



July 2005

Amended Air Quality Standard Permit for Temporary Rock Crushers and Temporary Concrete Crushers

Air Permits Division
Texas Commission on Environmental Quality



Kathleen Hartnett White, *Chairman*
R. B. “Ralph” Marquez, *Commissioner*
Larry R. Soward, *Commissioner*

Glenn Shankle, *Executive Director*

Authorization for use or reproduction of any original material contained in this publication, i. e., not obtained from other sources, is freely granted. The Commission would appreciate acknowledgment.

Copies of this publication are available for public use through the Texas State Library, other state depository libraries, and the TCEQ Library, in compliance with the state depository law. For more information on TCEQ publications call (512) 239-0028 or visit our Web site at:

www.tceq.state.tx.us/publications

Published and distributed by:
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

The TCEQ is an equal opportunity/affirmative action employer. The agency does not allow discrimination on the basis of race, color, religion, national origin, sex, disability, age, sexual orientation or veteran status. In compliance with the Americans with Disabilities Act, this document may be requested in alternate formats by contacting the TCEQ at (512)239-0028, Fax 239-4488, or 1-800-RELAY-TX (TDD), or by writing P.O. Box 13087, Austin, TX 78711-3087.

Table of Contents

I. Executive Summary	1
II. Explanation and Background of Air Quality Standard Permit	1
III. Overview of Air Quality Standard Permit Amendments	1
IV. Permit Condition Analysis and Justification	2
V. Protectiveness Review	5
VI. Public Notice and Comment Period	5
VII. Public Meeting	5
VIII. Analysis of Comments	5
IX. Statutory Authority	7
Amendments to Air Quality Standard Permit for Temporary Rock/Concrete Crushers	8

SUMMARY DOCUMENT FOR AMENDED AIR QUALITY STANDARD PERMIT FOR TEMPORARY ROCK CRUSHERS AND TEMPORARY CONCRETE CRUSHERS

I. EXECUTIVE SUMMARY

In accordance with Title 30 Texas Administrative Code (30 TAC) §116.605, Standard Permit Amendment and Revocation, the Texas Commission on Environmental Quality (TCEQ or commission) is issuing amendments to the air quality standard permit for temporary rock crushers and temporary concrete crushers. The amendments implement changes associated with House Bill (HB) 1287, 78th Legislature (2003), which modified provisions of the Texas Clean Air Act (TCAA) relating to distance limits for concrete crushers (Texas Health and Safety Code §382.065). The standard permit needed to be amended to maintain consistency with the revised TCAA language. These amendments also include several technical and administrative improvements and corrections.

II. EXPLANATION AND BACKGROUND OF AIR QUALITY STANDARD PERMIT

The New Source Review Program under 30 TAC Chapter 116, Control of Air Pollution by Permits for New Construction or Modification, requires any person who plans to construct any new facility or to engage in the modification of any existing facility which may emit air contaminants into the air of the state to obtain a permit pursuant to 30 TAC §116.111, General Application, or satisfy the conditions of a standard permit, a flexible permit, a permit by rule, or the criteria for a de minimis facility or source, before any actual work is begun on the facility. A standard permit authorizes the construction or modification of new or existing facilities which are similar in terms of operations, processes, and emissions. A standard permit provides an efficient mechanism for qualifying facilities to obtain authorization, as an alternative to a case-specific air quality permit.

The standard permit for temporary rock and temporary concrete crushers first became effective on February 14, 2002, and has not been amended previously. The standard permit is applicable to temporarily-sited rock and concrete crushers that process nonmetallic minerals or a combination of nonmetallic minerals, and have a feed hopper throughput that is equal to or less than 250 tons per hour (tph). Facilities covered by this standard permit are often used to produce aggregate materials for road construction, or crush concrete resulting from demolition projects. Temporary rock and concrete crushers may also be used in applications such as commercial and residential construction.

