



STATE OF MAINE  
DEPARTMENT OF ENVIRONMENTAL PROTECTION



PAUL R. LEPAGE  
GOVERNOR

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**The Lane Construction Corporation  
Hancock County  
Hancock, Maine  
A-49-71-O-R/M (SM)**

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

**FINDINGS OF FACT**

After review of the air emission license renewal/amendment 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 (MRSA), §344 and §590, the Maine Department of Environmental Protection (the Department) finds the following facts:

**I. REGISTRATION**

**A. Introduction**

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

The equipment addressed in this license is based at Washington Junction Road, Hancock, Maine.

Lane has requested an amendment to their license to remove secondary crushers SEC4SY and SEC48TEL which have been sold, and to relocate the currently licensed Kolman Diesel 11172 to this license.

The Department has recently changed from limiting asphalt plants, including hot mix asphalt batch plants, by fuel use to limiting them by throughput to better estimate potential emissions. Therefore, the Department has proposed a throughput limit of 300,000 tons of asphalt per year to replace the previously licensed fuel limit of 750,000 gallons per year of distillate fuel or specification waste oil.

In addition, Lane no longer has any intentions of firing specification waste oil in the HYCO 200 Hot Oil Heater; therefore, the ability to fire specification waste oil will be removed accordingly. The fuel limit for the hot oil heater was also separated from the previously combined limit with the asphalt plant.

B. Emission Equipment

The following equipment is addressed in this Air Emission License:

**Hot Mix Asphalt Plant**

Equipment	Process Rate (Tons/Hour)	Design Capacity (MMBtu/hour)	Firing Rate	Fuel Type, % sulfur	Control Devices	Stack ID	Date of Manuf.
#28 Hot Mix Asphalt Batch Plant	240	96.0	685.7 gal/hr	Distillate Fuel, 0.5% Spec Waste Oil, 0.7%	Baghouse	28	Pre-1973
			93,204 scf/hr	natural gas			
			14,060.8 gal/hr	propane			

**Generator Units**

Equipment	Maximum Capacity (MMBtu/hr)	Maximum Firing Rate	Fuel Type, %S	Date of Manufacture/ Installation
Kolman Diesel 11172*	0.41	2.95 gal/hr	Distillate Fuel, 0.0015% S	1971/1971

\* Insignificant activity – listed for inventory completeness only

**Heating Equipment**

Equipment	Maximum Capacity (MMBtu/hr)	Maximum Firing Rate	Fuel Type, %S	Date of Manufacture/ Installation
HYCO 200 Hot Oil Heater	2.0	14.6 gal/hr	Distillate Fuel, 0.5% S	2000/2000
		22.1 gal/hr	Propane, Negligible S	
		1941.8 scf/hr	Natural Gas, Negligible S	

C. Distillate Fuel

*Distillate Fuel* means fuel oil that complies with the specifications for fuel oil numbers 1 or 2, as defined by the American Society for Testing and Materials 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.

D. Application Classification

This amendment will not increase emissions of any pollutant. Therefore, this amendment is determined to be a minor revision and 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 production limit of 300,000 tons per year placed on the #28 Asphalt Batch Plant and an annual limit of 4,200 MMBtu on the HYCO 200 Hot Oil Heater, Lane is licensed below the major source thresholds and is therefore considered a synthetic minor. In addition, with the annual production and fuel limits, Lane 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 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. #28 Hot Mix Asphalt Batch Plant

Lane operates an asphalt batch plant, designated #28 Hot Mix Asphalt Batch Plant (#28 Batch Plant), with a maximum hourly throughput of 240 tons/hour of asphalt and a 96.0 MMBTU/hour burner that is capable of firing distillate fuel with a maximum sulfur content of 0.5% by weight, specification waste oil with a sulfur content not to exceed 0.7%, natural gas and propane.

