



# CONSTRUCTION PERMIT

Permit number: **11EP3452F**

Issuance: **3**

Date issued: February 3, 2020

Issued to: **Pioneer Sand Company Inc.**

Facility Name: Solberg Pit  
Plant AIRS ID: 041/2060  
Physical Location: 5445 Curtis Road, Peyton  
County: El Paso County  
General Description: Sand production facility

**Equipment or activity subject to this permit:**

AIRS Point	Description
001	Material extraction, handling, stockpiling, and hauling.

THIS PERMIT IS GRANTED SUBJECT TO ALL RULES AND REGULATIONS OF THE COLORADO AIR QUALITY CONTROL COMMISSION AND THE COLORADO AIR POLLUTION PREVENTION AND CONTROL ACT C.R.S. (25-7-101 *et seq*), TO THOSE GENERAL TERMS AND CONDITIONS INCLUDED IN THIS DOCUMENT AND THE FOLLOWING SPECIFIC TERMS AND CONDITIONS:

**REQUIREMENTS TO SELF-CERTIFY FOR FINAL APPROVAL**

1. This construction permit represents final permit approval to operate. Therefore, it is not necessary to self-certify. (Regulation Number 3, Part B, III.G.5).

**EMISSION LIMITATIONS AND RECORDS**

2. Emissions of air pollutants must not exceed the following limitations (as calculated using the emission factors included in the Notes to Permit Holder section of this permit). (Reference: Regulation Number 3, Part B, II.A.4)

**Annual Emission Limits:**

Activity	AIRS Point	Tons per Year					Emission Type
		PM	PM <sub>10</sub>	PM <sub>2.5</sub>	NOx	CO	
Mining and Hauling Operations	001	13.8	5.6	0.8	-	-	Fugitive

Note: In the absence of credible evidence to the contrary, compliance with the fugitive emission limits is demonstrated by complying with the production limits listed below and by following the attached particulate emissions control plan.



## **PROCESS LIMITATIONS AND RECORDS**

- This source must be limited to the following maximum consumption, processing and/or operational rates as listed below. Daily and annual records of the actual process rate must be maintained by the applicant and made available to the Division for inspection upon request. (Reference: Regulation Number 3, Part B, II.A.4)

### **Production Limits:**

<b>AIRS Point</b>	<b>Production Parameter</b>	<b>Annual Limit</b>
<b>001</b>	Sand and gravel extraction	500,000 tons

## **STATE AND FEDERAL REGULATORY REQUIREMENTS**

- Visible emissions from conveyors and transfer points must not exceed twenty percent (20%) opacity during normal operation of the source. During periods of startup, process modification, or adjustment of control equipment visible emissions must not exceed 30% opacity for more than six minutes in any sixty consecutive minutes. (Reference: Regulation Number 1, II.A.1. & 4.)

## **OPERATING & MAINTENANCE REQUIREMENTS**

- This source is not required to follow a Division-approved operating and maintenance plan.

## **COMPLIANCE TESTING AND SAMPLING**

### **Periodic Testing Requirements**

- Periodic testing is not required for this source.

## **ADDITIONAL REQUIREMENTS**

- All previous versions of this permit are cancelled upon issuance of this permit.
- The permit number must be posted in an easily visible location for ease of identification. (Reference: Regulation Number 3, Part B, III.E.) (State only enforceable)
- The particulate emission control measures listed on the attached page (as approved by the Division) must be applied to the particulate emission producing sources as required by Regulation Number 1, III.D.1.b.
- This permit is for the activities specified above; any additional process equipment (i.e. crushers, screens, etc.) to be located at this site must have a separate permit from the Division. (Reference: Regulation Number 3, Part B, III.E.)

