

# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



**AN ORDER** GRANTING THE APPLICATION BY VULCAN CONSTRUCTION MATERIALS, LLC FOR PERMIT NO. 147392L001; TCEQ DOCKET NO. 2018-1303-AIR; SOAH DOCKET NO. 582-19-1955

On November 20, 2019, the Texas Commission on Environmental Quality (TCEQ or Commission) considered the application of Vulcan Construction Materials, LLC for an air quality permit for a new rock crushing plant to be located in Bulverde, Comal County, Texas. A Proposal for Decision (PFD) was issued by Victor John Simonds and Rebecca S. Smith, Administrative Law Judges (ALJs) with the State Office of Administrative Hearings, and considered by the Commission.

After considering the PFD, the Commission makes the following findings of fact and conclusions of law.

## **I. FINDINGS OF FACT**

### **Background**

1. On June 26, 2017, Vulcan Construction Materials, LLC (Vulcan or Applicant) filed an application for an air quality permit to authorize the construction and operation of a new rock crushing plant (Plant). The application, the Air Quality Analysis (AQA) submitted on November 7, 2017, and the revisions submitted on November 17, 2017, will be collectively referred to as the Application.

2. Vulcan proposes to construct the Plant on property whose northeast corner is the southwest corner of the intersection of Highway 46 and Farm-to-Market Road 3009, Bulverde, Comal County, Texas.
3. TCEQ's Executive Director (ED) declared the Application administratively complete on July 5, 2017.
4. The ED determined the Application was technically complete on January 19, 2018, and issued a draft permit for the Application (Draft Permit).

#### **Notice and Jurisdiction**

5. On July 28, 2017, Vulcan published a Notice of Receipt and Intent to Obtain an Air Quality Permit in Spanish in *La Prensa Comunidad del Valle*, and on July 31, 2017, published it in English in the *San Antonio Express-News*.
6. On January 12, 2018, the ED provided written notification of the Draft Permit to the state senator and state representative who represent the area where the Plant will be located.
7. On January 26, 2018, Vulcan published a Combined Notice of Public Meeting and Notice of Application and Preliminary Decision in English in the *San Antonio Express-News* and in Spanish in *La Prensa Comunidad del Valle*.
8. Vulcan posted required signs, including alternative language signs.
9. Notice of the Application was made to all persons and entities to which notification was required.
10. The TCEQ held a public meeting in New Braunfels on February 27, 2018.
11. The public comment period ended on February 27, 2018.
12. On September 6, 2018, the ED filed a Response to Public Comments and stated that no changes were made in response to public comment for the final Draft Permit.
13. On December 13, 2018, the Commission issued an interim order granting certain hearing requests, denying certain hearing requests and requests for reconsideration, and referring the Application to the State Office of Administrative Hearings (SOAH) for a contested evidentiary hearing on the following nineteen issues:
  - A. Whether the proposed plant will negatively affect human health, included sensitive subgroups, and physical property;
  - B. Whether the conditions in the proposed permit will adequately protect against dust emissions from the proposed plant, including during periods of high winds;
  - C. Whether cumulative impacts of existing sources were properly considered;

- D. Whether the controls in the proposed permit constitute Best Available Control Technology (BACT);
- E. Whether the proposed facility will adversely affect wildlife, vegetation, flora and fauna;
- F. Whether the proposed operating hours of the rock crusher ensure that there will be no adverse impacts to human health, welfare, and the environment;
- G. Whether the air quality modeling conducted as part of this application adequately incorporated the local prevailing winds;
- H. Whether the Applicant complied with TCEQ's public notice requirements related to sign-posting and newspaper notice;
- I. Whether the proposed permit contains adequate monitoring and recordkeeping requirements to ensure compliance with all applicable rules and requirements;
- J. Whether emissions from on-site diesel engines are adequately calculated and adequately controlled;
- K. Whether an adequate site review was conducted for this application;
- L. Whether the background concentrations used in the air dispersion modeling are representative of the proposed location of the plant;
- M. Whether emissions from maintenance, start-up, and shutdown activities are adequately addressed in the proposed permit;
- N. Whether chemical dust suppressant is safe to use as a control for emissions from the proposed plant;
- O. Whether emissions of silica from the proposed plant will negatively impact human health and welfare;
- P. Whether the proposed permit conditions, including emissions limitations, are enforceable;
- Q. Whether the permit application, and associated air dispersion modeling, included and properly evaluated all applicable emissions;
- R. Whether site specific monitoring data should have been used in the air dispersion modeling conducted for this application; and
- S. Whether the Applicant's compliance history precludes issuance of the draft permit or necessitates additional special conditions in the draft permit.

## **Proceedings at SOAH**

14. On January 29, 2019, the Chief Clerk mailed the Notices of Public Hearing for the preliminary hearing to persons entitled to receive notice under TCEQ rules or who requested notice. Notice of the preliminary hearing was published February 1-2, 2019.
15. On February 4, 2019, the Chief Clerk filed with SOAH the Application; the Draft Permit; the preliminary decisions issued by the ED; and other supporting documentation in the administrative record of the Application, which are collectively referred to as the Prima Facie Demonstration.
16. On March 6, 2019, ALJ Rebecca S. Smith held a preliminary hearing at the Comal County Courthouse in New Braunfels, Texas. Jurisdiction was established, and the Administrative Record was admitted into evidence.
17. At the preliminary hearing, the ALJ admitted the following as parties to this proceeding: Vulcan, the ED, the Office of Public Interest Counsel (OPIC), Friends of Dry Comal Creek, Stop 3009 Vulcan Quarry, Comal Independent School District, Doug Harrison, Michael L. Maurer, Ora Lee Frisch, Nathan & Kira Olson, Jack Olivier, Jim & Joyce Doyle, Bob & Jeanne Nebergall, Bruce & Grace Murphy, John P. Mooney, Stephan & Jane Johnson, Sheryl Lynn Mays, Keith & Susan Randolph, Ted Martin, James & Linda Martin, Chris Lupo, Claire H. Loomis, James & Gladys Kuhn, Chuech Kuentz, Judy Krup, William & Linda Mohr, Lara Stonesifer, Mike Zimmerman, Michael Wilkinson, Ronald J. Walton, Michael & Terry Olson, Jack & Trudy Striegel, Peggy Pueppke, Mike Stemig, James Shipley, Gerald & Tracy Schulke, Esther Scanlon, Josh & Jakki Saul, Gaspar & Anna Rivera, Jeff Reeh, Chris M. Hoppman, Mary Ann Trujillo, Renee Wilson, Richard C. Keady, Robert Carrillo, Windell Cannon, William K. Byerley, Ron & Elaine Bigbee, Michael & Deborah Bell, Yvonne R. Arreaga, Thomas & Kathleen Chaney, Mark & Betty Abolafia-Rosenzweig, Lorraine DelaRiva, Pamela Seay, Craig Johnson, Kenneth & Diane Higby, Milann & Pru Guckian, Liz James, Becky Cox, Ruby Hartmann, Katheryn Acklen, Stephen & Mary Lee Freeman, Richard & Sally Harvey, Alan M. Hammack, Kleo Halm, David & Debbie Granato, Carol Glover, Robert & Maureen Cartledge, Karl & Linda Fuchs, Brigitte & Gail Dean Deyle, David N. Fletcher, Jana Fichtner, Kyra Faught, Deborah Farrar, Larry Ewald, Don & Linda Everingham, Stephanie Elizondo, James K. & Michele Drake, Joyleen Dodson, Charles Gerdes, Greater Edwards Aquifer Alliance, Donna H. Gibson Dell, Trustee of the Robert P. and Shirley D. Gibson Living Trust, Smithson Valley Heritage Oaks Property Owners Association, and Zuercher-Froboese Family Ranch. Doug Harrison, Ron & Elaine Bigby, Mike & Terry Olson, Jeffrey Reeh, and Comal Independent School District were aligned and will be referred to as Harrison Protestants. The remaining protesting individuals and groups were aligned with Friends of Dry Comal Creek and Stop 3009 Vulcan Quarry. They will be collectively referred to as Friends Protestants.
18. ALJs Rebecca S. Smith and Victor John Simonds conducted a prehearing conference on June 6, 2019. All parties participated in the prehearing conference through their designated representatives.

