



February 11, 2022

Genesee County Circuit Court
900 Saginaw St.
Flint, MI 48502

To Whom It May Concern,

On behalf of the clients described herein, the Great Lakes Environmental Law Center is filing a claim of appeal regarding the Michigan Department of Environment, Great Lakes, and Energy's issuance of air permit to install 90-21 to Ajax Materials Corporation. Enclosed please find the following documents:

- Claim of appeal of the Michigan Department of Environment, Great Lakes, and Energy's issuance of permit to install 90-21;
- Appellants' statement regarding transcript and request for certified copy of the record;
- A copy of permit to install 90-21;
- Proof of service, and;
- Filing fee.

/s/Nicholas Leonard

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STATE OF MICHIGAN
GENESEE COUNTY CIRCUIT COURT

FLINT RISING; ENVIRONMENTAL
TRANSFORMATION MOVEMENT OF FLINT; ST.
FRANCIS PRAYER CENTER; MICHIGAN
UNITED; C.A.U.T.I.O.N.

Case No. _____

Appellants,

Hon. _____

v

MICHIGAN DEPARTMENT OF ENVIRONMENT,
GREAT LAKES, AND ENERGY a Department
of the Executive Branch of the State of
Michigan; and LIESL CLARK, Director of the
Michigan Department of Environment,
Great Lakes, and Energy

**CLAIM OF APPEAL OF THE
MICHIGAN DEPARTMENT OF
ENVIRONMENT, GREAT
LAKES, AND ENERGY
ISSUANCE OF AIR PERMIT TO
INSTALL NO. 90-21**

Appellees.

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**Pro Hac Vice Application Forthcoming*

CLAIM OF APPEAL

On behalf of its members, directors, and staff, Flint Rising, the Environmental Transformation Movement of Flint, Michigan United, C.A.U.T.I.O.N., and the St. Francis Prayer Center claims an appeal of the decision of the Michigan Department of Environment, Great Lakes, and Energy (EGLE), on November 15, 2021, to issue Air Permit to Install No. 90-21 (Permit) to Ajax Materials Corporation. The Permit is attached as **Exhibit 1** to this Claim of Appeal.

Concurrently with this Claim of Appeal, Appellant is filing a written request for the record, as required by MCR 7.104(D)(3).

JURISDICTION AND VENUE

1. This Court has jurisdiction to grant the relief requested in this Claim of Appeal, and venue is appropriate in this Court, pursuant to MCL § 324.5505(8) and the Revised Judicature Act (“RJA”), MCL § 600.631.

2. MCL § 324.5505(8) provides:

Any person may appeal the issuance or denial by the department of a permit to install, a general permit, or a permit to operate authorized in rules promulgated under subsection (6), for a new source in accordance with section 631 of the revised judicature act of 1961, 1961 PA 236, MCL 600.631. Petitions for review shall be the exclusive means to obtain judicial review of such a permit and shall be filed within 90 days after the final permit action, except that a petition may be filed after that deadline only if the petition is based solely on grounds arising after the deadline for judicial review. Such a petition shall be filed no later than 90 days after the new grounds for review arise.

3. MCL § 600.631 provides:

An appeal shall lie from any order, decision, or opinion of any state board, commission, or agency, authorized under the laws of this state to promulgate rules from which an appeal or other judicial review has not otherwise been provided for by law, to the circuit court of the county of which the appellant is a resident or to the circuit court of Ingham county,

which court shall have and exercise jurisdiction with respect thereto as in nonjury cases. Such appeals shall be made in accordance with the rules of the Supreme Court.

4. EGLE issued the Permit on November, 15 2021. Under MCL § 324.5505(8) and Michigan Court Rule 1.108(1), this Claim of Appeal is timely.

Respectfully Submitted:

GREAT LAKES ENVIRONMENTAL LAW CENTER
ATTORNEY FOR APPELLANTS

Date: February 11, 2022

By: _____
Nicholas Leonard (P79283)

PROOF OF SERVICE

I certify that copies of the foregoing Claim of Appeal were served on the following persons by first-class mail:

Liesl Clark, Director
Michigan Department of Environment,
Great Lakes, and Energy
525 West Allegan Street
P.O. Box 30473
Lansing, MI 48909-7973

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G. Mennen Williams Building
525 W. Ottawa Street
P.O. Box 30212
Lansing, MI 48909

GREAT LAKES ENVIRONMENTAL LAW CENTER
ATTORNEY FOR APPELLANT

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**Pro Hac Vice Application Forthcoming*

**APPELLANTS' STATEMENT REGARDING TRANSCRIPT
AND REQUEST FOR CERTIFIED COPY OF THE RECORD**

1. No transcript was prepared of the August 3, 2021 or September 1, 2021 public hearings in this matter. Appellants request that the audio file of the public hearings be included in the certified record of the proceedings before the agency.

2. Appellants request that Appellee Michigan Department of Environment, Great Lakes, and Energy provide to the Court and the Appellants a certified copy of the record.

Respectfully Submitted:

GREAT LAKES ENVIRONMENTAL LAW CENTER
Attorneys for Appellant

Date: February 11, 2022

By: _____
Nicholas Leonard (P79283)

PROOF OF SERVICE

I certify that copies of the foregoing Statement Regarding Transcript and Request for Certified Copy of the Record were served on the following persons by first-class mail:

Liesl Clark, Director
Michigan Department of Environment,
Great Lakes, and Energy
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GREAT LAKES ENVIRONMENTAL LAW CENTER
Attorneys for Appellant

Date: February 11, 2022

By: _____
Nicholas Leonard (P79283)

**MICHIGAN DEPARTMENT OF ENVIRONMENT, GREAT LAKES, AND ENERGY
AIR QUALITY DIVISION**

November 15, 2021

**PERMIT TO INSTALL
90-21**

ISSUED TO
Ajax Materials Corporation

LOCATED AT
5088 Energy Drive
Flint, Michigan 48505

IN THE COUNTY OF
Genesee

STATE REGISTRATION NUMBER
P1171

The Air Quality Division has approved this Permit to Install, pursuant to the delegation of authority from the Michigan Department of Environment, Great Lakes, and Energy. This permit is hereby issued in accordance with and subject to Section 5505(1) of Article II, Chapter I, Part 55, Air Pollution Control, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended. Pursuant to Air Pollution Control Rule 336.1201(1), this permit constitutes the permittee's authority to install the identified emission unit(s) in accordance with all administrative rules of the Department and the attached conditions. Operation of the emission unit(s) identified in this Permit to Install is allowed pursuant to Rule 336.1201(6).

DATE OF RECEIPT OF ALL INFORMATION REQUIRED BY RULE 203: May 28, 2021	
DATE PERMIT TO INSTALL APPROVED: November 15, 2021	SIGNATURE: 
DATE PERMIT VOIDED:	SIGNATURE:
DATE PERMIT REVOKED:	SIGNATURE:

PERMIT TO INSTALL

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COMMON ACRONYMS

AQD	Air Quality Division
BACT	Best Available Control Technology
CAA	Clean Air Act
CAM	Compliance Assurance Monitoring
CEMS	Continuous Emission Monitoring System
CFR	Code of Federal Regulations
COMS	Continuous Opacity Monitoring System
Department/department/EGLE	Michigan Department of Environment, Great Lakes, and Energy
EU	Emission Unit
FG	Flexible Group
GACS	Gallons of Applied Coating Solids
GC	General Condition
GHGs	Greenhouse Gases
HVLP	High Volume Low Pressure*
ID	Identification
IRSL	Initial Risk Screening Level
ITSL	Initial Threshold Screening Level
LAER	Lowest Achievable Emission Rate
MACT	Maximum Achievable Control Technology
MAERS	Michigan Air Emissions Reporting System
MAP	Malfunction Abatement Plan
MSDS	Material Safety Data Sheet
NA	Not Applicable
NAAQS	National Ambient Air Quality Standards
NESHAP	National Emission Standard for Hazardous Air Pollutants
NSPS	New Source Performance Standards
NSR	New Source Review
PS	Performance Specification
PSD	Prevention of Significant Deterioration
PTE	Permanent Total Enclosure
PTI	Permit to Install
RACT	Reasonable Available Control Technology
ROP	Renewable Operating Permit
SC	Special Condition
SCR	Selective Catalytic Reduction
SNCR	Selective Non-Catalytic Reduction
SRN	State Registration Number
TBD	To Be Determined
TEQ	Toxicity Equivalence Quotient
USEPA/EPA	United States Environmental Protection Agency
VE	Visible Emissions

*For HVLP applicators, the pressure measured at the gun air cap shall not exceed 10 psig.

