



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10**

1200 Sixth Avenue, Suite 155
Seattle, WA 98101

AIR & RADIATION
DIVISION

February 14, 2022

Ms. Jana McDonald
CPM Development Corporation
P.O. Box 3366
Spokane, Washington 99220

Dear Ms. McDonald:

This letter approves 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) submitted by Helena Sand & Gravel, Inc. (Helena S&G) on February 21, 2021, pursuant to the Clean Air Act Tribal Minor New Source Review Program. The project for which HMA General Permit coverage is sought by Helena S&G is the construction and operation of a stationary hot mix asphalt plant at the Wapato Quarry within the exterior boundaries of the Yakama Reservation (the Project).

Permittee: Helena Sand & Gravel
CPM Development Corporation
P.O. Box 3366
Spokane, WA 99220-3366

Location: Wapato Quarry
2131 Lateral 1 Road
Wapato, WA 98951
Yakima County
Yakama Reservation
Latitude: 46.478° N; Longitude: 120.495° W

Permit #: R10TNSR02800

Determination

The U.S. Protection Agency, Region 10 has carefully reviewed Helena S&G's 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 in reliance on, all of the information and representations provided in the Request for Coverage and other information submitted by Helena S&G, as well as other relevant information, Region 10 has determined that the Project meets all such criteria and is eligible for coverage under the HMA General Permit.¹ Accordingly, pursuant to 40 CFR 49.156(e), Region 10 is approving the Request for Coverage for the Project.

¹ Region 10 has determined that Helena Sand & Gravel, Inc. has provided information demonstrating that it has met the listed species and historic properties eligibility criteria in the HMA General Permit, as discussed in the Technical Support Doc.

This Approval and the HMA General Permit authorize the Permittee to construct and operate the Project at the Wapato Quarry location listed above. The Permittee is subject to Version 1.0 of the aforementioned HMA General Permit, a copy of which is enclosed.² The analysis and basis for Region 10's determination is discussed in more detail in the enclosed Technical Support Document for this action.

All notifications and reports required by the HMA General Permit shall be sent to the address below:

Clean Air Act Compliance Manager
 U.S. EPA – Region 10, 20-C04
 1200 Sixth Avenue, Suite 155
 Seattle, WA 98101

This Approval of Request for Coverage must be posted prominently at the site location of operation (Wapato Quarry, Wapato, WA). Each affected emissions unit and any associated air pollution control technology must be labeled with the applicable identification number listed below:

**Helena Sand & Gravel, Inc. Wapato Quarry HMA Plant
 Affected Emission Units Covered by this Approval**

ID #	Description of Affected Emission Units ^a	Controls
EU-1	HMA Drum Dryer/Mixer: Asphalt Drum Mixers, Inc., 220 tons per hour, 96.8 MMBtu/hour portable parallel-flow plant, constructed in 1992, max. 27% RAP input.	Baghouse
EU-3	Auxiliary Heater: Wayne Combustion Systems Burner Model EH, diesel-fueled, 0.84 MMBtu/hour	None
EU-4	Cold Aggregate Storage Piles	Water Spray
EU-5	3-bin Cold Feed Unit: 220 ton/hour capacity, constructed in 1992	Water Spray
EU-6	Cold Aggregate Screen: 220 ton/hour capacity, constructed in 1992	Water Spray
EU-7	Silo Mineral Filling: 220 ton/hour capacity, constructed in 1992	Water Spray
EU-8	Self-Erect 50-Ton Silo: constructed in 1992	None
EU-9	Truck Loading: 220 ton/hour capacity	None
EU-10	Vehicle Traffic	Water application
EU-11	Asphalt Oil Storage Tank: above-ground 30,000 gallon capacity, installed in 1993	None
EU-12	Diesel Storage Tank: above-ground 10,000 gallon capacity, 0.0056psi liq. Vapor pressure, installed in 1980.	None

^aA 676 hp Caterpillar 3412 diesel generator (ID# EU-2) was included in the application and is considered a portable non-road engine, exempt from the engine requirements in the General Permit.

Applicable Permit Conditions

Your permitted source is subject to all terms and conditions in the HMA General Permit as specified in the permit. Because your application requested the elective synthetic minor limit for co-located sources, your source must comply with Conditions 17.a and 20.b in the HMA General Permit.

²The HMA General Permit is available at https://www.epa.gov/sites/production/files/2016-05/documents/hotmixasphaltpermit_1.pdf, and a copy of this Approval will be posted on Region 10's website at <http://www.epa.gov/caa-permitting/air-permits-issued-epa-region-10>.

Additional Information

You are reminded 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 all the representations made in your Request for Coverage. You must comply with all applicable provisions of the HMA 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; may constitute a violation of the CAA; is grounds for an enforcement action; and is grounds for Region 10 to revoke the Approval and terminate your source's coverage under the HMA General Permit. You may be subject to enforcement action for failure to obtain a preconstruction permit if you construct your source under this Approval and your source is later determined not to qualify for the conditions and terms of the HMA General Permit.

Please note in particular the discussion on page 6 of the enclosed Technical Support Document regarding the requirement to conduct source testing within 60 days after achieving the maximum production rate at which the permitted source will operate but not later than 180 days after the first day of operation. Source testing is required to confirm that the drum dryer burner meets the emission limits in the HMA General Permit.

Pursuant to 40 CFR 49.156(e)(8), this Approval will become invalid if you do not commence construction within 18 months after the date when this Approval becomes effective, if you discontinue construction for a period of 18 months or more, or if you do not complete construction within a reasonable time. Region 10 may extend the 18-month period upon a satisfactory showing that an extension is justified.

Region 10's approval of your request for coverage under the HMA General Permit is effective upon signature and is a final agency action for purposes of judicial review. The only issue subject to review is whether the Project is eligible for coverage under the HMA General Permit. 40 CFR 49.156(e)(6). Any petition for review of this approval action must be filed in the United States Court of Appeals for the appropriate circuit pursuant to CAA section 307(b).

If you have any questions, please contact Jay McAlpine at (206) 553-0094 or mcalpine.jay@epa.gov.

Sincerely,

Kelly McFadden, Chief
Air Permits & Toxics Branch

Enclosures

1. HMA General Permit
2. 20220214 Helena S&G HMA GP TSD

cc: Ms. Elizabeth Sanchez
Environmental Management Program Manager
Confederated Tribes and Bands of the Yakama Nation