



**COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
AIR QUALITY PROGRAM**

**STATE ONLY NATURAL MINOR OPERATING PERMIT**

Issue Date: May 21, 2024

Effective Date: May 21, 2024

Expiration Date: April 30, 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: 33-00172**

Natural Minor

Federal Tax Id - Plant Code: 25-1445173-2

**Owner Information**

Name: ORIGINAL FUELS INC

Mailing Address: PO BOX 343

PUNXSUTAWNEY, PA 15767-0343

**Plant Information**

Plant: ORIGINAL FUELS INC/HAMILTON 2 MINE

Location: 33 Jefferson County

33919 Perry Township

SIC Code: 1442 Mining - Construction Sand And Gravel

**Responsible Official**

Name: DAVID OSIKOWICZ

Title: PRESIDENT

Phone: (814) 939 - 9900

Email: daveo@valiercoalyard.com

**Permit Contact Person**

Name: DAVID OSIKOWICZ

Title: OWNER

Phone: (814) 265 - 0483

Email: daveo@valiercoalyard.com

[Signature] \_\_\_\_\_

ERIC A. GUSTAFSON, NORTHWEST REGION AIR PROGRAM MANAGER

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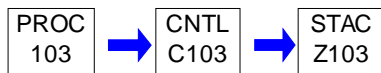
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Source ID	Source Name	Capacity/Throughput	Fuel/Material
101	PRIMARY DIESEL GENERATOR (623 BHP)	1.000 Gal/HR	DIESEL
103	STONE CRUSHING & SCREENING PLANT	200.000 Tons/HR	SAND AND STONE
104	SECONDARY DIESEL ENGINE GENERATOR (563 BHP)	1.000 Gal/HR	DIESEL
C101	OXIDATION CATALYST FOR 623 HP ENGINE		
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C104	DIESEL PARTICULATE FILTER FOR 563 HP ENGINE		
S101	PRIMARY GENERATOR STACK		
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**PERMIT MAPS**

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

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

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

(a) This operating permit is issued for a fixed term of five (5) years and shall expire on the date specified on Page 1 of this permit.

(b) The terms and conditions of the expired permit shall automatically continue pending issuance of a new operating permit, provided the permittee has submitted a timely and complete application and paid applicable fees required under 25 Pa. Code Chapter 127, Subchapter I and the Department is unable, through no fault of the permittee, to issue or deny a new permit before the expiration of the previous permit.

**#003 [25 Pa. Code §§ 127.412, 127.413, 127.414, 127.446 & 127.703(b)]****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 §121.7]****Prohibition of air pollution.**

No person may permit air pollution as that term is defined in the Air Pollution Control Act (35 P. S. § § 4001—4015).

**# 002 [25 Pa. Code §123.1]****Prohibition of certain fugitive emissions**

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) [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.

**# 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 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.

**# 005 [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.



## SECTION C. Site Level Requirements

### # 006 [25 Pa. Code §123.42]

#### Exceptions

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

- (1) When the presence of uncombined water is the only reason for failure of the emission to meet the limitations.
- (2) When the emission results from the operation of equipment used solely to train and test persons in observing the opacity of visible emissions.
- (3) When the emission results from sources specified in 123.1(a)(1) -- (9) (relating to prohibition of certain fugitive emissions).

### 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.

### # 007 [25 Pa. Code §123.43]

#### Measuring techniques

Visible emissions may be measured using either of the following:

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

### IV. RECORDKEEPING REQUIREMENTS.

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.

### # 008 [25 Pa. Code §123.1]

#### Prohibition of certain fugitive emissions

A person responsible for any source specified in subsections 123.1(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****VII. ADDITIONAL REQUIREMENTS.****# 009 [25 Pa. Code §129.14]****Open burning operations**

(a) [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 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) [Not applicable.]

(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.

**SECTION C. Site Level Requirements**

(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.

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

**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.**

#010 30-JUN-24

On or before June 30, 2024, the permittee shall submit a compliant stack test protocol to the Department in accordance with the conditions of Sections D and E of this permit for Source 101.

#011 30-JUN-24

On or before June 30, 2024, the permittee shall submit a compliant stack test protocol to the Department in accordance with the conditions of Sections D and E of this permit for Source 104.

#012 30-SEP-24

Within 45 days of the Department's written approval of the stack testing protocol for Source 101, but no later than September 30, 2024, unless a different date is approved in writing by the Department, the permittee shall comply with all test notification requirements and all stack test requirements in accordance with the conditions of Sections D and E of this permit for Source 101.

#013 30-SEP-24

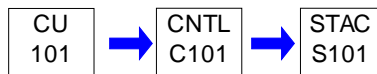
Within 45 days of the Department's written approval of the stack testing protocol for Source 104, but no later than September 30, 2024, unless a different date is approved in writing by the Department, the permittee shall comply with all test notification requirements and all stack test requirements in accordance with the conditions of Sections D and E of this permit for Source 104.



**SECTION D. Source Level Requirements**

Source ID: 101                      Source Name: PRIMARY DIESEL GENERATOR (623 BHP)  
 Source Capacity/Throughput:                      1.000 Gal/HR                      DIESEL

Conditions for this source occur in the following groups: 1 - NSPS FOR DIESEL ENGINES  
 2 - ENGINE TESTING

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

**# 001 [25 Pa. Code §127.12b]**

**Plan approval terms and conditions.**

[From Plan Approval 33-172A]

(a) The engine shall, at a minimum, comply with the following:

(1) Total Hydrocarbon (THC) emission standard of 1.0 g/bhp-hr

(2) CO emission standard of 0.2 gms/bhp-hr [Compliance with this condition will show compliance with 40 CFR 60 Subpart IIII CO limit of 3.5 g/kW-hr]

(3) Filterable PM emission standard of 0.20 g/kW-hr [Compliance with this condition will show compliance with GP9 PM limit of 0.4 g/bhp-hr]

(4) NMHC & NOx emission standard of 4.0 g/kW-hr [Compliance with this condition will show compliance with GP9 NOx limit of 6.9 g/bhp-hr]

**Fuel Restriction(s).**

**# 002 [25 Pa. Code §127.12b]**

**Plan approval terms and conditions.**

[From Plan Approval 33-172A]

The sulfur content in diesel fuel shall not, at any time, exceed 0.3 percent (by weight).

**Operation Hours Restriction(s).**

**# 003 [25 Pa. Code §127.12b]**

**Plan approval terms and conditions.**

[From Plan Approval 33-172A]

The actual annual operating hours for the engine shall not exceed 1,700 based on a 12-month rolling total.

**II. TESTING REQUIREMENTS.**

**# 004 [25 Pa. Code §127.12b]**

**Plan approval terms and conditions.**

[From Plan Approval 33-172A]

The engine shall be tested once every 5 years (between 12 to 6 months prior to operating permit renewal) for NOx, VOC (NMHC), CO, and filterable PM at the outlet of the oxidation catalyst.

**SECTION D. Source Level Requirements****III. MONITORING REQUIREMENTS.****# 005 [25 Pa. Code §127.441]****Operating permit terms and conditions.**

The engine shall be equipped with a non-resettable hour meter.

[This operating permit condition assures that hours of operation can be accurately measured to show that the 1,700 hour per 12-month period restriction on operating hours is not exceeded.]

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

The permittee shall maintain records to demonstrate that the 1,700 hour per 12-month period restriction on operating hours is not exceeded.

**V. REPORTING REQUIREMENTS.**

No additional reporting requirements exist except as provided in other sections of this permit including Section B (State Only General Requirements) and/or Section E (Source Group Restrictions).

**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) and/or Section E (Source Group Restrictions).

**VII. ADDITIONAL REQUIREMENTS.**

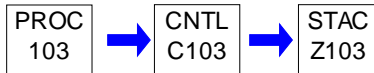
No additional requirements exist except as provided in other sections of this permit including Section B (State Only General Requirements) and/or Section E (Source Group Restrictions).

