

**Lane Construction  
Waldo County  
Belfast, Maine  
A-54-71-L-R/A (SM)**

**Departmental  
Findings of Fact and Order  
Air Emission License**

After review of the air emission license application, staff investigation reports, and other documents in the applicant’s file in the Bureau of Air Quality, pursuant to 38 M.R.S.A., Section 344 and Section 590, the Department finds the following facts:

**I. REGISTRATION**

**A. Introduction**

Lane Construction (Lane), located in Belfast, has applied to renew their Air Emission License, permitting the operation of their hot mix asphalt plant and their crushed stone and gravel facility.

Lane has requested to change the identification names of the following units to match the in-house identifiers:

1. Genset 3412 becomes CAT 3412
2. Heater H1 becomes HYCO Heater
3. Heater H2 becomes AC Heater

Lane has requested a modification to their License in order to correct the maximum design input of the AC Heater to 1.33 MMBtu/hr, changing its status to a significant activity and receiving BACT.

**B. Emission Equipment**

**Asphalt Plant:**

<u>Equipment</u>	<u>Process Rate (tons/hour)</u>	<u>Design Capacity Firing Rate</u>	<u>Control Devices</u>	<u>Stack ID</u>	<u>Date of Manufacture</u>
Rotary Dryer	120	39.0 MMBtu/hr, 278 gal/hr, #2 fuel oil and specification waste oil, 0.7% S	baghouse	42	Pre-1973

**Rock Crushers:**

<u>Designation</u>	<u>Process Rate (tons/hour)</u>	<u>Control Device</u>	<u>Date of Manufacture</u>
PRI 2540	175	Spray Nozzles	Pre 1973
SEC 425A	150	Spray Nozzle	1965
SEC 425B	175	Spray Nozzle	Pre 1973
PRI 3042	250	Spray Nozzle	Pre 1973

**Other Fuel Burning Equipment**

Equipment	<u>Date of Construction</u>	<u>Maximum Capacity (MMBtu/hr)</u>	<u>Maximum Firing Rate (gal/hr)</u>	<u>Fuel Type, % sulfur</u>	Stack #
CAT 3412	1998	3.84	28	Diesel fuel, 0.05%	G1
Diesel N14PA	1998	1.21	8.6	Diesel fuel, 0.05%	D1
Diesel N14PB	1998	1.21	8.6	Diesel fuel, 0.05%	D2
Diesel PJ	Pre 1973	2.1	15	Diesel fuel, 0.05%	D3
HYCO 200	1999	2.0	14.6	#2 fuel oil, spec. waste oil, 0.7%S	H1
AC Heater	Pre 1973	1.33	9.5	#2 fuel oil, spec. waste oil, 0.7%S	H2

C. Application Classification

The modification of a minor source is considered a major modification based on whether or not expected emission increases exceed the “Significant Emission Levels” as defined in the Department’s regulations. This application is determined to be a renewal with a minor modification and has been processed as such. With the fuel limit on the Asphalt Plant and the Diesel Units, the facility is licensed below the major source thresholds and is considered a synthetic minor.

**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 (last amended December 24, 2005). Separate control requirement categories exist for new and existing equipment as well as for those sources located in designated non-attainment areas.

BPT for new sources and modifications requires a demonstration that emissions are receiving Best Available Control Technology (BACT), as defined in *Definitions Regulation*, 06-096 CMR 100 (last amended December 24, 2005). BACT is a top-down approach to selecting air emission controls considering economic, environmental and energy impacts.

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

The asphalt batch plant was manufactured prior to 1973 and is therefore not subject to EPA New Source Performance Standards (NSPS) Subpart I for Hot Mix Asphalt Facilities manufactured after June 11, 1973.

The asphalt batch plant fires #2 fuel oil and specification waste oil with sulfur contents not to exceed 0.7%. The Asphalt Plant shares a fuel tank with the HYCO 200 and the AC Heater. Fuel use shall not exceed 720,000 gal/year based on a 12 month rolling total.

To meet the requirements of BPT for the control of particulate matter (PM) emissions from the asphalt batch plant shall vent to a baghouse. Opacity from the asphalt batch plant baghouse is limited to no greater than 20% on a 6 minute block average basis, except for no more than 2, six minute block averages in a continuous 3 hour period.

