



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 10**

1200 Sixth Avenue, Suite 155  
Seattle, WA 98101-3188

AIR & RADIATION  
DIVISION

February 23, 2021

Ms. Jana McDonald  
Northwest Region Environmental Manager  
CPM Development Corporation  
P.O. Box 3366  
Spokane, Washington 99220

Dear Ms. McDonald:

This letter provides the U.S. Environmental Protection Agency, Region 10's determination in response to the Request for Coverage under the General Air Quality Permit for New or Modified Minor Source Stone Quarrying, Crushing, and Screening Facilities in Indian Country that the EPA received from Central Washington Concrete pursuant to the Clean Air Act Tribal Minor New Source Review Program. The project for which the SQCS General Permit coverage is sought by CWC is the construction and operation of a stone quarrying, crushing, and screening facility at the Toppenish Gravel Mine (aka Graham and Morris Sand and Gravel), which will entail construction and operation of certain equipment (see List of Affected Emission Units in table below) at their existing quarry in Toppenish, Washington (the Project).

**Permittee:** CPM Development Corporation, dba Central Washington Concrete  
P.O. Box 3366  
Spokane, Washington 99220

**Location(s):** Toppenish Quarry, 441 E. McDonald Road, Toppenish, Washington 98948

**Permit #:** R10TNSR00401 (replaces R10TNSR00400)<sup>1</sup>

**Determination**

The EPA has carefully reviewed CWC's Request for Coverage, as specifically defined in our Technical Support Document for this action, and other relevant information, to determine whether the Project meets all of the criteria to qualify it to apply for coverage under the SQCS General Permit. Based on our review of, and in reliance on, all of the information and representations provided in the Request for Coverage, the EPA has determined that the Project meets all such criteria and is eligible for coverage under the SQCS General Permit.<sup>2</sup> Accordingly, pursuant to 40 CFR 49.156(e), the EPA is hereby approving the Request for Coverage for the Project.

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<sup>1</sup> This approval was administratively revised, effective February 23, 2021, as discussed in the TSD.

<sup>2</sup> We note that the EPA has determined that CWC has provided information demonstrating that it has met the listed species and historic properties eligibility criteria in the SQCS Permit for the Project, as discussed in our TSD.

Our analysis and basis for our determination is discussed in more detail in our TSD for this action. In addition, as also discussed in the TSD, the EPA’s Approval of Request for Coverage for the Project is based in part on representations by CWC in the Request for Coverage that the engines powering the equipment at the Project are nonroad (mobile) engines that will operate at the site identified above for a period of less than one year. We note that if such engines and/or replacement engines intended to perform the same or a similar function are intended to be utilized for stone quarrying, crushing, and/or screening operations at the Toppenish quarry for a period of at least one calendar year (or for a shorter time, if operations are conducted on a seasonal basis for consecutive seasons), or are actually utilized for this length of time, the engines would be considered stationary sources and subject to further requirements under the SQCS General Permit. In that case, the Project would not be eligible for coverage based on the current Request for Coverage, which does not indicate that stationary engines will be utilized for the Project.

This Approval of the Request for Coverage authorizes the Permittee to construct and operate the permitted source only at the facility location(s) listed above. All notifications and reports under this Approval of Request for Coverage under the SQCS General Permit shall be sent to the addresses identified in the TSD. The Permittee is subject to Version 1.0 of the aforementioned SQCS General Permit, and a copy of which is enclosed with this Approval of Request for Coverage.<sup>3</sup>

This Approval of Request for Coverage must be posted prominently at the current site location and each affected emissions unit must be labeled with the applicable identification number listed below:

**List of Affected Emission Units**

<b>ID #</b>	<b>Description of Affected Emission Units</b>	<b>Control Technology</b>	<b>Date of Manufacture</b>
500	Primary Crusher; Nordberg C110; 500tons/hour	Water Spray	2008
510	Secondary Crusher; Nordberg HP400; 500 tons/hour	Water Spray	1998
530	Tertiary Crusher; Nordberg HP300; 500 tons/hour	Water Spray	1998
540	Tertiary Crusher; KPI-JCI K400+; 500 tons/hour*	Water Spray	2018
400	Regular Screen; JCI 5 x 20; 500 tons/hour	Water Spray	2004
420	Regular Screen; JCI 5 x 20; 500 tons/hour	Water Spray	1997
421	Regular Screen; JCI 5 x 20; 500 tons/hour	Water Spray	1997
430	Jaw Feeder; 500 tons/hour	None	2008
701	Main Bunker Loadout, 500 tons/hour	None	Unknown
702	Chip Bunker Loadout, 500 tons/hour	None	Unknown
Multiple	Conveyors	None	Unknown

\*Original 2016 approval was for a Nordberg HP400 tertiary crusher (ID# 520) replaced in 2020.

<sup>3</sup> The SQCS General Permit is also available at <https://www.epa.gov/tribal-air/5-source-categories-stone-quarrying-crushing-and-screening-facilities-final-rule>, and a copy of this Approval will be posted on Region 10’s website at <https://www.epa.gov/caa-permitting/air-permits-issued-epa-region-10>.

## **Applicable Permit Conditions**

Your permitted source is generally subject to all terms and conditions in the SQCS General Permit. However, certain conditions are not applicable to your permitted source, including:

1. Requirements for permitted sources located in nonattainment areas. Your source will be located in an area that is currently designated as attainment for all NAAQS pollutants. As such, your source is subject to the emission limits for sources in attainment areas. The limits for nonattainment areas are not applicable to your source.
2. The elective synthetic minor limit for co-located sources in Condition 16. Your application did not request the elective synthetic minor limit for co-located sources in Condition 16 and must instead comply with the operating limit in Condition 15.

## **Additional Information**

Please be aware that you must construct and/or modify and operate the affected emissions units, and any associated air pollution control technologies, in compliance with the SQCS 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 also comply with all other applicable provisions of the General Permit. Noncompliance with any permit provision is a violation of the permit and may constitute a violation of the CAA; is grounds for an enforcement action; and is grounds for the EPA to revoke the Approval of the Request for Coverage and terminate your source's coverage under this General Permit. You may be subject to enforcement action for failure to obtain a preconstruction permit if you construct your source under this Approval of Request for Coverage and your source is later determined not to qualify for the conditions and terms of the SQCS General Permit.

Pursuant to 40 CFR 49.156(e)(8), this Approval of Request for Coverage under the SQCS General Permit will become invalid if you do not commence construction within 18 months after the date when this Approval of Request for Coverage 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, unless the EPA extends the 18-month period upon a satisfactory showing that an extension is justified.

The EPA's Approval of Request for Coverage for the Project is a final agency action for purposes of judicial review, only for the issue of whether the Project qualifies for coverage under the SQCS 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). This administrative revision is effective upon signature.

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

Sincerely,

Kelly McFadden, Chief  
Air Permits & Toxics Branch

Enclosures

1. 20210223 Toppenish SQCS Technical Support Document
2. SQCS General Permit

cc: Ms. Elizabeth Sanchey  
Environmental Management Program Manager  
Yakama Nation