



Form No.	A-L-0092
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Guidance Document for Temporary Insignificant Activities

The licensure of air emissions from the installation and operation of new air emission units or processes is governed by *Major and Minor Source Air Emission License Regulations*, 06-096 Code of Maine Rules (C.M.R.) ch. 115. Appendix B of this regulation contains a list of equipment, processes, and activities that are considered insignificant activities exempt from licensure requirements. Included in this list are “Temporary air emission related activities which are granted approval from the Department.” [06-096 C.M.R. ch. 115, Appendix B, § A.114] Such activities are known as “temporary insignificant activities.” Department approval of a temporary insignificant activity grants a facility the ability to trial fuels or materials or to operate emissions equipment or processes for short periods of time without obtaining an air emission license or license modification.

This document provides guidance on the types of equipment and processes eligible for consideration under this exemption, the process for requesting such an exemption, the conditional approval of a temporary insignificant activity, and potential consequences for failing to comply with conditions upon which Department approval is contingent.

The approval of a temporary insignificant activity cannot authorize the exceedance of licensed emission standards of a facility’s air emission license. In such cases, a license amendment to accommodate such temporary activity may be required.

Eligible Equipment and Processes

Eligible activities are emission units, processes, or operations that are temporary or transient and are expected to have minimal emissions impact. Characteristics include, but are not limited to, activities that:

- have a beneficial environmental trade-off (e.g., trial or use of emissions control equipment), or
- are needed to gather operational and/or emissions information for licensing purposes.

As used in this document, “temporary” means an activity that operates for a few days, weeks, or months and does not include operations lasting longer than several months. Approval of a temporary insignificant activity is not open-ended. If approved, the expected start date of the temporary insignificant activity and the deadline to cease operation of the activity will be identified in the Department’s determination letter.



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The following are examples of equipment and processes that may be eligible for consideration as a temporary insignificant activity:

- Emission units (e.g., boilers, generators, etc.) that temporarily replace licensed units of a similar size and providing a similar function when the licensed unit is unavailable because of maintenance or catastrophic failure. In such cases, the Department may mandate specific stack parameters, restrictions related to the types or amounts of fuels or materials used, or other measures for the temporary unit(s) to ensure compliance with ambient air quality standards.
- Control equipment (e.g., flares) used to minimize emissions from maintenance activities. If the maintenance activity is routine and repetitive in nature, the Department may require licensure.
- Trial burns of a potential new fuel or the trial operation of new or innovative emission units or processes to determine a project's feasibility. The Department may mandate parameter monitoring or emissions testing as a condition of approval.

This list is neither all-inclusive nor comprehensive. Additional activities not listed here may be approved as temporary insignificant activities. Similarly, inclusion on this list does not guarantee approval. Determination of whether an activity qualifies as a temporary insignificant activity is made by the Department on a case-by-case basis and is completely discretionary. The Department's discretion to approve temporary insignificant activities does not supersede licensure requirements of 06-096 C.M.R. ch. 115. Activities at major sources may be ineligible due to State or Federal licensing restrictions.

Process to Request Approval

To request approval of a temporary insignificant activity, the following information is required. It is recommended to speak with an Air Licensing Project Manager prior to submitting a request as additional information is likely to be required based on the details of each specific request.

- The date range the equipment or process is expected to be in use.
- A description of the equipment, process, or activity and the reason(s) for its operation. Include the equipment size and any proposed fuels to be burned or materials to be processed. For non-standard equipment, processes, or activities (e.g., equipment other than package boilers or engines), describe how it works.
- For trial burns, a description of the material to be burned, the approximate amount, and how the material will be handled on-site.
- A description of any monitoring, data collection, or emissions testing to be conducted.
- An estimate of air emissions. For proposed activities that are air emission control equipment (e.g., flares), an estimate of both the uncontrolled and controlled emissions.



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The request for approval of a temporary insignificant activity must be submitted in writing, either via email or letter. The request can be submitted to the facility's Licensing Project Manager (if known) or to the following address:

Jane Gilbert
Air Licensing Supervisor
Department of Environmental Protection
17 State House Station
Augusta, ME 04333-0017
jane.gilbert@maine.gov

The Department may request additional information based on the equipment, process, or activity to be operated. If approved, the Department will issue a determination letter that contains a description of the activity and any conditions on the approval such as activity duration and any monitoring, testing, recordkeeping, or reporting requirements.

Source Obligations

If granted approval to operate a temporary insignificant activity, the facility is obligated to comply with the conditions of approval contained in the determination letter. Failure to do so may result in the equipment, process, or activity to no longer be considered a temporary insignificant activity and the facility considered to be operating an unlicensed emission unit in violation of 06-096 C.M.R. ch. 115.

Additional Resources

A copy of this document is available online at the following Maine DEP website:
<https://www.maine.gov/dep/air/publications/index.html>

For additional questions, please contact your Air Licensing Project Manager. If not known, you can email your questions to: DEP-Air-Licensing-Help@maine.gov.