

Bryan W. Shaw, Ph.D., *Chairman*
Buddy Garcia, *Commissioner*
Carlos Rubinstein, *Commissioner*
Mark R. Vickery, P.G., *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

September 15, 2011

Bridget Bohac, Chief Clerk
Texas Commission on Environmental quality
P.O. Box 13087, MC 105
Austin, Texas 78711-3087

Re: J.R. Thompson, Inc.
Permit No. 92504L001
TCEQ Docket No. 2011-1524-AIR

Dear Ms. Bohac:

Enclosed please find a copy of the following documents for inclusion in the background material for this permit application:

Final Draft Permit, including any special provisions or conditions
Maximum Allowable Emission Rate Table (MAERT)
The summary of the technical review of the permit application
The modeling audit memoranda
The compliance summary of the applicant

If you have any questions, please do not hesitate to call me at extension 2253.

Sincerely,

A handwritten signature in cursive script that reads "Douglas Brown".

Douglas M. Brown
Staff Attorney
Environmental Law Division

Enclosure



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY AIR QUALITY PERMIT



A PERMIT IS HEREBY ISSUED TO
J.R. Thompson, Inc.
AUTHORIZING THE CONSTRUCTION AND OPERATION OF
Rock Crushing Plant
LOCATED AT Muenster, Cooke County, Texas
LATITUDE 33° 33' 02" LONGITUDE 97° 27' 46"

1. **Facilities covered by this permit** shall be constructed and operated as specified in the application for the permit. All representations regarding construction plans and operation procedures contained in the permit application shall be conditions upon which the permit is issued. Variations from these representations shall be unlawful unless the permit holder first makes application to the Texas Commission on Environmental Quality (commission) Executive Director to amend this permit in that regard and such amendment is approved. [Title 30 Texas Administrative Code § 116.116 (30 TAC § 116.116)]
2. **Voiding of Permit.** A permit or permit amendment is automatically void if the holder fails to begin construction within 18 months of the date of issuance, discontinues construction for more than 18 months prior to completion, or fails to complete construction within a reasonable time. Upon request, the executive director may grant an 18-month extension. Before the extension is granted the permit may be subject to revision based on best available control technology, lowest achievable emission rate, and netting or offsets as applicable. One additional extension of up to 18 months may be granted if the permit holder demonstrates that emissions from the facility will comply with all rules and regulations of the commission, the intent of the Texas Clean Air Act (TCAA), including protection of the public's health and physical property; and (b)(1) the permit holder is a party to litigation not of the permit holder's initiation regarding the issuance of the permit; or (b)(2) the permit holder has spent, or committed to spend, at least 10 percent of the estimated total cost of the project up to a maximum of \$5 million. A permit holder granted an extension under subsection (b)(1) of this section may receive one subsequent extension if the permit holder meets the conditions of subsection (b)(2) of this section. [30 TAC § 116.120(a), (b) and (c)]
3. **Construction Progress.** Start of construction, construction interruptions exceeding 45 days, and completion of construction shall be reported to the appropriate regional office of the commission not later than 15 working days after occurrence of the event. [30 TAC § 116.115(b)(2)(A)]
4. **Start-up Notification.** The appropriate air program regional office shall be notified prior to the commencement of operations of the facilities authorized by the permit in such a manner that a representative of the commission may be present. The permit holder shall provide a separate notification for the commencement of operations for each unit of phased construction, which may involve a series of units commencing operations at different times. Prior to operation of the facilities authorized by the permit, the permit holder shall identify to the Office of Permitting and Registration the source or sources of allowances to be utilized for compliance with Chapter 101, Subchapter H, Division 3 of this title (relating to Mass Emissions Cap and Trade Program). [30 TAC § 116.115(b)(2)(B)]
5. **Sampling Requirements.** If sampling is required, the permit holder shall contact the commission's Office of Compliance and Enforcement prior to sampling to obtain the proper data forms and procedures. All sampling and testing procedures must be approved by the executive director and coordinated with the regional representatives of the commission. The permit holder is also responsible for providing sampling facilities and conducting the sampling operations or contracting with an independent sampling consultant. [30 TAC § 116.115(b)(2)(C)]
6. **Equivalency of Methods.** The permit holder must demonstrate or otherwise justify the equivalency of emission control methods, sampling or other emission testing methods, and monitoring methods proposed as alternatives to methods indicated in the conditions of the permit. Alternative methods shall be applied for in writing and must be reviewed and approved by the executive director prior to their use in fulfilling any requirements of the permit. [30 TAC § 116.115(b)(2)(D)]
7. **Recordkeeping.** The permit holder shall maintain a copy of the permit along with records containing the information and data sufficient to demonstrate compliance with the permit, including production records and operating hours; keep all required records in a file at the plant site. If, however, the facility normally operates unattended, records shall be maintained at the nearest staffed location within Texas specified in the application; make the records available at the request of personnel from the commission or any air pollution control program having jurisdiction; comply with any additional recordkeeping requirements specified in special conditions attached to the permit; and retain information in the file for at least two years following the date that the information or data is obtained. [30 TAC § 116.115(b)(2)(E)]
8. **Maximum Allowable Emission Rates.** The total emissions of air contaminants from any of the sources of emissions must not exceed the values stated on the table attached to the permit entitled "Emission Sources--Maximum Allowable Emission Rates." [30 TAC § 116.115(b)(2)(F)]
9. **Maintenance of Emission Control.** The permitted facilities shall not be operated unless all air pollution emission capture and abatement equipment is maintained in good working order and operating properly during normal facility operations. The permit holder shall provide notification for upsets and maintenance in accordance with §§ 101.201, 101.211, and 101.221 of this title (relating to Emissions Event Reporting and Recordkeeping Requirements; Scheduled Maintenance, Startup, and Shutdown Reporting and Recordkeeping Requirements; and Operational Requirements). [30 TAC § 116.115(b)(2)(G)]
10. **Compliance with Rules.** Acceptance of a permit by an applicant constitutes an acknowledgment and agreement that the permit holder will comply with all rules, regulations, and orders of the commission issued in conformity with the TCAA and the conditions precedent to the granting of the permit. If more than one state or federal rule or regulation or permit condition is applicable, the most stringent limit or condition shall govern and be the standard by which compliance shall be demonstrated. Acceptance includes consent to the entrance of commission employees and agents into the permitted premises at reasonable times to investigate conditions relating to the emission or concentration of air contaminants, including compliance with the permit. [30 TAC § 116.115(b)(2)(H)]
11. This permit may be appealed pursuant to 30 TAC § 50.139.
12. This permit may not be transferred, assigned, or conveyed by the holder except as provided by rule. [30 TAC § 116.110(e)]
13. There may be additional special conditions attached to a permit upon issuance or modification of the permit. Such conditions in a permit may be more restrictive than the requirements of Title 30 of the Texas Administrative Code. [30 TAC § 116.115(e)]
14. **Emissions from this facility** must not cause or contribute to a condition of "air pollution" as defined in TCAA § 382.003(3) or violate TCAA § 382.085, as codified in the Texas Health and Safety Code. If the executive director determines that such a condition or violation occurs, the holder shall implement additional abatement measures as necessary to control or prevent the condition or violation.

