



Commonwealth of Virginia

VIRGINIA DEPARTMENT OF ENVIRONMENTAL QUALITY

NORTHERN REGIONAL OFFICE
13901 Crown Court, Woodbridge, Virginia 22193
(703)583-3800
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Travis A. Voyles
Secretary of Natural and Historic Resources

Michael S. Rolband, PE, PWD, PWS Emeritus
Director
(804) 698-4020

Richard Doucette
Regional Director

April 24, 2024

Mr. Francis H. Chaney, III
Chief Executive Officer
Chaney Materials, LLC
2410 Evergreen Road, Suite 201
Gambrills, MD 21054
hchaney@chaneyenterprises.com

Location: Stafford
Registration No.: 40746

Dear Mr. Chaney:

Attached is a permit document that includes your amended permit to modify and operate and your permit to construct and operate a project at a truck-mix concrete plant in accordance with the provisions of the Virginia State Air Pollution Control Board Regulations for the Control and Abatement of Air Pollution. This permit document combines the terms and conditions from and replaces your minor New Source Review (NSR) permit dated August 28, 1998.

In the course of evaluating the application and arriving at a final decision to approve the project, the Department of Environmental Quality (DEQ) deemed the application complete on April 9, 2024.

These permits contain legally enforceable conditions. Failure to comply may result in a Notice of Violation and civil penalty. Please read all permit conditions carefully.

The permit approval to construct and operate shall not relieve Chaney Materials, LLC of the responsibility to comply with all other local, state, and federal permit regulations.

The Board's Regulations as contained in Title 9 of the Virginia Administrative Code 5-170-200 provide that you may request a formal hearing from this case decision by filing a petition with the Board within 30 days after this case decision notice was mailed or delivered to you. Please consult the relevant regulations for additional requirements for such requests.

As provided by Rule 2A:2 of the Supreme Court of Virginia, you have 30 days from the date you actually received this permit document or the date on which it was mailed to you, whichever occurred first, within which to initiate an appeal of this decision by filing a Notice of Appeal with:

Michael S. Rolband, Director
Department of Environmental Quality
P. O. Box 1105
Richmond, VA 23218

If the permit dated April 24, 2024 was delivered to you by mail, three days are added to the thirty-day period in which to file an appeal. Please refer to Part Two A of the Rules of the Supreme Court of Virginia, at <http://www.courts.state.va.us/courts/scv/rules.html>, for information on the required content of the Notice of Appeal and for additional requirements governing appeals from decisions of administrative agencies.

If you have any questions concerning this permit document, please contact the Northern Regional Office at 703-583-3800.

Sincerely,



Trevor H. Wallace, P.E.
Air Permit Manager

Attachment: Permit document

cc: File DEQ-VRO
Victor Vilece, Chaney Materials Environmental Manager (via email)
R. Dave Hartshorn, NRO Air Compliance Manager (via email)
J. Wilkinson, NRO Permit Manager (via email)



COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY

STATIONARY SOURCE PERMIT TO CONSTRUCT AND OPERATE

This permit document supersedes your minor New Source Review (NSR) permit dated August 28, 1998.

In compliance with the Federal Clean Air Act and the Commonwealth of Virginia Regulations for the Control and Abatement of Air Pollution,

Chaney Materials, LLC
2410 Evergreen Road, Suite 201
Gambrills, MD 21054
Registration No.: 40746

is authorized to construct and operate a project at:

a truck-mix concrete batch plant

located at

169 Wych Road
Stafford, Virginia 22554

in accordance with the Conditions of this permit.

Approved on:

April 24, 2024

A handwritten signature in blue ink, appearing to read "L. Wal".

Air Permit Manager, Valley Region

Permit document consists of 9 pages.
Permit Conditions 1 to 25.

