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

DEPARTMENT ORDER

Eurovia Atlantic Coast LLC **Penobscot County** **Hermon, Maine** **A-1186-71-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 (the Department) finds the following facts:

I. REGISTRATION

A. Introduction

Eurovia Atlantic Coast, LLC (Eurovia) has applied for an Air Emission License for the operation of their portable hot mix asphalt plant, which will be based out of 1067 Odlin Rd., Hermon, Maine. Eurovia proposes to move the hot mix asphalt plant to Hermon in Winter 2025 and will complete its installation next year.

The main office is located at 953 Odlin Rd., Bangor, Maine.

B. Title, Right, or Interest

In their application, Eurovia submitted copies of a property deed demonstrating ownership of the facility. Eurovia has provided sufficient evidence of title, right, or interest in the facility for purposes of this air emission license.

C. Emission Equipment

The following equipment is addressed in this Air Emission License:

Asphalt Plant

Equipment	Process Rate (tons/hour)	Design Capacity (MMBtu/hr)	Fuel Type	Control Device(s)	Stack ID	Date of Manuf.
Gencor Portable (drum mix asphalt plant)	400	135	Distillate fuel Natural gas Propane Specification waste oil	Baghouse	1	2008

Heating Equipment

Equipment	Max. Capacity (MMBtu/hr)	Fuel Type	Maximum Firing Rate	Date of Manuf.
Hot Oil Heater	2.0	Distillate fuel Natural gas Propane	14.28 gal/hr	2008

Engines

Unit ID	Max. Capacity (MMBtu/hr)	Max. Firing Rate (gal/hr)	Fuel Type	Date of Manuf.
Engine (XQ570)	4.92	35.9	Distillate fuel	2024

Eurovia may operate other nonmetallic mineral processing equipment not explicitly listed including grinding mills, screening operations, bucket elevators, belt conveyors, bagging operations, storage bins, and enclosed truck or railcar loading stations. Requirements for this equipment are included in sections of this license for Nonmetallic Mineral Processing Plants.

Eurovia may operate small stationary engines smaller than 0.5 MMBtu/hr. These engines are considered insignificant activities and are not required to be included in this license. However, they are still subject to applicable State and Federal regulations. More information regarding requirements for small stationary engines is available on the Department's website at the link below.
http://www.maine.gov/dep/air/publications/docs/SmallRICEGuidance.pdf

Additionally, Eurovia may operate portable engines used for maintenance or emergency-only purposes. These engines are considered insignificant activities and are not required to be included in this license. However, they may still be subject to applicable State and Federal regulations.

D. Definitions

Distillate Fuel means the following:

- Fuel oil that complies with the specifications for fuel oil numbers 1 or 2, as defined by the American Society for Testing and Materials (ASTM) in ASTM D396;
- Diesel fuel oil numbers 1 or 2, as defined in ASTM D975;
- Kerosene, as defined in ASTM D3699;
- Biodiesel, as defined in ASTM D6751; or
- Biodiesel blends, as defined in ASTM D7467.

Portable or Non-Road Engine means an internal combustion engine which is portable or transportable, meaning designed to be and capable of being carried or moved from one

location to another. Indicia of transportability include, but are not limited to, wheels, skids, carrying handles, dolly, trailer, or platform. This definition does NOT include engines which remain or will remain at a location (excluding storage locations) for more than 12 consecutive months or a shorter period of time for an engine located at a seasonal source. A location is any single site at a building, structure, facility, or installation. Any engine that replaces an engine at a location and that is intended to perform the same or similar function as the engine replaced will be included in calculating the consecutive time period.

An engine is not a non-road (portable) engine if it remains or will remain at a location for more than 12 consecutive months or for a shorter period of time if sited at a seasonal source. A seasonal source is a source that remains in a single location for two years or more and which operates for fewer than 12 months in a calendar year. If an engine operates at a seasonal source for one entire season, the engine does not meet the criteria of a non-road (portable) engine and is subject to applicable stationary engine requirements.

Records or *Logs* mean either hardcopy or electronic records.

Specification Waste Oil means a petroleum-based oil which, through use or handling, has become unsuitable for its original purpose due to the presence of impurities or loss of original properties, and meets all of the following requirements:

- It has sufficient liquid content to be free flowing;
- It meets all of the constituent and property standards as specified in *Waste Oil Management Rules*, 06-096 C.M.R. ch. 860;
- It does not otherwise exhibit hazardous waste characteristics; and
- It has not been mixed with a hazardous waste.

