##### April 15, 2014

Joe Roubin

Vice President

Roubin & Janeiro, Inc.

8550 Lee Highway, Suite 700

Fairfax, VA 22031

**RE: Permit (#6363-R1) to Operate a Hot Mix Asphalt Plant at 4901 Shepherd Parkway, SW**

Dear Mr. Roubin:

Pursuant to section 200.2 of Title 20 of the District of Columbia Municipal Regulations (20 DCMR), a permit from the District Department of the Environment (the Department) shall be obtained before any person may operate a stationary source in the District of Columbia. The application of Roubin & Janeiro (the Permittee) to operate a 225 ton per hour hot mix asphalt plant including a Hauck Manufacturing Co., Model ES75-11, 75 MMBTU/hr rated heat input #2 fuel oil and natural gas fired burner, a BHS525-10 Stationary Baghouse Filter, a small silo of mineral filler (a stone dust product occasionally added to the dryer), two 20,000-gallon storage tanks for liquid asphalt, a 1.41 MM BTU per hour dual-fuel hot oil heater, a 1,000-gallon storage tank of an “anti-strip” agent, and one 10,000-gallon tank of number 2 distillate oil atthe Permittee’s facility located at 4901 Shepherd Parkway SW, Washington DC, per the submitted performance test report, received November 13, 2013, and permit renewal letter received January 21, 2014, requesting that the asphalt plant to be allowed the use of recycled asphalt pavement (RAP) in the process at rates up to 30% by weight, is hereby approved, subject to the following conditions:

I. General Requirements:

a. The asphalt plant shall operate in accordance with the air pollution control requirements of 20 DCMR.

b. This permit expires on April 14, 2019 [20 DCMR 200.4]. If continued operation after this date is desired, the owner or operator shall submit an application for renewal by January 14, 2019

c. Operation of equipment under the authority of this permit shall be considered acceptance of its terms and conditions.

d. 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.

e. This permit shall be kept on the premises and produced upon request.

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

g. Unless the District has established a “synthetic minor” operating permit program by the following deadline, no later than April 18, 2014, the Permittee shall submit a complete application to obtain a Title V operating permit pursuant to 20 DCMR Chapter 3 incorporating the conditions of this permit. If a “synthetic minor” operating permit program is established by this deadline, the applicant may elect to comply with the requirements of that program in lieu of applying for a Title V permit.

II. Emission Limitations:

a. Particulate matter emissions shall not exceed the following:

1. 7.4 pounds per hour from the mixer exhaust and heater, in combination [20 DCMR 603.1 and associated Appendix 6-1 and 20 DCMR 200.6] *Note that the emission rate indicated in the permit application is more stringent than that specified in Appendix 6-1, so compliance with this limit will ensure compliance with Appendix 6-1 as well*; and

2. 0.03 grains per dry standard cubic foot (gr/dscf) of exhaust gas. [20 DCMR 603.1] *Note that this is a streamlined condition. Compliance with 20 DCMR 603.1 ensures compliance with 40 CFR 60.92(a)(1).* Adding diluent air to the exhaust gas stream for the purpose of complying with this condition is prohibited. [20 DCMR 603.3]

b. Oxides of sulfur emissions (SOx) shall not exceed 500 ppm at the stack and not exceed those achieved by complying with Condition III(c) of this permit. Adding diluent air to the exhaust gas stream for the purpose of complying with this condition is prohibited. [20 DCMR 801 and 803]

c. Oxides of nitrogen (NOx) emissions from the facility shall be limited as follows [20 DCMR 200.6]:

1. Emissions from the hot mix plant shall not exceed 12.4 pounds per hour and shall not exceed 22.3 tons per 12-month rolling period; and

2. Emissions from the heater shall not exceed 0.2 pounds per hour and shall not exceed 0.36 tons per 12-month rolling period.

d. Visible emissions shall not be emitted into the outdoor atmosphere from the facility; Provided, that 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 equipment (except as further limited in Condition II(b). Where the presence of uncombined water is the only reason for failure of the source to meet the requirements of this paragraph shall not be applicable. [20 DCMR 606.1 and 606.6]

e. In addition to the requirements of Condition II(d), no gases shall be discharged into the atmosphere which exhibit 20 percent opacity or greater as measured by EPA Reference Method 9 found in 40 CFR 60, Appendix A. [40 CFR Part 60.92 and 20 DCMR 205].

