



STATE OF MAINE  
DEPARTMENT OF ENVIRONMENTAL PROTECTION



PAUL R. LEPAGE  
GOVERNOR

PATRICIA W. AHO  
COMMISSIONER

**The Lane Construction Corporation  
Knox County  
Washington, Maine  
A-173-71-K-R/A (SM)**

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

**FINDINGS OF FACT**

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

**I. REGISTRATION**

**A. Introduction**

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

The main office is located at 953 Odlin Road in Bangor, Maine.

Lane has requested an amendment to their license in order to:

1. Rename the CAT 5408 generator to CAT 3508;
2. Replace the CAT 3516 generator with CAT 3412 from license A-447;
3. Reduce the fuel limit for the generators from 91,000 gallons per year to 72,500 gallons per year; and
4. Add natural gas and propane as fuel options for the asphalt plant and associated hot oil heater.

B. Emission Equipment

The following equipment is addressed in this air emission license:

**Asphalt Plant**

<u>Equipment</u>	<u>Process Rate (tons/hour)</u>	<u>Design Capacity, Firing Rate</u>	<u>Control Devices</u>	<u>Date of Manufacture</u>
#70 Plant (drum mix)	300	100 MMBtu/hr distillate oil specification waste oil natural gas propane	Baghouse	2008

**Heating Equipment**

<u>Equipment</u>	<u>Maximum Capacity</u>	<u>Fuel Type</u>
HYCO 200 (hot oil heater)	2.0 MMBtu/hr	distillate oil natural gas propane

**Rock Crushers**

<u>Designation</u>	<u>Powered</u>	<u>Process Rate (tons/hour)</u>	<u>Date of Manufacture</u>	<u>Control Device</u>
SECSANH48	generator	300	2008	Spray Nozzles
TER1260AC	generator	300	pre-1973	Spray Nozzles

**Generator Units**

<u>Source ID</u>	<u>Max. Capacity</u>	<u>Max. Firing Rate</u>	<u>Fuel Type</u>
CAT 3508	8.8 MMBtu/hr	64.4 gal/hr	distillate, 0.0015% sulfur
CAT 3412	6.6 MMBtu/hr	48.2 gal/hr	distillate, 0.0015% sulfur

Lane has four additional portable night generators. Each has a maximum capacity less than 0.5 MMBtu/hr and are mentioned for information purposes only.

C. Application Classification

The modification of a minor source is considered a major or minor modification based on whether or not expected emission increases exceed the "Significant Emission Levels" as defined in the Department's regulations. The emission increases are determined by subtracting the current licensed emissions preceding the modification from the maximum future licensed allowed emissions. In this case, emissions of all pollutants are decreasing. Therefore, this action is determined to be a renewal with a minor modification and has been processed as such.

With the annual heat input limit on the asphalt plant and hot oil heater and the fuel limit on the generators the facility is licensed below the major source thresholds for criteria pollutants and hazardous air pollutants (HAP) and is considered a synthetic minor and 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 as well as for those sources located in designated non-attainment areas.

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

BPT for existing emissions equipment means that method which controls or reduces emissions to the lowest possible level considering:

- the existing state of technology;
- the effectiveness of available alternatives for reducing emissions from the source being considered; and
- the economic feasibility for the type of establishment involved.

B. Asphalt Plant

The drum mix asphalt plant (#70 Plant) is rated at 300 tons/hr with a 100 MMBtu/hr burner firing distillate fuel and specification waste oil. Lane has requested the addition of natural gas and propane as potential fuels for #70 Plant. Fuel use for #70 Plant shall not exceed the equivalent of 105,000 MMBtu/year for all fuel combined on a calendar year total (approximately equal to 750,000 gal/yr

of distillate fuel). When converting fuel use to MMBtu, Lane shall use a heating value of 0.14 MMBtu/gallon for distillate fuel and specification oil, 0.00103 MMBtu/scf for natural gas, and 0.0905 MMBtu/gallon for propane.

Lane shall also not exceed the processing of 315,000 tons of asphalt per year in #70 Plant.

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

1. BPT/BACT Findings

The BPT emission limits for #70 Plant when firing distillate fuel or 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> – 0.058 lb/ton for waste oil and 0.011 lb/ton for distillate per AP-42 Table 11.1-7 dated 3/04
- NO<sub>x</sub> – 0.055 lb/ton based on AP-42 Table 11.1-7 dated 3/04
- CO – 0.13 lb/ton based on AP-42 Table 11.1-7 dated 3/04
- VOC – 0.032 lb/ton based on AP-42 Table 11.1-8 dated 3/04
- Opacity – 06-096 CMR 101

The BACT emission limits for #70 Plant when firing natural gas or 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> – 0.0034 lb/ton based on AP-42 Table 11.1-7 dated 3/04
- NO<sub>x</sub> – 0.026 lb/ton based on AP-42 Table 11.1-7 dated 3/04
- CO – 0.13 lb/ton based on AP-42 Table 11.1-7 dated 3/04
- VOC – 0.032 lb/ton based on AP-42 Table 11.1-8 dated 3/04
- Opacity – 06-096 CMR 101

The BPT/BACT emission limits for the asphalt plant are the following:

<i>Unit</i>	PM (lb/hr)	PM <sub>10</sub> (lb/hr)	SO <sub>2</sub> (lb/hr)	NO <sub>x</sub> (lb/hr)	CO (lb/hr)	VOC (lb/hr)
#70 Plant firing distillate fuel or specification waste oil	11.91	11.91	17.40	16.50	39.00	9.60
#70 Plant firing natural gas or propane	11.91	11.91	1.02	7.80	39.00	9.60

Opacity - 06-096 CMR 101, *Visible Emission Regulation*: visible emissions from #70 Plant baghouse shall not exceed 20% on a six (6) minute block average basis, except for no more than two (2) six (6) minute block averages in a continuous 3-hour period. This is consistent with the 40 CFR Part 60, Subpart I PM limit of 20% opacity.

