



**MARYLAND DEPARTMENT OF THE ENVIRONMENT  
AIR AND RADIATION MANAGEMENT ADMINISTRATION  
1800 WASHINGTON BLVD, STE 720  
BALTIMORE, MARYLAND 21230-1720**

**Air Quality  
GENERAL PERMIT TO CONSTRUCT  
Application Package For  
CONCRETE BATCH PLANT**

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**FAQ SHEET  
PERMIT TO CONSTRUCT  
APPLICATION FORM**

January 9, 2008





# Fact Sheet

## AIR QUALITY GENERAL PERMIT TO CONSTRUCT CONCRETE BATCH PLANTS

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**Purpose of this Fact Sheet** – This fact sheet outlines basic information regarding the General Permit to Construct, frequently asked questions and instructions on how to request coverage under the General Permit to Construct for Concrete Batch Plants. The fact sheet is not a permit and should be used as a guide only. For additional information on specific regulatory and administrative requirements, see the General Permit to Construct document for concrete batch plants or contact the Maryland Department of the Environment, Air and Radiation Management Administration at (410) 537-3230.

All installations that are potential sources of air pollution are regulated and required to obtain a permit or approval from the Maryland Department of the Environment (“the Department”), except those installations that are specifically exempt under the State’s Air Quality Regulations, Code of Maryland Regulations (COMAR) 26.11.02.10. To allow faster processing of permits, the Department has decided to regulate certain small stationary source installations through the issuance of Air Quality General Permits to Construct.



### 1. Do I need a permit for a concrete batching plant?

You do need a Permit to Construct before building a new concrete batch plant. However, the facilities that meet the requirements as specified in this Air Quality General Permit to Construct (see item #4) can take advantage of this new simplified permit.

### 2. What is an Air Quality General Permit to Construct?

Air Quality General Permits to Construct enable businesses to acquire environmentally sound permits fast. The Air Quality General Permits to Construct increase the efficiency of the Department’s permitting process through the issuance of generic permits to categories of sources which are generally very similar in operation, equipment installation and emissions characteristics.

### 3. What is special about a General Permit to Construct for Concrete Batching Plants?

A General Permit to Construct for Concrete Batch Plants will cover your new concrete batch plant. Before, a facility had to obtain an individual Permit to Construct by filling out the multi-page Application for a Permit to Construct Manufacturing Equipment (AMA-5). The applicant would then need to wait to be invoiced. Concurrently a permit

engineer would draft a Permit to Construct for the concrete batch plant for internal review and approval. Once the invoice is paid and all internal review of the draft permit is completed, the individual Permit to Construct for that concrete batch plant could be issued. This process could take up to three months.

Now a General Permit to Construct for a Concrete Batch Plant can be obtained the same day by completing a short application and paying the fee for the General Permit. The applicant keeps the part of the General Permit Application that contains the permit conditions and requirements. After the Department reviews the application and verifies payment, a letter from the Department is sent to the applicant informing them that they have completed the application and paid for a General Permit to Construct a Concrete Batch Plant. *The letter from the Department and the conditions from the application serve as the facility's General Permit to Construct for that concrete batch plant and should be kept on-site.*

#### **4. Is my facility eligible for this type of General Permit?**

In order to be eligible for this type of General Permit, your facility must meet the following requirements:



The facility does not manufacture concrete or cement products (such as cinder block, concrete pipes, etc); and

The facility does not use dry concrete or Portland cement in a manufacturing process other than the production of wet concrete.

Facilities that do not meet the above requirements are not eligible for this General Permit. They must, instead, obtain an individual Permit to Construct. Please contact the Department for more information on how to obtain an individual Permit to Construct.

#### **5. What is meant by “concrete batch plant”?**

A concrete batch plant is a facility that mixes water, Portland cement, fine and coarse aggregates to form wet concrete. Concrete batch plants can add water, Portland cement, fine and coarse aggregates into a mixer truck, or the concrete may be prepared in a central mix drum and transferred to a truck for transport.

The primary air pollutant associated with concrete batch plants is particulate matter. The only point sources associated with a concrete batching plant are the storage silos for cement and pozzolan materials. These storage silos are typically passively vented through a bin vent filter to remove airborne particulate matter.

