



COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
AIR QUALITY PROGRAM

STATE ONLY SYNTHETIC MINOR OPERATING PERMIT

Issue Date: February 6, 2024

Effective Date: May 1, 2024

Expiration Date: May 1, 2029

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: 40-00082**

Synthetic Minor

Federal Tax Id - Plant Code: 23-1699847-72

Owner Information

Name: H & K GROUP INC  
Mailing Address: PO BOX 196  
2052 LUCON RD  
SKIPPACK, PA 19474-0196

Plant Information

Plant: H & K GROUP INC ASPHALT PLT/FOSTER TWP  
Location: 40 Luzerne County 40937 Foster Township  
SIC Code: 2951 Manufacturing - Asphalt Paving Mixtures And Blocks

Responsible Official

Name: H. CHRISTIAN BUDENZ  
Title: VP  
Phone: (610) 584 - 8500 Email: cbudenz@hkgroup.com

Permit Contact Person

Name: SCOTT TAYLOR  
Title: AIR QUALITY PERMIT ADMIN  
Phone: (610) 222 - 3594 Email: staylor@hkgroup.com

[Signature] \_\_\_\_\_  
MARK J. WEJKSZNER, NORTHEAST REGION AIR PROGRAM MANAGER



## SECTION A. Table of Contents

### Section A. Facility/Source Identification

Table of Contents  
Site Inventory List

### Section B. General State Only Requirements

- #001 Definitions.
- #002 Operating Permit Duration.
- #003 Permit Renewal.
- #004 Operating Permit Fees under Subchapter I.
- #005 Transfer of Operating Permits.
- #006 Inspection and Entry.
- #007 Compliance Requirements.
- #008 Need to Halt or Reduce Activity Not a Defense.
- #009 Duty to Provide Information.
- #010 Revising an Operating Permit for Cause.
- #011 Operating Permit Modifications
- #012 Severability Clause.
- #013 De Minimis Emission Increases.
- #014 Operational Flexibility.
- #015 Reactivation
- #016 Health Risk-based Emission Standards and Operating Practice Requirements.
- #017 Circumvention.
- #018 Reporting Requirements.
- #019 Sampling, Testing and Monitoring Procedures.
- #020 Recordkeeping.
- #021 Property Rights.
- #022 Alternative Operating Scenarios.
- #023 Reporting
- #024 Report Format

### Section C. Site Level State Only Requirements

- C-I: Restrictions
- C-II: Testing Requirements
- C-III: Monitoring Requirements
- C-IV: Recordkeeping Requirements
- C-V: Reporting Requirements
- C-VI: Work Practice Standards
- C-VII: Additional Requirements
- C-VIII: Compliance Certification
- C-IX: Compliance Schedule

### Section D. Source Level State Only Requirements

- D-I: Restrictions
- D-II: Testing Requirements
- D-III: Monitoring Requirements
- D-IV: Recordkeeping Requirements
- D-V: Reporting Requirements
- D-VI: Work Practice Standards
- D-VII: Additional Requirements

Note: These same sub-sections are repeated for each source!

### Section E. Source Group Restrictions

- E-I: Restrictions



## **SECTION A. Table of Contents**

- E-II: Testing Requirements
- E-III: Monitoring Requirements
- E-IV: Recordkeeping Requirements
- E-V: Reporting Requirements
- E-VI: Work Practice Standards
- E-VII: Additional Requirements

