West Virginia Department of Environmental Protection

Austin Caperton
Cabinet Secretary

Permit to Modify

R13-3362A-D-R-A-F-T

This permit is issued in accordance with the West Virginia Air Pollution Control Act (West Virginia Code §§22-5-1 et seq.) and 45 C.S.R. 13 – Permits for Construction, Modification, Relocation and Operation of Stationary Sources of Air Pollutants, Notification Requirements, Temporary Permits, General Permits, Permission to Commence Construction, and Procedures for Evaluation. The permittee identified at the above-referenced facility is authorized to construct the stationary sources of air pollutants identified herein in accordance with all terms and conditions of this permit.

Issued to:

West Virginia Paving, Inc.
Plant #30 (Dunbar)
039-00020

William F. Durham
Director, Division of Air Quality

Effective: D-R-A-F-T

This permit will supercede and replace Permit G20-B187B.

Facility Location:	Dunbar, Kanawha County, West Virginia
Mailing Address:	2950 Charles Avenue, Dunbar, West Virginia 25064
Facility Description:	Hot Mix Asphalt Plant
NAICS Codes:	324121
UTM Coordinates:	433.551 km Easting • 4,247.035 km Northing • Zone 17
Permit Type:	Modification
Description of Change:	Applicant proposes to move equipment (a Hot Mix Asphalt Plant to include a portable fractionated reclaimed asphalt pavement (FRAP) processing system) from the G20-B187B permit to a Regulation 13 Individual Permit and to permit an additional portable crushing and screening system which will be brought to the site as needed.

Any person whose interest may be affected, including, but not necessarily limited to, the applicant and any person who participated in the public comment process, by a permit issued, modified or denied by the Secretary may appeal such action of the Secretary to the Air Quality Board pursuant to article one [§§22B-1-1 et seq.], Chapter 22B of the Code of West Virginia. West Virginia Code §§22-5-14.

As a result of this permit, the source is a nonmajor or area source subject to 45CSR30 and is classified as a deferred source.

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1.0. Emission Units

Equipment ID No.	Year Installed / Modified	Description	Maximum Capacity		Control Equipment [1]
			TPH	TPY	
HMA Plant					
CE1	2000	Clamshell Engine - Komatsu PC750-6, 444 hp @ 1,800 RPM, Catalyst installled to meet 40CFR63 Subpart ZZZZ requirement to reduce CO emissions by at least 70%. Testing on October 19, 2017 demonstrated 89% average.	11 gal/hr	5,760 hrs/yr	SCR
H1	2001	200 Ton Aggregate Hopper	----	500,000	N
C1	2001	Conveyor Belt	400	500,000	N
C2	2001	Conveyor Belt	400	500,000	N
C3	2001	Conveyor Belt	400	500,000	N
RS1	2001	Radial Stacker	400	500,000	N
C5	2001	Conveyor Belt	400	500,000	N
RS2	2001	Radial Stacker	400	500,000	N
RS5	2013	Radial Stacker	400	500,000	N
C4	2001	Conveyor Belt	400	500,000	N
RS3	2001	Radial Stacker	400	500,000	N
C6	2001	Conveyor Belt	400	500,000	N
RS4	2001	Radial Stacker	400	500,000	N
B1	2001	20 Ton Aggregate Bin	----	500,000 combined	PE
B2	2001	20 Ton Aggregate Bin	----		PE
B3	2001	20 Ton Aggregate Bin	----		PE
B4	2001	20 Ton Aggregate Bin	----		PE
B5	2001	20 Ton Aggregate Bin	----		PE
B5A	2001	20 Ton Aggregate Bin	----		PE
B5B	2001	20 Ton Aggregate Bin	----		PE
UC1	2001	Conveyor Belt	400	500,000	PE
UC2	2001	Conveyor Belt	400	500,000	PE
UC3	2001	Conveyor Belt	400	500,000	PE
UC4	2001	Conveyor Belt	400	500,000	PE
UC5	2001	Conveyor Belt	400	500,000	PE
UC5A	2001	Conveyor Belt	400	500,000	PE
UC5B	2001	Conveyor Belt	400	500,000	PE
UC6	2001	Conveyor Belt	400	500,000	N
S1	2001	Scalping Screen	400	500,000	PE
UC11	2001	Conveyor Belt	400	500,000	N
B6	2001	20 Ton RAP Bin	----	125,000 combined	PE
B6A	2013	20 Ton RAP Bin	----		PE
UC7A	2001	Conveyor Belt	100	500,000	PE+CA
UC7B	2013	Conveyor Belt	100	125,000	PE+CA

Equipment ID No.	Year Installed / Modified	Description	Maximum Capacity		Control Equipment [1]
			TPH	TPY	
UC7	2001	Conveyor Belt	100	125,000	CA
UC7C	2001	Conveyor Belt	100	125,000	CA
S6	2001	RAP Screen	100	125,000	PE
UC8	2001	Conveyor Belt	100	125,000	N
UC9	2001	Conveyor Belt	100	500,000	N
CR1	2001	RAP Crusher	100	125,000	FE
CFDM1	2013	Counterflow Drum Mixer	400	500,000	APCD1 & APCD2
DL1	2001	Drag Link Conveyor	400	500,000	FE
DL2	2001	Drag Link Conveyor	400	500,000	FE
DL3	2001	Drag Link Conveyor	400	500,000	FE
SC1	2013	Screw Conveyor	400	50,000	FE
BS1	2001	200 Ton HMA Storage Silo	----	500,000 combined	FE
BS2	2001	200 Ton HMA Storage Silo	----		FE
BS3	2001	200 Ton HMA Storage Silo	----		FE
OS1	2001	25,000 Ton Aggregate Stockpile – Natural Sand, Slag Sand	----	75,000 10,000	N
OS2	2001	10,000 Ton Aggregate Stockpile	----	100,000	N
OS3	2001	8,500 Ton Aggregate Stockpile	----	50,000	N
OS4	2001	8,500 Ton Aggregate Stockpile	----	50,000	N
OS5	2001	10,000 Ton Aggregate Stockpile	----	200,000	N
OS6	2001	3,000 Ton Aggregate Stockpile	----	10,000	N
OS7	2001	5,500 Ton Aggregate Stockpile	----	100,000	N
OS8	2001	3,000 Ton Aggregate Stockpile	----	10,000	N
OS9	2001	100,000 Ton RAP Stockpile	----	125,000	N
T1	2001	Asphaltic Cement Tank	35,000 gal	6,000,000*	N
T2	2001	No. 2 Fuel Oil Tank	20,000 gal	2,000,000	N
T3	2001	Used Oil Tank	22,000 gal	2,000,000	N
T4	2001	Asphaltic Cement Tank	30,000 gal	6,000,000*	N
T5	2013	Asphaltic Emulsion (Tack) Tank	5,000 gal	125,000	N
AH1	2001	Asphalt Heater	1,350 scf/hr	8,760 hrs/yr	N
Portable FRAP System					
F-H1	2015	25 Ton RAP Hopper	----	125,000	PE
F-CR1	2015	RAP Crusher	75	67,500	FE
F-S1	2015	Screen	200	125,000	FE
F-BC1	2015	Belt Conveyor	200	125,000	PE
F-BC2	2015	Belt Conveyor	75	46,875	N
F-BC3	2015	Belt Conveyor	200	125,000	N
F-BC4	2015	Belt Conveyor	200	125,000	N
F-RS1	2015	Belt Conveyor	200	125,000	N

Equipment ID No.	Year Installed / Modified	Description	Maximum Capacity		Control Equipment [1]
			TPH	TPY	
F-ENG1	2015	FRAP Engine - (Non-Road), John Deere 6068HFC93A, 173 hp @ 2,400 RPM, Mfg. Date: 5/17/13	9.28 gal/hr	625 hrs/yr	N
Portable Crushing and Screening System					
P-B1	2018	20 Ton RAP Bin	----	125,000	PE
P-C1	2018	Belt Conveyor	100	187,500	N
P-SCR1	2018	Screen	100	187,500	PE
P-C2	2018	Belt Conveyor	100	62,500	N
P-CR1	2018	RAP Crusher	100	62,500	FE
P-C3	2018	Belt Conveyor	100	62,500	N
P-C4	2018	Belt Conveyor	100	125,000	N
P-C5	2018	Belt Conveyor	100	125,000	N
P-ENG1	2018	Gen Set - (Non-Road), Caterpillar 3412, 917 hp @1,836 RPM, Mfg. Date: 1989	47.5 gal/hr	120 hrs/yr	A/F

[1] PE - Partial Enclosure; FE - Full Enclosure; N - No Controls; CA - Crusting Agent; APCD1 - Inertial Separator; APCD2 - ASTEC RBH-76 Baghouse; SCR - Selective Catalytic Reduction; A/F - Air-to-Fuel Ratio Control.