INTRODUCTION

This permit document is based on and combines permit terms and conditions in accordance with 9 VAC 5-80-1255 from the following permit approvals and the respective permit applications:

Permit Program: Approval/Amendment Date	Application Signature Date	Application Amendment Date	Application Additional Information Received Date
Minor NSR: April 24, 2024	February 16, 2024	---	March 12, 2024
Minor NSR: December 10, 1990 As amended: August 28, 1998	July 29, 1998 November 20, 1990	---	--

NSR = New Source Review Permit

Any changes in the permit application specifications or any existing facilities which alter the impact of the facility on air quality may require a permit. Failure to obtain such a permit prior to construction may result in enforcement action. In addition, this facility may be subject to additional applicable requirements not listed in this permit.

Words or terms used in this permit document shall have meanings as provided in 9VAC5-10-10 of the State Air Pollution Control Board Regulations for the Control and Abatement of Air Pollution. The regulatory reference or authority for each condition is listed in parentheses () after each condition. The enabling permit program, or permit programs is provided below each permit condition in the regulatory authority parenthetical as follows: 9VAC5-80-850 for Article 5, 9VAC5-80-1180 for Article 6, 9VAC5-80-1985 for Article 8, and 9VAC5-80-2050 for Article 9. The most recent effective date for a condition is listed in brackets [] after each regulatory reference. When identical conditions on approval for one or more emission units are combined, the listed effective date does not alter the prior effective date(s) for any such conditions as issued in a previous permit action. In accordance with 9VAC5-80-1120F, any condition not marked as state-only enforceable (SOE) is state and federally enforceable.

Annual requirements to fulfill legal obligations to maintain current stationary source emissions data will necessitate a prompt response by the permittee to requests by the DEQ for information to include, as appropriate: process and production data; changes in control equipment; and operating schedules. Such requests for information from the DEQ will either be in writing or by personal contact.

The availability of information submitted to the DEQ or the Board will be governed by applicable provisions of the Freedom of Information Act, §§ 2.2-3700 through 2.2-3714 of the Code of Virginia, § 10.1-1314 (addressing information provided to the Board) of the Code of Virginia, and 9 VAC 5-170-60 of the State Air Pollution Control Board Regulations. Information provided to federal officials is subject to appropriate federal law and regulations governing confidentiality of such information.

Equipment List - Equipment at this facility covered by this permit document consists of the following:

Equipment to be Constructed:			
Reference No.	Equipment Description	Rated Capacity	Referenced Federal Requirements
C2	One Con-E-Co Model LP 12RS Truck-Mix Concrete Batch Plant, Manufacture Year: 2023	480 tons/hr	--
S2	cement storage silo	110 tons	--
S3	fly ash storage silo	124 tons	--

Equipment permitted prior to the date of this permit document:				
Reference No.	Equipment Description	Rated Capacity	Referenced Federal Requirements	Original Permit Date
C1	One Con-E-Co Ready Mix Concrete Batch Plant, Model Lo-Pro and Bins / Conveyors / Silo	150 yd ³ /hr	--	December 10, 1990
S1	One Con-E-Co 475 BBL fly ash silo	25 tons/hr	--	August 28, 1998
B1	Sioux D-100 Oil-fired Water Heater	1 MMBtu/hr	--	December 10, 1990

Specifications provided above are for informational purposes only and do not form enforceable terms or conditions of the permit.

PROCESS REQUIREMENTS

- Emission Controls** – Particulate emissions for the concrete plant (Ref. No. C2) and silos (Ref. Nos. S2, and S3) shall be controlled as follows:

Emission source	Control
Silo(s)	Fabric Filter
Weigh Hopper	Fabric Filter
Truck Load-Out	a) Dust shroud; and b) Fabric filter

The controls listed in the table above shall be provided with adequate access for inspection and maintenance and shall be properly functioning when the process is in operation. The chute and enclosure(s) shall be maintained in good condition without tears or holes. (9 VAC 5-80-1180 and 9 VAC 5-50-260) [April 24, 2024]

- Emission Controls** – Particulate emissions from the cement and fly ash silos, weigh hopper and transit truck loadout (Ref. Nos. C1 and S1) shall be controlled by baghouses. The baghouses shall be provided with adequate access for inspection. (9 VAC 5-80-1180 and 9 VAC 5-50-260) [August 28, 1998]

