

MARYLAND DEPARTMENT OF THE ENVIRONMENT

**AIR AND RADIATION ADMINISTRATION
APPLICATION FOR A PERMIT TO CONSTRUCT**

**SUPPLEMENT TO
DOCKET #15-19**

COMPANY: Reliable Contracting Co., Inc.

LOCATION: 12550 Acton Lane
Waldorf, Maryland 20601

APPLICATION: Installation one (1) 400 ton per hour asphalt pavement materials mixing plant and one (1) 300 ton per hour recycled asphalt pavement crushing and screening plant.

<u>ITEM</u>	<u>DESCRIPTION</u>
1	Notice of Tentative Determination, Opportunity to Request a Public Hearing, and Opportunity to Submit Written Comments
2	Fact Sheet and Tentative Determination
3	Draft Permit to Construct and Conditions
4	Supplemental Information

**MARYLAND DEPARTMENT OF THE ENVIRONMENT
AIR AND RADIATION ADMINISTRATION**

**NOTICE OF TENTATIVE DETERMINATION, OPPORTUNITY TO REQUEST
A PUBLIC HEARING, AND OPPORTUNITY TO SUBMIT WRITTEN COMMENTS**

FIRST NOTICE

The Department of the Environment, Air and Radiation Administration (ARA) received a permit-to-construct application from Reliable Contracting Co., Inc. on November 26, 2019 for the installation of one (1) 400 ton per hour asphalt pavement materials mixing plant and one (1) 300 ton per hour recycled asphalt pavement crushing and screening plant. The proposed installation will be located at 12550 Acton Lane, Waldorf, Maryland 20601.

Pursuant to Section 1-604, of the Environment Article, Annotated Code of Maryland, the Department has made a tentative determination that the Permit to Construct can be issued and is now ready to receive public comment on the application.

Copies of the Department's tentative determination, the application, the draft permit to construct with conditions, and other supporting documents are available for public inspection on the Department's website. Look for Docket #15-19 at the following link:

<https://mde.maryland.gov/programs/Permits/AirManagementPermits/Pages/index.aspx>

Interested persons may request a public hearing and/or submit written comments on the tentative determination. Requests for a public hearing must be submitted in writing and must be received by the Department no later than 20 days from the date of this notice. Written comments must be received by the Department no later than 30 days from the date of this notice.

Interested persons may request an extension to the public comment period. The extension request must be submitted in writing and must be received by the Department no later than 30 days from the date of this notice or within 5 days after the hearing (if a hearing is requested), whichever is later. The public comment period may only be extended one time for a 60-day period.

All requests for a public hearing, requests for an extension to the public comment period, and all written comments should be emailed to Ms. Shannon Heafey at shannon.heafey@maryland.gov.

Further information may be obtained by contacting Ms. Shannon Heafey by email at shannon.heafey@maryland.gov or by phone at (410) 537-4433.

George S. Aburn, Jr., Director
Air and Radiation Administration

**MARYLAND DEPARTMENT OF ENVIRONMENT
AIR AND RADIATION ADMINISTRATION**

**FACT SHEET AND TENTATIVE DETERMINATION
RELIABLE CONTRACTING COMPANY, INC**

**PROPOSED INSTALLATION OF ASPHALT PAVING MATERIALS PLANT AND A
CRUSHING AND SCREENING PLANT**

I. INTRODUCTION

The Maryland Department of the Environment (the "Department") received an application from Reliable Contracting Company, Inc. (Reliable) on November 26, 2019 for a Permit to Construct for the installation of one (1) asphalt paving materials plant and accompanying recycled asphalt pavement crushing and screening plant. The facility will be located at 12250 Acton Lane, Charles County, Maryland 20601.

A notice was placed in The Maryland Independent on January 24, 2020 and January 31, 2020 announcing a scheduled informational meeting to discuss the application for a Permit to Construct. The informational meeting was held on February 10, 2020 at the Waldorf West Library Monday at 10405 O'Donnell Place, Waldorf, MD 20601.

As required by law, all public notices were also provided to elected officials in all State, county, and municipality legislative districts located within a one mile radius of the facility's property boundary.

The Department has reviewed the application and has made a tentative determination that the proposed installation is expected to comply with all applicable air quality regulations. A notice will be published to provide the public with opportunities to request a public hearing and to comment on the application, the Department's tentative determination, the draft permit conditions, and other supporting documents. The Department will not schedule a public hearing unless a legitimate request is received.

If the Department does not receive any comments that are adverse to the tentative determination, the tentative determination will automatically become a final determination. If adverse comments are received, the Department will review the comments, and will then make a final determination with regard to issuance or denial of the permit. A notice of final determination will be published in a newspaper of general circulation in the affected area. The final determination may be subject to judicial review pursuant to Section 1-601 of the Environment Article, Annotated Code of Maryland.

II. CURRENT STATUS AND PROPOSED INSTALLATION

Reliable is seeking a permit to construct for an asphalt paving materials plant and a RAP crushing

and screening plant. The asphalt paving materials plant will include the following:

- one (1) 400 ton per hour New Iowa counter-flow drum mix asphalt paving materials (APM) mixing plant equipped with a knock-out box and baghouse fired by natural gas or No. 2 fuel oil;
- one (1) natural gas / No. 2 fuel oil Maximizer heat recovery system rated at 5 million BTU/hour;
- one (1) natural gas / No. 2 Heatec HC-120 hot oil heater rated at 1.2 million BTU/hour; and

One (1) 300 portable recycled asphalt pavement (RAP) crushing and screening plant to be brought onsite as needed. The crushing and screening plant shall have only:

- one (1) crusher rated at 300 ton per hour or less,
- one (1) screen with a top surface area of 96 square feet or less and;
- one (1) stacking conveyor not to exceed 36 inches in width.
- three (3) or less, Tier IVF or better diesel engines not to exceed a combined total of 625 horsepower

The crushing and screening plant will be equipped with wet suppression systems to minimize dust emissions.