* T1 and T4 combined.

2.0. General Conditions

2.1. Definitions

2.1.1. All references to the "West Virginia Air Pollution Control Act" or the "Air Pollution Control Act" mean those provisions contained in W.Va. Code §§ 22-5-1 to 22-5-18.

2.1.2. The "Clean Air Act" means those provisions contained in 42 U.S.C. §§ 7401 to 7671q, and regulations promulgated thereunder.

2.1.3. "Secretary" means the Secretary of the Department of Environmental Protection or such other person to whom the Secretary has delegated authority or duties pursuant to W.Va. Code §§ 22-1-6 or 22-1-8 (45CSR§30-2.12.). The Director of the Division of Air Quality is the Secretary's designated representative for the purposes of this permit.

2.2. Acronyms

CAAA	Clean Air Act Amendments	**NO_X**	Nitrogen Oxides
CBI	Confidential Business Information	**NSPS**	New Source Performance Standards
CEM	Continuous Emission Monitor	**PM**	Particulate Matter
CES	Certified Emission Statement	**$PM_{2.5}$**	Particulate Matter less than 2.5 µm in diameter
C.F.R. *or* CFR	Code of Federal Regulations	**PM_{10}**	Particulate Matter less than 10µm in diameter
CO	Carbon Monoxide	**Ppb**	Pounds per Batch
C.S.R. *or* CSR	Codes of State Rules	**Pph**	Pounds per Hour
DAQ	Division of Air Quality	**Ppm**	Parts per Million
DEP	Department of Environmental Protection	**Ppm_V or ppmv**	Parts per Million by Volume
dscm	Dry Standard Cubic Meter	**PSD**	Prevention of Significant Deterioration
FOIA	Freedom of Information Act	**Psi**	Pounds per Square Inch
HAP	Hazardous Air Pollutant	**SIC**	Standard Industrial Classification
HON	Hazardous Organic NESHAP	**SIP**	State Implementation Plan
HP	Horsepower	**SO_2**	Sulfur Dioxide
lbs/hr	Pounds per Hour	**TAP**	Toxic Air Pollutant
LDAR	Leak Detection and Repair	**TPY**	Tons per Year
M	Thousand	**TRS**	Total Reduced Sulfur
MACT	Maximum Achievable Control Technology	**TSP**	Total Suspended Particulate
MDHI	Maximum Design Heat Input	**USEPA**	United States Environmental Protection Agency
MM	Million	**UTM**	Universal Transverse Mercator
MMBtu/hr *or* mmbtu/hr	Million British Thermal Units per Hour	**VEE**	Visual Emissions Evaluation
MMCF/hr *or* mmcf/hr	Million Cubic Feet per Hour	**VOC**	Volatile Organic Compounds
NA	Not Applicable	**VOL**	Volatile Organic Liquids
NAAQS	National Ambient Air Quality Standards		
NESHAPS	National Emissions Standards for Hazardous Air Pollutants		

2.3. Authority

This permit is issued in accordance with West Virginia Air Pollution Control Act W.Va. Code §§ 22-5-1. et seq. and the following Legislative Rules promulgated thereunder:

2.3.1. 45CSR13 – *Permits for Construction, Modification, Relocation and Operation of Stationary Sources of Air Pollutants, Notification Requirements, Temporary Permits, General Permits and Procedures for Evaluation;*

2.4. Term and Renewal

2.4.1. This Permit shall remain valid, continuous and in effect unless it is revised, suspended, revoked or otherwise changed under an applicable provision of 45CSR13 or any other applicable legislative rule;

2.5. Duty to Comply

2.5.1. The permitted facility shall be constructed and operated in accordance with the plans and specifications filed in Permit Application R13-3362A, and any modifications, administrative updates, or amendments thereto. The Secretary may suspend or revoke a permit if the plans and specifications upon which the approval was based are not adhered to;
[45CSR§§13-5.11 and 10.3.]

2.5.2. The permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the West Virginia Code and the Clean Air Act and is grounds for enforcement action by the Secretary or USEPA;

2.5.3. Violations of any of the conditions contained in this permit, or incorporated herein by reference, may subject the permittee to civil and/or criminal penalties for each violation and further action or remedies as provided by West Virginia Code 22-5-6 and 22-5-7;

2.5.4. Approval of this permit does not relieve the permittee herein of the responsibility to apply for and obtain all other permits, licenses, and/or approvals from other agencies; i.e., local, state, and federal, which may have jurisdiction over the construction and/or operation of the source(s) and/or facility herein permitted.

2.6. Duty to Provide Information

The permittee shall furnish to the Secretary within a reasonable time any information the Secretary may request in writing to determine whether cause exists for administratively updating, modifying, revoking, or terminating the permit or to determine compliance with the permit. Upon request, the permittee shall also furnish to the Secretary copies of records to be kept by the permittee. For information claimed to be confidential, the permittee shall furnish such records to the Secretary along with a claim of confidentiality in accordance with 45CSR31. If confidential information is to be sent to USEPA, the permittee shall directly provide such information to USEPA along with a claim of confidentiality in accordance with 40 C.F.R. Part 2.

2.7. Duty to Supplement and Correct Information

Upon becoming aware of a failure to submit any relevant facts or a submittal of incorrect information in any permit application, the permittee shall promptly submit to the Secretary such supplemental facts or corrected information.

2.8. Administrative Update

The permittee may request an administrative update to this permit as defined in and according to the procedures specified in 45CSR13.
[45CSR§13-4.]

2.9. Permit Modification

The permittee may request a minor modification to this permit as defined in and according to the procedures specified in 45CSR13.
[45CSR§13-5.4.]

2.10 Major Permit Modification

The permittee may request a major modification as defined in and according to the procedures specified in 45CSR14 or 45CSR19, as appropriate.
[45CSR§13-5.1]

2.11. Inspection and Entry

The permittee shall allow any authorized representative of the Secretary, upon the presentation of credentials and other documents as may be required by law, to perform the following:

a. At all reasonable times (including all times in which the facility is in operation) enter upon the permittee's premises where a source is located or emissions related activity is conducted, or where records must be kept under the conditions of this permit;

b. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;

c. Inspect at reasonable times (including all times in which the facility is in operation) any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the permit; and

d. Sample or monitor at reasonable times substances or parameters to determine compliance with the permit or applicable requirements or ascertain the amounts and types of air pollutants discharged.

2.12. Emergency

2.12.1. An "emergency" means any situation arising from sudden and reasonable unforeseeable events beyond the control of the source, including acts of God, which situation requires immediate corrective action to restore normal operation, and that causes the source to exceed a technology-based emission limitation under the permit, due to unavoidable increases in emissions attributable to the emergency. An emergency shall not include noncompliance to the extent caused by

improperly designed equipment, lack of preventative maintenance, careless or improper operation, or operator error.

2.12.2. Effect of any emergency. An emergency constitutes an affirmative defense to an action brought for noncompliance with such technology-based emission limitations if the conditions of Section 2.12.3 are met.

2.12.3. The affirmative defense of emergency shall be demonstrated through properly signed, contemporaneous operating logs, or other relevant evidence that:

a. An emergency occurred and that the permittee can identify the cause(s) of the emergency;

b. The permitted facility was at the time being properly operated;

c. During the period of the emergency the permittee took all reasonable steps to minimize levels of emissions that exceeded the emission standards, or other requirements in the permit; and

d. The permittee submitted notice of the emergency to the Secretary within one (1) working day of the time when emission limitations were exceeded due to the emergency and made a request for variance, and as applicable rules provide. This notice must contain a detailed description of the emergency, any steps taken to mitigate emissions, and corrective actions taken.

