



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 4  
ATLANTA FEDERAL CENTER  
61 FORSYTH STREET  
ATLANTA, GEORGIA 30303-8960

April 3, 2019

Mr. Jeff Lamm  
Southern Concrete Materials  
P.O. Box 5395  
Asheville, North Carolina 28813

Re: Approval of Request for Coverage for a Portable Concrete Batch Plant in Indian Country;  
General Permit Approval #TMNSR-EPA-R4001

Dear Mr. Lamm:

This letter provides the U.S. Environmental Protection Agency Region 4's determination in response to the Request for Coverage under the General Air Quality Permit for New or Modified Minor Source Cement Batch Plants in Indian Country (Concrete Batch Plants General Permit) that the EPA received from Southern Concrete Materials (SCM) pursuant to the Clean Air Act (CAA) Tribal Minor New Source Review Program. The project for which Concrete Batch Plants General Permit coverage is sought by SCM is the set up and operation of a portable concrete batch plant (Project) as part of the construction of an expansion to Harrah's Cherokee Casino located within the Qualla area of the Eastern Band of Cherokee Indians tribal lands in Whittier, North Carolina.

**Permittee:** Southern Concrete Materials, Asheville, North Carolina

**Location(s):** 150 Lucy Long Road, Whittier, Jackson County, North Carolina

**Determination**

The EPA has carefully reviewed SCM's Request for Coverage, as specifically defined in our Technical Support Document (TSD) for this action, and other relevant information to determine whether the Project meets all application criteria to qualify for coverage under the Concrete Batch Plants General Permit. Based on our review of, and in reliance on, the information and representations, provided in the Request for Coverage, the EPA has determined that the Project meets all such criteria and is eligible for coverage under the Concrete Batch Plants General Permit. Accordingly, pursuant to 40 CFR 49.156(e), the EPA is hereby approving the Request for Coverage for the Project. The basis for our determination is discussed in more detail in the TSD for this action.

This Approval of the Request for Coverage authorizes the Permittee to construct and operate the permitted source only at the location listed above, and in accordance with SCM's Request for Coverage. All notifications and reports under this Approval of Request for Coverage under the Concrete Batch Plants General Permit shall be sent to the addresses identified in Attachment E of the Concrete Batch

Plants General Permit for Region 4. The Permittee is subject to Version 1.0 of the aforementioned Concrete Batch Plants General Permit, a copy of which is enclosed with this Approval of Request for Coverage.

This Approval of Request for Coverage must be posted prominently at the current site location and each affected emissions unit must be labeled with the applicable identification number listed below:

**List of Affected Emissions Units**

ID#	Equipment Name	Controls on Unit	Year of Construction
ES-1	Batch Plant Truck Loadout	Baghouse	July 2007
ES-2	50 Ton Cement Silo	Baghouse	July 2007
ES-3	79 Ton Flyash Silo	Baghouse	July 2007
ES-4	Cement and Flyash Scales	Baghouse	July 2007
EP-5	Conveyor Drop	None	

**Applicable Permit Conditions**

Your permitted source is generally subject to all applicable terms and conditions in the Concrete Batch Plants General Permit. However, the requirements for permitted sources located in nonattainment areas do not apply to your source. Your source will be located in an area that is currently designated as attainment for all National Ambient Air Quality Standards. Your source is therefore subject to the emissions limits for sources in attainment areas.

**Additional Information**

You are reminded that you must construct and/or modify and operate the affected emissions units, and any associated air pollution control technologies, in compliance with the Concrete Batch Plants General Permit and all other applicable federal air quality regulations and in a manner consistent with all the representations made in your Request for Coverage.

You must comply with all applicable provisions of the General permit, including those set forth in the attachments and emission limitations that apply to the affected emissions units at the permitted source. Noncompliance with any permit provision is a violation of the permit and may constitute a violation of the CAA; is grounds for an enforcement action; and is grounds for the EPA to revoke the Approval of Request for Coverage and terminate your source's coverage under this General Permit. You may be subject to enforcement action for failure to obtain a preconstruction if you construct your source under this Approval of Request for Coverage and your source is later determined not to qualify for the conditions and terms of the Concrete Batch Plants General Permit.

Pursuant to 40 CFR 49.156(e)(8), this Approval of Request for Coverage under the Concrete Batch Plants General Permit will become invalid if you do not commence construction within 18 months after the date when this Approval of Request for Coverage becomes effective, if you discontinue construction for a period of 18 months or more, or if you do not complete construction within a reasonable time, unless the EPA extends the 18-month period upon a satisfactory showing that an extension is justified.



The EPA's Approval of Request for Coverage for the Project is a final agency action for purposes of judicial review only for the issue of whether the Project qualifies for coverage under the Concrete Batch Plants General Permit. See 40 CFR 156(e)(6). Any petition for review of this approval action must be filed in the United States Court of Appeals for the appropriate circuit pursuant to CAA section 307(b).

If you have any questions, please contact Lori Shepherd at 404-562-8435 or [shepherd.lorinda@epa.gov](mailto:shepherd.lorinda@epa.gov).

Sincerely,

A handwritten signature in blue ink, appearing to read "Lynorae Benjamin", with a long horizontal flourish extending to the right.

Lynorae Benjamin  
Acting Branch Chief  
Air Planning and Implementation Branch

Enclosures (2):

- (1) Concrete Batch Plants General Permit Version 1.0
- (2) Technical Support Document

cc (w/enclosures): Katie Renwick, Air Quality Program  
Office of Environment & Natural Resources  
Eastern Band of Cherokee Indians



# **Request for Coverage under the General Air Quality Permit for New or Modified Minor Source Concrete Batch Plants in Indian Country**

## **Technical Support Document**

**Permittee:** Southern Concrete Materials (SCM)  
P.O. Box 5395  
Asheville, North Carolina 28813

**Project Name:** Cherokee Casino Expansion Portable Concrete Batch Plant

**Location:** 150 Lucy Long Road, Whittier, North Carolina 28789

**Source Contact:** Jeff Lamm, (828) 253-6421, [jlamm@scmusa.com](mailto:jlamm@scmusa.com)

**Date:** April 2, 2019

**Permit #:** TMNSR-EPA-R4001

### **Background**

The Clean Air Act (CAA) provides the U.S. Environmental Protection Agency (EPA) with broad authority to protect air resources throughout the nation, including air resources in Indian Country. Unlike States, Indian Tribes are not required to develop CAA new source review (NSR) permitting programs. See, e.g., Indian Tribes: Air Quality Planning and Management, 63 Fed. Reg. 7253 (Feb. 12, 1998) (also known as the Tribal Authority Rule). In the absence of an adequately implemented EPA-approved NSR program, in 2011, the EPA finalized the Tribal NSR Rule, codified at 40 CFR Part 49, as part of a Federal Implementation Plan to protect tribal air resources from impacts due to the construction of new or modified stationary sources of air pollutants. 76 Fed. Reg. 38748 (July 1, 2011). Among other requirements, the Tribal NSR Rule set forth procedures and terms under which the Agency would administer a minor NSR permitting program in Indian Country. As part of the Tribal NSR Rule, the EPA adopted the option of developing general permits for certain categories of minor sources to which the Tribal NSR Rule would apply. The purpose of a general permit is to provide for the protection of air quality while simplifying the permit issuance process for similar facilities in order to minimize the burden on the reviewing authority and the regulated sources. The EPA finalized the General Air Quality Permit for New or Modified Minor Source Concrete Batch Plants (CBP General Permit) in Indian Country effective November 16, 2016 (81 Fed. Reg. 70944 (October 14, 2016)). New and modified minor sources that are true minor sources or major sources seeking to become synthetic minor sources may apply for coverage under the CBP General Permit if their potential to emit for new, modified, and existing units is below major source thresholds and the source can meet the throughput limits and other

terms and conditions set forth in the General Permit. Sources seeking coverage under this General Permit must also demonstrate that they meet certain additional eligibility criteria.