3. **Fugitive Emission Controls** – Fugitive emission controls shall include the following, or equivalent, as approved by DEQ:
- a. Use of water or chemicals for control of dust in the demolition of existing buildings or structures, construction operations, grading of roads, or clearing of land,
 - b. Application of asphalt, water, or suitable chemicals on dirt roads, materials stockpiles, and other surfaces which may create airborne dust; paving of roadways, and maintenance of roadways in a clean condition,
 - c. Installation and use of hoods, fans and fabric filters to enclose and vent the handling of dusty materials. Adequate containment methods shall be employed during sandblasting or other similar operations,
 - d. Open equipment for conveying or transporting materials likely to create objectionable air pollution when airborne shall be covered, or treated in an equally effective manner at all times when in motion,
 - e. Dust from material handling, open storage stockpiles and load-outs, shall be controlled by wet suppression or equivalent. The wet suppression spray systems shall be operated at optimum design, and
 - f. Reasonable precautions shall be taken to prevent deposition of dirt on public roads and subsequent dust emissions. Dirt, product, or raw material spilled or tracked onto paved surfaces shall be promptly removed to prevent particulate matter from becoming airborne.

(9 VAC 5-50-90 and 9 VAC 5- 80-1180 and 9 VAC 5-50-260) [April 24, 2024]

4. **Monitoring Devices** – For the concrete plant (Ref. No. C2) and silos (Ref. Nos. S2 and S3), each fabric filter having an induced draft or forced draft fan shall be equipped with a device to continuously measure differential pressure across the fabric filter. Each monitoring device shall be installed, maintained, calibrated, and operated in accordance with approved procedures which shall include, as a minimum, the manufacturer's written requirements or recommendations. Each monitoring device shall be provided with adequate access for inspection and shall be in operation when the fabric filter is operating.
(9 VAC 5-80-1180 D) [April 24, 2024]
5. **Monitoring Device Observation** – For the concrete plant (Ref. No. C2) and silos (Ref. Nos. S2 and S3), to ensure good performance, the monitoring device used to continuously measure differential pressure across each fabric filter shall be observed by the permittee with a frequency of not less than once per day of operation and as recommended by the equipment manufacturer. If the monitoring device is found to be operating in a manner inconsistent with the manufacturer's written requirements or recommendations, timely corrective action

shall be taken. The permittee shall keep a log of the observations from the monitoring device. The permittee shall also keep a log of all corrective actions taken pursuant to this condition. (9 VAC 5-80-1180 D) [April 24, 2024]

6. **Monitoring Visible Emissions** – For the concrete plant (Ref. No. C2) and silos (Ref. Nos. S2 and S3), fugitive emission sources shall be observed visually once per day when in operation to determine if there are any visible emissions. Each silo fabric filter shall be observed visually during the uploading process for at least a brief time period during normal operations to determine if there are any visible emissions. The presence of visible emissions shall indicate the need for prompt corrective action. The permittee shall keep a log of the observations. The log shall include the name of the observer, the date and time of the observations, the presence of visible emissions or lack thereof, and the date, time, and description of corrective actions taken whenever visible emissions were observed. (9 VAC 5-80-1180 D) [April 24, 2024]

OPERATING LIMITATIONS

7. **Production** – The yearly production of concrete from the plant (Ref. No. C1) shall not exceed 110,000 cubic yards, calculated monthly as the sum of each consecutive 12-month period. (9 VAC 5-80-1180) [August 28, 1998]
8. **Production** – The production of concrete from the plant (Ref. No. C2) shall not exceed 150,000 cubic yards per year, calculated monthly as the sum of each consecutive 12-month period. Compliance for the consecutive 12-month period shall be demonstrated monthly by adding the total for the most recently completed calendar month to the individual monthly totals for the preceding 11 months. (9 VAC 5-80-1180) [April 24, 2024]
9. **Fuel** – The approved fuel for the water heater is #2 distillate oil. A change in the fuel shall be considered a change in the method of operation of the water heater and may require a new or amended permit. However, if a change in the fuel is not subject to new source review permitting requirements, this condition should not be construed to prohibit such a change. (9 VAC 5-80-1180) [April 24, 2024]
10. **Fuel** – The sulfur content of the fuel to be burned in the water heater shall not exceed 0.5% by weight. (9 VAC 5-80-1180) [August 28, 1998]
11. **Emission Unit Replacement** – The previously permitted concrete plant (Ref. No. C1) shall be permanently shutdown prior to the start-up date of the replacement concrete plant (Ref. No. C2). (9 VAC 5-80-1180) [April 24, 2024]

