



STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION



PAUL R. LEPAGE
GOVERNOR

PATRICIA W. AHO
COMMISSIONER

January 7, 2015

Michael Oberlander
The Dingley Press, LLC
119 Lisbon St
Lisbon, ME 04250-6041

RE: Air Emission License A-506-70-M-R/A
for Part 70 Renewal/Significant Mod

Dear Mr. Oberlander:

Enclosed please find the final air emission license for which you applied (A-506-70-M-R/A). This license completes the processing of the application(s) associated with the following DEP tracking number(s): 554409, 564546. Also enclosed please find an information sheet on appealing a licensing decision and a customer service questionnaire.

If you have any questions, please write or call your project manager, Lynn Muzzey. The main office number is (207) 287-2437.

Sincerely,

Marc Allen Robert Cone, P.E.
Bureau of Air Quality

cc: Town of Lisbon
License File

*Rec'd
JAN 06 2015
Town Clerk
d*

*Emailed
Copies to:
Town Engineer/P.W.
Town Mgr
Wtr Dept
Online Public Docs
Bulletin Board
CEO/Assessor
E
Fire Chief*



STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION



PAUL R. LEPAGE
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The Dingley Press, LLC
Androscoggin County
Lisbon, Maine
A-506-70-M-R/A

Departmental
Findings of Fact and Order
Part 70 Air Emission License
Renewal with Amendment

FINDINGS OF FACT

After review of the Part 70 License renewal and 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 Annotated (M.R.S.A.), §344 and §590, the Maine Department of Environmental Protection (Department) finds the following facts:

I. REGISTRATION

A. Introduction

FACILITY	The Dingley Press, LLC
LICENSE TYPE	Part 70 License Renewal and Part 70 Significant License Modification
NAICS CODES	323110
NATURE OF BUSINESS	Commercial Lithographic Printing
FACILITY LOCATION	119 Lisbon St, Lisbon, Maine

The Dingley Press, LLC (Dingley) is a commercial lithographic printing facility consisting of four printing presses, ink-jet labeling operations, air handlers, and cold cleaning degreasers. Each of the printing presses are controlled by either a regenerative thermal oxidizer or a catalytic oxidizer.

Dingley has the potential to emit more than 50 TPY of volatile organic compounds (VOC). Therefore, the source is a major source for criteria pollutants. Dingley does not have the potential to emit more than 10 TPY of a single hazardous air pollutant (HAP) or more than 25 TPY of combined HAP, therefore, the source is an area source for HAP.

B. Emission Equipment

The following emission units are addressed by this Part 70 License:

Air Handlers

Equipment	Maximum Heat Input Capacity (MMBtu/hr)	Max. Firing Rate (scf/hr)	Fuel Type, % sulfur	Manufacture Date
Air Handler #1	6.05	5,880	natural gas/propane, negligible	2002
Air Handler #2	6.05	5,880	natural gas/propane, negligible	2002

Process Equipment

Equipment	Unit Capacity	Manufacture Date
Pre-press Operations	N/A	N/A
Press #4	1,800 ft/min	1995
Press #5	3,000 ft/min	1999
Press #7	1,800 ft/min	1986
Press #8	1,800 ft/min	1997
Inkjet Operations	250-333 catalogs per min per line	N/A
Cold Cleaning Degreasers (4)	N/A	N/A

Presses #3 and #6 have been shut down and permanently removed from the facility. Presses #4 and #8 have had their maximum web speeds reduced to 1,800 ft/min each.

Dryers

Equipment	Maximum Heat Input Capacity (MMBtu/hr)	Fuel Type, % sulfur
Press #4 Dryers (2)	9.2 (combined)	natural gas/propane, negligible
Press #5 Dryers (2)	5.34 (combined)	natural gas/propane, negligible
Press #7 Dryers (2)	10.2 (combined)	natural gas/propane, negligible
Press #8 Dryers (2)	11.0 (combined)	natural gas/propane, negligible

Control Equipment

Equipment	Presses Controlled	Auxiliary Heat Input Capacity (MMBtu/hr)	Auxiliary Fuel Type, % sulfur	Manufacture Date
RTO #1	4,5,7,8	9.0	natural gas/propane, negligible	1988
RTO #2	4,5,7,8	3.0	natural gas/propane, negligible	2004
Catalytic Incinerator	4	3.0	natural gas/propane, negligible	1995

Dingley has additional insignificant activities which do not need to be listed in the emission equipment tables above. The list of insignificant activities can be found in the Part 70 license application and in Appendix B of *Part 70 Air Emission License Regulations*, 06-096 CMR 140 (as amended).

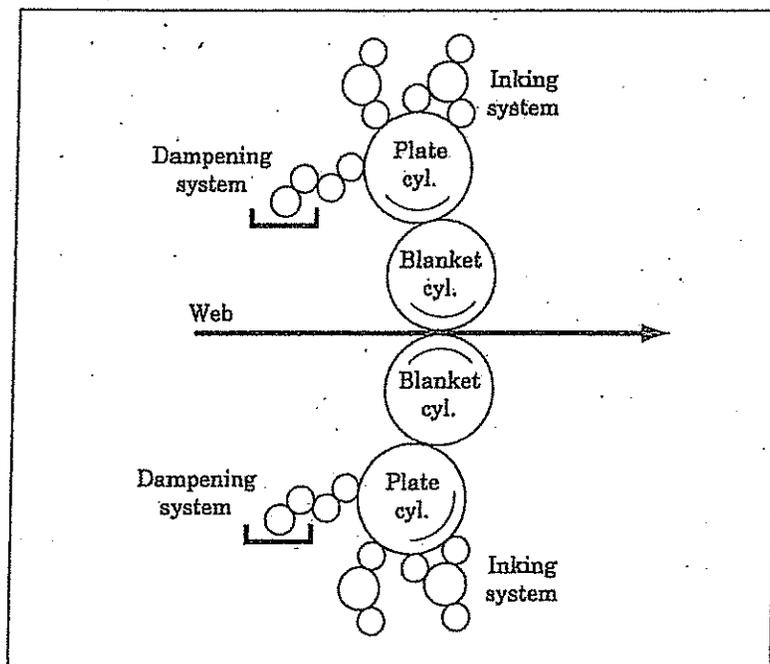
C. Application Classification

The application for Dingley is for the renewal of their existing Part 70 Air License and subsequent Part 70 amendments. Pursuant to Section 2(A) of 06-096 Code of Maine Rules (CMR) 140, Dingley has also requested incorporation into the Part 70 Air License the relevant terms and conditions of the 06-096 CMR 115 New Source Review (NSR) licenses issued to Dingley, including A-506-77-2-M issued July 1, 2011 and A-506-77-3-M issued October 29, 2014. Therefore, the license is considered to be a Part 70 License renewal with the incorporation of NSR requirements.

D. Facility Description

Dingley operates four printing presses and supporting equipment. Each press is a web fed heatset offset lithographic printing press and is comprised of multiple printing units and dryers. Supporting equipment includes pre-press operations, inkjet printing lines, and cold cleaning degreasers.

Offset printing uses a technique in which ink is transferred (or "offset") from the lithographic plate to a rubber-covered, intermediate "blanket" cylinder and then transferred from the blanket cylinder to the substrate. The lithographic process is based on the repulsion of oil and water. The image area is rendered oil receptive and the non-image area is rendered water receptive.



Inks

Offset lithographic inks are paste inks. Pigments provide the desired color and contain organic and inorganic materials. The vehicle is a combination of resin and solvent that carries pigments and is usually composed of petroleum oils and vegetable oils. Binders suspend the pigment and provide adhesion to the substrate. Binders are composed of organic resins and polymers or oils and resins. Additives include waxes and lubricants. Heatset web inks require heat to set the ink.

Fountain Solution

Fountain solution is applied to the lithographic plate to render the non-image areas unresponsive to ink. Since offset lithographic printing inks are oil-based, the fountain solution is water-based. The fountain solution contains buffers to maintain the pH of the solution and a wetting agent or "dampening aid" to enhance the spreadability of the fountain solution across the plate. Traditionally, alcohols are used as dampening aids.

Blanket Wash

Cleaning materials are used to remove excess printing inks, oils, and residual paper from the press. These materials are typically mixtures of organic solvents. Cleaning materials are used to wash the blankets, rollers and to remove residues of excess ink between color changes. Cleaning may be done manually or with an automatic blanket wash system. Cleaning materials used in this manner are often referred to as "blanket wash".

E. General Facility Requirements

Dingley is subject to the following state and federal regulations listed below, in addition to the regulations listed for specific units as described further in this license.

