



STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION



PAUL R. LEPAGE
GOVERNOR

PAUL MERCER
COMMISSIONER

**Pike Industries, Inc.
Piscataquis County
Dover-Foxcroft, Maine
A-75-71-W-R/A (SM)**

**Departmental
Findings of Fact and Order
Air Emission License
Renewal/Amendment**

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 Annotated (M.R.S.A.), §344 and §590, the Maine Department of Environmental Protection (the Department) finds the following facts:

I. REGISTRATION

A. Introduction

Pike Industries, Inc. (Pike) has applied to renew their Air Emission License for the operation of their portable hot mix asphalt plant, designated P825 and located at 53 Spaulding Road, Dover-Foxcroft, Maine. Pike has also requested an amendment to their license in order to establish a new production limit that will increase yearly emission limits.

The main office is located at 95 Warren Avenue in Westbrook, 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, % sulfur	Control Device(s)	Date of Manuf.
P825: Rotary Kiln	240	70.7	Distillate fuel, 0.5% Spec waste oil, 0.7%	Baghouse	1961

Heating Equipment

Equipment	Max. Capacity (MMBtu/hr)	Fuel Type, % sulfur	Maximum Firing Rate
P825-HOH (Hot Oil Heater)	1.4	Distillate fuel, 0.5% Spec waste oil, 0.7%	10 gal/hr

AUGUSTA
17 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0017
(207) 287-7688 FAX: (207) 287-7826
RAY BLDG., HOSPITAL ST.

BANGOR
106 HOGAN ROAD, SUITE 6
BANGOR, MAINE 04401
(207) 941-4570 FAX: (207) 941-4584

PORTLAND
312 CANCO ROAD
PORTLAND, MAINE 04103
(207) 822-6300 FAX: (207) 822-6303

PRESQUE ISLE
1235 CENTRAL DRIVE, SKYWAY PARK
PRESQUE ISLE, MAINE 04769
(207) 764-0477 FAX: (207) 760-3143

Generator Units

<u>Unit ID</u>	<u>Max. Capacity (MMBtu/hr)</u>	<u>Max. Firing Rate (gal/hr)</u>	<u>Fuel Type, % sulfur</u>	<u>Date of Manuf.</u>
G621-1	6.3	46.0	Distillate fuel, 0.0015%	2005

C. Definitions

Distillate Fuel. For the purposes of this license, *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.

Specification Waste Oil. For the purposes of this license, *specification waste oil* is petroleum-based oil which, through use or handling, has become unsuitable for its original purpose due to the presence of impurities or loss of original properties. It must have sufficient liquid content to be free flowing. It must also not otherwise exhibit hazardous waste characteristics or be mixed with a hazardous waste. The following are not considered specification waste oil:

- Oily waste debris generated from the clean-up of oil spills;
 - Water generated from oil/water separation processes at a waste oil facility;
 - Mineral spirits having a flash point less than 60°C (140°F).
- [06-096 CMR 860(3)(s), (4)(A,B)]

Virgin oil means any petroleum derived oil, including petroleum fuels, unused motor oils, hydraulic fluids, lubrication oils and other industrial oils, that are not characterized as waste oil.

D. Application Classification

The application for Pike does not include the installation of new or modified equipment but it does include the licensing of increased emissions. The license is therefore considered to be a renewal of currently licensed emission units and a modification.

The modification of a minor source is considered a major or minor modification based on whether or not expected emission increases exceed the "Significant Emission" levels as defined in the Department's *Definitions Regulation*,

06-096 Code of Maine Rules (CMR) 100 (as amended). The emission increases are determined by subtracting the current licensed annual emissions preceding the modification from the maximum future licensed annual emissions, as follows:

<u>Pollutant</u>	<u>Current License (TPY)</u>	<u>Future License (TPY)</u>	<u>Net Change (TPY)</u>	<u>Significant Emission Levels</u>
PM	3.2	4.8	+1.6	100
PM ₁₀	3.2	4.8	+1.6	100
SO ₂	8.9	14.4	+5.5	100
NO _x	24.6	24.3	(0.3)	100
CO	27.5	47.8	+20.3	100
VOC	3.6	5.7	+2.1	50

This modification is determined to be a minor modification and in congruence with the renewal it has been processed through *Major and Minor Source Air Emission License Regulations*, 06-096 Code of Maine Rules (CMR) 115 (as amended).

