

STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION



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Pike Industries, Inc.
Somerset County
Anson, Maine
A-486-71-M-R/A (SM)

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

FINDINGS OF FACT

After review of the air emission license 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) located in Anson, Maine has applied to renew their Air Emission License, permitting the operation of their portable hot mix asphalt drum plant, portable sand screen operation, rock & recycled asphalt pavement crushing equipment, five diesel generators and one hot oil heater.

Pike has requested an amendment to their license to increase their annual asphalt throughput limit to 400,000 tons per year. In addition, Pike no longer has intentions of firing #6 fuel oil in their asphalt batch plant or hot oil heater, therefore, the ability to fire #6 fuel oil will be removed accordingly.

Pike's previous license (A-486-71-L-R) inventoried two pieces of equipment designated C610 (Lippman Impact Crusher) and C621-2 (Volvo Diesel Generator). Pike has requested that this existing equipment be redesignated as C645-2 and C645-G1, respectively. No new equipment is being installed.

The equipment addressed in this license is located on Starks Road in Anson, Maine.

B. Emission Equipment

The following equipment is addressed in this Air Emission License:

Hot Mix Asphalt Drum Plant

Equipment	Process Rate (tons/hr)	Maximum Capacity (MMBtu/hr)	Maximum Firing Rate (gal/hr)	Control Device(s)	Date of Manufacture
P719	300	75.0, firing distillate, 0.5%S #4 fuel oil & 0.7%S specification waste oil	532	Baghouse	2005

Recycled Asphalt Pavement/Rock Crushers

Equipment	Process Rate (tons/hour)	Date of Manufacture	Control Device
C645 Lippmann Impact	350	2006	Spray Nozzles
C645-2 Cone Crusher	325	1999	Spray Nozzles

Generator Units

Equipment	Maximum Design Heat Input Capacity (MMBtu/hr)	Maximum Output Capacity (hp)	Firing Rate (gal/hour)	Fuel Type/%S	Date of Manufacture
P719-G1	7.3	1081	53.0	Distillate, 0.0015%	2005
P719-G2	1.0	150	7.5		2005
C645-G1 Volvo	0.92	126	6.7		2006
C645-G2	3.6	536	26.0		1999
John Deere	0.8	114	6.4		2001

Heating Equipment

Equipment	Maximum Capacity (MMBtu/hr)	Fuel Type, % Sulfur	Maximum Firing Rate (gal/hr)	Date of Manufacture
Hot Oil Heater	2.2	Distillate, 0.5%S #4 fuel oil & 0.7%S specification waste oil	15.5	2005

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 either 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 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:

Pollutant	Current License (TPY)	Future License (TPY)	Net Change (TPY)	Significant Emission Levels
PM	3.5	6.4	2.9	100
PM ₁₀	3.5	6.4	2.9	100
SO ₂	12.6	2.3	-10.3	100
NO _x	19.7	24.3	4.6	100
CO	16.1	29.8	13.7	100
VOC	3.8	6.8	3.0	50
CO ₂ e	<100,000	<100,000	<100,000	100,000

This amendment will not increase emissions of any pollutant above the significant emission levels. Therefore, this application is determined to be a renewal with a minor modification and has been processed as such.

The Department has determined the facility is a minor source and the application has been processed through *Major and Minor Source Air Emission License Regulations*, 06-096 CMR 115 (as amended).

With an annual production limit of 400,000 tons per year placed on the P719 Asphalt Batch Plant and the annual facility-wide fuel limit of 65,000 gallons on the diesel generators, Pike is licensed below the major source thresholds and is therefore considered a synthetic minor. In addition, with the annual production and fuel limits, Pike is licensed below the major source thresholds for hazardous air pollutants (HAP) and is considered an area source of HAP.

II. BEST PRACTICAL TREATMENT

A. Introduction

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

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

- the existing state of technology;
- the effectiveness of available alternatives for reducing emissions from the source being considered; and

- the economic feasibility for the type of establishment involved.

B. Asphalt Batch Plant P719

Pike operates a portable rotary drum mix asphalt batch plant (P719) with a maximum hourly throughput of 300 ton/hour of asphalt and a 75 MMBtu/hour burner. P719 is licensed to fire distillate fuel, #4 oil with a sulfur content not to exceed 0.5% by weight and/or specification waste oil with a sulfur content not to exceed 0.7% by weight.

