



DEPARTMENT ORDER

**Final Gift USA, LLC
Androscoggin County
Turner, Maine
A-887-71-M-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 Department of Environmental Protection (the Department) finds the following facts:

I. REGISTRATION

A. Introduction

Final Gift USA, LLC (Final Gift) has applied to renew their Air Emission License, permitting the operation of several Class IV-A veterinary incinerators to dispose of animal remains.

The equipment addressed in this license is located at 54 Pit Rd, Turner, Maine.

B. Emission Equipment

The following seven licensed units are identified as follows:

Unit Identification	Manufacturer, Model	Manufactured/ Installed
Units #1, #3, #5	B&L Cremation Systems, Inc., Model BLP 500	2004
Unit #8	B&L Cremation Systems, Inc., Model BLP 400m	2008
Unit #10	B&L Systems Model BLI-800/150	2013
Unit #11	B&L Cremation Systems Model BLP-1000 M4	2014
Unit #12	B&L Cremation Model BLP-1000 M4	2017

All seven of the licensed incinerators share the following specifications:

Class Incinerator	IV-A
No. of Chambers	2
Type of Waste	Type 4
Emission Control	Afterburner

The following specifications vary specific to each unit:

Unit Identification	Max. Initial Charge (lb/load)	Max. Design Combustion Rate (lb/hr)	Auxiliary Fuel	Max. Design Capacity (MMBtu/hr)		Stack ID	Stack AGL* Height (ft)
				Primary Chamber	Secondary Chamber		
Units #1, #3, #5	500	150	Propane	0.5	1.0	#1, #3, and #5	25
Unit #8	400	75		0.5	0.75	#8	25
Unit #10	800	150	Propane, Natural gas	2.5	1.5	#10	23
Unit #11	600	250		2.0	1.0	#11	28
Unit #12	600	250		2.0	1.0	#12	20

*AGL = Above Ground Level

C. Definitions

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 issued date of this license.

The application for Final Gift 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

The facility is licensed as follows:

- As a natural minor source of air emissions, because no license restrictions are necessary to keep facility emissions below major source thresholds for criteria pollutants; 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

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 06-096 C.M.R. ch. 100.

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. Veterinary Incinerators

BPT for each Class IV-A veterinary incinerator includes the following:

1. Emission Limits

- a. Each Veterinary Incinerator is licensed to fire propane. Units #10, #11, and #12 are also licensed to fire natural gas. The emissions information below is based on firing propane for all veterinary incinerators, because the units have higher NO_x and VOC emission rates when firing propane as compared with natural gas, while the PM, PM₁₀, PM_{2.5}, SO₂, and CO emission rates for both auxiliary fuels are comparable.
- b. The previous license used the particulate emission rate of 0.12 gr/dscf corrected to 12% CO₂ from *Incinerator Particulate Emission Standard* 06-096 C.M.R. ch. 104. However, the PM/PM₁₀/PM_{2.5} emission limit from AP-42 chapter 2.3 in the next section is based on test data for similar units and will be used going forward.
- c. Emissions information is based on the burning of propane fuel as an auxiliary fuel and the use of factors from AP-42 Tables 2.3-1 and 2.3-2 (dated 7/93) for biomedical waste incineration and Table 1.5-1 (dated 7/08) for firing propane fuel:

Pollutant	Biomedical Waste	
	Incineration	Firing of Propane
PM	– 4.67 lb/ton	0.05 lb/MMBtu
PM ₁₀ /PM _{2.5}	– 4.67 lb/ton	0.7 lb/1,000 gal
SO ₂	– 2.17 lb/ton	0.018 lb/1,000 gal
NO _x	– 3.56 lb/ton	13 lb/1,000 gal
CO	– 2.95 lb/ton	7.5 lb/1,000 gal
VOC	– 0.299 lb/ton	1.0 lb/1,000 gal
Visible Emissions	– 06-096 C.M.R. ch. 115, BPT	

- d. BPT emissions limits for the veterinary incinerators are the following:

	PM (lb/hr)	PM₁₀ (lb/hr)	PM_{2.5} (lb/hr)	SO₂ (lb/hr)	NO_x (lb/hr)	CO (lb/hr)	VOC (lb/hr)
Unit #1	0.43	0.36	0.36	0.16	0.48	0.34	0.04
Unit #3	0.43	0.36	0.36	0.16	0.48	0.34	0.04
Unit #5	0.43	0.36	0.36	0.16	0.48	0.34	0.04

	PM (lb/hr)	PM₁₀ (lb/hr)	PM_{2.5} (lb/hr)	SO₂ (lb/hr)	NO_x (lb/hr)	CO (lb/hr)	VOC (lb/hr)
Unit #8	0.24	0.18	0.18	0.08	0.31	0.21	0.02
Unit #10	0.55	0.38	0.38	0.16	0.84	0.55	0.07
Unit #11	0.73	0.61	0.61	0.27	0.87	0.61	0.07
Unit #12	0.73	0.61	0.61	0.27	0.87	0.61	0.07