With the annual production limit on the asphalt plant and the fuel limit on the generator, the facility is licensed as follows:

- As a synthetic minor source of air emissions, because the licensed emissions are below the 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 CMR 100 (as amended). Separate control requirement categories exist for new and existing equipment.

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. Asphalt Batch Plant-P825

Pike operates a portable asphalt batch plant (P825) for the production of asphalt at their Dover-Foxcroft facility. P825 is a hot mix rotary kiln asphalt batch plant with a maximum hourly throughput of 240 ton/hr of asphalt and a 70.7 MMBtu/hr burner. In the past, it has been assumed that there is a linear relationship between the fuel required for an asphalt plant burner and the plant output. Meaning, it has been assumed that to operate at 100% throughput requires the burner to fire at 100%, to operate at 75% throughput requires the burner to fire at 75%, etc. This assumption allows for an asphalt plant to have its annual emissions limited by placing a fuel limit on the burner.

However, in some cases it has been determined that the asphalt plant is operated significantly more efficiently than originally anticipated. This allows the burner to operate at a lower firing rate than would be expected for the asphalt output. Since emission factors for asphalt plants are based on tons of asphalt produced, without the previously mentioned linear relationship between plant output and burner firing rate, a fuel limit on the asphalt plant is not sufficient to limit the equipment's annual emissions.

Therefore, to ensure annual emissions are limited to less than major source thresholds, asphalt throughput is limited instead of fuel consumption. Accordingly, the annual throughput of the asphalt batch plant shall not exceed 225,000 tons of asphalt per year on 12-month rolling total basis.

1. BACT/BPT Findings

The BACT/BPT emission limits for the asphalt plant that fires distillate fuel and specification waste oil are based on the following:

- PM, PM₁₀ – 0.03 gr/dscf and the use of a baghouse
- SO₂ – 0.088 lb/ton based on AP-42, Table 11.1-5, dated 3/04
- NO_x – 0.12 lb/ton based on AP-42, Table 11.1-5, dated 3/04
- CO – 0.40 lb/ton based on AP-42, Table 11.1-5, dated 3/04
- VOC – 0.036 lb/ton based on AP-42, Table 11.1-6, dated 3/04
- Visible Emissions – 06-096 CMR 101

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

<u>Unit</u>	<u>PM</u> <u>(lb/hr)</u>	<u>PM₁₀</u> <u>(lb/hr)</u>	<u>SO₂</u> <u>(lb/hr)</u>	<u>NO_x</u> <u>(lb/hr)</u>	<u>CO</u> <u>(lb/hr)</u>	<u>VOC</u> <u>(lb/hr)</u>
P825	7.8	7.8	21.1	28.8	96.0	8.6

Visible emissions from the asphalt plant baghouse and dust re-injection system shall not exceed 20% opacity on a six-minute block average basis, except for no more than two six-minute block averages in a continuous three-hour period.

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, except for no more than one six-minute block average in a one-hour period.

The asphalt batch plant is licensed to fire distillate fuel which, by definition, has a sulfur content of 0.5% or less by weight. Per 38 M.R.S.A. §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, beginning July 1, 2018, the distillate fuel purchased or otherwise obtained for use in the asphalt batch plant shall not exceed 0.0015% by weight (15 ppm).

2. New Source Performance Standards

The portable asphalt batch plant was manufactured in 1961 and is therefore not subject to the federal Environmental Protection Agency's (EPA) New Source Performance Standards (NSPS) 40 Code of Federal Regulation (CFR) Part 60, Subpart I, *Standards of Performance for Hot Mix Asphalt Facilities* constructed or modified after June 11, 1973.