### **Section F. Alternative Operating Scenario(s)**

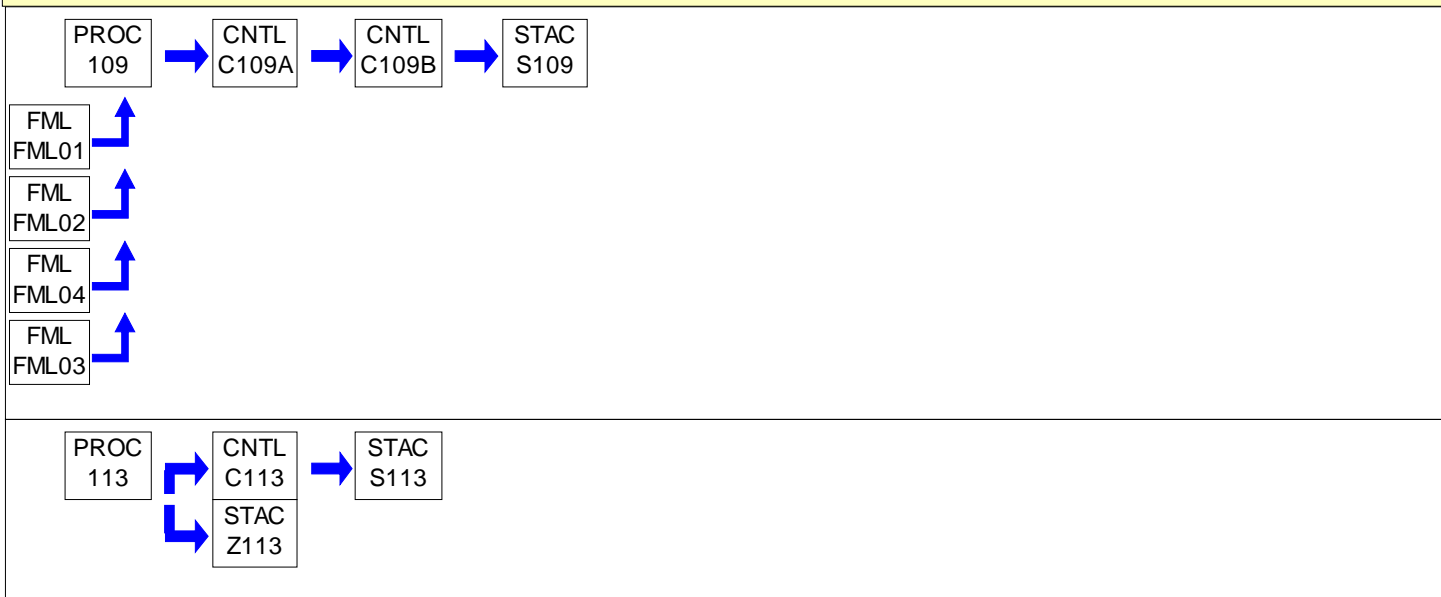
- F-I: Restrictions
- F-II: Testing Requirements
- F-III: Monitoring Requirements
- F-IV: Recordkeeping Requirements
- F-V: Reporting Requirements
- F-VI: Work Practice Standards
- F-VII: Additional Requirements

### **Section G. Emission Restriction Summary**

### **Section H. Miscellaneous**

**SECTION A. Site Inventory List**

Source ID	Source Name	Capacity/Throughput	Fuel/Material
109	ASPHALT PLANT	300.000 Tons/HR	ASPHALT
		875.000 Gal/HR	#2 Oil
		114.285 MCF/HR	Natural Gas
		827.000 Gal/HR	Reclaimed Oil
		1,277.000 CF/HR	PROPANE
113	RAP EQUIPMENT		
C109A	KNOCK OUT BOX		
C109B	REPLACEMENT BAGHOUSE		
C113	RAP BAGHOUSE		
FML01	#2 FUEL OIL		
FML02	WASTE DERIVED LIQUID FUEL		
FML03	NATURAL GAS		
FML04	PROPANE		
S109	STACK		
S113	RAP BAGHOUSE STACK		
Z113	FUGITIVE EMISSIONS		

**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)]****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 as specified in 25 Pa. Code § 127.703(b). The fees shall be made payable to "The Commonwealth of Pennsylvania Clean Air Fund" and submitted with the fee form to the respective regional office.
- (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 the annual operating permit maintenance fee according to the following fee schedule in either paragraph (1) or (2) in accordance with 25 Pa. Code § 127.703(d) on or before December 31 of each year for the next calendar year.
- (1) For a synthetic minor facility, a fee equal to:
- (i) Four thousand dollars (\$4,000) for calendar years 2021—2025.
  - (ii) Five thousand dollars (\$5,000) for calendar years 2026—2030.
  - (iii) Six thousand three hundred dollars (\$6,300) for the calendar years beginning with 2031.