f. 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]

 g. The emission of fugitive dust from any material handling, screening, crushing, grinding, conveying, mixing, or other industrial-type operation or process is prohibited [20 DCMR605.2].

h. The Permittee shall ensure that fugitive dust emissions from the facility are minimized in accordance with the operational standards found in Condition III(e). [20 DCMR 605.1]

III. Operational Limitations and Standards:

a. Operations of the hot mix asphaltic concrete plant shall be limited as follows:

1. The plant shall operate no more than 3,606 hours per year;

2. The asphaltic concrete production rate shall not exceed 225 tons per hour; and

3. The twelve month rolling total asphaltic concrete production shall not exceed 811,350 tons.

b. Limitations on the type of asphaltic concrete that can be produced are as follows [20 DCMR 200.6]:

1. The Permittee is prohibited from the production, mixing, storage, use or application of cutback asphalt at this facility; and

2. Reclaimed (or recycled) asphalt pavement (RAP) may be used in the process at rates up to 30% by weight. If the Permittee wishes to process higher percentages of RAP, the Department may grant approval upon a demonstration by emission testing pursuant to the procedures set forth in Condition IV(j) that processing the higher proposed percentage will not cause an exceedance of any of the tested emission limits.

c. The burner shall burn only natural gas, No. 2 fuel oil or diesel fuel not exceeding 1% sulfur by weight in the equipment covered by this permit. Use of waste oil, propane, or any other fuel to fire the unit is prohibited. [20 DCMR 801] *Note: If 20 DCMR 801 is amended or additional, more stringent sulfur regulations become applicable, the new regulation must be followed in lieu of the requirement stated in this condition.*

d. The baghouse shall remain operative or effective, and shall not be removed. [20 DCMR 107.1] In order to ensure that this occurs, the following steps shall be implemented:

1. During operation of the equipment, the differential pressure across the bags shall be maintained between 2.0 and 7.0 inches of water (or other range that has received written approval from the District based on a future submission justifying such change).

2. During operation of the equipment, the baghouse shall maintain a particulate matter (PM) removal efficiency of at least 99.9%.

3. A set of replacement bags for the baghouse, as specified by the manufacturer and rated to be at least 99.9% efficient at removing particulate matter, must be kept on site at all times (except for a reasonable amount of time following a bag change-out to obtain a new spare set of bags).

e. The Permittee shall ensure that fugitive dust from the facility is controlled as follows [20 DCMR 605]

1. Reasonable precautions shall be taken to minimize the emission of any fugitive dust into the outdoor atmosphere. The reasonable precautions shall include, but not be limited to, the following:

A. In the case of unpaved roads, unpaved roadways, and unpaved parking lots;

i. Use of binders, chemicals, or 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; 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.

B. 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 curb-side gutters, through reasonably prompt repair of pavement, or through any other means;

C. 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;

D. 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;

E. In the case of loading and unloading of dusty material and in the case where dry sand-blasting or dry abrasive cleaning is necessary: Use of enclosed areas or hoods, vents, and fabric filters. If it is shown to the satisfaction of the District that use of enclosed areas, hoods, vents, and fabric filters is not possible, alternate control techniques acceptable to the District and designed to minimize the emissions to the extent possible shall be utilized; and

F. In the case of stockpiles of dusty material: Use, where possible, of closed silos, closed bins or other enclosures which are adequately vented to fabric filters. Where the use of closed silos, closed bins, or other enclosures is not possible, thorough wetting of the material before loading onto the stockpile and keeping the stockpile wetted, covered, or otherwise in a non-dusty condition.

2. All persons shall comply with the provisions of this set of fugitive dust conditions and those of the Soil Erosion and Sedimentation Control Act of 1977 (D.C. Law 2-23). [20 DCMR 605.3]

3. In those circumstances where it is not possible to comply with specific provisions of both this Condition and the Soil Erosion and Sedimentation Control Act of 1977 (D.C. Law 2-23), the provisions of the Soil Erosion and Sedimentation Control Act of 1977 (D.C. Law 2-23), shall prevail. [20 DCMR 605.4]

f. At all times, including periods of start-up and malfunction, owners and operators of stationary sources and fuel-burning equipment shall, to the extent practicable, maintain and operate stationary sources and fuel-burning equipment, including associated air pollution control equipment, in a manner consistent with good air pollution control practices for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the District 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)]

g. Owners and operators of stationary sources and fuel-burning equipment shall ensure that persons actually participating in the maintenance and operation of sources and equipment are adequately trained and supervised so as to minimize the production of emissions during operation. [20 DCMR 606.5]

h. The Permittee shall operate and maintain all equipment and pollution control devices covered by this permit in accordance with manufacturers’ specifications and recommendations.

i. The Permittee shall ensure that the provisions of 20 DCMR 900 pertaining to engine idling are met at the facility.

