



STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION



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**Auburn Asphalt, LLC
Kennebec County
Windsor, Maine
A-1016-71-C-R (SM)**

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

FINDINGS OF FACT

After review of the air emission license renewal application, staff investigation reports and other documents in the applicant's file in the Bureau of Air Quality, pursuant to 38 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

Auburn Asphalt, LLC (Auburn Asphalt), located in Windsor, Maine has applied to renew their Air Emission License, permitting the operation of emission sources associated with their batch hot mix asphalt plant.

The equipment addressed in this license is located at Pit Road in Windsor, 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 Firing Rate</u>	<u>Control Devices</u>	<u>Manuf. Date</u>
Batch hot mix asphalt plant	120	40 MMBtu/hr, 0.5% S distillate fuel and 0.7% S specification waste oil.	Baghouse	2003

Heating Equipment

<u>Equipment</u>	<u>Maximum Capacity</u>	<u>Maximum Firing Rate</u>	<u>Fuel Type</u>	<u>Manuf. Date</u>	<u>Install. Date</u>
Boiler #1 (Hot Oil Heater)	1.26 MMBtu/hr	9 gal/hr	Distillate fuel, 0.5% S	2003	2009

Generator Units

<u>Equipment</u>	<u>Maximum Capacity</u>	<u>Maximum Firing Rate</u>	<u>Fuel Type</u>	<u>Manuf. Date</u>	<u>Install. Date</u>
Generator #1	2.5 MMBtu/hr	18 gal/hr	Distillate fuel, 0.0015% S	2009	2009

C. Application Classification

The application for Auburn Asphalt does not include the licensing of increased emissions or the installation of new or modified equipment. Emission factors have been updated to reflect the most current values resulting in modified licensed emissions. Therefore, the license is considered to be a renewal of currently licensed emission units only and has been processed through *Major and Minor Source Air Emission License Regulations*, 06-096 Code of Maine Rules (CMR) 115 (as amended). With the fuel limits on the batch hot mix asphalt plant and the generator, the facility is licensed below the major source thresholds for criteria pollutants and hazardous air pollutants (HAP), and is therefore 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 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. Batch Hot Mix Asphalt Plant

The batch hot mix asphalt plant is rated at 120 tons/hour with a 40 MMBtu/hr burner firing distillate fuel and specification waste oil. Fuel use shall not exceed 300,000 gallons/year on a calendar year basis.

1. BPT Findings

The BPT emission limits for the batch hot mix asphalt plant were based on the following:

- PM/PM₁₀ – 0.03 gr/dscf and 12,380 dscf/min; and the use of a baghouse.
- SO₂ – Based on firing distillate fuel that is ASTM D396 compliant #2 fuel oil (0.5% sulfur, by weight); 0.5 lb/MMBtu
- NO_x – 0.12 lb/ton from AP-42, Table 11.1-5 (dated 3/04)
- CO – 0.40 lb/ton from AP-42, Table 11.1-5 (dated 3/04)
- VOC – 0.0082 lb/ton from AP-42, Table 11.1-6 (dated 3/04)
- Opacity – 06-096 CMR 101

The BPT limits for the batch hot mix asphalt plant are the following:

Unit	PM (lb/hr)	PM ₁₀ (lb/hr)	SO ₂ (lb/hr)	NO _x (lb/hr)	CO (lb/hr)	VOC (lb/hr)
Batch Hot Mix Asphalt Plant	3.18	3.18	20.14	14.40	48.00	0.98

Visible emissions from the batch hot mix asphalt 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 the batch hot mix asphalt 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.

Auburn Asphalt shall be limited to a combined 300,000 gallons/year of distillate fuel and specification waste oil based on a calendar year.

The sulfur content of the specification waste oil fired in the facility's batch hot mix asphalt plant shall not exceed 0.7 % sulfur by weight.

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 batch hot mix 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.

2. 40 CFR Part 60, Subpart I

The batch hot mix asphalt plant was manufactured in 2003 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.

Per 40 CFR Part 60, Subpart I, Auburn Asphalt was required to 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), Auburn Asphalt was required to use Method 5 to determine the PM concentration, and the sampling time and sample volume for each run was required to be at least 60 minutes and 0.90 dscm (31.8 dscf). Auburn Asphalt completed the performance test on May 28, 2010 which demonstrated compliance with the PM concentration using the required methods and sampling time and volumes.

3. Control Equipment

The batch hot mix batch asphalt plant shall be controlled by a baghouse.