2.12.4. In any enforcement proceeding, the permittee seeking to establish the occurrence of an emergency has the burden of proof.

2.12.5 The provisions of this section are in addition to any emergency or upset provision contained in any applicable requirement.

2.13. Need to Halt or Reduce Activity Not a Defense

It shall not be a defense for a permittee in an enforcement action that it should have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit. However, nothing in this paragraph shall be construed as precluding consideration of a need to halt or reduce activity as a mitigating factor in determining penalties for noncompliance if the health, safety, or environmental impacts of halting or reducing operations would be more serious than the impacts of continued operations.

2.14. Suspension of Activities

In the event the permittee should deem it necessary to suspend, for a period in excess of sixty (60) consecutive calendar days, the operations authorized by this permit, the permittee shall notify the Secretary, in writing, within two (2) calendar weeks of the passing of the sixtieth (60) day of the suspension period.

2.15. Property Rights

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

2.16. Severability

The provisions of this permit are severable and should any provision(s) be declared by a court of competent jurisdiction to be invalid or unenforceable, all other provisions shall remain in full force and effect.

2.17. Transferability

This permit is transferable in accordance with the requirements outlined in Section 10.1 of 45CSR13. **[45CSR§13-10.1.]**

2.18. Notification Requirements

The permittee shall notify the Secretary, in writing, no later than thirty (30) calendar days after the actual startup of the operations authorized under this permit.

2.19. Credible Evidence

Nothing in this permit shall alter or affect the ability of any person to establish compliance with, or a violation of, any applicable requirement through the use of credible evidence to the extent authorized by law. Nothing in this permit shall be construed to waive any defense otherwise available to the permittee including, but not limited to, any challenge to the credible evidence rule in the context of any future proceeding.

3.0. Facility-Wide Requirements

3.1. Limitations and Standards

3.1.1. **Open burning.** The open burning of refuse by any person, firm, corporation, association or public agency is prohibited except as noted in 45CSR§6-3.1.
[45CSR§6-3.1.]

3.1.2. **Open burning exemptions.** The exemptions listed in 45CSR§6-3.1 are subject to the following stipulation: Upon notification by the Secretary, no person shall cause, suffer, allow or permit any form of open burning during existing or predicted periods of atmospheric stagnation. Notification shall be made by such means as the Secretary may deem necessary and feasible.
[45CSR§6-3.2.]

3.1.3. **Asbestos.** The permittee is responsible for thoroughly inspecting the facility, or part of the facility, prior to commencement of demolition or renovation for the presence of asbestos and complying with 40 C.F.R. § 61.145, 40 C.F.R. § 61.148, and 40 C.F.R. § 61.150. The permittee, owner, or operator must notify the Secretary at least ten (10) working days prior to the commencement of any asbestos removal on the forms prescribed by the Secretary if the permittee is subject to the notification requirements of 40 C.F.R. § 61.145(b)(3)(i). The USEPA, the Division of Waste Management, and the Bureau for Public Health - Environmental Health require a copy of this notice to be sent to them.
[40CFR§61.145(b) and 45CSR§34]

3.1.4. **Odor.** No person shall cause, suffer, allow or permit the discharge of air pollutants which cause or contribute to an objectionable odor at any location occupied by the public.
[45CSR§4-3.1] ***[State Enforceable Only]***

3.1.5. **Permanent shutdown.** A source which has not operated at least 500 hours in one 12-month period within the previous five (5) year time period may be considered permanently shutdown, unless such source can provide to the Secretary, with reasonable specificity, information to the contrary. All permits may be modified or revoked and/or reapplication or application for new permits may be required for any source determined to be permanently shutdown.
[45CSR§13-10.5.]

3.1.6. **Standby plan for reducing emissions.** When requested by the Secretary, the permittee shall prepare standby plans for reducing the emissions of air pollutants in accordance with the objectives set forth in Tables I, II, and III of 45CSR11.
[45CSR§11-5.2.]

3.2. Monitoring Requirements

[Reserved]

3.3. Testing Requirements

3.3.1. **Stack testing.** As per provisions set forth in this permit or as otherwise required by the Secretary, in accordance with the West Virginia Code, underlying regulations, permits and orders, the permittee shall conduct test(s) to determine compliance with the emission limitations set forth in this permit and/or established or set forth in underlying documents. The Secretary, or his duly authorized representative, may at his option witness or conduct such test(s). Should the Secretary

exercise his option to conduct such test(s), the operator shall provide all necessary sampling connections and sampling ports to be located in such manner as the Secretary may require, power for test equipment and the required safety equipment, such as scaffolding, railings and ladders, to comply with generally accepted good safety practices. Such tests shall be conducted in accordance with the methods and procedures set forth in this permit or as otherwise approved or specified by the Secretary in accordance with the following:

a. The Secretary may on a source-specific basis approve or specify additional testing or alternative testing to the test methods specified in the permit for demonstrating compliance with 40 C.F.R. Parts 60, 61, and 63 in accordance with the Secretary's delegated authority and any established equivalency determination methods which are applicable. If a testing method is specified or approved which effectively replaces a test method specified in the permit, the permit may be revised in accordance with 45CSR§13-4. or 45CSR§13-5.4 as applicable.

b. The Secretary may on a source-specific basis approve or specify additional testing or alternative testing to the test methods specified in the permit for demonstrating compliance with applicable requirements which do not involve federal delegation. In specifying or approving such alternative testing to the test methods, the Secretary, to the extent possible, shall utilize the same equivalency criteria as would be used in approving such changes under Section 3.3.1.a. of this permit. If a testing method is specified or approved which effectively replaces a test method specified in the permit, the permit may be revised in accordance with 45CSR§13-4. or 45CSR§13-5.4 as applicable.

c. All periodic tests to determine mass emission limits from or air pollutant concentrations in discharge stacks and such other tests as specified in this permit shall be conducted in accordance with an approved test protocol. Unless previously approved, such protocols shall be submitted to the Secretary in writing at least thirty (30) days prior to any testing and shall contain the information set forth by the Secretary. In addition, the permittee shall notify the Secretary at least fifteen (15) days prior to any testing so the Secretary may have the opportunity to observe such tests. This notification shall include the actual date and time during which the test will be conducted and, if appropriate, verification that the tests will fully conform to a referenced protocol previously approved by the Secretary.

d. The permittee shall submit a report of the results of the stack test within sixty (60) days of completion of the test. The test report shall provide the information necessary to document the objectives of the test and to determine whether proper procedures were used to accomplish these objectives. The report shall include the following: the certification described in paragraph 3.5.1.; a statement of compliance status, also signed by a responsible official; and, a summary of conditions which form the basis for the compliance status evaluation. The summary of conditions shall include the following:

1. The permit or rule evaluated, with the citation number and language;
2. The result of the test for each permit or rule condition; and,
3. A statement of compliance or noncompliance with each permit or rule condition.

[WV Code § 22-5-4(a)(14-15) and 45CSR13]

3.4. Recordkeeping Requirements

3.4.1. **Retention of records.** The permittee shall maintain records of all information (including monitoring data, support information, reports, and notifications) required by this permit recorded

in a form suitable and readily available for expeditious inspection and review. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation. The files shall be maintained for at least five (5) years following the date of each occurrence, measurement, maintenance, corrective action, report, or record. At a minimum, the most recent two (2) years of data shall be maintained on site. The remaining three (3) years of data may be maintained off site, but must remain accessible within a reasonable time. Where appropriate, the permittee may maintain records electronically (on a computer, on computer floppy disks, CDs, DVDs, or magnetic tape disks), on microfilm, or on microfiche.

3.4.2. **Odors.** For the purposes of 45CSR4, the permittee shall maintain a record of all odor complaints received, any investigation performed in response to such a complaint, and any responsive action(s) taken.
[45CSR§4. *State Enforceable Only.*]

3.5. Reporting Requirements

3.5.1. **Responsible official.** Any application form, report, or compliance certification required by this permit to be submitted to the DAQ and/or USEPA shall contain a certification by the responsible official that states that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.

