

STATE OF MAINE DEPARTMENT OF ENVIRONMENTAL PROTECTION 17 STATE HOUSE STATION AUGUSTA, MAINE 04333-0017

DEPARTMENT ORDER

Eurovia Atlantic Coast LLC d/b/a Copiam Asphalt Solutions Penobscot County Hermon, Maine A-1185-71-A-N

Departmental Findings of Fact and Order Air Emission License

FINDINGS OF FACT

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 Maine Revised Statutes (M.R.S.) § 344 and § 590, the Maine Department of Environmental Protection (Department) finds the following facts:

I. REGISTRATION

A. Introduction

Eurovia Atlantic Coast LLC (Eurovia) d/b/a Copiam Asphalt Solutions was issued Air Emission License A-257-71-R-R/A on December 19, 2016, for the operation of emission sources associated with their hot mix asphalt plant and crushed stone and gravel facility. The license was subsequently amended as follows:

Amendment	Date Issued	Brief Description
A-257-71-S-M	2/2/2017	Decrease the throughput limit for the hot mix asphalt plant
		and increase fuel limit for HYCGO-200 Hot Oil Heater
A_257_71_T_T	//18/2010	Transfer of license from The Lane Construction
A-237-71-1-1 4/18/2019		Corporation to Eurovia Atlantic Coast LLC
		Add bulk asphalt storage terminal, lower the throughput
A-257-71-U-A 10/16/2020	limit for the hot mix asphalt plant, and remove all crushers	
		and associated engines
		Revise size of bulk terminal hot oil heaters, add asphalt
A 257 71 V A	2/14/2022	blending tanks, reduce bulk terminal throughput limit, add
A-25/-/1-V-A	2/14/2022	emergency generator, and lower throughput limit for the
		hot mix asphalt plant
		Replace the asphalt plant, add Emergency Generator #1,
A-257-71-W-A	10/18/2023	and address applicable requirements of 06-096 C.M.R.
		ch. 171.

Eurovia has requested a new air emission license to transfer the equipment associated with the asphalt storage terminal to a separate license. Although under control of the same legal entity, the hot mix asphalt plant and the asphalt storage terminal are not in the same industrial category. The hot mix asphalt plant has a Standard Industrial Code (SIC) that falls under the manufacturing industrial grouping (29), and the asphalt bulk storage

terminal has an SIC that falls under the wholesale trade industrial grouping (51). Therefore, the bulk storage terminal can be considered a separate facility and be licensed separately.

2

In addition, Eurovia has requested an increase in the following throughput limits for their asphalt storage terminal:

- Throughput for Tanks #1, #2, and #3 (all tanks combined) be increased from 10.5 million gallons per year to 18.0 million gallons per year;
- Throughput for Blending Tanks #5 and #6 (both tanks combined) be increased from 3.15 million gallons per year to 7.5 million gallons per year; and
- Throughput for Tanks #8 and #9 (both tanks combined) be increased from 3.15 million gallons per year to 7.5 million gallons per year.

The equipment addressed in this license amendment is located at 1061 Odlin Road, Hermon, Maine.

B. Emission Equipment

The following equipment is addressed in this air emission license:

Equipment	Capacity (gallons)	Product Stored	Roof Type	Temperature	Date Installed
Tank #1	2,350,000			275 – 310 °F	2021
Tank #2	2,350,000	Asphalt		275 – 310 °F	2021
Tank #3	2,350,000			$275-310\ ^\circ F$	2021
Blending Tank #5	10,000		Fixed	360 °F	2021
Blending Tank #6	10,000	Polymer		360 °F	2021
Tank #8	60,000	Asphalt		330 °F	2021
Tank #9	60,000	Aspilat		330 °F	2021

Asphalt Tanks

Heating Equipment

Equipment	Max. Capacity (MMBtu/hr)	Maximum Firing Rate	Fuel Type	Date of Manuf.	Stack #
Terminal HOH #1	11.1	10,700 scf/hr	Natural Gas	2020	3
Terminal HOH #2	11.1	10,700 scf/hr	Natural Gas	2020	4
Terminal HOH #3	11.1	10,700 scf/hr	Natural Gas	2020	5

Departmental Findings of Fact and Order Air Emission License

Stationary Engines

3

Equipment	Max. Input Capacity (MMBtu/hr)	Rated Output Capacity (kW)	Fuel Type	Firing Rate (scf/hr)	Date of Manf.	Date of Install.
Emergency Generator #1	1.83	150	Natural gas	1,778	2021	2021

C. Definitions

<u>Heated Bulk Storage Tank</u> means a bulk storage tank with a capacity greater than 30,000 gallons containing asphalt. Pursuant to this definition, Eurovia's Tanks #1, #2, #3, #8 and #9 are heated bulk storage tanks.

<u>Records</u> or <u>Logs</u> mean either hardcopy or electronic records.

D. Application Classification

All rules, regulations, or statutes referenced in this air emission license refer to the amended version in effect as of the date this license was issued.

Eurovia is applying for a new license for equipment associated with an asphalt storage terminal which is being transferred from Air Emission License A-257-71-W-A also held by Eurovia. The Department has determined that the facility is a minor source. Eurovia has also applied to modify their current material throughput limits, as addressed in Air Emission License A-257-71-W-A for the asphalt tanks as addressed in Section I(A) above.

The modification of a minor source is considered a major or minor modification based on whether or not expected emission increases exceed the "Significant Emissions" levels as defined in the Department's *Definitions Regulation*, 06-096 Code of Maine Rules (C.M.R.) ch. 100. The emission increases are determined by subtracting the current licensed annual emissions preceding the modification from the maximum future licensed annual emissions, as follows:

Pollutant	Current License	Future License	Net Change	Significant Emission Levels
PM	7 2	7 2	(tpy)	100
PM_{10}	7.2	7.2	_	100
PM _{2.5}	7.2	7.2	_	100
SO_2	0.0	0.0	_	100
NO _x	14.2	14.2	_	100
СО	12.1	12.1	_	100
VOC	11.5	21.7	+10.2	100

Therefore, the modification is considered to be a minor modification and has been processed through *Major and Minor Source Air Emission License Regulations*, 06-096 C.M.R. ch. 115.

