

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



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

April 23, 2012

Re: TCEQ DOCKET NO. 2012-0648-AIR; Executive Director's Hearing Request Agenda Backup for Fred Weber, Inc.'s application to the TCEQ for a New Source Review Authorization under Texas Clean Air Act (TCAA) § 382.0518 in Navarro County, Texas.

Dear Ms. Bohac:

Enclosed for filing in the above-referenced matter, please find the original and 7 copies of the Executive Director's Agenda Backup. The following items are included:

- 1 - Technical Review;
- 2 - Modeling Audits;
- 3 - Compliance History Report;
- 4 - Draft Permit Special Conditions;
- 5 - Maximum Allowable Emissions Rate Table; and

Please forward this filing to the Office of the General Counsel. If you have any questions, please call me at 239-6257.

Sincerely,

A handwritten signature in black ink, appearing to read "Ross Henderson".

Ross W. Henderson,  
Staff Attorney  
Environmental Law Division

Enclosure

cc: Mailing List

## Construction Permit Source Analysis & Technical Review

Company	Fred Weber, Inc.	Permit Number	94520L001
City	Richland	Project Number	162556
County	Navarro	Account Number	N/A
Project Type	Initial	Regulated Entity Number	RN106065931
Project Reviewer	Larry Buller, P.E.	Customer Reference Number	CN603716259
Site Name	Rock Crushing Plant		

### Project Overview

Fred Weber, Inc. has submitted a request to authorize a rock crushing plant to be operated at their quarry near Richland, Navarro County. The plant will consist of three crushers, three screens, an air separator, and associated conveyors and stockpiles. The plant is expected to operate 16 hours per day, 5 days per week and 48 weeks per year not to exceed 3,840 hours per year. The throughput will be limited to 500 tons per hour with an annual throughput of 1,920,000 tons per year. The resultant emissions are shown in the table below.

During the first public comment period the TCEQ received 12 requests for a hearing and 3 comment letters. There were no requests for a public meeting.

### Emission Summary

Air Contaminant	Current Allowable Emission Rates (tpy)	Proposed Allowable Emission Rates (tpy)	Change in Allowable Emission Rates (tpy)
PM	0.00	14.64	14.64
PM <sub>10</sub>	0.00	5.42	5.42
PM <sub>2.5</sub>	0.00	0.77	0.77

### Compliance History Evaluation - 30 TAC Chapter 60 Rules

A compliance history report was reviewed on:

October 14, 2011

Compliance period:

January 5, 2006 - January 4, 2011

Site rating & classification:

3.01 [Average by Default]

Company rating & classification:

3.01 [Average]

If the rating is 40<RATING<45, what was the outcome, if any, based on the findings in the formal report:

NA

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:	January 4, 2011
	Date Administratively Complete:	January 14, 2011
	Small Business Source?	No
	Date Leg Letters mailed:	January 14, 2011
39.603	Date Published:	February 9, 2011
	Publication Name:	<i>Corsicana Daily Sun</i>
	Pollutants:	Particulate matter including particulate matter with diameters of 10 microns or less and 2.5 microns or less
	Date Affidavits/Copies Received:	February 14, 2011
	Is bilingual notice required?	Yes
	Language:	Spanish
	Date Published:	February 24, 2011
	Publication Name:	<i>La Prensa Comunidad</i>
	Date Affidavits/Copies	March 8, 2011

**Construction Permit  
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Rule Citation	Requirement	
	Received:	
	Date Certification of Sign Posting / Application Availability Received:	September 26, 2011
39.604	Public Comments Received?	Yes
	Hearing Requested?	Yes
	Meeting Request?	No
	Date Meeting Held:	NA: No meeting was requested
	Date Response to Comments sent to OCC:	February 15, 2012
	Request(s) withdrawn?	No
	Date Withdrawn:	NA: The requests have not been withdrawn
	Consideration of Comments:	No additional comments received
	Is 2nd Public Notice required?	Yes
39.419	Date 2nd Public Notice/Preliminary Decision Letter Mailed:	October 24, 2011
39.603	Date Published:	November 13, 2011
	Publication Name:	Corsicana Daily Sun
	Pollutants:	Particulate matter including particulate matter with diameters of 10 microns or less and 2.5 microns or less
	Date Affidavits/Copies Received:	November 28, 2011
	Is bilingual notice required?	Yes
	Language:	Spanish
	Date Published:	November 15, 2011
	Publication Name:	La Prensa Comunidad
	Date Affidavits/Copies Received:	November 28, 2011
	Date Certification of Sign Posting / Application Availability Received:	December 19, 2011
	Public Comments Received?	Yes
	Meeting Request?	No
	Date Meeting Held:	Not Applicable; no meeting was requested
	Hearing Request?	Yes (12)
	Date Hearing Held:	TBD
	Request(s) withdrawn?	No
	Date Withdrawn:	Not Applicable; requests were not withdrawn
	Consideration of Comments:	No additional comments received
39.421	Date RTC, Technical Review & Draft Permit Conditions sent to OCC:	February 15, 2012
	Request for Reconsideration Received?	No
	Final Action:	Authorize permit
	Are letters Enclosed?	No

