



STATE OF MAINE  
DEPARTMENT OF ENVIRONMENTAL PROTECTION



PAUL R. LEPAGE  
GOVERNOR

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COMMISSIONER

**Pike Industries, Inc.  
Kennebec County  
Sidney, Maine  
A-245-71-K-R/A (SM)**

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

**FINDINGS OF FACT**

After review of the air emission license renewal and 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 (M.R.S.A.), §344 and §590, the Maine Department of Environmental Protection (Department) finds the following facts:

**I. REGISTRATION**

**A. Introduction**

Pike Industries, Inc. (Pike) has applied to renew their Air Emission License, permitting the operation of their hot mix asphalt plant and crushed stone and gravel facility.

Pike has also requested an amendment to their license in order to remove rotary kiln P819, diesel unit G621-3, and the Concrete Batch Plant from this license, add Drum Mix Asphalt Plant P721 to this license from their A-246-71-N-R license, and add Hot Oil Heater P721-AH-1 and rock crushers C636-2, C636-3, and C636-4 to this license.

The equipment addressed in this license is located at 177 Lyons Road, Sidney, Maine.

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 (MMBtu/hr)</u>	<u>Fuel Type, %S</u>	<u>Firing Rate</u>	<u>Control Device</u>	<u>Date of Manuf.</u>
Drum Mix Asphalt Plant (P721)*	280	110	Distillate Fuel, 0.5% Spec. Waste Oil, 0.7% #4 fuel oil, 0.5%	735 gal/hr	Baghouse	1995
			Natural Gas, Negl.	108,000 scf/hr		
			LPG**, Negl.	1,216 gal/hr		

\*Added to this license from Pike's A-246-71-N-R license

\*\*Liquefied Petroleum Gas

**Heating Equipment**

<u>Equipment</u>	<u>Maximum Capacity</u>	<u>Fuel Type, %S</u>	<u>Maximum Firing Rate</u>
P721-AH-1 (Hot Oil Heater)*	2.1 MMBtu/hr	Distillate Fuel, 0.5% Spec. Waste Oil, 0.7% #4 fuel oil, 0.5%	15 gal/hr
		Natural Gas, Negl.	2,021 scf/hr
		LPG, Negl.	22.7 gal/hr

\*New to this license

**Rock Crushers**

<u>Designation</u>	<u>Powered</u>	<u>Process Rate (tons/hour)</u>	<u>Date of Manufacture</u>	<u>Control Device</u>
C636-1*	Commercial	520	2004	Spray Nozzles
C636-2**	Commercial	385	After 1983	Spray Nozzles
C636-3**	Commercial	225	2016	Spray Nozzles
C636-4**	Commercial	225	2016	Spray Nozzles
C621-2	Commercial	350	1998	Spray Nozzles
C621-3	Commercial	250	1992	Spray Nozzles
C621-4	Commercial	250	1998	Spray Nozzles

\*Previously designated C621-1

\*\*New to this license

C. Definitions

*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

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 *Definitions Regulation*, 06-096 Code of Maine Rules (CMR) 100 (as amended). The emission increases are determined by subtracting the current licensed annual emissions preceding the modification from the maximum future licensed annual emissions, as follows:

<u>Pollutant</u>	<u>Current License (TPY)</u>	<u>Future License (TPY)</u>	<u>Net Change (TPY)</u>	<u>Significant Emission Levels</u>
PM	2.1	12.8	+10.7	100
PM <sub>10</sub>	2.1	12.8	+10.7	100
SO <sub>2</sub>	14.8	23.9	+9.1	100
NO <sub>x</sub>	17.8	17.8	-	100
CO	21.8	39.7	+17.9	100
VOC	1.4	9.7	+8.3	50
CO <sub>2</sub> e	<100,000	<100,000	-	100,000

This modification is determined to be a minor modification and has been processed as such.

The application for Pike includes the licensing of increased emissions and the installation of new equipment. Therefore, this license is considered to be a renewal of currently licensed emission units with a minor modification and has been processed through *Major and Minor Source Air Emission License Regulations*, 06-096 CMR 115 (as amended). With the annual production limit on Drum Mix Asphalt Plant P721, the facility is licensed below the major source thresholds for criteria pollutants and is considered a synthetic minor. With the annual production limit on Drum Mix Asphalt Plant P721, the facility is licensed below the major source thresholds for hazardous air pollutants (HAP) and is considered an area source of HAP.

## II. BEST PRACTICAL TREATMENT

### A. Introduction

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

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

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

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

### B. Asphalt Plant

Pike operates a Drum Mix Asphalt Plant (P721) with a maximum hourly throughput of 280 ton/hr of asphalt and a 110 MMBtu/hr burner. Drum Mix Asphalt Plant P721 is being added to this license from Pike's A-246-71-N-R license.