3. Control Equipment

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

Pike shall also control emissions from the asphalt batch plant using their dust re-injection system. In this setup, a blower rated at 45,360 CFM blows dust from the baghouse into a dust silo. The silo is attached to a smaller baghouse which captures particulate matter.

4. Periodic Monitoring

The performance of the baghouse and dust re-injection system shall be constantly monitored by either one of the following at all times the batch asphalt plant is operating:

- a. PM detector: When the detector signals excessive PM concentrations in the exhaust stream, Pike shall take corrective action within 24 hours, or immediately if visible emissions exceed 20% opacity.

- b. Personnel with a current EPA's 40 CFR 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.

Pike shall keep records of baghouse failures, baghouse maintenance, and baghouse inspections.

Pike shall keep records of tons of asphalt produced for the asphalt batch plant which shall be maintained for at least six years and made available to the Department upon request. Records shall also be maintained recording the quantity and analyzed test results of all specification waste oil fired in the unit and the fuel sulfur content of the distillate fuel fired.

5. Contaminated Soils

Pike 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. The plant owner or operator shall notify the Department (regional 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.

Pike may process up to 5,000 cubic yards per year of soil contaminated with virgin oil as defined in this license without prior approval from the Department's Bureau of Air Quality. Processing of virgin oil contaminated soils may require a solid waste processing facility license under Maine Solid Waste Management Rules, 06-096 CMR 409 (as amended). The material shall be handled in accordance with the requirements of the Department's Bureau of Remediation and Waste Management.

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

When processing contaminated soils, Pike 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, Pike 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. P825-HOH

P825-HOH is a Hot Oil Heater which has a maximum heat input capacity of 1.4 MMBtu/hr, and fires distillate fuel and specification waste oil with maximum sulfur contents of 0.5% and 0.7% by weight, respectively.

1. BACT/BPT Findings

The BPT emission limits for P825-HOH are based on the following:

Distillate Fuel

- PM, PM₁₀ – 0.12 lb/MMBtu based on A-75-71-S-A/R, dated 02/14/2016, BACT
- SO₂ – 71 lb/1000 gallons based on AP-42 Table 1.3-1 and the firing of distillate fuel with a maximum sulfur content of 0.5% 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
- Opacity – License A-75-71-S-A/R, BACT, dated 02/14/2006

Specification Waste Oil

- PM, PM₁₀ – 0.12 lb/MMBtu based on 06-096 CMR 115, BPT
- SO₂ – 102.9 lb/1000 gallons based on AP-42 Table 1.11-2, dated 10/96 and the firing of distillate fuel with a maximum sulfur content of 0.7% by weight
- NO_x – 19 lb/1000 gal based on AP-42 Table 1.11-2, dated 10/96
- CO – 5 lb/1000 gal based on AP-42 Table 1.11-2, dated 10/96
- VOC – 1 lb/1000 gal based on AP-42 Table 1.11-3, dated 10/96
- Opacity – License A-75-71-S-A/R, BACT, dated 02/14/2006

The BACT/BPT emission limits for P825-HOH are the following:

<u>Unit</u>	<u>PM</u> <u>(lb/hr)</u>	<u>PM₁₀</u> <u>(lb/hr)</u>	<u>SO₂</u> <u>(lb/hr)</u>	<u>NO_x</u> <u>(lb/hr)</u>	<u>CO</u> <u>(lb/hr)</u>	<u>VOC</u> <u>(lb/hr)</u>
P825-HOH	0.17	0.17	1.03	0.20	0.05	0.01

Visible emissions from P825-HOH shall not exceed 20% opacity on a six-minute block average basis.

P825-HOH is licensed to fire distillate fuel which, by definition, has a sulfur content of 0.5% or less by weight. Per 38 M.R.S.A. §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, beginning July 1, 2018, the distillate fuel purchased or otherwise obtained for use in P825-HOH shall not exceed 0.0015% by weight (15 ppm).

2. Periodic Monitoring

Periodic monitoring for P825-HOH shall include recordkeeping to document the type of fuel used and sulfur content of the fuel.

