



COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
AIR QUALITY PROGRAM

STATE ONLY OPERATING PERMIT

Issue Date: April 16, 2013

Effective Date: April 16, 2013

Expiration Date: April 16, 2018

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: 65-00817](#)

Federal Tax Id - Plant Code: 25-1422091-14

Owner Information

Name: LINDY PAVING INC
Mailing Address: 2340 2ND AVE
PITTSBURGH, PA 15219-3106

Plant Information

Plant: LINDY PAVING INC/NEW KENSINGTON PLT
Location: 65 Westmoreland County 65005 Lower Burrell City
SIC Code: 2951 Manufacturing - Asphalt Paving Mixtures And Blocks

Responsible Official

Name: PAUL REINER
Title: GEN MGR
Phone: (412) 281 - 4389

Permit Contact Person

Name: PAUL REINER
Title: GEN MGR
Phone: (412) 281 - 4389

[Signature] _____
MARK A. WAYNER, SOUTHWEST REGION AIR PROGRAM MANAGER

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100	ASPHALT PLANT		
101	PLANT ROADS		
103	AGGREGATE STORAGE/HANDLING		
C01	PRIMARY COLLECTOR/KNOCK-OUT BOX		
C03	BAGHOUSE		

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,

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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

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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

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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:

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- (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)

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(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 C. Site Level Requirements****I. RESTRICTIONS.****Emission Restriction(s).****# 001 [25 Pa. Code §121.7]****Prohibition of air pollution.**

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

002 [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)-(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) See Work Practice Standard Requirements.

(d) Not applicable.

003 [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.

004 [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 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.

005 [25 Pa. Code §129.14]**Open burning operations**

(a) Air basins. Not applicable.

(b) Outside of air basins. No person may permit the open burning of material in an area outside of air basins in a manner

SECTION C. Site Level Requirements

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.
- (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) 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.
- (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.
 - (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) Subsection (b) notwithstanding clearing and grubbing wastes may be burned outside of an air basin, subject to the following limitations:
 - (i) Upon receipt of a complaint or determination by the Department that an air pollution problem exists, the Department may order that the open burning cease or comply with subsection (b) of this section.
 - (ii) Authorization for open burning under this paragraph does not apply to clearing and grubbing wastes transported from an air basin for disposal outside of an air basin.
 - (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.

II. TESTING REQUIREMENTS.

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

SECTION C. Site Level Requirements

III. MONITORING REQUIREMENTS.

006 [25 Pa. Code §127.441]

Operating permit terms and conditions.

(a) The Owner/Operator shall conduct a daily inspection of the facility during daylight hours while the facility is operating to determine the presence of any visible stack emissions, fugitive emissions or malodors.

b) If abnormal visible emissions, fugitive emissions, or malodors are apparent, the Owner/Operator shall take immediate corrective action. If any abnormal visible emissions are observed and cannot be immediately corrected, within 24 hours, the opacity of the emissions shall be determined by a U.S. EPA Method 9 certified visible emissions observer. The observer may be an outside contractor hired by the permittee or an employee of the permittee located at this facility or a nearby facility. The observation by the certified visible emissions observer shall begin within twenty-four (24) hours of time which the abnormal emissions were first observed.

c) All forms completed by the visible emissions observer shall be maintained by the permittee and made available upon request.

d) For the purposes of this condition, the phrase "abnormal visible emissions" is defined as changes in the normal physical characteristics of the plume including but not limited to: changes in plume color, apparent increases in the density of the visible emissions, and puffing from the stack.

IV. RECORDKEEPING REQUIREMENTS.

007 [25 Pa. Code §127.441]

Operating permit terms and conditions.

The Owner/Operator shall maintain a daily log of all dust control and roadway maintenance activities, including but not limited to water truck and sweeper truck, performed to prevent fugitive emissions. The log shall include date, time, and description of any maintenance activity to in plant roadways. The log shall be maintained on-site for a minimum of five years and shall be made available to the Department upon request.

008 [25 Pa. Code §127.441]

Operating permit terms and conditions.