E. 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.

A new source is considered a major source based on whether or not total licensed annual emissions exceed the "Significant Emissions" levels as defined in the Department's *Definitions Regulation*, 06-096 Code of Maine Rules (C.M.R.) ch. 100.

Pollutant	Total Licensed Annual Emissions (tpy)	Significant Emission Levels
PM	4.3	100
PM_{10}	4.3	100
$PM_{2.5}$	4.3	100
SO_2	8.7	100
NO_x	19.7	100
CO	22.6	100
VOC	5.1	100

The Department has determined the facility is a minor source, and the application has been processed through *Major and Minor Source Air Emission License Regulations*, 06-096 C.M.R. ch. 115.

F. Facility Classification

With the annual asphalt tonnage limit on Gencor Portable and the fuel limit on the Engine, 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 NO_x and CO; 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

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 06-096 C.M.R. ch. 100. BACT is a top-down approach to selecting air emission controls considering economic, environmental, and energy impacts.

B. Asphalt Plant (Gencor Portable)

Eurovia operates a portable asphalt drum mix plant, Gencor Portable, with a maximum hourly throughput of 400 ton/hr of asphalt and a 135 MMBtu/hr burner which fires distillate fuel, natural gas, propane, and specification waste oil.

Emission factors for asphalt plants are available based on tons of asphalt produced, and there is no linear relationship between plant output and burner firing rate. Therefore, to ensure annual emissions are limited to less than major source thresholds, asphalt throughput is limited instead of fuel consumption. Accordingly, the annual throughput of the asphalt plant shall not exceed 300,000 tons of HMA per year on a calendar year basis.

1. BACT Findings

Eurovia has proposed to install a baghouse. A baghouse, also known as a fabric filter, is a pollution control device that captures and removes $PM/PM_{10}/PM_{2.5}$ emissions from

the gas stream by depositing the $PM/PM_{10}/PM_{2.5}$ emissions on fabric material bags. The collected particulate matter is shaken from the bags and removed for disposal.

BACT for Gencor Portable is the use of a baghouse and the emission limits listed in the tables below.

a. Emission Limits

The BACT emission limits for Gencor Portable were based on the following:

Distillate fuel

$PM/PM_{10}/PM_{2.5}$	–	0.03 gr/dscf and the use of a baghouse pursuant to 06-096 C.M.R. ch. 115, BACT
SO_2	–	1.1×10^{-2} lb/ton based on AP-42 Table 11.1-7 dated 3/04
NO_x	–	5.5×10^{-2} lb/ton based on AP-42 Table 11.1-7 dated 3/04
CO	–	0.13 lb/ton based on AP-42 Table 11.1-7 dated 3/04
VOC	–	3.2×10^{-2} lb/ton based on AP-42 Table 11.1-8 dated 3/04
Visible Emissions	–	40 C.F.R. Part 60, Subpart I and 06-096 C.M.R. ch. 101

Specification waste oil

$PM/PM_{10}/PM_{2.5}$	–	0.03 gr/dscf and the use of a baghouse pursuant to 06-096 C.M.R. ch. 115, BACT
SO_2	–	5.8×10^{-2} lb/ton based on AP-42 Table 11.1-7 dated 3/04
NO_x	–	5.5×10^{-2} lb/ton based on AP-42 Table 11.1-7 dated 3/04
CO	–	0.13 lb/ton based on AP-42 Table 11.1-7 dated 3/04
VOC	–	3.2×10^{-2} lb/ton based on AP-42 Table 11.1-8 dated 3/04
Visible Emissions	–	40 C.F.R. Part 60, Subpart I and 06-096 C.M.R. ch. 101

Natural gas and propane

$PM/PM_{10}/PM_{2.5}$	–	0.03 gr/dscf and the use of a baghouse pursuant to 06-096 C.M.R. ch. 115, BACT
SO_2	–	3.4×10^{-3} lb/ton based on AP-42 Table 11.1-7 dated 3/04
NO_x	–	2.6×10^{-2} lb/ton based on AP-42 Table 11.1-7 dated 3/04
CO	–	0.13 lb/ton based on AP-42 Table 11.1-7 dated 3/04
VOC	–	3.2×10^{-2} lb/ton based on AP-42 Table 11.1-8 dated 3/04
Visible Emissions	–	40 C.F.R. Part 60, Subpart I and 06-096 C.M.R. ch. 101

