



STATE OF MAINE  
DEPARTMENT OF ENVIRONMENTAL PROTECTION



PAUL R. LEPAGE  
GOVERNOR

PATRICIA W. AHO  
COMMISSIONER

**Pike Industries, Inc.  
Androscoggin County  
Lewiston, Maine  
A-183-71-N-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**

Pike Industries, Inc. (Pike) located in Lewiston, Maine has applied to renew their Air Emission License, permitting the operation of their hot mix asphalt plant.

The main office is located at 58 Main Street, Westbrook, Maine.

**B. Emission Equipment**

**Asphalt Plant**

<u>Equipment</u>	<u>Process Rate (tons/hour)</u>	<u>Design Capacity Firing Rate</u>	<u>Control Devices</u>	<u>Date of Manufacture</u>
Batch Mix Asphalt Plant	240	68.8 MMBtu/hr, #2 fuel oil, 0.5% sulfur and natural gas	Baghouse	1988

**Heating Equipment**

<u>Equipment</u>	<u>Maximum Capacity</u>	<u>Fuel Type</u>
Hot Oil Heater	2.2 MMBtu/hr	#2 fuel oil, spec. waste oil, natural gas

The previously licensed rock crushers and associated generator have been removed from the site and either sold or scrapped.

C. Application Classification

The application for Pike does not include the installation of new or modified equipment. 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 MMBtu/year limit on fuel use for the facility, the facility is licensed below the major source thresholds for criteria pollutants and is considered a synthetic minor and the facility is licensed below the major source thresholds for hazardous air pollutants (HAP) and is considered an area source of HAP.

II. BEST PRACTICAL TREATMENT

A. Introduction

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

The Batch Mix Asphalt Plant is rated at 240 tons/hr with a 68.8 MMBtu/hr burner firing #2 fuel oil, specification waste oil, or natural gas. Fuel use for the facility shall not exceed the equivalent of 103,000 MMBtu/year for all fuel combined on a 12 month rolling total. When converting fuel use to MMBtu, Pike shall use a heating value of 0.14 MMBtu/gallon for #2 fuel oil and specification oil and 0.00103 MMBtu/scf for natural gas.

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

The Batch Mix Asphalt Plant was manufactured in 1988 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.

The BPT emission limits for the asphalt plant when firing #2 fuel oil or specification waste oil were based on the following:

- PM/PM<sub>10</sub> – 0.03 gr/dscf and the use of a baghouse
- SO<sub>2</sub> – firing ASTM D396 compliant #2 fuel oil (0.5% sulfur)
- NO<sub>x</sub> – 0.12 lb/ton based on AP-42 Table 11.1-5 dated 3/04
- CO – 0.40 lb/ton based on AP-42 Table 11.1-5 dated 3/04
- VOC – 0.0082 lb/ton based on AP-42 Table 11.1-6 dated 3/04
- Opacity – 06-096 CMR 101

The BPT emission limits for the asphalt plant when firing natural gas were based on the following:

- PM/PM<sub>10</sub> – 0.03 gr/dscf and the use of a baghouse
- SO<sub>2</sub> – 0.0046 lb/ton based on AP-42 Table 11.1-5 dated 3/04
- NO<sub>x</sub> – 0.025 lb/ton based on AP-42 Table 11.1-5 dated 3/04
- CO – 0.40 lb/ton based on AP-42 Table 11.1-5 dated 3/04
- VOC – 0.0082 lb/ton based on AP-42 Table 11.1-6 dated 3/04
- Opacity – 06-096 CMR 101

The BPT emission limits for the asphalt plant are the following:

<i>Unit</i>	PM (lb/hr)	PM <sub>10</sub> (lb/hr)	SO <sub>2</sub> (lb/hr)	NO <sub>x</sub> (lb/hr)	CO (lb/hr)	VOC (lb/hr)
Batch Mix Asphalt Plant firing #2 fuel oil or specification waste oil	7.15	7.15	34.65	28.80	96.00	1.97
Batch Mix Asphalt Plant firing natural gas	7.15	7.15	1.10	6.00	96.00	1.97

Opacity - 06-096 CMR 101, *Visible Emission Regulation*: visible emissions from the Batch 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 more stringent than the 40 CFR Part 60, Subpart I PM limit of 20% opacity.