POLLUTANT / MEASUREMENT ABBREVIATIONS

acfm	Actual cubic feet per minute
BTU	British Thermal Unit
°C	Degrees Celsius
CO	Carbon Monoxide
CO ₂ e	Carbon Dioxide Equivalent
dscf	Dry standard cubic foot
dscm	Dry standard cubic meter
°F	Degrees Fahrenheit
gr	Grains
HAP	Hazardous Air Pollutant
Hg	Mercury
hr	Hour
HP	Horsepower
H ₂ S	Hydrogen Sulfide
kW	Kilowatt
lb	Pound
m	Meter
mg	Milligram
mm	Millimeter
MM	Million
MW	Megawatts
NMOC	Non-Methane Organic Compounds
NO _x	Oxides of Nitrogen
ng	Nanogram
PM	Particulate Matter
PM10	Particulate Matter equal to or less than 10 microns in diameter
PM2.5	Particulate Matter equal to or less than 2.5 microns in diameter
pph	Pounds per hour
ppm	Parts per million
ppmv	Parts per million by volume
ppmw	Parts per million by weight
psia	Pounds per square inch absolute
psig	Pounds per square inch gauge
scf	Standard cubic feet
sec	Seconds
SO ₂	Sulfur Dioxide
TAC	Toxic Air Contaminant
Temp	Temperature
THC	Total Hydrocarbons
tpy	Tons per year
µg	Microgram
µm	Micrometer or Micron
VOC	Volatile Organic Compounds
yr	Year

GENERAL CONDITIONS

1. The process or process equipment covered by this permit shall not be reconstructed, relocated, or modified, unless a Permit to Install authorizing such action is issued by the Department, except to the extent such action is exempt from the Permit to Install requirements by any applicable rule. **(R 336.1201(1))**
2. If the installation, construction, reconstruction, relocation, or modification of the equipment for which this permit has been approved has not commenced within 18 months, or has been interrupted for 18 months, this permit shall become void unless otherwise authorized by the Department. Furthermore, the permittee or the designated authorized agent shall notify the Department via the Supervisor, Permit Section, Air Quality Division, Michigan Department of Environment, Great Lakes, and Energy, P.O. Box 30260, Lansing, Michigan 48909-7760, if it is decided not to pursue the installation, construction, reconstruction, relocation, or modification of the equipment allowed by this Permit to Install. **(R 336.1201(4))**
3. If this Permit to Install is issued for a process or process equipment located at a stationary source that is not subject to the Renewable Operating Permit program requirements pursuant to Rule 210 (R 336.1210), operation of the process or process equipment is allowed by this permit if the equipment performs in accordance with the terms and conditions of this Permit to Install. **(R 336.1201(6)(b))**
4. The Department may, after notice and opportunity for a hearing, revoke this Permit to Install if evidence indicates the process or process equipment is not performing in accordance with the terms and conditions of this permit or is violating the Department's rules or the Clean Air Act. **(R 336.1201(8), Section 5510 of Act 451, PA 1994)**
5. The terms and conditions of this Permit to Install shall apply to any person or legal entity that now or hereafter owns or operates the process or process equipment at the location authorized by this Permit to Install. If the new owner or operator submits a written request to the Department pursuant to Rule 219 and the Department approves the request, this permit will be amended to reflect the change of ownership or operational control. The request must include all of the information required by subrules (1)(a), (b), and (c) of Rule 219 and shall be sent to the District Supervisor, Air Quality Division, Michigan Department of Environment, Great Lakes, and Energy. **(R 336.1219)**
6. Operation of this equipment shall not result in the emission of an air contaminant which causes injurious effects to human health or safety, animal life, plant life of significant economic value, or property, or which causes unreasonable interference with the comfortable enjoyment of life and property. **(R 336.1901)**
7. The permittee shall provide notice of an abnormal condition, start-up, shutdown, or malfunction that results in emissions of a hazardous or toxic air pollutant which continue for more than one hour in excess of any applicable standard or limitation, or emissions of any air contaminant continuing for more than two hours in excess of an applicable standard or limitation, as required in Rule 912, to the Department. The notice shall be provided not later than two business days after start-up, shutdown, or discovery of the abnormal condition or malfunction. Written reports, if required, must be filed with the Department within 10 days after the start-up or shutdown occurred, within 10 days after the abnormal condition or malfunction has been corrected, or within 30 days of discovery of the abnormal condition or malfunction, whichever is first. The written reports shall include all of the information required in Rule 912(5). **(R 336.1912)**
8. Approval of this permit does not exempt the permittee from complying with any future applicable requirements which may be promulgated under Part 55 of 1994 PA 451, as amended or the Federal Clean Air Act.
9. Approval of this permit does not obviate the necessity of obtaining such permits or approvals from other units of government as required by law.
10. Operation of this equipment may be subject to other requirements of Part 55 of 1994 PA 451, as amended and the rules promulgated thereunder.

11. Except as provided in subrules (2) and (3) or unless the special conditions of the Permit to Install include an alternate opacity limit established pursuant to subrule (4) of Rule 301, the permittee shall not cause or permit to be discharged into the outer air from a process or process equipment a visible emission of density greater than the most stringent of the following. The grading of visible emissions shall be determined in accordance with Rule 303 (R 336.1303). **(R 336.1301)**
 - a) A six-minute average of 20 percent opacity, except for one six-minute average per hour of not more than 27 percent opacity.
 - b) A visible emission limit specified by an applicable federal new source performance standard.
 - c) A visible emission limit specified as a condition of this Permit to Install.
12. Collected air contaminants shall be removed as necessary to maintain the equipment at the required operating efficiency. The collection and disposal of air contaminants shall be performed in a manner so as to minimize the introduction of contaminants to the outer air. Transport of collected air contaminants in Priority I and II areas requires the use of material handling methods specified in Rule 370(2). **(R 336.1370)**
13. The Department may require the permittee to conduct acceptable performance tests, at the permittee's expense, in accordance with Rule 1001 and Rule 1003, under any of the conditions listed in Rule 1001. **(R 336.2001)**

EMISSION UNIT SPECIAL CONDITIONS

EMISSION UNIT SUMMARY TABLE

The descriptions provided below are for informational purposes and do not constitute enforceable conditions.

Emission Unit ID	Emission Unit Description (Including Process Equipment & Control Device(s))	Installation Date / Modification Date	Flexible Group ID
EUHMAPLANT	Hot mix asphalt (HMA) facility including: aggregate conveyors, a 500 tph counter-flow drum, and a 100,000 cfm baghouse	TBD	NA
EUYARD	Fugitive dust sources including: plant roadways, plant yard, material storage piles, material handling operations (excluding cold feed aggregate bins).	TBD	NA
EUACTANKS	Six 30,000 gallon liquid asphalt cement storage tanks with a total heat capacity of 2 MMBtu/hr	TBD	NA
EUSILOS	Eight 300 ton capacity hot mix asphalt (HMA) paving material product storage silo.	TBD	NA

Changes to the equipment described in this table are subject to the requirements of R 336.1201, except as allowed by R 336.1278 to R 336.1291.

**EUHMAPLANT
 EMISSION UNIT CONDITIONS**

DESCRIPTION

Hot mix asphalt (HMA) facility including: aggregate conveyors, a 500 tph counter-flow drum, and a 100,000 cfm baghouse

Flexible Group ID: NA

POLLUTION CONTROL EQUIPMENT

Fabric filter dust collector.