General process emissions from #70 Plant shall be controlled so as to prevent visible emissions in excess of 20% opacity on a six (6) minute block average basis except for no more than one (1) six (6) minute block average in a 1-hour period.

2. New Source Performance Standards

The #70 Plant was manufactured in 2008 and is therefore subject to the federal Environmental Protection Agency's (EPA) New Source Performance Standards (NSPS) 40 Code of Federal Regulation (CFR) Part 60, Subpart I *Standards of Performance for Hot Mix Asphalt Facilities* constructed or modified after June 11, 1973. The last performance test for this plant was performed on August 24, 2010.

3. Control Equipment

The #70 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 #70 Plant is operating:

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

- b. Personnel with a current EPA Method 9 visible emissions certification – when the opacity exceeds 20%, the hot mix asphalt plant is operating with insufficient control and corrective action shall be taken immediately.

Lane shall keep records of baghouse failures and baghouse maintenance.

Lane shall keep records of fuel use and receipts for #70 Plant which shall be converted to MMBtu at least monthly and maintained for at least six years and made available to the Department upon request. A log shall also be maintained recording the quantity and analyzed test results of all specification waste oil fired.

#### 5. Contaminated Soils

Lane may process up to 10,000 cubic yards per year of soil contaminated by gasoline or #2 fuel oil without prior approval from the Department. This limit may be exceeded with written authorization from the Department. The plant owner or operator shall notify the Department 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.

Lane may process up to 5,000 cubic yards per year of soil contaminated with virgin oil as defined by the Bureau of Air Quality without prior approval from the Bureau of Air Quality. Processing of virgin oil contaminated soils may require a solid waste processing facility license under Maine Solid Waste Management Rules, 06-096 CMR 409 (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. Rock Crushers

The SECSANH48 and TER1260AC rock crushers are portable units which were manufactured in 2008 and prior to 1973, respectively. Both crushers have a rated capacity of 300 ton/hr.

1. BPT/BACT Findings

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

2. New Source Performance Standards

The SECSANH48 rock crusher is subject to EPA New Source Performance Standards (NSPS) 40 CFR Part 60, Subpart OOO for Nonmetallic Mineral Processing Plants manufactured after August 31, 1983, with capacities greater than 150 tons/hr for portable plants and greater than 25 tons/hr for non-portable plants. The initial performance test was performed on 7/22/09.

The TER1260AC rock crusher is not subject to 40 CFR Part 60, Subpart OOO due to its age. However, a performance test was also performed on this equipment on 7/22/09.

D. HYCO 200 (Hot Oil Heater)

The HYCO 200 is used to keep the asphalt from solidifying. It has a maximum design capacity rated at 2.0 MMBtu/hr. The HYCO 200 can fire distillate fuel, natural gas, and propane. Fuel use for the HYCO 200 shall not exceed the equivalent of 4,200 MMBtu/year for all fuel combined on a calendar year total (approximately equal to 30,000 gal/yr of distillate fuel). When converting fuel use to MMBtu, Lane shall use a heating value of 0.14 MMBtu/gallon for distillate fuel, 0.00103 MMBtu/scf for natural gas, and 0.0905 MMBtu/gallon for propane.

1. BPT/BACT Findings

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

- PM/PM<sub>10</sub> – 0.08 lb/MMBtu based on 06-096 CMR 115, BPT
- SO<sub>2</sub> – firing distillate oil with a sulfur content of 0.5% by weight
- NO<sub>x</sub> – 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
- Opacity – 06-096 CMR 101

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

- PM/PM<sub>10</sub> – 0.05 lb/MMBtu based on 06-096 CMR 115, BPT
- SO<sub>2</sub> – 0.6 lb/MMscf based on AP-42 Table 1.4-2 dated 7/98
- NO<sub>x</sub> – 100 lb/MMscf based on AP-42 Table 1.4-1 dated 7/98
- CO – 84 lb/MMscf based on AP-42 Table 1.4-1 dated 7/98
- VOC – 5.5 lb/MMscf based on AP-42 Table 1.4-2 dated 7/98
- Opacity – 06-096 CMR 101

Prior to July 1, 2016 or by the date otherwise stated in 38 MRSA §603-A(2)(A)(3), the distillate fuel fired in the HYCO 200 shall be ASTM D396 compliant #2 fuel oil (maximum sulfur content of 0.5% by weight). Per 38 MRSA §603-A(2)(A)(3), beginning July 1, 2016 or on the date specified in the statute, the facility shall fire distillate fuel with a maximum sulfur content limit of 0.005% by weight (50 ppm), and beginning January 1, 2018 or on the date specified in the statute, the facility shall fire distillate fuel with a maximum sulfur content limit of 0.0015% by weight (15 ppm). The specific dates contained in this paragraph reflect the current dates in the statute as of the effective date of this license; however, if the statute is revised, the facility shall comply with the revised dates upon promulgation of the statute revision.