4. Periodic Monitoring

The performance of the baghouse shall be constantly monitored by either one of the following at all times the batch hot mix asphalt plant is operating:

- a. PM detector -- when the detector signals excessive PM concentrations in the exhaust stream, Auburn Asphalt 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 batch hot mix asphalt plant is operating with insufficient control and corrective action shall be taken immediately.

Auburn Asphalt shall keep records of baghouse failures and baghouse maintenance.

Auburn Asphalt shall keep records of fuel use and receipts for the batch hot mix asphalt plant, which shall be 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 for all specification waste oil fired in the dryer.

5. Contaminated Soils

Auburn Asphalt 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.

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

When processing contaminated soils, Auburn Asphalt 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, Auburn Asphalt 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. Boiler #1

Boiler #1 has a maximum capacity of 1.26 MMBtu/hr, firing distillate fuel which meets the criteria in ASTM D396 for #2 fuel oil (maximum sulfur content of 0.5% by weight). The boiler was manufactured in 2003 and installed in 2009. The fuel fired in Boiler #1 shall be included in the asphalt plant fuel use limit of 300,000 gallons/year on a calendar year basis.

1. BPT Findings

The BPT emission limits for Boiler #1 were based on the following:

- PM/PM₁₀ – 2 lb/1000 gal based on AP-42, Table 1.3-1, dated 5/10
- SO₂ – Based on firing distillate fuel that is ASTM D396 compliant #2 fuel oil (0.5% sulfur, by weight)
- NO_x – 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 BPT emission limits for Boiler #1 are the following:

Unit	PM (lb/hr)	PM ₁₀ (lb/hr)	SO ₂ (lb/hr)	NO _x (lb/hr)	CO (lb/hr)	VOC (lb/hr)
Boiler #1	0.02	0.02	0.63	0.18	0.05	0.01

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

The fuel fired in Boiler #1 shall be included in the asphalt plant fuel use limit of 300,000 gallons/year of distillate fuel and specification waste oil based on a calendar year.

Prior to July 1, 2016 or by the date otherwise stated in 38 MRSA §603-A(2)(A)(3), the distillate fuel fired in Boiler #1 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.

2. Periodic Monitoring

Periodic monitoring for the boiler shall include recordkeeping to document fuel use both on a monthly and calendar year basis. Documentation shall include the type of fuel used and sulfur content of the fuel.

3. 40 CFR Part 60, Subpart Dc

Boiler #1 is a hot oil heater and does not heat water. Since the boiler 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. 40 CFR Part 63 Subpart JJJJJ

Boiler #1 is a hot oil heater and does not heat water. Since the boiler 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).

D. Generator #1

Generator #1 has a maximum capacity of 2.5 MMBtu/hr (225 kW power output), firing distillate fuel. The generator was manufactured and installed in 2009. The fuel fired in Generator #1 shall be limited to 20,000 gallons/year on a calendar year total basis.

1. BPT Findings

The BPT emission limits for Generator #1 were based on the following: *

- PM/PM₁₀ - 0.20 g/kW-hr based on 40 CFR Part 60, Subpart IIII [§60.4204(b), §60.4201(a), §89.112(a)]
- SO₂ - Combustion of distillate fuel with a maximum sulfur content not to exceed 15 ppm (0.0015% sulfur by weight)
- NMHC + NO_x - 4.0 g/kW-hr based on 40 CFR Part 60, Subpart IIII [(§60.4204(b), §60.4201(a), §89.112(a)]
- CO - 3.5 g/kW-hr based on 40 CFR Part 60, Subpart IIII [(§60.4204(b), §60.4201(a), §89.112(a)]
- Opacity - 06-096 CMR 101

* The previous license emissions limits for PM/PM₁₀, NO_x, CO and VOC were based on AP-42 data. However, the generator is subject to 40 CFR Part 60, Subpart IIII, which has more stringent emission limits for these pollutants. Therefore, the emission limits have been updated to reflect the more stringent values.

The BPT emission limits for Generator #1 are the following:

Unit	PM (lb/hr)	PM ₁₀ (lb/hr)	SO ₂ (lb/hr)	NMHC + NO _x (lb/hr)	CO (lb/hr)
Generator #1	0.10	0.10	0.01	1.98	1.74

Visible emissions from Generator #1 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. 40 CFR Part 60, Subpart IIII

The federal regulation 40 CFR Part 60, Subpart IIII, *Standards of Performance for Stationary Compression Ignition Internal Combustion Engines (CI ICE)* is applicable to Generator #1 listed above since the unit was ordered after July 11, 2005 and manufactured after April 1, 2006.

a. 40 CFR Part 60, Subpart IIII Standards:

