



**United States Environmental Protection Agency
General 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 Hot Mix
Asphalt Plants in Indian Country**

Last Modified: April 6, 2015

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 the operation of each stationary and portable hot mix asphalt 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 as 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 technologies 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 location(s) 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 or, 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*

This 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 permitted 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 permitted 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 emissions unit, including any associated air pollution control equipment, in a manner consistent with good air pollution control practices for minimizing emissions of New Source Review-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. Except as specified in Condition 17, production of hot mix asphalt shall not exceed the following amounts:
 - a. 83,000 tons-per-month based on a 12-month rolling average from a drum mix asphalt plant;
 - b. 27,000 tons-per-month based on a 12-month rolling average from a batch mix asphalt plant.
16. In serious CO nonattainment areas, production of hot mix asphalt shall not exceed the following amounts:
 - a. 33,000 tons-per-month based on a 12-month rolling average from a drum mix asphalt plant;
 - b. 11,000 tons-per-month based on a 12-month rolling average from a batch mix asphalt plant.
17. The following throughput limits apply when sources are co-located with stone quarrying, rock crushing and screening facilities and have elected to comply with the limits, as applicable:
 - a. 73,000 tons-per-month based on a 12-month rolling average from a drum mix asphalt plant;
 - b. 25,000 tons-per-month based on a 12-month rolling average from a batch mix asphalt plant.The requirement to comply with this condition shall be specified in the Approval of Request for Coverage.
18. Fuel combustion shall be limited to the following fuels:
 - a. Natural gas, propane, distillate fuel, and biodiesel in the dryer/mixer and auxiliary heaters;
 - b. Diesel and biodiesel in the stationary engines and generators.
19. Liquid fuels shall contain no more than 0.0015 percent sulfur by weight.
20. The combined fuel consumption in all engines and generators, excluding nonroad mobile engines, shall not exceed 12,500 gallons-per-calendar month, except for:
 - a. Permitted sources located in a serious ozone nonattainment area, where fuel consumption shall not exceed 5,200 gallons-per-calendar month; or
 - b. Permitted sources required by the Approval of Request for Coverage to comply with this condition, Condition 20.b., 18,275 gallons per-calendar month. This fuel consumption limit also includes any fuel use at a co-located stone quarrying, crushing, and screening operation.
21. Emissions from an affected dryer/mixer shall be controlled using a baghouse or venturi scrubber during all times when the affected emissions unit operates.
22. The permittee should maintain a supply of extra bags and other spare parts for the baghouse onsite. When a bag replacement is needed the facility shall shut down until the replacement bag is installed.
23. The permittee shall comply with the fugitive dust control plan in Attachment C.
24. Each affected emissions unit shall not cause to be discharged into the atmosphere any gases that exhibit 20 percent opacity or greater averaged over any six-consecutive-minute period.
25. Emissions from each affected emissions unit mixer/dryer shall not exceed the following:

Fuel	Pollutant	Nonattainment	Attainment, Unclassifiable or Attainment/Unclassifiable
Liquid	Carbon Monoxide (CO)	600 ppm _{vd} @ 3% O ₂	600 ppm _{vd} @ 3% O ₂
	Nitrogen Oxides (NO _x)	40 ppm _{vd} @ 3% O ₂	140 ppm _{vd} @ 3% O ₂
	Particulate Matter (PM/PM ₁₀ /PM _{2.5})	0.01 gr/dscf, except for a baghouse with a filter area less than 7,500 square feet, then 0.04 gr/dscf	0.04 gr/dscf
Gaseous	CO	400 ppm _{vd} @ 3% O ₂	400 ppm _{vd} @ 3% O ₂
	NO _x	36 ppm _{vd} @ 3% O ₂	80 ppm _{vd} @ 3% O ₂
	PM/PM ₁₀ /PM _{2.5}	0.01 gr/dscf, except for a baghouse with a filter area less than 7,500 square feet then 0.04 gr/dscf	0.04 gr/dscf
Notes	<p>The nonattainment CO limit applies in areas classified as nonattainment for CO.</p> <p>The nonattainment NO_x limit applies in areas classified as nonattainment for ozone, NO₂ or PM_{2.5}.</p> <p>The nonattainment PM limit applies in areas classified as nonattainment for PM₁₀ or PM_{2.5}.</p> <p>The nonattainment PM limit includes both filterable and condensable particulate matter.</p>		

26. Each permitted source located in a PM₁₀ or PM_{2.5} nonattainment area shall cool gases in the asphalt storage tank to less than 120 degrees Fahrenheit and vent to a fiberglass or steel wool filter.
27. Each permitted source located in ozone nonattainment area shall not cause emissions from any process heater to exceed:
 - a. 20 ppm_{vd} NO_x at 3% O₂, and
 - b. 400 ppm_{vd} CO at 3% O₂.
28. Each affected compression ignition engine, excluding nonroad mobile engines, shall comply with the following limitations and standards:
 - a. 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.
 - b. 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 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 CO to 49 ppm _{vd} @ 15% O ₂ OR reduce CO emissions by 70 percent or more. 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 _{vd} @ 15% O ₂ 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 560kW 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.

