

---

# ENVIRONMENTAL Fact Sheet

---



29 Hazen Drive, Concord, New Hampshire 03301 • (603) 271-3503 • [www.des.nh.gov](http://www.des.nh.gov)

---

ARD-43

2012

## Rules and Permits for Rock Crushing Plants (Non-metallic Mineral Processing Plants)

On October 1, 2010, the DES Air Resources Division adopted revised rules regarding non-metallic mineral processing plants, commonly known as rock crushing plants or rock crushers. The revised rules are intended to protect air quality in New Hampshire, as well as simplify the air permitting process for these source types. The rules are codified in NH Code of Administrative Rules Env-A 2800.



### **Who is subject to Env-A 2800?**

A non-metallic mineral processing plant is defined as any combination of equipment used to grind or crush any non-metallic mineral, such as stone, sand, gravel, clay, rock, salt and vermiculite. The term includes all equipment used in conjunction with the grinding or crushing equipment to dry, mix, convey, size, or blend the processed material.

Owners or operators of non-metallic mineral processing plants (rock crushers) with the following capacities are subject to all the permitting, testing and emission standards requirements in Env-A 2800:

- a) A fixed (stationary) rock crushing plant with a capacity of 25 tons per hour or more, and
- b) A portable rock crusher with a capacity of 150 tons per hour or more.

Owners or operators of other rock crushing plants that fall below these capacities are not subject to the permitting or testing requirements, but they are subject to emission standards as specified in Env-A 2803.01.

### **What emission limits apply to rock crushing plants?**

For rock crushing plants that fall **below** the capacity thresholds listed above, the visible emissions limit is 20 percent opacity, averaged over a continuous six-minute period.

For rock crushing plants with the capacities listed above, the visible emission limits are as follows:

Category of Affected Equipment	Date of construction, modification or reconstruction	Visible Emission Limit – Percent Opacity
Grinding mills, screening operations, bucket elevators, transfer points on belt conveyors, bagging operations, storage bins, railcar loading stations, or any other equipment	Prior to April 22, 2008	10 percent
	On or after April 22, 2008	7 percent
Crushers with no capture system	Prior to April 22, 2008	15 percent
	On or after April 22, 2008	12 percent

**What is a Permit-by-Notification?**

A Permit-by-Notification is a registration process in which+ the equipment owner/operator certifies their intent to comply with all applicable rules and regulations. Owners or operators of rock crushing plants are subject to permitting requirements if the facility meets or exceeds the capacity thresholds listed above. Owners or operators may obtain a Permit-by-Notification for Non-Metallic Mineral Processing Plants to meet this requirement. By following the procedures to obtain coverage under the Permit-by-Notification process, owners will be certifying that they will comply with all applicable rules and regulations.

An owner or operator who qualifies for and obtains coverage under the Permit-by-Notification process is **not required** to obtain a Temporary Permit or a State Permit to Operate pursuant to Env-A 600.

**What is the process for obtaining coverage under the Permit-by-Notification?**

The application for a Permit-by-Notification shall contain the information listed in Env-A 2806.04. The application will need to include general information on the plant and the owner or operator, as well as a detailed list of all equipment associated with the crushing plant. The owner or operator will also need to certify that the operation will comply with all applicable rules, including the federal rules governing non-metallic mineral processing plants as codified under 40 CFR 60, Subpart OOO. The application for a Permit-by-Notification shall be submitted to DES via postal mail or on-line. To submit forms electronically you must be registered as a “OneStop Data Provider.” Visit [des.nh.gov](http://des.nh.gov), click on the green “OneStop Data and Information” icon on the left side, select “OneStop Data Provider” and follow the registration procedures.

To help ensure applicants supply all of the information listed in Env-A 2806.04. Optional application forms are available to use when submitting the required general information (Form PBN-1 General Facility Information) and detailed equipment inventory information (PBN-2 Equipment Component Inventory List).

**What are the fees associated with the Permit-by-Notification?**

There is a one-time application fee of \$1,000. Plants covered under the Permit-by-Notification process will **not** be required to pay annual emission-based fees.

### **What are the testing requirements for rock crushing plants subject to the Permit-by-Notification?**

The owner or operator will be required to conduct visible emissions testing in accordance with *Env-A 802.12 Visible Emissions Testing Pursuant to 40 CFR 60, Subpart OOO*.

All rock crushers using the Permit-by-Notification have to test their equipment. For new equipment or existing equipment previously not tested, testing must be completed within 60 days of achieving the maximum production rate of the equipment, but not later than 180 days from startup or re-startup of the device.

An optional reporting form is available to assist plants in providing the required testing information (PBN-3 Non-Metallic Mineral Processing Plants Summary of Results of Subpart OOO Visible Emissions Testing). The testing results shall be submitted to DES via fax at (603) 271-7053), email at [airpermitbynotification@des.nh.gov](mailto:airpermitbynotification@des.nh.gov), postal mail or on-line via the OneStop Data Provider site.

### **What are the recordkeeping and reporting requirements under the Permit-by-Notification?**

The owner or operator will need to maintain records on the total quantity of materials processed through the plant on an annual basis as well as records of all performance tests conducted on the equipment.

There are **no** routine, periodic reporting requirements under the Permit-by-Notification process. However, there are required notifications for change in ownership, equipment modification/replacement, and change in locations, which are explained below.



### **What if there is a change in ownership of the plant?**

Within 10 days of any change of the owner or operator, the new owner or operator shall submit the following information to DES via postal mail:

- a) The name, mailing address, and daytime telephone number of the new owner or operator (and if available, an e-mail address and fax number).
- b) The Permit-by-Notification identification number.
- c) The physical location of the plant, including street address and municipality.
- d) Signature and certification pursuant to Env-A 2806.05.

### **What if a rock crushing plant is modified?**

Any time an owner or operator makes a modification to a plant covered by a Permit-by-Notification, including replacing a piece of equipment, DES must be notified. Within 10 days of making the modification, the owner or operator must submit the following:

- a) Information specified in 40 CFR 60.676(a), as applicable.
- b) Date on which testing of new equipment will be conducted.
- c) Signature and certification pursuant to Env-A 2806.05.

The modification notification shall be submitted to DES via fax at (603) 271-7053, email at [airpermitbynotification@des.nh.gov](mailto:airpermitbynotification@des.nh.gov), postal mail or on-line via the OneStop Data Provider site.

**What if the rock crushing plant is moved?**

Within 10 days after a portable plant covered by a Permit-by-Notification is moved to a different location, the owner or operator shall submit to DES and all affected towns a location change notice. The notice shall contain the following information:

- a) The Permit-by-Notification identification number.
- b) The physical location from which the plant was moved.
- c) The physical location to which the plant was moved.
- d) Signature and certification pursuant to Env-A 2806.05.

The move notification shall be submitted to DES via fax at (603) 271-7053, email at [airpermitbynotification@des.nh.gov](mailto:airpermitbynotification@des.nh.gov), postal mail or on-line via the OneStop Data Provider site. An optional form is available to assist sources in providing the required location change information (PBN-4 Location Change Notice Permit-By-Notification).

**For additional information, contact:**

NHDES Permitting & Environmental Health Bureau  
29 Hazen Drive; PO Box 95  
Concord, NH 03302-0095  
(603) 271-1370  
(603) 271-1381 (fax)  
[airpermitbynotification@des.nh.gov](mailto:airpermitbynotification@des.nh.gov)