4

E. Facility Classification

With the annual throughput limits on the tanks, the facility is licensed as follows:

- As a synthetic minor source of air emissions for criteria pollutants, because Eurovia is subject to license restrictions that keep facility emissions below major source thresholds for VOC; and
- As an area source of hazardous air pollutants (HAP), because the licensed emissions are below the major source thresholds for HAP.

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 C.M.R. ch. 100. Separate control requirement categories exist for new and existing equipment.

BPT for new sources and modifications requires a demonstration that emissions are receiving Best Available Control Technology (BACT), as defined in *Definitions Regulation*, 06-096 C.M.R. ch. 100. BACT is a top-down approach to selecting air emission controls considering economic, environmental, and energy impacts.

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 Storage Tanks #1, #2, & #3

Eurovia operates five heated asphalt storage tanks. The three larger tanks (Tanks #1, #2, and #3) are used to store asphalt as received by the supplier. The two smaller tanks (Tanks #8 and #9) are used to store asphalt which has had a polymer added in accordance with Federal and or State specifications prior to use at Eurovia hot mix asphalt facilities and other third party hot mix asphalt facilities. All five tanks are fixed roof tanks which are fully insulated, including the roofs.

All asphalt which comes into the facility is received into Tanks #1, #2, or #3. Eurovia typically takes delivery of asphalt in winter months and stores it in these tanks for use throughout the summer months. Any tank currently being used to dispense material is held at approximately 310 °F to maintain the viscosity needed for distribution. To save energy, the tanks not actively in use to dispense material will be held at a lower temperature (~275 °F). Emissions from these tanks were estimated conservatively high by assuming all tanks were held at the higher temperature throughout the year.

5

Tanks #8 and #9 are used to store and distribute asphalt which has been blended with polymer to Federal and or State specifications. Tanks #8 and #9 are held at approximately 330 °F.

1. Throughput Increase

Tanks #1, #2, and #3 each have a storage capacity of 2,350,000 gallons and a current throughput limit of 3,500,000 gallons per year (10.5 million gallons per year of throughput for all three tanks combined) on a 12-month rolling total basis. Eurovia proposed to increase the combined throughput limit to 18.0 million gallons per year. Since the facility's potential emissions of VOC are significantly less than 50% of the major source threshold, Eurovia has proposed that compliance with the limit be demonstrated on a calendar year basis rather than a 12-month rolling total basis.

Tanks #8 and #9 each have a capacity of 60,000 gallons and a current throughput limit of 3.15 million gallons per year (both tanks combined) on a 12-month rolling total basis. Eurovia proposed to increase the combined throughput limit to 7.5 million gallons per year. Since the facility's potential emissions of VOC are significantly less than 50% of the major source threshold, Eurovia has proposed that compliance with the limit be demonstrated on a calendar year basis rather than a 12-month rolling total basis.

The Department agrees to the proposed throughput changes. The Department finds the following to represent BACT for this change:

- a. Eurovia shall not exceed a throughput limit of 18.0 million gallons per year for Tanks #1, #2, and #3 combined (based on a calendar year total);
- b. Eurovia shall not exceed a throughput limit of 7.5 million gallons per year for Tanks #8 and #9 combined (based on a calendar year total);
- c. Eurovia shall keep records of the quantity (on a monthly basis) of any product(s) blended with the asphalt and subsequently stored in Tanks #1, #2, #3, #8, and #9. Eurovia shall keep records of Safety Data Sheets (SDS) for any product(s) added to the asphalt on-site and subsequently stored in Tanks #1, #2, #3, #8, and #9;

d. VOC- and HAP-containing materials shall be stored in vapor-tight, non-leaking containers. The containers shall be kept closed at all times except when the container is being filled, emptied, or is otherwise actively in use; and

6

- e. Eurovia shall continue to comply with *Control of Petroleum Storage Facilities*, 06-096 C.M.R. ch. 171, which is addressed later in this license.
- 2. New Source Performance Standards (NSPS): 40 C.F.R. Part 60, Subpart Kb

Standards of Performance for Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for Which Construction, Reconstruction, or Modification Commenced After July 23, 1984, 40 C.F.R. Part 60, Subpart Kb, applies to tanks which store volatile organic liquids which are greater than 151 cubic meters (~40,000 gallons) and store a product with a true vapor pressure greater than 3.5 kilopascals (kPa).

No reliable data exists on the true vapor pressure of asphalt, although it is generally assumed to be less than the true vapor pressure of #6 fuel oil. Therefore, as has been done throughout this license, data for #6 fuel oil was used as a conservative surrogate. The following equation (1-25) from EPA's AP-42, Fifth Edition, Volume 1, Chapter 7, dated 3/2020 was used to determine true vapor pressure at various temperatures:

$$P_{V\!A} = \exp \left[A - \left(\frac{B}{T_{LA}} \right) \right]$$

Where:

$$\begin{split} &exp = exponential function \\ &P_{VA} = true \ vapor \ pressure \ (psia) \\ &T_{LA} = liquid \ surface \ temperature \ (^{\circ}R) \\ &A = 10.781 \ (vapor \ pressure \ constant \ for \ \#6 \ fuel \ oil) \\ &B = 8,933 \ (vapor \ pressure \ constant \ for \ \#6 \ fuel \ oil) \end{split}$$

Based on this analysis, the product stored by Eurovia is assumed to have a true vapor pressure greater than 3.5 kPa at temperatures above 320 °F. Because Tanks #1, #2, and #3 will be operated at 310 °F or below, these tanks are not considered subject to 40 C.F.R. Part 60, Subpart Kb. Eurovia shall continuously monitor and record on an hourly average basis the temperature in each tank to demonstrate that temperatures of products stored in Tanks #1, #2, and #3 do not exceed 310 °F.