**SECTION D. Source Level Requirements**

Source ID: 103

Source Name: STONE CRUSHING &amp; SCREENING PLANT

Source Capacity/Throughput: 200.000 Tons/HR SAND AND STONE

**I. RESTRICTIONS.****Emission Restriction(s).****# 001 [25 Pa. Code §127.622]****Compliance with general plan approvals and general operating permit conditions.**

The operation of a portable nonmetallic mineral processing plant shall not at any time result in the emission of fugitive air contaminants in excess of the limitations specified in 25 Pa. Code §§ 123.1 and 123.2. All reasonable actions shall be taken to prevent particulate matter from becoming airborne. These actions include, but are not limited to, the following:

- i. Proper installation of a water spray dust suppression system and operation or proper design, installation, and operation of a fabric collector.
- ii. Application of asphalt, water or suitable chemicals on dirt roads, material stockpiles and other surfaces that may give rise to airborne dusts.
- iii. Paving and maintenance of plant roadways.
- iv. 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, erosions by water, or other means.

[Authorization from BAQ-GPA/GP-3-33-172 (Rev. Dec. 2, 1998), Condition 16.a, issued on 5/31/2003]

**# 002 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.672]****Subpart 000 - Standards of Performance for Nonmetallic Mineral Processing Plants****Standard for particulate matter.**

(a) Not Applicable

(b) Affected facilities must meet the fugitive emission limits and compliance requirements in Table 3 of this subpart within 60 days after achieving the maximum production rate at which the affected facility will be operated, but not later than 180 days after initial startup as required under §60.11. The requirements in Table 3 of this subpart apply for fugitive emissions from affected facilities without capture systems and for fugitive emissions escaping capture systems. [Category 1 of Table 3 is applicable to this source and those applicable Fugitive Emission Limits from Table 3 to Subpart 000 of Part 60 are printed in this section of permit.]

(c) [Reserved]

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

(e) - (f) Not applicable.

[Source: 74 FR 19309, Apr. 28, 2009]

**# 003 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR Part 60 Subpart 000 Table 3]****Subpart 000 - Standards of Performance for Nonmetallic Mineral Processing Plants****Fugitive Emission Limits**

[This plant was constructed at this site in 2003 and the applicable Category 1 from Table 3 is printed here.]

(a) The owner or operator must meet the following fugitive emissions limit for grinding mills, screening operations, bucket elevators, transfer points on belt conveyors, bagging operations, storage bins, enclosed truck or railcar loading stations or from any other affected facility (as defined in §§60.670 and 60.671):

**SECTION D. Source Level Requirements**

10 percent opacity

(b) The owner or operator must meet the following fugitive emissions limit for crushers at which a capture system is not used:

15 percent opacity

[Source: 74 FR 19309, Apr. 28, 2009]

**II. TESTING REQUIREMENTS.****# 004 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.675]****Subpart 000 - Standards of Performance for Nonmetallic Mineral Processing Plants****Test methods and procedures.**

(a) In conducting the performance tests required in §60.8, the owner or operator shall use as reference methods and procedures the test methods in appendices A-1 through A-7 of this part or other methods and procedures as specified in this section, except as provided in §60.8(b). Acceptable alternative methods and procedures are given in paragraph (e) of this section.

(b) [Paragraph (b) of the regulation does not apply to this source.]

(c) (1) In determining compliance with the particulate matter standards in §60.672(b) or §60.672(e)(1), the owner or operator shall use Method 9 of Appendix A-4 of this part and the procedures in §60.11, with the following additions:

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

(ii) The observer shall, when possible, select a position that minimizes interference from other fugitive emission sources (e.g., road dust). The required observer position relative to the sun (Method 9 of Appendix A-4 of this part, Section 2.1) must be followed.

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

(2) [Not applicable]

(3) When determining compliance with the fugitive emissions standard for any affected facility described under §60.672(b) or §60.672(e)(1) of this subpart, the duration of the Method 9 (40 CFR Part 60, Appendix A-4) observations must be 30 minutes (five 6-minute averages). Compliance with the applicable fugitive emission limits in Table 3 of this subpart must be based on the average of the five 6-minute averages.

(d) [Paragraph (d) of the regulation does not apply to this source.]

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

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

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

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

**SECTION D. Source Level Requirements**

(2) A single visible emission observer may conduct visible emission observations for up to three fugitive, stack, or vent emission points within a 15-second interval if the following conditions are met:

(i) No more than three emission points may be read concurrently.

(ii) All three emission points must be within a 70 degree viewing sector or angle in front of the observer such that the proper sun position can be maintained for all three points.

(iii) If an opacity reading for any one of the three emission points equals or exceeds the applicable standard, then the observer must stop taking readings for the other two points and continue reading just that single point.

(3) - (4) [Not applicable.]

(f) [Paragraph (f) of the regulation does not apply to this source.]

(g) For performance tests involving only Method 9 (40 CFR part 60 Appendix A-4) testing, the owner or operator may reduce the 30-day advance notification of performance test in §60.7(a)(6) and 60.8(d) to a 7-day advance notification.

(h) [Reserved]

(i) If the initial performance test date for an affected facility falls during a seasonal shut down (as defined in §60.671 of this subpart) of the affected facility, then with approval from the permitting authority, the owner or operator may postpone the initial performance test until no later than 60 calendar days after resuming operation of the affected facility.

[Source: 74 FR 19309, Apr. 28, 2009]

**# 005 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR Part 60 Subpart 000 Table 3]**

**Subpart 000 - Standards of Performance for Nonmetallic Mineral Processing Plants  
Fugitive Emission Limits**

[From applicable Category 1 of Table 3]

The owner or operator must demonstrate compliance with these limits by conducting an initial performance test according to §60.11 of this part and §60.675 of this subpart.

[The opacity limits are printed under Emission Restrictions in this section of the permit.]

[Source: 74 FR 19309, Apr. 28, 2009]

**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.**

**# 006 [25 Pa. Code §127.622]**

**Compliance with general plan approvals and general operating permit conditions.**

The permittee shall immediately notify the Department of any malfunction of plant equipment or associated air cleaning device(s) which results in, or may possibly be resulting in the emission of air contaminants in excess of any applicable

**SECTION D. Source Level Requirements**

limitation.

[Authorization from BAQ-GPA/GP-3-33-172 (Rev. Dec. 2, 1998), Condition 19, issued on 5/31/2003]

**# 007 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.670]**  
**Subpart 000 - Standards of Performance for Nonmetallic Mineral Processing Plants**  
**Applicability and designation of affected facility.**

[Paragraphs (a) - (c) and (e) - (f) of §60.670 are printed under ADDITIONAL REQUIREMENTS in this section of the permit.]

(d) (1) When an existing facility is replaced by a piece of equipment of equal or smaller size, as defined in §60.671, having the same function as the existing facility, and there is no increase in the amount of emissions, the new facility is exempt from the provisions of §§60.672, 60.674, and 60.675 except as provided for in paragraph (d)(3) of this section.

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

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

[Source: 74 FR 19309, Apr. 28, 2009]

**# 008 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.676]**  
**Subpart 000 - Standards of Performance for Nonmetallic Mineral Processing Plants**  
**Reporting and recordkeeping.**

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

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

- (i) The rated capacity in megagrams or tons per hour of the existing facility being replaced and
- (ii) The rated capacity in tons per hour of the replacement equipment.

(2) For a screening operation:

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

(3) For a conveyor belt:

- (i) The width of the existing belt being replaced and
- (ii) The width of the replacement conveyor belt.

(4) For a storage bin:

- (i) The rated capacity in megagrams or tons of the existing storage bin being replaced and
- (ii) The rated capacity in megagrams or tons of replacement storage bins.

(b) - (e) [Paragraphs (b) through (e) of the regulation are not applicable.]

(f) The owner or operator of any affected facility shall submit written reports of the results of all performance tests conducted to demonstrate compliance with the standards set forth in §60.672 of this subpart, including reports of opacity observations

**SECTION D. Source Level Requirements**

made using Method 9 (40 CFR part 60, Appendix A-4) to demonstrate compliance with §60.672(b), (e) and (f).

(g) The owner or operator of any wet material processing operation that processes saturated and subsequently processes unsaturated materials, shall submit a report of this change within 30 days following such change. At the time of such change, this screening operation, bucket elevator, or belt conveyor becomes subject to the applicable opacity limit in §60.672(b) and the emission test requirements of §60.11.

(h) The subpart A requirement under §60.7(a)(1) for notification of the date construction or reconstruction commenced is waived for affected facilities under this subpart.

(i) [Paragraph (i) is a one-time requirement which no longer applicable for this source.]

