

1 Pollution Control Agency

2

3 Adopted Permanent Rules Relating to Hot Mix Asphalt Plants

4

5 Rules as Adopted

6 7007.1110 REGISTRATION PERMIT GENERAL REQUIREMENTS.

7 [For text of subpart 1, see M.R.]

8 Subp. 2. Stationary sources that may not obtain a
9 registration permit.

10 [For text of item A, see M.R.]

11 B. A stationary source may not obtain a registration
12 permit if it is subject to a new source performance standard
13 other than the following:

14 [For text of subitems (1) to (8), see M.R.]

15 (9) Code of Federal Regulations, title 40, part
16 60, subpart 000, Standards of Performance for Nonmetallic
17 Mineral Processors (incorporated by reference in part
18 7011.3350);

19 (10) Code of Federal Regulations, title 40, part
20 60, subpart TTT, Standards of Performance for Industrial Surface
21 Cleaning of Plastic Parts for Business Machines (incorporated by
22 reference in part 7011.2580); and

23 (11) Code of Federal Regulations, title 40, part
24 60, subpart I, Standards of Performance for Hot Mix Asphalt
25 Facilities (incorporated by reference in part 7011.0909).

26 [For text of subps 3 to 22, see M.R.]

27 7007.1130 REGISTRATION PERMIT OPTION D.

28 [For text of subpart 1, see M.R.]

29 Subp. 2. Application content. An application for a
30 registration permit under this part must contain all of the
31 following requirements:

32 [For text of items A to E, see M.R.]

33 F. if the calculations required by subpart 4 used
34 control equipment efficiencies for listed control equipment
35 determined by part 7011.0070, a copy of the portion of the



1 control equipment manufacturer's specifications with the
2 operating parameters required to be monitored under part
3 7011.0080 highlighted, and if the efficiency is based on an
4 alternative control efficiency under part 7011.0070, subpart 2,
5 a copy of the performance test plan with the operating
6 parameters highlighted. The owner or operator of a hot mix
7 asphalt plant shall provide a copy of the portion of the control
8 equipment manufacturer's specifications with the operating
9 parameters required to be monitored under part 7011.0917,
10 subpart 7, or the information to support an alternative
11 operating range required by part 7011.0917, subpart 1.

12 Insignificant activities at the stationary source listed in
13 part 7007.1300 are not required to be included in the
14 application.

15 Subp. 3. **Compliance requirements.** The owner or operator
16 of a stationary source issued a permit under this part shall
17 comply with all of the requirements in items A to J.

18 [For text of items A to E, see M.R.]

19 F. If the stationary source qualified in the permit
20 application, in whole or in part, by using control equipment
21 efficiencies for listed control equipment determined under part
22 7011.0070, the owner or operator shall comply with parts
23 7011.0060 to 7011.0080, except that the owner or operator of a
24 hot mix asphalt plant shall comply instead with part 7011.0917.
25 If the calculations required by subpart 4 used control equipment
26 efficiencies based on an alternative control efficiency under
27 part 7011.0070, subpart 2, the owner or operator shall also
28 comply with the operating parameters of the performance test
29 that established the alternative control efficiency.

30 [For text of items G to J, see M.R.]

31 [For text of subps 4 and 5, see M.R.]

32 **HOT MIX ASPHALT PLANTS**

33 **7011.0900 DEFINITIONS.**

34 Subpart 1. **Scope.** The definitions in this part apply to
35 the terms used in parts 7011.0900 to 7011.0920. The definitions

1 in parts 7005.0100, 7007.0100, and 7011.0060 apply to the terms
2 used in parts 7011.0900 to 7011.0920, unless the terms are
3 defined in this part.

4 Subp. 2. **Asphalt plant control equipment.** "Asphalt plant
5 control equipment" means the control equipment at a hot mix
6 asphalt plant listed in part 7011.0917, subpart 7.

7 Subp. 3. **Existing hot mix asphalt plant.** "Existing hot
8 mix asphalt plant" means a hot mix asphalt plant that is not a
9 new hot mix asphalt plant.

