

## Special Conditions

Permit Number 00000

### New Source Review (NSR) Boilerplate Special Conditions

This information is maintained by the Mechanical/Agricultural/Construction/Coatings NSR Section and is subject to change. Last update was made September 2016. These special conditions represent current NSR boilerplate guidelines and are provided for informational purposes only. The special conditions for any permit or amendment are subject to change through TCEQ case- by- case evaluation procedures [30 TAC 116.111(a)]. Please contact the appropriate Mechanical/Agricultural/Construction/Coatings NSR Section management if there are questions related to the boilerplate guidelines.

### Rock Crushing Plants

#### Emission Limitations

1. This permit authorizes 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. In addition, this permit authorizes all emissions from planned startup and shutdown activities associated with facilities or groups of facilities that are authorized by this permit.

#### 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 internal combustion engine that remains at a single point or location for more than 12 consecutive months. Any engine that remains at a single point or location for less than or equal to 12 consecutive months is not considered a stationary source and therefore no authorization is required. ***Use this paragraph only if an internal combustion engine is not authorized by this permit.***

Fuel for the internal combustion engine shall be pipeline-quality natural gas or liquid fuel with a maximum sulfur content of not 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). ***Use this paragraph if an internal combustion engine is authorized by this permit.***

3. Upon request by the Executive Director of the TCEQ or the TCEQ Regional Director or any local air pollution control program having jurisdiction, the holder of this permit shall provide a sample and/or an analysis of the fuel(s) used in these facilities or shall allow air pollution control program representatives to obtain a sample for analysis.

### **Federal Applicability**

4. 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;
  - B. Subpart OOO - Nonmetallic Mineral Processing Plants; and
  - C. Subpart IIII - Stationary Compression Ignition Internal Combustion Engines (Include this subpart if an internal combustion engine is authorized by this permit.)
5. These facilities shall comply with all applicable requirements of the EPA Regulations on National Emission Standards for Hazardous Air Pollutants for Source Categories promulgated in 40 CFR Part 63, specifically the following:
  - A. Subpart A - General Provisions; and
  - B. Subpart ZZZZ - Stationary Reciprocating Internal Combustion Engines

***Use this condition if an internal combustion engine is authorized by this permit.***

### **Opacity/Visible Emission Limitations**

6. Visible fugitive emissions shall not leave the property for more than 30 cumulative seconds in any six-minute period. ***Refer to Demonstration of Continuous Compliance section and recordkeeping condition for additional requirements.***

Note: Choose one or both of the following options, in combination with the above condition, based upon the opacity requirements placed upon the specific emission point of the source(s). If the opacity requirements are 5 percent or less, use Option 1. If the opacity requirements are greater than 5 percent, then use Option 2. If the facility has a mix of opacities that include 5 percent or less, and greater than 5 percent, use Options 1 and 2.

#### *Option 1:*

7. Opacity of particulate matter emissions from (list the appropriate emission points; i.e., Emission Points LS-1, DD-1, etc.) shall not exceed 5 percent, averaged over a six-minute period. Refer to Demonstration of Continuous Compliance section and recordkeeping condition for additional requirements.

*Option 2:*

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 from any screen shall not exceed 7 percent and from any crusher shall not exceed 12 percent for facilities (as defined in 40 CFR §§ 60.670 and 60.671) that commence construction, modification, or reconstruction on or after April 22, 2008. Opacity of 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 for facilities (as defined in 40 CFR §§ 60.670 and 60.671) that commenced construction, modification, or reconstruction after August 31, 1983 but before April 22, 2008. The opacity of emissions shall not exceed the indicated percent averaged over a six-minute period.

**Operational Limitations, Work Practices, and Plant Design**

8. The facility shall be limited to the following hourly and annual throughput rates:

**Table 1: Hourly and Annual Throughput Limits**

Source	Tons per hour	Tons per year in any rolling 12-month period
Plant-wide Throughput	xx	xx
Impact Crusher 1 (EPN 3)	xx	xx
Impact Crusher 2 (EPN 9)	xx	xx
Screen 1 (EPN 5)	xx	xx
Screen 2 (EPN 11)	xx	xx
Screen 3 (EPN 17)	xx	xx

9. The facilities are authorized to operate up to 8,760 hours per year.

***Or...***

The facilities shall be limited to a maximum operating schedule of 12 hours per day, 5 days per week, 50 weeks per year, and 3,000 hours per year. ***In most cases, only a limitation for hours/year will be needed in this condition. In certain cases, however, it may be necessary to add other limitations (hours/day, days/week, weeks/year, etc.) if the modeling relied on those limitations.***