Tanks #8 and #9 may operate at temperatures above 320 °F. Therefore, these tanks are considered subject to 40 C.F.R. Part 60, Subpart Kb. Eurovia shall comply with all

requirements of 40 C.F.R. Part 60, Subpart Kb applicable to Tanks #8 and #9 including, but not limited to, the following:

7

- Eurovia shall maintain readily accessible records showing the dimensions of each storage vessel (Tanks #8 and #9) and an analysis showing the capacity of each storage vessel. These records shall be kept for the life of the facility.
 [40 C.F.R. §§ 60.116b(a) & (b)]
- b. Eurovia shall maintain the following records for each storage vessel (Tanks #8 and #9):
 - (1) Product stored;
 - (2) Period of storage (i.e., note any time when the tank is empty); and
 - (3) Maximum true vapor pressure of the product stored. [40 C.F.R. § 60.116b(c)]

The maximum true vapor pressure is calculated based on the highest calendarmonth average of the storage temperature (i.e., by taking the average product temperature over the course of a calendar month). [40 C.F.R. § 60.116b(e)(1)]

c. Eurovia shall notify DEP and EPA within 30 days if the maximum true vapor pressure of the liquid exceeds 5.2 kPa (expected at 348 °F). This notification shall be submitted in PDF format using the Compliance and Emissions Data Reporting Interface (CEDRI) website and following the procedure specified in 40 C.F.R. § 60.115b(e). [40 C.F.R. § 60.116b(d)]

C. Blending Tanks #5 and #6

Eurovia operates two blending tanks (Blending Tanks #5 and #6) to blend liquid asphalt with one or more polymer materials to make polymer modified asphalt (PMA). The polymer materials enhance the mechanical properties of the asphalt to withstand heavy traffic and extreme weather conditions.

Asphalt leaves one of the large storage tanks and is sent through a heat exchanger that raises the temperature to roughly 360 °F. The asphalt is then sent to the PMA skid inside the PMA production building where polymer is added and blended with the asphalt. The blended asphalt is then transferred to either Blending Tank #5 or #6 for digestion. When polymer digestion is complete, sulfur is added to the tank as a crosslinker to stabilize the blend. The PMA is then sent through a static blender where a zinc octoate scavenger is added that reacts with any remaining sulfur to form zinc sulfates, thereby reducing emissions of hydrogen sulfide (H₂S). The finished product is sent to Tanks #8 and #9 for storage prior to delivery via truck.

1. Throughput Increase

Blending Tanks #5 and #6 each have a capacity of 10,000 gallons and a current throughput limit of 3.15 million gallons per year (both tanks combined) on a 12-month rolling total basis. Eurovia proposed to increase the combined throughput limit to 7.5 million gallons per year. Since the facility's potential emissions of VOC are significantly less than 50% of the major source threshold, Eurovia has proposed that compliance with the limit be demonstrated on a calendar year basis rather than a 12-month rolling total basis.

8

The Department agrees to the proposed throughput changes. The Department finds the following to represent BACT for this change:

- a. Eurovia shall not exceed a throughput limit of 7.5 million gallons per year for Tanks #5 and #6 combined (based on a calendar year total); and
- b. Eurovia shall continue to comply with *Control of Petroleum Storage Facilities*, 06-096 C.M.R. ch. 171, which is addressed later in this license.
- 2. New Source Performance Standards (NSPS): 40 C.F.R. Part 60, Subpart Kb

Standards of Performance for Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for Which Construction, Reconstruction, or Modification Commenced After July 23, 1984, 40 C.F.R. Part 60, Subpart Kb, applies to tanks which store volatile organic liquids which are greater than 151 cubic meters (~40,000 gallons) and store a product with a true vapor pressure greater than 3.5 kilopascals (kPa). Blending Tanks #5 and #6 are not subject to this regulation because their capacities are less than 151 cubic meters each.

3. H₂S Emissions

The polymerization process has the potential to liberate hydrogen sulfide (H₂S) from the asphalt which can then be emitted from Blending Tanks #5 and #6. H₂S is a regulated pollutant pursuant to 06-096 C.M.R. ch. 100, § 150(B), because there are several New Source Performance Standards that contain standards for H₂S.

In 2022, Eurovia conducted testing on the H_2S emissions from the blending tanks. The results show that, provided throughput does not exceed 7.5 million gallons per year, emissions of H_2S would be less than one ton per year and therefore an insignificant activity for this pollutant.

Departmental Findings of Fact and Order Air Emission License

D. Chapter 171 Applicable Requirements

Control of Petroleum Storage Facilities, 06-096 C.M.R. ch. 171, became effective on August 4, 2023. This rule contains the following applicable requirements specific to Eurovia.

9

- 1. Heated Bulk Storage Tanks (Tanks #1, #2, #3, #8, and #9)
 - a. Insulation

The heated bulk storage tanks shall be fully insulated in a manner that minimizes temperature fluctuation of the stored material. [06-096 C.M.R. ch. 171, § 4(B)]

- b. Testing and Monitoring Requirements
 - Eurovia shall continuously monitor and record on an hourly average basis the liquid temperature of each in-service heated bulk storage tank. This monitor shall record accurate and reliable data at least 95% of the source operating time in each calendar quarter. A minimum of one data point in at least two of the four distinct 15-minute quadrants constitutes a valid hour. [06-096 C.M.R. ch. 171, § 6(A)(1)]
 - (2) Eurovia shall conduct emissions testing for VOC and HAP on the heated bulk storage tanks at least twice per calendar year with at least four months between tests. Testing shall occur during periods when the tank is being heated. Upon approval by the Department, Eurovia may conduct emissions testing on a representative tank storing the same product in lieu of testing all tanks. [06-096 C.M.R. ch. 171, §§ 6(A)(2) and (6)]
 - (3) Eurovia shall use the results of emissions testing to develop emission factors for both standing losses and working losses. These emission factors shall be used to calculate facility emissions upon request by the Department. [06-096 C.M.R. ch. 171, § 6(A)(3) and 06-096 C.M.R. ch. 115, BPT]
 - (4) Emissions testing shall be conducted in accordance with the facility's Performance Test Protocol as approved by the Department and the Bureau of Air Quality's Performance Testing Guidance. [06-096 C.M.R. ch. 171, § 6(A)(4)]

Eurovia shall submit to the Department for approval a performance test protocol, as outlined in the Department's Performance Testing Guidance, at least 30 days prior to the scheduled date of the performance test. [06-096 C.M.R. ch. 115, BPT]

The Department's Performance Testing Guidance is available online at: <u>https://www.maine.gov/dep/air/emissions/testing.html</u>

10

c. Recordkeeping Requirements

Eurovia shall keep the following records for each in-service heated bulk storage tank:

(1) The quantity on a monthly basis of any product added to the tank;
 (2) Safety Data Sheets (SDS) for the products identified in (1) above; and
 (3) The temperature of the stored liquid on an hourly average basis.
 [06-096 C.M.R. ch. 171, § 7(A)]

2. Inspections Using Optical Gas Imaging

Eurovia shall perform inspections in accordance with the following:

- a. At least once per calendar quarter, Eurovia shall conduct an inspection survey of each heated bulk storage tank and each facility fugitive emissions component using optical gas imaging equipment. [06-096 C.M.R. ch. 171, § 5(A)(1)]
- b. The optical gas imaging equipment used must meet the following specifications as verified by the manufacturer:
 - (1) Capable of imaging gases in the spectral range for benzene; and
 - (2) Capable of imaging a gas that is half methane and half propane at a concentration of 10,000 ppm at a flow rate of ≤ 60 grams per hour from a quarter inch diameter orifice.

