



# COMMONWEALTH of VIRGINIA

## DEPARTMENT OF ENVIRONMENTAL QUALITY

TIDEWATER REGIONAL OFFICE

5636 Southern Boulevard, Virginia Beach, Virginia 23462

(757) 518-2000 Fax (757) 518-2103

[www.deq.virginia.gov](http://www.deq.virginia.gov)

L. Preston Bryant, Jr.  
Secretary of Natural Resources

David K. Paylor  
Director

Francis L. Daniel  
Regional Director

May 7, 2007

Mr. Julian H. Lipscomb, Jr.  
Group Safety Director  
Branscome Inc.  
PO Box 5550  
Williamsburg, Virginia 23188

Location: Accomac  
**Registration No.: 61525**  
AFS Id. No.: 51-001-61525

Dear Mr. Lipscomb:

Attached is a permit to construct and operate a portable concrete batch 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 contains legally enforceable conditions. Failure to comply may result in a Notice of Violation and/or civil charges. Please read all permit conditions carefully.

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 23, 2007.

This permit approval to construct and operate shall not relieve Branscome Inc. 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. 9 VAC 5-170-200 provides that you may request direct consideration of the decision by the Board if the Director of the DEQ made the decision. Please consult the relevant regulations for additional requirements for such requests.

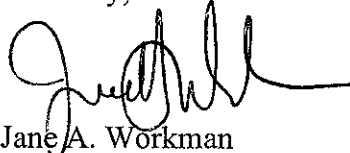
As provided by Rule 2A:2 of the Supreme Court of Virginia, you have 30 days from the date you actually received this permit or the date on which it was mailed to you, whichever occurred first, within which to initiate an appeal of this decision by filing a Notice of Appeal with:

David K. Paylor, Director  
Department of Environmental Quality  
PO Box 1105  
Richmond, VA 23218-1105

If this permit 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 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, please contact Cindy Keltner at (757) 518-2167.

Sincerely,



Jane A. Workman  
Air Permit Manager

JAW/CLK/Branscome\_61525\_NSR\_2007.doc

Attachment: Permit

cc: Director, OAPP (electronic file submission)  
Manager, Data Analysis (electronic file submission)  
Manager/Inspector, Air Compliance



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### STATIONARY SOURCE PERMIT TO CONSTRUCT AND OPERATE

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

Branscome Inc.  
PO Box 5550  
Williamsburg, Virginia 23188  
**Registration No.: 61525**  
AFS Id. No.: 51-001-61525

is authorized to construct and operate

a portable concrete batch plant

located at

30100 Withams Road  
Oak Hall, VA 23416

in accordance with the Conditions of this permit.

Approved on **May 7, 2007**.

A handwritten signature in cursive script that reads "Francis L. Daniel".

Francis L. Daniel

Permit consists of 7 pages.  
Permit Conditions 1 to 22.

## INTRODUCTION

1. This permit approval is based on the permit application dated March 26, 2007. 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.

Words or terms used in this permit shall have meanings as provided in 9 VAC 5-10-10 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.

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 or the Board 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.

## PROCESS REQUIREMENTS

2. **Equipment List** - Equipment at this facility consists of the following:

Equipment to be Constructed			
Reference No.	Equipment Description	Rated Capacity	Federal Requirements
1	Ready-mixed batch plant -- Rustler R3 Mobile Transit Mix Plant	160 cu. yd./hr	NA
2	Aggregate sand bins	160 cu. yd./hr	NA
3	Cement Silo with fabric filter	160 cu. yd./hr	NA
4	Transfer Conveyor	160 cu. yd./hr	NA

Specifications included in the permit under this Condition are for informational purposes only and do not form enforceable terms or conditions of the permit.

(9 VAC 5-80-1180 D 3)

3. **Emission Controls** - Particulate emissions from the truck loadout shall be controlled by water ring or equivalent technology as approved by the DEQ. The control device shall be provided with adequate access for inspection and shall be in operation when the portable concrete batch plant is operating.

(9 VAC 5-50-260)

4. **Emission Controls** - Particulate emissions from the cement silo and weigh hopper shall be controlled by a fabric filter or equivalent technology as approved by the DEQ. The control device shall be provided with adequate access for inspection and shall be in operation when the portable concrete batch plant is operating.  
(9 VAC 5-50-260)
  
5. **Fugitive Emission Controls** – Fugitive emission controls shall include the following, or equivalent, as a minimum:
  - a. Dust from material handling, open storage stockpiles, conveying equipment, and load-outs, shall be controlled by wet suppression or equivalent as approved by the DEQ.
  - b. All material being stockpiled shall be kept adequately moist to control dust during storage and handling or covered at all times to minimize emissions.
  - c. Dust from haul roads and traffic areas shall be controlled by the application of asphalt, water, suitable chemicals, or equivalent methods approved by the DEQ.
  - d. 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 5-50-260)
  
6. **Monitoring of Control Equipment** – The permittee shall monitor the nozzles on the water ring at the truck loadout for correct operation once per operating day while the concrete batch plant is in operation.  
(9 VAC 5-80-1180)
  
