STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION
17 STATE HOUSE STATION AUGUSTA, MAINE 04333-0017

DEPARTMENT ORDER

Soderberg Company, Inc. **Aroostook County** **Caribou, Maine** **A-972-71-D-R**	**Departmental** **Findings of Fact and Order** **Air Emission License** **Renewal**

FINDINGS OF FACT

After review of the air emission license renewal application, staff investigation reports, and other documents in the applicant's file in the Bureau of Air Quality, pursuant to 38 Maine Revised Statutes (M.R.S.) § 344 and § 590, the Maine Department of Environmental Protection (the Department) finds the following facts:

I. REGISTRATION

A. Introduction

Soderberg Company, Inc. (Soderberg) has applied to renew their Air Emission License for the operation of their portable asphalt drum plant and associated hot oil heater. The asphalt plant was specified as a batch plant in the previous license, but it has been confirmed that it is actually a drum plant and will be referred to as one going forward.

The facility is located at 356 Van Buren Rd, Caribou, Maine. The main office is located at 460 York St, Caribou, 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	Stack ID	Date of Manuf.
Asphalt Drum Plant	100	43.5	distillate fuel, 0.0015% spec waste oil, 0.7%	Baghouse	1	1988

Heating Equipment

Equipment	Max. Capacity (MMBtu/hr)	Fuel Type, % sulfur	Maximum Firing Rate	Date of Manuf.
H-14 Hot Oil Heater	2.1	distillate fuel, 0.0015%	15 gal/hr	1988

In addition to the equipment referenced above, Soderberg operates three rock crushers at this location. These crushers are licensed under *General Permit for Nonmetallic Mineral Processing Plants*, 06-096 Code of Maine Rules (C.M.R.) ch. 149. Soderberg may operate other nonmetallic mineral processing equipment not explicitly listed under the rock crushers' licenses including grinding mills, screening operations, bucket elevators, belt conveyors, bagging operations, storage bins, and enclosed truck or railcar loading stations. This equipment is not addressed further in this license.

Soderberg may operate small stationary engines smaller than 0.5 MMBtu/hr. These engines are considered insignificant activities and are not required to be included in this license. However, they are still subject to applicable State and Federal regulations. More information regarding requirements for small stationary engines is available on the Department's website at the link below.
http://www.maine.gov/dep/air/publications/docs/SmallRICEGuidance.pdf

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

C. Definitions

Distillate Fuel means the following:

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

Specification Waste Oil means a 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, and meets all of the following requirements:

- It has sufficient liquid content to be free flowing;
- It meets all of the constituent and property standards as specified in *Waste Oil Management Rules*, 06-096 C.M.R. ch. 860;
- It does not otherwise exhibit hazardous waste characteristics; and
- It has not been mixed with a hazardous waste.

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

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

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

Records or *Logs* mean either hardcopy or electronic records.

D. Application Classification

All rules, regulations, or statutes referenced in this air emission license refer to the amended version in effect as of the issued date of this license.

The application for Soderberg does not include the licensing of increased emissions or the installation of new or modified equipment. Therefore, the license is considered to be a renewal of currently licensed emission units only and has been processed through *Major and Minor Source Air Emission License Regulations*, 06-096 C.M.R. ch. 115.

E. Facility Classification

The facility is licensed as follows:

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

II. BEST PRACTICAL TREATMENT

A. Introduction

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

BPT for 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 Drum Plant

Soderberg operates a portable Asphalt Drum Plant with a maximum hourly throughput of 100 ton/hr of asphalt and a 43.5 MMBtu/hr burner firing distillate fuel and specification waste oil. The sulfur content of the specification waste oil fired in the Asphalt Drum Plant shall not exceed 0.7% sulfur by weight.

Emission factors for asphalt plants are available based on tons of asphalt produced, and there is no linear relationship between plant output and burner firing rate. Therefore, 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 Drum Plant shall not exceed 100,000 tons of asphalt per year on a calendar year basis.