[06-096 C.M.R. ch. 171, § 5(A)(2)]

- c. Eurovia was required to submit an optical gas imaging leak detection and repair plan by October 3, 2023. [06-096 C.M.R. ch. 171, § 5(A)(3)] This plan was submitted on October 2, 2023 and approved by the Department on January 18, 2024.
- d. If visible emissions are observed from a fugitive emissions component using optical gas imaging equipment, within two calendar days Eurovia shall determine whether a leak, as defined by 06-096 C.M.R. ch. 171, is present by using photo ionization detection (PID) technology or flame ionization detection (FID) technology. Alternatively, Eurovia may elect to presume that a leak is present without further

confirmation. If a leak is determined or presumed to be present, Eurovia shall initiate corrective action and repair the leak within 15 calendar days.

11

- (1) If the presence of a leak cannot be confirmed due to safety concerns or physical constraints, Eurovia shall presume the leak to be confirmed and initiate corrective action and repair the leak within 15 calendar days.
- (2) If a leak cannot be repaired within 15 days, Eurovia shall notify the Department of the leak, the reason for the delay, and the expected date of the repair. Eurovia shall promptly notify the Department of the date that the leak is successfully repaired. A fugitive emissions component is considered repaired when the optical gas imaging equipment shows no indication of visible emissions or there is no longer indication of a leak as that term is defined in this regulation under normal use conditions.

[06-096 C.M.R. ch. 171, § 5(A)(5)]

- e. For all quarterly inspections conducted using optical gas imaging equipment, Eurovia shall keep the following records:
 - (1) The date of the inspection;
 - (2) Identification and description of the equipment and areas inspected;
 - (3) A description of any leaks detected;
 - (4) An electronic recording of the optical gas imaging equipment images; and
 - (5) A description of any resulting corrective actions or repairs and the dates they were made.

[06-096 C.M.R. ch. 171, § 7(B)]

3. Fenceline Monitoring

Eurovia is not subject to the fenceline monitoring requirements in 06-096 C.M.R. ch. 171, § 6(B). Although it is a petroleum storage facility, Eurovia does not operate any tanks equipped with either internal or external floating roofs.

E. <u>Terminal Hot Oil Heaters #1, #2, and #3</u>

Eurovia operates three hot oil heaters (HOHs) denoted as Terminal HOHs #1, #2, and #3. The HOHs provide heat to the facility's asphalt storage tanks. The natural gas-fired burners in the HOHs heat a thermal oil which is circulated around the shell of each asphalt storage tank to heat the asphalt. The thermal oil can also be sent to a steam generator that heats water to create steam to be used to heat the shells of railcars or trucks being used to transport the asphalt. However, the HOH burners do not directly heat water.

Each HOH is rated at 11.1 MMBtu/hr and fires natural gas. These were installed in 2020.

12

1. BPT Findings

The BPT emission limits for Terminal HOHs #1, #2, and #3 were based on the following:

PM/PM10/PM2.5	_	0.05 lb/MMBtu based on 06-096 C.M.R. ch. 115, BACT
SO_2	_	0.6 lb/MMscf based on AP-42 Table 1.4-2 dated 7/98
NO _x	_	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
Visible Emissions	—	06-096 C.M.R. ch. 101

The BPT emission limits for Terminal HOHs #1, #2, and #3 are the following:

Unit	Pollutant	lb/MMBtu
Terminal HOH #1	PM	0.05
Terminal HOH #2	PM	0.05
Terminal HOH #3	PM	0.05

	PM	PM ₁₀	PM _{2.5}	SO ₂	NO _x	СО	VOC
Unit	(lb/hr)	(lb/hr)	(lb/hr)	(lb/hr)	(lb/hr)	(lb/hr)	(lb/hr)
Terminal HOH #1	0.56	0.56	0.56	0.01	1.08	0.91	0.06
Terminal HOH #2	0.56	0.56	0.56	0.01	1.08	0.91	0.06
Terminal HOH #3	0.56	0.56	0.56	0.01	1.08	0.91	0.06

Visible emissions from Terminal HOHs #1, #2, and #3 shall each not exceed 10% opacity on a six-minute block average basis.

2. New Source Performance Standards (NSPS): 40 C.F.R. Part 60, Subpart Dc

Due to their size, the HOHs are subject to *Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units* 40 C.F.R. Part 60, Subpart Dc for units greater than 10 MMBtu/hr manufactured after June 9, 1989. [40 C.F.R. § 60.40c] The definition of *steam generating unit* includes units which heat transfer mediums other than water.

a. Eurovia shall maintain records of the amounts of natural gas combusted in the HOHs during each calendar month. [40 C.F.R. § 60.48c(g)]

b. The following address for EPA shall be used for any reports or notifications required to be copied to them:

13

U.S. Environmental Protection Agency, Region I 5 Post Office Square, Suite 100 (OES04-2) Boston, MA 02109-3912 Attn: Air Compliance Clerk

3. National Emission Standards for Hazardous Air Pollutants (NESHAP): 40 C.F.R. Part 63, Subpart JJJJJJ

The Terminal HOHs #1, #2, and #3 do not heat water. As such, they do not meet the definition of a "boiler" and therefore are not subject to *National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers Area Sources,* 40 C.F.R. Part 63, Subpart JJJJJJ.

