



DEPARTMENT ORDER

Worcester Peat Co., Inc.
Washington County
Columbia Falls, Maine
A-43-71-N-N

Departmental
Findings of Fact and Order
Air Emission License
After-the-Fact Renewal

FINDINGS OF FACT

After review of the air emission license renewal 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 (the Department) finds the following facts:

I. REGISTRATION

A. Introduction

The Air Emission License for Worcester Peat Co., Inc. d/b/a County Concrete (County Concrete) expired on February 26, 2023. County Concrete has applied to renew their expired license for the operation of their hot mix asphalt plant, concrete batch plant, and crushed stone and gravel facility located at 125 Pit Road, Columbia Falls, Maine.

B. Emission Equipment

The following equipment is addressed in this Air Emission License:

Asphalt Plant

Equipment	Process Rate (tons/hour)	Design Capacity (MMBtu/hr)	Fuel Type	Control Device	Date of Manuf.	Date of Install
BoMag Marini Asphalt Plant	160	49	Distillate fuel	Baghouse	2016	2017

Heating Equipment

Equipment	Max. Capacity (MMBtu/hr)	Fuel Type	Maximum Firing Rate (gal/hr)	Date of Manuf.
Hot Oil Heater #1	1.0	Distillate fuel	7.1	2016

Concrete Plant

Equipment	Production Rate (cubic yards/hour)	Control Device
Concrete Batch Plant	110	baghouse

Rock Crushers

Designation	Powered	Process Rate (tons/hour)	Date of Manufacture	Control Device
Jaw Crusher	Electric	150	Unknown*	Spray Nozzles
Cone Crusher	Electric	70	Unknown*	Spray Nozzles

* For licensing purposes, assumed to be after August 31, 1983.

County Concrete may operate other nonmetallic mineral processing equipment not explicitly listed including grinding mills, screening operations, bucket elevators, belt conveyors, bagging operations, storage bins, and enclosed truck or railcar loading stations. Requirements for this equipment are included in sections of this license for Nonmetallic Mineral Processing Plants.

Parts Washers

Equipment	Capacity (gallons)
Degreaser #1	30

County Concrete was previously licensed to operate a 1.2 MMBtu/hr non-emergency portable engine (Drive #1). This engine has been removed.

County Concrete may operate small stationary engines smaller than 0.5 MMBtu/hr. These engines are considered insignificant activities and are not required to be included in this license. However, they are still subject to applicable State and Federal regulations. More information regarding requirements for small stationary engines is available on the Department's website at the link below.

<http://www.maine.gov/dep/air/publications/docs/SmallRICEGuidance.pdf>

Additionally, County Concrete may operate portable engines used for maintenance or emergency-only purposes. These engines are considered insignificant activities and are not required to be included in this license. However, they may still be subject to applicable State and Federal regulations.

C. Definitions

Distillate Fuel means the following:

- Fuel oil that complies with the specifications for fuel oil numbers 1 or 2, as defined by the American Society for Testing and Materials (ASTM) in ASTM D396;
- Diesel fuel oil numbers 1 or 2, as defined in ASTM D975;
- Kerosene, as defined in ASTM D3699;
- Biodiesel, as defined in ASTM D6751; or
- Biodiesel blends, as defined in ASTM D7467.

Nonmetallic mineral processing plant means any combination of equipment that is used to crush or grind any nonmetallic mineral wherever located, including lime plants, power plants, steel mills, asphalt concrete plants, portland cement plants (not including concrete batch plants), or any other facility processing nonmetallic minerals.

Portable or Non-Road Engine means an internal combustion engine which is portable or transportable, meaning designed to be and capable of being carried or moved from one location to another. Indicia of transportability include, but are not limited to, wheels, skids, carrying handles, dolly, trailer, or platform. This definition does NOT include engines which remain or will remain at a location (excluding storage locations) for more than 12 consecutive months or a shorter period of time for an engine located at a seasonal source. A location is any single site at a building, structure, facility, or installation. Any engine that replaces an engine at a location and that is intended to perform the same or similar function as the engine replaced will be included in calculating the consecutive time period.

An engine is not a non-road (portable) engine if it remains or will remain at a location for more than 12 consecutive months or for a shorter period of time if sited at a seasonal source. A seasonal source is a source that remains in a single location for two years or more and which operates for fewer than 12 months in a calendar year. If an engine operates at a seasonal source for one entire season, the engine does not meet the criteria of a non-road (portable) engine and is subject to applicable stationary engine requirements.

Records or Logs mean either hardcopy or electronic records.

D. 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.

The previous air emission license for County Concrete expired on February 26, 2023. A complete application was not submitted prior to the expiration date; therefore, County Concrete is considered to be an existing source applying for an after-the-fact renewal. The Department has determined the facility is a minor source, and the application has been

processed through *Major and Minor Source Air Emission License Regulations*, 06-096 Code of Maine Rules (C.M.R.) ch. 115.

E. Facility Classification

The facility is licensed as follows:

- As a natural minor source of air emissions, because no license restrictions are necessary to keep facility emissions below major source thresholds for criteria pollutants; and
- As an area source of hazardous air pollutants (HAP), because the licensed emissions are below the major source thresholds for HAP.

