



STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION

PAUL R. LEPAGE
GOVERNOR

PATRICIA W. AHO
COMMISSIONER

**Sargent Corporation
Penobscot County
Stillwater, Maine
A-942-71-E-R**

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

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 M.R.S.A., §344 and §590, the Department finds the following facts:

I. REGISTRATION

A. Introduction

Sargent Corporation ("Sargent"), located in Stillwater, Maine has applied to renew their Air Emission License, permitting the operation of their crushed stone and gravel facility.

Sargent's main office is located at 378 Bennoch Road, Stillwater, Maine.

Rock Crushers

<u>Designation</u>	<u>Powered</u>	<u>Process Rate (tons/hour)</u>	<u>Date of Manufacture</u>	<u>Control Device</u>
#81013 Komatsu 550 (Jaw)	Diesel #1	300	2005	Spray Nozzles
#81017 JCI K300 (Cone)	Diesel #4	300	2007	Spray Nozzles
#81021 Komatsu 580 (Jaw)	Diesel #5	300	2007	Spray Nozzles

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

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

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

PRESQUE ISLE
1235 CENTRAL DRIVE, SKYWAY PARK
PRESQUE ISLE, MAINE 04679-2094
(207) 764-0477 FAX: (207) 760-3143

Diesel Units

<u>Source ID</u>	<u>Max. Capacity (MMBtu/hr)</u>	<u>Max. Firing Rate (gal/hr)</u>	<u>Fuel Type, % sulfur</u>
Diesel #1	2.2	16.0	diesel fuel, 0.05% sulfur
Diesel #4	3.6	26.0	diesel fuel, 0.05% sulfur
Diesel #5	2.6	18.7	diesel fuel, 0.05% sulfur

B. Application Classification

The application for Sargent 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 current licensed emissions units only per *Major and Minor Source Air Emission License Regulations*, 06-096 CMR 115 (as amended).

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 as well as for those sources located in designated non-attainment areas.

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. Rock Crushers

The 81013 Jaw, 81021 Jaw and 81017 Cone Crushers are portable units which were manufactured in 2005, 2007 and 2007. All three crushers are rated at 300 tons/hour. The 81013 Jaw, 81021 Jaw and 81017 Cone Crushers are therefore subject to EPA New Source Performance Standards (NSPS) 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. Sargent shall conduct a performance test at least once every five years on the 81013 Jaw, 81021 Jaw and 81017 Cone Crushers.

The regulated pollutant from the rock crushers is particulate emissions. To meet the requirements of Best Practical Treatment (BPT) for control of particulate matter (PM) emissions from the rock crushers, Sargent 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.

C. Diesel Engines

Diesel #1 has a maximum capacity of 2.2 MMBtu/hr, firing diesel fuel oil. Diesel #1 is used primarily to power the #81013 Komatsu 550 rock crusher, was manufactured in 2005. The fuel fired in Diesel #1 shall be limited to 15,000 gallons/year on a 12 month rolling total basis with a maximum sulfur content not to exceed 15 ppm (0.0015% sulfur).

Diesel #1 was manufactured prior to April 1, 2006. Therefore, Diesel #1 is not subject to New Source Performance Standards 40 CFR Part 60, Subpart III, *Standards of Performance for Stationary Compression Ignition Internal Combustion Engines*.

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

1. PM/PM₁₀ –BPT for PM is emissions not to exceed 0.12 lb/MMBtu. PM₁₀ emission limits are based on PM limits; 0.26 lb/hr
SO₂ –combustion of #2/diesel fuel oil with a max. sulfur content not to exceed 15 ppm (0.0015% sulfur); 0.01 lb/hr
NO_x –4.41 lb/MMBtu from AP-42, Table 3.3-1, dated 10/96; 9.7 lb/hr
CO –0.95 lb/MMBtu from AP-42, Table 3.3-1, dated 10/96; 2.09 lb/hr
VOC –0.35 lb/MMBtu from AP-42, Table 3.3-1, dated 10/96; 0.77 lb/hr
Opacity –06-096 CMR 101: Visible emissions shall not exceed 20% opacity on a 6 minute block average basis, except for no more than two (2) six (6) minute block averages in a 3 hour period.

Diesel #1 is considered a non-road engine, as opposed to a stationary engine, since Generator # is portable and will be moved to various sites with the asphalt plant. Therefore, Diesel #1 is not subject to 40 CFR Part 63, Subpart ZZZZ, *National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines*.