F. Emergency Generator #1

Eurovia operates a 150-kW emergency generator for the asphalt storage terminal (Emergency Generator #1). An emergency generator is a generator set consisting of an engine and an electrical generator. Emergency Generator #1 has an engine with a heat input rating of 1.83 MMBtu/hr firing natural gas. It was manufactured in 2021 and is certified by EPA for emergency use only.

1. BPT Findings

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

PM/PM ₁₀ /PM _{2.5}	- 0.01 lb/MMBtu based on AP-42 Table 3.2-2 dated 7/00
SO_2	- negligible based on the firing of natural gas
NO _x	- 0.847 lb/MMBtu based on AP-42 Table 3.2-2 dated 7/00
CO	- 0.557 lb/MMBtu based on AP-42 Table 3.2-2 dated 7/00
VOC	- 0.118 lb/MMBtu based on AP-42 Table 3.2-2 dated 7/00
Opacity	- 06-096 C.M.R. ch. 115, BACT

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

Unit	PM	PM ₁₀	PM2.5	NO _x	CO	VOC
	(lb/hr)	(lb/hr)	(lb/hr)	(lb/hr)	(lb/hr)	(lb/hr)
Emergency Generator #1	0.02	0.02	0.02	1.55	1.02	0.22

Visible emissions from Emergency Generator #1 shall not exceed 10% opacity on a six-minute block average basis.

The Department has determined that the proposed BPT visible emission limit is more stringent than the applicable limit in 06-096 C.M.R. ch. 101. Therefore, the visible emission limit for the generator has been streamlined to the more stringent BPT limit, and only this more stringent limit shall be included in the air emission license.

14

2. 40 C.F.R. Part 60, Subpart JJJJ

Standards of Performance for Spark Ignition Internal Combustion Engines, 40 C.F.R. Part 60, Subpart JJJJ is applicable to Emergency Generator #1 since the unit was ordered after June 12, 2006, and manufactured after January 1, 2009. [40 C.F.R. § 60.4230] By meeting the requirements of 40 C.F.R. Part 60, Subpart JJJJ, the unit also meets the requirements found in the National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines, 40 C.F.R. Part 63, Subpart ZZZZ. [40 C.F.R. § 63.6590(c)]

A summary of the currently applicable federal 40 C.F.R. Part 60, Subpart JJJJ requirements is listed below.

a. Emergency Engine Designation and Operating Criteria

Under 40 C.F.R. Part 60, Subpart JJJJ, a stationary reciprocating internal combustion engine (ICE) is considered an emergency stationary ICE (emergency engine) as long as the engine is operated in accordance with the following criteria. Operation of an engine outside of the criteria specified below may cause the engine to no longer be considered an emergency engine under 40 C.F.R. Part 60, Subpart JJJJ, resulting in the engine being subject to requirements applicable to non-emergency engines.

(1) Emergency Situation Operation (On-Site)

There is no operating time limit on the use of an emergency engine to provide electrical power or mechanical work during an emergency situation. Examples of use of an emergency engine during emergency situations include the following:

- Use of an engine to produce power for critical networks or equipment (including power supplied to portions of a facility) because of failure or interruption of electric power from the local utility (or the normal power source, if the facility runs on its own power production);
- Use of an engine to mitigate an on-site disaster or equipment failure;
- Use of an engine to pump water in the case of fire, flood, natural disaster, or severe weather conditions; and
- Similar instances.

(2) Non-Emergency Situation Operation

An emergency engine may be operated up to a maximum of 100 hours per calendar year for maintenance checks, readiness testing, and other non-emergency situations as described below.

15

- (i) An emergency engine may be operated for a maximum of 100 hours per calendar year for maintenance checks and readiness testing, provided that the tests are recommended by federal, state, or local government; the manufacturer; the vendor; the regional transmission organization or equivalent balancing authority and transmission operator; or the insurance company associated with the engine. The owner or operator may petition the Administrator for approval of additional hours to be used for maintenance checks and readiness testing, but a petition is not required if the owner or operator maintains records indicating that federal, state, or local standards require maintenance and testing of emergency ICE more than 100 hours per calendar year.
- (ii) An emergency engine may be operated for up to 50 hours per calendar year for other non-emergency situations. However, these operating hours are counted as part of the 100 hours per calendar year operating limit described in paragraph (2) and (2) (i) above.

The 50 hours per calendar year operating limit for other non-emergency situations cannot be used for peak shaving, demand response, or to generate income for a facility by providing power to an electric grid or otherwise supply power as part of a financial arrangement with another entity.

- [40 C.F.R. §§ 60.4243(d) and 60.4248]
- b. 40 C.F.R. Part 60, Subpart JJJJ Requirements
 - Manufacturer Certification Requirement The engine shall be certified by the manufacturer as meeting the emission standards for new nonroad spark ignition engines found in 40 C.F.R. Part 60, Subpart JJJJ, Table 1. [40 C.F.R. § 60.4233]
 - (2) Non-Resettable Hour Meter Requirement A non-resettable hour meter shall be installed and operated on the engine. [40 C.F.R. § 60.4237]

(3) Operation and Maintenance Requirement The engine shall be operated and maintained according to the manufacturer's written instructions or procedures developed by Eurovia that are approved by the engine manufacturer. Eurovia may only change those settings that are permitted by the manufacturer. [40 C.F.R. § 60.4243]

16

(4) Annual Time Limit for Maintenance and Testing

As an emergency engine, the unit shall be limited to 100 hours/year for maintenance and testing. The emergency engine may operate up to 50 hours per year in non-emergency situations, but those 50 hours are included in the 100 hours total allowed for maintenance and testing. The 50 hours for non-emergency use cannot be used for peak shaving or to generate income for a facility to supply power to an electric grid or otherwise supply power as part of a financial arrangement with another entity. [40 C.F.R. § 60.4243(d)]

(5) Recordkeeping

Eurovia shall keep records that include maintenance conducted on the engine and the hours of operation of the engine recorded through the non-resettable hour meter. Documentation shall include the number of hours the unit operated for emergency purposes, the number of hours the unit operated for nonemergency purposes, and the reason the engine was in operation during each time. [40 C.F.R. § 60.4245(b)]

G. Performance Test Protocol

For any performance testing required by this license, Eurovia shall submit to the Department for approval a performance test protocol, as outlined in the Department's Performance Testing Guidance, at least 30 days prior to the scheduled date of the performance test. [06-096 C.M.R. ch. 115, BPT]

