



REGION 10
SEATTLE, WA 98101

Clean Air Act Compliance Inspection Report

United States Environmental Protection Agency
Region 10 – Seattle, WA

Full Compliance Evaluation

Depatco, Inc. – Pocatello (Gateway Pit)

Fort Hall Reservation
Pocatello, Idaho

Inspection Date: August 10, 2023

JON KLEMESRUD Digitally signed by JON KLEMESRUD
Date: 2023.11.06 08:22:53 -08'00'

Report Author Signature

Date

Jon Klemesrud
Enforcement & Compliance Assurance Division
EPA Region 10

ALYSON SKEENS Digitally signed by ALYSON SKEENS
Date: 2023.11.09 13:34:53 -08'00'

Peer Review Signature

Date

Alyson Skeens
Enforcement & Compliance Assurance Division
EPA Region 10

ELIZABETH WALTERS Digitally signed by ELIZABETH WALTERS
Date: 2023.11.22 10:21:56 -08'00'

Section Chief Signature

Date

Elizabeth Walters
Acting Supervisor, Air & Toxics Enforcement Section
Enforcement & Compliance Assurance Division
EPA Region 10

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1. Facility Information

Facility: Depatco, Inc. – Pocatello (Gateway Pit)

Facility Owner: Sunroc Corporation dba Depatco, Inc. / Clyde Companies, Inc.

Facility Address: 1850 Tank Farm Road
Pocatello, Idaho 83204

Facility Mailing Address: Sunroc Corporation dba Depatco, Inc.
730 N. 1500 West
Orem, Utah 84057

ICIS-Air/FRS Number: 10000000160077E0001/110046464214

NAICS: 212399 (All Other Nonmetallic Mineral Mining)

EPA Air Permit Number: R10TNSR03300/R10TNSR03301

Facility Contacts: Kamren Garfield, Environmental Specialist
Clyde Companies
kgarfield@clydeinc.com

Dustin Hunziker, Aggregate Supervisor
Depatco, Inc. - Pocatello

2. Inspection Information

Date of Inspection: August 10, 2023

Inspection Start/End Times: 1:30pm – 3:45pm

U.S. EPA Inspectors: Jon Klemesrud
Field, Data, & Drinking Water Enforcement Section
Enforcement and Compliance Assurance Division
U.S. EPA Region 10

U.S. EPA Inspectors (cont.): Alyson Skeens
Air & Toxics Enforcement Section
Enforcement and Compliance Assurance Division
U.S. EPA Region 10

Other Attendees: Joey De La Cruz, Air Quality Field Technician
Shoshone-Bannock Tribes

Lori Howell, Air Quality Manager
Shoshone-Bannock Tribes

Inspection Notice: Unannounced

Disclaimer:

Unless otherwise noted, all details in this inspection report were obtained from conversations with Mr. Dustin Hunziker, Mr. Kamren Garfield or from observations made during the inspection and/or file review. This inspection report is a summary of observations and information gathered; it does not constitute a final decision regarding compliance with CAA regulations or applicable permits, nor is it meant to be a comprehensive summary of all activities and processes conducted at the facility.

This was a full compliance evaluation (FCE), led by the U.S. Environmental Protection Agency Region 10 (EPA R10) with the participation of the Shoshone-Bannock Tribes Air Quality Program. The purpose of the inspection was to identify if the facility is in compliance with applicable Federal Clean Air Act (CAA) regulations, including the following two EPA issued General Air Quality Permits: New or Modified Minor Source Hot Mix Asphalt Plants (HMA) in Indian Country (HMA General Permit) and New or Modified Minor Source Stone Quarrying Crushing, and Screening (SQCS) Facilities in Indian Country (SQCS General Permit).

3. Facility Background

Depatco, Inc. - Pocatello (Gateway Pit) (hereinafter referred to as the “Facility”) operates a non-metallic mineral process plant, commonly referred to as a rock crushing operation. The Facility processes and supplies construction grade gravel/aggregate to local contractors, municipalities, transportation agencies, and local businesses. A new, portable HMA Plant is also being constructed at the Facility. The Facility is located just west of the City of Pocatello, Idaho, within the boundaries of the Fort Hall Reservation.

The Facility consists of several office trailers, a parking area, scale building, access roads, stockpiled source material/aggregate, washing/crushing/conveying equipment, diesel-fueled generator engines and a constructed hot-mix asphalt plant (not yet operable). For a general footprint, an aerial image from Google Maps™ is attached to this report as **(Attachment 1)**.

Currently operating as Depatco, Inc. - Pocatello, the Facility was previously an active quarry owned and operated by J.K. Merrill & Sons, Inc., who had been at the location since 1995. On December 1, 2022, J.K. Merrill & Sons, Inc. was acquired by Sunroc Corporation dba Depatco, Inc., a subsidiary of Clyde Companies, Inc.

While owned by J.K. Merrill & Sons, Inc., the facility briefly operated under EPA R10 issued Tribal Minor New Source Review Permit (#R10TNSR03200). After purchasing the quarry, Sunroc Corporation dba Depatco, Inc applied for and was granted permit coverage to for their SQCS operations as a stationary source under the EPA issued SQCS General Permit (R10TNSR03300).

On June 21, 2023, the Facility also received coverage under the HMA General Permit (R10TNSR03301) to co-locate a HMA plant within their SQCS operations. The current versions of the SQCS and HMA General Permits were last modified on April 6, 2015. **(Attachment 2)**.

With the hot mix asphalt plant not yet operating, air pollution-generating activities are primarily associated with the rock crushing operation. Sources include aggregate crushing, aggregate handling, wind erosion, traffic and emissions from the diesel generators, which provide electrical power to the crushing plant. Once operating, numerous point-sources will be associated with the hot-mix asphalt operation, including but not limited to the drum dryer, asphalt tank heater, oil heater, storage tanks, silo filling and emissions from the diesel generators.

For crushing operations, raw material is first excavated from the on-site rock source/wall; excavated material is then broken down to various sizes via a series of rock crushing equipment. Crushed material is then conveyed to separate stockpiles where it is sold/hailed to customers or temporarily stored for future production within the staged hot-mix asphalt plant. For on-site sales, material is loaded using a front-end loader to the customer's truck/trailer and weighed/sold at the scale.

For future hot mix asphalt production, operations would consist of the following general process: aggregate and recycled asphalt is transported to bins. From the bins, material would be transported by conveyor to the drum mixer/dryer. Within the drum mixer, the material is heated, and oil is injected. The drum mixer/dryer is connected to a baghouse system which is used as an air pollution control device. From the drum mixer, the hot-mix asphalt is dumped onto a drag slat conveyor which moves the finished product into the silo bin. At the silo bin, the material would be weighed and loaded into trucks for hauling.

Permitted sources at the time of inspection included the following equipment and/or activities:

Sunroc SQCS Plant: Affected Emission Units Covered by this Approval

ID	Description of Affected Emission Units	Controls
GEN01	IC Engine: Caterpillar Model 3512 Engine; 1818 hp maximum capacity crusher generator; diesel fired, manufactured in 1996.	Oxidation Catalyst/Ultra Low Sulfur Diesel
GEN02	IC Engine: Caterpillar Model 3406 Engine; 587 hp maximum capacity wash plant generator; diesel fired, manufactured in 2005.	Oxidation Catalyst/Ultra Low Sulfur Diesel

CRU01	Jaw Crusher: 500 ton/hour capacity	Water Spray
CRU02	Cone-Screen Combination Plant: 500 ton/hour capacity	Water Spray
CRU03	Cone-Screen Combination Plant: 500 ton/hour capacity	Water Spray
SCR001	Screening: Dry screening 500 ton/hour capacity	Water Spray
SCR002	Screening: Dry screening 500 ton/hour capacity	Water Spray
WASH01	Wash Plant Screen: Wet screening 500 ton/hour capacity	Saturation
CON01	Conveyor: 500 ton/hour capacity	Upstream Wetting
CON02	Conveyor: 500 ton/hour capacity	Upstream Wetting
CON03	Conveyor: 500 ton/hour capacity	Upstream Wetting
CON04	Conveyor: 500 ton/hour capacity	Upstream Wetting
CON05	Conveyor: 500 ton/hour capacity	Upstream Wetting
CON06	Conveyor: 500 ton/hour capacity	Upstream Wetting
CON07	Conveyor: 500 ton/hour capacity	Upstream Wetting
CON08	Conveyor: 500 ton/hour capacity	Upstream Wetting
CON09	Conveyor: 500 ton/hour capacity	Upstream Wetting
CON10	Conveyor: 500 ton/hour capacity	Upstream Wetting
CON11	Conveyor: 500 ton/hour capacity	Upstream Wetting
CON12	Conveyor: 500 ton/hour capacity	Saturation
CON13	Conveyor: 500 ton/hour capacity	Saturation
CON14	Conveyor: 500 ton/hour capacity	Saturation
CON15	Conveyor: 500 ton/hour capacity	Saturation
CON16	Conveyor: 500 ton/hour capacity	Saturation
FDR01	Feed Bin: 500 ton/hour capacity	Upstream Wetting
FDR02	Feed Bin: 500 ton/hour capacity	Upstream Wetting
STKR01	Stacker: 500 ton/hour capacity	Upstream Wetting
STKR02	Stacker: 500 ton/hour capacity	Upstream Wetting
STKR03	Stacker: 500 ton/hour capacity	Upstream Wetting
STKR04	Stacker: 500 ton/hour capacity	Saturation
STKR05	Stacker: 500 ton/hour capacity	Saturation
STKR06	Stacker: 500 ton/hour capacity	Saturation
TNK01	Diesel Storage Tank: 19,000 gallon capacity storage tank	None
TNK02	Diesel Storage Tank: 12,000 gallon capacity storage tank	None
TNK03	Diesel Storage Tank: 12,000 gallon capacity storage tank	None

Sunroc HMA Plant List of Affected Emission Units Covered by this Approval

ID #	Description of Affected Emission Units	Controls
1	HMA Dryer: Dryer ID: ADM MM225; manufactured 2008, portable, 88 mmBtu/hr burner, fueled with natural gas, propane, diesel	Baghouse
2	Generators (1) Caterpillar Generator: 1662 maximum horsepower, manufactured 1999; fueled with diesel (2) Auxiliary Generator: 200 maximum horsepower, manufactured 2007; fueled with diesel	None
3	Auxiliary Heater: 2.5 MMBtu/hour capacity; manufactured 1996, fueled with natural gas, liquified petroleum gas, diesel	None
4	Material Handling, Transferring, loading and Storage Equipment: feeders, scalper screens, storage piles, conveyors and asphalt storage silos	None
5	Asphalt Oil Storage Tanks: 30,000 gallons and 35,000 gallons	None
6	Diesel Storage Tank: 12,000 gallons	None

4. Compliance History

Based upon my review of EPA records, no compliance evaluations have been conducted and no enforcement actions had been documented while operating as Depatco, Inc. – Pocatello (Gateway Pit).

5. Inspection Chronology

This inspection was unannounced. On August 10, 2023, Alyson Skeens (EPA), Joey De La Cruz, (Shoshone-Bannock), Lori Howell (Shoshone-Bannock) and I arrived at the Facility to begin the inspection. Upon entering the Facility at the scale building, we were greeted at the front desk where we introduced ourselves. It was discussed that Aggregate Supervisor Mr. Dustin Hunziker would be our best on-site contact, and that Mr. Hunziker was located in an adjacent office trailer and would be called to assist.

Upon meeting Mr. Hunziker, I proceeded to discuss the purpose and scope of the inspection. Mr. Hunziker discussed that the primary environmental contact for the Facility was Mr. Kamren Garfield, who is located off-site in Orem, Utah. It was discussed that Mr. Garfield had just been to the Facility less than a week prior.

Mr. Hunziker proceeded to notify Mr. Garfield of the inspection activity via phone. Following their discussion, I also spoke to Mr. Garfield using Mr. Hunziker's phone and restated the purpose and scope of the inspection. Mr. Garfield and Mr. Hunziker agreed to the inspection, it was discussed that Mr. Hunziker would accompany us for the on-site portion of inspection, and

Mr. Garfield would be the primary contact regarding any requested records. Both individuals would participate in a closing conference after the walk-through to discuss our observations and possible potential areas of concern. We then proceeded to begin the on-site inspection with Mr. Hunziker.

The inspection included an opening conference, a facility walk-through, an off-site records review and a closing conference. For the walk-through, we observed the operational footprint and generally focused on observing the permitted emission units (EUs). We first toured the hot mix asphalt plant area and then drove to the crushing operations that was currently in operation. Mr. Hunziker accompanied us throughout the inspection, we were allowed to inspect all areas requested. While at the hot mix asphalt plant, we were briefly joined by Mr. Brandon Love, who was assisting in setting-up the hot mix asphalt plant at the time of inspection. The off-site records review occurred post-inspection as discussed in Section 8 of this inspection report.

6. Opening Conference

The opening conference was held shortly after our arrival; we had our initial introductions with Mr. Hunziker, exchanged business cards and I presented my EPA inspector credentials. I discussed the purpose and expectations of the inspection and continued with some inspection formalities, as I provided Mr. Hunziker with a copy of EPA's Small Business Resource Information Sheet and EPA's Confidential Business Information (CBI) Policy/Notice.

We briefly discussed the handouts and that photographs would be taken as part of this inspection. Mr. Hunziker and Mr. Garfield (via phone) had no concerns with taking photographs and had no claims regarding CBI.

The inspection proceeded as Mr. Hunziker provided a general background of the operation and recent purchase history. Mr. Hunziker discussed that he been employed at the Facility since it was purchased back in December 2022, he had previously worked for J.K. Merrill & Sons, Inc. and stayed on during the transfer. It was discussed that the Facility was currently operating as normal, rock crushing was occurring that afternoon producing 3/4" road base. Most of the crushing equipment in use remained from the purchased of J.K. Merrill & Sons Inc. Production at the hot mix asphalt plant had yet to occur, and the hot mix asphalt plant equipment was generally new to the site and not associated with the prior J.K. Merrill & Sons Inc. operation.