### **Request for Coverage under CBP General Permit**

On August 17, 2018, Region 4 received an initial Request for Coverage under the CBP General Permit from Southern Construction Materials (SCM) to operate their portable concrete batch plant as a minor source as part of a casino expansion project on tribal lands of the Eastern Band of Cherokee Indians in Whittier, North Carolina. The project for which CBP General Permit coverage is sought is the set up and operation of a portable concrete batch plant to facilitate construction of an expansion to a tribally owned casino, the Project. The Project is expected to take no more than two years. SCM is considered the “Applicant” and the “Permittee” for the Project. This Technical Support Document (TSD) describes Region 4’s analysis of the Applicant’s Request for Coverage for the Project and our determinations concerning this request. The Project will be located at 150 Lucy Long Road, Whittier, Jackson County, North Carolina within the Qualla area of the Eastern Band of Cherokee Indians tribal land. The geographic area where the Project will be located is designated attainment or attainment/unclassifiable under the CAA for all National Ambient Air Quality Standards (NAAQS) pollutants.

### **Approval of Request for General Permit Coverage**

Based on a review of, and in reliance on, all information and representations provided in the Request for Coverage, and other relevant information, Region 4 has determined that the Project meets all the criteria for coverage under the CBP General Permit and is approving the Request for Coverage for the Project. Region 4’s review with respect to the criteria is discussed in more detail below.

### **Equipment Description**

The subject portable concrete batch plant will have a projected annual concrete production of up to 50,000 cubic yards (CY). The proposed operation will include the equipment listed within the table below.

Table 1. List of Affected Emission Units Covered by this Approval of Request for CBP General Permit Coverage

ID#	Description of Unit			Controls on Unit	Equipment Size	Make/Model	Year of Construction
	Mixer	Hopper, Silo, or Bin	Equipment Name				
ES-1			Batch Plant Truck Loadout	Baghouse	75 CY/Hour	Stephens Eagle	July 2007
ES-2		X	50 Ton Cement Silo	Baghouse	25 Tons/Hour	Stephens Eagle	July 2007
ES-3		X	79 Ton Flyash Silo	Baghouse	25 Tons/Hour	Stephens Eagle	July 2007
ES-4			Cement and Flyash Scales	Baghouse	75 CY/Hour	Stephens Eagle	July 2007
EP-5			Conveyor Drop	None	40,000 tons per year (TPY)		

Region 4's Approval of Request for Coverage for the Project is based in part on representations by SCM in the Request for Coverage that there will be no stationary source engines powering the equipment at the concrete batch plant. In addition, the Permittee has not indicated whether nonroad (mobile) engines will operate at the site, even though nonroad engines may be operated at the site identified above for a period of less than one year (see nonroad engine definition at 40 CFR § 89.2). However, Region 4 notes that if nonroad engines are intended to be utilized at the site for the concrete batch plant for a period of at least one calendar year (or for a shorter time, if operations are conducted on a seasonal basis for consecutive seasons), or are actually utilized for this length of time, the engines would be considered stationary sources and subject to further requirements under the CBP General Permit. Accordingly, the Project would not be eligible for coverage based on the current Request for Coverage, which does not indicate that stationary engines will be utilized for the Project. To operate stationary engines at the site would require an additional request for coverage and approval under the CBP General Permit and compliance with this General Permit's requirements for stationary engines, or, alternatively, approval under an individual permit issued pursuant to the Tribal NSR program or other applicable NSR program implemented by Region 4 depending on the magnitude of the source's potential emissions.

SCM has not proposed to operate a degreaser, so the list of affected emission units covered does not include a degreaser, and operation of a degreaser at the Project is not authorized by this approval.

### **Eligibility Criteria**

Based upon our review of the Request for Coverage, Region 4 has determined the Project qualifies for the CBP General Permit because it meets the following criteria:

- The proposed project is for a minor source concrete batch plant.
- The proposed project will be located entirely within the Eastern Band of Cherokee Indians tribal land.
- The proposed project will be located entirely within an attainment, unclassifiable, or attainment/unclassifiable area for criteria pollutants (i.e., will not be located in any nonattainment area).
- The Applicant has agreed to comply with Condition 15 of the CBP General Permit to produce less than 2,000,000 cubic yards of concrete per year based on a 12-month rolling total.

As discussed further below, SCM has met the eligibility criteria related to listed species and historic properties.

### **Potential to Emit (in tons/year)**

Potential to emit (PTE) means the maximum capacity of a stationary source to emit an air pollutant under its physical and operational design. The CBP General Permit includes enforceable physical or operational limitations on the maximum capacity of a source to emit an air pollutant, including air pollution control equipment and restrictions on hours of operation and/or on the type or amount of material combusted, stored, or processed. PTE is meant to be a worst-case emissions calculation and is used in many cases to determine the applicability of federal CAA requirements. Actual emissions are typically lower than PTE. Our evaluation of whether the Project qualifies for the CBP General Permit included consideration of the limitations on PTE in the CBP General Permit. The Tribal NSR Rule establishes specific PTE thresholds for new or modified stationary sources that trigger the requirement to obtain a preconstruction permit under the Tribal Minor NSR program. See Table 2.



Table 2. Tribal Minor NSR Permitting Thresholds (TPY)

Regulated NSR pollutant	Tribal Minor NSR thresholds for attainment areas (tpy)	Major Source PSD thresholds for attainment areas (tpy)	Title V Major Source thresholds (tpy)
Carbon Monoxide (CO)	10	250	100
Nitrogen Oxides (NO <sub>x</sub> )	10	250	100
Sulfur Dioxide (SO <sub>2</sub> )	10	250	100
Volatile Organic Compounds (VOC)	5	250	100
PM	10	250	100
PM <sub>10</sub>	5	250	100
PM <sub>2.5</sub>	3	250	100
Lead	0.1	---	---
Fluorides	1	---	---
Sulfuric Acid Mist	2	---	---
Hydrogen Sulfide (H <sub>2</sub> S)	2	---	---
Total Reduced Sulfur (including H <sub>2</sub> S)	2	---	---
Reduced Sulfur Compounds (including H <sub>2</sub> S)	2	---	---

Projects at new or modified sources that must obtain Tribal Minor NSR program preconstruction permits based on PTE at or above these Tribal minor NSR thresholds may qualify for coverage under a Tribal Minor NSR general permit in lieu of obtaining a site-specific permit. To qualify for the CBP General Permit, the new or modified source must have a PTE below the major NSR source thresholds and meet criteria related to the size of equipment and maximum production rates at the source and other eligibility criteria. If a new or modified source does not meet the specified criteria, the source does not qualify for coverage under the CBP General Permit and must apply for a site-specific Tribal NSR permit or other applicable NSR permit.