The Owner/Operator shall maintain a record of the results of all daily surveys conducted to determine the presence of visible stack emissions, fugitive emissions, and malodors. The records shall include the date, time, name and title of the observer, whether visible stack emissions, fugitive emissions or malodors were observed, and any corrective action.

Records shall be kept on-site for a minimum of five years and made available to the Department upon request.

009 [25 Pa. Code §127.441]

Operating permit terms and conditions.

Compliance with mass emission limits established in this operating permit may be demonstrated using engineering calculations based on fuel and raw material purchase records, laboratory analyses, manufacturers specifications, AP-42 emission factors, source test results, operating records, material balance methods, and/or other applicable methods, with written Department approval.

010 [25 Pa. Code §127.441]

Operating permit terms and conditions.

The owner/operator shall record all maintenance performed and any corrective actions taken.

V. REPORTING REQUIREMENTS.

011 [25 Pa. Code §127.441]

Operating permit terms and conditions.

(a) The owner or operator shall report each malfunction that occurs at this facility that poses an imminent and substantial danger to the public health and safety or the environment or which it should reasonably believe may result in citizen complaints to the Department. For purpose of this condition a malfunction is defined as any sudden, infrequent, and not reasonably preventable failure of air pollution control equipment or source to operate in a normal or usual manner that may result in an increase in the emission of air contaminants. Examples of malfunctions that may result in citizen complaints include but are not limited to: large dust plumes, heavy smoke, a spill or release that results in a malodor that is detectable outside the property of the person on whose land the source is being operated.

SECTION C. Site Level Requirements

(b) When the malfunction poses an imminent and substantial danger to the public health and safety or the environment, the notification shall be submitted to the Department no later than one hour after the incident. All other malfunctions that must be reported under subsection (a) shall be reported to the Department no later than the next business day.

(c) The report shall describe the:

- (i) Name and location of the facility;
- (ii) Nature and cause of the malfunction or breakdown;
- (iii) Time when the malfunction or breakdown was first observed;
- (iv) Expected duration of excess emissions; and
- (v) Estimated rate of emissions.

(d) The owner or operator shall notify the Department immediately when corrective measures have been accomplished.

(e) Subsequent to the malfunction, the owner/operator shall submit a full written report to the Department including the items identified in (c) and corrective measures taken on the malfunction within 15 days, if requested.

(f) The owner/operator shall submit reports on the operation and maintenance of the source to the Regional Air Program Manager at such intervals and in such form and detail as may be required by the Department. Information required in the reports may include, but is not limited to, process weight rates, firing rates, hours of operation, and maintenance schedules.

(g) Malfunctions shall be reported to the Department at the following address:

PADEP
Office of Air Quality
400 Waterfront Drive
Pittsburgh, PA 15222-4745
412-442-4000

012 [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 preceding 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.

013 [25 Pa. Code §123.1]

Prohibition of certain fugitive emissions

(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.

SECTION C. Site Level Requirements**# 014 [25 Pa. Code §127.441]****Operating permit terms and conditions.**

The permittee shall operate all sources at this facility in accordance with available manufacturer's instructions.

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

- i. The drop heights from front-end loaders being used to stockpile, transfer, and load aggregate shall be kept as short as possible to minimize dust emissions.
- ii. Stockpiles shall be kept as compact as possible to limit exposure to the wind. Material shall be stockpiled in such a manner that it may be adequately wetted as necessary to control fugitive emissions.
- iii. All in-plant roads shall be maintained to prevent particulate matter from becoming airborne in accordance with 25 Pa. Code §§ 123.1 and 123.2.
- iv. All unpaved in-plant roads shall be watered once per day during warm weather, at the start of each shift, if no precipitation has fallen within the previous twenty-four (24) hours, and as needed thereafter on a preventative basis such that visible fugitive emissions are controlled in accordance with 25 Pa. Code §§ 123.1 and 123.2. Other methods of dust control may be used when weather conditions make the watering of unpaved roads hazardous.
- v. In accordance with 25 Pa. Code § 123.1(c), the owner or operator shall promptly remove earth or other material from paved roads onto which earth or other material has been transported by trucking or earth moving equipment, or other means.
- vi. A set vehicle pattern shall be established and maintained for vehicles entering and exiting the plant.
- vii. The owner or operator shall post a sign limiting speeds to less than 15 mph on all in-plant roads.
- viii. The owner or operator shall post and enforce a requirement stating "All vehicles entering or exiting the plant property shall be properly tarpaulin covered." Vehicles with a gross vehicle weight rating of less than 10,000 pounds shall be exempt from this condition.
- ix. The Department reserves the right to require additional controls (water sprays, paving, conveyor covers, etc.) based on evaluation of the operation after inspection and determination that existing controls are not adequate for controlling fugitive emissions.
- x. Speed limit signs shall be posted consistent with the requirements of the Pennsylvania Department of Transportation (overall dimension 20 inches x 24 inches, "SPEED LIMIT" in 4-inch letters and 10-inch numerals).

