

# AIR MANAGEMENT PROGRAM FACT SHEET



AM-382 2022

## General Permits for Hot Mix Asphalt Plants

November 2022

### What is a general permit for hot mix asphalt plants?

General permits for asphalt plants contain standard requirements that apply to the paving industry and are available to most portable and stationary facilities. The general permit for asphalt plants authorizes the construction (i.e. setting up) and operation of new and existing asphalt plants. The permits cover the hot mix asphalt plant, on-site equipment and aggregate handling operations, excluding mobile equipment (end loaders, backhoes, etc.).

### What are benefits of a general permit?

- flexibility to construct, modify, or replace equipment (with the exception of the drum and burner combination) without obtaining a new construction permit as long as the facility continues to comply with all conditions of the general operation permit after the change
- one set of requirements for companies with multiple asphalt plants
- swift decision – permit coverage decision made in 15 days or less
- simplified permit application and permitting process
- lower administrative costs - no permit revisions or permit renewals are necessary because the general operation permit does not expire
- no construction permit fee

### What facilities can apply for a general permit?

Most portable asphalt plants and most stationary asphalt plants can obtain a general permit. The Wisconsin Department of Natural Resources (DNR) will perform modeling on a stationary asphalt plant to determine if it is eligible for a general permit. The general permit is limited to facilities with a design production capability of no more than 700 tons of asphalt per hour with a baghouse for emission control, and that meet the modeling criteria listed below in *Are there other eligibility criteria?*

For the purposes of the permit, an asphalt plant is any facility that identifies code 2951 as a primary Standard Industrial Classification (SIC) or code 324121 as a primary North American Industry Classification System (NAICS) for operations at the facility.

## What are the emission limitations in a general permit?

**Table 1: Asphalt Plants General Permit Limits**

Pollutant/Synthetic Minor Condition	Limitation
Fine particles (PM <sub>10</sub> )	Asphalt produced may not exceed 62,500 tons/month, 12 month rolling average
Sulfur dioxide	125,000 gallons of liquid fuel/month, 12 month rolling average
Sulfur content of fuels	May not exceed 1.3% by weight
IC engines – gen-sets	4,167 gallons of liquid fuel/month, 12 month rolling average
Section 112(b) Hazardous air pollutants– IC engines (gen-sets)	<ul style="list-style-type: none"> <li>Fuel sulfur content not to exceed 15 ppm sulfur</li> <li>Tier 2 emission standards for stationary sources *</li> </ul>
Soil remediation-organic compound emissions	<ul style="list-style-type: none"> <li>47 lb/day in Kenosha, Kewaunee, Manitowoc, Milwaukee, Ozaukee, Racine, Sheboygan, Walworth, Washington or Waukesha County</li> <li>216 lb/day in all other counties in the state</li> <li>Only soil contaminated with gasoline, fuel oil, waste lubricating oil, burner fuels, or petroleum products may be treated</li> </ul>
Nitrous oxides/ozone nonattainment counties	24.9 tons/year based on a 12-month rolling average

\*NOTE: Tier 2 is applicable if the IC engine remains or intends to remain in a single location for any 12-consecutive month period and combusts or intends to combust 10,000 gallons or more of fuel during that period of time.

In addition:

A) For particulate matter:

- Asphalt plants subject to the New Source Performance Standards (NSPS) requirements, may emit no more than 0.039 grains per dry standard cubic foot.
- Hot mix asphalt plants not subject to NSPS requirements may emit 0.30 pounds per 1000 pounds of exhaust gas (including the back-half catch).

B) For visible emissions:

- Asphalt plants subject to the NSPS requirements are limited to no more than 20% visible emissions.

C) For internal combustion engines:

- Internal Combustion (IC) engines (gen-sets) are limited to no more than 1.33 pounds of particulate matter per hour.
- Gen-sets rated greater than 600 brake horsepower may not use more than 50 gallons of fuel per hour.
- Gen-sets rated 600 brake horsepower or less may not use more than 30 gallons of fuel per hour.

