

**MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY**

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**INTEROFFICE COMMUNICATION**

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March 28, 2002

TO: All Air Quality Division Supervisors  
FROM: Dennis M. Drake, Chief, Air Quality Division  
SUBJECT: Permit Exemptions Pursuant to Rule 279

Pursuant to Rule 279 of the Air Pollution Control Rules promulgated under Article II, Chapter 1, Part 55, Air Pollution Control, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended, the following processes are exempt from the requirement for a permit to install. This action shall be effective for a period of two years and will expire on March 28, 2004.

Concrete Batch Plants, which meet all of the following requirements:

- (a) Produce no more than 200,000 cubic yards per year.
- (b) Use either a fabric filter dust collector, a slurry mixer system, a drop chute, a mixer flap gate, or an enclosure for truck-loading operations.
- (c) Use fabric filter dust control or enclose within a building all cement handling operations (i.e., silo loading, cement weigh hoppers).
- (d) Keep monthly records of the cubic yards of concrete produced.
- (e) Notify the appropriate Air Quality Division (AQD) District Supervisor of the location where the concrete batch plant will be operating under this exemption.
- (f) Maintain a minimum set back distance of 250 feet from the Concrete Batch Plant to any residential or commercial establishment or place of public assembly unless all of the cement handling operations (excluding the cement silo storage and loading operations) are enclosed within at least a three sided structure.
- (g) Implement the fugitive dust plan below.

**FUGITIVE DUST PLAN**

- (i) The drop distance at each transfer point throughout the plant shall be reduced to the minimum the equipment can achieve.
- (ii) 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 sideboard, side panel, or tailgate; otherwise, the truck shall be tarped.

(iii) Site Roadways and the Plant Yard

- (a) The dust on the site roadways and the plant yard shall be controlled by applications of water, calcium chloride, or other acceptable and approved fugitive dust control compounds to meet an opacity limit of five percent. Applications of dust suppressants shall be done as often as necessary to meet the five percent opacity limit.
- (b) All paved roadways and the plant yards shall be swept as needed between applications.
- (c) Any material spillage on roads shall be cleaned up immediately.
- (d) A record of all applications of dust suppressants and roadway and the plant yard sweepings shall be kept on file for the most recent five-year period and be made available to the AQD upon request.

(iv) Storage Piles

- (a) Stockpiling of all nonmetallic minerals shall be performed to minimize drop distance and control potential dust problems.
- (b) Stockpiles shall be watered on an as-needed basis in order to meet the opacity limit of five percent. Equipment to apply water or dust suppressant shall be available at the site or on call for use at the site within a given operating day.
- (c) A record of all watering shall be kept on file for the most recent five-year period and be made available to the AQD upon request.
- (v) The provisions and procedures of this plan are subject to adjustment by written notification from the AQD if, following an inspection, the AQD finds the fugitive dust requirements and/or the permitted opacity limits are not being met.

The February 14, 2000, Rule 279 Permit Exemption for Concrete Batch Plant expired on February 14, 2002. Concrete Batch Plants installed, constructed, reconstructed, relocated, altered, or modified pursuant to the February 14, 2000, exemption continue to be exempt from the Rule 201 permitting requirements provided they comply with the exemption criteria listed in the February 14, 2000, memo. The March 28, 2002, Rule 279 Permit Exemption for Concrete Batch Plant shall apply to all Concrete Batch Plants installed, constructed, reconstructed, relocated, altered or modified after February 14, 2002.

Questions regarding the applicability of this permit exemption should be directed to the appropriate district office or to Jerry Avery, Field Operations Supervisor, at 517-373-7037.