In the past, it has been assumed that there is a linear relationship between the fuel required for an asphalt plant burner and the plant output. Meaning, it is assumed that to operate at 100% throughput requires the burner to fire at 100%, to operate at 75% throughput requires the burner to fire at 75%, etc. This assumption allows for an asphalt plant to have its annual emissions limited by placing a fuel limit on the burner. However, in some cases it has been determined that the asphalt plant is operated significantly more efficiently than originally anticipated. This allows the burner to operate at a lower firing rate than would be expected for the asphalt output. Since emission factors for asphalt plants are based on tons of asphalt produced, without the previously mentioned linear relationship between plant output and burner firing rate, a fuel limit on the asphalt plant is not sufficient to limit the equipment's annual emissions.

Therefore, to ensure annual emissions are limited to less than major source thresholds, asphalt throughput is limited instead of fuel consumption. Accordingly, the annual throughput of the asphalt batch plant shall not exceed 300,000 tons of asphalt per year on a calendar-year basis.

1. BPT Findings

The BPT emission limits for #28 Batch Plant when firing distillate fuel and specification waste oil were based on the following:

PM/PM<sub>10</sub> 0.03 gr/dscf and the use of a baghouse  
 SO<sub>2</sub> 0.088 lb/ton based on AP-42, Table 11.1-5, dated 3/04  
 NO<sub>x</sub> 0.12 lb/ton based on AP-42, Table 11.1-5, dated 3/04  
 CO 0.40 lb/ton based on AP-42, Table 11.1-5, dated 3/04  
 VOC 0.036 lb/ton based on AP-42, Table 11.1-6, dated 3/04  
 Opacity 06-096 CMR 101, BPT

The BPT emission limits for #28 Batch Plant when firing natural gas and propane were based on the following:

PM/PM<sub>10</sub> 0.03 gr/dscf and the use of a baghouse  
 SO<sub>2</sub> 0.0046 lb/ton based on AP-42, Table 11.1-5, dated 3/04  
 NO<sub>x</sub> 0.025 lb/ton based on AP-42, Table 11.1-5, dated 3/04  
 CO 0.40 lb/ton based on AP-42, Table 11.1-5, dated 3/04  
 VOC 0.0082 lb/ton based on AP-42, Table 11.1-6, dated 3/04  
 Opacity 06-096 CMR 101

The BPT emission limits for #28 Batch Plant are the following:

Equipment	Fuel	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)
#28 Batch Plant	Distillate Fuel Spec Waste Oil	7.89	7.89	21.12	28.80	96.00	8.64
	Natural Gas Propane	7.89	7.89	1.10	6.00	96.00	1.97

#28 Batch Plant is licensed to fire distillate fuel which, by definition, has a sulfur content of 0.5% or less by weight. Per 38 M.R.S.A. §603-A(2)(A)(3), as of July 1, 2018, no person shall import, distribute, or offer for sale any distillate fuel with a sulfur content greater than 0.0015% by weight (15 ppm). Therefore, beginning July 1, 2018, the distillate fuel purchased or otherwise obtained for use in #28 Batch Plant shall not exceed 0.0015% by weight (15 ppm).

Opacity - 06-096 CMR 101, *Visible Emission Regulation*: Visible emissions from the #28 Batch Plant baghouse shall not exceed 20% on a six-minute block average basis, except for no more than two six-minute block averages in a continuous three-hour period.

General process emissions from the #28 Batch Plant shall be controlled so as to prevent visible emissions in excess of 20% opacity on a six-minute block average basis except for no more than one six-minute block average in a one-hour period.

2. New Source Performance Standards

#28 Batch Plant was manufactured prior to 1973 and is therefore not subject to the federal Environmental Protection Agency's (EPA) New Source Performance Standards (NSPS) 40 Code of Federal Regulation (CFR) Part 60, Subpart I *Standards of Performance for Hot Mix Asphalt Facilities* constructed or modified after June 11, 1973. Although not subject to 40CFR Part 60 Subpart I, Lane did conduct a performance test on #28 Batch Plant on August 26, 1974.

3. Control Equipment

#28 Batch 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 #28 Batch Plant is operating:

- a. PM detector – when the detector signals excessive PM concentrations in the exhaust stream, Lane shall take corrective action within twenty-four hours, or immediately if opacity exceeds 20%.
- b. Personnel with a current EPA Method 9 visible emissions certification – when the opacity exceeds 20%, the #28 Batch Plant is operating with insufficient control and corrective action shall be taken immediately.