10 Subp. 4. **Hot mix asphalt plant.** "Hot mix asphalt plant"
11 means a facility used to manufacture hot mix asphalt paving
12 materials by heating and drying aggregate and mixing with
13 asphalt cements. "Hot mix asphalt plant" includes dryers;
14 systems for screening, handling, storing, and weighing hot
15 aggregate; systems for loading, transferring, and storing
16 mineral filler; systems for mixing hot mix asphalt; and the
17 loading, transfer, and storage systems associated with emission
18 control systems.

19 Subp. 5. **New hot mix asphalt plant.** "New hot mix asphalt
20 plant" means a hot mix asphalt plant that commences
21 construction, modification, or reconstruction after June 11,
22 1973, and includes all hot mix asphalt plants subject to the new
23 source performance standards incorporated by reference in part
24 7011.0909.

25 7011.0903 COMPLIANCE WITH AMBIENT AIR QUALITY STANDARDS.

26 Subpart 1. **Fuel sulfur content limitation.**

27 Notwithstanding part 7011.0913, no owner or operator of a hot
28 mix asphalt plant shall use in the dryer burner any fuel with a
29 sulfur content greater than 0.70 percent, unless:

30 A. authorized by a part 70, state, or general permit;
31 or

32 B. compliance with part 7009.0080 has been
33 demonstrated under subpart 2 for each dryer fuel with a sulfur
34 content greater than 0.70 percent.

35 Subp. 2. **Modeling of emissions from high sulfur content**

1 fuels. Prior to the use of each dryer fuel with a sulfur
2 content greater than 0.70 percent, the owner or operator of a
3 hot mix asphalt plant shall perform air dispersion modeling to
4 determine whether burning that fuel would comply with the
5 ambient air quality standard for sulfur dioxides (maximum one
6 hour concentration not to be exceeded more than once per year)
7 in part 7009.0080. The owner or operator shall model sulfur
8 dioxide emissions using the most recent version of EPA's screen
9 model described in SCREEN3 Model User's Guide, EPA-454/B-95-004,
10 United States Environmental Protection Agency, Office of Air
11 Quality Planning and Standards, September 1995, which is
12 incorporated by reference and is subject to frequent change.
13 This publication and copies of the SCREEN3 model are available
14 from the Pollution Control Agency library through the Minitex
15 interlibrary loan system, through the National Technical
16 Information Service (NTIS), Springfield, VA, (703) 487-4650, or
17 may be downloaded from the Support Center for Regulatory Air
18 Models (SCRAM) Bulletin Board System (BBS). The SCRAM BBS may
19 be accessed at (919) 541-5742.

20 Subp. 3. Records required.

21 A. For any fuel used in the dryer burner, except
22 natural gas, methane, butane, propane, gasoline, kerosene,
23 diesel fuel, and No. 1 and No. 2 fuel oil, the owner or operator
24 of a hot mix asphalt plant shall keep for each fuel delivery a
25 record of a vendor certification or fuel analysis which shows
26 the sulfur content of the fuel.

27 B. The owner or operator of a hot mix asphalt plant
28 that has done modeling under subpart 2 shall keep a record of
29 the modeling results. The record shall include:

- 30 (1) the sulfur content of the fuel modeled;
31 (2) the site modeled;
32 (3) model output files; and
33 (4) supporting calculations.

34 The owner or operator shall maintain the records required
35 by this subpart for a minimum of five years from the date the
36 record was made.

1 Subp. 4. Hot mix asphalt plants with registration
2 permits. If the commissioner finds that a hot mix asphalt plant
3 that has applied for or been issued a registration permit needs
4 source-specific permit conditions to prevent violation of any
5 ambient air quality standard, the commissioner shall require the
6 owner or operator of the hot mix asphalt plant to apply for and
7 obtain a part 70, state, or general permit. The owner or
8 operator of a hot mix asphalt plant shall submit the required
9 permit application within 120 days of the commissioner's written
10 request under this subpart.

