

West Virginia Department of Environmental Protection

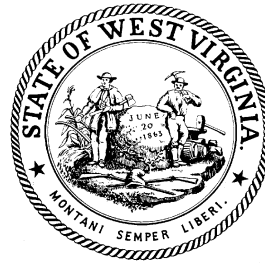
Bob Wise
Governor

Division of Air Quality

Stephanie R.
Timmermeyer
Cabinet Secretary

Class II

General Permit



for the
Prevention and Control of Air Pollution in regard to the
Construction, Modification, Relocation, Administrative Update
and Operation of
Concrete Batch Plants

General Permit Number G50-B
Effective Date: November 19, 2003

John A. Benedict, Director

Date Signed

General Permit Registration Number: **G50-BKEYBOARD(Permit No.)**

Registrant: **KEYBOARD(Company Name)**

Facility Name: **KEYBOARD(Facility Name)**

Mailing Address: **KEYBOARD(Registrant Mailing Address)**

This Class II General Permit is issued in accordance with the West Virginia Air Pollution Control Act (West Virginia Code §22-5-1 et seq.) and 45CSR13 — Permits for Construction, Modification, Relocation and Operation of Stationary Sources of Air Pollutants, Notification Requirements, Temporary Permits, General Permits and Procedures for Evaluation. The registrant identified at the above-referenced facility is authorized to operate the stationary sources of air pollutants identified herein in accordance with all terms and conditions of the G50-C Class II General Permit.

Facility Information:

Facility Location: **KEYBOARD(City), KEYBOARD(County Name) County, West Virginia**

Mailing Address: **KEYBOARD(Facility Mailing Address if different from Registrant Mailing Address)**

UTM Coordinates: **KEYBOARD(km) Easting • KEYBOARD(km) Northing • Zone**

KEYBOARD(17 or 18)

SIC Codes: **KEYBOARD(Primary; Secondary; Tertiary)**

Facility ID#: **KEYBOARD(ID#)**

Facility Information:

Manufacture and Model Number: **KEYBOARD(Manufacture and Model Number)**

Maximum Production Rate: **KEYBOARD(Maximum Hourly Production Rate) Cubic Yards/hr**

Maximum Yearly Production: **KEYBOARD(Maximum Yearly Production Rate) Cubic Yards/yr**

Source Identification Number: **KEYBOARD(Source ID Number)**

Potential to Emit (PTE) (Controlled PM Point Source Emissions): **KEYBOARD(potential to emit)**
Tons/yr

Control Devices:

APCD-1: **KEYBOARD(Manufacture and Model Number)**

APCD-2: **KEYBOARD(Manufacture and Model Number)**

APCD-3: **KEYBOARD(Manufacture and Model Number)**

APCD-4: **KEYBOARD(Manufacture and Model Number)**

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 General 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.

Compliant registration under this Class II General Permit satisfies the permitting requirements of 45CSR13 and the operating requirements of 45CSR7 and 45CSR17.

Table of Contents

1.0.	General Conditions	1
1.1.	Purpose	1
1.2.	Authority	1
1.3.	Eligibility	1
1.4.	Term and Renewal	2
1.5.	Duty to Comply	2
1.6.	Duty to Provide Information	3
1.7.	Duty to Supplement and Correct Information	3
1.8.	Registration Actions	3
1.9.	Administrative Registration Update	3
1.10.	Inspection & Entry	3
1.11.	Emergency	4
1.12.	Need to Halt or Reduce Activity Not a Defense	4
1.13.	Property Rights	5
1.14.	Severability	5
1.15.	Notification Requirements	5
2.0.	Specific Requirements	6
2.1.	Siting Criteria	6
2.2.	Limitations and Standards	6
2.3.	Testing Requirements	12
2.4.	Recordkeeping Requirements	13
2.5.	Reporting Requirements	15
	ATTACHMENT A	17
	ATTACHMENT B	19
	ATTACHMENT C	21

1.0. General Conditions

1.1. Purpose

The purpose of this Class II General Permit is to authorize the construction, modification, relocation, administrative update and operation of concrete batch plants through a General Permit registration process. The requirements, provisions, standards and conditions of this Class II General Permit address the prevention and control of particulate matter (PM) emissions from eligible concrete batch plants while ensuring compliance with existing air quality regulations.