III. OVERVIEW OF AIR QUALITY STANDARD PERMIT AMENDMENTS

The commission is issuing amendments needed to maintain consistency with Texas Health and Safety Code (THSC) §382.065, as modified by HB 1287 passed in the 78th Regular Session of the Texas Legislature. The changes relating to HB 1287 modify the applicability of distance limitations to concrete crushing facilities, and specify the method for taking the distance measurement. These changes specify that the commission shall prohibit operation of a concrete crushing facility within 440 yards of a building in use as a school, residence, or place of worship, at the time the application for a permit to operate the facility is filed with the commission. The amendments also clarify that the 440-yard distance limit would not apply to cases where a concrete crushing facility originally met the 440-yard distance requirement, but subsequent construction of residences, schools, or places of worship occurred within a 440 yard radius. The revisions to THSC § 382.065 also exempted certain concrete crushing facilities involved in demolition projects from the 440-yard distance limitation, and the amendments incorporate this exemption into the standard permit. One component of HB 1287 that was not included in the amendments, is the exemption at THSC § 382.065(b)(1), concerning concrete crushing facilities at a location for which commission authorization for the operation of a concrete

crushing facility was in effect on September 1, 2001. This standard permit authorizes temporary facilities with limited operating times, so all foreseeable uses of the standard permit will be to authorize installations occurring after September 1, 2001. Due to the apparent non-relevance of § 382.065(b)(1) to temporary crushers authorized by the standard permit, this exemption was not included in the amendments.

The commission is also issuing other technical and administrative amendments to improve readability, flexibility, and enforceability of this standard permit. Requirements concerning emission limits, control requirements, and recordkeeping have not changed substantially.

The amendments to the distance requirements for concrete crushers may reduce the number of facilities subject to the 440 yard distance limitation, but those facilities will remain subject to the applicable distance requirements for Tier I and Tier II units (200 and 300 feet respectively) which the commission has determined are protective of public health and welfare. The commission has concluded research which shows that the standard permit for rock crushers is protective of the public health and welfare and that facilities which operate under the conditions specified will comply with TCEQ regulations. Due to the limited nature of the amendments, the evaluation of impacts was based on the commission's analysis of the existing protectiveness review and supporting modeling data.

Although the standard permit as originally issued has always authorized operations that crush concrete, the permit title did not reference concrete crushers specifically. This amendment to the standard permit will change the title to include this reference for purposes of accuracy and to better inform the regulated community and general public of the permit's scope.

IV. PERMIT CONDITION ANALYSIS AND JUSTIFICATION

General Requirements

The commission amends the introductory paragraph to emphasize that this standard permit is intended to apply to temporary operations, and also amends grammar for readability and consistency with other standard permits. The commission also deletes the last two sentences in the introductory paragraph (pertaining to §116.605(d)), because this language may cause confusion and it is not necessary that it remain in the standard permit in order for the subsection to be effective.

The commission amends subsection (1)(A), to specify the meaning of the term "associated sources" as used in this standard permit. The previous standard permit parenthetically explained this term within subsection (1)(B), and indicated that screens, transfer points on conveyors, material storage and feed bins, work areas that are only associated with the facility, and stockpiles, were associated sources. The new definition of associated sources is intended to formally define associated sources for the purposes of this permit, and to more clearly indicate the difference between associated sources (which are not facilities), and facilities. Items such as screens, conveyors, and storage or feed bins meet the definition of a facility, and therefore should not be referenced as associated sources.

The commission amends subsection (1)(B), to implement requirements of THSC § 382.065, as revised by HB 1287. The amendments specify that the 440-yard distance limitation only applies to concrete crushing facilities, and not to associated sources. These changes specify that the commission shall prohibit operation of a concrete crushing facility within 440 yards of a building in use as a school, residence, or place of worship at the time the notification for a permit to operate the facility is filed with the commission. The previous standard permit language prohibited the location, in addition to operation, of equipment within the distance requirements. The amendments also incorporate language from the revised THSC § 382.065 to specify measurement of the distance limitations.

New subsection (1)(C)(i) implements provisions of THSC § 382.065, as revised by HB 1287, to exempt cases where a concrete crushing facility originally meets the 440-yard distance requirement, but subsequent

construction of residences, schools, or places of worship occurs within a 440 yard radius. Subsection (1)(C)(ii) provides an exemption for structures occupied or used solely by the owner of the facility, or the owner of the property upon which the facility is located. These exempt structures would not be considered as affected residences, schools, or places of worship for purposes of the 440-yard distance limit. This exemption is provided to maintain consistency with a similar exemption in 30 TAC § 116.112.

New subsection (1)(D) implements provisions of THSC § 382.065, as revised by HB 1287, concerning concrete crushing facilities associated with demolition projects. The amendments allow concrete crushing facilities used to crush concrete resulting from demolition of a structure to be exempt from the 440-yard distance limitation, if they meet certain conditions concerning operation and location.