(j) The requirements of this section remain in force until and unless the Agency, in delegating enforcement authority to a State under section 111(c) of the Act, approves reporting requirements or an alternative means of compliance surveillance adopted by such States. In that event, affected facilities within the State will be relieved of the obligation to comply with the reporting requirements of this section, provided that they comply with requirements established by the State.

(k) Notifications and reports required under this subpart and under subpart A of this part to demonstrate compliance with this subpart need only to be sent to the EWPA Region or the State which has been delegated authority according to §60.4(b). [The address for reporting is printed in Section H of this permit.]

[Source: 74 FR 19309, Apr. 28, 2009]

**VI. WORK PRACTICE REQUIREMENTS.**

**# 009 [25 Pa. Code §127.622]**

**Compliance with general plan approvals and general operating permit conditions.**

(a) Water spray dust suppression systems on portable nonmetallic mineral processing plants shall be operated on any and all occasions that the respective plant is operated. Operation without simultaneous operation of the water spray dust suppression system can take place only in those unusual instances where processes materials contain sufficient moisture so as not to create air contaminant emissions in excess of the limitations and standards of this operating permit. If, however, the water spray dust suppression system is incapable of operation due to weather conditions or any other reason, the permittee may not operate the plant.

(b) The permittee shall keep on hand such equipment and materials as are necessary to take reasonable action (including, but not limits to the application of water, oil, or chemicals) to prevent fugitive particulate matter resulting from the use of any roadways and/or material stockpiling operations associated with the plant from becoming airborne and shall be used, as necessary, to prevent such fugitive particulate matter from becoming airborne.

[Authorization from BAQ-GPA/GP-3-33-172 (Rev. Dec. 2, 1998), Conditions 17.a & 19.b (sic) (18.b), issued on 5/31/2003]

**VII. ADDITIONAL REQUIREMENTS.**

**# 010 [40 CFR Part 60 Standards of Performance for New Stationary Sources § 40 CFR Part 60 Subpart 000 Table 1]**

**Subpart 000 - Standards of Performance for Nonmetallic Mineral Processing Plants****Exceptions to Applicability of Subpart A to Subpart 000**

Subpart A reference	Applies to subpart 000	Explanation
60.4, Address	Yes	Except in §60.4(a) and (b) submittals need not be submitted to both the EPA Region and delegated State authority (§60.676(k)).
60.7, Notification and recordkeeping	Yes	Except in (a)(1) notification of the date construction or reconstruction commenced (§60.676(h)). Also, except in (a)(6) performance tests involving only Method 9 (40 CFR part 60, Appendix A-4) require

**SECTION D. Source Level Requirements**

60.8, Performance tests	Yes	a 7-day advance notification instead of 30 days (§60.675(g)). Except in (d) performance tests involving only Method 9 (40 CFR part 60, Appendix A-4) require a 7-day advance notification instead of 30 days (§60.675(g)).
60.11, Compliance with standards and maintenance requirements	Yes	Except in (b) under certain conditions (§§60.675(c)), Method 9 (40 CFR part 60, Appendix A-4) observation is reduced from 3 hours to 30 minutes for fugitive emissions.
60.18, General control device	No	Flares will not be used to comply with the emission limits.

[Source: 74 FR 19309, Apr. 28, 2009]

**# 011 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.2]**

**Subpart A - General Provisions**

**Definitions.**

[Selected definitions from 40 CFR §60.2 are printed below. Refer to regulation to remaining definitions used in 40 CFR Part 60.]

Affected facility means, with reference to a stationary source, any apparatus to which a standard is applicable.

Construction means fabrication, erection, or installation of an affected facility.

Existing facility means, with reference to a stationary source, any apparatus of the type for which a standard is promulgated in this part, and the construction or modification of which was commenced before the date of proposal of that standard; or any apparatus which could be altered in such a way as to be of that type.

Malfunction means any sudden, infrequent, and not reasonably preventable failure of air pollution control equipment, process equipment, or a process to operate in a normal or usual manner. Failures that are caused in part by poor maintenance or careless operation are not malfunctions.

Modification means any physical change in, or change in the method of operation of, an existing facility which increases the amount of any air pollutant (to which a standard applies) emitted into the atmosphere by that facility or which results in the emission of any air pollutant (to which a standard applies) into the atmosphere not previously emitted.

[44 FR 55173, Sept. 25, 1979, as amended at 45 FR 5617, Jan. 23, 1980; 45 FR 85415, Dec. 24, 1980; 54 FR 6662, Feb. 14, 1989; 55 FR 51382, Dec. 13, 1990; 57 FR 32338, July 21, 1992; 59 FR 12427, Mar. 16, 1994; 72 FR 27442, May 16, 2007]

**# 012 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.670]**

**Subpart OOO - Standards of Performance for Nonmetallic Mineral Processing Plants**

**Applicability and designation of affected facility.**

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

(2) The provisions of this subpart do not apply to the following operations: All facilities located in underground mines; plants without crushers or grinding mills above ground; and wet material processing operations (as defined in §60.671).

(b) An affected facility that is subject to the provisions of subpart F or I or that follows in the plant process any facility subject



**SECTION D. Source Level Requirements**

to the provisions of subparts F or I of this part is not subject to the provisions of this subpart.

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

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

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

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

(d) [Paragraph (d) is printed under REPORTING REQUIREMENTS in this section of permit.]

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

(f) Table 1 of this subpart specifies the provisions of subpart A of this part 60 that do not apply to owners and operators of affected facilities subject to this subpart or that apply with certain exceptions. [Refer to regulation for Table 1 to 40 CFR Part 60 Subpart OOO.]

[Source: 74 FR 19309, Apr. 28, 2009]

**# 013 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.671]****Subpart OOO - Standards of Performance for Nonmetallic Mineral Processing Plants****Definitions.**

[Selected definitions from 40 CFR 60.671 are printed here. Refer to regulation for remaining definitions used in Subpart OOO.]

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

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

Saturated material means, for purposes of this subpart, mineral material with sufficient surface moisture such that particulate matter emissions are not generated from processing of the material through screening operations, bucket elevators and belt conveyors. Material that is wetted solely by wet suppression systems is not considered to be "saturated" for purposes of this definition.

Seasonal shut down means shut down of an affected facility for a period of at least 45 consecutive days due to weather or seasonal market conditions.

Wet material processing operation(s) means any of the following:

(1) Wet screening operations (as defined in this section) and subsequent screening operations, bucket elevators and belt conveyors in the production line that process saturated materials (as defined in this section) up to the first crusher, grinding mill or storage bin in the production line; or

(2) Screening operations, bucket elevators and belt conveyors in the production line downstream of wet mining operations (as defined in this section) that process saturated materials (as defined in this section) up to the first crusher,

**SECTION D. Source Level Requirements**

grinding mill or storage bin in the production line.

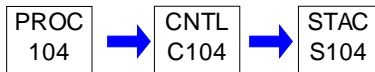
Wet screening operation means a screening operation at a nonmetallic mineral processing plant which removes unwanted material or which separates marketable fines from the product by a washing process which is designed and operated at all times such that the product is saturated with water.

[Source: 74 FR 19309, Apr. 28, 2009]

**SECTION D. Source Level Requirements**

Source ID: 104                      Source Name: SECONDARY DIESEL ENGINE GENERATOR (563 BHP)  
 Source Capacity/Throughput:              1.000 Gal/HR              DIESEL

Conditions for this source occur in the following groups: 1 - NSPS FOR DIESEL ENGINES  
 2 - ENGINE TESTING

**I. RESTRICTIONS.****Emission Restriction(s).****# 001 [25 Pa. Code §127.12b]****Plan approval terms and conditions.**

[From plan approval BAQ-GPA/GP9-33-172C, (Rev 6/2006), Condition 7.b.]

Emissions Limits for Diesel Engines:

Any diesel engine for which construction commenced on or after July 1, 1972 and best available technology requirements have not been previously established:

i. If the diesel-fired internal combustion engine has an engine rating greater than 100 brake horsepower, the engine shall, at a minimum, comply with a Total Hydrocarbon (THC) emission standard of 1.0 gm/bhp-hr.

ii. If the diesel-fired internal combustion engine is equal to or greater than 200 brake horsepower and number of hours of operation of engine are equal to or greater than the hours per year listed in the following table, then the engine shall be installed with NOx control device with a minimum of 80% NOx control efficiency. [Non-applicable categories are omitted from the table below.]