In this case, SCM determined that the Project triggered the preconstruction permit requirements under the Tribal Minor NSR Rule and is seeking to obtain coverage under the CBP General Permit in lieu of obtaining a site-specific permit. As such, Region 4 has taken into account the enforceable limitations under the CBP General Permit in determining the PTE for the Project, whether it is a major source, and whether it is eligible for the CBP General Permit. The Project's PTE does not exceed the applicable CAA NSR major source thresholds in attainment areas (250 tons per year for each pollutant) based on a maximum throughput limited by the CBP General Permit of 2,000,000 cubic yards per year. The emissions contained in Table 3 below were calculated using the EPA's Potential to Emit Calculator for Concrete Batch Plants in Indian Country (Final) (XLS)(1 pg, 252 K, 07/01/16) obtained at <https://www.epa.gov/tribal-air/6-source-categories-concrete-batch-plants-final-action>. Accordingly, the Project's potential emissions are at a level that qualifies it for coverage under the CBP General Permit.

Table 3. Potential to Emit (PTE) Summary

Process/Equipment	Pollutant (tons per year)						
	PM	PM <sub>10</sub>	PM <sub>2.5</sub>	SO <sub>2</sub>	NO <sub>x</sub>	CO	VOC
Materials Handling and Loading	17.72	6.16	0.80	---	---	---	---
Auxiliary Heater	0.05	0.05	0.05	0.00	0.87	0.50	0.07
Non-Emergency Engines	---	---	---	---	---	---	---
Emergency Generators	---	---	---	---	---	---	---
Vehicle Traffic	1.91	0.55	---	---	---	---	---
Storage Piles	0.0004	0.0002	---	---	---	---	---
Solvent Degreasing	---	---	---	---	---	---	---
<b>Total Controlled Emissions</b>	<b>19.68</b>	<b>6.75</b>	<b>0.85</b>	<b>0.00</b>	<b>0.87</b>	<b>0.50</b>	<b>0.07</b>

### Listed Species-Related Eligibility Criteria

The EPA developed eligibility criteria related to species that are listed as endangered or threatened under the federal Endangered Species Act that applicants must satisfy to qualify for coverage under the CBP General Permit. Appendix A to the Request for Coverage form for the CBP General Permit provides detailed screening procedures for applicants to follow to assess the potential impacts of their sources on federally-listed species and their critical habitat. To be eligible for coverage under a General Permit, sources must demonstrate that they have satisfactorily completed the screening procedures and that they meet one of the species-related eligibility criteria, provide sufficient documentation supporting the criterion selected, and obtain confirmation from the EPA that they have done so.

The Request for Coverage states that the Project meets Criterion A of Appendix A with respect to listed species protection. This conclusion was based on the fact that the source area is a gravel parking lot that is currently in use. This would preclude the existence of any listed species and/or critical habitat in the Project area, both in the parking lot and on the access roads. After review and consideration of this information, Region 4 agrees that the Applicant has completed the species-related screening procedures and has demonstrated that the proposed Project meets Criterion A of the listed species-related eligibility criteria for coverage under the CBP General Permit. Per Appendix A of the Request for Coverage, this facility would meet Criterion A because there are not any listed species and/or critical habitat that could exist within the specific action area of the Project.

### Historic Properties-Related Eligibility Criteria

The EPA developed the screening process in Appendix B of the Request for Coverage form to enable source owners/operators to appropriately consider the potential impacts, if any, resulting from the construction, modification, and/or operation of a new or modified emission source on historic properties and, if applicable, determine whether actions can be taken to mitigate any such impacts. To be eligible for coverage under the CBP General Permit, sources must demonstrate that they have satisfactorily completed the screening procedures and that they meet one of the historic property-related eligibility criteria, provide sufficient documentation supporting the criterion selected, and obtain confirmation from the EPA that they have done so.



With respect to the Project, the Applicant indicated in the Request for Coverage that the screening process in Appendix B of the Request for Coverage form had been completed to determine if the construction, modification or operation of the Project has the potential to cause effects to historic properties. The Request for Coverage indicated that no historic properties would be affected by the Project. This conclusion was based on the fact that the source is a currently used gravel parking area and prior earth disturbances preclude the existence of historic properties, both in the parking area and on the access roads. Region 4 has concluded that the Applicant has demonstrated that it has satisfactorily completed the historic property-related screening procedures and that the Project meets one of the historic property related eligibility criteria -- in this case, "no historic properties affected" -- and that the Applicant has provided sufficient documentation supporting the criterion selected. Region 4 has concluded that the Project is consistent with the historic property-related eligibility criterion for coverage under the CBP General Permit, based on the documentation provided in the Request for Coverage.

### **Public Participation**

As described in 40 CFR 49.157, issuance of general permits pursuant to the Tribal NSR Rule must meet public participation requirements. Before issuing a permit under the Tribal NSR program, the EPA must prepare a draft permit and must provide adequate public notice to ensure that the affected community and the general public have access to the draft permit information. The public notice must provide an opportunity for a 30-day public comment period and notice of a public hearing, if any, on the draft permit. Consistent with these requirements, during the development of the proposed CBP Permit, the EPA followed the applicable public participation process and received no comments. For coverage of a particular source under the CBP General Permit, the EPA is required to provide the public an opportunity to comment on whether the source meets the criteria for coverage under the general permit. Region 4 accomplished this by posting the request for coverage of a particular source on Region 4's air permits website prior to the issuance of any decision to approve or deny the request for coverage. Also, Region 4 confirmed that a copy of the request for coverage was provided to the appropriate Tribal air pollution authority impacted by the Project. Region 4's air permits website can be found at: <https://www.epa.gov/caa-permitting/draft-tribal-permits-available-public-comment-southeastern-us>.

Region 4's Approval of the Request for Coverage for the Project is a final agency action for purposes of judicial review only for the issue of whether the Project is eligible for coverage under the CBP General Permit (see 40 CFR 49.156(e)(6)). Any petition for review of this approval action must be filed with the EPA's Environmental Appeals Board (EAB) pursuant to 40 CFR 49.159(d) within 30 days after the service of notice announcing this final agency decision.