The Department's Performance Testing Guidance is available online at: <u>https://www.maine.gov/dep/air/emissions/testing.html</u>

H. Annual Emissions

The table below provides an estimate of facility-wide annual emissions for the purposes of calculating the facility's annual air license fee and establishing the facility's potential to emit (PTE). Only licensed equipment is included, i.e., emissions from insignificant activities are excluded. Similarly, unquantifiable fugitive particulate matter emissions are not included except when required by state or federal regulations. Maximum potential emissions were calculated based on the following assumptions:

17

- Unlimited fuel use in Terminal HOHs #1, #2, and #3;
- Operating Emergency Generator #1 for 100 hours/year;
- Combined throughput for Tanks #1, #2, and #3 of 18.0 million gallons per year;
- Combined throughput for Tanks #8 and #9 of 7.5 million gallons per year;
- Combined throughput for Blending Tanks #5 and #6 of 7.5 million gallons per year; and
- Potential emissions from Tanks #1 #9 were estimated using the methodology contained in EPA's AP-42, Fifth Edition, Volume 1, Chapter 7, dated 3/2020 using #6 fuel oil as a surrogate for asphalt. These emission estimates are considered conservatively high.

This information does not represent a comprehensive list of license restrictions or permissions. That information is provided in the Order section of this license.

Total Licensed Annual Emissions for the Facility Tons/year

(used to calculate the annual license fee)

	PM	PM ₁₀	PM _{2.5}	SO ₂	NO _x	CO	VOC
Terminal HOH #1	2.4	2.4	2.4	_	4.7	4.0	0.3
Terminal HOH #2	2.4	2.4	2.4	_	4.7	4.0	0.3
Terminal HOH #3	2.4	2.4	2.4	_	4.7	4.0	0.3
Emerg. Gen. #1	_			_	0.1	0.1	_
Tanks #1, #2, & #3	_			_		_	8.5
Blending Tanks #5 & #6	_			_		_	5.2
Tanks #8 & #9	_			_		_	5.1
Piping Fugitive	_			_		_	2.0
Total TPY	7.2	7.2	7.2	_	14.2	12.1	21.7

Pollutant	Tons/year
Single HAP	7.9
Total HAP	19.9

III.AMBIENT AIR QUALITY ANALYSIS

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

18

Pollutant	Tons/Year		
PM_{10}	25		
PM _{2.5}	15		
SO_2	50		
NO _x	50		
СО	250		

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

This determination is based on information provided by the applicant regarding licensed emission units. If the Department determines that any parameter (e.g., stack size, configuration, flow rate, emission rates, nearby structures, etc.) deviates from what was included in the application, the Department may require Eurovia to submit additional information and may require an ambient air quality impact analysis at that time.

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, and
- will not violate applicable ambient air quality standards in conjunction with emissions from other sources.

The Department hereby grants Air Emission License A-1185-71-A-N subject to the following conditions.

<u>Severability</u>. The invalidity or unenforceability of any provision of this License or part thereof 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. § 347-C).

19

- (2) The licensee shall acquire a new or amended air emission license prior to beginning actual construction of a modification, unless specifically provided for in Chapter 115. [06-096 C.M.R. ch. 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 C.M.R. ch. 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 C.M.R. ch. 115]
- (5) The licensee shall pay the annual air emission license fee to the Department, calculated pursuant to Title 38 M.R.S. § 353-A. [06-096 C.M.R. ch. 115] Payment of the annual air emission license fee for Eurovia is due by the end of November of each year. [38 M.R.S. § 353-A(3)]
- (6) The license does not convey any property rights of any sort, or any exclusive privilege. [06-096 C.M.R. ch. 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 C.M.R. ch. 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 C.M.R. ch. 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 C.M.R. ch. 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 C.M.R. ch. 115]

20

- (11) In accordance with the Department's air emission compliance test protocol and 40 C.F.R. 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 C.F.R. 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 C.M.R. ch. 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 the written test report by the Department, or another alternative timeframe approved by the Department, 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 C.F.R. 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

21

- 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 C.M.R. ch. 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 license requirement. [06-096 C.M.R. ch. 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 C.M.R. ch. 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 C.M.R. ch. 115]
- (16) The licensee 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. § 605). [06-096 C.M.R. ch. 115]

SPECIFIC CONDITIONS

(17) **Asphalt Tanks (Tanks #1 - #9)**

- A. Eurovia shall store only asphalt or modified asphalt (PPA, PMA) in their heated petroleum storage tanks. [06-096 C.M.R. ch. 115, BACT]
- B. Eurovia shall keep records of the quantity (on a monthly basis) of any product(s) blended with the asphalt and subsequently stored in Tanks #1, #2, #3, #8, and #9.

Eurovia shall keep records of Safety Data Sheets (SDS) for any product(s) added to the asphalt on-site and subsequently stored in Tanks #1, #2, #3, #8, and #9. [06-096 C.M.R. ch. 115, BACT and 06-096 C.M.R. ch. 171, §§ 7(A)(1) and (2)]

22

- C. VOC- and HAP-containing materials shall be stored in vapor-tight, non-leaking containers. The containers shall be kept closed at all times except when the container is being filled, emptied, or is otherwise actively in use. [06-096 C.M.R. ch. 115, BACT]
- D. Tanks #1 #3 and Tanks 8 and #9 shall each be fully insulated in a manner that minimizes temperature fluctuation of the stored material. [06-096 C.M.R. ch. 171, § 4(B)]
- E. Tanks #1, #2, and #3 combined shall not exceed an annual throughput of 18.0 million gallons per year on a calendar year total basis. [06-096 C.M.R. ch. 115, BACT]
- F. Blending Tanks #5 and #6 combined shall not exceed an annual throughput of 7.5 million gallons per year on a calendar year total basis. [06-096 C.M.R. ch. 115, BACT]
- G. Tanks #8 and #9 combined shall not exceed an annual throughput of 7.5 million gallons per year on a calendar year total basis. [06-096 C.M.R. ch. 115, BACT]
- H. The asphalt stored in Tanks #1, #2, and #3 shall not exceed an hourly average liquid temperature of 310 °F. Compliance shall be demonstrated by the temperature monitoring required by this license. [06-096 C.M.R. ch. 115, BACT]
- I. Testing and Monitoring Requirements
 - 1. Eurovia shall continuously monitor and record on an hourly average basis the liquid temperature of each in-service heated bulk storage tank. This monitor shall record accurate and reliable data at least 95% of the source operating time in each calendar quarter. A minimum of one data point in at least two of the four distinct 15-minute quadrants constitutes a valid hour. [06-096 C.M.R. ch. 171, §§ 6(A)(1) and 7(A)(3)]
 - 2. Eurovia shall conduct emissions testing for VOC and HAP on the heated bulk storage tanks at least twice per calendar year with at least four months between tests. Testing shall occur during periods when the tank is being heated. Upon approval by the Department, Eurovia may conduct emissions testing on a representative tank storing the same product in lieu of testing all tanks. [06-096 C.M.R. ch. 171, §§ 6(A)(2) and (6)]
 - 3. Eurovia shall use the results of emissions testing to develop emission factors for both standing losses and working losses. These emission factors shall be used to