The BACT emission limits for Gencor Portable are the following:

Unit	PM (lb/hr)	PM_{10} (lb/hr)	$PM_{2.5}$ (lb/hr)	SO_2 (lb/hr)	NO_x (lb/hr)	CO (lb/hr)	VOC (lb/hr)
Distillate fuel	13.32	13.32	13.32	4.40	22.00	52.00	12.80
Specification waste oil	13.32	13.32	13.32	23.20	22.00	52.00	12.80
Natural gas/Propane	13.32	13.32	13.32	1.36	10.40	52.00	12.80

b. Fuel Sulfur Limits

State statute directs that, with limited exceptions, no person shall import, distribute, or offer for sale any distillate fuel with a sulfur content greater than 0.0015% by weight (15 ppm) pursuant to 38 M.R.S. § 603-A(2)(A)(3). Therefore, the distillate fuel purchased or otherwise obtained for use in Gencor Portable shall not exceed 0.0015% by weight (15 ppm).

The sulfur content of the specification waste oil fired in Gencor Portable shall not exceed 0.7% sulfur by weight. At least once per calendar year, Eurovia shall have the specification waste oil analyzed to demonstrate compliance with the 0.7% sulfur content limit or maintain supplier certifications including sulfur content of the specification waste oil fired in the asphalt plant.

2. Visible Emissions

Visible emissions from the asphalt plant baghouse shall not exceed 20% opacity on a six-minute block average basis. This is consistent with the PM limit contained in *Standards of Performance for Hot Mix Asphalt Facilities,* 40 C.F.R. Part 60, Subpart I 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-minute block average basis.

3. New Source Performance Standards

The asphalt plant was manufactured in 2008 and is therefore subject to the federal Environmental Protection Agency's (EPA) New Source Performance Standards (NSPS) *Standards of Performance for Hot Mix Asphalt Facilities,* 40 Code of Federal Regulation (C.F.R.) Part 60, Subpart I for facilities constructed or modified after June 11, 1973.

a. Notification
Eurovia shall submit notification to EPA and the Department of the date of initial startup within 15 days after such date. [40 C.F.R. § 60.7(a)(3)]

b. Standards

(1) Particulate Matter (PM)
The asphalt plant shall not exceed an emission limit of 0.04 gr/dscf. [40 C.F.R. § 60.92(a)(1)]

The Department has determined that the proposed BACT particulate matter emission limit of 0.03 gr/dscf is more stringent than the applicable limit in 40 C.F.R. Part 60, Subpart I. Therefore, the particulate matter limit for the asphalt plant has been streamlined to the more stringent BACT limit, and only this more stringent limit shall be included in the Order of this air emission license.

(2) Opacity
Visible emissions from the asphalt plant shall not exceed 20% opacity on a 6-minute block average basis. [40 C.F.R. §§ 60.92(a)(2) and 60.93(b)(2)] This standard applies at all times. [06-096 C.M.R. ch.115, BACT]

c. Initial Compliance Requirements

Eurovia shall perform the following within 60 days after achieving the maximum production rate at which the asphalt plant will be operated but not later than 180 days after the initial startup:

(1) Eurovia shall conduct an initial performance test for PM using 40 C.F.R. Part 60, Appendix A, Method 5. [40 C.F.R. § 60.93(b)(1)]

(2) Eurovia shall conduct an initial performance test for opacity using 40 C.F.R. Part 60, Appendix A, Method 9. [40 C.F.R. § 60.93(b)(2)] Eurovia has provided documentation that both the above tests were completed on August 14-15, 2017 while the plant was operating in South Carolina.

4. Control Equipment

Emissions from the asphalt plant shall be controlled by a baghouse.

5. Periodic Monitoring

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

a. Continuous PM detector: When the detector signals excessive PM concentrations in the exhaust stream, Eurovia shall take corrective action within 24 hours, or immediately if visible emissions exceed 20% opacity.

b. Personnel available on-site with a current EPA 40 C.F.R. Part 60, Appendix A, Method 9 visible emissions certification: When visible emissions exceed 20% opacity, the hot mix asphalt plant is operating with insufficient control, and corrective action shall be taken immediately.

Eurovia shall keep records of baghouse failures, baghouse maintenance, and baghouse inspections.