CITATION	REQUIREMENT TITLE
06-096 CMR 101	Visible Emissions
06-096 CMR 102	Open Burning
06-096 CMR 103	Fuel Burning Equipment Particulate Emission Standard
06-096 CMR 106	Low Sulfur Fuel
06-096 CMR 109	Emergency Episode Regulation
06-096 CMR 110	Ambient Air Quality Standard
06-096 CMR 116	Prohibited Dispersion Techniques
06-096 CMR 137	Emission Statements
06-096 CMR 140	Part 70 Air Emission License Regulations
06-096 CMR 143	New Source Performance Standards
06-096 CMR 144	National Emission Standards for Hazardous Air Pollutants (NESHAP)
06-096 CMR 161	Graphic Arts – Offset Lithography and Letterpress Printing
40 CFR Part 64	Compliance Assurance Monitoring
40 CFR Part 70	State Operating Permit Programs

Note: CMR = Code of Maine Regulations
CFR = Code of Federal Regulations

F. Units of Measurement

The following units of measurement are used in this license:

ft/min	feet per minute
lb/hr	pounds per hour
lb/MMBtu	pounds per million British Thermal Units
MMBtu/hr	million British Thermal Units per hour
scf	standard cubic feet
scf/hr	standard cubic feet per hour
tpy	tons per year

II. BEST PRACTICAL TREATMENT (BPT) AND EMISSION STANDARDS

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

B. VOC RACT (Reasonably Available Control Technology)

Reasonably Available Control Technology for Facilities that Emit Volatile Organic Compounds, 06-096 CMR 134 (as amended) is applicable to sources that have the potential to emit quantities of VOC equal to or greater than 40 tons/year.

The air handlers are exempt from VOC RACT because their emissions of VOC are the product of incomplete combustion per Section 1(C)(4) of the rule. The presses and associated dryers also exempted from VOC RACT per Section 1(C)(2). Therefore, 06-096 CMR 134 is not applicable to this source because potential emissions from non-exempt equipment and processes do not exceed 40 tons/year.

C. Mandatory Greenhouse Gas (GHG) Reporting

Federal regulation 40 CFR Part 98, *Mandatory Greenhouse Gas Reporting*, which contains GHG reporting and related monitoring and recordkeeping requirements, is applicable to the owners/operators of any facility which falls into any one of the following three categories, per 40 CFR Part 98, Subpart A, *General Provision*, § 98.2, *Who must report?*

- (a)(1) A facility that contains any source category that is listed in Table A-3 of this subpart in any calendar year starting in 2010.
- (a)(2) A facility that contains any source category that is listed in Table A-4 of this subpart and that emits 25,000 metric tons CO₂e or more per year in combined emissions from stationary fuel combustion units, miscellaneous

uses of carbonate, and all applicable source categories that are listed in Table A-3 and Table A-4 of this subpart

- (a)(3) A facility that in any calendar year starting in 2010 meets all three of the conditions listed in this paragraph (a)(3). For these facilities, the annual GHG report must cover emissions from stationary fuel combustion sources only.
- (i) The facility does not meet the requirements of either paragraph (a)(1) or (a)(2) of this section.
 - (ii) The aggregate maximum rated heat input capacity of the stationary fuel combustion units at the facility is 30 MMBtu/hour or greater.
 - (iii) The facility emits 25,000 metric tons CO₂e or more per year in combined emissions from all stationary fuel combustion sources.

If Dingley emits more than 25,000 metric tons (27,557 tons) of CO₂e in a calendar year, the facility will meet all three conditions listed in paragraph (a)(3) above, and will be subject to the recordkeeping and reporting requirements of 40 CFR Part 98.

This facility shall fulfill the recordkeeping and reporting requirements of 40 CFR Part 98.

D. Compliance Assurance Monitoring (CAM)

40 CFR Part 64, *Compliance Assurance Monitoring*, is applicable to units at major sources if the unit has emission limits, a control device to meet the limits, and pre-control emissions greater than 100 tons/year for any pollutant. Dingley submitted a CAM plan for VOC from the presses. The CAM proposal included monitoring the chamber temperature in the RTOs and Catalytic Incinerator as well as the maximum potential gas flow to the RTOs. The CAM requirements are incorporated in this renewal.

E. Air Handlers #1 and #2

Dingley operates two natural gas/propane-fired air makeup handlers (Air Handlers #1 and #2). Each has a maximum heat input of 6.05 MMBtu/hr.

1. New Source Performance Standards (NSPS)

Air Handlers #1 and #2 do not heat water. They do not meet the definition of "steam generating unit" and therefore are not subject to New Source Performance Standards (NSPS) 40 CFR Part 60, Subpart Dc, *Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units*, for units greater than 10 MMBtu/hr manufactured after June 9, 1989.

2. National Emissions Standards for Hazardous Air Pollutants (NESHAP)

Air Handlers #1 and #2 do not heat water. They do not meet the definition of "boiler" and therefore are not subject to *National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers Area Sources* (40 CFR Part 63, Subpart JJJJJ).

3. Emission Limits and Streamlining

For Air Handlers #1 and #2 (each), a listing of potentially applicable emission standards, the origin and authority of the standards, notation if streamlining of the standards has been requested, and the applicable emission limits can be found below.

Pollutant	Applicable Emission Standards	Origin and Authority	Licensed Emission Limits
PM	0.12 lb/MMBtu	06-096 CMR 103, §2.B(1)(a)	0.05 lb/MMBtu *
	0.05 lb/MMBtu	06-096 CMR 140, BPT (A-506-70-H-R/A)	
	0.30 lb/hr	06-096 CMR 140, BPT (A-506-70-H-R/A)	0.30 lb/hr
PM ₁₀	0.30 lb/hr	06-096 CMR 140, BPT (A-506-70-H-R/A)	0.30 lb/hr
SO ₂	0.01 lb/hr	06-096 CMR 140, BPT (A-506-70-H-R/A)	0.01 lb/hr
NO _x	0.59 lb/hr	06-096 CMR 140, BPT (A-506-70-H-R/A)	0.59 lb/hr
CO	0.49 lb/hr	06-096 CMR 140, BPT (A-506-70-H-R/A)	0.49 lb/hr
VOC	0.03 lb/hr	06-096 CMR 140, BPT (A-506-70-H-R/A)	0.03 lb/hr
Visible Emissions	30% opacity on a six (6) minute block average basis, except for no more than two (2) six (6) minute block average in a 3-hr period	06-096 CMR 101, §2(B)(1)(f)	10% opacity on a six (6) minute block average *
	10% opacity on a six (6) minute block average	06-096 CMR 140, BPT (A-506-70-H-R/A)	

Table Notes: * streamlining requested

4. Emission Limit Compliance Methods

Compliance with the emission limits associated with Air Handlers #1 and #2 shall be demonstrated upon request by the Department.

5. Periodic Monitoring

The fuel used by Air Handlers #1 and #2 shall be included in the records kept of the facility-wide fuel usage.

6. Parameter Monitors

There are no Parameter Monitors required for Air Handlers #1 and #2.

7. CEMS and COMS

There are no continuous emission monitoring systems (CEMS) or continuous opacity monitoring systems (COMS) required for Air Handlers #1 and #2.

F. Pre-press Operations

Dingley operates several pieces of equipment used for pre-press processing including developing film, cleaning film, developing plates, and cleaning plates. These plates are later used on the press line. Dingley also operates a proof machine which allows a single copy proof to be printed out before running the order on the press.

Best Available Control Technology (BACT) was addressed for the processes associated with pre-press operations in air emission license A-506-71-H-A. Based on the relatively small quantity of emissions, additional control equipment was found not to be economically justified. BACT for the pre-press operations was determined to be the continuation of good housekeeping practices.

Periodic monitoring for the pre-press operations shall include records of chemical usage including VOC and HAP content.

G. Presses & Dryers

Press #4

Lithographic Printing Press #4, model number L-1100, was manufactured by Mitsubishi in 1995 with a nominal process rate of 1,800 ft/min.

The Press #4 Dryers are two (2) Coanda Plus model dryers manufactured by Tec-Systems with a combined heat input of 9.2 MMBtu/hr firing natural gas or propane. VOC and HAP emissions are controlled by either RTO #1/RTO #2 or the Catalytic Incinerator.

Press #5

Lithographic Printing Press #5, model number M-3000, was manufactured by Heidelberg Harris in 1999 with a nominal process rate of 3,000 ft/min.

The Press #5 Dryers are two (2) model E 121-146 dryers manufactured by Heidelberg Harris with a combined heat input of 5.34 MMBtu/hr firing natural gas or propane. VOC and HAP emissions are controlled by either RTO #1 or RTO #2.

Press #7

Lithographic Printing Press #7, model number G-14, was manufactured by Baker Perkins in 1986 with a nominal process rate of 1,800 ft/min.

The Press #7 Dryers are two (2) model OF-4617 dryers manufactured by Thermo Electron with a combined heat input of 10.2 MMBtu/hr firing natural gas or propane. VOC and HAP emissions are controlled by either RTO #1 or RTO #2.

Press #8

Lithographic Printing Press #8, model number GPX-1073, was manufactured by Mitsubishi Heavy Industries in 1997 with a nominal process rate of 1,800 ft/min.

The Press #8 Dryers are two (2) model 107144 dryers manufactured by MEGTEC with a combined heat input of 11.0 MMBtu/hr firing natural gas or propane. VOC and HAP emissions are controlled by either RTO #1 or RTO #2.

1. State Regulations and Assumptions

The presses are subject to the requirements of 06-096 CMR 161, *Graphic Arts – Offset Lithography and Letterpress Printing* including, but not limited to, work practice standards, control requirements, and VOC limits.