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### 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: Comments on emission verification:	Recordkeeping  Records will be kept of hourly and annual throughput from which emissions can be verified
116.111(a)(2)(D)	Subject to NSPS? Subparts A & OOO [Standards of Performance for Nonmetallic Mineral Processing Plants]	Yes
116.111(a)(2)(E)	Subject to NESHAP? No, NESHAPS do not apply to this operation since the facility will not emit any air contaminants regulated under 40 CFR 61.	
116.111(a)(2)(F)	Subject to NESHAP (MACT) for source categories? No, this facility is not subject to NESHAPS (MACT) for source categories since the facility is not one of the source categories regulated under 40 CFR 63.	
116.111(a)(2)(H)	Nonattainment review applicability: Not applicable. Navarro is an attainment county.	
116.111(a)(2)(I)	PSD review applicability: Not applicable; the plant not a major source, not one of the 28 named sources, and does not emit 100 tons per year or more of any air pollutant.	
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 Fee certification:	R112339

### Title V Applicability - 30 TAC Chapter 122 Rules

Rule Citation	Requirement
122.10(13)	Title V applicability: Not applicable since this plant is not a major source in any category.
122.602	Periodic Monitoring (PM) applicability: Not applicable since this plant is not a major source.
122.604	Compliance Assurance Monitoring (CAM) applicability: Not applicable since not a major source.

### Request for Comments

Received From	Program/Area Name	Reviewed By	Comments
Region:	4	Kimberli Fowler	No comments, proceed with permit review.

### Process/Project Description

The crushing operation consists of transporting (via truck) the blasted rock to a stockpile. The rock is then transferred via a front end loader to the primary jaw crusher feeder. After the rock is crushed, it is transferred via conveyor and passes through a screen. Remaining material is transferred via conveyors and passes through secondary and tertiary crushers and screens and associated conveyor drops to obtain the final product depending on the desired final material size. In cases where finer material is not necessary, all equipment may not be utilized simultaneously. An air separator is used for screening sand from coarse material. Two storage bins are used for the final sand storage.

The plant will be powered by three Caterpillar diesel generator sets and two Caterpillar hydraulic diesel engines. These engines are not stand alone units. Each engine is mounted to the piece of equipment that it powers. However, since these generator engines will not be at any one location for more than 12 months, there is no requirement to include them in the current authorization.

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

Emissions from this plant consist of fugitive particulate matter emitted from the various permitted facilities. Permanently mounted water spray bars will be used for dust suppression and will be installed at the inlet and outlet of each crusher, at all screens, and at each conveyor material drop. All stockpiles, traffic areas and active work areas will be sprayed with water to control emissions. This meets the BACT and Best Management Practices for a plant of this type.

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

Was modeling conducted? <b>Yes</b>	Type of Modeling: <b>AERMOD (Version 11103)</b>
Will GLC of any air contaminant cause violation of NAAQS?	<b>No</b>
Is this a sensitive location with respect to nuisance?	<b>Moderate nuisance potential [per site review conducted by Kimberli Fowler, January 28, 2011]</b>
[§116.111(a)(2)(A)(ii)] Is the site within 3000 feet of any school?	<b>No</b>
Additional site/land use information: Surrounding land is open land & residential with closest off-property receptor measured to be approximately 8,600 ft. from the site. The nearest property line was measured to be approximately 6,359 ft. from the plant. Another rock crushing plant (air quality permit no. 75012L001) is located on the same site approximately 4,000 ft. from this location. Air dispersion modeling indicates the two plants can work simultaneously.	