1.2. Authority

This Class II General Permit is issued in accordance with West Virginia air pollution control law W.Va. Code §22-5-1. et seq. and the following Legislative Rules promulgated thereunder:

- 1.2.1. 45CSR13 - *Permits for Construction, Modification, Relocation and Operation of Stationary Sources of Air Pollutants, Notification Requirements, Temporary Permits, General Permits and Procedures for Evaluation.*;
- 1.2.2. 45CSR7 - *To Prevent and Control Air Pollution from Manufacturing Process Operations*;
- 1.2.3. 45CSR17 - *To Prevent and Control Particulate Air Pollution from Materials Handling, Preparation, Storage and Sources of Fugitive Particulate Matter*; and
- 1.2.4. 45CSR22 - *Air Quality Management Fee Program*.

1.3. Eligibility

All concrete batch plants having a North American Industrial Classification System (NAICS) code of 327320 (SIC 3273) or 327331 (SIC 3271) are eligible for Class II General Permit registration except for:

- 1.3.1. Any concrete batch plant which is a major source as defined in 45CSR14, 45CSR19 or 45CSR30;
- 1.3.2. Any concrete batch plant, facility or equipment that is subject to the requirements of 45CSR2, 45CSR3, 45CSR14, 45CSR16, 45CSR19 or 45CSR30;
- 1.3.3. Any cement manufacturing plant (NAICS 327310; SIC 3241), concrete pipe manufacturing plant (NAICS 327332; SIC 3272) or clay brick or structural clay tile manufacturing plant (NAICS 327121; SIC 3251);
- 1.3.4. Any facility which does not meet the definition of concrete batch plant set forth in the *Reference Document for Class II General Permit G50-B*;
- 1.3.5. Any concrete batch plant which incorporates:
 - 1.3.5.a. A mine, quarry or crushing and screening operation (excepting fresh or plastic ready mix concrete wet sieve reclaiming or recycling equipment);
 - 1.3.5.b. A highwall truck dump;
 - 1.3.5.c. A petroleum liquid storage vessel or tank greater than or equal to 151 m³ (39,889 gallons) capacity; or

- 1.3.5.d. A petroleum liquid storage vessel or tank greater than or equal to 75 m³ (19,812 gallons) capacity and a working true vapor pressure which exceeds 15.0 kPa (2.17 psia);
- 1.3.6. Any concrete batch plant which will require an individual air quality General Permit review process and/or individual permit provisions to address the emission of a regulated pollutant or to incorporate regulatory requirements other than those established by 45CSR7, 45CSR13 and 45CSR17;
- 1.3.7. Any concrete batch plant located in or which may significantly impact the area of Brooke County west of State Route 2, north of an extension of the southern boundary of Steubenville Township in Jefferson County, Ohio and south of the Market Street Bridge;
- 1.3.8. Any concrete batch plant located within the boundaries of or which may significantly impact the Weirton nonattainment area; or
- 1.3.9. Any concrete batch plant located in or which may significantly impact an area which has been determined to be a PM₁₀ maintenance or nonattainment area.

1.4. Term and Renewal

- 1.4.1. This Class II General Permit supercedes and replaces previously issued General Permit G50-A. This Class II General Permit shall remain valid, continuous and in effect unless it is revised, suspended, revoked or otherwise changed under an applicable provision of 45CSR13, 45CSR3 or any other applicable legislative rule;
- 1.4.2. General Permit registration granted by the Secretary shall remain valid, continuous and in effect unless it is suspended or revoked by the Secretary or this Class II General Permit is subject to action or change as set forth in Section 1.4.1. above; and
- 1.4.3. The Secretary shall review and may renew, reissue or revise this Class II General Permit for cause. The Secretary shall define the terms and conditions under which existing General Permit registrations will be eligible for registration under a renewed, reissued or revised General Permit and provide written notification to all General Permit registrants (or applicants). This notification shall also describe the registrant's (or applicant's) duty or required action and may include a request for any additional information that may be required by any proposed General Permit renewal, reissuance or revision. All General Permit Registrants covered under General Permit G50-A shall be covered under this Class II General Permit.

1.5. Duty to Comply

- 1.5.1. The registered facility shall be constructed and operated in accordance with the information filed in the Class II General Permit registration Application and any amendments thereto. The Secretary may suspend or revoke a registration if the plans and specifications upon which the approval was based are not adhered to.
- 1.5.2. The registrant must comply with all conditions of this Class II General Permit. Any General 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;
- 1.5.3. Violation of any of the conditions contained in this Class II General Permit, or incorporated herein by reference, may subject the registrant 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.

- 1.5.4. Registration under this Class II General Permit does not relieve the registrant 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.