- i. Generator #1 shall be certified by the manufacturer as meeting the emission standards for new nonroad compression ignition engines found in 40 CFR §60.4201. [40 CFR §60.4204(b)]

b. 40 CFR Part 60, Subpart IIII Requirements:

i. Manufacturer Certification Requirement

Generator #1 shall be certified by the manufacturer as meeting the emission standards found in 40 CFR Part 89. [40 CFR §60.4211(c)]

ii. Ultra-Low Sulfur Diesel Fuel Requirement

The diesel fuel fired in the generator shall not exceed 15 ppm sulfur (0.0015% sulfur), except that any existing diesel fuel that was purchased (or otherwise obtained) prior to October 1, 2010, may be used until depleted. [40 CFR §60.4207(b)]

iii. Operation and Maintenance Requirements

The generator shall be operated and maintained according to the manufacturer's emission-related written instructions or procedures developed by Auburn Asphalt that are approved by the engine manufacturer. Auburn Asphalt may only change those emission-related settings that are permitted by the manufacturer. [40 CFR §60.4211(a)]

3. 40 CFR Part 63, Subpart ZZZZ

The federal regulation 40 CFR Part 63, Subpart ZZZZ, *National Emission Standards for Hazardous Air Pollutants (NESHAP) for Stationary Reciprocating Internal Combustion Engines* is applicable to Generator #1. The unit is considered an existing, non-emergency stationary reciprocating internal combustion engines at a area HAP source. However, the unit is also subject to New Source Performance Standards. By meeting the requirements of 40 CFR Part 60, Subpart IIII, *Standards of Performance for Stationary Compression Ignition Internal Combustion Engines (CI ICE)*, the units also meet the requirements found in 40 CFR Part 63, Subpart ZZZZ.

E. Fugitive Emissions

Visible emissions from a fugitive emission source (including stockpiles and roadways) 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.

F. General Process Emissions

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 (6) minute block average basis except for no more than one (1) six (6) minute block average in a 1-hour period.

G. Facility Emissions

1. Auburn Asphalt shall be restricted to the following annual emissions, based on a calendar year. The tons per year limits were calculated based on 300,000 gallons/year of distillate fuel in the asphalt plant (which includes any fuel fired in Boiler #1) and 20,000 gallons/year of distillate fuel in Generator #1:

Total Licensed Annual Emissions for the Facility

Tons/year

(used to calculate the annual license fee)

	PM	PM ₁₀	SO ₂	NO _x	CO	VOC
Asphalt Plant (Boiler #1 is included in the asphalt plant fuel limit)	1.7	1.7	10.6	7.6	25.2	0.5
Generator #1	0.1	0.1	0.1	1.1*	1.0	1.1*
Total TPY	1.8	1.8	10.7	8.7	26.2	1.6

* The combined emissions of NO_x and VOC from Generator #1 cannot exceed 1.1 tons per year, as restricted by the emission limits established in 40 CFR Part 60, Subpart III. Therefore, this represents a worst case scenario for both NO_x and VOC emissions.

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 (CO₂ e).

Based on the facility's fuel use limits, 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, Auburn Asphalt is below the major source threshold of 100,000 tons of CO₂ 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:

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

Based on the total facility licensed emissions, Auburn Asphalt 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-1016-71-C-R, subject to the following conditions.

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

STANDARD CONDITIONS

- (1) Employees and authorized representatives of the Department shall be allowed access to the licensee's premises during business hours, or any time during which any emissions units are in operation, and at such other times as the Department deems necessary for the purpose of performing tests, collecting samples, conducting inspections, or examining and copying records relating to emissions (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) **Batch Hot Mix Asphalt Plant**

A. Fuel Use

1. Auburn Asphalt shall be limited to the use of a total of 300,000 gallons on a calendar year basis of distillate fuel (not to exceed 0.5% sulfur, by weight) and specification waste oil (not to exceed 0.7% sulfur, by weight), in the batch hot mix asphalt plant. [06-096 CMR 115, BPT]
2. Prior to July 1, 2016 or the date specified in 38 MRSA §603-A(2)(A)(3), the distillate fuel fired in the batch hot mix asphalt plant shall be ASTM D396 compliant #2 fuel oil (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. Fuel use records and receipts for the batch hot mix asphalt plant shall be maintained for at least six years and made available to the Department upon request. Fuel use records shall be kept on a monthly and calendar year basis. [06-096 CMR 115, BPT]
 6. A log shall be maintained recording the quantity and analyzed test results of all specification waste oil fired in the batch hot mix asphalt plant. [06-096 CMR 115, BPT]
- B. Emissions from the batch hot mix asphalt 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]
- C. The performance of the baghouse shall be constantly monitored by either one of the following at all times the batch 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, Auburn Asphalt 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 batch hot mix asphalt plant is operating with insufficient control and corrective action shall be taken immediately.
- D. 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 batch hot mix asphalt plant location. [06-096 CMR 115, BPT]
- E. Emissions from the batch hot mix asphalt plant baghouse shall not exceed the following [06-096 CMR 115, BPT]:

Pollutant	grs/dscf	lb/hr
PM	0.03	3.18
PM ₁₀	-	3.18
SO ₂	-	20.14
NO _x	-	14.40
CO	-	48.00
VOC	-	0.98

- F. Visible emissions from the baghouse are limited to no greater than 20% opacity 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]
- G. General process emissions from the batch hot mix asphalt 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]
- H. The batch hot mix asphalt plant is subject to 40 CFR Part 60 Subparts A and I, and Auburn Asphalt shall comply with all applicable requirements, including the notification and recordkeeping requirements of 40 CFR Part 60.7.
- I. Auburn Asphalt 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 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]
- J. Auburn Asphalt 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, Auburn Asphalt 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, Auburn Asphalt 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) **Boiler #1**

A. Fuel

- 1. The fuel fired in Boiler #1 shall be distillate fuel and shall be included in the asphalt plant fuel use limit of 300,000 gallons/year based on a calendar year. [06-096 CMR 115, BPT]
- 2. Prior to July 1, 2016 or the date specified in 38 MRS §603-A(2)(A)(3), the distillate fuel fired in the boiler shall be ASTM D396 compliant #2 fuel oil (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. Records of annual fuel use shall be kept on a monthly and calendar year basis. [06-096 CMR 115, BPT]

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

Emission Unit	PM (lb/hr)	PM ₁₀ (lb/hr)	SO ₂ (lb/hr)	NO _x (lb/hr)	CO (lb/hr)	VOC (lb/hr)
Boiler #1	0.02	0.02	0.63	0.18	0.05	0.01

C. Visible emissions from Boiler #1 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]

(18) **Generator #1**

A. Fuel Use

1. Generator #1 is 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 fuel use for Generator #1 shall not exceed 20,000 gallons/year of distillate fuel. [06-096 CMR 115, BPT]
3. 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 [06-096 CMR 115, BPT]:

Emission Unit	PM (lb/hr)	PM ₁₀ (lb/hr)	SO ₂ (lb/hr)	NMHC + NO _x (lb/hr)	CO (lb/hr)
Generator #1	0.10	0.10	0.01	1.98	1.74

C. Visible emissions from Generator #1 shall not exceed 20% opacity on a six (6) minute block average, except for no more than two (2) six (6) minute block averages in a continuous 3-hour period. [06-096 CMR 101]

D. Generator #1 shall meet the applicable requirements of 40 CFR Part 60, Subpart III, including the following:

1. Generator #1 shall be certified by the manufacturer as meeting the emission standards for new nonroad compression ignition engines found in 40 CFR §60.4201. [40 CFR §60.4204(b)]
2. **Manufacturer Certification Requirement**
Generator #1 shall be certified by the manufacturer as meeting the emission standards found in 40 CFR Part 89. [40 CFR §60.4211(c)]
3. **Ultra-Low Sulfur Diesel Fuel Requirement**
The diesel fuel fired in the generator shall not exceed 15 ppm sulfur (0.0015% sulfur), except that any existing diesel fuel that was purchased (or otherwise obtained) prior to October 1, 2010, may be used until depleted. [40 CFR §60.4207(b)]
4. **Operation and Maintenance Requirements**
The generator shall be operated and maintained according to the manufacturer's emission-related written instructions or procedures developed by Auburn Asphalt that are approved by the engine manufacturer. Auburn Asphalt may only change those emission-related settings that are permitted by the manufacturer. [40 CFR §60.4211(a)]

(19) Fugitive Emission Sources

Visible emissions from a fugitive emission source (including stockpiles and roadways) 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]

(20) General Process Emissions Sources

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 (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]

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

- A. Auburn Asphalt 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

Auburn Asphalt, LLC
Kennebec County
Windsor, Maine
A-1016-71-C-R (SM)

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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 will be made to the respective county commissioners.
- (22) Auburn Asphalt 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) Auburn Asphalt 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 24 DAY OF July, 2014.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

BY: Patricia W. Aho
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: 04/24/2014

Date of application acceptance: 04/30/2014

Date filed with the Board of Environmental Protection:

This Order prepared by Allison M. Hazard, Bureau of Air Quality.

