



DEPARTMENT ORDER

**Carrier Chipping, Inc.  
Somerset County  
Skowhegan, Maine  
A-813-71-F-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

Carrier Chipping, Inc. (Carrier) has applied to renew their Air Emission License for the operation of emission sources associated with their wood chipping facility.

The equipment addressed in this license is located at 36 Carrier Lane, Skowhegan, Maine.

B. Emission Equipment

The following equipment is addressed in this air emission license:

**Stationary Engines**

<b>Equipment</b>	<b>Max. Input Capacity (MMBtu/hr)</b>	<b>Rated Output Capacity (HP)</b>	<b>Fuel Type</b>	<b>Firing Rate (gal/hr)</b>	<b>Date of Manuf.</b>	<b>Date of Install.</b>
Chipper Drive	7.6	1,050	Distillate fuel	55.8	11/9/2005	2006
Emergency Generator	7.0	1,000	Distillate fuel	51.2	1996	1996

The facility operates an Arc Welder Engine, with a maximum input capacity of 0.5 MMBtu/hr firing distillate fuel, that was previously licensed as a stationary engine. However, the Arc Welder Engine is not used for production purposes and is installed in a shipping container that is moved with the Arc Welder around the facility, making it a portable engine. As such, this unit is considered an insignificant activity and not addressed further in this license.

Carrier may operate portable engines used for maintenance or emergency-only purposes. These engines are considered insignificant activities and are not required to be included in this license. However, they may still be subject to applicable State and Federal regulations.

Additionally, Carrier may operate small stationary engines smaller than 0.5 MMBtu/hr. These engines are considered insignificant activities and are not required to be included in this license. However, they are still subject to applicable State and Federal regulations. More information regarding requirements for small stationary engines is available on the Department's website at the link below.

<http://www.maine.gov/dep/air/publications/docs/SmallRICEGuidance.pdf>

### Process Equipment

Equipment	Production Rate	Pollution Control Equipment
Chipper	100 tons/hr	Water spray on blade

#### 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.

Portable or Non-Road Engine means an internal combustion engine which is portable or transportable, meaning designed to be and capable of being carried or moved from one location to another. Indicia of transportability include, but are not limited to, wheels, skids, carrying handles, dolly, trailer, or platform. This definition does NOT include engines which remain or will remain at a location (excluding storage locations) for more than 12 consecutive months or a shorter period of time for an engine located at a seasonal source. A location is any single site at a building, structure, facility, or installation. Any engine that replaces an engine at a location and that is intended to perform the same or similar function as the engine replaced will be included in calculating the consecutive time period.

An engine is not a non-road (portable) engine if it remains or will remain at a location for more than 12 consecutive months or for a shorter period of time if sited at a seasonal source. A seasonal source is a source that remains in a single location for two years or more and which operates for fewer than 12 months in a calendar year. If an engine operates at a seasonal source for one entire season, the engine does not meet the criteria of a non-road (portable) engine and is subject to applicable stationary engine requirements.

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 Carrier 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 annual fuel limit on the engines, the facility is licensed as follows:

- As a synthetic minor source of air emissions for criteria pollutants, because Carrier is subject to license restrictions that keep facility emissions below major source thresholds for NO<sub>x</sub>; 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. Engines

Carrier operates a Chipper powered by the Chipper Drive, a non-emergency, stationary engine. Carrier also has an Emergency Generator to provide electricity to equipment ancillary to the chipping unit in emergencies when electricity is not available from the grid. The engines are rated at 7.6 MMBtu/hr (Chipper Drive) and 7.0 MMBtu/hr (Emergency Engine) and were manufactured in 2005 and 1996, respectively. Both engines fire distillate fuel.