In accordance with 06-096 CMR 161 §6, and in accordance with industry standards, it is assumed that 80% of the applied VOC & HAP in the ink, 70% of the VOC & HAP in the fountain solution and 40% of the machine applied blanket wash flashes off in the dryers and the remaining VOC & HAP remains in the substrate.

2. Control Equipment

A Wolverine RTO-25,000 regenerative thermal oxidizer (RTO #1) and a TANN Corporation Model TR 2094 regenerative thermal oxidizer (RTO #2) may be used to control VOCs from the printing presses.

Emissions from all presses can be controlled by either RTO #1 or RTO #2. Each press is assigned a flow rate based on maximum operation. The presses all vent to a common header. When RTO #1 is operating, there is sufficient capacity to control all presses at maximum production. However, RTO #2 is not large enough to accommodate all four presses operating at maximum capacity. Therefore, in the event that one of the RTOs goes down, each RTO has programmed interlocks which prohibit presses with a combined total flow rate greater than the RTO design maximum to operate. The interlocks shut down presses based on a preprogrammed priority system.

RTO #1 and RTO #2 must each maintain either a minimum destruction efficiency of 97.5% or a maximum emission rate of 25 ppm VOC as propane, whichever is less stringent. Continuous compliance is demonstrated through maintaining a chamber temperature in each RTO of at least 1300°F.

Once every five years Dingley shall demonstrate compliance with the VOC limits through stack testing of RTO #1 and RTO #2. Dingley may elect to demonstrate compliance with either the destruction efficiency or the ppm emission rate and is not required to demonstrate compliance with both. When testing for VOCs, Dingley may elect to test for all organic compounds emitted and subtract out those classified as non-VOC.

Dingley may also use a Quantum 7000 Catalytic Incinerator to control VOCs and HAPs from Press #4 in lieu of using the RTOs.

The Catalytic Incinerator must maintain a minimum destruction efficiency of 95%. Continuous compliance is demonstrated through maintaining a chamber temperature in the Catalytic Incinerator of at least 600°F.

3. Emission Limits and Streamlining

For RTO #1 a listing of potentially applicable emission standards, the origin and authority of the standards, notation if streamlining of the standards has been requested, and the applicable emission limits can be found below.

Pollutant	Applicable Emission Standards	Origin and Authority	Licensed Emission Limits
PM	0.12 lb/MMBtu	06-096 CMR 103 §2(B)(1)(a)	0.12 lb/MMBtu
	0.5 lb/hr	06-096 CMR 140, BPT (A-506-70-B-A)	0.5 lb/hr
PM ₁₀	0.5 lb/hr	06-096 CMR 140, BPT (A-506-70-B-A)	0.5 lb/hr
SO ₂	0.4 lb/hr	06-096 CMR 140, BPT (A-506-70-B-A)	0.4 lb/hr
NO _x	6.2 lb/hr	06-096 CMR 140, BPT (A-506-70-B-A)	6.2 lb/hr
CO	5.7 lb/hr	06-096 CMR 140, BPT (A-506-70-B-A)	5.7 lb/hr
VOC	97.5% destruction efficiency or 25 ppmv (as propane), whichever is less stringent	06-096 CMR 115, BACT (A-506-77-1-M)	97.5% destruction efficiency or 25 ppmv (as propane), whichever is less stringent *
	90% destruction efficiency or 20 ppmv, whichever is less stringent	06-096 CMR 161, §3(B)(2)	
Visible Emissions	30% opacity on a six (6) minute block average basis, except for no more than two (2) six (6) minute block average in a 3-hr period	06-096 CMR 101, §2(B)(1)(f)	10% opacity on a six (6) minute block average basis *
	10% opacity on a six (6) minute block average basis	06-096 CMR 140, BPT A-506-70-F-A	

Table Notes: * streamlining requested

For RTO #2 a listing of potentially applicable emission standards, the origin and authority of the standards, notation if streamlining of the standards has been requested, and the applicable emission limits can be found below.

Pollutant	Applicable Emission Standards	Origin and Authority	Licensed Emission Limits
PM	0.12 lb/MMBtu	06-096 CMR 103 §2(B)(1)(a)	0.12 lb/MMBtu
	0.1 lb/hr	06-096 CMR 140, BPT (A-506-70-F-A)	0.1 lb/hr
PM ₁₀	0.1 lb/hr	06-096 CMR 140, BPT (A-506-70-F-A)	0.1 lb/hr
SO ₂	0.01 lb/hr	06-096 CMR 140, BPT (A-506-70-F-A)	0.01 lb/hr
NO _x	2.8 lb/hr	06-096 CMR 140, BPT (A-506-70-F-A)	2.8 lb/hr
CO	1.2 lb/hr	06-096 CMR 140, BPT (A-506-70-F-A)	1.2 lb/hr
VOC	97.5% destruction efficiency or 25 ppmv (as propane), whichever is less stringent	06-096 CMR 115, BACT (A-506-77-1-M)	97.5% destruction efficiency or 25 ppmv (as propane), whichever is less stringent*
	90% destruction efficiency or 20 ppmv, whichever is less stringent	06-096 CMR 161, §3(B)(2)	
Visible Emissions	30% opacity on a six (6) minute block average basis, except for no more than two (2) six (6) minute block average in a 3-hr period	06-096 CMR 101, §2(B)(1)(f)	10% opacity on a six (6) minute block average basis *
	10% opacity on a six (6) minute block average basis	06-096 CMR 140, BPT A-506-70-F-A	

Table Notes: * streamlining requested

For the Catalytic Incinerator a listing of potentially applicable emission standards, the origin and authority of the standards, notation if streamlining of the standards has been requested, and the applicable emission limits can be found below.

Pollutant	Applicable Emission Standards	Origin and Authority	Licensed Emission Limits
PM	0.12 lb/MMBtu	06-096 CMR 103 §2(B)(1)(a)	0.12 lb/MMBtu
	0.08 lb/hr	06-096 CMR 140, BPT (A-506-74-C-A/R)	0.08 lb/hr
PM ₁₀	0.08 lb/hr	06-096 CMR 140, BPT (A-506-74-C-A/R)	0.08 lb/hr
SO ₂	0.01 lb/hr	06-096 CMR 140, BPT (A-506-74-C-A/R)	0.01 lb/hr
NO _x	2.15 lb/hr	06-096 CMR 140, BPT (A-506-74-C-A/R)	2.15 lb/hr
CO	0.54 lb/hr	06-096 CMR 140, BPT (A-506-74-C-A/R)	0.54 lb/hr
VOC	95% destruction efficiency	06-096 CMR 115, BACT (A-506-77-1-M)	95% destruction efficiency *
	90% destruction efficiency or 20 ppmv, whichever is less stringent	06-096 CMR 161, §3(B)(2)	
Visible Emissions	30% opacity on a six (6) minute block average basis, except for no more than two (2) six (6) minute block average in a 3-hr period	06-096 CMR 101, §2(B)(1)(f)	10% opacity on a six (6) minute block average basis *
	10% opacity on a six (6) minute block average basis	06-096 CMR 140, BPT A-506-70-F-A	

Table Notes: * streamlining requested

4. Emission Limit Compliance Methods

Compliance with the emission limits associated with RTO #1 and #2 shall be demonstrated in accordance with the methods and frequencies indicated in the table below or other methods or frequencies as approved by the Department.

Pollutant	Unit of Emission Limit	Compliance Method	Frequency
PM	lb/MMBtu	40 CFR Part 60, App. A, Method 5	As requested
	lb/hr		
PM ₁₀	lb/hr	40 CFR Part 60, App. A, Method 5	As requested
SO ₂	lb/hr	40 CFR Part 60, App. A, Method 6C	As requested
NO _x	lb/hr	40 CFR Part 60, App. A, Method 7E	As requested
CO	lb/hr	40 CFR Part 60, App. A, Method 10	As requested
VOC	% destruction efficiency or ppm (as propane)	40 CFR Part 60, App. A, Method 18, 25, or 25A	Once every five years (by 9/26/19)
Visible Emissions	% Opacity	40 CFR Part 60, App. A, Method 9	As requested

Compliance with the emission limits associated with the Catalytic Incinerator shall be demonstrated in accordance with the methods and frequencies indicated in the table below or other methods or frequencies as approved by the Department.

Pollutant	Unit of Emission Limit	Compliance Method	Frequency
PM	lb/MMBtu	40 CFR Part 60, App. A, Method 5	As requested
	lb/hr		
PM ₁₀	lb/hr	40 CFR Part 60, App. A, Method 5	As requested
SO ₂	lb/hr	40 CFR Part 60, App. A, Method 6C	As requested
NO _x	lb/hr	40 CFR Part 60, App. A, Method 7E	As requested
CO	lb/hr	40 CFR Part 60, App. A, Method 10	As requested
VOC	% destruction efficiency	40 CFR Part 60, App. A, Method 18, 25, or 25A	See Note 1
Visible Emissions	% Opacity	40 CFR Part 60, App. A, Method 9	As requested

Note 1: Compliance with the VOC destruction efficiency of the Catalytic Incinerator shall be demonstrated by stack testing once every two years (by

12/31/15) unless the Catalytic Incinerator has operated for less than 720 hours since December 31st of the last year tested. In which case, stack testing shall be performed within 60 days of exceeding 720 hours of Catalytic Incinerator operation since December 31 of the last year tested.