IV. Monitoring and Testing:

a. The Permittee shall monitor the fuel purchased to ensure that the sulfur content complies with the requirements of Condition III(c) of this permit.

b. The Permittee shall monitor the hot mix asphalt operating days, hours, production and associated production rate and RAP usage rate to ensure compliance with Conditions III(a) and (b) of this permit.

c. The Permittee shall monitor the status and level of repair of the baghouse and all other process equipment at the facility to ensure compliance with Conditions III(d) and (f) of this permit.

d. The Permittee shall monitor the facility to ensure that odors, fugitive dust, and other nuisance air pollutants are not emitted in such quantities as to create a violation of Condition II(f), (g), or (h) of this permit.

e. The Permittee shall monitor the training records of staff and contractors to ensure compliance with Condition III(g) of this permit.

f. The Permittee shall monitor the stores of spare bags for the baghouse to ensure compliance with Conditions III(d)(2) and (3) of this permit.

g. The Permittee shall monitor the differential pressure across the baghouse to ensure compliance with Condition III(d)(1) of this permit. If the differential pressure drifts outside of the specified range, action shall be taken to identify the problem and correct it promptly.

h. The Permittee shall monitor the idling of vehicles at the facility sufficiently to ensure compliance with Condition III(i) of this permit.

i. To show compliance with Condition III(c), the Permittee shall sample and test the fuel oil burned in its fuel burning equipment at least once each calendar quarter or at the time of each fuel delivery, whichever is less frequent. For each sample, the Permittee must provide [20 DCMR 502]:

1. The fuel oil grade;

2. The API Gravity at 60 degrees Fahrenheit as determined using ASTM test method D-1298;

3. The heat content in BTUs per gallon as determined using ASTM test method D-240;

4. The weight percent sulfur of the fuel oil as determined using ASTM test method D-4294 or D-5453;

5. The date and time the sample was taken;

6. The name, address, and telephone number of the laboratory that analyzed the sample; and

7. The type of test or test method performed.

In lieu of sampling and testing fuel oil each quarter for each of these data, the Permittee may obtain these data from the fuel oil supplier at the time of delivery and submit fuel receipts and fuel supplier certifications for all fuel deliveries that provide all of the above quality of fuel data as well as the name of the fuel oil supplier, the date of delivery, a statement from the oil supplier that the oil complies with the specifications under the definition of distillate oil (see 40 CFR 60.41c), and the sulfur content of the oil [40 CFR 60.48c(f)].

Note that the sulfur content data obtained from the fuel supplier must be the results of specific tests of the fuel at hand. General fuel specifications are not acceptable for this datum.

If any of these data cannot be obtained from the fuel supplier, it is the responsibility of the Permittee to sample the fuel and have it analyzed to obtain the required data.

j. At least once during the term of this permit, Permittee shall conduct performance tests to determine compliance with Conditions II(a), (b), (c)(1), (d), and (e) of this permit and shall furnish the District with a written report of the results of such performance tests in accordance with the following requirements [20 DCMR 502 and 40 CFR 60.8]:

1. One (1) original and one (1) copy of the test protocol shall be submitted to the following address a minimum of thirty (30) days in advance of the proposed test date. The test shall be conducted in accordance with Federal and District requirements.

Chief, Compliance and Enforcement Branch

Air Quality Division

1200 First Street, NE

5th Floor

Washington, DC 20002

2. The test protocol shall be approved by the Department prior to initiating any testing. Upon approval of the test protocol, the Permittee shall finalize the test date with the assigned inspector in the Permitting and Enforcement Branch. The District must have the opportunity to observe the test for the results to be considered for acceptance.

3. The final results of the testing shall be submitted to the Department within sixty (60) days of the test completion. One (1) original and one (1) copy of the test report shall be submitted to the address in Condition IV(j)(1) above.

