



STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION

PAUL R. LEPAGE
GOVERNOR

PATRICIA W. AHO
COMMISSIONER

Grimmel Ind., Inc.)
Sagadahoc County)
Topsham, Maine)
A-760-71-C-R (SM))

Departmental
Findings of Fact and Order
Air Emission License
Renewal

After review of the air emissions license renewal 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

1. Grimmel Ind., Inc. (Grimmel) of Topsham, Maine has applied to renew their Air Emission License permitting the operation of emission sources associated with their metal recycling facility.
2. The equipment addressed in this Air Emission License is located at 80 Pejepscot Village Main Street, Topsham, Maine.

B. Emission Equipment

Grimmel is authorized to operate the following equipment:

Diesel Power Source

<u>Equipment</u>	<u>Maximum Capacity (MMBtu/hr)</u>	<u>Maximum Firing Rate (gal/hr)</u>	<u>Fuel Type, % sulfur</u>	<u>Stack #</u>
Diesel Generator #1	8.9	65.9	Diesel Fuel, 0.0015%	1

C. Application Classification

The application for Grimmel 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 current licensed emission units only. With the fuel limit on Diesel Generator #1 the facility is licensed below the major source thresholds and is considered a synthetic minor.

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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 CMR 100 (as amended). Separate control requirement categories exist for new and existing equipment as well as for those sources located in designated non-attainment areas.

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 emission from the source being considered; and
- the economic feasibility for the type of establishment involved.

B. Diesel Generator #1

Grimmel operates Diesel Generator #1 as the power source for the facility's shredder. Diesel Generator #1 has a maximum design heat input of 8.89 MMBtu/hr firing diesel fuel.

Diesel Generator #1 was manufactured in 1995 and is not subject to EPA New Source Performance Standards 40 CFR Part 60, Subpart IIII, *Standards of Performance for Stationary Compression Ignition Internal Combustion Engines*. However, Diesel Generator #1 is subject to 40 CFR Part 63, Subpart ZZZZ, including initial notification. Grimmel shall provide the Department with a written compliance plan for Subpart ZZZZ prior to April 30, 2013.

Grimmel was formally licensed to fire no greater than 75,000 gal/yr of diesel fuel oil in Diesel Generator #1. Grimmel has not applied for a change in this restriction and the Department has not determined any reason to change this restriction, therefore, Grimmel will continue to be restricted to firing no greater than 75,000 gal/yr of diesel fuel in Diesel Generator #1. Grimmel was formally licensed to fire diesel fuel with a sulfur content of no greater than 0.05% sulfur by weight. The Department has since determined that BPT is the firing of diesel fuel oil with a maximum sulfur content of no greater than 15 ppm (0.0015% by weight) in Diesel Generator #1. Compliance with the fuel and sulfur content restrictions shall be based on fuel receipts from the supplier showing the quantity of fuel delivered and the percent sulfur of the fuel. Fuel use records shall be maintained on a monthly basis, in addition to the twelve-month rolling total.

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A summary of the BPT analysis, for Diesel Generator #1, is as follows:

1. Grimmel shall be limited to the use of no greater than 75,000 gallons per year of diesel fuel in the Diesel Generator #1.
2. 06-096 CMR 103, *Fuel Burning Equipment Particulate Emission Standards*, PM emission limits. The PM₁₀ limits are derived from the PM limits.
3. 06-096 CMR 106, *Low Sulfur Fuel*, regulates fuel sulfur content, however, the Department has determined that BPT for diesel fuel fired in diesel engines shall be diesel fuel with a maximum sulfur content no greater than 15 ppm.
4. NO_x, CO and VOC emission limit calculations are based upon manufacturer's emissions data.
5. Visible emissions from the Diesel Generator #1 shall not exceed 20% opacity on a 6-minute block average, except for no more than two 6-minute block averages in a continuous 3-hour period.

