



# ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

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JB PRITZKER, GOVERNOR

JOHN J. KIM, ACTING DIRECTOR

## NOTICE OF INCOMPLETENESS FOR CAAPP APPLICATION

### APPLICANT

MAT Asphalt LLC  
Attn: Joe Haughey  
4450 South Morgan  
Chicago, IL 60609

IEPA - DIVISION OF RECORDS MANAGEMENT  
RELEASABLE

MAR 04 2019

REVIEWER: RDH

<u>Date of Determination:</u>	February 25, 2019
<u>Application/Permit No.:</u>	19020007
<u>I.D. Number:</u>	031600QKI
<u>Date Received:</u>	February 7, 2019
<u>Source Name:</u>	MAT Asphalt LLC
<u>Location of Source:</u>	2055 West Pershing Rd, Chicago, Cook County

Dear Joe Haughey:

This letter provides notification that your Clean Air Act Permit Program (CAAPP) application received on the date indicated above, has been determined by the Agency to be incomplete because it does not contain sufficient information pursuant to Section 39.5(5) of the Illinois Environmental Protection Act (Act) and 35 Ill. Adm. Code 270.303.

The following information is needed before the application can be reevaluated for completeness:

- 1a. The application proposes that the Federally Enforceable State Operating Permit (FESOP) limit emissions of Particulate Matter (PM) from the Hot Mix Asphalt Plant to 21.93 tons/year. The application also shows that there is another 233.76 tons/year of fugitive PM emissions from paved and unpaved roadways and loading of storage piles at the plant. This proposed limit is not sufficient to limit the source's PM emissions to a level below the major source threshold as described in Section 39.5(2)(a)(iv) of the Act.
- b. The Illinois EPA's review of your application indicates that the Hot Mix Asphalt Plant's Potential to Emit (PTE) for PM exceeds the major source threshold of 250 tons/year for the Federal Regulations for Prevention of Significant Deterioration of Air Quality (PSD), 40 CFR 52.21.
- c. The Hot Mix Asphalt Plant is subject to the New Source Performance Standards (NSPS) for Hot Mix Asphalt Plants, 40 CFR 60, Subparts A and I. Under 40 CFR 52.21(b)(1)(iii)(aa) and Section 39.5(2)(c)(ii)(AA) of the Act, because the source is subject to an applicable New Source Performance Standard that was in effect on August 7, 1980, fugitive emissions of PM and Particulate Matter less than 10 microns (PM<sub>10</sub>) are included and considered in the determination of the applicability of PSD and the CAAPP.

- 2a. The application indicates that the Hot Mix Asphalt Plant at this source may have been modified or additional emission units were added without first obtaining construction permit(s) from the Illinois EPA after the initial construction permit was issued on October 26, 2017. The application(s) for construction permit(s) for any such modification or additional emission unit(s) would have required payment of the applicable construction permit application fees specified in Section 9.12 of the Act.
- b. The listing of emission units on the 299-CAAPP form (Listing of Significant Activities) submitted with the application does not match the listing of emission units in Construction permit 17070024. The 299-CAAPP form lists the following emission units:
- i. 1 Counterflow Drum Mixer/Dryer with Baghouse;
  - ii. Up to 8 Asphalt Loadout Silos;
  - iii. Up to 12 Storage Tanks;
  - iv. Up to 30 Conveyors: RAP, RAS, Aggregate;
  - v. Up to 9 Screens; and
  - vi. Up to 3 Crushers with Spray Bars.
- c. Construction permit 17070024 lists the following emission units:
- i. Five (5) 300 Ton Loadout Silos;
  - ii. One (1) 400 Ton/hr Natural Gas/Distillate Oil-Fired Drum Mix Asphalt Plant Mixer controlled by a Baghouse with Knockout Box and Fabric Filter;
  - iii. Three (3) 35,000-gallon Asphaltic Cement Storage Tanks;
  - iv. Five (5) Asphalt Plant Conveyors;
  - v. Four (4) Crushing Plant Conveyors (one enclosed);
  - vi. One (1) 150 Ton/hr Portable Crusher;
  - vii. Two (2) Asphalt Plant Screens;
  - viii. One (1) Crushing Plant Screen;
  - ix. Six (6) Aggregate Bins;
  - x. Two (2) RAP Bins; and
  - xi. One (1) RAS Bin.

- d. Pursuant to Section 9.12(a) of the Act, an applicant for a new or revised air pollution construction permit shall pay a fee, as established in Section 9.12, to the Illinois EPA at the time that he or she submits the application for a construction permit. The fee for each activity or category listed in Section 9.12 is separate and is cumulative with any other applicable fee listed in Section 9.12.
  - e. Pursuant to Section 9.12(i) of the Act, the Illinois EPA may deny the issuance of a pending air pollution construction permit or the subsequent operating permit if the applicant has not paid the required fees by the date required for issuance of the permit. The denial or revocation of a permit for failure to pay a construction permit fee is subject to review by the Board pursuant to the provisions of Section 40(a) of the Act.
  - f. Pursuant to Section 9.12(j) of the Act, if the owner or operator undertakes construction without obtaining an air pollution construction permit, the fee under Section 9.12 is still required. Payment of the required fee does not preclude the Illinois EPA or the Attorney General or other authorized persons from pursuing enforcement against the applicant for failure to have an air pollution construction permit prior to commencing construction.
3. The application contains a 287-CAAPP form (CAAPP Application Incorporation By Reference). Item 1 of Section Two on the 287-CAAPP form instructs that this form may be completed if the applicant requests to utilize information provided in a prior CAAPP application. Since a prior CAAPP application has not been submitted for this source, the use of this form is not appropriate form for an initial CAAPP or FESOP application.

Upon receipt of the requisite information, the Illinois EPA will resume processing the CAAPP application. The timeframe for processing the CAAPP application for this source based on any further submittals will begin on the date such information is received by the Illinois EPA. Please reference the application and I.D. numbers assigned above on all correspondence concerning this matter. Note that application forms may be obtained from our website at <http://www.epa.state.il.us/air/forms.html>.

If the owner or operator of the above-referenced source fails to submit a timely and complete CAAPP application by the date such application is due, as specified in 35 Ill. Adm. Code 270.201, such source shall lose the protection of the application shield.

If you have any questions regarding this matter, please contact Robert Bernoteit at 217/524-0865.

Page 4

Sincerely,



Raymond E. Pilapil  
Manager, Permit Section  
Bureau of Air

REP:RWB:mlm

cc: Application File