



STATE OF MAINE  
DEPARTMENT OF ENVIRONMENTAL PROTECTION



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**Bruce A. Manzer, Inc.  
Franklin County  
Phillips, Maine  
A-731-71-J-R/M (SM)**

**Departmental  
Findings of Fact and Order  
Air Emission License  
Renewal and Minor Revision**

**FINDINGS OF FACT**

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

**I. REGISTRATION**

**A. Introduction**

Bruce A. Manzer, Inc. (Manzer-Phillips) has applied for an Air Emission License permitting the operation of emission sources associated with their Phillips facility. Manzer, located in Phillips, Maine has applied for an Air Emission License, permitting the operation of their hot mix asphalt plant and crushed stone and gravel facility.

In addition to the renewal, Manzer-Phillips requested an amendment to their license to address the addition of propane as a fuel for their asphalt batch plant. Equipment located at the Newry site and formerly listed in this license has been licensed under a new license specifically for the Newry site (A-1103-71-A-N).

The site is located at East Madrid Road, Phillips, Maine.

B. Emission Equipment

The following equipment is addressed in this Air Emission License:

**Process Equipment**

<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>
Asphalt Plant #1 (AP-1)	250	92 MMBtu/hr 687 gal/hr	Baghouse	1	1984

<u>Equipment</u>	<u>Description</u>	<u>Maximum Design Heat Input Capacity (MMBtu/hr)</u>	<u>Maximum Firing Rate (gal/hr)</u>	<u>Fuel Type</u>
*AP-1 Heater	Heatec Asphalt Heater #1	0.5	4	Distillate fuel, 0.5% S

\* Heater is below licensing thresholds and is listed here for inventory purposes only

**Rock Crushers**

<u>Designation</u>	<u>Description</u>	<u>Powered</u>	<u>Process Rate (tons/hour)</u>	<u>Date of Manufacture</u>	<u>Control Device</u>
Rock Crusher #2 (RC-2)	Cone Crusher	Diesel	150	2000	Spray Nozzles
Rock Crusher #3 (RC-3)	Mobile Jaw Crusher	Diesel	150	2008	Spray Nozzles

**Generator Units**

<u>Unit ID</u>	<u>Max. Capacity (MMBtu/hr)</u>	<u>Max. Firing Rate (gal/hr)</u>	<u>Fuel Type</u>	<u>Date of Manufacture</u>
AP-1 GenSet	6.34	46.3	distillate fuel, 0.0015% sulfur	2004
RC-2 Diesel Drive	2.93	21	distillate fuel, 0.0015% sulfur,	2000
RC-3 Diesel Drive	1.6	11	distillate fuel, 0.0015% sulfur	2008

C. Application Classification

The application for Manzer-Phillips includes the licensing modified equipment. The asphalt plant has been modified to allow the combustion of propane in addition to the already licensed distillate fuel. In addition, some of the equipment, previously listed at this site has been relocated to the Newry location and has been included in the license for that location (A-1103-71-A-N).

The addition of propane to the asphalt plant and the relocation of the previously licensed equipment will not increase emissions of any pollutant. Therefore, these actions are determined to be a renewal of currently licensed emission units and a minor revision has been processed through *Major and Minor Source Air Emission License Regulations*, 06-096 Code of Maine Rules (CMR) 115 (as amended). With an annual heat input limit of 49,000 MMBtu on fuel combusted by AP-1 and a total fuel use limit of 35,000 gallons of distillate combusted by the AP-1 GenSet, RC-2, and RC-3 diesel drives (excluding distillate used by AP-1). The facility is licensed below the major source thresholds for criteria pollutants and is considered a synthetic minor. The facility is licensed below the major source thresholds for hazardous air pollutants (HAP) and is considered an area source of 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 new sources and modifications requires a demonstration that emissions are receiving Best Available Control Technology (BACT), as defined in 06-096 CMR 100. 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 Plant (AP-1)

Manzer-Phillips operates a 1984 Astec Asphalt Drum Mix Plant rated at 250 tons/hr with a 92 MMBtu/hr burner firing distillate fuel or propane. The Asphalt plant, AP-1, is portable, is limited to an annual heat input of 49,000 MMBtu, based on an estimated distillate fuel heating value of 0.137 MMBtu/gal and an estimated propane heating value of 0.0905 MMBtu/gal.