Facilities Located in "Moderate" (or lower classified) Ozone Non-Attainment Areas

Engine Rating (BHP) > 500	Engine Rating (BHP) <= 750	Actual Annual Operating Hours >= 1,700
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If NOx emissions from engine(s) are controlled using control technology that uses ammonia or urea as a reagent, then the company shall limit the exhaust ammonia slip at 10 ppmvd, or less corrected at 15% O2.

All other diesel engines shall at a minimum comply with the NOx emission standard of 6.9 gms/hp-hr.

iii. If the diesel-fired engine is equal to or greater than 100 brake horsepower and number of hours of operation of engine are equal to or greater than the hours per year listed in the following table, then the engine shall be installed with CO Oxidation Catalyst control device with a minimum of 90% control efficiency. [Non-applicable categories are omitted from the table below.]

Engine Rating (BHP) > 500	Engine Rating (BHP) <= 750	Actual Annual Operating Hours >= 1,200
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All other diesel engines shall at a minimum comply with CO emission standard of 2.0 gms/bhp-hr. [Compliance with this condition will show compliance with 40 CFR 60 Subpart IIII CO limit of 3.5 g/kW-hr]

iv. The sulfur content in diesel fuel shall not, at any time exceed 0.3 percent (by weight).

v. [The PM emission restriction from GP9-33-172C is streamlined out in favor of the more restrictive PM restriction from

**SECTION D. Source Level Requirements**

40 CFR Part 60 Subpart III.]

- vi. Visible emissions from diesel engine(s) stacks shall not exceed the following limitations:
  - A. Equal to or greater than 10% for a period or periods aggregating more than three (3) minutes in any one (1) hour; and
  - B. Equal to or greater than 30% at any time.
- vii. [25 Pa. Code §123.31 (pertaining to malodors) is included in section C of this permit.]

**# 002 [25 Pa. Code §127.12b]****Plan approval terms and conditions.**

[From plan approval BAQ-GPA/GP9-33-172C, 6/2006, Condition 19.]

Start-up and Shut-down Exclusion:

The emission limitations [imposed by General Plan Approval GP9-33-172C and printed in this section of operating permit 33-00172] shall apply at all times except during periods of start-up and shut-down, provided, however, that the duration of start-up and shut-down do not exceed one hour per occurrence.

**Operation Hours Restriction(s).****# 003 [25 Pa. Code §127.441]****Operating permit terms and conditions.**

- (a) This source is limited to 1,700 hours of operation per year unless a NOx control device is installed in accordance with condition 7.b.ii of general plan approval BAQ-GPA/GP9-33-172C.
- (b) No additional control device shall be installed without Department authorization.

[From September 4, 2014, cover letter for general plan approval BAQ-GPA/GP9-33-172C.]

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

[From plan approval BAQ-GPA/GP9-33-172C, 6/2006, Condition 8.]

Performance Testing:

- a. [Paragraph a is not applicable to this engine.]
- b. For a new internal combustion engine installed in accordance with [general plan approval GP-9] Conditions 2 and 7.b. and which has a rated capacity greater than 500 brake horsepower, within 180 days of receiving authority to construct under this general permit, the permittee shall perform stack testing in accordance with 25 Pa. Code Chapter 139.
- c. In addition to the stack testing required by this condition, within 12 months after the initial stack testing, and annually thereafter, the permittee shall perform NOx emissions tests upon each of the respective engines subjected to the BAT as stated in [GP-9] Condition 7.b. herein using a portable analyzer approved by the Department. The Department may alter the frequency of annual portable analyzer tests based on the results. The Department may also waive all or parts of this requirement if the permittee demonstrates compliance, in lieu of testing, through alternate means satisfactory to the Department.
- d. The Department reserves the right to require stack tests in accordance with EPA reference methods should the data from the portable analyzer warrant such tests. The purpose of this testing is to demonstrate compliance with the emission limitations required for new engines.
- e. The Department may accept the vendor guarantees or recent on-site test data on similar engines, or any other means

**SECTION D. Source Level Requirements**

approved by the Department as a verification of NOx emission if the NOx emissions from a diesel engine located in severe non-attainment area for ozone are less than 2.5 tons per year or 10 tons per year if a diesel engine is located in areas other than severe non-attainment for ozone.

f. If performance stack tests are required for the demonstration of compliance with applicable emissions limits, the owner or operator of the affected facility shall comply with the following requirements:

i. Within sixty (60) days after achieving the maximum production rate at which the affected facility will be operated, but no later than one hundred eighty (180) days after the initial startup of the source and the owner or operator shall demonstrate compliance with the applicable emission limits.

ii - iv. [Paragraphs (f)(ii) through (f)(iv) are streamlined out of this section of the permit in favor of the requirements for protocol submission, testing date and time notification, and report submittal printed in Section E of this operating permit.]

**III. MONITORING REQUIREMENTS.**

No additional monitoring requirements exist except as provided in other sections of this permit including Section B (State Only General Requirements) and/or Section E (Source Group Restrictions).

**IV. RECORDKEEPING REQUIREMENTS.**

**# 005 [25 Pa. Code §127.12b]**

**Plan approval terms and conditions.**

[From plan approval BAQ-GPA/GP9-33-172C, 6/2006, Condition 9.]

Monitoring, Recordkeeping and Reporting:

a. The permittee shall maintain accurate records, which, at a minimum, shall include:

i. The number of hours per calendar year that each engine or piece of equipment operated using non-resettable hour meter.

ii. The amount of fuel used per calendar year in each engine or piece of equipment.

b. When a new diesel-fired internal combustion engine is installed in accordance with General Plan Approval GP-9 Conditions 2 and 7.b and is required to conduct a performance test, the permittee shall maintain records or report the following:

i. Records including a description of testing methods, results, all engine operating data collected during the tests and a copy of the calculations performed to determine compliance with emission standards.

ii. Copies of the report that demonstrates that the engines were operating at rated brake horsepower and rated speed conditions during performance testing.

iii. Submittal of reports in accordance with the requirements and schedules outlined in this Diesel Engine(s) General Permit.

c. These records shall be retained for a minimum of five (5) years and shall be made available to the Department upon request. The Department reserves the right to expand the list contained in this condition as it may reasonably prescribe pursuant to the provisions of Section 4 of the Pennsylvania Air Pollution Control Act (35 P. S. §§4004), and as it may deem necessary to determine compliance with any condition contained herein.

**SECTION D. Source Level Requirements****V. REPORTING REQUIREMENTS.****# 006 [25 Pa. Code §127.12b]****Plan approval terms and conditions.**

[From plan approval BAQ-GPA/GP9-33-172C 6/2006 Condition 6.]

## Notice Requirements:

The permittee shall notify the Department, in writing, within 24 hours of the discovery of any malfunction during a business day or by 5:00 p.m. on the first business day after a weekend or holiday of any malfunction of the diesel-fired internal combustion engine(s) which results in, or may result in, the emission of air contaminants in excess of the limitations specified in, or established pursuant to, any applicable rule or regulation contained in 25 Pa. Code, Subpart C, Article III (relating to air resources).

**# 007 [25 Pa. Code §127.12b]****Plan approval terms and conditions.**

[From plan approval BAQ-GPA/GP9-33-172C, 6/2006, Condition 18.]

## Department and Municipality Notification:

The permittee shall notify the Department and the municipality prior to relocation of any diesel-fired engine(s) used for operating a portable nonmetallic mineral processing plant as required under 25 Pa. Code §127.641(b)(2). The notification for relocation of any diesel-fired engine(s) to the Department and the municipality shall be either hand delivered or transmitted by certified mail return receipt requested as required under 25 Pa. Code §127.641(c).

**VI. WORK PRACTICE REQUIREMENTS.****# 008 [25 Pa. Code §127.12b]****Plan approval terms and conditions.**

[From plan approval BAQ-GPA/GP9-33-172C 6/2006 Condition 4.]

## Compliance:

Any applicant authorized to operate a diesel-fired internal combustion engine(s) under this Diesel Engine(s) General Permit must comply with the terms and conditions of the general permit. The diesel-fired internal combustion engine(s) shall be:

- a. operated in such a manner as not to cause air pollution, as defined in 25 Pa. Code §121.1;
- b. operated and maintained in a manner consistent with good operating and maintenance practices; and
- c. operated and maintained in accordance with the manufacturer's specifications and the applicable terms and conditions of this General Permit.

