

**Mattingly Products Company, Inc.**  
**Somerset County**  
**North Anson, Maine**  
**A-123-71-M-M (SM)**

**Departmental**  
**Findings of Fact and Order**  
**Air Emission License**  
**Amendment #2**

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

## **I. REGISTRATION**

### **A. Introduction**

1. Mattingly Products Company, Inc. (MPC) of Anson, Maine was issued Air Emission License A-123-71-K-R/A on March 24, 2006, and Air Emission License Amendment A-123-71-L-A on July 17, 2006, permitting the operation of emission sources associated with their asphalt batch plant, concrete batch plant and stone crushing operations.
2. MPC has requested an amendment to their license in order to increase the fuel limit in their diesel generators by 10,000 gallons/year. MPC also requests to reduce the fuel limit for the Asphalt Plant by 10,000 gallons/year. The fuel limits for the generators and the asphalt plant shall now be based on a calendar year instead of a 12 month rolling total.

### **B. Application Classification**

This amendment will increase emissions by less than 4 ton/year for each single pollutant and less than 8 ton/year for all pollutants combined. Therefore, this modification is determined to be a minor revision and has been processed as such.

## **II. BEST PRACTICAL TREATMENT (BPT)**

### **A. Introduction**

In order to receive a license the applicant must control emissions from each unit to a level considered by the Department to represent Best Practical Treatment (BPT), as defined in *Definitions Regulation*, 06-096 CMR 100 (last amended December 24, 2005). Separate control requirement categories exist for new and existing equipment as well as for those sources located in designated non-attainment areas.

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 CMR 100 (last amended December 24, 2005). BACT is a top-down approach to selecting air emission controls considering economic, environmental and energy impacts.

B. Annual Emissions

1. The Asphalt Plant shall be limited to firing **120,000 gallons per calendar year** of diesel fuel with a sulfur content not to exceed 0.05%.
2. Generators #1 - #4 shall be limited to firing **30,000 gallons per calendar year** of diesel fuel with a sulfur content not to exceed 0.05%.
3. MPC shall be restricted to the following annual emissions based on a calendar year:

**Total Licensed Annual Emission for the Facility**  
**Tons/year**  
(used to calculate the annual license fee)

	<b>PM</b>	<b>PM<sub>10</sub></b>	<b>SO<sub>2</sub></b>	<b>NO<sub>x</sub></b>	<b>CO</b>	<b>VOC</b>
Asphalt Plant	1.05	1.05	0.42	3.67	12.22	0.25
Generators #1, #2, #3 and #4	0.25	0.25	0.11	9.06	1.95	0.72
<b>Total TPY</b>	<b>1.30</b>	<b>1.30</b>	<b>0.53</b>	<b>12.73</b>	<b>14.17</b>	<b>0.97</b>

**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-123-71-M-M subject to the conditions found in Air Emission Licenses A-123-71-K-R/A, in amendment A-123-71-L-A, and in the following conditions:

Severability. The invalidity or unenforceability of any provision, or part thereof, of this License shall not affect the remainder of the provision or any other provisions. This License shall be construed and enforced in all respects as if such invalid or unenforceable provision or part thereof had been omitted.

**Specific Conditions**

The following shall replace Conditions (16)F in License A-123-71-K-R/A, and Condition (20)A of License A-123-71-L-A:

**(16) Asphalt Plant**

F. The asphalt plant shall be limited to firing **120,000 gallons per calendar year** of diesel fuel with a sulfur content not to exceed 0.05%. Compliance shall be demonstrated by fuel use records and receipts showing that the fuel used is on-road diesel. [06-096 CMR 115, BACT]

**(20) Diesel Units**

A. Generators #1, #2, #3 and #4 shall be limited to a combined firing of **30,000 gallons per calendar year** of diesel fuel, with a maximum sulfur content of 0.05%. Compliance shall be demonstrated by fuel use records and receipts showing that the fuel used is on-road diesel. [06-096 CMR 115, BACT]

The following are new Conditions:

(1) MPC shall keep a copy of this Order on site, and have the operator(s) be familiar with the terms of this Order. [06-096 CMR 115, BACT]

DONE AND DATED IN AUGUSTA, MAINE THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2007.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

BY: \_\_\_\_\_  
DAVID P. LITTELL, COMMISSIONER

**The term of this amendment shall be concurrent with the term of Air Emission License A-123-71-K-R/A.**

PLEASE NOTE ATTACHED SHEET FOR GUIDANCE ON APPEAL PROCEDURES

Date of initial receipt of application: 8/9/2007

Date of application acceptance: 8/28/2007

Date filed with the Board of Environmental Protection: \_\_\_\_\_

This Order prepared by Jonathan Voisine, Bureau of Air Quality.