

# STATE OF COLORADO

COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT  
AIR POLLUTION CONTROL DIVISION  
TELEPHONE: (303) 692-3150



## CONSTRUCTION PERMIT

PERMIT NO: 12EP2824L

Issuance 2

DATE ISSUED: March 24, 2017

ISSUED TO: Tech Contractors

**THE SOURCE TO WHICH THIS PERMIT APPLIES IS DESCRIBED AND LOCATED AS FOLLOWS:**

Land development project known as the Meridian Ranch Development, located in Section 19, 20, 29 and 30 T12S R64W, El Paso County, Colorado.

**THE SPECIFIC EQUIPMENT OR ACTIVITY SUBJECT TO THIS PERMIT INCLUDES THE FOLLOWING:**

Overlot grading and associated construction activities.

**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:**

1. The fugitive particulate emission control measures listed on the attached page (as proposed in the Fugitive Dust Control Plan submitted to the Division) shall be applied to the fugitive particulate emission producing sources as required by Regulation No. 1.
2. This permit shall expire on **January 31, 2025**.
3. In accordance with **C.R.S. 25-7-114.1**, the Air Pollutant Emission Notice (APEN) associated with this source is valid for a term of five years. The five-year term for this APEN expires on **March 1, 2023**. A revised APEN shall be submitted no later than 30 days before the five-year term expires.

By: Aaron Moseley  
Aaron Moseley  
Permit Engineer

**PARTICULATE EMISSIONS CONTROL PLAN**

THE FOLLOWING PARTICULATE EMISSIONS CONTROL MEASURES SHALL BE USED FOR ENFORCEMENT PURPOSES ON THE SOURCES COVERED BY THIS PERMIT, AS REQUIRED BY THE AIR QUALITY CONTROL COMMISSION REGULATION NO 1. THIS SOURCE IS SUBJECT TO THE FOLLOWING EMISSION GUIDELINES:

- a. **All Activities** - Visible emissions not to exceed 20%, no off-property transport of visible emissions.
- b. **Haul Roads** - No off-property transport of visible emissions shall apply to on-site haul roads, the nuisance guidelines shall apply to off-site haul roads.
- c. **Haul Trucks** - There shall be no off-property transport of visible emissions from haul trucks when operating on the property of the owner or operator. There shall 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. All unpaved roads and other disturbed surface areas on site shall be watered as necessary to prevent off-property transport of visible fugitive particulate emissions.
- 2. Foundation soil shall be compacted on a daily basis to within 90% of maximum compaction.
- 3. All disturbed surface areas shall be revegetated with mulch according to the information submitted by the applicant with the permit application.
- 4. Silt fencing shall be installed prior to overlotting along all property borders that are adjacent to developed areas.
- 5. Straw mulch shall be applied to entire disturbed area except future roadways.
- 6. Surface area disturbed shall be minimized to 200 acres at a time as described in the information submitted by the applicant with the permit application.
- 7. Gravel entryways shall be utilized to prevent mud and dirt carryout onto paved surfaces. Any mud and dirt carryout onto paved surfaces shall be cleaned up daily.
- 8. All paving shall be completed by **December 31, 2025**.

**GENERAL TERMS AND CONDITIONS: (IMPORTANT! READ ITEMS 5,6,7 AND 8)**

1. 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 specifically identified on the permit.
2. Unless specifically stated otherwise, the general and specific conditions contained in this permit have been determined by the APCD to be necessary to assure compliance with the provisions of Section 25-7-114.5(7)(a), C.R.S.
3. 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 shall constitute a rejection of the entire permit and upon such occurrence, this permit shall be deemed denied *ab initio*. This permit may be revoked at any time prior to final approval by the Air Pollution Control Division (APCD) on grounds set forth in the Colorado Air Quality Control Act and regulations of the Air Quality Control Commission (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.
4. This permit and any required attachments must be retained and made available for inspection upon request at the location set forth herein. With respect to a portable source that is moved to a new location, a copy of the Relocation Notice (required by law to be submitted to the APCD whenever a portable source is relocated) should be attached to this permit. The permit may be reissued to a new owner by the APCD as provided in AQCC Regulation No. 3, Part B, Section II.B. upon a request for transfer of ownership and the submittal of a revised APEN and the required fee.
5. Issuance (initial approval) of an emission permit does not provide "final" authority 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 No. 3, Part B, Section 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. If the APCD so determines, it will provide written documentation of such final approval, which does constitute "final" authority to operate. **Compliance with the permit conditions must be demonstrated within 180 days after commencement of operation.**
6. **THIS PERMIT AUTOMATICALLY EXPIRES IF** you (1) do not commence construction or operation within 18 months after either the date of issuance of this permit or the date on which such construction or activity was scheduled to commence as set forth in the permit, whichever is later; (2) discontinue construction for a period of 18 months or more; or (3) do not complete construction within a reasonable time of the estimated completion date. Extensions of the expiration date may be granted by the APCD upon a showing of good cause by the permittee prior to the expiration date.
7. **YOU MUST notify the APCD at least thirty days (fifteen days for portable sources) prior to commencement of the permitted operation or activity.** Failure to do so is a violation of Section 25-7-114.5(12)(a), C.R.S. and AQCC Regulation No. 3, Part B, Section III.G.1., and can result in the revocation of the permit. *You must demonstrate compliance with the permit conditions within 180 days after commencement of operation as stated in condition 5.*
8. Section 25-7-114.7(2)(a), C.R.S. requires that all sources required to file an Air Pollution Emission Notice (APEN) must **pay an annual fee** to cover the costs of inspections and administration. 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.
9. 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.