**VII. ADDITIONAL REQUIREMENTS.**

No additional requirements exist except as provided in other sections of this permit including Section B (State Only General Requirements) and/or Section E (Source Group Restrictions).



**SECTION E. Source Group Restrictions.**

Group Name: 1 - NSPS FOR DIESEL ENGINES

Group Description: Applicable requirements from 40 CFR Part 60 Subpart IIII for engines > 500 hp

Sources included in this group

ID	Name
101	PRIMARY DIESEL GENERATOR (623 BHP)
104	SECONDARY DIESEL ENGINE GENERATOR (563 BHP)

**I. RESTRICTIONS.**

**Emission Restriction(s).**

**# 001 [40 CFR Part 1039 Cntrl of Emissns Frm New/In-Use Nonroad Compressn-Ignition Engs §40 CFR 1039.105]**

**Subpart B - Emission Standards and Related Requirements**

**What smoke standards must my engines meet?**

(a) [Not applicable]

(b) Measure smoke opacity as specified in § 1039.501(c). Smoke opacity from your engines may not exceed the following standards:

- (1) 20 percent during the acceleration mode.
- (2) 15 percent during the lugging mode.
- (3) 50 percent during the peaks in either the acceleration or lugging modes.

[69 FR 39213, June 29, 2004, as amended at 88 FR 4658, Jan. 24, 2023]

**# 002 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.4201]**

**Subpart IIII - Standards of Performance for Stationary Compression Ignition Internal Combustion Engines**

**What emission standards must I meet for non-emergency engines if I am a stationary CI internal combustion engine ma**

(a) Stationary CI internal combustion engine manufacturers must certify their 2007 model year and later non-emergency stationary CI ICE with a maximum engine power less than or equal to 2,237 kilowatt (KW) (3,000 horsepower (HP)) and a displacement of less than 10 liters per cylinder to the certification emission standards for new nonroad CI engines in 40 CFR 1039.101, 1039.102, 1039.104, 1039.105, 1039.107, and 1039.115 and 40 CFR part 1039, appendix I, as applicable, for all pollutants, for the same model year and maximum engine power.

[Emission Restrictions from Table 3 to Appendix I of Part 1039 apply and are printed below. The opacity restrictions from 40 CFR § 1039.105 apply and are printed in a separate condition in this section of the permit. Remaining citations in paragraph (a) to 40 CFR Part 1039 do not apply to this source.]

(b) - (h) Not applicable.

[71 FR 39172, July 11, 2006, as amended at 76 FR 37967, June 28, 2011]

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**Appendix I to Part 1039—Summary of Previous Emission Standards**

The following standards, which EPA originally adopted under 40 CFR part 89, apply to nonroad compression-ignition engines produced before the model years specified in § 1039.1:

(a) - (b) [Not applicable Tier 1 & Tier 2 categories omitted from this permit.]

(c) For Sources 101 & 104, applicable category in Table 3 to Appendix I of Part 1039 is 130=KW=560 (175=HP=750) Tier 3 and restrictions are:

- 4.0 g/kW-hr (3.0 g/bhp-hr) NMHC + NO<sub>x</sub>;
- 0.20 g/kW-hr (0.15 g/bhp-hr) PM.

[The 40 CFR Part 60 Subpart IIII CO emission standards of 3.5 g/kW-hr (2.6 g/bhp-hr) from Table 3 are streamlined out of this operating permit in favor of the more restrictive CO emission standards from plan approvals 33-172A and GP9-33-172C for Sources 101 and 104, respectively.]

**SECTION E. Source Group Restrictions.**

(d) Tier 1 through Tier 3 standards applied only for discrete-mode steady-state testing. There were no not-to-exceed standards or transient testing.

[86 FR 34507, June 29, 2021, as amended at 88 FR 4660, Jan. 24, 2023]

**# 003 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.4204]**

**Subpart IIII - Standards of Performance for Stationary Compression Ignition Internal Combustion Engines**

**What emission standards must I meet for non-emergency engines if I am an owner or operator of a stationary CI interna**

(a) Not applicable.

(b) Owners and operators of 2007 model year and later non-emergency stationary CI ICE with a displacement of less than 30 liters per cylinder must comply with the emission standards for new CI engines in § 60.4201 for their 2007 model year and later stationary CI ICE, as applicable.

(c) - (f) Not applicable.

[71 FR 39172, July 11, 2006, as amended at 76 FR 37968, June 28, 2011; 81 FR 44219, July 7, 2016; 86 FR 34358, June 29, 2021]

**# 004 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.4206]**

**Subpart IIII - Standards of Performance for Stationary Compression Ignition Internal Combustion Engines**

**How long must I meet the emission standards if I am an owner or operator of a stationary CI internal combustion engine**

Owners and operators of stationary CI ICE must operate and maintain stationary CI ICE that achieve the emission standards as required in §§60.4204 and 60.4205 over the entire life of the engine.

[76 FR 37969, June 28, 2011]

**Fuel Restriction(s).**

**# 005 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.4207]**

**Subpart IIII - Standards of Performance for Stationary Compression Ignition Internal Combustion Engines**

**What fuel requirements must I meet if I am an owner or operator of a stationary CI internal combustion engine subject to**

(a) [Reserved]

(b) Beginning October 1, 2010, owners and operators of stationary CI ICE subject to this subpart with a displacement of less than 30 liters per cylinder that use diesel fuel must use diesel fuel that meets the requirements of 40 CFR 1090.305 for nonroad diesel fuel, except that any existing diesel fuel purchased (or otherwise obtained) prior to October 1, 2010, may be used until depleted.

(c) [Reserved]

(d) [Not applicable]

(e) [Not applicable]

[71 FR 39172, July 11, 2006, as amended at 76 FR 37969, June 28, 2011; 78 FR 6695, Jan. 30, 2013; 85 FR 78463, Dec. 4, 2020]

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40 CFR § 1090.305 ULSD standards.

(a) Overview. Except as specified in § 1090.300(a), diesel fuel must meet the ULSD per-gallon standards of this section.

(b) Sulfur standard. Maximum sulfur content of 15 ppm.

(c) Cetane index or aromatic content. Diesel fuel must meet one of the following standards:



**SECTION E. Source Group Restrictions.**

- (1) Minimum cetane index of 40.
- (2) Maximum aromatic content of 35 volume percent.

[Source:85 FR 78469, Dec. 4, 2020]

**II. TESTING REQUIREMENTS.**

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

**III. MONITORING REQUIREMENTS.**

**# 006 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.4209]  
Subpart III - Standards of Performance for Stationary Compression Ignition Internal Combustion Engines  
What are the monitoring requirements if I am an owner or operator of a stationary CI internal combustion engine?**

If you are an owner or operator, you must meet the monitoring requirements of this section. In addition, you must also meet the monitoring requirements specified in § 60.4211.

- (a) [Not applicable]
- (b) If you are an owner or operator of a stationary CI internal combustion engine equipped with a diesel particulate filter to comply with the emission standards in § 60.4204, the diesel particulate filter must be installed with a backpressure monitor that notifies the owner or operator when the high backpressure limit of the engine is approached.

[71 FR 39172, July 11, 2006, as amended at 76 FR 37969, June 28, 2011]

**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.**

**# 007 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.4211]  
Subpart III - Standards of Performance for Stationary Compression Ignition Internal Combustion Engines  
What are my compliance requirements if I am an owner or operator of a stationary CI internal combustion engine?**

(a) If you are an owner or operator and must comply with the emission standards specified in this subpart, you must do all of the following, except as permitted under paragraph (g) of this section:

- (1) Operate and maintain the stationary CI internal combustion engine and control device according to the manufacturer's emission-related written instructions;
- (2) Change only those emission-related settings that are permitted by the manufacturer; and
- (3) Meet the requirements of 40 CFR part 1068, as they apply to you.

(b) [Not applicable.]

(c) If you are an owner or operator of a 2007 model year and later stationary CI internal combustion engine and must comply with the emission standards specified in § 60.4204(b), you must comply by purchasing an engine certified to the emission standards in § 60.4204(b) for the same model year and maximum engine power. The engine must be installed and configured according to the manufacturer's emission-related specifications, except as permitted in paragraph (g) of this section. [Non-applicable text in the regulation is omitted from this paragraph.]