1. BPT Findings

The BPT emission limits for the Asphalt Drum Plant were based on the following:

$PM/PM_{10}/PM_{2.5}$	–	0.03 gr/dscf and the use of a baghouse pursuant to 06-096 C.M.R. ch. 115, BPT
SO_2	–	1.1×10^{-2} lb/ton based on AP-42 Table 11.1-7 dated 3/04
NO_x	–	5.5×10^{-2} lb/ton based on AP-42 Table 11.1-7 dated 3/04
CO	–	0.13 lb/ton based on AP-42 Table 11.1-7 dated 3/04
VOC	–	3.2×10^{-2} lb/ton based on AP-42 Table 11.1-8 dated 3/04
Visible Emissions	–	40 C.F.R. §§ 60.92(a)(2)

The BPT emission limits for the Asphalt Drum Plant are the following:

Unit	PM (lb/hr)	PM_{10} (lb/hr)	$PM_{2.5}$ (lb/hr)	SO_2 (lb/hr)	NO_x (lb/hr)	CO (lb/hr)	VOC (lb/hr)
Asphalt Drum Plant	3.05	3.05	3.05	1.10	5.50	13.00	3.20

The Asphalt Drum Plant is exempt from the requirements of *Visible Emissions Regulation*, 06-096 C.M.R. ch. 101 because it is subject to a visible emission standard under 40 Code of Federal Regulation (C.F.R.) Part 60, Subpart I.

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

2. New Source Performance Standards

The portable Asphalt Drum Plant was manufactured in 1988 and is therefore subject to the federal Environmental Protection Agency's (EPA) New Source Performance Standards (NSPS) *Standards of Performance for Hot Mix Asphalt Facilities*, 40 C.F.R. Part 60, Subpart I for facilities constructed or modified after June 11, 1973.

a. Notification

Soderberg was required to submit notification to EPA and the Department of the date of initial startup. [40 C.F.R. § 60.7(a)(3)]

b. Standards

(1) Particulate Matter (PM)

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

The Department has determined that the proposed BPT particulate matter emission limit, 0.03 gr/dscf, is more stringent than the applicable limit in 40 C.F.R. Part 60, Subpart I. Therefore, this particulate matter limit for the Asphalt Drum Plant has been streamlined to the more stringent BPT limit, and only this more stringent limit shall be included in the Order of this air emission license.

(2) Opacity

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

Method 9 of 40 C.F.R. Part 60, Appendix A and the procedures in 40 C.F.R. § 60.11 shall be used to determine compliance with this visible emissions limit. [40 C.F.R. § 60.93(b)(2)]

3. Control Equipment

BPT for the Asphalt Drum Plant is the control of particulate matter emissions by a baghouse. The Asphalt Drum Plant uses a Hetherington & Berner (H&B) style direct-pulse baghouse, which contains 324 single bags that are 6-in. in diameter and 8-ft. long for a total of 4,071 square feet of cloth surface area. The unit filters 24,000 cubic feet per minute with a particulate removal efficiency of 99.0%.

4. Periodic Monitoring

The performance of the baghouse shall be monitored by either one of the following when the Asphalt Drum Plant is operating:

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

b. Personnel available on-site with a current EPA 40 C.F.R. Part 60, Appendix A, Method 9 visible emissions certification: When visible emissions exceed 20% opacity, the Asphalt Drum Plant is considered to be operating with insufficient control, and corrective action shall be taken immediately.

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

Soderberg shall keep records of fuel use and tons of asphalt produced for the Asphalt Drum 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.

5. Contaminated Soils

Soderberg may process up to 10,000 cubic yards per year of soil contaminated by gasoline or distillate fuel without prior approval from the Department. This limit may be exceeded with written authorization from the Department's Bureau of Air Quality. The plant owner or operator shall notify the Department (regional air compliance

inspector) at least 24 hours prior to processing the contaminated soil and specify the contaminating fuel and quantity, origin of the soil and fuel, and the disposition of the contaminated soil. This authorization to process contaminated soil does not absolve the facility of responsibility to comply with all other air emission license conditions and applicable state statutes.

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

When processing contaminated soils, Soderberg 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, Soderberg 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. H-14 Hot Oil Heater

The H-14 Hot Oil Heater (Hot Oil Heater) has a maximum capacity of 2.10 MMBtu/hr and fires distillate fuel with maximum sulfur content of 0.0015% by weight. The Hot Oil Heater was manufactured in 1988.

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

1. BPT Findings

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

$PM/PM_{10}/PM_{2.5}$	–	0.08 lb/MMBtu based on 06-096 C.M.R. ch. 115, BPT
SO_2	–	based on firing distillate fuel with a maximum sulfur content of 0.0015% by weight
NO_x	–	20 lb/1000 gal based on AP-42 Table 1.3-1 dated 5/10
CO	–	5 lb/1000 gal based on AP-42 Table 1.3-1 dated 5/10
VOC	–	0.34 lb/1000 gal based on AP-42 Table 1.3-3 dated 5/10
Visible Emissions	–	06-096 C.M.R. ch. 101

The BPT emission limits for H-14 Hot Oil Heater are the following:

Unit	PM (lb/hr)	PM_{10} (lb/hr)	$PM_{2.5}$ (lb/hr)	SO_2 (lb/hr)	NO_x (lb/hr)	CO (lb/hr)	VOC (lb/hr)
H-14 Hot Oil Heater	0.17	0.17	0.17	0.01	0.30	0.08	0.01

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

2. Periodic Monitoring

Periodic monitoring for the Hot Oil Heater shall include recordkeeping to document fuel use both on a monthly and calendar year basis. Documentation shall include the quantity and type of fuel used and the sulfur content of the fuel.