II. **BEST PRACTICAL TREATMENT**

A. Introduction

In order to receive a license, the applicant must control emissions from each unit to a level considered by the Department to represent Best Practical Treatment (BPT), as defined in *Definitions Regulation*, 06-096 C.M.R. ch. 100. Separate control requirement categories exist for new and existing equipment.

BPT for an after-the-fact renewal requires an analysis similar to a Best Available Control Technology analysis pursuant to 06-096 C.M.R. ch. 115.

B. Asphalt Plant

County Concrete operates a continuous drum mix asphalt plant with a maximum hourly throughput of 160 ton/hr of asphalt and a 49 MMBtu/hr burner which fires distillate fuel.

Emission factors for asphalt plants are available based on tons of asphalt produced, and there is no linear relationship between plant output and burner firing rate. Therefore, asphalt throughput is limited instead of fuel consumption to ensure that the facility stays below reporting thresholds contained in *Emission Statements*, 06-096 C.M.R. ch. 137. Accordingly, the annual throughput of the asphalt plant shall not exceed 250,000 tons of asphalt per year on a calendar year basis.

1. BPT Findings

The BPT emission limits for the asphalt plant were based on the following:

- PM/PM₁₀/PM_{2.5} – 0.03 gr/dscf and the use of a baghouse pursuant to 06-096 C.M.R. ch. 115, BPT
- SO₂ – 1.1 x 10⁻² lb/ton based on AP-42 Table 11.1-7 dated 3/04
- NO_x – 5.5 x 10⁻² lb/ton based on AP-42 Table 11.1-7 dated 3/04
- CO – 0.13 lb/ton based on AP-42 Table 11.1-7 dated 3/04
- VOC – 3.2 x 10⁻² lb/ton based on AP-42 Table 11.1-8 dated 3/04
- Visible Emissions – 06-096 C.M.R. ch. 115, BPT

The BPT emission limits for the asphalt plant are the following:

Unit	PM (lb/hr)	PM ₁₀ (lb/hr)	PM _{2.5} (lb/hr)	SO ₂ (lb/hr)	NO _x (lb/hr)	CO (lb/hr)	VOC (lb/hr)
BoMag Marini Asphalt Plant	2.92	2.92	2.92	1.76	8.80	20.80	5.12

Visible emissions from the asphalt plant baghouse shall not exceed 20% opacity on a six-minute block average basis. This is consistent with the PM limit contained in *Standards of Performance for Hot Mix Asphalt Facilities*, 40 C.F.R. Part 60, Subpart I of 20% opacity.

General process emissions from the asphalt plant shall be controlled so as to prevent visible emissions in excess of 20% opacity on a six-minute block average basis.

The BoMag Marini Asphalt Plant is licensed to fire distillate fuel which, by definition, has a sulfur content of 0.5% or less by weight. Pursuant to 38 M.R.S. § 603-A(2)(A)(3), as of July 1, 2018, no person shall import, distribute, or offer for sale any distillate fuel with a sulfur content greater than 0.0015% by weight (15 ppm). Therefore, the distillate fuel purchased or otherwise obtained for use in the BoMag Marini Asphalt Plant shall not exceed 0.0015% by weight (15 ppm).

2. New Source Performance Standards

The BoMag Marini Asphalt Plant asphalt plant was manufactured in 2016 and is therefore subject to the federal Environmental Protection Agency's (EPA) New Source Performance Standards (NSPS) *Standards of Performance for Hot Mix Asphalt Facilities*, 40 Code of Federal Regulation (C.F.R.) Part 60, Subpart I for facilities constructed or modified after June 11, 1973.

a. Particulate Matter (PM)

The BoMag Marini Asphalt Plant shall not exceed an emission limit of 0.04 gr/dscf. [40 C.F.R. § 60.92(a)(1)]

The Department has determined that the proposed BPT particulate matter emission limit is more stringent than the applicable limit in 40 C.F.R. Part 60, Subpart I. Therefore, the particulate matter limit for the asphalt plant has been streamlined to the more stringent BPT limit, and only this more stringent limit shall be included in the air emission license.

b. Opacity

Visible emissions from the asphalt plant shall not exceed 20% opacity on a 6-minute block average basis. [40 C.F.R. §§ 60.92(a)(2) and 60.93(b)(2)] This standard applies at all times. [06-096 C.M.R. ch.115, BPT]

3. Control Equipment

Emissions from the asphalt plant shall be controlled by a baghouse.

4. Periodic Monitoring

The performance of the baghouse shall be monitored by either one of the following at all times the BoMag Marini Asphalt Plant is operating:

- a. Continuous PM detector: When the detector signals excessive PM concentrations in the exhaust stream, County Concrete shall take corrective action within 24 hours, or immediately if visible emissions exceed 20% opacity.
- b. Personnel available on-site with a current EPA 40 C.F.R. Part 60, Appendix A, Method 9 visible emissions certification: When visible emissions exceed 20% opacity, the hot mix asphalt plant is operating with insufficient control, and corrective action shall be taken immediately.

County Concrete shall keep records of baghouse failures, baghouse maintenance, and baghouse inspections.

County Concrete shall keep records of tons of asphalt produced in the BoMag Marini Asphalt Plant which shall be maintained for at least six years and made available to the Department upon request.