19. The hearing on the merits was held from June 10-11, 2019 before ALJs Smith and Simonds at the SOAH offices, William P. Clements State Office Building, 300 West 15th Street, Fourth Floor, Austin, Texas. The hearing record closed on July 10, 2019, after replies to written closing arguments were filed.

### **The Application**

20. The Application includes a complete Form PI-1 General Application signed by Vulcan's authorized representative.
21. The Applications were administratively and technically complete and included all necessary supporting information and appropriate TCEQ forms.

### **Issue A: Whether the proposed plant will negatively affect human health, including sensitive subgroups, and physical property**

22. The maximum offsite concentrations from AQA are all below applicable National Ambient Air Quality Standards (NAAQS) and Commission Effects Screening Levels (ESLs).
23. Vulcan's AQA demonstrates that the maximum allowable emissions from the Plant will not negatively affect human health or welfare, including sensitive subgroups, or physical property.

### **Issue B: Whether the conditions in the proposed permit will adequately protect against dust emissions from the proposed plant, including during periods of high winds**

24. The conditions in the Draft Permit will adequately protect against dust emissions from the Plant, including during periods of high winds.

### **Issue C: Whether cumulative impacts of existing sources were properly considered**

25. Each of Vulcan's full Minor NAAQS analyses analyzed any cumulative impacts of the emissions from nearby emissions sources by inputting the emissions from the Martin Marietta Materials rock crusher into the modeling, and other off-site emissions sources by adding a representative background concentration of the criteria pollutant to its modeled maximum off-site ground level concentration (GLC<sub>max</sub>).
26. Vulcan's AQA properly considered any cumulative impacts of emissions from nearby operations, plus other offsite emissions sources.

### **Issue D: Whether the controls in the proposed permit constitute Best Available Control Technology (BACT)**

27. The BACT evaluations for the Plant were conducted using Tier I of the Commission's three-tiered BACT process.

28. In Tier I, controls accepted as BACT in recent permit reviews for the same type of facility are BACT if no new technical developments have occurred that would justify additional controls as economically or technically reasonable.
29. No new technical development has occurred that shows a new emissions control is technically practical and economically reasonable for any of the facilities that comprise the Plant.
30. The emissions controls required by the Draft Permit meet BACT.
31. A BACT review is not required for emissions from quarrying operations and roads.

**Issue E: Whether the proposed facility will adversely affect wildlife, vegetation, flora, and fauna**

32. Based on Findings of Fact Nos. 22 and 23, the maximum allowable emissions from the Plant will not adversely affect wildlife, vegetation, flora and fauna, or contravene the intent of the Texas Clean Air Act.

**Issue F: Whether the proposed operating hours of the rock crusher ensure that there will be no adverse impacts to human health, welfare, and the environment**

33. Based on Findings of Fact Nos. 22 and 23, the proposed operating hours of the Plant ensure there will be no adverse impacts to human health, welfare, and the environment.

**Issue G: Whether the air quality modeling conducted as part of this application adequately incorporated the local prevailing winds**

34. Vulcan's AQA modeling adequately incorporated local prevailing winds.

**Issue H: Whether the Applicant complied with TCEQ's public notice requirements related to sign-posting and newspaper notice**

35. Based on Findings of Fact Nos. 5 through 9, Vulcan complied with the Commission's public notice requirements related to sign-posting and newspaper notice.

**Issue I: Whether the proposed permit contains adequate monitoring and recordkeeping requirements to ensure compliance with all applicable rules and requirements**

36. The Draft Permit's monitoring and recordkeeping requirements are adequate to ensure compliance with the permit conditions and all applicable rules.
37. Ambient fenceline monitoring is not required or necessary.

**Issue J: Whether emissions from on-site diesel engines are adequately calculated and adequately controlled**

38. Emissions from on-site diesel engines were adequately calculated and will be adequately controlled to meet BACT.

**Issue K: Whether an adequate site review was conducted for this application**

39. The ED conducted an adequate site review for the Application.

**Issue L: Whether the background concentrations used in the air dispersion modeling are representative of the proposed location of the plant**

40. Vulcan identified ambient air monitors in counties with higher total emissions and higher populations than Comal County, and for each pollutant for which more than one monitor was identified, Vulcan chose as the background concentration the highest concentration from any of those monitors.
41. The background concentrations used in Vulcan's AQA are conservatively representative of ambient concentrations of pollutants at the Plant location.

**Issue M: Whether emissions from maintenance, start-up, and shutdown activities are adequately addressed in the proposed permit**

42. Based on the prima facie demonstration, the Draft Permit adequately addresses emissions from maintenance, start-up, and shutdown activities.

**Issue N: Whether chemical dust suppressant is safe to use as a control for emissions from the proposed plant**

43. Based on the prima facie demonstration, the chemical dust suppressant used to control emissions from the Plant will be safe.

