



COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
AIR QUALITY PROGRAM

STATE ONLY OPERATING PERMIT

Issue Date: April 12, 2016 Effective Date: April 14, 2020
Revision Date: April 14, 2020 Expiration Date: March 31, 2021
Revision Type: Amendment

In accordance with the provisions of the Air Pollution Control Act, the Act of January 8, 1960, P.L. 2119, as amended, and 25 Pa. Code Chapter 127, the Owner, [and Operator if noted] (hereinafter referred to as permittee) identified below is authorized by the Department of Environmental Protection (Department) to operate the air emission source(s) more fully described in this permit. This Facility is subject to all terms and conditions specified in this permit. Nothing in this permit relieves the permittee from its obligations to comply with all applicable Federal, State and Local laws and regulations.

The regulatory or statutory authority for each permit condition is set forth in brackets. All terms and conditions in this permit are federally enforceable unless otherwise designated.

State Only Permit No: 25-00124

Synthetic Minor

Federal Tax Id - Plant Code: 25-1422091-25

Owner Information

Name: LINDY PAVING INC
Mailing Address: 2340 2ND AVENUE
PITTSBURGH, PA 15219

Plant Information

Plant: LINDY PAVING ERIE W 18TH ST ASPHALT PLT
Location: 25 Erie County 25001 Erie City
SIC Code: 2951 Manufacturing - Asphalt Paving Mixtures And Blocks

Responsible Official

Name: RYAN MITCHELL
Title: GENERAL MANAGER
Phone: (412) 281 - 4389

Permit Contact Person

Name: RYAN MITCHELL
Title: GENERAL MANAGER
Phone: (412) 281 - 4389

[Signature] _____
ERIC A. GUSTAFSON, NORTHWEST REGION AIR PROGRAM MANAGER



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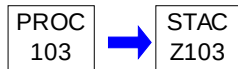
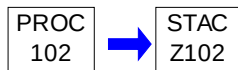
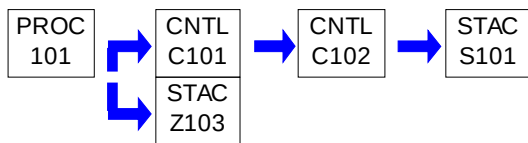
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Source ID	Source Name	Capacity/Throughput	Fuel/Material
101	ASPHALT PLANT	280.000 Gal/HR	#5 Oil
		36.000 MCF/HR	Natural Gas
		140.000 Tons/HR	
		140.000 Tons/HR	
102	FUGITIVES FROM TRANSFER POINTS		
103	ASPHALT TANK (2)		
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PERMIT MAPS

**SECTION B. General State Only Requirements****#001 [25 Pa. Code § 121.1]****Definitions.**

Words and terms that are not otherwise defined in this permit shall have the meanings set forth in Section 3 of the Air Pollution Control Act (35 P.S. § 4003) and in 25 Pa. Code § 121.1.

#002 [25 Pa. Code § 127.446]**Operating Permit Duration.**

- (a) This operating permit is issued for a fixed term of five (5) years and shall expire on the date specified on Page 1 of this permit.
- (b) The terms and conditions of the expired permit shall automatically continue pending issuance of a new operating permit, provided the permittee has submitted a timely and complete application and paid applicable fees required under 25 Pa. Code Chapter 127, Subchapter I and the Department is unable, through no fault of the permittee, to issue or deny a new permit before the expiration of the previous permit.

#003 [25 Pa. Code §§ 127.412, 127.413, 127.414, 127.446 & 127.703(b)&(c)]**Permit Renewal.**

- (a) The permittee shall submit a timely and complete application for renewal of the operating permit to the appropriate Regional Air Program Manager. The application for renewal of the operating permit shall be submitted at least six (6) months and not more than 18 months before the expiration date of this permit.
- (b) The application for permit renewal shall include the current permit number, a description of any permit revisions that occurred during the permit term, and any applicable requirements that were promulgated and not incorporated into the permit during the permit term. An application is complete if it contains sufficient information to begin processing the application, has the applicable sections completed and has been signed by a responsible official.
- (c) The permittee shall submit with the renewal application a fee for the processing of the application and an additional annual administrative fee as specified in 25 Pa. Code § 127.703(b) and (c). The fees shall be made payable to "The Commonwealth of Pennsylvania - Clean Air Fund" and shall be for the amount specified in the following schedule specified in 25 Pa. Code § 127.703(b) and (c).
 - (1) Three hundred dollars for applications filed during the 2000-2004 calendar years.
 - (2) Three hundred seventy-five dollars for applications filed for the calendar years beginning in 2005.
- (d) The renewal application shall also include submission of proof that the local municipality and county, in which the facility is located, have been notified in accordance with 25 Pa. Code § 127.413.
- (e) The application for renewal of the operating permit shall also include submission of supplemental compliance review forms in accordance with the requirements of 25 Pa. Code § 127.412(b) and § 127.412(j).
- (f) The permittee, upon becoming aware that any relevant facts were omitted or incorrect information was submitted in the permit application, shall promptly submit such supplementary facts or corrected information as necessary to address any requirements that become applicable to the source after the permittee submits a complete application, but prior to the date the Department takes action on the permit application.

#004 [25 Pa. Code § 127.703]**Operating Permit Fees under Subchapter I.**

- (a) The permittee shall pay fees according to the following schedule specified in 25 Pa. Code § 127.703(b):
 - (1) Three hundred dollars for applications filed during the 2000-2004 calendar years.
 - (2) Three hundred seventy-five dollars for applications filed for the calendar years beginning in 2005.

This fee schedule shall apply to the processing of an application for an operating permit as well as the extension,

**SECTION B. General State Only Requirements**

modification, revision, renewal, and re-issuance of each operating permit or part thereof.

(b) The permittee shall pay an annual operating permit administrative fee according to the fee schedule established in 25 Pa. Code § 127.703(c).

(1) Two hundred fifty dollars for applications filed during the 1995-1999 calendar years.

(2) Three hundred dollars for applications filed during the 2000-2004 calendar years.

(3) Three hundred seventy-five dollars for applications filed during the years beginning in 2005.

