



COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
AIR QUALITY PROGRAM

**STATE ONLY SYNTHETIC MINOR OPERATING PERMIT**

Issue Date: May 9, 2021

Effective Date: May 9, 2021

Expiration Date: April 20, 2026

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: 04-00226**

Synthetic Minor

Federal Tax Id - Plant Code: 24-0649400-11

**Owner Information**

Name: HANSON AGGREGATES PA LLC  
Mailing Address: 2200 SPRINGFIELD PIKE  
CONNELLSVILLE, PA 15425-6412

**Plant Information**

Plant: HANSON AGGREGATES PA LLC/SEWICKLEY CREEK PLT  
Location: 04 Beaver County 04808 Economy Borough  
SIC Code: 2951 Manufacturing - Asphalt Paving Mixtures And Blocks

**Responsible Official**

Name: RONALD T KURPIEL  
Title: VP  
Phone: (724) 626 - 0080 Ext.19 Email:

**Permit Contact Person**

Name: R DANELL ZAWASKI  
Title: ENV MGR  
Phone: (724) 626 - 0080 Email: danell.zawaski@lehighhanson.com

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

MARK R. GOROG, P.E., ENVIRONMENTAL PROGRAM MANAGER, SOUTHWEST REGION



## SECTION A. Table of Contents

### Section A. Facility/Source Identification

Table of Contents  
Site Inventory List

### Section B. General State Only Requirements

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

### Section C. Site Level State Only Requirements

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

### Section D. Source Level State Only Requirements

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

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

### Section E. Source Group Restrictions

- E-I: Restrictions



## SECTION A. Table of Contents

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

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

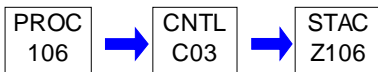
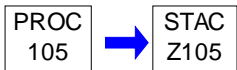
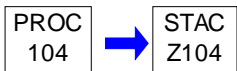
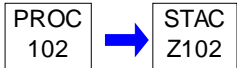
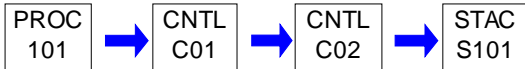
- F-I: Restrictions
- F-II: Testing Requirements
- F-III: Monitoring Requirements
- F-IV: Recordkeeping Requirements
- F-V: Reporting Requirements
- F-VI: Work Practice Standards
- F-VII: Additional Requirements

### Section G. Emission Restriction Summary

### Section H. Miscellaneous

**SECTION A. Site Inventory List**

Source ID	Source Name	Capacity/Throughput	Fuel/Material
101	BATCH / DRUM ASPHALT PLANT	N/A	
		N/A	Natural Gas
102	ASPHALT CEMENT STORAGE TANK #1-25K GALLONS W/ HEATER	N/A	
104	ASPHALT CEMENT STORAGE TANK #3-15K GALLONS W/ HEATER	N/A	
105	WDLF STORAGE TANK-20K GALLONS	N/A	
106	HAUL ROADS	N/A	
C01	KNOCKOUT BOX		
C02	GENCOR BAGHOUSE		
C03	WATER TRUCK		
S101	BAGHOUSE STACK		
Z102	SOURCE 102 EMISSION POINT		
Z104	SOURCE 104 EMISSION POINT		
Z105	SOURCE 105 EMISSION POINT		
Z106	HAUL ROAD FUGITIVES		

**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 act.

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

(a) No person may permit the emission into the outdoor atmosphere of a 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) Sources and classes of sources other than those identified above, for which the permittee 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.
- (ii) The emissions are not preventing or interfering with the attainment or maintenance of any ambient air quality standard.

(b) Not applicable

(c) See Work Practice Requirements below

(d) Not applicable

**# 003 [25 Pa. Code §123.2]****Fugitive particulate matter**

No person may 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 §123.22]****Combustion units**

(a) Nonair basin areas.

Combustion units in nonair basin areas must conform with the following:

(1) General provision. A person may not permit the emission into the outdoor atmosphere of sulfur oxides, expressed as SO<sub>2</sub>, from a combustion unit in excess of the rate of 4 pounds per million Btu of heat input over a 1-hour period, except as provided in paragraph (4).

(2) Commercial fuel oil. (i) Except as specified in subparagraphs (ii) and (iii), a person may not offer for sale, deliver for use, exchange in trade or permit the use of commercial fuel oil in nonair basin areas if the commercial fuel oil contains sulfur in excess of the applicable maximum allowable sulfur content set forth in the following table:

Maximum Allowable Sulfur Content Expressed as Parts per Million (ppm) by Weight or Percentage by Weight

Through August 31, 2020

No. 2 and lighter oil: 500 ppm (0.05%)

No. 4 oil: 2,500 ppm (0.25%)

No. 5, No. 6 and heavier oil: 5,000 ppm (0.5%)

Beginning September 1, 2020

No. 2 and lighter oil: 15 ppm (0.0015%)

**SECTION C. Site Level Requirements**

No. 4 oil: 2,500 ppm (0.25%)

No. 5, No. 6 and heavier oil: 5,000 ppm (0.5%)

(ii) Commercial fuel oil that was stored in this Commonwealth by the ultimate consumer prior to September 1, 2020, which met the applicable maximum allowable sulfur content for commercial fuel oil through August 31, 2020, in subparagraph (i) at the time it was stored, may be used by the ultimate consumer in this Commonwealth on and after September 1, 2020.

