April 20, 2021

Mr. Marc Mandel

Chief Operating Officer & General Counsel

Fort Myer Construction Corporation

2237 33rd Street NE

Washington, DC 20018

**RE: Permit No. 7288 to Construct and Operate a Crusher/Screener Combination System at Ft. Myer Construction Corporation Plant #1, 2001 5th Street NE**

Dear Mr. Mandel:

Pursuant to sections 200.1 and 200.2 of Title 20 of the District of Columbia Municipal Regulations (20 DCMR), a permit from the Department of Energy and Environment (the Department) shall be obtained before any person may construct and operate a stationary source in the District of Columbia. The application of Fort Myer Construction Corporation

(the Permittee) to construct and operate a McCloskey International Model i44R Crusher/Screener combo at 2001 5th Street NE, Washington DC (Fort Myer Plant #1), was received by the Air Quality Division (AQD) on or about August 17, 2020.

Based on the submitted plans and specifications your application to construct and operate the crusher/screener combination unit are hereby approved subject to the following conditions:

**I. General Requirements:**

* 1. The approvals are issued pursuant to the applicable air pollution control requirements of 20 DCMR for the operation of the crushers and screeners.
	2. This set of permits will expire on April 19, 2026. If continued operation after this date is desired, the owner or operator shall submit application for renewal by January 19, 2026 [20 DCMR 200.4]

c. Construction or operation of equipment under the authority of this set of permits shall be considered acceptance of its terms and conditions.

1. The Permittee shall allow authorized officials of the District, upon presentation of identification, to:

1. Enter upon the permittee’s premises where a source or emission unit is located, an emissions related activity is conducted, or where records required by this permit are kept;

2. Have access to and copy, at reasonable times, any records that must be kept under the terms and conditions of this permit;

3. Inspect, at reasonable times, any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under this permit; and

4. Sample or monitor, at reasonable times, any substance or parameter for the purpose of assuring compliance with this permit or any applicable requirement.

1. This permit shall be kept on the premises and produced upon request.
2. Failure to comply with the provisions of this permit document may be grounds for suspension or revocation. [20 DCMR 202.2]

g. Failure to comply with the provisions of this permit may be grounds for suspension or revocation. [20 DCMR 202.2]

1. Emission Limitations:

a. Emissions of dust shall be minimized in accordance with the requirements of 20 DCMR 605 and the “Operational Limitations” of this permit.

1. The emission of fugitive dust from any material handling, screening, crushing, grinding, conveying, mixing, or other industrial-type operation or process is prohibited. [20 DCMR 605.2]

c. Visible emissions shall not be emitted into the outdoor atmosphere from stationary sources; provided, that the discharges not exceeding forty percent (40%) opacity (unaveraged) shall be permitted for two (2) minutes in any sixty (60) minute period and for an aggregate of twelve (12) minutes in any twenty-four hour (24 hr.) period during start-up, cleaning, soot blowing, adjustment of combustion controls, or malfunction of the equipment. [20 DCMR 606.1]

*Note that 20 DCMR 606 is subject to an EPA-issued call for a State Implementation Plan (SIP) revision (known as a “SIP call”) requiring the District to revise 20 DCMR 606. See “State Implementation Plans: Response to Petition for Rulemaking; Restatement and Update of EPA’s SSM Policy Applicable to SIPs; Findings of Substantial Inadequacy; and SIP Calls To Amend Provisions Applying to Excess Emissions During Periods of Startup, Shutdown and Malfunction”, 80 Fed. Reg. 33840 (June 12, 2015). It is likely that this federal action will result in changes to the requirements of 20 DCMR 606. Any such changes, once finalized in the DCMR, will supersede the language of Condition II(c) as stated above.*

d. In addition to Condition II(c), emissions from screening operations, bucket elevators, transfer points on belt conveyors, bagging operations, storage bins, and enclosed truck loading stations shall not exceed 7% opacity. Emissions from crushers shall not exceed 12% opacity. [40 CFR 60, Subpart OOO, Table 3]

e. An emission into the atmosphere of odorous or other air pollutants from any source in any quantity and of any characteristic, and duration which is, or is likely to be injurious to the public health or welfare, or which interferes with the reasonable enjoyment of life or property is prohibited. [20 DCMR 903.1]

III. Operational Limitations:

* 1. The crusher/screener unit shall comply with the following limitations [20 DCMR 201]:

1. The unit shall be operated for a maximum duration of ten (10) hours in any day;

2. The unit shall be used to process recycled asphalt pavement (RAP) only; and

3. The unit shall not be used to process more than 150 tons per hour of RAP.

* 1. The Permittee shall install wet method dust control devices (water sprays) on the equipment and shall operate these devices whenever the equipment is in operation, unless the material being crushed or screened is already sufficiently wet to ensure compliance with Conditions II(b), (c), and (d). [20 DCMR 201]
	2. The Permittee shall take reasonable precautions to minimize the emission of any fugitive dust into the outdoor atmosphere. These reasonable precautions shall include, but not be limited to the following [20 DCMR 605.1]:

1. In the case of unpaved roads, unpaved roadways, and unpaved parking lots:

i. Use of clean water in sufficient quantities and at sufficient frequencies to prevent the visible emission of dust due to the movement of vehicles or of the wind (use of binders or other chemicals may only be used with prior approval of the Department); and

ii. Prompt clean-up of any dirt, earth, or other material from the vicinity of the road, roadway, or lot which has been transported from the road, roadway, or lot due to anthropogenic activity or due to natural forces.

2. In the case of paved roads, paved roadways, and paved parking lots: Maintenance of the road, roadway, lot, or paved shoulder in a reasonably clean condition through reasonably frequent use of water, sweepers, brooms, or other means through reasonably frequent removal of accumulated dirt from curbside gutters, through reasonably prompt repair of pavement, or through any other means;

 3. In the case of vehicles transporting dusty material or material which is likely to become dusty:

i. Fully covering the material in question, with a tarpaulin or other material; and

ii. Operation, maintenance, and loading of the vehicle, distribution of the loaded material on or in the vehicle, and limiting the quantity of material loaded on or in the vehicle, so that there will be no spillage of the material onto the roads;

4. In the case of vehicles which accumulate dirt on the wheels, undercarriages, and other parts of the vehicle, due to the movement of the vehicle on dusty, dirty or muddy surfaces: Water washing of all of the dirty parts of the vehicle to thoroughly remove the dirt before or immediately after the vehicle leaves the dusty, dirty, or muddy surface;

 5. In the case of demolition of buildings or structures: Use, to the extent possible, of water;

 6. In the case of removal of demolition debris which is dusty or likely to become dusty: Use of water to thoroughly wet the material before moving or removing the material and keeping it wet or otherwise in a dust-free condition until eventual disposal;

 7. In the case of stockpiles of dusty material: Thorough wetting of the material before loading onto the stockpile and keeping the stockpile wetted, covered, or otherwise in a non-dusty condition.

* 1. In order to comply with Conditions III(b) and (c), the Permittee shall:

1. Provide clean water (free from salt, oil, etc.) for use at the site;

2. Provide water spraying equipment that can access the entire work area;

3. Apply water sprays without creating a nuisance or ponding and preventing movement of spray beyond site boundary.

4. Restrict operation at the site to processing only waste concrete from the ready-mix concrete manufacturing process.

* 1. All materials processed and the handling of those materials shall meet the requirements of the Soil Erosion & Sedimentation Act of 1977, as amended. [20 DCMR 201]
	2. The crusher and screener engines shall be fired only on No. 2 fuel oil (or diesel fuel) with a maximum sulfur content of 15 ppm (0.0015% by weight) and either a minimum cetane index of 40 or a maximum aromatic content of 35 volume percent. [20 DCMR 201]
	3. The crusher/screener combination unit shall be operated and maintained in accordance with the recommendations of the equipment manufacturer. [20 DCMR 201]
	4. At all times, including periods of startup, shutdown, and malfunction, the Permittee shall, to the extent practicable, maintain and operate the equipment in a manner consistent with good air pollution control practice for minimizing emissions. Determination of whether acceptable operating procedures are being used will be based on information available to the Department which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source. [20 DCMR 606.3 and 40 CFR 60.11(d)]

IV. Monitoring and Testing Requirements:

a. The Permittee shall monitor the operating hours of the crusher and the screener with the use of a non-resettable hour meter installed on the units.

b. The Permittee shall monitor the time of first start-up of any of the equipment, as well as the last shutdown of any of the equipment, each day to ensure compliance with Condition III(a)(1).

c. The Permittee shall, during all work operations at the site, monitor to ensure that the operational requirements of Conditions III(b) through III(h) of this set of permits are met.