5. Compliance Assurance Monitoring

RTO #1, RTO #2, and the Catalytic Incinerator are used to achieve compliance with VOC emission limits from the presses. Pre-control emissions from the associated presses are greater than 50 tpy of VOC. Therefore, RTO #1, RTO #2, and the Catalytic Incinerator are subject to 40 CFR Part 64, *Compliance Assurance Monitoring* (CAM). The CAM monitoring requirements are included in the monitoring sections below.

6. Periodic Monitoring

Dingley shall monitor and record the following periodic monitors for the presses, their dryers, and their associated air pollution control equipment:

- a. Date, time, and duration of all downtime for RTO #1 or RTO #2.
- b. Date, time, and duration of all operating hours when Press #4 was not controlled by either RTO #1 or RTO #2.
- c. Date, time, and duration of all operating hours for the Catalytic Incinerator.
- d. Amount of ink, fountain solution, and blanket wash used on a monthly and 12-month rolling total basis.
- e. VOC and HAP content of the ink, fountain solution, and blanket wash used.
- f. Records of all recipes used to prepare the as-applied fountain solution to meet the limits specified. Each recipe shall identify the items specified in 06-096 CMR 161 §5(A)(3).

7. Parameter Monitors

Dingley shall monitor and record the following parameter monitors for the presses and their associated air pollution control equipment:

- a. RTO #1 combustion chamber temperature (°F) shall be monitored continuously and recorded continuously. This monitor is included in Dingley's CAM plan.
- b. RTO #2 combustion chamber temperature (°F) shall be monitored continuously and recorded continuously. This monitor is included in Dingley's CAM plan.

- c. The Catalytic Incinerator combustion chamber temperature (°F) shall be monitored continuously and recorded continuously. This monitor is included in Dingley's CAM plan.
- d. The presses in operation whenever only one RTO is in operation and the maximum design flow rate from those presses. This monitor is included in Dingley's CAM plan.

8. CEMS and COMS

There are no CEMS or COMS required for the presses or their associated control equipment.

H. Inkjet Printing

Once the material has been printed on one of the presses at Dingley, it is conveyed to an inkjet printing process where names, addresses, and other information are printed on the cover of the publications. These printers are licensed to use methanol, acetone, or methyl ethyl ketone (MEK) based inks.

Methanol is both a VOC and a HAP. Dingley does not routinely use methanol based inks. However, they would like to maintain the flexibility to use methanol based ink in the future. A previous analysis for the inkjet printing operation (A-506-70-F-A) determined BACT to be the use of solvent recovery systems on inkjet printers using methanol based inks.

MEK is a VOC but not a HAP. Solvent recovery for MEK based inks has not been shown to be effective or appropriate. Therefore, it has not been required on the inkjet printers using MEK based inks.

Acetone is neither a VOC or HAP. Therefore, the use of acetone based inks does not require the use of solvent recovery units.

1. Periodic Monitoring

Dingley shall monitor and record the following periodic monitors for the inkjet printers:

- a. Records of the type of ink used in the inkjet printers and whether any was non-MEK based.
- b. Amount of each ink used on a monthly and 12-month rolling total basis.
- c. VOC and HAP content of the inkjet inks used.
- d. Amount of VOC and HAP emitted on a monthly and 12-month rolling total basis.

2. Parameter Monitors

There are no Parameter Monitors required for the inkjet printers.

3. CEMS and COMS

There are no CEMS or COMS required for the inkjet printers.

I. **Parts Washers**

Dingley operates multiple cold cleaning degreasers (parts washers). Each of these units uses solvents to clean metal parts and is subject *Solvent Degreasers*, 06-096 CMR 130 (as amended). Dingley may add/subtract parts washers without applying for a license amendment.

Periodic monitoring for the parts washers shall consist of recordkeeping including records of solvent added and removed.

J. **Facility Annual Emissions**

1. Total Annual Emissions

Dingley is licensed for the following annual emissions, based on a 12-month rolling total. The tons per year limits were calculated based on use of the air handlers, RTO #1, RTO #2, and the Catalytic Incinerator for 8,760 hours per year and a facility-wide cap on VOC and HAP emissions.

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

	PM	PM ₁₀	SO ₂	NO _x	CO	VOC
Catalytic Incinerator	0.4	0.4	0.1	9.4	2.4	—
RTO #1	2.2	2.2	1.8	27.2	25.0	—
RTO #2	0.4	0.4	0.1	12.3	5.3	—
Air Handler #1	1.3	1.3	—	2.6	2.2	—
Air Handler #2	1.3	1.3	—	2.6	2.2	—
Facility Wide	—	—	—	—	—	94.4
Total TPY	5.6	5.6	2.0	54.1	37.1	94.4

Pollutant	Tons/year
Single HAP	9.9
Total HAP	24.9

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), are the aggregate group of the following gases: Carbon dioxide, nitrous oxide, methane, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride. For licensing purposes, greenhouse gases (GHG) are calculated and reported as carbon dioxide equivalents (CO₂e).

Based on the facility's fuel use, 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, Dingley is below the major source threshold of 100,000 tons of CO₂e per year.

III. AMBIENT AIR QUALITY ANALYSIS

According to 06-096 CMR 140, an existing Part 70 source shall be exempt from an impact analysis with respect to a regulated pollutant whose allowable emissions do not exceed the following:

Pollutant	Tons/year
PM	25
PM ₁₀	25
SO ₂	50
NO _x	100
CO	250

Based on facility license allowed emissions, Dingley is below the emissions level required for modeling and monitoring.

ORDER

Based on the above Findings and subject to conditions listed below, the Department concludes that emissions from this source:

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

The Department hereby grants the Part 70 License A-506-70-M-R/A pursuant to 06-096 CMR 140 and the preconstruction permitting requirements of 06-096 CMR 115 and subject to the standard and specific conditions below.

All federally enforceable and State-only enforceable conditions in existing air licenses previously issued to Dingley pursuant to the Department's preconstruction permitting requirements in 06-096 CMR 108 or 115 have been incorporated into this Part 70 license, except for such conditions that the Department has determined are obsolete, extraneous or otherwise environmentally insignificant, as explained in the findings of fact accompanying this permit. As such, the conditions in this license supercede all previously issued air license conditions.

Federally enforceable conditions in this Part 70 license must be changed pursuant to the applicable requirements in 06-096 CMR 115 for making such changes and pursuant to the applicable requirements in 06-096 CMR 140.

For each standard and specific condition which is state enforceable only, state-only enforceability is designated with the following statement: **Enforceable by State-only.**

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 STATEMENTS

- (1) 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 140]

- (2) The Part 70 license does not convey any property rights of any sort, or any exclusive privilege; [06-096 CMR 140]
- (3) All terms and conditions are enforceable by EPA and citizens under the CAA unless specifically designated as state enforceable. [06-096 CMR 140]
- (4) 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 140]
- (5) 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 Part 70 license requirement. [06-096 CMR 140]
- (6) Compliance with the conditions of this Part 70 license shall be deemed compliance with any Applicable requirement as of the date of license issuance and is deemed a permit shield, provided that:
 - A. Such Applicable and state requirements are included and are specifically identified in the Part 70 license, except where the Part 70 license term or condition is specifically identified as not having a permit shield; or
 - B. The Department, in acting on the Part 70 license application or revision, determines in writing that other requirements specifically identified are not applicable to the source, and the Part 70 license includes the determination or a concise summary, thereof.

Nothing in this section or any Part 70 license shall alter or affect the provisions of Section 303 of the CAA (emergency orders), including the authority of EPA under Section 303; the liability of an owner or operator of a source for any violation of Applicable requirements prior to or at the time of permit issuance; or the ability of EPA to obtain information from a source pursuant to Section 114 of the CAA.

The following requirements have been specifically identified as not applicable based upon information submitted by the licensee in their application.

Source	Citation	Description	Basis for Determination
Facility	06-096 CMR 123	Paper Coating Regulation	No applicable equipment
Facility	06-096 CMR 126	Capture Efficiency Test Procedures	No equipment applicable to 06-096 CMR 123; therefore, not applicable to 06-096 CMR 126
Facility	06-096 CMR 132	Graphic Arts – Rotogravure and Flexography	Facility only has lithographic printing presses
Facility	06-096 CMR 134	VOC RACT	Emission sources which have not been subjected to BACT total less than 40 tpy of VOC
Facility	40 CFR Part 60, Subpart QQ	Standards of Performance for the Graphic Arts Industry: Publication Rotogravure Printing	Facility only has lithographic printing presses
Facility	40 CFR Part 63, Subpart KK	National Emission Standards for the Printing and Publishing Industry	Facility is not a major source of HAP and operates only lithographic printing presses

[06-096 CMR 140]

- (7) The Part 70 license shall be reopened for cause by the Department or EPA, prior to the expiration of the Part 70 license, if:
- A. Additional Applicable requirements under the CAA become applicable to a Part 70 major source with a remaining Part 70 license term of 3 or more years. However, no opening is required if the effective date of the requirement is later than the date on which the Part 70 license is due to expire, unless the original Part 70 license or any of its terms and conditions has been extended pursuant to 06-096 CMR 140;
 - B. Additional requirements (including excess emissions requirements) become applicable to a Title IV source under the acid rain program. Upon approval by EPA, excess emissions offset plans shall be deemed to be incorporated into the Part 70 license;
 - C. The Department or EPA determines that the Part 70 license contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the Part 70 license; or

- D. The Department or EPA determines that the Part 70 license must be revised or revoked to assure compliance with the Applicable requirements.