1. BPT Findings

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

For the Chipper Drive and the Emergency Generator

- PM/PM<sub>10</sub>/PM<sub>2.5</sub> – 0.12 lb/MMBtu from 06-096 C.M.R. ch. 103
- SO<sub>2</sub> – Combustion of distillate fuel with a maximum sulfur content not to exceed 15 ppm (0.0015% sulfur by weight)
- NO<sub>x</sub> – 3.2 lb/MMBtu from AP-42 Table 3.4-1 dated 10/96
- CO – 0.85 lb/MMBtu from AP-42 Table 3.4-1 dated 10/96
- VOC – 0.09 lb/MMBtu from AP-42 Table 3.4-1 dated 10/96
- Visible Emissions – 06-096 C.M.R. ch. 115, BPT

The BPT emission limits for the engines are the following:

Unit	Pollutant	lb/MMBtu
Chipper Drive	PM	0.12
Emergency Generator	PM	0.12

Unit	PM (lb/hr)	PM <sub>10</sub> (lb/hr)	PM <sub>2.5</sub> (lb/hr)	SO <sub>2</sub> (lb/hr)	NO <sub>x</sub> (lb/hr)	CO (lb/hr)	VOC (lb/hr)
Chipper Drive	0.92	0.92	0.92	0.01	24.46	6.50	0.69
Emergency Generator	0.84	0.84	0.84	0.01	22.44	5.96	0.63

Total distillate fuel use for the Chipper Drive and Emergency Generator combined shall not exceed 97,000 gallons on a calendar year total basis with a maximum sulfur content not to exceed 15 ppm (0.0015% sulfur by weight).

2. Visible Emissions

Visible emissions from each of the engines shall not exceed 20% opacity on a six-minute block average basis.

a. Periodic Monitoring

Periodic monitoring for each of the engines 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.

b. Chapter 169

The Emergency Generator was installed prior to the effective date of *Stationary Generators*, 06-096 C.M.R. ch. 169 and is therefore exempt from this rule pursuant

to section 1. The Chipper Drive provides mechanical energy directly to the chipper and does not convert mechanical energy produced by the engine into electricity, so it is not considered a generator as defined in Ch. 169.

3. New Source Performance Standards (NSPS)

The Chipper Drive was manufactured on November 9, 2005, and is therefore not subject to the New Source Performance Standards (NSPS) 40 C.F.R. Part 60, Subpart IIII, *Standards of Performance for Stationary Compression Ignition Internal Combustion Engines* firing distillate fuel and manufactured after April 1, 2006. The Emergency Engine was manufactured prior to 2006 and therefore is also not subject to 40 C.F.R. Part 60, Subpart IIII.

The definition in 40 C.F.R. § 1068.30 states that a non-road engine is an internal combustion engine that meets certain criteria, including: “Portable or transportable, meaning designed to be and capable of being carried or moved from one location to another. Indicia of transportability include, but are not limited to, wheels, skids, carrying handles, dolly, trailer, or platform.” The regulation further states at 40 C.F.R. § 1068.30 that an engine is not a non-road engine if it remains or will remain at a location for more than 12 consecutive months or for a shorter period of time if sited at a seasonal source. A seasonal source is a source that remains in a single location for two years or more and which operates for fewer than 12 months in a calendar year. If an engine operates at a seasonal source for one entire season, the engine does not meet the criteria of a non-road engine and is subject to applicable stationary engine requirements. [40 C.F.R. § 60.4200]

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

Chipper Drive and Emergency Generator

The Chipper Drive and the Emergency Generator are subject to the *National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines*, 40 C.F.R. Part 63, Subpart ZZZZ. EPA’s memo of August 9, 2010, *Guidance Regarding Definition of Residential, Commercial, and Institutional Emergency Stationary RICE<sup>1</sup> in the NESHAP for Stationary RICE*, specifically does not exempt these units from the federal requirements. [40 C.F.R. § 63.6585]

a. Chipper Drive

Per 40 C.F.R. Part 63, Subpart ZZZZ (Subpart ZZZZ), the Chipper Drive is defined as an existing stationary RICE at an area source of HAP emissions. A unit is identified as “new” if construction commenced after June 12, 2006. Per Subpart ZZZZ, “commenced” and “construction” are when a contractual

