

HOTMIX ASPHALT (HMA) PLANT AIR PERMIT APPLICATIONS ADVICE

This guidance is intended to help applicants prepare applications and certifications with a reduced amount of effort, yielding clearer and more accurate applications. We hope to steer new applicants around some common mistakes, allowing them to prepare applications which are complete on their first try.

The Air Quality Division (AQD) operates a dual permitting system - construction and operating permits. Permits and sources are further classified as either major or minor based on their potential-to-emit (PTE). In general, a minor source is any source with PTE of less than 100 tons per year (TPY) of any regulated air pollutant, less than 10 TPY of any one hazardous air pollutant (HAP), or less than 25 TPY of any combination of HAPs. This guidance document is focused on the minor source permits for asphalt plant facilities.

The AQD offers several types of permits. For several industry types, the permits are streamlined, such as, permit by rule (PBR) or general permit (GP). For streamlined permits, the required application information is minimal, the fee is less than an individual permit, and there are no public notice requirements. If a facility is not eligible for streamlined permits, then they need an individual permit. In the following section (SECTION I), the guidance for individual permits for asphalt plants will be discussed.

SECTION I: Asphalt Plant (AP) Individual Permit Application

The process for filing an application involves preparation of facility descriptions, emissions estimates, and completion of some administrative forms. Two passes through the process may be required, calculating emissions and adjusting emissions if any level of significance is exceeded.

The pollutants of concern are nitrogen oxides (NO_x), carbon monoxide (CO), volatile organic compounds (VOC), particulate matter (PM), and sulfur dioxide (SO₂). For simplicity, all mention of particulate matter in this document refers to PM₁₀. PM₁₀ includes PM_{2.5} and therefore, may be understood to conservatively estimate PM_{2.5} emissions as well. In addition, there may be emissions of HAPs, primarily formaldehyde.

The permit will be based on potential emission rates. In our language, this means either the maximum a facility can perform, or the maximum a facility would emit based on operational limitations which will become part of a permit. For example, a drum mix plant may be able to produce 300 tons per hour of asphalt concrete; with 8,760 hours in the year, maximum production would be 2,628,000 tons! This will never happen since you will rarely operate during the winter or during rainy days. Therefore, facilities are very often willing to accept a lower

production limit (for example, 450,000 tons) to stay below the emissions thresholds at which some regulatory requirements become applicable. Since those requirements may include Maximum Achievable Control Technology (MACT), it is wise to back-calculate the operational levels which would trigger additional procedures and capital expenditures. A facility which has never approached that limit probably would not feel cramped by it.

It is also, unfortunately, quite common for applicants to answer questions regarding potential emission rates with answers regarding past actual emission rates. This is a common mistake, and results in a facility getting a permit which is unduly restrictive. If you only know past rates, you should apply a safety factor to account for the possible future increased business.

In general, asphalt concrete production will involve a drum mixer, aggregate storage and loading, storage tanks, and small tank heaters; it may also involve portable generators powered by diesel engines. Emissions of each pollutant must be less than 100 TPY for the facility to be a minor source.

Information as listed here may be attached to the application. Example formats are provided in this document.

A. Administrative Forms

The first thing to do is acquire a copy of the forms.

- Log onto the DEQ web page: www.deq.state.ok.us
- Go to the “Air Quality” page
- Select “Forms”
- Select “Minor Source Permit Application Guide,” preferably the “MS Word” format.

If you download the MS Word copies of these documents, they may be filled in on computer and stored for later needs.

On the “General Facility Information” Form 100-884, please do not mark both construction and operating permits as this makes your application self-contradictory. Construction permits and operating permits are applied for separately. The “SIC Code” means “Standard Industrial Classification Code,” 2951 for asphalt concrete manufacturing. Minor source applications are all listed as “Tier I.”

The “Landowner Notification Affidavit” must be completed and signed for all applications, but it is commonly overlooked, resulting in delays in processing applications and issuing permits.