5. Contaminated Soils

County Concrete may process up to 10,000 cubic yards per year of soil contaminated by gasoline or distillate fuel without prior approval from the Department. This limit

may be exceeded with written authorization from the Department's Bureau of Air Quality. The plant owner or operator shall notify the Department (regional air compliance inspector) at least 24 hours prior to processing the contaminated soil and specify the contaminating fuel and quantity, origin of the soil and fuel, and the disposition of the contaminated soil. This authorization to process contaminated soil does not absolve the facility of responsibility to comply with all other air emission license conditions and applicable state statutes.

County Concrete shall not process soils which are classified as hazardous waste or which have unknown contaminants.

When processing contaminated soils, County Concrete shall maintain records which specify the quantity and type of contaminant in the soil as well as the origin and characterization of the contaminated soil. In addition, when processing contaminated soil, County Concrete shall maintain records of processing temperature, asphalt feed rates, and dryer throughput on an hourly basis. The material shall be handled in accordance with the requirements of the Department's Bureau of Remediation and Waste Management.

C. Hot Oil Heater #1

County Concrete operates Hot Oil Heater #1 to prevent the asphalt from solidifying. It has a maximum design capacity of 1.0 MMBtu/hr and fires distillate fuel.

Hot Oil Heater #1 is licensed to fire distillate fuel which, by definition, has a sulfur content of 0.5% or less by weight. Pursuant to 38 M.R.S. § 603-A(2)(A)(3), as of July 1, 2018, no person shall import, distribute, or offer for sale any distillate fuel with a sulfur content greater than 0.0015% by weight (15 ppm). Therefore, the distillate fuel purchased or otherwise obtained for use in Hot Oil Heater #1 shall not exceed 0.0015% by weight (15 ppm).

1. BPT Findings

The BPT emission limits for Hot Oil Heater #1 were based on the following:

PM/PM ₁₀ /PM _{2.5}	– 0.08 lb/MMBtu based on 06-096 C.M.R. ch. 115, BPT
SO ₂	– based on firing distillate fuel with a maximum sulfur content of 0.0015% by weight
NO _x	– 20 lb/1000 gal based on AP-42 Table 1.3-1 dated 5/10
CO	– 5 lb/1000 gal based on AP-42 Table 1.3-1 dated 5/10
VOC	– 0.34 lb/1000 gal based on AP-42 Table 1.3-3 dated 5/10
Visible Emissions	– 06-096 C.M.R. ch. 101

The BPT emission limits for Hot Oil Heater #1 are the following:

Unit	PM (lb/hr)	PM ₁₀ (lb/hr)	PM _{2.5} (lb/hr)	SO ₂ (lb/hr)	NO _x (lb/hr)	CO (lb/hr)	VOC (lb/hr)
Hot Oil Heater #1	0.08	0.08	0.08	–	0.14	0.04	–

Visible emissions from Hot Oil Heater #1 shall not exceed 20% opacity on a six-minute block average basis.

2. New Source Performance Standards

Due to its size, Hot Oil Heater #1 is not subject to the New Source Performance Standards (NSPS) *Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units*, 40 C.F.R. Part 60, Subpart Dc for units greater than 10 MMBtu/hr manufactured after June 9, 1989. [40 C.F.R. § 60.40c]

3. National Emission Standards for Hazardous Air Pollutants

Hot Oil Heater #1 does not heat water. It does not meet the definition of a “boiler” and therefore is not subject to *National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers Area Sources*, 40 C.F.R. Part 63 Subpart JJJJJ.

D. Concrete Batch Plant

The Concrete Batch Plant is rated at 110 cubic yards/hour and includes one silo.

All components of the Concrete Batch Plant shall be maintained so as to prevent PM leaks. To meet the requirements of BPT for particulate matter, emissions from the cement silo shall be vented through a baghouse designed for 99% removal efficiency. Visible emissions from the baghouse are limited to no greater than 10% opacity on a six-minute block average basis.

To document maintenance of the cement silo baghouse, County Concrete shall keep a maintenance record recording the date and location of all bag failures as well as all routine maintenance and inspections. The maintenance and inspection record shall be kept on-site at the concrete batch plant location.

E. Nonmetallic Mineral Processing Plants

County Concrete operates two stationary rock crushers: a Jaw Crusher with a capacity of 150 ton/hour and a Cone Crusher with a capacity of 70 ton/hour. They are electrically powered by grid power. The rock crushers’ dates of manufacture are unknown. The

nonmetallic mineral processing plant also consists of other equipment associated with the rock crushers, such as screens and belt conveyors.

1. BPT Findings

The regulated pollutant from nonmetallic mineral processing plants is particulate matter. To meet the requirements of BPT for control of particulate matter emissions, County Concrete shall maintain water sprays on the nonmetallic mineral processing plant and operate as needed to control visible emissions.

Visible emissions from the Jaw Crusher and the Cone Crusher shall each be limited to no greater than 10% opacity on a six-minute block average basis.