To document maintenance of the baghouse, Eurovia shall keep records of the date and location of all bag failures, the date and a description of all routine maintenance, and the date and results of all inspections. These records shall be kept on-site at the asphalt plant location. Records shall also be maintained recording the quantity and analyzed test results of all specification waste oil fired in the unit.

Eurovia shall keep records of fuel used in Gencor Portable and the tons of asphalt produced by Gencor Portable, as well as the quantity and analyzed test results of all specification waste oil fired in the unit. Records shall be maintained for at least six years and made available to the Department upon request.

6. Contaminated Soils

a. Soils Contaminated with Gasoline and Distillate Fuel

Eurovia may process up to 10,000 cubic yards per calendar year of soil contaminated by gasoline or distillate fuel without prior approval from the Department's Bureau of Air Quality.

This limit may be exceeded with prior written authorization from the Department's Bureau of Air Quality. Requests will be evaluated on a case-by-case basis taking into account the nature and amount of the contaminated soil to be processed, the location where the processing will occur, and the potential for fugitive emissions.

b. General Requirements for Processing of Contaminated Soils

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

Eurovia shall notify the Department (regional air compliance inspector) at least 24 hours prior to processing the contaminated soil and specify the contaminating material and quantity, origin of the soil and contaminating material, and the disposition of the contaminated soil. This authorization to process contaminated soil does not absolve the facility of responsibility to comply with all other air emission license conditions and any other applicable state rules or statutes.

When processing contaminated soils, Eurovia 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, Eurovia shall maintain records on an hourly basis of processing temperature, asphalt feed rates, and dryer throughput.

Any approval from the Department's Bureau of Air Quality to process contaminated soil does not supersede requirements from other Department bureaus. Similarly, approvals to process contaminated soil granted by another Department bureau does not supersede the limits imposed by this air emission license.

Processing of contaminated soils may also require a solid waste processing facility license under *Maine Solid Waste Management Rules*, 06-096 C.M.R. ch. 409, before processing of contaminated soils may occur. The material shall be handled in accordance with the requirements of the Department's Bureau of Remediation and Waste Management.

C. Hot Oil Heater

Eurovia proposes to install the Hot Oil Heater to prevent the asphalt from solidifying. It has a maximum design capacity of 2.0 MMBtu/hr and fires distillate fuel, natural gas, and propane. The Hot Oil Heater was manufactured in 2008.

State statue directs that, with limited exceptions, no person shall import, distribute, or offer for sale any distillate fuel with a sulfur content greater than 0.0015% by weight (15 ppm) pursuant to 38 M.R.S. § 603-A(2)(A)(3). Therefore, the distillate fuel purchased or otherwise obtained for use in the Hot Oil Heater shall not exceed 0.0015% by weight (15 ppm).

1. BACT Findings

The BACT emission limits for the Hot Oil Heater were based on the following:

Distillate Fuel

$PM/PM_{10}/PM_{2.5}$	–	0.08 lb/MMBtu based on 06-096 C.M.R. ch. 115, BACT
SO_2	–	based on firing distillate fuel with a maximum sulfur content of 0.0015% by weight
NO_x	–	20 lb/1,000 gal based on AP-42 Table 1.3-1 dated 5/10
CO	–	5 lb/1,000 gal based on AP-42 Table 1.3-1 dated 5/10
VOC	–	0.34 lb/1,000 gal based on AP-42 Table 1.3-3 dated 5/10
Visible Emissions	–	06-096 C.M.R. ch. 101

Natural Gas

$PM/PM_{10}/PM_{2.5}$	–	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 1.4-1 dated 7/98
Visible Emissions	–	06-096 C.M.R. ch. 101

Propane

$PM/PM_{10}/PM_{2.5}$	–	0.05 lb/MMBtu based on 06-096 C.M.R. ch. 115, BACT
SO_2	–	0.054 lb/1,000 gal based on AP-42 Table 1.5-1 dated 7/08
NO_x	–	13 lb/1,000 gal based on AP-42 Table 1.5-1 dated 7/08
CO	–	7.5 lb/1,000 gal based on AP-42 Table 1.5-1 dated 7/08
VOC	–	1 lb/1,000 gal based on AP-42 Table 1.5-1 dated 7/08
Visible Emissions	–	06-096 C.M.R. ch. 101