**SECTION B. General State Only Requirements**

(2) For a facility that is not a synthetic minor, a fee equal to:

- (i) Two thousand dollars (\$2,000) for calendar years 2021—2025.
- (ii) Two thousand five hundred dollars (\$2,500) for calendar years 2026—2030.
- (iii) Three thousand one hundred dollars (\$3,100) for the calendar years beginning with 2031.

(b) The applicable fees shall be made payable to "The Commonwealth of Pennsylvania Clean Air Fund" with the permit number clearly indicated and submitted to the respective regional office.

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

**SECTION B. General State Only Requirements**

- (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, 127.465 & 127.703]****Operating Permit Modifications**

(a) The permittee is authorized to make administrative amendments, minor operating permit modifications and significant operating permit modifications, under this permit, as outlined below:

**SECTION B. General State Only Requirements**

(b) Administrative Amendments. The permittee shall submit the application for 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 submit the application for minor operating permit modifications (as defined 25 Pa. Code § 121.1) in accordance with 25 Pa. Code § 127.462.

(d) Significant Operating Permit Modifications. The permittee shall submit the application for significant operating permit modifications in accordance with 25 Pa. Code § 127.465.

(e) The applicable fees shall be made payable to "The Commonwealth of Pennsylvania Clean Air Fund" with the permit number clearly indicated and submitted to the respective regional office.

**#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<sub>x</sub> from a single source during the term of the permit and 5 tons of NO<sub>x</sub> 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 PM<sub>10</sub> from a single source during the term of the permit and 3.0 tons of PM<sub>10</sub> 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

**SECTION B. General State Only Requirements**

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) Blasting in open pit mines. Emissions from drilling are not considered as emissions from blasting.
- (8) N/A.
- (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.

**# 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 Section C, Condition #001 if such emissions are visible at the point the emissions pass outside the person's property.

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

A person may not permit the emission into the outdoor atmosphere of any malodorous air contaminants from any source in such a manner that the malodors are detectable outside the property of the person on whose land the source is being operated.

**# 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 Section C, Condition #004 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 Section C, Condition #001.

**SECTION C. Site Level Requirements****# 006 [25 Pa. Code §131.1]****Purpose**

If at any time the Department determines that the ambient air quality around the facility does not comply with Section 131.1 of 25 Pa. Code of Rules and Regulations of the Department of Environmental protection, then the Company shall take immediate action to obtain compliance.

**II. TESTING REQUIREMENTS.****# 007 [25 Pa. Code §139.1]****Sampling facilities.**

Upon the request of the Department, the person responsible for a source shall provide adequate sampling ports, safe sampling platforms and adequate utilities for the performance by the Department of tests on such source. The Department will set forth, in the request, the time period in which the facilities shall be provided as well as the specifications for such facilities.

**# 008 [25 Pa. Code §139.2]****Sampling by others.**

Sampling and testing done by persons other than the Department may be accepted by the Department provided that:

- (1) The Department has been given reasonable notice of the sampling and testing and has been given reasonable opportunity to observe and participate in the sampling and testing.
- (2) The sampling and testing is conducted under the direct supervision of persons qualified, by training and experience, to conduct such sampling and testing.
- (3) Procedures for the sampling and testing are in accord with the provisions of this chapter.
- (4) The reports of the sampling and testing are accurate and comprehensive.

**III. MONITORING REQUIREMENTS.****# 009 [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.

**# 010 [25 Pa. Code §127.441]****Operating permit terms and conditions.**

(a) The permittee shall conduct a weekly inspection during daylight hours when the plant is in production to detect visible or fugitive emissions as follows:

- (i) Visible emissions in excess of the limits stated in SECTION C, Site Level Condition #004. Visible emissions may be measured according to the method specified in Site Level Condition #009 or alternatively, plant personnel who observe any visible emissions will report the incident of visible emissions to the Department within four (4) hours of each incident and make arrangements for a certified observer to verify the opacity of the visible emissions.
- (ii) The presence of fugitive emissions visible beyond the plant boundaries as stated in SECTION C, Site Level Condition #002.