B. Fees

A permit application or a request for an applicability determination (AD) will be assessed a one-time fee that must accompany the application or request. Applications received without

appropriate fees are incomplete. Fees must be paid by check or money order made payable to the Department of Environmental Quality in accordance with the following fee schedule:

- (1) Applicability determination. \$500, to be credited against the construction or operating permit application fee, if a permit is required. If no permit is required, the fee will be retained to cover the cost of making the determination.
- (2) Construction permit application fees.
 - (A) Individual permit (initial construction or for added emissions) - \$2,000
 - (B) Amendments of individual permits which do not increase emissions - \$500
- (3) Operating permit application fees.
 - (A) Individual permit - \$750
 - (B) Modification of individual permit - \$750
 - (C) Relocation - \$250

For other fee schedule or for updated fee schedule, please check our web site at <http://www.deq.state.ok.us/rules/100.pdf>

C. Basic Information

Please be certain that your application technical information contains the following items:

- Plant make, model, serial number, and date of manufacture (the date the plant was first constructed or moved into the US).
- Type of plant (drum mix or batch).
- Date of installation at the location.
- Stack height, diameter or dimensions, flow rate, and temperature.
- Emissions control device for drum mixer, including pressure differential range.
- Fuel type(s) and sulfur content.
- Maximum anticipated fuel usage for the drum mixer (either gallons per hour or gallons per ton asphalt concrete).
- Maximum anticipated production (tons per hour and tons per year).
- Dimensions and capacities (gallons) and date of manufacture of all storage tanks associated with the plant, along with maximum anticipated annual throughput.
- Capacity (MMBTUH or HP) of all auxiliary equipment such as tank heaters or emergency generators.

D. Preparing Emissions Estimates

Emissions factors for most are obtained from EPA's TTN web site:

- Log onto EPA's "Technology Transfer Network," www.epa.gov/ttn
- Select "CHIEF" (Clearinghouse for Inventories and Emissions Factors)
- Select "Emission Factors"
- Select "AP-42"
- For the drum mixer, Select Chapter 11 and download Section 11.1.

- For heaters, select Chapter 1 and download Section 1.4 for gas-fired heaters or Section 1.3 for oil-fired heaters.
- For engines, select Chapter 3 and download Section 3.3 for diesel engines smaller than 600 HP and Section 3.4 for diesel engines larger than 600 HP.
- For batch drop operations (unloading by front-end loaders), download Section 13.2.4. A 70% control efficiency may be applied for damp material.
- For storage piles, download Section 13.2.4. A 70% control efficiency may be applied for damp material. Alternatively, older emission factors from AP-42 4th Edition, table 8.19.1-1 (9/91).
- For hydrocarbon storage tanks, go back to “Software and Tools,” then select “Tanks” to obtain “TANKS4.09D.”

AP-42 is periodically updated, so limits based on these factors may become out-of-date. It may be to your advantage to include a safety factor on calculations provided that the resultant emissions do not exceed any level of significance such as a regulatory limit or a major source threshold.

The hotmix plant manufacturer will supply the rated capacity of the facility in tons per hour (TPH) of asphalt concrete. The facility will need to estimate maximum hours of operation. Maximum annual production will be the rated hourly capacity times the maximum hours of operation. For a plant rated at 350 TPH and maximum annual hours of production of 1,200 hours, the maximum annual production would be 420,000 tons. That production rate will be used in subsequent emissions calculations.

Provided that 100 TPY of any criteria pollutant is not exceeded, it is recommended that a conservatively-high estimate of operating hours is made.

It is also suggested that liquid fuels be shown in construction permit application for portable plants, since they result in the highest emission rates. If a fixed-location plant will have reliable natural gas supplies, this need not be done.

1. Particulate Matter Emissions

Filterable PM is particles that are directly emitted as a solid or liquid at stack or release conditions and captured on the filter of a stack test train. Filterable PM may be PM₁₀ or PM_{2.5}. Condensable PM is material that is in the vapor phase at stack conditions but condenses and/or reacts upon cooling and dilution in the ambient air to form a solid or a liquid particulate immediately after discharge from the stack. Condensable PM is almost always PM_{2.5} or less.