## **United States Environmental Protection Agency General Air Quality Permit for New or Modified Minor Sources of Air Pollution in Indian Country**

<http://www.epa.gov/air/tribal/tribalnsr.html>

### **General Air Quality Permit for New or Modified Minor Source Concrete Batch Plants in Indian Country**

Last Modified: July 1, 2016

Version 1.0

#### **Information about this General Permit:**

##### *Applicability*

Pursuant to the provisions of the Clean Air Act (CAA), Subchapter I, part D and 40 CFR part 49, subpart C, this permit authorizes the construction or modification, and operation of each stationary and portable concrete batch plant for which a reviewing authority issues an Approval of the Request for Coverage (permitted source).

##### *Eligibility*

To be eligible for coverage under this General Permit, the permitted source must qualify as a minor source as defined in 40 CFR 49.152.

##### *Request for Coverage*

Requirements for submitting a Request for Coverage are contained in Section 7 of this General Permit.

##### *Incorporation of Documents*

The information contained in each reviewing authority's Approval of the Request for Coverage is hereby incorporated into this General Permit.

##### *Termination*

Section 6 of this General Permit addresses a reviewing authority's ability to revise, revoke and reissue, or terminate this General Permit. It also addresses the reviewing authority's ability to terminate an individual permitted source's Approval of the Request for Coverage under this General Permit.

##### *Definitions*

The terms used herein shall have the meaning defined in 40 CFR 49.152, unless otherwise defined in Attachment B of this permit. If a term is not defined, it shall be interpreted in accordance with normal business use.

## Permit Terms and Conditions

The following applies to each permittee and permitted source with respect to only the affected emissions units and any associated air pollution control equipment listed in that permitted source's Approval of the Request for Coverage.

### Section 1 – General Provisions

1. *Construction and Operation*

The permittee shall construct or modify and shall operate the affected emissions units and any associated air pollution control technologies in compliance with this permit and all other applicable federal air quality regulations; and in a manner consistent with representations made by the permittee in the Request for Coverage, to the extent the reviewing authority relies upon these representations in issuing the Approval of the Request for Coverage.

2. *Locations*

This permit only authorizes the permittee to construct or modify, and to operate the permitted source in the locations listed in the reviewing authority's Approval of the Request for Coverage for that permitted source.

3. *Liability*

This permit does not release the permittee from any liability for compliance with other applicable federal and tribal environmental laws and regulations, including the CAA.

4. *Severability*

The provisions of this permit are severable. If any portion of this permit is held invalid, the remaining terms and conditions of this permit shall remain valid and in force.

5. *Compliance*

The permittee must comply with all provisions of this permit, including those set forth in the attachments and emission limitations that apply to the affected emissions units at the permitted source. Noncompliance with any permit provision is a violation of the permit and may constitute a violation of the CAA; is grounds for an enforcement action; and is grounds for the reviewing authority to revoke the Approval of the Request for Coverage and terminate the permitted source's coverage under this General Permit.

6. *National Ambient Air Quality Standards (NAAQS)/Prevention of Significant Deterioration (PSD) Protection*

The permitted source must not cause or contribute to a NAAQS violation and, in an attainment area, must not cause or contribute to a PSD increment violation.

7. *Unavailable Defense*

It is not a defense for the permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the provisions of this permit.

8. *Property Rights*

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



9. *Information Requests*

You, as the permittee, shall furnish to the reviewing authority, within 30 days, unless another timeframe is specified by the EPA, any information that the reviewing authority may request in writing to determine whether cause exists for revising, revoking and reissuing, or terminating coverage under the permit or to determine compliance with the permit. For any such information claimed to be confidential, the permittee must submit a claim of confidentiality in accordance with 40 CFR part 2, subpart B.

10. *Inspection and Entry*

Upon presentation of proper credentials, the permittee must allow a representative of the reviewing authority to:

- a. Enter upon the premises where a source is located or emissions-related activity is conducted or where records are required to be kept under the conditions of the permit;
- b. Have access to and copy, at reasonable times, any records that are required to be kept under the conditions of the permit;
- c. Inspect, during normal business hours or while the source is in operation, any facilities, equipment (including monitoring and air pollution control equipment), practices or operations regulated or required under the permit;
- d. Sample or monitor, at reasonable times, substances or parameters for the purpose of assuring compliance with the permit or other applicable requirements; and
- e. Record any inspection by use of written, electronic, magnetic and photographic media.

11. *Posting of Coverage*

The most current Approval of the Request for Coverage for the permitted source must be posted prominently at the facility, and each affected emissions unit and any associated air pollution control technology must be labeled with the identification number listed in the Approval of the Request for Coverage for that permitted source.

12. *Duty to Obtain Source-Specific Permit*

If the reviewing authority intends to terminate a permitted source's coverage under this General Permit for cause as provided in Section 6 of this General Permit, then the permittee shall apply for and obtain a source-specific permit as required by the reviewing authority.

13. *Credible Evidence*

For the purpose of establishing whether the permittee violated or is in violation of any requirement of this permit, nothing shall preclude the use, including the exclusive use, of any credible evidence or information relevant to whether a permitted source would have been in compliance with applicable requirements if the permittee had performed the appropriate performance or compliance test or procedure.

**Section 2: Emission Limitations and Standards**

14. The permittee shall install, maintain and operate each affected emission unit, including any associated air pollution control equipment, in a manner consistent with good air pollution control practices for minimizing emissions of NSR regulated pollutants and considering the manufacturer's recommended operating procedures at all times, including periods of startup, shutdown, maintenance and malfunction. The reviewing authority will determine whether the permittee is using acceptable operating and maintenance procedures based on information available to the reviewing authority which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the permitted source.

15. Source-wide production of concrete shall not exceed 2,000,000 cubic yards per year based on a 12-month rolling total.
16. For permitted sources located in areas designated as attainment, unclassifiable, or attainment/unclassifiable, marginal ozone nonattainment, or moderate ozone nonattainment, the combined maximum engine power of all non-emergency engines, excluding nonroad mobile engines, at the permitted source shall not exceed 750 hp. All non-emergency engines must be compression ignition engines. Non-emergency engines are not permitted at a permitted source located in a serious, severe, or extreme ozone nonattainment area.
17. Total annual cold cleaning solvent makeup shall not exceed 500 gallons per year based on a 12-month rolling total.
18. Each storage silo shall be equipped with an audible alarm or automatic shutoff system that warns when the silo is full. Loading operations cannot be conducted without the warning or shutoff device.
19. Each mixer, storage silo (including cement and fly ash), weigh hopper, and auxiliary storage bin shall be vented to a fabric or cartridge filter. The filter systems can be a centralized system.
20. A suction shroud or other pickup device should be installed at each batch drop point (drum, truck loading etc.) and vented to a fabric or cartridge filter system.
21. Workspaces near the loading and unloading of trucks and product shall be well lit during non-daylight hours when the permitted source is in operation.
22. Visible emissions from each affected emission unit including, but not limited to, each mixer, storage silo, weigh hopper, auxiliary storage bin, conveyor, material handling operation, drop point, loading point, storage pile, and roadway shall not exceed 10% opacity based on a six-minute average.
23. The permittee shall comply with the Fugitive Dust Control Plan in Attachment C.
24. *Non-emergency Engines*  
Each affected non-emergency compression ignition engine, excluding nonroad mobile engines, shall comply with the following limitations and standards:
  - a. Use diesel or biodiesel containing no more than 15 parts per million (ppm) (0.0015 percent) sulfur;
  - b. Each compression ignition engine that commenced construction on or after June 12, 2006 shall be certified to the applicable Tier standards in 40 CFR 89.112 and 40 CFR 1039.101 through 1039.104, for all pollutants, for the same model year and maximum engine power; and
  - c. Each compression ignition engine that commenced construction before June 12, 2006 shall meet the following standards based on the engine's maximum rated power.