In order to accommodate new subsections (1)(C) and (1)(D), the commission has renumbered previous subsections (1)(C)-(1)(Q) to (1)(E)-(1)(S), accordingly.

The commission amends subsection (1)(D), which is also renumbered as subsection (1)(F). The amendments to this subsection remove obsolete references to the 30 TAC Chapter 101 upset, maintenance, startup and shutdown rules, and rephrase the visible emission standard to provide improved readability and enforceability. The amendment eliminates the reference to fugitive emissions, because crushers and associated sources may generate non-fugitive emissions which should also be required to comply with the visible emission standard. The intent is for all emissions (fugitive and point source) from facilities and sources authorized under this standard permit to maintain compliance.

The commission amends subsection (1)(E), which is also renumbered as subsection (1)(G). The amendments to this subsection remove obsolete references to the 30 TAC Chapter 101 upset, maintenance, startup and shutdown rules. A subsection referencing the current 30 TAC Chapter 101 Subchapter F emission event rules (which replaced the previous upset, maintenance, startup and shutdown rules) has been added under new subsection (1)(T).

The commission amends subsections (1)(K) and (1)(O), which are also renumbered as subsection (1)(M) and (1)(Q), respectively. The amendments to these subsections remove the term “rock”, to clarify that these requirements apply to both rock crushers and concrete crushers. The previous language could be interpreted to only apply to rock crushers.

The commission amends subsections (1)(L), (1)(M), (1)(P) and (1)(Q), which are also renumbered as subsections (1)(N), (1)(O), (1)(R) and (1)(S) respectively. The amendments to these subsections make minor editorial changes to improve readability and comply with current rule formatting practices. The proposed changes do not have a material effect on compliance with these subsections.

The commission adopts new subsection (1)(U). This subsection eliminates the availability of the standard permit to owners or operators who apply for a permit for permanent or extended operation. This standard permit was intended to authorize temporary operations and the commission has determined, based in part on concern from the general public, that use of this standard permit to obtain initial or early authorization for permanent facilities is not appropriate.

Requirements for Tier I Rock and Concrete Crushers

The commission adopts minor grammatical amendments to subsection (2)(C), to ensure inclusion of all crushing-related facilities with respect to the 200-foot distance limitation.

The commission amends subsections (2)(E) and (2)(G), to ensure that these requirements apply generally to both rock and concrete crushing operations. The previous language could be interpreted to only apply to rock crushers.

The commission amends subsection (2)(F), to specify that the limitation on the number of days means the number of calendar days the equipment is authorized to be located on the site. The previous standard permit

language could be interpreted to mean the number of days on which the equipment is operated; however, the original intent was to establish a limit for the number of calendar days the equipment would be located at the site.

The commission amends subsection (2)(G), to relocate language concerning notification requirements for an owner or operator returning to a site. This requirement was previously located in subsection (2)(H), but appears to be more relevant to the requirements of subsection (2)(G). The commission also amends subsection (2)(G) to clarify that a crusher returning to a site must comply with applicable distance limits, taking into account any residences, schools, or places of worship that may have been constructed while the crusher was absent from the site.

The commission adopts minor grammatical amendments to subsections (2)(D), (2)(F), (2)(G), and (2)(H), to improve readability and consistency with rule formatting requirements. The amendments do not materially affect compliance with these subsections. The amendments to subsection (2)(H) incorporate use of a standard notification form, and delete the specific list of information required by the notification. This information will still be provided by the applicant by submitting the required form.

Requirements for Tier II Rock and Concrete Crushers

The commission adopts minor grammatical amendments to subsection (3)(B), to ensure inclusion of all crushing-related facilities with respect to the 300-foot distance limitation.

The commission adopts minor grammatical amendments to subsection (3)(C), to ensure inclusion of all crushing-related facilities with respect to the 550-foot distance limitation associated with concrete batch plants and asphalt batch plants.

The commission amends subsection (3)(E), to specify that the limitation on the number of days refers to the number of calendar days the equipment is authorized to be located on the site. The previous standard permit language could be interpreted to mean the number of days on which the equipment is operated; however, the original intent was to establish a limit for the number of calendar days the equipment would be located at the site. The commission also deletes the word “rock” in subsections (3)(E) and (3)(F), to ensure that these requirements apply generally to both rock and concrete crushing operations. The previous language could be interpreted to only apply to rock crushers.