PERMIT 92504L001

Date: _____

For the Commission

EMISSION SOURCES - MAXIMUM ALLOWABLE EMISSION RATES

Permit Number 92504L001

This table lists the maximum allowable emission rates and all sources of air contaminants on the applicant's property covered by this permit. The emission rates shown are those derived from information submitted as part of the application for permit and are the maximum rates allowed for these facilities, sources, and related activities. Any proposed increase in emission rates may require an application for a modification of the facilities covered by this permit.

AIR CONTAMINANTS DATA

Emission Point No. (1)	Source Name (2)	Air Contaminant Name (3)	Emission Rates	
			lbs/hour	TPY (4)
3	Crusher No. 1 (5)	PM	0.11	0.11
		PM ₁₀	0.05	0.05
		PM _{2.5}	0.05	0.05
12	Crusher No. 2 (5)	PM	0.60	0.60
		PM ₁₀	0.27	0.27
		PM _{2.5}	0.05	0.05
4	Screen (5)	PM	1.10	1.10
		PM ₁₀	0.37	0.37
		PM _{2.5}	0.03	0.03
1, 2, 5-11, 13 & LDG	Material Handling (5)	PM	0.45	0.45
		PM ₁₀	0.16	0.16
		PM _{2.5}	0.08	0.08
14	Engine No. 1 Stack	PM	0.02	0.05
		PM ₁₀	0.02	0.05
		PM _{2.5}	0.02	0.05
		VOC	0.13	0.29
		NO _x	1.09	2.38
		SO ₂	0.21	0.46
		CO	0.18	0.40

EMISSION SOURCES - MAXIMUM ALLOWABLE EMISSION RATES

Emission Point No. (1)	Source Name (2)	Air Contaminant Name (3)	Emission Rates	
			lbs/hour	TPY (4)
15	Engine No. 2 Stack	PM	0.07	0.14
		PM ₁₀	0.07	0.14
		PM _{2.5}	0.07	0.14
		VOC	0.43	0.94
		NO _x	1.09	2.38
		SO ₂	0.36	0.78
		CO	1.12	2.44
18	Engine No. 3 Stack	PM	0.09	0.19
		PM ₁₀	0.09	0.19
		PM _{2.5}	0.09	0.19
		VOC	1.28	2.81
		NO _x	3.08	6.74
		SO ₂	1.07	2.33
		CO	1.88	4.12
16	Tank No. 1	VOC	<0.01	<0.01
17	Tank No. 2	VOC	<0.01	<0.01
STK	Stockpiles	PM	---	1.81
		PM ₁₀	---	0.90
		PM _{2.5}	---	0.14

- (1) Emission point identification - either specific equipment designation or emission point number from plot plan.
(2) Specific point source name. For fugitive sources, use area name or fugitive source name.
(3) VOC - volatile organic compounds as defined in Title 30 Texas Administrative Code § 101.1
NO_x - total oxides of nitrogen

EMISSION SOURCES - MAXIMUM ALLOWABLE EMISSION RATES

- SO₂ - sulfur dioxide
- PM - total particulate matter, suspended in the atmosphere, including PM₁₀ and PM_{2.5}, as represented
- PM₁₀ - total particulate matter equal to or less than 10 microns in diameter, including PM_{2.5}, as represented
- PM_{2.5} - particulate matter equal to or less than 2.5 microns in diameter
- CO - carbon monoxide

- (4) Compliance with annual emission limits (tons per year) is based on a 12 month rolling period.
- (5) Emission rate is an estimate and is enforceable through compliance with the applicable special condition(s) and permit application representations.

Date: _____

SPECIAL CONDITIONS

Permit Number 92504L001

EMISSION LIMITATIONS

1. This permit covers only those sources of emissions listed in the attached table entitled "Emission Sources - Maximum Allowable Emission Rates," and those sources are limited to the emission rates and other conditions specified in the attached table.

FEDERAL APPLICABILITY

2. Affected facilities shall comply with all applicable requirements of the U.S. Environmental Protection Agency (EPA) regulations on Standards of Performance for New Stationary Sources in Title 40 Code of Federal Regulations (40 CFR) Part 60 promulgated for Nonmetallic Mineral Processing Plants, Subparts A and OOO.

