

DEPARTMENT OF ENVIRONMENTAL CONSERVATION

AIR QUALITY OPERATING PERMIT

RESPONSE TO COMMENTS

**Owner Name:** N/A – General Permits  
**Public Comment Closing Date:** May 24, 2013  
**Stationary Source Name:** N/A – General Permits

**Application No.:** N/A  
**Permit No.:** N/A

The public comment period for the Minor General Permits 3 and 9 for Asphalt Plants and Rock Crushers closed on Friday, May 24, 2013. Comments were received from Colaska, Inc., Anchorage Sand and Gravel Co., Inc., and Granite Construction Company. The comments appear exactly as submitted by the contributors. Text requested to be inserted into a permit condition is shown with underline formatting while text to be deleted is shown with ~~strikeout formatting~~. This paper provides ADEC’s responses to the comments.

---

**Comments Regarding Draft Revised Permits MG3 and MG9**

**Contributor: Colaska, Inc.**

**1. General Comment.**

Reduced hours for PTE calculations are appreciated.

*Response from ADEC: ADEC appreciates your comment and your attention to the permit revisions.*

---

**2. Condition 4.4.**

We like and appreciate the change to a more “normal” operational cycle. However, we are curious what may preclude the Operating Report from being done one time per year on an annual basis, with a due date of the end of Feb.

*Response from ADEC: ADEC recognizes your concern and agrees to change the permits such that only one Facility Operating Report need be submitted if the Permittee does not operate during the winter season. However, ADEC does not want to wait through an off-season of dead time to receive information on the past operating season – therefore, the submission date is set for November 30.*

---

**3. Condition 4.5.**

Why is this so abbreviated in the MG3 as compared to the MG9?

*Response from ADEC: ADEC recognizes the difference between Condition 4.5 in the MG3 and the MG9. This Condition is listed correctly in the MG9, because the wording matches 18 AAC 50.345(i). Condition 4.5 in the MG3 will be changed to match 18 AAC 50.345(i) and Condition 4.5 in the MG9, and the changes will appear as follows:*

---

---

*The Permittee shall furnish to the Department, within a reasonable time, ~~The Department may request, in writing,~~ any information that the Department requests in writing to determine whether cause exists to modify, revoke and reissue, or terminate the permit or to determine compliance with the permit. Upon request, the Permittee shall furnish to the Department copies of records required to be kept by the permit. The Department may require you to furnish copies of those records directly to the federal administrator.*

---

#### **4. Condition 5.1.**

Within 2 days of startup – regardless of relocation or seasonal startup – we appreciate this change.

*Response from ADEC: ADEC appreciates your comment and your attention to the permit revisions.*

---

#### **5. Condition 5.1.**

VE after shutdowns > 5 days – When we were in our question and answer period whilst reviewing the changing, we asked what was driving this condition and the answer was that it had to do with engine warming. We would like this looked at and taken out because our plants usually do not operate more than 12 hours a day and generally cold start every startup. We constantly informally monitor our emissions during each operational period, and are already required under current permit conditions to report any deviations. Based upon a review of our available records, our plants have never had any issues after a shut down of 5 days.

*Response from ADEC: ADEC acknowledges your concern. This requirement was carried over directly from Condition 2.2(d) of the 2009 MG9 and Condition 2.2(d) of the 2009 MG3. The five day shutdown portion of this Condition remains unchanged from the initial permit. Since this requirement was not modified as part of this revision process, the comment is outside the scope of the revision. ADEC did not change or remove the requirement to conduct visible emissions (VE) observations after a shutdown period of more than five days.*

---

#### **6. Condition 5.1.**

Visible Emissions every 14 days vs. 30 days – it was stated during a teleconference that for consistency the MG3 would be required to do a VE every 14 days vs. the 30 days we have now. We would like the opposite done. Tie the MG9 VE to be done every 30 days for consistency to match the MG3 permit. We believe that increasing the VE frequency to every 14 days imposes unjustified additional burden on the plant without a sound basis.

*Response from ADEC: ADEC has considered this schedule change with much thought and discussion – finding no basis for the change in this revision. We will keep the VE monitoring requirement at 30 days for the MG3 consistent with the 2009 permit. Condition 5.1 in the MG3 will be revised as follows:*

*Observe visible emissions with Method 9 at the baghouse stack or wet scrubber stack AND at the fugitive emissions points identified above:*

- *During regular operation loads (not on idle or reduced loads);*
  - *Within two days of startup at the beginning of the season or after relocating the plant;*
  - *At least once every ~~14~~ 30 operating days; and*
-

- 
- *Within two days of startup following a shutdown of more than 5 days.*

*ADEC acknowledges your request to change the MG9 VE monitoring frequency to 30 days, but is unable to make this change as there is no basis for changing either schedule in this revision.*

---

### **7. Condition 5.2.**

We do not agree with the increased frequency of the VE requirement for Diesel Engines. Please keep this at 30 days as it was before for the ongoing observations after the First Observation.