In the past it has been assumed that there is a linear relationship between the fuel required for an asphalt plant burner and the plant output. Meaning, it is assumed that to operate at 100% throughput requires the burner to fire at 100%, to operate at 75% throughput requires the burner to fire at 75%, etc. This assumption allows for an asphalt plant to have its annual emissions limited by placing a fuel limit on the burner.

However, in some cases it has been determined that the asphalt plant is operated significantly more efficiently than originally anticipated. This allows the burner to operate at a lower firing rate than would be expected for the asphalt output. Since emission factors for asphalt plants are based on tons of asphalt produced, without the previously mentioned linear relationship between plant output and burner firing rate, a fuel limit on the asphalt plant is not sufficient to limit the equipment's annual emissions.

Therefore, to ensure annual emissions are limited to less than major source thresholds, asphalt throughput is limited instead of fuel consumption. Accordingly, the annual throughput of the asphalt batch plant shall not exceed 400,000 tons of asphalt per year on a twelve-month rolling-total basis.

1. BPT Findings

The BACT/BPT emission limits for P719 were based on the following:

PM/PM ₁₀	0.03 gr/dscf and the use of a baghouse, BPT Chapter 115
SO ₂	0.011 lb/ton based on AP-42, Table 11.1-7, dated 3/04
NO _x	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 BPT emission limits for P719 are the following:

Equipment	PM (lb/hr)	PM ₁₀ (lb/hr)	SO ₂ (lb/hr)	NO _x (lb/hr)	CO (lb/hr)	VOC (lb/hr)
P719	8.7	8.7	3.3	16.5	39.0	9.6

Per 06-096 CMR 101, *Visible Emission Regulation*: visible emissions from the P719 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 CFR Part 60, Subpart I PM limit of 20% opacity.

General process emissions from P719 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.

P719 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 fired in P719 shall not exceed 0.0015% by weight (15 ppm) except that any existing distillate fuel purchased or otherwise obtained by Pike prior to July 1, 2018 may be used until depleted.

2. New Source Performance Standards

P719 was manufactured in 2005 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.

3. Control Equipment

P719 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 P719 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%, P719 is operating with insufficient control and corrective action shall be taken immediately.

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

Pike shall keep records of fuel use and tons of asphalt produced by P719. These records 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.

Per 40 CFR Part 60, Subpart I, requires that 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. Pike performed a performance test on October 4, 2005 in accordance with 40 CFR 60.8 and 40 CFR 60.93 and has submitted documentation to the Department.

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 twenty-four 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.

C. Rock Crushers C645 and C645-2

Rock crushers C645 and C645-2 are portable rock crushing units which were manufactured in 2006 and 1999 with rated capacities of 350 and 325 tons/hour, respectively.

1. BPT Findings

The regulated pollutant from the rock crushers is particulate matter emissions. To meet the requirements of BPT for control of particulate matter emissions from the rock crushers, Pike shall maintain water sprays on rock crushers C645 and C645-2 and operate as needed to control visible emissions. Visible emissions from rock crushers C645 and C645-2 shall be limited to no greater than 10% opacity on a six-minute block average basis.

2. New Source Performance Standards

Because rock crushers C645 and C645-2 are portable, have a rated capacity greater than 150 tons/hour and were manufactured after August 31, 1983, rock crushers C645 and C645-2 are subject to USEPA's New Source Performance Standards (NSPS) 40 CFR Part 60, Subpart OOO for Nonmetallic Mineral Processing Plants.

40 CFR Part 60, Subpart OOO, §60.675 requires that Pike conduct an initial performance test on crushers C645 and C645-2. The performance tests on both crushers were completed on October 8, 2013 and all necessary documentation has been provided to the Department.

D. Diesel Engines

Pike operates a total of five diesel engines:

- P719-G1 (7.3 MMBtu/hour),
- P719-G2 (1.0 MMBtu/hour),
- G645-G2 (3.6 MMBtu/hour) which powers rock crusher C645,
- G645-G1 Volvo Generator (0.9 MMBtu/hour) which powers the Lippmann impact crusher and
- John Deere (0.8 MMBtu/hr), which powers the sand screen.

All engines fire distillate fuel with a maximum sulfur content not to exceed 15 ppm (0.0015% sulfur by weight).