III. APPLICABLE REGULATIONS

The proposed installation is subject to all applicable Federal and State air quality control regulations, including, but not limited to the following:

- (a) COMAR 26.11.01.07C, which requires that the Permittee report to the Department occurrences of excess emissions.
- (b) COMAR 26.11.02.19C & D, which require that the Permittee submit to the Department annual certifications of emissions, and that the Permittee maintain sufficient records to support the emissions information presented in the submittals.
- (c) COMAR 26.11.06.02C(1), which prohibits emissions greater than 20 percent opacity other than uncombined water.
- (d) COMAR 26.11.06.03B(1)(a), which limits the concentration of particulate matter in any exhaust gases to not more than 0.05 grains per standard cubic foot of dry exhaust gas.
- (e) COMAR 26.11.06.03 D, which requires that the Permittee take reasonable

precautions to prevent particulate matter from unconfined sources and materials handling and construction operations from becoming airborne.

- (f) COMAR 26.11.06.08 and 26.11.06.09, which generally prohibit the discharge of emissions beyond the property line in such a manner that a nuisance or air pollution is created.
- (g) COMAR 26.11.09.05A(1), which prohibits visible emissions from fuel burning equipment other than uncombined water to not more than 20 percent opacity.
- (h) COMAR 26.11.09.05E, which limits visible emissions from the diesel engines to 10% and 40% opacity during idle and operating modes, respectively.
- (i) COMAR 26.11.09.07A(1), which limits the sulfur content of distillate fuel oils to not more than 0.3 percent by weight.
- (j) COMAR 26.11.11.02B and C, which prohibits the use of cutback asphalt except:
- (k) COMAR 26.11.15.05, which requires that the Permittee implement “Best Available Control Technology for Toxics” (T – BACT) to control emissions of toxic air pollutants.
- (l) COMAR 26.11.15.06, which prohibits the discharge of toxic air pollutants to the extent that such emissions will unreasonably endanger human health.

IV. GENERAL AIR QUALITY

The U.S. Environmental Protection Agency (EPA) has established primary and secondary National Ambient Air Quality Standards (NAAQS) for six (6) criteria pollutants, i.e., sulfur dioxide, particulate matter, carbon monoxide, nitrogen dioxide, ozone, and lead. The primary standards were established to protect public health, and the secondary standards were developed to protect against non-health effects such as damage to property and vegetation.

The Department utilizes a statewide air monitoring network, operated in accordance with EPA guidelines, to measure the concentrations of criteria pollutants in Maryland’s ambient air. The measurements are used to project statewide ambient air quality, and currently indicate that Chares County complies with the NAAQS for sulfur dioxide, particulate matter, carbon monoxide, nitrogen dioxide, and lead.

Ground level ozone continues to present a problem for the entire Washington metropolitan area, which is classified as a non-attainment area for ozone. The primary contributors to the formation of ozone are emissions of oxides of nitrogen, primarily from combustion equipment, and emissions of Volatile Organic Compounds (VOC) such as paint solvents and gasoline vapors.

Charles County is included in the non-attainment area for ozone.

With regard to toxic air pollutants (TAPs), screening levels (i.e., acceptable ambient concentrations for toxic air pollutants) are generally established at 1/100 of allowed worker exposure levels (TLVs)¹. The Department has also developed additional screening levels for carcinogenic compounds. The additional screening levels are established such that continuous exposure to the subject TAP at the screening level for a period of 70 years is expected to cause an increase in lifetime cancer risk of no more than 1 in 100,000.

V. COMPLIANCE DEMONSTRATION AND ANALYSIS

The proposed installation must comply with all State imposed emissions limitations and screening levels, as well as the NAAQS. The Department has conducted an engineering and air quality review of the application. The emissions were projected based on U.S. EPA established emissions factors for crushing and screening plants. The conservative U.S. EPA's SCREEN3 model was also used to project the maximum ground level concentrations from the proposed facility, which was then compared to the screening levels and the NAAQS.

- A. **Estimated Emissions** - The maximum emissions of air pollutants of concern from the proposed installation are listed in Table I.
- B. **Compliance with National Ambient Air Quality Standards** - The maximum ground level concentrations for nitrogen dioxide, sulfur dioxide, carbon monoxide, and particulate matter (as PM₁₀) based on the emissions from the proposed plant are listed in column 2 of Table II. The combined impact of the projected installation and the ambient background concentration for each pollutant shown in column 3 of Table II is less than the NAAQS for each pollutant shown in column 4.
- C. **Compliance with Air Toxics Regulations** – All of the toxic air pollutants of concern that would be emitted from this facility are listed in column 1 of Table III. The predicted maximum off-site ambient concentrations are shown in column 4 of Table III, and the maximum concentrations are less than the corresponding screening level for the toxic air pollutants shown in column 2.