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<sup>1</sup> “RICE” is an acronym for “reciprocating internal combustion engine.”

commitment has been made to erect, build, or install a unit on-site. The documents provided to the Department by Carrier indicate that a down payment was made on the unit on May 2, 2006, the final sales invoice was dated August 25, 2006, and the unit was not on-site until September 2006, well after the Subpart ZZZZ defining date of June 12, 2006. Thus, the Chipper Drive is categorized under Subpart ZZZZ as a “new” unit. [40 C.F.R. §§ 63.6585 and 63.2]

Since the Chipper Drive is a new stationary RICE located at an area source of HAP emissions, the applicable requirements of 40 C.F.R. Part 63, Subpart ZZZZ are to meet requirements of 40 C.F.R. Part 60, Subpart IIII. [40 C.F.R. § 63.6590(c)]

A summary of the currently applicable federal 40 C.F.R. Part 60, Subpart IIII requirements is listed below.

(1) Emission Standards

The engine shall meet the emission standards for new non-road compression ignition engines found in 40 C.F.R. Part 60, Subpart IIII, Table 1 and listed in the table below. [40 C.F.R. § 60.4211(b)]

<u>Pollutant</u>	<u>g/HP-hr</u>
HC	1.0
NO <sub>x</sub>	6.9
CO	8.5
PM	0.40

Carrier has provided to the Department documentation that the Chipper Drive meets the emission limits above, per the manufacturer’s certification; thus, the Department considers that the unit is capable of meeting the above specified emission limits.

(2) Ultra-Low Sulfur Fuel Requirement

The fuel fired in the engine shall not exceed 15 ppm sulfur (0.0015% sulfur by weight). [40 C.F.R. § 60.4207(b)]

(3) Operation and Maintenance Requirements

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

Carrier 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]

b. Emergency Generator

A summary of the federal 40 C.F.R. Part 63, Subpart ZZZZ requirements currently applicable to the Emergency Generator is listed below.

(1) Emergency Engine Designation and Operating Criteria

Under 40 C.F.R. Part 63, Subpart ZZZZ, a stationary reciprocating internal combustion engine (RICE) is considered an **emergency** stationary RICE (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 63, Subpart ZZZZ, resulting in the engine being subject to requirements applicable to **non-emergency** engines.

(i) 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.

(ii) 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.

- a) 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 RICE more than 100 hours per calendar year.

- b) 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.

The facility's previously issued air emission license included the use of the Emergency Generator for up to 15 hours for use for demand response purposes. The subparts of federal regulations providing those allowances, 40 C.F.R. § 63.6640(f)(2)(ii)-(iii), § 60.4211(f)(2)(ii)-(iii), and § 60.4243(d)(2)(ii)-(iii), were vacated by a court decision issued May 1, 2015, after the facility's 2013 air emission license renewal had been issued. The vacated paragraphs specified that emergency engines may operate for a limited number of hours per year in two specific, non-emergency situations, but the court decision effectively removed those allowances.<sup>2</sup> Thus, requirements based on the vacated portions of federal rules have been removed from this air emission license.

The Emergency Generator shall be limited to the usage outlined in 40 C.F.R. § 63.6640(f) and therefore may be classified as an existing emergency stationary RICE as defined in 40 C.F.R. Part 63, Subpart ZZZZ. Failure to comply with all of the requirements listed in 40 C.F.R. § 63.6640(f) may cause this engine to not be considered an emergency engine and therefore subject to all applicable requirements for non-emergency engines.

(2) 40 C.F.R. Part 63, Subpart ZZZZ Requirements

(i) Operation and Maintenance Requirements

- a) Change oil and filter every 500 hours of operation or annually, whichever comes first;
- b) Inspect the air cleaner every 1,000 hours of operation or annually, whichever comes first, and replace as necessary; and
- c) Inspect all hoses and belts every 500 hours of operation or annually, whichever comes first, and replace as necessary.  
[40 C.F.R. § 63.6603(a) and Table 2(d)]

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<sup>2</sup> The EPA issued a memo explaining the court vacatur, found here: [ricevacaturguidance041516.pdf \(epa.gov\)](https://www.epa.gov/air-quality/ricevacaturguidance041516.pdf).



