

# ADEQ GENERAL OPERATING AIR PERMIT

Pursuant to the Regulations of the Arkansas Operating Air Permit Program, Regulation 26:

Permit No. : 2113-AGP-000  
Renewal #1  
IS ISSUED TO:


Qualifying Co-located Hot Mix Asphalt and Rock Crushing Facilities  
within the State of Arkansas

THIS PERMIT AUTHORIZES THE ABOVE REFERENCED PERMITTEE TO INSTALL, OPERATE, AND MAINTAIN THE EQUIPMENT AND EMISSION UNITS DESCRIBED IN THE PERMIT APPLICATION AND ON THE FOLLOWING PAGES. THIS PERMIT IS VALID BETWEEN:

November 3, 2006                      AND                      November 2, 2011

THE PERMITTEE IS SUBJECT TO ALL LIMITS AND CONDITIONS CONTAINED HEREIN.

Signed:

  
\_\_\_\_\_  
Mike Bates  
Chief, Air Division

~~August 22, 2007~~  
Date Amended

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Title V General Permit for Co-Located Rock Crushing and Hot Mix Asphalt Facilities  
Permit #: 2113-AGP-000

List of Acronyms and Abbreviations

A.C.A.	Arkansas Code Annotated
AFIN	ADEQ Facility Identification Number
CFR	Code of Federal Regulations
CO	Carbon Monoxide
HAP	Hazardous Air Pollutant
lb/hr	Pound Per Hour
MVAC	Motor Vehicle Air Conditioner
No.	Number
NO <sub>x</sub>	Nitrogen Oxide
PM	Particulate Matter
PM <sub>10</sub>	Particulate Matter Smaller Than Ten Microns
SNAP	Significant New Alternatives Program (SNAP)
SO <sub>2</sub>	Sulfur Dioxide
SSM	Startup, Shutdown, and Malfunction Plan
Tpy	Tons Per Year
UTM	Universal Transverse Mercator
VOC	Volatile Organic Compound

## SECTION II: INTRODUCTION

### Definitions

*The following definitions shall serve for the purposes of this permit.*

**Aggregate** - the mined materials which are mixed with liquid cement to form HMA. RAP may be included in the aggregate.

**Air Contaminant** - any solid, liquid, gas, or vapor, or any combination thereof. The following shall not be considered air contaminants: water vapor, oxygen, carbon dioxide, nitrogen, hydrogen, and inert gases. This definition can be found in Regulation 18 and is regulated by the Arkansas Code Annotated 8-4-303.

**Air Pollution** - the presence in the outdoor atmosphere of one (1) or more air contaminants in quantities, or characteristics, and or a duration which are materially injurious, or can be reasonably expected to become materially injurious, to human, plant, animal life or property, or which unreasonably interfere with enjoyment of life or use of property throughout the state or throughout the area of the state as shall be affected thereby. This definition can be found in Regulation 18 and is regulated by the Arkansas Code Annotated 8-4-303.

**Asphalt Heater** - used to heat the liquid asphalt cement that is mixed with aggregate to form HMA.

**Batch Mix Plant** - a plant which uses a batch mixing process prior to the addition of the asphalt cement.

**Co-Located** – two or more facilities located on the same property or on one or more contiguous or adjacent properties.

**Counterflow Drum Mix Plant** - a plant which utilizes a continuous mixing process. In this type of drum mix plant, the material flow in the drum is opposite the direction of the combustion gas flow.

**CO** - Carbon Monoxide as measured by EPA Reference Method 10.

**Facility** - for the purposes of this permit a “facility” is defined as all hot mix asphalt production units and all rock crushing equipment located on the same or adjoining properties which share a common owner or operator.

**Fugitive Emissions** - for the purposes of the determination of NSPS Subpart OOO requirements, fugitive emissions means the particulate matter that is not collected by a capture system and is released to the atmosphere at the point of generation.

**Hot Mix Asphalt (HMA)** - a mixture of aggregate and hot liquid asphalt cement, generally used as a paving material.

**Insignificant Activity** - activities which are deemed by the Department to be insignificant based on size, emission rate, production rate, or activity. A list of activities considered by the Department to be insignificant can be found in Appendices A and B of the *Arkansas Plan of Implementation for Air Pollution Control*.

**Non-Metallic Mineral** - any of the materials listed in §60.671 of 40 CFR Part 60 Subpart OOO, or any mixture of materials of which the majority is any of the listed materials. A copy of Subpart OOO can be found in Appendix B of this permit.

**NO<sub>x</sub>** - all oxides of nitrogen, except nitrous oxide, as measured by EPA Reference Method 7E. (i.e. NO, NO<sub>2</sub>, NO<sub>3</sub>, etc.)

**Opacity** - the degree to which air emissions reduce the transmission of light and obscure the view of an object in the background.

**Parallel Flow Drum Mix Plant** - a plant which utilizes a continuous mixing process. In this type of drum mix plant, the material flow in the drum is in the same direction as the combustion gas flow.

**Primary Crusher** - An initial crusher which processes the input stone for the facility.

**Production Unit** - for the purposes of this permit a hot mix asphalt production unit is defined as each unit consisting of a drum, asphalt heater, baghouse, and other associated equipment for which the primary activity is the mixing of raw aggregate and liquid asphalt cement for the production of hot mix asphalt.

**PM** - particulate matter, any airborne finely divided solid or liquid material with an aerodynamic diameter equal to or less than 100 micrometers.

**PM<sub>10</sub>** - particulate matter smaller than 10 micrometers in diameter.

**RAP** - reclaimed asphalt pavement

**SO<sub>2</sub>** - Sulfur Dioxide, for the purposes of this permit, emissions of sulfur dioxide shall be determined by a mass balance calculation based on the sulfur content of the fuel oil used at the facility.

**Support Facility** - a facility for which the primary function is to provide materials or power for the primary operation at the site, a support facility is typically a facility which conveys stores or otherwise assists in production of the principal product. A rock crushing plant for which the majority of the rock (>50%) is supplied to an asphalt plant located at the same site is classified as a support facility.

**VOC** - Volatile Organic Compounds as measured by EPA Reference Method 25A.

### **Summary of Permit Activity**

This will be the initial Title V General Operating permit for co-located hot mix asphalt plants and rock crushing facilities which are under the control of a common owner or operator. This permit will allow for joint operation of such facilities under a common permit without the need for additional process and/or operational restrictions which may be necessary to maintain minor source status for a co-located facility. This permit combines the provisions of the existing minor source general permits for hot mix asphalt facilities and rock crushing facilities.

### **Applicability**

This Title V General Operating Air Permit is available to all facilities which operate one or more hot mix asphalt plants and one or more rock crushing plants which are co-located and under the control of a common owner or operator. This permit is merely one permitting option available to such facilities.

Existing facilities which currently operate under the ADEQ Minor Source General Permits for Hot Mix Asphalt Facilities (1912-AGP-000) or Rock Crushing Facilities (1916-AGP-000) shall comply with the provisions of those respective permits with regards to the co-location of HMA and rock crushing facilities under the control of a common owner or operator. New facilities which will operate both HMA facilities and rock crushing facilities which will be co-located under the control of a common owner or operator may elect to operate under the terms of this general permit, or a standard ADEQ Minor Source or Title V Operating Air Permit, or such a facility may obtain separate ADEQ Minor Source General Permits for the HMA and Crushing plants, provided that the overall co-located facility complies with the support facility requirements found in the respective Minor Source General Permits.

The requirements of this Title V General Operating Air Permit are only applicable to those facilities which apply for and obtain this permit. Any facilities operating under individual ADEQ Minor Source or other Title V permits are subject to the requirements contained in those respective permits.

### **Process Description**

#### Rock Crushing Activities:

Most rock crushing facilities follow the same general operational procedures. Mined stone is introduced into the process from trucks. This stone is then passed to various crushing and screening operations which are designed to produce gravel of the desired size. Conveyors are used to transport the material around the facility to the various operations. Once aggregate of the desired size is formed and sorted, it is conveyed to storage piles. The finished product is then shipped off-site to its final destination.

The primary emission points in these operations are the crushers, screens, and the transfer points on the conveyors. Particulate matter emissions are controlled through the use of water sprays which keep the material wet. Emissions may also occur from unpaved haul roads for trucks

traveling to and from the site. A water truck is used to control excessive emissions from truck travel. Aggregate stockpiles may also be a contributing source of PM emissions, water sprays are used to wet this material as needed to control emissions.

#### Hot Mix Asphalt Plant:

All hot mix asphalt facilities operate in the same general manner. Aggregate is heated and dried in a dryer. The hot aggregate is then mixed with the liquid asphalt cement in order to form the final asphalt mixture. Several different methods are used in the production of asphalt; three of these methods are discussed below. There are many other methods by which hot mix asphalt can be produced, but most production methods consist of some hybrid of these three processes.

In batch mix plants, processing begins as the aggregate is hauled from storage piles and placed in the appropriate hoppers of the cold feed unit. The material is metered from the hoppers onto a conveyor belt and is transported into a rotary dryer. As hot aggregate leaves the dryer, it is screened and sent to storage bins according to size. Aggregate from the weighing hopper is dropped into the mixer (pug mill) and dry mixed for 6 to 10 seconds. The liquid asphalt is then dropped into the pug mill where it is mixed for an additional period of time. Total mixing time is less than 60 seconds. Then the hot mix is conveyed to storage or dropped directly onto a truck for transport.

The parallel flow drum mix process is a continuous process that uses proportioning cold feed controls for the aggregate and liquid asphalt cement. The drum dryer is used to dry the material and mix the heated dry aggregate with the liquid asphalt cement. Aggregate from cold feed bins is proportioned by size and is introduced into the drum at the burner end. As the drum rotates, the aggregate, as well as products of combustion, move toward the other end of the drum in parallel. Liquid asphalt cement flow is controlled by a variable flow pump which is electronically linked to the aggregate feed weigh scales. The liquid asphalt cement is introduced into the mixing zone midway down the drum in a lower temperature zone along with any particulate matter that is captured by the control system. The mixture is discharged at the end of the drum and conveyed to a surge bin or storage silo. The exhaust gases also exit at the end of the drum and pass on to the collection system.