I. EMISSION LIMIT(S)

Pollutant	Limit	Time Period / Operating Scenario	Equipment	Monitoring / Testing Method	Underlying Applicable Requirements
1. PM	0.04 gr/dscf	Hourly	EUHMAPLANT	SC V.5, SC VI.4	40 CFR 60.92
2. PM	0.036 lb per ton ^b	Hourly	EUHMAPLANT	SC V.2, SC V.5, SC VI.4	R 336.1205(1)(a),
3. PM	15.95 tpy ^a	12-month rolling time period as determined at the end of each calendar month	EUHMAPLANT	SC VI.8	R 336.1205(1)(a)
4. PM10	0.05 lb per ton ^{b,c}	Hourly	EUHMAPLANT	SC V.2, SC V.3, SC V.4, SC VI.8	R 336.1205(1)(a), R 336.1205(3), 40 CFR 52.21(c) & (d)
5. PM10	21.91 tpy ^a	12-month rolling time period as determined at the end of each calendar month	EUHMAPLANT	SC VI.8	R 336.1205(1)(a), R 336.1205(3)
6. PM2.5	0.05 lb per ton ^b	Hourly	EUHMAPLANT	SC V.2, SC V.3, SC V.4, SC VI.8	R 336.1205(1)(a), R 336.1205(3), 40 CFR 52.21(c) & (d)
7. PM2.5	21.91 tpy ^a	12-month rolling time period as determined at the end of each calendar month	EUHMAPLANT	SC VI.8	R 336.1205(1)(a), R 336.1205(3)
8. CO	0.2 lb per ton ^b	Hourly	EUHMAPLANT	SC V.2, SC V.3	R 336.1205(1)(a), R 336.1205(3)
9. CO	87.63 tpy ^a	12-month rolling time period as determined at the end of each calendar month	EUHMAPLANT	SC VI.8	R 336.1205(1)(a), R 336.1205(3)

Pollutant	Limit	Time Period / Operating Scenario	Equipment	Monitoring / Testing Method	Underlying Applicable Requirements
10. SO ₂	0.16 lb per ton ^b	Hourly when burning Fuel Oil #6	EUHMAPLANT	SC V.2, SC V.3, SC V.4	R 336.1205(1)(a), R 336.1205(3)
	0.089 lb per ton ^b	Hourly when burning Fuel Oils #1-5, propane, or natural gas			
11. SO ₂	70.11 tpy ^a	12-month rolling time period as determined at the end of each calendar month	EUHMAPLANT	SC VI.8	R 336.1205(1)(a), R 336.1205(3)
12. NO _x	0.07 lb per ton ^b	Hourly	EUHMAPLANT	SC V.2, SC V.3, SC V.4	R 336.1205(1)(a), R 336.1205(3)
13. NO _x	30.67 tpy ^a	12-month rolling time period as determined at the end of each calendar month	EUHMAPLANT	SC VI.8	R 336.1205(1)(a), R 336.1205(3)
14. VOC	0.06 lb/ton ^b	Hourly	EUHMAPLANT	SC V.2, SC V.3, SC V.4	R 336.1205(1)(a), R 336.1702
15. VOC	26.29 tpy ^a	12-month rolling time period as determined at the end of each calendar month	EUHMAPLANT	SC VI.8	R 336.1205(1)(a), R 336.1702
16. Lead	1.00 ×10 ⁻⁵ lb per ton ^{b,1}	Hourly	EUHMAPLANT	SC V.2, SC V.3, SC V.4	R 336.1225
17. Benzene	0.00075 lb per ton ^{b,1}	Hourly	EUHMAPLANT	SC V.2	R 336.1224, R 336.1225
18. Toluene	0.003 lb per ton ^{b,1}	Hourly	EUHMAPLANT	SC V.2	R 336.1224, R 336.1225
19. Ethylbenzene	0.001 lb per ton ^{b,1}	Hourly	EUHMAPLANT	SC V.2	R 336.1224, R 336.1225
20. Xylene	0.001 lb per ton ^{b,1}	Hourly	EUHMAPLANT	SC V.2	R 336.1224, R 336.1225
21. Naphthalene	0.00078 lb per ton ^{b,1}	Hourly	EUHMAPLANT	SC V.2	R 336.1224, R 336.1225
22. Formaldehyde	0.0054 lb per ton ^{b,1}	Hourly	EUHMAPLANT	SC V.2	R 336.1224, R 336.1225
23. Acrolein	0.001 lb per ton ^{b,1}	Hourly	EUHMAPLANT	SC V.2	R 336.1224, R 336.1225
24. Arsenic	2.0×10 ⁻⁶ lb per ton ^{b,1}	Hourly	EUHMAPLANT	SC V.2	R 336.1224, R 336.1225

Pollutant	Limit	Time Period / Operating Scenario	Equipment	Monitoring / Testing Method	Underlying Applicable Requirements
25. Nickel	0.000076 lb per ton ^{b,1}	Hourly	EUHMAPLANT	SC V.2	R 336.1224, R 336.1225
26. H ₂ SO ₄	0.0032 lb per ton ^{b,1}	Hourly	EUHMAPLANT	SC V.2	R 336.1224, R 336.1225
27. Manganese	3.5 × 10 ⁻⁵ lb per ton ^{b,1}	Hourly	EUHMAPLANT	SC V.2	R 336.1224, R 336.1225
28. Opacity	20%	6 minute average	Drum dryer; systems for handling, storing, and weighing hot aggregate; systems for loading, transferring, and storing mineral filler/aggregate and the loading, transfer, and storage systems associated with emission control systems	SC V.6	40 CFR 60.92, R 336.1301
^a Annual limits based on 876,322 tons HMA paving material production. ^b Pound pollutant per ton of HMA paving material produced.					

II. MATERIAL LIMIT(S)

- The permittee shall not burn any fuel other than natural gas, propane, and fuel oil #1-6 in EUHMAPLANT. Fuel oil #6 shall have no more than a 1% sulfur content, all other fuel oils are limited to 0.5%. **(R 336.1205(1)(a), R 336.1224, R 336.1225)**
- The permittee shall not use any asbestos tailings or waste materials containing asbestos in EUHMAPLANT pursuant to the National Emission Standards for Hazardous Air Pollutants, 40 CFR Part 61, Subpart M. **(R 336.1225, 40 CFR Part 61 Subparts A & M)**
- The permittee shall limit the asphalt mixture processed in EUHMAPLANT to a maximum of 50 percent RAP material based on a weekly average. **(R 336.1224, R 336.1225, R 336.1702)**
- The permittee shall not process more than 876,322 tons of HMA paving materials in EUHMAPLANT per 12-month rolling time period as determined at the end of each calendar month. **(R 336.1205(1)(a), R 336.1205(3))**
- The permittee shall not process more than 550 tons of HMA paving materials in EUHMAPLANT per hour as determined at the end of each hour. **(R 336.1224, R 336.1225, R 336.1702, 40 CFR 52.21(c) & (d),)**
- The permittee shall not process more than 12,000 tons of HMA paving materials per day in EUHMAPLANT as determined at the end of each calendar day. **(R 336.1224, R 336.1225, R 336.1702, 40 CFR 52.21(c) & (d))**

III. PROCESS/OPERATIONAL RESTRICTION(S)

1. The permittee shall not operate EUHMAPLANT unless the Fugitive Dust Control Plan for EUYARD specified in Appendix A, or alternative as approved by the district supervisor, has been implemented and is maintained. **(R 336.1371, R 336.1372, Act 451 324.5524)**
2. The permittee shall not operate EUHMAPLANT unless the Preventative Maintenance Program specified in Appendix B, or alternative as approved by the district supervisor, has been implemented and is maintained. **(R 336.1910, R 336.1911)**
3. The permittee shall not operate EUHMAPLANT unless the Emission Abatement Plan for Startup, Shutdown and Malfunctions specified in Appendix C, or alternative as approved by the district supervisor, has been implemented and is maintained. **(R 336.1911, R 336.1912)**
4. The permittee shall maintain the efficiency of the EUHMAPLANT drum mix burners, to control CO emissions, by fine tuning the burners for proper burner operation and performance. The permittee shall fine tune the burners at the startup of the drum mix fuel burners; upon each paving season; after every 500 hours of operation thereafter or upon a malfunction of EUHMAPLANT as shown by the CO emission monitoring data, whichever occurs first. **(R 336.1205, R 336.1224, R 336.1225, R 336.170240, 40 CFR 52.21(c) & (d))**
5. The permittee shall install and operate the asphalt plant as reviewed in the permit application for PTI 90-21 except as allowed under Rules 201 and Rule 278(1)(b). **(R 336.1201(1), R 336.1205, R 336.1224, R 336.1225, 40 CFR 52.21(c) & (d))**

IV. DESIGN/EQUIPMENT PARAMETER(S)

1. The permittee shall install, maintain, and operate the fabric filter dust collector, associated parameter monitoring, recording system, and associated alarm systems for EUHMAPLANT in a satisfactory manner. The baghouse shall be equipped with a bag leak detection system and alarm. The bag leak alarm system that will be calibrated and fully operational within 180 days of startup. Except as allowed in Appendix C, satisfactory operation of the fabric filter dust collector requires a pressure drop range between 2 and 10 inches of water column during operation. The minimum pressure drop shall not be less than 2 inches water gauge during operation, unless a reason acceptable to the AQD has been provided, such as when a large number of filter bags have been replaced. **(R 336.1910, 40 CFR 52.21(c) & (d))**

V. TESTING/SAMPLING

Records shall be maintained on file for a period of five years. **(R 336.1201(3))**

1. The verification and quantification of odor emissions from EUHMAPLANT, by testing at owner's expense, in accordance with Department requirements may be required for continued operation. Within 60 days upon notification from the AQD District Supervisor, the permittee shall submit to the AQD Technical Programs Unit and District Office, a complete stack sampling and odor threshold analysis plan using the Dynamic Dilution Method. The stack sampling plan shall include provisions for various fuel usages, plant operating conditions, and odor neutralizer system operation (if any). The AQD must approve the final plan prior to testing. The permittee must submit a complete report of the test results to the AQD Technical Programs Unit and District Office within 120 days from notification from the AQD District Supervisor. **(R 336.1901, R 336.2001, R 336.2003, R 336.2004)**
2. Within 180 days after a request by the Department, the permittee shall verify emission rates for any requested pollutants from EUHMAPLANT by testing at the owner's expense, in accordance with Department requirements. Testing shall be performed using an approved EPA Method listed in the table below.