The total fuel use for all five engines combined shall not exceed 65,000 gallons/year of distillate fuel, on a twelve-month rolling-total basis.

1. BPT Findings

The BPT emission limits for engines P719-G1 and G645-G2 were based on the following:

PM/PM ₁₀	0.12 lb/MMBtu, 06-096 CMR 103
SO ₂	combustion of distillate fuel with a maximum sulfur content not to exceed 15 ppm (0.0015% sulfur by weight)
NO _x	3.2 lb/MMBtu, AP-42 dated 10/96
CO	0.85 lb/MMBtu, AP-42 dated 10/96
VOC	0.09 lb/MMBtu, AP-42 dated 10/96
Opacity	06-096 CMR 101

The BPT emission limits for engines P719-G2, G645-G1 and John Deere were based on the following:

PM/PM₁₀ 0.12 lb/MMBtu, 06-096 CMR 115, BPT
SO₂ combustion of distillate fuel with a maximum sulfur content not to exceed 15 ppm (0.0015% sulfur by weight)
NO_x 4.41 lb/MMBtu, AP-42 dated 10/96
CO 0.95 lb/MMBtu, AP-42 dated 10/96
VOC 0.35 lb/MMBtu, AP-42 dated 10/96
Opacity 06-096 CMR 101

The BPT emission limits are the following:

Equipment	PM (lb/hr)	PM ₁₀ (lb/hr)	SO ₂ (lb/hr)	NO _x (lb/hr)	CO (lb/hr)	VOC (lb/hr)
P719-G1	0.88	0.88	0.01	23.36	6.21	0.66
P719-G2	0.12	0.12	0.01	4.41	0.95	0.35
C645-G1 Volvo	0.11	0.11	0.01	4.06	0.87	0.32
C645-G2	0.43	0.43	0.01	15.88	3.42	1.23
John Deere	0.10	0.10	0.01	3.53	0.76	0.28

Visible emissions from each engine 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.

2. New Source Performance Standards

All engines were manufactured and installed prior to April 1, 2006. Therefore, the engines 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

All engines are considered to be non-road engines, as opposed to stationary engines, since they are portable and will be moved to various sites as needed. Therefore, the engines are not subject to 40 CFR Part 63, Subpart ZZZZ, *National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines*.

The definition in 40 CFR Part 1068.30 states that a non-road engine is an internal combustion engine that meets certain criteria, including: "Portable or transportable, meaning designed to be and capable of being carried or moved from one location to another. Indicia of transportability include, but are not limited to, wheels, skids, carrying handles, dolly, trailer, or platform." 40 CFR

Part 1068.30 further states that an engine is not a non-road engine if it remains or will remain at a location for more than twelve consecutive months or a shorter period of time for an engine located at a seasonal source. An engine located at a seasonal source (a stationary source that remains in a single location on a permanent basis (i.e., at least two years) and that operates at that single location approximately three months (or more) each year) is an engine that remains at a seasonal source during the full annual operating period of the seasonal source.

E. Hot Oil Heater

Pike utilizes a Liquid Asphalt Hot Oil Heater (Hot Oil Heater) to maintain the heat in the asphalt storage silo. The Hot Oil Heater has a maximum design heat input capacity of 2.2 MMBtu/hour and fires distillate fuel, 0.5% sulfur #4 fuel oil and 0.7% sulfur specification waste oil, at a maximum rate of 15.5 gallons/hour.

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

PM/PM ₁₀	0.12 lb/MMBtu, BACT from previous license
SO ₂	71.0 lb/1000 gallons, AP-42, Table 1.3-1, dated 5/10
NO _x	20.0 lb/1000 gallons, AP-42, Table 1.3-1, dated 5/10
CO	5.0 lb/1000 gallons, AP-42, Table 1.3-1, dated 5/10
VOC	0.34 lb/1000 gallons, AP-42, Table 1.3-3, dated 5/10
Opacity	06-096 CMR 101, previous BACT

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

Equipment	PM (lb/hr)	PM ₁₀ (lb/hr)	SO ₂ (lb/hr)	NO _x (lb/hr)	CO (lb/hr)	VOC (lb/hr)
Hot Oil Heater	0.26	0.26	1.55	0.31	0.08	0.01

Visible emissions from the Hot Oil Heater shall not exceed 20% opacity on a six-minute block average basis, except for one six-minute block average in a three-hour period.