2. New Source Performance Standards

The federal regulation *Standards of Performance for Nonmetallic Mineral Processing Plants*, 40 C.F.R. Part 60, Subpart OOO, applies to equipment at nonmetallic mineral processing plants with capacities greater than 25 ton/hr for fixed plants and 150 ton/hr for portable plants. The requirements of Subpart OOO apply to any crusher, grinding mill, screening operation, bucket elevator, belt conveyor, bagging operation, storage bin, or enclosed truck or railcar loading station at a nonmetallic mineral processing plant greater than the sizes listed above which commenced construction, modification, or reconstruction after August 31, 1983.

Since the manufacture dates of the crusher is unknown, they have conservatively been assumed to be subject to 40 C.F.R. Part 60, Subpart OOO.

Any grinding mill, screening operation, bucket elevator, belt conveyor, bagging operation, storage bin, or enclosed truck or railcar loading station associated with these crushers are also affected facilities subject to 40 C.F.R. Part 60, Subpart OOO. [40 C.F.R. §§ 60.670(c) and (e)]

a. Notification

County Concrete shall submit notification to the Department and EPA of the date of initial startup of every affected facility (as listed above) postmarked within 15 days of the startup. This notification shall include a description of each affected facility, equipment manufacturer, and serial number of the equipment, if available. For a combination of affected facilities in a production line that begin actual initial startup on the same day, a single notification of startup may be submitted. For portable units, this notification shall also include both the home office and the current address or location of the portable plant. [40 C.F.R. § 60.676(i)]

As specified in the Order section of this license, the rock crushers and ancillary equipment subject to 40 C.F.R. Part 60, Subparts A and OOO, County Concrete shall comply with the notification and recordkeeping requirements of 40 C.F.R. §§ 60.676 and 60.7, except for § 60.7(a)(2) pursuant to § 60.676(h). [40 C.F.R. §§ 60.676(b), (f), and (i)]

b. Standards

Subpart OOO, Table 3 contains applicable visible emission requirements for affected facilities.

Visible emissions from the Jaw Crusher and the Cone Crusher shall not exceed 12% opacity on a six-minute block average basis. [40 C.F.R. Part 60, Subpart OOO, Table 3] The visible emission standard for the rock crushers has been streamlined to the more stringent BPT standard.

Visible emissions from any affected facility other than rock crushers, including transfer points on belt conveyors, portable screens, etc., shall not exceed 7% opacity on a six-minute block average basis. [40 C.F.R. Part 60, Subpart OOO, Table 3 and 06-096 C.M.R. ch. 115, BPT]

c. Monitoring Requirements

County Concrete shall maintain records detailing the maintenance on particulate matter control equipment including spray nozzles. County Concrete shall perform monthly inspections of any water sprays to ensure water is flowing to the correct locations and initiate corrective action within 24 hours if water is found to not be flowing properly. Records of the date of each inspection and any corrective action required shall be included in the maintenance records. The maintenance records shall be kept on-site at the rock crushing location. [40 C.F.R. §§ 60.674(b) and 60.676(b)(1)]

d. Testing Requirements

Subpart OOO, § 60.675 requires that County Concrete conduct an initial performance test for visible emissions from the Jaw Crusher and the Cone Crusher and from all associated affected facilities subject to Subpart OOO, potentially including **any associated grinding mill, screening operation, bucket elevator, belt conveyor, bagging operation, storage bin, and enclosed truck or railcar loading station**. The performance tests were completed on June 7, 2005, and all necessary documentation has been provided to the Department.

Please note, although County Concrete may submit notifications and conduct performance testing for multiple affected facilities as a group, any new affected

facility subsequently brought on-site to replace or operate in conjunction with an affected facility must also comply with all applicable requirements of 40 C.F.R. Part 60, Subpart OOO including notification and testing requirements.

F. Stock Piles and Roadways

County Concrete shall not cause emissions of any fugitive dust during any period of construction, reconstruction, or operation without taking reasonable precautions. Such reasonable precautions shall be included in the facility's continuing program of best management practices for suppression of fugitive particulate matter.

County Concrete shall not cause or allow visible emissions within 20 feet of ground level, measured as any level of opacity and not including water vapor, beyond the legal boundary of the property on which such emissions occur. Compliance with this standard shall be determined pursuant to 40 C.F.R. Part 60, Appendix A, Method 22.

G. General Process Emissions

Visible emissions from any general process that is not part of a nonmetallic mineral processing plant shall not exceed 20% opacity on a six-minute block average basis.

H. Parts Washer

The parts washer has a design capacity of 30 gallons. The parts washer is subject to *Solvent Cleaners*, 06-096 C.M.R. ch. 130 and records shall be kept documenting compliance.

This equipment is exempt from *Industrial Cleaning Solvents*, 06-096 C.M.R. ch. 166 pursuant to Section (3)(B).

I. Performance Test Protocol

For any performance testing required by this license, County Concrete shall submit to the Department for approval a performance test protocol, as outlined in the Department's Performance Testing Guidance, at least 30 days prior to the scheduled date of the performance test. [06-096 C.M.R. ch. 115, BPT]

Note: Although some federal standards, such as 40 C.F.R. Part 60, Subpart OOO, allow for a shorter pretest notification period, the Department requires pretest notification a minimum of 30 days prior to the scheduled date of the performance test unless a variance of this requirement is preapproved by the Department.