3. New Source Performance Standards

The Hot Oil Heater does not heat water. For this reason, it does not meet the definition of a “steam generating unit” and therefore is 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. [40 CFR §60.40c]

4. National Emission Standards for Hazardous Air Pollutants

The Hot Oil Heater does not heat water. For this reason, it does not meet the definition of a “boiler” and therefore is not subject to 40 CFR Part 63 Subpart JJJJJ, *National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers Area Sources*. [40 CFR §60.11237]

D. G621-1

G621-1 is a portable Generator used to power process equipment at the facility. G621-1 has a maximum capacity of 6.3 MMBtu/hr and it fires distillate fuel. The generator was manufactured in 2005 and was brought to the facility in 2010.

1. BPT/BACT Findings

The BACT/BPT emission limits for the generator were based on the following:

- PM, PM₁₀ – 0.12 lb/MMBtu from 06-096 CMR 103
- SO₂ – 0.0015 lb/MMBtu based on the combustion of distillate fuel with a maximum sulfur content not to exceed 15 ppm (0.0015% sulfur by weight)

- NO_x – 3.2 lb/MMBtu from AP-42 Table 3.4-1, dated 10/96
 - CO – 0.85 lb/MMBtu from AP-42 Table 3.4-1, dated 10/96
 - VOC – 0.09 lb/MMBtu from AP-42 Table 3.4-1, dated 10/96
 - Visible – 06-096 CMR 101
- Emissions

The BACT/BPT emission limits for G621-1 are the following:

<u>Unit</u>	<u>Pollutant</u>	<u>lb/MMBtu</u>
G621-1	PM	0.12

<u>Unit</u>	<u>PM (lb/hr)</u>	<u>PM₁₀ (lb/hr)</u>	<u>SO₂ (lb/hr)</u>	<u>NO_x (lb/hr)</u>	<u>CO (lb/hr)</u>	<u>VOC (lb/hr)</u>
G621-1 (6.3 MMBtu/hr) Distillate fuel	0.76	0.76	0.01	20.16	5.36	0.57

Visible emissions from G621-1 shall not exceed 20% opacity on a six-minute block average basis, except for no more than two six-minute block averages in a three-hour period.

G621-1 shall be limited to 45,000 gallons/year of distillate fuel on a 12-month rolling total basis with a maximum sulfur content not to exceed 15 ppm (0.0015% sulfur by weight).

2. New Source Performance Standards

G621-1 is considered a non-road engine, as opposed to a stationary engine, since the generator is portable and will be moved to various sites with the asphalt plant. Therefore, G621-1 is not subject to New Source Performance Standards 40 CFR Part 60, Subpart IIII, *Standards of Performance for Stationary Compression Ignition Internal Combustion Engines*. [40 CFR §60.4200]

3. National Emission Standards for Hazardous Air Pollutants

G621-1 is considered a non-road engine, as opposed to a stationary engine, since the generator is portable and will be moved to various sites with the asphalt plant. Therefore, G621-1 is not subject to 40 CFR Part 63, Subpart ZZZZ, *National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines*. The definition in 40 CFR §1068.30 states that a non-road engine is an internal combustion engine that meets certain criteria, including: “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.” 40 CFR §1068.30 further states that an engine is not a non-road engine if it remains or will remain at a location for more than 12 consecutive months or a shorter period of time for an engine located at a seasonal source. An engine located at a seasonal source (a stationary source that remains in a single location on a permanent basis (i.e., at least two years) and that operates at that single location approximately three months (or more) each year) is an engine that remains at a seasonal source during the full annual operating period of the seasonal source. [40 CFR §63.6585]

E. Stock Piles and Roadways

Visible emissions from a fugitive emission source shall not exceed 20% opacity, except for no more than five minutes in any one-hour period. Compliance shall be determined by an aggregate of the individual 15-second opacity observations which exceed 20% in any one hour. [06-096 CMR 101]