(c) The applicable fees shall be made payable to "The Commonwealth of Pennsylvania - Clean Air Fund".

#005 [25 Pa. Code §§ 127.450 (a)(4) and 127.464]**Transfer of Operating Permits.**

(a) This operating permit may not be transferred to another person, except in cases of transfer-of-ownership that are documented and approved by the Department.

(b) In accordance with 25 Pa. Code § 127.450(a)(4), a change in ownership of the source shall be treated as an administrative amendment if the Department determines that no other change in the permit is required and a written agreement has been submitted to the Department identifying the specific date of the transfer of permit responsibility, coverage and liability between the current and the new permittee and a compliance review form has been submitted to, and the permit transfer has been approved by, the Department.

(c) This operating permit is valid only for those specific sources and the specific source locations described in this permit.

#006 [25 Pa. Code § 127.441 and 35 P.S. § 4008]**Inspection and Entry.**

(a) Upon presentation of credentials and other documents as may be required by law, the permittee shall allow the Department or authorized representatives of the Department to perform the following:

(1) Enter at reasonable times upon the permittee's premises where a source is located or emissions related activity is conducted, or where records are kept under the conditions of this permit;

(2) Have access to and copy, at reasonable times, any records that are kept under the conditions of this permit;

(3) Inspect at reasonable times, any facilities, equipment including monitoring and air pollution control equipment, practices, or operations regulated or required under this permit;

(4) Sample or monitor, at reasonable times, any substances or parameters, for the purpose of assuring compliance with the permit or applicable requirements as authorized by the Clean Air Act, the Air Pollution Control Act, or the regulations promulgated under the Acts.

(b) Pursuant to 35 P.S. § 4008, no person shall hinder, obstruct, prevent or interfere with the Department or its personnel in the performance of any duty authorized under the Air Pollution Control Act or regulations adopted thereunder including denying the Department access to a source at this facility. Refusal of entry or access may constitute grounds for permit revocation and assessment of criminal and/or civil penalties.

(c) Nothing in this permit condition shall limit the ability of the EPA to inspect or enter the premises of the permittee in accordance with Section 114 or other applicable provisions of the Clean Air Act.

#007 [25 Pa. Code §§ 127.441 & 127.444]**Compliance Requirements.**

(a) The permittee shall comply with the conditions of this operating permit. Noncompliance with this permit constitutes

**SECTION B. General State Only Requirements**

a violation of the Clean Air Act and the Air Pollution Control Act and is grounds for one or more of the following:

- (1) Enforcement action
- (2) Permit termination, revocation and reissuance or modification
- (3) Denial of a permit renewal application

(b) A person may not cause or permit the operation of a source which is subject to 25 Pa. Code Article III unless the source(s) and air cleaning devices identified in the application for the plan approval and operating permit and the plan approval issued for the source is operated and maintained in accordance with specifications in the applications and the conditions in the plan approval and operating permit issued by the Department. A person may not cause or permit the operation of an air contamination source subject to 25 Pa. Code Chapter 127 in a manner inconsistent with good operating practices.

(c) For purposes of Sub-condition (b) of this permit condition, the specifications in applications for plan approvals and operating permits are the physical configurations and engineering design details which the Department determines are essential for the permittee's compliance with the applicable requirements in this State-Only permit. Nothing in this sub-condition shall be construed to create an independent affirmative duty upon the permittee to obtain a predetermination from the Department for physical configuration or engineering design detail changes made by the permittee.

#008 [25 Pa. Code § 127.441]**Need to Halt or Reduce Activity Not a Defense.**

It shall not be a defense for the permittee in an enforcement action that it was necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

#009 [25 Pa. Code §§ 127.442(a) & 127.461]**Duty to Provide Information.**

(a) The permittee shall submit reports to the Department containing information the Department may prescribe relative to the operation and maintenance of each source at the facility.

(b) The permittee shall furnish to the Department, in writing, information that the Department may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with the permit. Upon request, the permittee shall also furnish to the Department copies of records that the permittee is required to maintain in accordance with this permit.

#010 [25 Pa. Code § 127.461]**Revising an Operating Permit for Cause.**

This operating permit may be terminated, modified, suspended or revoked and reissued if one or more of the following applies:

- (1) The permittee constructs or operates the source subject to the operating permit so that it is in violation of the Air Pollution Control Act, the Clean Air Act, the regulations thereunder, a plan approval, a permit or in a manner that causes air pollution.
- (2) The permittee fails to properly or adequately maintain or repair an air pollution control device or equipment attached to or otherwise made a part of the source.
- (3) The permittee has failed to submit a report required by the operating permit or an applicable regulation.
- (4) The EPA determines that the permit is not in compliance with the Clean Air Act or the regulations thereunder.

#011 [25 Pa. Code §§ 127.450 & 127.462]**Operating Permit Modifications**

- (a) The permittee is authorized to make administrative amendments, minor operating permit modifications and

**SECTION B. General State Only Requirements**

significant operating permit modifications, under this permit, as outlined below:

(b) Administrative Amendments. The permittee shall make administrative operating permit amendments (as defined in 25 Pa. Code § 127.450(a)), according to procedures specified in § 127.450 unless precluded by the Clean Air Act or its regulations.

(c) Minor Operating Permit Modifications. The permittee shall make minor operating permit modifications (as defined 25 Pa. Code § 121.1) in accordance with 25 Pa. Code § 127.462.

(d) Permit modifications which do not qualify as minor permit modifications under 25 Pa. Code § 127.541 will be treated as a significant operating permit revision subject to the public notification procedures in §§ 127.424 and 127.425.

#012 [25 Pa. Code § 127.441]**Severability Clause.**

The provisions of this permit are severable, and if any provision of this permit is determined by a court of competent jurisdiction to be invalid or unenforceable, such a determination will not affect the remaining provisions of this permit.

#013 [25 Pa. Code § 127.449]**De Minimis Emission Increases.**

(a) This permit authorizes de minimis emission increases in accordance with 25 Pa. Code § 127.449 so long as the permittee provides the Department with seven (7) days prior written notice before commencing any de minimis emissions increase. The written notice shall:

(1) Identify and describe the pollutants that will be emitted as a result of the de minimis emissions increase.