4. The final report of the results shall include the emissions test report (including raw data from the test) as well as a summary of the test results and a statement of compliance or non-compliance with permit conditions to be considered valid. The summary of results and statement of compliance or non-compliance shall contain the following information:

A. A statement that the owner or operator has reviewed the report from the emissions testing firm and agrees with the findings.

B. Permit number(s) and condition(s) which are the basis for the compliance evaluation.

C. Summary of results with respect to each permit condition.

D. Statement of compliance or non-compliance with each permit condition.

5. The results must demonstrate to the Department’s satisfaction that the emission unit is operating in compliance with the applicable regulations and conditions of this permit; if the final report of the test results shows non-compliance the owner or operator shall propose corrective action(s). Failure to demonstrate compliance through the test may result in enforcement action.

k. Test methods shall be used as follows:

1. The Permittee shall use as reference methods and procedures the test methods in 40 CFR 60, Appendix A or other methods and procedures as specified in this Condition, except as provided in 40 CFR 60.8(b). [20 DCMR 205, 40 CFR 60.93(a), and 20 DCMR 805.6(d)(2)]

2. EPA Reference Method 5 (40 CFR 60, Appendix A) shall be used to determine particulate matter concentration. The sampling time and sample volume for each run shall be at least 60 minutes and 31.8 dry standard cubic feet (dscf). [20 DCMR 205 and 40 CFR 60.93(b)(1)]

3. Except as specified in Condition IV(l), EPA Reference Method 9 (40 CFR 60, Appendix A) and the procedures in 40 CFR 60.11 shall be used to determine opacity (visible emissions). [20 DCMR 205 and 40 CFR 60.93(b)(2)]

l. At least once each week that the plant is operated, during operation of the equipment, the Permittee shall conduct an observation of visible emissions from the outlet of the baghouse and shall perform a walk-through of the plant to identify any sources of fugitive visible emissions. Such visible emissions observations need not be performed in accordance with Reference Method 9, but may instead be only observations for the presence or absence of visible emissions (similar to the procedures set forth in EPA Reference Method 22).

m. If visible emissions are observed via the monitoring performed in accordance with Condition IV(l) or at any other time, this occurrence shall be reported to the District. The Permittee shall then either shut the process down and make the necessary repairs/adjustments to correct the incidence or shall make arrangements for prompt observation by an individual certified in accordance with EPA Reference Method 9 to determine compliance with Conditions II(d) and (e).

n. At least once per calendar year, during operation of the process equipment, the Permittee shall cause to be conducted a visible emissions test of the outlet of the baghouse. Any visible emissions test must consist of thirty (30) minutes of opacity observations, performed by a certified opacity reader using the U.S. EPA's Reference Method 9 (see 40 CFR Part 60, Appendix A, Method 9). The visible emissions test will be performed while the burner is firing #2 fuel oil [20 DCMR 502].

o. In addition to the above testing requirements, the District reserves the right to require additional testing as it deems necessary to determine compliance with applicable requirements. [20 DCMR 502.1]

p. At least twice per year, at approximately even intervals, or on the frequency recommended by the manufacturer, whichever is more frequent, the Permittee shall perform a fluorescent dust leak test of the baghouse to ensure that the baghouse and associated bags are maintaining their integrity.

q. The facility’s CAM plan and Baghouse Preventative Maintenance Plan (each as amended and approved by the District) shall be followed. In any conflict between the requirements of these plans and the other specific requirements of this permit, the specific requirements of this permit shall supersede those of the plans. [40 CFR 64]

V. Record Keeping: [20 DCMR 200.8]

a. The Permittee shall maintain all records necessary for determining compliance

 with this permit in a readily accessible location for five (5) years and shall make these records available to the Department upon written or verbal request.

b. Records maintained pursuant to Condition V(a) shall include the following:

1. For each delivery of fuel oil, Permittee shall maintain one of the following:

A. A fuel delivery receipt containing the date, fuel type, and amount of the delivery and certification from the fuel supplier that the fuel delivered was tested in accordance with an appropriate ASTM method; or

B. A fuel delivery receipt and documentation of sampling and analysis containing the following information:

i. The fuel oil type;

ii. The concentration or weight percent of sulfur in the fuel;

iii. The date and time the sample was taken;

iv. The name, address, and telephone number of the laboratory that analyzed the sample; and

v. The test method used to determine the sulfur content.