11. A Revised Air Pollutant Emission Notice (APEN) must be filed: (Reference: Regulation Number 3, Part A, II.C.)
- a. By April 30 of the year following a significant increase in emissions. A significant increase in emissions is defined as follows:
- For any criteria pollutant:**
- For sources emitting **less than 100 tons per year**, a change in annual actual emissions of five (5) tons per year or more, above the level reported on the last APEN; or
- For sources emitting **any amount of lead**, a change in actual emissions of fifty (50) pounds of lead above the level reported on the last APEN submitted.
- For any non-criteria reportable pollutant:**
- If the emissions increase by 50% or five (5) tons per year, whichever is less, above the level reported on the last APEN submitted to the Division.
- b. Whenever there is a change in the owner or operator of any facility, process, or activity; or
- c. Whenever new control equipment is installed, or whenever a different type of control equipment replaces an existing type of control equipment; or
- d. Whenever a permit limitation must be modified; or
- e. No later than 30 days before the existing APEN expires.

### **GENERAL TERMS AND CONDITIONS:**

12. This permit and any attachments must be retained and made available for inspection upon request. The permit may be reissued to a new owner by the Division as provided in Regulation Number 3, Part B, II.B upon a request for transfer of ownership and the submittal of a revised APEN and the required fee.
13. If this permit specifically states that final approval has been granted, then the remainder of this condition is not applicable. Otherwise, the issuance of this construction permit is considered initial approval and does not provide "final" approval for this activity or operation of this source. Final approval of the permit must be secured from the APCD in writing in accordance with the provisions of 25-7-114.5(12)(a) C.R.S. and AQCC Regulation Number 3, Part B, III.G. Final approval cannot be granted until the operation or activity commences and has been verified by the APCD as conforming in all respects with the conditions of the permit. Once self-certification of all points has been reviewed and approved by the Division, it will provide written documentation of such final approval. **Details for obtaining final approval to operate are located in the Requirements to Self-Certify for Final Approval section of this permit.** The operator must retain the permit final approval letter issued by the Division after completion of self-certification with the most current construction permit.
14. This permit is issued in reliance upon the accuracy and completeness of information supplied by the applicant and is conditioned upon conduct of the activity, or construction, installation and operation of the source, in accordance with this information and with representations made by the applicant or applicant's agents. It is valid only for the equipment and operations or activity(ies) specifically identified in this permit. If subsequent operations or testing at the

source indicate the information supplied to obtain this permit and relied upon in the creation and issuance of this permit is inaccurate, the source must submit an application to modify the permit to address the inaccuracy(ies). (Reference: Regulation Number 3, Part B III.E.)



By:

Greg Marcinkowski  
Permit Engineer



By:

R K Hancock III, P.E.  
Construction Permits Unit Supervisor

### Permit History

Issuance	Date	Description
Initial Approval	July 24, 2012	Issued to Pioneer Sand Co., Inc.
Final Approval	June 17, 2014	Final approval letter issued.
Issuance #3	This Issuance	Production increased from 200,000 tons per year.

Notes to Permit Holder (as of permit issuance):

- 1) The production or raw material processing limits and emission limits contained in this permit are based on the production/processing rates requested in the permit application. These limits may be revised upon request of the permittee providing there is no exceedence of any specific emission control regulation or any ambient air quality standard. A revised air pollutant emission notice (APEN) and application form must be submitted with a request for a permit revision. (Reference: Regulation Number 3, Part B II.A.4.)
- 2) This source is subject to the Common Provisions Regulation Part II, Subpart E, Affirmative Defense Provision for Excess Emissions During Malfunctions. The permittee must notify the Division of any malfunction condition which causes a violation of any emission limit or limits stated in this permit as soon as possible, but no later than noon of the next working day, followed by written notice to the Division addressing all of the criteria set forth in Part II.E.1. of the Common Provisions Regulation. See: <https://www.colorado.gov/pacific/cdphe/aqcc-regs>.
- 3) The following equipment is currently exempt from construction permitting requirements and/or APEN reporting requirements based on information provided by the operator for the Division's analysis:

Facility ID	Description	Notes	
Wash Plant	Fully wet screening operation (wash plant) with associated transfer points	APEN Exempt, Permit Exempt	This unit is exempt from APEN and construction permitting requirements per Regulation No. 3, Part A, II.D.1.cccc.

