

SUPPLEMENT TO PERMIT NO. 42-99

T.M. Development Company, LLC  
Moscow Township, Michigan

April 8, 1999

GENERAL CONDITIONS

1. Rule 201(1) - The process or process equipment covered by this permit shall not be reconstructed, relocated, altered, or modified, unless a Permit to Install authorizing such action is issued by the Department, except to the extent such action is exempt from the Permit to Install requirements by any applicable rule.
2. Rule 201(4) - If the installation, reconstruction, relocation, or alteration of the equipment for which this permit has been approved has not commenced within 18 months, or has been interrupted for 18 months, this permit shall become void unless otherwise authorized by the Department. Furthermore, the person to whom this permit was issued, or the designated authorized agent, shall notify the Department via the Supervisor, Permit Section, Air Quality Division, Michigan Department of Environmental Quality, P.O. Box 30260, Lansing, Michigan 48909, if it is decided not to pursue the installation, reconstruction, relocation, or alteration of the equipment allowed by this Permit to Install.
3. Rule 201(6)(a) - If this Permit to Install is issued for a process or process equipment located at a stationary source that is subject to the Renewable Operating Permit program requirements pursuant to R 336.1210, trial operation is allowed by this permit if the equipment performs in accordance with the terms and conditions of this Permit to Install and until the appropriate terms and conditions of this Permit to Install have been incorporated into the Renewable Operating Permit. Upon incorporation of the appropriate terms and conditions into the Renewable Operating Permit, this Permit to Install shall become void.
4. Rules 201(6)(b) - If this Permit to Install is issued for a process or process equipment located at a stationary source that is not subject to the Renewable Operating Permit program requirements pursuant to R 336.1210, operation of the process or process equipment is allowed by this permit if the equipment performs in accordance with the terms and condition of this Permit to Install.
5. Rule 201(8) and Section 5510 of Act 451, P.A. 1994 - The Department may, after notice and opportunity for a hearing, revoke this Permit to Install if evidence indicates the process or process equipment is not performing in accordance with the terms and conditions of this permit or is violating the Departments' rules or the Clean Air Act.
6. Rule 219 - The terms and conditions of this Permit to Install shall apply to any person or legal entity that now or hereafter owns or operates the process or process equipment at the location authorized by this Permit to Install. If the new owner or operator submits a written request to the Department pursuant to R 336.1219 and the Department approves the request, this permit will be amended to reflect the change of ownership or operational control. The request must include all of the information required by subrules (1)(a), (b) and (c) of R 336.1219. The written request shall be sent to the District Supervisor, Air Quality Division, Michigan Department of Environmental Quality.
7. Rule 901 - Operation of this equipment shall not result in the emission of an air contaminant which causes injurious effects to human health or safety, animal life, plant life of significant economic value, or property, or which causes unreasonable interference with the comfortable enjoyment of life and property.
8. Rule 912 - The owner or operator of a source, process, or process equipment shall provide notice of an abnormal condition, start-up, shutdown, or malfunction that results in emissions of

a hazardous or toxic air pollutant in excess of standards for more than one hour, or of any air contaminant in excess of standards for more than two hours, as required in this rule, to the District Supervisor, Air Quality Division. The notice shall be provided not later than two business days after start-up, shutdown, or discovery of the abnormal condition or malfunction. Written reports, if required, must be filed with the District Supervisor within 10 days, with the information required in this rule.

9. Approval of this permit does not exempt the person to whom this permit was issued from complying with any future applicable requirements which may be promulgated under Part 55 of Act 451, P.A. 1994 or the Clean Air Act.
10. Approval of this permit does not obviate the necessity of obtaining such permits or approvals from other units of government as required by law.
11. Operation of this equipment may be subject to other requirements of Part 55 of Act 451, P.A. 1994, and the rules promulgated thereunder.
12. Rule 301 - Except as provided in subrules (2) and (3) or unless the special conditions of this Permit to Install include an alternate opacity limit established pursuant to subrule (4) of R 336.1301, a person shall not cause or permit to be discharged into the outer air from a process or process equipment a visible emission of density greater than the most stringent of the following. The grading of visible emissions shall be determined in accordance with R 336.1303.
  - a) A 6-minute average of 20% opacity, except for one 6-minute average per hour of not more than 27% opacity.
  - b) A visible emission limit specified by an applicable federal new source performance standard.
  - c) A visible emission limit specified as a special condition of this permit to install.
13. Rule 370 - Collected air contaminants shall be removed as necessary to maintain the equipment at the required operating efficiency. The collection and disposal of air contaminants shall be performed in a manner so as to minimize the introduction of contaminants to the outer air. Transport of collected air contaminants in Priority I and II areas requires the use of material handling methods specified in R 336.1370(2).
14. Rule 285 - Except as allowed by Rule 285 (a), (b), and (c), applicant shall not substitute any fuels, coatings, nor raw materials for those described in the application and allowed by this permit, nor make changes to the process or process equipment described in the application, without prior notification to and approval by the Air Quality Division.
15. The Department may require the applicant to conduct acceptable performance tests, at the applicant's expense, in accordance with R 336.2001 and R 336.2003, under any of the conditions listed in R 336.2001.