calculate facility emissions upon request by the Department. [06-096 C.M.R. ch. 171, § 6(A)(3) and 06-096 C.M.R. ch. 115, BPT]

4. During any emissions testing, the product in the receiving tank must be heated to normal operating temperature. [06-096 C.M.R. ch. 115, BPT]

23

- 5. Emissions testing shall be conducted in accordance with the facility's Performance Test Protocol as approved by the Department and the Bureau of Air Quality's Performance Testing Guidance. [06-096 C.M.R. ch. 171, § 6(A)(4)]
- 6. Eurovia shall submit to the Department for approval a performance test protocol, as outlined in the Department's Performance Testing Guidance, at least 30 days prior to the scheduled date of the performance test. [06-096 C.M.R. ch. 115, BPT)]
- J. Eurovia shall conduct routine inspections of all asphalt tanks (Tanks #1 #9) at a minimum of once every month. Visual inspections shall include the roof and around the perimeter of the tank. [06-096 C.M.R. ch. 115, BACT]
- K. Eurovia shall maintain logs of all inspections documenting any detected leaks, holes, tears, or other openings, and the corrective action taken including the date of the corrective action. Repairs shall be undertaken as soon as practicable. If an inspection is not performed because the tank is empty, this should also be noted in the log. [06-096 C.M.R. ch. 115, BACT]
- L. Eurovia shall comply with all requirements of 40 C.F.R. Part 60, Subpart Kb applicable to Tanks #8 and #9 including, but not limited to the following:
 - Eurovia shall maintain readily accessible records showing the dimensions of each storage vessel (Tanks #8 and #9) and an analysis showing the capacity of each storage vessel. These records shall be kept for the life of the facility. [40 C.F.R. §§ 60.116b(a) & (b)]
 - 2. Eurovia shall maintain the following records for each storage vessel (Tanks #8 and #9):
 - a. Product stored;
 - b. Period of storage (i.e., note any time when the tank is empty); and

c. Maximum true vapor pressure of the product stored.

[40 C.F.R. § 60.116b(c)]

The maximum true vapor pressure is calculated based on the highest calendarmonth average of the storage temperature (i.e., by taking the average product temperature over the course of a calendar month). [40 C.F.R. § 60.116b(e)(1)] 3. Eurovia shall notify DEP and EPA within 30 days if the maximum true vapor pressure of the liquid exceeds 5.2 kPa (expected at 348 °F). This notification shall be submitted in PDF format using the CEDRI website and following the procedure specified in 40 C.F.R. § 60.115b(e). [40 C.F.R. § 60.116b(d)]

24

(18) Chapter 171 Applicable Requirements

The following requirements for inspections using optical gas imaging are applicable requirements of 06-096 C.M.R. ch. 171 not addressed elsewhere in this Order.

Eurovia shall perform inspections in accordance with the following:

- A. At least once per calendar quarter, Eurovia shall conduct an inspection survey of each heated bulk storage tank and each facility fugitive emissions component using optical gas imaging equipment. [06-096 C.M.R. ch. 171, § 5(A)(1)]
- B. The optical gas imaging equipment used must meet the following specifications as verified by the manufacturer:
 - 1. Capable of imaging gases in the spectral range for benzene; and
 - 2. Capable of imaging a gas that is half methane and half propane at a concentration of 10,000 ppm at a flow rate of ≤ 60 grams per hour from a quarter inch diameter orifice.

[06-096 C.M.R. ch. 171, § 5(A)(2)]

- C. If visible emissions are observed from a fugitive emissions component using optical gas imaging equipment, within two calendar days, Eurovia shall determine whether a leak, as defined by 06-096 C.M.R. ch. 171, is present by using photo ionization detection (PID) technology or flame ionization detection (FID) technology. Alternatively, Eurovia may elect to presume that a leak is present without further confirmation. If a leak is determined or presumed to be present, Eurovia shall initiate corrective action and repair the leak within 15 calendar days.
 - 1. If the presence of a leak cannot be confirmed due to safety concerns or physical constraints, Eurovia shall presume the leak to be confirmed and initiate corrective action and repair the leak within 15 calendar days.
 - 2. If a leak cannot be repaired within 15 days, Eurovia shall notify the Department of the leak, the reason for the delay, and the expected date of the repair. Eurovia shall promptly notify the Department of the date that the leak is successfully repaired. A fugitive emissions component is considered repaired when the optical gas imaging

equipment shows no indication of visible emissions or there is no longer indication of a leak as that term is defined in this regulation under normal use conditions. [06-096 C.M.R. ch. 171, § 5(A)(5)]

- D. For all quarterly inspections conducted using optical gas imaging equipment, Eurovia shall keep the following records:
 - 1. The date of the inspection;
 - 2. Identification and description of the equipment and areas inspected;

25

- 3. A description of any leaks detected;
- 4. An electronic recording of the optical gas imaging equipment images; and
- 5. A description of any resulting corrective actions or repairs and the dates they were made.