The Emergency Generator shall be operated and maintained according to the manufacturer's emission-related written instructions, or Carrier shall develop a maintenance plan which must provide to the extent practicable for the maintenance and operation of the engine in a manner consistent with good air pollution control practice for minimizing emissions. [40 C.F.R. § 63.6625(e)]

(ii) Optional Oil Analysis Program

Carrier has the option of utilizing an oil analysis program which complies with the requirements of § 63.6625(i) in order to extend the specified oil change requirement. If this option is used, Carrier must keep records of the parameters that are analyzed as part of the program, the results of the analysis, and the oil changes for the engine. The analysis program must be part of the maintenance plan for the engine. [40 C.F.R. § 63.6625(i)]

(iii) Non-Resetable Hour Meter Requirement

A non-resettable hour meter shall be installed and operated on the Emergency Generator. [40 C.F.R. § 63.6625(f)]

(iv) Startup Idle and Startup Time Minimization Requirements

During periods of startup the facility must minimize the engine's time spent at idle and minimize the engine's startup time to a period needed for appropriate and safe loading of the engine, not to exceed 30 minutes. [40 C.F.R. § 63.6625(h) and 40 C.F.R. Part 63, Subpart ZZZZ Table 2d]

(v) Annual Time Limit for Maintenance and Testing

As an emergency engine, the unit shall be limited to 100 hours/year for maintenance checks and readiness testing. Up to 50 hours/year of the 100 hours/year may be used in non-emergency situations (this does not include peak shaving, demand response, or to generate income for a facility by providing power to an electric grid or otherwise supply power as part of a financial arrangement with another entity). [40 C.F.R. § 63.6640(f)]

(vi) Recordkeeping

Carrier shall keep records that include maintenance conducted on the engine and the hours of operation of the engine recorded through the non-resettable hour meter. Documentation shall include the number of hours the unit operated for emergency purposes, the number of hours the unit operated for non-emergency purposes, and the reason the engine was in operation during each time. [40 C.F.R. § 63.6655(f)]

C. Parts Washer

Carrier operates one Parts Washer. The Parts Washer has a design capacity of 15 gallons and uses a solvent with 32.5% VOC content. The Parts Washer is subject to *Solvent Cleaners*, 06-096 C.M.R. ch. 130, and records shall be kept documenting compliance.

This equipment is exempt from *Industrial Cleaning Solvents*, 06-096 C.M.R. ch. 166 pursuant to Section (3)(B).

D. Fugitive Emissions

Visible emissions from a fugitive emission source (including stockpiles and roadways) shall not exceed 20% opacity on a five-minute block average basis.

E. General Process Emissions

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

F. 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 97,000 gal/yr of distillate fuel in the engines.

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 <sub>10</sub>	PM <sub>2.5</sub>	SO <sub>2</sub>	NO <sub>x</sub>	CO	VOC
Chipper Drive	0.8	0.8	0.8	--	20.1	5.3	0.6
Emergency Generator	--	--	--	--	1.1	0.3	--
<b>Total TPY</b>	<b>0.8</b>	<b>0.8</b>	<b>0.8</b>	<b>--</b>	<b>21.2</b>	<b>5.6</b>	<b>0.6</b>

Pollutant	Tons/year
Single HAP	9.9
Total HAP	24.9

### 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 <sub>10</sub>	25
PM <sub>2.5</sub>	15
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 renewal.