**Response from ADEC:** *Similarly to Comment 6, ADEC agrees with the request to keep the monitoring frequency at 30 days as it was in the 2009 MG permits; there is no justification for change. Condition 5.2 will be revised as follows:*

*Smoke/No Smoke Plan: Observe each exhaust stack for presence or absence of smoke, excluding water vapor.*

- *Initial Frequency: Conduct Smoke/No Smoke observations once every operating day.*
- *After monitoring for 30 consecutive operating days, conduct Smoke/No Smoke observations at least once every ~~14~~ 30 days.*
- *If smoke is observed, follow the corrective actions in Condition 5.3.*

*Method 9: All observations must be at least 18 consecutive minutes.*

- *First observation: within two days of startup at the beginning of the season, after relocating the crusher, or within three days after changing from the Smoke/No Smoke Plan.*
  - *After the first observation, conduct observations at least once every ~~14~~ 30 operating days.*
- 

### **8. Condition 5.3(f).**

The wording of this Condition removes the option for repairing a diesel engine under MG3 10.1 & MG9 9.1 through the “either” wording. This restriction narrows the new permits as a result of the rewrite and imposes additional costs and burden on industry, exceeding the requirements of the prior version of the permits.

**Response from ADEC:** *ADEC agrees that the wording in the draft permits may have been unclear, the Condition has been reworded to clarify the options for repair remain available under both conditions 5.3(e) and (f) as suggested by the commenter.*

---

### **9. Condition 6.2 MG3.**

The second bullet references “including the information listed in Condition 15.1.f and 15.2.c.” This small phrase significantly increases the information required to be submitted with each FOR to include information that was not formerly required. The TAC does not address this increase in reporting scope. We do not see the merit of increasing the reporting burden when any perceived benefit didn’t warrant a mention in the TAC.

---

---

**Response from ADEC:** Condition 6.2, bullet 2 was transferred to the revised permit from Condition 27.2(i) and 27.3(f) in the 2009 MG3. The only change was the location of the reporting requirement within the permit. In the 2009 MG3, Condition 27.2(i), Good Air Pollution Control Practice, states: “submit a summary of the records and information required by condition 27.2 in the operating report required by condition 45.” Condition 27.3(f) in the 2009 MG3 states: “submit a summary of the records and information required by condition 27.3 in the operating report required by condition 45.” These reporting requirements were moved to Condition 6.2 so that they are not overlooked and because they logically belong with the baghouse and scrubber logs that are to be reported under Condition 6.2.

---

#### **10. Condition 7 MG3/ Condition 6 MG9.**

The header of each of these sections reads “Applies to all engine fuels, including non-road engines.” This is another example of a few words being added making a significant change in the application of the condition to industry operations. The prior requirement DID NOT encompass non-road engines. This Condition is not applicable to non-road engines. Please refer to MG3 TAC Condition 11 Legal Basis & MG9 TAC Condition 10 Legal Basis.

**Response from ADEC:** The Department understands that the former permits and their TARs contain ambiguous language detailing the treatment of non-road engines. The revised permits include language intended to help eliminate this ambiguity. Succinctly, a Permittee must demonstrate compliance with Alaska’s sulfur dioxide (SO<sub>2</sub>) standards for industrial processes and fuel burning equipment under 18 AAC 50.055(c) and the ambient air quality standards for SO<sub>2</sub> under 18 AAC 50.010(2). The emissions of SO<sub>2</sub> from non-road engines are a component of this compliance demonstration. As such, the Department included the SO<sub>2</sub> emissions from all fuel burning equipment in its underlying assumptions during the development of the minor general permits to clarify compliance assurance with the 500ppm standard of SO<sub>2</sub>. Therefore, a Permittee must also include all fuel burning equipment when complying with terms and conditions predicated on the protection of ambient air quality. The legal and factual basis for these conditions is presented in the respective Technical Analysis Reports (TARs) for the revised permits.

---

#### **11. Condition 7 MG3/ Condition 6 MG9.**

For the recording of sulfur compound emissions, the new reporting states you do not need to provide copies of the fuel receipts if ULSD is used. We would like that to read LSD &/or ULSD (Distillate # 1 and Distillate #2) because by other federal regulations they have to meet the sulfur requirements mandated within this permit. We would also like the reference of Diesel #3 to be taken out because it is marine grade diesel and is illegal to use in the engines and burning equipment addressed by these permits.