Prior to July 1, 2016 or by the date otherwise stated in 38 MRSA §603-A(2)(A)(3), the distillate fuel fired in the asphalt plant shall be ASTM D396 compliant #2 fuel oil (maximum sulfur content of 0.5% by weight). Per 38 MRSA §603-A(2)(A)(3), beginning July 1, 2016 or on the date specified in the statute, the facility shall fire distillate fuel with a maximum sulfur content limit of 0.005% by weight (50 ppm), and beginning January 1, 2018 or on the date specified in the statute, the facility shall fire distillate fuel with a maximum sulfur content limit of 0.0015% by weight (15 ppm). The specific dates contained in this paragraph reflect the current dates in the statute as of the effective date of this license; however, if the statute is revised, the facility shall comply with the revised dates upon promulgation of the statute revision.

1. BPT Findings

The BPT emission limits for AP-1 when firing distillate were based on the following:

- PM/PM<sub>10</sub> – 0.03 gr/dscf and 8.42 lb/hr and the use of a baghouse
- SO<sub>2</sub> – based on firing ASTM D396 compliant No. 2 fuel (0.5% sulfur by weight) or propane
- NO<sub>x</sub> – 0.055 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 – 0.032 lb/ton based on AP-42, Table 11.1-8, dated 3/04
- Opacity – 06-096 CMR 101 or previous BACT

The BPT emission limits for AP-1 when firing distillate are the following:

<u>Pollutant</u>	<u>gr/dscf</u>	<u>lb/hr</u>
PM	0.03	8.42
PM <sub>10</sub>	-	8.42
SO <sub>2</sub>	-	46.33
NO <sub>x</sub>	-	13.75
CO	-	32.50
VOC	-	8.00

The BPT emission limits for the AP-1 when firing propane were based on the following:

- PM/PM<sub>10</sub> – 0.03 gr/dscf and 8.42 lb/hr and the use of a baghouse
  - SO<sub>2</sub> – 0.0034 lb/ton based on AP-42, Table 11.1-7, dated 3/04
  - NO<sub>x</sub> – 0.026 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 – 0.032 lb/ton based on AP-42, Table 11.1-8, dated 3/04
  - Opacity – 06-096 CMR 101 or previous BACT
- (Asphalt plant natural gas emission factors were used since propane emission factors are not available for asphalt plants).

The BPT emission limits for AP-#1 when firing propane are the following:

<u>Pollutant</u>	<u>gr/dscf</u>	<u>lb/hr</u>
PM	0.03	8.42
PM <sub>10</sub>	-	8.42
SO <sub>2</sub>	-	0.85
NO <sub>x</sub>	-	6.50
CO	-	32.50
VOC	-	8.00

Opacity - 06-096 CMR 101, *Visible Emission Regulation*: visible emissions from the asphalt plant baghouse shall not exceed 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. This is consistent with the 40 CFR Part 60, Subpart I, PM limit 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 (6) minute block average basis except for no more than one (1) six (6) minute block average in a 1-hour period.

2. New Source Performance Standards

The drum mix asphalt plant was manufactured in 1984 and is therefore 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. The asphalt plant is also subject to 40 CFR §60.8(a), and §60.7(a)(1), (2), (3), (b) and (f).

3. Control Equipment

The asphalt plant shall be controlled by a baghouse.

4. Periodic Monitoring

The performance of the baghouse shall be constantly monitored by either one of the following at all times the drum mix asphalt plant is operating:

- a. PM detector – when the detector signals excessive PM concentrations in the exhaust stream, Manzer-Phillips shall take corrective action within 24 hours, or immediately if opacity exceeds 20%.
- b. 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.

Manzer-Phillips shall keep records of baghouse failures and baghouse maintenance.

Manzer-Phillips shall keep records of fuel use and receipts for the asphalt drum mix asphalt plant which 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 fired in the dryer.

Per 40 CFR Part 60, Subpart I, Manzer-Phillips conducted an initial performance test for PM in July 1999.

5. Contaminated Soils

Manzer-Phillips may process up to 10,000 cubic yards per year of soil contaminated by gasoline or #2 fuel oil 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.

Manzer-Phillips shall not process soils which are classified as hazardous waste or which have unknown contaminants.

When processing contaminated soils, Manzer-Phillips 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, Manzer-Phillips 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

Manzer-Phillips operates two rock crushers, RC-2 and RC-3 manufactured in 2000 and 2008. RC-2 is a cone crusher and RC-3 is a mobile jaw crusher both rated at 150 tons/hr.