- e. Visible emissions from each veterinary incinerator shall not exceed 10% opacity on a six-minute block average basis.
2. Operating Parameters for Each Veterinary Incinerator
- a. Each veterinary incinerator shall be used for the disposal of type 4 (veterinary) waste and shall not be used for the disposal of plastics, cytotoxic (antineoplastic) drugs, or any radioactive wastes and shall not be used to dispose of any medical waste classified as type 7 waste, as defined in 06-096 C.M.R. ch. 100. However, the incidental use of plastics used in wrapping animal carcasses for handling and storage purposes and subsequent combustion is allowed.
- b. Operating temperature in the secondary chamber or refractory-lined stack shall be maintained at or above 1,600 °F with a stack gas retention time of at least 1.0 second at or above 1,600 °F.
- c. To ensure an efficient burn and to prevent odors and minimize visible emissions, the secondary chamber shall be preheated, as specified by the manufacturer to a minimum of 1,600 °F prior to combusting any waste and shall be maintained at a minimum of 1,600 °F during the duration of the burn.
- d. Once the burn cycle has commenced by introduction of primary chamber combustion, the incinerator shall be operated in an efficient manner and as specified by the manufacturer for the period of time between preheat and reaching the set operational temperature to be a minimum of 1,600 °F in the secondary chamber.
- e. Final Gift shall have available on site a copy of the manufacturer's operating instructions.
- f. The temperature in the secondary chamber or refractory-lined stack shall be maintained at or above 1,600 °F for the duration of the burn cycle.
- g. A pyrometer and ¼-inch test port shall be installed and maintained at the location of the incinerator or refractory-lined stack, which provides sufficient volume to ensure a flue gas retention time of not less than 1.0 second at the minimum of 1,600 °F.

- h. A log shall be maintained detailing and quantifying the hours of operation on a daily basis for each Class IV-A Veterinary Incinerator. The log shall record the weight of each charge to the incinerator, preheating temperature, preheating time, charging time, and afterburner temperature directly after charging and every 60 minutes after startup until and including final shutdown time. For facilities operating a chart recorder, the start time, date, and weight charged may be logged on the chart. The operation log shall be kept on-site at the incinerator location.
- i. A log shall be maintained detailing the maintenance of emission control equipment. Records of the date of each inspection and any corrective action required will be included in the maintenance log. The maintenance log shall be kept on-site at the incinerator location.
- j. The ash shall be disposed of in accordance with the requirements of the Department’s Bureau of Remediation and Waste Management.
- k. The incinerator operator(s) shall receive adequate training to operate the incinerator in accordance with the manufacturer’s specifications and shall be familiar with the terms of the Air Emission License.

C. 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 operating each incinerator unit for 8,760 hr/yr.

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	PM₁₀	PM_{2.5}	SO₂	NO_x	CO	VOC
Unit #1	1.9	1.6	1.6	0.7	2.1	1.5	0.2
Unit #3	1.9	1.6	1.6	0.7	2.1	1.5	0.2
Unit #5	1.9	1.6	1.6	0.7	2.1	1.5	0.2
Unit #8	1.0	0.8	0.8	0.4	1.4	0.9	0.1
Unit #10	2.4	1.7	1.7	0.7	3.7	2.4	0.3
Unit #11	3.2	2.7	2.7	1.2	3.8	2.7	0.3
Unit #12	3.2	2.7	2.7	1.2	3.8	2.7	0.3
Total TPY	15.5	12.7	12.7	5.6	19.0	13.2	1.6

III. AMBIENT AIR QUALITY ANALYSIS

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

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

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

This determination is based on information provided by the applicant regarding licensed emission units. If the Department determines that any parameter (e.g., stack size, configuration, flow rate, emission rates, nearby structures, etc.) deviates from what was included in the application, the Department may require Final Gift 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 above source:

- will receive Best Practical Treatment,
- will not violate applicable emission standards
- will not violate applicable ambient air quality standards in conjunction with emissions from other sources.

The Department hereby grants Air Emission License A-887-71-M-R subject to the following conditions.

Severability. The invalidity or unenforceability of any provision, or part thereof, of this License 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 which any emission 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. [06-096 C.M.R. ch. 115]
- (2) The licensee shall acquire a new or amended air emission license prior to beginning actual construction of a modification, unless specifically provided for in 06-096 C.M.R. ch. 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 control systems required by the air emission license in a manner consistent with good air pollution control practices 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 the 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 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 the 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 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 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 provision 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 when such changes result in an increase of emissions. The licensee shall report all excess emissions in the units of the applicable emission limitations. [06-096 C.M.R. ch. 115]
- (15) Upon the written request of 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) Veterinary Incinerators (Units #1, #3, #5, #8, #10, #11, and #12)