The BPT/BACT emission limits for the Hot Oil Heater are the following:

<i>Unit</i>	PM (lb/hr)	PM <sub>10</sub> (lb/hr)	SO <sub>2</sub> (lb/hr)	NO <sub>x</sub> (lb/hr)	CO (lb/hr)	VOC (lb/hr)
HYCO 200 firing distillate fuel	0.16	0.16	1.03	0.29	0.07	0.01
HYCO 200 firing natural gas or propane	0.10	0.10	neg	0.20	0.17	0.01



Visible emissions from the HYCO 200 shall not exceed 20% opacity on a six (6) minute block, except for no more than one (1) six (6) minute block average in a continuous 3-hour period.

2. National Emission Standards for Hazardous Air Pollutants

The HYCO 200 does not heat water. It does not meet the definition of a boiler 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/hr manufactured after June 9, 1989. For the same reason the HYCO 200 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).

E. Generators

CAT 3508 has a maximum capacity of 8.8 MMBtu/hr (910 kW) firing distillate fuel. It was manufactured in 2001. CAT 3412 has a maximum capacity of 6.6 MMBtu/hr (800 kW) firing distillate fuel. It was manufactured in 1995. Both CAT 3508 and CAT 3412 are portable units.

The total fuel fired in CAT 3508 and CAT 3412 shall be limited to 72,500 gallons/year on a calendar year total basis with a maximum sulfur content not to exceed 15 ppm (0.0015% sulfur by weight).

1. BPT Findings

The BPT emission limits for CAT 3508 and CAT 3412 were based on the following:

- PM/PM<sub>10</sub> - 0.12 lb/MMBtu from 06-096 CMR 103 and 115, BPT
- SO<sub>2</sub> - combustion of distillate fuel with a maximum sulfur content not to exceed 15 ppm (0.0015% sulfur)
- NO<sub>x</sub> - 3.2 lb/MMBtu from AP-42 Table 3.3-1 dated 10/96
- CO - 0.85 lb/MMBtu from AP-42 Table 3.3-1 dated 10/96
- VOC - 0.09 lb/MMBtu from AP-42 Table 3.3-1 dated 10/96
- Opacity - 06-096 CMR 101

The BPT emission limits for the generators are the following:

<u>Unit</u>	<u>Pollutant</u>	<u>lb/MMBtu</u>
CAT 3508	PM	0.12
CAT 3412	PM	0.12

<u>Unit</u>	<u>PM (lb/hr)</u>	<u>PM<sub>10</sub> (lb/hr)</u>	<u>SO<sub>2</sub> (lb/hr)</u>	<u>NO<sub>x</sub> (lb/hr)</u>	<u>CO (lb/hr)</u>	<u>VOC (lb/hr)</u>
CAT 3508	1.06	1.06	0.01	28.22	7.50	0.79
CAT 3412	0.79	0.79	0.01	21.12	5.61	0.59

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

2. New Source Performance Standards

CAT 3508 and CAT 3412 were both manufactured prior to April 1, 2006. Therefore, they are not subject to New Source Performance Standards 40 CFR Part 60, Subpart IIII, *Standards of Performance for Stationary Compression Ignition Internal Combustion Engines*.

3. National Emission Standards for Hazardous Air Pollutants

CAT 3508 and CAT 3412 are portable units that may move to various sites. However, it is likely that these units may stay in one location for multiple seasons. In that case they would be considered stationary units per 40 CFR 1068.30. Therefore, Lane has chosen to consider these engines stationary and comply with the requirements of 40 CFR Part 63, Subpart ZZZZ, *National Emission Standards for Hazardous Air Pollutants (NESHAP) for Stationary Reciprocating Internal Combustion Engines*. CAT 3508 and CAT 3412 are classified as existing, non-emergency, stationary compression ignition (CI) reciprocating internal combustion engines (RICE) at an area source of HAP.

Per Subpart ZZZZ, CAT 3508 and CAT 3412 are subject to emission limits for CO. Lane will comply with the option to meet the 23 ppmvd CO at 15% O<sub>2</sub> emission limit or to reduce CO emissions by 70% or more through the use of an oxidation catalyst. Lane has elected to demonstrate compliance through a continuous parameter monitoring system (CPMS) instead of the use of a continuous emission monitoring system (CEMS).

On April 9, 2013, EPA granted Lane an extension of their compliance deadline to May 3, 2014. EPA also approved an extension of the emissions testing deadline to within 180 days of startup after the installation of controls but no later than October 30, 2014. Lane performed emission testing in April 2014. Results of this testing indicate CO emissions of less than 5 ppmvd CO at 15% O<sub>2</sub> and reductions of CO emissions by more than 90%.

a. Operation Requirements

	<b>Compliance Dates</b>	<b>Operating Limitations</b>
Non-Emergency, non-black start CI stationary RICE >500 HP	Beginning May 3, 2014	<ul style="list-style-type: none"> <li>- Limit concentration of CO in the exhaust to 23 ppmvd at 15% O<sub>2</sub> <u>or</u> reduce CO emissions by 70% or more (Table 2d);</li> <li>- Minimize the engine's time spent at idle and minimize the engine's startup time at startup to a period needed for appropriate and safe loading of the engine, not to exceed 30 minutes, after which time the non-startup emission limitations apply (Table 2d);</li> <li>- Maintain the catalyst so that the pressure drop across the catalyst does not change by more than 2 inches of water from the pressure drop across the catalyst that was measured during the initial performance test (Table 2b); and</li> <li>- Maintain the temperature of the exhaust so that the catalyst inlet temperature is 450°F – 1350°F. (Table 2b)</li> </ul>

b. Crankcase Filtration

Lane shall operate on CAT 3508 and CAT 3412 an open crankcase filtration emission control system that reduces emissions from the crankcase by filtering the exhaust stream to remove oil mist, particulates, and metals. [40 CFR §63.6625(g)(2)]

c. Continuous Parameter Monitoring System (CPMS)