Maximum Engine Power Rating	Emission Standard
≤ 300 horsepower (hp)	(a) Change oil and filter every 1,000 hours of operation or annually, whichever comes first; (b) Inspect air cleaner every 1,000 hours of operation or annually, whichever comes first; (c) Inspect all hoses and belts every 500 hours of operation or annually, whichever comes first, and replace as necessary.
300 < hp ≤ 500	Limit carbon monoxide (CO) to 49 parts per million, volumetric dry (ppm <sub>vd</sub> ) @ 15% O <sub>2</sub> OR reduce CO emissions by 70 percent or more.

Maximum Engine Power Rating	Emission Standard
	Emissions shall be controlled through the use of an oxidation catalyst. Engines certified to Tier 3 standards in 40 CFR 89.112 are exempt from this limit.
hp > 500	Limit CO to 23 ppm <sub>vd</sub> @ 15% O <sub>2</sub> OR reduce CO emissions by 70 percent or more. Emissions shall be controlled through the use of an oxidation catalyst. Engines rated at less than or equal to 560 kilowatt (kW) that are certified to Tier 3 standards in 40 CFR 89.112 are exempt from this limit. Engines rated at greater than 560kW that are certified to Tier 2 standards in 40 CFR 89.122 are exempt from this limit.

25. The combined maximum engine power of all emergency generator engines at the permitted source shall be below 1,000 hp in attainment areas or 500 hp in ozone nonattainment areas classified as serious or lower, and there shall be no emergency generator engines in severe or extreme ozone nonattainment areas. All emergency engines must be emergency generator engines.
26. The combined maximum heat input of all boilers and heaters at the permitted source shall not exceed 10 million British thermal units per hour (MMBtu/hr) in attainment, unclassifiable or attainment/unclassifiable areas; 5 MMBtu/hr in marginal, moderate, or serious ozone nonattainment areas; or 2 MMBtu/hr in severe or extreme ozone nonattainment areas.
27. For each batch-loaded cold cleaner degreaser the permittee shall comply with the requirements of Attachment D.

### Section 3: Monitoring and Testing Requirements

28. Once per calendar month in which the permitted source operates, the permittee shall inspect each silo warning system to ensure the devices are free from dust. Each device shall also be tested to ensure proper operation. The permittee shall take appropriate corrective action to restore each device to normal operation.
29. *Inspect Fabric/Cartridge Filters*  
At least once per calendar month in which the permitted source operates, the permittee shall inspect the interior and exterior of the fabric/cartridge filters for evidence of leaking, damaged, and/or missing filters, and take appropriate corrective actions to restore filters to proper operation before resuming normal operations.
30. *Visible Emissions Survey*  
At least once during each calendar week in which the permitted source operates, the permittee shall perform a visible emissions survey of all affected emission units subject to the opacity limit in Condition 22. The survey shall be performed during daylight hours by an individual trained in EPA Method 22 while the source is in operation. If visible emissions are detected during the survey, the permittee shall either:
- Take corrective action so that within 24 hours no visible emissions are detected from any emission units while they are in operation; or
  - Demonstrate compliance with the opacity limit at all units that discharged visible emissions during the survey using EPA Method 9 by an individual trained and certified in Method 9.



31. *Fugitive Emissions Survey*

At least once during each calendar week in which the permitted source operates, the permittee shall survey the facility for visible fugitive emissions. If fugitive emissions are detected crossing the property line, the permittee shall take corrective actions according to the attached fugitive dust control plan.

32. *Performance Test for Engines*

Within 60 days after achieving the maximum production rate at which the permitted source will operate, but not later than 180 days after the first day of operation after the Approval of the Request for Coverage is issued by the reviewing authority, the permittee shall perform a performance test to verify compliance with the CO emission limits in Condition 24.c, as applicable, as follows:

- a. According to a test plan submitted at least 30 days in advance of the test date to the reviewing authority;
- b. While the hot mix asphalt plant is operating under typical operating conditions;
- c. Using test methods from 40 CFR part 60, Appendix A, or portable analyzers allowed by 40 CFR part 63, subpart ZZZZ, unless alternative methods are approved by the reviewing authority in writing in advance of the test;
- d. While the catalyst inlet temperature and pressure drop are being monitored and recorded;
- e. Upon completion of the performance test, the permittee shall establish the operating range for the catalyst inlet temperature based on a 4-hour average and the pressure drop across the catalyst; and
- f. The permittee shall conduct subsequent performance tests according to this paragraph whenever required by the reviewing authority.

The permitted source may substitute the results of the most recent performance test performed on the engine(s) in lieu of conducting the performance test for engines required above, provided that the most recent performance test was conducted within two years of the first day of operation after the Approval of Request for Coverage is issued by the reviewing authority, and, was conducted according to the requirements in Conditions 32.a.-f. above.

33. *Continuous Parameter Monitoring at Engines*

For each engine subject to a CO emission limitation in Condition 24.c the permittee shall install, operate, and maintain a continuous parameter monitoring system according to the methods in 40 CFR 63.6625(b) to continuously monitor catalyst inlet temperature. Catalyst temperature data shall be reduced to 4-hour rolling averages. The permittee shall maintain the 4-hour rolling average catalyst inlet temperature within the operating parameter established during the most recent performance test.

34. *Pressure Drop Monitoring at Engines*

For each engine subject to a CO emission limitation in Condition 24.c. the permittee shall monitor the pressure drop across the catalyst on a monthly basis. The permittee shall ensure the pressure drop across the catalyst is within the operating parameters established during the most recent performance test.

35. Prior to each use, each cold solvent cleaning degreaser shall be inspected for liquid leaks, visible tears, or cracks.

#### **Section 4: Recordkeeping Requirements**

36. The permittee shall maintain all records required to be kept by this General Permit for at least five years from the date of origin, unless otherwise stated, either onsite or at a convenient location, such that they can be delivered to the reviewing authority within 24 hours of a request.

37. The permit application and all documentation supporting that application shall be maintained by the permittee for the duration of time the affected emissions unit(s) is/are covered under this permit.