AP-42 contains emission factors for both filterable and condensable PM emissions from Hotmix Asphalt Plants. However, if your plant was constructed after June 11, 1973, filterable PM emissions estimates from the drum mixer are best prepared based on stack flows and the federal limit (40 CFR Part 60, Subpart I) of 0.04 grains per dry standard cubic foot. Here, “grains” refers

to the unit of weight; 7,000 grains equals one pound. The plant vendor should supply stack flows and moisture content (normally 10% if a baghouse is used and 20% if a wet scrubber is used). For a hypothetical plant with a baghouse and stack flow of 40,000 ACFM at 250°F, the flow must first be converted to dry standard cubic feet per hour (DSCFH):

$$40,000 \text{ ACFM} * (528^\circ / (460^\circ + 250^\circ)) * 60 \text{ min/hr} * (1-0.10) = 1,606,000 \text{ DSCFH}$$

$$1,606,000 \text{ DSCFH} * 0.04 \text{ gr/DSCF} / 7,000 \text{ gr/lb} = 9.18 \text{ lb/hr}$$

If this plant operates up to 1,200 hours per year, annual emissions of filterable PM are:

$$(9.18 \text{ lb/hr}) * (1,200 \text{ hours/year}) / (2,000 \text{ lb/ton}) = 5.51 \text{ TPY}$$

Please be sure to include the stack height and dimensions.

2. VOC Emissions

VOC emissions from tanks require tank dimensions and maximum anticipated annual throughput. The asphalt throughput is normally 10% of the weight of asphalt produced, and the density of asphalt is approximately 8.57 lb/gal. For a facility with a maximum annual production of 450,000 tons of asphalt concrete, the asphalt throughput will be 45,000 tons, or 10,501,750 gallons. For liquid fuels, the normal fuel requirement is 1.5 gallons per ton asphalt concrete, or a worst-case requirement of 2.0 gallons per ton (or 900,000 gallons per year based on 2 gallons per ton times 450,000 tons of asphalt concrete). In TANKS4.09D, diesel and residual oil have pre-programmed constants for vapor pressure and molecular weight; for asphalt, you can use 0.0184 psia vapor pressure (based on storage at 325°F) and a vapor molecular weight of 105.

3. Emission Factors

The following emission factors were taken from AP-42 and support the example calculations in Section I. E. These emission factors represent the most current revisions to AP-42 as of the date of this document, unless otherwise noted. As was stated previously, AP-42 is periodically updated. Emission calculations in support of permit applications should rely on the most recent version of AP-42, absent guidance directly identifying the use of older calculation methods.

Drum Mix Plants
(AP-42, Tables 11.1-7, 8 and 10, rev 03/04)

Pollutant	Natural Gas Fuel, lb/ton Asphalt Concrete	Distillate Oil (No. 1 or 2) lb/ton Asphalt Concrete	Residual Oil (No. 5 or 6) lb/ton Asphalt Concrete
CO	0.13	0.13	0.13
NO _x	0.026	0.055	0.055
SO ₂	0.0034	0.011	0.058
VOC	0.032	0.032	0.032
Formaldehyde	0.0031	0.061	0.061

**Particulate Matter Emission Factors For Drum Mix Plants
(AP-42, Table 11.1-3, rev 03/04)**

Process	Filterable⁽¹⁾	Condensable	Total
	lb/ton Asphalt Concrete	lb/ton Asphalt Concrete	lb/ton Asphalt Concrete
Dryer			
Uncontrolled	6.4	0.0654	6.5
Venturi or wet scrubber	ND	0.0194	0.0194
Fabric filter	0.0039	0.0194	0.0233

⁽¹⁾Refer to Section D.1. for an alternative calculation method.

**Engines
(AP-42, Tables 3.3-1 and 3.4-1, rev 10/96)**

Pollutant	Diesel Engines Smaller than 600 HP, lb/hp-hr	Diesel Engines Larger than 600 HP, lb/hp-hr
PM	0.0022	0.0007
CO	0.00668	0.0055
NOx	0.031	0.024
SO ₂	0.00205	0.00809S ⁽¹⁾
VOC	0.00251	0.0006
Formaldehyde ⁽²⁾	1.18 x10 ⁻³ lb/mmBtu	7.89x10 ⁻⁵ lb/mmBtu

⁽¹⁾Assumes that all sulfur in the fuel is converted to SO₂. S = % sulfur in fuel oil. For example, if sulfur content is 1.5%, then S = 1.5.

