



STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION

PAUL R. LEPAGE
GOVERNOR

PATRICIA W. AHO
COMMISSIONER

Haley Construction, Inc.)
Piscataquis County) Departmental
Moosehead Junction Township, Maine) Findings of Fact and Order
A-641-71-E-R) Air Emission License

After review of the air emissions 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., Section 344 and Section 590, the Department finds the following facts:

I. REGISTRATION

A. Introduction

1. Haley Construction, Inc. (Haley), of Moosehead Junction Township, Maine, has applied to renew their Air Emission License permitting the operation of emission sources associated with their Moosehead Junction Township concrete manufacturing facility.
2. The physical address of the Haley facility is Industrial Parkway, Moosehead Junction Township, Maine

B. Emission Equipment

Haley Construction, Inc. is authorized to operate the following equipment:

Process Equipment

Equipment	Production Rate	Pollution Control Equipment
Concrete Batch Plant	75 yd ³ /hr	Baghouse

Diesel Unit:

<u>Unit</u>	<u>Maximum Capacity (MMBtu/hr)</u>	<u>Firing Rate (gal/hr)</u>	<u>Power Output (kW)</u>	<u>Fuel, % Sulfur</u>
Onan Generator	1.72	12.2	200	Diesel, 0.05%

AUGUSTA
17 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0017
(207) 287-7688 FAX: (207) 287-7826
RAY BLDG., HOSPITAL ST.

BANGOR
106 HOGAN ROAD, SUITE 6
BANGOR, MAINE 04401
(207) 941-4570 FAX: (207) 941-4584

PORTLAND
312 CANCO ROAD
PORTLAND, MAINE 04103
(207) 822-6300 FAX: (207) 822-6303

PRESQUE ISLE
1235 CENTRAL DRIVE, SKYWAY PARK
PRESQUE ISLE, MAINE 04679-2094
(207) 764-0477 FAX: (207) 760-3143

C. Application Classification

The application for Haley does not include the licensing of increased emissions or the installation of new or modified equipment. Therefore, the license is considered to be a renewal of current licensed emission units only.

II. BEST PRACTICAL TREATMENT (BPT)

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. Concrete Batch Plant

Haley utilizes a 75 cubic yard per hour (yd³/hr) concrete batch plant for concrete production at their Moosehead Junction Township, Maine concrete manufacturing facility. Both the concrete batch plant cement silo and weigh hopper are vented to a fabric filter baghouse maintained for 99% removal efficiency.

Visible emissions from the baghouse shall be limited to 10% opacity on a 6-minute block average, except for no more than one 6-minute block in any 1-hour period. Haley shall take corrective action if visible emissions from the baghouse exceed 5% opacity.

In order to document maintenance on the baghouse, Haley 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 located at the facility whenever the facility is in operation.

All components of the concrete batch plant shall be maintained so as to prevent particulate matter (PM) leaks. Additionally, there shall be a rubber boot which extends into the mixer-truck loading chute to minimize fugitive emissions when the dry materials are dropped/loaded into the truck. Visible emissions from concrete batching operations shall not exceed 20% opacity except for no more than five minutes in any one-hour period.

C. Diesel Unit

Haley operates one Onan manufactured diesel generator with a maximum heat input of 1.72 MMBtu/hr to power the concrete batch plant. The unit fires 0.05% sulfur diesel fuel. The unit was manufactured in 1995 and is not subject to EPA New Source Performance Standards 40 CFR Part 60, Subpart IIII, *Standards of Performance for Stationary Compression Ignition Internal Combustion Engines*.

The diesel unit is subject to 40 CFR Part 63, Subpart ZZZZ, including initial notification. Haley shall provide the Department with a written compliance plan for Subpart ZZZZ prior to April 30, 2013.

A summary of the BPT analysis for the Diesel Unit is the following:

1. Haley shall be limited to the use of 20,000 gallons per year of diesel fuel in the Diesel Unit
2. 06-096 CMR 103, *Fuel Burning Equipment Particulate Emission Standards*, PM emission limits. The PM₁₀ limits are derived from the PM limits.
3. 06-096 CMR 106, *Low Sulfur Fuel*, regulates fuel sulfur content, however, the Department has determined that BPT for diesel fuel fired in diesel engines shall be diesel fuel with a maximum sulfur content no greater than 15 ppm.
4. NO_x, CO, and VOC emission limits are based upon AP-42 data dated 10/96.
5. Visible emissions from the Diesel Unit shall not exceed 20% opacity on a 6-minute block average, except for no more than two 6-minute block averages in a continuous 3-hour period.

- D. Visible emissions from potential sources of fugitive particulate matter emissions, including material stockpiles and unpaved roadways, shall not exceed an opacity of 20%, except for no more than 5-minutes in any 1-hour period. Compliance shall be determined by an aggregate of the individual 15-second opacity observations which exceed 20% in any 1-hour.