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 allowed 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 Drum Mix Asphalt Plant P721 shall not exceed 600,000 tons of asphalt per year on a 12-month rolling total basis.

1. BPT Findings

The BPT emission limits for Drum Mix Asphalt Plant P721 when firing distillate fuel, specification waste oil, or #4 fuel 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 based on 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

\*worst case scenario (firing specification waste oil)

The BPT emission limits for Drum Mix Asphalt Plant P721 when firing natural gas or LPG 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 emission limits for Drum Mix Asphalt Plant P721 are the following:

<u>Unit</u>	<u>PM</u> <u>(lb/hr)</u>	<u>PM<sub>10</sub></u> <u>(lb/hr)</u>	<u>SO<sub>2</sub></u> <u>(lb/hr)</u>	<u>NO<sub>x</sub></u> <u>(lb/hr)</u>	<u>CO</u> <u>(lb/hr)</u>	<u>VOC</u> <u>(lb/hr)</u>
P721 Distillate fuel, #4 fuel oil, and specification waste oil	10.93	10.93	16.24	15.40	36.40	8.96
P721 Natural gas/LPG	10.93	10.93	0.95	7.28	36.40	8.96

Opacity - 06-096 CMR 101, *Visible Emissions Regulation*: visible emissions from the Drum Mix Asphalt Plant P721 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. This is consistent with the 40 Code of Federal Regulations (CFR) Part 60, Subpart I PM limit of 20% opacity.

General process emissions from Drum Mix Asphalt Plant P721 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.

Drum Mix Asphalt Plant P721 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 Drum Mix Asphalt Plant P721 shall not exceed a sulfur content of 0.0015% by weight (15 ppm).

Pike is also replacing the dryer shell and baghouse for Drum Mix Asphalt Plant P721. Use of a baghouse and dryer shell is considered BACT for hot mix asphalt plants and will continue to be considered BACT.

2. New Source Performance Standards

Drum Mix Asphalt Plant P721 was manufactured in 1995 and is therefore subject to the federal Environmental Protection Agency's (EPA) New Source Performance Standards (NSPS) 40 CFR Part 60, Subpart I *Standards of Performance for Hot Mix Asphalt Facilities* constructed or modified after June 11, 1973.

Per 40 CFR Part 60, Subpart I, Pike shall conduct a performance test for PM within 60 days after achieving the maximum production rate at which the facility will be operated, but not later than 180 days after initial startup of such facility. Per 40 CFR Part 60, Subpart I, §60.93(b)(1), Pike shall use Method 5 from 40 CFR Part 60, Appendix A to determine the PM concentration. The sampling time and sample volume for each run shall be at least 60 minutes and 0.90 dscm (31.8 dscf).

3. Control Equipment

Drum Mix Asphalt Plant P721 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 Drum Mix Asphalt Plant P721 is operating:

- a. PM detector – when the detector signals excessive PM concentrations in the exhaust stream, Pike 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.

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

Pike shall keep records of fuel use and tons of asphalt produced for Drum Mix Asphalt Plant P721 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

Pike may process up to 10,000 cubic yards per year of soil contaminated by gasoline or distillate fuel without prior approval from the Department. This limit may be exceeded with written authorization from the Department. The plant owner or operator shall notify the Department (regional inspector) at least 24 hours prior to processing the contaminated soil and specify the contaminating fuel and quantity, origin of the soil and fuel and the disposition of the contaminated soil.

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

When processing contaminated soils, Pike 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, Pike 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

Rock crushers C636-1, C636-3, C636-4, C621-2, C621-3, and C621-4 are stationary units which were manufactured in 2004, 2016, 2016, 1998, 1992, and 1998 with rated capacities of 520 tons/hr, 225 tons/hr, 225 tons/hr, 350 tons/hr, 250 tons/hr, and 250 tons/hr, respectively. Rock crusher C636-2 is a stationary unit manufactured after 1983 with a rated capacity of 385 tons/hr.

1. BACT/BPT Findings

The regulated pollutant from the rock crushers is particulate matter emissions. To meet the requirements of BACT/BPT for control of particulate matter emissions from the rock crushers, Pike 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-minute block average basis.

2. New Source Performance Standards

Rock crushers C636-1, C636-2, C636-3, C636-4, C621-2, C621-3, and C621-4 are 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 25 tons/hr for non-portable plants based on the sizes and manufacture dates of the crushers.

