



**COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
AIR QUALITY PROGRAM**

**STATE ONLY OPERATING PERMIT**

Issue Date: August 20, 2020

Effective Date: June 30, 2021

Expiration Date: June 30, 2026

In accordance with the provisions of the Air Pollution Control Act, the Act of January 8, 1960, P.L. 2119, as amended, and 25 Pa. Code Chapter 127, the Owner, [and Operator if noted] (hereinafter referred to as permittee) identified below is authorized by the Department of Environmental Protection (Department) to operate the air emission source(s) more fully described in this permit. This Facility is subject to all terms and conditions specified in this permit. Nothing in this permit relieves the permittee from its obligations to comply with all applicable Federal, State and Local laws and regulations.

The regulatory or statutory authority for each permit condition is set forth in brackets. All terms and conditions in this permit are federally enforceable unless otherwise designated.

**State Only Permit No: 35-00052**

Synthetic Minor

Federal Tax Id - Plant Code: 23-1699847-19

**Owner Information**

Name: H & K GROUP INC

Mailing Address: PO BOX 196

SKIPPACK, PA 19474-0196

**Plant Information**

Plant: HAINES & KIBBLEHOUSE/DUNMORE MATERIALS

Location: 35 Lackawanna County

35003 Dunmore Borough

SIC Code: 2951 Manufacturing - Asphalt Paving Mixtures And Blocks

**Responsible Official**

Name: H CHRISTIAN BUDENZ

Title: VP/ASSISTANT SECRETARY

Phone: (610) 222 - 3585

**Permit Contact Person**

Name: SCOTT TAYLOR

Title: AIR QUALITY PERMIT ADMIN

Phone: (610) 222 - 3594

[Signature] \_\_\_\_\_

MARK J. WEJKSZNER, NORTHEAST REGION AIR PROGRAM MANAGER

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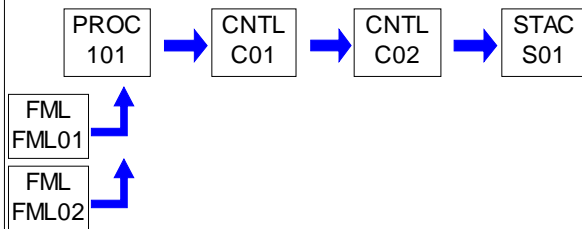
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Source ID	Source Name	Capacity/Throughput		Fuel/Material
101	BATCH HOT MIX ASPHALT PLT W/RAP	827.000	Gal/HR	Reclaimed Oil
		300.000	Tons/HR	HOT MIX ASPHALT
		114,285.000	CF/HR	Natural Gas
C01	KNOCKOUT BOX			
C02	BAGHOUSE			
FML01	NATURAL GAS			
FML02	WDLF			
S01	EXHAUST STACK			

**PERMIT MAPS**

**SECTION B. General State Only Requirements****#001 [25 Pa. Code § 121.1]****Definitions.**

Words and terms that are not otherwise defined in this permit shall have the meanings set forth in Section 3 of the Air Pollution Control Act (35 P.S. § 4003) and in 25 Pa. Code § 121.1.

**#002 [25 Pa. Code § 127.446]****Operating Permit Duration.**

(a) This operating permit is issued for a fixed term of five (5) years and shall expire on the date specified on Page 1 of this permit.

(b) The terms and conditions of the expired permit shall automatically continue pending issuance of a new operating permit, provided the permittee has submitted a timely and complete application and paid applicable fees required under 25 Pa. Code Chapter 127, Subchapter I and the Department is unable, through no fault of the permittee, to issue or deny a new permit before the expiration of the previous permit.

**#003 [25 Pa. Code §§ 127.412, 127.413, 127.414, 127.446 & 127.703(b)&(c)]****Permit Renewal.**

(a) The permittee shall submit a timely and complete application for renewal of the operating permit to the appropriate Regional Air Program Manager. The application for renewal of the operating permit shall be submitted at least six (6) months and not more than 18 months before the expiration date of this permit.

(b) The application for permit renewal shall include the current permit number, a description of any permit revisions that occurred during the permit term, and any applicable requirements that were promulgated and not incorporated into the permit during the permit term. An application is complete if it contains sufficient information to begin processing the application, has the applicable sections completed and has been signed by a responsible official.

(c) The permittee shall submit with the renewal application a fee for the processing of the application and an additional annual administrative fee as specified in 25 Pa. Code § 127.703(b) and (c). The fees shall be made payable to "The Commonwealth of Pennsylvania - Clean Air Fund" and shall be for the amount specified in the following schedule specified in 25 Pa. Code § 127.703(b) and (c).

(1) Three hundred dollars for applications filed during the 2000-2004 calendar years.

(2) Three hundred seventy-five dollars for applications filed for the calendar years beginning in 2005.

(d) The renewal application shall also include submission of proof that the local municipality and county, in which the facility is located, have been notified in accordance with 25 Pa. Code § 127.413.

(e) The application for renewal of the operating permit shall also include submission of supplemental compliance review forms in accordance with the requirements of 25 Pa. Code § 127.412(b) and § 127.412(j).

(f) The permittee, upon becoming aware that any relevant facts were omitted or incorrect information was submitted in the permit application, shall promptly submit such supplementary facts or corrected information as necessary to address any requirements that become applicable to the source after the permittee submits a complete application, but prior to the date the Department takes action on the permit application.

**#004 [25 Pa. Code § 127.703]****Operating Permit Fees under Subchapter I.**

(a) The permittee shall pay fees according to the following schedule specified in 25 Pa. Code § 127.703(b):

(1) Three hundred dollars for applications filed during the 2000-2004 calendar years.