**Issue O: Whether emissions of silica from the proposed plant will negatively impact human health and welfare**

44. The maximum offsite concentrations of crystalline silica from Vulcan's modeling are well below the crystalline silica Effects Screening Level.
45. The Plant's crystalline silica emissions will not negatively impact human health and welfare, or contravene the intent of the Texas Clean Air Act (TCAA).
46. The Plant's crystalline silica emissions would not negatively impact human health and welfare, or contravene the intent of the TCAA, even if the crystalline silica percentage used to calculate the Plant's crystalline silica emissions was 135 times higher.

**Issue P: Whether the proposed permit conditions, including emissions limitations, are enforceable**

47. The Draft Permit conditions, including emission limitations, are enforceable.

**Issue Q: Whether the permit application, and associated air dispersion modeling, included and properly evaluated all applicable emissions**

48. The Application properly identified all sources of air emissions that are subject to permitting under the TCAA and Commission rules and the types of emissions associated with the Plant.
49. Vulcan's AQA and modeling properly evaluated the identified emissions sources and types of emissions associated with the Plant.

**Issue R: Whether site specific monitoring data should have been used in the air dispersion modeling conducted for this application**

50. The use of site-specific monitoring data was not required in Vulcan's AQA because no site-specific ambient air monitoring data was available.

**Issue S: Whether the Applicant's compliance history precludes issuance of the draft permit or necessitates additional special conditions in the draft permit**

51. Based on the prima facie demonstration, Vulcan's compliance history does not preclude issuance of the Draft Permit or necessitate any additional or revised conditions in the Draft Permit.

**Transcript Costs**

52. The total cost for recording and transcribing the preliminary hearing, prehearing conference, and the hearing on the merits was \$6,084.00.
53. The transcript was required by SOAH's rules, with neither party requesting it.
54. Vulcan, Protestants, the ED, and OPIC all participated in the contested case hearing and benefitted from having a transcript for use in preparing written closing arguments and responses.
55. Transcript costs cannot be assessed against the ED and OPIC because they are statutory parties who are precluded from appealing the decision of the Commission.
56. Vulcan and Protestants were each represented by private attorneys in connection with the contested case hearing.
57. Vulcan and Protestants participated fully in the hearing.



58. Vulcan and Protestants presented testimony and exhibits.
59. Vulcan will benefit from the issuance of the permit and its resources are greater than Protestants.
60. Protestants agreed to pay 50% of the surcharge for an expedited transcript of the hearing on the merits. This amount is \$782.60.
61. Protestants should pay \$782.60 of the transcript costs, and Vulcan should pay the remaining \$5,301.40.

## **II. CONCLUSIONS OF LAW**

1. The Commission has jurisdiction over the emission of air contaminants and the authority to issue a permit under Texas Health and Safety Code §§ 382.011 and .0518 and Texas Water Code § 5.013.
2. The Application was referred to SOAH under Texas Water Code § 5.556.
3. SOAH has jurisdiction to conduct a hearing and to prepare a PFD in contested cases referred by the Commission under Texas Government Code § 2003.047.
4. Notice was provided in accordance with Texas Water Code § 5.5553; Texas Health and Safety Code §§ 382.0516, .0517, and .056; Texas Government Code §§ 2001.051 and .052; and 30 Texas Administrative Code chapter 39.
5. Vulcan properly submitted the Application pursuant to Texas Health and Safety Code §§ 382.0515 and .0518, and 30 Texas Administrative Code §§ 116.110, .111, and .140.
6. The Application is subject to the requirements of Texas Government Code § 2003.047(i-1)-(i-3).
7. The filing of the Application, the Draft Permit, the preliminary decisions issued by the ED, and other supporting documentation in the administrative record of the Application established a prima facie case that: (i) the Draft Permit meets all state and federal legal and technical requirements; and (ii) the permit, if issued consistent with the Draft Permit, would protect human health and safety, the environment, and physical property. Tex. Gov't Code § 2003.047(i-1).
8. A party may rebut the prima facie demonstration by presenting evidence that: (1) relates to an issue directly referred; and (2) demonstrates that one or more provisions in the Draft Permit violates a specifically applicable state or federal requirement. Tex. Gov't Code § 2003.047(i-2); 30 Tex. Admin. Code §§ 80.17(c)(2), .117(c)(3).
9. Applicant retains the burden of proof on the issues regarding the sufficiency of the Application and compliance with the necessary statutory and regulatory requirements. 30 Tex. Admin. Code § 80.17(a).

10. The Commission is to issue a permit for a facility that may emit air contaminants upon finding that: (1) the proposed facility will use at least BACT, considering the technical practicability and economic reasonableness of reducing or eliminating the emissions resulting from the facility; and (2) there is no indication that the emissions from the facility will contravene the intent of the TCAA, including protection of the public's health and physical property. Tex. Health & Safety Code § 382.0518(b).
11. Consistent with Texas Health and Safety Code § 382.0518 and 30 Texas Administrative Code § 116.111(a)(2)(C), the Plant will use BACT, with consideration given to the technical practicability and economic reasonableness of reducing or eliminating emissions from the facilities.
12. Consistent with Texas Health and Safety Code § 382.0518 and 30 Texas Administrative Code § 116.111(a)(2)(A), there is no indication that emissions from the Plant will contravene the intent of the TCAA, including the protection of the public's health and physical property.
13. The special conditions in the Draft Permit are appropriately imposed under 30 Texas Administrative Code § 116.115(c)(1) and are consistent with the TCAA.
14. Vulcan has made all demonstrations required under applicable statutes and regulations, including 30 Texas Administrative Code § 116.111 regarding air permit applications, to be issued an air quality permit with conditions as set out in the Draft Permit.
15. In accordance with Texas Health and Safety Code § 382.0518(b), the Application for Air Quality Permit No. 147392L001 should be granted, under the terms contained in the Draft Permit.
16. No transcript costs may be assessed against the ED or OPIC because the TCEQ's rules prohibit the assessment of any cost to a statutory party who is precluded by law from appealing any ruling, decision, or other act of the Commission. 30 Tex. Admin. Code § 80.23(d)(2).
17. Factors to be considered in assessing transcript costs include: the party who requested the transcript; the financial ability of the party to pay the costs; the extent to which the party participated in the hearing; the relative benefits to the various parties of having a transcript; and any other factor which is relevant to a just and reasonable assessment of the costs. 30 Tex. Admin. Code § 80.23(d)(1).
18. Considering the factors in 30 Texas Administrative Code § 80.23(d)(1), a reasonable assessment of hearing transcript costs against parties to the contested case proceeding is that Protestants should pay \$782.60 of the transcript costs, and Vulcan should pay the remaining \$5,301.40.