10. 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. A dedicated water truck or area-type water sprays shall be available or installed at all stockpiles and active work areas. All water spray systems shall be operated as necessary to maintain compliance with TCEQ rules and regulations.
11. All in-plant roads and traffic areas shall be paved with a cohesive hard surface that can be cleaned by sweeping or washing. All roads, active work areas, and aggregate stockpiles shall be sprayed with water with an installed area type water spray or a dedicated truck upon detection of visible particulate matter emissions to maintain compliance with all applicable TCEQ rules and regulations.  
***Determined during permit review process on a case-by-case basis considering compliance history with respect to roads and traffic areas.***

***Or...***

All in-plant roads and traffic areas, active work areas, and aggregate stockpiles shall be sprayed with water with an installed area type water spray or a dedicated truck upon detection of visible particulate matter emissions to maintain compliance with all applicable TCEQ rules and regulations. ***Determined during permit review process on a case-by-case basis.***

12. Stockpiles shall not exceed 45 feet in height.
13. 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. ***This condition included in portable permits.***

#### **Movement of a Portable Facility**

14. Movement of a portable 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, requires the submission of 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.
15. 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 the TCEQ Executive Director or designated

representative. 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 15.B.(1) or 15.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), 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. This information is not necessary if the relocation request is for a public works project that is contiguous or in 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 facility and associated equipment to a site that does not meet either 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 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 \_\_\_\_\_

feet from the property line and a minimum of 550 feet from another rock crushing facility, concrete batch plant, or hot mix asphalt plant. If this distance of 550 feet cannot be met, then this crushing plant will not operate at the same time as another crushing plant, concrete batch plant, or asphalt plant on-site within this distance. ***This distance is determined during the permit application review process.***

- (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. ***Delete this condition if the facility is located in a county with a population of 3.3 million or more or if the facility is in a county adjacent to such a county.***
- (3) Stockpiles, in-plant roads, and traffic areas (except for entrance and exit to the site) shall be located a minimum of 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.

### **Demonstration of Continuous Compliance**

16. Upon request by the TCEQ Executive Director or the TCEQ Regional Director having jurisdiction, the holder of this permit shall perform ambient air monitoring, and/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.

17. The holder of this permit shall conduct a quarterly visible emissions determination to demonstrate compliance with the opacity limitations specified in this permit for **(list the appropriate emission points; i.e., Emission Points LS-1, DD-1, etc.)**. This visible emissions determination shall be performed: 1) during normal plant operations, 2) for a minimum of six minutes, 3) approximately perpendicular to plume direction, 4) with the sun behind the observer (to the extent practicable), and 5) at least two stack heights, but not more than five stack heights, from the emission point. If visible emissions are observed from the emission point, the owner or operator shall:
  - A. Take immediate action to eliminate visible emissions, record the corrective action within 24 hours, and comply with any applicable requirements in 30 Texas Administrative Code (TAC) § 101.201, Emissions Event Reporting and Record Keeping Requirements; or
  - B. Determine opacity using 40 CFR Part 60, Appendix a, Test Method 9. If the opacity limit is exceeded, take immediate action (as appropriate) to reduce opacity to within the permitted limit, record the corrective action within 24 hours, and comply with applicable requirements in 30 TAC § 101.201, Emissions Event Reporting and Record Keeping Requirements. **Include these requirements if there are 5% opacity limitations.**
18. The holder of this permit shall conduct a quarterly visible fugitive emissions determination to demonstrate compliance with the visible fugitive emissions limitation specified in this permit. This visible fugitive emissions determination shall be performed: 1) during normal plant operations, 2) for a minimum of six minutes, 3) approximately perpendicular to plume direction, 4) with the sun behind the observer (to the extent practicable), 5) at least 15 feet, but not more than 0.25 mile, from the plume, and 6) in accordance with EPA 40 CFR Part 60, Appendix A, Test Method 22, except where stated otherwise in this condition. If visible fugitive emissions leaving the property exceed 30 cumulative seconds in any six-minute period, the owner or operator shall take immediate action (as appropriate) to eliminate the excessive visible fugitive emissions. The corrective action shall be documented within 24 business hours of completion. **Include these requirements if there is a visible emissions determination requirement.**

### Recordkeeping Requirements

19. 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. Quarterly observations for visible fugitive emissions and/or opacity observations;
- B. Daily, monthly, and annual amounts of materials processed, summarized in tons per hour, tons per month, and tons per year;
- C. Actual hours of operation; (*if limited to <8,760*)
- D. Records of road cleaning, application of road dust control, or road maintenance for dust control;
- E. Inspections, malfunctions, repairs, and maintenance of abatement equipment (including bag replacement) as actions occur; and
- F. A copy of the manufacturer's suggested cleaning and maintenance schedule for abatement equipment.