



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10**

1200 Sixth Avenue, Suite 155
Seattle, WA 98101

AIR & RADIATION
DIVISION

May 3, 2022

Ms. Trina Wheeler
President
Wheeler Rock Products
P.O. Box 99
Wapato, Washington 98951

Dear Ms. Wheeler:

This letter provides the U.S. Environmental Protection Agency, Region 10's Approval of the Request for Coverage under the General Air Quality Permit for New or Modified Minor Source Concrete Batch Plants in Indian Country (CBP General Permit) that Region 10 received from Wheeler Rock Products (Wheeler) pursuant to the Clean Air Act Tribal Minor New Source Review Program. The Project for which the CBP General Permit coverage is sought by Wheeler is the operation of a pre-existing concrete batch plant located in Wapato, Washington, which will entail no new construction or modification, but will provide for continued operation of this plant.

Permittee: Wheeler Rock Products, P.O. Box 99, Wapato, Washington 98951

Location(s): Wheeler Pit, 250 Cowin Lane, Wapato, Washington 98951

Permit #: R10TNSR00501 (replaces R10TNSR00500)¹

Determination

Region 10 has carefully reviewed Wheeler's Request for Coverage and other relevant information to determine whether the Project meets all of the criteria to qualify it for coverage under the CBP General Permit. Based on a review of, and reliance on, all of the information and representations provided in the Request for Coverage, Region 10 has determined that the Project meets all such criteria and is eligible for coverage under the CBP General Permit.² Accordingly, pursuant to 40 CFR 49.156(e), Region 10 is hereby issuing this Approval of the Request for Coverage for the Project.

This Approval and the CBP General Permit authorize the Permittee to operate the Project only at the location listed above. The Permittee is subject to Version 1.0 of the aforementioned CBP General

¹ This approval was administratively revised, effective May 3, 2022, as discussed in the TSD.

² Region 10 has determined that Wheeler has provided information demonstrating that it has met the listed species and historic properties eligibility criteria in the CBP General Permit.

Permit, a copy of which is enclosed.³ The analysis and basis for Region 10’s determination is discussed in more detail in the Technical Support Document for this action.

All notifications and reports required by the CBP General Permit shall be sent to the address below.

Clean Air Act Compliance Manager
 U.S. EPA – Region 10
 1200 Sixth Avenue, Suite 155, 20-C04
 Seattle, WA 98101

This Approval shall be posted prominently at the approved facility location. Each affected emissions unit shall be labeled with the applicable identification number listed below:

ID #	Description of Affected Emission Units	Control Technology	Date of Manufacture
B1	Aggregate Storage Bin-59BBL; 9 tons per hour capacity	Water Spray	06/01/2015
B2	Cement I Storage Silo-970 BBL; 145 tons per hour capacity	Dust Collector	06/01/2015
B3	Cement II Storage Silo-565 BBL; 85 tons per hour capacity	Dust Collector	06/01/2015
C1	CON-E-CO Conveyor 1; 241 tons per hour capacity	Water Spray	06/01/2015
C2	CON-E-CO Conveyor 2; 241 tons per hour capacity	Water Spray	06/01/2015
C3	CON-E-CO Conveyor 3; 241 tons per hour capacity	Water Spray	06/01/2015
WH	CON-E-CO Weigh Hopper; 241 tons per hour capacity	Baghouse	06/01/2015

Applicable Permit Conditions

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

1. Requirements for cold-cleaner degreasers. The emissions units approved for your source do not include a batch-loaded cold cleaner degreaser. As such, Conditions 17, 27, 35, 45, 46, 47, and attachment D are not applicable to your source.
2. Requirements for stationary source or emergency generator engines. The emissions units approved for your source do not include stationary source or emergency generator engines. As such, Conditions 16, 24, 25, 32, 33, 34, 44, 48, and 55 are not applicable to your source.
3. Requirements for boilers and heaters. The emissions units approved for your source do not

³ The CBP General Permit is available at <https://www.epa.gov/tribal-air/6-source-categories-concrete-batch-plants-final-action>; 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>.

include any boilers or heaters. As such, Condition 26 is not applicable to your source.

Additional Information

You are reminded that you must operate the affected emissions units, and any associated air pollution control technologies, in compliance with the CBP 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 comply with all applicable provisions of the General Permit, including those set forth in the attachments and emission limitations that apply to the affected emissions units at the permitted source. Noncompliance with any permit provision is a violation of the permit, may constitute a violation of the Clean Air Act, is grounds for an enforcement action, and is grounds for the EPA to revoke the Approval and terminate your source's coverage under the CBP General Permit.

Region 10's Approval for the Project is based in part on representations by Wheeler in the Request for Coverage that there are no stationary engines powering the equipment at the Project. While Wheeler has not indicated the use of nonroad (mobile) engines at the site, these types of engines may operate at the site identified above for a period of less than one year (see nonroad engine definition at 40 CFR § 89.2). However, Region 10 notes that if nonroad engines are intended to be utilized at the site for the concrete batch plant operations at the Wheeler facility 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 CBP General Permit. Accordingly, 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.

Region 10's Approval of the Request for Coverage for the project is a final agency action for purposes of judicial review only for the issue of whether the Project is eligible for coverage under the CBP General Permit (see 40 CFR 49.156(e)(6)). Any petition for review of this approval action must be filed with the EPA's Environmental Appeals Board pursuant to 40 CFR 49.159(d) within 30 days after the service of notice announcing this final agency decision.

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

Sincerely,

Krishna Viswanathan
Director

Enclosures:

1. Wheeler CBP GP Coverage Approval Technical Support Document
2. CBP General Permit

cc: Ms. Elizabeth Sanchez
Confederate Tribes and Bands of the Yakama Nation