### **III. EXPLANATION OF CHANGES**

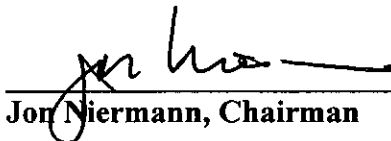
The Commission incorporated the correction to Finding of Fact No. 2 recommended by the Applicant and the Executive Director in their exceptions dated September 23, 2019,

regarding the address of Vulcan's property on which the plant is to be located. By letter dated October 10, 2019, the ALJs agreed that the recommended correction suggested by the Applicant and the ED should be incorporated into the Proposed Order. Therefore, the Commission adopted that correction to Finding of Fact No. 2, as recommended by the ALJs.

**NOW, THEREFORE, BE IT ORDERED BY THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY, IN ACCORDANCE WITH THESE FINDINGS OF FACT AND CONCLUSIONS OF LAW, THAT:**

1. The application by Vulcan for Air Quality Permit No. 147392L001 is approved and the attached permit is issued.
2. Protestants shall pay \$782.60 of the transcription cost, and Vulcan shall pay the remaining \$5,301.40.
3. The Commission adopts the Executive Director's Response to Public Comment in accordance with 30 Texas Administrative Code § 50.117. If there is any conflict between the Commission's Order and the Executive Director's Responses to Public Comments, the Commission's Order prevails.
4. All other motions, requests for entry of specific Findings of Fact or Conclusions of Law, and any other requests for general or specific relief, if not expressly granted herein, are hereby denied.
5. The effective date of this Order is the date the Order is final, as provided by Texas Government Code § 2001.144 and 30 Texas Administrative Code § 80.273.
6. TCEQ's Chief Clerk shall forward a copy of this Order to all parties.
7. If any provision, sentence, clause, or phrase of this Order is for any reason held to be invalid, the invalidity of any provision shall not affect the validity of the remaining portions of this Order.

**TEXAS COMMISSION ON  
ENVIRONMENTAL QUALITY**

  
\_\_\_\_\_  
Jon Niermann, Chairman

11-21-19  
\_\_\_\_\_  
Date Signed

Jon Niermann, *Chairman*  
Emily Lindley, *Commissioner*  
Bobby Janecka, *Commissioner*  
Toby Baker, *Executive Director*



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

November 25, 2019

MR EDDIE SAUCEDO  
ENVIRONMENTAL SERVICES MANAGER  
VULCAN CONSTRUCTION MATERIALS LLC  
PO BOX 791550  
SAN ANTONIO TX 78279-1550

Re: Initial Permit  
Permit Number: 147392L001  
Vulcan Construction Materials, LLC  
Rock Crushing Plant  
Bulverde, Comal County  
Regulated Entity Number: RN109829721  
Customer Reference Number: CN600355465

Dear Mr. Saucedo:

This is in response to your Form PI-1 (General Application for Air Preconstruction Permits and Amendments) concerning the above-referenced project.

In accordance with Title 30 Texas Administrative Code Chapter 116, and based on our review, your permit is enclosed. This information will be incorporated into the permit files. Enclosed are general conditions, special conditions, and a maximum allowable emission rates table (MAERT). We appreciate your careful review of the permit and assuring that all requirements are consistently met. In addition, the construction and operation of the facilities must be as represented in the application.

This permit will be automatically void upon the occurrence of any of the following, as indicated in Title 30 Texas Administrative Code § 116.120(a) [30 TAC § 116.120(a)]:

1. Failure to begin construction within 18 months of the date of issuance,
2. Discontinuance of construction for more than 18 months prior to completion, or
3. Failure to complete construction within a reasonable time.

Upon request, the executive director may grant extensions as allowed in 30 TAC § 116.120(b).

This permit is effective as of the date of this letter and will be in effect for ten years from the date of approval.

In addition, you may be interested in taking advantage of free and voluntary technical assistance available through the Environmental Assistance Division (EAD), by calling 1-800-447-2827. The EAD offers confidential and non-regulatory assistance for applicants with technical, compliance, and environmental management needs; and may be able to help you reduce pollution and costs.

Mr. Eddie Saucedo  
Page 2

Re: Permit Number: 147392L001

If you need further information or have any questions, please contact Mr. Joel Stanford at (512) 239-0270 or write to the Texas Commission on Environmental Quality, Office of Air, Air Permits Division, MC-163, P.O. Box 13087, Austin, Texas 78711-3087.

Sincerely,

A handwritten signature in black ink, appearing to read "Jon Niermann", with a long horizontal stroke extending to the right.

Jon Niermann, Chairman  
For the Texas Commission on Environmental Quality

Enclosure

cc: Air Section Manager, Region 13 - San Antonio

Project Number: 270926



## Texas Commission on Environmental Quality Air Quality Permit

*A Portable Permit Is Hereby Issued To*  
**Vulcan Construction Materials, LLC**  
*Authorizing the Construction and Operation of*  
**Rock Crushing Plant**  
*Regulated Entity Number:* RN109829721  
*Customer Reference Number:* CN600355465

