



Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection

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June 7, 2012

James Fletcher
W.J. Graves Construction Co., Inc.
192 Depot Road
East Templeton, Massachusetts 01438

RE: Athol
Transmittal No.: X250664
Application No.: W-12-009
Class: Submin
FMF No.: 531945
AIR QUALITY PLAN APPROVAL

Dear Mr. Fletcher:

The Massachusetts Department of Environmental Protection (“MassDEP”), Bureau of Waste Prevention, has reviewed your Limited Plan Application (“Application”) listed above. This Application concerns the proposed construction and operation of a nonmetallic mineral processing operation which consists of two existing mobile stone crushing/processing units and a new mobile screening plant at your Murray Lane Trust facility located at South Athol Road in Athol, Massachusetts (“Facility”).

This Application was submitted in accordance with 310 CMR 7.02 Plan Approval and Emission Limitations as contained in 310 CMR 7.00 “Air Pollution Control,” regulations adopted by MassDEP pursuant to the authority granted by Massachusetts General Laws, Chapter 111, Section 142 A-J, Chapter 21C, Section 4 and 6, and Chapter 21E, Section 6. MassDEP’s review of your Application has been limited to air pollution control regulation compliance and does not relieve you of the obligation to comply with any other regulatory requirements.

MassDEP has determined that the Application is administratively and technically complete and that the Application is in conformance with the Air Pollution Control regulations and current air pollution control engineering practice, and hereby grants this **Plan Approval** for said Application, as submitted, subject to the conditions listed below.

Please review the entire Plan Approval, as it stipulates the conditions with which the Facility owner/operator (“Permittee”) must comply in order for the Facility to be operated in compliance with this Plan Approval.

1. DESCRIPTION OF FACILITY AND APPLICATION

The W.J. Graves Construction Co., Inc. has submitted an application to construct and operate a nonmetallic mineral processing operation at their Murray Lane Trust facility, which is a stone quarry. The nonmetallic mineral processing operation consists of two existing mobile rock crushing/processing units and a new mobile screening plant which are the Lokotrack Metso LT105, the Lokotrack Metso LT300HP and the Finlay Model 694 screening plant. Each mobile unit can be operated independently, but the rock crushing/processing units and the screening plant will typically work in conjunction. .

Each mobile unit has a maximum production rate of 350 tons of rock per hour and is powered by a diesel-fired reciprocating internal combustion engine. The diesel-fired engines which power the LT105, LT300HP and the screening plant are considered to be nonroad engines pursuant to 40 CFR 89.2 since they are regularly moved around the quarry, typically once per week, and are not stationary at one location for a period of more than 12 months. Therefore, the nonroad diesel-fired engines are not subject to the plan approval requirements of 310 CMR 7.02 since they are not a stationary source. This is consistent with the USEPA Applicability Determination Index, Control Number: M090038, dated December 5, 2008

The Lokotrack Metso LT105 contains the following pieces of equipment:

Table 1.

Equipment	Size/Capacity
Feed Hopper – F1	350 ton/hour
Nordberg C105 Jaw Crusher- CR1	301 ton/hour
Conveyor – C1	39" x 50' / 350 ton/hr

The Lokotrack Metso LT300HP contains the following pieces of equipment:

Table 2.

Equipment	Size/Capacity
Feed Hopper – F2	350 ton/hour
Cone Crusher – CR2	295 ton/hour
Conveyor – C2	47" x 20' / 55 ton/hour
Conveyor – C3	47" x 30' / 350 ton/hr

The Finlay Model 694 screening plant contains the following pieces of equipment:

Table 3.

Equipment	Size/Capacity
Transfer Conveyor – C4	36” x 50’
Feed Hopper – F3	350 Ton/hour
Belt Feeder – C5	48” x 14’
Main Feed Conveyor – C6	48” x 42’
Triple Deck Screen	5’ x 20’
Top Deck Discharge Conveyor	20” x 31’
Middle Deck Discharge conveyor	32” x 31’
Bottom Deck Discharge Conveyor	32” x 31’
Fines Discharge Conveyor	48” x 26’

The emissions from the facility will consist of fugitive particulate matter (PM), PM with an aerodynamic diameter equal to or less than 10 microns, also known as PM10 and PM with an aerodynamic diameter equal to or less than 2.5 microns, also known as PM2.5. Based on EPA AP-42 emission factors taken from Table 11.19.2-2 (dated August 2004) and a maximum operating capacity of 8760 hours per year, the following PM, PM10 and PM2.5 emissions have been calculated by W.J. Graves Construction Co., Inc.