Parallel flow drum mixers have an advantage in that mixing in the discharge end of the drum captures a substantial portion of the aggregate dust, therefore lowering the load on the downstream collection equipment.

In counterflow drum mix plants, the material flow in the drum is opposite to the direction of the flow of exhaust gases. Liquid asphalt cement flow is controlled by a variable flow pump which is electronically linked to the virgin aggregate and RAP scales. It is injected into the mixing zone along with any RAP and particulate matter from primary and secondary collectors. Because the liquid asphalt cement, virgin aggregate, and RAP are mixed in a zone removed from the exhaust gas stream, counterflow mix drum plants will likely have organic emissions lower than those for parallel flow plants.

Stationary Internal Combustion Engines

The facility may operate stationary internal combustion engines on-site for power generation purposes when the facility is operated at a location where it is not located on or connected to the electrical power grid. These engines may utilize either natural gas or #2 diesel fuel oil for fuel.

Storage Piles and Haul Roads

Particulate emissions are generated from the operation of vehicles on paved and unpaved facility haul roads. Additional particulate emissions are generated from storage piles located on-site.

**Regulations**

The following table contains the regulations applicable to this permit.

Regulations
Arkansas Air Pollution Control Code, Regulation 18, effective February 15, 1999
Regulations of the Arkansas Plan of Implementation for Air Pollution Control, Regulation 19, effective May 28, 2006
Regulations of the Arkansas Operating Air Permit Program, Regulation 26, effective September 26, 2002
40 CFR Part 60 Subpart I – <i>Standards of Performance for Hot Mix Asphalt Facilities</i>
40 CFR Part 60 Subpart OOO – <i>Standards of Performance for Nonmetallic Mineral Processing Facilities</i>

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The following table is a summary of emissions from the facility. This table, in itself, is not an enforceable condition of the permit.

**Emission Summary**

EMISSION SUMMARY				
Source Number	Description	Pollutant	Emission Rates	
			lb/hr	tpy
Total Allowable Emissions		PM	N/A	213.9
		PM <sub>10</sub>		97.2
		SO <sub>2</sub>		116.3
		VOC		131.2 <sup>1</sup>
		CO		178.9
		NO <sub>x</sub>		187.2
SN	Description	Pollutant	lb/hr	tpy
01	Hot Mix Asphalt Plant Stack	PM	N/A	11.6
		PM <sub>10</sub>		7.5
		SO <sub>2</sub>		94.5
		VOC		93.5 <sup>1</sup>
		CO		93.5
		NO <sub>x</sub>		93.5
02	Rock Crushing Plant	PM	N/A	116.0
		PM <sub>10</sub>		43.4
03	Stationary Internal Combustion Engines <sup>2</sup>	PM	N/A	6.4
		PM <sub>10</sub>		6.4
		SO <sub>2</sub>		21.8
		VOC		37.7
		CO		85.4
04	Storage Piles/Haul Roads	PM	N/A	84.0
		PM <sub>10</sub>		40.0

<sup>1</sup>Maximum allowable annual emissions of VOC from HMA plants are 55.0 tpy for sources located in Pulaski County. See Specific Conditions #17 and #18.

<sup>2</sup> The operation of stationary internal combustion engines at the facility is prohibited for those facilities located within Crittenden County. See Specific Condition #46

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### **SECTION III: PERMIT HISTORY**

This is the initial Title V General Operating Permit for this category of sources.

## SECTION IV: SPECIFIC CONDITIONS

SN-01  
Source Name

Hot Mix Asphalt Plant Stack

### Source Description

All hot mix asphalt facilities operate in the same general manner. Aggregate is heated and dried in a dryer. The hot aggregate is then mixed with the liquid asphalt cement in order to form the final asphalt mixture. Several different methods are used in the production of asphalt; three of these methods are discussed below. There are many other methods by which hot mix asphalt can be produced, but most production methods consist of some hybrid of these three processes.

In batch mix plants, processing begins as the aggregate is hauled from storage piles and placed in the appropriate hoppers of the cold feed unit. The material is metered from the hoppers onto a conveyor belt and is transported into a rotary dryer. As hot aggregate leaves the dryer, it is screened and sent to storage bins according to size. Aggregate from the weighing hopper is dropped into the mixer (pug mill) and dry mixed for 6 to 10 seconds. The liquid asphalt is then dropped into the pug mill where it is mixed for an additional period of time. Total mixing time is less than 60 seconds. Then the hot mix is conveyed to storage or dropped directly onto a truck for transport.

The parallel flow drum mix process is a continuous process that uses proportioning cold feed controls for the aggregate and liquid asphalt cement. The drum dryer is used to dry the material and mix the heated dry aggregate with the liquid asphalt cement. Aggregate from cold feed bins is proportioned by size and is introduced into the drum at the burner end. As the drum rotates, the aggregate, as well as products of combustion, move toward the other end of the drum in parallel. Liquid asphalt cement flow is controlled by a variable flow pump which is electronically linked to the aggregate feed weigh scales. The liquid asphalt cement is introduced into the mixing zone midway down the drum in a lower temperature zone along with any particulate matter that is captured by the control system. The mixture is discharged at the end of the drum and conveyed to a surge bin or storage silo. The exhaust gases also exit at the end of the drum and pass on to the collection system.

Parallel flow drum mixers have an advantage in that mixing in the discharge end of the drum captures a substantial portion of the aggregate dust, therefore lowering the load on the downstream collection equipment.

In counterflow drum mix plants, the material flow in the drum is opposite to the direction of the flow of exhaust gases. Liquid asphalt cement flow is controlled by a variable flow pump which is electronically linked to the virgin aggregate and RAP scales. It is injected into the mixing zone along with any RAP and particulate matter from primary and secondary collectors. Because the liquid asphalt cement, virgin aggregate, and RAP are mixed in a zone removed from

the exhaust gas stream, counterflow mix drum plants will likely have organic emissions lower than those for parallel flow plants.

Specific Conditions

1. The permittee shall not exceed the emission rates set forth in the following table. The permittee shall demonstrate compliance with this condition by compliance with Specific Conditions #3, #5, #8, #10, #11, #12, and #14. [Regulation 19, §19.501 et seq., effective May 28, 2006 and 40 CFR Part 52, Subpart E]

Pollutant	lb/hr	tpy
PM <sub>10</sub>	N/A	7.5
SO <sub>2</sub>		94.5
VOC		93.5 <sup>1</sup>
CO		93.5
NO <sub>x</sub>		93.5

<sup>1</sup>Maximum allowable annual emissions of VOC from HMA plants are 55.0 tpy for sources located in Pulaski County. See Specific Conditions #17 and #18.

2. The permittee shall not exceed the emission rates set forth in the following table. The permittee shall demonstrate compliance with this condition by compliance with Specific Conditions #3, #5, #8, #10, #11, #12, and #14. [Regulation 18, §18.801, effective February 15, 1999, and A.C.A. §8-4-203 as referenced by A.C.A. §8-4-304 and §8-4-311]

Pollutant	lb/hr	tpy
PM	N/A	11.6

3. Visible emissions may not exceed the limits specified in the following table of this permit as measured by EPA Reference Method #9. [40 CFR Part 52 Subpart E]

SN	Limit	Regulatory Citation
01	20%	§19.503

4. The permittee shall not process more than 550,000 tons of aggregate at the facility during any consecutive 12-month period. [Regulation 19, §19.705, A.C.A. §8-4-203 as referenced by A.C.A. §8-4-304 and §8-4-311, and 40 CFR §70.6]

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5. The permittee shall maintain monthly records which demonstrate compliance with Specific Condition #4. The permittee will update the records by the fifteenth day of the month following the month to which the records pertain. A twelve-month rolling total and each individual month's data shall be maintained on-site and made available to Department personnel upon request. These records shall be submitted to the Department in accordance with General Provision #7. [Regulation 19, §19.705 and 40 CFR Part 52 Subpart E]
6. The permittee may burn pipeline-quality natural gas or propane as a fuel source at the hot mix plant with no limitation on the quantity of either fuel consumed. Any liquid fuel usage shall be subject to Specific Condition #7. [§19.705 of Regulation 19, A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311, and 40 CFR §70.6].
7. The permittee shall be limited to the following fuel usages based on sulfur content for the hot mix plant. No fuels with a sulfur content greater than 1% (10,000 ppm) will be allowed for use at this facility. Compliance with this condition shall be demonstrated by compliance with Specific Condition #8. Any petroleum-based liquid fuel (diesel fuel, fuel oil, waste oil, etc.) which meets one of these sulfur content limits will be considered acceptable. [§19.705 of Regulation 19, A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311, and 40 CFR §70.6]

Sulfur Content (By Weight)	Annual Usage Limit (Gallons)
0.5% (5,000 ppm)	2,300,000
1.0% (10,000 ppm)	1,150,000

8. The permittee shall maintain monthly records which demonstrate compliance with Specific Condition #7. These records shall be updated by the fifteenth day of the month following the month to which the records pertain. These records shall indicate the fuels used during the previous month, the gallons of each fuel used, and the associated sulfur content of each fuel. The sulfur content shall be verified by testing or by vendor's written guarantee for each shipment of fuel received at the facility. A twelve month rolling total and each individual month's data shall be kept on-site, and shall be made available to Department personnel upon request. These records shall be submitted to the Department in accordance with General Provision #7[§19.705 of Regulation 19 and 40 CFR Part 52 Subpart E]
9. The permittee shall maintain the bag filter for each production unit according to the manufacturer's specifications in order to ensure proper control of emissions from the facility. Compliance with this condition will be demonstrated by compliance with Specific Conditions #10 and #11. [§19.303 of Regulation 19 and A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311]
10. The permittee shall conduct a monthly inspection of all bags for leaks. If any leaks or tears are found, then the facility shall institute immediate action to repair or replace the