(2) Three hundred seventy-five dollars for applications filed for the calendar years beginning in 2005.

This fee schedule shall apply to the processing of an application for an operating permit as well as the extension,

**SECTION B. General State Only Requirements**

modification, revision, renewal, and re-issuance of each operating permit or part thereof.

(b) The permittee shall pay an annual operating permit administrative fee according to the fee schedule established in 25 Pa. Code § 127.703(c).

(1) Two hundred fifty dollars for applications filed during the 1995-1999 calendar years.

(2) Three hundred dollars for applications filed during the 2000-2004 calendar years.

(3) Three hundred seventy-five dollars for applications filed during the years beginning in 2005.

(c) The applicable fees shall be made payable to "The Commonwealth of Pennsylvania - Clean Air Fund".

**#005 [25 Pa. Code §§ 127.450 (a)(4) and 127.464]****Transfer of Operating Permits.**

(a) This operating permit may not be transferred to another person, except in cases of transfer-of-ownership that are documented and approved by the Department.

(b) In accordance with 25 Pa. Code § 127.450(a)(4), a change in ownership of the source shall be treated as an administrative amendment if the Department determines that no other change in the permit is required and a written agreement has been submitted to the Department identifying the specific date of the transfer of permit responsibility, coverage and liability between the current and the new permittee and a compliance review form has been submitted to, and the permit transfer has been approved by, the Department.

(c) This operating permit is valid only for those specific sources and the specific source locations described in this permit.

**#006 [25 Pa. Code § 127.441 and 35 P.S. § 4008]****Inspection and Entry.**

(a) Upon presentation of credentials and other documents as may be required by law, the permittee shall allow the Department or authorized representatives of the Department to perform the following:

(1) Enter at reasonable times upon the permittee's premises where a source is located or emissions related activity is conducted, or where records are kept under the conditions of this permit;

(2) Have access to and copy, at reasonable times, any records that are kept under the conditions of this permit;

(3) Inspect at reasonable times, any facilities, equipment including monitoring and air pollution control equipment, practices, or operations regulated or required under this permit;

(4) Sample or monitor, at reasonable times, any substances or parameters, for the purpose of assuring compliance with the permit or applicable requirements as authorized by the Clean Air Act, the Air Pollution Control Act, or the regulations promulgated under the Acts.

(b) Pursuant to 35 P.S. § 4008, no person shall hinder, obstruct, prevent or interfere with the Department or its personnel in the performance of any duty authorized under the Air Pollution Control Act or regulations adopted thereunder including denying the Department access to a source at this facility. Refusal of entry or access may constitute grounds for permit revocation and assessment of criminal and/or civil penalties.

(c) Nothing in this permit condition shall limit the ability of the EPA to inspect or enter the premises of the permittee in accordance with Section 114 or other applicable provisions of the Clean Air Act.

**#007 [25 Pa. Code §§ 127.441 & 127.444]****Compliance Requirements.**

(a) The permittee shall comply with the conditions of this operating permit. Noncompliance with this permit constitutes

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a violation of the Clean Air Act and the Air Pollution Control Act and is grounds for one or more of the following:

- (1) Enforcement action
- (2) Permit termination, revocation and reissuance or modification
- (3) Denial of a permit renewal application

(b) A person may not cause or permit the operation of a source which is subject to 25 Pa. Code Article III unless the source(s) and air cleaning devices identified in the application for the plan approval and operating permit and the plan approval issued for the source is operated and maintained in accordance with specifications in the applications and the conditions in the plan approval and operating permit issued by the Department. A person may not cause or permit the operation of an air contamination source subject to 25 Pa. Code Chapter 127 in a manner inconsistent with good operating practices.

(c) For purposes of Sub-condition (b) of this permit condition, the specifications in applications for plan approvals and operating permits are the physical configurations and engineering design details which the Department determines are essential for the permittee's compliance with the applicable requirements in this State-Only permit. Nothing in this sub-condition shall be construed to create an independent affirmative duty upon the permittee to obtain a predetermination from the Department for physical configuration or engineering design detail changes made by the permittee.

**#008 [25 Pa. Code § 127.441]****Need to Halt or Reduce Activity Not a Defense.**

It shall not be a defense for the permittee in an enforcement action that it was necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

**#009 [25 Pa. Code §§ 127.442(a) & 127.461]****Duty to Provide Information.**

(a) The permittee shall submit reports to the Department containing information the Department may prescribe relative to the operation and maintenance of each source at the facility.

(b) The permittee shall furnish to the Department, in writing, information that the Department may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with the permit. Upon request, the permittee shall also furnish to the Department copies of records that the permittee is required to maintain in accordance with this permit.

**#010 [25 Pa. Code § 127.461]****Revising an Operating Permit for Cause.**

This operating permit may be terminated, modified, suspended or revoked and reissued if one or more of the following applies:

- (1) The permittee constructs or operates the source subject to the operating permit so that it is in violation of the Air Pollution Control Act, the Clean Air Act, the regulations thereunder, a plan approval, a permit or in a manner that causes air pollution.
- (2) The permittee fails to properly or adequately maintain or repair an air pollution control device or equipment attached to or otherwise made a part of the source.
- (3) The permittee has failed to submit a report required by the operating permit or an applicable regulation.
- (4) The EPA determines that the permit is not in compliance with the Clean Air Act or the regulations thereunder.