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

In addition, the Hot Oil Heater does not meet the definition of a “boiler” and therefore is not subject to *National Emission Standards for Hazardous Air*

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

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

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% 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.

H. Annual Emissions

1. Total Annual Emissions

Pike shall be restricted to the following annual emissions:

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

	PM	PM₁₀	SO₂	NO_x	CO	VOC
P719/Hot Oil Heater	5.8	5.8	2.2	11.0	26.0	6.4
Diesel Generators	0.6	0.6	0.1	14.3	3.8	0.4
Total TPY	6.4	6.4	2.3	24.3	29.8	6.8

The tons per year limits were calculated based on the annual operation of the P719 asphalt batch plant with a maximum throughput of 400,000 tons of asphalt and the diesel engines firing a combined maximum of 65,000 gallons distillate fuel, #4 fuel oil and specification waste oil.

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 (CO₂e).

The quantity of CO₂e emissions from this facility is less than 100,000 tons per year, based on the following:

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

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

III. AMBIENT AIR QUALITY ANALYSIS

The level of ambient air quality impact modeling required for a minor source shall be determined by the Department on a case-by case basis. In accordance with 06-096 CMR 115, an ambient air quality impact analysis is not required for a minor source if the total licensed annual emissions of any pollutant released do not exceed the following levels and there are no extenuating circumstances:

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

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

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-486-71-M-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 months after receipt of such approval or if construction is discontinued for a period of eighteen months or more. The Department may extend this time period upon a satisfactory showing that an extension is justified, but may condition such extension upon a review of either the control technology analysis or the ambient air quality standards analysis, or both. [06-096 CMR 115]
- (4) The licensee shall establish and maintain a continuing program of best management practices for suppression of fugitive particulate matter during any period of construction, reconstruction, or operation which may result in fugitive dust, and shall submit a description of the program to the Department upon request. [06-096 CMR 115]
- (5) The licensee shall pay the annual air emission license fee to the Department, calculated pursuant to Title 38 M.R.S.A. §353-A. [06-096 CMR 115]

- (6) The license does not convey any property rights of any sort, or any exclusive privilege. [06-096 CMR 115]
- (7) The licensee shall maintain and operate all emission units and air pollution systems required by the air emission license in a manner consistent with good air pollution control practice for minimizing emissions. [06-096 CMR 115]
- (8) The licensee shall maintain sufficient records to accurately document compliance with emission standards and license conditions and shall maintain such records for a minimum of six years. The records shall be submitted to the Department upon written request. [06-096 CMR 115]
- (9) The licensee shall comply with all terms and conditions of the air emission license. The filing of an appeal by the licensee, the notification of planned changes or anticipated noncompliance by the licensee, or the filing of an application by the licensee for a renewal of a license or amendment shall not stay any condition of the license.
[06-096 CMR 115]
- (10) The licensee may not use as a defense in an enforcement action that the disruption, cessation, or reduction of licensed operations would have been necessary in order to maintain compliance with the conditions of the air emission license. [06-096 CMR 115]
- (11) In accordance with the Department's air emission compliance test protocol and 40 CFR Part 60 or other method approved or required by the Department, the licensee shall:
 - A. perform stack testing to demonstrate compliance with the applicable emission standards under circumstances representative of the facility's normal process and operating conditions:
 1. within sixty calendar days of receipt of a notification to test from the Department or EPA, if visible emissions, equipment operating parameters, staff inspection, air monitoring or other cause indicate to the Department that equipment may be operating out of compliance with emission standards or license conditions; or
 2. pursuant to any other requirement of this license to perform stack testing.
 - B. install or make provisions to install test ports that meet the criteria of 40 CFR Part 60, Appendix A, and test platforms, if necessary, and other accommodations necessary to allow emission testing; and