40 CFR Part 60, Subpart OOO requirements:

a. Monitoring Requirements:

Pike shall maintain records detailing the maintenance on particulate matter control equipment (including spray nozzles). Pike 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 records. The maintenance records shall be kept on-site at the rock crushing location. [40 CFR §60.674(b)]

b. Testing Requirements:

- (1) Pike shall conduct initial performance tests on rock crushers C636-2, C636-3, and C636-4 no later than 30 days after startup. Each performance test shall be done using the methods set forth in 40 CFR Part 60, Subpart OOO, §60.675. Performance tests for C636-1, C621-2, C621-3, and C621-4 were successfully completed on July 29, 2005. [40 CFR §60.675(c) and 06-096 CMR 115, BACT/BPT]
- (2) Pike shall submit a test notice to the Department's regional inspector at least seven days prior to conducting a performance test. [40 CFR §60.675(g)]



c. Reporting and Recordkeeping Requirements:

The rock crushers are all subject to 40 CFR Part 60, Subparts A and OOO, and Pike shall comply with the notification and recordkeeping requirements of 40 CFR Part 60.676 and 60.7, except for Section (a)(2) of 60.7 per Subpart OOO, §60.676(h). [40 CFR §§60.676(b), (f), and (i)]

D. P721-AH-1 (Hot Oil Heater)

P721-AH-1 is a Hot Oil Heater with a maximum heat input capacity of 2.1 MMBtu/hr and is licensed to fire distillate fuel with a maximum sulfur content of 0.5% by weight, specification waste oil with a maximum sulfur content of 0.7% by weight, #4 fuel oil with a maximum sulfur content of 0.5% by weight, natural gas, and LPG. P721-AH-1 was manufactured in 2015 and will be installed on site in 2016.

1. BACT Findings

The BACT emission limits for P721-AH-1 when firing distillate fuel, #4 fuel oil, or specification waste oil were based on the following:

- PM/PM<sub>10</sub> – 0.12 lb/MMBtu based on 06-096 CMR 115, BACT\*
  - SO<sub>2</sub> – based on firing specification waste oil with a maximum sulfur content of 0.7% 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 115, BACT
- \*worst case scenario (firing #4 fuel oil)

The BACT emission limits for P721-AH-1 when firing natural gas or LPG were based on the following:

- PM/PM<sub>10</sub> – 0.05 lb/MMBtu based on 06-096 CMR 115, BACT
- 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 115, BACT

The BACT emission limits for P721-AH-1 are the following:

<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>
P721-AH-1 Distillate fuel, #4 fuel oil, and specification waste oil	0.25	0.25	1.48	0.30	0.08	0.01
P721-AH-1 Natural gas/LPG	0.11	0.11	0.01	0.20	0.17	0.01

Visible emissions from P721-AH-1 when firing distillate fuel, #4 fuel oil, or specification waste oil shall not exceed 20% opacity on a six-minute block average basis.

Visible emissions from P721-AH-1 when firing natural gas or LPG shall not exceed 10% opacity on a six-minute block average basis.

P721-AH-1 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 P721-AH-1 shall not exceed a sulfur content of 0.0015% by weight (15 ppm).

2. Periodic Monitoring

Periodic monitoring for P721-AH-1 shall include recordkeeping to document the type of fuel used and the sulfur content of the fuel. Documentation shall include receipts from the fuel supplier showing the type of fuel used and sulfur content of the fuel, if applicable.

3. New Source Performance Standards

P721-AH-1 does not heat water. 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/hr manufactured after June 9, 1989.

4. National Emission Standards for Hazardous Air Pollutants

P721-AH-1 does not heat water. It does not meet the definition of a "boiler" and therefore is not subject to *National Emission Standards for Hazardous Air*

*Pollutants for Industrial, Commercial, and Institutional Boilers Area Sources (40 CFR Part 63, Subpart JJJJJ).*

E. Stock Piles and Roadways

Visible emissions from a fugitive emission source shall not exceed an opacity of 20%, except for no more than five 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.