7. Facility Walk-Through

Following the opening conference, we began the Facility tour as we drove to the processing area, commonly referred to as the "pit." Photographs taken during the inspection and a complete photo log are attached to this report as (**Attachment 3**).

Location: Hot Mix Asphalt Plant**Observation #: OB-01**

We first arrived at the hot mix asphalt plant (HAP), the general area was dry and unpaved, the weather was clear and sunny with steady wind gusts, no visible/fugitive emissions were observed. We met Mr. Brandon Love who was onsite and joined us momentarily to discuss the HAP operations. Mr. Love discussed that the constructed HAP had yet to be in production.

It was discussed that there is no power service within the pit, electrical power for the HAP would be provided by the two diesel fueled generators that were currently staged on-site. We observed the general layout of the HAP equipment, it was discussed that Facility was looking for parts to convert the dryer from diesel to natural gas.

We observed permitted emission units (EU) associated with operation, including the mixing drum/dryer (EU1) and associated baghouse, the two generators (EU2), auxiliary heater (EU3), bins/conveyors/silo (EU4) and the asphalt oil storage tanks (EU5) (**Photo 1 – Photo 11**). We concluded the tour of the HAP area after viewing the diesel storage tank (EU6) (**Photo 12**).

While touring the HAP area, I observed some significant staining on the ground from the operations side of the above ground 35,000-gallon asphalt oil storage tank (**Photo 13**). I also observed a 55-gallon drum of heat transfer oil associated with the auxiliary heater to be leaking (**Photo 14**).

Location: Access Roads**Observation #: OB-02**

We left the HAP area and drove to the crushing operation. While driving, I observed a water truck actively applying water to the unpaved access/haul roads. It appeared that the spray equipment associated with the water truck was not operating, as water was being discharged from the truck via open valves/connections.

Once we arrived at the crushing operation, I asked Mr. Hunziker about the observed water truck application. Mr. Hunziker discussed that Facility has a designated water truck to assist with minimizing fugitive emissions, access roads/areas are watered daily as needed by the water truck. It was discussed that magnesium chloride is also applied to the access/haul roads a couple times a year, the last application occurred one week prior (approx.).

It was discussed that a component of the spray equipment had recently broken on the water truck and that the Facility hoping to be able to repair it the following day, if not later that afternoon. While waiting for the replacement part, the Facility would continue to apply water as needed, without the use of the spray equipment.

Location: Crushing Operation**Observation #: OB-03**

At the crushing/screening operation the site was currently active, making 3/4" road base. It was discussed the Facility was currently operating as a "closed circuit plant," where material can be returned to the same crusher for further reduction. It was discussed that the Facility had one crusher that was being repaired off-site and was still about two weeks away from being returned to service.

In general, for normal operations at the crushing plant, raw material is transported from the feed bin to one of three crushers (jaw/cone). Material is broken down in size and then transported for screening. After screening, material is either transported to by conveyor back to the cone crusher and screening for final sizing or deposited into stockpiles. Similar to the HAP area, there is no power service near the crushing screening area, electrical power is provided by on-site generators. At the time of inspection, the Facility was utilizing their Caterpillar Model 3512 (EU Gen01). I also observed a Wisperwatt Model (DCA-70SSJU) generator that was not in operation and staged near EU Gen01 (**Photo 15 – Photo 17**).

To assist with minimizing fugitive emissions, water was being pumped from a large on-site storage tank (**Photo 18**) and applied to numerous transfer points via a spray system.

As the plant was active at the time of inspection, we generally kept our distance and Mr. Hunziker discussed the various components of the crushing/screening equipment, an additional auxiliary generator not in use was also observed (**Photo 19 - Photo 25**). As a safety concern, serial numbers/nameplates for most of the equipment were not viewed/verified at the time of inspection due to the operating equipment.

The general area was dry and unpaved, the weather was clear and sunny with steady wind gusts. While operating, I observed visible emissions from the end of one conveyor (**Photo 24**).

The walk-through concluded and we returned to an office trailer with Mr. Hunziker. We briefly discussed the Facility's electronic record keeping system and follow-up records request. We then held a closing conference with Mr. Hunziker and Mr. Garfield (via speaker phone).

8. Records Review

At the time of inspection, it was discussed that as records are generally kept in a digital format and managed by Mr. Garfield, a follow-up records request would be sent to Mr. Garfield via email following the inspection (**Attachment 4**). Mr. Garfield responded to the records request via email on August 17, 2023 (**Attachment 5**). As a subset of the records request, completed performance testing reports were submitted on September 8, 2023 via email. As such, the following documents were requested/reviewed as part of this inspection:

Record: Processed Material Records**Ref #:** RR-01 – Permit Condition 36., 15., 16.

I requested to review records associated the amount of processed crushed rock, stone, sand, and gravel (in tons), and the 12-month rolling average for the duration of permit coverage (May 2023 - July 2023).

Mr. Garfield provided a table outlining the monthly total for the amount on material processed, including the 12-month rolling average for May 2023, June 2023, July 2023. In May 2023, aggregate throughput was reported as 29,586 tons, June 2023 throughput was reported as 58,803 tons, July 2023 throughput was reported as 20,682 tons. All reported values well below the permit limit of 730,000 tons-per-month.

Record: Fuel Combustion Records**Ref #:** RR-02 – Permit Condition 19., 18., 37.

I requested to review the types and quantity of fuel combusted in engines and generators for the duration of permit coverage (May 2023 – July 2023).

Mr. Garfield provided a table outlining diesel throughput for the Facility's two stationary generators associated with the crushing/washing plant. Total diesel throughput for May 2023 was reported as 6,317 gallons, June 2023 was reported as 9,681 gallons, July 2023 was reported as 4,721 gallons. All reported values I below the 18,275 gallons per month permit limit.

Record: Wet Suppression System Monitoring Records**Ref #:** RR-03 – Permit Condition 26., 38.

I requested to review the date and result of each wet suppression system monitoring event, for the duration of permit coverage.

At the time of inspection, it was discussed that Mr. Hunziker typically conducts the water spray inspections. Mr. Garfield provided a table listing 15 days of production and corresponding inspections of the water spray system.

Inspections occurred on 5/11/23, 5/15/23, 5/24/23, 6/1/23, 6/6/23, 6/16/23, 6/21/23, 6/29/23, 7/5/23, 7/11/23, 7/20/23, 7/25/23, 7/31/23, 8/3/23, 8/11/23. The table included corrective actions for 7/11/23 and for 8/11/23, including adding a water spray to the belt line, adding a spray point to the crusher cross conveyor, and hung rubber on screen discharge for dust control.

Record: Visible Emission and Fugitive Emission Surveys

Ref #: RR-04 – Permit Condition 27., 39., 28., 40.

I requested to review records associated with weekly visible emission and fugitive emission surveys for the duration of permit coverage (when operating). At the time of inspection, it was discussed that Mr. Hunziker typically conducts the Method 22 surveys. Mr. Garfield provided a table listing weekly inspections.

Inspections occurred on 5/11/23, 5/15/23, 5/24/23, 6/1/23, 6/6/23, 6/16/23, 6/21/23, 6/29/23, 7/5/23, 7/11/23, 7/20/23, 7/25/23, 7/31/23, 8/3/23, 8/11/23. The table listed that the water tank and pump was installed on 5/11/23. The table included corrective actions for 7/11/23 and for 8/11/23, including adding a water spray to the belt line, adding a spray point to the crusher cross conveyor, and hung rubber on screen discharge for dust control.

Record: Performance Tests Conducted

Ref #: RR-05 – Permit Condition 29., 30., 31., 41.

I requested to review records associated with any performance tests conducted at the Facility. Mr. Garfield discussed that performance testing most recently occurred on the crushing setup on July 31, 2023. The Facility submitted the final test reports to EPA on September 8, 2023, within the 45-day window. Mr. Garfield provided his Method 9 Visible Emissions Certification from Opacitek Environmental Services, with an expiration of September 13, 2023.

Performance testing on the Caterpillar 3406 engine (EU Gen02) was also conducted on July 31, 2023. The Facility submitted the final test reports to EPA on September 8, 2023, within the 45-day window. The performance testing was conducted by Technical Emissions Testing Company (TETCO). According to Mr. Garfield, testing on the Caterpillar 3512 engine (EUGen01) was scheduled for August 1, 2023, but the generator had an emergency outage, and it is next scheduled for November 7, 2023. The Caterpillar 3152 was last tested in November 2020 while owned/operated by J.K. Merrill.

Record: Generator Maintenance Log

Ref #: RR-06 – Permit Condition 42

I requested to review records associated with the generator engine maintenance. Mr. Garfield provided completed work orders for the 500-hour service (inspection and oil change) which was documented as being completed for EU Gen01 on April 10, 2023, and for EU Gen02 on June 28, 2023.

Record: Deviation Reports

Ref #: RR-07 – Permit Condition 49.

I requested to review records associated with any deviation reports. Mr. Garfield provided that there had been no deviations logged.

9. Closing Conference

Following the Facility tour, we held a closing conference with Mr. Hunziker and Mr. Garfield (via phone). The closing conference was held within an office trailer near the scale. We discussed my observations and potential compliance concerns. I also discussed that I would follow-up with a corresponding records request via email to Mr. Garfield.

Mr. Garfield also inquired about EPA's process for extension requests related to initial source testing for the hot mix asphalt plant. I discussed that I would follow-up with R10's Air Permitting staff on the matter. I then thanked Mr. Hunziker and Mr. Garfield for their time and assistance during the inspection and we then departed the Facility.

10. Post Inspection Activities

On August 14, 2023, I emailed Mr. Garfield (**Attachment 4**) in follow-up to our closing conference discussions and provided a list of requested records for the inspection. In my email, I also outlined the potential compliance concerns discussed during the closing conference and relayed the information I gathered from R10's Air Permitting staff.

On August 17, 2023, I received a follow-up call from Mr. Garfield where he confirmed a few items related to the records request, which he then submitted that same day (August 17, 2023) (**Attachment 5**). Mr. Garfield also explained that the recent performance testing results/reports were yet to be received/finalized; however, he would notify me of the formal submittal to EPA, which I received on September 14, 2023.

11. Potential Compliance Concerns

The purpose of the inspection was to identify if the facility is in compliance with applicable Federal Clean Air Act (CAA) regulations and the EPA issued HMA General Permit and SQCS General Permit (#R10TNSR03300 & #R10TNSR03301). The following potential compliance concerns were identified as part of this inspection:

A. Conveyor Drop Point Without Wet Suppression

Citation: Section 20, of the SQCS General Permit states: "Emissions from all crushers, screens, drop points, and other possible release points shall be controlled by wet suppression."

Concern:

Observation Reference #: OB-03

At the time of inspection while touring the rock crushing operation, I observed a conveyor drop point without wet suppression. Visible emissions were observed coming off the end of the conveyor (**Photo 24**).

It was noted that wet-suppression was occurring at other points in the operation and visible emissions were limited to the single drop point. On August 17, 2023, Mr. Garfield provided follow-up documentation that a water spray had been installed on the belt transfer the day following the inspection and that "wet suppression is used to control emissions at all points, whether that be water sprays or relying on upstream wetting to provide that control."

B. Effectiveness of Water Application

Citation: Section 1. of Attachment C of the SQCS General Permit states: "The dust on the site roadways/plant yard shall be controlled by applications of water, calcium chloride or other acceptable fugitive dust control compound approved by the reviewing authority."

Concern:

Observation Reference #: OB-02

I observed a water truck actively applying water to the unpaved access/haul roads. It appeared that the spray equipment associated with the water truck was not operating, as water was being discharged from the truck via open valves/connections.

It was discussed that a component of the spray equipment had recently broken on the water truck and that the Facility hoping to be able to repair it the following day, if not later that afternoon. While waiting for the replacement part, the Facility would continue to apply water as needed, without the use of the spray equipment. The concern was effectiveness of the water application without the use of the spray equipment.

On August 17, 2023, Mr. Garfield provided follow-up documentation that "the water truck PTO had a part broken last week, which is what runs the pump to the sprays on the truck. It has since been fixed and is operating as it should."

C. Oil Spills Observed

Concern:

Observation Reference # OB-04

At the time of inspection while touring the hot mix asphalt plant I observed some significant staining on the ground from the operations side of the above ground 35,000-gallon asphalt oil storage tank (**Photo 13**). I also observed a 55-gallon drum of heater transfer oil associated with the auxiliary heater to be leaking (**Photo 14**). I recommended the Facility properly manage the events of spills to minimize potential pollutants.

On August 17, 2023, Mr. Garfield provided follow-up documentation that “the asphalt plant personnel cleaned up the spilled asphalt oil and transfer oil. The PCS was placed in a lined area for further characterization. The transfer oil 55-gallon drum was also taken off site for storage as was only needed for plant setup. In discussion with the asphalt superintendent, he mentioned the spilled material was due to getting the lines connected during plant setup and is not indicative of normal operations once the plant starts up. We discussed potential solutions for future portable plant setups to minimize/prevent oil leaks.”

Attachment 1

Aerial Image (Google Earth™)



Attachment 2

SQCS and HMA General Permits
(#R10TNSR03300 & #RT10TNSR0331)



United States Environmental Protection Agency General Permit for New or Modified Minor Sources of Air Pollution in Indian Country

<http://www.epa.gov/air/tribal/tribalnsr.html>

General Air Quality Permit for New or Modified Minor Source Stone Quarrying, Crushing, and Screening Facilities in Indian Country

Last Modified: April 6, 2015

Information about this General Permit:

Applicability

Pursuant to the provisions of the Clean Air Act (CAA), Subchapter I, part D and 40 CFR part 49, subpart C, this permit authorizes the construction or modification and the operation of each stationary and portable stone quarrying, rock crushing, and screening plant for which a reviewing authority issues an Approval of the Request for Coverage (permitted source).

Eligibility

To be eligible for coverage under this General Permit, the permitted source must qualify as a minor source as defined in 40 CFR 49.152.

Request for Coverage

Requirements for submitting a Request for Coverage are contained in Section 7 of this General Permit.

Incorporation of Documents

The information contained in each reviewing authority's Approval of the Request of Coverage is hereby incorporated into this General Permit.