General process emissions from the 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.

#### *Control Equipment*

The Batch Mix Asphalt Plant shall be controlled by a baghouse.

#### *Periodic Monitoring*

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

1. PM detector – when the detector signals excessive PM concentrations in the exhaust stream, Pike shall take corrective action within 24 hours, or immediately if opacity exceeds 20%.
2. Personnel with a current EPA Method 9 visible emissions certification – when the opacity exceeds 20%, the hot mix asphalt plant is operating with insufficient control and corrective action shall be taken immediately.

Pike shall keep records of baghouse failures and baghouse maintenance.

Pike shall keep records of fuel use and receipts for the Batch Mix Asphalt Plant which shall be converted to MMBtu at least monthly and 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 of all specification waste oil fired in the dryer.

Pike may process up to 10,000 cubic yards per year of soil contaminated by gasoline or #2 fuel oil 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.

Pike may process up to 5,000 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 Maine Solid Waste Management Rules, 06-096 CMR 409 (as amended). The material shall be handled in accordance with the requirements of the Bureau of Remediation and Waste Management.

*Virgin Oil Definition:*

Virgin oil means any petroleum derived oil, including petroleum fuels, unused motor oils, hydraulic fluids, lubrication oils and other industrial oils, that are not characterized as waste oil.

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

When processing contaminated soils, Pike shall maintain records which specify the quantity and type of contaminant in the soil as well as the origin and characterization of the contaminated soil. In addition, when processing contaminated soil, Pike shall maintain records of processing temperature, asphalt feed rates and dryer throughput on an hourly basis. The material shall be handled in accordance with the requirements of the Bureau of Remediation and Waste Management.

C. Hot Oil Heater

The Hot Oil Heater is used to keep the asphalt from congealing. It has a maximum design capacity rated at 2.2 MMBtu/hr. The Hot Oil Heater can fire #2 fuel oil, specification waste oil, or natural gas. The fuel used by the Hot Oil Heater shall be included in the facility-wide 103,000 MMBtu/year limit.

The Hot Oil Heater does not heat water. It does not meet the definition of a boiler and therefore is not subject to for 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. For the same reason the Hot Oil Heater 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).

1. BPT Findings

The BPT emission limits for the Hot Oil Heater when firing #2 fuel oil or specification waste oil were based on the following:

PM/PM <sub>10</sub>	–	0.08 lb/MMBtu based on 06-096 CMR 115, BPT
SO <sub>2</sub>	–	firing ASTM D396 compliant #2 fuel oil (0.5% sulfur)
NO <sub>x</sub>	–	20 lb/1000 gal based on AP-42 Table 1.3-1 dated 5/10
CO	–	5 lb/1000 gal based on AP-42 Table 1.3-1 dated 5/10
VOC	–	0.34 lb/1000 gal based on AP-42 Table 1.3-3 dated 5/10
Opacity	–	06-096 CMR 101

The BPT emission limits for the Hot Oil Heater when firing natural gas were based on the following:

- PM/PM<sub>10</sub> – 0.05 lb/MMBtu based on 06-096 CMR 115, BPT
- SO<sub>2</sub> – 0.6 lb/MMscf based on AP-42 Table 1.4-2 dated 7/98
- NO<sub>x</sub> – 100 lb/MMscf based on AP-42 Table 1.4-1 dated 7/98
- CO – 84 lb/MMscf based on AP-42 Table 1.4-1 dated 7/98
- VOC – 5.5 lb/MMscf based on AP-42 Table 1.4-2 dated 7/98
- Opacity – 06-096 CMR 101

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

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

<i>Unit</i>	PM (lb/hr)	PM <sub>10</sub> (lb/hr)	SO <sub>2</sub> (lb/hr)	NO <sub>x</sub> (lb/hr)	CO (lb/hr)	VOC (lb/hr)
Hot Oil Heater firing #2 fuel oil or specification waste oil	0.18	0.18	1.12	0.32	0.08	0.01
Hot Oil Heater firing natural gas	0.11	0.11	neg	0.22	0.18	0.01

Visible emissions from the Hot Oil Heater shall not exceed 20% opacity on a 6 minute block average.

D. Stock Piles and Roadways

Visible emissions from a fugitive emission source 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.