(iii) The Department may temporarily suspend or increase the applicable maximum allowable sulfur content for a commercial fuel oil set forth in subparagraph (i) if the following occur:

(A) The Department receives a written request at the address specified in subsection (h) for a suspension or increase on the basis that compliant commercial fuel oil is not reasonably available in a nonair basin area. The request must include the following:

(I) The nonair basin county or counties for which the suspension or increase is requested.

(II) The reason compliant commercial fuel oil is not reasonably available.

(III) The duration of time for which the suspension or increase is requested and the justification for the requested duration.

(B) The Department determines that an insufficient quantity of compliant commercial fuel oil is reasonably available in the nonair basin area and that the circumstances leading to the insufficiency are due to events that could not have been reasonably foreseen or prevented and are not due to lack of prudent planning on the part of the transferor of the commercial fuel oil into or within the specified nonair basin area.

(C) The Department approves the request, in writing, prior to the transferor distributing the noncompliant commercial fuel oil into or within the specified nonair basin area.

(iv) The Department will limit a suspension or increase in the applicable maximum allowable sulfur content granted under subparagraph (iii) to the shortest duration in which adequate supplies of compliant commercial fuel oil can be made reasonably available, but in no case longer than 60 days from the date the Department grants the suspension or increase.

**# 005 [25 Pa. Code §123.31]**

**Limitations**

(a) Not applicable

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

(c) Not applicable

**# 006 [25 Pa. Code §127.441]**

**Operating permit terms and conditions.**

Gaseous emission from the facility shall not equal or exceed the following emission levels in any 12-consecutive month period:

100 tons of CO, or

50 tons VOC.

**# 007 [25 Pa. Code §129.14]**

**Open burning operations**

(a) Air basins. Not applicable

(b) The permittee may not permit the open burning of material 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.

**SECTION C. Site Level Requirements**

- (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 a fire set for one or more of the following reasons:

- (1) to prevent or abate a fire hazard, when approved by the Department and set by or under the supervision of a public officer.
- (2) to instruct personnel in fire fighting, when approved by the Department.
- (3) for the prevention and control of disease or pests, when approved by the Department.
- (4) in conjunction with the production of agricultural commodities in their unmanufactured state on the premises of the farm operation.
- (5) for the burning of domestic refuse, when the fire is on the premise of a structure occupied solely as a dwelling by two families or less and when the refuse results from the normal occupancy of the structure.
- (6) for recreational or ceremonial purposes.
- (7) solely for cooking food.

(d) Clearing and grubbing wastes. The following is applicable to clearing and grubbing wastes:

- (1) As used in this subsection the following terms shall have the following meanings:

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

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

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

- (i) Air curtain destructors shall be used when burning clearing and grubbing wastes.
- (ii) Each proposed use of air curtain destructors shall be reviewed and approved by the Department in writing with respect to equipment arrangement, design and existing environmental conditions prior to commencement of burning. Proposals approved under this subparagraph need not obtain plan approval or operating permits under Chapter 127 (relating to construction modification, reactivation and operation of sources).
- (iii) Approval for use of an air curtain destructor at one site may be granted for a specified period not to exceed 3 months, but may be extended for additional limited periods upon further approval by the Department.
- (iv) The Department reserves the right to rescind approval granted if a determination by the Department indicates that an air pollution problem exists.

(3) Subsection (b) notwithstanding clearing and grubbing wastes may be burned outside of an air basin, subject to the following limitations:

- (i) Upon receipt of a complaint or determination by the Department that an air pollution problem exists, the Department may order that the open burning cease or comply with subsection (b) of this section.
- (ii) Authorization for open burning under this paragraph does not apply to clearing and grubbing wastes transported from an air basin for disposal outside of an air basin.
- (4) During an air pollution episode, open burning is limited by Chapter 137 (relating to air pollution episodes) and shall cease as specified in such chapter.

**SECTION C. Site Level Requirements****II. TESTING REQUIREMENTS.****# 008 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.8]****Subpart A - General Provisions****Performance tests.**