The licensee shall furnish to the Department within a reasonable time any information that the Department may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the Part 70 license or to determine compliance with the Part 70 license.

[06-096 CMR 140]

- (8) No license revision or amendment shall be required, under any approved economic incentives, marketable licenses, emissions trading and other similar programs or processes for changes that are provided for in the Part 70 license.
[06-096 CMR 140]

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 and this license (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 Chapter 140. [06-096 CMR 140]
- (3) 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 140]
Enforceable by State-only
- (4) The licensee shall pay the annual air emission license fee to the Department, calculated pursuant to 38 M.R.S.A. §353-A.
- (5) 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 practice for minimizing emissions. [06-096 CMR 140]
Enforceable by State-only

- (6) The licensee shall retain records of all required monitoring data and support information for a period of at least six (6) years from the date of the monitoring sample, measurement, report, or application. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the Part 70 license. The records shall be submitted to the Department upon written request or in accordance with other provisions of this license. [06-096 CMR 140]
- (7) The licensee shall comply with all terms and conditions of the air emission license. The submission of notice of intent to reopen for cause by the Department, 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 Part 70 license or amendment shall not stay any condition of the Part 70 license. [06-096 CMR 140]
- (8) 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 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;
 - 2. to demonstrate compliance with the applicable emission standards; or
 - 3. 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 140]
- Enforceable by State-only**

- (9) If the results of a stack test performed under circumstances representative of the facility's normal process and operating conditions indicates 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 140]

Enforceable by State-only

- (10) The licensee shall maintain records of all deviations from license requirements. Such deviations shall include, but are not limited to malfunctions, failures, downtime, and any other similar change in operation of air pollution control systems or the emission unit itself that is not consistent with the terms and conditions of the air emission license.
- A. The licensee shall notify the Commissioner within 48 hours of a violation of any emission standard and/or a malfunction or breakdown in any component part that causes a violation of any emission standard, and shall report the probable cause, corrective action, and any excess emissions in the units of the applicable emission limitation;
 - B. The licensee shall submit a report to the Department on a quarterly basis if a malfunction or breakdown in any component part causes a violation of any emission standard, together with any exemption requests.

Pursuant to 38 M.R.S.A. § 349(9), the Commissioner may exempt from civil penalty an air emission in excess of license limitations if the emission occurs during start-up or shutdown or results exclusively from an unavoidable

malfunction entirely beyond the control of the licensee and the licensee has taken all reasonable steps to minimize or prevent any emission and takes corrective action as soon as possible. There may be no exemption if the malfunction is caused, entirely or in part, by poor maintenance, careless operation, poor design or any other reasonably preventable condition or preventable equipment breakdown. The burden of proof is on the licensee seeking the exemption under this subsection.

C. All other deviations shall be reported to the Department in the facility's semiannual report.

[06-096 CMR 140]

- (11) 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 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 140]
- (12) The licensee shall submit semiannual reports of any required periodic monitoring. All instances of deviations from Part 70 license requirements must be clearly identified in such reports. All required reports must be certified by a responsible official. [06-096 CMR 140]
- (13) The licensee shall submit a compliance certification to the Department and EPA at least annually, or more frequently if specified in the applicable requirement or by the Department. The compliance certification shall include the following:
 - A. The identification of each term or condition of the Part 70 license that is the basis of the certification;
 - B. The compliance status;
 - C. Whether compliance was continuous or intermittent;
 - D. The method(s) used for determining the compliance status of the source, currently and over the reporting period; and
 - E. Such other facts as the Department may require to determine the compliance status of the source.

[06-096 CMR 140]

SPECIFIC CONDITIONS

(14) Air Handlers #1 and #2

A. Dingley shall fire only natural gas or propane in Air Handlers #1 and #2. [06-096 CMR 140, BPT (A-506-70-H-R/A)] **Enforceable by State-only**

B. Air Handler Emission Limits

1. Emissions from the air handlers shall each not exceed the following limits:

Pollutant	lb/MMBtu	Origin and Authority	Enforceability
PM	0.05	06-096 CMR 140, BPT (A-506-70-H-R/A)	Federally Enforceable

Pollutant	lb/hr	Origin and Authority	Enforceability
PM	0.30	06-096 CMR 140, BPT (A-506-70-H-R/A)	Enforceable by State-only
PM ₁₀	0.30	06-096 CMR 140, BPT (A-506-70-H-R/A)	Enforceable by State-only
SO ₂	0.01	06-096 CMR 140, BPT (A-506-70-H-R/A)	Enforceable by State-only
NO _x	0.59	06-096 CMR 140, BPT (A-506-70-H-R/A)	Enforceable by State-only
CO	0.49	06-096 CMR 140, BPT (A-506-70-H-R/A)	Enforceable by State-only
VOC	0.03	06-096 CMR 140, BPT (A-506-70-H-R/A)	Enforceable by State-only

2. Visible emissions from Air Handlers #1 and #2 shall each not exceed 10% opacity on a six (6) minute block average basis.
[06-096 CMR 140, BPT (A-506-70-H-R/A)]

(15) Printing Presses and Dryers

A. Dingley shall fire only natural gas or propane in the press dryers, Catalytic Oxidizer, RTO #1, and RTO #2. [06-096 CMR 140, BPT (A-506-70-H-R/A)] **Enforceable by State-only**

B. The as-applied VOC content of the fountain solution shall not exceed 5.0% by weight. Dingley shall not add any alcohol to the fountain solution.
[06-096 CMR 161 §3(A)(2)(a)(i)]

- C. If diluted prior to use, compliance with the fountain solution VOC content shall be demonstrated by analytical data for the concentrated materials used to prepare the as-applied fountain solution and the proportions in which they are mixed to make the as-applied fountain solution. The analysis of the concentrated material(s) may be performed by the manufacturer/supplier(s) of those material(s). The analytical data may be derived from a Safety Data Sheet (SDS) or equivalent information from the supplier as long as it is based on US EPA Method 24 results. [06-096 CMR 161 §4(B)(2)]
- D. Dingley shall use only cleaning solvents (blanket wash) that have a composite partial vapor pressure less than 10 mm Hg at 20°C, or have a VOC content less than 70% by weight. [06-096 CMR 161 §3(A)(3)]
- E. If diluted prior to use, compliance with the blanket wash VOC content shall be demonstrated by analytical data for the concentrated materials used to prepare the as-applied blanket wash and the proportions in which they are mixed to make the as-applied blanket wash. The analysis of the concentrated material(s) may be performed by the manufacturer/supplier(s) of those material(s). The analytical data may be derived from an SDS or equivalent information from the supplier as long as it is based on US EPA Method 24 results. [06-096 CMR 161 §4(D)(2)]
- F. If diluted prior to use, compliance with the as-applied blanket wash VOC composite vapor pressure shall be demonstrated by calculations as described in 06-096 CMR 161 §4(E)(1). [06-096 CMR 161 §4(E)(1)]
- G. If not diluted prior to use, compliance with the blanket wash VOC content or composite vapor pressure shall be demonstrated by documentation from the supplier (such as an SDS sheet). [06-096 CMR 161 §4(D)(3) and §4(E)(2)]
- H. Control Equipment
1. Emissions of VOC and HAP from Press #4 shall be controlled by either the Catalytic Incinerator or the RTOs.
[06-096 CMR 115, BACT (A-506-77-1-M)]
 2. Emissions of VOC and HAP from Presses #5, #7, and #8 shall be controlled by either RTO #1 or RTO #2.
[06-096 CMR 140, BPT (A-506-70-F-A)]

I. Emission Limits

1. Emissions from RTO #1 shall not exceed the following limits:

Pollutant	lb/MMBtu	Origin and Authority	Enforceability
PM	0.12	06-096 CMR 103 §2(B)(1)(a)	Federally Enforceable

Pollutant	lb/hr	Origin and Authority	Enforceability
PM	0.5	06-096 CMR 140, BPT (A-506-70-B-A)	Federally Enforceable
PM ₁₀	0.5	06-096 CMR 140, BPT (A-506-70-B-A)	Federally Enforceable
SO ₂	0.4	06-096 CMR 140, BPT (A-506-70-B-A)	Federally Enforceable
NO _x	6.2	06-096 CMR 140, BPT (A-506-70-B-A)	Federally Enforceable
CO	5.7	06-096 CMR 140, BPT (A-506-70-B-A)	Federally Enforceable

2. Emissions from RTO #2 shall not exceed the following limits:

Pollutant	lb/MMBtu	Origin and Authority	Enforceability
PM	0.12	06-096 CMR 103 §2(B)(1)(a)	Federally Enforceable