FUEL SPECIFICATIONS

3. Fuel for the Engines (Emission Point Nos. [EPN] 14, 15, & 18) shall be liquid fuel with a maximum sulfur content of no more than 0.0015 percent by weight and shall not consist of a blend containing waste oils or solvents. Use of any other fuel will require prior approval of the Executive Director of the Texas Commission on Environmental Quality (TCEQ).
4. Upon request by the Executive Director of the TCEQ, the TCEQ Regional Director, or any local air pollution control program with jurisdiction, the holder of this permit shall provide a sample and/or an analysis of the fuel used in this facility or shall allow air pollution control program representatives to obtain a sample for analysis.

OPACITY/VISIBLE EMISSION LIMITATIONS

5. Opacity of particulate matter (PM) emissions from any transfer point on belt conveyors or from any screen shall not exceed 10 percent and from any crusher shall not exceed 15 percent. Determination of compliance with this requirement shall be made first by observing for visible emissions during normal operations. Observations shall be made at least 15 feet and no more than 0.25 miles from the emission point. If visible emissions are observed from that emission point, then opacity shall be determined by 40 CFR Part 60, Appendix A, Test Method 9. Contributions from uncombined water shall not be included in determining compliance with this condition. Determination of compliance with this requirement shall be performed and the results recorded quarterly.

6. There shall be no visible fugitive emissions leaving the property. Observations for visible emissions shall be performed and recorded quarterly. The visible emissions determination shall be made during normal plant operations. Observations shall be made on the downwind property line for a minimum of six minutes. If visible emissions are observed, then an evaluation must be accomplished in accordance with 40 CFR Part 60, Appendix A, Test Method 22, using the criteria that visible emissions shall not exceed a cumulative 30 seconds in duration in any six-minute period. If this condition is violated, additional controls or process changes may be required to limit visible PM emissions.

OPERATIONAL LIMITATIONS, WORK PRACTICES, AND PLANT DESIGN

7. Emission rates are based on and the facilities are limited to the following:

	<u>Tons per Hour</u>	<u>Tons per Year</u>
Hopper No. 1 (EPN 1):	500	1,000,000
Hopper No. 2 (EPN 10):	500	1,000,000
Crusher No. 1 (EPN 3):	500	1,000,000
Crusher No. 2 (EPN 12):	500	1,000,000

Total throughput for the portable plant shall be limited to 500 tons per hour and 1,000,000 tons per year in any rolling 12-month period.

8. All facilities are limited to a maximum operating schedule of 18 hours per day, 7 days per week, and 52 weeks per year not to exceed a total of 4,380 hours per year.
9. Permanently-mounted spray bars shall be installed at the inlet and outlet of all crushers, the shaker screen, and at all material transfer points. All water spray systems shall be operated as necessary to control dust.
10. Stockpile heights are site specific and shall not exceed 45 feet in height unless approved by the TCEQ Regional Office and/or any appropriate local air programs with delegation.
11. All in-plant roads and areas subject to road vehicle traffic, work areas, and stockpiles shall be sprinkled with water and/or environmentally sensitive chemicals upon detection of visible particulate emissions to maintain compliance with all TCEQ rules and regulations.
12. All stationary equipment authorized by this permit shall be prominently marked to show the assigned TCEQ regulated entity number or permit number, excluding the location suffix (example: L001). These markings must be clearly visible. These identification markings shall be removed from the equipment when it is no longer authorized by the TCEQ.

INITIAL DETERMINATION OF COMPLIANCE

13. Upon initial issuance, the permit holder shall comply with the requirements of 40 CFR Part 60, Subparts A and OOO. Additional time to comply with the applicable requirements of 40 CFR Part 60 requires EPA approval.

CONTINUOUS DETERMINATION OF COMPLIANCE

14. Upon request of the TCEQ Regional Director, the holder of this permit shall perform ambient air monitoring or other testing as required to establish the actual pattern and quantities of air contaminants being emitted into the atmosphere. The tests shall be performed during normal operation of the facilities. Sampling shall be conducted in accordance with appropriate procedures of the TCEQ Sampling Procedures Manual or in accordance with applicable procedures stated by the EPA CFR. Any deviations from those procedures must be approved by the TCEQ Executive Director or the appropriate TCEQ Regional Director prior to conducting sampling.

MOVEMENT OF A PORTABLE PLANT

15. The following are requirements for movement of portable plants:
 - A. Prior to moving permitted portable plants or sources to any new site (even if authorization for the site has previously been granted), the holder of the permit shall request relocation or change of location authorization and obtain written approval from a delegated representative of the TCEQ Executive Director. Additionally, once construction has begun at any site, the applicant shall notify the appropriate TCEQ Regional Office and local air pollution control programs in writing of the actual dates of start of construction and operation.
 - B. The TCEQ Regional Office may approve the following types of relocations:
 - (1) A permitted plant and associated equipment to be located temporarily* in the right-of-way, or contiguous to the right-of-way, of a public works project, or
 - *Note: A temporary plant is one that occupies a designated site for not more than 180 consecutive days or supplies material for a single project (single project or same contractor for related project segments, but not other unrelated projects.)
 - (2) A portable plant moving to a site where a portable plant has been located at the site at any time during the previous two years and public notice was accomplished at the site as required under 30 TAC Chapter 39 (relating to Public Notice).