Table 4. Facility Emissions

Source	PM (tons per year)	PM10 (tons per year)	PM2.5 (tons per year)
LT105	1.85	0.8	0.18
LT300HP	1.84	0.8	0.16
Finlay Model 694	4.02	1.34	0.14
Total	7.71	2.94	0.48

Controlled emission factors were used for the PM, PM10 and PM2.5 emissions from the mobile rock crushing and conveying operations since water spray nozzles are used for this equipment. Controlled emission factors were also used for the proposed PM, PM10 and PM2.5 emissions from the screening plant since the material will already be damp from the mobile rock crushing units. In cases where the screening plant is being used independently, water suppression will need to be available in order to minimize fugitive emissions as needed. The specific PM, PM10 and PM2.5 emission factors used from EPA AP-42 Table 11.19.2-2 were the tertiary crushing (controlled) emission factor for each of the crushers, the conveyor transfer point (controlled) emission factor for each of the transfer points, the truck unloading, fragmented stone emission factor for the unloading of rock into the feed hopper (F1) and the screening (controlled) emission factor. If there was no data available for one of the emission factors, such as PM2.5, a conservative emission factor, such as PM10, was used.

Best Available Control Technology Analysis

The Lokotrack Metso LT105, the Lokotrack Metso LT300HP and the Finlay Model 694 screening plant must satisfy the best available control technology (BACT) requirements of 310 CMR 7.02(8)(a)2.

No restrictions on the hours of operation or production rates have been proposed for any of the crushing or screening units. However, fugitive particulate matter emissions from the LT105 and the LT300HP are minimized using a dust suppression system which is comprised of several water spray nozzles.

The LT105 has two water spray nozzles located at the jaw crusher feed point, another two water spray nozzles at the jaw crusher discharge and two more water spray nozzles located midway along the conveyor(C1). The LT300HP has three water spray nozzles located at the cone crusher feed point, another three water spray nozzles located at the cone crusher discharge and three more water spray nozzles located at the discharge point of conveyor (C3) to the stockpile. These water spray nozzles are operated on an as needed basis in order to control emissions.

The screening plant will not be equipped with any water spray nozzles. During operation of the screening plant in conjunction with the LT105 and LT300HP, the material will be sufficiently damp due to the upstream water spray nozzles. During periods when the screening plant is being operated independently from LT105 and LT300HP, water suppression will need to be available in order to minimize fugitive emissions as needed.

Fugitive particulate matter emissions discharged to the atmosphere from the LT105 jaw crusher and the LT300HP cone crusher will not exhibit greater than 10 percent opacity. Fugitive particulate matter emissions discharged to the atmosphere from the triple deck screen will not exhibit greater than 7 percent opacity. Fugitive particulate matter emissions discharged to the atmosphere from any conveyor and conveyor transfer point will not exhibit greater than 7 percent opacity. Lastly, each of the three feed hoppers (F1, F2, F3) will not exhibit greater than 7 percent opacity.

Regulatory Applicability

In addition to being subject to the BACT requirements of 310 CMR 7.02(8)(a)2, the facility is subject to the visible emission requirements of 310 CMR 7.06, the dust, odor, construction and demolition requirements of 310 CMR 7.09 and the noise reduction requirements of 310 CMR 7.10.

W.J. Graves Construction Co. Inc., has indicated that the Lokotrack Metso LT105, the Lokotrack Metso LT300HP and the Finlay Model 694 screening plant are subject to Subpart OOO of the federal Standards of Performance for New Stationary Sources for Nonmetallic Mineral Processing Plants, 40 CFR Part 60.670 through 60.676. Since 310 CMR 7.00: Appendix C (Operating Permit sources) will not apply to the facility, MassDEP does not have delegation for the abovementioned NSPS subpart. Therefore, W.J. Graves Construction Co. Inc., will need to contact EPA regarding compliance with Subpart OOO of the federal Standards of Performance

for New Stationary Sources for Nonmetallic Mineral Processing Plants, 40 CFR Part 60.670 through 60.676.