3. New Source Performance Standards

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

4. National Emission Standards for Hazardous Air Pollutants

The H-14 Hot Oil Heater does not heat water. It does not meet the definition of a "boiler" and therefore is not subject to *National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers Area Sources,* 40 C.F.R. Part 63 Subpart JJJJJJ.

G. Stockpiles and Roadways

Visible emissions from any fugitive emission source (including stockpiles and roadways) shall not exceed 20% opacity on a five-minute block average basis.

H. General Process Emissions

Visible emissions from any general process that is not part of a nonmetallic mineral processing plant (including conveyor belts, transfer points, etc.) shall not exceed 20% opacity on a six-minute block average basis.

I. Annual Emissions

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

- Processing a maximum of 100,000 ton/year of asphalt in the Asphalt Drum Plant; and
- Operating the Hot Oil Heater for 8,760 hr/yr.

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

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

	PM	**PM_{10}**	**$PM_{2.5}$**	**SO_2**	**NO_x**	**CO**	**VOC**
Asphalt Drum Plant	1.5	1.5	1.5	0.6	2.8	6.5	1.6
H-14 Hot Oil Heater	0.7	0.7	0.7	--	1.3	0.3	--
Total TPY	**2.2**	**2.2**	**2.2**	**0.6**	**4.1**	**6.8**	**1.6**

Pollutant	**Tons/year**
Single HAP	9.9
Total HAP	24.9

III. AMBIENT AIR QUALITY ANALYSIS

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

Pollutant	Tons/Year
PM_{10}	25
$PM_{2.5}$	15
SO_2	50
NO_x	50
CO	250

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

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

ORDER

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

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

The Department hereby grants Air Emission License A-972-71-D-R, subject to the following conditions.

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

STANDARD CONDITIONS

(1) Employees and authorized representatives of the Department shall be allowed access to the licensee's premises during business hours, or any time during which any emissions units are in operation, and at such other times as the Department deems necessary for the purpose of performing tests, collecting samples, conducting inspections, or examining and copying records relating to emissions (38 M.R.S. § 347-C).

(2) The licensee shall acquire a new or amended air emission license prior to commencing construction of a modification, unless specifically provided for in 06-096 C.M.R. ch. 115. [06-096 C.M.R. ch. 115]

(3) Approval to construct shall become invalid if the source has not commenced construction within eighteen (18) months after receipt of such approval or if construction is discontinued for a period of eighteen (18) months or more. The Department may extend this time period upon a satisfactory showing that an extension is justified, but may condition such extension upon a review of either the control technology analysis or the ambient air quality standards analysis, or both. [06-096 C.M.R. ch. 115]

(4) The licensee shall establish and maintain a continuing program of best management practices for suppression of fugitive particulate matter during any period of construction, reconstruction, or operation which may result in fugitive dust, and shall submit a description of the program to the Department upon request. [06-096 C.M.R. ch. 115]

(5) The licensee shall pay the annual air emission license fee to the Department, calculated pursuant to Title 38 M.R.S. § 353-A. [06-096 C.M.R. ch. 115]

(6) The license does not convey any property rights of any sort or any exclusive privilege. [06-096 C.M.R. ch. 115]

(7) The licensee shall maintain and operate all emission units and air pollution systems required by the air emission license in a manner consistent with good air pollution control practice for minimizing emissions. [06-096 C.M.R. ch. 115]

(8) The licensee shall maintain sufficient records to accurately document compliance with emission standards and license conditions and shall maintain such records for a minimum of six (6) years. The records shall be submitted to the Department upon written request. [06-096 C.M.R. ch. 115]

(9) The licensee shall comply with all terms and conditions of the air emission license. The filing of an appeal by the licensee, the notification of planned changes or anticipated noncompliance by the licensee, or the filing of an application by the licensee for a renewal of a license or amendment shall not stay any condition of the license. [06-096 C.M.R. ch. 115]