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: 100

Source Name: ASPHALT PLANT

Source Capacity/Throughput:

I. RESTRICTIONS.

Emission Restriction(s).

001 [25 Pa. Code §127.441]

Operating permit terms and conditions.

Whenever a baghouse exhaust visible emission problem persists beyond 24 hours, a visible emission evaluator certified in Method 9 shall take opacity readings each day until the problem is corrected.

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

Throughput Restriction(s).

003 [25 Pa. Code §127.441]

Operating permit terms and conditions.

Total asphalt production at this site shall not exceed 495,000 tons per a 12 consecutive month period.

II. TESTING REQUIREMENTS.

004 [25 Pa. Code §127.441]

Operating permit terms and conditions.

All stack testing shall be performed in accordance with 25 PA Code 139 regulations and the Department's Source Testing Manual.

005 [25 Pa. Code §127.441]

Operating permit terms and conditions.

The owner or operator shall comply with the following requirements:

- i. The owner or operator shall perform a source test for filterable particulate, NO_x, CO and VOCs within 18 months of issuance of this operating permit and no less often than five years thereafter.
- ii. At least sixty (60) calendar days prior to commencing an emissions testing program required by this authorization, a test protocol shall be submitted to the Department's Division of Source Testing and Monitoring and the appropriate Regional Office for review and approval. The test protocol shall meet all applicable requirements specified in the most current version of the Department's Source Testing Manual. The emissions testing shall not commence prior to receipt of a protocol acceptance letter from the Department.
- iii. At least fifteen (15) calendar days prior to commencing an emissions testing program required by this authorization, written notification of the date and time of testing shall be provided to the Department's appropriate Regional Office. Notification in writing shall also be sent to the Department's Bureau of Air Quality, Division of Source Testing and Monitoring. The Department is under no obligation to accept the results of any testing performed without adequate advance written notice to the Department of such testing.
- iv. Within fifteen (15) calendar days after completion of the on-site testing portion of an emission test program, if a complete test report has not yet been submitted, an electronic mail notification shall be sent to the Department's Division of Source Testing and Monitoring at RA-epstacktesting@state.pa.us and the appropriate Regional Office indicating the completion date of the onsite testing.
- v. A complete test report shall be submitted to the Department no later than sixty (60) calendar days after completion of the

SECTION D. Source Level Requirements

on-site testing portion of an emission test program.

vi. A complete test report shall include a summary of the emission results on the first page of the report indicating if each pollutant measured is within permitted limits and a statement of compliance or non-compliance with all applicable permit conditions. The summary results shall include, at a minimum, the following information:

- 1.) A statement that the owner or operator has reviewed the report from the emissions testing body and agrees with the findings;
- 2.) Permit number(s) and condition(s) which are the basis for the evaluation;
- 3.) Summary of results with respect to each applicable permit condition; and
- 4.) A statement of compliance or non-compliance with each applicable permit condition.

vii. All submittals shall meet all applicable requirements specified in the most current version of the Department's Source Testing Manual.

viii. All submittals, except notifications, shall be accomplished through PSIMS*Online, available through <https://www.depgreenport.state.pa.us/ecomm/Login.jsp>. If Internet submittal is not feasible, one copy of the submittal shall be sent to the appropriate Pennsylvania Department of Environmental Protection Regional Office and to the attention of the Department's Bureau of Air Quality, Division of Source Testing and Monitoring, 400 Market Street, 12th Floor Rachel Carson State Office Building, Harrisburg, PA 17105-8468 with deadlines verified through document postmarks.