**SECTION C. Site Level Requirements****IV. RECORDKEEPING REQUIREMENTS.****# 011 [25 Pa. Code §127.441]  
Operating permit terms and conditions.**

The facilities emissions shall be updated monthly and maintained on a 12-month rolling sum.

**# 012 [25 Pa. Code §127.441]  
Operating permit terms and conditions.**

All records shall be maintained for a minimum of five (5) years in accordance with Section B, Condition #020.

**V. REPORTING REQUIREMENTS.****# 013 [25 Pa. Code §127.441]  
Operating permit terms and conditions.**

(a) The company, within one (1) hour of occurrence, shall notify the Department at (570) 826-2511 of any malfunction, recordkeeping and reporting errors, or other possible non-compliance issues, which result in, or may possibly be resulting in, the emission of air contaminants in excess of the limitations specified in, or established pursuant to, any applicable rule or regulations contained in Article III of the Rules and Regulations of the Department of Environmental Protection

(b) A written report shall be submitted to the Department within five (5) working days following the incident describing the malfunction, recordkeeping and reporting error or other non-compliance issue and the corrective actions being taken. The Department may take enforcement action for any violations of the applicable standards.

**# 014 [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 (AIMS) 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.

**VI. WORK PRACTICE REQUIREMENTS.****# 015 [25 Pa. Code §123.1]  
Prohibition of certain fugitive emissions**

(a) A person responsible for any source specified in Section C, Condition #001 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.

**SECTION C. Site Level Requirements****# 016 [25 Pa. Code §129.14]****Open burning operations**

(a) No person may permit the open burning of material in an area outside of air basins in a manner that:

- (1) The emissions are visible, at any time, at the point such emissions pass outside the property of the person on whose land the open burning is being conducted.
- (2) Malodorous air contaminants from the open burning are detectable outside the property of the person on whose land the open burning is being conducted.
- (3) The emissions interfere with the reasonable enjoyment of life or property.
- (4) The emissions cause damage to vegetation or property.
- (5) The emissions are or may be deleterious to human or animal health.

(b) Exceptions: The requirements of subsections (a) does 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) A fire set in conjunction with the production of agricultural commodities in their unmanufactured state on the premises of the farm operation.
- (5) A fire set for the purpose of burning domestic refuse, when the fire is on the premises of a structure occupied solely as a dwelling by two families or less and when the refuse results from the normal occupancy of such structure.
- (6) A fire set solely for recreational or ceremonial purposes.
- (7) A fire set solely for cooking food.