2. EMISSION UNIT (EU) IDENTIFICATION

Each Emission Unit (EU) identified in Table 1 is subject to and regulated by this Plan Approval:

Table 1			
EU#	Description	Design Capacity	Pollution Control Device (PCD)
1	Lokotrack Metso LT105 mobile rock crushing/processing unit which includes: *Feed Hopper- F1 *Nordberg C105 Jaw Crusher- CR1 *Conveyor, 39" x 50' – C1	350 tons per hour	Dust Suppression System consisting of: <ul style="list-style-type: none"> • Two water spray nozzles at the jaw crusher feed point • Two water spray nozzles at the jaw crusher discharge • Two water spray nozzles located midway along conveyor (C1)
2	Lokotrack Metso LT300HP mobile rock crushing/processing unit which includes: *Feed Hopper – F2 *Cone Crusher – CR2 *Conveyor, 47" x 20' – C2 *Conveyor, 47" x 30' – C3	350 tons per hour	Dust Suppression System consisting of: <ul style="list-style-type: none"> • Three water spray nozzles located at the cone crusher feed point • Three water spray nozzles located at the cone crusher discharge • Three water spray nozzles located at the discharge point of conveyor (C3) to the stockpile
3	Finlay Model 694 mobile screening plant which includes: *Transfer Conveyor, 36" x 50'- C4 *Feed Hopper – F3 *Belt Feeder, 48" x 14' – C5 *Main Feed Conveyor, 48" x 42' – C6 *Triple Deck Screen – 5' x 20' *Top Discharge Conveyor, 20" x 31' *Middle Deck Discharge Conveyor, 32" x 31' *Bottom Deck Discharge Conveyor, 32" x 31' *Fines Discharge Conveyor, 48" x 26'	350 tons per hour	Dust Suppression, as needed

Table 1 Key:

EU# = Emission Unit Number
 PCD = Pollution Control Device

3. APPLICABLE REQUIREMENTS

A. OPERATIONAL, PRODUCTION and EMISSION LIMITS

The Permittee is subject to, and shall not exceed the Operational, Production, and Emission Limits as contained in Table 2 below:

Table 2			
EU#	Operational / Production Limit	Air Contaminant	Emission Limit
1	None	PM/PM10/PM2.5	<ol style="list-style-type: none"> 1. Pursuant to the best available control technology provision of 310 CMR 7.02(8)(a)2, fugitive particulate matter emissions discharged to the atmosphere from conveyor (C1) and any conveyor transfer point shall each not exhibit greater than 7 percent opacity at any time. 2. Pursuant to the best available control technology provision of 310 CMR 7.02(8)(a)2, fugitive particulate matter emissions discharged to the atmosphere from the dry process material feed hopper (F1) shall not exhibit greater than 7 percent opacity at any time. 3. Pursuant to the best available control technology provision of 310 CMR 7.02(8)(a)2, fugitive particulate matter emissions discharged to the atmosphere from the Nordberg C105 jaw crusher (CR1) shall not exhibit greater than 10 percent opacity at any time. 4. ≤1.85 tons of PM in any 12 consecutive month period 5. ≤0.8 tons of PM10 in any 12 consecutive month period 6. ≤0.18 tons of PM2.5 in any 12 consecutive month period

Table 2			
EU#	Operational / Production Limit	Air Contaminant	Emission Limit
2	None	PM/PM10/PM2.5	<p>7. Pursuant to the best available control technology provision of 310 CMR 7.02(8)(a)2, fugitive particulate matter emissions discharged to the atmosphere from conveyor (C2), conveyor (C3) and any conveyor transfer point shall each not exhibit greater than 7 percent opacity at any time.</p> <p>8. Pursuant to the best available control technology provision of 310 CMR 7.02(8)(a)2, fugitive particulate matter emissions discharged to the atmosphere from the dry process material feed hopper (F2) shall not exhibit greater than 7 percent opacity at any time.</p> <p>9. Pursuant to the best available control technology provision of 310 CMR 7.02(8)(a)2, fugitive particulate matter emissions discharged to the atmosphere from the cone crusher (CR2) shall not exhibit greater than 10 percent opacity at any time.</p> <p>10. ≤1.84 tons of PM in any 12 consecutive month period</p> <p>11. ≤0.8 tons of PM10 in any 12 consecutive month period</p> <p>12. ≤0.16 tons of PM2.5 in any 12 consecutive month period</p>

