**west virginia** department of environmental protection

Division of Air Quality
601 57th Street SE
Charleston, WV 25304
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Jim Justice, Governor
Austin Caperton, Cabinet Secretary
www.dep.wv.gov

March 2, 2017

John Kevin Pullins
33334 SR 833
PO Box 628
Pomeroy, Ohio 45769

Re: R13-3356 - Temporary Permit Approved
Pullins Excavating, Inc.
Ravenswood, Jackson County, WV
Permit No. R13-3356
Plant ID No. 035-00063

Dear Mr. Pullins:

Your application for a permit as required by Section 5 of 45CSR13 - "Permits for Construction, Modification, Relocation and Operation of Stationary Sources of Air Pollutants, Notification Requirements, Temporary Permit, General Permit, and Procedures for Evaluation" has been approved. The enclosed temporary permit R13-3356 is hereby issued pursuant to Subsection 5.7 of 45CSR13. Please be aware of the notification requirements in the permit which pertain to commencement of construction, modification, or relocation activities; startup of operations; and suspension of operations.

The source is not subject to 45CSR30.

In accordance with 45CSR22 - Air Quality Management Fee Program, the permittee shall not operate nor cause to operate the permitted facility or other associated facilities on the same or contiguous sites comprising the plant without first obtaining and having in current effect a Certificate to Operate (CTO). Such Certificate to Operate (CTO) shall be renewed annually, shall be maintained on the premises for which the Certificate has been issued, and shall be made immediately available for inspection by the Secretary or his/her duly authorized representative.

Any person whose interest may be affected, including, but not necessarily limited to, the applicant and any person who participated in the public comment process, by a permit issued, modified or denied by the Secretary may appeal such action of the Secretary to the Air Quality Board pursuant to article one [§§22B-1-1 et seq.], Chapter 22B of the Code of West Virginia. West Virginia Code §§22-5-14.

Should you have any questions or comments, please contact me at (304) 926-0499, extension 1257.

Sincerely,

John Legg
DAQ Permit Writer

Enclosures

c: Samuel Hatcher, Pullins Excavating, Inc.

Samuel.hatcher2016@yahoo.com

Patty McCormick, Environmental Permitting Services, LLC

pattymc482003@yahoo.com

Pullins1@yahoo.com

*West Virginia Department of Environmental Protection*
*Division of Air Quality*

*Jim Justice*
*Governor*

*Austin Caperton*
*Cabinet Secretary*

# Temporary Permit to Construct

**R13-3356**

*This permit is issued in accordance with the West Virginia Air Pollution Control Act (West Virginia Code §§ 22-5-1 et seq.) and 45 C.S.R. 13 — Permits for Construction, Modification, Relocation and Operation of Stationary Sources of Air Pollutants, Notification Requirements, Temporary Permits, General Permits and Procedures for Evaluation. The permittee identified at the facility listed below is authorized to construct the stationary sources of air pollutants identified herein in accordance with all terms and conditions of this permit.*

Issued to:

**Pullins Excavating, Inc.**
**Ravenswood Facility**
**035-00063**

*William F. Durham*
*Director*

*Issued: March 2, 2017*

| | |
|---|---|
| Facility Location: | 105 Sycamore Street, Ravenswood, Jackson County, WV 26164 |
| Mailing Address: | 33334 SR 833<br>PO Box 628<br>Pomeroy, Ohio 45769 |
| Facility Description: | Temporary Portable, Diesel-fueled Screening Operation |
| NAICS Codes: | 2131 - Stone Mining and Quarrying |
| UTM Coordinates: | 419.759 km Easting • 4,312.490 km Northing • Zone 17 |
| Permit Type: | Temporary Construction |
| Description of Change: | Temporary installation of portable screen and screen engine. |

*Any person whose interest may be affected, including, but not necessarily limited to, the applicant and any person who participated in the public comment process, by a permit issued, modified or denied by the Secretary may appeal such action of the Secretary to the Air Quality Board pursuant to article one [§§ 22B-1-1 et seq.], Chapter 22B of the Code of West Virginia. West Virginia Code §22-5-14.*