**SECTION E. Source Group Restrictions.**

(d) - (f) [Not applicable.]

(g) If you do not install, configure, operate, and maintain your engine and control device according to the manufacturer's emission-related written instructions, or you change emission-related settings in a way that is not permitted by the manufacturer, you must demonstrate compliance as follows:

(1) - (2) [Not applicable.]

(3) If you are an owner or operator of a stationary CI internal combustion engine greater than 500 HP, you must keep a maintenance plan and records of conducted maintenance and must, to the extent practicable, maintain and operate the engine in a manner consistent with good air pollution control practice for minimizing emissions. In addition, you must conduct an initial performance test to demonstrate compliance with the applicable emission standards within 1 year of startup, or within 1 year after an engine and control device is no longer installed, configured, operated, and maintained in accordance with the manufacturer's emission-related written instructions, or within 1 year after you change emission-related settings in a way that is not permitted by the manufacturer. You must conduct subsequent performance testing every 8,760 hours of engine operation or 3 years, whichever comes first, thereafter to demonstrate compliance with the applicable emission standards.

(h) [Not applicable]

[71 FR 39172, July 11, 2006, as amended at 76 FR 37970, June 28, 2011; 78 FR 6695, Jan. 30, 2013; 81 FR 44219, July 7, 2016; 86 FR 34359, June 29, 2021; 87 FR 48605, Aug. 10, 2022]

**VII. ADDITIONAL REQUIREMENTS.****# 008 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.2]****Subpart A - General Provisions****Definitions.**

[Selected definitions applicable from 40 CFR § 60.2 to 40 CFR Part 60 Subpart III are printed here. Refer to regulation for remaining definitions.]

The terms used in this part are defined in the Act or in this section as follows:

Act means the Clean Air Act (42 U.S.C. 7401 et seq.)

Administrator means the Administrator of the Environmental Protection Agency or his authorized representative.

Affected facility means, with reference to a stationary source, any apparatus to which a standard is applicable.

Commenced means, with respect to the definition of new source in section 111(a)(2) of the Act, that an owner or operator has undertaken a continuous program of construction or modification or that an owner or operator has entered into a contractual obligation to undertake and complete, within a reasonable time, a continuous program of construction or modification.

Construction means fabrication, erection, or installation of an affected facility.

Malfunction means any sudden, infrequent, and not reasonably preventable failure of air pollution control equipment, process equipment, or a process to operate in a normal or usual manner. Failures that are caused in part by poor maintenance or careless operation are not malfunctions.

Modification means any physical change in, or change in the method of operation of, an existing facility which increases the amount of any air pollutant (to which a standard applies) emitted into the atmosphere by that facility or which results in the emission of any air pollutant (to which a standard applies) into the atmosphere not previously emitted.

Startup means the setting in operation of an affected facility for any purpose.

[44 FR 55173, Sept. 25, 1979, as amended at 45 FR 5617, Jan. 23, 1980; 45 FR 85415, Dec. 24, 1980; 54 FR 6662, Feb. 14, 1989; 55 FR 51382, Dec. 13, 1990; 57 FR 32338, July 21, 1992; 59 FR 12427, Mar. 16, 1994; 72 FR 27442, May 16,

**SECTION E. Source Group Restrictions.**

2007]

**# 009 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.4200]**  
**Subpart III - Standards of Performance for Stationary Compression Ignition Internal Combustion Engines**  
**Am I subject to this subpart?**

(a) The provisions of this subpart are applicable to manufacturers, owners, and operators of stationary compression ignition (CI) internal combustion engines (ICE) and other persons as specified in paragraphs (a)(1) through (4) of this section. For the purposes of this subpart, the date that construction commences is the date the engine is ordered by the owner or operator.

(1) [Not applicable.]

(2) Owners and operators of stationary CI ICE that commence construction after July 11, 2005, where the stationary CI ICE are:

(i) Manufactured after April 1, 2006, and are not fire pump engines, or

(ii) [Not applicable.]

(3) [Not applicable.]

(4) The provisions of §60.4208 of this subpart are applicable to all owners and operators of stationary CI ICE that commence construction after July 11, 2005.

(b) - (d) [Paragraphs (b) through (d) of the regulation are not applicable.]

(e) Owners and operators of facilities with CI ICE that are acting as temporary replacement units and that are located at a stationary source for less than 1 year and that have been properly certified as meeting the standards that would be applicable to such engine under the appropriate nonroad engine provisions, are not required to meet any other provisions under this subpart with regard to such engines.

[71 FR 39172, July 11, 2006, as amended at 76 FR 37967, June 28, 2011; 86 FR 34357, June 29, 2021]

**# 010 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.4218]**  
**Subpart III - Standards of Performance for Stationary Compression Ignition Internal Combustion Engines**  
**What parts of the General Provisions apply to me?**

(a) Table 8 to this subpart shows which parts of the General Provisions in §§ 60.1 through 60.19 apply to you.

[Refer to regulation for Table 8 of 40 CFR Part 60 Subpart III. A copy of Table 8 is available at this web address: <https://www.ecfr.gov/current/title-40/chapter-I/subchapter-C/part-60/subpart-III/appendix-Table%208%20to%20Subpart%20III%20of%20Part%2060> ]

(b) [Not applicable]

[Source: 88 FR 4471, Jan. 24, 2023]

**# 011 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.4219]**  
**Subpart III - Standards of Performance for Stationary Compression Ignition Internal Combustion Engines**  
**What definitions apply to this subpart?**

[Selected definitions applicable to 40 CFR Part 60 Subpart III are printed here. Refer to regulation for remaining definitions. A copy of the regulation is available at this webpage: <https://www.ecfr.gov/current/title-40/chapter-I/subchapter-C/part-60/subpart-III/subject-group-ECFR8c6d820a6872bc/section-60.4219> ]

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



**SECTION E. Source Group Restrictions.**

Certified emissions life means the period during which the engine is designed to properly function in terms of reliability and fuel consumption, without being remanufactured, specified as a number of hours of operation or calendar years, whichever comes first. The values for certified emissions life for stationary CI ICE with a displacement of less than 10 liters per cylinder are given in 40 CFR 1039.101(g). [Non-applicable text from regulation is omitted from this definition. The certified emissions life from 40 CFR 1039.101(g) is printed at the bottom of this permit condition.]

Diesel fuel means any liquid obtained from the distillation of petroleum with a boiling point of approximately 150 to 360 degrees Celsius. One commonly used form is number 2 distillate oil.

Diesel particulate filter means an emission control technology that reduces PM emissions by trapping the particles in a flow filter substrate and periodically removes the collected particles by either physical action or by oxidizing (burning off) the particles in a process called regeneration.

Maximum engine power means maximum engine power as defined in 40 CFR 1039.801.

Subpart means 40 CFR part 60, subpart IIII.

[71 FR 39172, July 11, 2006, as amended at 76 FR 37972, June 28, 2011; 78 FR 6696, Jan. 30, 2013; 81 FR 44219, July 7, 2016; 86 FR 34360, June 29, 2021; 87 FR 48606, Aug. 10, 2022]

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From 40 CFR §1039.101(g):

(g) Useful life. Your engines must meet the exhaust emission standards in paragraphs (a) through (e) of this section over their full useful life.

(1) The useful life values are shown in the following table, except as allowed by paragraph (g)(2) of this section:

From Table 4 of § 1039.101 -- Useful Life Values

If your engine has maximum power of greater than or equal to 37 kW, then its useful life is 8,000 hours or 10 years, whichever comes first.

(2) You may request in your application for certification that we approve a shorter useful life for an engine family. We may approve a shorter useful life, in hours of engine operation but not in years, if we determine that these engines will rarely operate longer than the shorter useful life. If engines identical to those in the engine family have already been produced and are in use, your demonstration must include documentation from such in-use engines. In other cases, your demonstration must include an engineering analysis of information equivalent to such in-use data, such as data from research engines or similar engine models that are already in production. Your demonstration must also include any overhaul interval that you recommend, any mechanical warranty that you offer for the engine or its components, and any relevant customer design specifications. Your demonstration may include any other relevant information. The useful life value may not be shorter than any of the following:

- (i) 1,000 hours of operation.
- (ii) Your recommended overhaul interval.
- (iii) Your mechanical warranty for the engine.