3.5.2. **Confidential information.** A permittee may request confidential treatment for the submission of reporting required by this permit pursuant to the limitations and procedures of W.Va. Code § 22-5-10 and 45CSR31.

3.5.3. **Correspondence.** All notices, requests, demands, submissions and other communications required or permitted to be made to the Secretary of DEP and/or USEPA shall be made in writing and shall be deemed to have been duly given when delivered by hand, or mailed first class or by private carrier with postage prepaid to the address(es), or submitted in electronic format by email as set forth below or to such other person or address as the Secretary of the Department of Environmental Protection may designate:

DAQ:
Director
WVDEP
Division of Air Quality
601 57th Street
Charleston, WV 25304-2345

DAQ Compliance and Enforcement[1]:
DEPAirQualityReports@wv.gov

US EPA:
Associate Director
Office of Air Enforcement and Compliance Assistance (3AP20)
U.S. Environmental Protection Agency
Region III
1650 Arch Street
Philadelphia, PA 19103-2029

[1]For all self-monitoring reports (MACT, GACT, NSPS, etc.), stack tests and protocols, Notice of Compliance Status Reports, Initial Notifications, etc.

3.5.4. Operating Fee

3.5.4.1. In accordance with 45CSR30 – Operating Permit Program, the permittee shall submit a certified emissions statement and pay fees on an annual basis in accordance with the submittal

requirements of the Division of Air Quality. A receipt for the appropriate fee shall be maintained on the premises for which the receipt has been issued, and shall be made immediately available for inspection by the Secretary or his/her duly authorized representative.

3.5.4.2. In accordance with 45CSR30 – Operating Permit Program, enclosed with this permit is a Certified Emissions Statement (CES) Invoice, from the date of initial startup through the following June 30. Said invoice and the appropriate fee shall be submitted to this office no later than 30 days prior to the date of initial startup. For any startup date other than July 1, the permittee shall pay a fee or prorated fee in accordance with Section 4.5 of 45CSR22. A copy of this schedule may be found attached to the Certified Emissions Statement (CES) Invoice.

3.5.5. **Emission inventory.** At such time(s) as the Secretary may designate, the permittee herein shall prepare and submit an emission inventory for the previous year, addressing the emissions from the facility and/or process(es) authorized herein, in accordance with the emission inventory submittal requirements of the Division of Air Quality. After the initial submittal, the Secretary may, based upon the type and quantity of the pollutants emitted, establish a frequency other than on an annual basis.

4.0. Source-Specific Requirements

4.1. Limitations and Standards

4.1.1. *Operation and Maintenance of Air Pollution Control Equipment.* The registrant shall, to the extent practicable, install, maintain, and operate all pollution control equipment listed in Section 1.0 of this Permit Registration and associated monitoring equipment to comply with limits set forth in this Permit or as set forth by any State rule, Federal regulation, or alternative control plan approved by the Secretary.
[45CSR§13-5.11.]

4.1.2. *Applicability of State and Federal Regulations.* The registrant is subject to the provisions of the following State Rules and Federal Regulations, to the extent applicable based on its registration:

a. 45CSR2 – To Prevent and Control Particulate Air Pollution from Combustion of Fuel in Indirect Heat Exchangers
b. 45CSR3 - To Prevent and Control Air Pollution from the Operation of Hot Mix Asphalt Plants
c. 45CSR7 – To Prevent and Control Particulate Matter Air Pollution from Manufacturing Processes and Associated Operations
d. 45CSR10 – To Prevent and Control Air Pollution from the Emission of Sulfur Oxides
e. 45CSR13 - Permits for Construction, Modification, Relocation and Operation of Stationary Sources of Air Pollutants, Notification Requirements, Administrative Updates, Temporary Permits, General Permits, and Procedures for Evaluation
f. 45CSR16 - Standards of Performance for New Stationary Sources Pursuant to 40 CFR Part 60
g. 45CSR30 – Requirements for Operating Permits
h. 40CFR60 Subpart I - Standards of Performance for Hot Mix Asphalt Facilities
i. 40CFR60 Subpart OOO - Standards of Performance for Nonmetallic Minerals Processing Plants.
j. 40CFR63 Subpart ZZZZ - National Emission Standards for Hazardous Air Pollutants for Reciprocating Internal Combustion Engines

4.2. Recordkeeping Requirements

4.2.1. *Monitoring information.* The registrant shall keep records of monitoring information that include the following:

a. The date, place as defined in this permit and time of sampling or measurements;
b. The date(s) analyses were performed;
c. The company or entity that performed the analyses;
d. The analytical techniques or methods used;
e. The results of the analyses; and
f. The operating conditions existing at the time of sampling or measurement.

4.2.2. *Record of Maintenance of Air Pollution Control Equipment.* For all pollution control equipment listed in the Permit Registration, the registrant shall maintain accurate records of all required pollution control equipment inspection and/or preventative maintenance procedures specifically required in this Permit.

4.2.3. *Record of Malfunctions of Air Pollution Control Equipment.* For all air pollution control equipment listed in the Permit Registration, the registrant shall maintain records of the occurrence and duration of any malfunction or operational shutdown of the air pollution control equipment during which excess emissions above the applicable permit limit occur. For each such case, the following information shall be recorded:

a. The equipment involved.
b. Steps taken to minimize emissions during the event.
c. The duration of the event.
d. The estimated increase in emissions during the event.

For each such case associated with an equipment malfunction, the additional information shall also be recorded:

a. The cause of the malfunction.
b. Steps taken to correct the malfunction.
c. Any changes or modifications to equipment or procedures that would help prevent future recurrences of the malfunction.

5.0. Source-Specific Requirements [HMA, FRAP, Portable (RAP) Crushing & Screening]

5.1. Limitations and Standards

5.1.1. **Maximum Design Production Rate Limitation**

a. The maximum hot mix asphalt (HMA) production rate shall not exceed 400 tons per hour without effecting a modification.

b. The maximum FRAP processing rate shall not exceed 200 tons per hour without effecting a modification.

c. The maximum Portable RAP processing rate shall not exceed 100 tons per hour without effecting a modification.

5.1.2. **Maximum Yearly Production Limitation**

a. The maximum production rate of hot mix asphalt (HMA) shall not exceed 500,000 tons per year, based on a 12-month rolling total, without effecting a modification.

b. The maximum FRAP processing rate shall not exceed 125,000 tons per year, based on a 12-month rolling total, without effecting a modification.

c. The maximum Portable RAP processing rate shall not exceed 187,500 tons per year, based on a 12-month rolling total, without effecting a modification.

5.1.3. **Limitation for Particulate Matter**

a. The facility shall operate one ASTEC RDB-9640 hot mix asphalt plant, one FRAP plant and one Portable RAP plant which includes associated equipment/emission units as listed in Section 1.0. The operation of these plant(s) shall not exceed the following emission limitations;

Source		PM		PM10	
		lb/hr	ton/yr	lb/hr	ton/yr
HMA	Materials Handling	14.70	9.17	7.15	4.41
	Crushing & Screening	6.29	4.31	2.20	1.51
	Silo Filling & Loadout	0.57	0.37	0.13	0.08
	Counter Flow Drum Mixer (CFDM1, 1E)	26.32	16.45	6.05	3.78
FRAP System		1.67	0.53	0.75	0.24
Portable Crushing and Screening System		4.42	2.44	1.88	1.03

b. The registrant shall not cause, allow or permit particulate matter (PM) emission into the open air in excess of 0.04 grains per dry standard cubic foot from any registered hot mix asphalt plant (40 CFR 60.92(a)(1));

c. The registrant shall not cause, allow or permit emission of smoke and/or particulate matter into the open air from any stack, equipment or transfer point which exhibits 20% opacity or greater based on six-minute averages using 40 CFR. 60, Appendix A, Method 9 or another equivalent method as approved by the Secretary (45CSR3 & 40 CFR 60.92(a)(2));

d. The provisions of permit condition 5.1.3.c shall not apply to smoke and/or particulate matter emitted during start-up or shutdown of an operation which exhibits less than 40% opacity for a period of six (6) minutes per start-up or shutdown based on six minute averages using 40 C. F. R. 60, Appendix A, Method 9 or another equivalent method as approved by the Secretary (45CSR3);

e. Crushers and grinding mills at hot mix asphalt facilities that reduce the size of nonmetallic minerals embedded in recycled asphalt pavement and subsequent affected facilities up to, but not including, the first storage silo or bin are subject to the provisions of 40 CFR 60 Subpart OOO. The facility shall be in compliance with 60.672 (b) no greater than 7% opacity from any transfer point on belt conveyors or from any other affected facility (as defined in 60.670 and 60.671) and no greater than 12% opacity from any crusher based on six minute averages using 40 C. F. R. 60, Appendix A, Method 9 or another equivalent method as approved by the Secretary (40 CFR 60.672(c));

f. If the Secretary believes that start-ups and shutdowns are excessive in duration and/or frequency, the Secretary may require an owner or operator to provide a written report demonstrating that such frequent start-ups and shutdowns are necessary; and

g. The registrant shall not cause, allow or permit emission of particulate matter into the open air from any fugitive dust control system which exhibits 20 percent opacity or greater.