Based on the above hot mix asphalt plant process rate, the maximum PM emission rate from the asphalt baghouse shall be limited to 0.03 grs/dscf.

The performance of the baghouse shall be constantly monitored by either one of the following at all times the rotary dryer is operating:

1. PM detector – when the detector signals excessive PM concentrations in the exhaust stream, Lane 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 the opacity exceeds 20%, the hot mix asphalt plant is operating with insufficient control and corrective action shall be taken immediately.

Fugitive particulate emissions from the asphalt plant shall be controlled so as to prevent visible emissions in excess of 10% opacity on a 6-minute block average basis.

Lane may process up to 10,000 cubic yards per year of soil contaminated with virgin oil as defined by the Bureau of Air Quality without prior approval from the 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 (last amended June 16, 2006). The material shall be handled in accordance with the requirements of the Bureau of Remediation and Waste Management.

Virgin Oil Definition:

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.

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

When processing contaminated soils, Lane 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, Lane 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 Bureau of Remediation and Waste Management.

C. Rock Crushers

EPA NSPS Subpart OOO for Nonmetallic Mineral Processing Plants applies to fixed rock crushers with capacities greater than 25 tons/hr and portable rock crushers with capacities greater than 150 tons/hr, constructed after August 31, 1983. Lane has chosen to comply with the requirements in Subpart OOO for all the rock crushers, and thus satisfy BPT.

Primary rock crusher PRI 3042 was manufactured prior to 1973 with a rated capacity of 250 tons/hr and an initial performance test was performed on this unit 5/25/2004. Primary rock crusher PRI 2540 was manufactured prior to 1973 with a rated capacity of 175 tons/hr but is currently not operational. Lane must therefore perform an initial performance test on crusher PRI 2540 per the applicable sections of 40 CFR Part 60, Subpart OOO, §60.675 when the unit becomes operational again.

Secondary rock crusher SEC 425A is a portable unit manufactured in 1965 with a rated capacity of 150 tons/hour. Secondary rock crusher SEC 425B was manufactured prior to 1973 with a rated capacity of 175 tons/hour. An initial performance test was performed on each of these units on 5/25/2004.

The regulated pollutant from the rock crushers is particulate emissions. To meet the requirements of BPT for control of particulate matter (PM) emissions from the rock crushers, Lane shall maintain water sprays on the rock crushers and operate as needed to control visible emissions. Visible emissions from the rock crushers shall be limited to no greater than 10% opacity on a six (6) minute block average basis.

D. Diesel Units

CAT 3412 is rated at 3.84 MMBtu/hr, Diesels N14PA & N14PB are each rated at 1.21 MMBtu/hr, and Diesel PJ is rated at 2.1 MMBtu/hr.

A summary of the BPT analysis for the diesel units is the following:

1. The total fuel use for the diesel units shall not exceed a total of 60,000 gallons per calendar year of diesel fuel with a maximum sulfur content not to exceed 0.05% by weight.
2. *Low Sulfur Fuel*, 06-096 CMR 106 (last amended July 4, 1999) regulates fuel sulfur content, however in this case a BPT analysis for SO<sub>2</sub> determined a more stringent limit of 0.05% was appropriate and shall be used.
3. *Fuel Burning Equipment Particulate Emission Standard*, 06-096 CMR 103 (last amended November 3, 1990) regulates PM emission limits for the CAT 3412. A PM emission limit of 0.12 lb/MMBtu shall be considered BPT for Diesel N14PA, Diesel N14PB, and Diesel PJ. The PM<sub>10</sub> limits are derived from the PM limits.
4. NO<sub>x</sub>, CO, and VOC emission limits are based upon AP-42 data dated 10/96.
5. Visible emissions from the diesel units shall each not exceed 20% opacity on a six (6) minute block average, except for no more than two (2) six (6) minute block averages in a continuous 3-hour period.

E. HYCO Heater and AC Heater

The HYCO Heater and the AC Heater have heat input capacities of 2.1 MMBtu/hr and 1.33 MMBtu/hr, respectively. The Heaters share a fuel tank with the Asphalt Plant. The heaters each have a heat input less than 10 MMBtu/hr and are therefore not subject to NSPS Subpart Dc.