F. General Process Emissions

Visible emissions from any other general process (non-NSPS crusher conveyor belts, bucket elevators, bagging operations, truck loading operations, portable screens, etc.) shall not exceed 20% opacity on a six-minute block average basis except for no more than one six-minute block average in a one-hour period. [06-096 CMR 115, BPT]

G. Annual Emissions

1. Total Annual Emissions

Pike shall be restricted to the following annual emissions on a 12-month rolling total basis. The tons per year limits were calculated based on 45,000 gallons of distillate fuel burned by G621-1, 225,000 tons of throughput by P825, and 8,760 hours of operation of P825-HOH:

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

	<u>PM</u>	<u>PM₁₀</u>	<u>SO₂</u>	<u>NO_x</u>	<u>CO</u>	<u>VOC</u>
P825	3.7	3.7	9.9	13.5	45.0	5.4
P825-HOH	0.7	0.7	4.5	0.9	0.2	0.04
G621-1	0.4	0.4	0.01	9.9	2.6	0.3
Total TPY	4.8	4.8	14.4	24.3	47.8	5.7

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).

The quantity of CO₂e emissions from this facility is less than 100,000 tons per year, based on the following:

- the facility's fuel use and production limits;
- worst case emission factors from the following sources: U.S. EPA's AP-42, the Intergovernmental Panel on Climate Change (IPCC), and 40 CFR Part 98, *Mandatory Greenhouse Gas Reporting*; and
- global warming potentials contained in 40 CFR Part 98.

No additional licensing actions to address GHG emissions are required at this time.

III. AMBIENT AIR QUALITY ANALYSIS

The level of ambient air quality impact modeling required for a minor source is determined by the Department on a case-by case basis. In accordance with 06-096 CMR 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
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.

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-75-71-W-R/A, 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.A. §347-C).
- (2) The licensee shall acquire a new or amended air emission license prior to commencing construction of a modification, unless specifically provided for in 06-096 CMR 115. [06-096 CMR 115]
- (3) Approval to construct shall become invalid if the source has not commenced construction within eighteen (18) months after receipt of such approval or if construction is discontinued for a period of eighteen (18) months or more. The Department may extend this time period upon a satisfactory showing that an extension is justified, but may condition such extension upon a review of either the control technology analysis or the ambient air quality standards analysis, or both. [06-096 CMR 115]

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

2. Pursuant to any other requirement of this license to perform stack testing.
 - B. Install or make provisions to install test ports that meet the criteria of 40 CFR Part 60, Appendix A, and test platforms, if necessary, and other accommodations necessary to allow emission testing; and
 - C. Submit a written report to the Department within thirty (30) days from date of test completion.
[06-096 CMR 115]
- (12) If the results of a stack test performed under circumstances representative of the facility's normal process and operating conditions indicate emissions in excess of the applicable standards, then:
 - A. Within thirty (30) days following receipt of such test results, the licensee shall re-test the non-complying emission source under circumstances representative of the facility's normal process and operating conditions and in accordance with the Department's air emission compliance test protocol and 40 CFR Part 60 or other method approved or required by the Department; and
 - B. The days of violation shall be presumed to include the date of stack test and each and every day of operation thereafter until compliance is demonstrated under normal and representative process and operating conditions, except to the extent that the facility can prove to the satisfaction of the Department that there were intervening days during which no violation occurred or that the violation was not continuing in nature; and
 - C. The licensee may, upon the approval of the Department following the successful demonstration of compliance at alternative load conditions, operate under such alternative load conditions on an interim basis prior to a demonstration of compliance under normal and representative process and operating conditions.
[06-096 CMR 115]
- (13) Notwithstanding any other provisions in the State Implementation Plan approved by the EPA or Section 114(a) of the CAA, any credible evidence may be used for the purpose of establishing whether a person has violated or is in violation of any statute, regulation, or Part 70 license requirement. [06-096 CMR 115]
- (14) The licensee shall maintain records of malfunctions, failures, downtime, and any other similar change in operation of air pollution control systems or the emissions unit itself that would affect 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 CMR 115]

