B. Visible Emissions

Visible emissions from Stack #1 shall not exceed 20% opacity on a six-minute block average basis. [06-096 C.M.R. ch. 115, BPT]

C. York Hospital shall comply with all requirements of 40 C.F.R. Part 63, Subpart JJJJJ applicable to the boilers 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. Because both boilers are considered oil fired boilers with heat input capacities equal to or less than 5 MMBtu/hr, they shall be tuned up 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, if requested, submitted to EPA. 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

A compliance report shall be prepared by March 1<sup>st</sup> every five years which covers the previous five calendar years. 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. 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)]:
- a. Copies of notifications and reports with supporting compliance documentation;
  - b. 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;
  - c. Records of the occurrence and duration of each malfunction of each applicable boiler; and
  - d. Records of actions taken during periods of malfunction to minimize emissions, including corrective actions to restore the malfunctioning boiler.

Records shall be in a form suitable and readily available for expeditious review. EPA requires submission of Notification of Compliance Status reports for tune-ups and energy assessments through their electronic reporting system. [40 C.F.R. § 63.11225(a)(4)(vi)]

(17) **Generators #1, #2, #3, and #4**

- 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. The fuel sulfur content for Generators #1 - #4 shall be limited to 0.0015% sulfur by weight. Compliance shall be demonstrated by fuel records from the supplier documenting the type of fuel delivered and the sulfur content of the fuel. [06-096 C.M.R. ch. 115, BPT]
- C. 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	

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

Unit	PM (lb/hr)	PM <sub>10</sub> (lb/hr)	SO <sub>2</sub> (lb/hr)	NO <sub>x</sub> (lb/hr)	CO (lb/hr)	VOC (lb/hr)
Generator #1 (3.5 MMBtu/hr) Distillate fuel	0.42	0.42	0.01	15.44	3.33	1.26
Generator #2 (3.9 MMBtu/hr) Distillate fuel	0.47	0.47	0.01	12.48	3.32	0.35
Generator #3 (4.8 MMBtu/hr) Distillate fuel	0.58	0.58	0.01	15.36	4.08	0.43
Generator #4 (1.4 MMBtu/hr) Distillate fuel	0.43	0.43	Negligible	6.17	1.33	0.50

E. Visible Emissions

Visible emissions from each of the distillate fuel-fired generators shall not exceed 20% opacity on a six-minute block average basis. [06-096 C.M.R. ch. 115, BPT]

F. Operational Requirements (*Generators #1 and #2 only*)

1. York Hospital shall keep records that include maintenance conducted on the engines and 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 the engine was in operation during each time. [06-096 C.M.R. ch. 115, BPT]
2. The 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. [06-096 C.M.R. ch. 115, BPT]

G. Generators #3 and #4 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**  
The engines 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), except that any existing fuel purchased (or otherwise obtained) prior to October 1, 2010, may be used until depleted. 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]
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]
  - b. York Hospital shall keep records that include maintenance conducted on each engine and 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 or procedures developed by York Hospital that are approved by the engine manufacturer. York Hospital may only change those emission-related settings that are permitted by the manufacturer. [40 C.F.R. § 60.4211(a)]

York Hospital  
York County  
York, Maine  
A-468-71-J-R/M (SM)

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Departmental  
Findings of Fact and Order  
Air Emission License  
Renewal / Minor Revision

- (18) York Hospital 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).

DONE AND DATED IN AUGUSTA, MAINE THIS 8 DAY OF November, 2017.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

BY: Max Allen Robert Core for  
PAUL MERCER, 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: 12/27/2016

Date of application acceptance : 01/05/2017

Date filed with the Board of Environmental Protection:

This Order prepared by Colby Fortier-Brown, Bureau of Air Quality.