SPECIAL CONDITIONS

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C. If the holder of the permit meets either 15.B.(1) or 15.B.(2) above, then the permit holder shall submit a complete written request to the appropriate TCEQ Regional Office for the new location and obtain written approval before the start of construction and commencement of operations at the new site. The permit holder is responsible for providing proof of submittal for all relocation requests. Construction may begin after receipt of approval from the appropriate TCEQ Regional Office or 12 business days after the date of postmark or the date of personal delivery of the request, whichever occurs first, unless disapproval is sent within the 12 business days. The permit holder's request is considered approved if the appropriate TCEQ Regional Office does not provide approval or denial of a complete submittal within 12 business days; however, the presumed approval does not exempt the applicant from ensuring that public notice was accomplished at the new site as required under 30 TAC Chapter 39. The relocation request shall contain all of the following information:

- (1) The company name, address, company contact, and telephone number;
- (2) A copy of the existing permit conditions and the MAERT that is in effect for the permitted facility;
- (3) The regulated entity number (RN), customer reference number (CN), applicable permit or registration numbers, and, if available, the TCEQ account number;
- (4) The location from which the facility is moving (current location);
- (5) A location description of the proposed site (city, county, and exact physical location description);
- (6) A scaled plot plan that identifies the location of all equipment and stockpiles, and also indicates that the required distances to the property lines can be met;
- (7) A scaled area map that identifies the distance and direction to the closest off-property receptor (if required) and clearly indicates how the proposed site is contiguous or adjacent to the right-of-way of a public works project (if required);
- (8) The proposed date for start of construction and expected date for start of operation;
- (9) The expected time period at the proposed site;
- (10) The permit or registration number of the portable facility that was located at the proposed site any time during the last two years, and the date the facility was last located there. This information is not necessary if the relocation request is for a

public works project that is contiguous or adjacent to the right-of-way of a public works project; and

- (11) Proof that the proposed site had accomplished public notice, as required by 30 TAC Chapter 39. This proof is not necessary if the relocation request is for a public works project that is contiguous or adjacent to the right-of-way of a public works project.
- D. To move a permitted plant and associated equipment to a site that does not meet either Special Condition No. 15.B.(1) or 15.B.(2), the holder of this permit shall submit a change of location request to the TCEQ Air Permits Division, Air Permits Initial Review Team, MC-161, P.O. Box 13087, Austin, Texas 78711-3087 using Form PI-1, along with all supporting documents. In accordance with the Texas Health and Safety Code § 382.056, the applicant shall be required to publish public notice prior to being authorized the change of location to a new site.
- E. All relocation and change of location applications shall comply with the following conditions:
- (1) The rock crushing plant and all associated sources (screens, transfer points on belt conveyors, material storage or feed bins, and work areas that are only associated with the facility) shall be located a minimum of 499 feet from the property line and at least 550 feet from any other rock crushing plant, concrete batch plant, or hot mix asphalt plant. If this distance of 550 feet cannot be met, then this rock crushing plant shall not operate at the same time as another rock crushing plant, concrete batch plant, or hot mix asphalt plant located on-site within this distance.
 - (2) Any rock crusher that is crushing concrete shall be located a minimum of 440 yards (1/4 mile) from any single or multi family residence, school, or place of worship, unless the crusher is:
 - a. at a location authorized for crushing concrete on or prior to September 1, 2001;
 - b. at a location that satisfies this distance requirement at the time the initial application is filed with the TCEQ, and a single or multi-family residence, school, or place of worship is subsequently built or put to use within 440 yards of the facility; or
 - c. engaged, for not more than 180 days, in crushing concrete produced by the demolition of a structure at the location of the structure and the concrete is being crushed primarily for use at that location. (This exception not

authorized if the facility is relocated in a county with a population of 2.4 million or more or in a county adjacent to such a county.)

- (3) Stockpiles and vehicle traffic areas (except for entrance and exit to the site) shall be located at least 25 feet from any property line. In lieu of meeting the distance requirements for roads and stockpiles, the following may occur:
 - a. Roads and other traffic areas within the buffer distance must be bordered by dust suppressing fencing or other barrier along all traffic routes or work areas. These borders shall be constructed to a height of at least twelve feet; and
 - b. Stockpiles within this buffer distance must be contained within a three-walled bunker which extends at least two feet above the top of the stockpile.

RECORDKEEPING REQUIREMENTS

16. In addition to the recordkeeping requirements specified in General Condition No. 7 and 40 CFR Part 60, Subparts A and OOO, the following records shall be kept and maintained on-site for a rolling 24-month period:
 - A. Daily, monthly, and annual amounts of materials processed, summarized in tons per hour, tons per month, and tons per year;
 - B. Hours of operation;
 - C. Records of road cleaning, application of road dust control, or road maintenance for dust control;
 - D. Engine fuel type and engine operating hours;
 - E. Records of quarterly visible emission observations;
 - F. All malfunctions, repairs, and maintenance of all abatement systems; and
 - G. Records of inspections, as they occur, of abatement systems.

Construction Permit Source Analysis & Technical Review

Company	J.R. Thompson, Inc.	Permit Number	92504L001
City	Muenster	Project Number	157389
County	Cooke	Account Number	96-0396-N
Project Type	Initial	Regulated Entity Number	RN105927628
Project Reviewer	David Trujillo, P.E. / Larry Buller, P.E.	Customer Reference Number	CN600418669
Site Name	Rock Crushing Plant		

Project Overview

J.R. Thompson Inc. wishes to construct a new portable rock crushing plant near Muenster, Cooke County. The plant will be comprised of two (smaller) plants that may operate simultaneously or independently at a total maximum throughput rate of 500 tons per hour and 1,000,000 tons per year. The maximum operating schedule will be 18 hours per day, 7 days per week, and 52 weeks per year not to exceed a maximum of 4,380 hours per year.