11 Subp. 5. Compliance with ambient air quality standards.
12 Nothing in this part shall be construed to allow violation of
13 any national or state ambient air quality standards. If the
14 commissioner requests it, the owner or operator of a hot mix
15 asphalt plant must demonstrate compliance with the national or
16 state ambient air quality standards.

17 7011.0905 STANDARDS OF PERFORMANCE FOR EXISTING HOT MIX ASPHALT
18 PLANTS.

19 No owner or operator of an existing hot mix asphalt plant
20 shall cause to be discharged into the atmosphere from the hot
21 mix asphalt plant any gases which:

- 22 A. contain particulate matter in excess of the limits
23 allowed by parts 7011.0700 to 7011.0735; or
24 B. exhibit greater than 20 percent opacity.

25 7011.0909 STANDARDS OF PERFORMANCE FOR NEW HOT MIX ASPHALT
26 PLANTS.

27 Code of Federal Regulations, title 40, part 60, subpart I,
28 as amended, entitled "Standards of Performance for Hot Mix
29 Asphalt Facilities," is adopted and incorporated by reference.

30 7011.0911 MAINTENANCE OF DRYER BURNER.

31 Subpart 1. Annual tuning of dryer burner. The owner or
32 operator of a hot mix asphalt plant must tune the dryer burner
33 for maximum combustion efficiency once each calendar year
34 ~~according-to-the-specifications-provided-by-the-manufacturer-of~~

1 ~~the-dryer-burner.~~

2 Subp. 2. Daily check of dryer burner. The owner or
3 operator of a hot mix asphalt plant must do the following while
4 producing hot mix asphalt each day except when burning natural
5 gas or propane:

- 6 A. read the fuel pressure gauge on the dryer burner;
- 7 and
- 8 B. check for a negative draft at the dryer burner
- 9 inlet.

10 Subp. 3. Records kept on dryer burner. The owner or
11 operator of a hot mix asphalt plant must maintain a record of:

- 12 A. the dates of the annual tuning of the dryer
- 13 burner;
- 14 B. the daily reading from the fuel pressure gauge on
- 15 the dryer burner except when burning natural gas or propane;
- 16 C. whether there was a negative draft at the dryer
- 17 burner inlet each day except when burning natural gas or
- 18 propane; and
- 19 D. any corrective actions taken as a result of the
- 20 daily checks required by subpart 2.

21 7011.0913 HOT MIX ASPHALT PLANT MATERIALS, FUELS, AND ADDITIVES
22 OPERATING REQUIREMENTS.

23 Subpart 1. **Materials, fuels, and additives allowed.**
24 Except as provided in subpart 3, the owner or operator of a hot
25 mix asphalt plant is allowed to use only the materials, fuels,
26 and additives designated in subpart 2 unless specifically
27 disallowed in a part 70, state, or general permit.

28 Subp. 2. **List of authorized materials, fuels, and**
29 **additives.**

- 30 A. The designated materials are clay, silt, sand,
- 31 gravel, and crushed stone produced from naturally occurring
- 32 geologic formations, and without additives; recycled asphalt
- 33 concrete pavement; portland cement concrete; recycled sediments
- 34 from asphalt plant scrubber operations; fines from asphalt plant
- 35 fabric filter operations; asphalt cement; and hydrated lime.

1 B. The designated fuels for combustion are natural
2 gas, methane, butane, and propane; gasoline, kerosene, diesel
3 fuel, jet fuel, and fuel oils (No. 1, No. 2, No. 3, No. 4, No.
4 5, No. 6); petroleum derived waste oil as defined in part
5 7045.0020, subpart 102b; and on-specification used oil as
6 defined in part 7045.0020, subpart 60a, except that total
7 halogens shall not exceed 1,000 parts per million.

8 C. The designated additives are silicone, organic
9 soaps, and other substances of a similar nature added to the
10 asphalt cement.