### SPECIAL CONDITIONS

16. Applicant shall process a maximum of 550 tons per hour and 1,300,000 tons per year of sand and gravel through the fixed sand and gravel crushing plant. Hourly and yearly records of the amount of sand and gravel processed shall be kept on file for a period of at least five years and made available to the Department upon request. This condition is necessary to assure compliance with Rules 205, 207 and 901.
17. Visible emissions from the Pioneer Jaw crusher and the ISC model 103 Vertical Shaft Impact crusher portions of the fixed sand and gravel crushing plant shall not exceed 15.0% opacity except as specified in the Federal Standards of Performance for New Stationary Sources, 40 CFR, Part 60, Subparts A and OOO.
18. Visible emissions from the feeder, the two El Jay 7'x20' screens, the Simplicity 7'x20' screen all conveyor and all transfer point portions of the fixed sand and gravel crushing plant shall not exceed 10.0% opacity except as specified in the Federal Standards of Performance for New Stationary Sources, 40 CFR, Part 60, Subparts A and OOO.
19. There shall be no visible emissions from the Greystone wash plant portion of the fixed sand and gravel crushing plant. This condition is necessary to assure compliance with Rules 205, 301 and 901.
20. Visible emissions from each of the material storage piles shall not exceed a 6 minute average of 5% opacity. This condition is necessary to assure compliance with Rules 205, 301 and 901.
21. Visible emissions from all wheel loaders and all truck traffic shall not exceed a 6 minute average of 5% opacity. This condition is necessary to assure compliance with Rules 205, 301 and 901.
22. Within 60 days after achieving the maximum production rate, but not later than 180 days after the commencement of trial operation, Federal Standards of Performance for New Stationary Sources require verification of visible emission rates from the Pioneer 2148 Jaw crusher with feeder, the ISC model 103 Vertical Shaft Impact crusher, the El-Jay 54" crusher, the two El-Jay 7'x20' screens, the Simplicity 7'x20' screen, all conveyors and all transfer point portions of the fixed sand and gravel crushing plant by testing, at owner's expense, in accordance with 40 CFR, Part 60, Subparts A and OOO. Verification of emission rates includes the submittal of a complete report of the test results. Applicant shall notify the District Supervisor in writing within 15 days of the date of commencement of trial operation in accordance with 40 CFR, Part 60.7(a)(3). Testing procedures and the location of testing shall be in accordance with the applicable federal Reference Methods, 40 CFR, Part 60, Appendix A. No less than days prior to testing, a complete testing plan must be submitted to the Air Quality Division. The final plan must be approved by the Air Quality Division prior to testing.
23. A written notification of the actual date of initial startup of the fixed sand and gravel crushing plant is required to comply with the Federal Standards of Performance for New Stationary Sources, as specified in 40 CFR, Part 60, Subpart A. This notification shall be submitted to the Air Quality Division within 15 days after the startup date.
24. The applicant shall keep a daily record of the type, size (weight) and number of vehicles entering and leaving the facility. Monthly, in a manner acceptable to the District Supervisor, the applicant shall calculate an equivalent number of 50 ton transport trucks entering and leaving the facility based on that months daily records. For each calendar year, the applicant shall not exceed a maximum equivalent 14,000 50 ton transport trucks. All records and calculations shall be kept on file for a minimum of five years and be made available to the Air

Quality Division upon request. This condition is necessary to assure compliance with Rule 205.