**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.

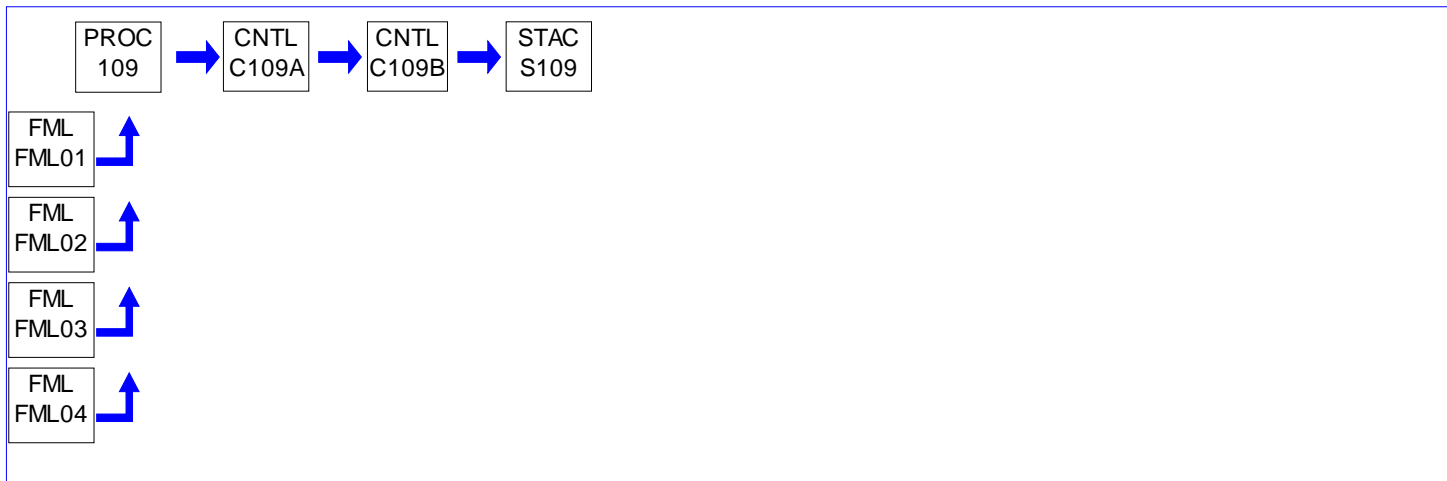


**SECTION D. Source Level Requirements**

Source ID: 109

Source Name: ASPHALT PLANT

Source Capacity/Throughput:	300.000 Tons/HR	ASPHALT
	875.000 Gal/HR	#2 Oil
	114.285 MCF/HR	Natural Gas
	827.000 Gal/HR	Reclaimed Oil
	1,277.000 CF/HR	PROPANE

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

Sulfur oxides emissions, expressed as sulfur dioxide, in the effluent gas from the batch mix asphalt plant shall not exceed a concentration of 500 parts per million, by volume, dry basis.

**# 002 [25 Pa. Code §127.441]****Operating permit terms and conditions.**

[Compliance with this streamlined condition also assures compliance with 40 CFR 60.92(a)(1)]

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.

**# 003 [25 Pa. Code §127.441]****Operating permit terms and conditions.**

Pursuant to the Best Available Technology provision of 25 PA Code, Chapter 127, the facility is subject to the following air contaminant emission limitations:

(a) The nitrogen dioxide emissions from the source while using #2 fuel oil or waste derived liquid fuel oil shall not exceed 0.12 lbs/ton and 24.0 TPY.

(b) The carbon monoxide emissions from the source while using #2 fuel oil or waste derived liquid fuel oil shall not exceed 0.40 lbs/ton and 80.0 TPY.

(c) The volatile organic compound emissions from the source while using #2 fuel oil or waste derived liquid fuel oil shall not exceed 0.008 lbs/ton and 1.6 TPY.

(d) The sulfur dioxide emissions from the source while using #2 fuel oil or waste derived liquid fuel oil shall not exceed 0.088 lbs/ton and 17.6 TPY.

**SECTION D. Source Level Requirements**

The above emission limits apply to each consecutive 12-month period. Compliance verification requires emissions to be calculated for each month and each consecutive 12-month period. Calculation records shall be maintained for the most recent five-year period and made available to the Department upon request.

**# 004 [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.**

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 exhibit 20 percent opacity, or greater.

**Fuel Restriction(s).****# 005 [25 Pa. Code §127.441]****Operating permit terms and conditions.**

The waste derived liquid fuel (WDLF) shall be heated in a preheater prior to being added to the mix. The preheater shall be in operation whenever WDLF is to be used.

**# 006 [25 Pa. Code §127.441]****Operating permit terms and conditions.**

On-Specification waste oil fuel must meet the following limitations:

1. Contaminant Limits: The permittee shall not accept at the facility any recycled/reprocessed oil which is represented by the oil supplier as failing to meet the following standards, or for which the facility does not have documentation from the waste oil supplier regarding the following standards:

Constituent/Property	Limitation Level	Analytical Technique*
Arsenic	Less than or equal to 5 mg/kg	SW-846 Method
Cadmium	Less than or equal to 2 mg/kg	SW-846 Method
Chromium	Less than or equal to 10 mg/kg	SW-846 Method
Lead	Less than or equal to 100 mg/kg	SW-846 Method
Total Halides (TX)	Less than or equal to 1,000 mg/kg	SW-846 Method 9076
PCB	Not detectable **	SW-846 Method (H2SO4 ex./GC w/elect. cap.)
Flash Point	Greater than or equal to 100 degrees Fahrenheit	ASTM D93***

\* Utilize the current and most applicable SW-846 method to test for the target analyte and the limitation level. (Alternative methods may be used when approved in writing by the Department.)