Termination

Section 6 of this General Permit addresses a reviewing authority's ability to revise, revoke and reissue, or terminate this General Permit. It also addresses the reviewing authority's ability to terminate an individual permitted source's Approval of the Request for Coverage under this General Permit.

Definitions

The terms used herein shall have the meaning as defined in 40 CFR 49.152, unless otherwise defined in Attachment B of this permit. If a term is not defined, it shall be interpreted in accordance with normal business use.

Permit Terms and Conditions

The following applies to each permittee and permitted source with respect to only the affected emissions units and any associated air pollution control technologies in that permitted source's Approval of the Request for Coverage.

Section 1: General Provisions

1. *Construction and Operation*

The permittee shall construct or modify and shall operate the affected emissions units and any associated air pollution control technologies in compliance with this permit and all other applicable federal air quality regulations; and in a manner consistent with representations made by the permittee in the Request for Coverage, to the extent the reviewing authority relies upon these representations in issuing the Approval of the Request for Coverage.

2. *Locations*

This permit only authorizes the permittee to construct or modify and to operate the permitted source in the location(s) listed in the reviewing authority's Approval of the Request for Coverage for that permitted source.

3. *Liability*

This permit does not release the permittee from any liability for compliance with other applicable federal and tribal environmental laws and regulations, including the CAA.

4. *Severability*

The provisions of this permit are severable. If any portion of this permit is held invalid, the remaining terms and conditions of this permit shall remain valid and in force.

5. *Compliance*

The permittee must comply with all provisions of this permit, including those set forth in the attachments and emission limitations that apply to the affected emissions units at the permitted source. Noncompliance with any permit provision is a violation of the permit and may constitute a violation of the CAA; is grounds for an enforcement action; and is grounds for the reviewing authority to revoke the Approval of the Request for Coverage and terminate the permitted source's coverage under this General Permit.

6. *National Ambient Air Quality Standards (NAAQS)/Prevention of Significant Deterioration (PSD) Protection*

The permitted source must not cause or contribute to a NAAQS violation or, in an attainment area, must not cause or contribute to a PSD increment violation.

7. *Unavailable Defense*

It is not a defense for the permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the provisions of this permit.

8. *Property Rights*

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

9. *Information Requests*

You, as the permittee, shall furnish to the reviewing authority, within 30 days unless another timeframe is specified by the EPA, any information that the reviewing authority may request in writing to determine whether cause exists for revising, revoking and reissuing, or terminating coverage under the permit or to determine compliance with the permit. For any such information claimed to be confidential, the permittee must submit a claim of confidentiality in accordance with 40 CFR part 2 subpart B.

10. *Inspection and Entry*

Upon presentation of proper credentials, the permittee must allow a representative of the reviewing authority to:

- a. Enter upon the premises where a permitted source is located or emissions-related activity is conducted or where records are required to be kept under the conditions of the permit;
- b. Have access to and copy, at reasonable times, any records that are required to be kept under the conditions of the permit;
- c. Inspect, during normal business hours or while the permitted source 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 for the purpose of assuring compliance with the permit or other applicable requirements and
- e. Record any inspection by use of written, electronic, magnetic and photographic media.

11. *Posting of Coverage*

The most current Approval of the Request for Coverage for the permitted source, must be posted prominently at the facility, and each affected emissions unit and any associated air pollution control technology must be labeled with the identification number listed in the Approval of the Request for Coverage for that permitted source.

12. *Duty to Obtain Source-specific Permit*

If the reviewing authority intends to terminate a permitted source's coverage under this General Permit for cause as provided in Section 6 of this General Permit, then the permittee shall apply for and obtain a source-specific permit as required by the reviewing authority.

13. *Credible Evidence*

For the purpose of establishing whether the permittee violated or is in violation of any requirement of this permit, nothing shall preclude the use, including the exclusive use, of any credible evidence or information relevant to whether a permitted source would have been in compliance with applicable requirements if the permittee had performed the appropriate performance or compliance test or procedure.

Section 2: Emission Limitations and Standards

14. The permittee shall install, maintain, and operate each affected emissions unit, including any associated air pollution control equipment, in a manner consistent with good air pollution control practices for minimizing emissions of New Source Review regulated pollutants and considering the manufacturer's recommended operating procedures at all times, including periods of startup, shutdown, maintenance and malfunction. The reviewing authority will determine whether the permittee is using acceptable operating and maintenance procedures based on information available to the reviewing authority which may include, but

is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the permitted source.

15. Except as specified in Condition 16, maximum raw material throughput shall not exceed 1,100,000 tons-per-month based on a 12-month rolling average.
16. The following throughput limit applies when sources are co-located with hot mix asphalt plants and have elected to comply with this limit: maximum raw material throughput shall not exceed 730,000 tons-per-month based on a 12-month rolling average. The requirement to comply with this limit shall be specified in the Approval of the Request for Coverage.
17. Fuel combustion in stationary internal combustion engines shall be limited to diesel and biodiesel.
18. Diesel and biodiesel shall contain no more than 0.0015 percent sulfur by weight.
19. The combined fuel consumption in all engines and generators, excluding nonroad mobile engines, in any calendar month shall not exceed:
 - a. 24,200 gallons if the permitted source is located in an ozone attainment, unclassifiable or attainment/unclassifiable area or a marginal or moderate ozone nonattainment area; or
 - b. 12,000 gallons if the permitted source is located in a serious ozone nonattainment area;
 - c. 5,500 gallons if the permitted source is located in a severe ozone nonattainment area;
 - d. 1,900 gallons if the permitted source is located in an extreme ozone nonattainment area; or
 - e. 18,275 gallons if the Approval of Request for Coverage requires the permitted source to comply with this condition, Condition 19.e. This fuel consumption limit includes any fuel use at a co-located Hot Mix Asphalt operation.
20. Emissions from all crushers, screens, drop points, and other possible release points shall be controlled by wet suppression.
21. Fugitive emissions from stone quarrying, rock crushing, and screening operations shall not exceed:
 - a. 12 percent opacity for crushers; and
 - b. 7 percent opacity, at other affected emissions units.
22. Truck dumping of nonmetallic minerals into any screening operation, feed hopper, or crusher is exempt from the emission limits in Condition 21.
23. The permittee shall comply with the fugitive dust control plan in Attachment C.
24. Each affected compression ignition engine, excluding nonroad mobile engines, shall comply with the following limitations and standards:
 - a. Each compression ignition engine that commenced construction on or after June 12, 2006 must be certified to the applicable Tier standards in 40 CFR 89.112 and 40 CFR 1039.101 through 1039.104, for all pollutants, for the same model year and maximum engine power.
 - b. Each compression ignition engine that commenced construction before June 12, 2006 shall meet the following standards based on the engine's maximum rated power.

Maximum Engine Power Rating	Emission Standard
≤ 300 HP	(a) Change oil and filter every 1,000 hours of operation or annually, whichever comes first; (b) Inspect air cleaner every 1,000 hours of operation or annually, whichever comes first; (c) Inspect all hoses and belts every 500 hours of operation or annually, whichever comes first, and replace as necessary.
300 < HP ≤ 500	Limit carbon monoxide (CO) to 49 ppm _{vd} @ 15% O ₂ OR reduce CO emissions by 70 percent or more. Emissions shall be controlled through the use of an oxidation catalyst. Engines certified to Tier 3 standards in 40 CFR 89.112 are exempt from this limit.
HP > 500	Limit CO to 23 ppm _{vd} @ 15% O ₂ OR reduce CO emissions by 70 percent or more. Emissions shall be controlled through the use of an oxidation catalyst. Engines rated at less than or equal to 560kW that are certified to Tier 3 standards in 40 CFR 89.112 are exempt from this limit. Engines rated at greater than 560kW that are certified to Tier 2 standards in 40 CFR 89.122 are exempt from this limit.

25. No affected compression ignition engine, excluding nonroad mobile engines, shall discharge into the atmosphere any gases that exhibit 20 percent opacity or greater averaged over any six-consecutive-minute period.

Section 3: Monitoring and Testing Requirements

26. *Wet Suppression Monitoring*

At least once during each calendar month the permitted source operates, the permittee shall inspect to check that water is flowing to discharge spray nozzles in the wet suppression system. The owner or operator must initiate corrective action within 24 hours and complete corrective action as expediently as practical.

27. *Visible Emissions Survey*

At least once during each calendar week in which the permitted source operates, the permittee shall perform a visible emissions survey of all affected emissions units subject to the opacity limit in Condition 21. The survey shall be performed during daylight hours by an individual trained in EPA Method 22 while the permitted source is in operation. If visible emissions are detected during the survey, the permittee shall either:

- Take corrective action so that within 24 hours no visible emissions are detected from any affected emissions units while they are in operation; or
- Demonstrate compliance with the opacity limit at all affected emissions units that discharged visible emissions during the survey using EPA Method 9 by an individual trained and certified in Method 9.

28. Fugitive Emissions Survey

At least once during each calendar week in which the permitted source operates, the permittee shall survey the facility for visible fugitive emissions. If fugitive emissions are detected crossing the property line, the permittee shall take corrective actions according to the attached fugitive dust control plan (Attachment C).

29. Initial Performance Test

Within 60 days after achieving the maximum production rate at which the permitted source will operate the affected emissions unit(s), but not later than 180 days after the first day of operation after the reviewing authority issues the Approval of the Request for Coverage, the permittee shall perform an initial performance test to verify compliance with the applicable opacity limitations in Condition 21. Performance tests shall be performed:

- a. According to a test plan approved by the reviewing authority;
- b. While the permitted source is operating under typical operating conditions;
- c. Using test Method 9 from 40 CFR part 60, appendix A with the following modifications:
 - i. The observer shall stand at least 15 feet from the emissions source;
 - ii. The observer shall, when possible, select a position that minimizes interference from other fugitive emissions sources; and
 - iii. Water used for wet suppression shall not be confused with particulate matter emissions and is not to be considered a visible emission. When a water mist of this nature is present, the observation of emissions is to be made at a point in the plume where the mist is no longer visible; and
- d. The duration of each Method 9 test shall be at least 30 minutes.

Compliance with each opacity limit shall be determined based on the average of at least five six-minute averages.

30. Additional Performance Test(s)

Ongoing performance tests meeting the criteria of the initial performance tests in Condition 29 shall be performed whenever required by the reviewing authority but at least every five years.

31. Performance Test for Engines

Within 60 days after achieving the maximum production rate at which the permitted source will operate, but not later than 180 days after the first day of operation after the Approval of Request for Coverage is issued by the reviewing authority the permittee shall perform a performance test to verify compliance with the CO and emission limits in Condition 24, as applicable, as follows:

- a. According to a test plan approved by the reviewing authority;
- b. While the stone quarrying, crushing, and screening facility is operating under typical operating conditions;
- c. Using test methods from 40 CFR part 60, appendix A, or portable analyzers allowed by 40 CFR part 63, subpart ZZZZ, unless alternative methods are approved by the reviewing authority in writing in advance of the test;
- d. While the catalyst inlet temperature and pressure drop are being monitored and recorded;
- e. Upon completion of the performance test, the permittee shall establish the operating range for the catalyst inlet temperature based on a 4-hour average and the pressure drop across the catalyst; and
- f. The permittee shall conduct subsequent performance tests according to this paragraph whenever required by the reviewing authority.

The permitted source may substitute the results of the most recent performance test performed on the engine(s) in lieu of conducting the performance test for engines required above, provided that the most recent performance test was conducted within two years of the first day of operation after the Approval of Request for Coverage is issued by the reviewing authority, and, was conducted according to the requirements in Conditions 31.a-f. above.

32. *Continuous Parameter Monitoring at Engines*

For each engine greater than 500 hp subject to a CO emission limitation, the permittee shall install, operate, and maintain a continuous parameter monitoring system according to the methods in 40 CFR 63.6625(b) to continuously monitor catalyst inlet temperature. Catalyst temperature data shall be reduced to 4-hour rolling averages. The permittee shall maintain the 4-hour rolling average catalyst inlet temperature within the operating parameter established during the most recent performance test.

33. *Pressure Drop Monitoring at Engines*

For each engine greater than 500 hp subject to a CO emission limitation, the permittee shall monitor the pressure drop across the catalyst on a monthly basis. The permittee shall ensure the pressure drop across the catalyst is within the operating parameter established during the most recent performance test.

Section 4: Recordkeeping Requirements

34. The permittee shall maintain all records required to be kept by this permit for at least five years from the date of origin, unless otherwise stated, either onsite or at a convenient location, such that they can be delivered to the reviewing authority within 24 hours of a request.
35. The permit application and all documentation supporting that application shall be maintained by the permittee for the duration of time the affected emissions unit(s) is covered under this permit.
36. Each month the permitted source shall record the amounts of crushed rock, stone, sand, and gravel processed (in tons) and the 12-month rolling average.
37. The types and quantities of fuel combusted in engines and generators shall be recorded each calendar month.
38. The dates and results of each wet suppression system monitoring performed pursuant to Condition 26, any corrective action taken as a result of each survey, and the result of any corrective action taken shall be recorded.
39. The dates and results of each visible emissions survey performed pursuant to Condition 27 shall be recorded. At a minimum, records shall include:
 - a. The name of the person, company or entity conducting the survey;
 - b. Whether visible emissions were detected from any affected emissions unit;
 - c. Any corrective action taken;
 - d. The result of any corrective action; and
 - e. The results of any Method 9 tests performed.

40. The dates and results of each fugitive emissions survey performed pursuant to Condition 28, any corrective action taken as a result of each survey, and the result of any corrective action taken shall be recorded.
41. The results of each performance test conducted pursuant to Condition 29, 30, or 31 shall be recorded. At a minimum, the permittee shall maintain records of:
 - a. The date of each test;
 - b. Each test plan;
 - c. Any documentation required to approve an alternate test method;
 - d. Test conditions, including the amounts and types of products produced and the operating parameters of any control equipment;
 - e. The results of each test; and
 - f. The name of the company or entity conducting the analysis.
42. A log of all maintenance activities conducted on each engine, excluding nonroad mobile engines, shall be recorded.
43. The date, time, and duration of each deviation from the established catalyst operating parameters for each engine, corrective actions taken to return the equipment to normal operation and the results of any corrective action taken shall be recorded.