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defective bag. Records of these inspections shall be maintained on-site, and be made available to Department personnel upon request. These records shall include the date and time of the inspection, the name of the person conducting the inspection, the presence of any leaks or tears in the bags, and the corrective action taken to correct the leaks or tears if they are present. [§19.303 of Regulation 19 and A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311]

11. The permittee shall conduct weekly observations of the visible emissions from the facility in order to determine proper operation of the baghouse(s). These readings shall be conducted by someone familiar with the visible emissions from the facility. EPA Method 9 opacity training and certification is not required for this observation. Records of these observations shall be kept on-site, and be made available to Department personnel upon request. These records shall include the date and time of the observation, the name of the person making the observation, and whether the baghouse appears to be operating properly. [§19.303 of Regulation 19 and 40 CFR Part 52 Subpart E]
12. The permittee shall test the asphalt plant exhaust stack for the following pollutants every five years. For units which have previously been tested, the testing shall be repeated within five years of the most recent documented test. Testing performed prior to acquisition of this general permit or performed while the unit was in operation in another state shall be deemed acceptable provided such testing meets all of the requirements of this condition and the permittee provides documentation of such testing. For each existing production unit which has not previously been tested, testing shall be performed within ninety (90) days of permit issuance. Testing of new units shall be conducted within sixty (60) days of achieving the maximum production rate, but in no event greater than 180 days from the initial start-up of the source. The test must be conducted while the facility is operating at 90% of the permitted throughput or higher. If 90 percent of the permitted throughput cannot be achieved, the permittee shall be limited to 10 percent above the actual tested throughput. The permittee shall conduct the required tests in accordance with General Condition 7 of this permit and NSPS Subpart I, *Standards of performance for Hot Mix Asphalt Facilities*. The following EPA Reference Methods shall be used as listed in Appendix A of 40 CFR Part 60, the PM testing shall include the following conditions; the sampling time shall be at least 60 minutes and the sample volume shall be at least 0.90 dscm (31.8 dscf) as set forth in 40 CFR Part 60, Subpart I, §60.93(b)(1). [§19.702 of Regulation 19 and 40 CFR Part 52 Subpart E]

<b>Pollutant</b>	<b>EPA Test Method</b>	<b>Limit</b>
PM	5	0.04 gr/dscf
NO <sub>x</sub>	7E	0.34 lb per ton of aggregate processed
CO	10	0.34 lb per ton of aggregate processed
VOC	25A	0.34 lb per ton of aggregate processed
Opacity	9	20%

13. If multiple fuels have been burned at the facility (such as waste oil and No. 2 diesel), then the facility shall perform the testing required by Specific Condition #12 while burning the fuel or combination of fuels which generates the highest potential emissions. [§19.702 of Regulation 19 and 40 CFR Part 52 Subpart E]
14. In situations where multiple hot mix asphalt production units are located at a common site under the control of a common owner or operator, the throughput limits of Specific Conditions #4 and #7 shall apply to the total throughput of all units at the site. The testing requirements of Specific Condition #12 shall apply to each individual production unit. [§19.405(B) of Regulation 19 and A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311]

**NSPS Requirements**

15. The facility is subject to and shall comply with the standards of 40 CFR Part 60 Subpart I - *Standards of Performance for Hot-Mix Asphalt Facilities* (Appendix A). [§19.304 of Regulation 19 and 40 CFR §60.90]
16. The permittee shall not emit particulate matter from SN-01 in a concentration greater than 90 mg/dscm (0.04 gr/dscf). Compliance with this condition shall be demonstrated by compliance with Specific Condition #12. [§19.304 of Regulation 19 and 40 CFR §60.92]

**Requirements for Plants located in Pulaski County**

17. For those sources located, or to be located within the boundaries of Pulaski County, the permittee shall comply with the following limit for the HMA plant in lieu of the VOC annual emission limit found in Specific Condition #1. The permittee shall not exceed the emission rates set forth in the following table. The permittee shall demonstrate compliance with this condition by compliance with Specific Conditions #4, #6, #12, and #18. [Regulation 19, §19.501 et seq., effective December 19, 2004 and 40 CFR Part 52, Subpart E]

Pollutant	lb/hr	tpy
VOC	N/A	55.0

18. For those sources located, or to be located within the boundaries of Pulaski County, the permittee shall comply with the following limit for the HMA plant in lieu of the lb/ton VOC limit found in Specific Condition #12. Compliance with this limit shall be demonstrated by performing stack testing in accordance with the time frames and methods outlined in Specific Condition #12. [§19.1001 of Regulation 19 and A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311]

<b>Pollutant</b>	<b>EPA Test Method</b>	<b>Limit</b>
VOC	25A	0.20 lb per ton of aggregate processed

SN-02  
Source Name

Rock Crushing Operations

Source Description

Most rock crushing facilities follow the same general operational procedures. Mined stone is introduced into the process from trucks. This stone is then passed to various crushing and screening operations which are designed to produce gravel of the desired size. Conveyors are used to transport the material around the facility to the various operations. Once aggregate of the desired size is formed and sorted, it is conveyed to storage piles. The finished product is then shipped off-site to its final destination.

The primary emission points in these operations are the crushers, screens, and the transfer points on the conveyors. Particulate matter emissions are controlled through the use of water sprays which keep the material wet.

Specific Conditions

19. The permittee shall not exceed the emission rates set forth in the following table. The permittee shall demonstrate compliance with this condition by compliance with Specific Conditions #21, #23, #26, #27, #29, #30, and #31. [Regulation 19, §19.501 et seq. and 40 CFR Part 52, Subpart E]

Pollutant	lb/hr	tpy
PM <sub>10</sub>	N/A	43.4

20. The permittee shall not exceed the emission rates set forth in the following table. The permittee shall demonstrate compliance with this condition by compliance with Specific Conditions #21, #23, #26, #27, #29, #30, and #31. [Regulation 18, §18.801, and A.C.A. §8-4-203 as referenced by A.C.A. §8-4-304 and §8-4-311]

Pollutant	lb/hr	tpy
PM	N/A	116.0

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21. Visible emissions may not exceed the limits specified in the following table of this permit as measured by EPA Reference Method 9. [40 CFR Part 52 Subpart E]

Source Type	Limit Fugitive Emissions	Limit Stack Emissions	Regulatory Citation
All NSPS Crushing Operations	15%	7%	40 CFR §60.672
All NSPS Screening and Conveying Operations	10%	7%	40 CFR §60.672
All Pre-NSPS Crushing, Screening, and Conveying Operations	20%	20%	§19.503
Air Separation Equipment	20%	20%	§19.503

22. The permittee shall not conduct operations in such a manner as to unnecessarily cause air contaminants and other pollutants to become airborne. [Regulation 18, §18.901 and A.C.A. §8-4-203 as referenced by A.C.A. §8-4-304 and §8-4-311]
23. The permittee shall comply with the following emission limits and corresponding minimum fence line distances. The permittee shall comply with either the maximum hourly capacity limit or the maximum daily production limit. If the permittee wishes to operate at a production rate not specifically listed on this table, then linear interpolation of data between individual points on this table shall be deemed acceptable by the Department. At no time shall any facility operate at a rate higher than 4400 tons per hour or 105,600 tons per day. Compliance with this condition shall be demonstrated by compliance with either Specific Condition #24 or #25. [Regulation 19, §19.705 and 40 CFR Part 52 Subpart E]

Use Either Column		Minimum Fence Line Distance (feet)
Maximum Hourly Capacity Limit* (tons of aggregate)	Maximum Daily Production Limit** (tons of aggregate)	
400	9,600	None
430	10,320	300
530	12,720	450

Use Either Column		Minimum Fenceline Distance (feet)
Maximum Hourly Capacity Limit* (tons of aggregate)	Maximum Daily Production Limit** (tons of aggregate)	
570	13,680	600
705	16,920	750
825	19,700	900
1110	26,640	1200
1465	35,160	1500
1895	45,480	1800
2395	57,480	2100
2970	71,280	2400
3615	86,760	2700
4400	105,600	3000

\* Maximum capacity for the process bottleneck. See Specific Condition #24

\*\* Daily record keeping. See Specific Condition #25

24. The permittee shall identify the primary unit (crusher, screen, conveyor, or feeding unit) which is the process bottleneck. The process bottleneck must be a unit which processes the full throughput of the facility and as such is a limit on the amount the facility can produce. The permittee shall maintain records of the maximum rated capacity for the unit defined as the process bottleneck on-site at all times. If the maximum rated capacity of the process bottleneck is greater than that allowed by Specific Condition #23, then the facility must instead comply with Specific Condition #25. [Regulation 19, §19.705 and A.C.A. §8-4-203 as referenced by A.C.A. §8-4-304 and §8-4-311]
25. If the permittee chooses to comply with the daily production limits set forth in Specific Condition #23 rather than the hourly capacity limits, then the permittee shall maintain daily records of the amount of aggregate processed during that day. These records shall be updated by the close of business for each day, and shall be maintained on-site and provided to Department personnel upon request. These records shall be submitted to the Department in accordance with General Provision #7. [§19.705 of Regulation 19 and A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311].
26. The permittee shall clearly identify the approximate center point of the process emissions sources on a plot diagram which shows the entire plant property and which identifies the location of each process emissions source. This diagram shall be drawn to scale. The Department shall reserve the right to make the determination of whether the indicated point represents the approximate center of the plant. This point shall be the reference point for determining the minimum fenceline distance for the plant. The minimum

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fenceline distance shall be indicated on this diagram as well. A copy of this diagram shall be maintained on-site at all times and shall be made available to Department personnel upon request. [§19.705 of Regulation 19 and A.C.A.§8-4-203 as referenced by §8-4-304 and §8-4-311]