It seems that the Department is using this section as a way to discourage the use of fuels other than ULSD, by subtly increasing the upfront reporting requirements. Currently the more strenuous reporting does not apply to LSD, but the proposed wording changes that. Additionally, the use of ULSD in an off-road or stationary engine, such as a generator, imposes significant cost upon the industry; the price difference between ULSD and LSD is currently \$.80 per gallon.

---

---

**Response from ADEC:** Condition 7 of the revised MG3 and Condition 6 of the revised MG9 detail recordkeeping and reporting requirements for fuel used at the stationary source. These requirements offer a general simplification from the previous recordkeeping and reporting terms and conditions. They do not constrain, nor are intended to discourage, a Permittee from using a specific grade of fuel. Therefore, operational flexibility is unaffected and the cost differential between fuels is not germane to the recordkeeping and reporting requirements. The abbreviated recordkeeping and reporting associated with using fuel that has a sulfur content of 15 parts per million by weight (ppmw), or ultra-low sulfur diesel (ULSD), is attributed to a broad margin of compliance based on the Department's underlying assumptions in the development of the minor general permits. The Department agrees that this margin of compliance can be assured with the use of a fuel that has a sulfur content of 500 ppmw, or low-sulfur diesel (LSD) based upon a review of initial modeling. Therefore, the ULSD language will be extended to include LSD fuels. The Department will remove the references to #1, #2, and #3 diesels as requested noting the unlikely use of #3 and the supplemental language of these conditions that ensure compliance.

---

## **12. Condition 7 MG3/ Condition 6 MG9.**

Bullet #1 requests certification from the supplier. Please adjust / clarify this wording. What is being certified and in what manner?

**Response from ADEC:** ADEC agrees that the wording in Condition 7 in the MG3 and Condition 6 in the MG9 needs to be modified. The purpose of Bullet #1 is for the Permittee to certify that they only used ULSD fuel during the entire reporting period. The wording will be revised as follows:

*If only ULSD or LSD was used for the entire reporting period, submit a statement certification from the fuel supplier stating only ULSD or LSD was supplied, with your semi-annual operating report.*

---

## **13. Condition 17 MG3/ Condition 16 MG9.**

Considering the size and scope of Alaska, combined with the abbreviated construction season – we would prefer that Equipment Changes be reported with the FOR.

**Response from ADEC:** ADEC disagrees with this comment, see the response to Comment 14. No change has been made based on the rationale supplied below.

---

## **14. Condition 17 MG3/ Condition 16 MG9.**

Clarification of what happens if a Diesel Generator is temporarily replaced due to equipment malfunction / failure, particularly if the temporary generator exceeds 1100HP. Can the facility continue to function under a MG permit?

**Response from ADEC:** Swapping a generator or other equipment can be a concern for permit applicability based on potential emissions from equipment that was not authorized at the time of the original application. Questions regarding specific equipment changes should be directed to the assigned inspector. It is impossible to say specifically whether a change of equipment would result in a permit violation without case specific information, however ADEC will work with the Permittee to avoid disruption in operation.

---

---

**15. General Comment.**

We are appreciative of the additional time allowed, but again want to express our concern that this public comment period occurred during what is arguably the busiest time in the Alaska construction cycle. Such timing does not encourage industry input, but rather discourages participation in the process.

*Response from ADEC: ADEC acknowledges your concern and appreciates your dedication to the improvement of the MG permits. Originally the timing of the public comment period was scheduled to begin before the construction season to try and produce a revised permit prior to the new construction season. Technicalities made the public comment period move back by approximately one month. Since the comment does not address a specific Air Quality term or Condition, no changes have been made as a result of the comment.*

---

**16. General Comment.**

We have put as much time as we could into our comments, but due to other demands are not confident that we have captured all of the nuances of the changes. We feel that these are SIGNIFICANT and SUBSTANTIVE and should be considered in light of the 27 + permits that they represent. We request that the Department re-open the public comment period after these comments are read, considered, and hopefully implemented. Ideally, this would not occur before November.

*Response from ADEC: ADEC acknowledges your concerns, but will not re-open the revised permits for an additional public comment period. ADEC held public webinars and conference calls prior to and during the public comment period, extending the initial opening for additional time at further expense to allow for additional information to be reviewed. Since the scope of the permit revisions was limited and no significant changes have been made to the underlying basis or modeling for any of the permit terms or conditions, an additional comment period is not warranted. Based upon the scope of initial comments received, and the intention for additional webinars/trainings on new permits being held before the next operating season, extending an additional comment period would unreasonably delay the publication of these revisions – possibly into the next season. This comment did not address a specific Air Quality term or condition, so no changes have been made to the permits.*

---

**17. General Comment.**

As regards implementation of the new permit, we recommend April 1, 2014 under the new reporting cycle.