Section 5: Notification and Reporting Requirements

44. *Notification of Construction or Modification, and Operations*

The permittee shall submit a written or electronic notice to the reviewing authority within 30 days from when the permittee begins actual construction, and within 30 days from when the permittee begins initial operations or resumes operation after a modification.

45. *Notification of Relocation*

When a permittee intends to relocate the permitted source to an alternate location contained in the Approval of the Request for Coverage, then the permittee must notify the reviewing authority electronically within 30 days before or after such relocation. The notification must identify the owner, the preceding location, and the new location of the permitted source.

46. *Notification of Change in Ownership or Operator*

If the permitted source changes ownership or operator, then the new owner or operator must submit a written or electronic notice to the reviewing authority within 90 days after the change in ownership or operator is effective. In the report, the new permittee must provide the reviewing authority a written agreement containing a specific date for transfer of ownership or operator, and an effective date on which the new owner or operator assumes partial and/or full coverage and liability under this permit. The submittal must identify the previous owner or operator, and update the name, street address, mailing address, contact information, and any other information about the permitted source if it would change as a result of the change of ownership or operator. The current owner or operator shall ensure that the permitted source remains in compliance with the General Permit until any such transfer of ownership or operator is effective.

47. *Notification of Closure*

The permittee must submit a report of any permanent or indefinite closure to the reviewing authority in writing within 90 days after the cessation of all operations at the permitted source. The notification must identify the owner, the current location, and the last operating location of the permitted source. It is not necessary to submit a report of closure for regular, seasonal closures.

48. *Annual Reports*

The permittee shall submit an annual report on or before March 15 of each calendar year to the reviewing authority. The annual report shall cover the period from January 1 to December 31 of the previous calendar year and shall include:

- a. An evaluation of the permitted source's compliance status with the requirements in Section 2 for each location in which the permitted source located during the calendar year;
- b. Summaries of the required monitoring and recordkeeping in Sections 3 and 4; and
- c. Summaries of deviation reports submitted pursuant to Condition 49.

49. *Deviation Reports*

The permittee shall promptly report to the reviewing authority any deviations as defined at 40 CFR 71.6(a)(3)(iii)(C) from permit requirements including deviations attributable to upset conditions. Deviation reports shall include:

- a. The identity of affected emissions unit where the deviation occurred.
- b. The nature of the deviation;
- c. The length of time of the deviation;
- d. The probable cause of the deviation; and
- e. Any corrective actions or preventive measures taken as a result of the deviation to minimize emissions from the deviation and to prevent future deviations.
- f. For the purposes of this permit, *promptly* shall be defined to mean:
 - i. Within 72 hours of discovery for deviations from any emission limit in Condition 20 and any opacity limit in Condition 21; or
 - ii. Within 30 days after the end of the month in which the permittee discovered the deviation, for all other deviations.

50. *Performance Test Reports*

The permittee shall submit a test report to the reviewing authority within 45 days after the completion of any required performance test. At a minimum, the test report shall include:

- a. A description of the affected emissions unit and sampling location(s);
- b. The time and date of each test;
- c. A summary of test results, reported in units consistent with the applicable standard;
- d. A description of the test methods and quality assurance procedures used;
- e. A summary of any deviations from the proposed test plan and justification for why the deviation(s) was necessary;
- f. The amount of fuel burned, raw material consumed, and product produced during each test run;
- g. Operating parameters of the affected emissions unit and control equipment during each test run;
- h. Sample calculations of equations used to determine test results in the appropriate units; and
- i. The name of the company or entity performing the analysis.

51. *Reporting and Notification Address*

The permittee shall send all required reports to the reviewing authority at the mailing address(es) specified in the Approval of the Request for Coverage.

52. *Signature Verifying Truth, Accuracy, and Completeness*

All reports required by this permit shall be signed by a responsible official as to the truth, accuracy, and completeness of the information. The report must state that, based on information and belief formed after reasonable inquiry, the statements and information are true, accurate, and complete. If the permittee discovers that any reports or notification submitted to the reviewing authority contain false, inaccurate, or incomplete information, the permittee shall notify the reviewing authority immediately and correct or amend the report as soon as practicable.

Section 6: Changes to this General Permit**53. *Revising, Reopening, Revoking and Reissuing, or Terminating for Cause***

The permit may be revised, reopened, revoked and reissued, or terminated for cause. The filing of a request by you, the permittee, for a permit revision, revocation and re-issuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any permit condition. This provision also applies to the documents incorporated by reference.

54. *Terminating Coverage Under this Permit*

The reviewing authority may terminate a previously issued Approval of the Request for Coverage, and thereby terminate that permittee's authorization to construct or modify, and that permitted source's authorization to operate under this General Permit for cause as defined in Attachment B. The reviewing authority may provide the permittee with notice of the intent to terminate, and delay the effective date of the termination to allow the permittee to obtain a source-specific permit as required by the reviewing authority.

55. *Change in Ownership or Operator*

If the permitted source changes ownership or operator, the reviewing authority may change the Approval of the Request of Coverage to reflect the new ownership or operator in accordance with the administrative amendment provisions in 40 CFR 49.159(f).

56. *Permit Becomes Invalid*

Authority to construct and operate under this permit becomes invalid if the permittee does not commence construction within 18 months after the effective date of the request for coverage under a general permit, if the permittee discontinues construction for a period of 18 months or more, or if the permittee does not complete construction within a reasonable time. The reviewing authority may extend the 18-month period upon a satisfactory showing that an extension is justified, according to 40 CFR 49.156(e)(8).

Section 7: Obtaining Coverage under this General Permit

57. To obtain coverage under this General Permit, an applicant must submit a Request for Coverage to the appropriate reviewing authority for the area in which the permitted source is or will be located (the Request for Coverage Form can be found at: <http://www.epa.gov/air/tribal/tribalnsr.html>). Attachment D contains a list of reviewing authorities and their area of coverage.

58. If the plant will locate in area covered by more than one reviewing authority, the applicant need only submit a Request for Coverage to one reviewing authority with regard to all intended locations of operation. The Request for Coverage must contain the information requested in the standard application form for this permit. You must also submit a copy of the Request for Coverage to the Indian governing body for every area in which the permitted source plans operate.

Attachment A: Abbreviations and Acronyms

ASTM	American Society for Testing and Materials
CAA or the Act	Federal Clean Air Act
CFR	Code of Federal Regulations
CO	carbon monoxide
EPA	United States Environmental Protection Agency
gr/dscf	gram per dry standard cubic foot
Hg	mercury
hp	horsepower
kW	kilowatt
NAAQS	National Ambient Air Quality Standards
NSR	New Source Review
ppm	parts per million
ppm _{vd}	parts per million by volume, dry basis
PSD	Prevention of Significant Deterioration

Attachment B: Definitions

For the purposes of this General Permit:

Approval of the Request for Coverage means a reviewing authority's letter granting an applicant's request for construction or modification, and operation of a minor source under the terms and conditions of this General Permit.

Biodiesel means a combustion fuel made from fatty acids of methyl esters that complies with the specifications of ASTM 6751

Cause means with respect to the reviewing authority's ability to terminate a permitted source's coverage under a permit that:

1. The permittee is not in compliance with the provisions of this General Permit;
2. The reviewing authority determines that the emissions resulting from the construction or modification of the permitted source significantly contribute to NAAQS violations, which are not adequately addressed by the requirements in this General Permit;
3. The reviewing authority has reasonable cause to believe that the permittee obtained Approval of the Request for Coverage by fraud or misrepresentation; or
4. The permittee failed to disclose a material fact required by the Request for Coverage or the regulations applicable to the permitted source of which the applicant had or should have had knowledge at the time the permittee submitted the Request for Coverage.

Construction means any physical change or change in the method of operation including fabrication, erection, installation, demolition, or modification of an affected emissions unit that would result in a change of emissions.

Permittee means the owner or operator of a permitted source.

Permitted source means each stationary and portable stone quarrying, rock crushing and screening facility for which a reviewing authority issues an Approval of the Request for Coverage.

Request for Coverage means a permit application that contains all the information required in the standard application form.

Responsible official means one of the following:

1. For a corporation: a 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 directly responsible for the overall operation of the permitted source.
2. For a partnership or sole proprietorship: a general partner or the proprietor, respectively.
3. For a public agency: Either a principal executive officer or ranking elected official, such as a chief executive officer having responsibility for the overall operations of a principal geographic unit of the agency.

Standard cubic foot means a measure of the quantity of a gas equal to a cubic foot of volume at a temperature of 68 °F and a pressure of 29.92 in. Hg.

Attachment C: Dust Control Plan

1. *Site Roadways and Plant Yard*
 - a. The dust on the site roadways/plant yard shall be controlled by applications of water, calcium chloride or other acceptable fugitive dust control compound approved by the reviewing authority. Applications of dust suppressants shall be done as often as necessary to meet all applicable emission limits.
 - b. All paved roadways/plant yards shall be swept as needed between applications.
 - c. Any material spillage on roads shall be cleaned up immediately.
2. *Plant*
 - a. The drop distance at each transfer point shall be reduced to the minimum the equipment can achieve.
 - b. The transfer point from the re-circulating belt to the feed belt shall be equipped with an enclosed chute.
3. *Storage Piles*
 - a. Stockpiling of all nonmetallic minerals shall be performed to minimize drop distance and control potential dust problems.
 - b. Stockpiles shall be watered on an as needed basis in order to meet the opacity limits. Also, equipment to apply water or dust suppressant shall be available at the site, or on call for use at the site, within a given operating day.
4. *Truck Traffic*
 - a. Vehicles shall be loaded to prevent their contents from dropping, leaking, blowing or otherwise escaping. This shall be accomplished by loading so that no part of the load shall come in contact within six (6) inches of the top of any side board, side panel or tail gate; otherwise, the truck shall be tarped.
 - b. A speed limit sign of 15 miles-per-hour or lower shall be posted on site so that it is visible to truck traffic.
5. *Corrective Actions*

If corrective action needs to be taken, the permittee shall consider and use one or more of the following options: adjust the watering and/or sweeping frequencies, reduce drop distances, increase cover, and/or take other actions to reduce fugitive dust emissions.

Attachment D – List of Reviewing Authorities and Areas of Coverage

EPA Region	Address for Notification of Coverage	Address for All Other Notifications and Reports	Area Covered	Phone Number
Region I	EPA New England 5 Post Office Square, Suite 100 Mail Code OEP05-2 Boston, MA 02109-3912	EPA New England 5 Post Office Square, Suite 100 Mail Code OES04-2 Boston, MA 02109-3912	Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, and Vermont	888- 372-7341 617-918-1111
Region II	Chief, Air Programs Branch Clean Air and Sustainability Division EPA Region 2 290 Broadway, 25 th Floor New York, NY 10007-1866	Chief, Air Compliance Branch Division of Enforcement and Compliance Assistance EPA Region 2 290 Broadway, 21 st Floor New York, NY 10007-1866	New Jersey, New York, Puerto Rico, and Virgin Islands	877-251-4575
Region III	Office of Permits and Air Toxics 3AP10 EPA Region 3 1650 Arch Street Philadelphia, PA 19103	Office of Air Enforcement and Compliance Assurance 3AP20 EPA Region 3 1650 Arch Street Philadelphia, PA 19103	Delaware, District of Columbia, Maryland, Pennsylvania, Virginia, and West Virginia	800-438-2474 215-814-5000
Region IV	Chief, Air Permits Section EPA Region 4 APTMD 61 Forsyth Street Atlanta, GA 30303	Chief, Air & EPCRA Enforcement Branch EPA Region 4 APTMD 61 Forsyth Street, SW Atlanta, GA 30303	Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, and Tennessee	800-241-1754 404-562-9000
Region V	Air Permits Section Air Programs Branch (AR-18J) EPA Region 5 77 West Jackson Blvd Chicago, Illinois 60604	Air Enforcement and Compliance Assurance Branch (AE-17J) Air and Radiation Division EPA Region 5 77 West Jackson Blvd Chicago, Illinois 60604	Illinois, Indiana, Michigan, Minnesota, Ohio, and Wisconsin	800-621-8431 312-353-2000

EPA Region	Address for Notification of Coverage	Address for All Other Notifications and Reports	Area Covered	Phone Number
Region VI	Multimedia Planning and Permitting Division EPA Region 6 1445 Ross Avenue (6PD-R) Dallas, TX 75202	Compliance and Enforcement Correspondence: Compliance Assurance and Enforcement Division EPA Region 6 1445 Ross Avenue (6EN) Dallas, TX 75202	Arkansas, Louisiana, New Mexico, Oklahoma, and Texas	800-887-6063 214-665-2760
Region VII	Chief, Air Permitting & Compliance Branch EPA Region 7 11201 Renner Blvd Lenexa, KS 66219	Chief, Air Permitting & Compliance Branch EPA Region 7 11201 Renner Blvd Lenexa, KS 66219	Iowa, Kansas, Missouri, and Nebraska	800-223-0425 913-551-7003
Region VIII	U.S. Environmental Protection Agency, Region 8 Office of Partnerships and Regulatory Assistance Tribal Air Permitting Program, 8P-AR 1595 Wynkoop Street Denver, Colorado 80202	U.S. Environmental Protection Agency, Region 8 Office of Enforcement, Compliance & Environmental Justice Air Toxics and Technical Enforcement Program, 8ENF-AT 1595 Wynkoop Street Denver, Colorado 80202	Colorado, Montana, North Dakota, South Dakota, Utah, and Wyoming	800-227-8917 303-312-6312
Region IX	Chief, Permits Office (Air-3) Air Division EPA Region 9 75 Hawthorne St San Francisco, CA 94105	Enforcement Division Director Attn: Air & TRI Section (ENF-2-1) EPA Region 9 75 Hawthorne St San Francisco, CA 94105	American Samoa, Arizona, California, Guam, Hawaii, Navajo Nation Nevada, and Northern Mariana Islands	866-EPA-9378 415-947-8000
Region X	Tribal Air Permits Coordinator U.S. EPA, Region 10, AWT-150 1200 Sixth Avenue, Suite 900 Seattle, WA 98101	Tribal Air Permits Coordinator U.S. EPA, Region 10, AWT-150 1200 Sixth Avenue, Suite 900 Seattle, WA 98101	Alaska, Idaho, Oregon, and Washington	800-424-4372 206-553-1200



United States Environmental Protection Agency General Permit for New or Modified Minor Sources of Air Pollution in Indian Country

<http://www.epa.gov/air/tribal/tribalnsr.html>

General Air Quality Permit for New or Modified Minor Source Hot Mix Asphalt Plants in Indian Country

Last Modified: April 6, 2015

Information about this General Permit:

Applicability

Pursuant to the provisions of the Clean Air Act (CAA), Subchapter I, part D and 40 CFR part 49, subpart C, this permit authorizes the construction or modification and the operation of each stationary and portable hot mix asphalt plant for which a reviewing authority issues an Approval of the Request for Coverage (permitted source).