(10) The licensee may not use as a defense in an enforcement action that the disruption, cessation, or reduction of licensed operations would have been necessary in order to maintain compliance with the conditions of the air emission license. [06-096 C.M.R. ch. 115]

(11) In accordance with the Department’s air emission compliance test protocol and 40 C.F.R. Part 60 or other method approved or required by the Department, the licensee shall:

A. Perform stack testing to demonstrate compliance with the applicable emission standards under circumstances representative of the facility's normal process and operating conditions:
   1. Within sixty (60) calendar days of receipt of a notification to test from the Department or EPA, if visible emissions, equipment operating parameters, staff inspection, air monitoring, or other cause indicate to the Department that equipment may be operating out of compliance with emission standards or license conditions; or
   2. Pursuant to any other requirement of this license to perform stack testing.

B. Install or make provisions to install test ports that meet the criteria of 40 C.F.R. Part 60, Appendix A, and test platforms, if necessary, and other accommodations necessary to allow emission testing; and

C. Submit a written report to the Department within thirty (30) days from date of test completion.

[06-096 C.M.R. ch. 115]

(12) If the results of a stack test performed under circumstances representative of the facility's normal process and operating conditions indicate emissions in excess of the applicable standards, then:

A. Within thirty (30) days following receipt of the written test report by the Department, or another alternative timeframe approved by the Department, the licensee shall re-test the non-complying emission source under circumstances representative of the facility's normal process and operating conditions and in accordance with the Department's air emission compliance test protocol and 40 C.F.R. Part 60 or other method approved or required by the Department; and

B. The days of violation shall be presumed to include the date of stack test and each and every day of operation thereafter until compliance is demonstrated under normal and representative process and operating conditions, except to the extent that the facility can prove to the satisfaction of the Department that there were intervening days during which no violation occurred or that the violation was not continuing in nature; and

C. The licensee may, upon the approval of the Department following the successful demonstration of compliance at alternative load conditions, operate under such alternative load conditions on an interim basis prior to a demonstration of compliance under normal and representative process and operating conditions.

[06-096 C.M.R. ch. 115]

(13) Notwithstanding any other provisions in the State Implementation Plan approved by the EPA or Section 114(a) of the CAA, any credible evidence may be used for the purpose of

establishing whether a person has violated or is in violation of any statute, regulation, or license requirement. [06-096 C.M.R. ch. 115]

(14) The licensee shall maintain records of malfunctions, failures, downtime, and any other similar change in operation of air pollution control systems or the emissions unit itself that would affect emissions and that is not consistent with the terms and conditions of the air emission license. The licensee shall notify the Department within two (2) days or the next state working day, whichever is later, of such occasions where such changes result in an increase of emissions. The licensee shall report all excess emissions in the units of the applicable emission limitation. [06-096 C.M.R. ch. 115]

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

(16) The licensee shall notify the Department within 48 hours and submit a report to the Department on a quarterly basis if a malfunction or breakdown in any component causes a violation of any emission standard (38 M.R.S. § 605). [06-096 C.M.R. ch. 115]

SPECIFIC CONDITIONS

(17) **Asphalt Drum Plant**

A. Fuel Use

1. The Asphalt Drum Plant is licensed to fire distillate fuel and specification waste oil. [06-096 C.M.R. ch. 115, BPT]
2. The facility shall not purchase or otherwise obtain distillate fuel with a maximum sulfur content that exceeds 0.0015% by weight (15 ppm). Compliance shall be demonstrated by fuel records showing the quantity, type, and the percent sulfur of the fuel delivered. Records of annual fuel use shall be kept on a monthly basis**.** Fuel sulfur content compliance shall be demonstrated by fuel delivery receipts from the supplier, certificate of analysis, or testing of the tank containing the fuel to be fired. [06-096 C.M.R. ch. 115, BPT]
3. The sulfur content of the specification waste oil fired in the Asphalt Drum Plant shall not exceed 0.7% sulfur by weight. Records shall be maintained of the quantity and analyzed test results of all specification waste oil fired in the asphalt plant. [06-096 C.M.R. ch. 115, BPT]

B. The annual throughput of the Asphalt Drum Plant shall not exceed 100,000 tons of asphalt per year on a calendar year total basis. Records of asphalt production shall be kept on a monthly and calendar year total basis. [06-096 C.M.R. ch. 115, BPT]

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

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

1. Continuous PM detector: When the detector signals excessive PM concentrations in the exhaust stream, Soderberg shall take corrective action within 24 hours, or immediately if opacity exceeds 20%.
2. Personnel available on-site with a current EPA Method 9 visible emissions certification: When visible emissions exceed 20% opacity, the Asphalt Drum Plant is considered to be 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 Drum Plant location. [06-096 C.M.R. ch. 115, BPT]