1. BPT Findings

The regulated pollutant from the rock crushers is particulate matter emissions. To meet the requirements of BPT for control of particulate matter emissions from the rock crushers, Manzer-Phillips 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.

2. New Source Performance Standards

The rock crushers are not subject to EPA New Source Performance Standards (NSPS) 40 CFR Part 60, Subpart OOO for Nonmetallic Mineral Processing Plants manufactured after August 31, 1983, with capacities greater than 150

tons/hr for portable plants and greater than 25 tons/hr for non-portable plants based on the size of the crushers.

D. Diesel Units

AP-1 GenSet, manufactured in 2004, is a portable engine used to power the Asphalt Plant. The unit has a maximum capacity of 6.34 MMBtu/hr (650 kW), firing distillate fuel.

RC-2 and RC-3 are equipped with diesel drives and are portable units. The total fuel fired at this site by process equipment such as the AP-1 GenSet, RC-2, and RC-3 diesel drives shall be limited to 35,000 gallons/year on a calendar year total basis of distillate fuel with a maximum sulfur content not to exceed 15 ppm (0.0015% sulfur by weight).

1. BPT Findings

The BPT emission limits for AP-1 GenSet are based on the following:

- PM/PM<sub>10</sub> - 0.12 lb/MMBtu from 06-096 CMR 103
- SO<sub>2</sub> - combustion of distillate fuel with a maximum sulfur content not to exceed 15 ppm (0.0015% sulfur by weight)
- NO<sub>x</sub> - 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
- Opacity - 06-096 CMR 101

The BPT emission limits for AP-1 GenSet is as follows:

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

<i>Unit</i>	<u>PM</u> <u>(lb/hr)</u>	<u>PM<sub>10</sub></u> <u>(lb/hr)</u>	<u>SO<sub>2</sub></u> <u>(lb/hr)</u>	<u>NO<sub>x</sub></u> <u>(lb/hr)</u>	<u>CO</u> <u>(lb/hr)</u>	<u>VOC</u> <u>(lb/hr)</u>
AP-1 GenSet (6.34 MMBtu/hr) Distillate fuel	0.76	0.76	0.01	20.29	5.39	0.57

The BPT emission limits for the RC-2 and RC-3 diesel drive units were based on the following:

- PM/PM<sub>10</sub> - 0.12 lb/MMBtu from 06-096 CMR 103
- SO<sub>2</sub> - combustion of distillate fuel with a maximum sulfur content not to exceed 15 ppm (0.0015% sulfur by weight)
- NO<sub>x</sub> - 4.41 lb/MMBtu from AP-42, Table 3.3-1, dated 10/96
- CO - 0.95 lb/MMBtu from AP-42, Table 3.3-1, dated 10/96
- VOC - 0.35 lb/MMBtu from AP-42, Table 3.3-1, dated 10/96
- Opacity - 06-096 CMR 101

The BPT emission limits for the diesel drives are the following:

<i>Unit</i>	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)
RC-2 Diesel Drive (2.93 MMBtu/hr) Distillate fuel	0.35	0.35	0.01	12.92	2.78	1.03
RC-3 Diesel Drive (1.6 MMBtu/hr) Distillate fuel	0.19	0.19	0.01	7.06	1.52	0.56

Visible emissions from each of the distillate fuel-fired units shall not exceed 20% opacity on a 6-minute block average, except for no more than two (2) six (6) minute block averages in a 3-hour period.

## 2. New Source Performance Standards

The RC-3 diesel drive is considered a non-road engine, as opposed to stationary engines, since these Generators are portable and will be moved to various sites with the asphalt plant. Therefore, the RC-3 diesel drive is not subject to New Source Performance Standards 40 CFR Part 60, Subpart III, *Standards of Performance for Stationary Compression Ignition Internal Combustion Engines*.

## 3. National Emission Standards for Hazardous Air Pollutants

The AP-1 GenSet and RC-2 diesel drive are considered a non-road engines, as opposed to a stationary engines, since these engines are portable and will be moved to various sites with the asphalt plant. Therefore, the AP-1 GenSet and RC-2 diesel drive are 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 Part 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 Part 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.

E. 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.

F. General Process Emissions

Visible emissions from any general process (including conveyor belts, transfer points, etc.) associated with an NSPS rock crusher 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, truck loading operations, etc.) shall not exceed an opacity 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.