Fugitive sources include the transfer of sand and aggregate, truck loading, mixer loading, vehicle traffic, and wind erosion from stockpiled materials. The amount of fugitive emissions is dependant on the surface moisture content of the cement, pozzolans, sands, aggregates and other additives used.

Another significant potential fugitive particulate emission source are unpaved roadways and work areas. Emissions from unpaved roadways are generally controlled through the use of a water truck, mud grates and proper roadway maintenance.

Types of controls used to capture or suppress particulate matter emissions from the concrete batch plant include: water sprays, enclosures, hoods, curtains, shrouds, moveable or telescoping chutes, and dusting agents or other approved dust suppression chemicals.

## **6. How much does this General Permit cost?**

The permit fee is \$250 for this General Permit. This is a one-time fee. There are no other fees associated with this permit.

## **7. What if I want to expand my facility beyond the limits of the General Permit?**

You will have to obtain an individual Permit to Construct for any new equipment that does not qualify for one of the nine General Permit categories. A new General Permit to Construct must be obtained for each new concrete batch plant at the facility. The facility may obtain other General Permit(s) to Construct for any new eligible equipment.

You cannot have a General Permit and an individual Permit to Construct at the same facility covering the same equipment. However, equipment given a General Permit to Construct can be placed under an individual Permit to Construct in certain circumstances. The individual Permit to Construct would in such cases supersede the previous General Permit to Construct.

## **8. How do I apply for a General Permit?**

In order to obtain coverage, you must get a General Permit to Construct Package from the Department and complete the included Request for Coverage Form. You can get a General Permit to Construct package from the Department by:

- 👍 Calling the Department at (410) 537-3230
- 👍 Downloading it from the Department's web site at [www.mde.state.md.us/airpermits](http://www.mde.state.md.us/airpermits)
- 👍 Writing to the Department at:  
Maryland Department of the Environment  
Air and Radiation Management Administration  
1800 Washington Blvd, STE 720  
Baltimore, MD 21230-1720

Fill out the Request for Coverage form completely, make a \$250 check payable to MDE Clean Air Fund, and submit the Request for Coverage form with the payment to:

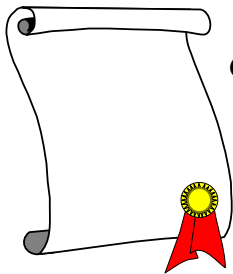
MDE/ARMA  
PO Box 2037  
Baltimore, MD 21203-2037

The rest of the General Permit to Construct Package, including the General Permit document with conditions, should be kept on-site along with the confirmation letter subsequently received from the Department.

### **9. When will my coverage begin?**

Coverage will begin on the day that you submit a complete application with full payment. If the application is incomplete, inaccurate or if the permit fee is not paid, coverage under the General Permit will be considered void. You will also not be covered if your facility does not meet the restrictions of this General Permit.

### **10. Will I receive a Permit to hang on the wall?**



No, you will not receive a permit to hang on the wall. Your copy of the General Permit to Construct is included in the General Permit to Construct Package. You will, however, receive a letter from the Department acknowledging the receipt of your application and fee payment. Retain a copy of this notification letter with the General Permit to Construct document and verification of your payment for your own site records.

*If you have additional questions,  
please call the Department at  
(410) 537-3230.*

MARYLAND DEPARTMENT OF THE ENVIRONMENT  
AIR QUALITY GENERAL PERMIT TO CONSTRUCT FOR  
CONCRETE BATCH PLANT

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**Part I     Applicability**

- A     This permit applies only to concrete batch plants
- B     This permit does not apply to:
  - (1)     Sources that manufacture dry concrete or cement products (such as cinder block, concrete pipes, etc), or
  - (2)     Sources that use dry concrete or Portland cement in a manufacturing process.

**Part II     Definitions**

- A     "Concrete Batch Plant"- means a plant that mixes water, Portland cement, fine and coarse aggregates to form wet concrete. Concrete batch plants can add water, Portland cement, fine and coarse aggregates into a mixer truck, or the concrete may be prepared in a central mix drum and transferred to a truck for transport.
- B     "Department" - means the Maryland Department of the Environment.
- C     "Facility" – means the premises where the concrete batching plant is located.
- D     "Opacity" – means the degree to which emissions reduce the transmission of light and obscure the view of an object in the background.
- E     "Permittee" - means the company or business covered by this general permit.
- F     "Request for Coverage" - means a completed application form obtained from the Department requesting to be covered by the general permit.