11 Subp. 3. Procedure for approval of additional materials,
12 fuels, and additives. The owner or operator may use materials,
13 fuels, or additives not listed in subpart 2, if:

14 A. the use is specifically allowed by a part 70,
15 state, or general permit; or

16 B. for hot mix asphalt plants with a registration
17 permit, the commissioner has provided written approval of the
18 use prior to its incorporation into asphalt or use as a fuel.

19 Requests under item B must be received by the commissioner
20 at least 60 days before the materials, fuels, or additives are
21 used. The requests must be on a form provided by the
22 commissioner. The owner or operator shall conduct performance
23 testing under parts 7017.2001 to 7017.2060 to determine actual
24 emission rates from the use of the material, fuel, or additive.
25 The actual emission rates shall be used to determine actual
26 emissions under part 7007.1130, subpart 3, for hot mix asphalt
27 plants that hold option D registration permits. The
28 commissioner shall deny these requests if the commissioner
29 determines that use of the material would endanger human health
30 or the environment or would subject the hot mix asphalt plant to
31 different applicable requirements or different requirements
32 under chapter 7007. The performance testing required by this
33 subpart may be waived by the commissioner when the nonlisted
34 material is substantially similar in composition to a listed
35 material, or when the material has already been the subject of
36 performance tests at a similar hot mix asphalt plant.

1 Subp. 4. Compliance. The owner or operator must comply
2 with the conditions on the use of the materials, fuels, and
3 additives established in the part 70, state, or general permit
4 if the use is authorized under subpart 3, item A. The owner or
5 operator must comply with the conditions on the use of the
6 materials, fuels, and additives set forth in the commissioner's
7 written approval if the use is authorized under subpart 3, item
8 B.

9 Subp. 5. Records required. The owner or operator shall
10 keep records of the materials, fuels, and additives used and the
11 amount used on a calendar year basis. The owner or operator
12 shall maintain the records required under this subpart for a
13 minimum of five years from the date the record was made.

14 7011.0917 ASPHALT PLANT CONTROL EQUIPMENT REQUIREMENTS.

15 Subpart 1. Operation of asphalt plant control equipment.
16 The owner or operator of a hot mix asphalt plant shall operate
17 in compliance with this part all asphalt plant control equipment
18 located at the stationary source whenever operating the emission
19 units controlled by the asphalt plant control equipment. Unless
20 specifically allowed by a part 70, state, or general permit,
21 each piece of asphalt plant control equipment shall at all times
22 be operated such that the monitoring parameters listed in
23 subpart 7 are in the range established by the control equipment
24 manufacturer's specifications, or within the operating
25 parameters set established by the commissioner as the result of
26 the most recent performance test conducted ~~to-determine-control~~
27 efficiency under parts 7017.2001 to 7017.2060, if those are more
28 restrictive.

29 The owner or operator applying for a registration permit
30 may request an alternative range to the control equipment
31 manufacturer's specifications, if the proposed range is based on
32 two previous years of compliant monitoring data supplied with
33 the request. For hot mix asphalt plants in operation on the
34 effective date of this part, this request shall be made by the
35 application deadline listed in part 7007.0350, subpart 1, item

1 A. The proposed operating range shall be deemed acceptable
2 unless notified otherwise in writing within 30 days of receipt
3 by the commissioner. The commissioner shall deny a request for
4 an alternative monitoring parameter range if the commissioner
5 finds that:

6 A. an owner or operator has failed to disclose fully
7 all facts relevant to the proposed monitoring parameter range of
8 the asphalt plant control device or the owner or operator has
9 knowingly submitted false or misleading information to the
10 agency;

11 B. operation of the control device in the monitoring
12 parameter range proposed by the owner or operator would endanger
13 human health or the environment, or subject the hot mix asphalt
14 plant to different applicable requirements or requirements under
15 chapter 7007; or