*Response from ADEC: ADEC agrees with your concern and plans to issue the revised permits as soon as possible with an Effective Date of April 1, 2014.*

---

**Contributor: Brad Quade, Anchorage Sand & Gravel Co., Inc.**

---

**18. Table A MG9.**

AS&G's experience with rock crushers proves that an average screening and crushing operation requires more lines for listing the process equipment in Table A, first page of the proposed MG9 permit. If more space is not given AS&G would attach our own separate list for reference. This is not a problem for AS&G, it is only mentioned so that the Department is aware in advance.

---

---

**Response from ADEC:** *ADEC recognizes these concerns and will for your individual approval adjust the number of blank lines available in Table A to accommodate listing additional equipment as necessary to accommodate your equipment.*

---

**19. Condition 5 of MG9.**

Could the Department clarify what format it would proffer to see emissions points identified as discussed in condition 5 of MG9. Possibilities that we identified were pictorial, flow diagram, or in a simple list.

**Response from ADEC:** *ADEC will adjust the wording in Condition 5 of the MG9, as well as in Condition 5 of the MG3, to clarify what format the emissions points can be reported. The Condition will be reworded as follows:*

*Submit a list of emission points identified and which point was monitored. This list may be in the form of a simple list, picture with points circled and labeled, or a flow diagram with labeled emissions points.*

*If the equipment and setup does not change for each reporting period, then the same list, picture, or diagram can be submitted with each FOR until the configuration or equipment is changed.*

---

**20. Emissions calculations.**

Is it acceptable for a permittee to amend the published emission factors in the permit when certain concepts and technologies are employed as referenced in CFR Part 60 and AP-42? An example is wet material screening exemptions or the use of wet suppression control methods. It appears that the emissions factors being used in the permit are of the uncontrolled classification from the AP-42.

**Response from ADEC:** *ADEC acknowledges your concern, but is unable to accept alternative emission factors for the purposes of this revision to this permit. The emission factors used represent the technologies and modeling that is the underlying worst-case basis for the original permits. As this is a general permit, which is applicable to many sources and not site-specific, should you desire to use site specific emission factors, you may apply for a Minor Source Specific permit.*

---

**Contributor: Shawn Crouse, Granite Construction Company**

---

**21. Condition 1.2 MG3.**

This states that you cant operate the plant or more than two seasons at the same location. What are we supposed to do for multi-year projects? Can you clarify that the following conditions are what we need to meet in order to operate more than two seasons? What do we do in a scenario where the project was planned for two seasons but wasn't completed in time and the plant was located within that location?

**Response from ADEC:** *Condition 1.2 in the revised MG3 is unchanged from Condition 18.2 in the 2009 MG3, and was not part of the scope of revisions during this permit action. The underlying basis for this condition remains unchanged. See also the response to Comment 22.*

---

---

## 22. Condition 1.3 MG3.

“or is located at a seasonal source and operates during the full annual operating period of the seasonal source” so now there are no exemptions for anything that operates seasonally even if it is relocated within 12 months?

**Response from ADEC:** *If an engine operates at a seasonal source and remains on site during the off-season, then is operated again during the operating season, then the engine does not qualify as non-road. If the engine is moved to a different location at the end of the operating season, then the 12-month clock restarts. However, if the engine is moved specifically to circumvent the regulations, it should be understood that intentional circumvention is unlawful. By definition, anything relocated within 12-months will remain a non-road engine.*

*Condition 1.3 in the MG3 and 1.2 in the MG9 were written according to the definition of non-road engines in 40 C.F.R. 89.2, adopted by reference in 18 AAC 50. The definition in 40 C.F.R. 89.2 includes the following statement:*

*“An engine located at a seasonal source is an engine that remains at a seasonal source during the full annual operating period of the seasonal source. A seasonal source is a stationary source that remains in a single location on a permanent basis (i.e., at least two years) and that operates at that single location approximately three months (or more) each year. This paragraph does not apply to an engine after the engine is removed from the location.”*

---

## 23. Condition 2 MG3.

Why did the range change to one mile?

**Response from ADEC:** *Condition 2 of the revised MG3 is a combination of Condition 22 and Condition 28.2(a) from the 2009 MG3. In Condition 28.2(a), a fugitive dust control plan is to be submitted with location change forms if the location is within one mile of the nearest inhabited off-site structure. Therefore, the requirements in Condition 2 are unchanged from the 2009 MG3. In addition, the one mile setback distance was established from air dispersion modeling that was conducted during the development of the 2003 GP3.*

---

## 24. Condition 5.1 MG3.

- a) What is the reason for adding a fugitive emission point visible emission reading?
- b) What is the reason for increasing the emission reading frequency to every 14 days?