1.6. Duty to Provide Information

The registrant 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 Class II General Permit registration or to determine compliance with the Class II General Permit registration. Upon request, the registrant shall also furnish to the Secretary copies of records required to be kept by the registrant. For information claimed to be confidential, the registrant 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 registrant shall directly provide such information to USEPA along with a claim of confidentiality in accordance with 40 C.F.R. Part 2.

1.7. 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 registration application, the registrant shall promptly submit to the Secretary such supplemental facts or corrected information.

1.8. Registration Actions

- 1.8.1. The Class II General Permit registration may be modified, revoked, reopened and reissued, or terminated for cause. The filing of a request by the registrant for a registration modification, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any Class II General Permit condition; and
- 1.8.2. The Class II General Permit registration is transferable in accordance with the requirements of 45CSR13.

1.9. Administrative Registration Update.

The registrant may request an administrative registration update as defined in and according to the procedures specified in 45CSR13.

1.10. Inspection and Entry

The registrant 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:

- 1.10.1. At all reasonable times (including all times in which the facility is in operation) enter upon the registrant's premises where a source is located or emissions related activity is conducted, or where records must be kept under the conditions of this Class II General Permit;
- 1.10.2. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this Class II General Permit;
- 1.10.3. 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 this Class II General Permit; and

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

1.11. Emergency

- 1.11.1. An "emergency" means any situation arising from sudden and reasonably 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 General 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.
- 1.11.2. 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 1.11.3. below are met.
- 1.11.3. The affirmative defense of emergency shall be demonstrated through properly signed, contemporaneous operating logs, or other relevant evidence that:
 - 1.11.3.a. An emergency occurred and that the registrant can identify the cause(s) of the emergency;
 - 1.11.3.b. The registered facility was at the time being properly operated;
 - 1.11.3.c. During the period of the emergency the registrant took all reasonable steps to minimize levels of emissions that exceeded the emission standards, or other requirements in the General Permit; and
 - 1.11.3.d. The registrant 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.
- 1.11.4. In any enforcement proceeding, the registrant seeking to establish the occurrence of an emergency has the burden of proof.
- 1.11.5. This provision is in addition to any emergency or upset provision contained in any applicable requirement.

1.12. Need to Halt or Reduce Activity not a Defense

- 1.12.1. It shall not be a defense for a registrant 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 Class II General 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.
- 1.12.2. In the event the registrant should deem it necessary to suspend, for a period in excess of sixty (60) consecutive calendar days, the operations authorized by the Class II General Permit registration, the registrant shall notify the Secretary, in writing, within two (2) calendar weeks of the passing of the sixtieth (60) day of the suspension period.

1.13. Property Rights

Registration under this Class II General Permit does not convey any property rights of any sort or any exclusive privilege.

1.14. Severability

The provisions of this Class II General Permit are severable. If any provision of this Class II General Permit, or the application of any provision of this Class II General Permit to any circumstance is held invalid by a court of competent jurisdiction, the remaining Class II General Permit terms and conditions or their application to other circumstances shall remain in full force and effect.

1.15. Notification Requirements

- 1.15.1. The registrant shall notify the Secretary, in writing, within fifteen (15) calendar days of the commencement of the construction, modification, or relocation activities authorized under this Class II General Permit registration.
- 1.15.2. The registrant shall notify the Secretary, in writing, at least fifteen (15) calendar days prior to actual startup of the operations authorized under this Class II General Permit registration.

2.0. Specific Requirements

2.1. Siting Criteria

- 2.1.1. All persons submitting a Class II General Permit Registration Application to construct, modify or relocate a concrete batch plant shall be subject to the following siting criteria:

No person shall construct, locate or relocate any facility, affected facility or stockpile operation within three hundred (300) feet of any occupied dwelling, business, public building, school, church, community, institutional building or public park or within one hundred (100) feet of a cemetery. An owner of an occupied dwelling or business may elect to wave the three hundred (300) foot siting criteria; and

- 2.1.2. Any person proposing to construct, modify or relocate a concrete batch plant within three hundred (300) feet of any occupied dwelling, business, public building, school, church, community, institutional building or public park may elect to obtain an individual permit pursuant to 45CSR13.

2.2. Limitations and Standards

2.2.1. Maximum Design Production Rate Limitation

The maximum concrete mix production rate for any registered concrete batch plant shall not exceed the Maximum Design Production Rate (units of cubic yards per hour or tons per hour) recorded with registrant's Class II General Permit registration without effecting a modification.

2.2.2. Maximum Yearly Production Limitation

The maximum yearly production of concrete mix for any registered concrete batch plant shall not exceed the Maximum Yearly Production (units of cubic yards per year or tons per year) recorded with the registrant's Class II General Permit registration without effecting a modification.