5.1.4. **Multiple Stacks**
In the case of more than one stack to a hot mix asphalt plant, the limitation for particulate matter set for the in Section 2.3.3. above shall be based on the total emissions of particulate matter from all stacks (45CSR3).

5.1.5. **Particulate Matter Capture System and Prevention of Emissions**
The registrant shall not cause, suffer, allow or permit a hot mix asphalt plant to operate that is not equipped with a particulate matter capture system and associated primary and secondary air pollution control devices. A particulate matter capture system shall be used to confine, collect, and transport particulate matter from dryers, hot elevators, drum mixers, pugmills, weigh hoppers, hot bins and related components to primary (cyclone, multicyclone, knockdown box) and secondary (baghouse) collection air pollution control devices. Particulate matter capture systems shall include but not be limited to hoods, bins, ductwork, enclosures, primary and secondary collection air pollution control devices and fans. The particulate matter capture system shall be properly designed to accommodate any release of steam during the operation of a batch hot mix asphalt plant. Such systems and devices shall be designed, operated and maintained in such a manner as to prevent the emission of particulate matter from any point other than a stack outlet (45CSR3).

5.1.6. **Minimization of Fugitive Emissions, Methods and Required Systems**

a. The registrant shall not cause, suffer, allow or permit a hot mix asphalt plant to operate that is not equipped with an effective fugitive dust control system(s). Such system(s) shall be operated and maintained in such a manner as to minimize the emission of particulate matter into the open air;

b. The registrant shall maintain an effective fugitive dust control of the plant premises and owned, leased or controlled haulroads and access roads by paving, chemical treatment and/or water suppression. Good operating methods, practices and general maintenance shall be observed in relation to stockpiling and screen changing to prevent fugitive dust generation and atmospheric entrainment of particulate matter. Good operating practices, water suppression and/or an enclosure shall be employed to effectively minimize fugitive particulate matter generation and atmospheric entrainment when hot bins are pulled at the end of daily operations or any other time (45CSR3);

c. To maintain an effective fugitive dust control of the registered hot mix asphalt plant premises and owned, leased or controlled haul-roads and access roads, the registrant shall properly install, operate and maintain a fugitive dust control system(s) designed in accordance with good engineering practices and observe and employ good operating methods and general maintenance. Such fugitive dust control systems shall be installed, equipped and operated according to the fugitive dust control system design data recorded on the Hot Mix Asphalt

Plant Fugitive Dust Control Data Sheet in the registrant's Permit registration and the requirements or methods of this section;

d. The registrant shall ensure that fugitive dust control system design shall follow and adhere to the following minimum Permit requirements for an effective fugitive dust control systems, methods, practices and general maintenance:

i. Fugitive Dust Control of Premises: The registrant shall adequately maintain and operate on-site: (1) a water truck; or (2) a fixed system of water sprays; or (3) a portable system of water sprays (rain birds); or (4) a combination of a water truck and a fixed/portable system of water sprays to minimize the emission of particulate matter generated from access roads, haulroads, stockpiles and work areas. Any fixed or portable water spray system shall be no less effective than a water truck in minimizing fugitive particulate emissions from the area under control. The water truck and/or fixed/portable water spray system shall be operated at all times when fugitive particulate emissions from access roads, haulroads, stockpiles and work areas are generated as a result of vehicular traffic, operational activity or wind. All water trucks and water spray systems shall be equipped with a pump and spraybars to apply water, solution or crusting agent to access roads, haulroads, stockpiles and work areas where mobile equipment is used. Spraybars shall be equipped with commercially available spray nozzles of sufficient size and number so as to provide adequate coverage to the area being treated. The pump and piping system used to deliver the water, solution or crusting agent shall be of sufficient size and capacity to deliver an adequate quantity to the spray nozzles at a sufficient pressure to provide an effective spray;

ii. Haulroad Maintenance: All haulroads, access roads, stockpile and work areas shall be kept clean and in good condition by replacing base material, grading and/or paving as required;

iii. Vehicular Tracking: If tracking of solids by vehicular traffic from access and/or haulroads onto any public road or highway occurs or has the potential to occur and generate fugitive particulate emissions, the registrant shall properly operate and maintain an underbody truck wash, rumble strips or employ other suitable measures to maintain fugitive dust control of the premises and minimize the emission of particulate matter;

iv. Loading of Stockpiles: All loading of stockpiles shall, at a minimum, be accomplished with a device and/or operating method which minimizes drop height during load-in to ensure minimization of fugitive particulate emissions;

v. Transfer Points: All transfer points shall be fitted with an (1) effective water spray, or (2) partial enclosure, or (3) hood, curtain or shroud. Water sprays are not required to operate when the moisture content of processed material is adequate to ensure minimization of fugitive particulate emissions.

vi. RAP Crusher and Breakers: All crushers and rotary breakers shall be either: (1) fully enclosed; or (2) partially enclosed and fitted with effective water sprays to minimize the emission of particulate matter. Water sprays are not required to operate when the moisture content of processed material is adequate to ensure minimization of fugitive particulate emissions; and

vii. RAP Screens: All screens shall be either: (1) fully enclosed; or (2) partially enclosed and fitted with effective water sprays to minimize the emission of particulate matter. Water sprays are not required to operate when the moisture content of processed material is adequate to ensure minimization of fugitive particulate emissions.

e. The Secretary may suspend or revoke a Permit registration if the plans, specifications and fugitive dust control system design data upon which registration approval was based are not adhered to (45CSR13).

f. The registrant shall properly install, operate and maintain designed winterization systems for all water trucks and/or water sprays in a manner that all such fugitive dust control systems remain functional and effective, to the maximum extent practicable, during winter months and cold weather. At all times, including periods of cold weather, the registrant shall comply with the requirements, provisions, standards and conditions of this Permit, any other permit or applicable statutory or regulatory requirement.

5.1.7. **Burner, Dryer and Drum Mixer Limitation, Operation and Design**

a. The registrant shall not allow emissions of PM, PM_{10}, VOC, SO_2, NO_X, CO, acetaldehyde, benzene, ethylbenzene, toluene, xylene or formaldehyde to exceed the potential to emit (pounds per hour and tons per year) for each pollutant without effecting a modification;

Source	PM		PM10		VOC		SO2		NOx		CO	
	lb/hr	ton/yr	lb/hr	ton/yr	lb/hr	ton/yr	lb/hr	ton/yr	lb/hr	ton/yr	lb/hr	ton/yr
Counter Flow Drum Mixer (CFDM1, 1E)	26.32	16.45	6.05	3.78	12.80	8.00	23.20	14.50	22.00	13.75	52.00	32.50

Source	Acetaldehyde		Benzene		Ethylbenzene		Toluene		Xylene		Formaldehyde	
	lb/hr	ton/yr	lb/hr	ton/yr	lb/hr	ton/yr	lb/hr	ton/yr	lb/hr	ton/yr	lb/hr	ton/yr
Counter Flow Drum Mixer (CFDM1, 1E)	5.2E-01	3.3E-01	1.6E-01	1.0E-01	1.0E-01	6.0E-02	1.2E+00	7.3E-01	8.0E-02	5.0E-02	1.2E+00	7.8E-01

b. All dryers shall be equipped with burners which incorporate efficient combustion zone design and be annually tuned, regularly adjusted, maintained and operated to maximize combustion efficiency to ensure the minimization of carbon monoxide and hydrocarbon emissions;

c. For drum mix plants, all dryers shall be designed and operated in such a manner to minimize exhaust gas temperature and excess visible emissions associated with high exhaust gas temperatures;

d. Drum mixers shall incorporate good flighting design to ensure maximum combustion efficiency, minimize quenching and the excess emissions of carbon monoxide and hydrocarbon emissions associated with poor flighting design; and

e. The registrant shall affix the manufacturer's serial number and source identification number to each registered burner and dryer for tracking purposes. The numbers shall be permanently affixed and maintained so as to be readable and visible at all times from a safe distance.