The commission amends subsection (3)(F), relating to the return of a rock or concrete crushing facility to a site which it previously vacated. The amendments specify that notification, but not written approval, is required if the time limits contained in subsection (3)(E) have not been exhausted. Once the time limits contained in subsection (3)(E) have been exhausted, written approval and notification will be required for the crusher to return to the site, after waiting the required period of at least 365 days. The commission also has relocated language concerning notification requirements for an owner or operator returning to a site. This requirement was previously located in subsection (3)(G), but appears to be more relevant to the requirements of subsection (3)(F). The commission also adds a statement to clarify that a crusher returning to a site must comply with applicable distance limits, taking into account any residences, schools, or places of worship that may have been constructed while the crusher was absent from the site.

The commission amends subsection (3)(G), to allow construction to begin immediately once the required written approval is obtained. The previous language could have been interpreted to mean that construction could not begin until 30 days after notification is provided, even if written approval had already been granted. The amendments also incorporate use of a standard notification form, and delete the specific list of information required in the notification. This information would still be provided by the applicant by submitting the required form.

The commission also adopts minor grammatical and stylistic changes in section (3), and subsections (3)(D), and (3)(F), which do not have a material effect on compliance with this subsection.

V. PROTECTIVENESS REVIEW

The primary pollutant emitted from rock or concrete crushing operations is particulate matter. The characteristics of these emissions (such as particle size) may vary depending on the type of material being crushed, the specific operation generating the dust (crushing, screening, etc.), and the type of control techniques applied to the source (watering, enclosed conveyors, etc.). The only portion of the amendments with the potential to affect off-property impacts are changes to the applicability of the 440-yard distance limits for concrete crushers, as determined by HB 1287. The amendments may reduce the number of concrete crushers that are subject to the 440-yard distance limit contained in subsection (1)(B). However, these concrete crushers will remain subject to the applicable 200-foot or 300-foot distance limit under subsections (2)(C) or (3)(B) respectively. The commission has previously determined that the 200-foot and 300-foot limits for Tier I and II crushers are protective, and would not result in exceedances of the NAAQS for PM₁₀, or the 30 TAC Chapter 111 property-line standards for particulate matter. Because existing modeling data was sufficient to support the limited changes in these amendments, a new modeling analysis was not performed.

VI. PUBLIC NOTICE AND COMMENT PERIOD

In accordance with 30 TAC § 116.605, the TCEQ published notice of the proposed amendments to this standard permit in the *Texas Register* (29 TexReg 6977) and newspapers of the largest general circulation in Austin, Houston and Dallas. The date for these publications was July 16, 2004. The public comment period closed on August 20, 2004.

VII. PUBLIC MEETING

A public meeting on the proposed amendments was offered on August 20, 2004, 10 a.m., at the TCEQ, Building F, Room 2210, 12100 Park 35 Circle, Austin, Texas. No one elected to submit verbal or written comments at the meeting.

VIII. ANALYSIS OF COMMENTS

Written comments were received from the Sierra Club Houston Regional Group (SCHRГ) and from Texas Industries, Inc. (TXI).

SCHRГ commented that it opposed the proposed language in subsection (1)(B) which deletes the reference to associated sources. The proposed language only refers to concrete crushing facilities. SCHRГ stated that associated sources can create heavy particulate emissions.

The commission acknowledges that associated sources are sources of particulate emissions. However, the 440-yard distance limit and associated standard permit language are based on the requirements of THSC § 382.065, as modified by HB 1287. The language in THSC § 382.065 only refers to concrete crushing facilities. The commission intends that the language in the standard permit be as consistent as possible with the corresponding requirements in THSC § 382.065. Associated sources remain subject to the 200-foot distance limitation for Tier I crushers, or the 300-foot distance limitation for Tier II crushers, and these distance limitations are protective. The commission will maintain the proposed language.

SCHRГ commented that they opposed the proposed provision in subsection (1)(C)(i), which states that the 440-yard distance limitation does not apply to cases where a concrete crushing facility originally met the 440-yard limit, but subsequent construction of residences, schools, or places of worship took place within the 440-yard limit. SCHRГ commented that this may allow nuisances to exist.

This provision is necessary for consistency with THSC § 382.065, as amended by HB 1287. The applicable 200-foot or 300-foot distance limitation would still apply. Nuisance conditions would still be subject to enforcement under 30 TAC § 101.4. The commission will maintain the proposed provision.