[69 FR 39213, June 29, 2004, as amended at 70 FR 40462, July 13, 2005; 81 FR 74133, Oct. 25, 2016; 86 FR 34499, June 29, 2021]

**# 012 [40 CFR Part 60 Standards of Performance for New Stationary Sources §Subpart IIII for Reg 40 Part 60 Table 8] Subpart IIII - Standards of Performance for Stationary Compression Ignition Internal Combustion Engines Applicability of General Provisions to Subpart IIII**

TABLE 8 to 40 CFR Part 60 Subpart IIII

**SECTION E. Source Group Restrictions.**

[As stated in §60.4218, you must comply with the following applicable General Provisions:]

General Provisions citation	Subject of citation	Applies to subpart	Explanation
§60.1.....	General applicability of the General Provisions.....	Yes	
§60.2.....	Definitions.....	Yes.....	Additional terms defined in §60.4219.
§60.3.....	Units and abbreviations.....	Yes	
§60.4.....	Address.....	Yes	
§60.5.....	Determination of construction or modification.....	Yes	
§60.6.....	Review of plans.....	Yes	
§60.7.....	Notification and Recordkeeping.....	Yes.....	Except that §60.7 only applies as specified in §60.4214(a).
§60.8.....	Performance tests.....	Yes.....	Except that §60.8 only applies to stationary CI ICE with a displacement of $\geq 30$ liters per cylinder and engines that are not certified.
§60.9.....	Availability of information.....	Yes	
§60.10.....	State Authority.....	Yes	
§60.11.....	Compliance with standards and maintenance requirements.....	No.....	Requirements are specified in subpart IIII.
§60.12.....	Circumvention.....	Yes	
§60.13.....	Monitoring requirements.....	Yes.....	Except that §60.13 only applies to stationary CI ICE with displacement of $\geq 30$ liters per cylinder.
§60.14.....	Modification.....	Yes	
§60.15.....	Reconstruction.....	Yes	
§60.16.....	Priority list.....	Yes	
§60.17.....	Incorporations by reference.....	Yes	
§60.18.....	General control device requirements	No	
§60.19.....	General notification and requirements requirements.....	Yes	

[Source: 71 FR 39172, July 11, 2006]

**SECTION E. Source Group Restrictions.**

Group Name: 2 - ENGINE TESTING

Group Description: General Requirements for stack testing notifications and submittals

Sources included in this group

ID	Name
101	PRIMARY DIESEL GENERATOR (623 BHP)
104	SECONDARY DIESEL ENGINE GENERATOR (563 BHP)

**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.**

# 001 [25 Pa. Code §127.441]

**Operating permit terms and conditions.****STACK TESTING PROCEDURAL REQUIREMENTS**

[The Source Testing Manual is PA DEP document number 274-0300-002. A copy can be obtained at this web address: <http://www.dep.state.pa.us/elibrary/GetFolder?FolderID=4563> ]

(a) At least 90 calendar days prior to commencing an emissions testing program, a test protocol shall be submitted to the Department for review and approval in accordance with paragraph (i) of this condition. The test protocol shall meet all applicable requirements specified in the most current version of the Department's Source Testing Manual.

(b) When testing of a source is required on a recurring basis, a single procedural protocol may be submitted for approval; thereafter, a letter, submitted at least 90 calendar days prior to commencing an emissions testing program, referencing the previously approved procedural protocol is sufficient if the letter is approved by the Department. The letter shall be submitted as required in paragraph (a).

If modifications are made to the process(es) or if a different stack testing company is used or if an applicable section of the stack test manual has been revised since the previous approval, a new protocol is required to be submitted for approval.

(c) Pursuant to 25 Pa. Code §§ 139.53(a)(1) and 139.53(a)(3):

(1) Submittals pertaining to emissions testing, specifically test protocols and test reports, shall be made by emailing electronic copies submissions to both PSIMS Administration in Central Office and to the Regional Office AQ Program at the following e-mail addresses:

CENTRAL OFFICE:  
RA-EPstacktesting@pa.gov

NORTHWEST REGIONAL OFFICE:  
RA-EPNWstacktesting@pa.gov

**SECTION E. Source Group Restrictions.**

- (2) The notifications of emissions testing dates shall be submitted directly to:
- (i) the DEP's OnBase electronic upload website where it will be forwarded to the Northwest Regional Office Air Quality Inspector. Upload the written notification at this web address:  
<https://www.dep.pa.gov/DataandTools/Pages/Application-Form-Upload.aspx>
  - (ii) IF the Protocol Reviewer at Central Office Division of Source Testing requested a copy of the notification, then submit a copy to the email address provided by the protocol reviewer.
- (d) At least 15 calendar days prior to commencing an emission testing program, notification as to the date and time of testing shall be given to the Department in accordance with paragraph (c) of this condition. Notification shall not be made and testing shall not proceed without prior receipt of a Protocol Acceptance letter from the Department.
- (e) If the proposed testing did not occur per the required notification in paragraph (d) above, an electronic notification shall be sent within 15 calendar days after the expected completion date of the onsite testing to the Department, in accordance with paragraph (c) of this condition, indicating why the proposed completion date of the on-site testing was not adhered to.
- (f) A complete test report shall be submitted to the Department no later than 60 calendar days after completion of the onsite testing portion of an emission test program.
- (g) 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 will 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.
  - (4) Statement of compliance or non-compliance with each applicable permit condition.
- (h) Pursuant to 25 Pa. Code § 139.3, all submittals shall meet all applicable requirements specified in the most current version of the Department's Source Testing Manual.
- (i) All testing shall be performed in accordance with the provisions of Chapter 139 of the Rules and Regulations of the Department of Environmental Protection.
- (j) The permittee shall ensure all federal reporting requirements contained in the applicable subpart of 40 CFR are followed, including timelines more stringent than those contained herein. In the event of an inconsistency or any conflicting requirements between state and the federal, the most stringent provision, term, condition, method or rule shall be used by default.
- (k) Actions Related to Noncompliance Demonstrated by a Stack Test:
- (1) If the results of a stack test, performed as required by this permit, exceed the level specified in any condition of this approval, the Permittee shall take appropriate corrective actions. Within 30 days of the Permittee receiving the stack test results, a written description of the corrective actions shall be submitted to the Department. The Permittee shall take appropriate action to minimize emissions from the affected facility while the corrective actions are being implemented. The Department shall notify the Permittee within 30 days, if the corrective actions taken are deficient. Within 30 days of receipt of the notice of deficiency, the Permittee shall submit a description of additional corrective actions to the Department. The Department reserves the authority to use enforcement activities to resolve noncompliant stack tests.
  - (2) If the results of the required stack test exceed any limit defined in this permit, the test was not performed in accordance with the stack test protocol or the source and/or air cleaning device was not operated in accordance with the permit, then another stack test shall be performed to determine compliance. Within 120 days of the Permittee receiving the original stack test results, a retest shall be performed. The Department may extend the retesting deadline if the Permittee demonstrates, to the Department's satisfaction, that retesting within 120 days is not practicable.

**SECTION E. Source Group Restrictions.****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 F. Alternative Operation Requirements.**

No Alternative Operations exist for this State Only facility.

