



DEPARTMENT ORDER

**Ensyn Fuels Inc.  
Penobscot County  
East Millinocket, Maine  
A-1162-71-B-M**

**Departmental  
Findings of Fact and Order  
Air Emission License  
Amendment #1**

**FINDINGS OF FACT**

After review of the air emission license amendment 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

Ensyn Fuels Inc. (Ensyn) was issued Air Emission License A-1162-71-A-N on January 12, 2023, for the operation of emission sources associated with their renewable fuel oil production facility.

Ensyn has requested a minor revision to their license in order to extend the deadline to commence construction for the proposed facility.

B. 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.

This amendment will not increase licensed emissions of any pollutant. Therefore, this amendment is determined to be a minor revision and has been processed as such.

C. Revision Description

The Department issued Air Emission License A-162-71-A-N to Ensyn on January 12, 2023, for the construction, installation, and operation of emission sources associated with the production of renewable fuel oil. Standard Condition (3) of the air emission license establishes a timeframe of 18 months after approval to commence construction, stating:

- (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]

Ensyn's original 18-month timeframe for commencing construction began on January 12, 2023, and will end on July 12, 2024. Ensyn has requested an extension of this timeframe in order to finalize siting for the facility. The BACT analysis included in license A-1162-71-A-N remains the most applicable control technologies, operating practices, and emission limits for the facility. Ensyn has demonstrated reasonable justification for a delay, and the Department has elected to extend the allowable construction period by an additional 18 months. As of the issuance of this license, Ensyn shall have until January 12, 2026, to commence construction of the equipment addressed in license A-1162-71-A-N.

**D. Annual Emissions**

This license amendment will not change the facility's licensed annual emissions.

**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 Amendment A-1162-71-B-M subject to the conditions found in Air Emission License A-1162-71-A-N and the following conditions.

Severability. The invalidity or unenforceability of any provision of this License Amendment or part thereof shall not affect the remainder of the provision or any other provisions. This License Amendment 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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**SPECIFIC CONDITIONS**

**The following is a new condition:**

- (28) The Department grants an 18-month construction timeframe extension to Ensyn to commence construction on the equipment addressed in air emission license A-1162-71-A-N. If Ensyn does not commence construction by January 12, 2026, approval to construct shall become invalid, and Ensyn shall be required to apply for a license amendment to re-address Best Available Control Technology (BACT) for licensed emissions sources. [06-096 C.M.R. ch. 115 § (3)(E)(5)(c)]

DONE AND DATED IN AUGUSTA, MAINE THIS 11<sup>th</sup> DAY OF JULY, 2024.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

BY:  for  
MELANIE LOYZIM, COMMISSIONER

**The term of this license amendment shall be ten (10) years from the issuance of Air Emission License A-1162-71-A-N (issued 1/12/2023).**

PLEASE NOTE ATTACHED SHEET FOR GUIDANCE ON APPEAL PROCEDURES

Date of initial receipt of application: June 20, 2024

Date of application acceptance: June 21, 2024

Date filed with the Board of Environmental Protection:

This Order prepared by Benjamin Goundie, Bureau of Air Quality.