Permit: 147392L001

Issuance Date: 11-21-19

Expiration Date: November 21, 2029

  
For the Commission

1. **Facilities** covered by this permit shall be constructed and operated as specified in the application for the permit. All representations regarding construction plans and operation procedures contained in the permit application shall be conditions upon which the permit is issued. Variations from these representations shall be unlawful unless the permit holder first makes application to the Texas Commission on Environmental Quality (commission) Executive Director to amend this permit in that regard and such amendment is approved. [Title 30 Texas Administrative Code (TAC) Section 116.116 (30 TAC § 116.116)]<sup>1</sup>
2. **Voiding of Permit.** A permit or permit amendment is automatically void if the holder fails to begin construction within 18 months of the date of issuance, discontinues construction for more than 18 months prior to completion, or fails to complete construction within a reasonable time. Upon request, the executive director may grant an 18-month extension. Before the extension is granted the permit may be subject to revision based on best available control technology, lowest achievable emission rate, and netting or offsets as applicable. One additional extension of up to 18 months may be granted if the permit holder demonstrates that emissions from the facility will comply with all rules and regulations of the commission, the intent of the Texas Clean Air Act (TCAA), including protection of the public's health and physical property; and (b)(1) the permit holder is a party to litigation not of the permit holder's initiation regarding the issuance of the permit; or (b)(2) the permit holder has spent, or committed to spend, at least 10 percent of the estimated total cost of the project up to a maximum of \$5 million. A permit holder granted an extension under subsection (b)(1) of this section may receive one subsequent extension if the permit holder meets the conditions of subsection (b)(2) of this section. [30 TAC § 116.120]
3. **Construction Progress.** Start of construction, construction interruptions exceeding 45 days, and completion of construction shall be reported to the appropriate regional office of the commission not later than 15 working days after occurrence of the event. [30 TAC § 116.115(b)(2)(A)]
4. **Start-up Notification.** The appropriate air program regional office shall be notified prior to the commencement of operations of the facilities authorized by the permit in such a manner that a representative of the commission may be present. The permit holder shall provide a separate notification for the commencement of operations for each unit of phased construction, which may involve a series of units commencing operations at different times. Prior to operation of the facilities authorized by the permit, the permit holder shall identify the source or sources of allowances to be utilized for compliance with Chapter 101, Subchapter H, Division 3 of this title (relating to Mass Emissions Cap and Trade Program). [30 TAC § 116.115(b)(2)(B)]
5. **Sampling Requirements.** If sampling is required, the permit holder shall contact the commission's Office of Compliance and Enforcement prior to sampling to obtain the proper data forms and procedures. All sampling and testing procedures must be approved by the executive director and coordinated with the regional representatives of the commission. The permit holder is also responsible for providing sampling facilities and conducting the sampling operations or contracting with an independent sampling consultant. [30 TAC § 116.115(b)(2)(C)]
6. **Equivalency of Methods.** The permit holder must demonstrate or otherwise justify the equivalency of emission control methods, sampling or other emission testing methods, and monitoring methods proposed as alternatives to methods indicated in the conditions of the permit. Alternative methods shall be applied for in writing and must be reviewed and approved by the executive director prior to their use in fulfilling any requirements of the permit. [30 TAC § 116.115(b)(2)(D)]
7. **Recordkeeping.** The permit holder shall maintain a copy of the permit along with records containing the information and data sufficient to demonstrate compliance with the permit, including production records and

operating hours; keep all required records in a file at the plant site. If, however, the facility normally operates unattended, records shall be maintained at the nearest staffed location within Texas specified in the application; make the records available at the request of personnel from the commission or any air pollution control program having jurisdiction in a timely manner; comply with any additional recordkeeping requirements specified in special conditions in the permit; and retain information in the file for at least two years following the date that the information or data is obtained. [30 TAC § 116.115(b)(2)(E)]

8. **Maximum Allowable Emission Rates.** The total emissions of air contaminants from any of the sources of emissions must not exceed the values stated on the table attached to the permit entitled "Emission Sources--Maximum Allowable Emission Rates." [30 TAC § 116.115(b)(2)(F)]<sup>1</sup>
9. **Maintenance of Emission Control.** The permitted facilities shall not be operated unless all air pollution emission capture and abatement equipment is maintained in good working order and operating properly during normal facility operations. The permit holder shall provide notification in accordance with 30 TAC §101.201, 101.211, and 101.221 of this title (relating to Emissions Event Reporting and Recordkeeping Requirements; Scheduled Maintenance, Startup, and Shutdown Reporting and Recordkeeping Requirements; and Operational Requirements). [30 TAC § 116.115(b)(2)(G)]
10. **Compliance with Rules.** Acceptance of a permit by an applicant constitutes an acknowledgment and agreement that the permit holder will comply with all rules and orders of the commission issued in conformity with the TCAA and the conditions precedent to the granting of the permit. If more than one state or federal rule or regulation or permit condition is applicable, the most stringent limit or condition shall govern and be the standard by which compliance shall be demonstrated. Acceptance includes consent to the entrance of commission employees and agents into the permitted premises at reasonable times to investigate conditions relating to the emission or concentration of air contaminants, including compliance with the permit. [30 TAC § 116.115(b)(2)(H)]
11. **This** permit may not be transferred, assigned, or conveyed by the holder except as provided by rule. [30 TAC § 116.110(e)]
12. **There** may be additional special conditions attached to a permit upon issuance or modification of the permit. Such conditions in a permit may be more restrictive than the requirements of Title 30 of the Texas Administrative Code. [30 TAC § 116.115(c)]
13. **Emissions** from this facility must not cause or contribute to "air pollution" as defined in Texas Health and Safety Code (THSC) §382.003(3) or violate THSC § 382.085. If the executive director determines that such a condition or violation occurs, the holder shall implement additional abatement measures as necessary to control or prevent the condition or violation.
14. **The** permit holder shall comply with all the requirements of this permit. Emissions that exceed the limits of this permit are not authorized and are violations of this permit.<sup>1</sup>

<sup>1</sup> Please be advised that the requirements of this provision of the general conditions may not be applicable to greenhouse gas emissions.