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**Part III Specific Requirements for Concrete Batch Plants**

**A Control of Nuisance and Air Pollution**

A concrete batch plant is subject to COMAR 26.11.06.08 and 26.11.06.09. These regulations generally prohibit the discharge of emissions beyond the property line in such a manner that a nuisance or air pollution is created.

**B Control of visible emissions**

A concrete batch plant is subject to COMAR 26.11.06.02C, which means that:

- (1) In Baltimore City, and Anne Arundel, Baltimore, Carroll, Harford, Howard, Montgomery, or Prince George's counties, the discharge of emissions, which are visible to human observers, other than water vapor in an uncombined form, is prohibited.
- (2) In all other counties of the State, the discharge of emissions greater than 20% opacity, other than water in an uncombined form, is prohibited.

**C Control of Particulate Matter**

- (1) A concrete batch plant is subject to COMAR 26.11.06.03B which means that:
  - (a) In Baltimore City, and Anne Arundel, Baltimore, Carroll, Harford, Howard, Montgomery, or Prince George's counties, the discharge of particulate matter emissions greater than 0.03 grains per standard cubic foot of dry exhaust gas is prohibited.
  - (b) In all other counties of the State, the discharge of particulate matter emissions greater than 0.05 grains per standard cubic foot of dry exhaust gas is prohibited.
- (2) A concrete batch plant is subject to COMAR 26.11.06.03D which requires the Permittee to take reasonable precautions to prevent particulate matter from becoming airborne from unpaved roadways and materials being handled, transported, or stored.

**D Obtain a Permit to Construct if Modifications Increase or Change the Nature of Emissions**

A concrete batch plant is subject to COMAR 26.11.02.09A, which requires the Permittee to obtain a Permit to Construct if an installation is modified in such a



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manner that there is a change in the quantity, nature, or characteristics of emissions from the source from those provided in this permit

E Toxic Emissions

A concrete batch plant must comply with 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 IV General Requirements:**

A Incorporation of Request for Coverage into permit

This permit includes the completed one page Request for Coverage, which serves as the application for the permit. If there is any conflict between the specific and general requirements (Parts II and III) and the Request for Coverage, the specific and general requirements take precedence. If there is any conflict between the specific and general requirements, the specific requirements take precedence.

B Effective Date/Failure to Pay Fee

This permit is effective on the date that the Request for Coverage is completed and the permit fee is paid to the Department. If the fee is paid by check or money order and mailed to the Department, the fee is considered to be paid on the date of mailing. If the fee is paid to the Department by any manner other than by mailing a check or money order, the effective date of the permit is the date the Department receives payment. If a check or money order does not clear for any reason, the permittee will be given 30 days to make proper payment including any interest and other charges that are due. If payment is not made within this time, the permit shall be considered to have been void from the outset. In order to establish the effective date of a permit, the permittee should save the canceled check or money order receipt, a copy of the Request for Coverage, and related documents. These documents shall be provided to the Department on request.

C Applicant

The applicant for this permit shall be the legal entity or individual that, owns or operates the proposed source for which a permit to construct is required. After the permit is effective, the applicant may be referred to as the "permittee."

D Location of Source

This permit authorizes the permittee to construct and operate the installation or other source described in the Request for Coverage at the installation or other location described in the application. The permit is not valid for any other source at the described location nor is it valid for the described source at any other location.

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E     Duration

This permit expires as determined in writing by the Department, if:

- (1)     substantial construction or modification is not commenced within 18 months after the effective date of the permit;
- (2)     construction or modification is substantially discontinued for a period of 18 months after it has commenced; or
- (3)     construction or modification of the source for which the permit was issued is not completed within a reasonable period after the effective date of the permit.

F     Permit to be Available

The permittee shall maintain this permit at the location for which the permit was issued, unless it is clearly impractical to do so, and shall make the permit immediately available to authorized representatives of the Department upon request.

G     Other Permits may be Needed

This permit does not constitute a permit for any activity other than expressly authorized by this permit.

H     Permit Not Transferable

This permit is not transferable. The permittee should provide a copy of this permit to any subsequent owner or operator. The subsequent owner or operator should contact the Department to determine if a new permit is required. The provisions of COMAR 26.11 apply to the subsequent owners or operators whether or not the source is covered by a permit.

