

Appendix A – Notice of Intent



**Air Quality Permit Application Form
Concrete Plant**

**Notice of Intent
And
Certification of Applicant Form**

(please complete shaded areas)

SEND TO:

SD Department of Environment and Natural Resources
Air Quality Program
523 East Capitol
Pierre, South Dakota 57501-3181

General Information:

If permit is being renewed or amended, give existing permit number:

1. Facility name?

2. Mailing address?

Street and/or box number

City, state, zip code

3. Facility location (if plant is portable, enter location at time of submittal)?

Street and city

Latitude, Longitude

Legal description and county

(Quarter, Section, Township, Range)

4. Standard Industrial Classification Code (SIC code)?

Primary SIC code: Secondary SIC code (if applicable):

Please contact the Department if unable to determine your SIC code.

5. Permit contact?

Name/title:

Telephone number:

6. Does the runoff enter into a municipal storm sewer (check one)? Yes No

If yes, what is the name of the city:

7. Receiving water?

(Natural surface drainage that runoff is entering (i.e., draw, ditch, unnamed tributary, river, etc.)

Concrete Plant Information:

1. Facility identification?

2. Manufacturer?

3. Model number?

3. Check one: Stationary Portable

4. Type of concrete batch plant (check one)? Redi-mix Central mix

5. Maximum design operating rate? cubic yards per hour

6. Has a stack test been conducted on the concrete batch plant (check one)? Yes No

If a stack test has been conducted, please attach a copy of the most recent stack test report to this application. If the Department already has a copy of the most recent stack test, please specify the date of most recent stack test.

Date of most recent stack test:

Stack Information: If this application is a renewal, contact the air program. We may have this information.

X- Coordinate or Easting: ¹ feet or meters

Y- Coordinate or Northing: ¹ feet or meters

Base Elevation of Stack: ¹ feet or meters

Stack Height: feet or meters

Exit Stack Diameter feet or meters

Exit Stack Temperature degrees Fahrenheit

Exit Stack Velocity and/or Flow Rate:

Velocity: feet per second meters per second

and/or

Flow Rate: actual cubic feet per minute actual cubic meters per second

¹ - Portable concrete plants do not have to provide the requested information in these categories.

Control Equipment: If applicable, types of air pollution control equipment (Examples: baghouse, cyclone, wet scrubber, electrostatic precipitator, thermal oxidizer, miscellaneous control device, etc.).

Please complete the appropriate air quality permit application form for each type of control equipment that controls air emissions from this operation.

Please check the process(es) controlled by the air pollution control equipment indicated above:

<input type="checkbox"/>	Sand/aggregate transportation	<input type="checkbox"/>	Weigh hopper
<input type="checkbox"/>	Mixer	<input type="checkbox"/>	Truck loading
<input type="checkbox"/>	Other (specify): <input type="text"/>		

Cement and Fly Ash Unloading System:

1. Check the appropriate unloading system:	Pneumatic		Bucket elevator	
2. Amount of cement each truck contains?	tons	or		cubic yards
3. Amount of fly ash each truck contains?	tons	or		cubic yards
4. How long does it take to unload a cement truck?				minutes
5. How long does it take to unload a fly ash truck?				minutes
6. Number of silos?				
7. Type of air pollution control equipment for silo's?				

(Examples: cyclone, dust house, fabric filter, enclosed building, etc.)

Please complete the appropriate air quality permit application form for each type of control equipment that controls air emissions from this operation.

Other Equipment:

Does the facility own or operate a **boiler**? Yes No

Does the facility own or operate a **generator**? Yes No

For each **control device, boiler, or generator**, please fill out the appropriate application. The application can be found on DENR's website at the following link: <https://denr.sd.gov/des/aq/airpermits.aspx>

Map: Attach a map showing the current location of the plant.

Certification:

This application is submitted in accordance with the provisions of the South Dakota Air Pollution Control Regulations, ARSD 74:36 and the South Dakota Surface Water Discharge Permit Regulations, ARSD 74:03:18:48.