- (1) Lane shall install, operate, and maintain a CPMS on CAT 3508 and CAT 3412.
- (2) Lane shall monitor the catalyst inlet temperature and reduce this data to 4-hour rolling averages to demonstrate compliance with the limitations on the catalyst inlet temperature range.
- (3) Lane shall monitor the pressure drop across the catalyst once per month to demonstrate compliance with the operating limit established during the last performance test.
- (4) Lane shall prepare a site-specific monitoring plan that addresses the requirements outlined in 40 CFR §63.6625(b)(1).
- (5) The CPMS shall be continuously operated in accordance with the site-specific monitoring plan at all times that CAT 3508 and CAT 3412 are operating except for monitor malfunctions, associated repairs, required performance evaluations, and required quality assurance or control activities.

- (6) The CPMS shall collect data at least once every 15 minutes.
- (7) The minimum tolerance for a CPMS measuring temperature is 5°F or 1% of the measurement range, whichever is larger.
- (8) CPMS audit procedures shall be performed at least annually. [40 CFR §63.6625(b), §63.6635, and Table 6]

d. Performance Tests

- (1) Lane shall conduct an initial performance test in accordance with Table 4 of Subpart ZZZZ within 180 days of startup after installation of controls but no later than October 30, 2014. [40 CFR §63.6612(a)]
- (2) Lane shall conduct three separate test runs for each performance test. Each test run must be at least 1 hour, unless otherwise specified. [40 CFR §63.6620(d)]
- (3) The engine percent load during a performance test shall be determined by documenting the calculations, assumptions, and measurement devices used to measure or estimate the percent load in a specific application. A written report of the average percent load determination shall be included in the notification of compliance status. The report shall contain the information specified in 40 CFR §63.6620(i).
- (4) During the performance test the facility must establish the pressure drop across the catalyst to be used to demonstrate compliance per the CPMS. [40 CFR §63.6630(b)]
- (5) If the facility changes the catalyst, Lane shall reestablish the values of the operating parameters measured during the performance test. In order to reestablish the operating parameters, the facility shall conduct a performance test to demonstrate that the required emission limitation is being met. [40 CFR §63.6640(b)]
- (6) Lane shall perform performance tests every 8,760 hours of operation or 3 years, whichever comes first. [40 CFR §63.6640(a), Table 3, and Table 6]

e. Ultra-Low Sulfur Fuel Requirement

The fuel fired in CAT 3508 and CAT 3412 shall not exceed 15 ppm sulfur (0.0015% sulfur) by weight. [40 CFR §63.6604(a)]

f. General Requirement to Minimize Emissions

At all times the facility shall operate and maintain CAT 3508 and CAT 3412, including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions. [40 CFR §63.6605(b)]

g. Reporting

Lane shall submit to EPA all reports required by Subpart ZZZZ including, but not limited to, the following:

- (1) Notification of Intent to conduct a performance test at least 60 days before the performance test is scheduled to begin.  
[40 CFR §63.6645(g)]
- (2) Notification of Compliance Status within 60 days of completion of the initial compliance test. [40 CFR §63.6645(h)]
- (3) Semiannual Compliance Reports. [40 CFR §63.6650 and Table 7]

h. Record Keeping

Lane shall keep all records required by Subpart ZZZZ including, but not limited to, the following:

- a. A copy of each notification and report that was submitted to comply with Subpart ZZZZ, including all supporting documentation;
- b. Records of the occurrence and duration of each malfunction of the engine, pollution control equipment, or monitoring equipment;
- c. Records of performance tests and performance evaluations;
- d. Records of actions taken during periods of malfunction to minimize emissions, including corrective actions taken to restore normal operation;
- e. Monitoring data from the CPMS; and
- f. Records of maintenance conducted on CAT 3508 and CAT 3412 and control equipment to demonstrate the equipment was operated and maintained according to the maintenance plan.

[40 CFR §63.6655]

F. Stock Piles and Roadways

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

G. General Process Emissions

Visible emissions from any general process (including conveyor belts, transfer points, etc.) associated with an NSPS rock crusher shall not exceed an opacity of 7% based on the average of not less than five (5) six (6) minute block averages.

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

H. Facility Emissions

1. Lane shall be restricted to the following annual emissions, based on a calendar year total. The tons per year limits were calculated based on the following:
  - Firing of 105,000 MMBtu/year of fuel in #70 Plant and the higher emission factor for either distillate or natural gas.
  - Processing 315,000 tons of asphalt per year in #70 Plant.
  - Firing 4,200 MMBtu/year of fuel in the HYCO 200 and the higher emission factor for either distillate or natural gas.
  - Firing of 72,500 gal/year of distillate in the generators.