VI. TENTATIVE DETERMINATION

Based on the above information, the Department has concluded that the proposed installation will comply with all applicable Federal and State air quality control requirements. In accordance with the Administrative Procedure Act, Department has made a tentative determination to issue the Permit to Construct.

¹ TLVs are threshold limit values (exposure limits) established for toxic materials by the American Conference of Governmental Industrial Hygienists (ACGIH). Some TLVs are established for short-term exposure (TLV – STEL), and some are established for longer-term exposure (TLV – TWA), where TWA is an acronym for time-weight average.

Enclosed with the tentative determination is a copy of the draft Permit to Construct.

TABLE I
PROJECTED MAXIMUM EMISSIONS FROM THE PROPOSED INSTALLATION

POLLUTANT	PROJECTED MAXIMUM EMISSIONS FROM PROPOSED INSTALLATION	
	(lbs/day)	(tons/year)
Nitrogen Dioxide (NO ₂)	130.68	23.85
Sulfur Dioxide (SO ₂)	51.83	9.46
Carbon Monoxide (CO)	319.95	58.39
Volatile Organic Compounds (VOC)	97.98	17.88
Particulate Matter (PM ₁₀)	110.05	20.08

**TABLE II
PROJECTED IMPACT OF EMISSIONS OF CRITERIA POLLUTANTS FROM THE
PROPOSED INSTALLATION ON AMBIENT AIR QUALITY**

POLLUTANTS	MAXIMUM OFF-SITE GROUND LEVEL CONCENTRATIONS CAUSED BY EMISSIONS FROM PROPOSED PROCESS ($\mu\text{g}/\text{m}^3$)	BACKGROUND AMBIENT AIR CONCENTRATIONS ($\mu\text{g}/\text{m}^3$)*	NATIONAL AMBIENT AIR QUALITY STANDARDS (NAAQS) ($\mu\text{g}/\text{m}^3$)
Nitrogen Dioxide (NO ₂)	annual avg. → 13	annual avg. → 33	annual avg. → 100
Carbon Monoxide (CO)	8-hour max → 808 1-hour max → 1155	8-hr max. → 2176 1-hr max. → 5267	8-hr max. → 10,000 1-hr max. → 40,000
Sulfur Dioxide (SO ₂)	24-hour avg. → 176 annual avg. → 35	24-hour avg. → 15 annual avg. → 3.7	24-hour avg. → 366 annual avg. → 78.5
Particulate Matter (PM ₁₀)	24-hr max → 53	24-hr max. → 58	24-hr max. → 150

*Background concentrations were obtained from Maryland air monitoring stations as follows:

NO₂ Annual Avg. → Interstate 95 Welcome Center Howard County
CO 1-hr max and SO₂ Annual Avg. → 600 Dorsey Avenue in Baltimore County
SO₂ 24-hr Avg. → Horse Rock Road, Allegany County
CO 8-hr max → Old town Fire Station 1100 Hillen Street Baltimore City
PM₁₀ 24-hr max → Baltimore City Fire Dept.–Truck Company 20 Baltimore City

TABLE III
PREDICTED MAXIMUM OFF-SITE AMBIENT CONCENTRATIONS FOR
TOXIC AIR POLLUTANTS EMITTED FROM THE PROPOSED INSTALLATION

TOXIC AIR POLLUTANTS	SCREENING LEVELS (µg/m³)	PROJECTED WORST-CASE FACILITY-WIDE EMISSIONS (lbs/hr)	PREDICTED MAXIMUM OFF-SITE GROUND LEVEL CONCENTRATIONS (µg/m³)
Acetaldehyde	1-hour→ 450 8-hour→ 2300 Annual→ 0.5	0.52	1-hour→ 0.8 8-hour→ 0.6 Annual→ 0.02
Benzene	1-hour→ 80 8-hour→ 16 Annual→ 0.1	0.16	1-hour→ 0.2 8-hour→ 0.2 Annual→ 0.01
Formaldehyde	1-hour→ None 8-hour→ 20.3 Annual→ 0.08	1.24	1-hour→ None 8-hour→ 1.4 Annual→ 0.0
Quinone	1-hour→ None 8-hour→ 4 Annual→ None	0.06	1-hour→ None 8-hour→ 0.1 Annual→ None
Toluene	1-hour→ None 8-hour→ 754 Annual→ None	1.2	1-hour→ None 8-hour→ 1.3 Annual→ None
2-Methylnaphthalene	1-hour→ None 8-hour→ 29 Annual→ None	0.07	1-hour→ None 8-hour→ 0.1 Annual→ None
Benzaldehyde	1-hour→ None 8-hour→ 0.4 Annual→ None	0.04	1-hour→ None 8-hour→ 0.05 Annual→ None
Crotonaldehyde	1-hour→ 8.6 8-hour→ 20 Annual→ None	0.03	1-hour→ 0.06 8-hour→ 0.04 Annual→ None
Ethylene	1-hour→ None 8-hour→ 2294 Annual→ None	2.8	1-hour→ None 8-hour→ 3.13 Annual→ None
Heptane	1-hour→ 20491 8-hour→ 16393 Annual→ None	3.8	1-hour→ 6.01 8-hour→ 4.21 Annual→ None

**TABLE III
 PREDICTED MAXIMUM OFF-SITE AMBIENT CONCENTRATIONS FOR
 TOXIC AIR POLLUTANTS EMITTED FROM THE PROPOSED INSTALLATION**