ix. The owner or operator shall comply with all applicable federal reporting requirements, including timelines more stringent than those contained herein. In the event of an inconsistency or any conflicting requirements between federal and state laws and regulation, the permittee shall comply with the most stringent provision, term, condition, method or rule.

x. All testing shall be conducted in accordance with any applicable federal regulations (such as New Source Performance Standards, Subpart I); 25 Pa. Code, Chapter 139 (relating to sampling and testing); and the current revision of the Department's Source Testing Manual. The following federal reference methods shall be used to demonstrate compliance.

- 1.) 40 CFR 60, Appendix A, Methods 1-4 shall be used to determine the volumetric flow rate of the effluent exiting the fabric collector (baghouse).
- 2.) 40 CFR 60, Appendix A, Method 5 shall be used to determine the filterable particulate emission concentration (grains/dscf) and emission rate (lbs/hour) in the effluent exiting the fabric collector (baghouse).
- 3.) 40 CFR 60, Appendix A, Method 7E shall be used to determine the nitrogen oxides (NO_x) concentration (ppmvd) and emission rate (lbs/hour) in the effluent exiting the fabric collector (baghouse).
- 4.) 40 CFR 60, Appendix A, Method 10 shall be used to determine the carbon monoxide (CO) concentration (ppmvd) and emission rate (lbs/hour) in the effluent exiting the fabric collector (baghouse).
- 5.) 40 CFR 60, Appendix A, Method 18 or an alternate method approved by the Department, shall be used to determine the methane/ethane concentration (ppmvd) and emission rate (lbs/hour) in the effluent exiting the fabric collector (baghouse).
- 6.) 40 CFR 60, Appendix A, Method 25A shall be used to determine the total hydrocarbon (THC) concentration (ppmvd as propane) and emission rate (lbs/hour) in the effluent exiting the fabric collector (baghouse). The VOC concentration and emission rate shall be determined by subtracting the Method 18 (methane/ethane) results from the Method 25A results.
- 7.) 40 CFR 60, Appendix A, Method 9 shall be used to determine the opacity of emissions existing the fabric collector (baghouse).

xi. The testing shall be performed while the source is operating at a maximum routine operating conditions rate and while producing a typical mix formulation. The following process data shall be recorded at 15-minute intervals (if possible) during each test run to document the operation of the plant and the baghouse:

- 1.) Type of Fuel;
- 2.) Fuel Usage (cfm);
- 3.) Asphalt Production Rate (tons/hr);
- 4.) Aggregate Usage (tons/hr);
- 5.) Asphaltic Oil (%);
- 6.) Fines in mix (% <600 mesh); and
- 7.) Mix Temperature (°F).

SECTION D. Source Level Requirements**# 006 [25 Pa. Code §127.441]****Operating permit terms and conditions.**

- a) The owner or operator shall conduct a burner tuning procedure in accordance with the manufacturer's specifications to minimize NO_x and CO emissions every year. The owner or operator shall conduct each annual tune-up not later than June 15 of each year or within four (4) weeks after each start-up of the HMA plant.
- b) The owner or operator shall comply with the following requirements:
- i. The burner shall be tuned so that the emissions do not exceed limits stated in this authorization.
 - ii. The air-to-fuel ratio controls shall be inspected and adjusted to ensure proper operation in accordance with the manufacturer's specifications.
 - iii. Monitoring records stating the following information shall be kept on site for a minimum of five years and shall be made available to the Department upon request.
 - 1.) The date of the tuning procedure;
 - 2.) The name of the servicing company and technician;
 - 3.) The production rate (tons/hr) or load before and after tuning;
 - 4.) The CO and NO_x concentrations (ppmvd) before and after tuning; and
 - 5.) The percent O₂ before and after tuning.
- c) The owner or operator shall, upon request of the Department, provide fuel analyses, or samples of any fuel permitted by the Department for use in any unit authorized to operate under this authorization.

