



DEPARTMENT ORDER

Northeastern University
Cumberland County
Portland, Maine
A-1194-71-A-N

Departmental
Findings of Fact and Order
Air Emission License

FINDINGS OF FACT

After review of the air emission license 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

Northeastern University (Northeastern) has applied for an Air Emission License for the operation of emission sources associated with their education, research, and business startup facility.

The equipment addressed in this license is located at 37 Northeastern Drive, Portland, Maine.

B. Title, Right, or Interest

In their application, Northeastern submitted copies of a property deed demonstrating ownership of the facility. Northeastern has provided sufficient evidence of title, right, or interest in the facility for purposes of this air emission license.

C. Emission Equipment

The following equipment is addressed in this air emission license:

Emergency Engines

Equipment	Max. Input Capacity	Rated Output Capacity	Fuel Type	Firing Rate (gal/hr)	Date of Manuf.	Date of Install.
Generator #1	9.9 MMBtu/hr	1,000 kW	Distillate Fuel	71.5	2025	2026
Generator #2	0.96 MMBtu/hr	83 kW	Distillate Fuel	6.9	2024	2026

Northeastern 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>

Northeastern plans to install an underground distillate fuel storage tank less than 10,000 gallons in capacity. Pursuant to 06-096 C.M.R. ch. 115, Appendix B § (B)(7), it is considered an insignificant activity and mentioned for completeness purposes only.

D. Definitions

Distillate Fuel means the following:

- Fuel oil that complies with the specifications for fuel oil numbers 1 or 2, as defined by the American Society for Testing and Materials (ASTM) in ASTM D396;
- Diesel fuel oil numbers 1 or 2, as defined in ASTM D975;
- Kerosene, as defined in ASTM D3699;
- Biodiesel, as defined in ASTM D6751; or
- Biodiesel blends, as defined in ASTM D7467.

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

E. 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.

A new source is considered a major source based on whether or not total licensed annual emissions exceed the "Significant Emissions" levels as defined in the Department's *Definitions Regulation*, 06-096 Code of Maine Rules (C.M.R.) ch. 100.

Pollutant	Total Licensed Annual Emissions (tpy)	Significant Emissions Levels
PM	0.1	100
PM ₁₀	0.1	100
PM _{2.5}	0.1	100
SO ₂	0.1	100
NO _x	1.8	100
CO	0.5	100
VOC	0.1	50*

* Northeastern is located in an area of the state included in the Ozone Transport Region. Therefore, the significant emission level for VOC is 50 tpy.

The Department has determined the facility is a minor source, and the application has been processed through *Major and Minor Source Air Emission License Regulations*, 06-096 C.M.R. ch. 115.

F. Facility Classification

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

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

II. BEST PRACTICAL TREATMENT (BPT)

A. Introduction

In order to receive a license, the applicant must control emissions from each unit to a level considered by the Department to represent Best Practical Treatment (BPT), as defined in *Definitions Regulation*, 06-096 C.M.R. ch. 100. Separate control requirement categories exist for new and existing equipment.

BPT for new sources and modifications requires a demonstration that emissions are receiving Best Available Control Technology (BACT), as defined in *Definitions Regulation*, 06-096 C.M.R. ch. 100. BACT is a top-down approach to selecting air emission controls considering economic, environmental, and energy impacts.

B. Generators #1 and #2

Northeastern operates two emergency generators identified as Generator #1 and Generator #2. Each of the emergency generators consists of an engine and an electrical generator. The emergency generators have engines rated at 9.9 MMBtu/hr and 0.96 MMBtu/hr, respectively, which fire distillate fuel. Generators #1 and #2 were manufactured in 2025 and 2024, respectively.

1. BACT Findings

Northeastern has proposed using an EPA Tier II certified engine for Generator #1. Add-on pollution controls for a limited operation emergency engine with correspondingly low potential emissions is not considered economically feasible. The same determination also applies to Generator #2, which has even lower potential to emit.