Pollutant	Test Method Reference
PM	40 CFR Part 60, Appendix A; Part 10 of the Michigan Air Pollution Control Rules
PM10 / PM2.5	40 CFR Part 51, Appendix M
NO _x	40 CFR Part 60, Appendix A
SO ₂	40 CFR Part 60, Appendix A
CO	40 CFR Part 60, Appendix A
VOCs	40 CFR Part 60, Appendix A
Metals	40 CFR Part 60, Appendix A; 40 CFR Part 61, Appendix B; 40 CFR Part 63, Appendix A
Sulfuric Acid Mist	40 CFR Part 60, Appendix A
HAPs	40 CFR Part 63, Appendix A

An alternate method, or a modification to the approved EPA Method, may be specified in an AQD approved Test Protocol and must meet the requirements of the federal Clean Air Act, all applicable state and federal rules and regulations, and be within the authority of the AQD to make the change. No less than 30 days prior to testing, the permittee shall submit a complete test plan to the AQD Technical Programs Unit and District Office. The AQD must approve the final plan prior to testing, including any modifications to the method in the test protocol that are proposed after initial submittal. The permittee must submit a complete report of the test results to the AQD Technical Programs Unit and District Office within 60 days following the last date of the test. **(R 336.1225, R 336.2001, R 336.2003, R 336.2004)**

3. Within 60 days after achieving the maximum production rate, but not later than 180 days after commencement of trial operation, the permittee shall verify PM10, PM2.5, NO_x, CO, SO₂, VOC, arsenic, benzene and formaldehyde and Lead from EUHMAPLANT by testing at the owner's expense, in accordance with Department requirements. Testing for each pollutant shall be performed once every 12-month period until three consecutive tests demonstrate compliance with its applicable emission limit. The testing shall be performed using an approved EPA Method listed in the table below.

Pollutant	Test Method Reference
PM10 / PM2.5	40 CFR Part 51, Appendix M
NO _x	40 CFR Part 60, Appendix A
SO ₂	40 CFR Part 60, Appendix A
CO	40 CFR Part 60, Appendix A
VOCs	40 CFR Part 60, Appendix A
Metals	40 CFR Part 60, Appendix A; 40 CFR Part 61, Appendix B; 40 CFR Part 63, Appendix A
HAPs	40 CFR Part 63, Appendix A

An alternate method, or a modification to the approved EPA Method, may be specified in an AQD approved Test Protocol and must meet the requirements of the federal Clean Air Act, all applicable state and federal rules and regulations, and be within the authority of the AQD to make the change. No less than 30 days prior to testing, the permittee shall submit a complete test plan to the AQD Technical Programs Unit and District Office. The AQD must approve the final plan prior to testing, including any modifications to the method in the test protocol that are proposed after initial submittal. The permittee must submit a complete report of the test results to the AQD Technical Programs Unit and District Office within 60 days following the last date of the test. **(R 336.1205(1)(a), R 336.1205(3), R 336.2001, R 336.2003, R 336.2004, 40 CFR 52.21(c) & (d))**

4. Within 60 days upon the initial burning of fuel oil in EUHMAPLANT, the permittee shall verify PM10, PM2.5, NO_x, VOC, SO₂, arsenic, benzene and formaldehyde and lead from EUHMAPLANT by testing at the owner's expense, in accordance with Department requirements. Testing shall be performed using an approved EPA Method listed in the table below.

Pollutant	Test Method Reference
PM	40 CFR Part 60, Appendix A; Part 10 of the Michigan Air Pollution Control Rules
PM10 / PM2.5	40 CFR Part 51, Appendix M
NO _x	40 CFR Part 60, Appendix A
SO ₂	40 CFR Part 60, Appendix A
VOCs	40 CFR Part 60, Appendix A
Metals	40 CFR Part 60, Appendix A; 40 CFR Part 61, Appendix B; 40 CFR Part 63, Appendix A
HAPs	40 CFR Part 63, Appendix A

An alternate method, or a modification to the approved EPA Method, may be specified in an AQD approved Test Protocol and must meet the requirements of the federal Clean Air Act, all applicable state and federal rules and regulations, and be within the authority of the AQD to make the change. No less than 30 days prior to testing, the permittee shall submit a complete test plan to the AQD Technical Programs Unit and District Office. The AQD must approve the final plan prior to testing, including any modifications to the method in the test protocol that are proposed after initial submittal. The permittee must submit a complete report of the test results to the AQD Technical Programs Unit and District Office within 60 days following the last date of the test. **(R 336.1205(1)(a), R 336.1205(3), R 336.2001, R 336.2003, R 336.2004, 40 CFR 52.21(c) & (d))**

5. Within 60 days after achieving the maximum production rate, but not later than 180 days after commencement of trial operation, the permittee shall verify particulate emission (PM) rates from EUHMAPLANT, as required by federal Standards of Performance for New Stationary Sources, by testing at owner's expense, in accordance with 40 CFR Part 60 Subparts A and I. The permittee shall notify the AQD District Supervisor in writing within 15 days of the date of commencement of trial operation in accordance with 40 CFR 60.7(a)(3). Stack testing procedures and the location of stack testing ports shall be in accordance with the applicable federal Reference Methods, 40 CFR Part 60 Appendix A. No less than 30 days prior to testing, the permittee shall submit a complete test plan to the AQD Technical Programs Unit and District Office. The AQD must approve the final plan prior to testing. The permittee must submit a complete report of the test results to the AQD Technical Programs Unit and District Office within 60 days following the last date of the test. **(40 CFR Part 60 Subparts A & I)**

6. The permittee shall perform a visible emission observation for the drum dryer; systems for screening, handling, storing, and weighing hot aggregate; systems for loading, transferring, and storing (including piles) mineral filler/aggregate; and the loading, transfer, and storage systems associated with emission control systems once every 3 hours of operation and at least once a day when EUHMAPLANT is operating during daylight hours, using a method acceptable to the AQD. If the permittee observes visible emissions, the permittee shall do one of the following:
 - a) Perform a Method 9 for visible emissions. If after performing the Method 9 visible emissions reading, the permittee determines that visible emissions from the observation points exceed 20% opacity, the permittee shall immediately initiate an investigation to determine the cause of the visible emissions and initiate prompt corrective action; or
 - b) Determine the cause of the visible emissions and initiate prompt corrective action.

A minimum of one Method 9 observation is required per day, during daylight hours. Records will include the time of each visible emissions observation and Method 9 reading, the reason if an observation or reading is not taken, if visible emissions were observed, identification of the cause, the corrective action taken, and the time of completion of corrective action. **(40 CFR 60.92, R 336.2001, R 336.2003, R 336.2004)**

VI. MONITORING/RECORDKEEPING

Records shall be maintained on file for a period of five years. **(R 336.1201(3))**

1. The permittee shall complete all required calculations in a format acceptable to the AQD District Supervisor by the 15th day of the calendar month, for the previous calendar month, unless otherwise specified in any monitoring/recordkeeping special condition. **(R 336.1205(1)(a))**

2. The permittee shall monitor and record, in a satisfactory manner, the virgin aggregate feed rate and the RAP feed rate to EUHMAPLANT on a continuous basis during operation. **(R 336.1224, R 336.1225, R 336.1702)**

3. The permittee shall monitor, with a handheld CO monitor, the CO emissions from EUHMAPLANT and the production data associated with the time the emissions data were collected. The CO emissions should be less than 500 ppmv to ensure EUHMAPLANT is operating properly. One data set shall be recorded for each of the following occurrences:
 - a) Upon start-up of each paving season.
 - b) Upon a malfunction of the drum dryer or its associated burner.
 - c) After every 500 hours of operation.