\*\* PCBs shall not be present in a quantifiable level, defined in 40 CFR 761.1 as 2 micrograms per gram from any resolvable gas chromatographic peak, i.e. 2 mg/kg.

\*\*\* Utilize the ASTM method listed or the current revision.

2. TX Screening: Prior to accepting each shipment of recycled/reprocessed oil delivered to the facility, the permittee shall test each shipment for total halides using EPA Reference Method 9077, or an alternate test method if approved in writing by the Department. If the test of any shipment reveals total halides in excess of 1,000 mg/kg, then the permittee shall refuse to accept the shipment. The permittee shall keep records of the results of sampling required by this condition for at least two years.

3. Taking and Retaining Samples: The permittee shall take and retain a sample of each shipment of recycled/reprocessed oil that is delivered to the facility. The samples shall be retained on-site for at least six months, and shall be made available to the Department upon request. The samples are to be sealed and identified with the identity of the oil supplier, the date of delivery, the delivery invoice number and the total gallons of oil in the shipment.

4. PCB/Metals/TX/Flash Point Auditing: For at least 1 out of every 15 shipments of recycled/reprocessed oil received at the

**SECTION D. Source Level Requirements**

facility, the permittee shall take an additional sample for the purpose of conducting a complete analysis for all the constituents/properties listed in condition 1, above. The permittee shall use test methods specified in condition 1, unless an alternate test method has been approved in writing by the Department. The permittee may accept the oil that is the subject of such analysis and may use oil from any tank to which such oil has been added, for up to 15 days from the date of delivery of the relevant shipment, pending receipt of the analysis results. If the analysis results show exceedences of any of the limits listed in condition 1, above, then the permittee shall cease using recycled reprocessed oil from the tank(s) in which the relevant shipment was placed, and shall not resume using oil from the tank(s) until either:

(a) the Department has granted written approval to resume use of the oil based on an alternate demonstration of acceptability of the oil in the tank(s) for use as fuel at the facility, or

(b) the oil remaining in the tank(s) has been re-sampled and

(i) if the re-sample meets the limits in condition 1, the Department has granted written permission to resume using the oil, or

(ii) if the re-sample fails to meet the limits in condition 1, the Department has granted written permission to resume using the tank(s) after the permittee has emptied the oil from the tank(s) and has made proper disposal arrangements.

The permittee shall cease using the oil from such tank(s) not later than 2 hours after making the original determination, or having had reasonable opportunity to make the determination that contaminated waste oil was placed in the tanks. The permittee shall keep records of the results of sampling required by this condition for at least two years.

5. Department Sampling: If the analysis results from any random tank sampling conducted by the Department show exceedences of any of the limits listed in condition 1, above, then the permittee shall cease using recycled/reprocessed oil from the affected tank(s) and shall not resume using oil from the tank(s) until either:

(a) the Department has granted written approval to resume use of the oil based on an alternate demonstration of compliance for the original sample, or

(b) the Department has granted written permission to resume placing oil in the tank(s) after the permittee has emptied the contaminated oil from the tank(s) and has made proper disposal arrangements.

The permittee shall cease using the oil from such tank(s) not later than 2 hours after receiving notification from the Department of the exceedence.

6. Limitations: This permit shall not be construed to authorize the permittee to transport, treat, process or refine waste oil, or to blend off-specification waste oil with other oil for the purpose of producing an on-specification mixture.

**# 007 [25 Pa. Code §127.441]**

**Operating permit terms and conditions.**

The sulfur content shall not exceed 0.5 percent by weight in any of the fuel oils as fired in the hot mix batch asphalt plant.