E. General Process Emissions

Visible emissions from any general process (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.

F. Facility Emissions

1. Pike shall be restricted to the following annual emissions, based on a 12 month rolling total. The tons per year limits were calculated based on the firing of 103,000 MMBtu/year of fuel and the higher emission factor for either #2 fuel oil or natural gas.

**Total Licensed Annual Emissions for the Facility**

**Tons/year**

(used to calculate the annual license fee)

	<b>PM</b>	<b>PM<sub>10</sub></b>	<b>SO<sub>2</sub></b>	<b>NO<sub>x</sub></b>	<b>CO</b>	<b>VOC</b>
Fuel Use	5.4	5.4	25.9	21.6	71.9	1.5
<b>Total TPY</b>	<b>5.4</b>	<b>5.4</b>	<b>25.9</b>	<b>21.6</b>	<b>71.9</b>	<b>1.5</b>

2. Greenhouse Gases

Greenhouse gases are considered regulated pollutants as of January 2, 2011 through 'Tailoring' revisions made to EPA's *Approval and Promulgation of Implementation Plans*, 40 CFR Part 52, Subpart A, §52.21 Prevention of Significant Deterioration of Air Quality rule. "Greenhouse gases" as defined in 06-096 CMR 100 (as amended) 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 (CO<sub>2</sub> e).

Based on the facility's fuel use limit(s), 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, Pike is below the major source threshold of 100,000 tons of CO<sub>2</sub> 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:

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

Based on the total facility licensed emissions, Pike 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-183-71-N-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 Mix Asphalt Plant (240 tons/hr)**

A. Fuel Use

1. Pike shall be limited to the use (facility wide) of a total of 103,000 MMBtu/year on a 12 month rolling total of #2 fuel oil, specification waste oil, and natural gas in the batch mix asphalt plant. When converting fuel use to MMBtu, Pike shall use a heating value of 0.14 MMBtu/gallon for #2 fuel oil and specification oil and 0.00103 MMBtu/scf for natural gas. [06-096 CMR 115, BPT]
2. Prior to July 1, 2016 or by the date specified in 38 MRSA §603-A(2)(A)(3), the fuel oil fired in the 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 #2 fuel oil 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 #2 fuel oil with a maximum sulfur content limit of 0.0015% by weight (15 ppm). [06-096 CMR 115, BPT and 38 MRSA §603-A(2)(A)(3)]
3. Fuel use records and receipts for the batch 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 and converted to a MMBtu basis monthly. [06-096 CMR 115, BPT]

4. A log shall be maintained recording the quantity and analyzed test results of all specification waste oil fired in the asphalt plant.  
[06-096 CMR 115, BPT]
  
- B. Emissions from the Batch 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 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, Pike shall take corrective action within 24 hours, or immediately if opacity exceeds 20%.
  2. Personnel with a current EPA Method 9 visible emissions certification – when the opacity exceeds 20%, the asphalt plant is operating with insufficient control and corrective action shall be taken immediately.
  
- 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 asphalt plant location. [06-096 CMR 115, BPT]
  
- E. Emissions from the asphalt plant baghouse shall not exceed the following when firing #2 fuel oil or specification waste oil [06-096 CMR 115, BPT]:

<u>Pollutant</u>	<u>grs/dscf</u>	<u>lb/hr</u>
PM	0.03	7.15
PM <sub>10</sub>	-	7.15
SO <sub>2</sub>	-	34.65
NO <sub>x</sub>	-	28.80
CO	-	96.00
VOC	-	1.97

- F. Emissions from the asphalt plant baghouse shall not exceed the following when firing natural gas [06-096 CMR 115, BPT]:

<u>Pollutant</u>	<u>grs/dscf</u>	<u>lb/hr</u>
PM	0.03	7.15
PM <sub>10</sub>	-	7.15
SO <sub>2</sub>	-	1.10
NO <sub>x</sub>	-	6.00
CO	-	96.00
VOC	-	1.97