- (a) 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 of such facility and at such other times as may be required by the Administrator under section 114 of the Act, the owner or operator of such facility shall conduct performance test(s) and furnish the Administrator a written report of the results of such performance test(s).
- (b) Performance tests shall be conducted and data reduced in accordance with the test methods and procedures contained in each applicable subpart unless the Administrator (1) specifies or approves, in specific cases, the use of a reference method with minor changes in methodology, (2) approves the use of an equivalent method, (3) approves the use of an alternative method the results of which he has determined to be adequate for indicating whether a specific source is in compliance, (4) waives the requirement for performance tests because the owner or operator of a source has demonstrated by other means to the Administrator's satisfaction that the affected facility is in compliance with the standard, or (5) approves shorter sampling times and smaller sample volumes when necessitated by process variables or other factors. Nothing in this paragraph shall be construed to abrogate the Administrator's authority to require testing under section 114 of the Act.
- (c) Performance tests shall be conducted under such conditions as the Administrator shall specify to the plant operator based on representative performance of the affected facility. The owner or operator shall make available to the Administrator such records as may be necessary to determine the conditions of the performance tests. Operations during periods of startup, shutdown, and malfunction shall not constitute representative conditions for the purpose of a performance test nor shall emissions in excess of the level of the applicable emission limit during periods of startup, shutdown, and malfunction be considered a violation of the applicable emission limit unless otherwise specified in the applicable standard.
- (d) The owner or operator of an affected facility shall provide the Administrator at least 30 days prior notice of any performance test, except as specified under other subparts, to afford the Administrator the opportunity to have an observer present.
- (e) The owner or operator of an affected facility shall provide, or cause to be provided, performance testing facilities as follows:
- (1) Sampling ports adequate for test methods applicable to such facility. This includes (i) constructing the air pollution control system such that volumetric flow rates and pollutant emission rates can be accurately determined by applicable test methods and procedures and (ii) providing a stack or duct free of cyclonic flow during performance tests, as demonstrated by applicable test methods and procedures.
  - (2) Safe sampling platform(s).
  - (3) Safe access to sampling platform(s).
  - (4) Utilities for sampling and testing equipment.
- (f) Unless otherwise specified in the applicable subpart, each performance test shall consist of three separate runs using the applicable test method. Each run shall be conducted for the time and under the conditions specified in the applicable standard. For the purpose of determining compliance with an applicable standard, the arithmetic means of results of the three runs shall apply. In the event that a sample is accidentally lost or conditions occur in which one of the three runs must be discontinued because of forced shutdown, failure of an irreplaceable portion of the sample train, extreme meteorological conditions, or other circumstances, beyond the owner or operator's control, compliance may, upon the Administrator's approval, be determined using the arithmetic mean of the results of the two other runs.

**III. MONITORING REQUIREMENTS.****# 009 [25 Pa. Code §127.441]****Operating permit terms and conditions.**

A facility-wide inspection shall be conducted at a minimum of once each day that sources at the facility are operating. The facility-wide inspection shall be conducted for the presence of the following:

1. Visible stack emissions;



**SECTION C. Site Level Requirements**

2. Fugitive emissions; and
3. Potentially objectionable odors at the property line.

These observations are to ensure continued compliance with source-specific visible emission limitations, fugitive emissions prohibited under 25 Pa. Code § 123.1 or 25 Pa. Code § 123.2, and malodors prohibited under 25 Pa. Code § 123.31. Observations for visible stack emissions shall be conducted during daylight hours and all observations shall be conducted while sources are in operation. If any visible stack emissions, fugitive emissions, or potentially objectionable odors are apparent, the Owner/Operator shall take corrective action. These observations determine whether, or not, these conditions exist. They do not quantify the level of existing conditions. Therefore, the observations for presence, or lack of, visible emissions do not require that they be performed by a person certified as a qualified observer for EPA Method 9 for Visual Determination of the Opacity of Emissions from Stationary Sources.

Equipment at the plant shall not operate in violation of 25 Pa. Code § 123.1 and 25 Pa. Code § 123.2.

**# 010 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.11]**

**Subpart A - General Provisions**

**Compliance with standards and maintenance requirements.**

(a) Compliance with standards in this part, other than opacity standards, shall be determined only by performance tests established by 60.8, unless otherwise specified in the applicable standard.

(b) Compliance with opacity standards in this part shall be determined by conducting observations in accordance with Reference Method 9 in Appendix A of this part, any alternative method that is approved by the Administrator, or as provided in paragraph (e)(5) of this section. For purposes of determining initial compliance, the minimum total time of observations shall be 3 hours (30 6-minute averages) for the performance test or other set of observations (meaning those fugitive-type emission sources subject only to an opacity standard).

(c) The opacity standards set forth in this part shall apply at all times except during periods of startup, shutdown, malfunction, and as otherwise provided in the applicable standard.

(d) At all times, including periods of startup, shutdown, and malfunction, owners and operators shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with good air pollution control practice for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the Administrator which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source.

(e)

(1) For the purpose of demonstration initial compliance, opacity observations shall be conducted concurrently with the initial performance test required in 60.8, unless one of the following conditions apply. If no performance test under 50.8 is required, then opacity observations shall be conducted within 60 days after achieving the maximum production rate at which the affected facility will be operated but no later than 180 days after initial startup of the facility. If visibility or other conditions prevent the opacity observations from being conducted concurrently with the initial performance test required under 60.8, the source owner or operator shall reschedule the opacity observations as soon after the initial performance test as possible, but not later than 30 days thereafter, and shall advise the Administrator of the rescheduled date. In these cases, the 30-day prior notification to the Administrator required in 60.7(a)(6) shall be waived. The rescheduled opacity observations shall be conducted (to the extent possible) under the same operating conditions that existing during the initial performance test conducted under 60.8. The visible emissions observer shall determine whether visibility or other conditions prevent the opacity observations from being made concurrently with the initial performance test in accordance with procedures contained in Reference Method 9 of Appendix B of this part. Opacity readings of portions of plumes which contain condensed, uncombined water vapor shall not be used for purposes of determining compliance with opacity standards. The owner or operator of an affected facility shall make available, upon request by the Administrator, such records as may be necessary to determine the conditions under which the visual observations were made and shall provide evidence indicating proof of current visible observer emission certification. Except as provided in paragraph (e)(5) of this section, the results of continuous monitoring by transmissometer which indicate that the opacity at the time visual observations were made was not in excess of the standard are probative but not conclusive evidence of the actual opacity of an emission, provided that the source shall meet the burden of proving that the instrument used meets (at the time of the