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*The source is subject to 45CSR30. Changes authorized by this permit must also be incorporated into the facility's Title V operating permit. Commencement of the operations authorized by this permit shall be determined by the appropriate timing limitations associated with Title V permit revisions per 45CSR30.*

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## 1.0 Emission Units

| Emission Unit ID | Emission Point ID | Emission Unit Description | Year Installed | Design Capacity | Control Device |
|---|---|---|---|---|---|
| TMP-TP1 | TMP-TP1 | Hopper/Feeder | 2009 | 165 ton/yr | Partical Enclosure |
| TMP-SC1 | TMP-TP2 | Finlay 540 Screener | 2009 | 165 ton/yr | CS/PW |
| TMP-ENG1 | TMP-ENG1 | Deutz 4 Cylinder, Tier 4, 3a Certified Engine | 2012 | 70 hp (52.2 kW) | None |
| TMP-BC1 | TMP-TP3 | Belt Conveyor | 2009 | 165 ton/yr | Water Sprays |
| TMP-TP4 | TMP-TP4 | Belt Conveyor into Trucks | 2009 | 165 ton/yr | Water Sprays |

## 2.0. General Conditions

### 2.1. Definitions

2.1.1. All references to the "West Virginia Air Pollution Control Act" or the "Air Pollution Control Act" mean those provisions contained in W.Va. Code §§ 22-5-1 to 22-5-18.

2.1.2. The "Clean Air Act" means those provisions contained in 42 U.S.C. §§ 7401 to 7671q, and regulations promulgated thereunder.

2.1.3. "Secretary" means the Secretary of the Department of Environmental Protection or such other person to whom the Secretary has delegated authority or duties pursuant to W.Va. Code §§ 22-1-6 or 22-1-8 (45 CSR § 30-2.12.). The Director of the Division of Air Quality is the Secretary's designated representative for the purposes of this permit.

### 2.2. Acronyms

| | | | |
|---|---|---|---|
| **CAAA** | Clean Air Act Amendments | **$NO_x$** | Nitrogen Oxides |
| **CBI** | Confidential Business Information | **NSPS** | New Source Performance Standards |
| **CEM** | Continuous Emission Monitor | **PM** | Particulate Matter |
| **CES** | Certified Emission Statement | **$PM_{2.5}$** | Particulate Matter less than 2.5μm in diameter |
| **C.F.R. *or* CFR** | Code of Federal Regulations | **$PM_{10}$** | Particulate Matter less than 10μm in diameter |
| **CO** | Carbon Monoxide | **Ppb** | Pounds per Batch |
| **C.S.R. *or* CSR** | Codes of State Rules | **pph** | Pounds per Hour |
| **DAQ** | Division of Air Quality | **ppm** | Parts per Million |
| **DEP** | Department of Environmental Protection | **Ppmv or ppmv** | Parts per million by volume |
| **dscm** | Dry Standard Cubic Meter | **PSD** | Prevention of Significant Deterioration |
| **FOIA** | Freedom of Information Act | **psi** | Pounds per Square Inch |
| **HAP** | Hazardous Air Pollutant | **SIC** | Standard Industrial Classification |
| **HON** | Hazardous Organic NESHAP | **SIP** | State Implementation Plan |
| **HP** | Horsepower | **$SO_2$** | Sulfur Dioxide |
| **lbs/hr** | Pounds per Hour | **TAP** | Toxic Air Pollutant |
| **LDAR** | Leak Detection and Repair | **TPY** | Tons per Year |
| **M** | Thousand | **TRS** | Total Reduced Sulfur |
| **MACT** | Maximum Achievable Control Technology | **TSP** | Total Suspended Particulate |
| **MDHI** | Maximum Design Heat Input | **USEPA** | United States Environmental Protection Agency |
| **MM** | Million | **UTM** | Universal Transverse Mercator |
| **MMBtu/hr *or* mmbtu/hr** | Million British Thermal Units per Hour | **VEE** | Visual Emissions Evaluation |
| **MMCF/hr *or* mmcf/hr** | Million Cubic Feet per Hour | **VOC** | Volatile Organic Compounds |
| **NA** | Not Applicable | **VOL** | Volatile Organic Liquids |
| **NAAQS** | National Ambient Air Quality Standards | | |
| **NESHAPS** | National Emissions Standards for Hazardous Air Pollutants | | |