Table 2			
EU#	Operational / Production Limit	Air Contaminant	Emission Limit
3	None	PM/PM10/PM2.5	<p>13. Pursuant to the best available control technology provision of 310 CMR 7.02(8)(a)2, fugitive particulate matter emissions discharged to the atmosphere from conveyor (C4), conveyor (C5), conveyor (C6), each of the four discharge conveyors and any conveyor transfer point shall each not exhibit greater than 7 percent opacity at any time.</p> <p>14. Pursuant to the best available control technology provision of 310 CMR 7.02(8)(a)2, fugitive particulate matter emissions discharged to the atmosphere from the feed hopper (F3) shall not exhibit greater than 7 percent opacity at any time.</p> <p>15. Pursuant to the best available control technology provision of 310 CMR 7.02(8)(a)2, fugitive particulate matter emissions discharged to the atmosphere from the triple deck screen shall not exhibit greater than 7 percent opacity at any time.</p> <p>16. ≤ 4.02 tons of PM in any 12 consecutive month period</p> <p>17. ≤ 1.34 tons of PM10 in any 12 consecutive month period</p> <p>18. ≤ 0.14 tons of PM2.5 in any 12 consecutive month period</p>

Table 2 Key:

EU# = Emission Unit Number

PM = Total Particulate Matter

PM₁₀ = Particulate Matter less than or equal to 10 microns in diameter

PM_{2.5} = Particulate Matter less than or equal to 2.5 microns in diameter

\leq = Less than or equal to

B. COMPLIANCE DEMONSTRATION

The Permittee is subject to, and shall comply with, the monitoring, testing, record keeping, and reporting requirements as contained in Tables 3, 4, and 5 below:

Table 3	
EU#	Monitoring and Testing Requirements
1 2	<p>1. Within thirty (30) days of the date of this Final Approval, the Permittee shall conduct visible emission observations in accordance with 40 CFR 60: Appendix A, Method 9 to verify compliance with the opacity limitations specified in Table 2, conditions #1 through #3 and #7 through #9 herein. The duration of the Method 9 (40 CFR Part 60, Appendix A-4) observations must be 30 minutes (five 6-minute averages). Compliance with the applicable fugitive emission limits contained in Table 2, conditions #1 through #3 and #7 through #9 herein must be based on the average of five 6-minute averages.</p> <p>If EU #1 and EU #2 are not physically located onsite at the time of plan approval issuance, the visible emission observations specified above shall be conducted within 30 days of commencing operation of each unit.</p> <p>2. The Permittee shall perform monthly periodic inspections to check that water is flowing to discharge spray nozzles in the wet dust suppression system. The Permittee must initiate corrective action within twenty-four (24) hours and complete corrective action as expeditiously as practical if the Permittee finds that water is not flowing properly during an inspection of the water spray nozzles.</p> <p>3. Each crusher shall be equipped with a non-resettable hour meter.</p> <p>4. The Permittee shall monitor the number of hours operated during each month and during the previous 12-month period (the current month and previous 11 months).</p>
3	<p>5. Within thirty (30) days of commencing operation of EU #3, the Permittee shall conduct visible emission observations in accordance with 40 CFR 60: Appendix A, Method 9 to verify compliance with the opacity limitations specified in Table 2, conditions #13 through #15 herein. The duration of the Method 9 (40 CFR Part 60, Appendix A-4) observations must be 30 minutes (five 6-minute averages). Compliance with the applicable fugitive emission limits contained in Table 2, conditions #13 through #15 herein must be based on the average of five 6-minute averages.</p> <p>6. The nonroad engine of the portable screening unit shall be equipped with a non-resettable hour meter.</p> <p>7. The Permittee shall monitor the number of hours operated during each month and during the previous 12-month period (the current month and previous 11 months).</p>
Facility-wide	<p>8. If and when MassDEP requires it, the Permittee shall conduct emission testing in accordance with USEPA Reference Test Methods and regulation 310 CMR 7.13</p>