d. If visible emissions of fugitive dust or smoke are observed in excess of the limits specified in Conditions II(b), (c), or (d), prompt action shall be taken to correct the problem. Operations shall not continue if such exceedances are observable, until such time as the problem has been addressed to the satisfaction of the Department.

e. The Permittee shall perform monthly periodic inspections to check that water is flowing to the discharge spray nozzles in the wet dust 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. [40 CFR 60.674(b)] If the water spray system is found to not be operating properly, operation of the affected crusher or screener shall be ceased until the water flow has been re-established. [20 DCMR 201]

f. Within 60 calendar days after achieving the maximum production rate at which the affected facility will be operated, but not later than 180 calendar days after initial start-up of such facility, the Permittee shall perform a visible emissions test on the unit, using the procedures set forth in 40 CFR 60, Appendix A-4, Method 9 to determine compliance with Conditions II(c), and (d). This test program shall be consistent with the requirements of 40 CFR 60.11 and 40 CFR 60.675 including the following [See 40 CFR 60.675 for more details on allowable procedures]:

1. The minimum distance between the observer and the emission source shall be 15 feet;

2. 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 (40 CFR 60, Appendix A-4, Method 9, Section 2.1) must be followed;

3. For affected facilities using wet suppression for particulate matter control (as required in this permit), 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; and

4. The duration of the Method 9 observations must be 30 minutes (five 6-minute averages). Compliance with the applicable fugitive emission limits in Condition II(e) must be based on the average of the five 6-minute averages.

g. For visible emissions testing required pursuant to Condition IV(f), the Permittee shall submit the proposed testing plan to the following addresses at least 14 calendar days before the testing is to be performed:

Chief, Compliance and Enforcement Branch

Air Quality Division

Department of Energy and Environment

1200 First Street NE, 5th Floor

Washington DC 20002

and

air.quality@dc.gov

V. Record Keeping Requirements:

The Permittee shall maintain the following records for a period of not less than five (5) years from the date of each test, monitoring, sample measurement, report, application, or other activity. [20 DCMR 302.1(c)(2)(B) and 20 DCMR 500.2 and 500.8] All records shall be maintained in such a manner that authorized representatives can certify their accuracy under penalty of D.C. Official Code § 8-101.05e pertaining to false statements, and have either done so in the records, or will do so at the time they are made available to the Department or EPA.

a. The Permittee shall keep a log of the crushing and screening operations at the site as follows:

1. The time of start-up of the crusher/screener unit each day shall be recorded; and

2. The time of shut-down of the crusher/screener unit each shall be recorded.

1. The Permittee shall keep a record of the quantity and type of any materials processed each day, sufficient to show compliance with Conditions III(a)(2) and (3) and III(e).
2. The Permittee shall keep a record of all identified exceedances of the standards/limits set forth in this permit and the actions taken to correct the identified problems.
3. The Permittee shall maintain a record of all maintenance performed on the unit to document compliance with Conditions III(g) and (h).
4. The Permittee shall maintain a copy of the manufacturer’s maintenance and operating recommendationsthe unit and make such available to Department inspectors upon request.
5. For each delivery of diesel fuel, the Permittee shall maintain records of the date, fuel type, and amount of the delivery, as well as sufficient documentation to show that the fuel met the standards set forth in Condition III(f).
6. The Permittee shall record each inspection of the water spray nozzles, including the date of each inspection and any corrective actions taken, in a logbook (written or electronic) at the facility. [40 CFR 60.674(b) and 40 CFR 60.676(b)(1)]
7. The Permittee shall maintain the records of the results of all testing required pursuant to Condition IV(f). These records shall include a record of the identity and certification of the observer.

VI. Reporting Requirements:

a. Within 30 days following completion of the testing required under Condition IV(f), the Permittee shall submit the results, along with copies of all raw data collected and the identity and certification of the observer, to the following addresses:

Chief, Compliance and Enforcement Branch

Department of Energy and Environment

Air Quality Division

1200 First Street NE, 5th Floor

Washington DC 20002

and

air.quality@dc.gov

b. The Permittee shall include the equipment covered by this permit document in all reports required by the Title V permit for the facility, including, but not limited to, semi-annual and annual compliance certifications and reports, wherein the Permittee shall certify compliance or non-compliance with the conditions of this permit document for the covered equipment.

If you have any questions, please contact me at (202) 535-1747 or Olivia Achuko at (202) 535-2997.

Sincerely,

Stephen S. Ours, P.E.

 Chief, Permitting Branch

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