I     Compliance with all Laws and Regulations

This permit does not authorize violation of any law or regulation. The permittee shall at all times comply with all applicable laws and regulations, including:

- (1)     the Maryland Ambient Air Quality Control statute. Annotated Code of Maryland, Environment Article, §§2-101 et seq.;
- (2)     Maryland air pollution control regulations. Code of Maryland Regulations (COMAR) 26.11, as amended by the Maryland Register;
- (3)     the Federal Clean Air Act. 42 United States Code (U.S.C.) §§7401 et seq.;
- (4)     federal air pollution control regulations. 40 Code of Federal Regulations (CFR) Parts 50-99, as amended by the Federal Register.

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J     Odors and Other Nuisances

This permit does not authorize construction or operation in a manner that unreasonably interferes with the proper enjoyment of the property of other persons, such as by causing unreasonable odors, or by otherwise creating air pollution.

K     Workers' Compensation Act

Submission of the application for this permit constitutes certification that the applicant is in compliance with the Maryland Workers' Compensation Act, as required by The Annotated Code of Maryland, Environment Article, §1-202, and Labor and Employment Article, Title 9. The permit shall be considered to have been void from the outset if this certification is invalid.

L     Modifications

A "modification" normally means any physical change in, or change in the operation of, an installation which causes a change in the quantity, nature or characteristics of emissions from the installation. However, this term excludes routine maintenance and routine repair, and increases in the hours of operation or in the production rate, unless these increases are prohibited under any permit or approval issued by the Department.

A modification to the facility for which this general permit to construct applies is prohibited. Before making such a modification, the permittee must apply for and obtain an individual permit to construct if the source would no longer be eligible for a general permit to construct.

M     Inspections/Right of Entry

Inspectors and other authorized officials from the Department or the appropriate local health or environmental department shall be allowed access to the property where the source is constructed or modified at any reasonable time for the purpose of determining compliance with this permit and applicable air pollution control laws and regulations, including:

- (1)     inspecting all activities authorized by this permit;
- (2)     taking samples of materials or other substances stored or processed at the property or discharged or otherwise removed from the property;
- (3)     inspecting any monitoring equipment required by the permit and applicable laws and regulations;
- (4)     having access to and copying any records related to the Department's determination of compliance, including all documents required to be kept by this permit and by applicable laws and regulations; and

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(5) taking photographs and making video recordings.

N Duty to Provide Information

The permittee shall furnish to the Department, within 15 working days of the date of any request or other period of time that may be specified, all documents and other information which the Department requests to determine compliance with this permit and applicable air pollution control laws and regulations.

O Penalties for Violations

Maryland law provides for substantial penalties for violations of this permit and applicable air pollution control laws and regulations. These penalties include civil penalties of up to \$25,000 per day per violation, administrative penalties of up to \$2,500 per day per violation (not to exceed \$50,000 per action), injunctive relief, and criminal penalties for knowing violations (including up to one year in jail and a \$25,000 fine per violation per day). Additional criminal penalties apply to any person who knowingly provides false information to the Department or who knowingly tampers with any monitoring device required by State air pollution control law. Federal law may also provide for penalties for violations.

P Violations That Occurred Prior to Obtaining This Permit

This permit does not protect the permittee for any violation of laws or regulations that may have occurred prior to the effective date of the permit, including constructing, modifying, or operating a source without a required permit.

Q Revocation or Suspension of a Permit

The Department may issue an order proposing to revoke or suspend this permit if it determines that:

- (1) Any condition of the permit has been violated; or
- (2) The permit was improperly obtained or has been improperly used.

The order shall become final unless the permittee requests a hearing within 10 days after being served. If a hearing is requested, it shall be held pursuant to the Maryland Administrative Procedure Act, Annotated Code of Maryland, State Government Article, §§10-201 et seq. and Environment Article, §2-605.

A person to whom a proposed or final order or revocation or suspension has been issued may not obtain another general permit for the same source or similar source at the same location until it has been determined in writing by the Department that the revocation or suspension is no longer in effect or pending.

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- R     Property Rights Not Created by Permit  
This permit does not create any property rights.
- S     Severability  
If any provision of this permit is determined to be invalid for any reason, the other provisions remain in effect to the extent reasonable, and the invalid provision shall be considered deleted from the permit.
- T     Federal Enforceability  
The terms and conditions of this general permit to construct are federally enforceable only to the extent that they reflect regulations or other requirements that have been approved by the U.S. Environmental Protection Agency for inclusion in the Maryland State Implementation Plan (SIP) for the control of air pollution.