Pollutant	lb/hr	Origin and Authority	Enforceability
PM	0.1	06-096 CMR 140, BPT (A-506-70-F-A)	Federally Enforceable
PM ₁₀	0.1	06-096 CMR 140, BPT (A-506-70-F-A)	Federally Enforceable
SO ₂	0.01	06-096 CMR 140, BPT (A-506-70-F-A)	Federally Enforceable
NO _x	2.8	06-096 CMR 140, BPT (A-506-70-F-A)	Federally Enforceable
CO	1.2	06-096 CMR 140, BPT (A-506-70-F-A)	Federally Enforceable

3. RTO #1 and RTO #2 shall each meet a minimum destruction efficiency of 97.5% removal of VOC or an output stack concentration of less than 25 ppmv as propane. [06-096 CMR 115, BACT (A-506-77-3-M)]

4. RTO #1 and RTO #2 shall each maintain a temperature of at least 1300°F. The RTO control systems shall be equipped with interlocks which shut down the presses if the temperature drops below 1300°F. [06-096 CMR 140, BACT (A-506-77-3-M)]
5. Dingley shall not operate more presses at any one time than the RTO(s) in operation can accommodate by design. The RTO system shall include interlocks that will either shut down presses or not allow start-up of more presses than the operating RTO(s) can accommodate by design. [06-096 CMR 140, BPT (A-506-70-F-A)]
6. Visible emissions from RTO #1 and RTO #2 shall each not exceed 10% opacity on a six (6) minute block average basis. [06-096 CMR 140, BPT (A-506-70-F-A)]
7. Emissions from the Catalytic Incinerator shall not exceed the following limits:

Pollutant	lb/MMBtu	Origin and Authority	Enforceability
PM	0.12	06-096 CMR 103 §2(B)(1)(a)	Federally Enforceable

Pollutant	lb/hr	Origin and Authority	Enforceability
PM	0.08	06-096 CMR 140, BPT (A-506-70-C-R/A)	Federally Enforceable
PM ₁₀	0.08	06-096 CMR 140, BPT (A-506-70-C-R/A)	Federally Enforceable
SO ₂	0.01	06-096 CMR 140, BPT (A-506-70-C-R/A)	Federally Enforceable
NO _x	2.15	06-096 CMR 140, BPT (A-506-70-C-R/A)	Federally Enforceable
CO	0.54	06-096 CMR 140, BPT (A-506-70-C-R/A)	Federally Enforceable

8. The Catalytic Incinerator shall achieve no less than 95% destruction of VOC. [06-096 CMR 115, BACT (A-506-77-1-M)]
9. The Catalytic Incinerator shall maintain a temperature of at least 600°F to ensure destruction of VOCs. The Catalytic Incinerator control system shall be equipped with interlocks which shut down Press #4 if the temperature drops below 600°F. [06-096 CMR 140, BPT (A-506-70-C-A/R)]

10. Visible emissions from the Catalytic Incinerator shall not exceed 10% opacity on a six (6) minute block average basis. [06-096 CMR 140, BPT (A-506-70-F-A)]
11. Dingley shall inspect the catalyst bed in the Catalytic Incinerator for general catalyst condition and any signs of potential catalyst depletion. Dingley shall also collect a representative sample of the catalyst from the oxidizer, per manufacturer's recommendations, and have it tested to evaluate the catalyst's capability to continue to function at or above the required control efficiency. The inspection of the catalyst bed shall occur at least once in any calendar year where the Catalytic Oxidizer operates for more than 1,000 hours, but not less than once every five years. [06-096 CMR 161 §5(A)(1)(d)]

J. Compliance Methods

1. Compliance with the emission limits associated with RTO #1 and #2 shall be demonstrated in accordance with the following methods and frequencies, or other methods and frequencies as approved by the Department [06-096 CMR 140]:

Pollutant	Unit of Emission Limit	Compliance Method	Frequency
PM	Ib/MMBtu	40 CFR Part 60, App. A, Method 5	As requested
	Ib/hr		
PM ₁₀	Ib/hr	40 CFR Part 60, App. A, Method 5	As requested
SO ₂	Ib/hr	40 CFR Part 60, App. A, Method 6C	As requested
NO _x	Ib/hr	40 CFR Part 60, App. A, Method 7E	As requested
CO	Ib/hr	40 CFR Part 60, App. A, Method 10	As requested
VOC	% destruction efficiency or ppm (as propane)	40 CFR Part 60, App. A, Method 18, 25, or 25A	Once every five years (by 9/26/19)
Visible Emissions	% Opacity	40 CFR Part 60, App. A, Method 9	As requested

2. Compliance with the emission limits associated with the Catalytic Incinerator shall be demonstrated in accordance with the following methods and frequencies, or other methods and frequencies as approved by the Department [06-096 CMR 140]:

Pollutant	Unit of Emission Limit	Compliance Method	Frequency
PM	lb/MMBtu	40 CFR Part 60, App. A, Method 5	As requested
	lb/hr		
PM ₁₀	lb/hr	40 CFR Part 60, App. A, Method 5	As requested
SO ₂	lb/hr	40 CFR Part 60, App. A, Method 6	As requested
NO _x	lb/hr	40 CFR Part 60, App. A, Method 7	As requested
CO	lb/hr	40 CFR Part 60, App. A, Method 10	As requested
VOC	% destruction efficiency	40 CFR Part 60, App. A, Method 18, 25, or 25A	See Note 1
Visible Emissions	% Opacity	40 CFR Part 60, App. A, Method 9	As requested

Note 1: Compliance with the VOC destruction efficiency of the Catalytic Incinerator shall be demonstrated by stack testing once every two years (by 12/31/15) unless the Catalytic Incinerator has operated for less than 720 hours since December 31st of the last year tested. In which case, stack testing shall be performed within 60 days of exceeding 720 hours of Catalytic Incinerator operation since December 31 of the last year tested.

K. Periodic Monitoring

Dingley shall monitor and record the following periodic monitors for the presses, their dryers, and their associated air pollution control equipment [06-096 CMR 140]:

1. Date, time, and duration of all downtime for RTO #1 or RTO #2.
2. Date, time, and duration of all operating hours when Press #4 was not controlled by either RTO #1 or RTO #2.
3. Date, time, and duration of all operating hours for the Catalytic Incinerator.
4. Amount of ink, fountain solution, and blanket wash (for both the printing and inkjet operations) used on a monthly and 12-month rolling total basis.
5. VOC and HAP content of the ink, fountain solution, and blanket wash used.
6. Records of all recipes used to prepare the as-applied fountain solution to meet the limits specified. Each recipe shall identify the items specified in 06-096 CMR 161 §5(A)(3).

L. Parameter Monitors

Dingley shall monitor and record the following parameter monitors for the presses and their associated air pollution control equipment [06-096 CMR 140, BPT and 40 CFR Part 64]:

1. RTO #1 combustion chamber temperature (°F) shall be monitored continuously and recorded continuously. This monitor is included in Dingley's CAM plan.
2. RTO #2 combustion chamber temperature (°F) shall be monitored continuously and recorded continuously. This monitor is included in Dingley's CAM plan.
3. The Catalytic Incinerator combustion chamber temperature (°F) shall be monitored continuously and recorded continuously. This monitor is included in Dingley's CAM plan.
4. The presses in operation whenever only one RTO is in operation and the maximum design flow rate from those presses. This monitor is included in Dingley's CAM plan.

(16) **Inkjet Printing**

- A. Dingley shall use solvent recovery systems on any inkjet printers using methanol based ink. [06-096 CMR 140, BPT (A-506-70-F-A)]
- B. Dingley shall monitor and record the following periodic monitors for the inkjet printers [06-096 CMR 140, BPT]:
 1. Records of the type of ink used in the inkjet printers and whether any was non-MEK based.
 2. Amount of each ink used on a monthly and 12-month rolling total basis.
 3. VOC and HAP content of the inkjet inks used.
 4. Amount of VOC and HAP emitted on a monthly and 12-month rolling total basis.

(17) **Facility Wide Emission Limits**

- A. Facility wide emissions of VOC shall not exceed 94.4 tpy, based on a 12-month rolling total. [06-096 CMR 140, BPT (A-506-70-F-A)]
- B. Facility wide emissions of HAP shall not exceed 9.9 tpy for any single HAP and 24.9 tpy for all HAPs combined, based on a 12-month rolling total. [06-096 CMR 140, BPT (A-506-70-A-D)]

- C. Dingley shall monitor and record the following periodic monitors for the facility [06-096 CMR 140, BPT]:
1. Total facility natural gas and propane usage on a monthly and 12-month rolling total basis.
 2. Amount of VOC and HAP emitted on a monthly and 12-month rolling total basis.
- D. Documentation of VOC and HAP emissions for Dingley shall utilize the following six assumptions when calculating monthly emissions [06-096 CMR 140, BPT (A-506-71-H-A)]:
1. 70% of the fountain solution flashes off in the dryers.
 2. 40% of the machine applied blanket wash flashes off in the dryers.
 3. 20% of the VOCs and HAPs in the ink are retained in the substrate.
 4. The remaining 80% of the VOCs and HAPs in the ink flash off in the dryer.
 5. 100% of the remaining VOCs and HAPs, that are not shipped off-site as hazardous waste, are emitted.
 6. VOC destruction efficiencies for RTO #1, RTO #2, and the Catalytic Oxidizer are to be based on either stack test results or factors approved by the Department.