## Common Acronyms in Air Permits

°C = Temperature in degrees Celsius	GLCmax = maximum (predicted) ground-level concentration
°F = Temperature in degrees Fahrenheit	gpm = gallon per minute
°K = Temperature in degrees Kelvin	gr/1000scf = grain per 1000 standard cubic feet
µg = microgram	gr/dscf = grain per dry standard cubic feet
µg/m <sup>3</sup> = microgram per cubic meter	H <sub>2</sub> CO = formaldehyde
acfm = actual cubic feet per minute	H <sub>2</sub> S = hydrogen sulfide
AMOC = alternate means of control	H <sub>2</sub> SO <sub>4</sub> = sulfuric acid
AOS = alternative operating scenario	HAP = hazardous air pollutant as listed in § 112(b) of the Federal Clean Air Act or Title 40 Code of Federal Regulations Part 63, Subpart C
AP-42 = Air Pollutant Emission Factors, 5th edition	HC = hydrocarbons
APD = Air Permits Division	HCl = hydrochloric acid, hydrogen chloride
API = American Petroleum Institute	Hg = mercury
APWL = air pollutant watch list	HGB = Houston/Galveston/Brazoria
BPA = Beaumont/ Port Arthur	hp = horsepower
BACT = best available control technology	hr = hour
BAE = baseline actual emissions	IFR = internal floating roof tank
bbl = barrel	in H <sub>2</sub> O = inches of water
bbl/day = barrel per day	in Hg = inches of mercury
bhp = brake horsepower	IR = infrared
BMP = best management practices	ISC3 = Industrial Source Complex, a dispersion model
Btu = British thermal unit	ISCST3 = Industrial Source Complex Short-Term, a dispersion model
Btu/scf = British thermal unit per standard cubic foot or feet	K = Kelvin; extension of the degree Celsius scaled-down to absolute zero
CAA = Clean Air Act	LACT = lease automatic custody transfer
CAM = compliance-assurance monitoring	LAER = lowest achievable emission rate
CEMS = continuous emissions monitoring systems	lb = pound
cfm = cubic feet (per) minute	hp = horsepower
CFR = Code of Federal Regulations	hr = hour lb/day = pound per day
CN = customer ID number	lb/hr = pound per hour
CNG = compressed natural gas	lb/MMBtu = pound per million British thermal units
CO = carbon monoxide	LDAR = Leak Detection and Repair (Requirements)
COMS = continuous opacity monitoring system	LNG = liquefied natural gas
CPMS = continuous parametric monitoring system	LPG = liquefied petroleum gas
DFW = Dallas/ Fort Worth (Metroplex)	LT/D = long ton per day
DE = destruction efficiency	m = meter
DRE = destruction and removal efficiency	m <sup>3</sup> = cubic meter
dscf = dry standard cubic foot or feet	m/sec = meters per second
dscfm = dry standard cubic foot or feet per minute	MACT = maximum achievable control technology
ED = (TCEQ) Executive Director	MAERT = Maximum Allowable Emission Rate Table
EF = emissions factor	MERA = Modeling and Effects Review Applicability
EFR = external floating roof tank	mg = milligram
EGU = electric generating unit	mg/g = milligram per gram
EI = Emissions Inventory	mL = milliliter
ELP = El Paso	MMBtu = million British thermal units
EPA = (United States) Environmental Protection Agency	MMBtu/hr = million British thermal units per hour
EPN = emission point number	MSDS = material safety data sheet
ESL = effects screening level	MSS = maintenance, startup, and shutdown
ESP = electrostatic precipitator	MW = megawatt
FCAA = Federal Clean Air Act	NAAQS = National Ambient Air Quality Standards
FCCU = fluid catalytic cracking unit	NESHAP = National Emission Standards for Hazardous Air Pollutants
FID = flame ionization detector	NGL = natural gas liquids
FIN = facility identification number	NNSR = nonattainment new source review
ft = foot or feet	NO <sub>x</sub> = total oxides of nitrogen
ft/sec = foot or feet per second	
g = gram	
gal/wk = gallon per week	
gal/yr = gallon per year	
GLC = ground level concentration	



NSPS = New Source Performance Standards  
PAL = plant-wide applicability limit  
PBR = Permit(s) by Rule  
PCP = pollution control project  
PEMS = predictive emission monitoring system  
PID = photo ionization detector  
PM = periodic monitoring  
PM = total particulate matter, suspended in the atmosphere, including PM<sub>10</sub> and PM<sub>2.5</sub>, as represented  
PM<sub>2.5</sub> = particulate matter equal to or less than 2.5 microns in diameter  
PM<sub>10</sub> = total particulate matter equal to or less than 10 microns in diameter, including PM<sub>2.5</sub>, as represented  
POC = products of combustion  
ppb = parts per billion  
ppm = parts per million  
ppmv = parts per million (by) volume  
psia = pounds (per) square inch, absolute  
psig = pounds (per) square inch, gage  
PTE = potential to emit  
RA = relative accuracy  
RATA = relative accuracy test audit  
RM = reference method  
RVP = Reid vapor pressure  
scf = standard cubic foot or feet  
scfm = standard cubic foot or feet (per) minute  
SCR = selective catalytic reduction  
SIL = significant impact levels  
SNCR = selective non-catalytic reduction  
SO<sub>2</sub> = sulfur dioxide  
SOCMI = synthetic organic chemical manufacturing industry  
SRU = sulfur recovery unit  
TAC = Texas Administrative Code  
TCAA = Texas Clean Air Act  
TCEQ = Texas Commission on Environmental Quality  
TD = Toxicology Division  
TLV = threshold limit value  
TMDL = total maximum daily load  
tpd = tons per day  
tpy = tons per year  
TVP = true vapor pressure  
VOC = volatile organic compounds as defined in Title 30  
Texas Administrative Code § 101.1  
VRU = vapor recovery unit or system

## **Special Conditions**

Permit Number 147392L001

### **Emission Limitations**

1. This permit authorizes only those sources of emissions listed in the attached table entitled "Emission Sources - Maximum Allowable Emission Rates," and those sources are limited to the emission limits and other conditions specified in the table. In addition, this permit authorizes all emissions from planned startup and shutdown activities associated with facilities or groups of facilities that are authorized by this permit.

### **Fuel Specifications**

2. Fuel for the internal combustion engines shall be pipeline-quality natural gas or liquid fuel with a maximum sulfur content of not more than 0.0015 percent by weight and shall not consist of a blend containing waste oils or solvents. Use of any other fuel will require prior approval of the Executive Director of the Texas Commission on Environmental Quality (TCEQ).
3. Upon request by the Executive Director of the TCEQ or the TCEQ Regional Director or any local air pollution control program having jurisdiction, the holder of this permit shall provide a sample and/or an analysis of the fuel(s) used in the internal combustion of these engines or shall allow air pollution control program representatives to obtain a sample for analysis.

### **Federal Applicability**

4. These facilities shall comply with all applicable requirements of the U.S. Environmental Protection Agency (EPA) Regulations on Standards of Performance for New Stationary Sources (NSPS) promulgated in Title 40 Code of Federal Regulations (40 CFR) Part 60, specifically the following:
  - A. Subpart A - General Provisions;
  - B. Subpart OOO - Nonmetallic Mineral Processing Plants; and
  - C. Subpart IIII - Stationary Compression Ignition Internal Combustion Engines

### **Opacity/Visible Emission Limitations**

5. Visible fugitive emissions shall not leave the property for more than 30 cumulative seconds in any six-minute period as determined according to Special Condition No 16.
6. In accordance with 40 CFR Part 60, Appendix A, Test Method 9 or equivalent, and except for those periods described in 30 Texas Administrative Code (30 TAC) § 101.201 and § 101.211, opacity of emissions from any transfer point on belt conveyors or from any screen shall not exceed 7 percent and from any crusher shall not exceed 12 percent for facilities (as defined in 40 CFR §§ 60.670 and 60.671) that commence construction, modification, or reconstruction on or after April 22, 2008. The opacity of emissions shall not exceed the indicated percent averaged over a six-minute period.