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

Fuel Fired	PM (lb/hr)	PM_{10} (lb/hr)	$PM_{2.5}$ (lb/hr)	SO_2 (lb/hr)	NO_x (lb/hr)	CO (lb/hr)	VOC (lb/hr)
Distillate fuel	0.16	0.16	0.16	0.003	0.29	0.07	0.005
Natural gas	0.10	0.10	0.10	0.001	0.19	0.16	0.01
Propane	0.10	0.10	0.10	0.001	0.28	0.16	0.02

Eurovia shall be limited to a combined heat input of 6,000 MMBtu/yr of distillate fuel, natural gas, and propane in the Hot Oil Heater on a calendar year total basis. The heat input shall be based on the following heating values:

Fuel fired	Heating Value
Distillate fuel	0.14 MMBtu/gal
Natural gas	0.00103 MMBtu/scf
Propane	0.0915 MMBtu/gal

2. Visible Emissions

Visible emissions from the Hot Oil Heater when firing distillate fuel shall not exceed 20% opacity on a six-minute block average basis.

Visible emissions from the Hot Oil Heater when firing natural gas or propane shall not exceed 10% opacity on a six-minute block average basis.

3. Periodic Monitoring

   Periodic monitoring for the Hot Oil Heater shall include recordkeeping to document fuel use and heat input both on a monthly and calendar year total basis. Documentation shall include the type of fuel used and sulfur content of the fuel, if applicable.

4. New Source Performance Standards

   Due to its size, the Hot Oil Heater is not subject to the New Source Performance Standards (NSPS) *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]

5. National Emission Standards for Hazardous Air Pollutants

   The Hot Oil Heater does not heat water. It does not meet the definition of a "boiler" and therefore is not subject to *National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers Area Sources,* 40 C.F.R. Part 63 Subpart JJJJJJ.

D. Engine

Eurovia proposes to install the Engine, which is portable and will be used to power the Gencor Portable. The Engine has a maximum capacity of 4.92 MMBtu/hr (500 kw), firing distillate fuel. The Engine was manufactured in 2024 and is a CAT XQ570. The fuel fired in the Engine shall be limited to 50,000 gallons/year on calendar year total basis of distillate fuel with a maximum sulfur content not to exceed 15 ppm (0.0015% sulfur by weight). This fuel limit shall apply regardless of where the unit is operated.

1. BACT Findings

   The BACT emission limits for the Engine were based on the following:

$PM/PM_{10}/PM_{2.5}$	–	0.12 lb/MMBtu from 06-096 C.M.R. ch. 103
SO_2	–	Combustion of distillate fuel with a maximum sulfur content not to exceed 15 ppm (0.0015% sulfur by weight)
NO_x	–	3.2 lb/MMBtu from AP-42 Table 3.4-1 dated 10/96
CO	–	0.85 lb/MMBtu from AP-42 Table 3.4-1 dated 10/96
VOC	–	0.09 lb/MMBtu from AP-42 Table 3.4-1 dated 10/96
Visible Emissions	–	06-096 C.M.R. ch. 101

The BACT emission limits for the Engine is the following:

Unit	Pollutant	lb/MMBtu
Engine	PM	0.12

Unit	PM (lb/hr)	PM_{10} (lb/hr)	$PM_{2.5}$ (lb/hr)	SO_2 (lb/hr)	NO_x (lb/hr)	CO (lb/hr)	VOC (lb/hr)
Engine	0.59	0.59	0.59	0.01	15.74	4.18	0.44

Visible emissions from the Engine shall not exceed 20% opacity on a six-minute block average basis.

2. New Source Performance Standards

The Engine is not subject to *Standards of Performance for Stationary Compression Ignition Internal Combustion Engines,* 40 C.F.R. Part 60, Subpart IIII.

The definition in 40 C.F.R. § 1068.30 states that a non-road engine is an internal combustion engine that meets certain criteria, including: "Portable or transportable, meaning designed to be and capable of being carried or moved from one location to another. Indicia of transportability include, but are not limited to, wheels, skids, carrying handles, dolly, trailer, or platform." The regulation further states at 40 C.F.R. § 1068.30 that an engine is not a non-road engine if it remains or will remain at a location for more than 12 consecutive months or for a shorter period of time if sited at a seasonal source. A seasonal source is a source that remains in a single location for two years or more and which operates for fewer than 12 months in a calendar year. If an engine operates at a seasonal source for one entire season, the engine does not meet the criteria of a non-road engine and is subject to applicable stationary engine requirements. [40 C.F.R. § 60.4200]

The Engine is considered a non-road engine, as opposed to a stationary engine, since the Engine is portable and will be moved to various sites with the asphalt plant.