A data set shall consist of at least eight separate CO readings and shall be taken over a total time period of 30 minutes or longer. The permittee shall submit any request for an alternate monitoring schedule in writing to the AQD District Supervisor for review and approval. Data collected by this method shall be used for determining proper burner operation. **(R 336.1205(1)(a), R 336.1205(3), R 336.1224, R 336.1225, R 336.1702)**

4. The permittee shall monitor emissions and operating information in accordance with the federal Standards of Performance for New Stationary Sources as specified in 40 CFR Part 60 Subparts A and I for EUHMAPLANT. The permittee shall keep records of all source emissions data and operating information on file at the facility and make them available to the Department upon request. **(40 CFR Part 60 Subparts A & I)**
5. The permittee shall conduct all necessary maintenance and make all necessary attempts to keep all drum mixer/burner and fabric filter dust collector components of EUHMAPLANT maintained and operating in a satisfactory manner. The owner or operator shall maintain a log of all significant maintenance activities conducted and all significant repairs made to EUHMAPLANT. Maintenance records for the fabric filter dust collector shall be consistent with the Preventative Maintenance Program specified in Appendix B. The permittee shall keep all records on file and make them available to the Department upon request. **(R 336.1910, R 336.1911, 40 CFR 52.21(c) & (d))**
6. The permittee shall keep the following records for each calendar month that EUHMAPLANT is operated:
 - a) Identification, type and the amounts (in gallons) of all fuel oils combusted and first date of use.
 - b) Sulfur content (percent by weight), specific gravity, flash point, and higher heating value (BTU/lb) of all fuel oils being combusted.
 - c) Tons of hot mix asphalt containing RAP produced

The permittee shall keep all records on file and make them available to the Department upon request. **(R 336.1205(1)(a), R 336.1205(3), R 336.1224, R 336.1225, R 336.1402, R 336.1702)**

7. The permittee shall keep daily records of the following production information for EUHMAPLANT, updated upon the start of each new blend:
 - a) The virgin aggregate feed rate.
 - b) The RAP feed rate.
 - c) The asphalt paving material product temperature.
 - d) Information sufficient to identify all ingredients of the asphalt paving material mixture.

Upon start-up, the permittee shall record the initial mix design and time. When a new mix design is activated after start-up, the permittee shall record the time and new mix design. The permittee shall keep all records on file until the end of the paving season in which they were recorded and make them available to the Department upon request. **(R 336.1205(1)(a), R 336.1205(3), R 336.1224, R 336.1225, R 336.1702)**

8. The permittee shall keep in a satisfactory manner, monthly and 12-month rolling time period emission calculation records of all criteria pollutants listed in the Emission Limit Table for EUHMAPLANT using the calculation methods in Appendix D or an alternate method acceptable to the AQD District Supervisor. If stack test results for EUHMAPLANT exist for any of the pollutants, the permittee may use those stack test results to estimate pollutant emissions subject to the approval of the AQD. In the event that stack test results do not exist for a specific pollutant, the permittee shall use the applicable emission factor listed in the Emission Limit Table to estimate the emissions of a pollutant from EUHMAPLANT. The permittee shall keep all records on

file and make them available to the Department upon request. **(R 336.1205(1)(a), R 336.1205(3), R 336.1225, R 336.1702)**

9. The permittee shall keep records, as described in SC VI.3, of all CO emissions and related production data including the dates and times emissions were monitored. This data shall be used to ensure proper operation of the drum dryer or associated burner. The permittee shall keep all records on file and make them available to the Department upon request. **(R 336.1205(1)(a), R 336.1205(3), R 336.1224, R 336.1225, R 336.1702)**
10. The permittee shall keep, in a satisfactory manner, hourly, daily, monthly and 12-month rolling time period records of the amount of HMA paving materials produced from EUHMAPLANT. The permittee shall keep all records on file and make them available to the Department upon request. **(R 336.1205(1)(a), R 336.1205(3))**
11. The permittee shall keep, in a satisfactory manner, daily, monthly and 12-month rolling time period records of the hours of operation of EUHMAPLANT. The permittee shall keep all records on file and make them available to the Department upon request. **(R 336.1205(1)(a), R 336.1205(3))**
12. The permittee shall monitor and record, in a satisfactory manner, the pressure drop for the fabric filter controlling EUHMAPLANT emissions on a continuous basis during operation. **(R 336.1224, R 336.1225, R 336.1910)**
13. The permittee shall record all instances of alarms for the high temperature and bag leak detection system, once the system is calibrated, for the EUHMAPLANT fabric filter system including the reason the alarm was activated and the actions taken. **(R 336.1224, R 336.1225, R 336.1910)**
14. The permittee shall keep weekly records of the RAP feed rate, including the average percent of RAP per ton of hot mix asphalt produced containing RAP. **(R 336.1224, R 336.1225, R 336.1702)**

VII. REPORTING

1. Within 30 days after completion of the installation, construction, reconstruction, relocation, or modification authorized by this Permit to Install, the permittee or the authorized agent pursuant to Rule 204, shall notify the AQD District Supervisor, in writing, of the completion of the activity. Completion of the installation, construction, reconstruction, relocation, or modification is considered to occur not later than commencement of trial operation of EUHMAPLANT. **(R 336.1201(7)(a))**

VIII. STACK/VENT RESTRICTION(S)

The exhaust gases from the stacks listed in the table below shall be discharged unobstructed vertically upwards to the ambient air unless otherwise noted:

Stack & Vent ID	Maximum Exhaust Diameter / Dimensions (inches)	Minimum Height Above Ground (feet)	Underlying Applicable Requirements
1. SVHMADRUM	68	80	R 336.1225, 40 CFR 52.21(c) & (d)

2. The permittee shall locate SVHMADRUM at least 255 feet from the closest property line. **(R 336.1225, 40 CFR 52.21(c) & (d))**

IX. OTHER REQUIREMENT(S)

1. The permittee shall install and maintain berms, fences, windbreaks, and/or trespassing warning signage as appropriate to secure the property boundary. Within 30 days of the first operation of EUHMAPLANT, the permittee shall submit to the AQD Supervisor confirmation of installation and a diagram of the location of each method being used. **(R 336.1225, 40 CFR 52.21(c) & (d))**

Footnotes:

¹ This condition is state only enforceable and was established pursuant to Rule 201(1)(b).

EUYARD EMISSION UNIT CONDITIONS

DESCRIPTION

Fugitive dust sources including: plant roadways, plant yard, material storage piles, material handling operations (excluding cold feed aggregate bins).

Flexible Group ID: NA

POLLUTION CONTROL EQUIPMENT

Controls as specified in the Fugitive Dust Control Plan in Appendix A

I. EMISSION LIMIT(S)

1. During the operating season, the permittee shall control the emissions from all roads and unpaved travel surfaces by the application of water, sweeping, vacuuming, or other acceptable dust control method on a frequency sufficient to meet the visible emission opacity standard of five (5) percent opacity on a continuous basis. **(40 CFR 52.21(c) & (d), Section 5524 of Article II, Chapter 1, Part 55, Air Pollution Control, of the Natural Resources and Environmental Protection Act, 1994 PA 451)**
2. The permittee shall not allow any visible emissions from any aggregate storage pile in EUYARD unless the visible emissions are the direct result of activity on the applicable pile or wind speeds of at least 12 miles per hour. The visible emissions when there is activity on the pile or the wind speeds are at least 12 miles per hour shall not exceed 20% opacity as specified in GC11 and EUHMAPLANT SC I.28 . **(40 CFR 52.21(c) & (d))**

II. MATERIAL LIMIT(S)

NA

III. PROCESS/OPERATIONAL RESTRICTION(S)

1. The permittee shall not operate EUYARD unless the fugitive dust control plan specified in Appendix A has been implemented and is maintained. The permittee shall submit modifications to this fugitive dust control plan if it does not adequately control the emissions upon request of the District Supervisor. Any changes made to the fugitive dust plan must be pre-approved in writing from the district prior to implementation. **(R 336.1371, R 336.1372, Act 451 324.5524, 40 CFR 52.21(c) & (d))**

IV. DESIGN/EQUIPMENT PARAMETER(S)

1. The permittee shall install, maintain, and operate a wind speed monitor and continuous recording system in a satisfactory manner. Satisfactory operation includes operating the wind speed monitor and recording system at all times except for the period between paving seasons when the plant is inactive. **(40 CFR 52.21(c) & (d))**

V. TESTING/SAMPLING

NA

VI. MONITORING/RECORDKEEPING

Records shall be maintained on file for a period of five years. **(R 336.1201(3))**

1. The permittee shall complete all required calculations in a format acceptable to the AQD District Supervisor by the 15th day of the calendar month, for the previous calendar month, unless otherwise specified in any monitoring/recordkeeping special condition. **(R 336.1371, R 336.1372)**
2. The permittee shall calculate, in a satisfactory manner, the annual fugitive dust emissions for EUYARD for each reporting year, using emission factors approved by the Department such as those used in MAERS or an approved PTI application using the calculation methods specified in Appendix D or an alternate method approved by the AQD District Supervisor. **(R 336.1371, R 336.1372)**
3. The permittee shall maintain a record of all activities required by the fugitive dust plan in Appendix A. **(R 336.1371, R 336.1372)**
4. The permittee shall maintain a record of the recorded wind speeds in a format acceptable to the AQD District Supervisor and make them available upon request. **(40 CFR 52.21(c) & (d))**
5. The permittee shall make available upon request by the Department the silt content for each aggregate stored onsite based on the percent by weight passing the #200 sieve. **(40 CFR 52.21(c) & (d))**

VII. REPORTING

1. The permittee shall report the actual emission levels for EUYARD to the AQD through the annual emission reporting required under Section 5503(k) of Article II, Chapter 1, Part 55, Air Pollution Control, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (Act 451). **(R 336.1371, R 336.1372)**

VIII. STACK/VENT RESTRICTION(S)

NA

IX. OTHER REQUIREMENT(S)

NA

Footnotes:

¹ This condition is state only enforceable and was established pursuant to Rule 201(1)(b).