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

	<b>PM</b>	<b>PM<sub>10</sub></b>	<b>SO<sub>2</sub></b>	<b>NO<sub>x</sub></b>	<b>CO</b>	<b>VOC</b>
#70 Plant	6.3	6.3	9.1	8.7	20.5	5.0
HYCO 200	0.2	0.2	1.1	0.3	0.2	–
Generators	0.6	0.6	–	15.9	4.2	0.5
<b>Total TPY</b>	<b>7.1</b>	<b>7.1</b>	<b>10.2</b>	<b>24.6</b>	<b>24.7</b>	<b>5.5</b>

2. Greenhouse Gases

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

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

### III. AMBIENT AIR QUALITY ANALYSIS

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:

<u>Pollutant</u>	<u>Tons/Year</u>
PM <sub>10</sub>	25
SO <sub>2</sub>	50
NO <sub>x</sub>	50
CO	250

Based on the total facility licensed emissions, Lane 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-173-71-K-R/A subject to the following conditions.

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

### STANDARD CONDITIONS

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

- (2) The licensee shall acquire a new or amended air emission license prior to commencing construction of a modification, unless specifically provided for in Chapter 115. [06-096 CMR 115]
- (3) Approval to construct shall become invalid if the source has not commenced construction within eighteen (18) months after receipt of such approval or if construction is discontinued for a period of eighteen (18) months or more. The Department may extend this time period upon a satisfactory showing that an extension is justified, but may condition such extension upon a review of either the control technology analysis or the ambient air quality standards analysis, or both. [06-096 CMR 115]
- (4) The licensee shall establish and maintain a continuing program of best management practices for suppression of fugitive particulate matter during any period of construction, reconstruction, or operation which may result in fugitive dust, and shall submit a description of the program to the Department upon request. [06-096 CMR 115]
- (5) The licensee shall pay the annual air emission license fee to the Department, calculated pursuant to Title 38 M.R.S.A. §353-A. [06-096 CMR 115]
- (6) The license does not convey any property rights of any sort, or any exclusive privilege. [06-096 CMR 115]
- (7) The licensee shall maintain and operate all emission units and air pollution systems required by the air emission license in a manner consistent with good air pollution control practice for minimizing emissions. [06-096 CMR 115]
- (8) The licensee shall maintain sufficient records to accurately document compliance with emission standards and license conditions and shall maintain such records for a minimum of six (6) years. The records shall be submitted to the Department upon written request. [06-096 CMR 115]
- (9) The licensee shall comply with all terms and conditions of the air emission license. The filing of an appeal by the licensee, the notification of planned changes or anticipated noncompliance by the licensee, or the filing of an application by the licensee for a renewal of a license or amendment shall not stay any condition of the license. [06-096 CMR 115]
- (10) The licensee may not use as a defense in an enforcement action that the disruption, cessation, or reduction of licensed operations would have been necessary in order to maintain compliance with the conditions of the air emission license. [06-096 CMR 115]



- (11) In accordance with the Department's air emission compliance test protocol and 40 CFR Part 60 or other method approved or required by the Department, the licensee shall:
- A. perform stack testing to demonstrate compliance with the applicable emission standards under circumstances representative of the facility's normal process and operating conditions:
    - 1. within sixty (60) calendar days of receipt of a notification to test from the Department or EPA, if visible emissions, equipment operating parameters, staff inspection, air monitoring or other cause indicate to the Department that equipment may be operating out of compliance with emission standards or license conditions; or
    - 2. pursuant to any other requirement of this license to perform stack testing.
  - B. install or make provisions to install test ports that meet the criteria of 40 CFR Part 60, Appendix A, and test platforms, if necessary, and other accommodations necessary to allow emission testing; and
  - C. submit a written report to the Department within thirty (30) days from date of test completion.
- [06-096 CMR 115]
- (12) If the results of a stack test performed under circumstances representative of the facility's normal process and operating conditions indicate emissions in excess of the applicable standards, then:
- A. within thirty (30) days following receipt of such test results, the licensee shall re-test the non-complying emission source under circumstances representative of the facility's normal process and operating conditions and in accordance with the Department's air emission compliance test protocol and 40 CFR Part 60 or other method approved or required by the Department; and
  - B. the days of violation shall be presumed to include the date of stack test and each and every day of operation thereafter until compliance is demonstrated under normal and representative process and operating conditions, except to the extent that the facility can prove to the satisfaction of the Department that there were intervening days during which no violation occurred or that the violation was not continuing in nature; and
  - C. the licensee may, upon the approval of the Department following the successful demonstration of compliance at alternative load conditions, operate under such alternative load conditions on an interim basis prior to a demonstration of compliance under normal and representative process and operating conditions.
- [06-096 CMR 115]
- (13) Notwithstanding any other provisions in the State Implementation Plan approved by the EPA or Section 114(a) of the CAA, any credible evidence may be used for the purpose of establishing whether a person has violated or is in violation of any statute, regulation, or Part 70 license requirement. [06-096 CMR 115]

- (14) The licensee shall maintain records of malfunctions, failures, downtime, and any other similar change in operation of air pollution control systems or the emissions unit itself that would affect emissions and that is not consistent with the terms and conditions of the air emission license. The licensee shall notify the Department within two (2) days or the next state working day, whichever is later, of such occasions where such changes result in an increase of emissions. The licensee shall report all excess emissions in the units of the applicable emission limitation. [06-096 CMR 115]
- (15) Upon written request from the Department, the licensee shall establish and maintain such records, make such reports, install, use and maintain such monitoring equipment, sample such emissions (in accordance with such methods, at such locations, at such intervals, and in such a manner as the Department shall prescribe), and provide other information as the Department may reasonably require to determine the licensee's compliance status. [06-096 CMR 115]