Lane shall keep records of baghouse failures and baghouse maintenance.

Lane shall keep records of fuel use and receipts for the #28 Batch Plant which shall be maintained for at least six years and made available to the Department upon request. Records shall also be maintained recording the quantity and analyzed test results of all specification waste oil fired in the dryer.

5. Contaminated Soils

Lane may process up to 10,000 cubic yards per year of soil contaminated by gasoline, distillate fuel, or virgin oil without prior approval from the Department.

Processing of virgin oil contaminated soils may require a solid waste processing facility license under Maine Solid Waste Management Rules, 06-096 CMR 409 (as amended). The material shall be handled in accordance with the requirements of the Bureau of Remediation and Waste Management.

Virgin Oil Definition:

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

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

When processing contaminated soils, Lane shall maintain records which specify the quantity and type of contaminant in the soil as well as the origin and characterization of the contaminated soil. In addition, when processing contaminated soil, Lane shall maintain records of processing temperature, asphalt feed rates, and dryer throughput on an hourly basis. The material shall be handled in accordance with the requirements of the Bureau of Remediation and Waste Management.

C. HYCO 200 Hot Oil Heater (HYCO 200)

Lane utilizes a liquid asphalt hot oil heater, designated HYCO 200, to heat oil for heat-transfer purposes relating to the storage of asphalt cement and hot mix asphalt. HYCO 200 has a maximum design heat input capacity of 2.0 MMBTU/hour and fires distillate fuel oil (with a sulfur content not to exceed 0.5% by weight), propane or natural gas.

The HYCO 200 shall be limited to an annual total heat input of 4,200 MMBtu, comprised of distillate fuel, propane or natural gas, or any combination thereof.

BPT emission limits for the HYCO 200 were based on the following:

1. BPT Findings

The BPT emission limits for the HYCO 200 when firing distillate fuel were based on the following:

- PM/PM<sub>10</sub> 2.0 lb/1000 gallons when firing distillate fuel, AP-42, Table AP-42 Table 1.3-1 (5/10)
- SO<sub>2</sub> 0.50 lb/MMBtu, based on firing 0.5%S distillate fuel
- NO<sub>x</sub> 20.0 lb/1000 gallons, AP-42, Table 1.3-1, dated 5/10
- CO 5.0 lb/1000 gallons, AP-42, Table 1.3-1, dated 5/10
- VOC 0.34 lb/1000 gallons, AP-42, Table 1.3-3, dated 5/10
- Opacity 06-096 CMR 101, previous BPT

The BPT emission limits for the HYCO 200 when firing propane were based on the following:

- PM/PM<sub>10</sub> 0.2 lb/1000 gallons, AP-42, Table 1.5-1, dated 7/08
- SO<sub>2</sub> 0.054 lb/1000 gallons, AP-42, Table 1.5-1, dated 7/08
- NO<sub>x</sub> 13.0 lb/1000 gallons, AP-42, Table 1.5-1, dated 7/08
- CO 7.5 lb/1000 gallons, AP-42, Table 1.5-1, dated 7/08
- VOC 1.0 lb/1000 gallons, AP-42, Table 1.5-1, dated 7/08
- Opacity 06-096 CMR 101, previous BPT

The BPT emission limits for the HYCO 200 when firing natural gas were based on the following:

- PM/PM<sub>10</sub> 1.9 lb/MMscf, AP-42, Table 1.4-2, dated 7/98
- SO<sub>2</sub> 0.6 lb/MMscf, AP-42, Table 1.4-2, dated 7/98
- NO<sub>x</sub> 100 lb/MMscf, AP-42, Table 1.4-2, dated 7/98
- CO 84 lb/MMscf, AP-42, Table 1.4-2, dated 7/98
- VOC 5.5 lb/MMscf, AP-42, Table 1.4-2, dated 7/98
- Opacity 06-096 CMR 101, previous BPT

The BPT emission limits for the HYCO 200 are the following:

Equipment	Fuel	PM (lb/hr)	PM <sub>10</sub> (lb/hr)	SO <sub>2</sub> (lb/hr)	NO <sub>x</sub> (lb/hr)	CO (lb/hr)	VOC (lb/hr)
HYCO 200	Distillate Fuel	0.03	0.03	1.00	0.29	0.07	0.01
	Propane	0.01	0.01	0.01	0.29	0.17	0.02
	Natural Gas	0.01	0.01	0.01	0.19	0.16	0.01

The HYCO 200 is licensed to fire distillate fuel which, by definition, has a sulfur content of 0.5% or less by weight. Per 38 M.R.S.A. §603-A(2)(A)(3),

as of July 1, 2018, no person shall import, distribute, or offer for sale any distillate fuel with a sulfur content greater than 0.0015% by weight (15 ppm). Therefore, beginning July 1, 2018, the distillate fuel purchased or otherwise obtained for use in the HYCO 200 shall not exceed 0.0015% by weight (15 ppm).

Visible emissions from the HYCO 200 when firing distillate fuel shall not exceed 20% opacity on a six-minute block average, except for no more than one six-minute block average in a three-hour period.

Visible emissions from the HYCO 200 when firing natural gas or propane, shall not exceed 10% opacity on a six-minute block average, except for no more than one six-minute block average in a three-hour period.

## 2. Periodic Monitoring

Periodic monitoring for the HYCO 200 shall include recordkeeping to document fuel use both on a monthly and calendar-year basis.

Fuel use shall be converted to heat input on a monthly and calendar-year basis using heating values of 0.14 MMBTU/gallon for distillate fuel, 0.0905 MMBTU/gallon for propane, and 0.00103 MMBTU/scf for natural gas.

Documentation shall include the type of fuel used and sulfur content of the fuel, if/when applicable.

## 3. New Source Performance Standards

Since the HYCO 200 hot oil heater does not heat water and is rated at less than 10 MMBTU/hour, it does not meet the definition of a "steam generating unit" and therefore is not subject to New Source Performance Standards (NSPS) 40 CFR Part 60, Subpart Dc, *Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units*, for units greater than 10 MMBTU/hour manufactured after June 9, 1989.

In addition, the HYCO 200 hot oil heater 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 CFR Part 63 Subpart JJJJJ).

## D. Fugitive Emissions

Visible emissions from any fugitive emissions source, including stockpiles and roadways, shall not exceed 20% opacity, except for no more than five minutes in

any one-hour period. Compliance shall be determined by an aggregate of the individual 15-second opacity observations which exceed 20% in any one hour.

E. General Process Emissions

Visible emissions from any general process (including crusher conveyor belts) shall not exceed 20% opacity on a six-minute block average basis except for no more than one six-minute block average in a one-hour period.

F. Annual Emissions

1. Total Annual Emissions

Lane shall be restricted to the following annual emissions, on a calendar-year basis:

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

	PM	PM <sub>10</sub>	SO <sub>2</sub>	NO <sub>x</sub>	CO	VOC
#28 Batch Plant	4.9	4.9	13.2	18.0	60.0	5.4
Hyco 200 Hot Oil Heater	0.1	0.1	1.1	0.3	0.1	0.1
<b>Total TPY</b>	<b>5.0</b>	<b>5.0</b>	<b>14.3</b>	<b>18.3</b>	<b>60.1</b>	<b>5.5</b>

The tons per year limits were calculated based on the annual operation of the #28 Batch Plant with a maximum throughput of 300,000 tons of asphalt and the HYCO 200 Hot Oil Heater firing a maximum total heat input of 4,200 MMBTU per year, on a calendar-year basis.

2. Greenhouse Gases

Greenhouse gases are considered regulated pollutants as of January 2, 2011, through 'Tailoring' revisions made to EPA's *Approval and Promulgation of Implementation Plans*, 40 CFR Part 52, Subpart A, §52.21, *Prevention of Significant Deterioration of Air Quality* rule. Greenhouse gases, as defined in 06-096 CMR 100 (as amended), are the aggregate group of the following gases: carbon dioxide, nitrous oxide, methane, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride. For licensing purposes, greenhouse gases (GHG) are calculated and reported as carbon dioxide equivalents (CO<sub>2</sub>e).