### **Operational Limitations, Work Practices, and Plant Design**

7. The facility shall be limited to the following hourly and annual throughput rates:

Table 1: Hourly and Annual Throughput Limits

Source	Tons per hour	Tons per year in any rolling 12-month period
Plant-wide Throughput	800	1,500,000
Crusher #1 (EPN 3)	800	1,500,000
Crusher #2 (EPN 7)	100	187,500
Crusher #3 (EPN 11)	200	375,000
Screen #1 (EPN 5)	900	1,687,500
Screen #2 (EPN 9)	500	937,500

8. The facilities are authorized to operate up to 8,760 hours per year.
9. Permanently mounted spray bars shall be installed at the inlet and outlet of all crushers, at all shaker screens, and at all material transfer points. A dedicated water truck or area-type water sprays shall be available or installed at all stockpiles and active work areas. All water spray systems shall be operated as necessary to maintain compliance with TCEQ rules and regulations.
10. All unpaved in-plant roads and traffic areas, active work areas, and aggregate stockpiles shall be sprayed with water or an environmentally safe dust suppressant using an installed area type sprayer or a dedicated truck upon detection of visible particulate matter emissions to maintain compliance with all applicable TCEQ rules and regulations.  
  
 All paved in-plant roads and traffic areas shall either be sprayed with water or an environmentally safe dust suppressant using an installed area type sprayer or a dedicated truck or be cleaned using a dustless vacuum truck with a manufacturer's specified removal efficiency of at least 90%, upon detection of visible particulate matter emissions to maintain compliance with all applicable TCEQ rules and regulations.
11. Stockpiles shall not exceed 45 feet in height.
12. All stationary equipment authorized by this permit shall be prominently marked to show the assigned TCEQ regulated entity number or permit number, excluding the location suffix (example: L001). These markings must be clearly visible. These identification markings shall be removed from the equipment when it is no longer authorized by the TCEQ.

#### **Movement of a Portable Facility**

13. Movement of a portable facility to a site that is subject to the requirements of federal Prevention of Significant Deterioration (PSD) and/or Nonattainment programs under 30 TAC Chapter 116, Subchapter B, Divisions 5 and 6, requires the submission of an application to the TCEQ Air Permits Division, Air Permits Initial Review Team, MC-161, P.O. Box 13087, Austin, Texas 78711-3087 using Form PI-1, along with all supporting documents. In accordance with the Texas Health and Safety Code § 382.056, the applicant may be required to publish public notice.
14. The following are requirements for movement of this portable facility:

- A. Prior to moving permitted facilities or sources to any new site (even if authorization for the site has previously been granted), the holder of the permit shall request relocation or change of location authorization and obtain written approval from the TCEQ Executive Director or designated representative. Additionally, once construction has begun at any site, the applicant shall notify the appropriate TCEQ Regional Office and local air pollution control programs in writing of the actual dates of start of construction and operation.
- B. The appropriate TCEQ Regional Office may approve the following types of relocations:
- (1) A permitted facility and associated equipment to be located temporarily\* in the right-of-way, or contiguous to the right-of-way, of a public works project, or  
**\*Note: A temporary facility is one that occupies a designated site for not more than 180 consecutive days or supplies materials for a single project (single contract or same contractor for related project segments, but not other unrelated projects.)**
  - (2) A portable facility moving to a site in which a portable facility has been located at the site at any time during the previous two years and public notice was accomplished at the site as required under 30 TAC Chapter 39 (relating to Public Notice).
- C. If the holder of the permit meets either 14.B.(1) or 14.B.(2) above, the permit holder shall submit a complete written request to the TCEQ Regional Office for the new location and obtain written approval before the start of construction and commencement of operations at the new site. The permit holder is responsible for providing proof of submittal for all relocation requests. Construction may begin after receipt of approval from the appropriate TCEQ Regional Office or 12 business days after the date of postmark or the date of personal delivery of the request, whichever occurs first, unless disapproval is sent within the 12 business days. The permit holder's request is considered approved if the appropriate TCEQ Regional Office does not provide approval or denial of a complete submittal within 12 business days; however, the presumed approval does not exempt the applicant from ensuring that public notice was accomplished at the new site as required under 30 TAC Chapter 39. The relocation request shall contain all of the following information:
- (1) The company name, address, company contact, and telephone number;
  - (2) A copy of the existing permit conditions and the maximum allowable emission rates table that are in effect for the permitted facility;
  - (3) The regulated entity number (RN), customer reference number (CN), applicable permit or registration numbers and, if available, TCEQ account number;
  - (4) The location from which the facility is moving (current location);
  - (5) A location description of the proposed site (city, county, and exact physical location description);
  - (6) A scaled plot plan that identifies the location of all equipment and stockpiles, and also indicates that the required distances to the property lines can be met;
  - (7) A scaled area map that identifies the distance and direction to the closest off-property receptor (if required) and clearly indicates how the proposed site is contiguous or adjacent to the right-of-way of a public works project (if required);
  - (8) The proposed date for start of construction and expected date for start of operation;
  - (9) The expected time period at the proposed site;

- (10) The permit or registration number of the portable facility that was located at the proposed site any time during the last two years, and the date the facility was last located there. This information is not necessary if the relocation request is for a public works project that is contiguous or in the right-of-way of a public works project; and
  - (11) Proof that the proposed site had accomplished public notice, as required by 30 TAC Chapter 39. This proof is not necessary if the relocation request is for a public works project that is contiguous or adjacent to the right-of-way of a public works project.
- D. To move a permitted facility and associated equipment to a site that does not meet either 14.B.(1) or 14.B.(2), the holder of this permit shall submit a change of location request to the TCEQ Air Permits Division, Air Permits Initial Review Team, MC-161, P.O. Box 13087, Austin, Texas 78711-3087 using Form PI-1, along with all supporting documents. In accordance with the Texas Health and Safety Code § 382.056, the applicant may be required to publish public notice prior to being authorized for a change of location to a new site.
- E. All relocation and change of location applications shall comply with the following conditions:
- (1) The rock crushing facility and all associated sources (screens, transfer points on belt conveyors, feed bins, and work areas that are only associated with the facility) shall be located a minimum of 2,119 feet from the property line and a minimum of 550 feet from another rock crushing facility, concrete batch plant, or hot mix asphalt plant. If this distance of 550 feet cannot be met, then this crushing plant will not operate at the same time as another crushing plant, concrete batch plant, or asphalt plant on-site within this distance.
  - (2) Stockpiles, in-plant roads, and traffic areas (except for entrance and exit to the site) shall be located a minimum of 25 feet from any property line. In lieu of meeting the distance requirements for roads and stockpiles, the following must occur:
    - (a) Roads and other traffic areas within the buffer distance must be bordered by dust-suppressing fencing or other dust-suppressing barrier along all traffic routes or work areas. These borders shall be constructed to a height of at least 12 feet; and
    - (b) Stockpiles within this buffer distance must be contained within a three-walled bunker that extends at least two feet above the top of the stockpile.