## 2.3. Authority

This permit is issued in accordance with West Virginia Air Pollution Control Law W.Va. Code §§22-5-1 et seq. and the following Legislative Rules promulgated thereunder:

2.3.1. 45CSR13 – *Permits for Construction, Modification, Relocation and Operation of Stationary Sources of Air Pollutants, Notification Requirements, Temporary Permits, General Permits and Procedures for Evaluation;*

## 2.4. Term and Renewal

2.4.1. This permit shall remain valid, continuous and in effect unless it is revised, suspended, revoked or otherwise changed under an applicable provision of 45CSR13 or any applicable legislative rule.

## 2.5. Duty to Comply

2.5.1. The permitted facility shall be constructed and operated in accordance with the plans and specifications filed in Permit Application R13-3356 and any modifications, administrative updates, or amendments thereto. The Secretary may suspend or revoke a permit if the plans and specifications upon which the approval was based are not adhered to;
**[45CSR§§13-5.11 and 13-10.3]**

2.5.2. The permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the West Virginia Code and the Clean Air Act and is grounds for enforcement action by the Secretary or USEPA;

2.5.3. Violations of any of the conditions contained in this permit, or incorporated herein by reference, may subject the permittee to civil and/or criminal penalties for each violation and further action or remedies as provided by West Virginia Code 22-5-6 and 22-5-7;

2.5.4. Approval of this permit does not relieve the permittee herein of the responsibility to apply for and obtain all other permits, licenses and/or approvals from other agencies; i.e., local, state and federal, which may have jurisdiction over the construction and/or operation of the source(s) and/or facility herein permitted.

## 2.6. Duty to Provide Information

The permittee shall furnish to the Secretary within a reasonable time any information the Secretary may request in writing to determine whether cause exists for administratively updating, modifying, revoking or terminating the permit or to determine compliance with the permit. Upon request, the permittee shall also furnish to the Secretary copies of records to be kept by the permittee. For information claimed to be confidential, the permittee shall furnish such records to the Secretary along with a claim of confidentiality in accordance with 45CSR31. If confidential information is to be sent to USEPA, the permittee shall directly provide such information to USEPA along with a claim of confidentiality in accordance with 40 C.F.R. Part 2.

## 2.7. Duty to Supplement and Correct Information

Upon becoming aware of a failure to submit any relevant facts or a submittal of incorrect information in any permit application, the permittee shall promptly submit to the Secretary such supplemental facts or corrected information.

## 2.8. Administrative Update

The permittee may request an administrative update to this permit as defined in and according to the procedures specified in 45CSR13.
**[45CSR§13-4]**

## 2.9. Permit Modification

The permittee may request a minor modification to this permit as defined in and according to the procedures specified in 45CSR13.
**[45CSR§13-5.4.]**

## 2.10. Major Permit Modification

The permittee may request a major modification as defined in and according to the procedures specified in 45CSR14 or 45CSR19, as appropriate.
**[45CSR§13-5.1]**

## 2.11. Inspection and Entry

The permittee shall allow any authorized representative of the Secretary, upon the presentation of credentials and other documents as may be required by law, to perform the following:

a. At all reasonable times (including all times in which the facility is in operation) enter upon the permittee's premises where a source is located or emissions related activity is conducted, or where records must be kept under the conditions of this permit;

b. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;

c. Inspect at reasonable times (including all times in which the facility is in operation) any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the permit;

d. Sample or monitor at reasonable times substances or parameters to determine compliance with the permit or applicable requirements or ascertain the amounts and types of air pollutants discharged.

## 2.12. Emergency

2.12.1. An "emergency" means any situation arising from sudden and reasonable unforeseeable events beyond the control of the source, including acts of God, which situation requires immediate corrective action to restore normal operation, and that causes the source to exceed a technology-based emission

limitation under the permit, due to unavoidable increases in emissions attributable to the emergency. An emergency shall not include noncompliance to the extent caused by improperly designed equipment, lack of preventative maintenance, careless or improper operation, or operator error.

2.12.2. Effect of any emergency. An emergency constitutes an affirmative defense to an action brought for noncompliance with such technology-based emission limitations if the conditions of Section 2.12.3 are not met.