Table 3 Key:
 EU# = Emission Unit Number

Table 4

EU#	Record Keeping Requirements
1 2	1. The Permittee shall maintain comprehensive and accurate records of: <ol style="list-style-type: none"> a. the results of the visible emission observations required pursuant to Table 3, condition #1 herein. b. each inspection of the water spray nozzles, including the date of each inspection and any corrective actions taken. c. the number of hours operated for each crusher during each month and during the previous 12-month period (the current month and previous 11 months). d. all inspection and maintenance activities.
3	2. The Permittee shall maintain comprehensive and accurate records of: <ol style="list-style-type: none"> a. the results of the visible emission observations required pursuant to Table 3, condition #5 herein. b. the number of hours operated for the screen, based on the nonroad engine hour meter, during each month and during the previous 12-month period (the current month and previous 11 months). c. all inspection and maintenance activities.
1 2 3	3. Pursuant to 310 CMR 7.03(26)(e), records documenting any equipment replacement as provided in 310 CMR 7.03(26) and of visible emission observations as required by 310 CMR 7.03(26)(d) shall be maintained on-site in accordance with the provisions of 310 CMR 7.03(6).
Facility-wide	4. The Permittee shall maintain adequate records at a location accessible within four hours to demonstrate compliance with all operational, production, and emission limits contained in Table 2 above. Records shall also include the actual emissions of air contaminant(s) emitted for each calendar month and for each consecutive twelve month period (current month plus prior eleven months). These records shall be compiled no later than the 15 th day following each month. An electronic version of the MassDEP approved record keeping form, in Microsoft Excel format, can be downloaded at http://www.mass.gov/dep/air/approvals/aqforms.htm#report
	5. The Permittee shall maintain records of monitoring and testing as required by Table 3.
	6. The Permittee shall maintain a copy of this Plan Approval, underlying Application and the most up-to-date SOMP for the EU(s) approved herein on-site.
	7. The Permittee shall maintain a record of routine maintenance activities performed on the approved EU(s), and monitoring equipment. The records shall include, at a minimum, the type or a description of the maintenance performed and the date and time the work was completed.
	8. The Permittee shall maintain a record of all malfunctions affecting air contaminant emission rates on the approved EU(s) and monitoring equipment. At a minimum, the records shall include: date and time the malfunction occurred; description of the malfunction; corrective actions taken; the date and time corrective actions were initiated and completed; and the date and time emission rates and monitoring equipment returned to compliant operation.

Table 4	
EU#	Record Keeping Requirements
Facility-wide	9. The Permittee shall maintain records required by this Plan Approval at a location accessible within four hours for a minimum of five (5) years.
	10. The Permittee shall make records required by this Plan Approval available to MassDEP and USEPA personnel upon request.

Table 4 Key:

EU# = Emission Unit Number

SOMP = Standard Operating and Maintenance Procedure

USEPA = United States Environmental Protection Agency

Table 5	
EU#	Reporting Requirements
1 2 3	<p>1. Pursuant to 310 CMR 7.03(26)(f), replacement of any rock processing equipment (i.e. crushers, conveyor systems, screens, dust suppression systems and feeders) shall be reported to MassDEP in accordance with the provisions of 310 CMR 7.03(5).</p> <p>2. If EU #1, EU #2 or EU #3 are not physically located onsite at the time of plan approval issuance, the Permittee shall notify MassDEP, in writing, the date on which each EU commences operation at the facility. This notice shall be provided to MassDEP within (5) days of commencing operation of each respective EU.</p> <p>3. The results from the visible emission observations specified in Table 3, Condition #1 and #5 herein shall be submitted to this Office, in writing, attention Permit Chief, Bureau of Waste Prevention, within thirty (30) days of completion of the testing.</p>
Facility-wide	<p>4. The Permittee shall submit to MassDEP all information required by this Plan Approval over the signature of a "Responsible Official" as defined in 310 CMR 7.00 and shall include the Certification statement as provided in 310 CMR 7.01(2)(c).</p> <p>5. The Permittee shall notify the Western Regional Office of MassDEP, BWP Permit Chief by telephone [413-755-2115], email [marc.simpson@state.ma.us] or fax [413-784-1149], as soon as possible, but no later than one (1) business day after discovery of an exceedance(s) of Table 2 requirements. A written report shall be submitted to BWP Permit Chief at MassDEP within three (3) business days thereafter and shall include: identification of exceedance(s), duration of exceedance(s), reason for the exceedance(s), corrective actions taken, and action plan to prevent future exceedance(s).</p> <p>6. The Permittee shall provide a copy to MassDEP of any record required to be maintained by this Plan Approval within 30-days from MassDEP's request.</p> <p>7. The Permittee shall submit to MassDEP for approval a stack emission pretest protocol, at least 30 days prior to emission testing, for emission testing as defined in Table 3 Monitoring and Testing Requirements.</p> <p>8. The Permittee shall submit to MassDEP a final stack emission test results report, within 45 days after emission testing, for emission testing as defined in Table 3 Monitoring and Testing Requirements.</p>