- A. Each veterinary incinerator shall be used for the disposal of type 4 (veterinary) waste and shall not be used for the disposal of plastics, cytotoxic (antineoplastic) drugs, or any radioactive wastes and shall not be used to dispose of any medical waste classified as type 7 waste, as defined in 06-096 C.M.R. ch. 100. However, the incidental use of plastics used in wrapping animal carcasses for handling and storage purposes and subsequent combustion is allowed. [06-096 C.M.R. ch. 115, BPT]
- B. Each veterinary incinerator shall not exceed the maximum initial charge and design combustion rate per the table below. This table also specifies the auxiliary fuel(s) that each unit is licensed to fire. [06-096 C.M.R. ch. 115, BPT]

Unit Identification	Max. Initial Charge (lb/load)	Max. Design Combustion Rate (lb/hr)	Auxiliary Fuel
Units #1, #3, #5	500 (each)	150 (each)	Propane
Unit #8	400	75	Propane
Unit #10	800	150	Propane and Natural gas
Unit #11	600	250	Propane and Natural gas
Unit #12	600	250	Propane and Natural gas

- C. Final Gift shall maintain a log detailing and quantifying the hours of operation on a daily basis for each Class IV-A Veterinary Incinerator. The log shall record the weight of each charge to the incinerator, preheating temperature, preheating time, charging time, and afterburner temperature directly after charging and every 60 minutes after startup until and including final shutdown time. For facilities operating a chart recorder, the start time, date, and weight charged may be logged on the chart. The operation log shall be kept on-site at the incinerator location. [06-096 C.M.R. ch. 115, BPT]
- D. Final Gift shall maintain a log detailing the maintenance of emission control equipment. Records of the date of each inspection and any corrective action required will be included in the maintenance log. The maintenance log shall be kept on-site at the incinerator location. [06-096 C.M.R. ch. 115, BPT]
- E. The secondary chamber shall be preheated as specified by the manufacturer to a minimum of 1,600 °F prior to combusting any waste and shall be maintained at a minimum of 1,600 °F during the duration of the burn. [06-096 C.M.R. ch. 115, BPT]
- F. Once the burn cycle has commenced by introduction of primary chamber combustion, the incinerator shall be operated in an efficient manner and as specified by the manufacturer for the period of time between preheat and reaching the set operational temperature to be a minimum of 1,600 °F in the secondary chamber. [06-096 C.M.R. ch. 115, BPT]
- G. Final Gift shall have available on site a copy of the manufacturer’s operating instructions for each veterinary incinerator. [06-096 C.M.R. ch. 115, BPT]
- H. A pyrometer and ¼-inch test port shall be operated and maintained at that location of the incinerator or refractory-lined stack which provides sufficient volume to insure a flue gas retention time of not less than 1.0 second at the minimum of 1,600 °F. [06-096 C.M.R. ch. 115, BPT]
- I. BPT emission limits for the veterinary incinerators are the following [06-096 C.M.R. ch. 115, BPT]:

	PM (lb/hr)	PM₁₀ (lb/hr)	PM_{2.5} (lb/hr)	SO₂ (lb/hr)	NO_x (lb/hr)	CO (lb/hr)	VOC (lb/hr)
Unit #1	0.43	0.36	0.36	0.16	0.48	0.34	0.04
Unit #3	0.43	0.36	0.36	0.16	0.48	0.34	0.04
Unit #5	0.43	0.36	0.36	0.16	0.48	0.34	0.04
Unit #8	0.24	0.18	0.18	0.08	0.31	0.21	0.02
Unit #10	0.55	0.38	0.38	0.16	0.84	0.55	0.07
Unit #11	0.73	0.61	0.61	0.27	0.87	0.61	0.07
Unit #12	0.73	0.61	0.61	0.27	0.87	0.61	0.07

- J. Visible emissions from each veterinary incinerator shall not exceed 10% opacity limit on a six-minute block average basis. [06-096 C.M.R. ch. 115, BPT]
- K. The ash shall be disposed of in accordance with the requirements of the Department's Bureau of Remediation and Waste Management. [06-096 C.M.R. ch. 115, BPT]
- L. The incinerator operator(s) shall receive adequate training to operate the incinerator in accordance with the manufacturer's specifications and shall be familiar with the terms of this Air Emission License as it pertains to the operation of the incinerator. [06-096 C.M.R. ch. 115, BPT]
- M. Although not required at this time, the installation and operation of continuous chart recording devices may become necessary to document compliance with the temperature requirements of this license. Should the Bureau of Air Quality determine that continuous recording devices are necessary, the licensee shall, within 120 days, demonstrate that continuous recorders have been installed and are operational. [06-096 C.M.R. ch. 115, BPT]

- (18) 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, Final Gift may be required to submit additional information. Upon written request from the Department, Final Gift 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 15th DAY OF AUGUST, 2024.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

BY:  for
MELANIE LOYZIM, COMMISSIONER

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

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

PLEASE NOTE ATTACHED SHEET FOR GUIDANCE ON APPEAL PROCEDURES

Date of initial receipt of application: June 17, 2024

Date of application acceptance: June 18, 2024

Date filed with the Board of Environmental Protection:

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