2.12.3. The affirmative defense of emergency shall be demonstrated through properly signed, contemporaneous operating logs, or other relevant evidence that:

a. An emergency occurred and that the permittee can identify the cause(s) of the emergency;

b. The permitted facility was at the time being properly operated;

c. During the period of the emergency the permittee took all reasonable steps to minimize levels of emissions that exceeded the emission standards, or other requirements in the permit; and,

d. The permittee submitted notice of the emergency to the Secretary within one (1) working day of the time when emission limitations were exceeded due to the emergency and made a request for variance, and as applicable rules provide. This notice must contain a detailed description of the emergency, any steps taken to mitigate emission, and corrective actions taken.

2.12.4. In any enforcement proceeding, the permittee seeking to establish the occurrence of an emergency has the burden of proof.

2.12.5. The provisions of this section are in addition to any emergency or upset provision contained in any applicable requirement.

## 2.13. Need to Halt or Reduce Activity Not a Defense

It shall not be a defense for a permittee in an enforcement action that it should have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit. However, nothing in this paragraph shall be construed as precluding consideration of a need to halt or reduce activity as a mitigating factor in determining penalties for noncompliance if the health, safety, or environmental impacts of halting or reducing operations would be more serious than the impacts of continued operations.

## 2.14. Suspension of Activities

In the event the permittee should deem it necessary to suspend, for a period in excess of sixty (60) consecutive calendar days, the operations authorized by this permit, the permittee shall notify the Secretary, in writing, within two (2) calendar weeks of the passing of the sixtieth (60) day of the suspension period.

## 2.15. Property Rights

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

## 2.16. Severability

The provisions of this permit are severable and should any provision(s) be declared by a court of competent jurisdiction to be invalid or unenforceable, all other provisions shall remain in full force and effect.

## 2.17. Transferability

This permit is transferable in accordance with the requirements outlined in Section 10.1 of 45CSR13. **[45CSR§13-10.1]**

## 2.18. Notification Requirements

The permittee shall notify the Secretary, in writing, no later than thirty (30) calendar days after the actual startup of the operations authorized under this permit.

## 2.19. Credible Evidence

Nothing in this permit shall alter or affect the ability of any person to establish compliance with, or a violation of, any applicable requirement through the use of credible evidence to the extent authorized by law. Nothing in this permit shall be construed to waive any defense otherwise available to the permittee including, but not limited to, any challenge to the credible evidence rule in the context of any future proceeding.

# 3.0. Facility-Wide Requirements

## 3.1. Limitations and Standards

3.1.1. **Open burning.** The open burning of refuse by any person, firm, corporation, association or public agency is prohibited except as noted in 45CSR§6-3.1.
**[45CSR§6-3.1.]**

3.1.2. **Open burning exemptions.** The exemptions listed in 45CSR§6-3.1 are subject to the following stipulation: Upon notification by the Secretary, no person shall cause, suffer, allow or permit any form of open burning during existing or predicted periods of atmospheric stagnation. Notification shall be made by such means as the Secretary may deem necessary and feasible.
**[45CSR§6-3.2.]**

3.1.3. **Asbestos.** The permittee is responsible for thoroughly inspecting the facility, or part of the facility, prior to commencement of demolition or renovation for the presence of asbestos and complying with 40 C.F.R. § 61.145, 40 C.F.R. § 61.148, and 40 C.F.R. § 61.150. The permittee, owner, or operator must notify the Secretary at least ten (10) working days prior to the commencement of any asbestos removal on the forms prescribed by the Secretary if the permittee is subject to the notification requirements of 40 C.F.R. § 61.145(b)(3)(i). The USEPA, the Division of Waste Management and the Bureau for Public Health - Environmental Health require a copy of this notice to be sent to them.
**[40CFR§61.145(b) and 45CSR§34]**

3.1.4. **Odor.** No person shall cause, suffer, allow or permit the discharge of air pollutants which cause or contribute to an objectionable odor at any location occupied by the public.
**[45CSR§4-3.1 State-Enforceable only.]**