- G. Opacity from the baghouse is limited to no greater than 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. [06-096 CMR 101]
- H. General process emissions from the Batch 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]
- I. The Batch Mix Asphalt Plant is subject to 40 CFR Part 60 Subparts A and I, and Pike shall comply with all applicable requirements, including the notification and recordkeeping requirements of 40 CFR Part 60.7 and the initial performance test requirements of 40 CFR Part 60.8.
- J. Pike may process up to 10,000 cubic yards per year of soil contaminated by gasoline or #2 fuel oil 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]
- K. Pike may process up to 5,000 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 MEDEP Chapter 409. 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 not process soils which are classified as hazardous waste or which have unknown contaminants. [06-096 CMR 115, BPT]

M. When processing contaminated soils, Pike shall maintain records which specify the quantity and type of contaminant in the soil as well as the origin and characterization of the contaminated soil. In addition, when processing contaminated soil, Pike shall maintain records of processing temperature, asphalt feed rates and dryer throughput on an hourly basis. The material shall be handled in accordance with the requirements of the Bureau of Remediation and Waste Management. [06-096 CMR 115, BPT]

(17) **Hot Oil Heater**

A. Fuel

1. The Hot Oil Heater may fire #2 fuel oil, specification waste oil, and natural gas. It is included in the facility wide fuel limit of 103,000 MMBtu/year on a 12 month rolling total. When converting fuel use to MMBtu, Pike shall use a heating value of 0.14 MMBtu/gallon for #2 fuel oil and specification oil and 0.00103 MMBtu/scf for natural gas. [06-096 CMR 115, BPT]
2. Prior to July 1, 2016 or the date specified in 38 MRSA §603-A(2)(A)(3), the #2 fuel oil fired in the Hot Oil Heater shall be ASTM D396 compliant (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 #2 fuel oil 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 #2 fuel oil with a maximum sulfur content limit of 0.0015% by weight (15 ppm). [38 MRSA §603-A(2)(A)(3)]

B. Emissions from the Hot Oil Heater when firing #2 fuel oil or specification waste oil shall not exceed the following:

Emission Unit	PM (lb/hr)	PM <sub>10</sub> (lb/hr)	SO <sub>2</sub> (lb/hr)	NO <sub>x</sub> (lb/hr)	CO (lb/hr)	VOC (lb/hr)
Hot Oil Heater (oil)	0.18	0.18	1.12	0.32	0.08	0.01

C. Emissions from the Hot Oil Heater when firing natural gas shall not exceed the following:

Emission Unit	PM (lb/hr)	PM <sub>10</sub> (lb/hr)	SO <sub>2</sub> (lb/hr)	NO <sub>x</sub> (lb/hr)	CO (lb/hr)	VOC (lb/hr)
Hot Oil Heater (natural gas)	0.11	0.11	neg	0.22	0.18	0.01

D. Visible emissions from the Hot Oil Heater shall not exceed 20% opacity on a six (6) minute block average. [06-096 CMR 115, BPT]

(18) **Stockpiles and Roadways**

Visible emissions from a fugitive emission source 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]

(19) **General Process Sources**

Visible emissions from any general process (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 115, BPT]

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

A. Pike shall notify the Bureau of Air Quality, by a written notification, prior to relocation of any equipment carried on this license. It is preferred for notice of relocation to be submitted through the Department's on-line e-notice at: [www.maine.gov/dep/air/compliance/forms/relocation](http://www.maine.gov/dep/air/compliance/forms/relocation)

Written notice may also be sent by fax (207-287-7641) or mail. Notification sent by mail shall be sent to the address below:

Attn: Relocation Notice  
Maine DEP  
Bureau of Air Quality  
17 State House Station  
Augusta, ME 04333-0017

The notification shall include the address of the equipment's new location, an identification of the equipment and the license number pertaining to the relocated equipment.

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.

(21) 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]

Pike Industries, Inc.  
Androscoggin County  
Lewiston, Maine  
A-183-71-N-R (SM)

16

Departmental  
Findings of Fact and Order  
Air Emission License  
Renewal

- (22) Pike shall notify the Department within 48 hours and submit a report to the Department on a quarterly basis if a malfunction or breakdown in any component causes a violation of any emission standard [38 M.R.S.A. §605].

DONE AND DATED IN AUGUSTA, MAINE THIS 17 DAY OF March, 2014.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

BY: Marie Allen Robert Corne for  
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: 4/3/13  
Date of application acceptance: 4/22/13

Date filed with the Board of Environmental Protection:

This Order prepared by Lynn Poland, Bureau of Air Quality.