⁽²⁾Emission calculations based on lb/mmBtu fuel input rather than power produced. (AP-42, Tables 3.3-2 and 3.4-3, rev 10/96)

Heaters

Pollutant	Natural Gas Fuel, lb/MMBTU⁽¹⁾	Distillate Oil (No. 1 or 2) lb/Mgal⁽²⁾	Residual Oil (No. 5 or 6) lb/Mgal⁽²⁾
	AP-42 Tables 1.4-1, 2, and 3	AP-42 Tables 1.3-1, 2, 3, and 8	
	Revision 7/1998	Revision 05/2010	
PM ₁₀ (filter +Cond)	0.0076	2	10
CO	0.084	5	5
NOx	0.100	20	55
SO ₂	0.0006	142*S ⁽³⁾	157*S ⁽³⁾
VOC	0.0055	0.34	1.13
Formaldehyde	0.000075	0.061	0.061

⁽¹⁾Assume natural gas heating value of 1000 Btu/scf.

⁽²⁾lb/Mgal = pounds per thousand gallons. Distillate oil normally has a heating value of 140,000 BTU/gal, while residual oil has a heating value of 150,000 BTU/gal.

⁽³⁾S = the sulfur content, expressed as weight percent. For a fuel with 0.5% by weight sulfur, the emission factor is 157 * 0.5 = 78.5 pounds per thousand gallons.

Please be careful that the sulfur content for residual fuel is not shown as exceeding 0.76% by weight, or that the sulfur content of diesel fuel is not shown as exceeding 0.71% by weight; those sulfur contents will calculate to SO₂ emissions exceeding applicable limits.

**Silo Load-out and Silo Filling
(AP-42, Tables 11.1-14, rev 03/04)**

Pollutant	Load-Out, lb/ton Asphalt Concrete	Silo Filling, lb/ton Asphalt Concrete
PM ⁽¹⁾	0.00052	0.00059
CO ⁽¹⁾	0.00135	0.00118
VOC ⁽¹⁾	0.00416	0.01219

⁽¹⁾ Emission factors are based on asphalt temperature and volatility, as determined by ASTM Method D2872-88 “Effects of Heat and Air on a Moving Film of Asphalt (Rolling Thin Film Oven Test - RTFOT)”. Regional- or site specific data for asphalt volatility should be used, whenever possible; otherwise, a default value of -0.5 should be used. Site-specific temperature data should be used, whenever possible; otherwise a default temperature of 325°F can be used. Listed emission factors are based on default assumptions.

Fugitive Dust Sources

Emission Point	Conveyor Drop Points (Uncontrolled)	Drop Operations to Piles	Stockpiles
Emission Factor Source	AP-42 11.19.2 (08/04)	AP-42 13.2.4 (11/06)⁽¹⁾	AP-42 (4th edition) 8.19.1-1 (9/91)⁽²⁾
PM ₁₀ Factor	0.0011lb/ton aggregate	0.01199 lb/ton aggregate	6.3 lb/acre/day (active) 1.7 lb/acre/day (inactive)

⁽¹⁾ Emission factors are based on a material specific moisture content documented in AP-42 13.2.4 and an average wind speed of 10 miles per hour.

⁽²⁾ Emission factors are based on earlier edition of AP-42 (1993) available on EPA’s website. More recent emission factors are more accurate, but also more complex. Use of the older more conservative factors is approved by DEQ.

4. Storage Tank Data

Storage tanks should be listed as in the following example:

Tank No.	Contents	Capacity (gallons)	Dimensions Height / Diameter	Annual Throughput, Gallons	Manufacture Date	VOC Emissions TPY
1	asphalt	142,760	12’ / 45’	10,400,000	12/98	0.06
2	No. 2 diesel	63,450	12’ / 30’	900,000	1/79	0.01

The formats here are not rigid. Different formats may be used, but whatever is used should be clear enough that permit engineers can readily discern emission rates.