Diesel #4 has a maximum capacity of 3.6 MMBtu/hr, firing diesel fuel oil. Diesel #4 is used primarily to power the #81017 Cone Crusher and was manufactured in 2007. Diesel #4 was purchased after July 11, 2005 and manufactured after April

1, 2006. Therefore, Diesel #4 is subject to New Source Performance Standards 40 CFR Part 60, Subpart IIII, *Standards of Performance for Stationary Compression Ignition Internal Combustion Engines*.

A summary of the BACT analysis for Diesel #4 is the following:

1. The total fuel use for Diesel #1 shall not exceed 15,000 gallons per calendar year
2. Diesel #4 shall fire only diesel fuel with a maximum sulfur content not to exceed 15 ppm.
3. Diesel #4 shall be equipped with a non-resettable hour meter.
4. PM, CO, and NO_x + VOC emission limits are based on emission limits set forth in 40 CFR 60, Subpart IIII.
5. Sargent shall operate and maintain Diesel #4 in accordance with the manufacturer's written instructions. Sargent shall not change settings that are not approved in writing by the manufacturer.
6. Visible emissions from the Diesel #4 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.

Diesel #4 is considered a non-road engine, as opposed to a stationary engine, since Diesel #4 is portable and will be moved to various sites. Therefore, Diesel #4 is not subject to 40 CFR Part 63, Subpart ZZZZ, *National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines*.

The BACT/BPT emission limits for Diesel #4 were based on the following:

PM/PM₁₀ -0.12 lb/MMBtu from 06-096 CMR103, Table 3.3-1, dated 10/96;
0.45 lb/hr
SO₂ -combustion of #2/diesel fuel oil with a max. sulfur content not to exceed
15 ppm (0.0015% sulfur); 0.01 lb/hr
NO_x -4.41 lb/MMBtu from AP-42, Table 3.3-1, dated 10/96; 15.7 lb/hr
CO -0.95 lb/MMBtu from AP-42, Table 3.3-1, dated 10/96; 3.38 lb/hr
VOC -0.36 lb/MMBtu from AP-42, Table 3.3-1, dated 10/96; 1.25 lb/hr
Opacity -06-096 CMR 101: Visible emissions shall not exceed 20% opacity
on a 6 minute block average basis, except for no more than two (2) six (6)
minute block averages in a 3 hour period.

Diesel #5 is used to power the #81021 Komatsu 580. Diesel #5 was purchased after July 11, 2005 and manufactured after April 1, 2006. Therefore, Diesel #5 is subject to New Source Performance Standards 40 CFR Part 60, Subpart IIII, *Standards of Performance for Stationary Compression Ignition Internal Combustion Engines*.

A summary of the BACT analysis for Diesel #5 is the following:

1. The total fuel use for Diesel #5 shall not exceed 15,000 gallons per calendar year
2. Diesel #5 shall fire only diesel fuel with a maximum sulfur content not to exceed 15 ppm.
3. Diesel #5 shall be equipped with a non-resettable hour meter.
4. PM, CO, and NO_x + VOC emission limits are based on emission limits set forth in 40 CFR 60, Subpart IIII.
5. Sargent shall operate and maintain Diesel #5 in accordance with the manufacturer's written instructions. Sargent shall not change settings that are not approved in writing by the manufacturer.
6. Visible emissions from the Diesel #5 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.

Diesel #5 is considered a non-road engine, as opposed to a stationary engine, since Diesel #5 is portable and will be moved to various sites. Therefore, Diesel #5 is not subject to 40 CFR Part 63, Subpart ZZZZ, *National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines*.

The BACT/BPT emission limits for Diesel #5 were based on the following:

PM/PM₁₀ -0.31 lb/MMBtu from AP-42, Table 3.3-1, dated 10/96; 0.32 lb/hr
SO₂ -combustion of #2/diesel fuel oil with a max. sulfur content not to exceed
15 ppm (0.0015% sulfur); 0.04 lb/hr
NO_x -35.9 g/Kw-hr from 40 CFR Subpart 60 IIII; 2.03 lb/hr
CO -0.95 lb/MMBtu from 40 CFR Subpart 60 IIII; 0.90 lb/hr
VOC -4.4 g/Kw-hr from 40 CFR Subpart 60 IIII , dated 10/96; 2.31 lb/hr
Opacity -06-096 CMR 101: Visible emissions shall not exceed 20% opacity
on a 6 minute block average basis, except for no more than two (2) six (6)
minute block averages in a 3 hour period.

D. 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.

E. 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, 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.

F. Facility Emissions

Sargent shall be restricted to the following annual emissions, based on a 12 month total.