The Department's Performance Testing Guidance is available online at:
<https://www.maine.gov/dep/air/emissions/testing.html>

J. Annual Emissions

The table below provides an estimate of facility-wide annual emissions for the purposes of calculating the facility’s annual air license fee and establishing the facility’s potential to emit (PTE). Only licensed equipment is included, i.e., emissions from insignificant activities are excluded. Similarly, unquantifiable fugitive particulate matter emissions are not included except when required by state or federal regulations. Maximum potential emissions were calculated based on the following assumptions:

- Processing 250,000 ton/year of asphalt; and
- Operating Hot Oil Heater #1 for 8,760 hours/year.

This information does not represent a comprehensive list of license restrictions or permissions. That information is provided in the Order section of this license.

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

	PM	PM ₁₀	PM _{2.5}	SO ₂	NO _x	CO	VOC
BoMag Marini Asphalt Plant	2.3	2.3	2.3	1.4	6.9	16.3	4.0
Hot Oil Heater #1	0.4	0.4	0.4	–	0.6	0.2	–
Total TPY	2.7	2.7	2.7	1.4	7.5	16.5	4.0

Pollutant	Tons/year
Single HAP	9.9
Total HAP	24.9

III. AMBIENT AIR QUALITY ANALYSIS

The level of ambient air quality impact modeling required for a minor source to demonstrate that Ambient Air Quality Standards (AAQS) will not be exceeded is determined by the Department on a case-by case basis. In accordance with 06-096 C.M.R. ch. 115, an ambient air quality impact analysis is not required for a minor source if the total licensed annual emissions of any pollutant released do not exceed the following levels and there are no extenuating circumstances:

Pollutant	Tons/Year
PM ₁₀	25
PM _{2.5}	15
SO ₂	50
NO _x	50
CO	250

The total licensed annual emissions for the facility are below the emission levels contained in the table above and there are no extenuating circumstances; therefore, an ambient air quality impact analysis is not required as part of this license.

This determination is based on information provided by the applicant regarding licensed emission units. If the Department determines that any parameter (e.g., stack size, configuration, flow rate, emission rates, nearby structures, etc.) deviates from what was included in the application, the Department may require County Concrete to submit additional information and may require an ambient air quality impact analysis at that time.

ORDER

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

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

The Department hereby grants Air Emission License A-43-71-N-N, subject to the following conditions.

Severability. The invalidity or unenforceability of any provision of this License or part thereof shall not affect the remainder of the provision or any other provisions. This License shall be construed and enforced in all respects as if such invalid or unenforceable provision or part thereof had been omitted.

STANDARD CONDITIONS

- (1) Employees and authorized representatives of the Department shall be allowed access to the licensee's premises during business hours, or any time during which any emissions units are in operation, and at such other times as the Department deems necessary for the purpose of performing tests, collecting samples, conducting inspections, or examining and copying records relating to emissions (38 M.R.S. § 347-C).
- (2) The licensee shall acquire a new or amended air emission license prior to commencing construction of a modification, unless specifically provided for in 06-096 C.M.R. ch. 115. [06-096 C.M.R. ch. 115]
- (3) Approval to construct shall become invalid if the source has not commenced construction within eighteen (18) months after receipt of such approval or if construction is discontinued

for a period of eighteen (18) months or more. The Department may extend this time period upon a satisfactory showing that an extension is justified, but may condition such extension upon a review of either the control technology analysis or the ambient air quality standards analysis, or both. [06-096 C.M.R. ch. 115]

- (4) The licensee shall establish and maintain a continuing program of best management practices for suppression of fugitive particulate matter during any period of construction, reconstruction, or operation which may result in fugitive dust, and shall submit a description of the program to the Department upon request. [06-096 C.M.R. ch. 115]
- (5) The licensee shall pay the annual air emission license fee to the Department, calculated pursuant to Title 38 M.R.S. § 353-A. [06-096 C.M.R. ch. 115]
- (6) The license does not convey any property rights of any sort or any exclusive privilege. [06-096 C.M.R. ch. 115]
- (7) The licensee shall maintain and operate all emission units and air pollution systems required by the air emission license in a manner consistent with good air pollution control practice for minimizing emissions. [06-096 C.M.R. ch. 115]
- (8) The licensee shall maintain sufficient records to accurately document compliance with emission standards and license conditions and shall maintain such records for a minimum of six (6) years. The records shall be submitted to the Department upon written request. [06-096 C.M.R. ch. 115]
- (9) The licensee shall comply with all terms and conditions of the air emission license. The filing of an appeal by the licensee, the notification of planned changes or anticipated noncompliance by the licensee, or the filing of an application by the licensee for a renewal of a license or amendment shall not stay any condition of the license. [06-096 C.M.R. ch. 115]
- (10) The licensee may not use as a defense in an enforcement action that the disruption, cessation, or reduction of licensed operations would have been necessary in order to maintain compliance with the conditions of the air emission license. [06-096 C.M.R. ch. 115]
- (11) In accordance with the Department's air emission compliance test protocol and 40 C.F.R. Part 60 or other method approved or required by the Department, the licensee shall:
 - A. Perform stack testing to demonstrate compliance with the applicable emission standards under circumstances representative of the facility's normal process and operating conditions:
 1. Within sixty (60) calendar days of receipt of a notification to test from the Department or EPA, if visible emissions, equipment operating parameters, staff inspection, air monitoring, or other cause indicate to the Department that equipment