Emission Summary

Air Contaminant	Proposed Allowable Emission Rates (tpy)
PM	4.45
PM ₁₀	2.13
PM _{2.5}	0.73
VOC	4.06
NO _x	11.50
CO	6.96
SO ₂	3.57

Compliance History Evaluation - 30 TAC Chapter 60 Rules

A compliance history report was reviewed on:	Sept. 13, 2011
Compliance period:	May 7, 2010 - May 7, 2005
Site rating & classification:	3.01 [Average]
Company rating & classification:	5.90 [Average]
Has the permit changed on the basis of the compliance history or rating?	No

Public Notice Information - 30 TAC Chapter 39 Rules

Rule Citation	Requirement
39.403	Date Application Received: May 7, 2010
	Date Administratively Complete: May 24, 2010
	Small Business Source? No
	Date Leg Letters mailed: May 24, 2010
39.603	Date Published: June 11, 2010
	Publication Name: <i>Muenster Enterprise</i>
	Pollutants: PM, including PM₁₀ and PM_{2.5}, organic compounds, NO_x, SO₂, and CO
	Date Affidavits/Copies Received: June 19, 2011
	Is bilingual notice required? No - a bilingual education program is not required by the Texas Education Code in the district.
	Language: N/A
	Date Published: N/A

Construction Permit
Source Analysis & Technical Review

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Regulated Entity No. RN105927628

Rule Citation	Requirement	
	Publication Name:	N/A
	Date Affidavits/Copies Received:	N/A
	Date Certification of Sign Posting / Application Availability Received:	July 22, 2010
39.604	Public Comments Received?	Yes
	Hearing Requested?	Yes (22)
	Meeting Requested?	Yes (4)
	Date Meeting Held:	March 3, 2011
	Date Response to Comments sent to OCC:	July 21, 2011
	Request(s) withdrawn?	No
	Date Withdrawn:	NA
	Consideration of Comments:	Yes
	Is 2nd Public Notice required?	Yes
39.419	Date 2nd Public Notice Mailed:	December 13, 2010
	Preliminary Determination:	Authorize permit
39.413	Date County Judge, Mayor, and COG letters mailed:	NA
	Date Federal Land Manager letter mailed:	NA
39.605	Date affected states letter mailed:	NA
39.603	Date Published:	December 17, 2010
	Publication Name:	Muenster Enterprise
	Pollutants:	PM, including PM ₁₀ and PM _{2.5} , organic compounds, NO _x , SO ₂ , and CO
	Date Affidavits/Copies Received:	January 7, 2011
	Is bilingual notice required?	No - a bilingual education program is not required by the Texas Education Code in the district.
	Language:	NA
	Date Published:	NA
	Publication Name:	NA
	Date Affidavits/Copies Received:	NA
	Date Certification of Sign Posting / Application Availability Received:	January 18, 2011
	Public Comments Received?	Yes
	Meeting Requested?	Yes
	Date Meeting Held:	March 3, 2011
	Hearing Requested?	Yes
	Date Hearing Held:	October 5, 2011
	Request(s) withdrawn?	No
	Date Withdrawn:	NA
	Consideration of Comments:	Yes
39.421	Date RTC, Technical Review & Draft Permit Conditions sent to OCC:	TBD
	Request for Reconsideration Received?	TBD
	Final Action:	Authorize Permit
	Are letters Enclosed?	Yes

**Construction Permit
Source Analysis & Technical Review**

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Regulated Entity No. RN105927628

Construction Permit & Amendment Requirements - 30 TAC Chapter 116 Rules

Rule Citation	Requirement	
116.111(a)(2)(G)	Is the facility expected to perform as represented in the application?	Yes
116.111(a)(2)(A)(i)	Are emissions from this facility expected to comply with all TCEQ air quality Rules & Regulations, and the intent of the Texas Clean Air Act?	Yes
116.111(a)(2)(B)	Emissions will be measured using the following method:	Recordkeeping
116.111(a)(2)(D)	Subject to NSPS? Subparts A & OOO	Yes
116.111(a)(2)(E)	Subject to NESHAP?	No
116.111(a)(2)(F)	Subject to NESHAP (MACT) for source categories?	No
116.111(a)(2)(H)	Is nonattainment review required?	No
	Is the site located in a nonattainment area?	No
116.111(a)(2)(I)	Is PSD applicable?	No
	Is the site a federal major source (100/250 tons/yr)?	No
	Is the project a federal major source by itself?	No
	Is the project a federal major modification?	N/A
116.111(a)(2)(L)	Is Mass Emissions Cap and Trade applicable to the new or modified facilities?	No
116.140 - 141	Permit Fee: \$ 900.00 Fee certification:	R024550

Title V Applicability - 30 TAC Chapter 122 Rules

Rule Citation	Requirement	
122.10(13)(A)	Is the site a major source under FCAA Section 112(b)?	No
	Does the site emit 10 tons or more of any single HAP?	No
	Does the site emit 25 tons or more of a combination?	No
122.10(13)(C)	Does the site emit 100 tons or more of any air pollutant?	No
122.10(13)(D)	Is the site a non-attainment major source?	No
122.602	Periodic Monitoring (PM) applicability:	N/A
122.604	Compliance Assurance Monitoring (CAM) applicability:	N/A