(18) **Work Practice Standards**

Dingley shall use the following work practices:
[06-096 CMR 161 §3(A)(1) and §7]

- A. New and used VOC-containing ink, fountain solution and cleaning solvent shall be stored in a nonabsorbent, non-leaking container. Such a container shall be kept closed at all times except when the container is being filled, emptied, or is otherwise actively in use.
- B. Spills and leaks of VOC-containing ink, fountain solution, and cleaning solvent shall be minimized. Any leaked or spilled VOC-containing ink, fountain solution, or cleaning solvent shall be absorbed and removed immediately to a sealed storage container. Spills of hazardous waste may also be subject to reporting pursuant to 30 MRSA §1318-B(1) and the Hazardous Waste Management Rules, 06-096 CMR 850-857.
- C. Absorbent applicators, such as cloth and paper, which are moistened with VOC containing ink, fountain solution, or cleaning solvent, shall be stored in a closed, non-absorbent, non-leaking container for disposal or recycling.

- D. VOC-containing ink, fountain solution, and cleaning solvents shall be conveyed from one location to another in closed containers or pipes.
- E. Cleaning shall be performed to minimize associated VOC emissions.
- F. VOC waste containing materials as well as any hazardous waste may not be stored in any container which is rusted, bulging, or leaking. For specific details, refer to the Standards for Generators of Hazardous Waste, 06-096 CMR 851. Additionally, the tanks and containers used to store VOCs or hazardous waste must be compatible with the waste stored in them, be labeled, and stored according to hazardous waste management rules. Refer to Maine's Hazardous Waste Management Rules, 06-096 CMR 850-857, as well as the federal regulations: 40 CFR 265.172 and 40 CFR 265.177 regarding incompatible containers and wastes.
- G. Vapor-tight containers shall be used for the storage of spent or fresh VOCs and for the storage or disposal of cloth or paper impregnated with VOCs that are used for surface preparation, clean up, or coating removal.
- H. The use of VOCs is prohibited for the clean up of spray equipment unless equipment is used to collect the cleaning compounds and to minimize their evaporation to the atmosphere.
- I. Some VOCs may also be designated as hazardous wastes. The handling, storage and disposal of hazardous wastes including such waste VOCs and cloth or paper impregnated with such waste VOCs are also subject to hazardous waste management standards as stipulated in Maine's Hazardous Waste Management Rules, 06-096 CMR 850-857

(19) **Parts Washers**

Parts washers at Dingley are subject to *Solvent Cleaners*, 06-096 CMR 130 (as amended).

- A. Dingley shall keep records of the amount of solvent added to each parts washer. [06-096 CMR 115, BPT]
- B. The following are exempt from the requirements of 06-096 CMR 130 [06-096 CMR 130]:
 - 1. Solvent cleaners using less than two liters (68 oz) of cleaning solvent with a vapor pressure of 1.00 mmHg, or less, at 20° C (68° F);
 - 2. Wipe cleaning; and,
 - 3. Cold cleaning machines using solvents containing less than or equal to 5% VOC by weight.

C. The following standards apply to cold cleaning machines that are applicable sources under 06-096 CMR 130.

1. Dingley shall attach a permanent conspicuous label to each unit summarizing the following operational standards [06-096 CMR 130]:
 - a. Waste solvent shall be collected and stored in closed containers.
 - b. Cleaned parts shall be drained of solvent directly back to the cold cleaning machine by tipping or rotating the part for at least 15 seconds or until dripping ceases, whichever is longer.
 - c. Flushing of parts shall be performed with a solid solvent spray that is a solid fluid stream (not a fine, atomized or shower type spray) at a pressure that does not exceed 10 psig. Flushing shall be performed only within the freeboard area of the cold cleaning machine.
 - d. The cold cleaning machine shall not be exposed to drafts greater than 40 meters per minute when the cover is open.
 - e. Sponges, fabric, wood, leather, paper products and other absorbent materials shall not be cleaned in the degreaser.
 - f. When a pump-agitated solvent bath is used, the agitator shall be operated to produce no observable splashing of the solvent against the tank walls or the parts being cleaned. Air agitated solvent baths may not be used.
 - g. Spills during solvent transfer shall be cleaned immediately. Sorbent material used to clean spills shall then be immediately stored in covered containers.
 - h. Work area fans shall not blow across the opening of the degreaser unit.
 - i. The solvent level shall not exceed the fill line.
2. The remote reservoir cold cleaning machine shall be equipped with a perforated drain with a diameter of not more than six inches.
[06-096 CMR 130]

(20) **Parameter Monitor General Requirements** [06-096 CMR 140 and 117]

- A. Parameter monitors required by this license shall be installed, operated, maintained, and calibrated in accordance with manufacturer recommendations or as otherwise required by the Department.
- B. Parameter monitors required by this license shall continuously monitor data at all times the associated emissions unit is in operation. "Continuously" with respect to the operation of parameter monitors required by this license means providing equally spaced data points with at least one valid data point in each successive 15-minute period. A minimum of three valid 15-minute periods constitute a valid hour.
- C. Each parameter monitor must record accurate and reliable data. If the parameter monitor is recording accurate and reliable data less than 98% of the associated emissions unit operating time within any quarter of the calendar year, the Department may initiate enforcement action and may include in that

enforcement action any period of time that the parameter monitor was not recording accurate and reliable data during that quarter unless the licensee can demonstrate to the satisfaction of the Department that the failure of the system to record accurate and reliable data was due to the performance of established quality assurance and quality control procedures or unavoidable malfunctions.

Enforceable by State-only

(21) Compliance Assurance Monitoring (CAM) – General Requirements

- A. The licensee shall operate and monitor all emission units and their associated control equipment in accordance with the approved CAM Plan. [40 CFR Part 64]
- B. Any excursion shall be reported in semiannual reports. If excursions occur, the licensee must also certify intermittent compliance with the emission limits for the control device monitored in the annual compliance certification. [40 CFR Part 64]
- C. Upon detecting an excursion, the licensee shall restore normal operation of the control equipment as expeditiously as practicable in accordance with good air pollution control practices for minimizing emissions. [40 CFR 64.7(d)]
- D. Prior to making any changes to the approved CAM plan, the licensee shall notify the Department and, if necessary, submit a proposed license modification application to address the necessary monitoring changes. Such a modification may include, but is not limited to, reestablishing indicator ranges or designated conditions, modifying the frequency of conducting monitoring and collecting data, or the monitoring of additional parameters. [40 CFR 64.7(e)]
- E. Any change of the target level shall be submitted in a letter to the Department for written approval. [06-096 CMR 140, BPT]

(22) Semiannual Reporting [06-096 CMR 140]

- A. The licensee shall submit to the Bureau of Air Quality semiannual reports which are due on **January 31st** and **July 31st** of each year. The facility's designated responsible official must sign this report.
- B. The semiannual report shall be considered on-time if the postmark of the submittal is before the due date or if the report is received by the DEP within seven calendar days of the due date.
- C. Each semiannual report shall include a summary of the CAM monitoring required by this license.
- D. All instances of deviations from license requirements and the corrective action taken must be clearly identified and provided to the Department in summary form for each six-month interval.

(23) **Annual Compliance Certification**

Dingley shall submit an annual compliance certification to the Department and EPA in accordance with Standard Condition (13) of this license. The annual compliance certification is due January 31 of each year. The facility's designated responsible official must sign this report.

The annual compliance certification shall be considered on-time if the postmark of the submittal is before the due date or if the report is received by the Department within seven calendar days of the due date. Certification of compliance is to be based on the stack testing or monitoring data required by this license. Where the license does not require such data, or the license requires such data upon request of the Department and the Department has not requested the testing or monitoring, compliance may be certified based upon other reasonably available information such as the design of the equipment or applicable emission factors. [06-096 CMR 140]

(24) **Annual Emission Statement**

In accordance with *Emission Statements*, 06-096 CMR 137 (as amended), the licensee shall annually report to the Department the information necessary to accurately update the State's emission inventory by means of either:

- A. A computer program and accompanying instructions supplied by the Department; or
- B. A written emission statement containing the information required in 06-096 CMR 137.

The emission statement must be submitted by the date as specified in 06-096 CMR 137.

[06-096 CMR 137]

(25) **General Applicable State Regulations**

The licensee is subject to the State regulations listed below.

<u>Origin and Authority</u>	<u>Requirement Summary</u>	<u>Enforceability</u>
06-096 CMR 102	Open Burning	-
06-096 CMR 109	Emergency Episode Regulation	-
06-096 CMR 110	Ambient Air Quality Standard	-
06-096 CMR 116	Prohibited Dispersion Techniques	-
38 M.R.S.A. §585-B, §§5	Mercury Emission Limit	Enforceable by State-only

(26) **Units Containing Ozone Depleting Substances**

When repairing or disposing of units containing ozone depleting substances, the licensee shall comply with the standards for recycling and emission reduction pursuant to 40 CFR Part 82, Subpart F, except as provided for motor vehicle air conditioning units in Subpart B. Examples of such units include refrigerators and any size air conditioners that contain CFCs.

[40 CFR, Part 82, Subpart F]

(27) **Asbestos Abatement**

When undertaking Asbestos abatement activities, Dingley shall comply with the Standard for Asbestos Demolition and Renovation 40 CFR Part 61, Subpart M.

