

**Unum Corporation
Cumberland County
Portland, Maine
A-974-71-A-N**

**Departmental
Findings of Fact and Order
Air Emission License**

After review of the air emissions license initial application, staff investigation reports and other documents in the applicant's file in the Bureau of Air Quality, pursuant to 38 M.R.S.A., Section 344 and Section 590, the Department finds the following facts:

I. REGISTRATION

A. Introduction

The Stroudwater Service Center of Unum Corporation (Unum) located in Portland, Maine has applied for an Air Emission License, permitting the operation of emission sources associated with their insurance office building.

B. Electrical Generation Equipment

Electrical Generation Equipment

Equipment	Power Output (kW)	Engine Firing Rate (gal/hr)	Maximum Capacity (MMBtu/hr)	Stack #
Generator #1	500	41.5	5.69	1

C. Application Classification

A new source is considered a major source based on whether or not expected emissions exceed the "Significant Emission Levels" as defined in the Department's regulations. The Department has determined the facility is a minor source and the application has been processed through 06-096 CMR 115 of the Department's regulations.

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 06-096 CMR 100 of the Air Regulations. Separate control requirement categories exist for new and existing equipment as well as for those sources located in designated non-attainment areas.

BPT for new equipment requires a demonstration that emissions are receiving Best Available Control Technology (BACT) as defined in 06-096 CMR 100 of the Air Regulations. BACT is a top down approach to selecting air emission controls considering economic, environmental and energy impacts.

B. Generator #1

Generator #1 will only be operated for maintenance purposes and for situations arising from sudden and reasonably unforeseeable events beyond the control of the source. Generator #1 shall not be used for prime power when reliable offsite power is available.

A summary of the BACT analysis for Generator 1 is the following:

1. Generator #1 shall only fire diesel fuel with a maximum sulfur content not to exceed 0.05% by weight as documented by fuel receipts.
2. Generator #1 shall be limited to 500 hr/yr of operation based on a 12 month rolling total. Compliance shall be demonstrated by a written log of all generator operating hours.
3. PM and PM₁₀ emission rates are based upon BACT of 0.10 #/MMBtu.
4. SO₂ emission data is based on fuel sulfur mass balance.
5. NO_x, CO, and VOC emission limits are based upon AP-42 data dated 10/96 for diesel engines larger than 600 HP.
6. Visible emissions from Generator #1 shall not exceed 20% opacity on a six (6) minute block average, except for no more than two (2) six (6) minute block averages in a continuous 3-hour period.

C. Facility Emissions (used to calculate the annual license fee)

Unum has the following emissions based on Generator #1 being limited to operate 500 hours per 12-month rolling total firing diesel fuel with a maximum sulfur content of 0.05% by weight.

Pollutant	Tons/year
PM	0.2
PM ₁₀	0.2
SO ₂	0.1
NO _x	4.6
CO	1.2
VOC	0.2

III. AMBIENT AIR QUALITY ANALYSIS

According to 06-096 CMR 115, the level of air quality analyses required for a minor new source shall be determined on a case-by-case basis. Based on the information available in the file, and the similarity to existing sources, Maine Ambient Air Quality Standards (MAAQS) will not be violated by this source.

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,
- will not violate applicable ambient air quality standards in conjunction with emissions from other sources.

The Department hereby grants Air Emission License A-974-71-A-N 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 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 MRSA §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 CMR 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 CMR 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 CMR 115]

- (5) The licensee shall pay the annual air emission license fee to the Department, calculated pursuant to Title 38 M.R.S.A. §353. [06-096 CMR 115]
- (6) The license does not convey any property rights of any sort, or any exclusive privilege. [06-096 CMR 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 CMR 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 CMR 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 CMR 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 CMR 115]
- (11) In accordance with the Department's air emission compliance test protocol and 40 CFR 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 CFR 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 CMR 115]

- (12) If the results of a stack test performed under circumstances representative of the facility's normal process and operating conditions indicate emissions in excess of the applicable standards, then:
- A. within thirty (30) days following receipt of such test results, the licensee shall re-test the non-complying emission source under circumstances representative of the facility's normal process and operating conditions and in accordance with the Department's air emission compliance test protocol and 40 CFR 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 CMR 115]

- (13) Notwithstanding any other provisions in the State Implementation Plan approved by the EPA or Section 114(a) of the CAA, any credible evidence may be used for the purpose of establishing whether a person has violated or is in violation of any statute, regulation, or Part 70 license requirement. [06-096 CMR 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 emission 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 CMR 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 CMR 115]

SPECIFIC CONDITIONS

(16) Generator #1

A. Emissions from Generator #1 shall not exceed the following: [06-096 CMR 115, BACT]

<u>Pollutant</u>	<u>lb/MMBtu</u>	<u>lb/hr</u>
PM	0.10	0.57
PM ₁₀	n/a	0.57
SO ₂	n/a	0.29
NO _x	n/a	18.21
CO	n/a	4.84
VOC	n/a	0.57

B. Generator #1 shall be limited to 500 hours per year of operation, based on a 12 month rolling total. An hour meter shall be maintained and operated on the emergency diesel generator. [06-096 CMR 115, BACT]

C. Generator #1 shall only be operated for maintenance purposes and for situations arising from sudden and reasonably unforeseeable events beyond the control of the source. Generator #1 shall not be used for prime power when reliable offsite power is available. [06-096 CMR 115, BACT]

D. A log documenting the dates, times and reasons for operation for the generator shall be kept. [06-096 CMR 115, BACT]

E. The sulfur content of the fuel shall be less than or equal to 0.05% by weight, demonstrated by fuel receipts from the supplier. [06-096 CMR 115, BACT]

F. Visible emissions from Generator #1 shall not exceed 20% opacity on a six (6) minute block average basis, except for two (2) six (6) minute block averages in a 3-hour period. [06-096 CMR 101]

(17) Unum shall submit an application for an amendment prior to running Generator #1 as a Dispatchable Load Generator. The amendment will reflect this change and the hours of operation will be reduced from 500 to 50 hours per year (based on a 12 month rolling total). [06-096 CMR 115, BACT]

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(18) Payment of Annual License Fee

Unum shall pay the annual air emission license fee within 30 days of **July 30th** of each year. Pursuant to 38 MRSA §353-A, failure to pay this annual fee in the stated timeframe is sufficient grounds for revocation of the license under 38 MRSA §341-D, subsection 3.

DONE AND DATED IN AUGUSTA, MAINE THIS DAY OF 2007.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

BY: _____
 DAVID P. LITTELL, COMMISSIONER

The term of this license shall be five (5) years from the signature date above.

PLEASE NOTE ATTACHED SHEET FOR GUIDANCE ON APPEAL PROCEDURES

Date of initial receipt of application: May 29, 2007

Date of application acceptance: June 1, 2007

Date filed with the Board of Environmental Protection: _____

This Order prepared by Mark Roberts, Bureau of Air Quality.