#### **SPECIFIC CONDITIONS**

(16) **#70 Plant**

A. Fuel Use

1. Lane shall be limited to the use (in #70 Plant) of a total of 105,000 MMBtu/year on a calendar year total of distillate fuel, specification waste oil, natural gas, and propane. When converting fuel use to MMBtu, Lane shall use a heating value of 0.14 MMBtu/gallon for distillate fuel and specification oil, 0.00103 MMBtu/scf for natural gas, and 0.0905 MMBtu/gallon for propane. [06-096 CMR 115, BACT]
2. Prior to July 1, 2016 or by the date specified in 38 MRSA §603-A(2)(A)(3), the distillate fuel fired in the asphalt plant shall be ASTM D396 compliant #2 fuel oil (maximum sulfur content of 0.5% by weight). Per 38 MRSA §603-A(2)(A)(3), beginning July 1, 2016 or on the date specified in the statute, the facility shall fire distillate fuel with a maximum sulfur content limit of 0.005% by weight (50 ppm), and beginning January 1, 2018 or on the date specified in the statute, the facility shall fire distillate fuel with a maximum sulfur content limit of 0.0015% by weight (15 ppm).  
[06-096 CMR 115, BACT and 38 MRSA §603-A(2)(A)(3)]
3. Fuel use records and receipts for #70 Plant shall be maintained for at least six years and made available to the Department upon request. Fuel use records shall be kept and converted to a MMBtu basis monthly.  
[06-096 CMR 115, BPT]
4. A log shall be maintained recording the quantity and analyzed test results of all specification waste oil fired in the asphalt plant.  
[06-096 CMR 115, BPT]

- B. Lane shall not exceed the processing of 315,000 tons of asphalt per year in #70 Plant. Records of asphalt produced shall be kept on a monthly as well as calendar year basis. [06-096 CMR 115, BPT]
- C. Emissions from #70 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 the hot mix asphalt plant is operating [06-096 CMR 115, BPT]:
  - 1. PM detector – when the detector signals excessive PM concentrations in the exhaust stream, Lane shall take corrective action within 24 hours, or immediately if opacity exceeds 20%.
  - 2. Personnel with a current EPA Method 9 visible emissions certification – when the opacity exceeds 20%, the asphalt plant is operating with insufficient control and corrective action shall be taken immediately.
- E. To document maintenance of the baghouse, the licensee shall keep a maintenance log recording the date and location of all bag failures as well as all routine maintenance. The maintenance log shall be kept on-site at the asphalt plant location. [06-096 CMR 115, BPT]
- F. Emissions from the asphalt plant baghouse shall not exceed the following when firing distillate fuel or specification waste oil [06-096 CMR 115, BPT]:

<u>Pollutant</u>	<u>grs/dscf</u>	<u>lb/hr</u>
PM	0.03	11.91
PM <sub>10</sub>	-	11.91
SO <sub>2</sub>	-	17.40
NO <sub>x</sub>	-	16.50
CO	-	39.00
VOC	-	9.60

G. Emissions from the asphalt plant baghouse shall not exceed the following when firing natural gas or propane [06-096 CMR 115, BACT]:

Pollutant	grs/dscf	lb/hr
PM	0.03	11.91
PM <sub>10</sub>	-	11.91
SO <sub>2</sub>	-	1.02
NO <sub>x</sub>	-	7.80
CO	-	39.00
VOC	-	9.60

- H. Opacity from the baghouse is limited to no greater than 20% on a six (6) minute block average basis, except for no more than two (2) six (6) minute block averages in a continuous 3-hour period. [06-096 CMR 101]
- I. General process emissions from #70 Plant shall be controlled so as to prevent visible emissions in excess of 20% opacity on a six (6) minute block average basis except for no more than one (1) six (6) minute block average in a 1-hour period. [06-096 CMR 101]
- J. The Hot Mix Asphalt Plant is subject to 40 CFR Part 60 Subparts A and I, and Lane shall comply with all applicable requirements, including the notification and recordkeeping requirements of 40 CFR Part 60.7.
- K. Lane may process up to 10,000 cubic yards per year of soil contaminated by gasoline or #2 fuel oil without prior approval from the Department. This limit may be exceeded with written authorization from the Department. The plant owner or operator shall notify the Department 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. [38 MSRA §608-A, and 06-096 CMR 115, BPT]
- L. Lane may process up to 5,000 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 MEDEP Chapter 409. The material shall be handled in accordance with the requirements of the Bureau of Remediation and Waste Management. [06-096 CMR 115, BPT]
- M. Lane shall not process soils which are classified as hazardous waste or which have unknown contaminants. [06-096 CMR 115, BPT]
- N. 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) Rock Crushers**

- A. Lane shall install and maintain spray nozzles for particulate control on the SECSANH48 and TER1260AC 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. Lane shall maintain a log detailing and quantifying the hours of operation on a daily basis for all of the rock crushers. The operation log shall be kept on-site at the rock crushing location. [06-096 CMR 115, BPT]
- C. Lane shall maintain a log detailing the maintenance on particulate matter control equipment (including spray nozzles). Lane shall perform monthly inspections of any water sprays to ensure water is flowing to the correct locations and initiate corrective action within 24 hours if water is found to not be flowing properly. Records of the date of each inspection and any corrective action required shall be included in the maintenance log. The maintenance log shall be kept on-site at the rock crushing location. [06-096 CMR 115, BPT]
- D. The SECSANH48 rock crusher is subject to 40 CFR Part 60 Subparts A and OOO and Lane 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).