7. **Visible Emissions Check** – The permittee shall monitor the fabric filter for visible emissions while particulate is being controlled. For the silo, the monitoring frequency shall be each upload event. The presence of visible emissions shall indicate the need for prompt corrective action. The permittee shall keep a log of the fabric filter observations. The log shall include the name of the observer, the date and the time the observation was made, the presence of visible emissions, or lack thereof, and corrective actions taken whenever visible emissions were observed.  
(9 VAC 5-50-50 H)

#### **OPERATING LIMITATIONS**

8. **Production** - The production of concrete shall not exceed 75,000 cubic yards (150,000 tons) 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)

### EMISSION LIMITS

9. **Visible Emission Limit** - Visible emissions from the fabric filter (Ref. No. 5) shall not exceed 5 percent opacity, as determined by EPA Method 9 (reference 40 CFR 60, Appendix A). This condition applies at all times except during startup, shutdown and malfunction.  
(9 VAC 5-80-1180 and 9 VAC 5-50-260)

### RECORDS

10. **On Site Records** - The permittee shall maintain records of emission data and operating parameters as necessary to demonstrate compliance with this permit. The content and format of such records shall be arranged with the Director, Tidewater Regional Office. These records shall include, but are not limited to:
- Annual production of concrete, in tons, 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.
  - Visible emissions evaluations for the fabric filters, including the name of the observer, the date and the time the observation was made, the presence of visible emissions or lack thereof, and corrective actions taken whenever visible emissions were observed.
  - Monitoring of water ring nozzles, including the name of the observer, the date and the time the observation was made, whether the water ring nozzles were working correctly or not, and corrective actions taken when the nozzles were found to be clogged.

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)

### PORTABLE FACILITIES

11. **Relocation of Portable Facilities** - The permittee is authorized to apply for relocation of the portable concrete batch plant to temporary sites within Virginia under the provisions of 9 VAC 5-80-1320. Such requests will be evaluated on a case-by-case basis.  
(9 VAC 5-170-160 and 9 VAC 5-80-1320)
12. **Notification for Relocation of Portable Facilities to Temporary Sites** - At least fifteen days prior to each relocation, the following information shall be submitted to the reviewing DEQ-Regional Office (the Region to which the facility shall be relocated):
- the facility registration number.
  - the date of the permit.
  - date of estimated relocation and start-up of the facility.
  - the period of time the facility will be at the proposed site.

- e. the location and description of the proposed site, including a map showing the exact location.
- f. the location of the present site. If the present site is outside the Commonwealth of Virginia, include the latest location in Virginia.
- g. a description of the facility to be relocated. This should include any identification or equipment number that the owner uses to identify the facility.
- h. a description of the action at the proposed site. This includes the type of product and the total throughput at the proposed site.
- i. the process throughput which has occurred at the present site, if this site is located inside the Commonwealth of Virginia.
- j. the process throughput for the previous 12 consecutive months.  
(9 VAC 5-170-160)

13. **Operation of Portable Facilities** - The portable concrete batch plant may not operate at any single temporary site (with the exception of the home base) for a period in excess of 18 months without written approval from the DEQ. The portable concrete batch plant may operate indefinitely at the home base.  
(9 VAC 5-170-160)

#### NOTIFICATIONS

14. **Initial Notifications** - The permittee shall furnish written notification to the Tidewater Regional Office of:
- a. The actual date on which construction of the portable concrete batch plant commenced within 30 days after such date.
  - b. The actual start-up date of the portable concrete batch within 15 days after such date.
  - c. The location of a home base within the Commonwealth of Virginia within 30 days after the date of selection of such a home base.  
(9 VAC 5-50-50 and 9 VAC 5-80-1180)

#### GENERAL CONDITIONS

15. **Permit Suspension/Revocation** - This permit 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 this permit;
  - 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 interfere 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 F)

16. **Right of Entry** - The permittee shall allow authorized local, state, and federal representatives, upon the presentation of credentials:
- 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 this permit;
  - To have access to and copy at reasonable times any records required to be kept under the terms and conditions of this permit or the State Air Pollution Control Board Regulations;
  - To inspect at reasonable times any facility, equipment, or process subject to the terms and conditions of this permit or the State Air Pollution Control Board Regulations; and
  - 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)

17. **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.

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

18. **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.

(9 VAC 5-20-180 J and 9 VAC 5-80-1180 D)

19. **Notification for Facility or Control Equipment Malfunction** - The permittee shall furnish notification to the Director, Tidewater Regional Office of malfunctions of the affected facility or related air pollution control equipment that may cause excess emissions for more than one hour, by facsimile transmission, telephone or telegraph. 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 Director, Tidewater Regional Office.

(9 VAC 5-20-180 C and 9 VAC 5-80-1180)

20. **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)



21. **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 Director, Tidewater Regional Office of the change of ownership within 30 days of the transfer.  
(9 VAC 5-80-1240)
  
22. **Permit Copy** - The permittee shall keep a copy of this permit on the premises of the facility to which it applies.  
(9 VAC 5-80-1180)