STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION

PAUL R. LEPAGE
GOVERNOR

PATRICIA W. AHO
COMMISSIONER

Pike Industries, Inc.
Cumberland County
Portland, Maine
A-351-71-M-M

Departmental
Findings of Fact and Order
Air Emission License
Minor Revision

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

I. REGISTRATION

A. Introduction

Pike Industries, Inc. (Pike), located in Portland, Maine was recently issued an Air Emission License renewal on November 1, 2011 permitting the operation of their portable hot mix asphalt (HMA) rotary kiln batch plant, designated P910. Pike has since noticed that one of the conditions of that license inadvertently states the facility can only fire #2 oil in the HMA after Jan 2016. This was not the intent of that condition and therefore this minor revision will clear up any future confusion with the requirement.

B. Application Classification

There will be no increase in emissions from this change. A modification at a facility with a licensed emissions increase of under (4) four TPY for any one regulated pollutant and under (8) eight TPY for total pollutants is determined to be a minor revision and not a major or minor modification. This amendment is determined to be a minor revision and has been processed as such.

II. REVISION DESCRIPTION

Pike Industries has requested a minor revision to their Air Emissions License to clarify the intent of Condition (16) A 1. Currently the condition states the following:

(16) **Asphalt Batch Plant – P910**

A. Fuel Use

1. Pike Industries, Inc. shall be limited to the use of a total of 480,000 gallons on a twelve-month rolling total basis of ASTM D396 compliant

#2 fuel oil and/or specification waste oil with a sulfur content not to exceed 0.5% by weight, in the asphalt batch plant. This limit applies to the P910 asphalt batch plant and P910-1 hot oil heater.

Per 38 MRSA §603-A(2)(A)(3), beginning January 1, 2016, the P910 asphalt batch plant and P910-1 hot oil heater shall fire #2 fuel oil with a maximum sulfur content limit of 0.005% by weight (50 ppm), and beginning January 1, 2018, the P910 asphalt batch plant and P910-1 hot oil heater shall fire #2 fuel oil with a maximum sulfur content limit of 0.0015% by weight (15 ppm).

The second paragraph of this condition inadvertently seems to indicate that Pike is required to fire only #2 fuel in the asphalt batch plant and hot oil heater. This is not the intent of this condition, it only is meant to require that when firing #2 oil the fuel needs to meet 38 MRSA §603-A(2)(A)(3) which requires the sulfur content reductions of the fuel in 2016 and 2018. Therefore this minor revision will reword this condition to clarify this issue.

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.

Department hereby grants Air Emission License Minor Revision A-351-71-M-M, subject to the conditions found in Air Emission License A-351-71-L-R and in addition to the following conditions:

The following condition shall replace Condition (16) A 1. in Air Emission License A-351-71-L-R:

(16) Asphalt Batch Plant – P910

A. Fuel Use

1. Pike Industries, Inc. shall be limited to the use of a total of 480,000 gallons on a twelve-month rolling total basis of ASTM D396 compliant #2 fuel oil and/or specification waste oil with a sulfur content not to exceed

0.5% by weight, in the asphalt batch plant. This limit applies to the P910 asphalt batch plant and P910-1 hot oil heater.

Per 38 MRSA §603-A(2)(A)(3), if firing #2 oil beginning January 1, 2016, in the P910 asphalt batch plant and/or the P910-1 hot oil heater, the #2 fuel oil shall meet a maximum sulfur content limit of 0.005% by weight (50 ppm), and beginning January 1, 2018, the #2 fuel oil shall meet a maximum sulfur content limit of 0.0015% by weight (15 ppm).

DONE AND DATED IN AUGUSTA, MAINE THIS 31st DAY OF January 2012.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

BY: Melanie Loyzim for
PATRICIA W. AHO, COMMISSIONER

This minor revision shall expire concurrently with Air Emission License A-351-71-L-R.

PLEASE NOTE ATTACHED SHEET FOR GUIDANCE ON APPEAL PROCEDURES

Date of initial receipt of application: **December 16, 2011**
Date of application acceptance: **December 19, 2011**

Date filed with the Board of Environmental Protection: _____

This Order prepared by Edwin Cousins, Bureau of Air Quality

Filed
FEB - 2 2012
State of Maine
Board of Environmental Protection