### Summary of Modeling Results

Air dispersion modeling was completed by the Applicant using AERMOD (Version 11103) in a refined screening mode. The methodology and results were audited by the TCEQ Air Dispersion Modeling Team. The results show that the GLCmax concentration for the 24-hour time averaged PM<sub>10</sub> emissions is 4 µg/m<sup>3</sup> which is below the De Minimis value of 5 µg/m<sup>3</sup>. Likewise, the GLCmax concentration for the 24-hour and annual time averaged PM<sub>2.5</sub> emissions was found to be 0.6 µg/m<sup>3</sup> and 0.01 µg/m<sup>3</sup> respectively. These concentrations are below the 24-hour and annual De Minimis values of 1.2 µg/m<sup>3</sup> and 0.3 µg/m<sup>3</sup> respectively. Thus, no further modeling evaluation was necessary to ascertain protectiveness with respect to the NAAQS.

The company also submitted modeling to determine the minimum offset distance to ensure protectiveness with respect to the NAAQS when these facilities are moved to a different location. Using the AERMOD air dispersion modeling methodology, the most conservative land features were utilized along with the highest possible background concentration. With this worst-case scenario, it was determined that an offset distance of 900 ft. would be protective with respect to the NAAQS requirements for both PM<sub>10</sub> and PM<sub>2.5</sub> limits. This distance was placed in the permit for Movement of a Portable Facility.

### Permit Concurrence and Related Authorization Actions

Is the applicant in agreement with special conditions?	<b>Yes</b>
Company representative(s):	<b>Ms. Pat Walters (Burns &amp; McDonnell)</b>
Contacted Via:	<b>e-mail</b>
Date of contact:	<b>October 12, 2011</b>
Other permit(s) or permits by rule affected by this action:	<b>None</b>
List permit and/or PBR number(s) and actions required or taken:	<b>NA</b>

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

## INTEROFFICE MEMORANDUM

To: Larry Buller, P.E. Date: September 20, 2011  
Mechanical/Agricultural/Construction Section

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

From: Rachel Gould and Dan Schultz *DR*  
ADMT

Subject: Modeling Audit – Fred Weber Inc. (RN106065931)

1.0 Project Identification Information.

Permit Application Number: 94520L001

NSR Project Number: 162556

ADMT Project Number: 3533

NSRP Document Number: 417833

County: Navarro

ArcReader Published Map: \\Mgiswrk\APD\MODEL PROJECTS\3533\3533.pmf

Modeling Report: Submitted by Burns & McDonnell, July 2011, on behalf of Fred Weber Inc. Additional information was received July and August 2011.

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.

Table 1- Modeling Results for Minor NSR NAAQS AQI, Current Site

Pollutant	Averaging Time	GLCmax (ug/m <sup>3</sup> )	De Minimis (ug/m <sup>3</sup> )
PM <sub>10</sub>	24-hr	4	5
PM <sub>2.5</sub>	24-hr	0.6	1.2
	Annual	0.01	0.3

The GLCmax are the maximum predicted concentrations from a five year period.

3.0 Land Use. Medium roughness and elevated terrain were used in the modeling analysis for the current proposed site. These selections are consistent with the AERSURFACE analysis, topographic map, DEMs, and aerial photography. The selection of medium roughness is reasonable.

The AERSURFACE analysis used a study area radius of two kilometers (km). The recommended study area radius is one km. Due to the large size of the current site, the applicant selected a study area radius of two km to better represent the surface roughness for the entire site. The ADMT repeated the AERSURFACE analysis using a study area radius of 1 km and verified that the selection of the medium roughness meteorological data set is representative.

Meteorological data sets for low, medium, and high roughness values were used in the modeling demonstration completed to establish a minimum distance limitation for purposes of relocation to another site. See section 8.0 for further details.

- 4.0 Modeling Emissions Inventory. The modeled emission area, area-circle, and volume source parameters and rates were consistent with the applicant's spreadsheets. The source characterizations used to represent the sources were appropriate.

The modeled 24-hr emission rates for  $PM_{10}$  and  $PM_{2.5}$  were multiplied by 0 during the hours from 9 p.m. to 5 a.m. to account for limitations in operating hours using an hour-of-day scalar. The hour of day scalar was applied in the model for all sources except the storage piles and drop point #7. Use of the hour of day scalar for Drop point #7 was inadvertently excluded from the model. However, not applying the scalar to Drop point #7 is conservative.

Maximum allowable 24-hr hour emission rates were used for the short-term averaging time analyses, and annual average emission rates were used for the annual averaging time analyses.