16 C. the proposed range is not supported by the data
17 supplied with the request.

18 Subp. 2. **Maintenance of asphalt plant control equipment.**

19 The owner or operator of a hot mix asphalt plant shall maintain
20 each piece of asphalt plant control equipment as designed to
21 ensure compliance with applicable requirements, comply with
22 source-specific maintenance requirements specified in a part 70,
23 state, or general permit, and shall perform the following on
24 each piece of asphalt plant control equipment unless otherwise
25 specified in a part 70, state, or general permit:

26 A. thoroughly inspect all asphalt plant control
27 equipment, including structural components, annually;

28 B. inspect ducts, connections, and housings for leaks
29 monthly;

30 C. check monitoring equipment daily to ensure it is
31 operating in the range required by subpart 1, for example:
32 pressure gauges, temperature indicators, flow gauges, and
33 recorders;

34 D. calibrate all monitoring equipment annually;

35 E. for fabric filter control devices: check outside
36 exterior cleaning system equipment and its operation daily; and

1 check ~~inside~~ interior cleaning equipment and its operation, and
2 the clean air side of bags for evidence of leaks at least
3 monthly; and

4 F. for control devices using water such as spray
5 towers, scrubbers, and wet cyclone separators: check sediment
6 level in non-self-cleaning ponds daily so as not to exceed
7 one-half the pond depth, ~~check-suspended-sediment-in-the-water~~
8 ~~entering-the-control-device,~~ and check to ensure the pH of the
9 water leaving the control device is between five and ten weekly;
10 and check accessible dampers, spray bars, nozzles, and demister
11 monthly for wear, ~~and~~

12 ~~G.--check-stack-exhaust-daily-for-visible-emissions~~
13 ~~after-condensing-plume-has-dissipated.~~

14 The owner or operator shall maintain a record of activities
15 conducted in items A to G F, consisting of the activity
16 completed, the date the activity was completed, and any
17 corrective action taken; and the owner or operator shall
18 maintain the records required by this subpart for a minimum of
19 five years from the date the record was made.

20 Subp. 3. Installation of monitoring equipment. The owner
21 or operator of a hot mix asphalt plant shall install monitoring
22 equipment to measure operating hours as specified in part
23 7011.0922, subpart 3, and the monitoring parameters for all
24 asphalt plant control equipment as specified by subpart 7. For
25 hot mix asphalt plants not in operation on the effective date of
26 this part, the monitoring equipment must be installed prior to
27 operation of any hot mix asphalt plant equipment controlled by
28 the control equipment. For hot mix asphalt plants in operation
29 on the effective date of this part, the owner or operator must
30 install monitoring equipment no later than 30 days after the
31 effective date of this part.

32 Subp. 4. Operation of monitoring equipment. The owner or
33 operator of a hot mix asphalt plant shall operate in compliance
34 with this part the monitoring equipment for each piece of
35 asphalt plant control equipment at all times the asphalt plant
36 control equipment is required to operate.

1 Subp. 5. Shutdown and breakdown procedures. In the event
 2 of a shutdown or breakdown of asphalt plant control equipment,
 3 the owner or operator of a hot mix asphalt plant shall comply
 4 with part 7019.1000.

5 Subp. 6. Deviation of asphalt plant control equipment from
 6 operating specifications. Unless otherwise specified in a part
 7 70, state, or general permit, the owner or operator of a
 8 stationary source shall report to the commissioner deviations
 9 from any monitored operating parameter required by subpart 7.
 10 "Deviation" means any recorded reading outside of the
 11 specification or range of specifications allowed by subpart 1.
 12 The report shall be on a form approved by the commissioner. The
 13 owner or operator shall report the deviation to the commissioner
 14 semiannually in a midyear report and an end-of-year report. The
 15 midyear report, covering deviations which occurred during the
 16 period from January 1 to June 30, is due by July 30 of each
 17 year. The end-of-year report, covering deviations which
 18 occurred during the period from July 1 to December 31, is due by
 19 January 30 each year.