[06-096 C.M.R. ch. 171, § 7(B)]

(19) **Terminal HOHs #1, #2, and #3**

- A. Terminal HOHs #1, #2, and #3 shall each have a maximum heat input capacity not to exceed 11.1 MMBtu/hr. [06-096 C.M.R. ch. 115, BPT]
- B. Terminal HOHs #1, #2, and #3 shall fire only natural gas. [06-096 C.M.R. ch. 115, BPT]
- C. Emissions shall not exceed the following:

Emission Unit	Pollutant	lb/MMBtu	Origin and Authority
Terminal HOH #1	PM	0.05	06-096 C.M.R. ch. 115, BPT
Terminal HOH #2	PM	0.05	06-096 C.M.R. ch. 115, BPT
Terminal HOH #3	PM	0.05	06-096 C.M.R. ch. 115, BPT

D. Emissions shall not exceed the following [06-096 C.M.R. ch. 115, BPT]:

	PM	PM10	PM _{2.5}	SO ₂	NO _x	CO	VOC
Emission Unit	(lb/hr)	(lb/hr)	(lb/hr)	(lb/hr)	(lb/hr)	(lb/hr)	(lb/hr)
Terminal HOH #1	0.56	0.56	0.56	0.01	1.08	0.91	0.06
Terminal HOH #2	0.56	0.56	0.56	0.01	1.08	0.91	0.06
Terminal HOH #3	0.56	0.56	0.56	0.01	1.08	0.91	0.06

- E. Visible emissions from Terminal HOHs #1, #2, and #3 shall each not exceed 10% opacity on a six-minute block average basis. [06-096 C.M.R. ch. 101, § 3(A)(3)]
- F. Eurovia shall maintain records of the amounts of natural gas combusted in the HOHs during each calendar month. [40 C.F.R. § 60.48c(g)]

26

(20) Emergency Generator #1

A. Emissions shall not exceed the following [06-096 C.M.R. ch. 115, BPT]:

Unit	PM	PM ₁₀	PM _{2.5}	NO _x	CO	VOC
	(lb/hr)	(lb/hr)	(lb/hr)	(lb/hr)	(lb/hr)	(lb/hr)
Emergency Generator #1	0.02	0.02	0.02	1.55	1.02	0.22

B. Visible Emissions

Visible emissions from Emergency Generator #1 shall not exceed 10% opacity on a six-minute block average basis. [06-096 C.M.R. ch. 115, BPT]

- C. Emergency Generator #1 shall meet the applicable requirements of 40 C.F.R. Part 60, Subpart JJJJ, including the following: [incorporated under 06-096 C.M.R. ch. 115, BPT]
 - 1. Manufacturer Certification

The engine shall be certified by the manufacturer as meeting the emission standards for new nonroad spark ignition engines found in 40 C.F.R. Part 60, Subpart JJJJ, Table 1.

2. Non-Resettable Hour Meter

A non-resettable hour meter shall be installed and operated on the engine. [40 C.F.R. § 60.4237 and 06-096 C.M.R. ch. 115, BPT]

- 3. Annual Time Limit for Maintenance and Testing
 - a. As an emergency engine, the unit shall be limited to 100 hours/year for maintenance checks and readiness testing. Up to 50 hours/year of the 100 hours/year may be used in non-emergency situations (this does not include peak shaving, demand response, or to generate income for a facility by providing power to an electric grid or otherwise supply power as part of a financial arrangement with another entity). The limits are based on a calendar year. Compliance shall be demonstrated by records (electronic or written log) of all engine operating hours. [40 C.F.R. § 60.4243(d) and 06-096 C.M.R. ch. 115, BPT]
 - b. Eurovia shall keep records that include maintenance conducted on the engine and the hours of operation of the engine recorded through the non-resettable hour meter. Documentation shall include the number of hours the unit operated

for emergency purposes, the number of hours the unit operated for nonemergency purposes, and the reason the engine was in operation during each time. [40 C.F.R. § 60.4245(b)]

27

4. Operation and Maintenance

The engine shall be operated and maintained according to the manufacturer's written instructions or procedures developed by Eurovia that are approved by the engine manufacturer. Eurovia may only change those settings that are permitted by the manufacturer. [40 C.F.R. § 60.4243]

Eurovia shall have available for review by the Department a copy of the manufacturer's emission-related written instructions for engine operation and maintenance. [06-096 C.M.R. ch. 115, BPT]

(21) General Process Sources

Visible emissions from any general process source shall not exceed 20% opacity on a six-minute block average basis. $[06-096 \text{ C.M.R. ch. } 101, \S 4(B)(4)]$

(22) **Fugitive Emissions**

- A. Eurovia shall not cause emissions of any fugitive dust during any period of construction, reconstruction, or operation without taking reasonable precautions. Such reasonable precautions shall be included in the facility's continuing program of best management practices for suppression of fugitive particulate matter. See 06-096 C.M.R. ch. 101, § 4(C) for a list of potential reasonable precautions.
- B. Eurovia shall not cause or allow visible emissions within 20 feet of ground level, measured as any level of opacity and not including water vapor, beyond the legal boundary of the property on which such emissions occur. Compliance with this standard shall be determined pursuant to 40 C.F.R. Part 60, Appendix A, Method 22.

[06-096 C.M.R. ch. 101, § 4(C)]

Eurovia Atlantic Coast LLC d/b/a Copiam Asphalt Solutions Penobscot County Hermon, Maine A-1185-71-A-N

Departmental Findings of Fact and Order Air Emission License

(23) If the Department determines that any parameter value pertaining to construction and operation of the emissions units, including but not limited to stack size, configuration, flow rate, emission rates, nearby structures, etc., deviates from what was submitted in the application or ambient air quality impact analysis for this air emission license, Eurovia may be required to submit additional information. Upon written request from the Department, Eurovia shall provide information necessary to demonstrate AAQS will not be exceeded, potentially including submission of an ambient air quality impact analysis or an application to amend this air emission license to resolve any deficiencies and ensure compliance with AAQS. Submission of this information is due within 60 days of the Department's written request unless otherwise stated in the Department's letter. [06-096 C.M.R. ch. 115, § 2(O)]

28

DONE AND DATED IN AUGUSTA, MAINE THIS 18^{th} day of NOVEMBER, 2024.

DEPARTMENT OF ENVIRONMENTAL PROTECTION BY: for MELANIE LOYZIM, COMMISSIONER

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

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

PLEASE NOTE ATTACHED SHEET FOR GUIDANCE ON APPEAL PROCEDURES

Date of initial receipt of application:10/9/2024Date of application acceptance:10/9/2024

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