- (15) Upon written request from the Department, the licensee shall establish and maintain such records; make such reports; install, use, and maintain such monitoring equipment; sample such emissions in accordance with such methods, at such locations, at such intervals, and in such a manner as the Department shall prescribe; and provide other information as the Department may reasonably require to determine the licensee's compliance status. [06-096 CMR 115]

SPECIFIC CONDITIONS

(16) **Asphalt Batch Plant- P825 (240 tons/hr)**

A. Fuel Use

1. The asphalt plant is licensed to fire distillate fuel and specification waste oil. [06-096 CMR 115, BPT]
2. Prior to July 1, 2018, distillate fuel fired at the facility shall not exceed a maximum sulfur content of 0.5% by weight. [06-096 CMR 115, BPT]
3. Beginning July 1, 2018, 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 CMR 115, BPT]
4. Specification waste oil fired at the facility shall not exceed a maximum sulfur content of 0.7% by weight. [06-096 CMR 115, BPT]

- B. The annual throughput of the asphalt plant shall not exceed 225,000 tons of asphalt per year on a 12-month rolling total basis. Records of asphalt production shall be kept on a monthly and 12-month rolling total basis. [06-096 CMR 115, BPT]

- C. Emissions from the asphalt plant shall vent to a baghouse and to a dust re-injection system. All components of the asphalt plant shall be maintained so as to prevent PM leaks. [06-096 CMR 115, BPT]

- D. The performance of the baghouse and dust re-injection system shall be constantly monitored by either one of the following at all times the batch asphalt plant is operating [06-096 CMR 115, BPT]:

1. PM detector: When the detector signals excessive PM concentrations in the exhaust stream, Pike shall take corrective action within 24 hours, or immediately if opacity exceeds 20%.

2. Personnel 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 CMR 115, BPT]
- F. Emissions from the asphalt plant baghouse shall not exceed the following
[06-096 CMR 115, BPT]:

Pollutant	grs/dscf	lb/hr
PM	0.03	7.8
PM ₁₀	-	7.8
SO ₂	-	21.1
NO _x	-	28.8
CO	-	96.0
VOC	-	8.6

- G. Visible emissions from the baghouse are limited to no greater than 20% opacity on a six-minute block average basis, except for no more than two six-minute block averages in a continuous three-hour period.
[06-096 CMR 101]
- H. 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 except for no more than one six-minute block average in a one-hour period. [06-096 CMR 101]
- I. Pike shall keep records of tons of asphalt produced for the asphalt batch plant which shall be maintained for at least six years and made available to the Department upon request. Records shall also be maintained recording the quantity and analyzed test results of all specification waste oil fired in the unit and the fuel sulfur content of the distillate fuel fired. [06-096 CMR 115, BPT]
- J. Pike 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. The plant owner or operator shall notify the Department (regional 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. [06-096 CMR 115, BPT]

- K. Pike may process up to 5,000 cubic yards per year of soil contaminated with virgin oil as defined in this license without prior approval from the Bureau of Air Quality. Processing of virgin oil contaminated soils may require a solid waste processing facility license under 06-096 CMR 409. The material shall be handled in accordance with the requirements of the Department's Bureau of Remediation and Waste Management. [06-096 CMR 115, BPT]
- L. Pike shall not process soils which are classified as hazardous waste or which have unknown contaminants. [06-096 CMR 115, BPT]
- M. When processing contaminated soils, Pike 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, Pike 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 CMR 115, BPT]

(17) P825-HOH

A. Fuel

- 1. The hot oil heater is licensed to fire distillate fuel and specification waste oil. [06-096 CMR 115, BPT]
- 2. Prior to July 1, 2018, distillate fuel fired at the facility shall have a maximum sulfur content not to exceed 0.5% by weight. [06-096 CMR 115, BPT]
- 3. Beginning July 1, 2018, 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 CMR 115, BPT]
- 4. Specification waste oil fired at the facility shall have a maximum sulfur content not to exceed 0.7% by weight. [06-096 CMR 115, BPT]
- 5. Compliance shall be demonstrated by fuel records from the supplier showing type, and the percent sulfur of the fuel delivered. [06-096 CMR 115, BPT]