C. Fugitive Emissions

Visible emissions from potential sources of fugitive particulate matter emissions, including material stockpiles and unpaved roadways, shall not exceed an opacity of 20%, except for no more than 5-minutes in any 1-hour period. Compliance shall be determined by an aggregate of the individual 15-second opacity observations which exceed 20% in any 1-hour.

D. Annual Emission Restrictions

1. Total annual facility emissions were calculated based on the use of 75,000 gallons per year (gal/yr) of diesel fuel oil with a maximum sulfur content no greater than 15 ppm.

Total Licensed Annual Emissions for the Facility
(used to calculate the annual license fee)

Pollutant	Tons/Year
PM	0.6
PM ₁₀	0.6
SO ₂	0.1
NO _x	23.9
CO	1.8
VOC	0.5

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2. Greenhouse Gases

Greenhouse gases are considered regulated pollutants as of January 2, 2011 through 'Tailoring' revisions made to EPA's *Approval and Promulgation of Implementation Plans*, 40 CFR Part 52, Subpart A, §52.21 Prevention of Significant Deterioration of Air Quality rule. "Greenhouse gases" as defined in 06-096 CMR 100 (as amended) means the aggregate group of the following gases: Carbon dioxide, nitrous oxide, methane, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride. Greenhouse gases (GHG) for purposes of licensing are calculated and reported as carbon dioxide equivalents (CO₂ e).

Based on the facility's fuel use limit(s), the worst case emission factors from AP-42, IPCC (Intergovernmental Panel on Climate Change), and *Mandatory Greenhouse Gas Reporting*, 40 CFR Part 98, and the global warming potentials contained in 40 CFR Part 98, Grimmel is below the major source threshold of 100,000 tons of CO₂ e per year. Therefore, no additional licensing requirements are needed to address GHG emissions at this time.

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-760-71-C-R (SM) 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.

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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.A. §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 06-096 CMR 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]

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- (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

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- 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) Diesel Generator #1
- A. Total annual fuel use in Diesel Generator #1 shall not exceed 75,000 gals/yr of diesel fuel oil with a maximum sulfur content of no greater than 15 ppm, based on a twelve-month rolling total. Compliance shall be based on fuel receipts from the supplier showing the quantity of fuel delivered and the percent sulfur of the fuel. Fuel use records shall be maintained on a monthly basis, in addition to the twelve-month rolling total. [06-096 CMR 115, BPT]

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B. Emissions shall not exceed the following:

Equipment		PM	PM ₁₀	SO ₂	NO _x	CO	VOC
	lb/MMBtu	0.12	-	-	-	-	-
Diesel Generator #1	lb/hr	1.1	1.1	0.1	41.4	3.2	0.9

[06-096 CMR 115, BPT]

C. Visible emissions from the Diesel Generator #1 stack shall not exceed 20% opacity on a six-minute block average except, for no more than 2 six-minute block averages in a 3-hour period. [06-096 CMR 101]

D. Grimmel shall provide the Department with a written compliance plan for Subpart ZZZZ prior to April 30, 2013. [06-096 CMR 115, BACT, 40 CFR Part 60, Subpart ZZZZ]

- (17) Visible emissions from potential sources of fugitive particulate matter emissions, including material stockpiles and unpaved roadways, shall not exceed an opacity of 20%, except for no more than 5-minutes in any 1-hour period. Compliance shall be determined by an aggregate of the individual 15-second opacity observations which exceed 20% in any 1-hour. [06-096 CMR 101]
- (18) Grimmel 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 MRSA §605-C).

DONE AND DATED IN AUGUSTA, MAINE THIS 14th DAY OF May 2012.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

BY: Patricia W. Aho
PATRICIA W. AHO, COMMISSIONER

PLEASE NOTE ATTACHED SHEET FOR GUIDANCE ON APPEAL PROCEDURES

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

Date of initial receipt of application: **October 18, 2010**

Date of application acceptance: **November 3, 2010**

Date filed with the Board of Environmental Protection: _____

This Order prepared by Peter G. Carleton, Bureau of Air Quality