A summary of BPT for the HYCO Heater and BACT for the AC Heater is detailed below:

1. 06-096 CMR 106 regulates fuel sulfur content, however the use of #2 fuel oil or Specification Waste Oil, each with a sulfur content not to exceed 0.7% is more stringent and shall be considered BPT for the HYCO Heater and BACT for the AC Heater.
2. A PM emission limit of 0.12 lb/MMBtu shall be considered BPT/BACT. The PM<sub>10</sub> limits are derived from the PM limits.
3. NO<sub>x</sub>, CO and VOC emission rates were based upon AP-42 data dated 10/98 for boilers with a heat input less than 100 MMBtu/hr.
4. Opacity from the HYCO Heater and the AC Heater shall each not exceed 20% opacity on a six (6) minute block average basis, except for one (1), six (6) minute block average in a 3-hour period.

F. Stock Piles and Roadways

Visible emissions from a fugitive emission source shall not exceed an opacity of 20%, except for no more than five (5) minutes in any 1-hour period. Compliance shall be determined by an aggregate of the individual fifteen (15)-second opacity observations which exceed 20% in any one (1) hour.

G. General Process Emissions

Visible emissions from any other general process (including conveyor belts, transfer points, bucket elevators, bagging operations, etc.) shall not exceed an opacity of 7% on a six (6) minute block average basis.

Visible emissions from any other general process (non-NSPS crusher conveyor belts, bucket elevators, bagging operations, etc.) shall not exceed 20% opacity on a six (6) minute block average basis except for no more than one (1) six (6) minute block average in a 1-hour period.

H. Facility Emissions

1. The Asphalt Plant shares a fuel tank with the HYCO Heater and the AC Heater. Emissions shall therefore be based on the worst case scenario of burning 100% of the fuel allowed through the asphalt plant.
2. Lane shall not exceed 720,000 gallons of #2 fuel oil or specification waste oil on a calendar year basis, each with a sulfur content not to exceed 0.7% in the Asphalt Plant, HYCO Heater and AC Heater.
3. Lane shall not exceed a combined total of 60,000 gallons of diesel fuel in the diesel units on a calendar year basis, with a sulfur content not to exceed 0.05%

**Total Licensed Annual Emissions for the Facility**  
(used to calculate the annual license fee)

	<b>PM</b>	<b>PM<sub>10</sub></b>	<b>SO<sub>2</sub></b>	<b>NO<sub>x</sub></b>	<b>CO</b>	<b>VOC</b>
Asphalt Plant and Heaters	6.67	6.67	35.53	18.61	62.03	1.27
Diesel Units	0.49	0.49	0.21	18.13	3.90	1.44
<b>Total TPY</b>	<b>7.16</b>	<b>7.16</b>	<b>35.74</b>	<b>36.74</b>	<b>65.93</b>	<b>2.71</b>

**III. AMBIENT AIR QUALITY ANALYSIS**

According to the 06-096 CMR 115, the level of air quality analyses required for a renewal source shall be determined on a case-by-case basis. Based on the above total facility emissions, Lane is below the emissions level required for modeling and monitoring.

**ORDER**

Based on the above Findings and subject to conditions listed below the Department concludes that 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-54-71-L-R/A, subject to the following conditions:

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

**STANDARD 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. [06-096 CMR 115]
- (2) The licensee shall acquire a new or amended air emission license prior to commencing construction of a modification, unless specifically provided for in Chapter 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 38 M.R.S.A. § 353. [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 emission 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) Batch Mix Asphalt Plant**

- A. Emissions from the batch mix 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 CMR 115, BPT]