- C. submit a written report to the Department within thirty days from date of test completion.
[06-096 CMR 115]
- (12) If the results of a stack test performed under circumstances representative of the facility's normal process and operating conditions indicate emissions in excess of the applicable standards, then:
- A. within thirty days following receipt of such test results, the licensee shall re-test the non-complying emission source under circumstances representative of the facility's normal process and operating conditions and in accordance with the Department's air emission compliance test protocol and 40 CFR Part 60 or other method approved or required by the Department; and
- B. the days of violation shall be presumed to include the date of stack test and each and every day of operation thereafter until compliance is demonstrated under normal and representative process and operating conditions, except to the extent that the facility can prove to the satisfaction of the Department that there were intervening days during which no violation occurred or that the violation was not continuing in nature; and
- C. the licensee may, upon the approval of the Department following the successful demonstration of compliance at alternative load conditions, operate under such alternative load conditions on an interim basis prior to a demonstration of compliance under normal and representative process and operating conditions.
[06-096 CMR 115]
- (13) Notwithstanding any other provisions in the State Implementation Plan approved by the EPA or Section 114(a) of the CAA, any credible evidence may be used for the purpose of establishing whether a person has violated or is in violation of any statute, regulation, or Part 70 license requirement. [06-096 CMR 115]
- (14) The licensee shall maintain records of malfunctions, failures, downtime, and any other similar change in operation of air pollution control systems or the emissions unit itself that would affect emissions and that is not consistent with the terms and conditions of the air emission license. The licensee shall notify the Department within two days or the next state working day, whichever is later, of such occasions where such changes result in an increase of emissions. The licensee shall report all excess emissions in the units of the applicable emission limitation.
[06-096 CMR 115]
- (15) Upon written request from the Department, the licensee shall establish and maintain such records, make such reports, install, use and maintain such

monitoring equipment, sample such emissions (in accordance with such methods, at such locations, at such intervals, and in such a manner as the Department shall prescribe), and provide other information as the Department may reasonably require to determine the licensee's compliance status.

[06-096 CMR 115]

SPECIFIC CONDITIONS

(16) Asphalt Batch Plant P719

A. Fuel Use

1. P719 is licensed to fire distillate fuel, #4 fuel with a maximum sulfur content of 0.5% by weight, and specification waste oil with a sulfur content not to exceed 0.7% by weight. [06-096 CMR 115, BPT]
2. Beginning July 1, 2018, any distillate fuel fired in P719 shall have maximum sulfur content not to exceed 0.0015% by weight (15 ppm) except that any existing distillate fuel purchased or otherwise obtained by Pike prior to July 1, 2018 may be used until depleted. [06-096 CMR 115, BPT]
3. Compliance shall be demonstrated by fuel records from the supplier showing the quantity, type, and the percent sulfur of the fuel delivered. Records of annual fuel use shall be kept on a monthly and twelve-month rolling-total basis. [06-096 CMR 115, BPT]

B. The annual throughput of P719 shall not exceed 400,000 tons of asphalt per year on a twelve-month rolling-total basis. Records of asphalt production shall be kept on a monthly and twelve-month rolling-total basis. [06-096 CMR 115, BPT]

C. Emissions from P719 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 P719 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 twenty-four hours, or immediately if opacity exceeds 20%.

2. Personnel with a current EPA Method 9 visible emissions certification – when the opacity exceeds 20%, the asphalt plant is operating with insufficient control and corrective action shall be taken immediately.
- E. To document maintenance of the baghouse, Pike shall keep maintenance records recording the date and location of all bag failures as well as all routine maintenance. The maintenance records shall be kept on-site at the asphalt plant location. [06-096 CMR 115, BPT]
- F. Emissions from the P719 baghouse shall not exceed the following [06-096 CMR 115, BPT]:

Pollutant	grs/dscf	lb/hr
PM	0.03	8.7
PM ₁₀	-	8.7
SO ₂	-	3.3
NO _x	-	16.5
CO	-	39.0
VOC	-	9.6

- G. Opacity from the P719 baghouse is limited to no greater than 20% on a six-minute block average basis, except for no more than two six-minute block averages in a continuous three-hour period. [06-096 CMR 101]
- H. General process emissions from P719 shall be controlled so as to prevent visible emissions in excess of 20% opacity on a six-minute block average basis except for no more than one six-minute block average in a one-hour period. [06-096 CMR 101]
- I. Pike may process up to 10,000 cubic yards per year of soil contaminated with virgin oil as defined by the Bureau of Air Quality without prior approval from the Bureau of Air Quality. Processing of virgin oil contaminated soils may require a solid waste processing facility license under 06-096CMR 409 (as amended). The material shall be handled in accordance with the requirements of the Bureau of Remediation and Waste Management. [06-096 CMR 115, BPT]
- J. Pike shall not process soils which are classified as hazardous waste or which have unknown contaminants. [06-096 CMR 115, BPT]
- K. When processing contaminated soils, 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]