(2) Provide emission rates expressed in tons per year and in terms necessary to establish compliance consistent with any applicable requirement.

(b) The Department may disapprove or condition de minimis emission increases at any time.

(c) Except as provided below in (d), the permittee is authorized to make de minimis emission increases (expressed in tons per year) up to the following amounts without the need for a plan approval or prior issuance of a permit modification:

(1) Four tons of carbon monoxide from a single source during the term of the permit and 20 tons of carbon monoxide at the facility during the term of the permit.

(2) One ton of NO_x from a single source during the term of the permit and 5 tons of NO_x at the facility during the term of the permit.

(3) One and six-tenths tons of the oxides of sulfur from a single source during the term of the permit and 8.0 tons of oxides of sulfur at the facility during the term of the permit.

(4) Six-tenths of a ton of PM₁₀ from a single source during the term of the permit and 3.0 tons of PM₁₀ at the facility during the term of the permit. This shall include emissions of a pollutant regulated under Section 112 of the Clean Air Act unless precluded by the Clean Air Act, the regulations thereunder or 25 Pa. Code Article III.

(5) One ton of VOCs from a single source during the term of the permit and 5.0 tons of VOCs at the facility during the term of the permit. This shall include emissions of a pollutant regulated under Section 112 of the Clean Air Act unless precluded by the Clean Air Act, the regulations thereunder or 25 Pa. Code Article III.

(6) Other sources and classes of sources determined to be of minor significance by the Department.

(d) In accordance with § 127.14, the permittee is authorized to install the following minor sources without the need for a plan approval or permit modification:

**SECTION B. General State Only Requirements**

- (1) Air conditioning or ventilation systems not designed to remove pollutants generated or released from other sources.
 - (2) Combustion units rated at 2,500,000 or less Btu per hour of heat input.
 - (3) Combustion units with a rated capacity of less than 10,000,000 Btu per hour heat input fueled by natural gas supplied by a public utility or by commercial fuel oils which are No. 2 or lighter, viscosity less than or equal to 5.82 c St, and which meet the sulfur content requirements of 25 Pa. Code §123.22 (relating to combustion units). For purposes of this permit, commercial fuel oil shall be virgin oil which has no reprocessed, recycled or waste material added.
 - (4) Space heaters which heat by direct heat transfer.
 - (5) Laboratory equipment used exclusively for chemical or physical analysis.
 - (6) Other sources and classes of sources determined to be of minor significance by the Department.
- (e) This permit does not authorize de minimis emission increases if the emissions increase would cause one or more of the following:
- (1) Increase the emissions of a pollutant regulated under Section 112 of the Clean Air Act except as authorized in Subparagraphs (c)(4) and (5) of this permit condition.
 - (2) Subject the facility to the prevention of significant deterioration requirements in 25 Pa. Code Chapter 127, Subchapter D and/or the new source review requirements in Subchapter E.
 - (3) Violate any applicable requirement of this permit, the Air Pollution Control Act, the Clean Air Act, or the regulations promulgated under either of the acts.
- (f) Emissions authorized under this permit condition shall be included in the monitoring, recordkeeping and reporting requirements of this permit.
- (g) Except for de minimis emission increases, installation of minor sources made pursuant to this permit condition and Plan Approval Exemptions under 25 Pa. Code § 127.14 (relating to exemptions), the permittee is prohibited from making changes or engaging in activities that are not specifically authorized under this permit without first applying for a plan approval. In accordance with § 127.14(b), a plan approval is not required for the construction, modification, reactivation, or installation of the sources creating the de minimis emissions increase.
- (h) The permittee may not meet de minimis emission threshold levels by offsetting emission increases or decreases at the same source.

#014 [25 Pa. Code § 127.3]**Operational Flexibility.**

The permittee is authorized to make changes within the facility in accordance with the regulatory provisions outlined in 25 Pa. Code § 127.3 (relating to operational flexibility) to implement the operational flexibility requirements provisions authorized under Section 6.1(i) of the Air Pollution Control Act and the operational flexibility terms and conditions of this permit. The provisions in 25 Pa. Code Chapter 127 which implement the operational flexibility requirements include the following:

- (1) Section 127.14 (relating to exemptions)
- (2) Section 127.447 (relating to alternative operating scenarios)
- (3) Section 127.448 (relating to emissions trading at facilities with Federally enforceable emissions caps)
- (4) Section 127.449 (relating to de minimis emission increases)
- (5) Section 127.450 (relating to administrative operating permit amendments)

**SECTION B. General State Only Requirements**

(6) Section 127.462 (relating to minor operating permit modifications)

(7) Subchapter H (relating to general plan approvals and general operating permits)

#015 [25 Pa. Code § 127.11]**Reactivation**

(a) The permittee may not reactivate a source that has been out of operation or production for at least one year unless the reactivation is conducted in accordance with a plan approval granted by the Department or in accordance with reactivation and maintenance plans developed and approved by the Department in accordance with 25 Pa. Code § 127.11a(a).

(b) A source which has been out of operation or production for more than five (5) years but less than 10 years may be reactivated and will not be considered a new source if the permittee satisfies the conditions specified in 25 Pa. Code § 127.11a(b).

#016 [25 Pa. Code § 127.36]**Health Risk-based Emission Standards and Operating Practice Requirements.**

(a) When needed to protect public health, welfare and the environment from emissions of hazardous air pollutants from new and existing sources, the permittee shall comply with the health risk-based emission standards or operating practice requirements imposed by the Department, except as precluded by §§ 6.6(d)(2) and (3) of the Air Pollution Control Act [35 P.S. § 4006.6(d)(2) and (3)].

(b) A person challenging a performance or emission standard established by the Department has the burden to demonstrate that performance or emission standard does not meet the requirements of Section 112 of the Clean Air Act.

#017 [25 Pa. Code § 121.9]**Circumvention.**

No person may permit the use of a device, stack height which exceeds good engineering practice stack height, dispersion technique or other technique which, without resulting in reduction of the total amount of air contaminants emitted, conceals or dilutes an emission of air contaminants which would otherwise be in violation of 25 Pa. Code Article III, except that with prior approval of the Department, the device or technique may be used for control of malodors.