Eligibility

To be eligible for coverage under this General Permit, the permitted source must qualify as a minor source as defined in 40 CFR 49.152.

Request for Coverage

Requirements for submitting a Request for Coverage are contained in Section 7 of this General Permit.

Incorporation of Documents

The information contained in each reviewing authority's Approval of the Request for Coverage is hereby incorporated into this General Permit.

Termination

Section 6 of this General Permit addresses a reviewing authority's ability to revise, revoke and reissue, or terminate this General Permit. It also addresses the reviewing authority's ability to terminate an individual permitted source's Approval of the Request for Coverage under this General Permit.

Definitions

The terms used herein shall have the meaning as defined in 40 CFR 49.152, unless otherwise defined in Attachment B of this permit. If a term is not defined, it shall be interpreted in accordance with normal business use.

Permit Terms and Conditions

The following applies to each permittee and permitted source with respect to only the affected emissions units and any associated air pollution control technologies in that permitted source's Approval of the Request for Coverage.

Section 1 – General Provisions

1. *Construction and Operation*

The permittee shall construct or modify and shall operate the affected emissions units and any associated air pollution control technologies in compliance with this permit and all other applicable federal air quality regulations; and in a manner consistent with representations made by the permittee in the Request for Coverage, to the extent the reviewing authority relies upon these representations in issuing the Approval of the Request for Coverage.

2. *Locations*

This permit only authorizes the permittee to construct or modify and to operate the permitted source in the location(s) listed in the reviewing authority's Approval of the Request for Coverage for that permitted source.

3. *Liability*

This permit does not release the permittee from any liability for compliance with other applicable federal and tribal environmental laws and regulations, including the CAA.

4. *Severability*

The provisions of this permit are severable. If any portion of this permit is held invalid, the remaining terms and conditions of this permit shall remain valid and in force.

5. *Compliance*

The permittee must comply with all provisions of this permit, including those set forth in the attachments and emission limitations that apply to the affected emissions units at the permitted source. Noncompliance with any permit provision is a violation of the permit and may constitute a violation of the CAA; is grounds for an enforcement action; and is grounds for the reviewing authority to revoke the Approval of the Request for Coverage and terminate the permitted source's coverage under this General Permit.

6. *National Ambient Air Quality Standards (NAAQS)/Prevention of Significant Deterioration (PSD) Protection*

The permitted source must not cause or contribute to a NAAQS violation or, in an attainment area, must not cause or contribute to a PSD increment violation.

7. *Unavailable Defense*

It is not a defense for the permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the provisions of this permit.

8. *Property Rights*

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

9. *Information Requests*

You, as the permittee, shall furnish to the reviewing authority, within 30 days unless another timeframe is specified by the EPA, any information that the reviewing authority may request in writing to determine whether cause exists for revising, revoking and reissuing, or terminating coverage under the permit or to determine compliance with the permit. For any such information claimed to be confidential, the permittee must submit a claim of confidentiality in accordance with 40 CFR part 2 subpart B.

10. *Inspection and Entry*

Upon presentation of proper credentials, the permittee must allow a representative of the reviewing authority to:

- a. Enter upon the premises where a permitted source is located or emissions-related activity is conducted or where records are required to be kept under the conditions of the permit;
- b. Have access to and copy, at reasonable times, any records that are required to be kept under the conditions of the permit;
- c. Inspect, during normal business hours or while the permitted source 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 for the purpose of assuring compliance with the permit or other applicable requirements and
- e. Record any inspection by use of written, electronic, magnetic and photographic media.

11. *Posting of Coverage*

The most current Approval of the Request for Coverage for the permitted source, must be posted prominently at the facility, and each affected emissions unit and any associated air pollution control technology must be labeled with the identification number listed in the Approval of the Request for Coverage for that permitted source.

12. *Duty to Obtain Source-specific Permit*

If the reviewing authority intends to terminate a permitted source's coverage under this General Permit for cause as provided in Section 6 of this General Permit, then the permittee shall apply for and obtain a source-specific permit as required by the reviewing authority.

13. *Credible Evidence*

For the purpose of establishing whether the permittee violated or is in violation of any requirement of this permit, nothing shall preclude the use, including the exclusive use, of any credible evidence or information relevant to whether a permitted source would have been in compliance with applicable requirements if the permittee had performed the appropriate performance or compliance test or procedure.

Section 2: Emission Limitations and Standards

14. The permittee shall install, maintain, and operate each affected emissions unit, including any associated air pollution control equipment, in a manner consistent with good air pollution control practices for minimizing emissions of New Source Review-regulated pollutants and considering the manufacturer's recommended operating procedures at all times, including periods of startup, shutdown, maintenance and malfunction. The reviewing authority will determine whether the permittee is using acceptable operating and maintenance procedures based on information available to the reviewing authority which may include, but

is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the permitted source.

15. Except as specified in Condition 17, production of hot mix asphalt shall not exceed the following amounts:
 - a. 83,000 tons-per-month based on a 12-month rolling average from a drum mix asphalt plant;
 - b. 27,000 tons-per-month based on a 12-month rolling average from a batch mix asphalt plant.
16. In serious CO nonattainment areas, production of hot mix asphalt shall not exceed the following amounts:
 - a. 33,000 tons-per-month based on a 12-month rolling average from a drum mix asphalt plant;
 - b. 11,000 tons-per-month based on a 12-month rolling average from a batch mix asphalt plant.
17. The following throughput limits apply when sources are co-located with stone quarrying, rock crushing and screening facilities and have elected to comply with the limits, as applicable:
 - a. 73,000 tons-per-month based on a 12-month rolling average from a drum mix asphalt plant;
 - b. 25,000 tons-per-month based on a 12-month rolling average from a batch mix asphalt plant.The requirement to comply with this condition shall be specified in the Approval of Request for Coverage.
18. Fuel combustion shall be limited to the following fuels:
 - a. Natural gas, propane, distillate fuel, and biodiesel in the dryer/mixer and auxiliary heaters;
 - b. Diesel and biodiesel in the stationary engines and generators.
19. Liquid fuels shall contain no more than 0.0015 percent sulfur by weight.
20. The combined fuel consumption in all engines and generators, excluding nonroad mobile engines, shall not exceed 12,500 gallons-per-calendar month, except for:
 - a. Permitted sources located in a serious ozone nonattainment area, where fuel consumption shall not exceed 5,200 gallons-per-calendar month; or
 - b. Permitted sources required by the Approval of Request for Coverage to comply with this condition, Condition 20.b., 18,275 gallons per-calendar month. This fuel consumption limit also includes any fuel use at a co-located stone quarrying, crushing, and screening operation.
21. Emissions from an affected dryer/mixer shall be controlled using a baghouse or venturi scrubber during all times when the affected emissions unit operates.
22. The permittee should maintain a supply of extra bags and other spare parts for the baghouse onsite. When a bag replacement is needed the facility shall shut down until the replacement bag is installed.
23. The permittee shall comply with the fugitive dust control plan in Attachment C.
24. Each affected emissions unit shall not cause to be discharged into the atmosphere any gases that exhibit 20 percent opacity or greater averaged over any six-consecutive-minute period.
25. Emissions from each affected emissions unit mixer/dryer shall not exceed the following:

Fuel	Pollutant	Nonattainment	Attainment, Unclassifiable or Attainment/Unclassifiable
Liquid	Carbon Monoxide (CO)	600 ppm _{vd} @ 3% O ₂	600 ppm _{vd} @ 3% O ₂
	Nitrogen Oxides (NO _x)	40 ppm _{vd} @ 3% O ₂	140 ppm _{vd} @ 3% O ₂
	Particulate Matter (PM/PM ₁₀ /PM _{2.5})	0.01 gr/dscf, except for a baghouse with a filter area less than 7,500 square feet, then 0.04 gr/dscf	0.04 gr/dscf
Gaseous	CO	400 ppm _{vd} @ 3% O ₂	400 ppm _{vd} @ 3% O ₂
	NO _x	36 ppm _{vd} @ 3% O ₂	80 ppm _{vd} @ 3% O ₂
	PM/PM ₁₀ /PM _{2.5}	0.01 gr/dscf, except for a baghouse with a filter area less than 7,500 square feet then 0.04 gr/dscf	0.04 gr/dscf
Notes	The nonattainment CO limit applies in areas classified as nonattainment for CO. The nonattainment NO_x limit applies in areas classified as nonattainment for ozone, NO₂ or PM_{2.5}. The nonattainment PM limit applies in areas classified as nonattainment for PM₁₀ or PM_{2.5}. The nonattainment PM limit includes both filterable and condensable particulate matter.		

26. Each permitted source located in a PM₁₀ or PM_{2.5} nonattainment area shall cool gases in the asphalt storage tank to less than 120 degrees Fahrenheit and vent to a fiberglass or steel wool filter.
27. Each permitted source located in ozone nonattainment area shall not cause emissions from any process heater to exceed:
- 20 ppm_{vd} NO_x at 3% O₂, and
 - 400 ppm_{vd} CO at 3% O₂.
28. Each affected compression ignition engine, excluding nonroad mobile engines, shall comply with the following limitations and standards:
- Each compression ignition engine that commenced construction on or after June 12, 2006 shall be certified to the applicable Tier standards in 40 CFR 89.112 and 40 CFR 1039.101 through 1039.104, for all pollutants, for the same model year and maximum engine power.
 - Each compression ignition engine that commenced construction before June 12, 2006 shall meet the following standards based on the engine's maximum rated power:

Maximum Engine Power Rating	Emission Standard
≤ 300 HP	(a) Change oil and filter every 1,000 hours of operation or annually, whichever comes first; (b) Inspect air cleaner every 1,000 hours of operation or annually, whichever comes first; (c) Inspect all hoses and belts every 500 hours of operation or annually, whichever comes first, and replace as necessary.
300 < HP ≤ 500	Limit CO to 49 ppm _{vd} @ 15% O ₂ OR reduce CO emissions by 70 percent or more. Emissions shall be controlled through the use of an oxidation catalyst. Engines certified to Tier 3 standards in 40 CFR 89.112 are exempt from this limit.
HP > 500	Limit CO to 23 ppm _{vd} @ 15% O ₂ OR reduce CO emissions by 70 percent or more. Emissions shall be controlled through the use of an oxidation catalyst. Engines rated at less than or equal to 560kW that are certified to Tier 3 standards in 40 CFR 89.112 are exempt from this limit. Engines rated at greater than 560kW that are certified to Tier 2 standards in 40 CFR 89.122 are exempt from this limit.

Section 3: Monitoring and Testing Requirements

29. Baghouse and Venturi Scrubber

- a. If using a baghouse to comply with Condition 21, at least once during each calendar week in which the permitted source operates, the permittee shall inspect the interior and exterior of the baghouse for evidence of leaking, damaged, and missing bags, and take appropriate corrective actions before resuming operations.
- b. If using a venturi scrubber to comply with Condition 21, the permitted source shall:
 - i. Install, maintain, and operate a monitoring device for the continuous measurement (at least once every 15 minutes) of the pressure drop across the gas stream through the scrubber;
 - ii. Install, maintain, and operate a monitoring device for continuous measurement (at least once every 15 minutes) of the scrubbing liquid flow rate to the scrubber; and
 - iii. Operate the scrubber such that the 3-hour block average of the pressure drop and liquid flow rate do not differ by more than +/- 30 percent from the most recent performance test average.

30. Visible Emissions Survey

At least once during each calendar week in which the permitted sources operates, the permittee shall perform a visible emissions survey of all affected emissions units subject to the opacity limit in Condition 24. The survey shall be performed during daylight hours by an individual trained in the U.S. Environmental Protection Agency (EPA) Method 22 while the permitted source is in operation. If visible emissions are detected during the survey, the permittee shall either:

- a. Take corrective action so that within 24 hours no visible emissions are detected from any affected emissions units while they are in operation; or
- b. Demonstrate compliance with the opacity limit at all units that discharged visible emissions during the survey using EPA Method 9 by an individual trained and certified in Method 9.

31. *Fugitive Emissions Survey*

At least once during each calendar week in which the permitted source operates, the permittee shall survey the facility for visible fugitive emissions. If fugitive emissions are detected crossing the property line the permittee shall take corrective actions according to the attached fugitive dust control plan (Attachment C).

32. *Initial Performance Test for Mixer/Dryer*

- a. Within 60 days after achieving the maximum production rate at which the permitted source will operate the affected emissions unit(s), but not later than 180 days after the first day of operation after receiving coverage under the General Permit, the permittee shall perform an initial performance test to verify compliance with the applicable emission limitations in Conditions 25 and 27. Performance tests shall be performed:
 - i. According to a test plan approved by the reviewing authority;
 - ii. While the permitted source is operating under typical operating conditions;
 - iii. If using a venturi scrubber, while the scrubber's pressure drop and liquid flow rate are being continuously monitored;
 - iv. Using test methods from 40 CFR part 60, appendix A unless alternative methods are approved by the reviewing authority in writing in advance of the test. For process heaters, measurements of NO_x and CO may be taken using portable analyzers according to ASTM D6522-00, as incorporated by reference in 40 CFR 63.14(b)(27);
 - v. Using Method 5 with a sample volume of at least 31.8 dscf to determine particulate matter concentration; and
 - vi. Simultaneously for CO and NO_x whenever either one needs to be tested.
- b. Compliance with each limit shall be demonstrated by averaging the results of at least three test runs of at least one hour duration each, unless the permittee can demonstrate to the satisfaction of the reviewing authority that the result of one of the test runs should be discarded. The test results the permittee submits must contain at least two test runs.
- c. The permitted source may substitute the results of the most recent performance test performed on the mixer/dryer in lieu of conducting the initial performance test for the mixer/dryer required above, provided that the most recent performance test was conducted within two years of the Approval of Request for Coverage issued by the reviewing authority, and, was conducted according to the requirements in Condition 32.a. above.