3.1.5. **Permanent shutdown.** A source which has not operated at least 500 hours in one 12-month period within the previous five (5) year time period may be considered permanently shutdown, unless such source can provide to the Secretary, with reasonable specificity, information to the contrary. All permits may be modified or revoked and/or reapplication or application for new permits may be required for any source determined to be permanently shutdown.
**[45CSR§13-10.5.]**

3.1.6. **Standby plan for reducing emissions.** When requested by the Secretary, the permittee shall prepare standby plans for reducing the emissions of air pollutants in accordance with the objectives set forth in Tables I, II, and III of 45 C.S.R. 11.
**[45CSR§11-5.2.]**

## 3.2. Monitoring Requirements

*[Reserved]*

## 3.3. Testing Requirements

3.3.1. **Stack testing.** As per provisions set forth in this permit or as otherwise required by the Secretary, in accordance with the West Virginia Code, underlying regulations, permits and orders, the permittee shall conduct test(s) to determine compliance with the emission limitations set forth in this permit

and/or established or set forth in underlying documents. The Secretary, or his duly authorized representative, may at his option witness or conduct such test(s). Should the Secretary exercise his option to conduct such test(s), the operator shall provide all necessary sampling connections and sampling ports to be located in such manner as the Secretary may require, power for test equipment and the required safety equipment, such as scaffolding, railings and ladders, to comply with generally accepted good safety practices. Such tests shall be conducted in accordance with the methods and procedures set forth in this permit or as otherwise approved or specified by the Secretary in accordance with the following:

a. The Secretary may on a source-specific basis approve or specify additional testing or alternative testing to the test methods specified in the permit for demonstrating compliance with 40 C.F.R. Parts 60, 61, and 63 in accordance with the Secretary's delegated authority and any established equivalency determination methods which are applicable. If a testing method is specified or approved which effectively replaces a test method specified in the permit, the permit may be revised in accordance with 45CSR§13-4 or 45CSR§13-5.4 as applicable.

b. The Secretary may on a source-specific basis approve or specify additional testing or alternative testing to the test methods specified in the permit for demonstrating compliance with applicable requirements which do not involve federal delegation. In specifying or approving such alternative testing to the test methods, the Secretary, to the extent possible, shall utilize the same equivalency criteria as would be used in approving such changes under Section 3.3.1.a. of this permit. If a testing method is specified or approved which effectively replaces a test method specified in the permit, the permit may be revised in accordance with 45CSR§13-4 or 45CSR§13-5.4 as applicable.

c. All periodic tests to determine mass emission limits from or air pollutant concentrations in discharge stacks and such other tests as specified in this permit shall be conducted in accordance with an approved test protocol. Unless previously approved, such protocols shall be submitted to the Secretary in writing at least thirty (30) days prior to any testing and shall contain the information set forth by the Secretary. In addition, the permittee shall notify the Secretary at least fifteen (15) days prior to any testing so the Secretary may have the opportunity to observe such tests. This notification shall include the actual date and time during which the test will be conducted and, if appropriate, verification that the tests will fully conform to a referenced protocol previously approved by the Secretary.

d. The permittee shall submit a report of the results of the stack test within sixty (60) days of completion of the test. The test report shall provide the information necessary to document the objectives of the test and to determine whether proper procedures were used to accomplish these objectives. The report shall include the following: the certification described in paragraph 3.5.1.; a statement of compliance status, also signed by a responsible official; and, a summary of conditions which form the basis for the compliance status evaluation. The summary of conditions shall include the following:

1. The permit or rule evaluated, with the citation number and language;
2. The result of the test for each permit or rule condition; and,
3. A statement of compliance or noncompliance with each permit or rule condition.

**[WV Code § 22-5-4(a)(14-15) and 45CSR13]**

## 3.4. Recordkeeping Requirements

3.4.1. **Retention of records.** The permittee shall maintain records of all information (including monitoring data, support information, reports and notifications) required by this permit recorded in a form suitable and readily available for expeditious inspection and review. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation. The files shall be maintained for at least five (5) years following the date of each occurrence, measurement, maintenance, corrective action, report, or record. At a minimum, the most recent two (2) years of data shall be maintained on site. The remaining three (3) years of data may be maintained off site, but must remain accessible within a reasonable time. Where appropriate, the permittee may maintain records electronically (on a computer, on computer floppy disks, CDs, DVDs, or magnetic tape disks), on microfilm, or on microfiche.