Request for Comments

Received From	Program/Area Name	Reviewed By	Comments
Region:	4	Neal Penney	None

Process Description

Aggregate material is transported via front-end loader or haul truck to the crushing facilities where raw material is loaded into Hopper No.1. Fine material from the hopper's feeder is transferred via gate to one of two conveyors. One conveyor may be utilized to stockpile material. The other conveyor collects material from Crusher No. 1 which receives all remaining material from the hopper. Material processed by the hopper and crusher is delivered via conveyor to the screen. Material sized by the screen is transferred to subsequent conveyors. Material passing through all decks of the screen falls to a conveyor that transfers material to a radial stacker for stockpiling. Material retained on the second and third decks of the screen falls to individual conveyors that transfer material to their respective radial stackers for stockpiling. Material from the first deck of the screen falls to a conveyor that transfers material to one of two conveyors that feed material for reprocessing to hopper no. 1 or for additional processing at a system beginning with Hopper No. 2. Material may be augmented or fed solely by front-end loader at Hopper No. 2. Fine material from the hopper's feeder is transferred via gate to one of two conveyors. One conveyor stockpiles material. The other conveyor collects material from Crusher No. 2 which processes all remaining material from the hopper. Material collected on the conveyor underlying Crusher No. 2 is transferred to another conveyor that may feed material to the aforementioned screen. The portable facilities will powered by three diesel-fired engines. Two diesel tanks will also exist. Emissions from unloading material on site and loading product to trucks from stockpiles are calculated as loading and unloading emissions. Stockpile emissions are calculated based on 2.5 acres of stockpiles.

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Pollution Prevention, Sources, Controls and BACT- [30 TAC 116.111(a)(2)(C)]

The following are sources of emissions at the proposed site comprised of portable facilities: all material handling activities, the diesel-fired engines, and the fuel storage tanks.

Emission Unit	Proposed Method of Control	BACT
jaw and cone crushers screen	permanently-mounted water spray bars at the inlet and outlet	70 % reduction of PM, PM ₁₀ , & PM _{2.5}
all transfer points	permanently-mounted water spray bars at the material transfer points	
Engine Nos. 1, 2 & 2	none - vent directly to atmosphere	no add-on control for products of combustion; 0.0015% limit on sulfur
Tank Nos. 1 & 2	none - vent directly to atmosphere	no add-on control for VOCs
Stockpiles	water sprays	70 % reduction of PM, PM ₁₀ , & PM _{2.5}

The three diesel-fired engines are for electric generation at the site. They are both CAT; Model Nos. 3406 and/or C15, rated at 429 horsepower, for a total of 858 horsepower. AP-42 emission factors were used to estimate emissions of products of combustion for all pollutants for both engines. Both storage tanks are horizontal, 1,000-gallon, diesel fuel storage tanks. TANKS software was used to estimate emissions of VOC from the tanks.

All new facilities will satisfy current BACT criteria for material handling facilities, diesel-fired engines, and fuel storage tanks.

Impacts Evaluation - 30 TAC 116.111(a)(2)(J)

Was modeling conducted?	Yes	Type of Modeling:	Screen3 version 96043
Will GLC of any air contaminant cause violation of NAAQS?			No
Is this a sensitive location with respect to nuisance?			No - low
[§116.111(a)(2)(A)(ii)] Is the site within 3000 feet of any school?			No

Summary of Modeling Results and Air Quality Analysis

	Averaging Time:	GLC _{max} :	SIL:	Background Conc.:	Total Conc.:	NAAQS:	ESL:
PM ₁₀	24-hr	43	5	60	103	150	
	Annual	9	1	20	29	50	
PM _{2.5}	24-hr	12	1.2	20	32	35	
	Annual	2.4	0.3	9.3	11.7	15	
NO ₂	1-hr	30	7.5	70	100	188	
	Annual	2	1	20	22	100	
SO ₂	1-hr	60	7.8	100	160	196	
	3-hr	54	25	130	184	1,300	
	24-hr	24	5	36	60	365	
	Annual	5	1	8	13	80	
CO	1-hr	116	2,000				
	8-hr	81	500				
Diesel Fuel	1-hr	62					1,000
	Annual	5					100

Refer to the modeling audit report, finalized on October 18, 2010, for complete information on use of screening background concentrations and monitor values. Off-property impacts associated with the portable plant's operations will not adversely affect the surrounding area and nearby receptors at a property line distance of 499 feet. According to J.R. Thompson, the nearest receptor is located greater than 1,000 feet west of the nearest potential location of the portable facilities, and no schools exist within 3,000 feet.

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Permit Concurrence and Related Authorization Actions

Is the applicant in agreement with special conditions?	Yes
Company representative(s):	Dave Knollhoff, Westward Environmental
Contacted Via:	e-mail
Date of contact:	August 27, 2010
Other permit(s) or permits by rule affected by this action:	No
List permit and/or PBR number(s) and actions required or taken:	N/A

Project Reviewer	Date	Team Leader/Section Manager/Backup	Date
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Texas Commission on Environmental Quality

INTEROFFICE MEMORANDUM

To: Javier Galvan, P.E. Date: October 18, 2010
Mechanical/Agricultural/Construction Section

Thru: Daniel Menendez, Team Leader
Air Dispersion Modeling Team (ADMT)

From: Jessica Carter
ADMT

Subject: Modeling Audit – J R Thompson Inc. (RN105927628)

1.0 Project Identification Information.

Permit Application Number: 92504L001

NSR Project Number: 157389

ADMT Project Number: 3368

NSRP Document Number: 402170

County: Cooke

ArcReader Published Map: [\\Mgiswrk\APD\MODEL PROJECTS\3368\3368.pmf](#)

Modeling Report: Submitted by Westward Environmental Inc., September 2010, on behalf of J R Thompson Inc.

2.0 Report Summary. The modeling analysis is acceptable, as supplemented by the ADMT, for all review types and pollutants. The results are summarized below.