**#011 [25 Pa. Code §§ 127.450 & 127.462]****Operating Permit Modifications**

(a) The permittee is authorized to make administrative amendments, minor operating permit modifications and

**SECTION B. General State Only Requirements**

significant operating permit modifications, under this permit, as outlined below:

(b) Administrative Amendments. The permittee shall make administrative operating permit amendments (as defined in 25 Pa. Code § 127.450(a)), according to procedures specified in § 127.450 unless precluded by the Clean Air Act or its regulations.

(c) Minor Operating Permit Modifications. The permittee shall make minor operating permit modifications (as defined 25 Pa. Code § 121.1) in accordance with 25 Pa. Code § 127.462.

(d) Permit modifications which do not qualify as minor permit modifications under 25 Pa. Code § 127.541 will be treated as a significant operating permit revision subject to the public notification procedures in §§ 127.424 and 127.425.

**#012 [25 Pa. Code § 127.441]****Severability Clause.**

The provisions of this permit are severable, and if any provision of this permit is determined by a court of competent jurisdiction to be invalid or unenforceable, such a determination will not affect the remaining provisions of this permit.

**#013 [25 Pa. Code § 127.449]****De Minimis Emission Increases.**

(a) This permit authorizes de minimis emission increases in accordance with 25 Pa. Code § 127.449 so long as the permittee provides the Department with seven (7) days prior written notice before commencing any de minimis emissions increase. The written notice shall:

(1) Identify and describe the pollutants that will be emitted as a result of the de minimis emissions increase.

(2) Provide emission rates expressed in tons per year and in terms necessary to establish compliance consistent with any applicable requirement.

(b) The Department may disapprove or condition de minimis emission increases at any time.

(c) Except as provided below in (d), the permittee is authorized to make de minimis emission increases (expressed in tons per year) up to the following amounts without the need for a plan approval or prior issuance of a permit modification:

(1) Four tons of carbon monoxide from a single source during the term of the permit and 20 tons of carbon monoxide at the facility during the term of the permit.

(2) One ton of NO<sub>x</sub> from a single source during the term of the permit and 5 tons of NO<sub>x</sub> at the facility during the term of the permit.

(3) One and six-tenths tons of the oxides of sulfur from a single source during the term of the permit and 8.0 tons of oxides of sulfur at the facility during the term of the permit.

(4) Six-tenths of a ton of PM<sub>10</sub> from a single source during the term of the permit and 3.0 tons of PM<sub>10</sub> at the facility during the term of the permit. This shall include emissions of a pollutant regulated under Section 112 of the Clean Air Act unless precluded by the Clean Air Act, the regulations thereunder or 25 Pa. Code Article III.

(5) One ton of VOCs from a single source during the term of the permit and 5.0 tons of VOCs at the facility during the term of the permit. This shall include emissions of a pollutant regulated under Section 112 of the Clean Air Act unless precluded by the Clean Air Act, the regulations thereunder or 25 Pa. Code Article III.

(6) Other sources and classes of sources determined to be of minor significance by the Department.

(d) In accordance with § 127.14, the permittee is authorized to install the following minor sources without the need for a plan approval or permit modification:



**SECTION B. General State Only Requirements**

(1) Air conditioning or ventilation systems not designed to remove pollutants generated or released from other sources.

(2) Combustion units rated at 2,500,000 or less Btu per hour of heat input.

(3) Combustion units with a rated capacity of less than 10,000,000 Btu per hour heat input fueled by natural gas supplied by a public utility or by commercial fuel oils which are No. 2 or lighter, viscosity less than or equal to 5.82 c St, and which meet the sulfur content requirements of 25 Pa. Code §123.22 (relating to combustion units). For purposes of this permit, commercial fuel oil shall be virgin oil which has no reprocessed, recycled or waste material added.

(4) Space heaters which heat by direct heat transfer.

(5) Laboratory equipment used exclusively for chemical or physical analysis.

(6) Other sources and classes of sources determined to be of minor significance by the Department.

(e) This permit does not authorize de minimis emission increases if the emissions increase would cause one or more of the following:

(1) Increase the emissions of a pollutant regulated under Section 112 of the Clean Air Act except as authorized in Subparagraphs (c)(4) and (5) of this permit condition.

(2) Subject the facility to the prevention of significant deterioration requirements in 25 Pa. Code Chapter 127, Subchapter D and/or the new source review requirements in Subchapter E.

(3) Violate any applicable requirement of this permit, the Air Pollution Control Act, the Clean Air Act, or the regulations promulgated under either of the acts.

(f) Emissions authorized under this permit condition shall be included in the monitoring, recordkeeping and reporting requirements of this permit.

(g) Except for de minimis emission increases, installation of minor sources made pursuant to this permit condition and Plan Approval Exemptions under 25 Pa. Code § 127.14 (relating to exemptions), the permittee is prohibited from making changes or engaging in activities that are not specifically authorized under this permit without first applying for a plan approval. In accordance with § 127.14(b), a plan approval is not required for the construction, modification, reactivation, or installation of the sources creating the de minimis emissions increase.

(h) The permittee may not meet de minimis emission threshold levels by offsetting emission increases or decreases at the same source.