**Response from ADEC:** *ADEC acknowledges the comments submitted regarding Condition 5.1 and will respond in two parts.*

*a) Fugitive emission points to be monitored for visible emissions were revised but not increased from the 2009 MG3. In the 2009 MG3, Condition 2 stated the following:*

*“The Permittee shall inspect each emission point capable of producing fugitive emissions, and observe the exhaust of the drum/dryer and each emission point producing fugitive emissions for visible emissions in accordance with 40 C.F.R. 60, Appendix A, Method 9 for a minimum of 18 consecutive minutes.”*

*According to the 2009 MG3 permit, every fugitive emission point was to be monitored. This Condition was revised so that only two points on the asphalt plant, excluding diesel engines, are to be monitored: the baghouse or scrubber stack, and one fugitive emission point.*

---

---

b) See response from ADEC in Comment 6.

---

### **25. Condition 6.2 MG3.**

It is not possible to keep a daily log of the start and stop times of the batch plant, they start and stop constantly throughout the day. What would be the purpose in requiring this information? We have always provided the time of startup and shutdown for beginning and end of shift, this should be sufficient.

**Response from ADEC:** ADEC agrees that keeping a log of all start and stop times of a batch plant throughout a day would be difficult. The monitoring requirement is intended to be more general, where “start and stop times with the date for each operating day” should be interpreted as the startup time at the beginning of the day, and the stop time at the end of the day. Not necessarily the start and stop times for each batch throughout the day. This information would also be sufficient if this is how some plant operators keep track of their operation data. The wording will be revised as follows for clarification:

Startup and stop shutdown times with the date for each operating day.

---

### **26. Condition 7 MG3.**

- a) Fuel delivery receipts are used for invoicing do you want the receipts or copies?
- b) Below it says if ULSD is used to submit a certification. Please clarify what is acceptable.

**Response from ADEC:**

a) Fuel receipts should be kept on site for at least five years, and ADEC will accept these as originals or copies.

b) ADEC agrees that the wording in Condition 7 in the MG3 and Condition 6 in the MG9 needs clarification. The purpose of Bullet #1 is for the Permittee to certify that they only used ULSD fuel during the entire reporting period. See ADEC response to Comment 12.

---

### **27. Condition 11 MG3.**

What is the purpose of keeping a log of the non-road engines? We already submit a location change notice. This is repetitive.

**Response from ADEC:** The location change notice, Form 1 from Condition 2, covers the relocation of the entire plant. The non-road engine log is specific to each non-road engine associated with a plant. This is not a new condition, and was listed as Condition 46 in the 2009 MG3 and Condition 42 of the 2009 MG9. The only revision to the non-road engine condition is the requirement to include a copy of the location log with each FOR. The purpose of the non-road engine location log is to keep track of the engine’s non-road classification status and to be sure that proper monitoring, recordkeeping, and reporting requirements are met if an engine is no longer qualified as a non-road engine.

---

### **28. Condition 15.1 MG3.**

“keep a copy of either the manufacturer’s or the operator’s maintenance procedures” this is something that should be added for new plants going forward. A lot of the plants are very old and it will be nearly impossible to get this information from the manufacturer.

---

---

**Response from ADEC:** ADEC acknowledges your concern and understands that many plants in Alaska are old and no longer have manufacturer information available. Condition 15.1 allows a copy of the operator's maintenance procedures to take the place of manufacturer's maintenance procedures, if such information is not available. Operator's maintenance procedures may simply consist of the operation and maintenance plan that is required with the MG3 application.

---

**29. Condition 15.1(f)(i) MG3.**

Name of inspector will be difficult to get at times, this shouldn't be required.

**Response from ADEC:** The name of the inspector who performed that inspection and filled out the inspection record should be recorded. ADEC appreciates your attention to detail on the revised permits. For Condition 15.1(f), the baghouse inspection log should be filled out as completely as possible.

---

**30. Condition 17 MG3.**

Can you clarify whether equipment change notices need to be made capacity does not differ? There is some discrepancy between sections.

**Response from ADEC:** Information on change notification should contain enough information for calculating a change in emissions such as: make, model, size, capacity, etc. Please, contact your assigned inspector if you have questions. See also the ADEC response to Comment 14.

---

**31. Table A MG9.**

What is the difference between Rock Crusher and Process Equipment?

**Response from ADEC:** In Table A of the MG9, Rock Crusher refers to the crushing equipment, such as jaw crushers, impact crushers, and cone crushers. Process Equipment refers to the screens, aggregate bins, conveyors, and any miscellaneous equipment other than the crushers or diesel engines that are involved in the crushing process.

---

**32. Condition 5.1 MG9.**

How should we determine which emission point has the highest continuous opacity? Do we only do an opacity reading on that emission point and not on any other?