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 Carrier 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-813-71-F-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 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 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). [06-096 C.M.R. ch. 115]

## **SPECIFIC CONDITIONS**

### **(17) Engines**

#### **A. Fuel Use**

1. The engines are licensed to fire distillate fuel with a maximum sulfur content not to exceed 15 ppm (0.0015% sulfur by weight). Compliance shall be demonstrated by fuel delivery receipts from the supplier, fuel supplier certification, certificate of analysis, or testing the fuel in the tank on-site. [06 096 C.M.R. ch. 115, BPT]
2. Total fuel use for the Chipper Drive and Emergency Generator combined shall not exceed 97,000 gal/yr. Compliance shall be demonstrated by fuel records from the supplier showing the quantity and type of fuel delivered. Records of annual fuel use shall be kept on a monthly and calendar year basis. [06-096 C.M.R. ch. 115, BPT]

B. Emissions shall not exceed the following:

Unit	Pollutant	lb/MMBtu	Origin and Authority
Chipper Drive	PM	0.12	06-096 C.M.R. ch. 103, § (2)(B)(1)(a)
Emergency Generator	PM	0.12	06-096 C.M.R. ch. 103, § (2)(B)(1)(a)

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

Unit	PM (lb/hr)	PM <sub>10</sub> (lb/hr)	PM <sub>2.5</sub> (lb/hr)	SO <sub>2</sub> (lb/hr)	NO <sub>x</sub> (lb/hr)	CO (lb/hr)	VOC (lb/hr)
Chipper Drive	0.92	0.92	0.92	0.01	24.46	6.50	0.69
Emergency Generator	0.84	0.84	0.84	0.01	22.44	5.96	0.63

D. Visible Emissions

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

E. The Chipper Drive shall meet the applicable requirements of 40 C.F.R. Part 63, Subpart ZZZZ by meeting the requirements of 40 C.F.R. Part 60, Subpart IIII, including the following: [incorporated under 06-096 C.M.R. ch. 115, BPT]

1. Emission Standards

The engine shall meet the emission standards for new non-road compression ignition engines found in 40 C.F.R. Part 60, Subpart IIII, Table 1 and listed in the table below. [40 C.F.R. § 60.4211(b)]

Pollutant	g/HP-hr
HC	1.0
NO <sub>x</sub>	6.9
CO	8.5
PM	0.40

2. Ultra-Low Sulfur Fuel Requirement

The fuel fired in the engine shall not exceed 15 ppm sulfur (0.0015% sulfur). [40 C.F.R. § 60.4207(b)]

3. Operation and Maintenance Requirements

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

Carrier 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]

F. The Emergency Generator shall meet the applicable requirements of 40 C.F.R. Part 63, Subpart ZZZZ, including the following: [incorporated under 06-096 C.M.R. ch. 115, BPT]

1. Carrier shall meet the following operational limitations for the Emergency Generator engine:

- a. Change the oil and filter every 500 hours of operation or annually, whichever comes first;
- b. Inspect the air cleaner every 1,000 hours of operation or annually, whichever comes first, and replace as necessary; and
- b. Inspect the hoses and belts every 500 hours of operation or annually, whichever comes first, and replace as necessary.

Records shall be maintained documenting compliance with the operational limitations.

[40 C.F.R. § 63.6603(a) and Table 2(d); and 06-096 C.M.R. ch. 115]

2. Oil Analysis Program Option

Carrier has the option of utilizing an oil analysis program which complies with the requirements of § 63.6625(i) in order to extend the specified oil change requirement. If this option is used, Carrier must keep records of the parameters that are analyzed as part of the program, the results of the analysis, and the oil changes for each engine. The analysis program must be part of the maintenance plan for each engine. [40 C.F.R. § 63.6625(i)]

3. Non-Resettable Hour Meter

A non-resettable hour meter shall be installed and operated on the engine. [40 C.F.R. § 63.6625(f)]

4. Maintenance, Testing, and Non-Emergency Operating Situations

- a. As an emergency engine, the unit shall be limited to 100 hours/year for maintenance checks and readiness testing. Up to 50 hours/year of the 100 hours/year may be used in non-emergency situations (this does not include peak shaving, demand response, or to generate income for a facility by providing power to an electric grid or otherwise to 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 logs) of all engine operating hours. [40 C.F.R. § 63.6640(f) and 06-096 C.M.R. ch. 115, BPT]