2.2.3. Limitation for Particulate Matter

2.2.3.a. The registrant shall not cause, suffer, allow or permit the emission of PM and PM₁₀ from a registered concrete batch plant which exceeds the potential to emit (pounds per hour & tons per year) recorded on the Concrete Batch Plant Emission Summary Sheet in the registrant's Class II General Permit registration without effecting a modification;

2.2.3.b. The registrant shall not cause, suffer, allow or permit emission of particulate matter into the open air from any registered concrete batch plant production operation which exhibits twenty (20) percent opacity or greater, except as noted in Sections 2.2.3.d. and 2.2.3.e. (45CSR7);

2.2.3.c. The registrant shall not cause, suffer, allow or permit emission of particulate matter into the open air from any registered concrete batch plant material handling operation (aggregate load-in, stockpiling, transfer, transfer point, conveyor, hopper or product load-out which exhibits twenty (20) percent opacity or greater, except as noted in Sections 2.2.3.d. and 2.2.3.e. (45CSR7);

2.2.3.d. The provisions of Sections 2.2.3.b. and 2.2.3.c. shall not apply to particulate matter emitted from any registered concrete batch plant production or material handling operation which is less than forty (40) percent opacity for any period or periods aggregating no more than five (5) minutes in any sixty (60) minute period (45CSR7);

2.2.3.e. The registrant shall not cause, suffer, allow or permit emission of particulate matter into the

open air from any storage structure, bin or silo (45CSR7); and

2.2.3.f. For registered concrete batch plants operating in Kanawha County; the Magisterial Districts of Valley (Fayette County), Scott, Pocatalico (Putnam County) and Tygart (Wood County); the city of Fairmont; those portions of Union and Winfield Magisterial Districts west of Interstate 79 (Marion County); the following limitations shall apply in addition to the limitations for particulate matter set forth in this section (45CSR17):

2.2.3.f.i. The registrant shall not cause, suffer, allow, or permit the discharge of particulate matter from any material handling activity in excess of ten percent (10%) opacity averaged over a six (6) minute period (45CSR17); and

2.2.3.f.ii. The registrant shall not cause, suffer, allow or permit the sustained discharge of particulate matter into the open air in such a manner as to be visible from any inactive storage pile (45CSR17).

2.2.4. Particulate Matter Capture System

2.2.4.a. The registrant shall not cause, suffer, allow, or permit any registered concrete batch plant to operate that is not equipped with an effective particulate matter capture system(s) and an associated air pollution control device(s) to minimize the emission of particulate matter from production equipment. The particulate matter capture system(s) shall ensure the lowest fugitive particulate emissions reasonably achievable (45CSR7);

2.2.4.b. A particulate matter capture system shall be used to prevent the emission of particulate matter from cement, flyash or mix additive storage structures, bins and/or silos;

2.2.4.c. A particulate matter capture system shall be used to confine and collect displaced particulate matter from the weigh hopper or central mixer;

2.2.4.d. Particulate matter capture systems may include but not be limited to: hoods, shrouds, bins, ductwork, enclosures, and air pollution control devices such as fabric filter baghouses, associated fans, discharge socks and filter vents; and

2.2.4.e. Particulate matter capture systems and associated air pollution control devices shall be operated at all times when storage structures, bins and/or silos are charged or production equipment is in operation.

2.2.5. Minimization of Fugitive Emissions, Methods and Required Systems

2.2.5.a. The registrant shall not cause, suffer, allow or permit a concrete batch 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;

2.2.5.b. The registrant shall maintain an effective fugitive dust control of the concrete batch plant premises and plant owned, leased or controlled haul-roads and access roads by paving, water suppression and/or use of environmentally acceptable dust control additives. Good operating practices shall be implemented, and when necessary, water or a mixture of water and an environmentally acceptable dust control additive (hereinafter referred to as solution or crusting

agent) shall be applied in relation to stockpiling and general material handling to ensure adequate material surface moisture content and prevent dust generation and atmospheric entrainment of particulate matter (45CSR7);

2.2.5.c. To maintain an effective fugitive dust control of the registered concrete batch 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 Concrete Batch Plant Fugitive Dust Control Data Sheet in the registrant's Class II General Permit registration and the requirements or methods of this section;

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

2.2.5.d.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;

2.2.5.d.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;

2.2.5.d.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;

2.2.5.d.iv. Aggregate Load-In: All aggregate load-in dump bins and feed hoppers which are