- L. Pike shall notify the Department regional inspector at least twenty-four 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]

(17) Rock Crushers C645 and C645-2

- A. Pike shall maintain water sprays on crushers C645 and C645-2 and operate as needed to control visible emissions. Visible emissions from crushers C645 and C645-2 shall be limited 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 a log detailing and quantifying the hours of operation on a daily basis for crushers C645 and C645-2. The operation log shall be kept on-site at the rock crushing location. [06-096 CMR 115, BPT]
- C. Pike shall maintain a log 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 twenty-four 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. Crushers C645 and C645-2 shall not be attached or clamped via cable, chain, turnbuckle, bolt, or other means (except electrical connections) to any anchor, slab, or structure (including bedrock) that must be removed prior to transportation. [06-096 CMR 115, BPT]
- E. Crushers C645 and C645-2 are subject to 40 CFR Part 60 Subparts A and OOO, therefore Pike 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) Diesel Engines P719-G1, P719-G2, G645-G1, G645-G2 and John Deere

A. Fuel Use

- 1. All engines are licensed to fire distillate fuel with a maximum sulfur content not to exceed 15 ppm (0.0015% sulfur by weight).
[06-096 CMR 115, BPT]

2. Total annual fuel use for all five engines combined shall not exceed 65,000 gallons/year of distillate fuel, on a twelve-month rolling-total basis. Compliance shall be demonstrated by fuel records from the supplier showing the quantity and type of fuel delivered. Records of annual fuel use shall be kept on a monthly and twelve-month rolling-total basis. [06-096 CMR 115, BPT]

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

Equipment	PM (lb/hr)	PM ₁₀ (lb/hr)	SO ₂ (lb/hr)	NO _x (lb/hr)	CO (lb/hr)	VOC (lb/hr)
P719-G1	0.88	0.88	0.01	23.36	6.21	0.66
P719-G2	0.12	0.12	0.01	4.41	0.95	0.35
C645-G1 Volvo	0.11	0.11	0.01	4.06	0.87	0.32
C645-G2	0.43	0.43	0.01	15.88	3.42	1.23
John Deere	0.10	0.10	0.01	3.53	0.76	0.28

- C. Visible emissions from each engine 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]

(19) **Hot Oil Heater**

A. Fuel

1. The Hot Oil Heater is licensed to fire distillate fuel, #4 fuel with a maximum sulfur content of 0.5% by weight and specification waste oil with a sulfur content not to exceed 0.7% by weight. [06-096 CMR 115, BPT]
 2. Beginning July 1, 2018, any distillate fuel fired in the Hot Oil Heater shall have maximum sulfur content not to exceed 0.0015% by weight (15 ppm) except that any existing distillate fuel purchased or otherwise obtained by Pike prior to July 1, 2018 may be used until depleted. [06-096 CMR 115, BPT]
 3. Compliance shall be demonstrated by fuel records from the supplier showing the quantity, type, and the percent sulfur of the fuel delivered. Records of annual fuel use shall be kept on a monthly and twelve-month rolling-total basis. [06-096 CMR 115, BPT]
- B. Emissions from the Hot Oil Heater shall not exceed the following [06-096 CMR 115, BPT]:

Equipment	PM (lb/hr)	PM ₁₀ (lb/hr)	SO ₂ (lb/hr)	NO _x (lb/hr)	CO (lb/hr)	VOC (lb/hr)
Hot Oil Heater	0.26	0.26	1.55	0.31	0.08	0.01

C. Visible emissions from the Hot Oil Heater shall not exceed 20% opacity on a six-minute block average basis, except for one six-minute block average in a three-hour period. [06-096 CMR 101]

(20) **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 fifteen-second opacity observations which exceed 20% in any one 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% 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]

(22) **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

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

**Pike Industries, Inc.
Somerset County
Anson, Maine
A-486-71-M-R/A (SM)**

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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) 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]

DONE AND DATED IN AUGUSTA, MAINE THIS 15 DAY OF March, 2016.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

BY: *Marc Allen Robert Core for*
PAUL MERCER, COMMISSIONER

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

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

PLEASE NOTE ATTACHED SHEET FOR GUIDANCE ON APPEAL PROCEDURES

Date of initial receipt of application: December 11, 2015

Date of application acceptance: December 24, 2015

Date filed with the Board of Environmental Protection:

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