38. The permittee shall maintain daily records of concrete production (cubic yards) and hours of operation.
39. The permittee shall maintain monthly records of source-wide concrete production and the resulting 12-month rolling total of concrete production. The 12-month rolling total is defined as the sum of the concrete during the current month and the concrete production for the previous eleven months.
40. The permittee shall maintain records of the dates and results of each cartridge/filter inspection performed pursuant to Condition 29 and any corrective actions taken as a result of the required inspections shall be recorded.
41. The permittee shall maintain records of each inspection for each silo warning system required by Condition 28 and any corrective actions taken as a result of the required inspections and tests shall be recorded.
42. The dates and results of each visible emissions survey performed pursuant to Condition 30 shall be recorded. At a minimum, records shall include:
  - a. The name of the person, company or entity conducting the survey;
  - b. Whether visible emissions were detected from any emission unit;
  - c. Any corrective action taken;
  - d. The result of any corrective action; and
  - e. The results of any Method 9 tests performed.
43. The dates and results of each fugitive emissions survey performed pursuant to Condition 31, any corrective action taken as a result of each survey, and the result of any corrective action taken shall be recorded.
44. For each engine, the permittee shall:
  - a. Maintain a log of all maintenance activities conducted; and
  - b. Maintain records of fuel supplier certifications to demonstrate compliance with the sulfur content in Condition 24.a, if applicable. The certification shall contain the sulfur content of the fuel and the method used to determine the sulfur content of fuel.
45. For each cold cleaning solvent degreaser, the permittee shall:
  - a. Maintain records of owner's manuals, or if not available, written maintenance and operating procedures; and
  - b. Maintain a log of any actions taken to repair leaks, tears or cracks and the results of the corrective action taken.
46. The permittee shall maintain records of the halogenated hazardous air pollutant solvent content and volatile organic compound (VOC) content for each solvent used in a solvent degreaser.
47. The permittee shall maintain records of the gallons of cold cleaning solvent makeup used each calendar month.
48. The results of each performance test conducted pursuant to Condition 32 shall be recorded. At a minimum, the permittee shall maintain records of:
  - a. The date of each test;
  - b. Each test plan;
  - c. Any documentation required to approve an alternate test method;

- d. Conditions during the test, including the engine power rating;
- e. The results of each test; and
- f. The name of the company or entity conducting the analysis.

## **Section 5: Notification and Reporting Requirements**

### **49. *Notification of Construction or Modification, and Operations***

The permittee shall submit a written or electronic notice to the reviewing authority within 30 days from when the permittee begins actual construction or modification, and within 30 days from when the permittee begins initial operations or resumes operation after a modification.

### **50. *Notification of Relocation***

When a permittee intends to relocate the permitted source to an alternate location contained in the Approval of the Request for Coverage, then the permittee must notify the reviewing authority electronically or in writing within 30 days before or after such relocation. The notification must identify the owner, the current location, and the new location of the permitted source.

### **51. *Notification of Change in Ownership or Operator***

If the permitted source changes ownership or operator, then the new owner or operator must submit a written or electronic notice to the reviewing authority within 90 days after the change in ownership or operator is effective. In the report, the new permittee must provide the reviewing authority a written agreement containing a specific date for transfer of ownership or operator, and an effective date on which the new owner or operator assumes partial and/or full coverage and liability under this permit. The submittal must identify the previous owner or operator, and update the name, street address, mailing address, contact information, and any other information about the source if it would change as a result of the change of ownership or operator. The current owner or operator shall ensure that the permitted source remains in compliance with the General Permit until any such transfer of ownership or operator is effective.

### **52. *Notification of Closure***

The permittee must submit a report of any permanent or indefinite closure to the reviewing authority in writing within 90 days after the cessation of all operations at the permitted source. The notification must identify the owner, the current location, and the last operating location of the permitted source. It is not necessary to submit a report of closure for regular, seasonal closures.

### **53. *Annual Reports***

The permittee shall submit an annual report on or before March 15 of each year to the reviewing authority. The annual report shall cover the period from January 1 to December 31 of the previous year and shall include:

- a. An evaluation of the permitted source's compliance status with the requirements of Section 2 during the calendar year;
- b. Summaries of the required monitoring, testing and recordkeeping in Sections 3 and 4; and
- c. Summaries of deviation reports submitted pursuant to Condition 54.

### **54. *Deviation Reports***

The permittee shall promptly report to the reviewing authority any deviations as defined in 40 CFR 71.6(a)(3)(iii)(C) from permit requirements including deviations attributable to upset conditions. Deviation reports shall include:

- a. Identity of the affected emissions unit where the deviation occurred;
- b. Nature of the deviation;
- c. Length of time of the deviation;



- d. Probable cause of the deviation; and
- e. Any corrective actions or preventive measures taken as a result of the deviation to minimize emissions from the deviation and to prevent future deviations.
- f. For the purposes of this permit, *promptly* shall be defined to mean:
  - i. Within 72 hours of discovery for deviations from any opacity limit in Condition 22 and emission limit in Condition 24; or
  - ii. Within 30 days after the end of the month in which the permittee discovered the deviation, for all other deviations.

#### 55. *Performance Test Reports*

The permittee shall submit a test report to the reviewing authority within 45 days after the completion of any required performance test. At a minimum, the test report shall include:

- a. A description of the affected emissions unit and sampling location(s);
- b. The time and date of each test;
- c. A summary of test results, reported in units consistent with the applicable standard;
- d. A description of the test methods and quality assurance procedures used;
- e. A summary of any deviations from the proposed test plan and justification for why the deviation(s) was necessary;
- f. The amount of fuel burned, raw material consumed, and/or product produced, as applicable, during each test run;
- g. Operating parameters of the affected emissions units and control equipment during each test run;
- h. Sample calculations of equations used to determine test results in the appropriate units; and
- i. The name of the company or entity performing the analysis.

#### 56. *Reporting and Notification Address*

The permittee shall send all required reports to the reviewing authority at the mailing address specified in the Approval of the Request for Coverage.

#### 57. *Signature Verifying Truth, Accuracy, and Completeness*

All reports required by this permit shall be signed by a responsible official as to the truth, accuracy, and completeness of the information. The report must state that, based on information and belief formed after reasonable inquiry, the statements and information are true, accurate, and complete. If the permittee discovers that any reports or notification submitted to the reviewing authority contain false, inaccurate, or incomplete information, the permittee shall notify the reviewing authority immediately and correct or amend the report as soon as is practicable.

### **Section 6: Changes to this General Permit**

#### 58. *Revising, Reopening, Revoking and Reissuing, or Terminating for Cause*

The permit may be revised, reopened, revoked and reissued or terminated for cause. The filing of a request by you, the permittee, for a permit revision, revocation and re-issuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any permit condition. This provision also applies to the documents incorporated by reference.

#### 59. *Terminating Coverage under this Permit*

The reviewing authority may terminate a previously issued Approval of the Request for Coverage, and thereby terminate that permittee's authorization to construct or modify, and that permitted source's authorization to

operate under this General Permit for cause as defined in Attachment B. The reviewing authority may provide the permittee with notice of the intent to terminate, and delay the effective date of the termination to allow the permittee to obtain a source-specific permit as required by the reviewing authority.