33. *Additional Performance Test(s) for Mixer/Dryer*

Ongoing performance tests meeting the criteria of the initial performance test in Condition 32 shall be performed:

- a. When required by the reviewing authority;
- b. When the hot mix asphalt plant is relocated to an area classified as nonattainment for CO, ozone, NO₂, PM₁₀, or PM_{2.5} from an area that is in attainment, unclassifiable or attainment/unclassifiable for that pollutant unless the most recent compliance test showed compliance with the applicable nonattainment emission limits; and
- c. At least every five years.

34. *Inspection and Tune-up following Relocation of Mixer/Dryer*

Whenever the permitted source relocates to sites approved under this permit, the permittee shall conduct an inspection and tune-up of the dryer/mixer burners meeting the following requirements:

- a. Burners shall be visually inspected and components cleaned or replaced as necessary;
- b. The flame pattern shall be inspected and adjusted consistent with the manufacturer's specifications;
- c. The combustion zone shall be inspected and adjusted so it is unobstructed by aggregate or other solid materials;
- d. The system controlling the air-to-fuel ratio shall be inspected to ensure it is correctly calibrated and functioning properly;
- e. CO and NO_x concentrations (in ppm) and O₂ concentration (in percent by volume) in the exhaust stream shall be measured to ensure compliance with the applicable emission limits in Condition 25 and the burners adjusted as necessary. Measurements may be taken using portable analyzers following the procedures specified by ASTM standard D6522-11.

35. *Performance Test for Engines*

Within 60 days after achieving the maximum production rate at which the permitted source will operate, but not later than 180 days after the first day of operation after the Approval of Request for Coverage is issued by the reviewing authority, the permittee shall perform a performance test to verify compliance with the CO emission limits in Condition 28.b, as applicable, as follows:

- a. According to an EPA-approved test plan;
- b. While the hot mix asphalt plant is operating under typical operating conditions;
- c. Using test methods from 40 CFR part 60, appendix A, or portable analyzers allowed by 40 CFR part 63, subpart ZZZZ, unless alternative methods are approved by the reviewing authority in writing in advance of the test;
- d. While the catalyst inlet temperature and pressure drop are being monitored and recorded;
- e. Upon completion of the performance test, the permittee shall establish the operating range for the catalyst inlet temperature based on a 4-hour average and the pressure drop across the catalyst; and
- f. The permittee shall conduct subsequent performance tests according to this paragraph whenever required by the reviewing authority.

The permitted source may substitute the results of the most recent performance test performed on the engine(s) in lieu of conducting the performance test for engines required above, provided that the most recent performance test was conducted within two years of the first day of operation after the Approval of Request for Coverage is issued by the reviewing authority, and, was conducted according to the requirements in Conditions 35.a-f. above.

36. *Continuous Parameter Monitoring at Engines*

For each engine greater than 500 hp subject to a CO emission limitation the permittee shall install, operate, and maintain a continuous parameter monitoring system according to the methods in 40 CFR 63.6625(b) to continuously monitor catalyst inlet temperature. Catalyst temperature data shall be reduced to 4-hour rolling averages. The permittee shall maintain the 4-hour rolling average catalyst inlet temperature within the operating parameter established during the most recent performance test.

37. *Pressure Drop Monitoring at Engines*

For each engine greater than 500 hp subject to a CO emission limitation the permittee shall monitor the pressure drop across the catalyst on a monthly basis. The permittee shall ensure the pressure drop across the catalyst is within the operating parameters established during the most recent performance test.

Section 4: Recordkeeping Requirements

38. The permittee shall maintain all records required to be kept by this permit for at least five years from the date of origin, unless otherwise stated, either onsite or at a convenient location, such that they can be delivered to the reviewing authority within 24 hours of a request.
39. The permit application and all documentation supporting that application shall be maintained by the permittee for the duration of time the affected emissions unit(s) is covered under this permit.
40. The amount of asphalt produced each month shall be recorded.
41. The types and quantities of fuel combusted in each affected emissions unit, including engines and generators, shall be recorded each month.
42. The dates and results of all baghouse inspections performed pursuant to Condition 29.a and any corrective actions taken as a result of the required inspections shall be recorded.
43. The permitted source shall maintain records of the 3-hour block average pressure drop and liquid flow rate data monitored by Condition 29.b and any associated corrective actions taken.
44. The dates and results of each visible emissions survey performed pursuant to Condition 30 shall be recorded. At a minimum, records shall include:
 - a. The name of the person, company or entity conducting the survey;
 - b. Whether visible emissions were detected from any affected emissions unit;
 - c. Any corrective action taken;
 - d. The result of any corrective action; and
 - e. The results of any Method 9 tests performed.
45. The dates and results of each fugitive emissions survey performed pursuant to Condition 31, any corrective action taken as a result of each survey, and the result of any corrective action taken shall be recorded.
46. The results of each performance test conducted pursuant to Condition 32, 33, or 35 shall be recorded. At a minimum, the permittee shall maintain records of:
 - a. The date of each test;
 - b. Each test plan;
 - c. Any documentation required to approve an alternate test method;
 - d. Test conditions, including the amount of asphalt produced and the type and amount of fuel combusted in the mixer/dryer during each test run;
 - e. The results of each test;
 - f. If using a venturi scrubber, the average pressure drop and liquid flow rate measured during a performance test for particulate matter and the operating ranges established according to Condition 29.b.iii.; and
 - g. The name of the company or entity conducting the analysis.

47. The dates and results of each dryer/mixer inspection and tune up performed pursuant to Condition 34, any corrective action taken as a result of each inspection and tune up, and the result of any corrective action taken shall be recorded.
48. A log of all maintenance activities conducted on each engine, excluding nonroad mobile engines, shall be recorded.
49. The date, time, and duration of each deviation from the established catalyst operating parameters for each engine and the established venturi scrubber operating parameters, corrective actions taken to return the equipment to normal operation, and the results of any corrective action taken shall be recorded.

Section 5: Notification and Reporting Requirements

50. *Notification of Construction or Modification, and Operations*

The permittee shall submit a written or electronic notice to the reviewing authority within 30 days from when the permittee begins actual construction, and within 30 days from when the permittee begins initial operations or resumes operation after a modification.

51. *Notification of Relocation*

When a permittee intends to relocate the permitted source to an alternate location contained in the Approval of the Request for Coverage, then the permittee must notify the reviewing authority electronically within 30 days before or after such relocation. The notification must identify the owner, the preceding location, and the new location of the permitted source.

52. *Notification of Change in Ownership or Operator*

If the permitted source changes ownership or operator, then the new owner or operator must submit a written or electronic notice to the reviewing authority within 90 days after the change in ownership or operator is effective. In the report, the new permittee must provide the reviewing authority a written agreement containing a specific date for transfer of ownership or operator, and an effective date on which the new owner or operator assumes partial and/or full coverage and liability under this permit. The submittal must identify the previous owner or operator, and update the name, street address, mailing address, contact information, and any other information about the permitted source if it would change as a result of the change of ownership or operator. The current owner or operator shall ensure that the permitted source remains in compliance with the General Permit until any such transfer of ownership or operator is effective.

53. *Notification of Closure*

The permittee must submit a report of any permanent or indefinite closure to the reviewing authority in writing within 90 days after the cessation of all operations at the permitted source. The notification must identify the owner, the current location, and the last operating location of the permitted source. It is not necessary to submit a report of closure for regular, seasonal closures.

54. *Annual Reports*

The permittee shall submit an annual report on or before March 15 of each year to the reviewing authority. The annual report shall cover the period from January 1 to December 31 of the previous year and shall include:

- a. An evaluation of the permitted source's compliance status with the requirements in Section 2 for each location in which the permitted source located during the calendar year;
- b. Summaries of the required monitoring and recordkeeping in Sections 3 and 4; and
- c. Summaries of deviation reports submitted pursuant to Condition 55.

55. *Deviation Reports*

The permittee shall promptly report to the reviewing authority any deviations as defined at 40 CFR 71.6(a)(3)(iii)(C) from permit requirements including deviations attributable to upset conditions. Deviation reports shall include:

- a. The identity of affected emissions unit where the deviation occurred.
- b. The nature of the deviation;
- c. The length of time of the deviation;
- d. The probable cause of the deviation; and
- e. Any corrective actions or preventive measures taken as a result of the deviation to minimize emissions from the deviation and to prevent future deviations.
- f. For the purposes of this permit, *promptly* shall be defined to mean:
 - i. Within 72 hours of discovery for deviations from any opacity limit in Condition 24 or emission limit in Condition 25; or
 - ii. Within 30 days after the end of the month in which the permittee discovered the deviation, for all other deviations.

56. *Performance Test Reports*

The permittee shall submit a test report to the reviewing authority within 45 days after the completion of any required performance test. At a minimum, the test report shall include:

- a. A description of the affected emissions unit and sampling location(s);
- b. The time and date of each test;
- c. A summary of test results, reported in units consistent with the applicable standard;
- d. A description of the test methods and quality assurance procedures used;
- e. A summary of any deviations from the proposed test plan and justification for why the deviation(s) was necessary;
- f. The amount of fuel burned, raw material consumed, and product produced during each test run;
- g. Operating parameters of the affected emissions units and control equipment during each test run; and
- h. Sample calculations of equations used to determine test results in the appropriate units.
- i. The name of the company or entity performing the analysis.

57. *Reporting and Notification Address*

The permittee shall send all required reports to the reviewing authority at the mailing address(es) specified in the Approval of the Request for Coverage.

58. *Signature Verifying Truth, Accuracy, and Completeness*

All reports required by this permit shall be signed by a responsible official as to the truth, accuracy, and completeness of the information. The report must state that, based on information and belief formed after reasonable inquiry, the statements and information are true, accurate, and complete. If the permittee discovers that any reports or notification submitted to the reviewing authority contain false, inaccurate, or incomplete information, the permittee shall notify the reviewing authority immediately and correct or amend the report as soon as practicable.

Section 6: Changes to this General Permit

59. *Revising, Reopening, Revoking and Reissuing, or Terminating for Cause*

The permit may be revised, reopened, revoked and reissued, or terminated for cause. The filing of a request by you, the permittee, for a permit revision, revocation and re-issuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any permit condition. This provision also applies to the documents incorporated by reference.

60. *Terminating Coverage Under this Permit*

The reviewing authority may terminate a previously issued Approval of the Request for Coverage, and thereby terminate that permittee's authorization to construct or modify, and that permitted source's authorization to operate under this General Permit for cause as defined in Attachment B. The reviewing authority may provide the permittee with notice of the intent to terminate and delay the effective date of the termination to allow the permittee to obtain a source-specific permit as required by the reviewing authority.

61. *Change in Ownership or Operator*

If the permitted source changes ownership or operator, the reviewing authority may change the Approval of the Request of Coverage to reflect the new ownership or operator in accordance with the administrative amendment provisions in 40 CFR 49.159(f).

62. *Permit Becomes Invalid*

Authority to construct and operate under this permit becomes invalid if the permittee does not commence construction within 18 months after the effective date of the request for coverage under a general permit, if the permittee discontinues construction for a period of 18 months or more, or if the permittee does not complete construction within a reasonable time. The reviewing authority may extend the 18-month period upon a satisfactory showing that an extension is justified, according to 40 CFR 49.156(e)(8).

Section 7: Obtaining Coverage under this General Permit

63. To obtain coverage under this General Permit, an applicant must submit a Request for Coverage to the appropriate reviewing authority for the area in which the permitted source is or will be located (the Request for Coverage Form can be found at: <http://www.epa.gov/air/tribal/tribalnsr.html>). Attachment D contains a list of reviewing authorities and their area of coverage.

64. If the plant will locate in areas covered by more than one reviewing authority, the applicant need only submit a Request for Coverage to one reviewing authority with regard to all intended locations of operation. The Request for Coverage must contain the information requested in the standard application form for this permit. You must also submit a copy of the Request for Coverage to the Indian governing body for every area in which the permitted source plans to operate.

Attachment A: Abbreviations and Acronyms

ASTM	American Society for Testing and Materials
Btu	British thermal units
CAA or the Act	Federal Clean Air Act
CFR	Code of Federal Regulations
CO	carbon monoxide
EPA	United States Environmental Protection Agency
gr/dscf	gram per dry standard cubic foot
Hg	mercury
hp	horsepower
kW	kilowatt
NAAQS	National Ambient Air Quality Standards
NO ₂	nitrogen dioxide
NO _x	oxides of nitrogen except N ₂ O
NSR	New Source Review
PM	particulate matter
PM ₁₀	particulate matter with an aerodynamic diameter less than 10 microns
PM _{2.5}	particulate matter with an aerodynamic diameter less than 2.5 microns
ppm	parts per million
ppm _{vd}	parts per million by volume, dry basis
PSD	Prevention of Significant Deterioration

Attachment B: Definitions

For the purposes of this General Permit:

Approval of the Request for Coverage means a reviewing authority's letter granting an applicant's request for construction or modification, and operation of a minor source under the terms and conditions of this General Permit.

Biodiesel means a combustion fuel made from fatty acids of methyl esters that complies with the specifications of ASTM 6751.