**Response from ADEC:** First you should identify all possible fugitive emissions points by making a list, drawing a diagram, or circling points on a picture of the crushing process, as required in Bullet #2 of monitoring and Bullet #1 of reporting in Condition 5.1. After all points are identified, the certified visible emissions (VE) observer should visually inspect these points when the plant is operating and objectively choose the point that appears to create the most dust during a 6-min average opacity observation using Method 9. Only this one point needs to be monitored for Condition 5.1 for the MG9. It should be noted that a different fugitive dust emissions point may be selected for monitoring if equipment configuration, project type, location, or other factors change. ADEC acknowledges that this can be subjective, so selections should be made by a certified Method 9 reader who would have experience visually comparing opacity plumes.

---

**33. Condition 18 MG9.**

Are you saying we are going to have to source test the crushers now? What exactly would we source test?

---

---

**Response from ADEC:** ADEC appreciates your concerns. Source tests do not need to be conducted on rock crushers, but potentially on diesel engines authorized under the MG9 permit. Condition 18 covers source test requirements if diesel engines associated with rock crushing plants are subject to source test under Condition 5.3(e)(i) or 5.3(f), Corrective Actions for Smoke Observed in Condition 5.2.

---

### 34. Form 8.

What is the purpose of keeping a log of the non-road engines? We already submit a location change notice. This is repetitive.

**Response from ADEC:** Please see the response to Comment 27.

---

### Other comments received

---

### 35. Condition 1.3 MG3.

The definition of a full annual operating period seems unclear to me. Does it mean operating for an annual 12 months or the April –October operating season?

**Response from ADEC:** Condition 1.3 was taken from the definition of non-road engines in 40 C.F.R. 89.2. A seasonal source is described as follows:

*“A seasonal source is a stationary source that remains in a single location on a permanent basis (i.e., at least two years) and that operates at that single location approximately three months (or more) each year.” [40 C.F.R. 89.2]*

According to this definition, a full annual operating period for a seasonal source would be considered as approximately three months or more, which is typically April through October in Alaska.

---

### 36. Condition 5.1 MG3.

If six-minute average opacity is observed as 20% or greater, report as excess emissions under Condition 9 and refer to Condition 15 for Good Air Pollution Control Practices; take corrective actions as appropriate.

Report any excess emissions (greater than 20% opacity) according to Condition 9.

There is some inconsistency here.

**Response from ADEC:** ADEC agrees that the opacity limit is inconsistent throughout Condition 5.1. The limit is 20% opacity, so violations would be any opacity readings greater than 20%. Condition 5.1 in the MG3 and MG9 will be revised as follows:

*If six-minute average opacity is observed as ~~20% or greater~~ greater than 20%, report as excess emissions under Condition 9 and refer to Condition 15 for Good Air Pollution Control Practices; take corrective actions as appropriate.*

*Report any excess emissions (If six-minute average opacity is observed as greater than 20% opacity) according to Condition 9.*

---

### 37. Condition 5.2.

Should we mention here what the opacity limit is?

---

---

**Response from ADEC:** ADEC agrees that the opacity limit should be reference in Condition 5.2. Table B lists the opacity limit and will be cited in Condition 5.2.

---

**38. Condition 5.3(e).**

Again, just keep it consistent throughout.

**Response from ADEC:** ADEC will keep the opacity limit consistent throughout the permit, and the wording of this Condition will not need to be revised after the revisions mentioned in Comment 36 are completed.

---

**39. Condition 7.**

No limit stated with this condition.

**Response from ADEC:** The sulfur compound emissions limit is listed in Table B, and will be referenced in Condition 7.

---

**40. Condition 8 MG9, Condition 9 MG3.**

Do we still want them to submit EEs/PDs with FORs? Not stated to submit with FOR.

**Response from ADEC:** In Condition 44 of the 2009 MG3 and Condition 40 of the 2009 MG9, Excess Emissions and Permit Deviation reports have specific deadlines that are not tied to Facility Operating Report (FOR) deadlines. The only time these reports need to be submitted with the FORs is if the excess emissions or permit deviations were not previously reported (per Condition 45.2 in the 2009 MG3, and Condition 41.2 in the 2009 MG9). However, if excess emissions and permit deviations are reported in accordance with Condition 8 and Condition 9 of the revised permits, then there is no need to submit them a second time with the FOR. If the reports are submitted in accordance with Conditions 8 and 9, then the Permittee is now directed to include only a summary list of those forms.

---

**41. Form 1.**

This does not relate to distance to an inhabited structure. If the Borough has specific zoning requirements against crushing and asphalt plants operating within the Borough. I spoke with Jim B. on Wednesday and he said that his sentence is in the incorrect spot on the form and is misleading. I also think some explanation or definition will help sources understand what approval that need to get and why.