20 Subp. 7. Monitoring and recordkeeping for asphalt plant
 21 control equipment. Unless otherwise specified in a part 70,
 22 state, or general permit, the owner or operator of a hot mix
 23 asphalt plant shall comply with the monitoring and recordkeeping
 24 required by the table in this subpart for asphalt plant control
 25 equipment. The owner or operator shall maintain the records
 26 required by this subpart for a minimum of five years from the
 27 date the record was made.

28 EPA 29 ID 30 NO.	POLLUTION CONTROL EQUIPMENT TYPE	MONITORING PARAMETERS	RECORDKEEPING REQUIREMENT
31 32 33 001, 34 002, 35 003	"Miscellaneous Wet Scrubber" means a control device in which the particulates in the incoming gas stream are entrained by a liquid and the control device is not a spray tower, venturi scrubber, impingement plate scrubber, or a wet cyclone separator.	Pressure drop, liquid flow rate, and water pressure	Record each parameter every calendar day of operation

1			
2	016	"Fabric Filter" (Bag	Pressure drop
3		House) means a	
4		control device in which	Record every
5		the incoming gas	calendar day
6		stream passes through	of operation
7		a porous fabric filter	
8		forming a dust cake.	
9			
10	052	"Spray Tower" means a	Liquid flow
11		control device in	rate, pressure
12		which the incoming	drop, and
13		gas stream passes	water pressure
14		through a chamber	Record each
15		in which it contacts	parameter every
16		a liquid spray.	calendar day
17			of operation
18	053	"Venturi Scrubber"	Pressure drop,
19		means a control	liquid flow
20		device in which the	rate, and
21		incoming gas stream	water pressure
22		passes through a	Record each
23		venturi into which	parameter every
24		low pressure liquid	calendar day
25		is introduced.	of operation
26			
27	055	"Impingement Plate	Pressure drop,
28		Scrubber" means a	liquid flow
29		control device in	rate, and
30		which the incoming	water pressure
31		gas stream passes a	Record each
32		liquid spray and is	parameter every
33		then directed at	calendar day
34		high velocity into	of operation
35		a plate.	
36			
37	085	"Wet Cyclone Separator"	Pressure drop,
38		or "Cyclonic Scrubbers"	water pressure,
39		means a cyclonic	and water
40		device that sprays	flow rate
41		water into a cyclone.	Record each
42			parameter every
43	019	"Afterburners" (thermal	Pressure drop,
44		or catalytic oxidation)	water pressure,
45		means a device used	and water
46		to reduce VOCs to the	flow rate
47		products of combustion	Record each
48		through thermal (high	parameter every
49		temperature) oxidation	calendar day
50		or catalytic (use of	of operation
51		a catalyst) oxidation	
52		in a combustion chamber.	
53			

54 7011.0920 PERFORMANCE TESTS.

55 Subpart 1. Methods and procedures. Performance tests
 56 shall be conducted according to the requirements of this part
 57 and parts 7017.2001 to 7017.2060.

58 Subp. 2. Performance test frequency for hot mix asphalt
 59 plants using fabric filters. If an owner or operator of a hot
 60 mix asphalt plant uses a fabric filter, including, but not
 61 limited to, EPA ID No. 016 listed in part 7011.0917, subpart 7,
 62 as the primary or secondary control equipment to remove

1 particulate matter, then the owner or operator shall conduct
2 performance testing for particulate matter and opacity as
3 required by part 7017.2020, subpart 1.

4 Subp. 3. Performance test frequency for hot mix asphalt
5 plants with control equipment that uses liquid to remove
6 pollutants. If an owner or operator operates a hot mix asphalt
7 plant that has only control equipment that uses liquid to remove
8 pollutants or has a secondary control device that uses liquid to
9 remove pollutants, including, but not limited to, EPA ID Nos.
10 052, 053, 055, and 085 listed in part 7011.0917, subpart 7, then
11 the owner or operator shall conduct performance testing for
12 particulate matter and opacity as described in items A to E.