TOXIC AIR POLLUTANTS	SCREENING LEVELS ($\mu\text{g}/\text{m}^3$)	PROJECTED WORST-CASE FACILITY-WIDE EMISSIONS (lbs/hr)	PREDICTED MAXIMUM OFF-SITE GROUND LEVEL CONCENTRATIONS ($\mu\text{g}/\text{m}^3$)
Hexanal	1-hour→ None 8-hour→ 116 Annual→ None	0.04	1-hour→ None 8-hour→ 0.05 Annual→ None
2-Methyl-1-Pentane	1-hour→ None 8-hour→ 11500 Annual→ None	1.6	1-hour→ None 8-hour→ 1.79 Annual→ None
Nickel	1-hour→ None 8-hour→ 1 Annual→ None	0.025	1-hour→ None 8-hour→ 0.03 Annual→ None
Zinc	1-hour→ 1000 8-hour→ 500 Annual→ None	0.02	1-hour→ 0.04 8-hour→ 0.03 Annual→ None
Hydrogen Chloride	1-hour→ 29.8 8-hour→ 165 Annual→ 0.7	2.4	1-hour→ 3.84 8-hour→ 2.69 Annual→ 0.31
Crystalline Silica	1-hour→ None 8-hour→ 0.25 Annual→ None	0.00003	1-hour→ None 8-hour→ 0.0083 Annual→ None

DRAFT PERMIT

Larry Hogan
Governor

Ben Grumbles
Secretary

Air and Radiation Administration

1800 Washington Boulevard, Suite 720
Baltimore, MD 21230

Construction Permit

Part 70 Operating Permit

PERMIT NO.:
017-0001

DATE ISSUED:
Date Issued

PERMIT FEE:
\$2,000.00

EXPIRATION DATE:
In accordance with COMAR 26.11.02.04B

LEGAL OWNER & ADDRESS

Reliable Contracting Co. Inc.
2410 Evergreen Road Suite 200
Gambrills, Maryland 21054

Attention: Mr. Robert K. Scrivener
Vice President

SITE

Reliable Contracting Co. Inc.
12250 Acton Lane
Waldorf, MD 20601
Premises # 017-0001
AI # 4145

SOURCE DESCRIPTION

One hot mix asphalt facility consisting of one (1) 400 ton per hour Iowa Parts USA counter-flow drum mix Asphalt Paving Materials plant equipped with a knock-out box, a baghouse, one (1) hot oil heater, one (1) heat recovery system, and one (1) recycled asphalt paving materials (RAP) crushing and screening plant.

This permit includes limitations on asphalt production in order that Reliable Contracting Co, Inc. may be recognized as a synthetic minor source with respect to emissions of oxides of nitrogen.

This source is subject to the conditions described on the attached pages.

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12250 ACTON LANE
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PERMIT-TO-CONSTRUCT CONDITIONS
PREMISES No. 017-0001**

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- Part C – Construction Conditions
- Part D – Operating Conditions
- Part E – Notifications and Testing
- Part F – Monitoring, Record Keeping and Reporting
- Part G – Temporary Permit to Operate Conditions

This permit-to-operate incorporates requirements for the following registered installations:

ARA Registration No.	Description	Date of Installation
017-0001-6-0125	One (1) 400 ton per hour New Iowa counter-flow asphalt paving materials (APM) drum plant equipped with a knock-out box and baghouse fired by natural gas or No. 2 fuel oil.	2020
017-0001-5-0045	One (1) natural gas / No. 2 fuel oil Maximizer heat recovery system rated at 5 million BTU/hour.	2020
017-0001-5-0017	One (1) natural gas / No. 2 Heatec HC-120 hot oil heater rated at 1.2 million BTU/hour.	2020
017-0001-6-0156	One (1) 300 portable recycled asphalt pavement (RAP) crushing and screening plant equipped with wet suppression systems comprised of no more than: one (1) crusher rated at 300 ton per hour or less, one (1) screen with a top surface area of 96 square feet or less and; one (1) stacking conveyor not to exceed 36 inches in width. The crushing and screening plant will be powered by no more than three (3) Tier IVF or better diesel engines not to exceed a combined horsepower of 625.	2020, equipment to be brought on site as needed.

Part A – General Provisions

- (1) The following Air and Radiation Administration (ARA) permit-to-construct applications and supplemental information are incorporated into this permit by reference:
 - (a) Application for Processing or Manufacturing Equipment (Form 5) received November 26, 2019.

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- (b) Application for Fuel Burning Equipment (Form 11) received November 26, 2019.
- (c) Application for Gas Cleaning or Emission Control Equipment (Form 6) received November 26, 2019.
- (d) Toxic Air Pollutant (TAP) Emissions Summary and Compliance Demonstration (Form 5T) received November 26, 2019.
- (e) Emission Point Data (Form 5EP) received November 26, 2019.
- (f) Supplemental Information fugitive dust control plan, zoning conformation, site plan, and MSDS received November 26, 2019.

If there are any conflicts between representations in this permit and representations in the applications, the representations in the permit shall govern. Estimates of dimensions, volumes, emissions rates, operating rates, feed rates and hours of operation included in the applications do not constitute enforceable numeric limits beyond the extent necessary for compliance with applicable requirements.