Haley Construction, Inc.)	Departmental
Piscataquis County)	Findings of Fact and Order
Moosehead Junction Township, Maine)	Air Emission License
A-641-71-E-R	4	

E. Facility Emissions and Fuel Use Caps

Total fuel use in the diesel unit shall not exceed 20,000 gal/year of diesel fuel, based on a twelve-month rolling total.

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

Pollutant	Tons/Year
PM	0.2
PM ₁₀	0.2
SO ₂	0.01
NO _x	6.2
CO	1.3
VOC	0.5

III. AMBIENT AIR QUALITY ANALYSIS

According to 06-096 CMR 115, the level of air quality analyses required for a minor new source shall be determined on a case-by case basis. Based on the information available in the file, and the similarity to existing sources, Maine Ambient Air Quality Standards (MAAQS) will not be violated by this source.

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-641-71-E-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 06-096 CMR 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. [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

Haley Construction, Inc.)
Piscataquis County)
Moosehead Junction Township, Maine)
A-641-71-E-R 7

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

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 emission 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) Concrete Batch Plant

A. Haley shall vent emissions from the concrete batch plant through a baghouse maintained for 99% removal efficiency and maintain all components of the concrete batch plant so as to prevent emission leaks. [06-096 CMR 115, BPT]

Haley Construction, Inc.)
Piscataquis County)
Moosehead Junction Township, Maine)
A-641-71-E-R)

Departmental
Findings of Fact and Order
Air Emission License

8

- B. Haley shall keep a maintenance log recording the date and time of all bag failures as well as all routine maintenance. The maintenance log shall be located at the facility whenever the facility is in operation. [06-096 CMR 115, BPT]
- C. Opacity from the concrete batch plant baghouse is limited to no greater than 10% opacity on a 6-minute block average, except for no more than one 6-minute block in any 1-hour period. Haley Construction, Inc. shall take corrective action if visible emissions from the baghouse exceed 5% opacity. [06-096 CMR 101]
- D. Fugitive particulate matter emissions from the concrete batching operation shall be controlled so as to prevent visible emissions in excess of 20% opacity, except for no more than 5-minutes in any 1-hour period. [06-096 CMR 101]
- E. All components of the concrete batch plant shall be maintained so as to prevent PM leaks. [06-096 CMR 115, BPT]

(17) Diesel Unit

- A. Total fuel use for the Diesel Unit shall not exceed 20,000 gal/year of diesel fuel, based on a 12-month rolling total, with a maximum sulfur content of no greater than 15 ppm (0.0015% by weight). Compliance shall be based on fuel receipts from the supplier showing the quantity of fuel delivered and the percent sulfur of the fuel. Fuel use records shall be maintained on a monthly basis, in addition to the 12-month rolling total. [06-096 CMR 115, BACT]
- B. Emissions from the Diesel Unit shall be limited to the following:

Equipment		PM	PM ₁₀	SO ₂	NO _x	CO	VOC
Diesel Unit	lb/hr	0.2	0.2	0.02	7.6	1.6	0.6

[06-096 CMR 115, BACT]

- C. Visible emissions from the Diesel Unit shall not exceed 20% opacity on a six-minute block average, except for no more than 2 six-minute block averages in a continuous 3-hour period. [06-096 CMR 101]
- D. Haley shall provide the Department with a written compliance plan for Subpart ZZZZ prior to April 30, 2013. [06-096 CMR 115, BACT, 40 CFR Part 60, Subpart ZZZZ]

Haley Construction, Inc.)
Piscataquis County)
Moosehead Junction Township, Maine)
A-641-71-E-R 9

Departmental
Findings of Fact and Order
Air Emission License

- (18) Visible emissions from potential sources of fugitive particulate matter emissions, including material stockpiles and unpaved roadways, shall not exceed an opacity of 20%, except for no more than 5-minutes in any 1-hour period. Compliance shall be determined by an aggregate of the individual 15-second opacity observations which exceed 20 percent in any one (1) hour. [06-096 CMR 101]
- (19) Haley 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 (Title 38 MRSA §605-C).
- (20) Haley Construction shall keep a copy of this order on site during all periods when the facility is in operation, 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 21st DAY OF February 2012.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

BY: Melanie B. [Signature]
PATRICIA W. AHO, COMMISSIONER

PLEASE NOTE ATTACHED SHEET FOR GUIDANCE ON APPEAL PROCEDURES

The term of this Order shall be for five (5) years from the signature above

Date of initial receipt of application: January 19, 2007

Date of application acceptance: February 5, 2007

Date filed with the Board of Environmental Protection: _____

This Order prepared by Peter G. Carleton, Bureau of Air Quality