3. National Emission Standards for Hazardous Air Pollutants

The Engine is not subject to *National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines,* 40 C.F.R. Part 63, Subpart ZZZZ.

The definition in 40 C.F.R. § 1068.30 states that a non-road engine is an internal combustion engine that meets certain criteria, including: "Portable or transportable, meaning designed to be and capable of being carried or moved from one location to another. Indicia of transportability include, but are not limited to, wheels, skids, carrying handles, dolly, trailer, or platform." The regulation further states at 40 C.F.R.

§ 1068.30 that an engine is not a non-road engine if it remains or will remain at a location for more than 12 consecutive months or for a shorter period of time if sited at a seasonal source. A seasonal source is a source that remains in a single location for two years or more and which operates for fewer than 12 months in a calendar year. If an engine operates at a seasonal source for one entire season, the engine does not meet the criteria of a non-road engine and is subject to applicable stationary engine requirements. [40 C.F.R. § 63.6585]

The Engine is considered a non-road engine, as opposed to a stationary engine, since The Engine is portable and will be moved to various sites with the asphalt plant.

E. General Process Emissions

Visible emissions from any general process that is not part of a nonmetallic mineral processing plant shall not exceed 20% opacity on a six-minute block average basis.

F. Fugitive Emissions Including Stock Piles and Roadways

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.

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.

G. 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:

- Processing 300,000 ton/year of asphalt in Gencor Portable;
- A combined heat input 6,000 MMBtu/yr from distillate fuel, natural gas, and propane combined in the Hot Oil Heater; and
- Firing 50,000 gal/year of distillate fuel in the Engine.

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
Gencor Portable	3.7	3.7	3.7	8.7	8.3	19.5	4.8
Hot Oil Heater	0.2	0.2	0.2	--	0.4	0.2	--
Engine	0.4	0.4	0.4	--	11.0	2.9	0.3
Total TPY	**4.3**	**4.3**	**4.3**	**8.7**	**19.7**	**22.6**	**5.1**

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 to demonstrate that Ambient Air Quality Standards (AAQS) will not be exceeded 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:

Pollutant	Tons/Year
PM_{10}	25
$PM_{2.5}$	15
SO_2	50
NO_x	50
CO	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 the expected construction and operation of the proposed 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,
- will not violate applicable ambient air quality standards in conjunction with emissions from other sources.

The Department hereby grants Air Emission License A-1186-71-A-N, subject to the following conditions.

Severability. 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).

(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 06-096 C.M.R. ch. 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]

(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

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 Plant – Gencor Portable**

A. Fuel Use

1. Gencor Portable is licensed to fire distillate fuel, specification waste oil, natural gas, and propane. [06-096 C.M.R. ch. 115, BACT]
2. Eurovia shall not purchase or otherwise obtain distillate fuel with a maximum sulfur content that exceeds 0.0015% by weight (15 ppm). [06-096 C.M.R. ch. 115, BACT]
3. The sulfur content of the specification waste oil fired in Gencor Portable shall not exceed 0.7% sulfur by weight. At least once per calendar year, Eurovia shall have the specification waste oil analyzed to demonstrate compliance with the 0.7% sulfur content limit or maintain supplier certifications including sulfur content of the specification waste oil fired in the asphalt plant. [06-096 C.M.R. ch. 115, BACT]

B. Eurovia shall maintain records which demonstrate that the Asphalt Plant is relocated and operated on a basis which maintains its classification of portable. [06-096 C.M.R. ch. 115, BACT]

C. The annual production of the asphalt plant shall not exceed 300,000 tons of asphalt per year on a calendar year basis. Records of asphalt production shall be kept on a monthly and calendar year basis. [06-096 C.M.R. ch. 115, BACT]

D. Emissions from the 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 C.M.R. ch. 115, BACT]

E. The performance of the baghouse shall be monitored by either one of the following at all times the hot mix asphalt plant is operating: [06-096 C.M.R. ch. 115, BACT]

1. Continuous PM detector: When the detector signals excessive PM concentrations in the exhaust stream, Eurovia shall take corrective action within 24 hours, or immediately if opacity exceeds 20%.