27. The permittee shall process no more than 21,550,000 tons of aggregate at this facility during any consecutive 12-month period. Compliance with this condition shall be demonstrated by compliance with Specific Condition #28. This condition shall in no way supersede the requirements of Specific Condition #23. [§19.705 of Regulation 19 and A.C.A.§8-4-203 as referenced by §8-4-304 and §8-4-311]
28. The permittee shall maintain monthly records of the amount of aggregate processed at the facility during the previous month which demonstrate compliance with Specific Condition #27. These records shall be updated by the 15<sup>th</sup> day of the month following the month to which the records pertain. A twelve-month rolling total and each individual month's data shall be maintained on-site and shall be made available to Department personnel upon request. These records shall be submitted to the Department in accordance with General Provision #7. [§19.705 of Regulation 19 and A.C.A.§8-4-203 as referenced by §8-4-304 and §8-4-311]
29. The permittee shall maintain an up-to-date list of all process emissions sources (crushers, screens, conveyors and any other aggregate sizing equipment) present at this facility. This list shall be updated each time there is a change in the number of sources present at the facility, or one of the sources is replaced at the facility. This list should indicate the manufacturer and model number for each process emissions source at the site. This list shall also indicate whether or not each source is subject to NSPS Subpart OOO, and the date of the successful performance test if the equipment is subject to Subpart OOO. If it is indicated that a particular unit is not subject to Subpart OOO, the permittee must provide documentation of the date the unit was constructed or last modified. If the permittee is unable to provide such documentation then the source will be considered to be subject to the Subpart. This list shall be maintained with the copy of this air permit and shall be made available to Department personnel upon request. [§19.705 of Regulation 19 and A.C.A.§8-4-203 as referenced by §8-4-304 and §8-4-311]
30. If the portable equipment covered by this permit is to be operated at a site with other rock crushing equipment, then the limitations of Specific Conditions #23 and #27 shall apply to the total capacity/throughput of all such co-located equipment. If these co-located crushing operations are operated independently from each other, then the maximum capacities of the process bottleneck for each independent crushing plant shall be added together in order to comply with Specific Condition #24. [§26.302(A) of Regulation 26 and A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311]
31. The permittee shall maintain and operate all baghouses, cyclones, and other criteria pollutant control equipment in accordance with the manufacturer's recommendations. Any baghouses operated by the facility shall be inspected monthly for the presence of bag tears, and new bags shall be installed as necessary. [§19.303 of Regulation 19 and

A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311]

### **NSPS Requirements**

32. All facilities operating under this general permit shall comply with the standards of 40 CFR Part 60 Subpart OOO - *Standards of Performance for Nonmetallic Mineral Processing Plants* (Appendix B) for applicable equipment as identified in the equipment list required by Specific Condition #29. [§19.304 of Regulation 19 and 40 CFR §60.670]
33. The permittee shall conduct initial compliance testing for opacity from all fugitive (non-stack) sources for which an initial compliance test has not been previously performed. This testing may be performed by an employee of the facility if the employee is a currently certified visible emissions reader. A copy of the reader's certification shall be included with the report. This test is not required for sources for which the facility can demonstrate that NSPS Subpart OOO does not apply due to the age and/or type of the equipment. This testing shall be performed in accordance with EPA Reference Method 9 with the additions provided in 40 CFR §60.675. Any sources for which the facility has already tested need not be tested again, provided that the facility has documentation and the results of these tests. A copy of this documentation must accompany the results of the initial tests required by this Specific Condition. The permittee shall conduct the required test in accordance with General Condition 7 of this permit. [40 CFR Part 60, Subpart OOO and A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311]
34. The permittee shall not discharge any stack emissions from any process emissions source in the crushing facility which contain particulate matter in excess of 0.05 g/dscm. This shall be verified by the performance of an initial compliance test on all stack emissions sources for which an initial compliance test has not been previously performed. EPA Reference Method 5 or Method 17 shall be used to determine the particulate matter concentration, with the additional conditions required by 40 CFR §60.675(b)(1). [40 CFR Part 60, Subpart OOO and A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311]

SN-03  
 Source Name

Stationary Internal Combustion Engines

Source Description

This source includes emissions from stationary internal combustion engines which may be utilized on-site for the purposes of powering a facility which is not located on or connected to the electrical power grid. These engines may burn either natural gas or No. 2 diesel fuel oil.

Any co-located HMA and rock crushing facilities which are operated under the terms of this permit within the boundaries of Crittenden County cannot operate any stationary internal combustion engines at the plant site (see Specific Condition #46).

Specific Conditions

35. The permittee shall not exceed the emission rates set forth in the following table. The permittee shall demonstrate compliance with this condition by compliance with Specific Conditions #38, #39, #41, 43, and #44. [Regulation 19, §19.501 et seq. and 40 CFR Part 52, Subpart E]

Pollutant	lb/hr	tpy
PM <sub>10</sub>	N/A	6.4
SO <sub>2</sub>		21.8
VOC		37.7
CO		85.4
NO <sub>x</sub>		93.7

36. The permittee shall not exceed the emission rates set forth in the following table. The permittee shall demonstrate compliance with this condition by compliance with Specific Conditions #38, #39, #41, 43, and #44. [Regulation 18, §18.801, and A.C.A. §8-4-203 as referenced by A.C.A. §8-4-304 and §8-4-311]

Pollutant	lb/hr	tpy
PM	N/A	6.4

37. Visible emissions may not exceed the limits specified in the following table of this permit as measured by EPA Reference Method 9. [A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311 and/or 40 CFR Part 52 Subpart E]

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SN	Limit	Regulatory Citation
03 natural gas	5%	§18.501
03 diesel fuel	20%	§19.503

38. The permittee shall conduct weekly observations of the opacity from any stationary engines included in SN-03 and keep a record of these observations. If the permittee detects visible emissions, the permittee must immediately take action to identify and correct the cause of the visible emissions. After implementing the corrective action, the permittee must document that the source complies with the visible emissions requirements. The permittee shall maintain records of the cause of any visible emissions and the corrective action taken. The permittee must keep these records onsite and make them available to Department personnel upon request. [§19.503 of Regulation 19 and 40 CFR Part 52 Subpart E]
  
39. If only natural gas is used as a fuel source for stationary internal combustion engines at the permitted facility, then the permittee shall not exceed a usage of 45,000,000 standard cubic feet during any consecutive 12-month period. Any liquid fuel usage shall be subject to Specific Condition #41. If both natural gas and diesel fuel are burned during any consecutive 12-month period, then the permittee shall instead comply with Specific Condition #44. [§19.705 of Regulation 19 and A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311]
  
40. If natural gas is the only fuel burned on-site as a fuel in any stationary combustion sources, then the permittee shall maintain monthly records which demonstrate compliance with Specific Condition #39. These records shall be updated by the fifteenth day of the month following the month to which the records pertain. A twelve month rolling total and each individual month's data shall be kept on-site, and shall be made available to Department personnel upon request. [§19.705 of Regulation 19 and A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311]
  
41. If only #2 diesel fuel is used as a fuel source for stationary internal combustion engines at the permitted facility, then the permittee shall not exceed a usage of 300,000 gallons during any consecutive 12-month period. If both natural gas and diesel fuel are burned during any consecutive 12-month period, then the permittee shall instead comply with Specific Condition #44. [§19.705 of Regulation 19 and A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311]
  
42. If only #2 diesel is used as a fuel in any stationary combustion sources, then the permittee shall maintain monthly records which demonstrate compliance with Specific Condition #41. These records shall be updated by the fifteenth day of the month following the month to which the records pertain. These records shall indicate the amount of #2 diesel fuel used (in gallons) for each month. A twelve month rolling total and each individual month's data shall be kept on-site, and shall be made available to Department personnel upon request.

[§19.705 of Regulation 19 and A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311]

43. Any #2 diesel fuel burned in stationary internal combustion engines at the permitted site shall contain no more than 1% sulfur by weight (10,000 ppm). The sulfur content shall be verified by testing or by vendor's written guarantee for each shipment of fuel received at the facility. The permittee shall maintain records which demonstrate compliance with this condition. These records shall be updated for each fuel shipment, and shall be maintained on-site and be made available to Department personnel upon request. [§19.705 of Regulation 19 and A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311]
44. If the permittee burns both natural gas and #2 diesel fuel at the facility during any consecutive 12-month period, then the following calculation shall be performed. This calculation shall be updated monthly during any period where multiple fuels have been used during the previous 12 months. The result of this calculation shall be equal to or less than 1.0 during any consecutive 12-month period. Any facility which is subject to this requirement is exempted from the requirements of Specific Conditions #39 and #41. [§19.705 of Regulation 19 and A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311]

$$(NG/45,000,000) + (FO/300,000) \leq 1.0$$

where:

NG = usage of natural gas over the previous 12-month period, in SCF

FO = usage of #2 diesel fuel over the previous 12-month period, in gallons

45. The permittee shall maintain monthly records which demonstrate compliance with Specific Condition #44. These records shall indicate the amount of natural gas and #2 diesel fuel combusted during each month, the 12-month rolling total natural gas and #2 diesel usage, and the results of the calculation outlined in Specific Condition #44. These records shall be maintained on-site and be made available to Department personnel upon request. [§19.705 of Regulation 19 and A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311]

#### **Requirements for those sources located in Crittenden County**

46. Any facility operated under the terms of this permit and which is located (or to be relocated) within the boundaries of Crittenden County shall not operate any stationary internal combustion engines. Specific Conditions #35 through #45 shall not be applicable to such facilities. [§19.1201 of Regulation 19 and A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311]

SN-04  
Source Name

Storage Piles and Haul Roads

Source Description

This source represents the non-point source particulate emissions generate from the operation of vehicles on paved and/or unpaved haul roads, as well as non-point source emissions from on-site storage piles.