- fed by barge, rail or truck, endloader, conveyor or other transport device must be fitted with an (1) effective water spray, or (2) partial enclosure, or (3) hood, curtain or shroud, or (4) movable or telescoping chute or (5) a combination thereof. Water sprays are not required to operate when the moisture content of processed material is adequate to ensure minimization of fugitive particulate emissions;
- 2.2.5.d.v. Cement, Flyash and Mix Additive Load-In: All cement, flyash and mix additive load-in dump bins, feed hoppers, screw conveyors and bucket elevators which are fed by barge, rail or truck shall be fitted with an (1) effective enclosure, or (2) hood, curtain or shroud, or (3) movable or telescoping chute or (4) a combination thereof or (5) a particulate matter capture system to ensure minimization of fugitive particulate emissions. Cement, flyash and mix additive storage structures, bins and/or silos are subject to the emission limitation set forth in Section 2.2.3.e. and the particulate matter capture system requirements set forth in Section 2.2.4.b.;
- 2.2.5.d.vi. 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;
- 2.2.5.d.vii. Open Stockpiles: All open stockpiles shall be (1) equipped with water sprays, or (2) partially enclosed; or (3) fully enclosed. Water or solution or a crusting agent shall be applied to open stockpiles and stockpile operations when fugitive particulate emissions are generated as a result of insufficient material moisture content and wind. Open stockpiles shall be sprayed as often as necessary to restore free moisture and ensure minimization of fugitive particulate emissions. Water sprays are not required to operate when the moisture content of stockpiled material is adequate to ensure minimization of fugitive particulate emissions; and
- 2.2.5.d.viii. 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.
- 2.2.5.e. For registered concrete batch plants operating in Kanawha County; the Magisterial Districts of Valley (Fayette County), Scott, Pocatalico (Putnam County) and Tygart (Wood County); the city of Fairmont; those portions of Union and Winfield Magisterial Districts west of Interstate 79 (Marion County); the following control methods shall apply in addition to the minimization of particulate matter emission and fugitive dust control requirements set forth in Sections 2.2.4. and 2.2.5., respectively (45CSR17):
- 2.2.5.e.i. Storage of Materials: The registrant shall employ one or a combination of the following specific material storage air pollution control method(s) to ensure the prevention of particulate matter emissions from material storage areas and related activity. Such control methods include, but are not limited to: (1) the frequent use of an effective fixed or portable water spray system to apply water or solution or

crusting agent to open stockpiles, or (2) draping of tarpaulin to cover open stockpiles, or (3) partial or total enclosure of stored material, or (4) fully enclosed storage structures, bins and/or silos equipped with a particulate matter capture system(s) to prevent emission of particulate matter displaced by air during aggregate, cement or flyash load-in and/or load-out operations (45CSR17); and

2.2.5.e.ii. Vehicle Fugitive Emissions: The registrant shall not cause, suffer, allow or permit a truck to be driven or moved on any public or private street, road, alley, highway or other thoroughfare unless the truck is constructed or its cargo material treated with a crusting agent which prevents its contents and/or particulate matter from dripping, leaking, sifting, blowing, wind erosion or otherwise escaping therefrom, thereby ensuring the prevention of fugitive particulate emissions during material transport (45CSR17).

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

2.2.5.g. 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 Class II General Permit, any other permit or applicable statutory or regulatory requirement.

2.2.6. Maintenance of Air Pollution Control Equipment

2.2.6.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 as set forth in Sections 2.2.4. and 2.2.5., respectively;

2.2.6.b. The registrant shall:

2.2.6.b.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;

2.2.6.b.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;

2.2.6.b.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

2.2.6.b.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.

2.2.7. Storage Tanks

2.2.7.a. The content, dimensions, and an analysis showing the capacity of all storage tanks shall be recorded on the Concrete Batch Plant Storage Tank Data Sheet in the registrant's Class II General Permit registration;

2.2.7.b. Petroleum liquid storage tank volume shall not exceed 151 m³ (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 m³ (19,812 gallon) capacity; and

2.2.7.c. The registrant shall inform the Secretary of any change in the number of storage tanks or capacities. The registrant may exchange storage tanks of similar volume as required.

2.2.8. Allowable Materials

The registrant shall use only the following materials in the production of concrete mix: water, cementitious and pozzuolanic materials, natural or manufactured sand and aggregate; iron blast furnace slag, barite, magnetite, limonite, ilmenite, iron or steel; sintered clay, shale, slate, diatomaceous shale, perlite, vermiculite, slag, pumice, cinders or sintered flyash; recycled fines or sediments from air pollution control devices; mix additives and admixtures.