The BACT emission limits for Generators #1 and #2 are based on the following:

- PM/PM₁₀/PM_{2.5} – 0.12 lb/MMBtu, 06-096 C.M.R. ch. 103 for Generator #1;
 06-096 C.M.R. ch. 115, BACT for Generator #2
- SO₂ – Combustion of distillate fuel with a maximum sulfur content
 not to exceed 15 ppm (0.0015% sulfur by weight)
- NO_x – 3.2 lb/MMBtu from AP-42 Table 3.4-1 dated 4/25 (for
 Generator #1)
 4.41 lb/MMBtu from AP-42 Table 3.3-1 dated 4/25 (for
 Generator #2)
- CO – 0.85 lb/MMBtu from AP-42 Table 3.4-1 dated 4/25 (for
 Generator #1)
 0.95 lb/MMBtu from AP-42 Table 3.3-1 dated 4/25 (for
 Generator #2)
- VOC – 0.09 lb/MMBtu from AP-42 Table 3.4-1 dated 4/25 (for
 Generator #1)
 0.36 lb/MMBtu from AP-42 Table 3.3-1 dated 4/25 (for
 Generator #2)
- Visible Emissions – 06-096 C.M.R. ch. 101

The BACT emission limits for Generators #1 and #2 are the following:

Unit	Pollutant	lb/MMBtu
Generator #1	PM	0.12

Unit	PM (lb/hr)	PM ₁₀ (lb/hr)	PM _{2.5} (lb/hr)	SO ₂ (lb/hr)	NO _x (lb/hr)	CO (lb/hr)	VOC (lb/hr)
Generator #1	1.19	1.19	1.19	0.02	31.68	8.42	0.89
Generator #2	0.12	0.12	0.12	-	4.23	0.91	0.35

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

BACT for Generators #1 and #2 includes recordkeeping of all maintenance conducted on each engine.

2. Chapter 169

Stationary Generators, 06-096 C.M.R. ch. 169 (Chapter 169), is applicable to Generators #1 and #2. Generator #2 is powered by an engine with a rated output of less than 1,000 brake horsepower (747 kW). Generator #1 is powered by an engine with a rated output of greater than 1,000 brake horsepower (747 kW). Chapter 169 identifies emission standards for generator engines subject to this chapter and stack height requirements for certain generator engines subject to this chapter.

a. Chapter 169 Emission Standards Requirements

For Generator #2, Northeastern shall comply with the emission standards for emergency generators by complying with the applicable standards contained in 40 C.F.R. Part 60, Subpart III. [06-096 C.M.R. ch. 169, § 4(B)(1)]

For Generator #1, Northeastern has elected to comply with the emission standards for emergency generators by accepting a limit on total generator usage (emergency and non-emergency combined) of 500 hours/year (12-month rolling total basis). Compliance shall be demonstrated through recordkeeping of all generator operating times.

If there are periods of extended outage such as a natural disaster or other similar event outside Northeastern's control, Northeastern may apply to the Department for a temporary variance to exempt specific time periods from this annual hour limit. The Department Commissioner may, without hearing, issue that variance for a period of time not to exceed 30 days if, in his/her judgement, the variance is necessary to avoid immediate threat to public health, safety, or general welfare or to protect critical infrastructure.

b. Chapter 169 Stack Height Requirements

Chapter 169 identifies stack height requirements for any stack used to exhaust a generator engine or combination of generator engines with a combined rated output equal to or greater than 1,000 brake horsepower (747 kW). Individual generator engines with a maximum power capacity of less than 300 kW are not included in the assessment of the combined generator power capacity exhausted through a common stack. [06-096 C.M.R. ch. 169, § 6]

There are no stack height requirements in Chapter 169 applicable to Generator #2 because it exhausts through its own stack and its rated output is less than 1,000 brake horsepower (747 kilowatts). [06-096 C.M.R. ch. 169, § 6]

Northeastern submitted a qualitative ambient impact screening analysis (QAISA), in accordance with Section 6.B. of Ch. 169, for Generator #1. The QAISA considered many factors including engine size, emission rates, operational limits, stack height, height of surrounding structures, distance to ambient air, terrain features, and proximity to sensitive receptors. Based on the analysis submitted, the Department finds that with the proposed minimum stack height of 153 feet above ground level, due to Generator #1 being located on top of a roof 143 feet above ground level, Generator #1 will not cause or contribute to violations of ambient air quality standards. [06-096 C.M.R. ch. 169, § 6(B)]

3. New Source Performance Standards

Standards of Performance for Stationary Compression Ignition Internal Combustion Engines, 40 C.F.R. Part 60, Subpart III is applicable to Generators #1 and #2 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.

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 of this subpart applicable to **non-emergency** engines.

(1) Emergency Situation Operation (On-Site)

Examples of use of an emergency engine during emergency situations include the following:

- Use of an engine to produce power for critical networks or equipment (including power supplied to portions of a facility) because of failure or interruption of electric power from the local utility (or the normal power source, if the facility runs on its own power production);
- Use of an engine to mitigate an on-site disaster;
- Use of an engine to pump water in the case of fire, flood, natural disaster, or severe weather conditions; and
- Similar instances.