TXI commented that the requirement for screen sides and conveyors to be covered should not be necessary for facilities handling saturated rock or gravel. TXI also commented that a permanent spray bar should not be required at the inlet of a crusher which is processing fully saturated rock, gravel, or sand.

Although emissions from these facilities may be reduced when processing saturated rock, gravel, or sand, the standard permit is intended to cover a broad range of facility configurations and operating conditions. In order to ensure continuous compliance with all TCEQ regulations, ensure that the standard permit is practically enforceable, and to protect public health and welfare, the commission will maintain the requirement for enclosed conveyors and screens, and the requirement for a spray bar.

TXI commented that subsection (1)(D), renumbered as subsection (1)(F), should clarify that plant entrances and exits are not subject to the property line visible emission limitation.

The commission does not agree with this comment. In-plant roads, including entrances and exits, are subject to the visible emission standard. The commission declines to alter the proposed language.

TXI commented on subsection (1)(O), renumbered as subsection (1)(Q). TXI commented that a site should be allowed to add a Tier II temporary crusher to a site which has an existing crusher, if the site meets the Tier II distance limitations and other Tier II requirements, or if all of the other equipment is handling fully saturated rock.

The commission does not agree with this comment. The purpose of this standard permit is to authorize a single crushing operation, and modeling was based on that scenario. Further, the standard permit was intended to authorize temporary crushing operations at construction sites, subdivision developments, and road and highway projects, where multiple crushing operations do not occur simultaneously. The prohibition against locating at a site with another crusher is needed to ensure compliance with all TCEQ regulations and to ensure protection of public health and welfare. The commission will maintain this requirement.

TXI commented that the proposed amendments to subsections (2)(F) and (3)(E), which specify limits on the number of days a crusher could be located at a site, would place an undue burden on industry. TXI stated that the proposed amendments do not take into account factors such as inclement weather, equipment failures, or personnel issues. TXI stated that TCEQ could propose language which would provide a waiver or time extension when adverse weather or other unusual circumstances occur .

The amendments to these subsections are intended to clarify the meaning of the 45-day and 180-day time limits. These time limits have always been intended to mean the number of days the equipment is at a site, rather than just the number of days the equipment is operated. During development of the original standard permit, the number of allowed days was increased from 20 days to 45 days for Tier I units, and from 60 days to 180 days for Tier II units, partly in consideration of factors such as adverse weather and mechanical difficulties. The commission does not agree that an additional extension or waiver is necessary.

TXI recommended that a number of sections be revised to provide flexibility for storage of non-operational crushing equipment. TXI recommended modifying the requirement to remove crushing equipment from a site within 24 hours of ceasing operation, to instead require that the crusher be placed in a non-operational configuration within 24 hours of ceasing operation.

Temporary rock crushers are often engineered to allow quick transport, installation, and setup. This portability and simplicity of operation makes it difficult to distinguish between passive storage of such

equipment, and construction or operation of the equipment. The requirement to remove the crushing equipment is the most practical method to ensure compliance with the standard permit. The commission declines to alter these requirements.

IX. STATUTORY AUTHORITY

The amendments to this standard permit are issued under Texas Health and Safety Code (THSC) § 382.05195, which authorizes the commission to issue and amend standard permits according to the procedures set out in that section; THSC § 382.011, which authorizes the commission to control the quality of the state's air; and THSC § 382.051, which authorizes the commission to issue permits, including standard permits for numerous similar facilities.

Air Quality Standard Permit for Temporary Rock Crushers and Temporary Concrete Crushers
Effective Date July 5, 2005

This air quality standard permit authorizes temporary crushing operations which meet all of the conditions listed in section (1) and section (2) for Tier I, or section (1) and section (3) for Tier II.

(1) General Requirements

(A) For the purposes of this standard permit, the following definitions apply:

- (i) a site is defined as one or more contiguous or adjacent properties which are under common control of the same person (or persons under common control).
- (ii) associated sources means sources that are related to the rock or concrete crushing operation, which are not “facilities” as defined under 30 TAC § 116.10. Associated sources include stockpiles and outdoor work areas. Equipment such as screens, belt conveyors, and material storage or feed bins are considered to be facilities and are not associated sources.