#018 [25 Pa. Code §§ 127.402(d) & 127.442]**Reporting Requirements.**

(a) The permittee shall comply with the applicable reporting requirements of the Clean Air Act, the regulations thereunder, the Air Pollution Control Act and 25 Pa. Code Article III including Chapters 127, 135 and 139.

(b) The permittee shall submit reports to the Department containing information the Department may prescribe relative to the operation and maintenance of any air contamination source.

(c) Reports, test data, monitoring data, notifications and requests for renewal of the permit shall be submitted to the:

Regional Air Program Manager
PA Department of Environmental Protection
(At the address given in the permit transmittal letter, or otherwise notified)

(d) Any records or information including applications, forms, or reports submitted pursuant to this permit condition shall contain a certification by a responsible official as to truth, accuracy and completeness. The certifications submitted under this permit shall require a responsible official of the facility to certify that based on information and belief formed after reasonable inquiry, the statements and information in the documents are true, accurate and complete.

(e) Any records, reports or information submitted to the Department shall be available to the public except for such

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records, reports or information which meet the confidentiality requirements of § 4013.2 of the Air Pollution Control Act and §§ 112(d) and 114(c) of the Clean Air Act. The permittee may not request a claim of confidentiality for any emissions data generated for the facility.

#019 [25 Pa. Code §§ 127.441(c) & 135.5]**Sampling, Testing and Monitoring Procedures.**

(a) The permittee shall comply with the monitoring, recordkeeping or reporting requirements of 25 Pa. Code Chapter 139 and the other applicable requirements of 25 Pa. Code Article III and additional requirements related to monitoring, reporting and recordkeeping required by the Clean Air Act and the regulations thereunder including the Compliance Assurance Monitoring requirements of 40 CFR Part 64, where applicable.

(b) Unless alternative methodology is required by the Clean Air Act and regulations adopted thereunder, sampling, testing and monitoring required by or used by the permittee to demonstrate compliance with any applicable regulation or permit condition shall be conducted in accordance with the requirements of 25 Pa. Code Chapter 139.

#020 [25 Pa. Code §§ 127.441(c) and 135.5]**Recordkeeping.**

(a) The permittee shall maintain and make available, upon request by the Department, the following records of monitored information:

- (1) The date, place (as defined in the permit) and time of sampling or measurements.
- (2) The dates the analyses were performed.
- (3) The company or entity that performed the analyses.
- (4) The analytical techniques or methods used.
- (5) The results of the analyses.
- (6) The operating conditions as existing at the time of sampling or measurement.

(b) The permittee shall retain records of any required monitoring data and supporting information for at least five (5) years from the date of the monitoring, sample, measurement, report or application. Supporting information includes the calibration data and maintenance records and original strip-chart recordings for continuous monitoring instrumentation, and copies of reports required by the permit.

(c) The permittee shall maintain and make available to the Department upon request, records including computerized records that may be necessary to comply with the reporting, recordkeeping and emission statement requirements in 25 Pa. Code Chapter 135 (relating to reporting of sources). In accordance with 25 Pa. Code Chapter 135, § 135.5, such records may include records of production, fuel usage, maintenance of production or pollution control equipment or other information determined by the Department to be necessary for identification and quantification of potential and actual air contaminant emissions.

#021 [25 Pa. Code § 127.441(a)]**Property Rights.**

This permit does not convey any property rights of any sort, or any exclusive privileges.

#022 [25 Pa. Code § 127.447]**Alternative Operating Scenarios.**

The permittee is authorized to make changes at the facility to implement alternative operating scenarios identified in this permit in accordance with 25 Pa. Code § 127.447.

**SECTION B. General State Only Requirements****#023 [25 Pa. Code §135.3]****Reporting**

(a) If the facility is a Synthetic Minor Facility, the permittee shall submit by March 1 of each year an annual emissions report for the preceding calendar year. The report shall include information for all active previously reported sources, new sources which were first operated during the preceding calendar year, and sources modified during the same period which were not previously reported. All air emissions from the facility should be estimated and reported.

(b) A source owner or operator of a Synthetic Minor Facility may request an extension of time from the Department for the filing of an annual emissions report, and the Department may grant the extension for reasonable cause.

#024 [25 Pa. Code §135.4]**Report Format**

If applicable, the emissions reports shall contain sufficient information to enable the Department to complete its emission inventory. Emissions reports shall be made by the source owner or operator in a format specified by the Department.

**SECTION C. Site Level Requirements****I. RESTRICTIONS.****Emission Restriction(s).****# 001 [25 Pa. Code §123.1]****Prohibition of certain fugitive emissions**

(a) No person may permit the emission into the outdoor atmosphere of fugitive air contaminant from a source other than the following:

(1) Construction or demolition of buildings or structures.

(2) Grading, paving and maintenance of roads and streets.

(3) Use of roads and streets. Emissions from material in or on trucks, railroad cars and other vehicular equipment are not considered as emissions from use of roads and streets.

(4) Clearing of land.

(5) Stockpiling of materials.

(6) Open burning operations.

(7) Not applicable

(8) Not applicable

(9) Sources and classes of sources other than those identified in paragraphs (1)-(8), for which the operator has obtained a determination from the Department that fugitive emissions from the source, after appropriate control, meet the following requirements:

(i) the emissions are of minor significance with respect to causing air pollution; and

(ii) the emissions are not preventing or interfering with the attainment or maintenance of any ambient air quality standard.

(b) An application form for requesting a determination under either subsection (a)(9) or 129.15(c) is available from the Department. In reviewing these applications, the Department may require the applicant to supply information including, but not limited to, a description of proposed control measures, characteristics of emissions, quantity of emissions, and ambient air quality data and analysis showing the impact of the source on ambient air quality. The applicant shall be required to demonstrate that the requirements of subsections (a)(9) and (c) and 123.2 (relating to fugitive particulate matter) or of the requirements of 129.15(c) have been satisfied. Upon such demonstration, the Department will issue a determination, in writing, either as an operating permit condition, for those sources subject to permit requirements under the act, or as an order containing appropriate conditions and limitations.

(c) Please see work practice standard requirement.

(d) Not applicable.