- 5.0 Building Wake Effects (Downwash). Building downwash is not applicable since the modeling was conducted with area and volume sources.

- 6.0 Meteorological Data.  
Surface Station and ID: Waco, TX (Station #: 13959)  
Upper Air Station and ID: Stephenville, TX (Station #: 13901)  
Meteorological Dataset: 1985, 1987-1990  
Profile Base Elevation: 152.1 meters

- 7.0 Receptor Grid. The grid modeled was sufficient in density and spatial coverage to capture representative maximum ground-level concentrations.

The minimum distance modeling used a refined receptor grid with a spacing of 25 meters.

- 8.0 Model Used and Modeling Techniques. AERMOD (Version 11103) was used in a refined screening mode.

The applicant submitted two modeling demonstrations. One modeling demonstration was for the current proposed site. The other modeling demonstration established a minimum distance from the footprint of the rock crusher equipment and storage piles required to meet the NAAQS.

For the minimum distance demonstration, the applicant conducted 24-hr  $PM_{2.5}$  modeling using meteorological data sets representative of high, medium, and low surface roughness. The model results associated with low surface roughness were the highest.

Modeling was then conducted for 24-hr  $PM_{2.5}$  using a meteorological data set with low roughness and a refined receptor grid. The receptor grid was comprised of all receptors having a 24-hr  $PM_{2.5}$  concentration equal to or greater than  $5 \mu\text{g}/\text{m}^3$ . The maximum distance from the footprint

of the rock crusher equipment and storage piles to a receptor with a predicted concentration of  $5 \mu\text{g}/\text{m}^3$  plus 25 meters was selected as the minimum offset distance for purposes of relocation. Setting a threshold of  $5 \mu\text{g}/\text{m}^3$  for the project allows a background concentration of up to  $30 \mu\text{g}/\text{m}^3$ .

The refined receptor grid was also used for 24-hr  $\text{PM}_{10}$  and annual  $\text{PM}_{2.5}$ . The second highest predicted 24-hr  $\text{PM}_{10}$  concentration for the project of  $44 \mu\text{g}/\text{m}^3$  allows a background concentration of up to  $106 \mu\text{g}/\text{m}^3$ . The annual  $\text{PM}_{2.5}$  results were less than de minimis.

Based on the modeling results, the applicant is proposing a minimum offset distance of 900 feet from the footprint of the rock crusher equipment and storage piles.

Pollutant	Averaging Time	GLCmax ( $\mu\text{g}/\text{m}^3$ )
$\text{PM}_{10}$	24-hr	44
$\text{PM}_{2.5}$	24-hr	5
	Annual	0.24

The  $\text{PM}_{10}$  GLCmax is the maximum predicted concentration from a five year period. The 24-hr  $\text{PM}_{2.5}$  GLCmax is the maximum five-year average of the maximum predicted 24-hr concentrations from each of the five years modeled at each receptor. The annual  $\text{PM}_{2.5}$  GLCmax is the maximum predicted five-year average.

## Compliance History Report

Customer/Respondent/Owner-Operator:	CN603716259 Fred Weber, Inc.	Classification: AVERAGE	Rating: 3.01
Regulated Entity:	RN106065931 ROCK CRUSHING PLANT FAST PACK PLANT 2	Classification: AVERAGE BY DEFAULT	Site Rating: 3.01
ID Number(s):	AIR EMISSIONS INVENTORY	ACCOUNT NUMBER	960470H
	AIR EMISSIONS INVENTORY	ACCOUNT NUMBER	960470H
	AIR NEW SOURCE PERMITS	AFS NUM	4877702197
	AIR NEW SOURCE PERMITS	PERMIT	94520L001
Location:	7329 SW COUNTY ROAD 30, RICHLAND, TX, 76681		
TCEQ Region:	REGION 04 - DFW METROPLEX		
Date Compliance History Prepared:	April 11, 2012		
Agency Decision Requiring Compliance History:	Permit - issuance, renewal, amendment, modification, denial, suspension, or revocation of a permit.		
Compliance Period:	January 05, 2006 to January 04, 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. If YES, 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.
- 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).
- 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

## Special Conditions

Permit Number 94520L001

### 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 limits and other conditions specified in the table.

### Fuel Specifications

2. This permit does not authorize the operation of an internal combustion engine in conjunction with this facility. The holder of this permit shall obtain prior authorization for any engine that remains or will remain at a single point or location for more than 12 consecutive months. Any portable engine that remains or will remain at a single point or location for less than or equal to 12 consecutive months is not considered stationary and no authorization is required.