(2) Non-Emergency Situation Operation

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 engines shall not exceed 15 ppm sulfur (0.0015% sulfur). [40 C.F.R. § 60.4207(b)]

(3) Non-Resettable Hour Meter Requirement

A non-resettable hour meter shall be installed and operated on each engine. [40 C.F.R. § 60.4209(a)]

(4) Operation and Maintenance Requirements

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

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

(5) Annual Time Limit for Maintenance and Testing

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

Northeastern shall keep records that include the hours of operation of each engine recorded through the non-resettable hour meter. Documentation shall include the number of hours each unit operated for emergency purposes, the number of hours each unit operated for non-emergency purposes, and the reason each engine was in operation during each time.

[40 C.F.R. § 60.4214(b)]

For simplicity, the recordkeeping described above is streamlined with the more stringent recordkeeping required to demonstrate compliance with 06-096 C.M.R. ch. 169. The standards themselves are not being streamlined, only the recordkeeping required for compliance demonstration. Therefore, Northeastern shall maintain records of engine operating times on a 12-month rolling total basis. The 12-month rolling total encompassing January through December of each calendar year shall be used to demonstrate compliance with the annual time limit for maintenance and testing pursuant to 40 C.F.R. § 60.4211(f) as described above.

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

Pursuant to 40 C.F.R. § 63.6590(c), stationary combustion ignition engines subject to the regulations under 40 C.F.R. Part 60, Subpart IIII must meet the requirements of Subpart ZZZZ by meeting the requirements of 40 C.F.R. Part 60, Subpart IIII. No further requirements apply for such engines under Subpart ZZZZ. [40 C.F.R. § 63.6590(c)]

C. Fugitive Emissions

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

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

D. 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 the following:

- operating Generator #2 for 100 hours per year of non-emergency use; and
- operating Generator #1 for 500 hours per year.

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

Total Licensed Annual Emissions for the Facility
Tons/year

(used to calculate the annual license fee)

	PM	PM ₁₀	PM _{2.5}	SO ₂	NO _x	CO	VOC
Generator #1	0.3	0.3	0.3	-	7.9	2.1	0.2
Generator #2	-	-	-	-	0.2	0.1	-
Total TPY	0.3	0.3	0.3	0.1*	8.1	2.2	0.2

* Because estimated emissions are small but not zero, these values were rounded to the nearest tenth of a ton.

Pollutant	Tons/year
Single HAP	7.9
Total HAP	19.9

III. AMBIENT AIR QUALITY ANALYSIS

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

Pollutant	Tons/Year
PM ₁₀	25
PM _{2.5}	15
SO ₂	50

Pollutant	Tons/Year
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 the expected construction and operation of the 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 Northeastern 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-1194-71-A-N subject to the following conditions.

Severability. The invalidity or unenforceability of any provision of this License or part thereof shall not affect the remainder of the provision or any other provisions. This License shall be construed and enforced in all respects as if such invalid or unenforceable provision or part thereof had been omitted.

STANDARD CONDITIONS

- (1) Employees and authorized representatives of the Department shall be allowed access to the licensee's premises during business hours, or any time during which any emissions units are in operation, and at such other times as the Department deems necessary for the purpose of performing tests, collecting samples, conducting inspections, or examining and copying records relating to emissions (38 M.R.S. § 347-C).
- (2) The licensee shall acquire a new or amended air emission license prior to beginning actual construction of a modification, unless specifically provided for in Chapter 115. [06-096 C.M.R. ch. 115]