3.4.2. **Odors.** For the purposes of 45CSR4, the permittee shall maintain a record of all odor complaints received, any investigation performed in response to such a complaint, and any responsive action(s) taken.
**[45CSR§4. *State-Enforceable only.*]**

## 3.5. Reporting Requirements

3.5.1. **Responsible official.** Any application form, report, or compliance certification required by this permit to be submitted to the DAQ and/or USEPA shall contain a certification by the responsible official that states that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate and complete.

3.5.2. **Confidential information.** A permittee may request confidential treatment for the submission of reporting required by this permit pursuant to the limitations and procedures of W.Va. Code § 22-5-10 and 45CSR31.

3.5.3. **Correspondence.** All notices, requests, demands, submissions and other communications required or permitted to be made to the Secretary of DEP and/or USEPA shall be made in writing and shall be deemed to have been duly given when delivered by hand, or mailed first class with postage prepaid to the address(es) set forth below or to such other person or address as the Secretary of the Department of Environmental Protection may designate:

DAQ:

Director
WVDEP
Division of Air Quality
601 57th Street, SE
Charleston, WV 25304-2345

**DAQ Compliance and Enforcement[1]:**
DEPAirQualityReports@wv.gov

US EPA:

Associate Director
Office of Air Enforcement and Compliance Assistance
(3AP20)
U. S. Environmental Protection Agency
Region III
1650 Arch Street
Philadelphia, PA 19103-2029

3.5.4. **Operating Fee.**

3.5.4.1. In accordance with 45CSR22 – Air Quality Management Fee Program, the permittee shall not operate nor cause to operate the permitted facility or other associated facilities on the same or contiguous sites comprising the plant without first obtaining and having in current effect a Certificate to Operate (CTO). Such Certificate to Operate (CTO) shall be renewed annually, shall be maintained on the premises for which the certificate has been issued, and shall be made immediately available for inspection by the Secretary or his/her duly authorized representative.

3.5.4.2. In accordance with 45CSR22 – Air Quality Management Fee Program, enclosed with this permit is an Application for Certificate to Operate (CTO). The CTO will cover the time period beginning with the date of initial startup through the following June 30. Said application and the appropriate fee shall be submitted to this office prior to the date of initial startup. For any startup date other than July 1, the permittee shall pay a fee or prorated fee in accordance with Section 4.5 of 45CSR22. A copy of this schedule may be found on the reverse side of the CTO application.

3.5.5. Emission inventory. At such time(s) as the Secretary may designate, the permittee herein shall prepare and submit an emission inventory for the previous year, addressing the emissions from the facility and/or process(es) authorized herein, in accordance with the emission inventory submittal requirements of the Division of Air Quality. After the initial submittal, the Secretary may, based upon the type and quantity of the pollutants emitted, establish a frequency other than on an annual basis.

# 4.0. Source-Specific Requirements

## 4.1. Limitations and Standards

4.1.1. This temporary permit shall expire six (6) months from the issuance date on the front cover. This date may be extended an additional six (6) months by the permittee by filing a written request to the DAQ no later than thirty (30) day before the temporary permit is due to expire.

4.1.2. No crushing is permitted for this temporary screening operation.

4.1.3. Emissions from Screen (TMP-TP2) and Belt Conveyor (TMP-TP3) shall be controlled by use of partial enclosures and water sprays.

4.1.4. Emission from the Hopper (TMP-TP1) and the "Loading Point from Conveyor to Trucks" (TMP-TP4) shall be controlled by use of partial enclosures.