**SECTION C. Site Level Requirements**

alleged violation) Performance Specification 1 in Appendix B of this part, has been properly maintained and (at the time of the alleged violation) that the resulting data have not been altered in any way.

(2) Except as provided in paragraph (e)(3) of this section, the owner or operator of an affected facility to which an opacity standard in this part applies shall conduct opacity observations in accordance with paragraph (b) of this section, shall record the opacity of emissions, and shall report to the Administrator the opacity results along with the results of the initial performance test required under 60.8. The inability of an owner or operator to secure a visible emissions observer shall not be considered a reason for not conducting the opacity observations concurrent with the initial performance test.

(3) The owner or operator of an affected facility to which an opacity standard in this part applies may request the Administrator to determine and to record the opacity of emissions from the affected facility during the initial performance test and at such times as may be required. The owner or operator of the affected facility shall report the opacity results. Any request to the Administrator to determine and to record the opacity of emissions from an affected facility shall be included in the notification required in 60.7(a)(6). If, for some reason, the Administrator cannot determine and record the opacity of emissions from the affected facility during the performance test, then the provisions of paragraph (e)(1) of this section shall apply.

(4) An owner or operator of an affected facility using a continuous opacity monitor (transmissometer) shall record the monitoring data produced during the initial performance test required by 60.8 and shall furnish the Administrator a written report of the monitoring results along with Method 9 and 60.8 performance test results.

(5) An owner or operator of an affected facility subject to an opacity standard may submit, for compliance purposes, continuous opacity monitoring system (COMS) data results produced during any performance test required under 60.8 in lieu of Method 9 observation data. If an owner or operator elects to submit COMS data for compliance with the opacity standard, he shall notify the Administrator of that decision, in writing, at least 30 days before any performance test required under 60.8 is conducted. Once the owner or operator of an affected facility has notified the administrator to that effect, the COMS data results will be used to determine opacity compliance during subsequent tests required under 60.8 until the owner or operator notifies the Administrator, in writing, to the contrary. For the purpose of determining compliance with the opacity standard during a performance test required under 60.8 using COMS data, the minimum total time of COMS data collection shall be averages of all 6-minute continuous periods within the duration of the mass emission performance test. Results of the COMS opacity determinations shall be submitted along with the results of the performance test required under 60.8. The owner or operator of an affected facility using a COMS for compliance purposes is responsible for demonstrating that the COMS meets the requirements specified in 60.13(c) of this part, that the COMS has been properly maintained and operated, and that the resulting data have not been altered in any way. If COMS data results are submitted for compliance with the opacity standard for a period of time during which Method 9 data indicates noncompliance, the Method 9 data will be used to determine opacity compliance.

(6) Upon receipt from an owner or operator of the written reports of the results of the performance tests required by 60.8, the opacity observation results and observer certification required by 60.11(e)(1) of this section, and the COMS results, if applicable, the Administrator will make a finding concerning compliance with opacity and other applicable standards. If COMS data results are used to comply with an opacity standard, only those results are required to be submitted along with the performance test results required by 60.8. If the Administrator finds that an affected facility is in compliance with all applicable standards for which performance tests are conducted in accordance with 60.8 of this part but during the time such performance tests are being conducted fails to meet any applicable opacity standard, he shall notify the owner or operator and advise him that he may petition the Administrator within 10 days of receipt of notification to make appropriate adjustment to the opacity standard for the affected facility.

(7) The Administrator will grant such a petition upon a demonstration by the owner or operator that the affected facility and associated air pollution control equipment was operated and maintained in a manner to minimize the opacity of emission during the performance tests; that the performance tests were performed under the conditions established by the Administrator; and that the affected facility and associated air pollution control equipment were incapable of being adjusted or operated to meet the applicable opacity standard.

(8) The Administrator will establish an opacity standard for the affected facility meeting the above requirements at a level at which the source was able, as indicated by the performance and opacity tests, to meet the opacity standard at all times during which the source is meeting the mass or concentration emission standard. The Administrator will promulgate the

**SECTION C. Site Level Requirements**

new opacity standard in the FEDERAL REGISTER.

(f) Special provisions set forth under an applicable subpart of this part shall supersede any conflicting provisions of this section.

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

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

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

Unless specified by the Department, records shall be kept on-site for a minimum of five years and made available to the Department upon request.

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

The permittee shall maintain records of facility-wide NOx and CO production on a 12-month rolling basis. Records shall be kept on-site for a minimum of five years and made available to the Department upon request.