EMISSION LIMITS

12. **Visible Emission Limit** – Visible emissions from each fabric filter exhaust stack(s) for the concrete plants (Ref. No. C1 and C2) and silos (Ref. Nos. S1, S2, and S3) shall not exceed five percent (5%) opacity as determined by the 40 CFR 60, Appendix A, Method 9. (9 VAC 5-80-1180 and 9 VAC 5-50-260) [April 24, 2024]
13. **Emissions Testing** – The facility shall be constructed so as to allow for emissions testing upon reasonable notice at any time, using appropriate methods. This includes constructing the facility such that volumetric flow rates and pollutant emission rates can be accurately determined by applicable test methods and providing a stack or duct that is free from cyclonic flow. Sampling ports, safe sampling platforms, and access at the appropriate locations shall be provided when requested. (9 VAC 5-50-30 F and 9 VAC 5-80-1180) [April 24, 2024]

RECORDS

14. **On Site Records** – The permittee shall maintain records of emissions data and operating parameters as necessary to demonstrate compliance with this permit document. The content and format of such records shall be arranged with the DEQ. These records shall include, but are not limited to:
- a. For the concrete plants (Ref. Nos. C1 and C2), monthly and annual production of concrete in cubic yards per year, as required by Conditions 7 and 8;
 - b. For the concrete plant (Ref. No. C2) and silos (Ref. Nos. S2 and S3), monitoring and corrective action records for the device(s) measuring differential pressure, as required in Condition 5;
 - c. Visible emissions monitoring and corrective action logs as required in Condition 6,
 - d. Records of maintenance, operating procedures, and training as required by Condition 20,
 - e. Visible emissions evaluation test results as required in Condition 15,
 - f. Records of bypass, malfunction, shutdown or failure of the facility or its associated air pollution control equipment as required by Condition 21.

These records shall be available for inspection by the DEQ and shall be current for the most recent five years.

(9 VAC 5-80-1180 and 9 VAC 5-50-50) [April 24, 2024]

CONTINUING COMPLIANCE DETERMINATION

15. **Visible Emissions Evaluation** – Upon request by the DEQ, the permittee shall conduct visible emission evaluations to demonstrate compliance with the visible emission limits contained in this permit. The details of the tests shall be arranged with the DEQ.

(9 VAC 5-80-1200 and 9 VAC 5-50-30 G) [April 24, 2024]

NOTIFICATIONS

16. **Initial Notifications** – The permittee shall furnish written notification to the DEQ of:

- a. The actual date on which construction of the concrete plant (Ref. No. C2) commenced within 30 days after such date. This notification must also include the anticipated start-up date of the truck-mix concrete plant;
- b. The actual start-up date of the concrete plant (Ref. No. C2), within 15 days after such date; and
- c. The actual date on which the concrete plant (Ref. No. C1) is shutdown, within 30 days after such date.

(9 VAC 5-50-50 and 9 VAC 5-80-1180) [April 24, 2024]

GENERAL CONDITIONS

17. **Permit Invalidation** – This permit to construct the concrete plant (Ref. No. C2) shall become invalid, unless an extension is granted by the DEQ, if:

- a. A program of continuous construction is not commenced within 18 months from the date of this permit; or
- b. A program of construction is discontinued for a period of 18 months or more, or is not completed within a reasonable time, except for a DEQ approved period between phases of a phased construction project.