Specific Conditions

47. The permittee shall not exceed the emission rates set forth in the following table. The permittee shall demonstrate compliance with this condition by compliance with Specific Conditions #49 and #50. [Regulation 19, §19.501 et seq. and 40 CFR Part 52, Subpart E]

Pollutant	lb/hr	tpy
PM <sub>10</sub>	N/A	40.0

48. The permittee shall not exceed the emission rates set forth in the following table. The permittee shall demonstrate compliance with this condition by compliance with Specific Conditions #49 and #50. [Regulation 18, §18.801, and A.C.A. §8-4-203 as referenced by A.C.A. §8-4-304 and §8-4-311]

Pollutant	lb/hr	tpy
PM	N/A	84.0

49. The permittee shall water all processes, storage piles, and haul roads as needed to insure that no nuisance visible emissions extend beyond the property line of the facility. [§19.703 of Regulation 19 and A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311]
50. The permittee shall not operate any process emissions source at the crushing plant without functional water suppression equipment with the exception of days on which there is sufficient rainfall to ensure adequate visible emissions control. In the event of failure of such equipment due to weather, mechanical breakdown, or other conditions, the facility shall cease operation of process equipment if unable to operate within permitted limits without the use of such equipment. [§19.303 of Regulation 19 and A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311]

**SECTION V: COMPLIANCE PLAN AND SCHEDULE**

This permitted facility will continue to operate in compliance with those identified regulatory provisions. The facility will examine and analyze future regulations that may apply and determine their applicability with any necessary action taken on a timely basis.

## SECTION VI: PLANTWIDE CONDITIONS

1. The permittee shall notify the Director in writing within thirty (30) days after commencing construction, completing construction, first placing the equipment and/or facility in operation, and reaching the equipment and/or facility target production rate. [Regulation 19, §19.704, 40 CFR Part 52, Subpart E, and A.C.A. §8-4-203 as referenced by A.C.A. §8-4-304 and §8-4-311]
2. If the permittee fails to start construction within eighteen months or suspends construction for eighteen months or more, the Director may cancel all or part of this permit. [Regulation 19, §19.410(B) and 40 CFR Part 52, Subpart E]
3. The permittee must test any equipment scheduled for testing, unless stated in the Specific Conditions of this permit or by any federally regulated requirements, within the following time frames: (1) new equipment or newly modified equipment within sixty (60) days of achieving the maximum production rate, but no later than 180 days after initial start up of the permitted source or (2) operating equipment according to the time frames set forth by the Department or within 180 days of permit issuance if no date is specified. The permittee must notify the Department of the scheduled date of compliance testing at least fifteen (15) days in advance of such test. The permittee shall submit the compliance test results to the Department within thirty (30) days after completing the testing. [Regulation 19, §19.702 and/or Regulation 18 §18.1002 and A.C.A. §8-4-203 as referenced by A.C.A. §8-4-304 and §8-4-311]
4. The permittee must provide: [Regulation 19, §19.702 and/or Regulation 18, §18.1002 and A.C.A. §8-4-203 as referenced by A.C.A. §8-4-304 and §8-4-311]
  - a. Sampling ports adequate for applicable test methods;
  - b. Safe sampling platforms;
  - c. Safe access to sampling platforms; and
  - d. Utilities for sampling and testing equipment.
5. The permittee must operate the equipment, control apparatus and emission monitoring equipment within the design limitations. The permittee shall maintain the equipment in good condition at all times. [Regulation 19, §19.303 and A.C.A. §8-4-203 as referenced by A.C.A. §8-4-304 and §8-4-311]
6. This permit subsumes and incorporates all previously issued air permits for this facility. [Regulation 26 and A.C.A. §8-4-203 as referenced by A.C.A. §8-4-304 and §8-4-311]
7. The permittee shall notify the department, in writing, 30 days prior to the commencement of operation at any new location. This notification must include the new location. Upon receipt of such notification, the Department may authorize the operation as proposed by the permittee, or when the plant is proposed to be operating in areas of high population density or in areas where the National Ambient Air Quality Standards are threatened, the Department may require more stringent controls. The permittee's authorization to

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operate at its current location shall expire forty-five (45) days after notification to the Department of an intended move. [A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311]

8. The permittee shall not operate any gasoline storage tanks on site with a volume greater than 75 m<sup>3</sup> (19,812 gallons). Tanks which store liquid petroleum fuels other than gasoline shall not exceed 151 m<sup>3</sup> (39,890 gallons). [40 CFR §60.110b and A.C.A. §8-4-203 as referenced by §8-4-304 and §8-4-311]

**SECTION VII: INSIGNIFICANT ACTIVITIES**

The following sources are insignificant activities. Any activity that has a state or federal applicable requirement shall be considered a significant activity even if this activity meets the criteria of §26.304 of Regulation 26 or listed in the table below.

Description	Category
Asphalt Heater	A-13
Petroleum Liquid Fuel Storage Tanks	A-2, A-3, and/or A-13
Dump Hoppers	A-13
Feeders	A-13
Surge Bins	A-13
Hydraulic (material is completely saturated) Sizing Equipment	A-13
Drilling and Blasting Operations	A-13

### SECTION VIII: GENERAL PROVISIONS

1. Any terms or conditions included in this permit which specify and reference Arkansas Pollution Control & Ecology Commission Regulation 18 or the Arkansas Water and Air Pollution Control Act (A.C.A. §8-4-101 et seq.) as the sole origin of and authority for the terms or conditions are not required under the Clean Air Act or any of its applicable requirements, and are not federally enforceable under the Clean Air Act. Arkansas Pollution Control & Ecology Commission Regulation 18 was adopted pursuant to the Arkansas Water and Air Pollution Control Act (A.C.A. §8-4-101 et seq.). Any terms or conditions included in this permit which specify and reference Arkansas Pollution Control & Ecology Commission Regulation 18 or the Arkansas Water and Air Pollution Control Act (A.C.A. §8-4-101 et seq.) as the origin of and authority for the terms or conditions are enforceable under this Arkansas statute. [40 CFR 70.6(b)(2)]
2. This permit shall be valid for a period of five (5) years beginning on the date this permit becomes effective and ending five (5) years later. [40 CFR 70.6(a)(2) and §26.701(B) of the Regulations of the Arkansas Operating Air Permit Program (Regulation 26), effective September 26, 2002]
3. The permittee must submit a complete application for permit renewal at least six (6) months before permit expiration. Permit expiration terminates the permittee's right to operate unless the permittee submitted a complete renewal application at least six (6) months before permit expiration. If the permittee submits a complete application, the existing permit will remain in effect until the Department takes final action on the renewal application. The Department will not necessarily notify the permittee when the permit renewal application is due. [Regulation 26, §26.406]
4. Where an applicable requirement of the Clean Air Act, as amended, 42 U.S.C. 7401, et seq. (Act) is more stringent than an applicable requirement of regulations promulgated under Title IV of the Act, the permit incorporates both provisions into the permit, and the Director or the Administrator can enforce both provisions. [40 CFR 70.6(a)(1)(ii) and Regulation 26, §26.701(A)(2)]
5. The permittee must maintain the following records of monitoring information as required by this permit. [40 CFR 70.6(a)(3)(ii)(A) and Regulation 26, §26.701(C)(2)]
  - a. The date, place as defined in this permit, and time of sampling or measurements;
  - b. The date(s) analyses performed;
  - c. The company or entity performing the analyses;
  - d. The analytical techniques or methods used;
  - e. The results of such analyses; and
  - f. The operating conditions existing at the time of sampling or measurement.
6. The permittee must retain the records of all required monitoring data and support information for at least five (5) years from the date of the monitoring sample, measurement, report, or application. Support information includes all calibration and

maintenance records and all original strip chart recordings for continuous monitoring instrumentation, and copies of all reports required by this permit. [40 CFR 70.6(a)(3)(ii)(B) and Regulation 26, §26.701(C)(2)(b)]

7. The permittee must submit reports of all required monitoring every six (6) months. If permit establishes no other reporting period, the reporting period shall end on the last day of the anniversary month of the initial Title V permit. The report is due within thirty (30) days of the end of the reporting period. Although the reports are due every six months, each report shall contain a full year of data. The report must clearly identify all instances of deviations from permit requirements. A responsible official as defined in Regulation No. 26, §26.2 must certify all required reports. The permittee will send the reports to the address below: [40 C.F.R. 70.6(a)(3)(iii)(A) and Regulation 26, §26.701(C)(3)(a)]

Arkansas Department of Environmental Quality  
Air Division  
ATTN: Compliance Inspector Supervisor  
5301 Northshore Drive  
North Little Rock, AR 72118-5317

8. The permittee shall report to the Department all deviations from permit requirements, including those attributable to upset conditions as defined in the permit.
  - a. For all upset conditions (as defined in Regulation 19, § 19.601), the permittee will make an initial report to the Department by the next business day after the discovery of the occurrence. The initial report may be made by telephone and shall include:
    - i. The facility name and location
    - ii. The process unit or emission source deviating from the permit limit,
    - iii. The permit limit, including the identification of pollutants, from which deviation occurs,
    - iv. The date and time the deviation started,
    - v. The duration of the deviation,
    - vi. The average emissions during the deviation,
    - vii. The probable cause of such deviations,
    - viii. Any corrective actions or preventive measures taken or being taken to prevent such deviations in the future, and
    - ix. The name of the person submitting the report.

The permittee shall make a full report in writing to the Department within five (5) business days of discovery of the occurrence. The report must include, in addition to the information required by the initial report, a schedule of actions taken or planned to eliminate future occurrences and/or to minimize the amount the permit's limits were exceeded and to reduce the length of time the limits were exceeded. The permittee may submit a full report in writing (by facsimile, overnight courier, or other

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means) by the next business day after discovery of the occurrence, and the report will serve as both the initial report and full report.

- b. For all deviations, the permittee shall report such events in semi-annual reporting and annual certifications required in this permit. This includes all upset conditions reported in 8a above. The semi-annual report must include all the information as required by the initial and full reports required in 8a.