4.1.5. Emissions after controls (water sprays and/or partial enclosure) from the limestone/sandstone screening operation covered under this permit shall not exceed the following:

| Description | PM | | $PM_{10}$ | |
|---|---|---|---|---|
| | lb/hr | tpy (1) | lb/hr | tpy (1) |
| Screen (TMP-SC1) | 0.83 | 0.03 | 0.29 | 0.01 |
| Transfer Points (TMP-TP1 through TMP-TP4) | 0.27 | 0.01 | 0.13 | --- |
| (1) Based on operating 60.6 hr/year, the expected time to process 10,000 ton of stone at a processing rate of 165 ton/hr. | | | | |

4.1.6. Total throughput of limestone/sandstone into the screen shall not exceed 165 tons per hour nor 10,000 tons per year. Compliance with the annual throughput limit shall be based on a 12 month rolling total. For the purposes of this permit a 12 month rolling total means the sum of throughput/processed stone at the end of any given month for the previous 12 months.

4.1.7. Opacity from any process source operation shall not exceed 20% except for opacity which is less than 40% for a period or periods aggregating no more than 5 minutes in any 60 minute period. **[45CSR§7-3.1 &45CSR§7-3.2]**

4.1.8. No person shall cause, suffer, allow or permit any manufacturing process or storage structure generating fugitive particulate matter to operate that is not equipped with a system, which may include, but not be limited to, process equipment design, control equipment design or operation and maintenance procedures, to minimize the emissions of fugitive particulate matter. To minimize means such system shall be installed, maintained and operated to ensure the lowest fugitive particulate matter emissions reasonably achievable.
**[45CSR§7-5.1.]**

4.1.9. The screen engine (TMP-ENG1) is a 2012 Deutz, 4 cylinder, 70 hp, diesel-fueled engine; Tier 4 certified by the manufacturer (Deutz) to comply with/meet the following emission standards: **[40CFR§1039.102]**

| Description | CO | | NMHC + $NO_x$ | | PM | |
|---|---|---|---|---|---|---|
| | (g/(kW-hr)) | lb/hr | (g/(kW-hr)) | lb/hr | (g/(kW-hr)) | lb/hr |
| Screen Engine (TMP-ENG1) | 5.0 | 0.57 | 4.7 | 0.54 | 0.30 | 0.035 |

4.1.10. Diesel fuel used by the screen engine shall have a maximum sulfur content no greater than 15 ppm (ultra-low sulfur diesel) and with either a minimum centane index of 40 or a maximum aromatic content of 35 volume percent. Diesel fuel meeting the specifications of Nonroad diesel under 40 CFR §80.510(b) is equivalent. **[40 CFR §60.4207(b)]**

4.1.11. The following conditions and requirements apply to screen engine:

a. The permittee shall maintain the screen engine according to the manufacturer's emission-related written instructions. **[40 CFR §60.4211(a)(1)]**

b. The permittee shall only change those emission-related settings of the screen engine that are permitted by the manufacturer. **[40 CFR §60.4211(a)(2)]**

c. The maximum name plate power output of the screen engine shall not be greater than listed in the Emission Units Table in section 1.0 of this permit.

d. The screen engine will be equipped with a non-resettable hour meter.

4.1.12. **Operation and Maintenance of Air Pollution Control Equipment.** The permittee shall, to the extent practicable, install, maintain, and operate all pollution control equipment listed in Section 1.0 and associated monitoring equipment in a manner consistent with safety and good air pollution control practices for minimizing emissions, or comply with any more stringent limits set forth in this permit or as set forth by any State rule, Federal regulation, or alternative control plan approved by the Secretary.
**[45CSR§13-5.11.]**

## 4.2. Testing Requirements

4.2.1. *[Reserved]*

4.2.2 For the purposes of demonstrating compliance with visible emissions limitations set forth in 4.1.7, the permittee shall:

a. Conduct daily visible emission checks for all transfer points at the stone screening operation to ensure proper operation. Each visible emission check at a transfer point should last no less than

one (1) minutes per check. Back ground information on what constitutes a visible emission check is provided below:

> The visible emission checks shall determine the presence or absence of visible emissions. At a minimum, the observer must be trained and knowledgeable regarding the effects of background contrast, ambient lighting, observer position relative to lighting, wind, and the presence of uncombined water (condensing water vapor) on the visibility of emissions. This training may be obtained from written materials found in the References 1 and 2 from 40CFR Part 60, Appendix A, Method 22 or from the lecture portion of the 40CFR Part 60, Appendix A, Method 9 certification course. Visible emission checks shall be performed during periods of normal facility operation and appropriate weather conditions.

b. In the event visible emissions are observed in excess of the limitations given under 4.1.7, the permittee shall take immediate corrective action.