- B. The performance of the baghouse shall be constantly monitored by either one of the following at all times the batch mix asphalt plant is operating [06-096 CMR 115, BPT]:
1. PM detector – when the detector signals excessive PM concentrations in the exhaust stream, Lane 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 the opacity exceeds 20%, the asphalt plant is operating with insufficient control and corrective action shall be taken immediately.
- C. To document maintenance of the baghouse, the licensee shall keep a maintenance log recording the date and location of all bag failures as well as all routine maintenance. The maintenance log shall be kept on-site at the asphalt plant location. [06-096 CMR 115, BPT]
- D. Opacity from the baghouse is limited to no greater than 20% on a six (6) minute block average basis, except for no more than two (2), six (6) minute block averages in a continuous 3-hour period. [06-096 CMR 101]
- E. General process emissions from the batch mix asphalt plant shall be controlled so as to prevent visible emissions in excess of 20% opacity on a six (6) minute block average basis except for no more than one (1), six (6) minute block average in a 1-hour period. [06-096 CMR 101]
- F. Fuel use records and receipts for the batch mix asphalt plant shall be maintained for at least six years and made available to the Department upon request. A log shall also be maintained recording the quantity and analyzed test results of all specification waste oil in the dryer. [06-096 CMR 115, BPT]
- G. Lane shall be limited to a total throughput in the fuel tank shared by the Asphalt Plant, the HYCO Heater, and the AC Heater of 720,000 gallons of #2 fuel oil or specification waste oil on a calendar year basis, with a sulfur content not to exceed 0.7%. Records from the supplier documenting the quantity and sulfur content of the fuel shall be kept for compliance purposes. [06-096 CMR 115, BPT, BACT]
- H. Emissions from the baghouse shall not exceed the following [06-096 CMR 115, BPT]:

<u>Pollutant</u>	<u>grs/dscf</u>	<u>lb/hr</u>
PM	0.03	5.16
PM <sub>10</sub>	n/a	5.16
SO <sub>2</sub> *	n/a	27.50
NO <sub>x</sub>	n/a	14.40
CO	n/a	48.00
VOC	n/a	0.98

- I. The licensee shall not process more than 10,000 cubic yards of soil contaminated with virgin oil per year without prior approval from the Department. Processing of virgin oil contaminated soils may require a solid

waste processing facility license under MEDEP Chapter 409. The material shall be handled in accordance with the requirements of the Bureau of Remediation and Waste Management. [38 MSRA §608-A, and 06-096 CMR 115, BPT]

- J. Without prior approval from the Department, the licensee shall only process soil contaminated with virgin oil. [06-096 CMR 409]
  - K. The licensee shall not process contaminated soils which are classified as hazardous waste or which have unknown contaminants. [06-096 CMR 115, BPT]
  - L. When processing virgin oil contaminated soils, the licensee shall maintain records which specify the quantity and type of contaminant in the soil, the origin of the soil and the contaminant, and the characterization of the contaminated soil. In addition when processing virgin oil contaminated soil, the licensee shall maintain records of processing temperature, asphalt feed rate, fuel use, soil moisture content, and dryer throughput, on an hourly basis. [06-096 CMR 115, BPT]
- (17) **Rock Crushers**
- A. Lane shall maintain spray nozzles for particulate control on the rock crushers and operate them as necessary to limit visible emissions to no greater than 10% opacity on a six (6) minute block average basis. [06-096 CMR 115, 06-096 CMR 101, BPT]
  - B. Lane shall maintain a log detailing the maintenance on the water spray nozzles. The maintenance log shall be kept on-site at the rock crushing location. [06-096 CMR 115, BPT]
  - C. Lane shall maintain a log detailing and quantifying the hours of operation on a daily basis for the rock crushers. The operation log shall be kept on-site at the rock crushing location. [06-096 CMR 115, BPT]
  - D. Lane shall have an initial performance test performed on rock crusher PRI 2540 per the applicable sections of 40 CFR Part 60, Subpart OOO, §60.675. The performance test shall be completed within 60 days after achieving the maximum production rate when operated again, but no later than 180 days after re-startup of the unit. Lane shall submit a test notice to the regional inspector at least 30 days prior to the performance test. Any rescheduled test requires a seven (7) day notice to the regional inspector. [06-096 CMR 115 BPT, 40 CFR Part 60, Subpart OOO]
- (18) **Diesel Units**
- A. Total fuel use for the Diesel Units shall not exceed 60,000 gallons per calendar year of diesel fuel with a maximum sulfur content not to exceed 0.05% by weight. Compliance shall be based on fuel receipts from the supplier showing the quantity of fuel delivered and the percent sulfur of the

fuel. Records of fuel use shall be kept on an annual basis. [06-096 CMR 115, BPT]