Table 5 Key:

EU# = Emission Unit Number

BWP = Bureau of Waste Prevention

4. SPECIAL TERMS AND CONDITIONS

The Permittee is subject to, and shall comply with, the following special terms and conditions:

A. The Permittee shall comply with the Special Terms and Conditions as contained in Table 6 below:

Table 6	
EU#	Special Terms and Conditions
1	<p>1. EU #1 shall consist of a Lokotrack Metso LT105 mobile rock crushing/processing unit which includes:</p> <ul style="list-style-type: none"> • Feed Hopper- F1 • Nordberg C105 Jaw Crusher- CR1 • Conveyor, 39” x 50’ – C1 <p>2. Pursuant to the best available control technology provision of 310 CMR 7.02(8)(a)2, EU #1 shall be equipped with a wet dust suppression system which shall, at a minimum, incorporate:</p> <ul style="list-style-type: none"> • two water spray nozzles at the jaw crusher feed point • two water spray nozzles at the jaw crusher discharge • two water spray nozzles located midway along conveyor (C1). <p>These spray nozzles shall be operated on an as needed basis in order to control fugitive emissions. More spray nozzles may be added without the necessity of obtaining MassDEP plan approval, but none of those identified above may be deleted or removed without prior MassDEP written approval.</p>
2	<p>3. EU #2 shall consist of a Lokotrack Metso LT300HP mobile rock crushing/processing unit which shall consist of the following equipment:</p> <ul style="list-style-type: none"> • Feed Hopper – F2 • Cone Crusher –CR2 • Conveyor, 47” x 20’ – C2 • Conveyor, 47” x 30’ – C3 <p>4. Pursuant to the best available control technology provision of 310 CMR 7.02(8)(a)2, EU #2 shall be equipped with a wet dust suppression system which shall, at a minimum, incorporate:</p> <ul style="list-style-type: none"> • three water spray nozzles located at the cone crusher feed point • three water spray nozzles located at the cone crusher discharge • three water spray nozzles located at the discharge point of conveyor (C3) to the stockpile. <p>These spray nozzles shall be operated on an as needed basis in order to control fugitive emissions. More spray nozzles may be added without the necessity of obtaining MassDEP plan approval, but none of those identified above may be deleted or removed without prior MassDEP written approval.</p>