2. Personnel available on-site with a current EPA Method 9 visible emissions certification: When visible emissions exceed 20% opacity, the asphalt plant is operating with insufficient control, and corrective action shall be taken immediately.

F. To document maintenance of the baghouse, Eurovia shall keep records of the date and location of all bag failures, the date and a description of all routine maintenance, and the date and results of all inspections. These records shall be kept on-site at the asphalt plant location. [06-096 C.M.R. ch. 115, BACT]

G. Emissions from the asphalt plant baghouse shall not exceed the following [06-096 C.M.R. ch. 115, BACT]:

Pollutant	gr/dscf	Distillate fuel	Specification waste oil	Natural gas/Propane
		lb/hr		
PM	0.03	13.32	13.32	13.32
PM_{10}	–	13.32	13.32	13.32
$PM_{2.5}$	–	13.32	13.32	13.32
SO_2	–	4.40	23.20	1.36
NO_x	–	22.00	22.00	10.40
CO	–	52.00	52.00	52.00
VOC	–	12.80	12.80	12.80

H. General process emissions from the hot mix asphalt plant shall be controlled so as to prevent visible emissions in excess of 20% opacity on a six-minute block average basis. [06-096 C.M.R. ch. 101, § 4(B)(4)]

I. Eurovia shall comply with all requirements of 40 C.F.R. Part 60, Subpart I applicable to the asphalt plant including, but not limited to, the following:

1. Notification
Eurovia shall submit notification to EPA and the Department of the date of initial startup. [40 C.F.R. § 60.7(a)(3)]

2. Visible emissions from the asphalt plant shall not exceed 20% opacity on a 6-minute block average basis. [40 C.F.R. §§ 60.92(a)(2) and 60.93(b)(2)] This standard applies at all times. [06-096 C.M.R. ch. 101, § 4(B)(1)]

3. Initial Compliance Requirements

Eurovia shall perform the following within 60 days after achieving the maximum production rate at which the asphalt plant will be operated but not later than 180 days after the initial startup:

a. Eurovia shall conduct an initial performance test for PM using 40 C.F.R. Part 60, Appendix A, Method 5. [40 C.F.R. § 60.93(b)(1)]

b. Eurovia shall conduct an initial performance test for opacity using 40 C.F.R. Part 60, Appendix A, Method 9. [40 C.F.R. § 60.93(b)(2)] Eurovia has provided documentation that both the above tests were completed on August 14-15, 2017 while the plant was operating in South Carolina.

J. Contaminated Soils

1. Soils Contaminated with Gasoline and Distillate Fuel

Eurovia may process up to 10,000 cubic yards per calendar year of soil contaminated by gasoline or distillate fuel without prior approval from the Department's Bureau of Air Quality.

This limit may be exceeded with prior written authorization from the Department's Bureau of Air Quality. Requests will be evaluated on a case-by-case basis taking into account the nature and amount of the contaminated soil to be processed, the location where the processing will occur, and the potential for fugitive emissions.

2. General Requirements for Contaminated Soils

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

b. Eurovia shall notify the Department (regional air compliance inspector) at least 24 hours prior to processing the contaminated soil and specify the contaminating material and quantity, origin of the soil and contaminating material, and the disposition of the contaminated soil. This authorization to process contaminated soil does not absolve the facility of responsibility to comply with all other air emission license conditions and any other applicable state rules or statutes.

c. When processing contaminated soils, Eurovia 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, Eurovia shall maintain records on an hourly basis of processing temperature, asphalt feed rates, and dryer throughput.

[06-096 C.M.R. ch. 115, BACT]

(18) **Hot Oil Heater**

A. Fuel

1. Eurovia shall be limited to a combined heat input of 6,000 MMBtu/yr of distillate fuel, natural gas, and propane combined in the Hot Oil Heater on a calendar year total basis. Compliance shall be demonstrated by fuel records from the supplier showing the quantity and type of fuel delivered. Records of annual fuel use shall be kept on a monthly and calendar year basis. [06-096 C.M.R. ch. 115, BACT]
2. The heat input shall be based on the following fuel heating values [06-096 C.M.R. ch. 115, BACT]:

Fuel fired	Heating Value
Distillate fuel	0.14 MMBtu/gal
Natural gas	0.00103 MMBtu/scf
Propane	0.0915 MMBtu/gal