13 A. If the hot mix asphalt plant produced no more than
14 35,000 tons in each of the three previous calendar years and has
15 a manufacturer's rated capacity of 100 tons per hour or less at
16 five percent moisture, then the owner or operator shall conduct
17 performance testing as required by part 7017.2020, subpart 1.

18 B. Except as provided in item A, if the hot mix
19 asphalt plant produced no more than 100,000 tons in any of the
20 three previous calendar years, then the owner or operator shall
21 conduct performance testing every three calendar years.

22 C. If the hot mix asphalt plant produced greater than
23 100,000 tons, but no more than 200,000 tons in any of the three
24 previous calendar years, then the owner or operator shall
25 conduct performance testing every two calendar years.

26 D. If the hot mix asphalt plant produced more than
27 200,000 tons in the previous calendar year, then the owner or
28 operator shall conduct performance testing within 60 days of
29 start-up in the following calendar year.

30 E. The owner or operator of a hot mix asphalt plant
31 shall conduct additional performance testing as required by part
32 7017.2020, subpart 1.

33 Subp. 4. Performance test required for all hot mix asphalt
34 plants. If the owner or operator of a hot mix asphalt plant has
35 not conducted a performance test for particulate matter and
36 opacity approved by the commissioner under parts 7017.2001 to

1 7017.2060 since January 1, 1991, the owner or operator must
2 conduct such a performance test:

3 A. in 1996, for hot mix asphalt plants that are
4 operated in the state in 1996; or

5 B. within 60 days after the hot mix asphalt plant
6 begins operation in the state.

7 7011.0922 OPERATIONAL REQUIREMENTS AND LIMITATIONS FROM
8 PERFORMANCE TESTS.

9 Subpart 1. Throughput limit. The owner or operator of a
10 hot mix asphalt plant shall not exceed the production throughput
11 at which compliance with part 7011.0905 or 7011.0909 was
12 demonstrated during the plant's most recent performance test,
13 unless authorized by subpart 2.

14 Subp. 2. Certain exceptions to throughput limit. Except
15 as provided in items A and B, if a hot mix asphalt plant
16 demonstrated compliance for particulate matter and opacity
17 during its most recent performance test and its tested emission
18 rate (gr/dscf or lb/hr) was less than 80 percent of the
19 applicable rule or permit emission limit, then the owner or
20 operator may increase production throughput ten percent over
21 that allowed under subpart 1.

22 A. If a hot mix asphalt plant with a fabric filter
23 control device has conducted a performance test since January 1,
24 1991, has demonstrated compliance for particulate matter and
25 opacity, and its tested emission rate (gr/dscf or lb/hr) was
26 less than 50 percent but greater than or equal to 25 percent of
27 the applicable rule or permit emission limit, then the owner or
28 operator may increase production throughput 15 percent over that
29 allowed under subpart 1.

30 B. If a hot mix asphalt plant with a fabric filter
31 control device has conducted a performance test since January 1,
32 1991, has demonstrated compliance for particulate matter and
33 opacity, and its tested emission rate (gr/dscf or lb/hr) was
34 less than 25 percent of the applicable rule or permit emission
35 limit, then the owner or operator may increase production

1 throughput 20 percent over that allowed by subpart 1.

2 Subp. 3. **Monitoring and recordkeeping required.** To
3 determine compliance with subpart 1, the owner or operator of a
4 hot mix asphalt plant must:

5 A. operate an accumulating hour meter on the ~~high~~
6 ~~fire-mode-of-the~~ dryer burner at all times the dryer burner is
7 in operation;

8 B. record each day the plant's hours of operation as
9 determined by the hour meter and production-throughput total
10 tons of hot mix asphalt produced; and

11 C. determine the average-tons-produced-per-hour
12 production throughput by dividing the total tons of hot mix
13 asphalt produced by the hours of operation for each calendar day
14 of operation.

15

16 RENUMBERER. Minnesota Rules, part 7011.0925, is renumbered as
17 part 7011.0909.

18 REPEALER. Minnesota Rules, part 7011.0915, is repealed.