- (2) Upon presentation of credentials, representatives of the Maryland Department of the Environment (“MDE” or the “Department:”) and the Charles County Department of Health shall at any reasonable time be granted, without delay and without prior notification, access to the Permittee’s property and permitted to:
 - (a) inspect any construction authorized by this permit;
 - (b) sample, as necessary to determine compliance with requirements of this permit, any materials stored or processed on-site, any waste materials, and any discharge into the environment;
 - (c) inspect any monitoring equipment required by this permit;
 - (d) review and copy any records, including all documents required to be maintained by this permit, relevant to a determination of compliance with requirements of this permit; and
 - (e) obtain any photographic documentation or evidence necessary to determine compliance with the requirements of this permit.
- (3) The Permittee shall notify the Department prior to increasing quantities and/or changing the types of any materials referenced in the application or limited by this

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permit. If the Department determines that such increases or changes constitute a modification, the Permittee shall obtain a permit-to-construct prior to implementing the modification.

- (4) Nothing in this permit authorizes the violation of any rule or regulation or the creation of a nuisance or air pollution.
- (5) If any provision of this permit is declared by proper authority to be invalid, the remaining provisions of the permit shall remain in effect.
- (6) Subsequent to issuance of this permit, the Department may impose additional and modified requirements that are incorporated into a State permit-to-operate issued pursuant to COMAR 26.11.02.13.

Part B – Applicable Regulations

- (1) This source is subject to all applicable federal air pollution control requirements including, but not limited to, the following regulations:
 - (a) All applicable terms, provisions, emissions standards, testing, monitoring, record keeping, and reporting requirements included in federal New Source Performance Standards (NSPS) promulgated under 40 CFR 60, Subparts A (General Provisions), Subparts I for Hot Mix Asphalt Plants and Subpart OOO for Nonmetallic Mineral Processing Plants.
 - (b) All reports and notifications required under 40 CFR 60, Subparts A, I and OOO shall be submitted to both of the following:

The Administrator
Compliance Program
Maryland Department of the Environment
Air and Radiation Administration
1800 Washington Boulevard, STE 715
Baltimore MD 21230

and

Director, Air Protection Division
U.S. EPA – Region 3
Mail Code 3AP00
1650 Arch Street
Philadelphia, PA 19103-2029

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- (2) This source is subject to all applicable federally enforceable State air pollution control requirements including, but not limited to, the following regulations:
- (a) COMAR 26.11.01.07C, which requires the Permittee to report to the Department any excess emissions.
 - (b) COMAR 26.11.02.04B, which states that a permit to construct or an approval expires if, as determined by the Department.
 - (i) Substantial construction or modification is not commenced within 18 months after the date of issuance of the permit or approval, unless the Department specifies a longer period in the permit or approval;
 - (ii) Construction or modification is substantially discontinued for a period of 18 months after the construction or modification has commenced; or
 - (iii) The source for which the permit or approval was issued is not completed within a reasonable period after the date of issuance of the permit or approval.
 - (c) COMAR 26.11.02.09A, which requires the Permittee to obtain a Permit to Construct if an installation is modified in such a manner that there is a change in the quantity, nature, or characteristics of emissions from the source from those provided in this permit.
 - (d) COMAR 26.11.06. 02C(1), which prohibits emissions greater than 20 percent opacity other than uncombined water.

Exception. The visible emissions standard in COMAR 26.11.06.02C(2) does not apply to emissions during start-up and process modifications or adjustments, or occasional cleaning of control equipment, if (i) the visible emissions are not greater than 40 percent opacity; and (ii) the visible emissions do not occur for more than 6 consecutive minutes in any 60 minute period

- (e) COMAR 26.11.06. 03B(1)(a), which limits the concentration of particulate matter in any exhaust gases to not more than 0.05 grains per standard cubic foot of dry exhaust gas.

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- (f) COMAR 26.11.06. 03D, which requires that the Permittee take reasonable precautions to prevent particulate matter from materials handling and construction operations from becoming airborne.
- (g) COMAR 26.11.06.12, states that a person may not construct modify, or operate, or cause to be constructed, modified, or operated, a New Source Performance Standard (NSPS) source in a manner which results or will result in violation of the provisions of 40 CFR, Part 60.
- (h) COMAR 26.11.09. 05A(1), which prohibits visible emissions from fuel burning equipment other than uncombined water to not more than 20 percent opacity.

Exceptions. COMAR 26.11.09.05A(3), establishes that "Section A(1) does not apply to emissions during load changing, soot blowing, start-up, or adjustments or occasional cleaning of control equipment if (a) the visible emissions are not greater than 40 percent opacity; and (b) the visible emissions do not occur for more than 6 consecutive minutes in any 60 minute period."

- (i) COMAR 26.11.09.05E, which limits visible emissions from the diesel engines to 10% and 40% opacity during idle and operating modes, respectively. Exceptions to these opacity limits are as follows:
 - (i) The 10% opacity limit during idle mode does not apply for a period of 2 consecutive minutes after a period of idling of 15 minutes for the purpose of clearing the exhaust system;
 - (ii) The 10% opacity limit during idle mode does not apply to emissions resulting directly from a cold engine start-up and warm-up for the following maximum periods:
 - (A) Engines that are idling continuously when not in service: 30 minutes;
 - (B) All other engines: 15 minutes.
 - (iii) The 10% and 40% opacity limits do not apply while maintenance, repair, or testing is being performed by qualified mechanics.
- (j) COMAR 26.11.09.07A(1), which limits the sulfur content of distillate fuel oils to not more than 0.3 percent by weight.