002 [25 Pa. Code §123.2]**Fugitive particulate matter**

A person may not permit fugitive particulate matter to be emitted into the outdoor atmosphere from a source specified in 123.1(a)(1) -- (9) (relating to prohibition of certain fugitive emissions) if such emissions are visible at the point the emissions pass outside the person's property.

003 [25 Pa. Code §123.31]**Limitations**

(a) Not applicable

(b) A person may not permit the emission into the outdoor atmosphere of any malodorous air contaminants from any

**SECTION C. Site Level Requirements**

source in such a manner that the malodors are detectable outside the property of the person on whose land the source is being operated.

(c) Not applicable

004 [25 Pa. Code §123.41]**Limitations**

A person may not permit the emission into the outdoor atmosphere of visible air contaminants in such a manner that the opacity of the emission is either of the following:

- (1) Equal to or greater than 20% for a period or periods aggregating more than three minutes in any 1 hour.
- (2) Equal to or greater than 60% at any time.

005 [25 Pa. Code §123.42]**Exceptions**

The limitations of 123.41 (relating to limitations) shall not apply to a visible emission in any of the following instances:

- (1) when the presence of uncombined water is the only reason for failure of the emission to meet the limitations.
- (2) When the emission results from the operation of equipment used solely to train and test persons in observing the opacity of visible emissions.
- (3) When the emission results from sources specified in 123.1(a)(1) -- (9) (relating to prohibition of certain fugitive emissions).
- (4) When arising from the production of agricultural commodities in their unmanufactured state on the premises of the farm operation.

II. TESTING REQUIREMENTS.

No additional testing requirements exist except as provided in other sections of this permit including Section B (State Only General Requirements).

III. MONITORING REQUIREMENTS.**# 006 [25 Pa. Code §123.43]****Measuring techniques**

Visible emissions may be measured using either of the following:

- (1) A device approved by the Department and maintained to provide accurate opacity measurements.
- (2) Observers, trained and qualified to measure plume opacity with the naked eye or with the aid of any devices approved by the Department.

IV. RECORDKEEPING REQUIREMENTS.**# 007 [25 Pa. Code §135.5]****Recordkeeping**

Source owners or operators shall maintain and make available upon request by the Department records including computerized records that may be necessary to comply with 135.21 (relating to reporting; and emission statements). These may include records of production, fuel usage, maintenance of production or pollution control equipment or other information determined by the Department to be necessary for identification and quantification of potential and actual air contaminant emissions. If direct recordkeeping is not possible or practical, sufficient records shall be kept to provide the

**SECTION C. Site Level Requirements**

needed information by indirect means.

V. REPORTING REQUIREMENTS.**# 008 [25 Pa. Code §135.21]****Emission statements**

(a) Except as provided in subsection (d), this section applies to stationary sources or facilities:

(1) Located in an area designated by the Clean Air Act as a marginal, moderate, serious, severe or extreme ozone nonattainment area and which emit oxides of nitrogen or VOC.

(2) Not located in an area described in subparagraph (1) and included in the Northeast Ozone Transport Region which emit or have the potential to emit 100 tons or more oxides of nitrogen or 50 tons or more of VOC per year.

(b) The owner or operator of each stationary source emitting oxides of nitrogen or VOC's shall provide the Department with a statement, in a form as the Department may prescribe, for classes or categories of sources, showing the actual emissions of oxides of nitrogen and VOCs from that source for each reporting period, a description of the method used to calculate the emissions and the time period over which the calculation is based. The statement shall contain a certification by a company officer or the plant manager that the information contained in the statement is accurate.

(c) Annual emission statements are due by March 1 for the preceding calendar year beginning with March 1, 1993, for calendar year 1992 and shall provide data consistent with requirements and guidance developed by the EPA. The guidance document is available from: United States Environmental Protection Agency, 401 M. Street, S.W., Washington, D.C. 20460. The Department may require more frequent submittals if the Department determines that one or more of the following applies:

(1) A more frequent submission is required by the EPA.

(2) Analysis of the data on a more frequent basis is necessary to implement the requirements of the act.

(d) Not applicable.

009 [25 Pa. Code §135.3]**Reporting**

(a) A person who owns or operates a source to which this chapter applies, and who has previously been advised by the Department to submit a source report, shall submit by March 1 of each year a source report for the preceding calendar year. The report shall include information for all previously reported sources, new sources which were first operated during the proceeding calendar year and sources modified during the same period which were not previously reported.

(b) A person who receives initial notification by the Department that a source report is necessary shall submit an initial source report within 60 days after receiving the notification or by March 1 of the year following the year for which the report is required, whichever is later.

(c) A source owner or operator may request an extension of time from the Department for the filing of a source report, and the Department may grant the extension for reasonable cause.

010 [25 Pa. Code §135.4]**Report format**

Source reports shall contain sufficient information to enable the Department to complete its emission inventory. Source reports shall be made by the source owner or operator in a format specified by the Department.

VI. WORK PRACTICE REQUIREMENTS.**# 011 [25 Pa. Code §121.7]****Prohibition of air pollution.**

No person may permit air pollution as that term is defined in the act.

**SECTION C. Site Level Requirements****# 012 [25 Pa. Code §123.1]****Prohibition of certain fugitive emissions**

[From 25 Pa, Code §123.1(c)]

A person responsible for any source specified in subsections (a)(1) -- (7) or (9) shall take all reasonable actions to prevent particulate matter from becoming airborne. These actions shall include, but not be limited to, the following:

- (1) Use, where possible, of water or chemicals for control of dust in the demolition of buildings or structures, construction operations, the grading of roads, or the clearing of land.
- (2) Application of asphalt, oil, water or suitable chemicals on dirt roads, material stockpiles and other surfaces which may give rise to airborne dusts.
- (3) Paving and maintenance of roadways.
- (4) Prompt removal of earth or other material from paved streets onto which earth or other material has been transported by trucking or earth moving equipment, erosion by water, or other means.