**Part V     Request for Coverage Requirements**

- A     Request for Coverage Cost  
A person who desires to be covered by this general permit to construct shall provide all required information on the Request for Coverage form and submit the form to the Department together with the required fee of \$250 for each concrete batch plant. The fee must be paid by check or money order payable to: Maryland Department of the Environment/Clean Air Fund.
- B     Required Signatures  
The Request for Coverage form shall be signed by the applicant or an authorized representative of the applicant who shall make the following certification:  
  
"I certify under penalty of law that the information submitted in the Request for Coverage 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."
- C     Where to Submit  
A person shall submit the original of the Request For Coverage form and the required fee to the following address:

**Maryland Department of the Environment  
Air and Radiation Management Administration  
P.O. Box 2037  
Baltimore, Maryland 21230-2037**

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The Request for Coverage form and the permit fee may be delivered in person to the Department at the following address:

**Maryland Department of the Environment  
Air and Radiation Management Administration  
1800 Washington Blvd, STE 720  
Baltimore, Maryland 21230-1720**

D Effective Date

The Air Quality General Permit to Construct is effective on the date that the Request for Coverage is completed, signed, and the permit fee paid to the Department. See Permit Part III (B). The Department will mail a letter to the applicant acknowledging the receipt of the Request for Coverage and fee and that the source is now covered by the specifically requested Air Quality Permit to Construct.

E Questions

Questions regarding the Air Quality General Permit to Construct program may be directed to the Department's Air and Radiation Management Administration by calling (410) 537-3230.



George (Tad) S. Aburn, Jr., Director  
Air and Radiation Management Administration

**MARYLAND DEPARTMENT OF THE ENVIRONMENT**  
Air and Radiation Management Administration / Air Quality Permits Program  
1800 Washington Boulevard, STE 720 Baltimore, MD 21230-1720  
(410) 537-3230 • 1-800-633-6101 • [www.mde.state.md.us](http://www.mde.state.md.us)

*Mail application and payment to*  
**MDE/ARMA, PO Box 2037**  
**Baltimore, MD 21203-2037**  
*Don't forget to sign the application!*

*Make checks payable to*  
**MDE Clean Air Fund**  
*\$250 per piece of equipment*

Request for Coverage: Air Quality General Permit to Construct  
**CONCRETE BATCH PLANT**

**1) Business/Institution/Facility where the equipment will be located**

☐ Check if this is a federal facility

Name: \_\_\_\_\_ Phone: \_\_\_\_\_  
Street Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_ County: \_\_\_\_\_

**2) Owner**

☐ Check if different than above. If checked, complete the following:

Name: \_\_\_\_\_ Phone: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

**3) Installer**

Contact Name: \_\_\_\_\_ Phone: \_\_\_\_\_

**4) Equipment Information**

Manufacturer / Model \_\_\_\_\_ Installation date \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

**Concrete Batch Plant**

- ☐ Fabric filters on silo & bin vents  
☐ Enclosures, shrouds, hoods, curtain  
Where? \_\_\_\_\_  
☐ Moveable or telescoping chutes  
Where? \_\_\_\_\_  
☐ Water sprays  
Where? \_\_\_\_\_

**Roadways / Unpaved Work Areas**

- ☐ Water truck on site  
☐ Chemical dust suppressant  
Kind & Frequency? \_\_\_\_\_  
☐ Water sprays  
Where? \_\_\_\_\_

**5) Business Operational Information**

Projected cubic yards \_\_\_\_\_ or \_\_\_\_\_  
Concrete produced \_\_\_\_\_ per day \_\_\_\_\_ per year \_\_\_\_\_ Hours/day \_\_\_\_\_ Days/week \_\_\_\_\_ Days/year \_\_\_\_\_

**6) Workers Compensation** (Environmental article §1-202)

Workers insurance policy or binder number: \_\_\_\_\_

☐ Check if self employed or otherwise exempt from this requirement

"I CERTIFY UNDER PENALTY OF LAW THAT THE INFORMATION SUBMITTED IN THIS REQUEST FOR COVERAGE 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."

**Owners Signature**

Printed Name & Title

Date