Section 3: Monitoring and Testing Requirements

29. Baghouse and Venturi Scrubber

- a. If using a baghouse to comply with Condition 21, at least once during each calendar week in which the permitted source operates, the permittee shall inspect the interior and exterior of the baghouse for evidence of leaking, damaged, and missing bags, and take appropriate corrective actions before resuming operations.
- b. If using a venturi scrubber to comply with Condition 21, the permitted source shall:
 - i. Install, maintain, and operate a monitoring device for the continuous measurement (at least once every 15 minutes) of the pressure drop across the gas stream through the scrubber;
 - ii. Install, maintain, and operate a monitoring device for continuous measurement (at least once every 15 minutes) of the scrubbing liquid flow rate to the scrubber; and
 - iii. Operate the scrubber such that the 3-hour block average of the pressure drop and liquid flow rate do not differ by more than +/- 30 percent from the most recent performance test average.

30. Visible Emissions Survey

At least once during each calendar week in which the permitted sources operates, the permittee shall perform a visible emissions survey of all affected emissions units subject to the opacity limit in Condition 24. The survey shall be performed during daylight hours by an individual trained in the U.S. Environmental Protection Agency (EPA) Method 22 while the permitted source is in operation. If visible emissions are detected during the survey, the permittee shall either:

- a. Take corrective action so that within 24 hours no visible emissions are detected from any affected emissions units while they are in operation; or
- b. 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 (Attachment C).

32. *Initial Performance Test for Mixer/Dryer*

- a. Within 60 days after achieving the maximum production rate at which the permitted source will operate the affected emissions unit(s), but not later than 180 days after the first day of operation after receiving coverage under the General Permit, the permittee shall perform an initial performance test to verify compliance with the applicable emission limitations in Conditions 25 and 27. Performance tests shall be performed:
 - i. According to a test plan approved by the reviewing authority;
 - ii. While the permitted source is operating under typical operating conditions;
 - iii. If using a venturi scrubber, while the scrubber's pressure drop and liquid flow rate are being continuously monitored;
 - iv. Using test methods from 40 CFR part 60, appendix A unless alternative methods are approved by the reviewing authority in writing in advance of the test. For process heaters, measurements of NO_x and CO may be taken using portable analyzers according to ASTM D6522-00, as incorporated by reference in 40 CFR 63.14(b)(27);
 - v. Using Method 5 with a sample volume of at least 31.8 dscf to determine particulate matter concentration; and
 - vi. Simultaneously for CO and NO_x whenever either one needs to be tested.
- b. Compliance with each limit shall be demonstrated by averaging the results of at least three test runs of at least one hour duration each, unless the permittee can demonstrate to the satisfaction of the reviewing authority that the result of one of the test runs should be discarded. The test results the permittee submits must contain at least two test runs.
- c. The permitted source may substitute the results of the most recent performance test performed on the mixer/dryer in lieu of conducting the initial performance test for the mixer/dryer required above, provided that the most recent performance test was conducted within two years of the Approval of Request for Coverage issued by the reviewing authority, and, was conducted according to the requirements in Condition 32.a. above.

33. *Additional Performance Test(s) for Mixer/Dryer*

Ongoing performance tests meeting the criteria of the initial performance test in Condition 32 shall be performed:

- a. When required by the reviewing authority;
- b. When the hot mix asphalt plant is relocated to an area classified as nonattainment for CO, ozone, NO₂, PM₁₀, or PM_{2.5} from an area that is in attainment, unclassifiable or attainment/unclassifiable for that pollutant unless the most recent compliance test showed compliance with the applicable nonattainment emission limits; and
- c. At least every five years.

34. *Inspection and Tune-up following Relocation of Mixer/Dryer*

Whenever the permitted source relocates to sites approved under this permit, the permittee shall conduct an inspection and tune-up of the dryer/mixer burners meeting the following requirements:

- a. Burners shall be visually inspected and components cleaned or replaced as necessary;
- b. The flame pattern shall be inspected and adjusted consistent with the manufacturer's specifications;
- c. The combustion zone shall be inspected and adjusted so it is unobstructed by aggregate or other solid materials;
- d. The system controlling the air-to-fuel ratio shall be inspected to ensure it is correctly calibrated and functioning properly;
- e. CO and NO_x concentrations (in ppm) and O₂ concentration (in percent by volume) in the exhaust stream shall be measured to ensure compliance with the applicable emission limits in Condition 25 and the burners adjusted as necessary. Measurements may be taken using portable analyzers following the procedures specified by ASTM standard D6522-11.

35. *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 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 28.b, as applicable, as follows:

- a. According to an EPA-approved test plan;
- 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 35.a-f. above.

36. *Continuous Parameter Monitoring at Engines*

For each engine greater than 500 hp subject to a CO emission limitation 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.

37. *Pressure Drop Monitoring at Engines*

For each engine greater than 500 hp subject to a CO emission limitation 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.