013 [25 Pa. Code §129.14]**Open burning operations**

- (a) Air basins. No person may permit the open burning of material in an air basin.
- (b) Not applicable
- (c) Exceptions: The requirements of subsections (a) and (b) do not apply where the open burning operations result from:
 - (1) A fire set to prevent or abate a fire hazard, when approved by the Department and set by or under the supervision of a public officer.
 - (2) A fire set for the purpose of instructing personnel in fire fighting, when approved by the Department.
 - (3) A fire set for the prevention and control of disease or pests, when approved by the Department.
 - (4) Not applicable
 - (5) Not applicable
 - (6) A fire set solely for recreational or ceremonial purposes.
 - (7) A fire set solely for cooking food.
- (d) Clearing and grubbing wastes. The following is applicable to clearing and grubbing wastes:
 - (1) As used in this subsection the following terms shall have the following meanings:

Air curtain destructor -- A mechanical device which forcefully projects a curtain of air across a pit in which open burning is being conducted so that combustion efficiency is increased and smoke and other particulate matter are contained.

Clearing and grubbing wastes -- Trees, shrubs, and other native vegetation which are cleared from land during or prior to the process of construction. The term does not include demolition wastes and dirt laden roots.

- (2) Subsection (a) notwithstanding, clearing and grubbing wastes may be burned in a basin subject to the following requirements:

- (i) Air curtain destructors shall be used when burning clearing and grubbing wastes.

**SECTION C. Site Level Requirements**

(ii) Each proposed use of air curtain destructors shall be reviewed and approved by the Department in writing with respect to equipment arrangement, design and existing environmental conditions prior to commencement of burning. Proposals approved under this subparagraph need not obtain plan approval or operating permits under Chapter 127 (relating to construction modification, reactivation and operation of sources).

(iii) Approval for use of an air curtain destructor at one site may be granted for a specified period not to exceed 3 months, but may be extended for additional limited periods upon further approval by the Department.

(iv) The Department reserves the right to rescind approval granted if a determination by the Department indicates that an air pollution problem exists.

(3) Not applicable

(4) During an air pollution episode, open burning is limited by Chapter 137 (relating to air pollution episodes) and shall cease as specified in such chapter.

[This permit does not constitute authorization to burn solid waste pursuant to Section 610(3) of the Solid Waste Management Act, 35 P.S. Section 6018.610(3), or any other provision of the Solid Waste Management Act.]

VII. ADDITIONAL REQUIREMENTS.

No additional requirements exist except as provided in other sections of this permit including Section B (State Only General Requirements).

VIII. COMPLIANCE CERTIFICATION.

No additional compliance certifications exist except as provided in other sections of this permit including Section B (relating to State Only General Requirements).

IX. COMPLIANCE SCHEDULE.

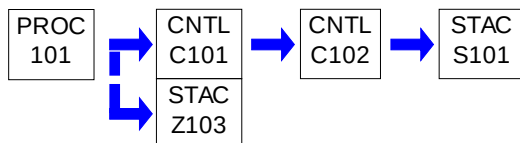
No compliance milestones exist.

**SECTION D. Source Level Requirements**

Source ID: 101

Source Name: ASPHALT PLANT

Source Capacity/Throughput:	280.000 Gal/HR	#5 Oil
	36.000 MCF/HR	Natural Gas
	140.000 Tons/HR	
	140.000 Tons/HR	

**I. RESTRICTIONS.****Emission Restriction(s).****# 001 [25 Pa. Code §123.21]****General**

(a) Not applicable

(b) No person may permit the emission into the outdoor atmosphere of sulfur oxides from a source in a manner that the concentration of the sulfur oxides, expressed as SO₂, in the effluent gas exceeds 500 parts per million, by volume, dry basis.**# 002 [25 Pa. Code §127.12b]****Plan approval terms and conditions.**

The particulate matter emissions being discharged to the atmosphere from the fabric filter controlling the batch mix asphalt plant shall not exceed 0.02 grains per dry standard cubic foot.

[From: Plan approval #25-124D, condition # 002]

003 [25 Pa. Code §127.12b]**Plan approval terms and conditions.**

Emission Limits when Combusting RFO #5 Fuel Oil:

Criteria Pollutants Emission Rate lb/ton of asphalt produced

CO 0.400

NOX 0.120

VOC(measured as propane) 0.036

[From: Plan approval #25-124D, condition # 003]

004 [25 Pa. Code §127.12b]**Plan approval terms and conditions.**

Emission Limits when Combusting Natural Gas:

Criteria Pollutants Emission Rate lb/ton of asphalt produced

CO 0.400

NOX 0.025

VOC(Measured as propane) 0.008

[From: Plan approval #25-124D, condition # 004]

005 [25 Pa. Code §127.441]**Operating permit terms and conditions.**

The permittee may use R.A.P. (recycled asphalt products) up to the rate of 15% of each batch of asphalt produced at the Erie Plant.

[From: RFD (request for determination), Determination issued on July 11, 2014]

**SECTION D. Source Level Requirements****# 006 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.92]****Subpart I - Standards of Performance for Hot Mix Asphalt Facilities****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) Not applicable
- (2) Exhibit 20 percent opacity, or greater.

Fuel Restriction(s).**# 007 [25 Pa. Code §127.12b]****Plan approval terms and conditions.**

(a) The facility shall only use natural gas or RFO #5 Fuel Oil as fuels for the rotary dryer burner.

(b) The maximum sulfur content of RFO #5 Fuel Oil shall be 0.5%.

(c) Specifications for RFO #5 fuel oil:

PARAMETER LIMIT
BTU per pound >8000 btu/lb
FLASH >140 deg. F
TOTAL HALIDES <1000 PPM
LEAD <100 PPM
ARSENIC <5 PPM
CADMIUM <2 PPM
CHROMIUM <10 PPM
PCB's <2 PPM

Compliance with the above listed limits shall be determined using appropriate methods from EPA's SW-846 or other methods approved in writing by the Department.

[From: Plan approval #25-124D, condition # 006]

Throughput Restriction(s).**# 008 [25 Pa. Code §127.12b]****Plan approval terms and conditions.**

(a) This facility is limited to an annual cap of 250,000 tons of Hot Asphalt (HMA) paving materials to be produced during any 12 consecutive months.

(b) This facility is limited to a maximum base-mix asphalt production rate of 154 tons per hour.