- may be operating out of compliance with emission standards or license conditions;
or
2. Pursuant to any other requirement of this license to perform stack testing.
- B. Install or make provisions to install test ports that meet the criteria of 40 C.F.R. 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 C.M.R. ch. 115]
- (12) If the results of a stack test performed under circumstances representative of the facility's normal process and operating conditions indicate emissions in excess of the applicable standards, then:
- A. Within thirty (30) days following receipt of the written test report by the Department, or another alternative timeframe approved by the Department, 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 C.F.R. 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 C.M.R. ch. 115]
- (13) Notwithstanding any other provisions in the State Implementation Plan approved by the EPA or Section 114(a) of the CAA, any credible evidence may be used for the purpose of establishing whether a person has violated or is in violation of any statute, regulation, or license requirement. [06-096 C.M.R. ch. 115]
- (14) The licensee shall maintain records of malfunctions, failures, downtime, and any other similar change in operation of air pollution control systems or the emissions unit itself that would affect emissions and that is not consistent with the terms and conditions of the air emission license. The licensee shall notify the Department within two (2) days or the next

state working day, whichever is later, of such occasions where such changes result in an increase of emissions. The licensee shall report all excess emissions in the units of the applicable emission limitation. [06-096 C.M.R. ch. 115]

- (15) Upon written request from the Department, the licensee shall establish and maintain such records; make such reports; install, use, and maintain such monitoring equipment; sample such emissions in accordance with such methods, at such locations, at such intervals, and in such a manner as the Department shall prescribe; and provide other information as the Department may reasonably require to determine the licensee's compliance status. [06-096 C.M.R. ch. 115]
- (16) The licensee shall notify the Department within 48 hours and submit a report to the Department on a quarterly basis if a malfunction or breakdown in any component causes a violation of any emission standard (38 M.R.S. § 605). [06-096 C.M.R. ch. 115]

SPECIFIC CONDITIONS

(17) BoMag Marini Asphalt Plant

A. Fuel Use

- 1. The BoMag Marini Asphalt Plant is licensed to fire distillate fuel. [06-096 C.M.R. ch. 115, BPT]
- 2. The facility shall not purchase or otherwise obtain distillate fuel with a maximum sulfur content that exceeds 0.0015% by weight (15 ppm). [06-096 C.M.R. ch. 115, BPT]

B. The annual throughput of the asphalt plant shall not exceed 250,000 tons of asphalt per year on a calendar year basis. Records of asphalt productions shall be kept on a monthly and calendar year total basis. [06-096 C.M.R. ch. 115, BPT]

C. Emissions from the BoMag Marini Asphalt Plant shall vent to a baghouse, and all components of the asphalt plant shall be maintained so as to prevent PM leaks. [06-096 C.M.R. ch. 115, BPT]

D. The performance of the baghouse shall be monitored by either one of the following at all times the BoMag Marini Asphalt Plant is operating: [06-096 C.M.R. ch. 115, BPT]

- 1. Continuous PM detector: When the detector signals excessive PM concentrations in the exhaust stream, County Concrete shall take corrective action within 24 hours, or immediately if opacity exceeds 20%.
- 2. Personnel available on-site with a current EPA Method 9 visible emissions certification: When visible emissions exceed 20% opacity, the asphalt plant is

operating with insufficient control, and corrective action shall be taken immediately.

- E. To document maintenance of the baghouse, the licensee shall keep maintenance records recording the date and location of all bag failures as well as all routine maintenance and inspections. The maintenance and inspection records shall be kept on-site at the asphalt plant location. [06-096 C.M.R. ch. 115, BPT]
- F. Emissions from the asphalt plant baghouse shall not exceed the following [06-096 C.M.R. ch. 115, BPT]:

Pollutant	grs/dscf	lb/hr
PM	0.03	2.92
PM ₁₀	–	2.92
PM _{2.5}	–	2.92
SO ₂	–	1.76
NO _x	–	8.80
CO	–	20.80
VOC	–	5.12

- G. General process emissions from the hot mix asphalt plant shall be controlled so as to prevent visible emissions in excess of 20% opacity on a six-minute block average basis. [06-096 C.M.R. ch. 101]
- H. Visible emissions from the asphalt plant baghouse shall not exceed 20% opacity on a 6-minute block average basis. [40 C.F.R. §§ 60.92(a)(2) and 60.93(b)(2)] This standard applies at all times. [06-096 C.M.R. ch. 101]
- I. County Concrete may process up to 10,000 cubic yards per year of soil contaminated by gasoline or distillate fuel without prior approval from the Department. This limit may be exceeded with written authorization from the Department's Bureau of Air Quality. The plant owner or operator shall notify the Department (regional air compliance inspector) at least 24 hours prior to processing the contaminated soil and specify the contaminating fuel and quantity, origin of the soil and fuel, and the disposition of the contaminated soil. This authorization to process contaminated soil does not absolve the facility of responsibility to comply with all other air emission license conditions and applicable state statutes. [06-096 C.F.R. 115, BPT]
- J. County Concrete shall not process soils which are classified as hazardous waste or which have unknown contaminants. [06-096 C.M.R. ch. 115, BPT]
- K. When processing contaminated soils, County Concrete shall maintain records which specify the quantity and type of contaminant in the soil as well as the origin and characterization of the contaminated soil. In addition, when processing contaminated

soil, County Concrete shall maintain records of processing temperature, asphalt feed rates, and dryer throughput on an hourly basis. The material shall be handled in accordance with the requirements of the Department's Bureau of Remediation and Waste Management. [06-096 C.M.R. ch. 115, BPT]