EUACTANKS EMISSION UNIT CONDITIONS

DESCRIPTION

Six 30,000 gallon liquid asphalt cement storage tanks with a total heat capacity of 2 MMBtu/hr

Flexible Group ID: NA

POLLUTION CONTROL EQUIPMENT

Vapor condensation and recovery system

I. EMISSION LIMIT(S)

NA

II. MATERIAL LIMIT(S)

NA

III. PROCESS/OPERATIONAL RESTRICTION(S)

1. The permittee shall not operate EUACTANKS unless the vapor condensation and recovery system is installed, maintained, and operated consistent with manufacturers recommendations. **(R 336.1224, R 336.1702, R 336.1910)**

IV. DESIGN/EQUIPMENT PARAMETER(S)

NA

V. TESTING/SAMPLING

Records shall be maintained on file for a period of five years. **(R 336.1201(3))**

NA

VI. MONITORING/RECORDKEEPING

Records shall be maintained on file for a period of five years. **(R 336.1201(3))**

1. The permittee shall maintain records for maintenance activities on EUACTANKS consistent with the manufacturers recommendations to determine that the vapor condensation and recovery system is operating properly. All records shall be kept on file and made available to the Department upon request. **(R 336.1224, R 336.1702, R 336.1910)**

VIII. STACK/VENT RESTRICTION(S)

NA

IX. OTHER REQUIREMENT(S)

NA

Footnotes:

¹ This condition is state only enforceable and was established pursuant to Rule 201(1)(b).

EUSILOS EMISSION UNIT CONDITIONS

DESCRIPTION

Eight 300 ton capacity hot mix asphalt (HMA) paving material product storage silo.

Flexible Group ID: NA

POLLUTION CONTROL EQUIPMENT

Top of silo emission controls and loadout controls

I. EMISSION LIMIT(S)

NA

II. MATERIAL LIMIT(S)

NA

III. PROCESS/OPERATIONAL RESTRICTION(S)

1. The permittee shall not operate EUSILOS unless the emission capture system for the top of each storage silo is installed, maintained, and operated in a satisfactory manner. The permittee shall vent emissions collected from the top of the silos into a filtering system or shall control the emissions by equivalent means. **(R 336.1224, R 336.1702, R 336.1910)**
2. The permittee shall not operate EUSILOS unless emissions from the load-out area are properly captured and controlled. Unless otherwise specified by the District Supervisor, proper capture includes enclosing the truck load-out area with sides that extend to five feet above the top of the road grade at the entrance to the scale and, if appropriate, include wind blocking for entrance and exit points. If the load-out area inadequately captures and controls load-out emissions, the permittee shall modify the system or operation as requested by the District Supervisor. The permittee shall vent emissions collected from the truck load-out area into a filtering system or shall control the emissions by equivalent means. Any plans considered by the permittee as equivalent means shall be pre-approved in writing by the District Supervisor. The permittee shall not operate EUSILOS unless the silo load-out control system is installed, maintained and operated in a satisfactory manner **(R 336.1224, R 336.1702, R 336.1901, R 336.1910)**
3. The permittee shall conduct all necessary maintenance and make all necessary attempts to keep all load-out components of EUSILOS maintained and operating in a satisfactory manner. The owner or operator shall maintain a log of all significant maintenance activities conducted and all significant repairs made to EUSILOS. Maintenance records for the load-out control shall be consistent with the Preventative Maintenance Program specified in Appendix B. The permittee shall keep all records on file and make them available to the Department upon request. **(R 336.1224, R 336.1702, R 336.1901, R 336.1910, R 336.1911)**

IV. DESIGN/EQUIPMENT PARAMETER(S)

NA

V. TESTING/SAMPLING

Records shall be maintained on file for a period of five years. **(R 336.1201(3))**

NA

VI. MONITORING/RECORDKEEPING

Records shall be maintained on file for a period of five years. **(R 336.1201(3))**

NA

VIII. STACK/VENT RESTRICTION(S)

NA

IX. OTHER REQUIREMENT(S)

NA

Footnotes:

¹ This condition is state only enforceable and was established pursuant to Rule 201(1)(b).

FGFACILITY CONDITIONS

DESCRIPTION: The following conditions apply source-wide to all process equipment including equipment covered by other permits, grand-fathered equipment and exempt equipment.

POLLUTION CONTROL EQUIPMENT

Watering and cleaning of roads to control of fugitive emissions, top of silo control, loadout controls, and vapor condensation and recovery system on asphalt tanks, and fabric filter dust collector on drum exhaust.

I. EMISSION LIMIT(S)

Pollutant	Limit	Time Period / Operating Scenario	Equipment	Monitoring / Testing Method	Underlying Applicable Requirements
1. CO	89.5 tpy*	12-month rolling time period as determined at the end of each calendar month	FGFACILITY	SC VI.2	R 336.1205(3)
2. SO ₂	70.2 tpy*	12-month rolling time period as determined at the end of each calendar month	FGFACILITY	SC VI.2	R 336.1205(3)
3. Each Individual HAP	Less than 8.9 tpy*	12-month rolling time period as determined at the end of each calendar month	FGFACILITY	SC VI.2	R 336.1205(3)
4. Aggregate HAPs	Less than 22.5 tpy*	12-month rolling time period as determined at the end of each calendar month	FGFACILITY	SC VI.2	R 336.1205(3)

* Potential emissions are limited by the annual throughput restriction of 876,322 tons of HMA paving materials in EUHMAPLANT and the heat rate capacities of other equipment at time of issuance

II. MATERIAL LIMIT(S)

NA

III. PROCESS/OPERATIONAL RESTRICTION(S)

NA

IV. DESIGN/EQUIPMENT PARAMETER(S)

NA

V. TESTING/SAMPLING

Records shall be maintained on file for a period of five years. (R 336.1201(3))

NA

VI. MONITORING/RECORDKEEPING

Records shall be maintained on file for a period of five years. **(R 336.1201(3))**

1. The permittee shall complete all required calculations in a format acceptable to the AQD District Supervisor by the 15th day of the calendar month, for the previous calendar month, unless otherwise specified in any monitoring/recordkeeping special condition. **(R 336.1205(3))**
2. The permittee shall keep, in a satisfactory manner, monthly and 12-month rolling time period CO, SO₂, each individual HAP, and aggregate total HAPs emission calculation records using methods specified in Appendix D or an alternate method approved by the AQD District Supervisor for FGFACILITY, as required by SC I.1, SC I.2, SC I.3, and SC I.4. The permittee shall keep all records on file at the facility and make them available to the Department upon request. **(R 336.1205(3))**

VII. REPORTING

NA

VIII. STACK/VENT RESTRICTION(S)

NA

IX. OTHER REQUIREMENT(S)

NA

Footnotes:

¹ This condition is state only enforceable and was established pursuant to Rule 201(1)(b).

APPENDIX A FUGITIVE DUST CONTROL PLAN

PURPOSE: This plan provides dust control strategies for the areas adjacent to and associated with the equipment operations involved in the manufacture of Hot Mix Asphalt (HMA) paving materials.