(c) This facility is limited to a maximum top-mix asphalt production rate of 154 tons per hour.

(d) The limits in conditions (b) and (c) above represent the production rate, plus 10%, achieved during the facility's most recent compliant stack test.

[From: Plan approval #25-124D, condition # 007]

II. TESTING REQUIREMENTS.**# 009 [25 Pa. Code §127.12b]****Plan approval terms and conditions.**

The Department reserves the right to require the confirmation of visible emissions and emission rates from the asphalt

**SECTION D. Source Level Requirements**

plant, which may include source testing in accordance to 25 PaCode Chapter 139 (relating to sampling and testing) or portable exhaust gas analyzers approved by the Department.

[From: Plan approval #25-124D, condition # 008]

010 [25 Pa. Code §127.12b]**Plan approval terms and conditions.**

(a) The Department may allow the company to operate at a higher production rate for base-mix or top-mix after demonstration by stack testing that the higher production will not result in emissions that exceed the limits of this plan approval and will not result in a major modification as defined in 25 Pa. Code Section 121.1. Any revision to the production rates shall be made enforceable as a modification to the plan approval.

(b) For the purposes of stack testing only, the permittee shall be allowed to operate the facility at a higher production rate. At all other times, the permittee shall operate the facility at the current permitted production rate pending the results of this test, Department approval, and issuance of a modified plan approval.

[From: Plan approval #25-124D, condition # 009]

011 [25 Pa. Code §127.12b]**Plan approval terms and conditions.**

The company shall not accept shipment of RFO #5 fuel oil without an analysis. This analysis shall meet the specifications listed in this plan approval. This documentation must be kept on file for five years and shall be made available to Department personnel upon request.

[From: Plan approval #25-124D, condition # 010]

III. MONITORING REQUIREMENTS.**# 012 [25 Pa. Code §127.12b]****Plan approval terms and conditions.**

The pressure drop across the fabric collector shall be monitored on a daily basis.

[From: Plan approval #25-124D, condition # 011]

IV. RECORDKEEPING REQUIREMENTS.**# 013 [25 Pa. Code §127.12b]****Plan approval terms and conditions.**

The permittee shall keep comprehensive and accurate records to demonstrate:

(a) The number of hours the batch mix asphalt plant operated daily, summarized as consecutive 12-month totals.

(b) The tons of asphalt produced daily, summarized as consecutive 12-month totals.

(c) The amount and type of fuel used in the batch mix asphalt plant, summarized as consecutive 12-month totals.

[From: Plan approval #25-124D, condition # 012]

014 [25 Pa. Code §127.12b]**Plan approval terms and conditions.**

(a) An inspection / maintenance log shall be maintained of all repairs and maintenance performed on the control devices, including bag change-out and black light testing. This log shall be kept on file for a minimum of 5 years and made available to the Department upon request.

(b) A daily log of the pressure drop across the fabric collector (C101A) shall be maintained and kept on file for a minimum of 5 years and made available to the Department upon request.

**SECTION D. Source Level Requirements**

[From: Plan approval #25-124D, condition # 013]

015 [25 Pa. Code §127.12b]**Plan approval terms and conditions.**

A record of the burner tune up and the results shall be kept. This documentation must be kept on file for five years and shall be made available to the department personnel upon request.

[From: Plan Approval # 25-124C, Condition # 015]

016 [25 Pa. Code §127.12b]**Plan approval terms and conditions.**

A record of the black light testing and the results shall be kept. This documentation must be kept on file for five years and shall be made available to the Department personnel upon request.

[From: Plan Approval # 25-124C, Condition # 016]

017 [25 Pa. Code §127.441]**Operating permit terms and conditions.**

The permittee shall keep a record of the amount of R.A.P. (recycled asphalt products) and normal asphalt used in each batch to show compliance with the 15% limit.

[From: RFD (request for determination) determination issued on July 11, 2014]

V. REPORTING REQUIREMENTS.**# 018 [25 Pa. Code §127.12b]****Plan approval terms and conditions.**

Within seven days of changing to RFO #5 fuel oil, the Department shall be notified in writing.

[From: Plan Approval # 25-124C, Condition # 018]

019 [25 Pa. Code §127.12b]**Plan approval terms and conditions.**

The permittee shall submit an annual report, including the actual hours that the batch mix asphalt plant operated, the total tons of asphalt produced and the type and amount of fuel combusted in the asphalt plant to the Department. The report for January 1 through December 31 shall be postmarked no later than March 1 of the following year for each operating year authorized by the plan approval or subsequent operating permit.

[From: Plan Approval # 25-124C, Condition # 017]

020 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.4]**Subpart A - General Provisions****Address.**

Sources subject to Subpart I of the Standards of Performance for New Stationary Sources shall comply with all applicable requirements of these Subparts. 40 CFR § 60.4 requires submission of copies of all requests, reports, applications, submittals, and other communication to both EPA and the Department. The EPA copies shall be forwarded to:

Director
Air, Toxics and Radiation Division
U.S. EPA, Region III
1650 Arch Street
Philadelphia, PA 19103-2029

**SECTION D. Source Level Requirements****VI. WORK PRACTICE REQUIREMENTS.****# 021 [25 Pa. Code §127.12b]****Plan approval terms and conditions.**

A magnehelic gauge shall be permanently installed and maintained at a conveniently readable location to indicate the pressure drop across the collector.

[From: Plan approval #25-124D, condition # 014]

022 [25 Pa. Code §127.12b]**Plan approval terms and conditions.**

Black light testing (or an equivalent method of checking for leaks) of the baghouse shall be conducted the last month of each operating season and upon request by the Department.

[From: Plan approval #25-124D, condition # 015]

023 [25 Pa. Code §127.12b]**Plan approval terms and conditions.**

(a) The permittee shall perform a weekly preventive maintenance inspection of the control device.

(b) The permittee shall operate the control device at all times this source is in operation.

(c) The Permittee shall maintain and operate this source and the control device in accordance with the manufacturer's specifications. The facility shall maintain a copy of the manufacturer's specifications on-site.

[From: Plan approval #25-124D, condition # 016]

024 [25 Pa. Code §127.12b]**Plan approval terms and conditions.**

The pressure drop across the baghouse shall be maintained between 3 inches and 6 inches water at all times when the source is in operation.