G. Annual Emissions

1. Total Annual Emissions

Manzer-Phillips shall be restricted to the following annual emissions, based on a calendar year. The tons per year limits were calculated based on the Asphalt Plant, AP-1, being limited to a heat input of 49,000 MMBtu/year. The total fuel used by AP-1 GenSet, RC-2, and RC-3 diesel drives shall be limited to 35,000 gallons/year on a calendar year basis of distillate fuel with a maximum sulfur content not to exceed 15 ppm (0.0015% sulfur by weight).

**Total Licensed Annual Emissions for the Facility**

**Tons/year**

(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>
AP-1	2.24	2.24	12.34	3.66	8.65	2.13
Engines - AP-1 GenSet 1, RC-2 and RC-3	0.29	0.29	0.01	10.57	2.28	0.84
<b>Total TPY</b>	2.53	2.53	12.35	14.23	10.93	2.97

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) means the aggregate group of the following gases: carbon dioxide, nitrous oxide, methane, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride. Greenhouse gases (GHG) for purposes of licensing are calculated and reported as carbon dioxide equivalents (CO<sub>2</sub>e).

Based on the facility’s fuel use limit(s), the worst case emission factors from AP-42, IPCC (Intergovernmental Panel on Climate Change), and *Mandatory Greenhouse Gas Reporting*, 40 CFR Part 98, and the global warming potentials contained in 40 CFR Part 98, Manzer-Phillips is below the major source threshold of 100,000 tons of CO<sub>2</sub>e per year. Therefore, no additional licensing requirements are needed to address GHG emissions at this time.

### III. AMBIENT AIR QUALITY ANALYSIS

The level of ambient air quality impact modeling required for a minor source shall be 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:

<u>Pollutant</u>	<u>Tons/Year</u>
PM <sub>10</sub>	25
SO <sub>2</sub>	50
NO <sub>x</sub>	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-731-71-J-R/M, subject 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 (38 M.R.S.A. §347-C).
- (2) The licensee shall acquire a new or amended air emission license prior to commencing construction of a modification, unless specifically provided for in Chapter 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) **AP-1, Drum Mix Asphalt Plant (250 tons/hr)**

A. Fuel Use

1. AP-1 shall be limited to the use of a total annual heat input of 49,000 MMBtu on a calendar year basis. This limit is based on firing distillate fuel and/or propane in the asphalt plant. [06-096 CMR 115, BPT]
2. Prior to July 1, 2016 or by the date specified in 38 MRSA §603-A(2)(A)(3), the distillate fuel fired in the asphalt plant shall be ASTM D396 compliant #2 fuel oil (maximum sulfur content of 0.5% by weight). Per 38 MRSA §603-A(2)(A)(3), beginning July 1, 2016 or on the date specified in the statute, the facility shall fire distillate fuel with a maximum sulfur content limit of 0.005% by weight (50 ppm), and

beginning January 1, 2018 or on the date specified in the statute, the facility shall fire distillate fuel with a maximum sulfur content limit of 0.0015% by weight (15 ppm). [06-096 CMR 115, BPT and 38 MRSA §603-A(2)(A)(3)]

3. Fuel use records and receipts for the hot mix asphalt plant shall be maintained for at least six years and made available to the Department upon request. Fuel use records shall be kept on a monthly and on a calendar year basis. [06-096 CMR 115, BPT]
  4. A log shall be maintained recording the quantity and analyzed test results of all specification waste oil fired in the asphalt plant. [06-096 CMR 115, BPT]
- B. Emissions from the 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]
- C. The performance of the baghouse shall be constantly monitored by either one of the following at all times the hot mix asphalt plant is operating [06-096 CMR 115, BPT]:
1. PM detector – when the detector signals excessive PM concentrations in the exhaust stream, Manzer-Phillips 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.
- D. 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]
- E. Emissions from the AP-1 baghouse shall not exceed the following when firing distillate fuel [06-096 CMR 115, BPT]:

<u>Pollutant</u>	<u>gt/dscf</u>	<u>lb/hr</u>
PM	0.03	8.42
PM <sub>10</sub>	-	8.42
SO <sub>2</sub>	-	46.33
NO <sub>x</sub>	-	13.75
CO	-	32.50
VOC	-	8.00

- F. Emissions from the AP-1 baghouse shall not exceed the following when firing propane [06-096 CMR 115, BPT]:

<u>Pollutant</u>	<u>gr/dscf</u>	<u>lb/hr</u>
PM	0.03	8.42
PM <sub>10</sub>	-	8.42
SO <sub>2</sub>	-	0.85
NO <sub>x</sub>	-	6.50
CO	-	32.50
VOC	-	8.00