The quantity of CO<sub>2</sub>e emissions from this facility is less than 100,000 tons per year, based on the following:

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

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

### III. AMBIENT AIR QUALITY ANALYSIS

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

Pollutant	Tons/Year
PM	25
PM <sub>10</sub>	25
SO <sub>2</sub>	50
NO <sub>x</sub>	100
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-49-71-O-R/M, subject to the following conditions:

Severability. The invalidity or unenforceability of any provision of this License or part thereof shall not affect the remainder of the provision or any other provisions. This

License shall be construed and enforced in all respects as if such invalid or unenforceable provision or part thereof had been omitted.

**STANDARD CONDITIONS**

- (1) Employees and authorized representatives of the Department shall be allowed access to the licensee's premises during business hours, or any time during which any emissions units are in operation, and at such other times as the Department deems necessary for the purpose of performing tests, collecting samples, conducting inspections, or examining and copying records relating to emissions (38 M.R.S.A. §347-C).
- (2) The licensee shall acquire a new or amended air emission license prior to commencing construction of a modification, unless specifically provided for in Chapter 115. [06-096 CMR 115]
- (3) Approval to construct shall become invalid if the source has not commenced construction within eighteen months after receipt of such approval or if construction is discontinued for a period of eighteen 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 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 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 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 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 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) #28 Asphalt Batch Plant**

A. Fuel Use

1. #28 Batch Plant is licensed to fire distillate fuel with a maximum sulfur content of 0.5% by weight, specification waste oil with a sulfur content not to exceed 0.7%, natural gas and propane. [06-096 CMR 115, BPT]
2. Prior to July 1, 2018, #28 Batch Plant shall fire distillate fuel with a maximum sulfur content not to exceed 0.5% by weight. [06-096 CMR 115, BPT/BACT]
3. Beginning July 1, 2018, the facility shall not purchase or otherwise obtain distillate fuel with a maximum sulfur content that exceeds 0.0015% by weight (15 ppm). [06-096 CMR 115, BPT/BACT]
4. Compliance shall be demonstrated by fuel records from the supplier showing the quantity, type, and the percent sulfur of the fuel delivered. Records of annual fuel use shall be kept on a monthly and calendar-year basis. [06-096 CMR 115, BPT]

B. The annual throughput of #28 Batch Plant shall not exceed 300,000 tons of asphalt per year on a calendar-year basis. Records of asphalt productions shall be kept on a monthly and calendar-year basis. [06-096 CMR 115, BPT]

C. Emissions from #28 Batch 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]

D. The performance of the baghouse shall be constantly monitored by either one of the following at all times #28 Batch Plant is operating [06-096 CMR 115, BPT]:

1. PM detector – when the detector signals excessive PM concentrations in the exhaust stream, Lane shall take corrective action within twenty-four 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.

- E. To document maintenance of the baghouse, Lane shall keep maintenance records recording the date and location of all bag failures as well as all routine maintenance. The maintenance records shall be kept on-site at the asphalt plant location. [06-096 CMR 115, BPT]
- F. Emissions from #28 Batch Plant baghouse shall not exceed the following [06-096 CMR 115, BPT]:

Pollutant	grs/dscf	Firing Distillate/ Spec Waste Oil lb/hr	Firing Natural Gas/Propane lb/hr
PM	0.03	7.89	7.89
PM <sub>10</sub>	-	7.89	7.89
SO <sub>2</sub>	-	21.12	1.10
NO <sub>x</sub>	-	28.80	6.00
CO	-	96.00	96.00
VOC	-	8.64	1.97