**Throughput Restriction(s).**

**# 008 [25 Pa. Code §127.441]**

**Operating permit terms and conditions.**

The batch asphalt plant is permitted to process recycled asphalt pavement (RAP) at a maximum of 25% by weight of the aggregate feed.

**# 009 [25 Pa. Code §127.441]**

**Operating permit terms and conditions.**

The batch mix asphalt plant, including the truck loadout spout, shall not be operated without the simultaneous operation of the knockout box and fabric collector.

**# 010 [25 Pa. Code §127.441]**

**Operating permit terms and conditions.**

SYNTHETIC MINOR STATUS

**SECTION D. Source Level Requirements**

The maximum hot mix asphalt (HMA) production at this facility shall not exceed 400,000 tons/year on a 12-month rolling sum. Compliance with this limit will be demonstrated by recording the amount of HMA produced daily and monthly.

Existing limitation of 400,000 tpy of hot mix asphalt produced assures emissions below Title V thresholds.

**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.****# 011 [25 Pa. Code §127.441]****Operating permit terms and conditions.**

No reprocessed, reclaimed or waste oil fuels may be combusted or blended into existing supplies unless an analysis has been performed for the constituents listed in Section D, Condition #006. Records for all analyses shall be maintained on-site and made available to Department representatives upon request.

**# 012 [25 Pa. Code §127.441]****Operating permit terms and conditions.**

The company shall ensure the control devices shall be equipped with the applicable monitoring equipment and the monitoring equipment shall be installed, calibrated, operated, and maintained according to the vendors specifications at all times the control devices are in use.

**# 013 [25 Pa. Code §127.441]****Operating permit terms and conditions.**

The fabric collector shall be equipped with instrumentation to measure and display the pressure differential across the fabric collector.

**IV. RECORDKEEPING REQUIREMENTS.****# 014 [25 Pa. Code §127.441]****Operating permit terms and conditions.**

The permittee shall monitor and record the pressure differential across the fabric collector. The pressure differential shall be recorded a minimum of twice per week while the asphalt plant is operating. The permittee shall retain these records for a minimum of five (5) years and shall make them available to the Department upon its request.

**# 015 [25 Pa. Code §127.441]****Operating permit terms and conditions.**

The permittee shall maintain complete and accurate records of the following:

(a) The total quantity of asphalt produced by the batch mix asphalt plant each month and the corresponding 12 consecutive month period rolling total to verify compliance with the throughput limitation.

(b) The daily quantity and type of each fuel used to fire the batch mix asphalt plant and average hourly firing rate.

(c) The delivery date, quantity delivered, identity of supplier and delivery invoice number of each shipment of on-spec waste derived liquid fuel oil delivered to the plant, as well as a certified fuel analysis report for each shipment which identifies the arsenic, cadmium, chromium, lead, total halide, PCB and sulfur content in parts per million and the flash point in degrees Fahrenheit.

(d) The certified fuel analysis reports from the supplier for each shipment of virgin #2 fuel oil received by the facility to verify compliance with Section D, Condition #006.

(e) The results of all analyses required by the Department, as well as the results of any other analyses performed on recycled/reprocessed oil delivered to the plant, the identity of the specific shipment of recycled/reprocessed oil represented

**SECTION D. Source Level Requirements**

by each such analysis or set of analyses, the name of the individual(s) and/or company who performed each such analysis or set of analyses and the identity of the analytical techniques and methods used to perform each such analysis or set of analyses.

**V. REPORTING REQUIREMENTS.****# 016 [25 Pa. Code §127.441]****Operating permit terms and conditions.**

The hot mix batch asphalt plant is subject to 40 CFR Part 60 Subpart I - Standards of Performance for Hot Mix Asphalt Facilities and shall comply with all applicable requirements of the Subpart.

