GOVERNMENT OF THE DISTRICT OF COLUMBIA
Department of Energy and Environment

COMMENT RECONCILIATION MEMORANDUM

TO: File

FROM: Stephen S. Ours, P.E.
Chief, Permitting Branch

Abraham T. Hagos
Environmental Engineer

SUBJECT: Comment Reconciliation Memo – Permit No. SC-6886-R1
Source Category Permit to Construct and Operate a Temporary Portable Crusher, Screen, or Conveyor

DATE: July 11, 2019

BACKGROUND

On October 1, 2014, the Air Quality Division ("AQD") of the Department of Energy and Environment ("DOEE" or "the Department") issued a source category permit for temporary portable crushers and screens. This source category permit was intended to expedite the permitting process by simplifying permitting paperwork, not requiring a separate notice and comment period for each crusher/screen project, and reducing DOEE permit-review time. Because it would only approve short term (less than 6 months) projects, the Department believed that the projects would generally be non-controversial. The source category permit was issued pursuant to 20 DCMR 200.6.

This permit is scheduled to expire on September 30, 2019. In order to ensure that applicants will have sufficient time to complete their projects, AQD is proposing a renewal of this permit. Based on experience since the issuance of the original permit, AQD has made some revisions to the permit to be included in the renewed permit, but most aspects of the permit will remain unchanged.

Public comments and availability of the option to request a public hearing for the source category permit action was solicit from March 1, 2019 through April 1, 2019. AQD did receive comments, but did not receive a public hearing request. The comments were received from P. J. Goel of Goel Services and Stephen D. Smith of Aceco World. The following table addresses the received comments.

It should also be noted that various typographical errors and incorrect cross-references were corrected in the final permit, as compared to the draft permit.

Comment No.	Commenter	Comment	AQD Response
1	Mr. P.J. Goel, Goel Services	The form does not accommodate the difference between the older crushers and the latest Tier 4 engines unless I am mistaken.	The emission factors pre-populated on the form reflect higher emitting engines allowed under the permit, and are intended to reflect a worst-case emission scenario. This was done to simplify the permit application process. If an applicant wishes to provide documentation of lower engine emission factors in lieu of the default values provided on the form, and submit emission calculations based on these factors, AQD will not object to such calculations, but AQD will not require such to be submitted at this time.
2	Mr. P.J. Goel, Goel Services	Will this prevent open crushing landfills like Strittmatters – E.g. would recommend that no imported materials can be crushed using a temp permit. Only materials created or present at the site. Otherwise Company A will apply for Jan – June; and Company B for July – Dec. at the same site.	Condition IV(e) of the permit states: *The importation of off-site materials for processing is prohibited, unless such material is needed to supplement the onsite materials for use in the restoration of the site, and provided the materials meet the requirements of the Soil Erosion & Sedimentation Act. [20 DCMR 201]* Thus, import of materials will only be permitted if needed for use at the site. No permittee will be authorized under this permit to both import and export from the same site. Additionally, Conditions I(b) and II(b) ensures that the source category permit can only be

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			used for a project for up to 6 months, and if a project is to last more than 6 months, it cannot be used at all. In response to this comment, the note in Condition I(b) has been revised to clarify that changing contractors on a project does not allow the 6 month period to re-set. If a project is to last more than 6 months, or if an applicant wishes to operate a longer-term facility, these cannot be permitted under this source category permit, but the applicant may apply for a standard Chapter 2 permit, which goes through a site-specific public notice and comment period.
3	Mr. Stephen Smith, Aceco World	In reviewing the current regulations, and based upon our experience with the last two permits we have filed for and received from your office, we have two items we would like to see included, if possible, in any future regulations. 1. That the regulation eliminates the use of gasoline-powered equipment. We are not aware of any such equipment that is either effective or that can comply with the air quality requirements. 2. That the requirement state that only diesel engines that are at least a Tier 4 emissions level or higher (from the manufacturer) be	The commenter may be correct that there is no gasoline-powered equipment on the market that would meet the requirements to perform this type of operation effectively. However, AQD does not see a problem with including such equipment (should it exist) in the source category permit. If it does not exist, no applicants will apply, but if it does exist, the permit language provides flexibility for an applicant to use it. Regarding the second part of the comment about requiring Tier 4 emissions controls, at this time, there is no regulatory

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		permitted for use. *Note: Clarification of the above comment was requested by Stephen Ours, AQD, via an email of March 20, 2019 as follows:* *Thank you for the comments. We will certainly consider them. I do have a follow-up question for you. Is there a particular reason that you are requesting only Tier IV or better engines be used? Have we overlooked a regulatory requirement, or is there another reason for this recommendation?* *Mr. Smith's response, via an email of March 20, 2019, was as follows:* It is a matter of expediency. We had an older, non-tier 4-powered crusher and found that the testing required was onerous and that it barely passed the requirements, although it had been well maintained and was in a very good condition. We then made a considerable investment in purchasing a new Tier 4-powered crusher and the visible and odorous emission difference is tremendous. To mandate this engine level as a base requirement would eliminate the need for testing and would guarantee that during idling for testing and start-up (not just during optimal operating RPM"s), the emissions are compliant. As contractors who specialized in work that focuses so strongly on	prohibition on using lower tier engines, as long as they meet all federal and District regulatory requirements. At this time, AQD will continue to allow applicants to use compliant lower-tier engines under the source category permit. Should regulations change, or should AQD determine that instances of public opposition warrant a public review process for projects using lower tier engines in the future, AQD will consider limiting future renewals of the source category permit to Tier IV engines.

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		recycling and environmental protection, I think it is important to lead by example to keep pollution to the lowest levels possible. Expecting higher standards elevates our industry. So, in the end. It's just based on our opinion, and not a lapse in regulatory requirements.	

RECOMMENDATIONS

We recommend issuance of the source category permit as revised according to the comment responses above.

SSO/ATH