Cause means with respect to the reviewing authority's ability to terminate a permitted source's coverage under a permit that:

1. The permittee is not in compliance with the provisions of this General Permit;
2. The reviewing authority determines that the emissions resulting from the construction or modification of the permitted source significantly contribute to National ambient air quality standard (NAAQS) violations, which are not adequately addressed by the requirements in this General Permit;
3. The reviewing authority has reasonable cause to believe that the permittee obtained Approval of the Request for Coverage by fraud or misrepresentation; or
4. The permittee failed to disclose a material fact required by the Request for Coverage or the regulations applicable to the permitted source of which the applicant had or should have had knowledge at the time the permittee submitted the Request for Coverage.

Construction means any physical change or change in the method of operation including fabrication, erection, installation, demolition, or modification of an affected emissions unit that would result in a change of emissions.

Distillate fuel means fuel oils, including recycled oils that comply with the specifications for fuel oil numbers 1 and 2, as defined by ASTM 396, or equivalent.

Natural gas means a mixture of hydrocarbons that is a gas at standard conditions and is either composed of at least 70 percent methane by volume or has a gross calorific value of between 950 and 1150 Btu per dry standard cubic foot.

Permittee means the owner or operator of a permitted source.

Permitted source means each stationary and portable hot mix asphalt plant for which a reviewing authority issues an Approval of the Request for Coverage.

Request for Coverage means a permit application that contains all the information required in the standard application form.

Responsible official means one of the following:

1. For a corporation: a 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 directly responsible for the overall operation of the permitted source.

2. For a partnership or sole proprietorship: a general partner or the proprietor, respectively.
3. For a public agency: Either a principal executive officer or ranking elected official, such as a chief executive officer having responsibility for the overall operations of a principal geographic unit of the agency.

Standard cubic foot means a measure of the quantity of a gas equal to a cubic foot of volume at a temperature of 68 °F and a pressure of 29.92 in. Hg.

Attachment C: Dust Control Plan

1. *Site Roadways and Plant Yard*

- a. The dust on the site roadways/plant yard shall be controlled by applications of water, calcium chloride or other acceptable fugitive dust control compound approved by the reviewing authority. Applications of dust suppressants shall be done as often as necessary to meet all applicable emission limits.
- b. All paved roadways/plant yards shall be swept as needed between applications.
- c. Any material spillage on roads shall be cleaned up immediately.

2. *Plant*

- a. The drop distance at each transfer point shall be reduced to the minimum the equipment can achieve.
- b. The transfer point from the re-circulating belt to the feed belt shall be equipped with an enclosed chute.

3. *Storage Piles*

- a. Stockpiling of all nonmetallic minerals shall be performed to minimize drop distance and control potential dust problems.
- b. Stockpiles shall be watered on an as needed basis in order to meet the opacity limits. Also, equipment to apply water or dust suppressant shall be available at the site, or on call for use at the site, within a given operating day.

4. *Truck Traffic*

- a. Vehicles shall be loaded to prevent their contents from dropping, leaking, blowing or otherwise escaping. This shall be accomplished by loading so that no part of the load shall come in contact within six (6) inches of the top of any side board, side panel or tail gate; otherwise, the truck shall be tarped.
- b. A speed limit sign of 15 miles-per-hour or lower shall be posted on site so that it is visible to truck traffic.

5. *Corrective Actions*

If corrective action needs to be taken, the permittee shall consider and use one or more of the following options: adjust the watering and/or sweeping frequencies, reduce drop distances, increase cover, and/or take other actions to reduce fugitive dust emissions.

Attachment D – List of Reviewing Authorities and Areas of Coverage

EPA Region	Address for Notification of Coverage	Address for All Other Notifications and Reports	Area Covered	Phone Number
Region I	EPA New England 5 Post Office Square, Suite 100 Mail Code OEP05-2 Boston, MA 02109-3912	EPA New England 5 Post Office Square, Suite 100 Mail Code OES04-2 Boston, MA 02109-3912	Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, and Vermont	888- 372-7341 617-918-1111
Region II	Chief, Air Programs Branch Clean Air and Sustainability Division EPA Region 2 290 Broadway, 25 th Floor New York, NY 10007-1866	Chief, Air Compliance Branch Division of Enforcement and Compliance Assistance EPA Region 2 290 Broadway, 21 st Floor New York, NY 10007-1866	New Jersey, New York, Puerto Rico, and Virgin Islands	877-251-4575
Region III	Office of Permits and Air Toxics 3AP10 EPA Region 3 1650 Arch Street Philadelphia, PA 19103	Office of Air Enforcement and Compliance Assurance 3AP20 EPA Region 3 1650 Arch Street Philadelphia, PA 19103	Delaware, District of Columbia, Maryland, Pennsylvania, Virginia, and West Virginia	800-438-2474 215-814-5000
Region IV	Chief, Air Permits Section EPA Region 4 APTMD 61 Forsyth Street Atlanta, GA 30303	Chief, Air & EPCRA Enforcement Branch EPA Region 4 APTMD 61 Forsyth Street, SW Atlanta, GA 30303	Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, and Tennessee	800-241-1754 404-562-9000
Region V	Air Permits Section Air Programs Branch (AR-18J) EPA Region 5 77 West Jackson Blvd Chicago, Illinois 60604	Air Enforcement and Compliance Assurance Branch (AE-17J) Air and Radiation Division EPA Region 5 77 West Jackson Blvd Chicago, Illinois 60604	Illinois, Indiana, Michigan, Minnesota, Ohio, and Wisconsin	800-621-8431 312-353-2000

EPA Region	Address for Notification of Coverage	Address for All Other Notifications and Reports	Area Covered	Phone Number
Region VI	Multimedia Planning and Permitting Division EPA Region 6 1445 Ross Avenue (6PD-R) Dallas, TX 75202	Compliance and Enforcement Correspondence: Compliance Assurance and Enforcement Division EPA Region 6 1445 Ross Avenue (6EN) Dallas, TX 75202	Arkansas, Louisiana, New Mexico, Oklahoma, and Texas	800-887-6063 214-665-2760
Region VII	Chief, Air Permitting & Compliance Branch EPA Region 7 11201 Renner Blvd Lenexa, KS 66219	Chief, Air Permitting & Compliance Branch EPA Region 7 11201 Renner Blvd Lenexa, KS 66219	Iowa, Kansas, Missouri, and Nebraska	800-223-0425 913-551-7003
Region VIII	U.S. Environmental Protection Agency, Region 8 Office of Partnerships and Regulatory Assistance Tribal Air Permitting Program, 8P-AR 1595 Wynkoop Street Denver, Colorado 80202	U.S. Environmental Protection Agency, Region 8 Office of Enforcement, Compliance & Environmental Justice Air Toxics and Technical Enforcement Program, 8ENF-AT 1595 Wynkoop Street Denver, Colorado 80202	Colorado, Montana, North Dakota, South Dakota, Utah, and Wyoming	800-227-8917 303-312-6312
Region IX	Chief, Permits Office (Air-3) Air Division EPA Region 9 75 Hawthorne St San Francisco, CA 94105	Enforcement Division Director Attn: Air & TRI Section (ENF-2-1) EPA Region 9 75 Hawthorne St San Francisco, CA 94105	American Samoa, Arizona, California, Guam, Hawaii, Navajo Nation Nevada, and Northern Mariana Islands	866-EPA-9378 415-947-8000
Region X	Tribal Air Permits Coordinator U.S. EPA, Region 10, AWT-150 1200 Sixth Avenue, Suite 900 Seattle, WA 98101	Tribal Air Permits Coordinator U.S. EPA, Region 10, AWT-150 1200 Sixth Avenue, Suite 900 Seattle, WA 98101	Alaska, Idaho, Oregon, and Washington	800-424-4372 206-553-1200

Attachment 3

Photograph Log

All photographs taken by Jon Klemesrud on August 10, 2023

Nikon Coolpix AW100

Photograph Log – Depatco, Inc. – Pocatello (Gateway Pit)



Photo #:01 (DSCN3385)
Description: Photo of the aggregate storage bins associated with hot mix asphalt plant, currently staged and not operating.



Photo #:02 (DSCN3386)
Description: Twin City Fan & Blower nameplate associated with the hot mix asphalt plant, currently staged and not operating.



Photo #:03 (DSCN3387)
Description: Photo of the ADM Baghouse associated with the drum/dyer at the hot mix asphalt plant.



Photo #:04 (DSCN3388)
Description: Photo of auxiliary heater and asphalt oil storage tanks at the hot mix asphalt plant.

Photograph Log – Depatco, Inc. – Pocatello (Gateway Pit)



Photo #:05 (DSCN3389)
Description: Photo of the 30,000-gallon and 35,000-gallon asphalt oil tanks at the hot mix asphalt plant.



Photo #:06 (DSCN3390)
Description: Photo of a conveyor and recycled asphalt bin at the hot mix asphalt plant.



Photo #:07 (DSCN3391)
Description: Photo of the mixing drum at the hot mix asphalt plant.



Photo #:08 (DSCN3392)
Description: Photo of drag slat conveyor and silo at the hot mix asphalt plant.

Photograph Log – Depatco, Inc. – Pocatello (Gateway Pit)



Photo #:09 (DSCN3393)
Description: Photo of the two generators located at the hot mix asphalt plant.

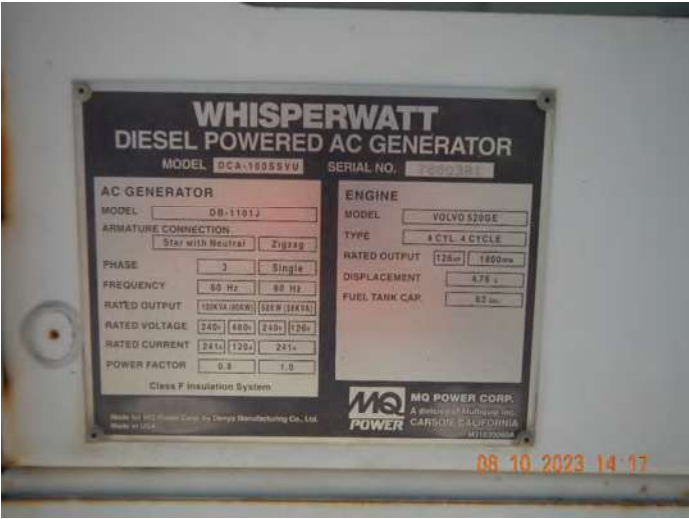


Photo #:10 (DSCN3394)
Description: Photo of the nameplate of the auxiliary generator. Engine listed as a Volvo 520GE.



Photo #:11 (DSCN3395)
Description: Photo of the nameplate off the larger generator at the hot mix asphalt plant. MagnaMax Model# 743RSL4052.



Photo #:12 (DSCN3397)
Description: Photo of the diesel storage tank at the hot mix asphalt plant.

Photograph Log – Depatco, Inc. – Pocatello (Gateway Pit)



Photo #:13 (DSCN3396)

Description: Photo of an overflow/captured leak associated with operations near the 35,000-gallon asphalt oil storage tank.



Photo #:14 (DSCN3398)

Description: Photo of a leaking 55-gallon drum discussed to be heat transfer oil.



Photo #:15 (DSCN3399)

Description: Photo of two of three generators located at the crushing operation at the time of inspection. The larger generator was operating at the time of inspection and was a Caterpillar model 3512 (EU ID: Gen01).

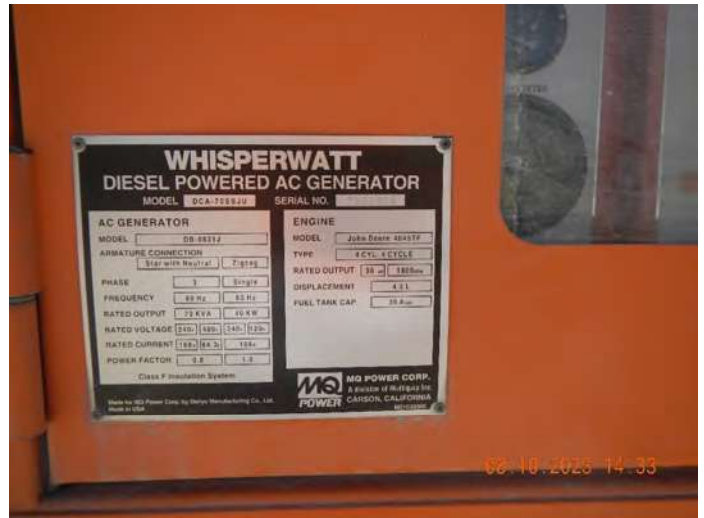


Photo #:16 (DSCN3400)

Description: Photo of the nameplate for a staged generator at the crushing operation. Whisperwatt Model DCA-70SSJU. Listed engine was a 90hp, John Deere 4045TF.

Photograph Log – Depatco, Inc. – Pocatello (Gateway Pit)



Photo #:17 (DSCN3401)
Description: Photo of the display of the Caterpillar model 3512 (EU ID: Gen01)



Photo #:18 (DSCN3402)
Description: Photo of the water tank used at the crushing operation. Used for wet suppression.



Photo #:19 (DSCN3403)
Description: Photo of the crushing operation.



Photo #:20 (DSCN3404)
Description: Photo of the crushing operation.

Photograph Log – Depatco, Inc. – Pocatello (Gateway Pit)



Photo #:21 (DSCN3405)
Description: Photo of the crushing operation



Photo #:22 (DSCN3408)
Description: Photo of an auxiliary generator near the crushing operation. Ingersoll-Rand. Hour meter read at 02144.3.



Photo #:23 (DSCN3409)
Description: Photo of an auxiliary generator near the crushing operation. Ingersoll-Rand.



Photo #:24 (DSCN3410)
Description: Photo of visible emissions/dust at one of the conveyors.

Photograph Log – Depatco, Inc. – Pocatello (Gateway Pit)



Photo #:25 (DSCN3411)

Description: Photo of a conveyor at the crushing operation.

Attachment 4

Post-Inspection Email & Records Request (August 14, 2023)

From: [Klemesrud, Jon](#)
To: kgarfield@clydeinc.com
Cc: [Skeens, Alyson](#); jhowell@sbtribes.com; jdelacruz@sbtribes.com
Subject: Sunroc Corporation, dba Depatco Inc. - EPA CAA Inspection: Requested Documentation/Follow-Up
Date: Monday, August 14, 2023 10:42:00 AM

Hi Kamren,

Thanks again for helping facilitate the EPA inspection last Thursday (August 10th), unfortunately it's EPA's general policy to conduct these unannounced, so again I apologize that you were unable to take part in person. Although a little warm and windy, we still enjoyed our time on-site. Dustin was a great host and very knowledgeable on the equipment side and operation. Brandon Love was also helpful in discussing the components of the asphalt plant.