(18) Hot Oil Heater #1

A. Fuel

1. County Concrete shall not purchase or otherwise obtain for use in Hot Oil Heater #1 distillate fuel with a maximum sulfur content that exceeds 0.0015% by weight (15 ppm). [06-096 C.M.R. ch. 115, BPT]
2. Fuel sulfur content compliance shall be demonstrated by fuel delivery receipts from the supplier, a statement from the supplier that the fuel delivered meets Maine's fuel sulfur content standards, fuel supplier certification, certificate of analysis, or testing of fuel in the tank on-site. [06-096 C.M.R. ch. 115, BPT]

B. Emissions shall not exceed the following [06-096 C.M.R. ch. 115, BPT]:

Unit	PM (lb/hr)	PM₁₀ (lb/hr)	PM_{2.5} (lb/hr)	SO₂ (lb/hr)	NO_x (lb/hr)	CO (lb/hr)	VOC (lb/hr)
Hot Oil Heater #1	0.08	0.08	0.08	–	0.14	0.04	–

C. Visible emissions from Boiler # shall not exceed 20% opacity on a six-minute block average basis. [06-096 C.M.R. ch. 101]

(19) Concrete Batch Plant

- A. Particulate emissions from the cement silo shall be vented through a baghouse and all components of the concrete batch plant shall be maintained so as to prevent PM leaks. [06-096 C.M.R. ch. 115, BPT]
- B. To document maintenance of the cement silo baghouse, the licensee shall keep a maintenance record recording the date and location of all bag failures as well as all routine maintenance and inspections. The maintenance and inspection record shall be kept on-site at the concrete batch plant location. [06-096 C.M.R. ch. 115, BPT]
- C. Visible emissions from the cement silo baghouse is limited to no greater than 10% opacity on a six-minute block average basis. [06-096 C.M.R. ch. 101]
- D. PM emissions from the concrete batching operation shall be controlled so as to prevent visible emissions in excess of 20% opacity on a six-minute block average basis. [06-096 C.M.R. ch. 101]

(20) Nonmetallic Mineral Processing Plants

- A. County Concrete shall install and maintain spray nozzles for control of particulate matter on the nonmetallic mineral processing plant and operate as needed, when the units are in operation, to control visible emissions. [06-096 C.M.R. ch. 115, BPT]
- B. County Concrete shall maintain records detailing and quantifying the hours of operation on a daily basis for the Jaw Crusher and the Cone Crusher. The operation records shall be kept on-site at the rock crushing location. [06-096 C.M.R. ch. 115, BPT]
- C. Visible emissions from the Jaw Crusher and the Cone Crusher shall each be limited to no greater than 10% opacity on a six-minute block average basis. [06-096 C.M.R. ch. 101]
- D. NSPS Subpart OOO Requirements

County Concrete shall comply with all requirements of 40 C.F.R. Part 60, Subpart OOO applicable to the Jaw Crusher and the Cone Crusher and each associated affected facility including any grinding mill, screening operation, bucket elevator, belt conveyor, bagging operation, storage bin, and enclosed truck or railcar loading station including but not limited to, the following.

- 1. County Concrete shall submit notification to the Department of the date of initial startup of any affected facility postmarked within 15 days of the startup. This notification shall include a description of each affected facility, equipment manufacturer, and serial number of the equipment, if available. For a combination of affected facilities in a production line that begin actual initial startup on the same day, a single notification of startup may be submitted. For portable units, this notification shall also include both the home office and the current address or location of the portable plant. [40 C.F.R. § 60.676(i)]
- 2. Visible emissions from any affected facility other than rock crushers, including transfer points on belt conveyors, portable screens, etc., shall not exceed 7% opacity on a six-minute block average basis. [40 C.F.R. Part 60, Subpart OOO, Table 3 and 06-096 C.M.R. ch. 115, BPT]
- 3. County Concrete shall maintain records detailing the maintenance on particulate matter control equipment including spray nozzles. County Concrete shall perform monthly inspections of any water sprays to ensure water is flowing to the correct locations and initiate corrective action within 24 hours if water is found to not be flowing properly. Records of the date of each inspection and any corrective action required shall be included in the maintenance records. The maintenance records

shall be kept on-site at the rock crushing location. [40 C.F.R. §§ 60.674(b) and 60.676(b)(1)]