Table 6

EU#	Special Terms and Conditions
3	<p>5. EU #3 shall consist of a Finlay Model 694 mobile screening plant which shall consist of the following equipment:</p> <ul style="list-style-type: none"> • Transfer Conveyor, 36" x 50' - C4 • Feed Hopper – F3 • Belt Feeder, 48" x 14' – C5 • Main Feed Conveyor, 48" x 42' – C6 • Triple Deck Screen – 5' x 20' • Top Discharge Conveyor, 20" x 31' • Middle Deck Discharge Conveyor, 32" x 31' • Bottom Deck Discharge Conveyor, 32" x 31' • Fines Discharge Conveyor, 48" x 26' <p>6. During periods when EU #3 is being operated independently from EU #1 and #2, water suppression shall be available at all times of operation and shall be operated on an as needed basis in order to control fugitive emissions.</p>
1 2	<p>7. Pursuant to the best available control technology provision of 310 CMR 7.02(8)(a)2, the wet dust suppression system shall be connected to an on-demand water source capable of delivering an adequate supply of water at any time the plant is in operation. On-demand shall be interpreted as meaning that adequate water can be provided to all spray nozzles at any time with no more effort than turning a valve. If at any time the wet dust suppression system is unable to provide an adequate supply of water due to freezing weather or any other reason the Permittee shall immediately cease operation of the associated equipment.</p> <p>8. Pursuant to the best available control technology provision of 310 CMR 7.02(8)(a)2, the wet dust suppression system associated with EU #1 and EU #2 shall be equipped with strainers to prevent clogging of the associated water spray nozzles.</p>
1 2 3	<p>9. Except for the equipment approved in Table 6, conditions #1, #3 and #5 herein, the Permittee shall not construct any additional crushers, screens, conveyors, etc., at the facility without prior MassDEP approval unless said changes are exempt from plan approval in accordance with 310 CMR 7.00.</p> <p>10. EU #1, #2 and #3 may be subject to Subpart OOO of the federal Standards of Performance for New Stationary Sources for Nonmetallic Mineral Processing Plants, 40 CFR Part 60.670 through 60.676. Since MassDEP has not accepted delegation for 40 CFR Part 60 Subpart OOO for sources which are not subject to 310 CMR Appendix C (Operating Permit sources), the facility is advised to consult with the EPA for additional information. There may be additional notification, recordkeeping and reporting requirements. The address is USEPA-Air Branch, 1 Congress Street, Suite 1100, Boston, Massachusetts, 02114-2023</p>

Table 6	
EU#	Special Terms and Conditions
Facility-wide	11. Pursuant to the best available control technology provision of 310 CMR 7.02(8)(a)2, the drop heights from front-end loaders being used to stockpile, transfer, and load aggregate shall be kept as short as possible to minimize fugitive particulate matter emissions.
	12. Pursuant to the best available control technology provision of 310 CMR 7.02(8)(a)2, the Permittee shall employ all reasonable good housekeeping practices to minimize fugitive particulate matter emissions from the loading and unloading of material and the use of internal roadways at the facility. The use of non-vacuum type road sweepers is prohibited.
	13. Pursuant to the best available control technology provision of 310 CMR 7.02(8)(a)2, all trucks used for the transport of raw materials entering or exiting the plant property shall be properly tarpaulin covered as quickly as possible.
	14. If, at any time, the plant, or any piece of equipment incorporated in the plant, is determined by MassDEP to be causing the emission of fugitive particulate matter in excess of the limitations specified in any applicable rule or regulation contained in 310 CMR 7.00 or in excess of the level which MassDEP considers to be the minimum attainable through the use of the best available control technology, the Permittee shall, upon notification by MassDEP, immediately take such control measures as are necessary to reduce the air contaminant emissions to within the level deemed acceptable by MassDEP.

Table 6 Key:

EU# = Emission Unit Number
 CFR = Code of Federal Regulations
 USEPA = United States Environmental Protection Agency

- B. The Permittee shall install and use an exhaust stack, as required in Table 7, on each of the Emission Units that is consistent with good air pollution control engineering practice and that discharges so as to not cause or contribute to a condition of air pollution. Each exhaust stack shall be configured to discharge the gases vertically and shall not be equipped with any part or device that restricts the vertical exhaust flow of the emitted gases, including but not limited to rain protection devices known as “shanty caps” and “egg beaters.” The Permittee shall install and utilize exhaust stacks with the following parameters, as contained in Table 7 below, for the Emission Units that are regulated by this Plan Approval:

Table 7				
EU#	Stack Height Above Ground (feet)	Stack Inside Exit Dimensions	Stack Gas Exit Velocity Range (feet per second)	Stack Gas Exit Temperature Range (°F)
N/A	N/A	N/A	N/A	N/A

Table 7 Key:

EU# = Emission Unit Number

°F = Degree Fahrenheit

5. GENERAL CONDITIONS

The Permittee is subject to, and shall comply with, the following general conditions:

- A. Pursuant to 310 CMR 7.01, 7.02, 7.09 and 7.10, should any nuisance condition(s), including but not limited to smoke, dust, odor or noise, occur as the result of the operation of the Facility, then the Permittee shall immediately take appropriate steps including shutdown, if necessary, to abate said nuisance condition(s).
- B. If asbestos remediation/removal will occur as a result of the approved construction, reconstruction, or alteration of this Facility, the Permittee shall ensure that all removal/remediation of asbestos shall be done in accordance with 310 CMR 7.15 in its entirety and 310 CMR 4.00.
- C. If construction or demolition of an industrial, commercial or institutional building will occur as a result of the approved construction, reconstruction, or alteration of this Facility, the Permittee shall ensure that said construction or demolition shall be done in accordance with 310 CMR 7.09(2) and 310 CMR 4.00.
- D. Pursuant to 310 CMR 7.01(2)(b) and 7.02(7)(b), the Permittee shall allow MassDEP and / or USEPA personnel access to the Facility, buildings, and all pertinent records for the purpose of making inspections and surveys, collecting samples, obtaining data, and reviewing records.
- E. This Plan Approval does not negate the responsibility of the Permittee to comply with any other applicable Federal, State, or local regulations now or in the future.
- F. Should there be any differences between the Application and this Plan Approval, the Plan Approval shall govern.

- G. Pursuant to 310 CMR 7.02(3)(k), MassDEP may revoke this Plan Approval if the construction work is not commenced within two years from the date of issuance of this Plan Approval, or if the construction work is suspended for one year or more.
- H. This Plan Approval may be suspended, modified, or revoked by MassDEP if MassDEP determines that any condition or part of this Plan Approval is being violated.
- I. This Plan Approval may be modified or amended when in the opinion of MassDEP such is necessary or appropriate to clarify the Plan Approval conditions or after consideration of a written request by the Permittee to amend the Plan Approval conditions.
- J. The Permittee shall conduct emission testing, if requested by MassDEP, in accordance with USEPA Reference Test Methods and regulation 310 CMR 7.13. If required, a pretest protocol report shall be submitted to MassDEP at least 30 days prior to emission testing and the final test results report shall be submitted within 45 days after emission testing.
- K. Pursuant to 310 CMR 7.01(3) and 7.02(3)(f), the Permittee shall comply with all conditions contained in this Plan Approval. Should there be any differences between provisions contained in the General Conditions and provisions contained elsewhere in the Plan Approval, the latter shall govern.

6. MASSACHUSETTS ENVIRONMENTAL POLICY ACT

MassDEP has determined that the filing of an Environmental Notification Form (ENF) with the Secretary of Energy & Environmental Affairs, for air quality control purposes, was not required prior to this action by MassDEP. Notwithstanding this determination, the Massachusetts Environmental Policy Act (MEPA) and 301 CMR 11.00, Section 11.04, provide certain “Fail-Safe Provisions,” which allow the Secretary to require the filing of an ENF and/or an Environmental Impact Report (EIR) at a later time.

7. APPEAL PROCESS

This Plan Approval is an action of MassDEP. If you are aggrieved by this action, you may request an adjudicatory hearing. A request for a hearing must be made in writing and postmarked within twenty-one (21) days of the date of issuance of this Plan Approval.

Under 310 CMR 1.01(6)(b), the request must state clearly and concisely the facts, which are the grounds for the request, and the relief sought. The hearing request along with a valid check payable to the Commonwealth of Massachusetts in the amount of one hundred dollars (\$100.00) must be mailed to:

Commonwealth of Massachusetts
Department of Environmental Protection
P.O. Box 4062
Boston, MA 02211

This request will be dismissed if the filing fee is not paid, unless the appellant is exempt or granted a waiver as described below. The filing fee is not required if the appellant is a city or town (or municipal agency), county, or district of the Commonwealth of Massachusetts, or a municipal housing authority.

MassDEP may waive the adjudicatory hearing-filing fee for a person who shows that paying the fee will create an undue financial hardship. A person seeking a waiver must file, together with the hearing request as provided above, an affidavit setting forth the facts believed to support the claim of undue financial hardship.

Should you have any questions concerning this Plan Approval, please contact Cortney Danneker by telephone at 413-755-2234, or in writing at the letterhead address.

Sincerely,

This final document copy is being provided to you electronically by the Department of Environmental Protection. A signed copy of this document is on file at the DEP office listed on the letterhead.

Marc Simpson
Air Quality Permit Chief
Bureau of Waste Prevention
Western Region

cc: WERO AQ plan file
WERO AQ approval file

ecc: Ronald A. Jolicoeur
Yi Tian, DEP Boston
Peter Czapienski, DEP Western Region