**60. *Change in Ownership or Operator***

If the permitted source changes ownership or operator, the reviewing authority may change the Approval of the Request for Coverage to reflect the new ownership or operator in accordance with the administrative amendment provisions in 40 CFR 49.159(f).

**61. *Permit Becomes Invalid***

Authority to construct and operate under this permit becomes invalid if the permittee does not commence construction within 18 months after the effective date of the request for coverage under a general permit, if the permittee discontinues construction for a period of 18 months or more, or if the permittee does not complete construction within a reasonable time. The reviewing authority may extend the 18-month period upon a satisfactory showing that an extension is justified, according to 40 CFR 49.156(e)(8).

**Section 7: Obtaining Coverage under this General Permit**

62. To obtain coverage under this General Permit, an applicant must submit a Request for Coverage to the appropriate reviewing authority for the area in which the permitted source is or will be located (the Request for Coverage Form can be found at <http://www.epa.gov/air/tribal/tribalnsr.html>). Attachment E contains a list of reviewing authorities and their area of coverage.
63. If the plant will locate in area covered by more than one reviewing authority, the applicant need only submit a Request for Coverage to one reviewing authority with regard to all intended locations of operation. The Request for Coverage must contain the information requested in the standard application form for this permit. You must also submit a copy of the Request for Coverage to the Indian governing body for every area in which the permitted source plans to operate.

## **Attachment A: Abbreviations and Acronyms**

ASTM	American Society for Testing and Materials
CO	carbon monoxide
CAA	Federal Clean Air Act
CFR	Code of Federal Regulations
EPA	United States Environmental Protection Agency
kW	kilowatt
NAAQS	National Ambient Air Quality Standards
NSR	new source review
ppm <sub>vd</sub>	parts per million volumetric dry
PSD	Prevention of Significant Deterioration
VOC	volatile organic compounds



## Attachment B: Definitions

For the purposes of this General Permit:

*Approval of the Request for Coverage* means a reviewing authority's letter granting an applicant's request for construction or modification, and operation of a true minor source under the terms and conditions of this General Permit.

*Cause* means with respect to the reviewing authority's ability to terminate a permitted source's coverage under a permit that:

1. The permittee is not in compliance with the provisions of this General Permit;
2. The reviewing authority determines that the emissions resulting from the construction or modification of the permitted source significantly contribute to NAAQS violations, which are not adequately addressed by the requirements in this General Permit;
3. The reviewing authority has reasonable cause to believe that the permittee obtained Approval of the Request for Coverage by fraud or misrepresentation; or
4. The permittee failed to disclose a material fact required by the Request for Coverage or the regulations applicable to the permitted source of which the applicant had or should have had knowledge at the time the permittee submitted the Request for Coverage.

*Cold cleaning solvent makeup* means the gallons of gross cold cleaning solvent usage minus the gallons of solvent disposed of as waste solvent.

*Construction* means any physical change or change in the method of operation including fabrication, erection, installation, demolition, or modification of an emission unit that would result in a change of emissions.

*Distillate fuel* means fuel oils, including recycled oils that comply with the specifications for fuel oil numbers 1 and 2, as defined by ASTM 396, or equivalent.

*Emergency engine* means an engine that is operated to provide electrical power or mechanical work during an emergency situation. Examples include engines used to produce power for critical networks or equipment (including power supplied to portions of a facility) when electric power from the local utility (or the normal power source, if the facility runs on its own power production) is interrupted, or an engine used to pump water in the case of fire, flood, or other event.

*Emergency generator engine* means an emergency engine that is designed solely for the purpose of providing electrical power during power outages.

*Freeboard ratio* means the ratio of the solvent cleaning machine freeboard height to the smaller interior dimension (length, width, or diameter) of the solvent cleaning machine.

*Permittee* means the owner or operator of a permitted source.

*Permitted source* means each concert batch plant for which a reviewing authority issues an Approval of the Request for Coverage.

*Request for Coverage* means a permit application that contains all the information required in the standard application form.

*Responsible official* means one of the following:

1. For a corporation: a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation, or a duly authorized representative of such person if the representative is directly responsible for the overall operation of the permitted source.
2. For a partnership or sole proprietorship: a general partner or the proprietor, respectively.
3. For a public agency: Either a principal executive officer or ranking elected official, such as a chief executive officer having responsibility for the overall operations of a principal geographic unit of the agency.

## Attachment C: Fugitive Dust Control Plan

### 1. *Site Roadways and Plant Yard*

- a. The dust on the site roadways/plant yard shall be controlled by applications of water, calcium chloride or other acceptable and approved fugitive dust control compound. Applications of dust suppressants shall be done as often as necessary to meet all applicable emission limitations.
- b. All paved roadways/plant yards shall be swept as needed between applications.
- c. Any material spillage on roads shall be cleaned up immediately.

### 2. *Plant*

- a. The drop distance at each transfer point shall be reduced to the minimum the equipment can achieve.
- b. The transfer point from the re-circulating belt to the feed belt shall be equipped with an enclosed chute.

### 3. *Storage Piles*

- a. Stockpiling of all nonmetallic minerals shall be performed to minimize drop distance and control potential dust problems.
- b. Stockpiles shall be watered on an as needed basis in order to meet the opacity limits. Also, equipment to apply water or dust suppressant shall be available at the site, or on call for use at the site, within a given operating day.

### 4. *Truck Traffic*

- a. Vehicles shall be loaded to prevent their contents from dropping, leaking, blowing or otherwise escaping. This shall be accomplished by loading so that no part of the load shall come in contact within six (6) inches of the top of any side board, side panel or tail gate; otherwise, the truck shall be tarped.
- b. A speed limit sign of 15 miles-per-hour or lower shall be posted on site so that it is visible to truck traffic.

### 5. *Corrective Actions*

If corrective action needs to be taken, the permittee shall consider and use one or more of the following options: adjust the watering and/or sweeping frequencies, reduce drop distances, increase cover, and/or take other actions to reduce fugitive dust emissions.



## Attachment D – Standards for Batch-loaded Cold Cleaner Degreasers

### Emission Limitations and Standards

1. Each degreaser shall be operated in accordance with the manufacturer's specifications and shall be used with tightly fitting covers that are free of cracks, holes, or other defects. In addition, the cover shall be closed at all times when the degreaser contains solvent, except during parts entry and removal or performing maintenance or monitoring that requires the removal of the cover.
2. The solvent container shall be free of all liquid leaks. Auxiliary degreaser equipment, such as pumps, water separators, steam traps, or distillation units, shall not have any liquid leaks, visible tears, or cracks. In addition, any liquid leak, visible tear, or crack detected pursuant to the provisions of this condition shall be repaired within 48 hours, or the degreaser shall be drained of all solvent and shut down until replaced or repaired.
3. All waste solvents shall be stored in properly identified and sealed containers. All associated pressure relief devices shall not allow liquid solvents to drain out.
4. Solvent flow cleaning shall be done within the freeboard area, and shall be done by a liquid stream rather than a fine, atomized, or shower-type spray. Solvent flow shall be directed downward to avoid turbulence at the air-solvent interface and to prevent liquid solvent from splashing outside of the degreaser.
5. Degreasing of porous or absorbent materials, such as cloth, leather, wood, or rope, is prohibited.
6. Workspace and ventilation fans shall not be positioned in such a way as to direct airflow near the degreaser openings.
7. Spills during solvent transfer shall be wiped up immediately and the used wipe rags shall be stored in closed containers that are handled in accordance with Condition 3 of Attachment D (above).
8. Solvent levels shall not exceed the fill line.
9. In serious, extreme and severe ozone nonattainment areas, cleaning materials shall have a VOC content of 25 grams/liter or less as used.
10. The parts to be cleaned shall be racked in a manner that will minimize the drag-out losses.
11. The freeboard ratio shall be 0.75 or greater.
12. Parts shall be drained immediately after the cleaning until:
  - a. At least 15 seconds have elapsed; or
  - b. Dripping of solvent ceases; or
  - c. The parts become visibly dry.