F. Emissions from the asphalt plant baghouse shall not exceed the following: [06-096 C.M.R. ch. 115, BPT]:

Pollutant	grs/dscf	lb/hr
PM	0.03	3.05
PM_{10}		3.05
$PM_{2.5}$		3.05
SO_2	–	1.10
NO_X	–	5.50
CO	–	13.00
VOC	–	3.20

G. Soderberg shall comply with all requirements of 40 C.F.R. Part 60, Subpart I applicable to the Asphalt Drum Plant including, but not limited to, the following:

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

H. Soderberg may process up to 10,000 cubic yards per year of soil contaminated by gasoline or distillate fuel without prior approval from the Department. This limit may be exceeded with written authorization from the Department's Bureau of Air Quality. The plant owner or operator shall notify the Department (regional air compliance inspector) at least 24 hours prior to processing the contaminated soil and specify the contaminating fuel and quantity, origin of the soil and fuel, and the disposition of the contaminated soil. This authorization to process contaminated soil does not absolve the facility of responsibility to comply with all other air emission license conditions and applicable state statutes. [06-096 C.F.R. ch. 115, BPT]

I. Soderberg shall not process soils which are classified as hazardous waste or which have unknown contaminants. [06-096 C.M.R. ch. 115, BPT]

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

(18) **H-14 Hot Oil Heater**

A. Fuel

1. Total fuel use for H-14 Hot Oil Heater shall not exceed 50,000 gal/yr of distillate fuel, based on a calendar year total basis. 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 basis. [06-096 C.M.R. ch. 115, BPT]
2. The facility shall not purchase or otherwise obtain distillate fuel with a maximum sulfur content that exceeds 0.0015% by weight (15 ppm). [06-096 C.M.R. ch. 115, BPT]
3. Compliance shall be demonstrated by fuel records showing the quantity, type, and the percent sulfur of the fuel used. Fuel sulfur content compliance shall be demonstrated by fuel delivery receipts from the supplier, certificate of analysis, or testing of the tank containing the fuel to be fired. [06-096 C.M.R. ch. 115, BPT]

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

Unit	PM (lb/hr)	PM_{10} (lb/hr)	$PM_{2.5}$ (lb/hr)	SO_2 (lb/hr)	NO_x (lb/hr)	CO (lb/hr)	VOC (lb/hr)
H-14 Hot Oil Heater	0.17	0.17	0.17	0.01	0.30	0.08	0.01

C. Visible emissions from the Hot Oil Heater shall not exceed 20% opacity on a six-minute block average basis. [06-096 C.M.R. ch. 101, 3(A)(2)]

(19) **Stockpiles and Roadways**

Visible emissions from any fugitive emission source (including stockpiles and roadways) shall not exceed 20% opacity on a five-minute block average basis. [06-096 C.M.R. ch. 101, 3(C)]

(20) **General Process Sources**

Visible emissions from any general process that is not part of a nonmetallic mineral processing plant (including conveyor belts, transfer points, etc.) shall not exceed 20% opacity on a six-minute block average basis. [06-096 C.M.R. ch. 101, § 3(B)(4)]

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

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

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

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

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

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

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

(22) If the Department determines that any parameter value pertaining to construction and operation of the proposed emissions units, including but not limited to stack size, configuration, flow rate, emission rates, nearby structures, etc., deviates from what was submitted in the application or ambient air quality impact analysis for this air emission license, Soderberg may be required to submit additional information. Upon written request from the Department, Soderberg shall provide information necessary to demonstrate AAQS will not be exceeded, potentially including submission of an ambient air quality impact analysis or an application to amend this air emission license to resolve any deficiencies and ensure compliance with AAQS. Submission of this information is due within 60 days of the Department's written request unless otherwise stated in the Department's letter.
[06-096 C.M.R. ch. 115, § 2(O)]

DONE AND DATED IN AUGUSTA, MAINE THIS 9th DAY OF June, 2023.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

BY: _____ for _____
MELANIE LOYZIM, COMMISSIONER

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

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

PLEASE NOTE ATTACHED SHEET FOR GUIDANCE ON APPEAL PROCEDURES

Date of initial receipt of application: March 15,2023
Date of application acceptance: March 30, 2023

Date filed with the Board of Environmental Protection:

This Order prepared by Kendra Nash, Bureau of Air Quality.

FILED
JUN 09, 2023
State of Maine
Board of Environmental Protection