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- (k) COMAR 26.11.11.02B and C, which prohibits the use of cutback asphalt except:
 - (i) where long-life stockpile storage is necessary,
 - (ii) where the use or application from October 15 through April 15 is necessary, and
 - (iii) where cutback asphalt is used solely as a penetrating prime coat.

- (3) This source is subject to all applicable State-only air pollution control requirements including, but not limited to, the following regulations:
 - (a) COMAR 26.11.02.13A(56 and 16), which requires that the Permittee obtain from the Department, and maintain and renew as required, a valid State permit-to-operate.
 - (b) COMAR 26.11.02.19C & D, which require that the Permittee submit to the Department annual certifications of emissions, and that the Permittee maintain sufficient records to support the emissions information presented in such submittals.
 - (c) COMAR 26.11.06.08 and 26.11.06.09, which generally prohibit the discharge of emissions beyond the property line in such a manner that a nuisance or air pollution is created;
 - (e) COMAR 26.11.15.05, which requires the Permittee to use the Best Available Control Technology for Toxics (T-BACT) to minimize toxic air pollutants; and
 - (f) COMAR 26.11.15.06, which prohibits the discharge of toxic air pollutants to the extent that the emissions will unreasonably endanger human health.

Part C – Construction Conditions

- (1) Except as otherwise provided in this part, the installation of the APM mixing plant shall be constructed in accordance with specifications included in the incorporated applications.

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- (2) The Permittee shall construct the APM mixing plant such shall its exhaust gasses vent through the knock-out box and baghouse, before discharging to the atmosphere.
- (3) Except as otherwise provided in this permit, the 300 ton per hour crushing and screening plant and all associated equipment shall be constructed in accordance with the specifications included in the application.
- (4) The Permittee shall equip the 300 ton per hour crushing and screening plant with wet suppression systems to meet applicable opacity and particulate matter emissions standards.

Part D – Operating Conditions

- (1) Except as otherwise provided in this part, all registered equipment covered by this permit shall be operated in accordance with specifications included in the application and any operating procedures recommended by equipment vendors unless the Permittee obtains from the Department written authorization for alternative operating procedures.
- (2) Premises wide emissions of oxides of nitrogen (NO_x) shall be less than 25 tons in any rolling 12-month period.
- (3) The Permittee shall limit production of asphalt paving materials (APM) to 800,000 tons in any rolling 12-month period unless the Permittee can demonstrate that total premises wide emissions of NO_x will be less than 25 tons in any rolling 12-month period at a higher production rate.
- (4) The Permittee shall not operate the Mazamizer heat recovery burner more than 2000 hours in any rolling 12-month period. unless the Permittee can demonstrate that total premises wide emissions of NO_x will be less than 25 tons in any rolling 12-month period at higher operating hours.
- (5) The exhaust gases from the APM mixing plant and Maxamizer heat recovery system shall vent through the knock-out box and baghouse, before discharging to the atmosphere to meet the visible emissions and particulate matter requirements of COMAR 26.11.06.02C(2) and COMAR 26.11.06.03B(2) and the following particulate and opacity limits in 40 CFR, Part 60, Subpart I:
 - (a) No more than 0.04 grains per standard cubic foot of dry exhaust gas; and
 - (b) Less than 20 percent opacity.

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- (6) The Permittee shall not produce any APM containing RAP in concentrations greater than 40 percent by weight unless the Permittee can demonstrate compliance with the visible emissions requirements of COMAR 26.11.06.02, the opacity requirements of 40 CFR, Part 60, Subpart I, and the nuisance and odor requirements of COMAR 26.11.06.08 and .09 at a higher RAP concentration.
- (7) While producing the APM containing RAP, the mix temperature shall not exceed 360°F as measured where the mix leaves the drum, unless the Permittee can demonstrate compliance with the visible emissions requirements of COMAR 26.11.06.02, the opacity requirements of 40 CFR, Part 60, Subpart I, and the nuisance and odor requirements of COMAR 26.11.06.08 and .09 at a higher mix temperature.
- (8) The Permittee shall burn only natural gas or distillate fuel oil with a maximum sulfur content of 0.3 percent by weight in the APM plant unless the Permittee obtains an approval from the Department to burn other fuels.
- (9) The RAP crushing and screening plant shall be powered by no more than three (3) Tier IVF or better diesel engines with a combined horsepower of 625 or less and shall be comprised of the following:
 - (a) one (1) crusher rated a 300 ton per hour or less,
 - (b) one (1) screen with a top surface area of 96 square feet or less and;
 - (c) one (1) stacking conveyor not to exceed 36 inches in width.
- (10) The total operating time of all engines associated with the RAP crushing and screening plant shall not exceed 5400 total hours in any rolling 12-month period unless the Permittee can demonstrate that total premises wide emissions of NOx will be less than 25 tons in any rolling 12-month period at a higher operating hours.
- (11) Wet suppression systems shall be used by the RAP crushing and screening plant whenever needed to comply with the fugitive particulate matter requirements of COMAR 26.11.06.03 C&D and the following opacity limits for nonmetallic mineral processing plants constructed, modified, or reconstructed on or after April 22, 2008 as specified in 40 CFR, Part 60, Subpart OOO:
 - (a) No more than 12 percent opacity from each crusher; and
 - (b) No more than 7 percent opacity from all other fugitive sources.