007 [25 Pa. Code §127.441]**Operating permit terms and conditions.**

If at any time the Department has reason to believe that the air contaminant emissions from the exhaust of a fabric collector (baghouse) associated with an HMA plant operating under this authorization are, or may be, in excess of any applicable air contaminant emission limitation, the owner or operator shall conduct such stack tests or source tests requested by the Department to determine the actual air contaminant emission rate. The owner or operator shall perform any such testing in accordance with the applicable provisions of 25 Pa. Code, Chapter 139 (relating to sampling and testing) as well as in accordance with any additional requirements or conditions established by the Department at the time the owner or operator is notified, in writing, of the need to conduct testing.

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.**# 008 [25 Pa. Code §127.441]****Operating permit terms and conditions.**

- (a) The permittee shall maintain records of:
- (1) The amount and type of fuel used on a monthly and 12-month rolling basis;
 - (2) Daily, monthly, and 12-month rolling total of asphalt production;
 - (3) Hours of operation;
 - (4) Burner maintenance logs;
 - (5) Maintenance performed on the baghouse; and
 - (6) Fuel Analysis records.
- (b) These records shall be maintained on-site for a minimum of five years and made available to the Department upon request.
- (c) At a minimum, asphalt production records along with the accepted emission factors (e.g. stack test derived rates, AP-42, NAPA factors and/or an approved equivalent factor) shall be used in to indicate compliance with the emission rates.

SECTION D. Source Level Requirements**# 009 [25 Pa. Code §127.441]****Operating permit terms and conditions.**

The owner/operator shall record the pressure drop readings across the fabric collector once a day and shall keep this in a log book with the name of the individual, time of the reading, and date.

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

The Asphalt plant is subject to the New Source Performance Standards. In accordance with 40 CFR 60.4, copies of all requests, reports, applications, submittals and other communications shall be forwarded to both the EPA and the PADEP at the addresses listed below, unless otherwise noted:

Director
Air Toxics and Radiation
US EPA, Region III
1650 Arch Street
Philadelphia, PA 19103-2029

PADEP
Bureau of Air Quality
400 Waterfront Drive
Pittsburgh, PA 15222-4745

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

The owner/operator shall utilize a fluorescent dust and black light inspections on a quarterly basis while the plant is in operation to alert the operator of the presence of any damaged bags. A log of the quarterly black light inspections shall be maintained and include a minimum: the date, time, name and title of observer, inspection results and corrective action taken if needed.

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

Maintenance on these sources shall meet or exceed manufacturers' recommendations and good air pollution control practices. Permittee shall maintain, and operate in compliance with, a written plan for spare parts inventorying, inspection schedules, and preventive maintenance requirements for these systems.

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

The owner/operator shall provide employee training about the proper operation, emission limitations, equipment monitoring, recordkeeping, and equipment maintenance requirements. Each new employee shall be trained on the above requirements. This shall be documented and made available to the Department upon request.

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

While the hot mix asphalt plant is in operation the particulate emissions from this plant shall be controlled by the baghouse at all times.

015 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.90]**Subpart I - Standards of Performance for Hot Mix Asphalt Facilities****Applicability and designation of affected facility.**

(a) The affected facility to which the provisions of this subpart apply is each hot mix asphalt facility. For the purpose of this subpart, a hot mix asphalt facility is comprised only of any combination of the following: dryers; systems for screening,



SECTION D. Source Level Requirements

handling, storing, and weighing hot aggregate; systems for loading, transferring, and storing mineral filler, systems for mixing hot mix asphalt; and the loading, transfer, and storage systems associated with emission control systems.

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

**SECTION D. Source Level Requirements**

Source ID: 101

Source Name: PLANT ROADS

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.

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.

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: AGGREGATE STORAGE/HANDLING

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.

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.

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.

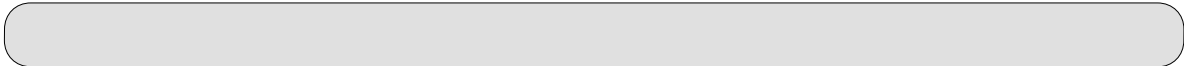
No Alternative Operations exist for this State Only facility.

**SECTION F. Emission Restriction Summary.**

No emission restrictions listed in this section of the permit.



SECTION G. Miscellaneous.



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