[Regulation 19, §19.601 and §19.602, Regulation 26, §26.701(C)(3)(b), and 40 CFR 70.6(a)(3)(iii)(B)]

9. If any provision of the permit or the application thereof to any person or circumstance is held invalid, such invalidity will not affect other provisions or applications hereof which can be given effect without the invalid provision or application, and to this end, provisions of this Regulation are declared to be separable and severable. [40 CFR 70.6(a)(5), Regulation 26, §26.701(E), and A.C.A. §8-4-203 as referenced by A.C.A. §8-4-304 and §8-4-311]
10. The permittee must comply with all conditions of this Part 70 permit. Any permit noncompliance with applicable requirements as defined in Regulation 26 constitutes a violation of the Clean Air Act, as amended, 42 U.S.C. §7401, et seq. and is grounds for enforcement action; for permit termination, revocation and reissuance, for permit modification; or for denial of a permit renewal application. [40 CFR 70.6(a)(6)(i) and Regulation 26, §26.701(F)(1)]
11. It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity to maintain compliance with the conditions of this permit. [40 CFR 70.6(a)(6)(ii) and Regulation 26, §26.701(F)(2)]
12. The Department may modify, revoke, reopen and reissue the permit or terminate the permit for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, termination, or of a notification of planned changes or anticipated noncompliance does not stay any permit condition. [40 CFR 70.6(a)(6)(iii) and Regulation 26, §26.701(F)(3)]
13. This permit does not convey any property rights of any sort, or any exclusive privilege. [40 CFR 70.6(a)(6)(iv) and Regulation 26, §26.701(F)(4)]
14. The permittee must furnish to the Director, within the time specified by the Director, any information that the Director may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. Upon request, the permittee must also furnish to the Director copies of records required by the permit. For information the permittee claims confidentiality, the Department may require the permittee to furnish such records directly to the Director along with a claim of confidentiality. [40 CFR 70.6(a)(6)(v) and Regulation 26, §26.701(F)(5)]

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15. The permittee must pay all permit fees in accordance with the procedures established in Regulation 9. [40 CFR 70.6(a)(7) and Regulation 26, §26.701(G)]
16. No permit revision shall be required, under any approved economic incentives, marketable permits, emissions trading and other similar programs or processes for changes provided for elsewhere in this permit. [40 CFR 70.6(a)(8) and Regulation 26, §26.701(H)]
17. If the permit allows different operating scenarios, the permittee shall, contemporaneously with making a change from one operating scenario to another, record in a log at the permitted facility a record of the operational scenario. [40 CFR 70.6(a)(9)(i) and Regulation 26, §26.701(I)(1)]
18. The Administrator and citizens may enforce under the Act all terms and conditions in this permit, including any provisions designed to limit a source's potential to emit, unless the Department specifically designates terms and conditions of the permit as being federally unenforceable under the Act or under any of its applicable requirements. [40 CFR 70.6(b) and Regulation 26, §26.702(A) and (B)]
19. Any document (including reports) required by this permit must contain a certification by a responsible official as defined in Regulation 26, §26.2. [40 CFR 70.6(c)(1) and Regulation 26, §26.703(A)]
20. The permittee must allow an authorized representative of the Department, upon presentation of credentials, to perform the following: [40 CFR 70.6(c)(2) and Regulation 26, §26.703(B)]
  - a. Enter upon the permittee's premises where the permitted source is located or emissions related activity is conducted, or where records must be kept under the conditions of this permit;
  - b. Have access to and copy, at reasonable times, any records required under the conditions of this permit;
  - c. Inspect at reasonable times any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under this permit; and
  - d. As authorized by the Act, sample or monitor at reasonable times substances or parameters for assuring compliance with this permit or applicable requirements.
21. The permittee shall submit a compliance certification with the terms and conditions contained in the permit, including emission limitations, standards, or work practices. The permittee must submit the compliance certification annually within 30 days following the last day of the anniversary month of the initial Title V permit. The permittee must also submit the compliance certification to the Administrator as well as to the Department. All compliance certifications required by this permit must include the following: [40 CFR 70.6(c)(5) and Regulation 26, §26.703(E)(3)]

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- a. The identification of each term or condition of the permit that is the basis of the certification;
  - b. The compliance status;
  - c. Whether compliance was continuous or intermittent;
  - d. The method(s) used for determining the compliance status of the source, currently and over the reporting period established by the monitoring requirements of this permit;
  - e. and Such other facts as the Department may require elsewhere in this permit or by §114(a)(3) and §504(b) of the Act.
22. Nothing in this permit will alter or affect the following: [Regulation 26, §26.704(C)]
- a. The provisions of Section 303 of the Act (emergency orders), including the authority of the Administrator under that section;
  - b. The liability of the permittee for any violation of applicable requirements prior to or at the time of permit issuance;
  - c. The applicable requirements of the acid rain program, consistent with §408(a) of the Act or,
  - d. The ability of EPA to obtain information from a source pursuant to §114 of the Act.
23. This permit authorizes only those pollutant emitting activities addressed in this permit. [A.C.A. §8-4-203 as referenced by A.C.A. §8-4-304 and §8-4-311]

## APPENDIX A

## **Title 40: Protection of Environment**

### **PART 60—STANDARDS OF PERFORMANCE FOR NEW STATIONARY SOURCES**

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#### **Subpart I—Standards of Performance for Hot Mix Asphalt Facilities**

##### **§ 60.90 Applicability and designation of affected facility.**

(a) The affected facility to which the provisions of this subpart apply is each hot mix asphalt facility. For the purpose of this subpart, a hot mix asphalt facility is comprised only of any combination of the following: dryers; systems for screening, handling, storing, and weighing hot aggregate; systems for loading, transferring, and storing mineral filler, systems for mixing hot mix asphalt; and the loading, transfer, and storage systems associated with emission control systems.

(b) Any facility under paragraph (a) of this section that commences construction or modification after June 11, 1973, is subject to the requirements of this subpart.

[42 FR 37936, July 25, 1977, as amended at 51 FR 12325, Apr. 10, 1986]

##### **§ 60.91 Definitions.**

As used in this subpart, all terms not defined herein shall have the meaning given them in the Act and in subpart A of this part.

(a) *Hot mix asphalt facility* means any facility, as described in §60.90, used to manufacture hot mix asphalt by heating and drying aggregate and mixing with asphalt cements.

[51 FR 12325, Apr. 10, 1986]

##### **§ 60.92 Standard for particulate matter.**

(a) On and after the date on which the performance test required to be conducted by §60.8 is completed, no owner or operator subject to the provisions of this subpart shall discharge or cause the discharge into the atmosphere from any affected facility any gases which:

- (1) Contain particulate matter in excess of 90 mg/dscm (0.04 gr/dscf).
- (2) Exhibit 20 percent opacity, or greater.

[39 FR 9314, Mar. 8, 1974, as amended at 40 FR 46259, Oct. 6, 1975]

##### **§ 60.93 Test methods and procedures.**

(a) In conducting the performance tests required in §60.8, the owner or operator shall use as reference methods and procedures the test methods in appendix A of this part or other methods and procedures as specified in this section, except as provided in §60.8(b).

(b) The owner or operator shall determine compliance with the particulate matter standards in §60.92 as follows:

- (1) Method 5 shall be used to determine the particulate matter concentration. The sampling time and sample volume for each run shall be at least 60 minutes and 0.90 dscm (31.8 dscf).
- (2) Method 9 and the procedures in §60.11 shall be used to determine opacity.

[54 FR 6667, Feb. 14, 1989]

## APPENDIX B

## Title 40: Protection of Environment

### [PART 60—STANDARDS OF PERFORMANCE FOR NEW STATIONARY SOURCES](#)

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#### Subpart 000—Standards of Performance for Nonmetallic Mineral Processing Plants

**Source:** 51 FR 31337, Aug. 1, 1985, unless otherwise noted.

##### § 60.670 Applicability and designation of affected facility.

(a)(1) Except as provided in paragraphs (a)(2), (b), (c), and (d) of this section, the provisions of this subpart are applicable to the following affected facilities in fixed or portable nonmetallic mineral processing plants: each crusher, grinding mill, screening operation, bucket elevator, belt conveyor, bagging operation, storage bin, enclosed truck or railcar loading station. Also, crushers and grinding mills at hot mix asphalt facilities that reduce the size of nonmetallic minerals embedded in recycled asphalt pavement and subsequent affected facilities up to, but not including, the first storage silo or bin are subject to the provisions of this subpart.

(2) The provisions of this subpart do not apply to the following operations: All facilities located in underground mines; and stand-alone screening operations at plants without crushers or grinding mills.

(b) An affected facility that is subject to the provisions of subpart F or I or that follows in the plant process any facility subject to the provisions of subparts F or I of this part is not subject to the provisions of this subpart.

(c) Facilities at the following plants are not subject to the provisions of this subpart:

(1) Fixed sand and gravel plants and crushed stone plants with capacities, as defined in §60.671, of 23 megagrams per hour (25 tons per hour) or less;

(2) Portable sand and gravel plants and crushed stone plants with capacities, as defined in §60.671, of 136 megagrams per hour (150 tons per hour) or less; and

(3) Common clay plants and pumice plants with capacities, as defined in §60.671, of 9 megagrams per hour (10 tons per hour) or less.

(d)(1) When an existing facility is replaced by a piece of equipment of equal or smaller size, as defined in §60.671, having the same function as the existing facility, the new facility is exempt from the provisions of §§60.672, 60.674, and 60.675 except as provided for in paragraph (d)(3) of this section.

(2) An owner or operator complying with paragraph (d)(1) of this section shall submit the information required in §60.676(a).

(3) An owner or operator replacing all existing facilities in a production line with new facilities does not qualify for the exemption described in paragraph (d)(1) of this section and must comply with the provisions of §§60.672, 60.674 and 60.675.

(e) An affected facility under paragraph (a) of this section that commences construction, reconstruction, or modification after August 31, 1983 is subject to the requirements of this part.

(f) Table 1 of this subpart specifies the provisions of subpart A of this part 60 that apply and those that do not apply to owners and operators of affected facilities subject to this subpart.