- b. Carrier shall keep records that include maintenance conducted on the engine and the hours of operation of the engine recorded through the non-resettable hour meter. Documentation shall include the number of hours the unit operated for emergency purposes, the number of hours the unit operated for non-emergency purposes, and the reason the engine was in operation during each time. [40 C.F.R. §§ 63.6655(e) and (f)]
5. Operation and Maintenance  
The engine shall be operated and maintained according to the manufacturer's emission-related written instructions, or Carrier shall develop a maintenance plan which provides to the extent practicable for the maintenance and operation of the engine in a manner consistent with good air pollution control practice for minimizing emissions. [40 C.F.R. § 63.6625(e)]  
  
Carrier 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]
6. Startup Idle and Startup Time Minimization  
During periods of startup, the facility must minimize the engine's time spent at idle and minimize the engine's startup time to a period needed for appropriate and safe loading of the engine, not to exceed 30 minutes.  
[40 C.F.R. § 63.6625(h) & 40 C.F.R. Part 63, Subpart ZZZZ Table 2d]

(18) **Parts Washer**

The Parts Washer at Carrier is subject to *Solvent Cleaners*, 06-096 C.M.R. ch. 130.

- A. Carrier shall keep records of the amount of solvent added to the parts washer.  
[06-096 C.M.R. ch. 115, BPT]
- B. The following are exempt from the requirements of 06-096 C.M.R. ch. 130 [06-096 C.M.R. ch. 130]:
  1. Solvent cleaners using less than two liters (68 oz.) of cleaning solvent with a vapor pressure of 1.00 mmHg, or less, at 20° C (68° F);
  2. Wipe cleaning; and,
  3. Cold cleaning machines using solvents containing less than or equal to 5% VOC by weight.

C. The following standards apply to cold cleaning machines that are applicable sources under 06-096 C.M.R. ch. 130.

1. Carrier shall attach a permanent conspicuous label to the unit summarizing the following operational standards:
  - a. Waste solvent shall be collected and stored in closed containers.
  - b. Cleaned parts shall be drained of solvent directly back to the cold cleaning machine by tipping or rotating the part for at least 15 seconds or until dripping ceases, whichever is longer.
  - c. Flushing of parts shall be performed with a solid solvent spray that is a solid fluid stream (not a fine, atomized or shower type spray) at a pressure that does not exceed 10 psig. Flushing shall be performed only within the freeboard area of the cold cleaning machine.
  - d. The cold cleaning machine shall not be exposed to drafts greater than 40 meters per minute when the cover is open.
  - e. Sponges, fabric, wood, leather, paper products and other absorbent materials shall not be cleaned in the parts washer.
  - f. When a pump-agitated solvent bath is used, the agitator shall be operated to produce no observable splashing of the solvent against the tank walls or the parts being cleaned. Air agitated solvent baths may not be used.
  - g. Spills during solvent transfer shall be cleaned immediately. Sorbent material used to clean spills shall then be immediately stored in covered containers.
  - h. Work area fans shall not blow across the opening of the parts washer unit.
  - i. The solvent level shall not exceed the fill line.
2. The remote reservoir cold cleaning machine shall be equipped with a perforated drain with a diameter of not more than six inches.
3. The parts washer shall be equipped with a cover that shall be closed at all times except during cleaning of parts or the addition or removal of solvent.  
[06-096 C.M.R. ch. 130]

(19) **Fugitive Emissions**

Visible emissions from a fugitive emission source (including stockpiles and roadways) shall not exceed 20% opacity on a five-minute block average basis.  
[06-096 C.M.R. ch. 101, § 3(C)]

(20) **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, § 3(B)(4)]

- (21) 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, Carrier may be required to submit additional information. Upon written request from the Department, Carrier 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 17<sup>th</sup> DAY OF NOVEMBER, 2023.

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: January 24, 2023

Date of application acceptance: January 24, 2023

Date filed with the Board of Environmental Protection:

This Order prepared by Kendra Nash, Bureau of Air Quality.