Section 4: Recordkeeping Requirements

38. The permittee shall maintain all records required to be kept by this 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.
39. 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 covered under this permit.
40. The amount of asphalt produced each month shall be recorded.
41. The types and quantities of fuel combusted in each affected emissions unit, including engines and generators, shall be recorded each month.
42. The dates and results of all baghouse inspections performed pursuant to Condition 29.a and any corrective actions taken as a result of the required inspections shall be recorded.
43. The permitted source shall maintain records of the 3-hour block average pressure drop and liquid flow rate data monitored by Condition 29.b and any associated corrective actions taken.
44. 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 affected emissions unit;
 - c. Any corrective action taken;
 - d. The result of any corrective action; and
 - e. The results of any Method 9 tests performed.
45. 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.
46. The results of each performance test conducted pursuant to Condition 32, 33, or 35 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. Test conditions, including the amount of asphalt produced and the type and amount of fuel combusted in the mixer/dryer during each test run;
 - e. The results of each test;
 - f. If using a venturi scrubber, the average pressure drop and liquid flow rate measured during a performance test for particulate matter and the operating ranges established according to Condition 29.b.iii.; and
 - g. The name of the company or entity conducting the analysis.

47. The dates and results of each dryer/mixer inspection and tune up performed pursuant to Condition 34, any corrective action taken as a result of each inspection and tune up, and the result of any corrective action taken shall be recorded.
48. A log of all maintenance activities conducted on each engine, excluding nonroad mobile engines, shall be recorded.
49. The date, time, and duration of each deviation from the established catalyst operating parameters for each engine and the established venturi scrubber operating parameters, corrective actions taken to return the equipment to normal operation, and the results of any corrective action taken shall be recorded.

Section 5: Notification and Reporting Requirements

50. *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, and within 30 days from when the permittee begins initial operations or resumes operation after a modification.

51. *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 within 30 days before or after such relocation. The notification must identify the owner, the preceding location, and the new location of the permitted source.

52. *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 permitted 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.

53. *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.

54. *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 in Section 2 for each location in which the permitted source located during the calendar year;
- b. Summaries of the required monitoring and recordkeeping in Sections 3 and 4; and
- c. Summaries of deviation reports submitted pursuant to Condition 55.

55. *Deviation Reports*

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

- a. The identity of affected emissions unit where the deviation occurred.
- b. The nature of the deviation;
- c. The length of time of the deviation;
- d. The 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 24 or emission limit in Condition 25; or
 - ii. Within 30 days after the end of the month in which the permittee discovered the deviation, for all other deviations.

56. *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 product produced during each test run;
- g. Operating parameters of the affected emissions units and control equipment during each test run; and
- h. Sample calculations of equations used to determine test results in the appropriate units.
- i. The name of the company or entity performing the analysis.

57. *Reporting and Notification Address*

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

58. *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 practicable.

Section 6: Changes to this General Permit

59. 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.

60. 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.

61. Change in Ownership or Operator

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

62. 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

63. 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 D contains a list of reviewing authorities and their area of coverage.

64. If the plant will locate in areas 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
Btu	British thermal units
CAA or the Act	Federal Clean Air Act
CFR	Code of Federal Regulations
CO	carbon monoxide
EPA	United States Environmental Protection Agency
gr/dscf	gram per dry standard cubic foot
Hg	mercury
hp	horsepower
kW	kilowatt
NAAQS	National Ambient Air Quality Standards
NO ₂	nitrogen dioxide
NO _x	oxides of nitrogen except N ₂ O
NSR	New Source Review
PM	particulate matter
PM ₁₀	particulate matter with an aerodynamic diameter less than 10 microns
PM _{2.5}	particulate matter with an aerodynamic diameter less than 2.5 microns
ppm	parts per million
ppm _{vd}	parts per million by volume, dry basis
PSD	Prevention of Significant Deterioration

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 minor source under the terms and conditions of this General Permit.

Biodiesel means a combustion fuel made from fatty acids of methyl esters that complies with the specifications of ASTM 6751.

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 National ambient air quality standard (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.

Construction means any physical change or change in the method of operation including fabrication, erection, installation, demolition, or modification of an affected emissions 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.

Natural gas means a mixture of hydrocarbons that is a gas at standard conditions and is either composed of at least 70 percent methane by volume or has a gross calorific value of between 950 and 1150 Btu per dry standard cubic foot.

Permittee means the owner or operator of a permitted source.

Permitted source means each stationary and portable hot mix asphalt 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.

Standard cubic foot means a measure of the quantity of a gas equal to a cubic foot of volume at a temperature of 68 °F and a pressure of 29.92 in. Hg.

Attachment C: 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 fugitive dust control compound approved by the reviewing authority. Applications of dust suppressants shall be done as often as necessary to meet all applicable emission limits.
 - 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 – List of Reviewing Authorities and Areas of Coverage

EPA Region	Address for Notification of Coverage	Address for All Other Notifications and Reports	Area Covered	Phone Number
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 th Floor New York, NY 10007-1866	Chief, Air Compliance Branch Division of Enforcement and Compliance Assistance EPA Region 2 290 Broadway, 21 st 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

EPA Region	Address for Notification of Coverage	Address for All Other Notifications and Reports	Area Covered	Phone Number
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
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