[Reference: 40 CFR §60.672(b) and Table 3 to 40 CFR 60 Subpart OOO]

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- (12) The Permittee shall perform monthly periodic inspections to check that water is flowing to discharge spray nozzles in the wet suppression systems. The Permittee must initiate corrective action within 24 hours and complete corrective action as expediently as practical if the Permittee finds that water is not flowing properly during an inspection of the water spray nozzles. **[Reference: 40 CFR §60.674(b)]**
- (13) All engines at the premises shall be nonroad engines, as defined in 40 CFR §1068.30, unless the Permittee complies with the stationary engine requirements of 40 CFR 60, Subpart IIII and 40 CFR 63, Subpart ZZZZ, as applicable, for the engines.
- (14) The Permittee shall process only RAP in the portable crushing and screening plant unless the Permittee obtains an approval to process other materials
- (15) The Permittee shall burn only natural gas or distillate fuel oil with a maximum sulfur content of 0.3 percent by weight in the hot oil heater unless the Permittee obtains an approval from the Department to burn other fuels.
- (16) The Permittee shall burn only natural gas or distillate fuel oil with a maximum sulfur content of 0.3 percent by weight in the Maxamizer heat recovery system unless the Permittee obtains an approval from the Department to burn other fuels.
- (17) Soils contaminated with petroleum based fuels, metals, or other volatile organic compounds shall not be processed at the plant.
- (18) Fugitive dust from plant roads and stockpiles shall be controlled, as necessary, by using water or approved chemical dust suppressants or a combination, thereof.

Part E – Notifications and Testing

- (1) The Permittee shall submit written or electronic notification to the Department of the actual date of initial startup of the 400 ton per hour APM plant plant (ARMA Registration No. 017-0001-6-0125) and associated equipment within 15 days after such date. **[Reference: 40 CFR §60.7(a)(3) and §60.676(i)]**
- (2) The Permittee shall submit written or electronic notification to the Department of the actual date of initial startup of the portable 300 ton per hour RAP crushing and screening plant (ARMA Registration No. 017-0001-6-0156) and associated equipment within 15 days after such date. **[Reference: 40 CFR §60.7(a)(3) and §60.676(i)]**
- (3) Within 60 days after achieving the maximum production rate at which the 400 ton per hour APM plant plant (ARMA Registration No. 017-0001-6-0125) and associated equipment will be operated, but not later than 180 days after initial startup, the Permittee shall demonstrate compliance with all applicable particulate matter and

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opacity standards by successfully conducting a valid Method 5 particulate matter and Method 9 opacity. **[Reference: 40 CFR §60.11(a) and (b) and §60.93(b)(1) and (2)]**

- (4) Within 60 days after achieving the maximum production rate at which the portable 353 ton per hour RAP crushing and screening plant (ARMA Registration No. 031-1385-6-0969) and associated equipment will be operated, but not later than 180 days after initial startup, the Permittee shall demonstrate compliance with all applicable opacity standards. A valid Method 9 test demonstrating compliance for this equipment at another premises, may be used to satisfy this requirement. **[Reference: 40 CFR §60.11(b) and §60.672(b)]**
- (5) The Permittee shall use Method 9 of Appendix A-4 to 40 CFR, Part 60 and the procedures in 40 CFR §60.11, with the following additions:
 - (a) The minimum distance between the observer and the emission source shall be 4.57 meters (15 feet).
 - (b) The observer shall, when possible, select a position that minimizes interference from other fugitive emission sources (e.g., road dust). The required observer position relative to the sun (Method 9 of Appendix A-4 of this part, Section 2.1) must be followed.
 - (c) For affected facilities using wet dust suppression for particulate matter control, a visible mist is sometimes generated by the spray. The water mist must not be confused with particulate matter emissions and is not to be considered a visible emission. When a water mist of this nature is present, the observation of emissions is to be made at a point in the plume where the mist is no longer visible. **[Reference: 40 CFR §60.675(c)(1)]**
- (6) 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 opacity standards must be based on the average of the five 6-minute averages. **[Reference: 40 CFR §60.675(c)(3)]**
- (7) The Permittee shall use Method 5 of Appendix A-3 to 40 CFR, Part 60 and the procedures in 40 CFR §60.8.
- (8) The Permittee shall submit notification of the intended date of the required Method 5 and Method 9 observations to the Department at least 30 days prior to that date.
- (9) Within 45 days following the required Method 5 and Method 9 observations, the Permittee shall submit the results to the Department.

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- (10) The Permittee shall perform a leak detection test using methods approved by the Department at least once per year on the baghouse.

Part F – Monitoring, Record Keeping and Reporting

- (1) The pressure drop across the baghouse associated with the APM plant shall be continuously monitored when the plant is operating and shall be recorded at least once per operating day.
- (2) The mix temperature of the APM leaving the drum of the APM plant shall be monitored and recorded at least once every fifteen (15) minutes when RAP is being used in the plant.
- (3) The Permittee shall maintain for at least five (5) years, and shall make available to the Department upon request, records of the following information:
- (a) The results of all leak detection tests performed on the baghouse;
 - (b) The amount, in tons, of APM produced each month;
 - (c) the percentage of RAP used in each mix produced;
 - (d) The mix temperature of the APM leaving the drum when RAP is used in the mix;
 - (e) The pressure drop across the baghouse;
 - (f) The amount and type of fuels burned in the APM mixing plant and the asphalt heater each month;
 - (g) The amount of RAP processed by the RAP crushing and screening plant in tons per month;
 - (h) The hours each piece of crushing and screening equipment and the associated engine is operated each month;
 - (i) The amount of diesel fuel burned in the diesel engines each month;
 - (j) An analysis of each shipment of fuel oil received showing the sulfur content in percent by weight;
 - (k) All opacity observation test results;