2.2.9. Odor

2.2.9.a. No registrant 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.

2.2.9.b. For the purposes of 45CSR4, the registrant shall maintain a record of all odor complaints received. Such record shall contain an assessment of the validity of the complaints as well as any corrective actions taken.

2.2.10. Open Burning

The open burning of refuse by any registrant is prohibited except as noted in 45CSR6.

2.2.11. Open Burning Exemptions

The exemptions listed in 45CSR6 are subject to the following stipulation: Upon notification by the Secretary, no registrant 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.

2.2.12. Asbestos

The registrant 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 registrant 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 registrant is subject to the notification requirements of 40 C.F.R. §61.145(b)(3)(i). A copy of this notice is required to be sent to the USEPA, the Division of Water and Waste Management and the Bureau for Public Health - Environmental Health.

2.2.13. Permanent Shutdown

A Concrete Batch Plant 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.

2.3. Testing Requirements

At the time a registered concrete batch plant is alleged to be in compliance with an applicable emission standard and at reasonable times to be determined by the Secretary thereafter, appropriate tests consisting of visual determinations or conventional in-stack measurements or such other tests as the Secretary may specify shall be conducted to determine such compliance. The registrant may also be required by the Secretary to collect, report and maintain additional data on the operation and compliance of any registered concrete batch plant.

2.3.1. Stack Testing

At such reasonable times as the Secretary may designate, the registrant may be required to conduct or have conducted stack tests to determine the particulate matter loading in exhaust gases when the Secretary has reason to believe that an emission limitation is being violated. For cause, the Secretary may request the registrant to install such stack gas monitoring devices as the Secretary deems necessary to determine continuing compliance. The data from such devices shall be readily available for review on-site or such other reasonable location that the Secretary may specify. At the request of the Secretary, such data shall be made available for inspection or copying and the Secretary may require periodic submission of excess emission reports (45CSR7 & 45CSR13).

2.3.1.a Any such test to determine compliance with particulate matter limitations set forth in Section 2.2.3.a. shall be conducted in accordance with Method 5 of 40 C.F.R. 60, Appendix A. All such compliance tests must consist of not less than three (3) test runs; any test run duration shall not be less than sixty (60) minutes and no less than thirty (30) standard cubic feet of exhaust gas must be sampled during each test run. Such tests shall be conducted under such reasonable operating conditions as the Secretary may specify. The Secretary, or a duly authorized representative, may option to witness or conduct such stack tests. Should the Secretary exercise this option to conduct such additional tests, the registrant shall provide all necessary sampling connections and sampling ports located in a manner as the Secretary may require, power for

test equipment and required safety equipment in place such as scaffolding, railings and ladders in order to comply with generally accepted good safety practices (45CSR7);

2.3.1.b. Any test to determine compliance with the PM₁₀ emission limitation set forth in Section 2.2.3.a. shall be conducted in accordance with Method 5 as set forth in 40 C.F.R. 60, Appendix A. or Method 201 or 201A as set forth in 40 C.F.R. 51; and

2.3.1.c. Any stack serving any process source operation or air pollution control device on any process source operation shall contain flow straightening devices or a vertical run of sufficient length to establish flow patterns consistent with acceptable stack sampling procedures (45CSR7).

2.3.2. Opacity Testing

2.3.2.a. Any test to determine compliance with the visible emission (opacity) limitations set forth in Sections 2.2.3.b., 2.2.3.c. & 2.2.3.d. shall be conducted by a certified visible emission observers in accordance with 45CSR7A - Compliance Test Procedures for 45CSR7 - *To Prevent and Control Particulate Air Pollution from Manufacturing Process Operations*. Nothing in this section, however, shall preclude any registrant or the Secretary from using opacity data from a properly installed, calibrated, maintained and operated continuous opacity monitor as evidence to demonstrate compliance or a violation of visible emission requirements of this Class II General Permit. If continuous opacity monitor data results are submitted when determining compliance with visible emission limitations for a period of time during which 45CSR7A data indicates noncompliance, the 45CSR7A data shall be used to determine compliance with the visible emission limitations; and

2.3.2.b. Any such test to determine compliance with the prevention of particulate matter emission limitations set forth in Sections 2.2.3.e., 2.2.3.f.ii. & 2.2.5.e. shall be conducted in accordance with Method 22 of 40 C.F.R. 60, Appendix A.