### Federal Applicability

3. These facilities shall comply with all applicable requirements of the U.S. Environmental Protection Agency (EPA) Regulations on Standards of Performance for New Stationary Sources (NSPS) promulgated in Title 40 Code of Federal Regulations (40 CFR) Part 60, specifically the following:
  - A. Subpart A - General Provisions; and
  - B. Subpart OOO - Nonmetallic Mineral Processing Plants.

### Opacity/Visible Emission Limitations

4. There shall be no visible emissions leaving the property from any permitted facility (point source or fugitive) and stockpiles, internal roads, and work areas. 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, an evaluation must be accomplished in accordance with EPA 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 visible emissions exceed the Test Method 22 criteria, immediate action shall be taken to eliminate the excessive visible emissions. The corrective action shall be documented within 24 business hours of completion.

5. In accordance with 40 CFR Part 60, Appendix A, Test Method 9 or equivalent, and except for those periods described in 30 Texas Administrative Code (30 TAC) § 101.201 and § 101.211, opacity of emissions from any transfer point on belt conveyors or any screen shall not exceed seven percent and from any crusher shall not exceed 12 percent averaged over a six-minute period.

There shall be no visible emissions from the Air Separator Unit except for the material transfer drop into the unit and the material transfer drop out of the unit, each of which shall not exceed seven percent averaged over a six-minute period.

Operational Limitations, Work Practices, And Plant Design

6. Emission rates are based on and the facilities shall be limited to 500 tons per hour (tph) and 1,920,000 tons per year (tpy) in any rolling 12-month period with a maximum operating schedule of 16 hours per day, 5 days per week, 48 weeks per year not to exceed 3,840 hours per year with limitations for the crushers and screens as follows:

Primary (Jaw) Crusher (EPN PC-1)	500 tph	1,920,000 tpy
Secondary Crusher (EPN SC-1)	500 tph	1,920,000 tpy
Tertiary Crusher (EPN TC-1)	300 tph	1,152,000 tpy
Screen 1(EPN SCR-1)	500 tph	1,920,000 tpy
Screen 2 (EPN SCR-2)	500 tph	1,920,000 tpy
Screen 3 (EPN SCR-3)	500 tph	1,920,000 tpy

7. Permanently mounted spray bars shall be installed at the inlet and outlet of all crushers, at all shaker screens, and at all material transfer points. All water spray systems shall be operated as necessary to maintain compliance with the Texas Commission on Environmental Quality (TCEQ) rules and regulations.
8. All in-plant roads and traffic areas, active work areas, and aggregate stockpiles shall be sprayed with water upon detection of visible particulate emissions to maintain compliance with all applicable TCEQ rules and regulations.
9. Stockpile heights shall not exceed 45 feet in height unless approved by the TCEQ Regional Office and/or any appropriate local air program with delegation.
10. 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 marking shall be removed from the equipment when it is no longer authorized by the TCEQ.

Movement of a Portable Facility

11. Movement of a facility to a site that is subject to the requirements of federal Prevention of Significant Deterioration (PSD) and/or Nonattainment programs under 30 TAC Chapter 116, Subchapter B, Divisions 5 and 6, shall submit an application 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 may be required to publish public notice. If the proposed site is not subject to PSD or Nonattainment review, the following is applicable:
  
12. The following are requirements for movement of this portable facility:
  - A. Prior to moving permitted facilities 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 appropriate TCEQ Regional Office may approve the following types of relocations:
    - (1) A permitted facility 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 facility is one that occupies a designated site for not more than 180 consecutive days or supplies materials for a single project (single contract or same contractor for related project segments, but not other unrelated projects.)*
  
    - (2) A portable facility moving to a site in which a portable facility 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).
  