**SECTION G. Emission Restriction Summary.**

Source Id	Source Description		
101	PRIMARY DIESEL GENERATOR (623 BHP)		
Emission Limit		Pollutant	
0.200	GRAMS/HP-Hr	[From plan approval 33-172A]	CO
1.000	GRAMS/HP-Hr	THC [From plan approval 33-172A]	Hydrocarbon
4.000	GRAMS/KW-Hr	Includes NMHC [From plan approval 33-172A]	NOX
3.000	GRAMS/HP-Hr	[40 CFR Part 60 Subpart IIII]	NOx+NMHC
4.000	GRAMS/KW-Hr	[40 CFR Part 60 Subpart IIII]	NOx+NMHC
0.150	GRAMS/HP-Hr	[40 CFR Part 60 Subpart IIII]	TSP
0.200	GRAMS/KW-Hr	FPM [From plan approval 33-172A]	TSP
0.200	GRAMS/KW-Hr	[40 CFR Part 60 Subpart IIII]	TSP
104	SECONDARY DIESEL ENGINE GENERATOR (563 BHP)		
Emission Limit		Pollutant	
2.000	GRAMS/HP-Hr	[From plan approval GP9-33-172C]	CO
1.000	GRAMS/HP-Hr	[From plan approval GP9-33-172C]	Hydrocarbon
6.900	GRAMS/HP-Hr	[From plan approval GP9-33-172C]	NOX
3.000	GRAMS/HP-Hr	[40 CFR Part 60 Subpart IIII]	NOx+NMHC
4.000	GRAMS/KW-Hr	[40 CFR Part 60 Subpart IIII]	NOx+NMHC
0.150	GRAMS/HP-Hr	[40 CFR Part 60 Subpart IIII]	TSP
0.200	GRAMS/KW-Hr	[40 CFR Part 60 Subpart IIII]	TSP

**Site Emission Restriction Summary**

Emission Limit	Pollutant
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**SECTION H. Miscellaneous.**

(a) This facility is located at 883 St. Jacobs Church Road in Perry Township near Punxsutawney.

This facility is a NATURAL MINOR with respect to Potential Emissions of regulated air pollutants.

The following eFACTS ID's are assigned to this facility for this permit issuance:

Permit number: 33-00172  
 eFACTS Site Name: HAMILTON 2 MINE  
 APS ID: 647245  
 Master Auth ID: 727042  
 Client ID: 26739  
 Site ID: 541601  
 Primary Facility (PF) ID: 695006

(b) The Capacity/Throughput numbers listed in Section A, the Site Inventory List, and provided in Section D of this permit for individual sources are for informational purposes only and are not to be considered enforceable limits. The actual enforceable emission and operating limits for each source, with the correct number of significant digits, are listed in Sections C, D, and E of this permit. The Emission Restriction Summary in Section G of this permit is for information purposes only and is not to be used to establish enforceable limits.

(c) Abbreviations used in this permit:

## Schematics:

FML: Fuel material location  
 CU: Combustion Unit  
 PROC: Process  
 CNTL: Control device  
 STAC: Stack. The stack can represent either the emission point or fugitive emissions in a permit map.

## Pollutants:

CO: Carbon Monoxide  
 NOx: Nitrogen Oxides  
 SOx: Sulfur Oxides  
 TSP: Total Suspended Particulate (includes both filterable and condensable)  
 PM10: Particulate Matter less than 10 microns  
 PM2.5: Particulate Matter less than 2.5 microns  
 VOC: Volatile Organic Compounds  
 HAP: Hazardous Air Pollutant

Source ID: Department assigned ID number for the source

Source Name: Department assigned name for the source

Capacity/Throughput: The maximum rated capacity or throughput for the source. The maximum rated capacity or throughput is not considered an enforceable limit. Enforceable limits are contained within the conditions of the permit.

Fuel/Material: The fuel/material assigned to SCC for the source

AIMS: Air Information Management System -- the DEP electronic database for permitting and emission reports

CFR: Code of Federal Regulations

CI: Combustion Ignition

CMS: Continuous Monitoring System

Department: Pennsylvania Department of Environmental Protection (the DEP)

eFacts: Environmental Facility Application Compliance Tracking System -- the DEP electronic database for inspection reports

ICE: Internal Combustion Engine

ICI: Industrial, Commercial, and Institutional

NESHAP: National Emission Standards for Hazardous Air Pollutants (40 CFR Part 63)

NSPS: New Source Performance Standards (40 CFR Part 60)

NWRO: Northwest Regional Office of PA DEP

RFD: Request for Determination of Changes of Minor Significance & Exemption from plan approval.

RICE: Reciprocating Internal Combustion Engine

SCC: Source Classification Code as defined by EPA

SI: Spark Ignition

Source: An air contamination source (25 Pa. Code § 121.1).

**SECTION H. Miscellaneous.**

TRS: Total reduced sulfur emissions; comprises 4 pollutants: hydrogen sulfide (H<sub>2</sub>S), methyl mercaptan, dimethyl sulfide, and dimethyl disulfide.

(d) All reports, submittals, and other communications required by this permit shall be submitted electronically to the PA DEP Northwest Regional office located at the following address. Web addresses for electronic submittals to this office are below.

Bureau of Air Quality  
Department of Environmental Protection  
230 Chestnut Street  
Meadville, PA 16335  
814-332-6940 (phone)  
814-332-6121 (fax)  
Office Hours 8 a.m. - 4 p.m.  
800-541-2050 (after hours)

(i) Spills and other emergencies should be reported immediately to DEP by telephone at 800-541-2050.

(ii) Submittals of Asbestos Abatements and Demolition/Renovation Notification Forms should be made via the Online Asbestos Notification System. Information and links are located at this web address:

<https://www.dep.pa.gov/Business/Air/BAQ/BusinessTopics/Pages/Asbestos.aspx>

(iii) Submittals of Annual emissions inventory, if required, must be made via the DEP's AES\*Online secure website. Information and links are located at this web address:

<https://www.dep.pa.gov/Business/Air/BAQ/BusinessTopics/Emission/Pages/default.aspx>

(iv) Submittals pertaining to emissions testing, specifically test protocols and test reports, shall be made by emailing electronic copies submissions to both PSIMS Administration in Central Office and to Regional Office AQ Program at the following e-mail addresses:

CENTRAL OFFICE:  
RA-EPstacktesting@pa.gov

NORTHWEST REGIONAL OFFICE:  
RA-EPNWstacktesting@pa.gov

(v) The 15-day advance notifications of emissions testing dates and supplemental testing information shall be submitted directly to:

(1) the DEP's OnBase electronic upload website where it will be forwarded to the Northwest Regional Office Air Quality Inspector. Upload the written notification at this web address:

<https://www.dep.pa.gov/DataandTools/Pages/Application-Form-Upload.aspx>

(2) IF the Protocol Reviewer at Central Office Division of Source Testing requested a copy of the notification, then submit a copy to the email address provided by the protocol reviewer.

(vi) Submittals of RFD's shall be made via the DEP's Greenport website at <https://greenport.pa.gov>

(vii) All other submittals to this office should be made via the DEP's OnBase electronic upload website at this web address:

<https://www.dep.pa.gov/DataandTools/Pages/Application-Form-Upload.aspx>

(e) Submittals to the EPA are made to the EPA Region III office.

(1) The regional EPA address is:

Section Chief  
U.S. Environmental Protection Agency Region III  
Enforcement and Compliance Assurance Division  
Air Section (3ED21)  
Four Penn Center  
1600 John F. Kennedy Boulevard

**SECTION H. Miscellaneous.**

Philadelphia, Pennsylvania 19103-2852

(2) Electronic compliance certifications should be sent to the EPA at the following email address. Include the following in the email subject line: name of facility, state, and Title V operating permit number.

R3\_APD\_Permits@epa.gov

(f) Source 101 is a 623 hp 2009 Detroit Diesel model 450RXS6DT3, 6 cylinder engine with total displacement of 14 liters (2.33 liters/cyl). It powers the primary end of the plant -- the jaw crusher, conveyors, and scalper screen.

(g) Source 105 is a 563 hp 2009 Caterpillar model C15, 6 cylinder engine with total displacement of 15.2 liters (2.53 liters/cyl). It powers the secondary end of the plant -- the cone crusher, conveyors, & triple-deck screen.

(h) Source 103, the Processing Plant, includes the following equipment.

- Cedar Rapids model 3042, 250 tph jaw crusher, mfgd 1997;
- Deister 6 x 16 double deck scalper screen, 250 tph, which replaced the Cedar Rapids screen in 2005;
- El Jay model 54, 250 tpy cone crusher;
- Allis Chalmers 6 x 16 triple deck screen, 250 tph, mfgd 1980;
- 9 conveyors.

(i) Permitting History.

- (1) This new state only operating permit was issued on May 25, 2010 with an expiration of April 30, 2015.
- (2) This Permit was administratively amended on November 6, 2014 to incorporate the requirements of plan approval 33-172A. PA 33-172A replaced all conditions from GP9-33-172B issued on May 25, 2010.
- (3) This permit renewal, effective March 22, 2016, is issued on March 22, 2016.
- (4) This permit renewal, effective May 21, 2024, is issued on May 21, 2024.



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

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