(B) Except as provided in subsections (C) and (D), when crushing concrete, the concrete crushing facility shall be operated at least 440 yards from any building which was in use as a single or multi-family residence, school, or place of worship at the time the notification required by section (2) or (3) was filed. The measurement of distance shall be taken from the point on the concrete crushing facility that is nearest to the residence, school, or place of worship toward the point on the building in use as a residence, school, or place of worship that is nearest the concrete crushing facility.

(C) Subsection (B) does not apply to:

- (i) a concrete crushing facility at a location for which the distance requirements of Subsection (B) were satisfied at the time the notification required by section (2) or (3) was filed with the commission, provided that the authorization was granted and maintained, regardless of whether 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
- (ii) structures occupied or used solely by the owner of the facility or the owner of the property upon which the facility is located.

(D) Subsection (B) does not apply to a concrete crushing facility that:

- (i) is engaged in crushing concrete and other materials resulting from the demolition of a structure on that site and the concrete and other materials are being crushed primarily for use at that site;
- (ii) operates at that site during one period of no more than 180 calendar days;
- (iii) complies with all applicable conditions stated in commission rules, including operating conditions; and
- (iv) is not located in, or located in a county adjacent to, a county with a population of 2.4 million or more persons.

(E) All screen sides shall be enclosed and all conveyors shall be covered with a half-moon or

equivalent enclosure that covers the top of the conveyor to minimize emissions.

- (F) Visible emissions from the crushing facility, associated sources, and in-plant roads associated only with the facility shall not leave the property for a period exceeding 30 seconds in duration in any six-minute period as determined using U.S. Environmental Protection Agency (EPA) Test Method (TM) 22.
- (G) Opacity of emissions from any transfer point on belt conveyors or any screen shall not exceed 10 percent and from any crusher shall not exceed 15 percent, averaged over a six-minute period, and according to EPA TM 9.
- (H) 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 and used as necessary to maintain compliance with all commission regulations.
- (I) Dust emissions from all in-plant roads and active work areas that are associated with the operation of the crusher shall be minimized at all times by at least one of the following methods:
 - (i) covered with a material such as, but not limited to, roofing shingles or tire chips (when used in combination with (ii) or (iii) of this subsection);
 - (ii) treated with dust-suppressant chemicals;
 - (iii) watered; or
 - (iv) paved with a cohesive hard surface that is maintained intact and cleaned.
- (J) All stockpiles shall be sprinkled with water, dust-suppressant chemicals, or covered, as necessary, to minimize dust emissions.
- (K) Raw material and product stockpile heights shall not exceed 45 feet.
- (L) The crusher shall be equipped with a runtime meter.
- (M) Written records shall be kept for a rolling 24 month period and shall accompany the crusher to any site at which it operates. These records shall be made available at the request of any personnel from the commission or any local air pollution control program having jurisdiction. These written records shall contain the following:
 - (i) hours of operation including daily start and stop time;
 - (ii) the throughput per hour of the feed hopper (as determined by an appropriate method based upon physical measurement or calculated using a production factor determined to be acceptable by the commission); and
 - (iii) the date(s) the crusher was placed on site and the date(s) it was removed from the plant site.
- (N) Facilities which meet the conditions of this standard permit do not have to meet the emissions and distance limitations listed in 30 TAC § 116.610(a)(1), Applicability.
- (O) Crushers that are authorized by this standard permit shall meet all applicable conditions of Title 40 Code of Federal Regulations (CFR) Part 60, Subpart OOO, Standards of Performance for Nonmetallic Mineral Processing Plants.