**(18) HYCO 200**

**A. Fuel**

- 1. Lane shall be limited to the use (in the HYCO 200) of a total of 4,200 MMBtu/year on a calendar year total of distillate fuel, natural gas, and propane. When converting fuel use to MMBtu, Lane shall use a heating value of 0.14 MMBtu/gallon for distillate fuel, 0.00103 MMBtu/scf for natural gas, and 0.0905 MMBtu/gallon for propane. [06-096 CMR 115, BACT]
- 2. Prior to July 1, 2016 or the date specified in 38 MRSA §603-A(2)(A)(3), the distillate fuel fired in the HYCO 200 shall be ASTM D396 compliant (max. sulfur content of 0.5% by weight). [06-096 CMR 115, BPT]

3. Beginning July 1, 2016 or on the date specified in 38 MRSA §603-A(2)(A)(3), the facility shall fire distillate fuel with a maximum sulfur content limit of 0.005% by weight (50 ppm). [38 MRSA §603-A(2)(A)(3)]
4. Beginning January 1, 2018 or on the date specified in 38 MRSA §603-A(2)(A)(3), the facility shall fire distillate fuel with a maximum sulfur content limit of 0.0015% by weight (15 ppm). [38 MRSA §603-A(2)(A)(3)]
5. Compliance shall be demonstrated by fuel records from the supplier showing the quantity, type, and the percent sulfur of the fuel delivered (if applicable). Records of annual fuel use shall be kept on a monthly and calendar year total basis. [06-096 CMR 115, BPT]

B. Emissions from the HYCO 200 when firing distillate fuel or specification waste oil shall not exceed the following:

Emission Unit	PM (lb/hr)	PM <sub>10</sub> (lb/hr)	SO <sub>2</sub> (lb/hr)	NO <sub>x</sub> (lb/hr)	CO (lb/hr)	VOC (lb/hr)
HYCO 200 (oil)	0.16	0.16	1.03	0.29	0.07	0.01

C. Emissions from the HYCO 200 when firing natural gas or propane shall not exceed the following:

Emission Unit	PM (lb/hr)	PM <sub>10</sub> (lb/hr)	SO <sub>2</sub> (lb/hr)	NO <sub>x</sub> (lb/hr)	CO (lb/hr)	VOC (lb/hr)
HYCO 200 (natural gas or propane)	0.10	0.10	neg	0.20	0.17	0.01

D. Visible emissions from the HYCO 200 shall not exceed 20% opacity on a six (6) minute block average, except for no more than one (1) six (6) minute block averages in a continuous 3-hour period. [06-096 CMR 101]

(19) **Generators**

A. Fuel Use

1. The fuel oil sulfur content for CAT 3508 and CAT 3412 shall be limited to 0.0015% sulfur by weight. Compliance shall be demonstrated by fuel records from the supplier documenting the type of fuel delivered and the sulfur content of the fuel.  
 [06-096 CMR 115, BACT and 40 CFR §63.6604(a)]
2. Total fuel use for CAT 3508 and CAT 3412 combined shall not exceed 72,500 gal/yr of distillate fuel. 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 CMR 115, BPT]

B. Emissions shall not exceed the following:

Unit	Pollutant	lb/MMBtu	Origin and Authority
CAT 3508	PM	0.12	06-096 CMR 103(2)(B)(1)(a)
CAT 3412	PM	0.12	06-096 CMR 103(2)(B)(1)(a)

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

Unit	PM (lb/hr)	PM <sub>10</sub> (lb/hr)	SO <sub>2</sub> (lb/hr)	NO <sub>x</sub> (lb/hr)	CO (lb/hr)	VOC (lb/hr)
CAT 3508	1.06	1.06	0.01	28.22	7.50	0.79
CAT 3412	0.79	0.79	0.01	21.12	5.61	0.59

D. Visible emissions from CAT 3508 and CAT 3412 shall each not exceed 20% opacity on a six (6) minute block average, except for no more than two (2) six (6) minute block averages in a continuous 3-hour period. [06-096 CMR 101]

E. Beginning May 3, 2014, CAT 3508 and CAT 3412 shall meet the applicable requirements of 40 CFR Part 63, Subpart ZZZZ, including the following:

1. Lane shall meet the following operational limitations for CAT 3508 and CAT 3412:
  - a. Limit the concentration of CO in the exhaust to 23 ppmvd at 15% O<sub>2</sub> or Reduce CO emissions by 70% or more;
  - b. Minimize the engine's time spent at idle and minimize the engine's startup time at startup to a period needed for appropriate and safe loading of the engine, not to exceed 30 minutes, after which time the non-startup emission limitations apply;
  - c. Maintain the catalyst so that the pressure drop across the catalyst does not change by more than 2 inches of water from the pressure drop across the catalyst that was measured during the initial performance test; and
  - d. Maintain the temperature of the exhaust so that the catalyst inlet temperature is 450°F – 1350°F.[40 CFR §63.6603(a), Table 2(b), Table 2(d) and 06-096 CMR 115, BPT]

2. Crankcase Filtration

Lane shall operate on CAT 3508 and CAT 3412 an open crankcase filtration emission control system that reduces emissions from the

crankcase by filtering the exhaust stream to remove oil mist, particulates, and metals. [40 CFR §63.6625(g)(2) and 06-096 CMR 115, BPT]