3. The facility shall not purchase or otherwise obtain distillate fuel with a maximum sulfur content that exceeds 0.0015% by weight (15 ppm). [06-096 C.M.R. ch. 115, BACT]
4. Compliance shall be demonstrated by fuel records showing the quantity, type, and the percent sulfur of the fuel delivered or fuel used (if applicable). Records of annual fuel use shall be kept on a monthly and calendar year basis. Fuel sulfur content compliance shall be demonstrated by fuel delivery receipts from the supplier, a statement from the supplier that the fuel delivered meets Maine's fuel sulfur content standards, certificate of analysis, or testing of fuel in the tank on-site. [06-096 C.M.R. ch. 115, BACT]

B. Emissions from the Hot Oil Heater shall not exceed the following [06-096 C.M.R. ch. 115, BPT]:

Fuel Fired	PM (lb/hr)	PM_{10} (lb/hr)	$PM_{2.5}$ (lb/hr)	SO_2 (lb/hr)	NO_x (lb/hr)	CO (lb/hr)	VOC (lb/hr)
Distillate fuel	0.16	0.16	0.16	0.003	0.29	0.07	0.005
Natural gas	0.10	0.10	0.10	0.001	0.19	0.16	0.01
Propane	0.10	0.10	0.10	0.001	0.28	0.16	0.02

C. Visible Emissions

Visible emissions from the Hot Oil Heater when firing distillate fuel shall not exceed 20% opacity on a six-minute block average basis. [06-096 C.M.R. ch. 101, § 4(A)(2)]

Visible emissions from the Hot Oil Heater when firing natural gas or propane shall not exceed 10% opacity on a six-minute block average basis. [06-096 C.M.R. ch. 101, § 4(A)(3)]

(19) **Engine**

A. Fuel Use

1. The Engine is licensed to fire distillate fuel with a maximum sulfur content not to exceed 15 ppm (0.0015% sulfur by weight). Compliance shall be demonstrated by fuel delivery receipts from the supplier, fuel supplier certification, certificate of analysis, or testing of fuel in the tank on-site. [06-096 C.M.R. ch. 115, BACT]
2. Total fuel use for the Engine shall not exceed 50,000 gal/yr of distillate fuel, regardless of where the unit is operated. Compliance shall be demonstrated by fuel records from the supplier showing the quantity and type of fuel delivered. Records of annual fuel use shall be kept on a monthly and calendar year basis. [06-096 C.M.R. ch. 115, BACT]

B. Eurovia shall maintain records which demonstrate that the Engine is relocated and operated on a basis which maintains the classification of non-road (portable) engine. [06-096 C.M.R. ch. 115, BACT]

C. Emissions shall not exceed the following:

Unit	Pollutant	lb/MMBtu	Origin and Authority
Engine	PM	0.12	06-096 C.M.R. ch. 103, § (2)(B)(1)(a)

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

Unit	PM (lb/hr)	PM_{10} (lb/hr)	$PM_{2.5}$ (lb/hr)	SO_2 (lb/hr)	NO_x (lb/hr)	CO (lb/hr)	VOC (lb/hr)
Engine	0.59	0.59	0.59	0.01	15.74	4.18	0.44

E. Visible Emissions

Visible emissions from the Engine shall not exceed 20% opacity on a six-minute block average basis. [06-096 C.M.R. ch. 101, § 4(A)(4)]

(20) **General Process Sources**

Visible emissions from any general process that is not part of a nonmetallic mineral processing plant shall not exceed 20% opacity on a six-minute block average basis. [06-096 C.M.R. ch. 101, § 4(B)(4)]

(21) **Fugitive Emissions Including Stockpiles and Roadways**

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.

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)]

(22) **Equipment Relocation** [06-096 C.M.R. ch. 115, BPT]

A. Eurovia 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

Written notice may also be sent by 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 license number the equipment is covered under, identification of the equipment moved, the address of the equipment's new location, the date the equipment will be moved.

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 shall be made to the respective county commissioners. The notification to the Department shall include the date the municipality was notified.

(23) Eurovia shall keep a copy of this Order on site and ensure the operator(s) are familiar with the terms of this Order. [06-096 C.M.R. ch. 115, BPT]

(24) 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)]

DONE AND DATED IN AUGUSTA, MAINE THIS 17th DAY OF DECEMBER, 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: October 24, 2024
Date of application acceptance: October 24, 2024

This Order prepared by Kendra Nash, Bureau of Air Quality.