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

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

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

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

(a) The permittee shall report malfunctions, emergencies or incidents of excess emissions to the Department. A malfunction is 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. An emergency is any situation arising from sudden and reasonably unforeseeable events beyond the control of the owner or operator of a facility which requires immediate corrective action to restore normal operation and which causes the emission source to exceed emissions, due to unavoidable increases in emissions attributable to the situation. An emergency shall not include situations caused by improperly designed equipment, lack of preventive maintenance, careless or improper operation, or operator error.

(b) When the malfunction, emergency or incident of excess emissions poses an imminent danger to the public health, safety, welfare, or environment, it shall be reported to the Department and the County Emergency Management Agency by telephone within one (1) hour after the discovery of the malfunction, emergency or incident of excess emissions. The owner or operator shall submit a written or emailed report of instances of such malfunctions, emergencies or incidents of excess emissions to the Department within three (3) business days of the telephone report.

(c) The report shall describe the following:

1. name, permit or authorization number, and location of the facility,
2. nature and cause of the malfunction, emergency or incident,
3. date and time when the malfunction, emergency or incident was first observed,
4. expected duration of excess emissions,
5. estimated rate of emissions,
6. corrective actions or preventative measures taken.

**SECTION C. Site Level Requirements**

(d) Any malfunction, emergency or incident of excess emissions that is not subject to the notice requirements of paragraph (b) of this condition shall be reported to the Department by telephone within 24 hours (or by 4:00 PM of the next business day, whichever is later) of discovery and in writing or by e-mail within five (5) business days of discovery. The report shall contain the same information required by paragraph (c), and any permit specific malfunction reporting requirements.

(e) During an emergency an owner or operator may continue to operate the source at their discretion provided they submit justification for continued operation of a source during the emergency and follow all the notification and reporting requirements in accordance with paragraphs (b)-(d), as applicable, including any permit specific malfunction reporting requirements.

(f) Reports regarding malfunctions, emergencies or incidents of excess emissions shall be submitted to the appropriate DEP Regional Office Air Program Manager.

(g) Any emissions resulted from malfunction or emergency are to be reported in the annual emissions inventory report, if the annual emissions inventory report is required by permit or authorization.

**# 016 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.4]****Subpart A - General Provisions****Address.**

This facility is subject to the New Source Performance Standards of 40 CFR, Part 60, Subpart I, Standards of Performance for Hot Mix Asphalt Facilities. In accordance with 40 CFR 60.4, copies of all requests, reports, applications and submittals, and other communications shall be forwarded to both EPA and the Department at the addresses listed below unless otherwise noted.

Air Enforcement Branch (3AP12)  
United States Environmental Protection Agency  
Region 3  
1650 Arch Street  
Philadelphia, PA 19103-2029

and

Pennsylvania DEP  
Office of Air Quality  
400 Waterfront Drive  
Pittsburgh, PA 15222

**# 017 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.7]****Subpart A - General Provisions****Notification and record keeping.**

(a) Any owner or operator subject to the provisions of this part shall furnish the Administrator written notification as follows:

(1) A notification of the date construction (or reconstruction as defined under 60.15) of an affected facility is commenced postmarked no later than 30 days after such date. This requirement shall not apply in the case of mass-produced facilities which are purchased in completed form.

(2) A notification of the anticipated date of initial startup of an affected facility postmarked not more than 60 days nor less than 30 days prior to such date.

(3) A notification of the actual date of initial startup of an affected facility postmarked within 15 days after such date.

(4) A notification of any physical or operational change to an existing facility which may increase the emission rate of any air pollutant to which a standard applies, unless that change is specifically exempted under an applicable subpart or in 60.14(e). This notice shall be postmarked 60 days or as soon as practicable before the change is commenced and shall include information describing the precise nature of the change, present and proposed emission control systems, productive capacity of the facility before and after the change, and the expected completion date of the change. The

**SECTION C. Site Level Requirements**

Administrator may request additional relevant information subsequent to this notice.

(5) A notification of the date upon which demonstration of the continuous monitoring system performance commences in accordance with 60.13(c). Notification shall be postmarked not less than 30 days prior to such date.

(6) A notification of the anticipated date for conducting the opacity observations required by 60.11(e)(1) of this part. The notification shall also include, if appropriate, a request for the Administrator to provide a visible emissions reader during a performance test. The notification shall be postmarked not less than 30 days prior to such date.

(7) A notification that continuous opacity monitoring system data results will be used to determine compliance with the applicable opacity standard during a performance test required by 60.8 in lieu of Method 9 observation data as allowed by 60.11(e)(5) of this part. This notification shall be postmarked not less than 30 days prior to the date of the performance test.

(b) Any owner or operator subject to the provisions of this part shall maintain records of the occurrence and duration of any startup, shutdown, or malfunction in the operation of an affected facility; any malfunction of the air pollution control equipment; or any periods during which a continuous monitoring system or monitoring device is inoperative.

(c) Not applicable.