**#014 [25 Pa. Code § 127.3]****Operational Flexibility.**

The permittee is authorized to make changes within the facility in accordance with the regulatory provisions outlined in 25 Pa. Code § 127.3 (relating to operational flexibility) to implement the operational flexibility requirements provisions authorized under Section 6.1(i) of the Air Pollution Control Act and the operational flexibility terms and conditions of this permit. The provisions in 25 Pa. Code Chapter 127 which implement the operational flexibility requirements include the following:

(1) Section 127.14 (relating to exemptions)

(2) Section 127.447 (relating to alternative operating scenarios)

(3) Section 127.448 (relating to emissions trading at facilities with Federally enforceable emissions caps)

(4) Section 127.449 (relating to de minimis emission increases)

(5) Section 127.450 (relating to administrative operating permit amendments)

**SECTION B. General State Only Requirements**

(6) Section 127.462 (relating to minor operating permit modifications)

(7) Subchapter H (relating to general plan approvals and general operating permits)

**#015 [25 Pa. Code § 127.11]****Reactivation**

(a) The permittee may not reactivate a source that has been out of operation or production for at least one year unless the reactivation is conducted in accordance with a plan approval granted by the Department or in accordance with reactivation and maintenance plans developed and approved by the Department in accordance with 25 Pa. Code § 127.11a(a).

(b) A source which has been out of operation or production for more than five (5) years but less than 10 years may be reactivated and will not be considered a new source if the permittee satisfies the conditions specified in 25 Pa. Code § 127.11a(b).

**#016 [25 Pa. Code § 127.36]****Health Risk-based Emission Standards and Operating Practice Requirements.**

(a) When needed to protect public health, welfare and the environment from emissions of hazardous air pollutants from new and existing sources, the permittee shall comply with the health risk-based emission standards or operating practice requirements imposed by the Department, except as precluded by §§ 6.6(d)(2) and (3) of the Air Pollution Control Act [35 P.S. § 4006.6(d)(2) and (3)].

(b) A person challenging a performance or emission standard established by the Department has the burden to demonstrate that performance or emission standard does not meet the requirements of Section 112 of the Clean Air Act.

**#017 [25 Pa. Code § 121.9]****Circumvention.**

No person may permit the use of a device, stack height which exceeds good engineering practice stack height, dispersion technique or other technique which, without resulting in reduction of the total amount of air contaminants emitted, conceals or dilutes an emission of air contaminants which would otherwise be in violation of 25 Pa. Code Article III, except that with prior approval of the Department, the device or technique may be used for control of malodors.

**#018 [25 Pa. Code §§ 127.402(d) & 127.442]****Reporting Requirements.**

(a) The permittee shall comply with the applicable reporting requirements of the Clean Air Act, the regulations thereunder, the Air Pollution Control Act and 25 Pa. Code Article III including Chapters 127, 135 and 139.

(b) The permittee shall submit reports to the Department containing information the Department may prescribe relative to the operation and maintenance of any air contamination source.

(c) Reports, test data, monitoring data, notifications and requests for renewal of the permit shall be submitted to the:

Regional Air Program Manager  
PA Department of Environmental Protection  
(At the address given in the permit transmittal letter, or otherwise notified)

(d) Any records or information including applications, forms, or reports submitted pursuant to this permit condition shall contain a certification by a responsible official as to truth, accuracy and completeness. The certifications submitted under this permit shall require a responsible official of the facility to certify that based on information and belief formed after reasonable inquiry, the statements and information in the documents are true, accurate and complete.

(e) Any records, reports or information submitted to the Department shall be available to the public except for such

**SECTION B. General State Only Requirements**

records, reports or information which meet the confidentiality requirements of § 4013.2 of the Air Pollution Control Act and §§ 112(d) and 114(c) of the Clean Air Act. The permittee may not request a claim of confidentiality for any emissions data generated for the facility.

**#019 [25 Pa. Code §§ 127.441(c) & 135.5]****Sampling, Testing and Monitoring Procedures.**

(a) The permittee shall comply with the monitoring, recordkeeping or reporting requirements of 25 Pa. Code Chapter 139 and the other applicable requirements of 25 Pa. Code Article III and additional requirements related to monitoring, reporting and recordkeeping required by the Clean Air Act and the regulations thereunder including the Compliance Assurance Monitoring requirements of 40 CFR Part 64, where applicable.

(b) Unless alternative methodology is required by the Clean Air Act and regulations adopted thereunder, sampling, testing and monitoring required by or used by the permittee to demonstrate compliance with any applicable regulation or permit condition shall be conducted in accordance with the requirements of 25 Pa. Code Chapter 139.

**#020 [25 Pa. Code §§ 127.441(c) and 135.5]****Recordkeeping.**

(a) The permittee shall maintain and make available, upon request by the Department, the following records of monitored information:

- (1) The date, place (as defined in the permit) and time of sampling or measurements.
- (2) The dates the analyses were performed.
- (3) The company or entity that performed the analyses.
- (4) The analytical techniques or methods used.
- (5) The results of the analyses.
- (6) The operating conditions as existing at the time of sampling or measurement.

(b) The permittee shall retain records of any required monitoring data and supporting information for at least five (5) years from the date of the monitoring, sample, measurement, report or application. Supporting information includes the calibration data and maintenance records and original strip-chart recordings for continuous monitoring instrumentation, and copies of reports required by the permit.

(c) The permittee shall maintain and make available to the Department upon request, records including computerized records that may be necessary to comply with the reporting, recordkeeping and emission statement requirements in 25 Pa. Code Chapter 135 (relating to reporting of sources). In accordance with 25 Pa. Code Chapter 135, § 135.5, such records may include records of production, fuel usage, maintenance of production or pollution control equipment or other information determined by the Department to be necessary for identification and quantification of potential and actual air contaminant emissions.

**#021 [25 Pa. Code § 127.441(a)]****Property Rights.**

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

**#022 [25 Pa. Code § 127.447]****Alternative Operating Scenarios.**

The permittee is authorized to make changes at the facility to implement alternative operating scenarios identified in this permit in accordance with 25 Pa. Code § 127.447.