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- (l) All Particulate matter test results; and
 - (m) A log of each periodic inspection of the wet suppression system including dates and any corrective actions taken.
- (4) The Permittee shall maintain at the facility for at least five (5) years, and shall make available to the Department upon request, records necessary to support annual certifications of emissions and demonstrations of compliance for toxic air pollutants. Such records shall include, if applicable, the following:
- (a) mass emissions rates for each regulated pollutant, and the total mass emissions rate for all regulated pollutants for each registered source of emissions;
 - (b) accounts of the methods and assumptions used to quantify emissions;
 - (c) all operating data, including operating schedules and production data, that were used in determinations of emissions;
 - (d) amounts, types, and analyses of all fuels used;
 - (e) Information concerning operation, maintenance, and performance of air pollution control equipment, including:
 - (i) Identifications and descriptions of all such equipment;
 - (ii) Operating schedules for each item of such equipment;
 - (iii) Accounts of any significant maintenance performed;
 - (iv) Accounts of all malfunctions and outages; and
 - (v) Accounts of any episodes of reduced efficiency.
 - (f) Limitations on source operation or any work practice standards that significantly affect emissions; and
 - (g) Other relevant information as required by the Department.
- (5) Permittee shall submit to the Department by April 1 of each year a certification of emissions for the previous calendar year. The certifications shall be prepared in accordance with requirements, as applicable, adopted under COMAR 26.11.01.05 – 1 and COMAR 26.11.02.19D.

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- (a) Certifications of emissions shall be submitted on forms obtained from the Department.
- (b) A certification of emissions shall include mass emissions rates for each regulated pollutant, and the total mass emissions rate for all regulated pollutants for each of the facility's registered sources of emissions.
- (c) The person responsible for a certification of emissions shall certify the submittal to the Department in the following manner:

“I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.”

- (6) The Permittee shall submit to the Department by April 1 of each year a written certification of the results of an analysis of emissions of toxic air pollutants from the Permittee's facility during the previous calendar year. Such analysis shall include either:
 - (a) a statement that previously submitted compliance demonstrations for emissions of toxic air pollutants remain valid; or
 - (b) a revised compliance demonstration, developed in accordance with requirements included under COMAR 26.11.15 & 16, that accounts for changes in operations, analytical methods, emissions determinations, or other factors that have invalidated previous demonstrations.
- (7) The Permittee shall report, in accordance with requirements under COMAR 26.11.01.07, occurrences of excess emissions to the Compliance Program of the Air and Radiation Administration.

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Part G – Temporary Permit-to-Operate Conditions

- (1) This permit-to-construct shall also serve as a temporary permit-to-operate that confers upon the Permittee authorization to operate the 400 ton per hour APM plant and the 300 ton per hour crushing and screening plant for a period of up to 180 days after initiating operation.
- (2) The Permittee shall provide the Department with written or electronic notification of the date on which operation of the 400 ton per hour APM plant and the 300 ton per hour crushing and screening plant is initiated. Such notification shall be provided within 15 days of the date to be reported.
- (3) During the effective period of the temporary permit-to-operate the Permittee shall operate the 400 ton per hour APM plant and the 300 ton per hour crushing and screening plant as required by the applicable terms and conditions of this permit-to-construct, and in accordance with operating procedures and recommendations provided by equipment vendors.
- (4) The Permittee shall submit to the Department an application for a State permit-to-operate no later than 60 days prior to expiration of the effective period of the temporary permit-to-operate.

MARYLAND DEPARTMENT OF THE ENVIRONMENT

AIR AND RADIATION ADMINISTRATION

SUPPLEMENTAL INFORMATION REFERENCES

The Code of Maryland Regulations (COMAR) is searchable by COMAR citation at the following Division of State Documents website:

<http://www.dsd.state.md.us/COMAR/ComarHome.html>

The Code of Federal Regulations (CFR), including New Source Performance Standards (NSPS) at 40 CFR, Part 60 and National Emission Standards for Hazardous Air Pollutants (NESHAP) at 40 CFR, Parts 61 and 63, is searchable by CFR citation at the following U.S. Government Publishing Office website:

<http://www.ecfr.gov>

Information on National Ambient Air Quality Standards (NAAQS) is located at the following U.S. Environmental Protection Agency (EPA) website:

<https://www.epa.gov/criteria-air-pollutants/naaqs-table>

Information on Maryland's Ambient Air Monitoring Program is located at the following Maryland Department of the Environment website:

<http://mde.maryland.gov/programs/Air/AirQualityMonitoring/Pages/index.aspx>

Information on the U.S. EPA's Screen3 computer model and other EPA-approved air dispersion models is located at the following U.S. EPA website:

http://www.epa.gov/scram001/dispersion_screening.htm

Information on the U.S. EPA TANKS Emission Estimation Software is located at the following U.S. EPA website:

<http://www.epa.gov/ttn/chief/software/tanks/index.html>

Information on the U.S. EPA Emission Factors and AP-42 is located at the following U.S. EPA website:

<https://www.epa.gov/air-emissions-factors-and-quantification/ap-42-compilation-air-emission-factors>