B. Emissions shall not exceed the following:

Emission Unit	Pollutant	lb/MMBtu	Origin and Authority
CAT 3412	PM	0.12	06-096 CMR 103(2)(B)(1)(a)

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

Emission Unit	PM (lb/hr)	PM <sub>10</sub> (lb/hr)	SO <sub>2</sub> (lb/hr)	NO <sub>x</sub> (lb/hr)	CO (lb/hr)	VOC (lb/hr)
CAT 3412	0.46	0.46	0.20	16.93	3.65	1.34
Diesel N14PA	0.15	0.15	0.06	5.34	1.15	0.42
Diesel N14PB	0.15	0.15	0.06	5.34	1.15	0.42
Diesel PJ	0.25	0.25	0.11	9.26	2.00	0.74

D. Visible emissions from the diesel units shall each not exceed 20% opacity on a six (6) minute block average, except for no more than two (2), six (6) minute block averages in a continuous 3-hour period. [06-096 CMR 101]

(19) **Heaters (HYCO Heater and AC Heater)**

A. The heaters shall use only fuel from the tank serving the Asphalt Plant, HYCO Heater and AC Heater. [06-096 CMR 115, BPT, BACT]

B. Emissions shall be limited to the following [06-096 CMR 115, BPT, BACT]:

Emission Unit	PM (lb/hr)	PM <sub>10</sub> (lb/hr)	SO <sub>2</sub> (lb/hr)	NO <sub>x</sub> (lb/hr)	CO (lb/hr)	VOC (lb/hr)
HYCO Heater	0.25	0.25	1.48	0.30	0.08	0.01
AC Heater	0.16	0.16	0.94	0.19	0.05	0.01

C. Visible emissions from each heater shall not exceed 20 percent on a six (6) minute block average basis, except for no more than one (1), six (6) minute block average in a 3-hour period. [06-096 CMR 101]

(20) **Stockpiles and Roadways**

Visible emissions from a fugitive emission source shall not exceed an opacity of 20%, except for no more than five (5) minutes in any 1-hour period. Compliance shall be determined by an aggregate of the individual fifteen (15)-second opacity observations which exceed 20% in any one (1) hour. [06-096 CMR 101]

(21) **General Process Sources** [06-096 CMR 115, BPT and/or 40 CFR 60, Subpart OOO]

Visible emissions from any other general process sources (including conveyor belts, transfer points, bucket elevators, bagging operations, etc.) shall not exceed 7% opacity on an average of not less than five (5) six (6) minute block average basis.

Visible emissions from any other general process (non-NSPS crusher conveyor belts, bucket elevators, bagging operations, etc.) shall not exceed 20% opacity on a six (6) minute block average basis except for no more than one (1) six (6) minute block average in a 1-hour period.

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

A. Lane shall notify the Bureau of Air Quality, by a written notification at least 48 hours prior to relocation of any equipment carried on this license. Written notice may be sent by mail, facsimile (fax), or e-mail. Notification sent by mail shall be sent to the address below or to a Department Regional Office:

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

Equipment relocation notification can also be done on-line with e-notice at [www.maine.gov/dep/air/compliance/forms/relocation](http://www.maine.gov/dep/air/compliance/forms/relocation).

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 will be made to the respective county commissioners.

(23) Lane 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]

(24) **Annual Emission Statement**

In accordance with *Emission* Statements, 06-096 CMR 137 (last amended November 8, 2008), the licensee shall annually report to the Department the information necessary to accurately update the State's emission inventory by means of:

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

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

(25) Lane 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 MRSA §605-C).

DONE AND DATED IN AUGUSTA, MAINE THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2010.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

BY: \_\_\_\_\_  
BETH NAGUSKY, ACTING COMMISSIONER

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

PLEASE NOTE ATTACHED SHEET FOR GUIDANCE ON APPEAL PROCEDURES

Date of initial receipt of application: 3/11/2009

Date of application acceptance: 4/1/2009

Date filed with the Board of Environmental Protection: \_\_\_\_\_

This Order prepared by Jonathan Voisine, Bureau of Air Quality.