**Response from ADEC:** ADEC agrees that the wording and organization on Form 1 is unclear. The form will be revised as follows:

Attach approval documents from Borough where plant is to be located. If the plant is to be located in a city or borough with zoning restrictions, please attach the location or siting approval documents from that city or borough to this form (optional).

---

**42. Condition 7.**

Many of the MG 3s use Natural Gas (which is piped) for the Drum/Dryer, and/or use a combination of Natural Gas, highline power, and ULSD fuels. Do we no longer care about NAT GAS fuel content?

---

---

**Response from ADEC:** The natural gas requirements were taken out of the permits but kept in the Technical Analysis Reports because there was no clear record that minor asphalt plants currently used natural gas. The requirements for natural gas will be put back in the permits under Condition 7, in addition to a reporting requirement for highline power. See below.

Report:	<ul style="list-style-type: none"><li>• <u>If natural gas was used during the reporting period, submit a statement certified by the Responsible Official for this time period.</u></li><li>• <u>If highline power was used during the reporting period, submit a statement certified by the Responsible Official for this time period.</u></li></ul>
---------	--

**43. Condition 5.3(b)&(c) MG3.**

Is this necessary? My point on this is that the Permittee might find themselves in a situation where they are emitting at 5% opacity if they were reading opacity by Method 9 we wouldn't require any corrective action. I think it makes sense that if they are reading opacity by smoke/no smoke that they have to immediately start and continue reading opacity by Method 9 until they have initiated actions to return the opacity to "no smoke" and fulfilled Condition 5.3d.

I think Condition 5.3a should be phrase as 5.3a Do an initial Method 9 observation, following specifications and continue observing emissions in accordance with Condition 5.1. In order to return to smoke/no smoke they need to fulfill Conditions 5.3 b,c,d.

**Response from ADEC:** ADEC agrees with your re-wording of Condition 5.3(a), with slight modification. The Permittee is not required to return to Smoke/No Smoke readings if they see smoke and then follow the rest of Condition 5.3 to eliminate smoke, as long as they monitor emissions using Method 9. The revised wording would allow the Permittee to switch to Method 9 without additional corrective actions if the opacity limit is not exceeded, while also giving them the option to return to Smoke/No Smoke method if they follow Condition 5.3(b)-(d). Condition 5.3(a) will be revised as follows:

*a. ~~Begin daily Method 9 observations, following specifications in Condition 5.1~~ Do an initial Method 9 observation. If opacity is greater than 20%, see corrective actions in 5.3(e) or (f). Continue using Method 9 to monitor visible emissions, following specifications in Condition 5.2. In order to return to Smoke/No Smoke Plan, follow Conditions 5.3(b)-(d).*

---

**44. Condition 17 MG3.**

I though MG3 permits were for Asphalt plants without associated crushing equipment. Also, these asphalt plants mix and match emission sources and baghouses. I think there needs to be some type of a form included that for the Permittee to record and submit with each FOR that tracks how the emission source and pollution control equipment gets moved around.

**Response from ADEC:** ADEC recognizes the confusion with Condition 17 of the MG3. The Condition was mistakenly copied from the MG9 and not updated for the MG3. The condition will be revised as follows:

*17. **Equipment Changes.** Submit changes in asphalt drums, dryers, and baghouses or scrubbers, ~~initial crushing, tertiary crushing~~ or diesel engine equipment, if capacity differs from original permitted equipment, to the Department within 30 days.*

*See the response to Comment 30 for additional edits to this Condition.*

---

### **Additional Changes made by ADEC – Draft MG3 Permit**

- Table B: Details added to opacity limit to reflect opacity limit mentioned in Condition 5.3(f).
- Condition 4.2: The phrase “if electronic signing methods are available” was added to clarify that if electronic reports are submitted in place of paper originals, then the Department needs verification of the signature. The electronic signature option is being developed by the Department.
- Header of Conditions 5.1, 5.2, 5.3, and 6.2: Format changed to Bold, Italic to match the rest of the permit.
- Condition 5.1: Monitor section, bullet 3, sub-bullet 2 wording changed as follows: “Within two days of startup at the beginning of the season or after relocation~~relocating the plant;~~”
- Condition 5.1: Report section, bullet 1 wording changes as follows:
  - Submit a list, diagram, or labeled picture identifying fugitive emissions points ~~of emissions points identified~~ and which point was monitored.
- Condition 5.2: Details of what is required in Smoke/No Smoke log added to Record section, which was taken from the 2009 MG3. Report requirement added as follows:
  - Report if/when you change visible emissions observation methods.
- Condition 6: Reference to Table B: Emissions Limits added.
- Condition 15: “On site” was added to the end of the first paragraph of this Condition.
- Condition 19.1: This Condition was shorted because the information is duplicated in Condition 19.2. Wording repeated in Condition 19.2 was taken out of 19.1.
- Condition 19.5: “For diesel engines only” was added to the end of this Condition because the Test Exemption only applies if you have to conduct a source test based on Conditions 5.2 and 5.3 for Corrective Actions for Smoke Observed. The test exemption does not apply to asphalt plant particulate matter source tests.
- Appendix A: Assessable Emissions Calculation (MG3): Minor grammar and formatting changes.
- Form 4: Facility Operating Report Form: “Rock Crusher” under Visible Emissions section corrected to “Asphalt Plant.” Additional changes made for Conditions 5.1 and 7 to reflect changes in permit condition wording or requirements.
- Form 10: Form 9 for daily production logs was renamed as Form 10. A new form was added for the reporting requirement of Condition 17: Equipment Changes and will be labeled Form 9.