**SECTION B. General State Only Requirements****#023 [25 Pa. Code §135.3]****Reporting**

(a) If the facility is a Synthetic Minor Facility, the permittee shall submit by March 1 of each year an annual emissions report for the preceding calendar year. The report shall include information for all active previously reported sources, new sources which were first operated during the preceding calendar year, and sources modified during the same period which were not previously reported. All air emissions from the facility should be estimated and reported.

(b) A source owner or operator of a Synthetic Minor Facility may request an extension of time from the Department for the filing of an annual emissions report, and the Department may grant the extension for reasonable cause.

**#024 [25 Pa. Code §135.4]****Report Format**

If applicable, the emissions reports shall contain sufficient information to enable the Department to complete its emission inventory. Emissions reports shall be made by the source owner or operator in a format specified by the Department.

**SECTION C. Site Level Requirements****I. RESTRICTIONS.****Emission Restriction(s).****# 001 [25 Pa. Code §123.1]****Prohibition of certain fugitive emissions**

(a) No person may permit the emission into the outdoor atmosphere of fugitive air contaminant from a source other than the following:

- (1) Construction or demolition of buildings or structures.
- (2) Grading, paving and maintenance of roads and streets.
- (3) Use of roads and streets. Emissions from material in or on trucks, railroad cars and other vehicular equipment are not considered as emissions from use of roads and streets.
- (4) Clearing of land.
- (5) Stockpiling of materials.
- (6) Open burning operations.
- (7) Blasting in open pit mines. Emissions from drilling are not considered as emissions from blasting.
- (8) NA.

(9) Sources and classes of sources other than those identified in paragraphs (1)-(8), for which the operator has obtained a determination from the Department that fugitive emissions from the source, after appropriate control, meet the following requirements:

- (i) the emissions are of minor significance with respect to causing air pollution; and
- (ii) the emissions are not preventing or interfering with the attainment or maintenance of any ambient air quality standard.

**# 002 [25 Pa. Code §123.2]****Fugitive particulate matter**

No person may permit fugitive particulate matter to be emitted into the outdoor atmosphere from a source specified in SECTION C, Condition #001 if the emissions are visible at the point the emissions pass outside the person's property.

**# 003 [25 Pa. Code §123.31]****Limitations**

A person may not permit the emission into the outdoor atmosphere of any malodorous air contaminants from any source in a manner that the malodors are detectable outside the property of the person on whose land the source is being operated

**# 004 [25 Pa. Code §123.41]****Limitations**

(a) A person may not permit the emission into the outdoor atmosphere of visible air contaminants in such a manner that the opacity of the emission is either of the following:

- (1) Equal to or greater than 20% for a period or periods aggregating more than three minutes in any 1 hour.
- (2) Equal to or greater than 60% at any time.

**# 005 [25 Pa. Code §123.42]****Exceptions**

(a) The limitations of 123.41 (relating to limitations) shall not apply to a visible emission in any of the following instances:

- (1) When the presence of uncombined water is the only reason for failure of the emission to meet the limitations.
- (2) When the emission results from the operation of equipment used solely to train and test persons in observing the opacity of visible emissions.
- (3) When the emission results from sources specified in 123.1(a)(1) -- (9) (relating to prohibition of certain fugitive emissions).
- (4) When arising from the production of agricultural commodities in their unmanufactured state on the premises of the farm operation.

**SECTION C. Site Level Requirements****II. TESTING REQUIREMENTS.****# 006 [25 Pa. Code §127.441]****Operating permit terms and conditions.**

If at any time the Department has cause to believe that air contaminant emissions from the aforementioned sources may be in excess of the limitations specified in, or established to, any applicable rule or regulation contained in Article III of the Rules and Regulations of the Department of Environmental Protection, the company shall be required to conduct whatever tests are deemed necessary by the Department to determine the actual emission rate(s). Such testing shall be conducted in accordance with the revisions of Chapter 139 of the Rules and Regulations of the Department of Environmental Protection, where applicable, and in accordance with any restrictions or limitations established by the Department at such time as it notifies the company that testing is required.

**# 007 [25 Pa. Code §139.1]****Sampling facilities.**

If requested by the Department, the permittee shall conduct performance (stack) tests in accordance with the provisions of Chapter 139 of the Rules and Regulations of the Department. The permittee will provide adequate sampling ports, safe sampling platforms, and adequate utilities for the performance by the Department of tests on such source(s). The Department will set forth, in the request, the time period in which the facilities shall be provided as well as the specifications for such facilities.

**# 008 [25 Pa. Code §139.11]****General requirements.**

(a) As specified in 25 Pa. Code Section 139.11(1), performance tests shall be conducted while the source is operating at maximum routine operating conditions or under such other conditions, within the capacity of the equipment, as may be requested by the Department.

(b) As specified in 25 Pa. Code Section 139.11(2), the Department will consider test results for approval where sufficient information is provided to verify the source conditions existing at the time of the test and where adequate data is available to show the manner in which the test was conducted. Information submitted to the Department shall include, as a minimum, all of the following:

- (1) A thorough source description, including a description of any air cleaning devices and the flue.
- (2) Process conditions, for example, the charging rate of raw material or rate of production of final product, boiler pressure, oven temperature and other conditions which may effect emissions from the process.
- (3) The location of sampling ports.
- (4) Effluent characteristics, including velocity, temperature, moisture content, gas density (percentage of CO, CO<sub>2</sub>, O<sub>2</sub> and N<sub>2</sub>), static and barometric pressures.
- (5) Sample collection techniques employed, including procedures used, equipment descriptions and data to verify that isokinetic sampling for particulate matter collection occurred and that acceptable test conditions were met.
- (6) Laboratory procedures and results.
- (7) Calculated results.