- (3) Approval to construct shall become invalid if the source has not commenced construction within eighteen (18) months after receipt of such approval or if construction is discontinued for a period of eighteen (18) months or more. The Department may extend this time period upon a satisfactory showing that an extension is justified, but may condition such extension upon a review of either the control technology analysis or the ambient air quality standards analysis, or both. [06-096 C.M.R. ch. 115]
- (4) The licensee shall establish and maintain a continuing program of best management practices for suppression of fugitive particulate matter during any period of construction, reconstruction, or operation which may result in fugitive dust, and shall submit a description of the program to the Department upon request. [06-096 C.M.R. ch. 115]
- (5) The licensee shall pay the annual air emission license fee to the Department, calculated pursuant to Title 38 M.R.S. § 353-A. [06-096 C.M.R. ch. 115] Payment of the annual air emission license fee for Northeastern is due by the end of February of each year. [38 M.R.S. § 353-A(3)]
- (6) The license does not convey any property rights of any sort, or any exclusive privilege. [06-096 C.M.R. ch. 115]
- (7) The licensee shall maintain and operate all emission units and air pollution systems required by the air emission license in a manner consistent with good air pollution control practice for minimizing emissions. [06-096 C.M.R. ch. 115]
- (8) The licensee shall maintain sufficient records to accurately document compliance with emission standards and license conditions and shall maintain such records for a minimum of six (6) years. The records shall be submitted to the Department upon written request. [06-096 C.M.R. ch. 115]
- (9) The licensee shall comply with all terms and conditions of the air emission license. The filing of an appeal by the licensee, the notification of planned changes or anticipated noncompliance by the licensee, or the filing of an application by the licensee for a renewal of a license or amendment shall not stay any condition of the license. [06-096 C.M.R. ch. 115]
- (10) The licensee may not use as a defense in an enforcement action that the disruption, cessation, or reduction of licensed operations would have been necessary in order to maintain compliance with the conditions of the air emission license. [06-096 C.M.R. ch. 115]
- (11) In accordance with the Department's air emission compliance test protocol and 40 C.F.R. Part 60 or other method approved or required by the Department, the licensee shall:

- A. Perform stack testing to demonstrate compliance with the applicable emission standards under circumstances representative of the facility's normal process and operating conditions:
 1. Within sixty (60) calendar days of receipt of a notification to test from the Department or EPA, if visible emissions, equipment operating parameters, staff inspection, air monitoring or other cause indicate to the Department that equipment may be operating out of compliance with emission standards or license conditions; or
 2. Pursuant to any other requirement of this license to perform stack testing.
 - B. Install or make provisions to install test ports that meet the criteria of 40 C.F.R. Part 60, Appendix A, and test platforms, if necessary, and other accommodations necessary to allow emission testing; and
 - C. Submit a written report to the Department within thirty (30) days from date of test completion.
[06-096 C.M.R. ch. 115]
- (12) If the results of a stack test performed under circumstances representative of the facility's normal process and operating conditions indicate emissions in excess of the applicable standards, then:
- A. Within thirty (30) days following receipt of the written test report by the Department, or another alternative timeframe approved by the Department, the licensee shall re-test the non-complying emission source under circumstances representative of the facility's normal process and operating conditions and in accordance with the Department's air emission compliance test protocol and 40 C.F.R. Part 60 or other method approved or required by the Department; and
 - B. The days of violation shall be presumed to include the date of stack test and each and every day of operation thereafter until compliance is demonstrated under normal and representative process and operating conditions, except to the extent that the facility can prove to the satisfaction of the Department that there were intervening days during which no violation occurred or that the violation was not continuing in nature; and
 - C. The licensee may, upon the approval of the Department following the successful demonstration of compliance at alternative load conditions, operate under such alternative load conditions on an interim basis prior to a demonstration of compliance under normal and representative process and operating conditions.
[06-096 C.M.R. ch. 115]
- (13) Notwithstanding any other provisions in the State Implementation Plan approved by the EPA or Section 114(a) of the CAA, any credible evidence may be used for the purpose of establishing whether a person has violated or is in violation of any statute, regulation, or license requirement. [06-096 C.M.R. ch. 115]

- (14) The licensee shall maintain records of malfunctions, failures, downtime, and any other similar change in operation of air pollution control systems or the emissions unit itself that would affect emissions and that is not consistent with the terms and conditions of the air emission license. The licensee shall notify the Department within two (2) days or the next state working day, whichever is later, of such occasions where such changes result in an increase of emissions. The licensee shall report all excess emissions in the units of the applicable emission limitation. [06-096 C.M.R. ch. 115]
- (15) Upon written request from the Department, the licensee shall establish and maintain such records, make such reports, install, use and maintain such monitoring equipment, sample such emissions (in accordance with such methods, at such locations, at such intervals, and in such a manner as the Department shall prescribe), and provide other information as the Department may reasonably require to determine the licensee's compliance status. [06-096 C.M.R. ch. 115]
- (16) The licensee shall notify the Department within 48 hours and submit a report to the Department on a quarterly basis if a malfunction or breakdown in any component causes a violation of any emission standard. [38 M.R.S. § 605]

SPECIFIC CONDITIONS

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

- 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, BACT]
- B. Although 40 C.F.R. Part 60, Subpart III limits emergency generators, such as Generators #1 and #2 to no more than 100 hours per year of non-emergency use with unlimited use during emergency situations, emergency operation of Generator #1 shall be limited such that total Generator #1 operation does not exceed 500 hours per year on a 12-month rolling total basis.