2.3.3. Notification of Compliance Testing

For any compliance test to be conducted by the registrant as set forth in this section, a test protocol shall be submitted to the Secretary at least thirty (30) calendar days prior to the scheduled date of the test. Such compliance test protocol shall be subject to approval by the Secretary. The registrant shall notify the Secretary at least fifteen (15) calendar days in advance of actual compliance test dates and times during which the test (or tests) will be conducted.

2.3.4. Alternative Test Methods

The Secretary may require a different test method or approve an alternative method in light of any technology advancements that may occur and may conduct such other tests as may be deemed necessary to evaluate air pollution emissions (45CSR7).

2.4. Recordkeeping Requirements

2.4.1. Records, Operation and Compliance

2.4.1.a. For the purpose of determining compliance with the Maximum Design Production Rate Limitation, a person designated by a Responsible Official or Authorized Representative shall maintain daily records of concrete production and hours of operation utilizing copies of Attachment A - Daily Concrete Production Record (or a similar form containing the same information);

2.4.1.b. For the purpose of determining compliance with the Maximum Yearly Production Limitation, a

person designated by a Responsible Official or Authorized Representative shall maintain monthly records of concrete production and year to date concrete production utilizing copies of Attachment B - Annual Concrete Production Record (or a similar form containing the same information);

2.4.1.c Records required by this section shall be retained on-site by the registrant for at least five (5) years. Certified records, signed by a Responsible Official or Authorized Representative, shall be made available to the Secretary or a duly authorized representative upon request; and

2.4.1.d. Records required by this section may be kept on a similar form to Attachment A and B in electronic format. The documents shall be printed and certified by a Responsible Official or Authorized Representative upon request.

2.4.2. Monitoring Information

The registrant shall keep the following records of monitoring information:

2.4.2.a. The date, place as defined in this Class II General Permit and time of sampling or measurements;

2.4.2.b. The date(s) analyses were performed;

2.4.2.c. The company or entity that performed the analyses;

2.4.2.d. The analytical techniques or methods used;

2.4.2.e. The results of the analyses; and

2.4.2.f. The operating conditions existing at the time of sampling or measurement.

2.4.3. Air Pollution Control Equipment Maintenance Records

2.4.3.a. The registrant shall maintain maintenance records relating to failure and/or repair of air pollution control devices and fugitive dust control systems utilizing copies of Attachment C - Equipment Maintenance Record (or a similar form containing the same information). 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 and effective operation of such equipment and/or systems;

2.4.3.b. Records required by this section shall be retained on-site by the registrant for at least five (5) years. Certified records, signed by a Responsible Official or Authorized Representative, shall be made available to the Secretary or a duly authorized representative upon request; and

2.4.3.c. Records required by this section may be kept on a similar form to Attachment C in electronic format. The documents shall be printed and certified by a Responsible Official or Authorized Representative upon request.

2.4.4. Retention of Records

The registrant shall retain records of all required monitoring data and support information for a period of at least five (5) years from the date of monitoring sample, measurement, report, application, or record

creation date. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the General Permit. Where appropriate, records may be maintained in computerized form in lieu of the above records.

2.5. Reporting Requirements

2.5.1. Compliance Testing

The owner or operator of any Concrete Batch Plant facility shall submit written reports of the results of all performance tests conducted to demonstrate compliance with the standards set forth in Section 2.2.3.

2.5.2. Certification of Information

Any application form, report, or compliance certification required by this General Permit to be submitted to the Division of Air Quality 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.

2.5.3. Confidential Information

A registrant may request confidential treatment for the submission of reporting required under 45CSR13 pursuant to the limitations and procedures of W.Va. Code §§22-5-10 and 45CSR31.

2.5.4. Correspondence

All notices, requests, demands, submissions and other communications required or permitted to be made to the Secretary of the Department of Environmental Protection 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 with postage prepaid to the address(es) set forth below or to such other person or address as the Secretary of the Department of Environmental Protection may designate:

If to the DAQ:

Director
WVDEP
Division of Air Quality
7012 MacCorkle Avenue, SE
Charleston, WV 25304-2943

Phone: 304/926-3727
FAX: 304/926-3739

If to the US EPA:

Associate Director
Office of Enforcement and Permits Review
(3AP12)
U. S. Environmental Protection Agency
Region III
1650 Arch Street
Philadelphia, PA 19103-2029

2.5.5. Air Quality Management Fee Program and Certificate to Operate

2.5.5.a. The registrant shall not operate or cause to operate any registered concrete batch plant without having in current effect a Certificate to Operate. The Certificate to Operate shall be maintained on the premises for which it has been issued and made immediately available for inspection by the Secretary or a duly authorized representative (45CSR22); and

2.5.5.b. A Certificate to Operate shall be issued for the period July 1 through June 30 of each year or for any portion of such fiscal year remaining upon General Permit Registration. The Certificate

to Operate is invoiced and issued by the Secretary and shall be renewed annually. Registrants shall be granted a Certificate to Operate by the Secretary after payment of the appropriate Air Quality Management Fee indicated on the invoice. Air Quality Management Fee shall be paid by negotiable instrument (check, draft, warrant, money order, etc.) And made payable to WVDEP - Division of Air Quality (45CSR22).