Just to summarize again, I was tasked by EPA Region 10 to conduct an on-site Full Compliance Evaluation (FCE) pursuant to the Clean Air Act and Permit [R10TNSR03301](#) and Permit # [R10TNSR03300](#). For the visit I was accompanied by fellow inspector Alyson Skeens (EPA Region 10) and Lori Howell and Joey De La Cruz (both with the Shoshone-Bannock Tribes -Air Quality Program). Note that the inspection was routine in nature and not based off of any complaints, I believe the last compliance evaluation at that location occurred approximately 4 years ago, while being owned and operated by J.K. Merrill.

In short, while on-site we were able to get acquainted with current operations since the recent 2023 permit issuance. As discussed with you and Dustin during closing, the hot mix asphalt plant wasn't operating yet but should hopefully be up and running in the near future and the facility was processing/crushing for $\frac{3}{4}$ inch road base at the time of inspection. As discussed with both you and Dustin, we noted a few items of potential compliance concern:

- While touring the hot mix asphalt plant, we observed some significant staining on the ground from the operations side of the above ground 35,000 gallon asphalt oil storage tank, we also observed a 55-gallon drum of heat transfer oil associated with the auxiliary heater to be leaking.
- While touring the rock crushing operation, we observed a conveyor end in need of wet suppression, as visible emissions/dust was observed to be quite heavy coming off of the one conveyor. It was noted that wet-suppression was occurring at other points in the operation, however, Section 1, Condition 20 in the Permit (page 4) states that *"Emissions from all crushers screens, drop points, and other possible release points shall be controlled by wet-suppression."*
- Regarding fugitive emissions/dust, we observed the water application on the access roads seemed to be ineffective. Note that it was later discussed with Dustin that the spray equipment on the water truck was broken, and was hoping going to be repaired later that day or the following day. The water truck was operating, just without the spray equipment, only open water valves.

As discussed during the closing call, records I hoped to review for the inspection include:

1. Amount (tons) of material processed in May, June, July (2023) [see permit condition 36. and 15. 16.]
2. Types and quantity of fuel combusted in engines and generators May, June, July (2023) [see permit condition 19. 18. 37.]
3. Dates and results of each wet suppression system monitoring May, June, July (2023) [see permit condition 26. 38.]
4. Dates and results of each visible emissions and fugitive emission survey May, June, July (2023) [see permit condition 27. 39. 28. 40.]
5. Results of any performance tests conducted [see permit condition 29. 30. 31. 41]
6. Maintenance Log [see permit condition 42]
7. Deviation log (if any) [see permit condition 43]

Thanks again for your time and assistance, if I could get the requested documentation by sometime early next week that would be much appreciated.

Regarding your question on source testing at Hot Mix Asphalt Plant, earlier this morning I called Rizwan Syed (EPA R10 Air Permits and Toxics Branch) and discussed with him the potential extension request. Rizwan explained that you can submit a request for extension to him and Karl Pepple via email or letter (Rizwan.syed@epa.gov) and pepple.karl@epa.gov.

Feel free to reach out if you have any questions/concerns with the inspection or above request. I would also be happy to schedule a call/meeting to discuss further as needed.

Sincerely,

Jon Klemesrud
Enforcement & Compliance Assurance Division (M/S 20-C04)
U.S. Environmental Protection Agency, Region 10
(206) 553-5068

Attachment 5

Post-Inspection Email & Records Submittal (August 17, 2023)

From: Kamren Garfield
To: Kamren@sbtribes.com
Cc: Steeves_Alyssa@sbtribes.com; jdelacruz@sbtribes.com
Subject: RE: Sunroc Corporation, dba Depatco Inc. - EPA CAA Inspection: Requested Documentation/Follow-Up
Date: Thursday, August 17, 2023 4:34:38 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)
[image007.png](#)
[image008.png](#)
[image009.png](#)
[image010.png](#)
[image011.png](#)
[image012.png](#)

Hi Jon,

Thanks for taking the time to include me in your inspection closeout call. Here is the requested information as well as a few completed action items based on your recommendations:

Response to potential compliance concerns:

-

Action Item #1: The asphalt plant personnel cleaned up the spilled asphalt oil and transfer oil. The PCS was placed in a lined area for further characterization. The transfer oil 55-gallon drum was also taken off site for storage as it was only needed during plant setup. In discussion with the asphalt plant superintendent, he mentioned the spilled material was due to getting the lines connected during plant setup and is not indicative of normal operations once the plant starts up. We discussed potential solutions for future portable plant setups to minimize/prevent oil leaks.



Action Item #2: A water spray has been installed on the belt transfer mentioned in your email below. Wet suppression is used to control emissions at all points, whether that be water sprays or relying on upstream wetting to provide that control.



Action Item #3: The water truck PTO had a part broken last week, which is what runs the pump to the sprays on the truck. It has since been fixed and is operating as it should.



Requested Information

The active aggregate processing equipment includes: Crusher plant stationary IC Engine GEN01, Feed Bin FDR01, 1 primary crusher and 2 secondary crushing plants with screens CRU01, CRU02 and CRU03, 1 Screen SCR001, 9 conveyors CON01 – CON09, 2 Stackers STKR01 & STKR02, Wash Plant stationary IC Engine GEN02, Feed Bin FDR02, Wash Screen WASH01, 5 wash plant conveyors CON12-CON16, 3 wash plant Stackers STKR04, STKR05, STKR06, and 2 diesel storage tanks TNK01 and TNK02.

Material Processed

Depatco Gateway Pit - Aggregate Throughput			
Month	Tons	12-month rolling monthly average	
May-23	29,586	29,586	
Jun-23	58,803	44,195	
Jul-23	20,683	36,357	

Diesel Type: Ultra Low Sulfur #2 Diesel
Stationary Generator Diesel Throughput

Depatco Gateway Pit - Stationary Generator Fuel Throughput Gallons				
Month	Wash Plant Gen 62-4249	Crushing Plant Gen 62-4251	Total	
May-23	1,682	4,635	6,317	
Jun-23	1,386	8,295	9,681	
Jul-23	1,398	3,323	4,721	

Wet Suppression System Monitoring

Water Spray Inspections			
Company	Location	Date	Have water sprays been inspected and are operational?
Sunroc Corporation	Gateway	8/11/2023	Yes
Sunroc Corporation	Gateway	8/3/2023	Yes
Sunroc Corporation	Gateway	7/31/2023	Yes
Sunroc Corporation	Gateway	7/25/2023	Yes
Sunroc Corporation	Gateway	7/20/2023	Yes
Sunroc Corporation	Gateway	7/11/2023	Yes
Sunroc Corporation	Gateway	7/5/2023	Yes
Sunroc Corporation	Gateway	6/29/2023	Yes
Sunroc Corporation	Gateway	6/21/2023	Yes
Sunroc Corporation	Gateway	6/16/2023	Yes
Sunroc Corporation	Gateway	6/6/2023	Yes
Sunroc Corporation	Gateway	6/1/2023	Yes
Sunroc Corporation	Gateway	5/24/2023	Yes
Sunroc Corporation	Gateway	5/15/2023	Yes
Sunroc Corporation	Gateway	5/11/2023	Yes

Opacity Monitoring Inspections

Weekly Opacity Inspections						
Company	Location	Date of Assessment	Visible Emissions from Crushers?	Visible Emissions from Screens?	Visible emission from transfer points?	Are any fugitive emissions crossing property lines?
Sunroc Corporation	Gateway	5/5/2023	No	No	No	No
Sunroc Corporation	Gateway	5/11/2023	No	No	No	No
Sunroc Corporation	Gateway	5/15/2023	No	No	No	No
Sunroc Corporation	Gateway	5/24/2023	No	No	No	No
Sunroc Corporation	Gateway	6/1/2023	No	No	No	No
Sunroc Corporation	Gateway	6/6/2023	No	No	No	No
Sunroc Corporation	Gateway	6/16/2023	No	No	No	No
Sunroc Corporation	Gateway	6/21/2023	No	No	No	No
Sunroc Corporation	Gateway	6/29/2023	No	No	No	No
Sunroc Corporation	Gateway	7/5/2023	No	No	No	No
Sunroc Corporation	Gateway	7/11/2023	No	No	Yes	No
Sunroc Corporation	Gateway	7/20/2023	No	No	No	No
Sunroc Corporation	Gateway	7/25/2023	No	No	No	No
Sunroc Corporation	Gateway	7/31/2023	No	No	No	No
Sunroc Corporation	Gateway	8/3/2023	No	No	No	No
Sunroc Corporation	Gateway	8/11/2023	No	No	No	No

Records of Performance Testing

The wash plant generator was tested for CO emissions on 7/31/23, as we had no record of JK Merrill conducting that test on this specific generator. I have not yet formally submitted the report to EPA but will do so within the 45-day window as specified in the permit. As we discussed earlier today, I will copy you on that transmittal to satisfy your records request. The crushing plant generator was set to be tested the next day but an emergency maintenance event came up so we rescheduled it to be tested in October. That unit was last tested by JK Merrill in November of 2020 so we will get the updated testing completed before 3 years is up.

I also conducted the NSPS Subpart OOO opacity testing on the crushing setup on 7/31/23. As discussed, I will forward you a copy of my final report submittal within the 45-day window.

Records of Stationary Generator Maintenance

Work Order 174914

Work Order: 174914 Service

Equipment: 62-4251 GENERATOR 35121A

Serial#: 024207632

Date Done:

Mechanic: Moran, Alex Louis

Location: 587 / GATEWAY AGCS

Odometer:

Current Job: 587-1 Gateway S&G

Hour Meter:

Item	IN/OUT	Hrs/Quote	Status	Employee	Hours	Status	Note
1. 500 HOUR SERVICE TAKE ENGINE OIL SAMPLE CHANGE ENGINE OIL & FILTER CHANGE FUEL FILTERS CHANGE OUTER AIR FILTER INSPECT INNER LUBE CHASSIS CLEAN ENGINE AIR PRECLEANER REMOVE/CLEAN COOLERS TEST CATALYST MONITORING SYSTEM CHECK MOTOR MOUNTS CHECK ENGINE PROTECTIVE DEVICES INSPECT ENGINE AIR CLEANER INDICATOR INSPECT FAN/HUB, BELTS, HOSES & PIPING INSPECT/CLEAN RADIATOR INSPECT/SERVICE BATTERIES INSPECT FIRE EXTINGUISHER & SAFETY EQUIPMENT INSPECT MACHINE FOR LEAKS INSPECT LIGHTS INSPECT EXHAUST PIPING INSPECT EQUIPMENT LOGOS AND NUMBERS. REPLACE IF FADED, MISSING OR NOT LEGIBLE NOTE ANY PROBLEMS. PERFORMED BY: (4:10 5:21 PM) Alex Moran 62-4251 5871 hrs Engine oil, fuel filters, air filters Completed 4-10-23	IN	0.00	CLOSED-COMplete				
2. 1800 HOUR SERVICE CHANGE INNER AIR FILTER SERVICE DRAINAGE BREATHER NOTE ANY PROBLEMS. PERFORMED BY: 3. 3000 HOUR SERVICE REFER TO EQUIPMENT SCHEDULED MAINTENANCE CHECKLIST PERFORMED BY: 4. ANTIFREEZE READING CHECK ANTIFREEZE PROTECTION LEVEL USING TEST STRIP/REFRACTOMETER RECORD READING ADJUST IF NECESSARY PERFORMED BY:	IN	0.00	CLOSED-COMplete				
Parts Needed:	UM	Status	Inventory Location	Required	Quantity Needed	Quantity Used	

4 Sunroc Corporation

Date Format - MM/DD/YYYY

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08/17/23 01:25:55 PM
EM/WorkOrder.rpt

Work Order 178554

Work Order: 178554 Service

Equipment: 62-4249 GENERATOR 34088350 KW

Serial#: 026171130

Date Done:

Mechanic: Moran, Alex Louis

Location: 587 / GATEWAY AGCS

Odometer:

Current Job: 587-1 Gateway S&G

Hour Meter:

Item	IN/OUT	Hrs/Quote	Status	Employee	Hours	Status	Note
1. 500 HOUR SERVICE TAKE ENGINE OIL SAMPLE CHANGE ENGINE OIL & FILTER CHANGE FUEL FILTERS CHANGE OUTER AIR FILTER INSPECT INNER LUBE CHASSIS CLEAN ENGINE AIR PRECLEANER REMOVE/CLEAN COOLERS TEST CATALYST MONITORING SYSTEM CHECK MOTOR MOUNTS CHECK ENGINE PROTECTIVE DEVICES INSPECT ENGINE AIR CLEANER INDICATOR INSPECT FAN/HUB, BELTS, HOSES & PIPING INSPECT/CLEAN RADIATOR INSPECT/SERVICE BATTERIES INSPECT FIRE EXTINGUISHER & SAFETY EQUIPMENT INSPECT MACHINE FOR LEAKS INSPECT LIGHTS INSPECT EXHAUST PIPING INSPECT EQUIPMENT LOGOS AND NUMBERS. REPLACE IF FADED, MISSING OR NOT LEGIBLE NOTE ANY PROBLEMS. PERFORMED BY: (Yesterday) 7:08 PM Alex Moran 62-4249 2079 hrs 500 hr service 6/28/23	IN	0.00	CLOSED-COMplete				
Parts Needed:	UM	Status	Inventory Location	Required	Quantity Needed	Quantity Used	

4 Sunroc Corporation

Date Format - MM/DD/YYYY

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08/17/23 01:23:07 PM
EM/WorkOrder.rpt

There have been no deviations logged during Sunroc operations of this facility.

This should cover everything requested. I will be out of the office with little cell service all of next week but will reply to any questions when I get back Aug 29th.

Thanks,
Kamren