E. Example Calculations

For this example, we will use a plant with a capacity of 300 TPH operated up to 1,500 hours per year. It will also be assumed that the vendor provided old stack testing results showing a stack flow of 41,300 ACFM at 270°F with 28% moisture. In the absence of other data, the worst-case

fuel will be No. 5 residual oil. For the example, the facility will include a 2.5 MMBTUH tank heater and a 650 HP diesel generator. The diesel-fired generator will consume 2 gallons per ton of processed with a heat value of 137,000 Btu/gal. Fuel oil will be assumed to have 0.5% by weight sulfur.

1. Drum Mix Plant

(A) *PM₁₀-filterable*

$$41,300 \text{ ACFM} * (528^\circ / (460^\circ + 270^\circ)) * 60 \text{ min/hr} * (1-0.28) = \mathbf{1,290,000 \text{ DSCFH}}$$

$$1,290,000 \text{ DSCFH} * 0.04 \text{ gr/DSCF} / 7,000 \text{ gr/lb} = \mathbf{7.37 \text{ lb/hr}}$$

$$7.37 \text{ lb/hr} * 1,500 \text{ hours/year} / 2,000 \text{ lb/ton} = \mathbf{5.53 \text{ TPY}}$$

(B) *Other Pollutants*

Hourly Production Tons	Annual Production Tons	Pollutant	Emission Factor lb/ton	Emissions	
				lb/hr	TPY
300	450,000	CO	0.13	39.00	29.25
		PM ₁₀ -condensable	0.0654	19.62	14.72
		NO _x	0.055	16.50	12.38
		SO ₂	0.058	17.40	13.05
		VOC	0.032	9.60	7.20
		Formaldehyde	0.0031	0.93	0.70

(C) *650 HP Engine*

Diesel: 137,000 BTU/gal, 2 gal/ton

Pollutant	Emission Factor, lb/hp-hr	Emissions	
		lb/hr	TPY
PM	0.0007	0.46	0.34
CO	0.0055	3.58	2.68
NO _x	0.024	15.60	11.70
SO ₂	0.00405	2.63	1.97
VOC	0.0006	0.39	0.29
Formaldehyde	7.89x10 ⁻⁵ lb/mmBtu	0.006	0.005

(D) *2.5 MMBTUH Heater*

2.5 MMBTUH / 150,000 BTU/gal = 16.7 gal/hr = 0.0167 Mgal/hr

Pollutant	Emission Factor lb/Mgal	Emissions	
		lb/hr	TPY
PM	10	0.17	0.13
CO	5	0.08	0.06
NO _x	55	0.92	0.69
SO ₂	157*S	1.31	0.98
VOC	1.13	0.02	0.02
Formaldehyde	0.061	0.001	0.001

(E) Silo Load-out and Silo Filling (300 TPH and 450,000 TPY)

Pollutant	Load-Out, lb/ton Asphalt Concrete	Silo Filling, lb/ton Asphalt Concrete	Load-Out		Silo Filling	
			lb/hr	TPY	lb/hr	TPY
PM	0.00052	0.00059	0.16	0.12	0.18	0.13
CO	0.00135	0.00118	0.41	0.30	0.35	0.27
VOC	0.00416	0.01219	1.25	0.94	3.66	2.74

(F) Fugitive Dust Sources

Operation	Emission Factor	PM ₁₀ lb/hr	PM ₁₀ TPY
Delivery	0.012 lb/ton aggregate	3.6	2.7
Conveyor Drop (3)	0.0011 lb/ton aggregate per drop point	0.99	0.25
Stockpiles	6.3 lb/acre/day (active) 1.7 lb/acre/day (inactive)	0.33	1.46
Totals		4.92	4.41

(G) Storage Tanks

Tank No.	Contents	Capacity (gallons)	Dimensions Height / Diameter	Annual Throughput, Gallons	Manufacture Date	VOC Emissions TPY
1	Asphalt	30,000	12' / 45'	10,400,000	12/98	0.06
2	No. 2 diesel	20,000	12' / 30'	900,000	1/79	0.01