## 4.3. Monitoring and Recordkeeping Requirements

4.3.1. **Record of Monitoring.** The permittee shall keep records of monitoring information that include the following:

a. The date, place as defined in this permit and time of sampling or measurements;

b. The date(s) analyses were performed;

c. The company or entity that performed the analyses;

d. The analytical techniques or methods used;

e. The results of the analyses; and

f. The operating conditions existing at the time of sampling or measurement.

4.3.2. **Record of Maintenance of Air Pollution Control Equipment.** For all pollution control equipment listed in Section 1.0, the permittee shall maintain accurate records of all required pollution control equipment inspection and/or preventative maintenance procedures.

4.3.3. **Record of Malfunctions of Air Pollution Control Equipment.** For all air pollution control equipment listed in Section 1.0, the permittee shall maintain records of the occurrence and duration of any malfunction or operational shutdown of the air pollution control equipment during which excess emissions occur. For each such case, the following information shall be recorded:

a. The equipment involved.

b. Steps taken to minimize emissions during the event.

c. The duration of the event.

d. The estimated increase in emissions during the event.

For each such case associated with an equipment malfunction, the additional information shall also be recorded:

e. The cause of the malfunction.

f. Steps taken to correct the malfunction.

g. Any changes or modifications to equipment or procedures that would help prevent future recurrences of the malfunction.

4.3.4. In order to determine compliance with sections 4.1.5 and 4.1.6 of this permit, the permittee shall on a daily basis monitor and record the hours of operation and the amount of material/stone processed through the screen (TMP-SC1). At the end of each month, the total hours of operation and the total amount of material/stone processed that month shall be calculated by adding the daily totals in the month together. Monthly totals for the amount of material processed shall be used to calculate the 12-month rolling material throughput total.

4.3.5. The permittee shall maintain records of all visual emission checks pursuant to the monitoring required under 4.2.2 including any corrective action taken to bring opacity into compliance.

## 4.4. Reporting Requirements

4.4.1. For the purpose of demonstrating compliance with the limitation on diesel fuel maximum sulfur content established in section 4.1.11, the permittee shall maintain the following records in accordance with Condition 3.4.1. of this permit:

a. The name of the diesel supplier;

b. A statement from the diesel supplier that the fuel complies with the specification under the definition of distillate oil; and

c. Sulfur content or maximum sulfur content of the diesel supplied.

4.4.2. Any deviation(s) from the allowable visible emission opacity requirement for any emission source/transfer point discovered during observations using 40CFR Part 60, Appendix A, Method 9 or 22 shall be reported in writing to the Director of the Division of Air Quality as soon as practicable, but in any case within ten (10) calendar days of the occurrence and shall include at least the following information: the results of the visible determination of opacity of emissions, the cause or suspected cause of the violation(s), and any corrective measures taken or planned.

# CERTIFICATION OF DATA ACCURACY

I, the undersigned, hereby certify that, based on information and belief formed after reasonable inquiry, all information contained in the attached _____, representing the period beginning _____ and ending _____, and any supporting documents appended hereto, is true, accurate, and complete.

Signature[1] _____ _____
(please use blue ink) Responsible Official or Authorized Representative Date

Name and Title _____ _____
(please print or type) Name Title

Telephone No. _____ Fax No. _____

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[1] This form shall be signed by a "Responsible Official." "Responsible Official" means one of the following:

a. For a corporation: The president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation, or a duly authorized representative of such person if the representative is responsible for the overall operation of one or more manufacturing, production, or operating facilities applying for or subject to a permit and either:

(I) the facilities employ more than 250 persons or have a gross annual sales or expenditures exceeding $25 million (in second quarter 1980 dollars), or

(ii) the delegation of authority to such representative is approved in advance by the Director;

b. For a partnership or sole proprietorship: a general partner or the proprietor, respectively;

c. For a municipality, State, Federal, or other public entity: either a principal executive officer or ranking elected official. For the purposes of this part, a principal executive officer of a Federal agency includes the chief executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., a Regional Administrator of USEPA); or

d. The designated representative delegated with such authority and approved in advance by the Director.