#### **Demonstration of Continuous Compliance**

- 15. Upon request by the TCEQ Executive Director or the TCEQ Regional Director having jurisdiction, the holder of this permit shall perform ambient air monitoring, and/or other testing as required to establish the actual pattern and quantities of air contaminants being emitted into the atmosphere. The tests shall be performed during normal operation of the facilities and shall be performed in accordance with accepted TCEQ practices and procedures.
- 16. The holder of this permit shall conduct a quarterly visible fugitive emissions determination to demonstrate compliance with the visible fugitive emissions limitation specified in this permit. This visible fugitive emissions determination shall be performed: 1) during normal plant operations, 2) for a minimum of six minutes, 3) approximately perpendicular to plume direction, 4) with the sun behind the observer (to the extent practicable), 5) at least 15 feet, but not more than 0.25 mile, from the plume, and 6) in accordance with EPA 40 CFR Part 60, Appendix A, Test Method 22, except where stated otherwise in this condition. If visible fugitive emissions leaving the property exceed 30

cumulative seconds in any six-minute period, the owner or operator shall take immediate action (as appropriate) to eliminate the excessive visible fugitive emissions. The corrective action shall be documented within 24 business hours of completion.

#### **Recordkeeping Requirements**

17. In addition to the recordkeeping requirements specified in General Condition No. 7 and 40 CFR Part 60, Subparts A, OOO, and IIII, the following records shall be maintained at this facility site and made available at the request of personnel from the TCEQ or any other air pollution control program having jurisdiction to demonstrate compliance with permit limitations. These records shall be totaled for each calendar month, retained for a rolling 24-month period, and include the following:
  - A. Quarterly observations for visible fugitive emissions;
  - B. Daily, monthly, and annual amounts of materials processed, summarized in tons per hour, tons per month, and tons per year;
  - C. Records of road cleaning, application of road dust control, or road maintenance for dust control; and
  - D. A copy of the manufacturer's suggested cleaning and maintenance schedule for abatement equipment.

Dated: 11-21-19

# Emission Sources - Maximum Allowable Emission Rates

Permit Number 147392L001

This table lists the maximum allowable emission rates and all sources of air contaminants on the applicant's property covered by this permit. The emission rates shown are those derived from information submitted as part of the application for permit and are the maximum rates allowed for these facilities, sources, and related activities. Any proposed increase in emission rates may require an application for a modification of the facilities covered by this permit.

## Air Contaminants Data

Emission Point No. (1)	Source Name (2)	Air Contaminant Name (3)	Emission Rates (6)	
			lbs/hour	TPY (4)
3	Crusher #1 (5)	PM	0.96	0.90
		PM <sub>10</sub>	0.43	0.41
		PM <sub>2.5</sub>	0.08	0.08
7	Crusher #2 (5)	PM	0.12	0.11
		PM <sub>10</sub>	0.05	0.05
		PM <sub>2.5</sub>	0.01	0.01
11	Crusher #3 (5)	PM	0.24	0.23
		PM <sub>10</sub>	0.11	0.10
		PM <sub>2.5</sub>	0.02	0.02
5	Screen #1 (5)	PM	1.98	1.86
		PM <sub>10</sub>	0.67	0.62
		PM <sub>2.5</sub>	0.05	0.04
9	Screen #2 (5)	PM	1.10	1.03
		PM <sub>10</sub>	0.37	0.35
		PM <sub>2.5</sub>	0.03	0.02
1, 2, 4, 6, 8, 10, 12	Material Handling (5)	PM	0.48	0.45
		PM <sub>10</sub>	0.16	0.15
		PM <sub>2.5</sub>	0.04	0.04
13	Engine #1 (CAT C13)	PM	0.07	0.32
		PM <sub>10</sub>	0.07	0.32
		PM <sub>2.5</sub>	0.07	0.32
		VOC	1.09	4.76
		NO <sub>x</sub>	2.60	11.41
		SO <sub>2</sub>	0.90	3.95

Emission Sources - Maximum Allowable Emission Rates

Emission Point No. (1)	Source Name (2)	Air Contaminant Name (3)	Emission Rates (6)	
			lbs/hour	TPY (4)
		CO	1.59	6.97
14	Engine #2 (Deutz BF 4 M 2012)	PM	0.02	0.10
		PM <sub>10</sub>	0.02	0.10
		PM <sub>2.5</sub>	0.02	0.10
		VOC	0.12	0.54
		NO <sub>x</sub>	1.03	4.53
		SO <sub>2</sub>	0.20	0.87
		CO	0.18	0.77
15	Engine #3 (Cummins B3.3)	PM	0.04	0.17
		PM <sub>10</sub>	0.04	0.17
		PM <sub>2.5</sub>	0.04	0.17
		VOC	0.21	0.92
		NO <sub>x</sub>	0.87	3.83
		SO <sub>2</sub>	0.17	0.76
		CO	0.16	0.71
16	Diesel Tank (5)	VOC	0.68	0.01
STK	Stockpiles (including loading/unloading) (5)	PM	--	3.61
		PM <sub>10</sub>	--	1.81
		PM <sub>2.5</sub>	--	0.27

- (1) Emission point identification - either specific equipment designation or emission point number from plot plan.  
(2) Specific point source name. For fugitive sources, use area name or fugitive source name.  
(3) VOC - volatile organic compounds as defined in Title 30 Texas Administrative Code § 101.1  
NO<sub>x</sub> - total oxides of nitrogen  
SO<sub>2</sub> - sulfur dioxide  
PM - total particulate matter, suspended in the atmosphere, including PM<sub>10</sub> and PM<sub>2.5</sub>, as represented  
PM<sub>10</sub> - total particulate matter equal to or less than 10 microns in diameter, including PM<sub>2.5</sub>, as represented  
PM<sub>2.5</sub> - particulate matter equal to or less than 2.5 microns in diameter  
CO - carbon monoxide  
(4) Compliance with annual emission limits (tons per year) is based on a 12 month rolling period.  
(5) Emission rate is an estimate and is enforceable through compliance with the applicable special condition(s) and permit application representations.



Emission Sources - Maximum Allowable Emission Rates

(6) Planned startup and shutdown emissions are included. Maintenance activities are not authorized by this permit.

Date: 11-21-17