25. The maximum number of material storage piles which the applicant may maintain at any one time is 10. The total combined footprint area of all the storage piles shall not exceed 8.0 acres. This condition is necessary to assure compliance with Rule 205.
26. Applicant shall equip and maintain all screens and all crusher portions of the fixed sand and gravel crushing plant with water sprays. All water sprays shall be installed and operating properly whenever a plant is in operation. This condition is necessary to assure compliance with Rules 205, 301, 303, 331, 901 and 910.
27. Applicant shall not operate the fixed sand and gravel crushing plant unless the program for continuous fugitive emissions control for all plant roadways, the plant yard, all material storage piles, and all material handling operations specified in Appendix A has been implemented and maintained. This condition is necessary to assure compliance with Rules 205, 371 and 901.
28. Applicant shall label all equipment associated with the fixed sand and gravel crushing plant within 45 days of issuance of this permit according to the company ID numbers shown on the equipment list in Appendix B in a manner which is acceptable to the District Supervisor. Applicant shall notify the district supervisor in writing when the labeling is complete. This condition is necessary to assure compliance with 40 CFR part 60.670.
29. Applicant shall install and maintain a fence, berm or physical barrier around the property line containing the fixed sand and gravel crushing plant. This condition is necessary to assure compliance with 40 CFR part 52.21.
30. Applicant shall not crush any asbestos tailings or asbestos containing waste materials, as defined by the National Emission Standards for Hazardous Air Pollutants [40 CFR 61.141] regulations, in the fixed sand and gravel crushing plant.

## APPENDIX A Fugitive Dust Control Plan

### I. Site Roadways / Plant Yard

- A. The dust on the site roadways/plant yard will be controlled by applications of water, calcium chloride or other acceptable and approved fugitive dust control compounds. Applications of water will be done twice daily or more frequently if needed. Other forms of dust suppressants shall be applied on a bi-weekly basis. Records of all applications of dust suppressants and their type shall be kept on file for a period of at least two years and made available to the Air Quality Division upon request.
- B. The applicant shall pave all haul roads from the facility entrance to the material storage pile load out areas.
- C. All roadways / plant yard shall be swept as needed between applications.
- D. A record of all applications and sweeping shall be kept on file and made available upon request to the Air Quality Division (AQD).
- E. Speed of vehicles will be posted and limited to 10 mph.
- F. Any material spillage on roads shall be removed immediately.

### II. Plant

- A. A spray system will be utilized at strategic locations to reduce and control fugitive emissions as needed in those locations not included in special permit conditions.
- B. All transfer points will have minimal drop distances. The transfer point from the re-circulating belt to the feed belt consists of an enclosed chute.

### III. Storage Piles

- A. Stockpiling of all aggregate will be performed with wheeled loaders and mechanical stackers to minimize drop distance and control potential dust problems.
- B. Stockpiles will be watered on a as needed basis in order to meet the opacity limits included within the permit. Also, equipment to apply water or dust suppressant shall always be available at the site or on call for use at the site within a given operating day. A record of all watering shall be kept on file and be made available upon request to the AQD.

### IV. Truck Traffic

- A. On-site, 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 inches of the top of any side board, side panel or tail gate, otherwise, the truck shall be tarped.
- B. Off-site, all trucks leaving must be tarped.

- V. AQD/MDEQ Inspection - The provisions and procedures of this plan are subject to adjustment if following an inspection and written notification the AQD finds the fugitive dust requirements and/or the permitted opacity limits are not being met.

CMB

APPENDIX B

| Equipment Description                           | ID       |
|---|----------|
| Pioneer 2148 Jaw Crusher w/feeder               | 2148     |
| El-Jay 7'x20' screen                            | SC-1     |
| ISC model 103 Vertical Shaft Impact Crusher     | CR-1     |
| El-Jay 54" crusher w/7'x20' screen              | CR-2     |
| Greystone wash plant w/Simplicity 7'x20' screen | P-T44-20 |
| 36"x80' transfer conveyor                       | TC-1     |
| 36"x80' transfer conveyor                       | TC-2     |
| 36"x80' transfer conveyor                       | TC-3     |
| 36"x80' transfer conveyor                       | TC-4     |
| 36"x80' transfer conveyor                       | TC-5     |
| 36"x60' transfer conveyor                       | TC-6     |
| 36"x60' transfer conveyor                       | TC-7     |
| 36"x30' transfer conveyor                       | TC-8     |
| 36"x30' transfer conveyor                       | TC-9     |
| 36"x600' transfer conveyor                      | TC-10    |
| 36"x125' stacking conveyor                      | S-1      |
| 36"x125' stacking conveyor                      | S-2      |
| 36"x125' stacking conveyor                      | S-3      |
| 36"x125' stacking conveyor                      | S-4      |