- G. 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]
- H. 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 (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]
- I. The Hot Mix Asphalt Plant is subject to 40 CFR Part 60 Subparts A and I, and Manzer-Phillips shall comply with all applicable requirements, including the notification and recordkeeping requirements of 40 CFR Part 60.7.
- J. Manzer-Phillips may process up to 10,000 cubic yards per year of soil contaminated by gasoline or #2 fuel oil 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. Manzer-Phillips shall not process soils which are classified as hazardous waste or which have unknown contaminants. [06-096 CMR 115, BPT]

- L. When processing contaminated soils, Manzer-Phillips 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, Manzer-Phillips 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. [06-096 CMR 115, BPT]
- (17) **Rock Crushers, RC-2 and RC-3**
- A. Manzer-Phillips shall install and maintain spray nozzles for particulate control on RC-2 and RC-3 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, BPT and 06-096 CMR 101]
- B. Manzer-Phillips shall maintain a log detailing and quantifying the hours of operation on a daily basis for all of the primary, secondary and tertiary rock crushers. The operation log shall be kept on-site at the rock crushing location. [06-096 CMR 115, BPT]
- C. Manzer-Phillips shall maintain a log detailing the maintenance on particulate matter control equipment (including spray nozzles). Manzer-Phillips 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 log. The maintenance log shall be kept on-site at the rock crushing location. [06-096 CMR 115, BPT]
- D. The crusher shall not be attached or clamped via cable, chain, turnbuckle, bolt, or other means (except electrical connections) to any anchor, slab, or structure (including bedrock) that must be removed prior to transportation. [06-096 CMR 115, BPT]

(18) **Engines – AP-1 GenSet, RC-2 and RC-3 Diesel Drives**

A. Fuel Use

1. AP-1 GenSet, RC-2, and RC-3 are licensed to fire distillate fuel with a maximum sulfur content not to exceed 15 ppm (0.0015% sulfur by weight). [06-096 CMR 115, BACT]
2. The total fuel use at this site by process equipment such as the AP-1 GenSet, RC-2, and RC-3 diesel drives shall be limited to 35,000 gallons/year on a calendar year total basis of distillate fuel with a maximum sulfur content not to exceed 15 ppm (0.0015% sulfur by weight).
3. Compliance shall be demonstrated by fuel records from the supplier showing the quantity and type of fuel delivered. Records of annual fuel use shall be kept on a monthly and calendar year. [06-096 CMR 115, BPT]

B. Emissions shall not exceed the following:

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

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

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)
AP-1 GenSet (6.34 MMBtu/hr) distillate fuel	0.76	0.76	0.01	20.29	5.39	0.57
RC-2 Diesel Drive (2.9 MMBtu/hr) distillate fuel	0.35	0.35	0.01	12.92	2.78	1.03
RC-3 Diesel Drive (1.6 MMBtu/hr) distillate fuel	0.19	0.19	0.01	7.06	1.52	0.56

- D. Visible emissions from each generator shall 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) **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]

**(20) General Process Sources**

Visible emissions from any general process (including conveyor belts, transfer points, etc.) associated with an NSPS rock crusher shall not exceed an opacity of 7% on a six (6) minute block average basis. [40 CFR 60, Subpart 000]

Visible emissions from any other general process (non-NSPS crusher conveyor belts, bucket elevators, bagging operations, truck loading operations, etc.) shall not exceed an opacity 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 115, BPT]

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

A. Manzer-Phillips 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](http://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) Manzer-Phillips 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]

Bruce A. Manzer, Inc.  
Franklin County  
Phillips, Maine  
A-731-71-J-R/M (SM)

21

Departmental  
Findings of Fact and Order  
Air Emission License  
Renewal and Minor Revision

(23) Manzer-Phillips 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 18 DAY OF December, 2014.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

BY: Patricia W. Aho for  
PATRICIA W. AHO, COMMISSIONER

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

[Note: If a complete renewal application, as determined 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 renewal of the license.]

PLEASE NOTE ATTACHED SHEET FOR GUIDANCE ON APPEAL PROCEDURES

Date of initial receipt of application: April 17, 2013

Date of application acceptance: April 23, 2013

Date filed with the Board of Environmental Protection:

This Order prepared by Lisa P. Higgins, Bureau of Air Quality.