2. Total Emissions

Operation	PM		CO		NO _x		SO ₂		VOC	
	lb/hr	TPY	lb/hr	TPY	lb/hr	TPY	lb/hr	TPY	lb/hr	TPY
Drum Mix	26.99	20.25	39.00	29.25	16.50	12.38	17.40	13.05	9.60	7.20
Engine	0.46	0.34	3.58	2.68	15.60	11.70	2.63	1.97	0.39	0.29
Heater	0.17	0.13	0.08	0.06	0.92	0.69	1.31	0.98	0.02	0.02
Silo	0.34	0.25	0.76	0.57	--	--	--	--	4.91	3.68
Fugitive	4.92	4.41	--	--	--	--	--	--	--	--
Tanks	--	--	--	--	--	--	--	--	--	0.07
Totals	32.88	25.38	43.42	32.56	33.02	24.77	21.34	16.00	14.92	11.26

3. Formaldehyde Emissions

Operation	lb/hr	TPY
Drum Mix	0.93	0.70
Engine	0.006	0.005
Heater	0.001	0.001
Silo	--	--
Fugitive	--	--
Totals	0.937	0.7016

The formaldehyde emissions are less than 10 TPY, so the facility is a minor source of HAPs.

SECTION II: Asphalt Plant (AP) General Permit (GP) Application

This portion of the guidance document is intended to address the general permit (GP) for Asphalt Plants (AP). This GP has been developed to authorize construction and/or operation of facilities with emissions less than major source thresholds (e.g., 100 TPY of any air pollutant subject to regulation and/or 10 TPY of any single HAP or 25 TPY of any combination of HAPs) and whose primary air pollutant emissions are from the production of hot mix asphalt (HMA). The general permit for this facility is located at <http://www.deq.state.ok.us/aqdnew/permitting/genperm.htm>.

Most facilities prefer the asphalt plant general permit (AP-GP) because of the equipment change flexibility and lower permitting costs. This GP also has the ability to incorporate Non-metallic Mineral Processing Equipment (NMPE), Reclaimed Asphalt Pavement (RAP) plants, and/or other construction material processing equipment at different quarries in the state of Oklahoma. However, facilities need to meet the “Eligibility” criteria as set in the DEQ issued AP-GP in order to qualify for authorization under the AP-GP.

The process of filing an AP-GP application involves preparation of facility descriptions, emissions estimates, and completion of some administrative forms that are similar to that of individual permit application as described before (SECTION I). The related forms are available at <http://www.deq.state.ok.us/aqdnew/permitting/genperm.htm>.

On the “General Facility Information” Form 100-884, please do not mark both GP Authorization to construct and GP Authorization to operate as this makes your application self-contradictory. GP Authorization to construct and GP Authorization to operate are applied for separately.

Additionally, the “SIC Code” means “Standard Industrial Classification Code.” These are 2951 for asphalt paving mixtures and blocks.

The “Landowner Notification Affidavit” Form 100-810, must be completed and signed for all applications, but it is commonly overlooked, resulting in delays in processing applications and issuing permits.

GP Authorization to construct and GP Authorization to operate are all listed as “Tier I” on the “General Facility Information” Form 100-884.

A. Fees

The fees are addressed in the minor source permits rule, OAC 252:100-7. The fees are as follows.

GP Authorization to construct - \$500

GP Authorization to operate - \$500

There is no fee for the Notice of Modifications. For other fee schedule or for updated fee schedule, please check our web site at <http://www.deq.state.ok.us/rules/100.pdf>

B. Operating Scenarios

The owner/operator of this type of facility needs to add different pieces of equipment, move a plant of the facility, or relocate all equipment/plant of the facility (source) at different locations as per their need. There are several scenarios under which they may need to operate. The following scenarios are most commonly used and allowed under this general permit. All scenarios must meet the “Eligibility” criteria as set in the DEQ issued AP-GP.

- (1) New facility with one or multiple plants.
- (2) Existing facility with an active AP-GP wants to add one or multiple plants, or piece of equipment.
- (3) Existing facility with an active AP-GP wants to move one or multiple plants to a new location.
- (4) Existing facility with an active AP-GP wants to move one or multiple plants to another existing facility with an active AP-GP.
- (5) Existing facility with an active AP-GP wants to relocate all the equipment (source) to a new location.

