

SUPPLEMENT TO PERMIT NO. 177-97

T.M. Development L. L. C.  
Lodi Township, Michigan

June 10, 1997

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 which is subject to a Renewable Operating Permit pursuant to Rule 210, trial operation is allowed 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 as a modification pursuant to Rule 216 or upon renewal pursuant to Rule 217. 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)(i) or 216(1)(a)(v)(A) - Except as provided in General Condition No. 3, operation of the process or process equipment is allowed if, not more than 30 days after completion of the installation, construction, reconstruction, relocation, alteration, or modification authorized by this Permit to Install, the person to whom this Permit to Install was issued, or the authorized agent pursuant to Rule 204, notifies the District Supervisor, Air Quality Division, in writing, of the completion of the activity. Completion of the installation, construction, reconstruction, relocation, alteration, or modification is considered to occur not later than commencement of trial operation of the process or process equipment.
5. Rule 201(6)(b)(ii) - Except as provided in General Condition No. 3, not more than 18 months after completion of the installation, construction, reconstruction, relocation, alteration, or modification authorized by this Permit to Install, the person to whom this permit was issued, or the authorized agent pursuant to Rule 204, shall notify the District Supervisor, Air Quality Division, in writing, of the status of compliance of the process or process equipment with the terms and conditions of the Permit to Install. The notification shall include all of the following:
  - A. The results of all testing, monitoring, and recordkeeping performed to determine the actual emissions from the process or process equipment and to demonstrate compliance with the terms and conditions of the Permit to Install.
  - B. A schedule of compliance for the process or process equipment as described in Rule 119(a).

- C. A statement, signed by the person owning or operating the process or process equipment, that, based on information and belief formed after reasonable inquiry, the statements and information in the notification are true, accurate, and complete.
6. Rule 201(7) 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.
  7. 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 Rule 219 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 in Rule 219(1)(a), (b) and (c). The written request shall be sent to the District Supervisor, Air Quality Division, Michigan Department of Environmental Quality.
  8. 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.
  9. 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.
  10. Approval of this permit does not exempt the person to whom this permit was issued from complying with any future regulations which may be promulgated under Part 55 of Act 451, P.A. 1994.
  11. Approval of this permit does not obviate the necessity of obtaining such permits or approvals from other units of government as required by law.
  12. Operation of this equipment may be subject to other requirements of Part 55 of Act 451, P.A. 1994, and the rules promulgated thereunder.

### SPECIAL CONDITIONS

13. On and after the 60th day after achieving the maximum production rate, but not later than 180 days after initial startup, there shall be no visible emissions from the loader, feeder, conveyors, screens, and transfer points as specified in the Federal Standards of Performance for New Stationary Sources, 40 CFR, Part 60, Subparts 000.
14. A written notification of the actual date of initial startup of the portable sand and gravel screening and 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 and may be submitted in conjunction with the notification requirements required per General Condition No. 4 of this permit.
15. Applicant shall screen and wash a maximum of 200 tons per hour and 400,000 tons per year of sand and gravel through the portable sand and gravel screening and washing plant. Hourly and yearly records of the amount of material crushed shall be kept on file for a period of at least two years and made available to the Air Quality Division upon request.
16. Applicant shall equip and maintain the all screens with water sprays. All water sprays shall be installed and operating whenever the portable screening plant is in operation.
17. If the portable sand and gravel screening and washing plant fails the opacity limits specified in special condition No. 13, the applicant shall equip and maintain the portable sand and gravel crushing plant with water sprays or another form of control equipment acceptable to the District Supervisor, such that it will be able to meet the required opacity limits.
18. Applicant shall not operate the portable sand and gravel screening and washing operation 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 is maintained.
19. Applicant shall not screen and wash 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 portable sand and gravel screening and washing plant.
20. Applicant shall not relocate the portable sand and gravel screening and washing plant to any new geographical site in Michigan unless all the following criteria are met:
  - a. The plant shall not have any outstanding unresolved violations of any of the Michigan Department of Environmental Quality Air Pollution Control rules, order, or permits; or Federal air quality regulations.

- b. The installation of the plant at the geographical site shall be of a temporary nature lasting not more than 12 consecutive months.
- c. A notice of intent to relocate along with a proposed site plan shall be provided to the district office not less than 21 days prior to the scheduled relocation identifying the proposed new geographical site and the probable duration at the new site. All residential or commercial establishments and places of public assembly within 1,000 feet of the proposed plant's site shall be clearly identified on the proposed site plan.
- d. The asphalt production plant shall not be located within 800 feet to a residential or commercial establishment or a place of public assembly unless prior written site approval is obtained from the Air Quality Division district office.
- e. The portable sand and gravel screening and washing operation or the concrete crusher shall not be located within 500 feet to a residential or commercial establishment or a place of public assembly unless prior written site approval is obtained from the Air Quality Division district office.
- f. A copy of this approved permit and permit conditions shall be clearly posted in the operator's office or work station and the permit number shall be posted on the equipment where it is clearly visible from the operator's office or work station.
- g. The Department's Delegation of Authority does not authorize us to approve any site where there is a known unresolved objection. Therefore, requests for site approval where there are known unresolved objections will continue to be handled by the Office of the Director of the Michigan Department of Environmental Quality.

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. Application will be on a semi-monthly basis or more frequently if needed.
- B. A record of all applications and sweeping shall be kept on file and made available upon request to the Air Quality Division (AQD).
- C. Speed of vehicles will be posted and limited to 10 mph.
- D. 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. A record of all watering shall be kept on file and be made available upon request to the AQD.
- C. Moisture content will be maintained at 4 percent to control fugitive dust.

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.

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- 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.

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