5.1.8. **Fuel Type**

a. The permissible fuels to be used for the burners (CFDM1, ASTEC WJ-100-G-OH-SF-S), associated with the plant dryer, shall be natural gas only;

b. The permissible fuels to be used for the burners (AH1), associated with the asphalt cement heater, shall be natural gas only;

c. The permissible fuels to be used for the engine (CE1), associated with the clamshell, shall be diesel fuel only;

5.1.9. **Allowable Materials**

The registrant shall use only the following materials in the production of hot mix asphalt: clay, silt, sand, gravel and crushed stone produced from natural geologic formations; slag, recycled asphalt shingles, recycled asphalt pavement; portland cement concrete; recycled fines and/or sediments from asphalt plant air pollution control devices; asphaltic cement, hydrated lime and other additives specifically approved by the Secretary.

5.1.10. **Recycled Asphalt Paving**

a. For batch mix plants, the particulate matter capture system and associated air pollution control devices shall be properly designed to collect any release of steam and/or blue smoke when RAP is added to the pugmill; and

b. At no time shall the addition of RAP into the hot mix asphalt manufacturing process cause an exceedance of the limitation for smoke and particulate matter set forth in permit conditions 5.1.3.b & 5.1.3.c.

5.1.11. **Storage Tanks**

a. The content, dimensions, and an analysis showing the capacity of all storage tanks shall be recorded in the registrant's Permit registration;

b. Petroleum liquid storage tank volume shall not exceed 151 m^3 (or 39,889 gallons) capacity and maximum true vapor pressure shall not exceed 15.0 kPa (2.17 psia) for petroleum liquid storage tanks greater than 75 m^3 (19,812 gallon) capacity; and

c. The registrant shall inform the Secretary of any change in the number of storage tanks or capacities.

5.1.12. **Maintenance of Air Pollution Control Equipment**

a. The registrant shall regularly inspect, properly maintain and operate particulate matter capture systems, associated air pollution control devices and fugitive dust control systems in accordance with recommendations of the manufacturer and the requirements of this section to ensure effective, efficient, compliant operation of such systems and/or devices and the minimization of particulate emissions and control of fugitive dust;

b. The registrant shall:

i. Visually inspect each particulate matter capture system, points of capture or collection; filter vents, ducts, connections, housings and associated air pollution control devices for malfunction, leaks and effective operation every three (3) calendar months. The registrant shall perform preventive or corrective action as necessary to ensure particulate matter capture system integrity and effective operation. The registrant shall record the date of inspection and document any preventive or corrective action taken;

ii. Visually inspect the operation of each exterior baghouse cleaning system mechanism, interior cleaning equipment and the clean side of bags for evidence of leaks or failure once every thirty (30) calendar days of operation. The registrant shall perform preventive or corrective action as necessary to ensure effective operation of baghouse cleaning system mechanism, interior cleaning equipment and filter fabric integrity. The registrant shall record the date of such inspections and document any baghouse cleaning system repair, filter fabric replacement, preventive or corrective action taken;

iii. Routinely inspect filter vent media and operation of any filter vent used to confine and collect displaced particulate matter from the production weigh hopper for evidence of leaks, failure or filter vent media replacement. The registrant shall perform preventive or corrective action as necessary to ensure minimization of particulate matter emissions

from the weigh hopper and effective operation of any associated particulate matter capture system or filter vent; and

iv. Visually inspect each fugitive dust control system, associated tanks, piping, fittings, spray nozzles, pumps and valves for malfunction, leaks and effective operation every three (3) calendar months. The registrant shall perform preventive or corrective action as necessary to ensure fugitive dust control system integrity and effective operation. The registrant shall record the date of inspection and document any preventive or corrective action taken.

5.2. Monitoring Requirements

5.2.1. For the purpose of determining compliance with the opacity limits of §45-3 the registrant shall conduct visible emission checks and/or opacity monitoring and recordkeeping for all emission sources subject to an opacity limit.

The visible emission check shall determine the presence or absence of visible emissions. At a minimum, the observer must be trained and knowledgeable regarding the effects of background contrast, ambient lighting, observer position relative to lighting, wind, and the presence of uncombined water (condensing water vapor) on the visibility of emissions. This training may be obtained from written materials found in the References 1 and 2 from 40CFR Part 60, Appendix A, Method 22 or from the lecture portion of the 40CFR Part 60, Appendix A, Method 9 certification course.

Visible emission checks shall be conducted at least once per calendar month with a maximum of forty-five (45) days between consecutive readings. These checks shall be performed at each source (stack, transfer point, fugitive emission source, etc.) for a sufficient time interval, but no less than one (1) minute, to determine if any visible emissions are present. Visible emission checks shall be performed during periods of normal facility operation and appropriate weather conditions.

If visible emissions are present at a source(s), the registrant shall conduct an opacity reading at that source(s) using the procedures and requirements of Method 9 as soon as practicable, but within seventy-two (72) hours of the final visual emission check.

5.3. Recordkeeping Requirements

5.3.1. To demonstrate compliance with permit conditions 5.1.1 and 5.1.2, the registrant shall monitor and record the amount of hot mix asphalt produced and RAP processed by the FRAP and Portable RAP plant(s) on a monthly basis.

5.3.2. To demonstrate compliance with permit condition 5.1.8.c., the registrant shall monitor and record the amount of diesel fuel brought into the facility on a monthly basis.

5.3.3. To demonstrate compliance with permit condition 5.1.12, the registrant shall maintain a record of all inspection and maintenance activities performed on air pollution control equipment.

5.3.4. For the purpose of determining compliance with the opacity limits of permit condition 5.1.3, the registrant shall maintain records of all monitoring data required by permit condition 5.2.1. documenting the date and time of each visible emission check, the emission point or equipment/source identification number, the name or means of identification of the observer, the results of the check(s), whether the visible emissions are normal for the process, and, if applicable, all corrective measures taken or planned. The registrant shall also record the general weather conditions (i.e. sunny, approximately 80°F, 6 - 10 mph NE wind) during the visual emission check(s). Should a visible emission observation be required to be performed per the requirements specified in Method 9, the data records of each observation shall be maintained per the

requirements of Method 9. For an emission unit out of service during the normal monthly evaluation, the record of observation may note "out of service" (O/S) or equivalent.

5.3.5. The registrant shall maintain maintenance records relating to failure and/or repair of air pollution control devices and fugitive dust control systems. In the event of air pollution control equipment, fugitive dust control system or system failure, these records shall document the registrant's effort to maintain proper operation of such equipment and/or systems.

5.4. Reporting Requirements

5.4.1. See Facility-Wide Reporting Requirements Section 3.6.

5.4.2 Any violation(s) of the allowable visible emission requirement for any emission source discovered during observations using 40CFR Part 60, Appendix A, Method 9 OR 45CSR§7 must be reported in writing to the Director of the Division of Air Quality as soon as practicable, but within ten (10) calendar days, of the occurrence and shall include, at a minimum, the following information: the results of the visible determination of opacity of emissions, the cause or suspected cause of the violation(s), and any corrective measures taken or planned.

5.4.3. The registrant of any affected facility shall submit written reports of the results of all performance tests conducted to demonstrate compliance with the standards set forth in 40 CFR 60.92 & 40 CFR 60.672, including reports of opacity observations made using Method 9 to demonstrate compliance with 40 CFR 60.92 (a)(2) & 40 CFR 60.676 (b), (c), and (d).