1. New facility with one or multiple plants

A new facility can submit a Notice of Intent (NOI) to construct and start construction immediately upon submittal of an administratively complete application. Upon completion of construction, the applicant must submit an application for an authorization to operate within 60 days of start-up of the facility.

2. Existing facility with an active AP-GP wants to add one or multiple plants, or piece of equipment.

The applicant can add one or multiple plants or piece of equipment to an existing facility by using the “Notice of Intent to Operate” form to notify DEQ of requested changes. The “Notice of Intent to Operate” form can be used as the notification of modification to add and/or move a plant and/or piece of equipment as authorized under the AP-GP. The referenced form is available in the AP-GP application packet (Form No. 100-340). While not specifically required by the current AP-GP or NMPE-GP, it would be helpful to include updated facility equipment lists to supplement the notice of modification. Future versions of both general permits will require this documentation with a notice of modification.

If the plant(s) and/or equipment are subject to testing under an NSPS or NESHAP, the “Notice of Intent to Operate” form does not absolve the applicant of the responsibility to submit the required testing within 60 days of operation. Plant(s) and/or equipment that have previously

been tested should submit the results of the tests with the “Notice of Intent to Operate” form. If the plant(s) and/or equipment were previously permitted in the state of Oklahoma, you may refer to the original permit number and file documentation in lieu of resubmitting test results.

Added plant(s) and/or equipment may currently be operating under an existing general permit at a different location in Oklahoma. Once the “Notice of Intent to Operate” form has been submitted identifying the planned modification, the added plant(s) and/or equipment may be installed. If the added plant(s) and/or equipment are to be returned to the originating location, the applicant must submit the “Notice of Intent to Operate” form to DEQ to modify the authorization to operate of the originating location prior to the return of the plant(s) and/or equipment.

Example:

An existing quarry is permitted under the Nonmetallic Mineral Plant general permit (NMPE-GP). The owner transfers the rock crusher from the quarry to an existing asphalt plant operating under the AP-GP. This action requires the owner to submit a notice of modification using the “Notice of Intent to Operate” form. No further permitting action is required for the quarry under the NMPE-GP.

If the owner decides to return the rock crusher to the quarry, he will need to submit a notice of modification using the “Notice of Intent to Operate” form.

3. Existing facility with active AP-GP wants to move a portion of the source to a new location.

A portion of the source means an asphalt plant, and/or a crushing plant, and/or a RAP plant or a combination of three and/or any other combinations of different plants, but not the whole facility.

Under such circumstances, the applicant needs to apply for a Notice of Intent (NOI) to construct for the new location under AP-GP and can start construction immediately upon submittal of an administratively complete application. Upon completion of construction, the applicant must submit an application for an authorization to operate within 60 days of start-up of the facility.

4. Existing facility with active AP-GP wants to move one or multiple plants, or piece of equipment to another existing facility with active AP-GP.

The applicant can move one or multiple plants or piece of equipment from an existing facility with active AP-GP by using the “Notice of Intent to Operate” form to notify DEQ of requested changes to another existing facility with active AP-GP. The “Notice of Intent to Operate” form can be used as the notification of modification to add and/or move a plant and/or piece of equipment as authorized under the AP-GP. The referenced form is available in the AP-GP application packet. However, if the asphalt plant by itself moves from the site leaving the crushing plant and/or the RAP plant or a combination of them, then they will not be authorized to operate under the active AP-GP for this site (please see the AP-GP, Part 1, Section II.A). The

applicant, under this circumstance, needs to seek other permitting options (such as, NMPE-GP or individual permit) for the remaining plant(s)/equipment.

5. Existing facility with active AP-GP wants to relocate all the equipment (source) to a new location.

The applicant can move the whole source from an existing facility with active AP-GP by using a relocation permit to another new location. Only under this circumstance, where the applicant moves the whole source, can they use a relocation permit as outlined in OAC 252:100-7-17.

If a facility fails to meet the “Eligibility” criteria as set in the DEQ issued general permit for the Asphalt Plant, they can apply for an individual construction/operating permit.