**VI. WORK PRACTICE REQUIREMENTS.****# 018 [25 Pa. Code §123.1]****Prohibition of certain fugitive emissions**

(c) 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.

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

The permittee shall operate all air contamination sources and air cleaning devices at this facility in accordance with the manufacturer's specifications.

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

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

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

An operable pressurized water truck must be maintained on-site at all times.

**VII. ADDITIONAL REQUIREMENTS.**

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

**VIII. COMPLIANCE CERTIFICATION.**

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



**SECTION C. Site Level Requirements**

**IX. COMPLIANCE SCHEDULE.**

No compliance milestones exist.

**SECTION D. Source Level Requirements**

Source ID: 101

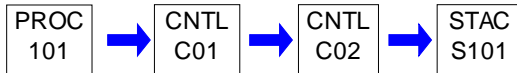
Source Name: BATCH / DRUM ASPHALT PLANT

Source Capacity/Throughput:

N/A

N/A

Natural Gas

**I. RESTRICTIONS.****Emission Restriction(s).****# 001 [25 Pa. Code §123.13]****Processes**

(a) Subsections (b) and (c) apply to all processes except combustion units, incinerators and pulp mill smelt dissolving tanks.

(b) No person may permit the emission into the outdoor atmosphere of particulate matter from any process listed in the following table, at any time, either in excess of the rate calculated by the formula in paragraph (2) or in such a manner that the concentration of particulate matter in the effluent gas exceeds .02 grains per dry standard cubic foot, whichever is greater:

(1) Table

Process: Asphaltic concrete production

Process Factor, F (in Process pounds per ton): 6 (aggregate feed)

(2) Formula

$$A = .76E^{(0.42)}$$

where:

A = Allowable emissions in pounds per hour.

E = Emission index = F x W pounds per hour.

F = Process factor in pounds per unit, and

W = Production or charging rate in units per hour.

The factor F shall be obtained from the table in paragraph (1). The units for F and W shall be compatible.

(3) Allowable emissions. Allowable emissions under this subsection are graphically indicated in Appendix B.

(c)-(d) Not applicable.

**# 002 [25 Pa. Code §123.21]****General**

(a) This section applies to sources except those subject to other provisions of this article, with respect to the control of sulfur compound emissions.

(b) No person may permit the emission into the outdoor atmosphere of sulfur oxides from a source in a manner that the concentration of the sulfur oxides, expressed as SO<sub>2</sub>, in the effluent gas exceeds 500 parts per million, by volume, dry basis.

**# 003 [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;

**SECTION D. Source Level Requirements**

(2) When the emission results from the operation of equipment used solely to train and test persons in observing the opacity of visible emissions;

(3) When the emission results from sources specified in 123.1(a)(1) -- (9) (relating to prohibition of certain fugitive emissions).

(4) Not applicable.

**# 004 [25 Pa. Code §127.441]****Operating permit terms and conditions.**

In accordance with Plan Approval PA-04-00226B, Condition #37, the emission and throughput limitations established in the permit may be subject to revision by the Department based upon stack test results. The facility may operate at a maximum of +10 percent of the production rate at which compliance has been established.

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

In accordance with Plan Approval PA-04-00226B, Condition #38, the Department may require additional controls (conveyor covers, water sprays, etc.) based on evaluation of the operation after inspection and a determination that existing controls are inadequate to control fugitive emissions.

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

WDLF shall not exceed the following limits, which shall be determined using appropriate methods from EPA SW 846, or other methods approved in writing by the Department.

CONSTITUENT/MAXIMUM ACCEPTABLE LEVELS (PPM)

Arsenic	5
Cadmium	2
Chromium	10
Lead	100
Total Halides	1000
PCB	10

The Heating Value of WDLF shall not be less than 135,000 BTU / gallon.

Flash Point no less than 140 degrees F (Closed Cup Method) is required.

The ash content may not exceed 0.50% by weight as confirmed by ASTM D482.

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

The sulfur content of any fuel oil used to fire the HMA plant burner shall not exceed 0.5% by weight.

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

Particulate emissions from the plant shall not exceed 0.02 gr/dscf.

[Authorization from Plan Approval PA-04-00226B]

**# 009 [25 Pa. Code §127.441]****Operating permit terms and conditions.**

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 10% for a period or periods aggregating more than three minutes in any 1 hour.
- (2) Equal to or greater than 30% at any time.

[Authorization from Plan Approval PA-04-00226B]



**SECTION D. Source Level Requirements****# 010 [25 Pa. Code §127.441]****Operating permit terms and conditions.**

Production at the facility shall not exceed 500,000 tons of asphalt in any consecutive 12-month period.

[Authorization from Plan Approval PA-04-00226B]

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

In accordance with Plan Approval PA-04-00226B, Condition #10, L.P. gas, No. 2 fuel oil, No. 4 fuel oil and/or WDLF may be used.

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

In accordance with Plan Approval PA-04-00226B, Condition #11, No. 2 fuel oil, No. 4 fuel oil and WDLF usage shall be limited to a total of 662,000 gallons in any consecutive 12-month period.