1. SITE MAINTENANCE

- a) Dust on all areas where vehicular traffic will travel shall be controlled by the application of water, sweeping, vacuuming, or other acceptable dust control method. This will occur a minimum of two times per month if using calcium chloride or weekly if using water during periods of operation. Watering may not be required during periods with precipitation. The dust control method shall be acceptable as determined by the District Supervisor. If fugitive emissions are observed from haul roads or track-out occurs, abatement actions such as sweeping/watering shall increase in frequency until no further fugitive emissions or track-out occurs.
- b) The speed of vehicles on the site will be limited to 10 miles per hour or less. Signs will be posted to advise drivers entering the facility of the speed limitation.
- c) The drop heights of all material transfer points and screening operations shall be minimized
- d) The permittee shall visibly monitor all potential areas of fugitive emissions including material transfer points, storage piles, loadout, and facility entrance.

2. MANAGEMENT OF ON-SITE ROADWAYS

- a) All the roadways on which the HMA haul vehicles and aggregate haul trucks will travel must be paved with HMA. This includes the roadway on which the vehicles travel around the process equipment to be loaded with HMA paving materials but excludes the aggregate storage yard.
- b) Any aggregate spillage on roads shall be removed immediately.
- c) The roadway shall have rumble strips installed where vehicles exit the plant site.

3. ON-SITE MANAGEMENT OF HAUL VEHICLES

- a) **INCOMING TRUCKS:** All trucks entering the site to deliver aggregates will be required to have the loads covered.
- b) **OUT-GOING TRUCKS:** All trucks leaving the site with HMA paving materials will be required to cover their loads prior to leaving the site. A sign shall be posted to advise drivers of this requirement.

4. MANAGEMENT OF FRONT-END LOADER OPERATIONS

The front-end loader operator shall be directed to avoid overfilling the bucket of the loader and the feed hoppers to prevent spillage, and to minimize the drop height of the material when loading the feed hoppers or transferring material to stockpiles.

5. RECORDKEEPING

Records of dust control activities on travel surfaces and other surfaces where fugitive dust emissions occur shall be kept on file and made available to EGLE staff upon request until the end of the paving season. The records will indicate the date, time, what was observed or the reason for the dust control activity (routine or other), and what action was taken. The record shall be maintained in the Operations Log Book.

6. FUGITIVE EMISSIONS FROM PROCESS EQUIPMENT AND FABRIC FILTER DUST COLLECTOR

Any fugitive emissions from leak(s) and malfunction(s) from any transfer system, storage bin, mixer, hopper, or fabric filter dust collector shall be immediately corrected to prevent further fugitive emissions.

7. FUGITIVE EMISSIONS FROM MINERAL AGGREGATE STOCKPILES

- a) Stock piling will be performed in a manner that minimizes freefall drop distance. The height of the front-end loader bucket shall be minimized to reduce the material drop height.
- b) Piles will be maintained to prevent fugitive dust in compliance with EUYARD SC I.1.

APPENDIX B PREVENTATIVE MAINTENANCE PROGRAM FOR THE FABRIC FILTER DUST COLLECTOR

The Preventative Maintenance Program for the Fabric Filter Dust Collector is for the purpose of keeping the dust collector in good operating condition, and thereby, maintaining the rated capture efficiency of the dust collector for the control of particulate matter. ALL REFERENCES TO VISIBLE EMISSIONS IN THIS DOCUMENT, PARTICULARLY IN SEC. 5, REFER SPECIFICALLY TO VISIBLE EMISSIONS CAUSED BY A DUST (PARTICULATE) EMISSION.

1. FABRIC FILTER DUST COLLECTOR OPERATING PRESSURE DROP.

- a) The pressure drop across the fabric filter dust collector shall be continuously measured and the minimum pressure drop shall not be less than 2 inches, water gauge, unless a reason acceptable to the AQD has been provided, such as when a large number of filter bags have been replaced.
- b) The pressure drop across the fabric filter dust collector shall be recorded continuously during operation and kept available on-site.

2. FABRIC FILTER DUST COLLECTOR / PLANT ALARM SYSTEM.

The fabric filter dust collector shall be equipped with a high temperature sensor and alarm system and pressure detection sensor and alarm system. The baghouse shall also be equipped with a bag leak detection system and alarm that directly monitors changes in particulate emissions. The high temperature alarm system shall be designed to set off an alarm when the high temperature set-point has been violated, and, to begin a sequential shut-down of the plant if the situation is not resolved within a very short period of time after the alarm sounds. The pressure detection sensor shall be designed to set off an alarm when the pressure drop across the baghouse drops below 2 inches or raises above 10 inches. A log of all alarm instances shall be maintained including the reason the alarm was activated and the actions taken.

3. HANDLING AND STORAGE OF FABRIC FILTER DUST.

Accumulated fabric filter dust (particulate) shall be stored and/or be disposed of in a manner which minimizes the introduction of the air contaminants to the outer air.

4. PIPING AND SEALS MAINTENANCE.

Piping and seals shall be replaced as needed.

5. VISIBLE EMISSIONS AND ACTIONS TO BE TAKEN IN THE EVENT OF.

In the event visible emissions, which appear to exceed the standard allowed in General Condition No. 11 of this Permit to Install, are observed at the discharge point of the stack, the following actions shall be taken:

If no certified visible emissions reader can be on-site within 60 minutes of observing the visible emissions in excess of General Conditions No. 11 to verify the emission density, operations shall be ceased immediately and the cause of the visible emissions determined and corrected prior to operating the plant again.

REMINDER: If the visible emissions continue for more than 2 hours, in excess of an emission standard, per Rule 912 an excess emissions report must be made to EGLE.

6. BLACK LIGHT INSPECTIONS.

A black light test shall be conducted at least once per year - within one week of the beginning of operation for each paving season. Black light inspection equipment and materials shall be available for use at the facility and used as needed during the paving season.

7. INVENTORY OF FILTER BAGS.

An inventory of fabric filter bags shall be maintained by the facility owner or operator so that filter bags will be available to this site within four hours of requesting the filter bags. In addition, a minimum of 15 filter bags shall be kept on-site at all times. An inventory of other replacement parts for the fabric filter dust collector shall be maintained at all times.

8. FABRIC FILTER DUST COLLECTOR INSPECTION RECORD.

A written record in a bound notebook or digital format of the following shall be maintained by the owner or operator of the facility:

- Visual inspections of the interior components of the fabric filter dust collector, including date, time, and findings;
- Black light inspections, including date, time, and findings;
- Number of filter bags installed as a result of each inspection to replace filter bags already in use in the fabric filter dust collector, including date, time, location, and whether the replacement filter bag was brand new or a cleaned, previously used filter bag;
- An explanation (i.e., a description of the damage found) for each filter bag removed from the fabric filter dust collector and confirmation that another filter bag was installed to replace it;
- Each observation of visible emissions at the stack discharge point and description of response to the observed visible emission, including date and time of visible emission occurrence and results of EPA Method 9 observation, if any. Any such visible emission shall be recorded in the Daily Operations Log Book and made available upon request to the AQD.
- All significant maintenance activities performed on the fabric filter dust collector.

APPENDIX C

EMISSION ABATEMENT PLAN FOR STARTUP, SHUTDOWN AND MALFUNCTIONS

NORMAL STARTUP PROCEDURE

The plant computer controls plant startup. At startup the plant operator will enter the mix design, the tons per hour and the number of tons to be produced into the plant operations computer. Once the operator starts the equipment the computer will start the cold feed bins and set the feed rate (tons per hour) requested. The feed rate will be different for each mix design and production rate.

When the plant computer senses that aggregate is crossing over the belt scale, a timer that has been previously calibrated for the particular mix, starts to count down. When the timer reaches zero the asphalt is started and fed to the mixer. The two products (aggregate and asphalt cement) meeting together at the correct time will eliminate most dust that would escape from the mixing drum.

Material that is discharged at startup is removed by way of the drag slat and discharge gate. This material is dropped into a loader bucket, dump truck or a holding area. The material is then moved to the recycle pile. The drop height from the discharge gate is kept to the very minimum to keep any escaping dust from blowing.

NORMAL SHUTDOWN PROCEDURE

When shutting down the mixing operation, the plant computer stops the cold feed bins first. Material that is in process is allowed to proceed down the weigh belt. When the weigh belt senses that all material has cleared the belt a timer starts counting down to shut off the asphalt cement. This timer allows all of the aggregate to clear the drying drum and enter the mixer. The asphalt cement is timed for each mix design so that the last of the aggregate and the asphalt cement meet at the mixing drum together.

Any mix that is waste is discharged into the loader bucket, dump truck or into a holding area under the drag slat discharge gate and is taken to the RAP pile for later crushing

HOT STOPS - HOT STARTS

If the silos become too full, the plant operator may have to make a hot stop, (dryer and mixer full of material). No material is discharged during a hot stop. The plant can remain in this mode for up to two hours.