3. Continuous Parameter Monitoring System (CPMS)
  - a. Lane shall install, operate, and maintain a CPMS on CAT 3508 and CAT 3412.
  - b. Lane shall monitor the catalyst inlet temperature and reduce this data to 4-hour rolling averages to demonstrate compliance with the limitations on the catalyst inlet temperature range.
  - c. Lane shall monitor the pressure drop across the catalyst once per month to demonstrate compliance with the operating limit established during the last performance test.
  - d. Lane shall prepare a site-specific monitoring plan that addresses the requirements outlined in 40 CFR §63.6625(b)(1).
  - e. The CPMS shall be continuously operated in accordance with the site-specific monitoring plan at all times that CAT 3508 and CAT 3412 are operating except for monitor malfunctions, associated repairs, required performance evaluations, and required quality assurance or control activities.
  - f. The CPMS shall collect data at least once every 15 minutes.
  - g. The minimum tolerance for a CPMS measuring temperature is 5°F or 1% of the measurement range, whichever is larger.
  - h. CPMS audit procedures shall be performed at least annually.  
[40 CFR §63.6625(b), §63.6635, Table 6, and 06-096 CMR 115, BPT]
  
4. Performance Tests
  - a. Lane shall conduct an initial performance test in accordance with Table 4 of Subpart ZZZZ within 180 days of startup after installation of controls but no later than October 30, 2014. [40 CFR §63.6612(a)]
  - b. Lane shall conduct three separate test runs for each performance test. Each test run must be at least 1 hour, unless otherwise specified.  
[40 CFR §63.6620(d)]
  - c. The engine percent load during a performance test shall be determined by documenting the calculations, assumptions, and measurement devices used to measure or estimate the percent load in a specific application. A written report of the average percent load determination shall be included in the notification of compliance status. The report shall contain the information specified in 40 CFR §63.6620(i).
  - d. During the performance test the facility must establish the pressure drop across the catalyst to be used to demonstrate compliance per the CPMS. [40 CFR §63.6630(b)]
  - e. If the facility changes the catalyst, Lane shall reestablish the values of the operating parameters measured during the performance test. In order to reestablish the operating parameters, the facility shall conduct



a performance test to demonstrate that the required emission limitation is being met. [40 CFR §63.6640(b)]

- f. Lane shall perform performance tests every 8,760 hours of operation or 3 years, whichever comes first.

[40 CFR §63.6640(a), Table 3, and Table 6]

[06-096 CMR 115, BPT]

5. General Requirement to Minimize Emissions

At all times the facility shall operate and maintain CAT 3508 and CAT 3412, including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions. [40 CFR §63.6605(b) and 06-096 CMR 115, BPT]

6. Reporting

Lane shall submit to EPA all reports required by Subpart ZZZZ including, but not limited to, the following:

- a. Notification of Intent to conduct a performance test at least 60 days before the performance test is scheduled to begin.

[40 CFR §63.6645(g)]

- b. Notification of Compliance Status within 60 days of completion of the initial compliance test. [40 CFR §63.6645(h)]

- c. Semiannual Compliance Reports. [40 CFR §63.6650 and Table 7]

[06-096 CMR 115, BPT]

7. Record Keeping

Lane shall keep all records required by Subpart ZZZ including, but not limited to, the following:

- a. A copy of each notification and report that was submitted to comply with Subpart ZZZZ, including all supporting documentation;

- b. Records of the occurrence and duration of each malfunction of the engine, pollution control equipment, or monitoring equipment;

- c. Records of performance tests and performance evaluations;

- d. Records of actions taken during periods of malfunction to minimize emissions, including corrective actions taken to restore normal operation;

- e. Monitoring data from the CPMS; and

- f. Records of maintenance conducted on CAT 3508 and CAT 3412 and control equipment to demonstrate the equipment was operated and maintained according to the maintenance plan.

[40 CFR §63.6655 and 06-096 CMR 115, BPT]

(20) **Stockpiles and Roadways**

Visible emissions from a fugitive emission source shall not exceed an opacity of 20%, except for no more than five (5) minutes in any 1-hour period. Compliance

shall be determined by an aggregate of the individual fifteen (15)-second opacity observations which exceed 20% in any one (1) hour. [06-096 CMR 101]

**(21) General Process Sources**

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% based on the average of not less than five (5) six (6) minute block averages. [40 CFR 60, Subpart OOO]

Visible emissions from any other general process (non-NSPS crusher conveyor belts, bucket elevators, bagging operations, truck loading operations, etc.) shall not exceed an opacity of 20% 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]

**(22) 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 notice of relocation to be submitted through the Department's on-line e-notice at: [www.maine.gov/dep/air/compliance/forms/relocation](http://www.maine.gov/dep/air/compliance/forms/relocation)

Written notice may also be sent by fax (207-287-7641) or mail. Notification sent by mail shall be sent to the address below:

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

The notification shall include the address of the equipment's new location, an identification of the equipment and the license number pertaining to the relocated equipment.

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

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

The Lane Construction Corporation  
Knox County  
Washington, Maine  
A-173-71-K-R/A (SM)

27

Departmental  
Findings of Fact and Order  
Air Emission License  
Renewal with Amendment

- (24) 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 30 DAY OF July, 2014.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

BY: Marc Allen Robert Cone for  
PATRICIA W. AHO, COMMISSIONER

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

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

PLEASE NOTE ATTACHED SHEET FOR GUIDANCE ON APPEAL PROCEDURES

Date of initial receipt of application: 5/12/14

Date of application acceptance: 5/13/14

Date filed with the Board of Environmental Protection:

This Order prepared by Lynn Poland, Bureau of Air Quality.