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

In accordance with Plan Approval PA-04-00226B, Condition #14, no WDLF shipment may be blended into existing fuel or burned by itself unless an analysis has been performed for the constituents of listed in this permit and a copy of the analysis is available demonstrating that none of the levels are exceeded. A copy of each WDLF analysis shall be kept on site and available for the Department's review.

**# 014 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.92]****Subpart I - Standards of Performance for Hot Mix Asphalt Facilities  
Standard for particulate matter.**

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

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

(Compliance with particulate matter and opacity limitations are established elsewhere in this permit; ensure compliance with this requirement.)

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

The owner or operator shall comply with the following requirements:

- i. The owner or operator shall perform a source test for NO<sub>x</sub>, CO, VOCs, filterable particulate matter, and opacity every five (5) years. Subsequent source testing should be conducted no more than 60 months after the previous source test.
- ii. At least ninety (90) calendar days prior to commencing an emissions testing program required by this authorization, a test protocol shall be submitted to the Department's Division of Source Testing and Monitoring and the appropriate Regional Office for review and approval. The test protocol shall meet all applicable requirements specified in the most current version of the Department's Source Testing Manual. The emissions testing shall not commence prior to receipt of a protocol acceptance letter from the Department.
- iii. At least fifteen (15) calendar days prior to commencing an emissions testing program required by this authorization, written notification of the date and time of testing shall be provided to the Department's appropriate Regional Office. Notification in writing shall also be sent to the Department's Bureau of Air Quality, Division of Source Testing and Monitoring.

**SECTION D. Source Level Requirements**

The Department is under no obligation to accept the results of any testing performed without adequate advance written notice to the Department of such testing.

iv. Within fifteen (15) calendar days after completion of the on-site testing portion of an emission test program, if a complete test report has not yet been submitted, an electronic mail notification shall be sent to the Department's Division of Source Testing and Monitoring at RA-epstacktesting@state.pa.us and the appropriate Regional Office indicating the completion date of the onsite testing.

v. A complete test report shall be submitted to the Department no later than sixty (60) calendar days after completion of the on-site testing portion of an emission test program.

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

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

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

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

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

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

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

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

xii. In the event that any deadlines set forth in this permit condition cannot be met, the permittee may request an extension which shall include a justification for the extension, in writing prior to the deadline. The Department may grant an extension for reasonable cause.

**# 016 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.93]**  
**Subpart I - Standards of Performance for Hot Mix Asphalt Facilities**  
**Test methods and procedures.**

a) In conducting the performance tests required in §60.8, the owner or operator shall use as reference methods and

**SECTION D. Source Level Requirements**

procedures the test methods in appendix A of this part or other methods and procedures as specified in this section, except as provided in §60.8(b).

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

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

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

**III. MONITORING REQUIREMENTS.****# 017 [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.

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

(a) The permittee shall observe the exhaust stack of the plant at least once during each shift for the presence of visible emissions.

(b) If any visible emissions are apparent, the permittee shall take immediate action to eliminate them.

(c) If any visible emissions are apparent after the correction action, the unit shall not start another cycle until the permittee can verify compliance with the opacity standards specified in the permit through methods prescribed in §123.43, such as Method 9 readings taken by a certified visible emissions reader.

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

In accordance with Plan Approval PA-04-00226B, Condition #10, the Owner/Operator shall maintain records of all tuning procedures conducted on the HMA plant burner.

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

a) In accordance with Plan Approval PA-04-00226B, Condition #30,31,32,33,34, and 35, the Owner/Operator shall maintain records of the following:

1. Daily, monthly and 12-month rolling total for asphalt production
2. 12-month rolling total for gallons of No. 2 fuel oil, No. 4 fuel oil and WDLF used
3. Hours operated while firing each liquid fuel
4. 12-month rolling total for each pollutant listed
5. All high temperature shutdowns of the fabric collector, which shall include date, duration and maximum temperature to which bags were exposed
6. Burner maintenance logs;
7. In accordance with Plan Approval PA-04-00226B, Condition #7, the Owner/Operator shall record pressure drop readings across the fabric collector at a minimum of once per shift and maintain a log of those readings
8. Fuel analysis records

(b) At a minimum, asphalt production records along with the accepted emission factors (e.g. stack test derived rates and/or NAPA factors) shall be used in to indicate compliance with the emission rates.

**SECTION D. Source Level Requirements**

(c) All logs and required records shall be maintained on site for a minimum of five years and shall be made available to the Department upon request.

**# 021 [25 Pa. Code §127.441]**

**Operating permit terms and conditions.**

Compliance with the SOx emission limitation may be determined through fuel analysis records.

**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.**

**# 022 [25 Pa. Code §127.441]**

**Operating permit terms and conditions.**

The HMA plant burner shall be properly tuned no later than June 15th of each year or within four (4) weeks after each annual start up of the plant, for each fuel, and in accordance with the manufacturer's recommended frequency thereafter. The owner/operator shall make readily available manufacturer's specs and recommendations for proper fuel combustion for each fuel used in the unit.

**# 023 [25 Pa. Code §127.441]**

**Operating permit terms and conditions.**

In accordance with Plan Approval PA-04-00226B, Condition #26, the Owner/Operator shall retain on site the number of spare bags as recommended by the manufacturer of the fabric collector.