4. An initial performance test shall be completed on any affected facilities operated with a rock crusher subject to 40 C.F.R. Part 60, Subpart OOO in accordance with the applicable sections of 40 C.F.R. § 60.675. This potentially includes each associated grinding mill, screening operation, bucket elevator, belt conveyor, bagging operation, storage bin, and enclosed truck or railcar loading station. The performance test shall be conducted within 60 days after achieving the maximum production rate at which the unit will be operated, but no later than 180 days after initial startup of the unit. If the initial performance test for a unit falls within a seasonal shutdown, then with approval from the Department, the initial performance test may be postponed until no later than 60 calendar days after resuming operation of the affected equipment. [40 C.F.R. §§ 60.672(b) and 60.675(i)]
5. County Concrete shall submit a test notice to the Department at least seven days prior to conducting a performance test. [06-096 C.M.R. ch. 115, BPT and 40 C.F.R. § 60.675(g)]

Note: Although some federal standards, such as 40 C.F.R. Part 60, Subpart OOO, allow for a shorter pretest notification period, the Department requires pretest notification a minimum of 30 days prior to the scheduled date of the performance test unless a variance of this requirement is preapproved by the Department. [06-096 C.F.R. ch. 115, BPT]

(21) Stockpiles and Roadways

County Concrete shall not cause emissions of any fugitive dust during any period of construction, reconstruction, or operation without taking reasonable precautions. Such reasonable precautions shall be included in the facility's continuing program of best management practices for suppression of fugitive particulate matter.

County Concrete shall not cause or allow visible emissions within 20 feet of ground level, measured as any level of opacity and not including water vapor, beyond the legal boundary of the property on which such emissions occur. Compliance with this standard shall be determined pursuant to 40 C.F.R. Part 60, Appendix A, Method 22. [06-096 C.M.R. ch. 101]

(22) General Process Sources

Visible emissions from any general process that is not part of a nonmetallic mineral processing plant shall not exceed 20% opacity on a six-minute block average basis. [06-096 C.M.R. ch. 101]

(23) **Equipment Relocation** [06-096 C.M.R. ch. 115, BPT]

- A. County Concrete shall notify the Bureau of Air Quality, by a written notification, prior to relocation of any equipment carried on this license. It is preferred for notice of relocation to be submitted through the Department's on-line e-notice at: www.maine.gov/dep/air/compliance/forms/relocation

Written notice may also be sent by mail. Notification sent by mail shall be sent to the address below:

Attn: Relocation Notice
Maine DEP
Bureau of Air Quality
17 State House Station
Augusta, ME 04333-0017

The notification shall include the license number the equipment is covered under, identification of the equipment moved, the address of the equipment's new location, the date the equipment will be moved.

- B. Written notification shall also be made to the municipality where the equipment will be relocated, except in the case of an unorganized territory where notification shall be made to the respective county commissioners. The notification to the Department shall include the date the municipality was notified.

(24) **Parts Washer**

The Parts Washer is subject to *Solvent Cleaners*, 06-096 C.M.R. ch. 130.

- A. County Concrete shall keep records of the amount of solvent added to each parts washer. [06-096 C.M.R. ch. 115, BPT]
- B. The following are exempt from the requirements of 06-096 C.M.R. ch. 130 [06-096 C.M.R. ch. 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 C.M.R. ch. 130.

1. County Concrete shall attach a permanent conspicuous label to each unit summarizing the following operational standards:
 - 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 parts washer.
 - 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 parts washer 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.
3. The Parts Washer shall be equipped with a cover that shall be closed at all times except during cleaning of parts or the addition or removal of solvent.
[06-096 C.M.R. ch. 130]

(25) Performance Test Protocol

For any performance testing required by this license, County Concrete shall submit to the Department for approval a performance test protocol, as outlined in the Department's Performance Testing Guidance, at least 30 days prior to the scheduled date of the performance test. [06-096 C.M.R. ch. 115, BPT]

(26) County Concrete shall keep a copy of this Order on site, and have the operator(s) be familiar with the terms of this Order. [06-096 C.M.R. ch. 115, BPT]

(27) If the Department determines that any parameter value pertaining to construction and operation of the emissions units, including but not limited to stack size, configuration, flow rate, emission rates, nearby structures, etc., deviates from what was submitted in the

Worcester Peat Co., Inc.
Washington County
Columbia Falls, Maine
A-43-71-N-N

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After-the-Fact Renewal

application or ambient air quality impact analysis for this air emission license, County Concrete may be required to submit additional information. Upon written request from the Department, County Concrete shall provide information necessary to demonstrate AAQS will not be exceeded, potentially including submission of an ambient air quality impact analysis or an application to amend this air emission license to resolve any deficiencies and ensure compliance with AAQS. Submission of this information is due within 60 days of the Department's written request unless otherwise stated in the Department's letter.
[06-096 C.M.R. ch. 115, § 2(O)]

DONE AND DATED IN AUGUSTA, MAINE THIS 13th DAY OF OCTOBER, 2023.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

BY:  for
MELANIE LOYZIM, COMMISSIONER

The term of this license shall be ten (10) years from the signature date above.

[Note: If a renewal application, determined as complete by the Department, is submitted prior to expiration of this license, then pursuant to Title 5 M.R.S. § 10002, all terms and conditions of the license shall remain in effect until the Department takes final action on the license renewal application.]

PLEASE NOTE ATTACHED SHEET FOR GUIDANCE ON APPEAL PROCEDURES

Date of initial receipt of application: 9/20/2023

Date of application acceptance: 9/20/2023

Date filed with the Board of Environmental Protection:

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

FILED
OCT 13, 2023
State of Maine
Board of Environmental Protection