### **Additional Changes made by ADEC – Draft MG9 Permit**

- Table B: Details added to opacity limit to reflect opacity limit mentioned in Condition 5.3(f).
- Condition 1: Wording changed from “crusher” to “rock crusher plant.”
- Condition 1.3: Added to reflect SO<sub>2</sub> Special Protection Areas that are specified in 18 AAC 50.025(c).

- 
- Condition 4.2: The phrase “if electronic signing methods are available” was added to clarify that if electronic reports are submitted in place of paper originals, then the Department needs verification of the signature. The electronic signature option is being developed by the Department.
  - Condition 5.1: Report section, Bullet #1 was reworded as follows:
    - Submit a list, diagram, or labeled picture identifying fugitive emissions points ~~of emissions points identified~~ and which point was monitored.
  - Condition 5.2: Details of what is required in Smoke/No Smoke log added to Record section, which was taken from the 2009 MG3. Wording changed in Bullet #2 of the Report section from “in FOR” to “for the reporting period.”
  - Condition 14: “On site” was added to the end of the first paragraph of this Condition.
  - Condition 16: Wording changed from “initial crushing, tertiary crushing” to “rock crushers”.
  - Condition 18.1: This Condition was shorted because the information is duplicated in Condition 18.2. Wording repeated in Condition 19.2 was taken out of 19.1.
  - Condition 18.5: “For diesel engines only” was added to the end of this Condition because the Test Exemption only applies if you have to conduct a source test based on Conditions 5.2 and 5.3 for Corrective Actions for Smoke Observed. The test exemption does not apply to asphalt plant particulate matter source tests.
  - Appendix A: Assessable Emissions Calculation (MG9): Minor grammar and formatting changes.
  - Form 4: Facility Operating Report Form: Changes made for Conditions 5.1 and 7 to reflect changes in permit condition wording or requirements.
  - Form 9: This form was added for the reporting requirement of Condition 16: Equipment Changes.

---

#### **Additional Changes made by ADEC – Draft MG3 TAR**

- Condition 5: Further explanation was added to the Factual Basis, paragraph 3, clarifying the need to monitor non-road engines. See also the response to Comment 10.
- Condition 7: Wording for the certification required if only ULSD or LSD is used was revised to match the permit condition changes in Comment 26.
- Condition 7: Natural gas requirements were updated and highline power requirements were added to match the changes made to the permit condition in Comment 42.

---

#### **Additional Changes made by ADEC – Draft MG9 TAR**

- Condition 1: Condition 1.3 legal and factual basis added to reflect the addition of this condition in the MG9 Rev. 1 permit. This Condition was unintentionally omitted in the draft permit and was added to follow regulations found in 18 AAC 50.025(c).
  - Condition 5: Further explanation was added to the Factual Basis, paragraph 2, clarifying the need to monitor non-road engines. See also the response to Comment 10.
  - Condition 6: Wording for the certification required if only ULSD or LSD is used was revised to match the permit condition changes in Comment 26.
  - Condition 6: Natural gas requirements were updated and highline power requirements were added to match the changes made to the permit condition in Comment 42.
-

# **DEPARTMENT OF ENVIRONMENTAL CONSERVATION**

## **AIR QUALITY OPERATING PERMIT**

### **RESPONSE TO COMMENTS**

**Owner Name: Air Quality Minor General Permit Applications for MG3/MG9**

**Public Comment Closing Date: March 28, 2014**

**Source Name: N/A**

The public comment period for the Air Quality Minor General Operating Permit Applications for Asphalt Plants (MG3) and Rock Crushers (MG9) closed on March 28, 2014. No comments were received within the statutory deadline of the public comment period. However, the Department made minor corrections and edits to clarify the application material or correct typographic mistakes. Those edits are contained in the final applications provided herein.