- 4) In accordance with C.R.S. 25-7-114.1, each Air Pollutant Emission Notice (APEN) associated with this permit is valid for a term of five years from the date it was received by the Division. A revised APEN must be submitted no later than 30 days before the five-year term expires. Please refer to the most recent annual fee invoice to determine the APEN expiration date for

each emissions point associated with this permit. For any questions regarding a specific expiration date call the Division at (303)-692-3150.

- 5) This facility is classified as follows:

Applicable Requirement	Status
Operating Permit	Minor source
PSD/NANSR	Minor source

- 6) The permit holder is required to pay fees for the processing time for this permit. An invoice for these fees will be issued after the permit is issued. Failure to pay the invoice will result in revocation of this permit. The permit holder must pay the invoice within 30 days of receipt of the invoice (Reference: Regulation Number 3, Part A, VI.B.).
- 7) Unless specifically stated otherwise, the general and specific conditions contained in this permit have been determined by the Division to be necessary to assure compliance with the provisions of Section 25-7-114.5(7)(a), C.R.S.
- 8) Each and every condition of this permit is a material part hereof and is not severable. Any challenge to or appeal of a condition hereof must constitute a rejection of the entire permit and upon such occurrence, this permit must be deemed denied *ab initio*. This permit may be revoked at any time prior to self-certification and final authorization by the Division on grounds set forth in the Colorado Air Pollution Prevention and Control Act and regulations of the AQCC including failure to meet any express term or condition of the permit. If the Division denies a permit, conditions imposed upon a permit are contested by the applicant, or the Division revokes a permit, the applicant or owner or operator of a source may request a hearing before the AQCC for review of the Division's action. (Reference: Regulation Number 3, Part B III.F.)
- 9) Section 25-7-114.7(2)(a), C.R.S. requires that all sources required to file an Air Pollutant Emission Notice (APEN) must **pay an annual emission fee**. If a source or activity is to be discontinued, the owner must notify the Division in writing requesting a cancellation of the permit. Upon notification, annual fee billing will terminate.
- 10) Violation of the terms of a permit or of the provisions of the Colorado Air Pollution Prevention and Control Act or the regulations of the AQCC may result in administrative, civil or criminal enforcement actions under Sections 25-7-115 (enforcement), -121 (injunctions), -122 (civil penalties), -122.1 (criminal penalties), C.R.S.

## PARTICULATE EMISSIONS CONTROL PLAN FOR MINING AND PROCESSING ACTIVITIES

THE FOLLOWING PARTICULATE EMISSIONS CONTROL MEASURES MUST BE USED FOR COMPLIANCE PURPOSES ON THE ACTIVITIES COVERED BY THIS PERMIT, AS REQUIRED BY THE AIR QUALITY CONTROL COMMISSION REGULATION NUMBER 1, III.D.1.b. THIS SOURCE IS SUBJECT TO THE FOLLOWING EMISSION GUIDELINES:

- a. **Mining and Processing Activities** - Visible emissions not to exceed 20%, no off-property transport of visible emissions.
- b. **Haul Roads** - No off-property transport of visible emissions must apply to on-site haul roads, the nuisance guidelines must apply to off-site haul roads.
- c. **Haul Trucks** - There must be no off-property transport of visible emissions from haul trucks when operating on the property of the owner or operator. There must be no off-vehicle transport of visible emissions from the material in the haul trucks when operating off of the property of the owner or operator.

### Control Measures

1. Adequate soil moisture must be maintained in topsoil and overburden to control emissions during removal. Watering must be implemented if necessary.
2. Topsoil stockpiles must be watered and revegetated within one year.
3. Emissions from material handling (i.e. removal, loading, and hauling) must be controlled by watering at all times unless natural moisture is sufficient to control emissions.
4. Haul roads must be watered at least twice a day to control fugitive particulate emissions such that the above guidelines are met.
5. Reclamation works and sequential extraction of material must be initiated to keep the total disturbed areas at any one time to a minimum.
6. All disturbed areas must be watered at least twice a day to control fugitive particulate emissions such that the above guidelines are met.