



COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY

NORTHERN REGIONAL OFFICE

13901 Crown Court, Woodbridge, Virginia 22193

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Secretary of Natural Resources

David K. Paylor
Director

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Regional Director

April 18, 2016

Mr. Kyle Murray
Land Project Manager
Chaney Enterprises, LP
P.O. Box 2000
Gambrills, MD 21054

Location: Caroline County
Registration No.: 74104

Dear Mr. Murray:

This letter acknowledges receipt of your permit application dated March 14, 2016, with supplemental information dated April 11, 2016, and April 13, 2016. The Department of Environmental Quality (DEQ) Northern Regional Office staff has completed its initial review of your request to construct and operate a sand and gravel mining plant at 18467 Moss Neck Manor Road, Fredericksburg, Virginia 22408 (Caroline County).

Based on this review, it has been determined that the proposed project is exempt from the permitting requirements of Chapter 80, Article 6 of the Virginia Regulations for the Control and Abatement of Air Pollution as long as it is constructed and operated as described in your application. This is because the proposed project is not subject to Major Source New Source Review under Articles 8 or 9, and:

- The uncontrolled emission rate of particulate matter, PM10 and PM2.5 from the source for which construction is proposed is less than the exempt emission rates for those pollutants listed in 9 VAC 5-80-1105 C.

Additionally, there are no HAPs or toxic pollutant emissions from the source.

Based on the information submitted, the proposed sand and gravel mining plant is not subject to 40 CFR 60, New Source Performance Standard (NSPS), Subpart OOO, because there are no crushers and it is a wet material processing operation, as stated in 40 CFR 60.670. However, if there will be changes or additions to the facility that makes it subject to the NSPS, the company must notify DEQ about any permitting requirements. As the owner/operator you are also responsible for compliance with all applicable federal and state regulations.

To review any federal rules referenced in the above paragraph, the US Government Publishing Office maintains the text of these rules at www.ecfr.gov, Title 40, Part 60.

Although this sand and gravel mining operation is not subject to permitting requirements, it is still subject to the State Regulations for the Control and Abatement of Air Pollution. Such regulations include Standards of Performance For Visible Emissions and Fugitive Dust/Emissions (Rule 5-1), which requires reasonable precautions be taken to prevent particulate matter from becoming airborne, such as wet suppression of unpaved dirt roads and stockpiles, paving of haul roads, covering open equipment and removing spilled or tracked dirt from paved streets. The facility is subject also to registration requirements of 9 VAC 5-20-160 of the Regulations and subject to periodic inspections by the Department. The information that you have submitted will be kept on file as update information concerning this facility. Please refer to the Registration Number on all future correspondence dealing with your facility.

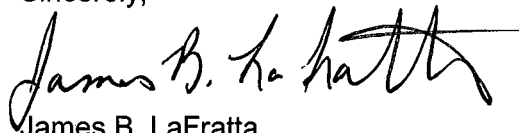
This decision concerning permit applicability is not binding upon the Department and is subject to change upon further review.

You are cautioned that this decision also should not be construed to mean that your operation is automatically in compliance with all aspects of the Regulations for the Control and Abatement of Air Pollution. Regional personnel will be constantly evaluating all sources for compliance with the Regulations.

Any owner claiming that a facility is exempt from the provisions of 9 VAC 5, Chapter 80, Article 6 shall keep records in accordance with 9 VAC 5-80-1105 A.4 as may be necessary to demonstrate to the satisfaction of the Department its continued exempt status.

If you have questions concerning this matter please contact Mr. Ali Khalilzadeh at 703-583-3839. Your concern for Virginia's Air Quality is appreciated.

Sincerely,



James B. LaFratta
Regional Air Permit Manager

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cc: file