The GLCmax for the health effects review is located along the property line. The applicant did not provide a GLCni.

Pollutant	Averaging Time	GLCmax ($\mu\text{g}/\text{m}^3$)	Standard ($\mu\text{g}/\text{m}^3$)
SO ₂	1-hr	60	1021

Pollutant & CAS#	Averaging Time	GLCmax ($\mu\text{g}/\text{m}^3$)	ESL ($\mu\text{g}/\text{m}^3$)
Diesel fuel (vapor)	1-hr	62	1000
N/A	Annual	5	100

The annual maximum predicted concentration was derived by multiplying the 1-hr maximum predicted concentration by 0.08.

Pollutant	Averaging Time	GLCmax ($\mu\text{g}/\text{m}^3$)	De Minimis ($\mu\text{g}/\text{m}^3$)
SO ₂	1-hr	60	7.8
	3-hr	54	25
	24-hr	24	5
	Annual	5	1
PM ₁₀	24-hr	43	5
PM _{2.5}	24-hr	12	1.2
	Annual	2.4	0.3
NO ₂	1-hr	30	7.5
	Annual	2	1
CO	1-hr	116	2000
	8-hr	81	500

The 3-hr, 8-hr, 24-hr, and annual maximum predicted concentrations were derived by multiplying the 1-hr maximum predicted concentration by 0.9, 0.7, 0.4, and 0.08, respectively.

Pollutant	Averaging Time	GLCmax ($\mu\text{g}/\text{m}^3$)	Background ($\mu\text{g}/\text{m}^3$)	Total Conc. = [Background + GLCmax] ($\mu\text{g}/\text{m}^3$)	Standard ($\mu\text{g}/\text{m}^3$)
SO ₂	1-hr	60	100	160	196
	3-hr	54	130	184	1300
	24-hr	24	36	60	365
	Annual	5	8	13	80
PM ₁₀	24-hr	43	60	103	150
PM _{2.5}	24-hr	12	20	32	35
	Annual	2.4	9.3	11.7	15

Table 4. Total Concentrations for Minor NSR NAAQS (Concentrations > De Minimis)					
Pollutant	Averaging Time	GLCmax ($\mu\text{g}/\text{m}^3$)	Background ($\mu\text{g}/\text{m}^3$)	Total Conc. = [Background + GLCmax] ($\mu\text{g}/\text{m}^3$)	Standard ($\mu\text{g}/\text{m}^3$)
NO ₂	1-hr	30	70	100	188
	Annual	2	20	22	100

The screening background concentrations for 3-hr, 24-hr, and annual SO₂, 24-hr PM₁₀, and annual NO₂ from TCEQ Region 4 were used in the modeling demonstration. Monitoring values for SO₂, PM₁₀, and NO₂, were reviewed from Kaufman County, Tarrant County, and Harrison County, respectfully, to verify that the screening background concentrations are conservative. All counties have a greater population and more emissions than Cooke County, and the monitoring values are less than the screening background concentrations.

An interim screening background for 1-hr NO₂ for TCEQ Region 4 was used in the modeling demonstration. The applicant did not provide sufficient documentation to justify the use of the interim 1-hr NO₂ screening background. However, the 1-hr NO₂ screening background used by the applicant is higher than the three year average of the highest values from 2007 to 2009 from EPA AIRS monitor 482030002 located at Hwy 134 and Spur 449, Harrison County (43 $\mu\text{g}/\text{m}^3$). Harrison County has greater NO_x emissions from 2005 (16789 tons) than Cooke County (2990 tons) and Harrison County has a greater population (Harrison: 64,795 and Cooke: 38,650). Therefore, the use of the 1-hr NO₂ screening background is reasonable.

A background concentration for 1-hr SO₂ was obtained from the EPA AIRS monitor 482570005 located at 3790 S Houston St, Kaufman County. The three year average of the highest values from 2007 to 2009 was used. The use of this monitor is reasonable because Kaufman County has similar SO₂ emissions from 2005 (731 tons) than Cooke County (715 tons) and Kaufman County has a greater population (Kaufman: 103,038 and Cooke: 38,650).

The 1-hr SO₂ background concentration is lower than the 3-hr screening background concentration used in the modeling demonstration. This is because the screening background concentrations are conservative for the area surrounding the site location. The highest values from 2009 for 3-hr, 24-hr, and annual from the EPA AIRS monitor 482570005 located at 3790 S Houston St, Kaufman County are 31 $\mu\text{g}/\text{m}^3$, 10 $\mu\text{g}/\text{m}^3$, and 3 $\mu\text{g}/\text{m}^3$, respectfully.

The background concentrations for PM_{2.5} were obtained from the EPA AIRS monitor 481210034 located at 5000 Airport Rd, Denton, Denton County. The three year average of the 98th percentile from 2007 to 2009 was used for the 24-hr averaging period. The three year average of the highest annual values from 2007 to 2009 was used for the annual value. The use of this monitor is reasonable because Denton County has higher PM_{2.5} emissions from 2005 (4375 tons)

than Cooke County (1346 tons) and Denton County has a greater population (Denton: 658,616 and Cooke: 38,650).

3.0 Land Use. Rural dispersion coefficients and flat terrain were used in the modeling analysis. These selections are consistent with the topographic map and aerial photography.

4.0 Modeling Emissions Inventory. The modeled emission point, area, and volume source parameters and rates were consistent with the modeling report. The source characterizations used to represent the sources were appropriate.

A low-level fugitive adjustment factor of 0.6 was applied to the emission rates of the area and volume sources, which is consistent with TCEQ guidance for these types of sources.

A NO_x to NO₂ conversion factor of 0.14 was applied to the modeled NO_x emission rates.