B. Emissions shall not exceed the following:

Unit	Pollutant	lb/MMBtu	Origin and Authority
P825-HOH	PM	0.12	A-75-71-S-A/R, dated 02/14/2016, BACT

C. Emissions shall not exceed the following [06-096 CMR 115, BPT]:

<u>Unit</u>	<u>PM (lb/hr)</u>	<u>PM₁₀ (lb/hr)</u>	<u>SO₂ (lb/hr)</u>	<u>NO_x (lb/hr)</u>	<u>CO (lb/hr)</u>	<u>VOC (lb/hr)</u>
P825-HOH	0.17	0.17	1.03	0.20	0.05	0.01

D. Visible emissions from P825-HOH shall not exceed 20% opacity on a six-minute block average basis. [06-096 CMR 101]

(18) **G621-1**

A. Fuel Use

- G621-1 is licensed to fire distillate fuel with a maximum sulfur content not to exceed 15 ppm (0.0015% sulfur by weight). [06-096 CMR 115, BPT]
- Total fuel use for G621-1 shall not exceed 45,000 gal/yr of distillate fuel.
- Compliance shall be demonstrated by fuel records from the supplier showing the quantity, type, and sulfur content, as applicable, of fuel delivered. Records of annual fuel use shall be kept on a monthly and 12-month rolling total basis. [06-096 CMR 115, BPT]

B. Emissions shall not exceed the following:

<u>Unit</u>	<u>Pollutant</u>	<u>lb/MMBtu</u>	<u>Origin and Authority</u>
G621-1	PM	0.12	06-096 CMR 103(2)(B)(1)(a)

C. Emissions shall not exceed the following [06-096 CMR 115, BPT]:

<u>Unit</u>	<u>PM (lb/hr)</u>	<u>PM₁₀ (lb/hr)</u>	<u>SO₂ (lb/hr)</u>	<u>NO_x (lb/hr)</u>	<u>CO (lb/hr)</u>	<u>VOC (lb/hr)</u>
G621-1 (6.3 MMBtu/hr) distillate fuel	0.76	0.76	0.01	20.16	5.36	0.57

D. Visible emissions from G621-1 shall not exceed 20% opacity on a six-minute block average basis, except for no more than two six-minute block averages in a continuous three-hour period. [06-096 CMR 101]

(19) **Stockpiles and Roadways**

Visible emissions from a fugitive emission source shall not exceed 20% opacity, except for no more than five minutes in any one-hour period. Compliance shall be determined by an aggregate of the individual 15-second opacity observations which exceed 20% in any one hour. [06-096 CMR 101]

(20) **General Process Sources**

Visible emissions from any other general process (non-NSPS crusher conveyor belts, bucket elevators, bagging operations, truck loading operations, portable screens, etc.) shall not exceed 20% opacity on a six-minute block average basis except for no more than one six-minute block average in a one-hour period. [06-096 CMR 115, BPT]

(21) **Equipment Relocation** [06-096 CMR 115, BPT]

A. Pike 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 fax (207-287-7641) or 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 address of the equipment's new location, an identification of the equipment, and the license number pertaining to the relocated equipment.

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.

(22) Pike shall keep a copy of this Order on site, and have the operator(s) be familiar with the terms of this Order. [06-096 CMR 115, BPT]

**Pike Industries, Inc.
Piscataquis County
Dover-Foxcroft, Maine
A-75-71-W-R/A (SM)**

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**Departmental
Findings of Fact and Order
Air Emission License
Renewal/Amendment**

- (23) Pike 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.A. §605].

DONE AND DATED IN AUGUSTA, MAINE THIS 8 DAY OF August, 2016.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

BY:

Paul Mercer
PAUL MERCER, 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 MRSA §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: 05/02/2016

Date of application acceptance: 05/06/2016

Date filed with the Board of Environmental Protection:

This Order prepared by Colby Fortier-Brown, Bureau of Air Quality.