- (P) Only crushers that are processing nonmetallic minerals or a combination of nonmetallic minerals that are described in 40 CFR Part 60, Subpart OOO, shall be authorized by this standard permit.
 - (Q) The crusher and all associated facilities operating under this standard permit shall neither locate nor operate on the same site as any other crusher.
 - (R) This standard permit shall not require compliance with 30 TAC § 116.614, Standard Permit Fees.
 - (S) Notifications under this standard permit are not subject to the requirements of 30 TAC § 116.611, Registration to Use a Standard Permit.
 - (T) Crushing operations and related activities shall comply with applicable requirements of 30 TAC Chapter 101, Subchapter F, Emission Events and Scheduled Maintenance Startup, and Shutdown Activities.
 - (U) Upon submittal of an application for a permit under 30 TAC Chapter 116 to authorize permanent or extended operation of a crushing facility authorized under this standard permit at the same site, the owner or operator shall cease operations, and shall remove the crusher and associated equipment within 24 hours of ceasing operation. The owner or operator shall provide written notification to the applicable TCEQ Regional Office indicating that the crushing facility is seeking permanent or extended authorization and will cease operation under the standard permit.
- (2) A Tier I crusher shall comply with section (1) of this standard permit and all of the following:
- (A) The crusher shall not be located at a quarry or mine.
 - (B) The crusher feed hopper throughput shall not exceed 125 tons per hour.
 - (C) The crusher and all associated facilities and sources shall be located no less than 200 feet from the nearest property line.
 - (D) The equipment authorized under this section shall be limited to one primary crusher, two conveyors, and two screens.
 - (E) The crusher and all associated sources operating under this standard permit shall neither locate nor operate on the same site as any concrete batch plant or asphalt batch plant.
 - (F) The crusher and associated sources (excluding stockpiles) shall not operate for more than 360 hours or be located for more than 45 non-consecutive calendar days on site, whichever occurs first. The owner or operator shall remove the crusher and associated equipment from the site within 24 hours of ceasing operation. The 24 hours allotted for the removal of equipment shall not be used as additional operational time above the 360 hours or 45 non-consecutive calendar days.
 - (G) If the time periods listed in subsection (2)(F) have not been exhausted during any rolling 365 day period, the operator may return to the authorized site and operate for the remaining balance of time for that site. To return to the site, the operator shall notify the commission as described in subsection (2)(H). The notification for an applicant returning to a site under this subsection shall include the applicant's previous duration at the site to show compliance with subsection (2)(F). A crusher returning to a site shall comply with applicable distance limits specified under subsections (1)(B) and (2)(C). Once the operating hours (360) or calendar days (45) for the site have been exhausted and the site

has been vacated, the owner or operator shall not use a standard permit to locate any crusher on the site for at least 365 days.

- (H) The owner or operator shall notify the appropriate regional office in writing at least 10 calendar days prior to locating at the site. The notification shall be made using the required form.
- (3) A Tier II crusher shall comply with section (1) of this standard permit and all of the following:
- (A) The crusher's feed hopper throughput shall not exceed 250 tons per hour.
 - (B) The crushers and all associated facilities and sources shall be located no less than 300 feet from the nearest property line.
 - (C) The crushers and all associated facilities and sources operating under this standard permit shall be located at least 550 ft. from any concrete batch plant or asphalt batch plant. If this distance cannot be met, then the crusher authorized under this standard permit shall not operate at the same time as the concrete batch plant or asphalt batch plant.
 - (D) The equipment authorized under this section shall be limited to one primary crusher, one secondary crusher, two screens and any associated conveyors.
 - (E) The crushers and associated sources (excluding stockpiles) shall not operate for more than 1080 hours or be located for more than 180 non-consecutive calendar days on site, whichever occurs first. The owner or operator shall remove the crusher and associated equipment from the site within 24 hours of ceasing operation. The 24 hours allotted for the removal of equipment shall not be used as additional operational time above the 1080 hours or 180 non-consecutive calendar days.
 - (F) If the time periods listed in subsection (3)(E) have not been exhausted during any rolling 365 day period, the operator may return to the authorized site and operate for the remaining balance of time for that site. To return to a site, the operator shall notify the commission as described in subsection (3)(G). The notification for an applicant returning to a site under this subsection shall include the applicant's previous duration at the site to show compliance with subsection (3)(E). The applicant is not required to obtain written approval to return to a site if the time periods in subsection (3)(E) have not been exhausted. A crusher returning to a site shall comply with applicable distance limits specified under subsections (1)(B), (3)(B), and (3)(C). Once the operating hours (1080) or calendar days (180) for the site have been exhausted and the site has been vacated, the owner or operator shall not use a standard permit to locate any crusher on the site for at least 365 days, and written approval and notification as described in subsection (3)(G) shall be required to return to that site.
 - (G) No owner or operator shall locate a crusher on site without first obtaining written approval from the executive director. The owner or operator shall notify the appropriate regional office in writing at least 30 calendar days prior to locating at the site. The 30-day restriction is terminated once written approval from the executive director has been obtained for operation at the proposed site. The notification shall be made using the required form. A compliance history review shall be performed by the executive director in accordance with 30 TAC Chapter 60. If a facility is determined to be a poor performer, as defined in 30 TAC Chapter 60, a standard permit notification will not be accepted or approved.