## What are the eligibility criteria?

The following is a list of eligibility criteria.

- Hot mix plants may burn only #2 through #6 fuel oil, residual blend stock, commercial heating oil, residual oil, diesel oil, natural gas, propane, biodiesel, or waste oil.
- Combustion units used at the facility may burn only biodiesel, distillate oils, gasoline, any combination of these fuels, or butane, propane, or natural gas.
- The asphalt plant must have a maximum equivalent diameter stack of 5.67 feet and a minimum stack height of 25.0 feet above the ground. The stack must be vertical and unobstructed.
- Internal combustion (IC) engines (gen-sets) must have a vertical, unobstructed exhaust stack at least 12.0 feet above ground level and the stack inside diameter at the outlet may not exceed 1.5 feet.
- A DNR approved Fugitive Dust Control Plan must be followed. Applicants may elect the plan that is pre-approved by the DNR, or submit their own plan for approval.

- A facility's existing individual construction and/or operation permits must be revocable by the DNR. For most businesses, this will be possible.
- Facilities that have a general construction permit, will receive a general operation permit, upon submittal of proof of compliance with the emission limitations, along with an application for the general operation permit.

### **What requirements are in this general permit?**

- Facility production and fuel use may not exceed the limits in Table 1.
- Fuel sulfur content of the fuel oil burned by the gen-sets may not exceed 15 ppm sulfur.
- Annual recordkeeping of production/usage data necessary to calculate emissions.
- Must meet all state (chs. NR 400 – NR 499, Wis. Adm. Code) and federal air pollution requirements that apply to the facility.
- Facility must submit annual compliance monitoring report/compliance certification and report the facility's emissions to the air emission inventory (AEI) each year.
- All replacement equipment other than the drum and burner combination is exempt from permitting requirements if it meets the conditions of the general permit. However, the facility must notify the DNR that it has replaced equipment and perform any required testing on that equipment.
- New drum and burner combinations will need to obtain a construction permit.
- Facilities receiving a general construction permit are required to perform stack testing on the asphalt plant, and visible emissions testing on all equipment that is covered in the permit. This requirement is the same for a facility receiving a standard individual construction permit.

### **Are there other considerations before applying for a general permit?**

Yes. The permit limits asphalt production to 62,500 tons per month based on a 12-month average. This production limit at the facility may be too confining. Fuel used in production is restricted to 125,000 gallons per month based on a 12-month average. It is up to the facility to determine whether they can operate within the restrictions of the general permit for hot mix asphalt plants.

### **What are the next steps?**

Coverage under a general permit must be requested by the responsible official using forms provided by the Air Management Program. Download the hot mix asphalt general permit application form, 4530-163, from the forms page, under the [General and Registration Permit Forms tab](#). The DNR has 15 days to review each application and either grant or deny coverage or ask for more information.

Email an electronic copy of the completed application to [DNRAMAirPermit@wisconsin.gov](mailto:DNRAMAirPermit@wisconsin.gov). The DNR will respond with an email with instructions for e-Signing or submitting an ink signature upon receipt of the electronic application. A photocopied or scanned signature does not meet the DNR's signature requirements. The DNR will not process an application until the signature is received. It is also an option to send the original hard copy, signed by the responsible official, to:

Wisconsin Department of Natural Resources  
 Air Management Program  
 ATTN: General Permits  
 PO Box 7921  
 Madison, WI 53707-7921

## For more information:

- For details on the permit application process, contact the [general permit coordinator](#).
- The Small Business Environmental Assistance Program (SBEAP) has permit and compliance resources available on the [Asphalt Plant](#) webpage. Contact the SBEAP at [DNRsmallbusiness@wisconsin.gov](mailto:DNRsmallbusiness@wisconsin.gov) or (855)889-3021.

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