**III. MONITORING REQUIREMENTS.****# 009 [25 Pa. Code §123.43]****Measuring techniques**

Visible emissions may be measured using either of the following:

- (a) A device approved by the Department and maintained to provide accurate opacity measurements.
- (b) Observers, trained and qualified, to measure plume opacity with the naked eye or with the aid of any devices approved by the Department.

**# 010 [25 Pa. Code §127.441]****Operating permit terms and conditions.**

(a) A visual inspection of the facility shall be performed once per operating day to determine if fugitive or visible emissions are detectable at the facility.

(b) Visible emissions may be measured according to the methods specified in SECTION C, Condition #009, or alternatively, plant personnel who observe any visible emissions will report the incident of visible emission to the

**SECTION C. Site Level Requirements**

Department within four (4) hours of each incident and make arrangements for a certified observer to verify the opacity of the visible emission.

**IV. RECORDKEEPING REQUIREMENTS.****# 011 [25 Pa. Code §127.441]****Operating permit terms and conditions.**

(a) The permittee shall maintain a record of the results of the facilities visible, malodor, and fugitive emission inspections. At a minimum, the permittee shall record the date, time, results of the inspection, and individual conducting the inspection. The facilities emissions shall be updated monthly and maintained on a 12-month rolling sum.

(b) All records shall be maintained for a minimum of five (5) years in accordance with SECTION B, Condition #020.

**V. REPORTING REQUIREMENTS.****# 012 [25 Pa. Code §127.441]****Operating permit terms and conditions.**

(a) The Company, within one (1) hour of occurrence, shall notify the Department at 570-826-2511, of any malfunction, record keeping or reporting errors, or other possible non-compliance issues, which result in, or may be possibly be resulting in, the emission of air contaminants in excess of the limitation specified in, or established pursuant to, any applicable rule or regulations contained in Article III of the Rule and Regulations of the Department of Environmental Protection.

(b) A written report shall be submitted to the Department within five (5) working days following the incident describing the malfunction, record keeping, and reporting error or other non-compliance issue and the corrective actions being taken. The Department may take enforcement action for any violations of the applicable standards.

**# 013 [25 Pa. Code §135.3]****Reporting**

(a) A person who owns or operates a source to which this chapter applies, and who has previously been advised by the Department to submit a source (AIMS) report, shall submit by March 1 of each year a source report for the preceding calendar year. The report shall include information for all previously reported sources, new sources which were first operated during the proceeding calendar year and sources modified during the same period which were not previously reported.

(i) information shall include production, quantity and type of fuel used in said production, operating hours and dates and emission rates.

(b) A person who receives initial notification by the Department that a source report is necessary shall submit an initial source report within 60 days after receiving the notification or by March 1 of the year following the year for which the report is required, whichever is later.

(c) A source owner or operator may request an extension of time from the Department for the filing of a source report, and the Department may grant the extension for reasonable cause.

**# 014 [25 Pa. Code §135.4]****Report format**

Source reports (AIMS Report) shall contain sufficient information to enable the Department to complete its emission inventory. Source reports shall be made by the source owner or operator in a format specified by the Department.

**VI. WORK PRACTICE REQUIREMENTS.****# 015 [25 Pa. Code §123.1]****Prohibition of certain fugitive emissions**

(a) For any source specified in SECTION C, Condition #001, the permittee shall take all reasonable actions to prevent particulate matter from becoming airborne. These actions shall include, but not be limited to, the following:

(1) Use, where possible, of water or chemicals for control of dust in the demolition of buildings or structures, construction

**SECTION C. Site Level Requirements**

operations, the grading of roads or the clearing of land.

(2) Application of asphalt, oil, or suitable chemicals on dirt roads, material stockpiles and other surfaces which may give rise to airborne dusts.

(3) Paving and maintenance of roadways.

(4) Prompt removal of earth or other material from paved streets onto which earth or other material has been transported by trucking or earth moving equipment, erosion by water, or other means.

**# 016 [25 Pa. Code §129.14]****Open burning operations**

(a) Air basins. No person may permit the open burning of material in an air basin.

(b) Exceptions. The requirements above do not apply where the open burning operations result from a fire set for either of the following reasons:

(1) to prevent or abate a fire hazard, when approved by the Department and set by or under the supervision of a public officer.

(2) to instruct personnel in fire fighting, when approved by the Department.

(3) for the prevention and control of disease or pests, when approved by the Department.

(4) in conjunction with the production of agricultural commodities in their unmanufactured state on the premises of the farm operation.

(5) for the burning of domestic refuse, when the fire is on the premises of a structure occupied solely as a dwelling by two families or less and when the refuse results from the normal occupancy of the structure.

(6) for recreational or ceremonial purposes.

(7) solely for cooking food.

(c) This permit does not constitute authorization to burn solid waste pursuant to Section 610(3) of the Solid Waste management Act, 35 P.S. Section 6018.610(3), or any other provision of the Solid Waste Management Act.

**VII. ADDITIONAL REQUIREMENTS.**

No additional requirements exist except as provided in other sections of this permit including Section B (State Only General Requirements).

**VIII. COMPLIANCE CERTIFICATION.**

No additional compliance certifications exist except as provided in other sections of this permit including Section B (relating to State Only General Requirements).