**Table 1—Applicability of Subpart A to Subpart 000**

<b>Subpart A reference</b>	<b>Applies to Subpart 000</b>	<b>Comment</b>
60.1, Applicability	Yes	

60.2, Definitions	Yes	
60.3, Units and abbreviations	Yes	
60.4, Address:		
(a)	Yes	
(b)	Yes	
60.5, Determination of construction or modification	Yes	
60.6, Review of plans	Yes	
60.7, Notification and recordkeeping	Yes	Except in (a)(2) report of anticipated date of initial startup is not required (§60.676(h)).
60.8, Performance tests	Yes	Except in (d), after 30 days notice for an initially scheduled performance test, any rescheduled performance test requires 7 days notice, not 30 days (§60.675(g)).
60.9, Availability of information	Yes	
60.10, State authority	Yes	
60.11, Compliance with standards and maintenance requirements	Yes	Except in (b) under certain conditions (§§60.675 (c)(3) and (c)(4)), Method 9 observation may be reduced from 3 hours to 1 hour. Some affected facilities exempted from Method 9 tests (§60.675(h)).
60.12, Circumvention	Yes	
60.13, Monitoring requirements	Yes	
60.14, Modification	Yes	
60.15, Reconstruction	Yes	
60.16, Priority list	Yes	
60.17, Incorporations by reference	Yes	
60.18, General control device	No	Flares will not be used to comply with the emission limits.
60.19, General notification and reporting requirements	Yes	

## § 60.671 Definitions.

All terms used in this subpart, but not specifically defined in this section, shall have the meaning given them in the Act and in subpart A of this part.

*Bagging operation* means the mechanical process by which bags are filled with nonmetallic minerals.

*Belt conveyor* means a conveying device that transports material from one location to another by means of an endless belt that is carried on a series of idlers and routed around a pulley at each end.

*Bucket elevator* means a conveying device of nonmetallic minerals consisting of a head and foot assembly which supports and drives an endless single or double strand chain or belt to which buckets are attached.

*Building* means any frame structure with a roof.

*Capacity* means the cumulative rated capacity of all initial crushers that are part of the plant.

*Capture system* means the equipment (including enclosures, hoods, ducts, fans, dampers, etc.) used to capture and transport particulate matter generated by one or more process operations to a control device.

*Control device* means the air pollution control equipment used to reduce particulate matter emissions released to the atmosphere from one or more process operations at a nonmetallic mineral processing plant.

*Conveying system* means a device for transporting materials from one piece of equipment or location to another location within a plant. Conveying systems include but are not limited to the following: Feeders, belt conveyors, bucket elevators and pneumatic systems.

*Crusher* means a machine used to crush any nonmetallic minerals, and includes, but is not limited to, the following types: jaw, gyratory, cone, roll, rod mill, hammermill, and impactor.

*Enclosed truck or railcar loading station* means that portion of a nonmetallic mineral processing plant where nonmetallic minerals are loaded by an enclosed conveying system into enclosed trucks or railcars.

*Fixed plant* means any nonmetallic mineral processing plant at which the processing equipment specified in §60.670(a) is attached by a cable, chain, turnbuckle, bolt or other means (except electrical connections) to any anchor, slab, or structure including bedrock.

*Fugitive emission* means particulate matter that is not collected by a capture system and is released to the atmosphere at the point of generation.

*Grinding mill* means a machine used for the wet or dry fine crushing of any nonmetallic mineral. Grinding mills include, but are not limited to, the following types: hammer, roller, rod, pebble and ball, and fluid energy. The grinding mill includes the air conveying system, air separator, or air classifier, where such systems are used.

*Initial crusher* means any crusher into which nonmetallic minerals can be fed without prior crushing in the plant.

*Nonmetallic mineral* means any of the following minerals or any mixture of which the majority is any of the following minerals:

(a) Crushed and Broken Stone, including Limestone, Dolomite, Granite, Traprock, Sandstone, Quartz, Quartzite, Marl, Marble, Slate, Shale, Oil Shale, and Shell.

(b) Sand and Gravel.

(c) Clay including Kaolin, Fireclay, Bentonite, Fuller's Earth, Ball Clay, and Common Clay.

(d) Rock Salt.

(e) Gypsum.

(f) Sodium Compounds, including Sodium Carbonate, Sodium Chloride, and Sodium Sulfate.

- (g) Pumice.
- (h) Gilsonite.
- (i) Talc and Pyrophyllite.
- (j) Boron, including Borax, Kernite, and Colemanite.
- (k) Barite.
- (l) Fluorospar.
- (m) Feldspar.
- (n) Diatomite.
- (o) Perlite.
- (p) Vermiculite.
- (q) Mica.
- (r) Kyanite, including Andalusite, Sillimanite, Topaz, and Dumortierite.

*Nonmetallic mineral processing plant* means any combination of equipment that is used to crush or grind any nonmetallic mineral wherever located, including lime plants, power plants, steel mills, asphalt concrete plants, portland cement plants, or any other facility processing nonmetallic minerals except as provided in §60.670 (b) and (c).

*Portable plant* means any nonmetallic mineral processing plant that is mounted on any chassis or skids and may be moved by the application of a lifting or pulling force. In addition, there shall be no cable, chain, turnbuckle, bolt or other means (except electrical connections) by which any piece of equipment is attached or clamped to any anchor, slab, or structure, including bedrock that must be removed prior to the application of a lifting or pulling force for the purpose of transporting the unit.

*Production line* means all affected facilities (crushers, grinding mills, screening operations, bucket elevators, belt conveyors, bagging operations, storage bins, and enclosed truck and railcar loading stations) which are directly connected or are connected together by a conveying system.

*Screening operation* means a device for separating material according to size by passing undersize material through one or more mesh surfaces (screens) in series, and retaining oversize material on the mesh surfaces (screens).

*Size* means the rated capacity in tons per hour of a crusher, grinding mill, bucket elevator, bagging operation, or enclosed truck or railcar loading station; the total surface area of the top screen of a screening operation; the width of a conveyor belt; and the rated capacity in tons of a storage bin.

*Stack emission* means the particulate matter that is released to the atmosphere from a capture system.

*Storage bin* means a facility for storage (including surge bins) or nonmetallic minerals prior to further processing or loading.

*Transfer point* means a point in a conveying operation where the nonmetallic mineral is transferred to or from a belt conveyor except where the nonmetallic mineral is being transferred to a stockpile.

*Truck dumping* means the unloading of nonmetallic minerals from movable vehicles designed to transport nonmetallic minerals from one location to another. Movable vehicles include but are not limited to: trucks, front end loaders, skip hoists, and railcars.

*Vent* means an opening through which there is mechanically induced air flow for the purpose of exhausting from a building air carrying particulate matter emissions from one or more affected facilities.

*Wet mining operation* means a mining or dredging operation designed and operated to extract any nonmetallic mineral regulated under this subpart from deposits existing at or below the water table, where the nonmetallic mineral is saturated with water.

*Wet screening operation* means a screening operation at a nonmetallic mineral processing plant which removes unwanted material or which separates marketable fines from the product by a washing process which is designed and operated at all times such that the product is saturated with water.

[51 FR 31337, Aug. 1, 1985, as amended at 62 FR 31359, June 9, 1997]

#### **§ 60.672 Standard for particulate matter.**

(a) On and after the date on which the performance test required to be conducted by §60.8 is completed, no owner or operator subject to the provisions of this subpart shall cause to be discharged into the atmosphere from any transfer point on belt conveyors or from any other affected facility any stack emissions which:

(1) Contain particulate matter in excess of 0.05 g/dscm (0.022 gr/dscf); and

(2) Exhibit greater than 7 percent opacity, unless the stack emissions are discharged from an affected facility using a wet scrubbing control device. Facilities using a wet scrubber must comply with the reporting provisions of §60.676 (c), (d), and (e).

(b) On and after the sixtieth day after achieving the maximum production rate at which the affected facility will be operated, but not later than 180 days after initial startup as required under §60.11 of this part, no owner or operator subject to the provisions of this subpart shall cause to be discharged into the atmosphere from any transfer point on belt conveyors or from any other affected facility any fugitive emissions which exhibit greater than 10 percent opacity, except as provided in paragraphs (c), (d), and (e) of this section.

(c) On and after the sixtieth day after achieving the maximum production rate at which the affected facility will be operated, but not later than 180 days after initial startup as required under §60.11 of this part, no owner or operator shall cause to be discharged into the atmosphere from any crusher, at which a capture system is not used, fugitive emissions which exhibit greater than 15 percent opacity.

(d) Truck dumping of nonmetallic minerals into any screening operation, feed hopper, or crusher is exempt from the requirements of this section.

(e) If any transfer point on a conveyor belt or any other affected facility is enclosed in a building, then each enclosed affected facility must comply with the emission limits in paragraphs (a), (b) and (c) of this section, or the building enclosing the affected facility or facilities must comply with the following emission limits:

(1) No owner or operator shall cause to be discharged into the atmosphere from any building enclosing any transfer point on a conveyor belt or any other affected facility any visible fugitive emissions except emissions from a vent as defined in §60.671.

(2) No owner or operator shall cause to be discharged into the atmosphere from any vent of any building enclosing any transfer point on a conveyor belt or any other affected facility emissions which exceed the stack emissions limits in paragraph (a) of this section.

(f) On and after the sixtieth day after achieving the maximum production rate at which the affected facility will be operated, but not later than 180 days after initial startup as required under §60.11 of this part, no owner or operator shall cause to be discharged into the atmosphere from any baghouse that controls emissions from only an individual, enclosed storage bin, stack emissions which exhibit greater than 7 percent opacity.

(g) Owners or operators of multiple storage bins with combined stack emissions shall comply with the emission limits in paragraph (a)(1) and (a)(2) of this section.

(h) On and after the sixtieth day after achieving the maximum production rate at which the affected facility will be operated, but not later than 180 days after initial startup, no owner or operator shall cause to be discharged into the atmosphere any visible emissions from:

(1) Wet screening operations and subsequent screening operations, bucket elevators, and belt conveyors that process saturated material in the production line up to the next crusher, grinding mill or storage bin.