5.0 Building Wake Effects (Downwash). Downwash was not applicable since there are no structures on-site that would impact dispersion.

6.0 Meteorological Data. The full meteorology option was chosen.

For Active Fugitives and Tanks, stability class 6 and wind speed of 1.5 m/s were modeled. These selections are appropriate because stability class 6 is the worst-case stability and 1.5 m/s is the worst case wind speed for low-level fugitive emissions. The National Weather Service considers wind speeds less than 1.5 m/s to be calm.

7.0 Receptor Grid. The number of receptors and distance from the sources were appropriate. The sources will be located at least 152 meters from the nearest property line.

8.0 Model Used and Modeling Techniques. SCREEN3 (Version 96043) was used.

A unitized emission rate of 1 lb/hr was used to predict a generic short-term impact for each source. The generic impact was multiplied by the proposed pollutant specific emission rates to calculate a maximum predicted concentration for each source. The maximum predicted concentration for each source was summed to get a total predicted concentration for each pollutant.

Compliance History

Customer/Respondent/Owner-Operator: CN600418669 J.R. Thompson, Inc. Classification: AVERAGE Rating: 5.90
 Regulated Entity: RN105927628 ROCK CRUSHER NO 3 Classification: AVERAGE Site Rating: 3.01

4877702102

ID Number(s): AIR NEW SOURCE PERMITS AFS NUM
 AIR NEW SOURCE PERMITS ACCOUNT NUMBER 960396N
 AIR NEW SOURCE PERMITS PERMIT 92504L001
 AIR EMISSIONS INVENTORY ACCOUNT NUMBER 960396N

Location: LOCATED APPROXIMATELY 2 MI S OF FM 1630 ON THE E SIDE OF CR 343

TCEQ Region: REGION 04 - DFW METROPLEX

Date Compliance History Prepared: September 13, 2011

Agency Decision Requiring Compliance History: Permit - Issuance, renewal, amendment, modification, denial, suspension, or revocation of a permit.

Compliance Period: May 08, 2005 to May 07, 2010

TCEQ Staff Member to Contact for Additional Information Regarding this Compliance History

Name: Larry Buller Phone: 239 - 1890

Site Compliance History Components

1. Has the site been in existence and/or operation for the full five year compliance period? No
2. Has there been a (known) change in ownership/operator of the site during the compliance period? No
3. If Yes, who is the current owner/operator? N/A
4. If Yes, who was/were the prior owner(s)/operator(s)? N/A
5. When did the change(s) in owner or operator occur? N/A
6. Rating Date: 9/1/2011 Repeat Violator: NO

Components (Multimedia) for the Site :

- A. Final Enforcement Orders, court judgments, and consent decrees of the State of Texas and the federal government.
N/A
- B. Any criminal convictions of the state of Texas and the federal government.
N/A
- C. Chronic excessive emissions events.
N/A
- D. The approval dates of investigations. (CCEDS Inv. Track. No.)
N/A
- E. Written notices of violations (NOV). (CCEDS Inv. Track. No.)
N/A
- F. Environmental audits.
N/A
- G. Type of environmental management systems (EMSs).
N/A
- H. Voluntary on-site compliance assessment dates.

N/A

I. Participation in a voluntary pollution reduction program.

N/A

J. Early compliance.

N/A

Sites Outside of Texas

N/A

Compliance History

Customer/Respondent/Owner-Operator: CN600418669 J.R. Thompson, Inc. Classification: AVERAGE Rating: 5.90
 Regulated Entity: RN105927628 ROCK CRUSHER NO 3 Classification: AVERAGE Site Rating: 3.01

4877702102

ID Number(s):	AIR NEW SOURCE PERMITS	AFS NUM	
	AIR NEW SOURCE PERMITS	ACCOUNT NUMBER	960396N
	AIR NEW SOURCE PERMITS	PERMIT	92504L001
	AIR EMISSIONS INVENTORY	ACCOUNT NUMBER	960396N

Location: LOCATED APPROXIMATELY 2 MI S OF FM 1630 ON THE E SIDE OF CR 343

TCEQ Region: REGION 04 - DFW METROPLEX

Date Compliance History Prepared: September 13, 2011

Agency Decision Requiring Compliance History: Permit - Issuance, renewal, amendment, modification, denial, suspension, or revocation of a permit.

Compliance Period: September 14, 2006 to September 13, 2011

TCEQ Staff Member to Contact for Additional Information Regarding this Compliance History

Name: Larry Buller Phone: 239 - 1890

Site Compliance History Components

1. Has the site been in existence and/or operation for the full five year compliance period? No
2. Has there been a (known) change in ownership/operator of the site during the compliance period? No
3. If Yes, who is the current owner/operator? N/A
4. If Yes, who was/were the prior owner(s)/operator(s)? N/A
5. When did the change(s) in owner or operator occur? N/A
6. Rating Date: 9/1/2011 Repeat Violator: NO

Components (Multimedia) for the Site :

- A. Final Enforcement Orders, court judgments, and consent decrees of the State of Texas and the federal government.
N/A
- B. Any criminal convictions of the state of Texas and the federal government.
N/A
- C. Chronic excessive emissions events.
N/A
- D. The approval dates of investigations. (CCEDS Inv. Track. No.)
N/A
- E. Written notices of violations (NOV). (CCEDS Inv. Track. No.)
N/A
- F. Environmental audits.
N/A
- G. Type of environmental management systems (EMSs).
N/A
- H. Voluntary on-site compliance assessment dates.

N/A

I. Participation in a voluntary pollution reduction program.

N/A

J. Early compliance.

N/A

Sites Outside of Texas

N/A