**IX. COMPLIANCE SCHEDULE.**

No compliance milestones exist.

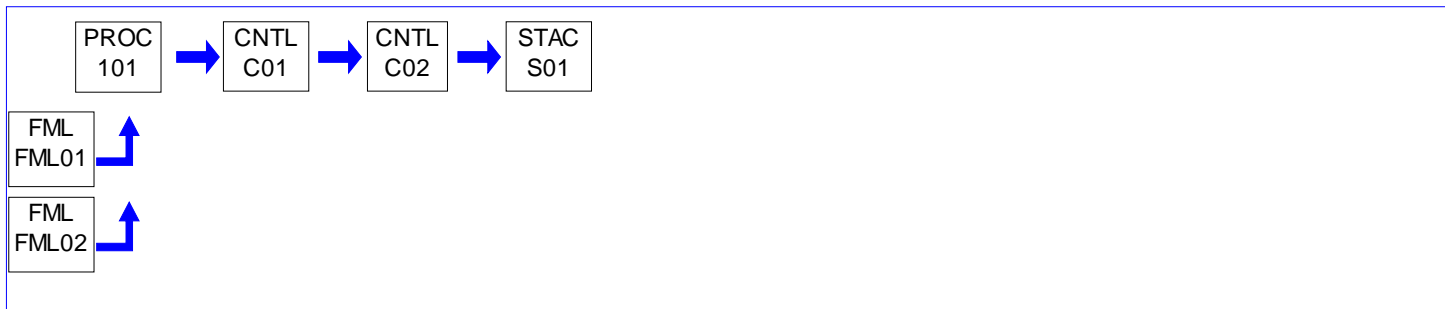


**SECTION D. Source Level Requirements**

Source ID: 101

Source Name: BATCH HOT MIX ASPHALT PLT W/RAP

Source Capacity/Throughput:	827.000 Gal/HR	Reclaimed Oil
	300.000 Tons/HR	HOT MIX ASPHALT
	114,285.000 CF/HR	Natural Gas

**I. RESTRICTIONS.****Emission Restriction(s).****# 001 [25 Pa. Code §127.441]****Operating permit terms and conditions.**

Pursuant to the Best Available Technology provision of 25 Pa. Code, Chapter 127, the emission of Total Suspended Particulates (including PM10) from this process may not exceed 0.02 grains per dry standard cubic foot.

**# 002 [25 Pa. Code §127.441]****Operating permit terms and conditions.**

(a) The storage and handling of the material collected in the air cleaning devices associated with this source shall not at any time result in the emission of fugitive air contaminants in excess of the limitations specified in Section 123.1 of Chapter 123 of the Rules and Regulations of the Department of Environmental Protection.

(b) The use of any in-plant roads associated with this source shall not at any time result in the emission of fugitive air contaminants in excess of the limitations specified in Section 123.1 of Chapter 123 of the Rules and Regulations of the Department of Environmental Protection.

**# 003 [40 CFR Part 60 Standards of Performance for New Stationary Sources §40 CFR 60.92]****Subpart I - Standards of Performance for Hot Mix Asphalt Facilities  
Standard for particulate matter.**

No owner or operator subject to the provisions of NSPS Subpart I shall discharge or cause the discharge into the atmosphere from any affected facility any gases which exhibit 20 percent opacity, or greater.

**Fuel Restriction(s).****# 004 [25 Pa. Code §127.441]****Operating permit terms and conditions.**

(a) The waste derived liquid fuel oil (WDLF) combusted by this source may not contain constituents in excess of the following limitations:

- (1) Less than 5.0 ppm (by weight) of Arsenic.
- (2) Less than 2.0 ppm (by weight) of Cadmium.
- (3) Less than 10.0 ppm (by weight) of Chromium.
- (4) Less than 100.0 ppm (by weight) of Lead.
- (5) Less than 1000.0 ppm (by weight) of Total Halides (TX).
- (6) Less than 10.0 ppm (by weight) of Polychlorinated Biphenyls (PCE).

(b) The WDLF must have a heating value greater than 8,000 BTU per pound.

(c) The sulfur content of the WDLF shall not exceed 0.5% by weight at any time.

**SECTION D. Source Level Requirements****Throughput Restriction(s).****# 005 [25 Pa. Code §127.441]****Operating permit terms and conditions.**

The maximum hot mix asphalt (HMA) production at this facility shall not exceed 400,000 Tons per Year (based upon a 12-month rolling summation).

**II. TESTING REQUIREMENTS.****# 006 [25 Pa. Code §127.441]****Operating permit terms and conditions.**

(a) The permittee shall determine the concentration of constituents in the WDLF using the following analytical methods:

- (1) The concentrations of Arsenic, Cadmium, Chromium, and Lead compounds shall be determined using Atomic Absorption.
- (2) The concentration of Total Halides (TX) shall be determined using ASTM D-808-81 or an equivalent method approved by the Department.
- (3) The concentration of Polychlorinated Biphenyls (PCE) shall be determined using H<sub>2</sub>SO<sub>4</sub> extraction and Gas Chromatography with Electron Capture.

(b) The permittee shall monitor the sulfur content of the WDLF by certification from the fuel supplier for each shipment prior to any amount of oil being combusted.

**III. MONITORING REQUIREMENTS.****# 007 [25 Pa. Code §127.441]****Operating permit terms and conditions.**

The permittee shall operate and maintain mechanical gauges to indicate the static pressure differential (in inches of water column) across the baghouse.