2. Records of the total tons of asphaltic concrete produced each day along with the total hours of operation of the asphalt plant each day shall be maintained and updated daily. Each day, the total tons shall be divided by the total hours of operation to determine the daily average production rate, which shall also be recorded.

3. Records of the total tons of RAP used in the process each day shall be recorded and divided by the total tons of asphaltic concrete produced that day to determine the daily average percentage RAP used. This percentage shall also be recorded.

4. The twelve month rolling total production of asphaltic concrete shall be recorded and updated at the end of each month by summing the total production over the last twelve calendar months.

5. Records of all maintenance performed on the equipment shall be maintained. These records shall include the date of the maintenance activity, the reason it was undertaken, and the results of the activity. Note that, among other activities, bag replacement in the baghouse is considered maintenance and shall be recorded appropriately. Such records shall include the number of bags replaced, the control efficiency rating of the bags, and the remaining number of back-up bags maintained on-site.

6. At least once each day that the equipment covered by this permit is operated, during operation of the equipment, the differential pressure across the baghouse shall be recorded. Any readings outside the range specified pursuant to Condition III(d)(1) shall include an explanation of what was done diagnose and correct the deviation.

7. Records of the training of the operators and maintenance staff to minimize the production of emissions during operation shall be maintained.

8. Records of the data collected and results of all testing performed pursuant to Conditions IV(j), (k), and (o) shall be maintained.

9. Records of the results of the weekly visible emissions observations required under Condition IV(l) shall be maintained and updated at the time of the observations.

10. Records of the activities undertaken to determine compliance or correct problems pursuant to Condition IV(m) shall be maintained.

11. Records of the results of all visible emissions testing performed under Condition IV(n) shall be maintained.

12. Records of the results of fluorescent dust leak tests performed pursuant to Condition IV(q) shall be maintained along with records of the activities undertaken to correct any identified deficiencies.

13. Any deviation from the requirements of the CAM plan or the Baghouse Preventative Maintenance Plan shall be recorded.

14. At the end of each month, the Permittee shall determine how much fuel was used, by type (i.e. oil and/or natural gas), and record this information. The amount of each type of fuel used shall be summed on a calendar year basis following the end of each calendar year and recorded.

15. The total emissions from the facility, both from fuel burning and other sources of emissions at the facility, of each regulated pollutant (criteria pollutants and hazardous air pollutants) shall be calculated at the end of each calendar year and recorded.

VI. Reporting: [20 DCMR 200.8]

a. The Permittee shall immediately report to the Department, by telephone, any permit deviation that poses an imminent and substantial danger to public health, safety, or the environment. [20 DCMR 302.1(c)(3)(C)(ii)]

b. Within 15 days of receipt of a written request, the Permittee shall furnish to the District any information the District requests to determine whether cause exists for reopening or revoking the permit, or to determine compliance with the permit. Upon request, the Permittee shall also furnish the District with copies of records required to be kept by the permit. [20 DCMR 302.1(g)(5)]

c. Whenever it is necessary to shut down the baghouse without shutting down the rest of the process, the Permittee must report the planned shutdown to the District at least 48 hours prior to shutdown. The prior notice must include, but is not limited to the following [20 DCMR 107.2]:

* + - 1. Identification of the specific facility to be taken out of service, as well as its location and permit number.
			2. The expected length of time that the air pollution control equipment will be out of service.
			3. The nature and quantity of emissions of air pollutants likely to occur during the shutdown period.
			4. Measures that will be taken to minimize the length of shutdown period

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* + - 1. The reasons that it would be impossible or impractical to shutdown the source operation during the maintenance period.

Prior to undertaking this shutdown, the approval of the Department must be obtained.

d. A report of the total annual emissions from the facility, both from fuel burning and other sources of emissions at the facility, of each regulated air pollutant (criteria pollutants and hazardous air pollutants) shall be submitted to the Department my March 1 of each year for the previous calendar year.

e. The results of all testing performed pursuant to Conditions IV(j), (n) and (o) shall be submitted within sixty (60) days of the test.

f. All reports required pursuant to this permit shall be submitted to:

Chief, Compliance and Enforcement Branch

Air Quality Division

1200 First Street, NE

5th Floor

Washington, DC 20002

If you have any questions, please call me at (202) 535-1747, Abraham T. Hagos at (202) 535-1354.

Sincerely,

Stephen S. Ours, P.E.,

Chief, Permitting Branch

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