



Department of
Environmental
Conservation

6 NYCRR Part 220

- Portland Cement Plants**
- Glass Plants**
- Asphalt Pavement Manufacturing Plants**

Proposed Regulation

**Virtual Stakeholder Meeting
October 8, 2021**

6 NYCRR Part 220

Subpart 220-1, Portland Cement Plants

Subpart 220-2, Glass Plants

Subpart 220-3, Asphalt Pavement Manufacturing Plants (New)



Subpart 220-1, Portland Cement Plants

- Revise terms to align with federal rule 40 Code of Federal Regulations (CFR) Part 63 Subpart LLL, “National Emission Standards for Hazardous Air Pollutants from the Portland Cement Manufacturing Industry.”

Subpart 220-1, Portland Cement Plants

- Particulate emission limits for kilns and clinker coolers will reference Subpart LLL
 - existing: 0.07 lb/ton clinker
 - new or modified: 0.02 lb/ton clinker



Subpart 220-1, Portland Cement Plants

- Remove opacity requirement currently included in Subpart 220-1
- Monitor performance through use of a PM continuous parametric monitoring system
 - Measures parameters that are key indicators of system performance
 - Monitors operational criteria of the process or air pollution control device known to affect emission levels
 - Includes temperature, pressure, and flow rate



Subpart 220-1, Portland Cement Plants

- Remove 40 CFR Part 75 NO_x emissions monitoring and reporting requirements, replace with 40 CFR Part 60 requirements
 - Part 75 monitoring is no longer appropriate because the federal program that required it has been repealed (CAIR)
 - Part 60 monitoring and reporting is a less expensive option that will achieve required NO_x emissions monitoring from Portland cement kilns



Subpart 220-2, Glass Plants

- No significant changes
- Only adding severability section

Severability.

Each provision of this Subpart shall be deemed severable. In the event that any provision of this Subpart is held to be invalid, the remainder of this Subpart shall continue in full force and effect.



Subpart 220-3, Asphalt Pavement Manufacturing Plants

Overview

- Repeal current Subpart 212-4, “Control of nitrogen oxides for hot mix asphalt production plants”
- Create new Subpart 220-3, “Asphalt Pavement Manufacturing Plants”
 - Technology based regulation as opposed to risk based
 - Control emissions from each source at facility
- Create 212-1.4 exception stating that “Sources applicable to 220-3 are not subject to 212”



Subpart 220-3, Asphalt Pavement Manufacturing Plants

Applicability

- Upon issuance of a new/modified permit or reconstructed asphalt pavement processing unit; or three years from the effective date of Subpart 220-3, whichever occurs first.
- Asphalt pavement processing units whose *calculated annual production level* of asphalt paving material is greater than 75,000 tons per year are subject to the provisions of 220-3.



Subpart 220-3, Asphalt Manufacturing Plants

New Definition

- Calculated Annual Production Level' ...value determined by taking the average of the three highest manufacturing calendar years of asphalt paving material from the previous five most recent calendar years, beginning with the effective date of this Subpart...



Subpart 220-3, Asphalt Manufacturing Plants

Requirements for new and existing facilities

- Low NOx burners - NOx variance will no longer apply
- Apply gr/dscf limit to filterable and condensable particulates
- Use low sulfur (15 ppm) diesel or natural gas for drum dryers and engines (waste oil is allowed)
- Vent condensers on asphalt storage tanks
- Storage silo control based on size, modifications, upgrades



Subpart 220-3, Asphalt Manufacturing Plants

Requirements for existing facilities

- Drag conveyor, storage silo, pug mill and load-out controls
 - Blue smoke emissions
 - Calculated annual production level
 - >500,000 tpy, within 1 year of effective date
 - >250,000 to 500,000 tpy, within 3 years of effective date
 - 75,000 to 250,000 tpy, within 5 years of effective date



Subpart 220-3, Asphalt Manufacturing Plants

Performance Testing

- Emission tests using EPA reference methods shall be conducted once per permit term or at least once every ten years.
- These tests should be done while burning the worst-case fuel to verify compliance with the filterable and condensable particulate matter (PM) and NO_x limits.



Subpart 220-3, Work Practices

- Annual tune-up on the dryer burner
- Annual tune-up on the hot oil heater
- Implement plan to reduce the moisture content of the aggregate stockpile
- Annual baghouse inspection and maintenance prior to operating for the season
- Inspect ductwork for leaks/perform needed maintenance prior to operating season
- Maintain annual records of baghouse and ductwork inspections
- RAP moisture content shall not exceed 2%



Subpart 220-3, Dust Control

- Dust on the site roadways and plant yard shall be controlled by applications of water or other acceptable and approved fugitive dust control compound
- All paved areas shall be swept, as needed, with water to reduce emissions
- Any material spillage on site roads shall be cleaned up immediately
- The potential for dust to be tracked out to public roadways shall be minimized



Subpart 220-3, Estimated Timeline

- *October 2021: Stakeholder outreach*
- November 2021: Draft rule finalized (incorporating feedback)
- December/January 2022: Proposed rule & supporting documents developed
- February 2022: Public comment period opens
- May 2022: Public comment period closes
- June 2022: Rulemaking finalized
- July 2022: Final rule issued



Any questions or things to discuss?

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Please submit comments/info via
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