Parts with blind holes or cavities shall be tipped or rotated before being removed from a degreaser, such that the solvents in the blind holes or cavities are drained in accordance with the above requirements.

13. Draining or filling of solvent containers shall be performed beneath the liquid solvent surface.

14. Solvent agitation, where necessary, shall be carried out only by pump recirculation, ultrasonics, a mixer, or by air agitation. Air agitation shall be accomplished under the following conditions:
  - a. The air agitation unit shall be equipped with a gauge and a device that limits air pressure into the degreaser to less than two pounds per square inch gauge;
  - b. The cover must remain closed while the air agitation system is in operation; and
  - c. Pump circulation shall be performed without causing splashing.
12. Airless/Air-tight Cleaning System Requirements – In lieu of meeting the requirements of Condition 1 through 11 of Attachment D (above), the permittee may use an airless/air-tight batch cleaning system provided that all of the following applicable requirements are met:
  - a. The equipment is operated in accordance with the manufacturer's specifications and operated with a door or other pressure sealing apparatus that is in place during all cleaning and drying cycles.
  - b. All waste solvents are stored in properly identified and sealed containers.
  - c. All associated pressure relief devices shall not allow liquid solvents to drain out.
  - d. Spills during solvent transfer shall be wiped up immediately, and the used wipe rags shall be stored in closed containers that are handled in accordance with Condition 3 of Attachment D (above).
  - e. The equipment is maintained in a vapor-tight, leak-free condition and any leak is a violation.

## Attachment E – List of EPA Reviewing Authorities and Areas of Coverage

<b>EPA Region</b>	<b>Address for Request for Coverage</b>	<b>Address for All Other Notifications and Reports</b>	<b>Area Covered</b>	<b>Phone Number</b>
Region I	EPA New England 5 Post Office Square, Suite 100 Mail Code OEP05-2 Boston, MA 02109-3912	EPA New England 5 Post Office Square, Suite 100 Mail Code OES04-2 Boston, MA 02109-3912	Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, and Vermont	888- 372-7341, 617-918-1111
Region II	Chief, Air Programs Branch Clean Air and Sustainability Division EPA Region 2 290 Broadway, 25 <sup>th</sup> Floor New York, NY 10007-1866	Chief, Air Compliance Branch Division of Enforcement and Compliance Assistance EPA Region 2 290 Broadway, 21 <sup>st</sup> Floor New York, NY 10007-1866	New Jersey, New York, Puerto Rico, and Virgin Islands	877-251-4575
Region III	Office of Permits and Air Toxics 3AP10 EPA Region 3 1650 Arch Street Philadelphia, PA 19103	Office of Air Enforcement and Compliance Assurance 3AP20 EPA Region 3 1650 Arch Street Philadelphia, PA 19103	Delaware, District of Columbia, Maryland, Pennsylvania, Virginia, and West Virginia	800-438-2474, 215-814-5000
Region IV	Chief, Air Permits Section EPA Region 4 APTMD 61 Forsyth Street Atlanta, GA 30303	Chief, Air & EPCRA Enforcement Branch EPA Region 4 APTMD 61 Forsyth Street, SW Atlanta, GA 30303	Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, and Tennessee	800-241-1754, 404-562-9000
Region V	Air Permits Section Air Programs Branch (AR-18J) EPA Region 5 77 West Jackson Blvd Chicago, Illinois 60604	Air Enforcement and Compliance Assurance Branch (AE-17J) Air and Radiation Division EPA Region 5 77 West Jackson Blvd Chicago, Illinois 60604	Illinois, Indiana, Michigan, Minnesota, Ohio, and Wisconsin	800-621-8431, 312-353-2000
Region VI	Multimedia Planning and Permitting Division EPA Region 6 1445 Ross Avenue (6PD-R) Dallas, TX 75202	Compliance and Enforcement Correspondence: Compliance Assurance and Enforcement Division EPA Region 6 1445 Ross Avenue (6EN) Dallas, TX 75202	Arkansas, Louisiana, New Mexico, Oklahoma, and Texas	800-887-6063, 214-665-2760



<b>EPA Region</b>	<b>Address for Request for Coverage</b>	<b>Address for All Other Notifications and Reports</b>	<b>Area Covered</b>	<b>Phone Number</b>
Region VII	Chief, Air Permitting & Compliance Branch EPA Region 7 11201 Renner Blvd Lenexa, KS 66219	Chief, Air Permitting & Compliance Branch EPA Region 7 11201 Renner Blvd Lenexa, KS 66219	Iowa, Kansas, Missouri, and Nebraska	800-223-0425, 913-551-7003
Region VIII	U.S. Environmental Protection Agency, Region 8 Office of Partnerships and Regulatory Assistance Tribal Air Permitting Program, 8P-AR 1595 Wynkoop Street Denver, Colorado 80202	U.S. Environmental Protection Agency, Region 8 Office of Enforcement, Compliance & Environmental Justice Air Toxics and Technical Enforcement Program, 8ENF-AT 1595 Wynkoop Street Denver, Colorado 80202	Colorado, Montana, North Dakota, South Dakota, Utah, and Wyoming	800-227-8917, 303-312-6312
Region IX	Chief, Permits Office (Air-3) Air Division EPA Region 9 75 Hawthorne St San Francisco, CA 94105	Enforcement Division Director Attn: Air & TRI Section (ENF-2-1) EPA Region 9 75 Hawthorne St San Francisco, CA 94105	American Samoa, Arizona, California, Guam, Hawaii, Navajo Nation Nevada, and Northern Mariana Islands	866-EPA-9378, 415-947-8000
Region X	Tribal Air Permits Coordinator U.S. EPA, Region 10, AWT-150 1200 Sixth Avenue, Suite 900 Seattle, WA 98101	Tribal Air Permits Coordinator U.S. EPA, Region 10, AWT-150 1200 Sixth Avenue, Suite 900 Seattle, WA 98101	Alaska, Idaho, Oregon, and Washington	800-424-4372, 206-553-1200