5.4.4. **Compliance Testing**
The registrant of any affected facility shall submit written reports of the results of all performance tests conducted to demonstrate compliance with the standards set forth in 40 CFR 60.92 & 40 CFR 60.672, including reports of opacity observations made using Method 9 to demonstrate compliance with 40 CFR 60.92 (a)(2) & 40 CFR 60.676 (b), (c), and (d).

5.4.5. Any violation(s) of the allowable visible emission requirement for any emission source discovered during observations using 40CFR Part 60, Appendix A, Method 9 OR 45CSR§7 must be reported in writing to the Director of the Division of Air Quality as soon as practicable, but within ten (10) calendar days, of the occurrence and shall include, at a minimum, the following information: the results of the visible determination of opacity of emissions, the cause or suspected cause of the violation(s), and any corrective measures taken or planned.

5.5. Testing Requirements

5.5.1. See Facility-Wide Reporting Requirements Section 3.4.

5.5.2 **Stack Testing**
At such reasonable times as the Secretary may designate, the owner or operator of a Hot Mix asphalt plant may be required to conduct or have conducted stack tests to determine the dust loading in exhaust gases and mass emission rates of particulate matter. All tests to determine compliance with exhaust gas dust concentrations and particulate matter mass emission rates shall be conducted in accordance with Methods 1-5 of 40 CFR Part 60, Appendix A provided that all compliance tests must consist of not less than three (3) test runs, test run duration shall not be less than sixty (60) minutes, and not less than thirty (30) standard cubic feet of exhaust gas must be sampled during each test run. Should the Secretary exercise their option to conduct such tests, the operator will provide all necessary sampling connections and sampling ports to be located in such manner as the Secretary may require, power for test equipment and the required safety equipment such as scaffolding, railings, ladders, etc., to comply with generally accepted good safety practices.

5.5.3 Any Permit registration action involving the construction or modification of an affected facility subject to NSPS shall be subject to the following performance tests, methods and procedures:

a. Within 60 calendar days after achieving the maximum production rate at which an affected facility will be operated but not later than 180 calendar days after initial startup of such facility, the registrant shall conduct performance test(s) to determine compliance with the NSPS standard for particulate matter pursuant to 40 CFR 60.92(a)(1) as set forth in Section 2.3.3.b., the opacity standard pursuant to 40 CFR 60.92(a)(2) as set forth in Sections 2.3.3.c. and 2.3.3.d.and the opacity standard pursuant to 40 CFR 60.67(c) as set forth in Section 2.3.3.e. The registrant shall furnish a written report of the results of such test(s) to the Secretary and USEPA (40 CFR 60.8(a) and 40 CFR 60.93(b));

b. When conducting required performance tests or demonstrating compliance with the NSPS mass emission rate standard for particulate matter, the registrant shall use the procedures and test methods of Reference Method 5 in Appendix A of 40 CFR 60. For purposes of determining initial compliance, the sampling time and sample volume for each run shall be at least 60 minutes and 31.8 dscf (40 CFR 60.93(b)(1));

c. When conducting required performance tests or demonstrating compliance with opacity standards for affected facilities, the registrant shall use the procedures and test methods of Reference Method 9 in Appendix A of 40 CFR 60. For purposes of determining initial compliance, the minimum total time of observations shall be 3 hours (thirty (30) six (6)-minute averages) for the performance test or any other set of observations including sources of fugitive emissions (40 CFR 60.11(b) and 40 CFR 60.93(b)(2));

d. The registrant shall provide the USEPA at least 30 days prior notice of any performance test to afford the Administrator the opportunity to have an observer present (40 CFR 60.8(d)); and

e. The Secretary may require a different test method or approve an alternative method in light of any technology advancements that may occur.

6.0. Source-Specific Requirements [Reciprocating Internal Combustion Engine(s) (RICE), CE1, F-ENG1 and P-ENG1]

6.1. Limitations and Standards

6.1.1. The facility shall operate one Komatsu PC750-6 clamshell engine, as listed in Section 1.0. The operation of this engine shall not exceed the following emission limitations;

Source	PM		PM10		VOC		SO2		NOx		CO	
	lb/hr	ton/yr	lb/hr	ton/yr	lb/hr	ton/yr	lb/hr	ton/yr	lb/hr	ton/yr	lb/hr	ton/yr
Clamshell (CE1)	0.45	1.30	0.45	1.30	0.53	1.53	0.43	1.24	6.47	18.63	0.42	1.20

Source	Acetaldehyde		Benzene		Ethylbenzene		Toluene		Xylene		Formaldehyde	
	lb/hr	ton/yr	lb/hr	ton/yr	lb/hr	ton/yr	lb/hr	ton/yr	lb/hr	ton/yr	lb/hr	ton/yr
Clamshell (CE1)	1.1E-03	3.2E-03	1.4E-03	4.0E-03	----	----	6.0E-04	1.7E-03	4.0E-04	1.2E-03	1.7E-03	4.9E-03

6.1.2. The applicable RICE(s) and/or generator(s) shall be operated and maintained as follows:

a. In accordance with the manufacturer's recommendations and specifications or in accordance with a site-specific maintenance plan; and,
b. In a manner consistent with good operating practices.

6.1.3. Requirements for Use of Catalytic Reduction Devices

a. Rich-burn engine(s) equipped with non-selective catalytic reduction (NSCR) air pollution control devices shall be fitted with a closed-loop, automatic air/fuel ratio controller to ensure emissions of regulated pollutants do not exceed the emission limit listed in the Permit Registration for any engine/NSCR combination under varying load. The closed-loop, automatic air/fuel ratio controller shall control a fuel metering valve to ensure a fuel-rich mixture and a resultant exhaust oxygen content of less than or equal to 2%.

b. Lean-burn engine(s) equipped with selective catalytic reduction (SCR) air pollution control devices shall be fitted with a closed-loop automatic feedback controller to ensure emissions of regulated pollutants do not exceed the emission limit listed in the Permit Registration for any engine/SCR combination under varying load. The closed-loop automatic feedback controller shall provide proper and efficient operation of the engine, ammonia injection and SCR device, monitor emission levels downstream of the catalyst element and limit ammonia slip to less than 10 ppm_v.

c. Lean-burn engine(s) equipped with oxidation catalyst air pollution control devices shall be fitted with a closed-loop automatic air/fuel ratio feedback controller to ensure emissions of regulated pollutants do not exceed the emission limit listed in the Permit Registration for any engine/oxidation catalyst combination under varying load. The closed-loop, automatic air/fuel ratio controller shall control a fuel metering valve to ensure a lean-rich mixture.

d. For engine(s) equipped with a catalyst, the registrant shall monitor the temperature to the inlet of the catalyst and in accordance with manufacturer's specifications; a high temperature alarm shall shut off the engine before thermal deactivation of the catalyst occurs. If the engine shuts off due to high temperature, the registrant shall also check for thermal deactivation of the catalyst before normal operations are resumed.

e. The registrant shall follow a written operation and maintenance plan that provides the periodic and annual maintenance requirements.

6.1.4. The registrant shall comply with the National Emission Standards for Hazardous Air Pollutants (NESHAP) for Stationary Reciprocating Combustion Engines specified in 40 CFR Part 63, Subpart ZZZZ.

6.1.5. The emission limitations specified in permit condition 6.1.1 shall apply at all times except during periods of start-up and shut-down provided that the duration of these periods does not exceed 30 minutes per occurrence. The registrant shall operate the engine in a manner consistent with good air pollution control practices for minimizing emissions at all times, including periods of start-up and shut-down. The emissions from start-up and shut-down shall be included in the twelve (12) month rolling total of emissions. The registrant shall comply with 40 CFR Part 63, Subpart ZZZZ.

6.1.6. All nonroad engines, or any replacement engines, shall not remain at one (1) location for more than 12 consecutive months. A location is any single site at a building, structure, facility or installation. Any engine that replaces the engine claimed as nonroad at a location and that is intended to perform the same or similar function as the claimed nonroad engine must be included in calculating the consecutive time period.