Pursuant to 40 CFR Part 60 Section 60.4 of the Standards of Performance, the submission of all requests, reports, applications, submittals and other communications required by 40 CFR Part 60 Subpart I Sections 60.90 - 60.93 must be made to both the Department of Environmental Protection and the Environmental Protection Agency. The EPA copies may be sent to:

Enforcement & Compliance Assurance Division  
Air, RCRA and Toxics Branch (3ED21)  
Four Penn Center  
1600 John F. Kennedy Boulevard  
Philadelphia, PA 19103-2852

**VI. WORK PRACTICE REQUIREMENTS.****# 017 [25 Pa. Code §127.441]****Operating permit terms and conditions.**

The permittee shall keep on hand a sufficient quantity of spare fabric collector filters for the fabric collector associated with the aforementioned source in order to be able to immediately replace any filters requiring replacement due to deterioration resulting from routine operation of the sources and baghouses.

**# 018 [25 Pa. Code §127.441]****Operating permit terms and conditions.**

The use of any in-plant roads associated with the aforementioned sources shall not result in the emission of fugitive particulate matter in excess of the limitations specified in Sections 123.1 and 123.2 of Chapter 123 of the Rules and Regulations of the Department of Environmental Protection.

**# 019 [25 Pa. Code §127.441]****Operating permit terms and conditions.**

The storage and handling of the material collected in the air cleaning device(s) associated with the aforementioned source(s) shall not at any time result in the emission of fugitive air contaminants in excess of the limitations specified in Section 123.1 of chapter 123 of the Rules and Regulations of the Department of Environmental Protection.

**# 020 [25 Pa. Code §127.441]****Operating permit terms and conditions.**

Dust collected in the baghouse filters shall be discharged into closed containers only.

**VII. ADDITIONAL REQUIREMENTS.****# 021 [25 Pa. Code §127.441]****Operating permit terms and conditions.**

The batch mix asphalt plant shall not be used to produce asbestos-containing asphalt material, nor shall it be used to decontaminate or otherwise treat soil or any other material which has been contaminated with gasoline, fuel oil, or any other substance.

**# 022 [25 Pa. Code §127.441]****Operating permit terms and conditions.**

**SECTION D. Source Level Requirements**

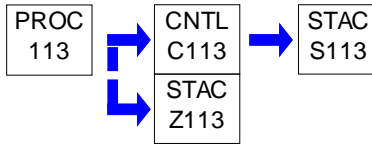
- (a) Source ID 109 is a Barber-Greene batch mix asphalt plant rated at 300 tons per hour.
- (b) Source ID C109A is a Standard Havens Herman Grant/H&K knockout box, model 10x10.
- (c) Source ID C109B is a Stansteel fabric collector, model AB832-15.

**SECTION D. Source Level Requirements**

Source ID: 113

Source Name: RAP EQUIPMENT

Source Capacity/Throughput:

**I. RESTRICTIONS.****Emission Restriction(s).**

# 001 [25 Pa. Code §127.441]

**Operating permit terms and conditions.**

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

**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.**

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

**VII. ADDITIONAL REQUIREMENTS.**

# 002 [25 Pa. Code §127.441]

**Operating permit terms and conditions.**

Source ID 113 consists of the following equipment:

- (a) Eagle Ultramax 04 Impactor Crusher, model 62D1000
- (b) Deister Inclined Vibrating Screen, 5' x 12'
- (c) LMC West Fabric Collector, model 10x6 USD-6.



**SECTION E. Source Group Restrictions.**





**SECTION F. Alternative Operation Requirements.**

No Alternative Operations exist for this State Only facility.

**SECTION G. Emission Restriction Summary.**

No emission restrictions listed in this section of the permit.

**SECTION H. Miscellaneous.**

(a) The Department received the operating permit application for this facility on 10/26/23. The facility is required to pay an Annual Operating Permit Maintenance Fee in accordance with Pennsylvania Code, Title 25, Chapter 127, Section 127.703(d). The Annual Maintenance Fee is due on or before December 31 of each year for the next calendar year.

(b) This is a Synthetic Minor Operating Permit.

(c) This permit incorporates the requirements from Plan Approvals 40-303-021 and 40-303-028 issued 01/17/2007.

(d) General Permits include:

GP9-40-024 issued 11/14/2017

GP3-40-011B issued 08/01/2018



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

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