After a hot stop, the plant will make a hot start. The exhaust fan and burner will be started and once running, the rest of the plant will be started. Cold or off-spec material is discharged through the drag slat discharge gate and placed in the RAP pile for later use.

MALFUNCTION STOPS

If a malfunction (computer or mechanical) occurs during drying/mixing operations, a hot stop will be initiated until the problem is corrected. If the problem cannot be corrected and the dryer/mixer must be emptied, the asphalt cement can be controlled manually. This will be done only after all attempts to correct the problem are exhausted. If the asphalt pump fails and cannot be repaired, the drum will be emptied of mixed material until the discharged aggregate gets dusty. The drum will then be stopped and the asphalt pump repaired.

A water supply at each location can be used to knock down any blowing dust.

IDENTIFICATION OF SUPERVISORY AND MAINTENANCE PERSONNEL

An updated list of current supervisory and maintenance personnel shall be kept at the plant. Descriptions of the responsibilities of these individuals for operation of the plant during startups, shutdowns, or malfunctions, as well as inspections and repairs, shall be stated on the updated list.

Appendix C – Continued

DESCRIPTION OF INSPECTED ITEMS

A daily walk around inspection will be done each morning while the plant is warming up. After startup, observations will be carried out continuously throughout the day by the plant operator and the loader operator during operations. The following items shall be inspected/observed:

- Roadways (fugitive dust)
- Cold feed bins (falling aggregate)
- Aggregate feed belts (falling aggregate)
- Dryer (seals for dust escaping)
- Bucket elevator (seals for dust escaping)
- Aggregate chutes (seals for dust escaping)
- Screen (door seals for dust escaping)
- Weigh hopper (seals for dust escaping)
- Mixer (seals for dust escaping)
- Baghouse stack (opacity)
- Baghouse screws (shaft and door seals for dust escaping)
- Chutes, screw augers, and housings (for any leaks)

A more thorough inspection will be done during the winter shutdown (between December 1 and April 1) for maintenance and repairs. The following items will be inspected and repairs made as needed:

- Cold feed bins (seals and belts rollers)
- Belt lines (belts and rollers)
- Dryer (shell, seals, flights)
- Bucket elevator (chain, buckets, bearings, seals)
- Chutes (liners, seals)
- Screen (door seals, fugitive ductwork)
- Weigh hopper (seals, calibration)
- Mixer (seals, wear plate)

The baghouse will get a thorough inspection from the front inlet to the rear exhaust fan. This inspection will be done every spring before the paving season starts. (Additional visual inspections may be required before and during the paving season as required by Appendix B). The following items to be inspected are:

- Ductwork (inspected for thickness, will it last for the season)
- Blow pipes, diaphragm valves (are they working, good connections)
- Bags and cages (condition of bags, age, number replaced during last season)
- Dust screws - shaft seals and screw cover doors

REPLACEMENT PARTS

As required by Appendix B, the following shall be kept in stock at all times:

- A minimum of 15 bags.
- A minimum of 5 pounds of black light powder. (Recommended quantity for the number of square feet of baghouse cloth.)
- A minimum of two (2) tubes of silicone caulk for minor leaks around doors and seals.

Appendix C – Continued

BAGHOUSE VARIABLES AND MONITORING

The baghouse is monitored continuously (as specified in Appendix B) by the use of a magnehelic gage. The pressure differential between the dirty and clean side of the baghouse shall be maintained above 2 inches water gauge. If the pressure rises above 10 inches water gauge, signaling an inoperative diaphragm valve, the plant shall be stopped and the defective valve repaired or replaced. If the differential pressure drops below 2 inches water gauge the company shall inspect for a torn bag or a problem with the tubesheet between the dirty and clean side of the baghouse. This problem will also result in a dirty stack. The only time the baghouse will normally drop below 2 inches water gauge is if a large number of filter bags are replaced.

If a large number of bags are replaced the pressure on the magnehelic will drop slightly. This drop will only last for a day or less depending on the production.

Monitoring of the baghouse is done by observation, magnehelic gage, pressure detection alarm, or by the high temperature alarm that is set to go off at a stack temperature of 375/400 degrees Fahrenheit.

CORRECTIVE PROCEDURES AND RESPONSIBLE PERSONS

This startup, shutdown, malfunction plan shall be followed to meet the compliance limits. If the limits are exceeded it is the responsibility of the plant supervisor, or in his absence the plant operator, to stop the plant and correct the problem immediately. Rule 336.1912 shall be followed when abnormal conditions exist.

DRUM MIX AND BATCH - NORMAL STARTUP PROCEDURES

During startup, operation and shutdown the following items will be monitored continuously:

Stack Temperature - As material starts through the plant the temperature must be brought up slowly by manually adjusting the burner. As the operator opens the burner, the exhaust fan damper must also be opened to maintain one quarter to one half inch of suction on the burner end of the drum.

Mix Temperature - As material starts flowing through the plant it is critical to watch mix discharge temperature in addition to the stack temperature. A discharge temperature that is too high will cause blue smoke. A temperature that is too low will produce an unacceptable product.

Exhaust Magnehelic - As material is fed into the drum and the burner is opened up, the differential pressure in the baghouse will increase. As the plant reaches normal operating parameters the pressure differential will settle between 2 and 10 inches water gauge. The differential pressure can be adjusted by opening or closing the exhaust damper. The operator shall keep between one quarter and one half-inch draw on the burner end for maximum efficiency.

Along with monitoring the above items the operator shall monitor the weather to determine any changes to the moisture levels in the aggregate and RAP. The moisture content determines how to adjust the burner to reach the desired mix discharge temperature.

**APPENDIX D
 METHOD FOR CALCULATING ANNUAL EMISSIONS**

EUHMAPLANT

The permittee shall keep in a satisfactory manner, monthly and 12-month rolling time period emission calculation records of all criteria pollutants listed in the Emission Limit Table for EUHMAPLANT. If stack test results for EUHMAPLANT exist for any of the pollutants, the permittee may use those stack test results to estimate pollutant emissions subject to the approval of the AQD. In the event that stack test results do not exist for a specific pollutant, the permittee shall use the applicable emission factor listed in the Emission Limit Table to estimate the emissions of a pollutant from EUHMAPLANT. The permittee shall keep all records on file and make them available to the Department upon request.

Until stack testing is completed for an applicable pollutant, monthly emissions shall be calculated based on the pound per ton emission limit applicable for each pollutant as shown in Special Condition I in EUHMAPLANT. Once stack testing has been performed, the stack test results shall be used for the fuel type running at the time of the test.

Monthly Emissions:

The sum of the daily production volumes for a given month shall be calculated to determine the monthly production in tons.

The monthly production in tons shall be multiplied by either the emission limit or emission factor determined by stack testing in pounds per ton of each pollutant to determine the monthly pounds of emissions which shall be divided by 2,000 pounds per ton.

An example for PM is provided below:

$$PM \text{ Emissions } \left(\frac{\text{tons}}{\text{month}} \right) = 0.04 \frac{\text{lb PM}}{\text{ton HMA Produced}} \times \frac{\text{tons HMA Produced}}{\text{month}}$$

For monthly HAP emissions, the same methodology as described for criteria pollutants shall be used. For HAPs with emission limits in Special Condition I, the emission limit shall be used to calculate emissions until emissions of a pollutant have been determined by stack testing. For HAPs that do not have associated emission limits, the AP-42 emission factors applicable for each fuel type shall be used for EUHMAPLANT to calculate the monthly emissions.

12-Month Rolling Emissions:

The permittee shall sum the criteria pollutant emissions from EUHMAPLANT in a given month to the emissions from EUHMAPLANT from the previous eleven (11) months to calculate the 12-month rolling emissions.

EUYARD:

The permittee shall calculate, in a satisfactory manner, the annual fugitive dust emissions for EUYARD for each reporting year using the following emission factors or alternatives approved by the Department such as those used in MAERS or an approved PTI application

Activity	PM Emission Factor		Control Efficiency ¹
	Quantity	Units	
Front End Loader Traffic	7.84	Lbs/VMT	90%
Truck Traffic– Unpaved	7.81	Lbs/VMT	90%
Truck Traffic – Paved Roads	1.19	Lbs/VMT	90%
Aggregate Load in/Load Out	0.0001	Lbs/ton aggregate	
Wind Erosion	10	Lb/day/acre	

VMT – Vehicle mile travelled

¹Control efficiencies listed are for implementation of the fugitive dust plan detailed in Appendix A. If the permittee implements additional fugitive dust control measures, the permittee may work with the Department to determine equivalent control efficiencies for added control measures.