- G. Opacity from #28 Batch Plant baghouse is limited to no greater than 20% on a six-minute block average basis, except for no more than two six-minute block averages in a continuous three-hour period. [06-096 CMR 101]
- H. General process emissions from #28 Batch Plant shall be controlled so as to prevent visible emissions in excess of 20% opacity on a six-minute block average basis except for no more than one six-minute block average in a one-hour period. [06-096 CMR 101]
- I. Lane may process up to 10,000 cubic yards per year of soil contaminated with virgin oil as defined by the Bureau of Air Quality without prior approval from the Bureau of Air Quality. Processing of virgin oil contaminated soils may require a solid waste processing facility license under 06-096CMR409 (as amended). The material shall be handled in accordance with the requirements of the Bureau of Remediation and Waste Management. [06-096 CMR 115, BPT]
- J. Lane shall not process soils which are classified as hazardous waste or which have unknown contaminants. [06-096 CMR 115, BPT]
- K. When processing contaminated soils, Lane shall maintain records which specify the quantity and type of contaminant in the soil as well as the origin and characterization of the contaminated soil. In addition, when processing contaminated soil, Lane shall maintain records of processing temperature, asphalt feed rates and dryer throughput on an hourly basis.

The material shall be handled in accordance with the requirements of the Bureau of Remediation and Waste Management. [06-096 CMR 115, BPT]

(17) **HYCO 200 Hot Oil Heater (HYCO 200)**

A. Fuel

1. The HYCO 200 shall be limited to a total heat input of 4,200 MMBtu per year on a calendar-year basis, comprised of distillate fuel, propane or natural gas, or any combination thereof. [06-096 CMR 115, BPT]
2. The HYCO 200 is licensed to fire distillate fuel with a maximum sulfur content of 0.5% by weight. [06-096 CMR 115, BPT]
3. Prior to July 1, 2018, the HYCO 200 shall fire distillate fuel with a maximum sulfur content not to exceed 0.5% by weight. [06 096 CMR 115, BPT/BACT]
4. Beginning July 1, 2018, the facility shall not purchase or otherwise obtain distillate fuel with a maximum sulfur content that exceeds 0.0015% by weight (15 ppm). [06-096 CMR 115, BPT/BACT]
5. Compliance shall be demonstrated by fuel records from the supplier showing the quantity, type, and the percent sulfur of the fuel delivered. Records of annual fuel use shall be kept on a monthly and calendar-year basis. [06-096 CMR 115, BPT]

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

Equipment	Fuel	PM (lb/hr)	PM <sub>10</sub> (lb/hr)	SO <sub>2</sub> (lb/hr)	NO <sub>x</sub> (lb/hr)	CO (lb/hr)	VOC (lb/hr)
HYCO 200	Distillate Fuel	0.03	0.03	1.00	0.29	0.07	0.01
	Propane	0.01	0.01	0.01	0.29	0.17	0.02
	Natural Gas	0.01	0.01	0.01	0.19	0.16	0.01

- C. Visible emissions from the HYCO 200 when firing distillate or specification waste oil shall not exceed 20% opacity on a six-minute block average, except for no more than one six-minute block average in a continuous three-hour period. [06-096 CMR 101]

Visible emissions from the HYCO 200 when firing natural gas or propane, shall not exceed 10% opacity on a six-minute block average, except for no more than one six-minute block average in a continuous three-hour period. [06-096 CMR 101]

**(18) Fugitive Emissions**

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

**(19) General Process Sources**

Visible emissions from any general process (including conveyor belts) shall not exceed an opacity of 20% on a six-minute block average basis, except for no more than one six-minute block average in a one-hour period. [06-096 CMR 101 and 06-096 CMR 115, BPT]

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

- A. Lane 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 the notice of relocation to be submitted through the Department's on-line e-notice at the following web address:

[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 to this address:

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.

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

The Lane Construction Corporation  
Hancock County  
Hancock, Maine  
A-49-71-O-R/M (SM)

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

- (22) Lane shall notify the Department within 48 hours and submit a report to the Department on a quarterly basis if a malfunction or breakdown in any component causes a violation of any emission standard [38 M.R.S.A. §605].

DONE AND DATED IN AUGUSTA, MAINE THIS 20 DAY OF April, 2016.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

BY: Marc Allen Robert Core for  
PAUL MERCER, 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 license renewal application.]

PLEASE NOTE ATTACHED SHEET FOR GUIDANCE ON APPEAL PROCEDURES

Date of initial receipt of application: 02/23/2015

Date of application acceptance: 02/23/2015

Date filed with the Board of Environmental Protection:

This Order prepared by Kevin J Ostrowski, Bureau of Air Quality.