  - C. If the holder of the permit meets either 12.B.(1) or 12.B.(2) above, the permit holder shall submit a complete written request to the 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 maximum allowable emission rates table that are in effect for the permitted facility;
  - (3) The regulated entity number (RN), customer reference number (CN), and applicable permit or registration numbers, and if available, 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; and
  - (11) Proof that the proposed site had accomplished public notice, as required by 30 TAC Chapter 39.
- D. To move a permitted facility and associated equipment to a site that does not meet either 12.B.(1) or 12.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 may be required to publish public notice prior to being authorized for a 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 facility and all associated sources (screens, transfer points on belt conveyors, feed bins, and work areas that are only associated with the facility) shall be located a minimum of 900 feet from the property line and at least 550 feet from any other rock crushing plant, concrete batch plant, or hot mix asphalt plant.
  - (2) Any rock crusher that is crushing concrete shall be located a minimum of 440 yards (1/4 mile) from any single or multifamily 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; or
    - b. at a location that satisfies this distance requirement at the time the initial application is filed with the TCEQ, and a single or multifamily 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 condition is not applicable if the facility is to be 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 must occur:
    - a. Roads and other traffic areas within the buffer distance must be bordered by dust-suppressing fencing or other dust-suppressing barrier along all traffic routes or work areas. These borders shall be constructed to a height of at least 12 feet; and
    - b. Stockpiles within this buffer distance must be contained within a three-walled bunker that extends at least two feet above the top of the stockpile.

Initial Determination of Compliance

13. Upon initial issuance, the permit holder shall comply with NSPS Subpart A and OOO requirements within the specified time frame. Requests for additional time to perform observations shall be submitted in writing to the TCEQ Regional Office.
14. Upon request by the TCEQ Regional Director with jurisdiction, 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 and shall be performed in accordance with accepted TCEQ practices and procedures.

Recordkeeping Requirements

15. 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 maintained at this facility site and made available at the request of personnel from the TCEQ or any other air pollution control program having jurisdiction to demonstrate compliance with permit limitations. These records shall be totaled for each calendar month, retained for a rolling 24-month period and include the following:
  - 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. All malfunctions, repairs, and maintenance of abatement systems;
  - E. Inspections of capture systems and abatement devices, which shall be recorded as they occur; and
  - F. Records of the quarterly visible emissions observations required by the visible and opacity limitations.

Date: \_\_\_\_\_

Emission Sources - Maximum Allowable Emission Rates

Permit Number 94520L001

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)
PC-1	Primary [Jaw] Crusher (5)	PM	0.11	0.20
		PM <sub>10</sub>	0.05	0.10
		PM <sub>2.5</sub>	0.01	0.01
SC-1	Secondary Crusher (5)	PM	0.60	1.15
		PM <sub>10</sub>	0.27	0.52
		PM <sub>2.5</sub>	0.05	0.10
TC-1	Tertiary Crusher (5)	PM	0.36	0.69
		PM <sub>10</sub>	0.16	0.31
		PM <sub>2.5</sub>	0.03	0.06
SCR-1	Screen No. 1 (5)	PM	1.10	2.11
		PM <sub>10</sub>	0.37	0.71
		PM <sub>2.5</sub>	0.03	0.05
SCR-2	Screen No. 2 (5)	PM	1.10	2.11
		PM <sub>10</sub>	0.37	0.71
		PM <sub>2.5</sub>	0.03	0.05
SCR-3	Finish Screen (5)	PM	1.10	2.11
		PM <sub>10</sub>	0.37	0.71
		PM <sub>2.5</sub>	0.03	0.05
LFUG	Loading/Unloading Operations (5)	PM	1.57	3.01
		PM <sub>10</sub>	0.57	1.10
		PM <sub>2.5</sub>	0.09	0.17

Emission Sources - Maximum Allowable Emission Rates

Emission Point No. (1)	Source Name (2)	Air Contaminant Name (3)	Emission Rates	
			lbs/hour	TPY (4)
MHFUG	Material Handling (5, 6)	PM	1.13	2.18
		PM <sub>10</sub>	0.37	0.72
		PM <sub>2.5</sub>	0.11	0.20
SPFUG	Stockpiles (5)	PM	-.--	1.08
		PM <sub>10</sub>	-.--	0.54
		PM <sub>2.5</sub>	-.--	0.08

- (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) PM - total particulate matter, suspended in the atmosphere, including PM<sub>10</sub> and PM<sub>2.5</sub>, as represented  
 PM<sub>10</sub> - total particulate matter equal to or less than 10 microns in diameter, including PM<sub>2.5</sub>, as represented  
 PM<sub>2.5</sub> - particulate matter equal to or less than 2.5 microns in diameter
- (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.
- (6) Includes material transfer drops off the screens (EPNs SCR-1, SCR-2 and SCR-3), transfer drops into and out of the Air Separator, transfer drops into and out of the Feed Bins (EPNs BF-1, BF-2 and BF-3), transfer drops into and out of the Sand Bins, and all conveyor to conveyor material transfer points.

Date: \_\_\_\_\_