[From: Plan approval #25-124D, condition # 017]

025 [25 Pa. Code §127.12b]**Plan approval terms and conditions.**

Twenty percent of the total number of bags in the baghouse are required to be on site (minimum of 67 bags).

[From: Plan approval #25-124D, condition # 018]

026 [25 Pa. Code §127.12b]**Plan approval terms and conditions.**

A tune-up of the burners shall be completed within 60 days of the issuance of this Plan Approval or 60 days after the start of the first operating season after the issuance of this Plan Approval, within 60 days of switching to recycled/reprocessed fuel oil, and at the request of the Department.

[From: Plan Approval # 25-124C, Condition # 021]

027 [25 Pa. Code §127.12b]**Plan approval terms and conditions.**

a) The baghouse magnehelic gauge shall be maintained and operated in accordance with manufacturer's specifications, and in readable condition at all times.

(b) The source shall not be operated when the control device is not operating as specified by the manufacturer.

[From: Plan Approval # PA25124A, conditions # 6 and #7]

**SECTION D. Source Level Requirements****VII. ADDITIONAL REQUIREMENTS.****# 028 [25 Pa. Code §127.12b]****Plan approval terms and conditions.**

Whenever a condition in this permit requires the measurement of pressure drop across any part of the unit or its control device, the gauge employed shall have a scale such that the expected normal reading shall be no less than twenty percent (20%) of full scale.

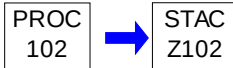
[From: Plan Approval # 25-124C, Condition # 026]

**SECTION D. Source Level Requirements**

Source ID: 102

Source Name: FUGITIVES FROM TRANSFER POINTS

Source Capacity/Throughput:

**I. RESTRICTIONS.**

No additional requirements exist except as provided in other sections of this permit including Section B (State Only General Requirements).

II. TESTING REQUIREMENTS.

No additional testing requirements exist except as provided in other sections of this permit including Section B (State Only General Requirements).

III. MONITORING REQUIREMENTS.

No additional monitoring requirements exist except as provided in other sections of this permit including Section B (State Only General Requirements).

IV. RECORDKEEPING REQUIREMENTS.

No additional record keeping requirements exist except as provided in other sections of this permit including Section B (State Only General Requirements).

V. REPORTING REQUIREMENTS.

No additional reporting requirements exist except as provided in other sections of this permit including Section B (State Only General Requirements).

VI. WORK PRACTICE REQUIREMENTS.

001 [25 Pa. Code §127.441]
Operating permit terms and conditions.

The permittee shall maintain this source as perin accordance with the manufacturer's specifications and good air pollution control practices.

VII. ADDITIONAL REQUIREMENTS.

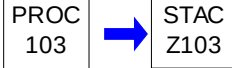
No additional requirements exist except as provided in other sections of this permit including Section B (State Only General Requirements).

**SECTION D. Source Level Requirements**

Source ID: 103

Source Name: ASPHALT TANK (2)

Source Capacity/Throughput:

**I. RESTRICTIONS.**

No additional requirements exist except as provided in other sections of this permit including Section B (State Only General Requirements).

II. TESTING REQUIREMENTS.

No additional testing requirements exist except as provided in other sections of this permit including Section B (State Only General Requirements).

III. MONITORING REQUIREMENTS.

No additional monitoring requirements exist except as provided in other sections of this permit including Section B (State Only General Requirements).

IV. RECORDKEEPING REQUIREMENTS.

No additional record keeping requirements exist except as provided in other sections of this permit including Section B (State Only General Requirements).

V. REPORTING REQUIREMENTS.

No additional reporting requirements exist except as provided in other sections of this permit including Section B (State Only General Requirements).

VI. WORK PRACTICE REQUIREMENTS.

001 [25 Pa. Code §127.441]
Operating permit terms and conditions.

The permittee shall maintain this source as perin accordance with the manufacturer's specifications and good air pollution control practices.

VII. ADDITIONAL REQUIREMENTS.

No additional requirements exist except as provided in other sections of this permit including Section B (State Only General Requirements).

**SECTION E. Alternative Operation Requirements.**

No Alternative Operations exist for this State Only facility.

**SECTION F. Emission Restriction Summary.**

Source Id	Source Description		
101	ASPHALT PLANT		
Emission Limit			Pollutant
0.400	Lbs/Tons	Asphalt produced, when combusting RFO #5 fuel oil	CO
0.400	Lbs/Tons	Asphalt produced, when combusting natural gas	CO
0.025	Lbs/Tons	Asphalt produced, when combusting natural gas	NOX
0.120	Lbs/Tons	Asphalt produced, when combusting RFO #5 fuel oil	NOX
500.000	PPMV	Dry basis	SOX
0.020	gr/DRY FT3		TSP
0.008	Lbs/Tons	Asphalt produced, when combusting natural gas (as propane)	VOC
0.036	Lbs/Tons	Asphalt produced, when combusting RFO #5 fuel oil (as propane)	VOC

Site Emission Restriction Summary

Emission Limit	Pollutant
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**SECTION G. Miscellaneous.**

- (a) The source ID # 101 is comprised of Recycled Asphalt Products (R.A.P.) material handling system , aggregate storage bins, hot mix asphalt silos, conveyer belts, screens, dryer with burner, pug mill and dispenser.
- (b) The Waste oil tank and, the Asphalt testers are insignificant activities and there are no applicable requirements for these sources.
- (c) Source ID # 103: Asphalt Tanks (2) consists of two asphalt storage tanks of capacities 10,000 gallons and 20,000 gallons.
- (d) This permit was administratively amended on August 14 , 2009 to incorporate the applicable conditions of Plan Approval # 25-124C.
- (e) This permit was administratively amended on February 26, 2010 to incorporate the applicable conditions of Plan Approval # 25-124D.
- (f) This permit was reissued on March 7, 2011.
- (g) This permit was renewed on April 12, 2016.
- (h) This permit was administratively amended on April 14, 2020 to incorporate the change of ownership, responsible official, contact, tax ID, and mailing address.



***** End of Report *****