If there are periods of extended outage such as a natural disaster or other similar event outside Northeastern's control, Northeastern may apply to the Department for a temporary variance to exempt specific time periods from this annual hour limit. The Department Commissioner may, without hearing, issue that variance for a period of time not to exceed 30 days if, in his/her judgement, the variance is necessary to avoid immediate threat to public health, safety, or general welfare or to protect critical infrastructure.

[06-096 C.M.R. ch. 169, § 4(B)(2)(c)]

- C. Northeastern shall keep records of all maintenance conducted on the engines associated with Generators #1 and #2. [06-096 C.M.R. ch. 115, BACT]

D. Emissions shall not exceed the following:

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

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

Unit	PM (lb/hr)	PM ₁₀ (lb/hr)	PM _{2.5} (lb/hr)	SO ₂ (lb/hr)	NO _x (lb/hr)	CO (lb/hr)	VOC (lb/hr)
Generator #1	1.19	1.19	1.19	0.02	31.68	8.42	0.89
Generator #2	0.12	0.12	0.12	-	4.23	0.91	0.35

F. Generator #1 shall exhaust through a stack with a minimum height of 153 feet above ground level due to the generator being located on the roof. [06-096 C.M.R. ch. 169, § 6(B)]

G. Visible Emissions

Visible emissions from Generators #1 and #2 shall each not exceed 20% opacity on a six-minute block average basis. [06-096 C.M.R. ch. 101, § 4(A)(4)]

H. Generators #1 and #2 shall meet the applicable requirements of 40 C.F.R. Part 60, Subpart III, including the following: [incorporated under 06-096 C.M.R. ch. 115, BACT and 06-096 C.M.R. ch. 169]

1. Manufacturer Certification

Generators #1 and #2 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)] Certifications were provided at the time of application and processing.

2. Ultra-Low Sulfur Fuel

The fuel fired in Generators #1 and #2 shall not exceed 15 ppm sulfur (0.0015% sulfur). Compliance with the fuel sulfur content limit shall be demonstrated by fuel delivery receipts from the supplier, fuel supplier certification, certificate of analysis, or testing of the fuel in the tank on-site. [40 C.F.R. § 60.4207(b) and 06-096 C.M.R. ch. 115, BPT]

3. Non-Resettable Hour Meter

A non-resettable hour meter shall be installed and operated on each engine. [40 C.F.R. § 60.4209(a)]

4. Annual Time Limit for Maintenance and Testing
 - a. As emergency engines, the units shall each be limited to 100 hours/year for maintenance checks and readiness testing. Up to 50 hours/year of the 100 hours/year may be used in non-emergency situations (this does not include peak shaving, demand response, or to generate income for a facility by providing power to an electric grid or otherwise supply power as part of a financial arrangement with another entity). These limits are based on a calendar year. Compliance shall be demonstrated by records (electronic or written log) of all engine operating hours. [40 C.F.R. § 60.4211(f) and 06-096 C.M.R. ch. 115, BPT]
 - b. Northeastern shall keep records that include the hours of operation of each engine recorded through the non-resettable hour meter. Documentation shall include the number of hours each unit operated for emergency purposes, the number of hours each unit operated for non-emergency purposes, and the reason each engine was in operation during each time. Northeastern shall maintain records of Generator #1 operating times on a 12-month rolling total basis. The 12-month rolling total encompassing January through December of each calendar year shall be used to demonstrate compliance with the annual time limit for maintenance and testing pursuant to 40 C.F.R. § 60.4211(f) as described above. [40 C.F.R. § 60.4214(b), 06-096 C.M.R. ch. 169, § 4(B)(2)(c), and 06-096 C.M.R. ch. 115]
5. Operation and Maintenance

Generators #1 and #2 shall be operated and maintained according to the manufacturer's emission-related written instructions. Northeastern may only change those emission-related settings that are permitted by the manufacturer. [40 C.F.R. § 60.4211(a)]

Northeastern 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]

(18) **Fugitive Emissions** [06-096 C.M.R. ch. 101, § 4(C)]

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

- (19) 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, Northeastern may be required to submit additional information. Upon written request from the Department, Northeastern 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 2nd DAY OF APRIL, 2026.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

BY:  for
MELANIE LOYZIM, COMMISSIONER

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

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

PLEASE NOTE ATTACHED SHEET FOR GUIDANCE ON APPEAL PROCEDURES

Date of initial receipt of application: January 16, 2026

Date of application acceptance: January 20, 2026

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