(28) **Expiration of a Part 70 license**

- A. Dingley shall submit a complete Part 70 renewal application at least 6 months prior, but no more than 18 months prior, to the expiration of this air license.
- B. Pursuant to Title 5 MRSA §10002, and 06-096 CMR 140, the Part 70 license shall not expire and all terms and conditions shall remain in effect until the Department takes final action on the renewal application of the Part 70 license. An existing source submitting a complete renewal application under 06-096 CMR 140 prior to the expiration of the Part 70 license will not be in violation of operating without a Part 70 license. **Enforceable by State-only**

The Dingley Press, LLC
Androscoggin County
Lisbon, Maine
A-506-70-M-R/A

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Departmental
Findings of Fact and Order
Part 70 Air Emission License
Renewal with Amendment

(29) New Source Review

Dingley is subject to all previous New Source Review (NSR) requirements summarized in this Part 70 air emissions license and the NSR requirements remain in effect even if this 06-096 CMR 140 Air Emissions License, A-506-70-M-R/A, expires.

DONE AND DATED IN AUGUSTA, MAINE THIS 6 DAY OF January, 2015.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

BY: Maureen Allen Robert Core for
PATRICIA W. AHO, COMMISSIONER

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

[Note: If a complete renewal application as determined by the Department, is submitted at least 6 months prior to expiration but no earlier than 18 months, then pursuant to Title 5 MRSA §10002, all terms and conditions of the Part 70 license shall remain in effect until the Department takes final action on the renewal of the Part 70 license.]

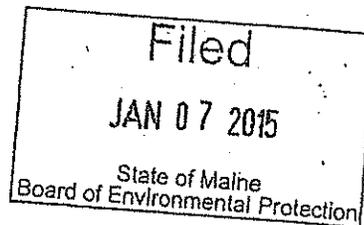
PLEASE NOTE ATTACHED SHEET FOR GUIDANCE ON APPEAL PROCEDURES

Date of initial receipt of application: 3/30/11

Date of application acceptance: 4/5/11

Date filed with the Board of Environmental Protection:

This Order prepared by Lynn Muzzey, Bureau of Air Quality.





DEP INFORMATION SHEET

Appealing a Department Licensing Decision

Dated: March 2012

Contact: (207) 287-2811

SUMMARY

There are two methods available to an aggrieved person seeking to appeal a licensing decision made by the Department of Environmental Protection's ("DEP") Commissioner: (1) in an administrative process before the Board of Environmental Protection ("Board"); or (2) in a judicial process before Maine's Superior Court. An aggrieved person seeking review of a licensing decision over which the Board had original jurisdiction may seek judicial review in Maine's Superior Court.

A judicial appeal of final action by the Commissioner or the Board regarding an application for an expedited wind energy development (35-A M.R.S.A. § 3451(4)) or a general permit for an offshore wind energy demonstration project (38 M.R.S.A. § 480-HH(1)) or a general permit for a tidal energy demonstration project (38 M.R.S.A. § 636-A) must be taken to the Supreme Judicial Court sitting as the Law Court.

This INFORMATION SHEET, in conjunction with a review of the statutory and regulatory provisions referred to herein, can help a person to understand his or her rights and obligations in filing an administrative or judicial appeal.

I. ADMINISTRATIVE APPEALS TO THE BOARD

LEGAL REFERENCES

The laws concerning the DEP's *Organization and Powers*, 38 M.R.S.A. §§ 341-D(4) & 346, the *Maine Administrative Procedure Act*, 5 M.R.S.A. § 11001, and the DEP's *Rules Concerning the Processing of Applications and Other Administrative Matters* ("Chapter 2"), 06-096 CMR 2 (April 1, 2003).

HOW LONG YOU HAVE TO SUBMIT AN APPEAL TO THE BOARD

The Board must receive a written appeal within 30 days of the date on which the Commissioner's decision was filed with the Board. Appeals filed after 30 calendar days of the date on which the Commissioner's decision was filed with the Board will be rejected.

HOW TO SUBMIT AN APPEAL TO THE BOARD

Signed original appeal documents must be sent to: Chair, Board of Environmental Protection, c/o Department of Environmental Protection, 17 State House Station, Augusta, ME 04333-0017; faxes are acceptable for purposes of meeting the deadline when followed by the Board's receipt of mailed original documents within five (5) working days. Receipt on a particular day must be by 5:00 PM at DEP's offices in Augusta; materials received after 5:00 PM are not considered received until the following day. The person appealing a licensing decision must also send the DEP's Commissioner a copy of the appeal documents and if the person appealing is not the applicant in the license proceeding at issue the applicant must also be sent a copy of the appeal documents. All of the information listed in the next section must be submitted at the time the appeal is filed. Only the extraordinary circumstances described at the end of that section will justify evidence not in the DEP's record at the time of decision being added to the record for consideration by the Board as part of an appeal.

WHAT YOUR APPEAL PAPERWORK MUST CONTAIN

Appeal materials must contain the following information at the time submitted:

1. *Aggrieved Status.* The appeal must explain how the person filing the appeal has standing to maintain an appeal. This requires an explanation of how the person filing the appeal may suffer a particularized injury as a result of the Commissioner's decision.
2. *The findings, conclusions or conditions objected to or believed to be in error.* Specific references and facts regarding the appellant's issues with the decision must be provided in the notice of appeal.
3. *The basis of the objections or challenge.* If possible, specific regulations, statutes or other facts should be referenced. This may include citing omissions of relevant requirements, and errors believed to have been made in interpretations, conclusions, and relevant requirements.
4. *The remedy sought.* This can range from reversal of the Commissioner's decision on the license or permit to changes in specific permit conditions.
5. *All the matters to be contested.* The Board will limit its consideration to those arguments specifically raised in the written notice of appeal.
6. *Request for hearing.* The Board will hear presentations on appeals at its regularly scheduled meetings, unless a public hearing on the appeal is requested and granted. A request for public hearing on an appeal must be filed as part of the notice of appeal.
7. *New or additional evidence to be offered.* The Board may allow new or additional evidence, referred to as supplemental evidence, to be considered by the Board in an appeal only when the evidence is relevant and material and that the person seeking to add information to the record can show due diligence in bringing the evidence to the DEP's attention at the earliest possible time in the licensing process or that the evidence itself is newly discovered and could not have been presented earlier in the process. Specific requirements for additional evidence are found in Chapter 2.

OTHER CONSIDERATIONS IN APPEALING A DECISION TO THE BOARD

1. *Be familiar with all relevant material in the DEP record.* A license application file is public information, subject to any applicable statutory exceptions, made easily accessible by DEP. Upon request, the DEP will make the material available during normal working hours, provide space to review the file, and provide opportunity for photocopying materials. There is a charge for copies or copying services.
2. *Be familiar with the regulations and laws under which the application was processed, and the procedural rules governing your appeal.* DEP staff will provide this information on request and answer questions regarding applicable requirements.
3. *The filing of an appeal does not operate as a stay to any decision.* If a license has been granted and it has been appealed the license normally remains in effect pending the processing of the appeal. A license holder may proceed with a project pending the outcome of an appeal but the license holder runs the risk of the decision being reversed or modified as a result of the appeal.

WHAT TO EXPECT ONCE YOU FILE A TIMELY APPEAL WITH THE BOARD

The Board will formally acknowledge receipt of an appeal, including the name of the DEP project manager assigned to the specific appeal. The notice of appeal, any materials accepted by the Board Chair as supplementary evidence, and any materials submitted in response to the appeal will be sent to Board members with a recommendation from DEP staff. Persons filing appeals and interested persons are notified in advance of the date set for Board consideration of an appeal or request for public hearing. With or without holding a public hearing, the Board may affirm, amend, or reverse a Commissioner decision or remand the matter to the Commissioner for further proceedings. The Board will notify the appellant, a license holder, and interested persons of its decision.

II. JUDICIAL APPEALS

Maine law generally allows aggrieved persons to appeal final Commissioner or Board licensing decisions to Maine's Superior Court, see 38 M.R.S.A. § 346(1); 06-096 CMR 2; 5 M.R.S.A. § 11001; & M.R. Civ. P 80C. A party's appeal must be filed with the Superior Court within 30 days of receipt of notice of the Board's or the Commissioner's decision. For any other person, an appeal must be filed within 40 days of the date the decision was rendered. Failure to file a timely appeal will result in the Board's or the Commissioner's decision becoming final.

An appeal to court of a license decision regarding an expedited wind energy development, a general permit for an offshore wind energy demonstration project, or a general permit for a tidal energy demonstration project may only be taken directly to the Maine Supreme Judicial Court. See 38 M.R.S.A. § 346(4).

Maine's Administrative Procedure Act, DEP statutes governing a particular matter, and the Maine Rules of Civil Procedure must be consulted for the substantive and procedural details applicable to judicial appeals.

ADDITIONAL INFORMATION

If you have questions or need additional information on the appeal process, for administrative appeals contact the Board's Executive Analyst at (207) 287-2452 or for judicial appeals contact the court clerk's office in which your appeal will be filed.

Note: The DEP provides this INFORMATION SHEET for general guidance only; it is not intended for use as a legal reference. Maine law governs an appellant's rights.