6.2. Monitoring Requirements

6.2.1. Catalytic Reduction Devices

a. The registrant shall regularly inspect, properly maintain and/or replace catalytic reduction devices and auxiliary air pollution control devices to ensure functional and effective operation of the engine's physical and operational design. The registrant shall ensure proper operation, maintenance and performance of catalytic reduction devices and auxiliary air pollution control devices by:

1. Maintaining proper operation of the automatic air/fuel ratio controller or automatic feedback controller.

2. Following the catalyst manufacturer emissions related operating and maintenance recommendations, or develop, implement, or follow a site-specific maintenance plan.

6.2.2. Diesel Particulate Filter

a. The diesel particulate filter must be installed with a backpressure monitor that notifies the owner/operator when the high backpressure limit of the engine is approached.

6.3. Recordkeeping Requirements

6.3.1. To demonstrate compliance with permit condition 6.1.3, the registrant shall maintain records of the maintenance performed on each RICE and/or generator.

6.3.2. To demonstrate compliance with permit condition 6.2.1, the registrant shall maintain a copy of the site-specific maintenance plan or manufacturer maintenance plan.

6.3.3. The registrant shall comply with all applicable recordkeeping requirements under the National Emission Standards for Hazardous Air Pollutants (NESHAP) for Stationary Reciprocating Internal Combustion Engines specified in 40 CFR Part 63, Subpart ZZZZ.

6.3.4. All records required by this section shall be maintained in accordance with permit condition 3.5.1.

6.3.5. To demonstrate compliance with permit condition 6.1.6, the registrant shall maintain records of each nonroad engine's (F-ENG1 and P-ENG1) location, initial date of location and date moved off of location.

6.4. Testing Requirements

6.4.1. The registrant shall comply with all applicable testing requirements under the National Emission Standards for Hazardous Air Pollutants (NESHAP) for Stationary Reciprocating Internal Combustion Engines specified in 40 CFR Part 63, Subpart ZZZZ.

6.5. Reporting Requirements

6.5.1. The registrant shall comply with all applicable notification requirements under the National Emission Standards for Hazardous Air Pollutants (NESHAP) for Stationary Reciprocating Internal Combustion Engines specified in 40 CFR Part 63, Subpart ZZZZ.

7.0. Source-Specific Requirements [Asphalt Heater (AH1)]

7.1. Limitations and Standards

7.1.1. The registrant shall not allow emissions of PM, PM_{10}, VOC, SO_2, NO_X, CO, acetaldehyde, benzene, ethylbenzene, toluene, xylene or formaldehyde to exceed the potential to emit (pounds per hour and tons per year) for each pollutant without effecting a modification;

Source	PM		PM10		VOC		SO2		NOx		CO	
	lb/hr	ton/yr	lb/hr	ton/yr	lb/hr	ton/yr	lb/hr	ton/yr	lb/hr	ton/yr	lb/hr	ton/yr
Asphalt Heater (AH1, 2E)	0.01	0.04	0.01	0.04	0.01	0.03	0.00	0.00	0.14	0.59	0.11	0.50

Source	Acetaldehyde		Benzene		Ethylbenzene		Toluene		Xylene		Formaldehyde	
	lb/hr	ton/yr	lb/hr	ton/yr	lb/hr	ton/yr	lb/hr	ton/yr	lb/hr	ton/yr	lb/hr	ton/yr
Asphalt Heater (AH1, 2E)	----	----	3.0E-06	1.0E-05	----	----	5.0E-06	2.0E-05	----	----	1.0E-04	4.0E-04

7.1.2. *Maximum Design Heat Input.* The maximum design heat input for the asphalt heater (AH1) shall be less than 10 MMBTU/hr.

7.1.3. No person shall cause, suffer, allow or permit emission of smoke and/or particulate matter into the open air from any fuel burning unit (Emission Point 2E) which is greater than ten (10) percent opacity based on a six minute block average. **[45CSR§2-3.1.]**

7.2. Monitoring Requirements

7.2.1. At such reasonable times as the Secretary may designate, the registrant shall conduct Method 9 emission observations for the purpose of demonstrating compliance with section 7.1.2 of this Permit. Method 9 shall be conducted in accordance with 40 CFR 60 Appendix A.

7.3 Testing Requirements

7.3.1. Upon request by the Secretary, compliance with the visible emission requirements of section 7.1.3 of this Permit shall be determined in accordance with 40 CFR Part 60, Appendix A, Method 9 or by using measurements from continuous opacity monitoring systems approved by the Secretary. The Secretary may require the installation, calibration, maintenance and operation of continuous opacity monitoring systems and may establish policies for the evaluation of continuous opacity monitoring results and the determination of compliance with the visible emission requirements of section 7.1.2 of this Permit. Continuous opacity monitors shall not be required on fuel burningunits which employ wet scrubbing systems for emission control. **[45CSR§2-3.2.]**

7.4. Recordkeeping Requirements

7.4.1. The registrant shall maintain records of all monitoring data required by section 7.2.1 of this Permit documenting the date and time of each visible emission check, the emission point or equipment/source identification number, the name or means of identification of the observer, the results of the check(s), whether the visible emissions are normal for the process, and, if applicable, all corrective measures taken or planned. The registrant shall also record the general weather conditions (i.e. sunny, approximately 80°F, 6 - 10 mph NE wind) during the visual emission check(s). Should a visible emission observation be required to be performed per the requirements specified in Method 9, the data records of each observation shall be maintained per the requirements of Method 9.

APPENDIX A

Certified Daily / Monthly HMA Production and RAP Processing[2]
West Virginia Paving, Inc. – Plant #30 (Dunbar)
COMPANY ID NO. 039-00020
PERMIT NO. R13-3362A

Month _____ Year

Day of Month	Hours Operated			HMA produced (tons)	RAP processed (tons)	Initials
	HMA	FRAP	PC&S			
1						
2						
3						
4						
5						
6						
7						
8						
9						
10						
11						
12						
13						
14						
15						
16						
17						
18						
19						
20						
21						
22						
23						
24						
25						
26						
27						
28						
29						
30						
31						
Monthly Total						
12 Month Rolling Total[2]						

(1) The **CERTIFICATION OF DATA ACCURACY** statement appearing on the reverse side shall be completed and kept on site for a period of no less than five (5) years and shall be made available to the Director or his or her duly authorized representative upon request.

(2) The Twelve Month Rolling Total shall mean the sum of the amount of grout produced any given time during the previous twelve (12) consecutive calendar months. **Maximum permitted 12-month rolling total throughput is 125,000 tons per year of RAP and 500,000 tons per year of HMA.**

APPENDIX B

[Weekly/ Monthly/Quarterly] Opacity Record
West Virginia Paving, Inc. – Plant #30 (Dunbar)
COMPANY ID NO. 039-00020
PERMIT NO. R13-3362A

Date of Observation:
Date Entered by:
Reviewed by:
Date Reviewed:
Describe the General Weather Conditions:

Emission Point ID	Description of Emission Point	Time of Observation	Visible Emissions (Yes/No)	Consecutive Months of Visible Emission	Comments

CERTIFICATION OF DATA ACCURACY

I, the undersigned, hereby certify that, based on information and belief formed after reasonable inquiry, all information contained in the attached _____, representing the period beginning _____ and ending _____, and any supporting documents appended hereto, is true, accurate, and complete.

Signature[1] _____ _____
(please use blue ink) Responsible Official or Authorized Representative Date

Name & Title _____ _____
(please print or type) Name Title

Telephone No. _____ Fax No. _____

[1] This form shall be signed by a "Responsible Official." "Responsible Official" means one of the following:

a. For a corporation: The president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation, or a duly authorized representative of such person if the representative is responsible for the overall operation of one or more manufacturing, production, or operating facilities applying for or subject to a permit and either:

(i) the facilities employ more than 250 persons or have a gross annual sales or expenditures exceeding $25 million (in second quarter 1980 dollars), or

(ii) the delegation of authority to such representative is approved in advance by the Director;

b. For a partnership or sole proprietorship: a general partner or the proprietor, respectively;

c. For a municipality, State, Federal, or other public entity: either a principal executive officer or ranking elected official. For the purposes of this part, a principal executive officer of a Federal agency includes the chief executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., a Regional Administrator of U.S. EPA); or

d. The designated representative delegated with such authority and approved in advance by the Director.