**# 008 [25 Pa. Code §127.441]****Operating permit terms and conditions.**

The permittee shall ensure that the control devices shall be equipped with the applicable monitoring equipment and the monitoring equipment shall be calibrated, operated and maintained according to the vendor's specifications at all times the control device is in use.

**# 009 [25 Pa. Code §127.441]****Operating permit terms and conditions.**

Each truckload or batch of WDLF must be analyzed using the specified analytical technique and must be in compliance with the acceptable levels as specified in this operating permit. A sample of each load of reprocessed oil delivered to the asphalt concrete plant shall be taken at the time of delivery to the plant using a sampling technique capable of achieving a composite sample representative of the entire load. All samples shall be retained on site for at least five (5) years for random selection and analysis by the Department. These samples are to be sealed and identified as to the date of delivery, delivery invoice number, supplier and amount delivered (in gallons). All test records must be maintained for a period no less than five (5) years and be made available to the Department upon request.

**IV. RECORDKEEPING REQUIREMENTS.****# 010 [25 Pa. Code §127.441]****Operating permit terms and conditions.**

(a) The permittee shall record the pressure drop across the baghouse. At a minimum these recordings shall be taken once per week, while the source and the control device are in operation. The recordings shall be maintained in a logbook and be made available to the Department upon request.

(b) The permittee shall maintain daily records indicating the fuel type, average hourly firing rate, and total quantity used. These records must be maintained for a period no less than five (5) years and be made available to the Department upon request.

(c) The mix ratio (in %) and throughput (in Tons per Hour) of all R.A.P. processed must be recorded. Such records shall be

**SECTION D. Source Level Requirements**

kept on-site for a period no less than five (5) years and must be made available to the Department upon request.

**# 011 [25 Pa. Code §127.441]****Operating permit terms and conditions.**

(a) The permittee shall maintain and record the amounts of HMA produced on a daily, monthly, and annual basis to verify compliance with the 400,000 ton throughput limitation.

(b) These records shall be kept for a five (5) year minimum period and be made available to the Department upon request.

**V. REPORTING REQUIREMENTS.****# 012 [25 Pa. Code §127.441]****Operating permit terms and conditions.**

This source is subject to Subpart I of the Standards of Performance for New Stationary Sources and shall comply with all applicable requirements thereof. 40 CFR Part 60, Section 60.4 requires submission of copies of all request, applications, submittals, and other communications to both EPA and the Department. The EPA copies shall be forwarded to:

Office of Air Enforcement and Compliance Assistance (3AP20)  
United States Environmental Protection Agency  
Region 3  
1650 Arch Street  
Philadelphia, PA 19103-2029

**VI. WORK PRACTICE REQUIREMENTS.****# 013 [25 Pa. Code §127.441]****Operating permit terms and conditions.**

The WDLF shall be heated in a preheater prior to being fired by this source. This preheater shall be operational whenever WDLF is to be used.

**# 014 [25 Pa. Code §127.441]****Operating permit terms and conditions.**

The Recycled Asphalt Pavement (R.A.P.) used in this process shall not exceed 25%. If the visible emissions are not in compliance with Condition #003 of this section, the quantity of R.A.P. must be reduced immediately to a level where the visible emissions are in compliance. This reduced quantity of R.A.P. will then become the maximum limit permitted.

**# 015 [25 Pa. Code §127.441]****Operating permit terms and conditions.**

All dust collected in the baghouse filters shall be discharged into closed containers only.

**# 016 [25 Pa. Code §127.441]****Operating permit terms and conditions.**

(a) This source may only be operated as long as the associated air pollution control devices are operated and maintained in accordance with the specification set forth in the respective plan approval(s), and the application(s) submitted for said plan approval(s) (as approved by the Department), and in accordance with any conditions set forth in this operating permit.

(b) The permittee shall operate and maintain this source and the associated air pollution control devices in accordance with the manufacturer's specifications and good engineering practices.

**# 017 [25 Pa. Code §127.441]****Operating permit terms and conditions.**

The permittee shall keep on hand a sufficient quantity of spare bags/filters for the baghouse associated with this source in order to be able to immediately replace any bags/filters requiring replacement due to deterioration resulting from routine operation of the source and baghouse.

**SECTION D. Source Level Requirements****VII. ADDITIONAL REQUIREMENTS.**

No additional requirements exist except as provided in other sections of this permit including Section B (State Only General Requirements).



**SECTION E. Source Group Restrictions.**

No Source Groups exist for this permit.



**SECTION F. Alternative Operation Requirements.**

No Alternative Operations exist for this permit.



**SECTION G. Emission Restriction Summary.**

Source Id	Source Description
101	BATCH HOT MIX ASPHALT PLT W/RAP

Emission Limit	Pollutant
0.020 gr/DRY FT3	TSP

**Site Emission Restriction Summary**

Emission Limit	Pollutant
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**SECTION H. Miscellaneous.**

(a) The Department received the operating permit application for this facility on 05/12/2020. The annual operating permit administrative fee per 25 Pa. Code, Chapter 127, Section 127.703(c)(3) for this permit is due within 30-days prior to the annual anniversary date of the issuance of this permit.

(b) This permit is a renewal of Operating Permit No. SM 35-00052.

(c) This is a Synthetic Minor Operating Permit facility.

(d) The following RFD's have been approved at this facility:

(1) RFD # 35-0757 approved 06/15/2017 for a like-for-like replacement of existing Knockout Box (Source ID No. CO1) due to structural deterioration.

(2) RFD # 35-0798 approved 12/10/2018 for replacement of existing Hauck aggregate dryer burner with like-for-like replacement burner.





\*\*\*\*\* End of Report \*\*\*\*\*

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