**# 024 [25 Pa. Code §127.441]**

**Operating permit terms and conditions.**

In accordance with Plan Approval PA-04-00226B, Condition #28, the Owner/Operator shall perform a weekly preventative maintenance (PM) inspection of the fabric collector and maintain a PM Log documenting inspection procedures, observations and corrective actions. The PM inspection shall include, but not be limited to, the following:

- a. Visual inspection of the fabric collector interior for dislodged bags, bag wear and dust build-up inside the fabric collector.
- b. Visible inspection of the fabric collector effluent for the presence of visible emissions.

All other maintenance activities shall be performed on the fabric collector at the frequency recommended by the manufacturer, including the use of fluorescent dust and a black light to alert the operator of malfunctioning bags at start-up of each season and in accordance with the manufacturers recommended frequency, thereafter.

**VII. ADDITIONAL REQUIREMENTS.**

**# 025 [25 Pa. Code §127.441]**

**Operating permit terms and conditions.**

Where there are conflicting requirements, the most stringent requirement will apply.



**SECTION D. Source Level Requirements**

Source ID: 102                      Source Name: ASPHALT CEMENT STORAGE TANK #1-25K GALLONS W/ HEATER  
Source Capacity/Throughput:                      N/A

Conditions for this source occur in the following groups: TANKS



**I. RESTRICTIONS.**

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).

**II. TESTING REQUIREMENTS.**

No additional testing 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).

**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.**

No additional record keeping 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).

**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**

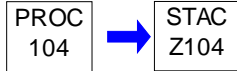
Source ID: 104

Source Name: ASPHALT CEMENT STORAGE TANK #3-15K GALLONS W/ HEATER

Source Capacity/Throughput:

N/A

Conditions for this source occur in the following groups: TANKS

**I. RESTRICTIONS.**

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).

**II. TESTING REQUIREMENTS.**

No additional testing 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).

**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.**

No additional record keeping 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).

**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.**

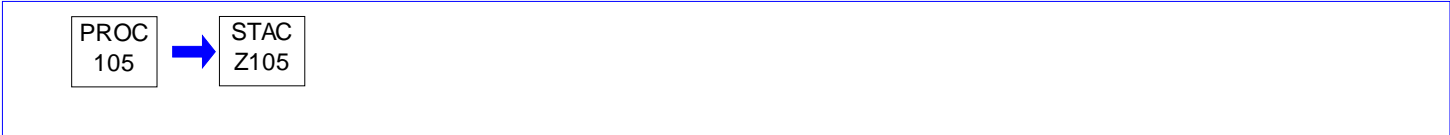
No additional requirements exist except as provided in other sections of this permit including Section B (State Only General Requirements) and/or Section E (Source Group Restrictions).



**SECTION D. Source Level Requirements**

Source ID: 105                      Source Name: WDLF STORAGE TANK-20K GALLONS  
Source Capacity/Throughput:                      N/A

Conditions for this source occur in the following groups: TANKS



**I. RESTRICTIONS.**

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).

**II. TESTING REQUIREMENTS.**

No additional testing 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).

**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.**

No additional record keeping 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).

**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).



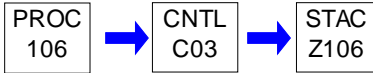
**SECTION D. Source Level Requirements**

Source ID: 106

Source Name: HAUL ROADS

Source Capacity/Throughput:

N/A



**I. RESTRICTIONS.**

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

**II. TESTING REQUIREMENTS.**

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

**III. MONITORING REQUIREMENTS.**

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

**IV. RECORDKEEPING REQUIREMENTS.**

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

**V. REPORTING REQUIREMENTS.**

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

**VI. WORK PRACTICE REQUIREMENTS.**

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

**VII. ADDITIONAL REQUIREMENTS.**

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



**SECTION E. Source Group Restrictions.**

Group Name: TANKS

Group Description: Tanks

Sources included in this group

ID	Name
102	ASPHALT CEMENT STORAGE TANK #1-25K GALLONS W/ HEATER
104	ASPHALT CEMENT STORAGE TANK #3-15K GALLONS W/ HEATER
105	WDLF STORAGE TANK-20K GALLONS

**I. RESTRICTIONS.**

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

**II. TESTING REQUIREMENTS.**

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

**III. MONITORING REQUIREMENTS.**

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

**IV. RECORDKEEPING REQUIREMENTS.**

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

**V. REPORTING REQUIREMENTS.**

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

**VI. WORK PRACTICE REQUIREMENTS.**

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

**VII. ADDITIONAL REQUIREMENTS.**

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



**SECTION F. Alternative Operation Requirements.**

No Alternative Operations exist for this State Only facility.



**SECTION G. Emission Restriction Summary.**

No emission restrictions listed in this section of the permit.

**SECTION H. Miscellaneous.**

The following sources are determined to be minor significance:

- 1,000 gallon diesel storage tank
- 250 gallon used oil tank

Sources 102 and 104 are heated by a 1.3 MMBtu/hr natural gas-fired tank heater.



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

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