(9 VAC 5-80-1210)

18. **Permit Suspension/Revocation** – These permits may be suspended or revoked if the permittee:

- a. Knowingly makes material misstatements in the permit application or any amendments to it;
- b. Fails to comply with the conditions of these permits;
- c. Fails to comply with any emission standards applicable to a permitted emissions unit;
- d. Causes emissions from the stationary source which result in violations of, or interferes with the attainment and maintenance of, any ambient air quality standard; or

- e. Fails to operate in conformance with any applicable control strategy, including any emission standards or emission limitations, in the State Implementation Plan in effect at the time an application for this permit is submitted.

(9 VAC 5-80-1210 G)

19. **Right of Entry** – The permittee shall allow authorized local, state, and federal representatives, upon the presentation of credentials:

- a. To enter upon the permittee's premises on which the facility is located or in which any records are required to be kept under the terms and conditions of these permits;
- b. To have access to and copy at reasonable times any records required to be kept under the terms and conditions of these permits or the State Air Pollution Control Board Regulations;
- c. To inspect at reasonable times any facility, equipment, or process subject to the terms and conditions of these permits or the State Air Pollution Control Board Regulations; and
- d. To sample or test at reasonable times.

For purposes of this condition, the time for inspection shall be deemed reasonable during regular business hours or whenever the facility is in operation. Nothing contained herein shall make an inspection time unreasonable during an emergency.

(9 VAC 5-170-130 and 9 VAC 5-80-1180)

20. **Maintenance/Operating Procedures** – At all times, including periods of start-up, shutdown, and malfunction, the permittee shall, to the extent practicable, maintain and operate the affected source, including associated air pollution control equipment, in a manner consistent with good air pollution control practices for minimizing emissions.

The permittee shall take the following measures in order to minimize the duration and frequency of excess emissions, with respect to air pollution control equipment and process equipment which affect such emissions:

- a. Develop a maintenance schedule and maintain records of all scheduled and non-scheduled maintenance;
- b. Maintain an inventory of spare parts;
- c. Have available written operating procedures for equipment. These procedures shall be based on the manufacturer's recommendations, at a minimum; and
- d. Train operators in the proper operation of all such equipment and familiarize the operators with the written operating procedures, prior to their first operation of such

equipment. The permittee shall maintain records of the training provided including the names of trainees, the date of training and the nature of the training.

(9 VAC 5-50-20 E and 9 VAC 5-80-1180 D)

21. **Record of Malfunctions** – The permittee shall maintain records of the occurrence and duration of any bypass, malfunction, shutdown or failure of the facility or its associated air pollution control equipment that results in excess emissions for more than one hour. Records shall include the date, time, duration, description (emission unit, pollutant affected, cause), corrective action, preventive measures taken and name of person generating the record.
(9VAC 5-20-180 J and 9 VAC 5-80-1180 D)
22. **Notification for Facility or Control Equipment Malfunction** – The permittee shall furnish notification to the DEQ of malfunctions of the affected facility or related air pollution control equipment that may cause excess emissions for more than one hour. Such notification shall be made as soon as practicable but no later than four daytime business hours after the malfunction is discovered. The permittee shall provide a written statement giving all pertinent facts, including the estimated duration of the breakdown, within two weeks of discovery of the malfunction. When the condition causing the failure or malfunction has been corrected and the equipment is again in operation, the permittee shall notify the DEQ.
(9 VAC 5-20-180 C and 9 VAC 5-80-1180)
23. **Violation of Ambient Air Quality Standard** – The permittee shall, upon request of the DEQ, reduce the level of operation or shut down a facility, as necessary to avoid violating any primary ambient air quality standard and shall not return to normal operation until such time as the ambient air quality standard will not be violated.
(9 VAC 5-20-180 I and 9 VAC 5-80-1180)
24. **Change of Ownership** – In the case of a transfer of ownership of a stationary source, the new owner shall abide by any current permit issued to the previous owner. The new owner shall notify the DEQ of the change of ownership within 30 days of the transfer.
(9 VAC 5-80-1240)
25. **Permit Copy** – The permittee shall keep a copy of this permit document on the premises of the facility to which it applies.
(9 VAC 5-80-1180)