F. General Process Emissions

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

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

G. Annual Emissions

1. Total Annual Emissions

Pike shall be restricted to the following annual emissions, based on a 12-month rolling total. The tons per year limits were calculated based on 600,000 tons/yr of product for Drum Mix Asphalt Plant P721 and 8,760 hrs/yr operating time for Hot Oil Heater P721-AH-1:

**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>
Drum Mix Asphalt Plant P721	11.7	11.7	17.4	16.5	39.0	9.6
Hot Oil Heater P721-AH-1	1.1	1.1	6.5	1.3	0.7	0.1
<b>Total TPY</b>	<b>12.8</b>	<b>12.8</b>	<b>23.9</b>	<b>17.8</b>	<b>39.7</b>	<b>9.7</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), 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 throughput 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:

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

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

**ORDER**

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

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

The Department hereby grants Air Emission License A-245-71-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) Drum Mix Asphalt Plant P721 (280 tons/hr)**

##### **A. Fuel Use**

1. Drum Mix Asphalt Plant P721 is licensed to fire distillate fuel with a maximum sulfur content of 0.5% by weight, specification waste oil with a maximum sulfur content of 0.7% by weight, #4 fuel oil with a maximum sulfur content of 0.5% by weight, natural gas, and LPG. [06-096 CMR 115, BPT]
2. Prior to July 1, 2018, Pike shall fire distillate fuel with a maximum sulfur content not to exceed 0.5% by weight in Drum Mix Asphalt Plant P721. [06-096 CMR 115, BPT]
3. Beginning July 1, 2018, Pike shall not purchase or otherwise obtain distillate fuel with a maximum sulfur content that exceeds 0.0015% by weight (15 ppm) for use in Drum Mix Asphalt Plant P721. [06-096 CMR 115, BPT]
4. Compliance shall be demonstrated by fuel records from the supplier showing the type and percent sulfur of the fuel delivered. [06-096 CMR 115, BPT]

B. Pike is licensed to replace the dryer drum shell and the baghouse on Drum Mix Asphalt Plant P721. [06-096 CMR 115, BACT]

C. The annual throughput of Drum Mix Asphalt Plant P721 shall not exceed 600,000 tons of asphalt per year on a 12-month rolling total basis. Records of asphalt production shall be kept on a monthly and 12-month rolling total basis. [06-096 CMR 115, BPT]

D. Emissions from Drum Mix Asphalt Plant P721 shall vent to a baghouse, and all components of Drum Mix Asphalt Plant P721 shall be maintained so as to prevent PM leaks. [06-096 CMR 115, BPT]

E. The performance of the baghouse shall be constantly monitored by either one of the following at all times Drum Mix Asphalt Plant P721 is operating [06-096 CMR 115, BPT]:



1. PM detector – when the detector signals excessive PM concentrations in the exhaust stream, Pike 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.
- F. To document maintenance of the baghouse, the licensee shall keep maintenance records recording the date and location of all bag failures as well as all routine maintenance and inspections. The maintenance and inspection records shall be kept on-site at the asphalt plant location. [06-096 CMR 115, BPT]
- G. Emissions from the Drum Mix Asphalt Plant P721 baghouse shall not exceed the following [06-096 CMR 115, BPT]:

<b>Pollutant</b>	<b>grs/dscf</b>	<b>lb/hr Distillate fuel, #4 fuel oil, spec. waste oil</b>	<b>lb/hr Natural gas, LPG</b>
PM	0.03	10.93	10.93
PM <sub>10</sub>	-	10.93	10.93
SO <sub>2</sub>	-	16.24	0.95
NO <sub>x</sub>	-	15.40	7.28
CO	-	36.40	36.40
VOC	-	8.96	8.96

- H. Visible emissions from the baghouse shall not exceed 20% opacity 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]
- I. General process emissions from the hot mix asphalt plant shall be controlled so as to prevent visible emissions in excess of 20% opacity on a six-minute block average basis except for no more than one six-minute block average in a one-hour period. [06-096 CMR 101]
- J. The Hot Mix Asphalt Plant is subject to 40 CFR Part 60 Subparts A and I, and Pike shall comply with all applicable requirements, including the notification and recordkeeping requirements of 40 CFR Part 60.7 and the initial performance test requirements of 40 CFR Part 60.8 (testing within 60 days after achieving the maximum operation production rate, but not later than 180 days after initial startup). [40 CFR Part 60, Subpart I]