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

	PM	PM ₁₀	SO ₂	NO _x	CO	VOC
Generators	0.24	0.24	0.02	9.06	2.32	0.72
Total TPY	0.24	0.24	0.02	9.06	2.32	0.72

III. AMBIENT AIR QUALITY ANALYSIS

According to 06-096 CMR 115, the level of air quality analyses required for a renewal source shall be determined on a case-by case basis. Modeling is not required for a renewal if the total emissions of any pollutant released do not exceed the following and there are no extenuating circumstances:

Pollutant	Tons/Year
PM	25
PM ₁₀	25
SO ₂	50
NO _x	100
CO	250

Based on the total facility licensed emissions, Sargent is below the emissions level required for modeling.

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-942-71-E-R, 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-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 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) Rock Crushers

- A. Sargent shall install and maintain spray nozzles for particulate control on the 81013 Jaw, 81021 Jaw and 81017 Cone 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 (BPT) and 06-096 CMR 101]
- B. Sargent shall maintain a log detailing and quantifying the hours of operation on a daily basis for the 81013 Jaw, 81021 Jaw and 81017 Cone Crushers. The operation log shall be kept on-site at the rock crushing location. [06-096 CMR 115, BPT]
- C. Sargent shall maintain a log detailing the maintenance on particulate matter control equipment (including spray nozzles). Sargent 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 will 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. Sargent shall conduct a performance test at least once every five years on the 81013 Jaw, 81021 Jaw and 81017 Cone Crushers. [06-096 CMR 115, BPT]
- E. Sargent shall submit a test notice to the regional inspector at least 7 days prior to a performance test. [06-096 CMR 115, BPT]
- F. The 81013 Jaw, 81021 Jaw and 81017 Cone Crushers are subject to 40 CFR Part 60 Subparts A and OOO and Sargent shall comply with the notification and record keeping requirements of 40 CFR Part 60.676 and Part 60.7, except for Section (a)(2) of 60.7 per Subpart OOO, §60.676(h).

(17) Diesels #1, #4 and #5

- A. Fuel Use
 1. Diesels #1, #4 and #5 shall fire only diesel fuel with a maximum sulfur content not to exceed 15 ppm (0.0015% sulfur). [06-096 CMR 115, BACT]
 2. Total fuel use for diesels #1, #4 and #5 shall not exceed 15,000 gal/yr of diesel fuel, each (45,000 gallons/year total). 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 12 month total basis. [06-096 CMR 115, BPT]

B. Emissions from the generator(s) shall not exceed the following [06-096 CMR 115, BPT]:

<u>Unit</u>	<u>Pollutant</u>	<u>lb/MMBtu</u>	<u>Origin and Authority</u>
Diesel #4	PM	0.12	06-096 CMR 103

	PM (lb/hr)	PM₁₀ (lb/hr)	SO₂ (lb/hr)	NO_x (lb/hr)	CO (lb/hr)	VOC (lb/hr)
Diesel #1 (2.2 MMBtu/hr)	0.26	0.26	0.01	9.70	2.09	0.77
Diesel #4 (3.6 MMBtu/hr)	0.43	0.43	0.01	15.70	3.38	1.25
Diesel #5 (2.6 MMBtu/hr)	0.12	0.12	0.04	2.03	0.90	2.31

C. Visible emissions from the Diesels #1, #4 and #5 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]

D. Diesels #4 and #5 are subject to New Source Performance Standards 40 CFR Part 60, Subpart III, *Standards of Performance for Stationary Compression Ignition Internal Combustion Engines*.

A summary of the requirements for Subpart III is the following:

1. Diesels #4 and #5 shall be equipped with a non-resettable hour meter.
2. Sargent shall operate and maintain Diesels #4 and #5 in accordance with the manufacturer's written instructions. Sargent shall not change settings that are not approved in writing by the manufacturer.

(18) **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]

(19) **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 OOO]

Visible emissions from any other general process (non-NSPS crusher conveyor belts, bucket elevators, bagging 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]

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

- A. Sargent 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.

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.

(21) Sargent 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]

Sargent Corporation
Penobscot County
Stillwater, Maine
A-942-71-E-R

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- (22) Sargent 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-C].

DONE AND DATED IN AUGUSTA, MAINE THIS 3rd DAY OF February, 2012.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

BY: *Patricia W. Aho*
PATRICIA W. AHO, 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: March 17, 2011

Date of application acceptance: March 31, 2011

Date filed with the Board of Environmental Protection:

This Order prepared by Kurt Tidd, Bureau of Air Quality.

