

# **SIGNIFICANT CHANGES TO THE HOT MIX ASPHALT GENERAL PERMIT (HMAGP)**

Changes to Permit MSR70 from the previous general permit include clarification of existing language, requirements and conditions; removal of provisions for construction storm water coverage; and addition of requirements for sources that may otherwise be major air emissions sources. The proposed general permit has the following significant changes:

- Construction storm water coverage for disturbance of one (1) acre or more was removed from this permit. Now facilities that conduct land disturbing activities have to obtain coverage and comply with the Small Construction Storm Water General Permit (SCSWGP) or the Large Construction Storm Water General Permit (LCSWGP), as applicable.
- Asphalt facilities powered by mobile generator sets may obtain coverage under the HMAGP as long as the engines providing power meet the definition of “nonroad internal combustion engines.” (See ACT3, Condition L-8 for more details.)

## **ACT2 (Obtaining Coverage, Recoverage and Requesting Termination)**

- Contiguous Landowner Notification (Condition S-2, Page 5) – revised.
- Public Participation Requirements (Condition S-3, Page 7) – Revised to require all proposed new facilities or those undergoing a major modification (as defined in ACT6) to meet the public participation requirements.
- Facility Expansion and/or Modification Notification (Condition S-5, Page 7) – Revised to require notification if the asphalt plant is removed from the site even though the coverage will be retained. Must submit a Change Request Form for listed changes.
- Removal of Hot Mix Asphalt Plant (Condition S-8, Page 8) – Added to address the scenario where the hot mix asphalt plant and associated air emissions equipment is removed from the site but other industrial activities (e.g., material piles) remain on site. In this case, the air requirements no longer apply but the stormwater requirements continue to apply.
- Electronic Submittal of (Condition T-1, Page 9) – Includes option to submit electronic forms, in addition to hard copy.

### ACT3 (Air Emissions Requirements)

- Air Stationary Source Designation (Condition L-1, Page 10) – Revised to designate HMA plants as synthetic minor operating sources, as well as moderate stationary sources for PSD purposes.
- Operational Limit on Crushed Material (Condition L-3(4), Page 11) – Revised to indicate that the 600,000 tons per year of crushed material only applies to crushers supplying crushed material to HMA plants located off-site.
- Operational Limitation on Liquid Fuel (Condition L-3(6), Page 11) – Liquid fuels shall be limited to 1,000,000 gallons per year during any consecutive 12-month rolling period. This language has been added to the permit.
- Non-Numeric Limitations (Condition L-4(1), Page 11) – Startup, Shutdown and Malfunction Requirement condition has been added to the permit.
- Hot Mix Asphalt Limitations, Monitoring and Testing (Condition L-5(5), Pages 12-13) – Control equipment inspection, maintenance, and monitoring requirements for silos, dryers and baghouses added to the permit.
- Particulate Matter and Opacity Performance Testing (Condition L-5(6), Pages 13-14) – Conduct performance testing initially within 180 days of startup of a new HMA plant or startup of a plant that has moved locations, and every five years thereafter. For an existing plant, if a performance test has not been conducted in the past four (4) years, conduct a test within one (1) year of issuance of coverage and every five (5) years thereafter.
- Rock Crusher Requirements (Condition L-6, Page 14) – This condition has been added to the permit to address any potentially applicable federal New Source Performance Standards for rock crushers and affected equipment. Third parties that would own and operate a portable rock crusher at the HMA plant are responsible for obtaining any necessary air permits from MDEQ. Thus, the coverage recipient is not responsible for modifying their coverage to allow a third party to bring a rock crusher on site.
- Emergency Stationary Internal Combustion Engine Requirements (Condition L-7, Page 17) – This condition has been added to address requirements for emergency stationary internal combustion engines, such as those used to power emergency generators.
- Nonroad Internal Combustion Engine Requirements (Condition L-8, Page 18) – This condition has been added to address requirements for nonroad (mobile) internal combustion engines, specifically those used to provide power to the asphalt manufacturing process.

- Gasoline Dispensing Operation Requirements (Condition L-9, Page 18) – This condition was added for facilities that have gasoline dispensing stations on-site. A gasoline dispensing facility is any stationary facility which dispenses gasoline into the fuel tank of a motor vehicle, motor vehicle engine, nonroad vehicle, or nonroad engine, including a nonroad vehicle or nonroad engine used solely for competition. These facilities include, but are not limited to, facilities that dispense gasoline into on- and off-road, street, or highway motor vehicles, lawn equipment, boats, test engines, landscaping equipment, generators, pumps, and other gasoline-fueled engines and equipment.
- Air Reporting Requirements (Condition S-1, Page 19) – All construction activity notifications shall be submitted on the Air Notification of Construction Form (formally the Notification of Construction / Modification of Air Emissions Sources form). If construction of the plant does not start within 18 months of coverage issuance or is suspended 18 months, the coverage recipient must notify the MDEQ using this form and should also indicate if a one-time extension of 18 months is being requested. A Monthly Air Records Form (or equivalent) provided by MDEQ should be used and submitted annually to MDEQ.
- General Air Recordkeeping Requirements (Condition R-1(2), Page 21) - Records required under ACT 3, shall be maintained for at least five (5) years. Note: All other records required by the permit are still required to be maintained for at least three (3) years as required by ACT4, Condition R-2 on page 22.

#### ACT 4 (Industrial Storm Water Requirements)

- Minimum SWPPP Components (Condition T-2(4), Page 23) – A requirement to document spills and leaks on the Monthly Spill and Leak Log Sheet has been added to the proposed permit.
- Monthly Visual Site Inspections (Condition T-6, Page 27) – A Monthly Visual Site Inspection Form has been created for use in conducting monthly inspections.
- Annual SWPPP Evaluation (Condition T-7, Page 28) – An Annual SWPPP Evaluation Form has been created, and the requirement to submit the annual form has been removed.

#### ACT 5 (Standard Requirements Applicable to All ACTs)

- Maintaining Electronic Documents (Condition R-1, Page 29) – Any documents required by this permit may be kept electronically but must be readily available during site inspection or upon request.

- Notifications (Conditions S-1, S-2, and S-4, Pages 29 and 30) – Language has been added to the proposed permit to comply with the NPDES e-reporting rule, which will require the referenced notifications be submitted electronically.
- Personnel Training Program Requirements (Condition T-15, Page 35) – A Personnel Training Form has been created for use in complying with these requirements.
- Continuation of Expired General Permit (Condition T-25, Page 39) – This condition has been added to the proposed permit.
- Expiration of Coverage (Condition T-26, Page 39) – This condition was added to address the regulation regarding construction of air emissions equipment in 11 Miss. Admin. Code Pt. 2, R. 2.5.C(1). and R. 2.5.C(4).

### ACT 6 (Definitions)

#### Added the following definitions:

- T-1 Air Contaminant
- T-11 Gasoline Dispensing Facility
- T-15 Major Modification
- T-17 Nonroad Internal Combustion Engine
- T-26 Severe Property Damage
- T-32 Submitted

#### Revised the following definitions:

- T-2 Air Emissions
- T-3 Baghouse or Fabric Filter

#### Removed the following definitions:

- CFR
- Clean Water Act
- Commencement of Construction
- Commission
- Construction Activity
- Final Stabilization
- Larger Common Plan of Development or Sale
- National Pollutant Discharge Elimination System
- New Source Performance Standards
- NOI
- Operator
- Particulate Matter
- Qualified Personnel
- Significant Minor Source

- State Law
- Successful Completion of All Permanent Erosion and Sediment Controls
- Synthetic Minor Source
- True Minor Facility

Some other unnecessary definitions were removed.