



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX

75 Hawthorne Street

San Francisco, CA 94105-3901

MAY 11 2018

Mr. Matt Brogdon
Assistant Manager
Yavapai-Apache Sand and Rock
P.O. Box 249
Camp Verde, Arizona 86322

Re: Approval of Request for Coverage under the General Air Quality Permit for New or Modified Minor Source Hot Mix Asphalt Plants in Indian Country

Dear Mr. Brogdon:

This letter provides the U.S. Environmental Protection Agency (EPA), Region 9's determination in response to the Request for Coverage under the General Air Quality Permit for New or Modified Minor Source Hot Mix Asphalt Plants in Indian Country (HMA General Permit) that the EPA received from Yavapai-Apache Sand and Rock. The Project for which HMA General Permit coverage is sought by Yavapai-Apache Sand and Rock is a hot mix asphalt plant co-located with an existing concrete batch plant and stone quarry crushing and screening operation near Camp Verde, Arizona, on Yavapai-Apache Nation tribal land. Pursuant to 40 CFR 49.156(e), we approve your Request for Coverage for the Project under the HMA General Permit.

Permittee: Yavapai-Apache Sand and Rock, P.O. Box 249, Camp Verde, Arizona, 86322

Location: 3750 West Old Highway 279, located near Camp Verde, AZ, along Old Highway 279, approximately 5 miles north of the intersection of I-17 and State Hwy 260.

Determination

The EPA has carefully reviewed Yavapai-Apache Sand and Rock's Request for Coverage, as specifically discussed in our Technical Support Document (TSD) for this action (enclosed with this Approval of the Request for Coverage), and other relevant information, to determine whether the Project meets all of the criteria to qualify for coverage under the HMA General Permit. Based on our review of, and reliance on, all of the information and representations provided in the Request for Coverage, the EPA has determined that the Project meets all such criteria and is eligible for coverage under the HMA General Permit.

Our analysis and the basis for our determination is discussed in more detail in our TSD for this action. This Approval of the Request for Coverage authorizes the Permittee to construct and operate the permitted source only at the facility location(s) listed above. The Permittee is subject to Version 1.0 of the HMA General Permit, a copy of which is enclosed with this Approval of the Request for Coverage.

This Approval of the Request for Coverage must be posted prominently at the facility location. In addition, each affected emission unit must be labeled with the applicable identification number listed below:

List of Emission Units

Unit ID	Unit Description	Maximum Capacity	Control Technology	Construction Date
18-5101	Dryer	53 MMBtu/hr	Baghouse	2018
18-5102	Drum Mixer	200 tons/hr	Baghouse	2018
18-5103	Hot Oil Heater	1 MMBtu/hr	None	2018
18-5104	4-Bins	200 tons/hr	Water Spray	2018
18-5105	Collector Belt	200 tons/hr	Water Spray	2018
18-5106	Scalping Screen	200 tons/hr	Water Spray	2018
18-5107	40-foot Conveyor	200 tons/hr	Water Spray	2018
18-5108	Pug Mill	200 tons/hr	Water Spray	2018
18-5109	Scale Conveyor	200 tons/hr	Water Spray	2018
18-5110	Cement Silo	200 tons/hr	Baghouse	2018
18-5111	Drag Conveyor	200 tons/hr	Water Spray	2018
18-5112	Asphalt Silo	75 tons	None	2018
18-5113	Asphalt Oil Storage Tank	20,000 gallons	None	2018

Applicable Permit Conditions

Your permitted source is generally subject to all terms and conditions in the HMA General Permit. However, the following conditions apply to your source as follows:

1. Your application indicated that the Project does not include generators or internal combustion engines. As a result, this Approval does not authorize the construction or operation of generators or internal combustion engines at the permitted source. Accordingly, your source is not subject to Conditions 28, 35, 36, 37, 48, and 49 of the HMA General Permit, which relate to the operation of engines.
2. Your application indicated that a stone quarrying, crushing, and screening operation is co-located with the hot mix asphalt plant, and that you were seeking to limit potential to emit (PTE) of the combined operation. As a result please note that your source is subject to the production throughput limits contained in Condition 17, and not those contained in Condition 15. In addition, you are also subject to Condition 20.b, which relates to overall fuel consumption at the permitted source and the co-located stone quarrying, crushing, and screening operation.
3. Your source is located in an area that is currently designated as attainment for all NAAQS pollutants. Accordingly, your source is subject to the emission limits for sources in attainment areas, and is not subject to the emission limits for sources in nonattainment areas.

Correspondence

All notifications and reports under this permit shall be sent to:

U.S. Environmental Protection Agency, Region 9
 Enforcement Division, Air Enforcement Office
 75 Hawthorne Street (ENF 2-1)
 San Francisco, California, 94105
 Email: AEO_R9@epa.gov

Additional Information


Please be aware that you must construct and/or modify and operate the affected emissions units, and any associated air pollution control technologies, in compliance with the HMA General Permit and all other applicable federal air quality regulations and in a manner consistent with representations made in your Request for Coverage, to the extent the EPA relied upon these representations in issuing this Approval of the Request for Coverage. You must comply with all applicable provisions of the General Permit, including those set forth in the attachments and emission limitations that apply to the affected emissions units at the permitted source. Noncompliance with any permit provision is a violation of the permit and may constitute a violation of the Clean Air Act, is grounds for an enforcement action, and is grounds for the EPA to revoke the Approval of the Request for Coverage and terminate your source's coverage under this General Permit. You may be subject to enforcement action for failure to obtain a preconstruction permit if you construct your source under this Approval of the Request for Coverage and your source is later determined not to qualify for the conditions and terms of the HMA General Permit.

Pursuant to 40 CFR 49.156(e)(8), your permit becomes invalid if any one of the following occur: 1) you do not commence construction within 18 months after the date when this Approval of the Request for Coverage becomes effective, 2) you discontinue construction for a period of 18 months or more, or 3) you do not complete construction within a reasonable time. The EPA may extend the 18-month period upon a satisfactory showing that an extension is justified.

The EPA's Approval of the Request for Coverage for the Project is a final agency action for purposes of judicial review, only for the issue of whether the Project is eligible for coverage under the HMA General Permit (see 40 CFR 49.156(e)(6)). Any petition for review of this approval action must be filed in a timely manner with the EPA's Environmental Appeals Board (EAB) for the appropriate circuit in accordance with CAA section 307(b). In the event a petition for review is filed, construction cannot begin under this approval until the EAB petition(s) are resolved.

Please contact Eugene Chen at (415) 947-4304 or chen.eugene@epa.gov if you have any questions on the above.

Sincerely,



Elizabeth J. Adams
Acting Director, Air Division

Enclosures

- (1) Hot Mix Asphalt Plant General Permit, Version 1.0
- (2) Technical Support Document