- K. Pike may process up to 10,000 cubic yards per year of soil contaminated by gasoline or distillate fuel without prior approval from the Department. This limit may be exceeded with written authorization from the Department. The plant owner or operator shall notify the Department (regional inspector) at least 24 hours prior to processing the contaminated soil and specify the contaminating fuel and quantity, origin of the soil and fuel and the disposition of the contaminated soil. [06-096 CMR 115, BPT]
- L. Pike shall not process soils which are classified as hazardous waste or which have unknown contaminants. [06-096 CMR 115, BPT]
- M. When processing contaminated soils, Pike 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, Pike 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. Pike shall install and maintain spray nozzles for particulate control on rock crushers C636-1, C636-2, C636-3, C636-4, C621-2, C621-3, and C621-4 and operate them as necessary to limit visible emissions to no greater than 10% opacity on a six-minute block average basis. [06-096 CMR 115, BPT and 06-096 CMR 101]
- B. Pike shall maintain records detailing and quantifying the hours of operation on a daily basis for all of the rock crushers. The operation records shall be kept on-site at the rock crushing location. [06-096 CMR 115, BPT]
- C. Pike shall maintain records detailing the maintenance on particulate matter control equipment (including spray nozzles). Pike 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 records. The maintenance records shall be kept on-site at the rock crushing location. [06-096 CMR 115, BPT and 40 CFR Part 60, Subpart OOO §60.674(b)]
- D. Pike shall conduct initial performance tests on rock crushers C636-2, C636-3, and C636-4 per the applicable sections of 40 CFR Part 60, Subpart OOO, §60.675 no later than 30 days after startup. [06-096 CMR 115, BPT and 40 CFR Part 60, Subpart OOO §60.675(c)]

- E. Pike shall submit a test notice to the Department's regional inspector at least 7 days prior to conducting a performance test. [06-096 CMR 115, BPT and 40 CFR Part 60, Subpart OOO §60.675(g)]
- F. The rock crushers are all subject to 40 CFR Part 60, Subparts A and OOO, and Pike shall comply with the notification and record keeping requirements of 40 CFR Parts 60.7 and 60.676, except for the notification of the date construction or reconstruction commenced required under 40 CFR Part 60, Subpart A, §60.7(a)(1) per 40 CFR Part 60, Subpart OOO, §60.676(h). [40 CFR Part 60, Subpart OOO §§60.676(f), (h), and (i)]

(18) **P721-AH-1 (Hot Oil Heater)**

A. Fuel

- 1. P721-AH-1 is licensed to fire distillate fuel with a maximum sulfur content of 0.5% by weight, specification waste oil with a maximum sulfur content of 0.7% by weight, #4 fuel oil with a maximum sulfur content of 0.5% by weight, natural gas, and LPG. [06-096 CMR 115, BACT]
- 2. Prior to July 1, 2018, Pike shall fire distillate fuel with a maximum sulfur content not to exceed 0.5% by weight in P721-AH-1. [06-096 CMR 115, 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) for use in P721-AH-1. [06-096 CMR 115, BACT]
- 4. Compliance shall be demonstrated by fuel records from the supplier showing the type and the percent sulfur of the fuel delivered (if applicable). [06-096 CMR 115, BACT]

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

<b>Emission Unit</b>	<b>PM (lb/hr)</b>	<b>PM<sub>10</sub> (lb/hr)</b>	<b>SO<sub>2</sub> (lb/hr)</b>	<b>NO<sub>x</sub> (lb/hr)</b>	<b>CO (lb/hr)</b>	<b>VOC (lb/hr)</b>
P721-AH-1 Distillate fuel, #4 fuel oil, and specification waste oil	0.25	0.25	1.48	0.30	0.08	0.01
P721-AH-1 Natural gas/LPG	0.11	0.11	0.01	0.20	0.17	0.01

C. Visible emissions

- 1. Visible emissions from P721-AH-1 when firing distillate fuel, #4 fuel oil, or specification waste oil shall not exceed 20% opacity on a six-minute block average basis. [06-096 CMR 115, BACT]

2. Visible emissions from P721-AH-1 when firing natural gas or LPG shall not exceed 10% opacity on a six-minute block average basis. [06-096 CMR 115, BACT]

(19) **Stockpiles and Roadways**

Visible emissions from a fugitive emission source shall not exceed an opacity of 20%, 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. [06-096 CMR 101]

(20) **General Process Sources**

Visible emissions from any general process (including conveyor belts, transfer points, etc.) associated with an NSPS rock crusher shall not exceed an opacity of 7% on a six-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, truck loading operations, etc.) shall not exceed an opacity 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 115, BPT]

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

- A. Pike 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.

Pike Industries, Inc.  
Kennebec County  
Sidney, Maine  
A-245-71-K-R/A (SM)

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- B. Written notification shall also be made to the municipality where the equipment will be relocated, except in the case of an unorganized territory where notification shall be made to the respective county commissioners.
- (22) Pike 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]
- (23) Pike 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 1 DAY OF March, 2016.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

BY: *Paul Mercer*  
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 renewal of the license.]

PLEASE NOTE ATTACHED SHEET FOR GUIDANCE ON APPEAL PROCEDURES

Date of initial receipt of application: 12/7/2015

Date of application acceptance: 12/14/2015

Date filed with the Board of Environmental Protection:

This Order prepared by Jonathan E. Rice, Bureau of Air Quality.