2.5.6. Emission Inventory

At such time(s) as the Secretary may designate, the registrant shall prepare and submit an emission inventory for the previous calendar 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 submittal frequency other than on an annual basis.

ATTACHMENT A
DAILY CONCRETE PRODUCTION RECORD

Plant Name: _____
Registration No.: _____
Month _____ Year _____

Day	Concrete Production (<input type="checkbox"/> cubic yards or <input type="checkbox"/> tons)	Hours of Operation	Initials
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			
TOTAL			

Note: After entering the required information, each entry shall be initialed by a person designated by a Responsible Official.

The Certification of Data Accuracy statement on the reverse side of this form must be completed and signed by a Responsible Official or Authorized representative within fifteen (15) days after the end of the calendar month. This record shall be maintained on-site for a period of five (5) years from the date of certification. It shall be made available to the Secretary or an authorized representative upon request.

CLASS II GENERAL PERMIT CERTIFICATION OF DATA ACCURACY

This Certification of Data Accuracy shall be signed below by a Responsible Official or an Authorized Representative. A Responsible Official is a President, Vice President Secretary, Treasurer, General Partner, General Manager, a member of a Board of Directors or Owner, depending on business structure. An Authorized Representative may be certified through an official agreement submitted with the Class II General Permit Registration Application. Any improperly signed or unsigned Certification of Data Accuracy shall constitute a violation of the terms and conditions of this Class II General Permit.

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

Signature

(please use blue ink) _____
Responsible Official or Authorized Representative

Date

Name & Title

(please print or type)

Name

Title

Registrant's Name

Telephone # _____

Fax # _____

ATTACHMENT B
ANNUAL CONCRETE PRODUCTION RECORD

Plant Name: _____
Registration No.: _____
Year: _____

Month	Concrete Production (<input type="checkbox"/> cubic yards or <input type="checkbox"/> tons)	Year to Date Concrete Production	Initials
January			
February			
March			
April			
May			
June			
July			
August			
September			
October			
November			
December			
TOTAL			

Note: After entering the required information, each entry shall be initialed by a person designated by a Responsible Official.

The Certification of Data Accuracy statement on the reverse side of this form must be completed and signed by a Responsible Official or Authorized representative within fifteen (15) days after the end of the calendar month. This record shall be maintained on-site for a period of five (5) years from the date of certification. It shall be made available to the Secretary or an authorized representative upon request.

CLASS II GENERAL PERMIT CERTIFICATION OF DATA ACCURACY

This Certification of Data Accuracy shall be signed below by a Responsible Official or an Authorized Representative. A Responsible Official is a President, Vice President Secretary, Treasurer, General Partner, General Manager, a member of a Board of Directors or Owner, depending on business structure. An Authorized Representative may be certified through an official agreement submitted with the Class II General Permit Registration Application. Any improperly signed or unsigned Certification of Data Accuracy shall constitute a violation of the terms and conditions of this Class II General Permit.

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

Signature

(please use blue ink) _____
Responsible Official or Authorized Representative

Date

Name & Title

(please print or type)

Name

Title

Registrant's Name

Telephone #

Fax #

CLASS II GENERAL PERMIT CERTIFICATION OF DATA ACCURACY

This Certification of Data Accuracy shall be signed below by a Responsible Official or an Authorized Representative. A Responsible Official is a President, Vice President Secretary, Treasurer, General Partner, General Manager, a member of a Board of Directors or Owner, depending on business structure. An Authorized Representative may be certified through an official agreement submitted with the Class II General Permit Registration Application. Any improperly signed or unsigned Certification of Data Accuracy shall constitute a violation of the terms and conditions of this Class II General Permit.

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

Signature _____

(please use blue ink) Responsible Official or Authorized Representative

_____ Date

Name & Title _____

(please print or type)

Name

Title

Registrant's Name _____

Telephone # _____

Fax # _____