(2) Screening operations, bucket elevators, and belt conveyors in the production line downstream of wet mining operations, where such screening operations, bucket elevators, and belt conveyors process saturated materials up to the first crusher, grinding mill, or storage bin in the production line.

[51 FR 31337, Aug. 1, 1985, as amended at 62 FR 31359, June 9, 1997; 65 FR 61778, Oct. 17, 2000]

### **§ 60.673 Reconstruction.**

(a) The cost of replacement of ore-contact surfaces on processing equipment shall not be considered in calculating either the "fixed capital cost of the new components" or the "fixed capital cost that would be required to construct a comparable new facility" under §60.15. Ore-contact surfaces are crushing surfaces; screen meshes, bars, and plates; conveyor belts; and elevator buckets.

(b) Under §60.15, the "fixed capital cost of the new components" includes the fixed capital cost of all depreciable components (except components specified in paragraph (a) of this section) which are or will be replaced pursuant to all continuous programs of component replacement commenced within any 2-year period following August 31, 1983.

### **§ 60.674 Monitoring of operations.**

The owner or operator of any affected facility subject to the provisions of this subpart which uses a wet scrubber to control emissions shall install, calibrate, maintain and operate the following monitoring devices:

(a) A device for the continuous measurement of the pressure loss of the gas stream through the scrubber. The monitoring device must be certified by the manufacturer to be accurate within  $\pm 250$  pascals  $\pm 1$  inch water gauge pressure and must be calibrated on an annual basis in accordance with manufacturer's instructions.

(b) A device for the continuous measurement of the scrubbing liquid flow rate to the wet scrubber. The monitoring device must be certified by the manufacturer to be accurate within  $\pm 5$  percent of design scrubbing liquid flow rate and must be calibrated on an annual basis in accordance with manufacturer's instructions.

### **§ 60.675 Test methods and procedures.**

(a) In conducting the performance tests required in §60.8, the owner or operator shall use as reference methods and procedures the test methods in appendix A of this part or other methods and procedures as specified in this section, except as provided in §60.8(b). Acceptable alternative methods and procedures are given in paragraph (e) of this section.

(b) The owner or operator shall determine compliance with the particulate matter standards in §60.672(a) as follows:

(1) Method 5 or Method 17 shall be used to determine the particulate matter concentration. The sample volume shall be at least 1.70 dscm (60 dscf). For Method 5, if the gas stream being sampled is at ambient temperature, the sampling probe and filter may be operated without heaters. If the gas stream is above ambient temperature, the sampling probe and filter may be operated at a temperature high enough, but no higher than 121 °C (250 °F), to prevent water condensation on the filter.

(2) Method 9 and the procedures in §60.11 shall be used to determine opacity.

(c)(1) In determining compliance with the particulate matter standards in §60.672 (b) and (c), the owner or operator shall use Method 9 and the procedures in §60.11, with the following additions:

(i) The minimum distance between the observer and the emission source shall be 4.57 meters (15 feet).

(ii) The observer shall, when possible, select a position that minimizes interference from other fugitive emission sources (e.g., road dust). The required observer position relative to the sun (Method 9, Section 2.1) must be followed.

(iii) For affected facilities using wet dust suppression for particulate matter control, a visible mist is sometimes generated by the spray. The water mist must not be confused with particulate matter emissions and is not to be considered a visible emission. When a water mist of this nature is present, the observation of emissions is to be made at a point in the plume where the mist is no longer visible.

(2) In determining compliance with the opacity of stack emissions from any baghouse that controls emissions only from an individual enclosed storage bin under §60.672(f) of this subpart, using Method 9, the duration of the Method 9 observations shall be 1 hour (ten 6-minute averages).

(3) When determining compliance with the fugitive emissions standard for any affected facility described under §60.672(b) of this subpart, the duration of the Method 9 observations may be reduced from 3 hours (thirty 6-minute averages) to 1 hour (ten 6-minute averages) only if the following conditions apply:

(i) There are no individual readings greater than 10 percent opacity; and

(ii) There are no more than 3 readings of 10 percent for the 1-hour period.

(4) When determining compliance with the fugitive emissions standard for any crusher at which a capture system is not used as described under §60.672(c) of this subpart, the duration of the Method 9 observations may be reduced from 3 hours (thirty 6-minute averages) to 1 hour (ten 6-minute averages) only if the following conditions apply:

(i) There are no individual readings greater than 15 percent opacity; and

(ii) There are no more than 3 readings of 15 percent for the 1-hour period.

(d) In determining compliance with §60.672(e), the owner or operator shall use Method 22 to determine fugitive emissions. The performance test shall be conducted while all affected facilities inside the building are operating. The performance test for each building shall be at least 75 minutes in duration, with each side of the building and the roof being observed for at least 15 minutes.

(e) The owner or operator may use the following as alternatives to the reference methods and procedures specified in this section:

(1) For the method and procedure of paragraph (c) of this section, if emissions from two or more facilities continuously interfere so that the opacity of fugitive emissions from an individual affected facility cannot be read, either of the following procedures may be used:

(i) Use for the combined emission stream the highest fugitive opacity standard applicable to any of the individual affected facilities contributing to the emissions stream.

(ii) Separate the emissions so that the opacity of emissions from each affected facility can be read.

(f) To comply with §60.676(d), the owner or operator shall record the measurements as required in §60.676(c) using the monitoring devices in §60.674 (a) and (b) during each particulate matter run and shall determine the averages.

(g) If, after 30 days notice for an initially scheduled performance test, there is a delay (due to operational problems, etc.) in conducting any rescheduled performance test required in this section, the owner or operator of an affected facility shall submit a notice to the Administrator at least 7 days prior to any rescheduled performance test.

(h) Initial Method 9 performance tests under §60.11 of this part and §60.675 of this subpart are not required for:

(1) Wet screening operations and subsequent screening operations, bucket elevators, and belt conveyors that process saturated material in the production line up to, but not including the next crusher, grinding mill or storage bin.

(2) Screening operations, bucket elevators, and belt conveyors in the production line downstream of wet mining operations, that process saturated materials up to the first crusher, grinding mill, or storage bin in the production line.

[54 FR 6680, Feb. 14, 1989, as amended at 62 FR 31360, June 9, 1997]

### **§ 60.676 Reporting and recordkeeping.**

(a) Each owner or operator seeking to comply with §60.670(d) shall submit to the Administrator the following information about the existing facility being replaced and the replacement piece of equipment.

(1) For a crusher, grinding mill, bucket elevator, bagging operation, or enclosed truck or railcar loading station:

(i) The rated capacity in megagrams or tons per hour of the existing facility being replaced and

(ii) The rated capacity in tons per hour of the replacement equipment.

(2) For a screening operation:

(i) The total surface area of the top screen of the existing screening operation being replaced and

(ii) The total surface area of the top screen of the replacement screening operation.

(3) For a conveyor belt:

(i) The width of the existing belt being replaced and

(ii) The width of the replacement conveyor belt.

(4) For a storage bin:

(i) The rated capacity in megagrams or tons of the existing storage bin being replaced and

(ii) The rated capacity in megagrams or tons of replacement storage bins.

(b) [Reserved]

(c) During the initial performance test of a wet scrubber, and daily thereafter, the owner or operator shall record the measurements of both the change in pressure of the gas stream across the scrubber and the scrubbing liquid flow rate.

(d) After the initial performance test of a wet scrubber, the owner or operator shall submit semiannual reports to the Administrator of occurrences when the measurements of the scrubber pressure loss (or gain) and liquid flow rate differ by more than  $\pm 30$  percent from the averaged determined during the most recent performance test.

(e) The reports required under paragraph (d) shall be postmarked within 30 days following end of the second and fourth calendar quarters.

(f) The owner or operator of any affected facility shall submit written reports of the results of all performance tests conducted to demonstrate compliance with the standards set forth in §60.672 of this subpart, including reports of opacity observations made using Method 9 to demonstrate compliance with §60.672(b), (c), and (f), and reports of observations using Method 22 to demonstrate compliance with §60.672(e).

(g) The owner or operator of any screening operation, bucket elevator, or belt conveyor that processes saturated material and is subject to §60.672(h) and subsequently processes unsaturated materials, shall submit a report of this change within 30 days following such change. This screening operation, bucket elevator, or belt conveyor is then subject to the 10 percent opacity limit in §60.672(b) and the emission test requirements of §60.11 and this subpart. Likewise a screening operation, bucket elevator, or belt conveyor that processes unsaturated material but subsequently processes saturated material shall submit a report of this change within 30 days following such change. This screening operation, bucket elevator, or belt conveyor is then subject to the no visible emission limit in §60.672(h).

(h) The subpart A requirement under §60.7(a)(2) for notification of the anticipated date of initial startup of an affected facility shall be waived for owners or operators of affected facilities regulated under this subpart.

(i) A notification of the actual date of initial startup of each affected facility shall be submitted to the Administrator.

(1) For a combination of affected facilities in a production line that begin actual initial startup on the same day, a single notification of startup may be submitted by the owner or operator to the Administrator. The notification shall be postmarked within 15 days after such date and shall include a description of each affected facility, equipment manufacturer, and serial number of the equipment, if available.

(2) For portable aggregate processing plants, the notification of the actual date of initial startup shall include both the home office and the current address or location of the portable plant.

(j) The requirements of this section remain in force until and unless the Agency, in delegating enforcement authority to a State under section 111(c) of the Act, approves reporting requirements or an alternative means of compliance

surveillance adopted by such States. In that event, affected facilities within the State will be relieved of the obligation to comply with the reporting requirements of this section, provided that they comply with requirements established by the State.

[51 FR 31337, Aug. 1, 1985, as amended at 54 FR 6680, Feb. 14, 1989; 62 FR 31360, June 9, 1997; 65 FR 61778, Oct. 17, 2000]