“I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.” I have also enclosed a completed Certification of Applicant form.

Signature:		
Print Name:		Date
	Responsible Official	

STATE OF SOUTH DAKOTA
BEFORE THE SECRETARY OF

THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES

IN THE MATTER OF THE)
APPLICATION OF)
_____)
_____)
STATE OF _____)
_____)
COUNTY OF _____)

CERTIFICATION OF

APPLICANT

I, _____, the applicant in the above matter after being duly sworn upon oath hereby certify the following information in regard to this application:

I have read and understand South Dakota Codified Law Section 1-40-27 which provides:

"The secretary may reject an application for any permit filed pursuant to Titles 34A or 45, including any application by any concentrated swine feeding operation for authorization to operate under a general permit, upon making a specific finding that:

- (1) The applicant is unsuited or unqualified to perform the obligations of a permit holder based upon a finding that the applicant, any officer, director, partner, or resident general manager of the facility for which application has been made:
 - (a) Has intentionally misrepresented a material fact in applying for a permit;*
 - (b) Has been convicted of a felony or other crime involving moral turpitude;*
 - (c) Has habitually and intentionally violated environmental laws of any state or the United States which have caused significant and material environmental damage;*
 - (d) Has had any permit revoked under the environmental laws of any state or the United States; or*
 - (e) Has otherwise demonstrated through clear and convincing evidence of previous actions that the applicant lacks the necessary good character and competency to reliably carry out the obligations imposed by law upon the permit holder; or**
- (2) The application substantially duplicates an application by the same applicant denied within the past five years which denial has not been reversed by a court of competent jurisdiction. Nothing in this subdivision may be construed to prohibit an applicant from submitting a new application for a permit previously denied, if the new application represents a good faith attempt by the applicant to correct the deficiencies that served as the basis for the denial in the original application.*

All applications filed pursuant to Titles 34A and 45 shall include a certification, sworn to under oath and signed by the applicant, that he is not disqualified by reason of this section from obtaining a permit. In the absence of evidence to the contrary, that certification shall constitute a prima facie showing of the suitability and qualification of the applicant. If at any point in the application review, recommendation or hearing process, the secretary finds the applicant has intentionally made any material misrepresentation of fact in regard to this certification, consideration of the application may be suspended and the application may be rejected as provided for under this section.

Applications rejected pursuant to this section constitute final agency action upon that application and may be appealed to circuit court as provided for under chapter 1-26."

I certify pursuant to 1-40-27, that as an applicant, officer, director, partner, or resident general manager of the activity or facility for which the application has been made that I; a) have not intentionally misrepresented a material fact in applying for a permit; b) have not been convicted of a felony or other crime of moral turpitude; c) have not habitually and intentionally violated environmental laws of any state or the United States which have caused significant and material environmental damage; (d) have not had any permit revoked under the environmental laws of any state or the United States; or e) have not otherwise demonstrated through clear and convincing evidence of previous actions that I lack the necessary good character and competency to reliably carry out the obligations imposed by law upon me. I also certify that this application does not substantially duplicate an application by the same applicant denied within the past five years which denial has not been reversed by a court of competent jurisdiction. Further;

“I declare and affirm under the penalties of perjury that this claim (petition, application, information) has been examined by me, and to the best of my knowledge and belief, is in all things true and correct.”

Dated this _____ day of _____, 20____ .

Applicant (print)

Applicant (signature)

Subscribed and sworn before me this _____ day of _____, 20____ .

Notary Public (signature)

My commission expires: _____

(SEAL)

PLEASE ATTACH ANY ADDITIONAL INFORMATION NECESSARY TO DISCLOSE ALL FACTS AND DOCUMENTS PERTAINING TO SDCL 1-40-27 (1) (a) THROUGH (e). ALL VIOLATIONS MUST BE DISCLOSED, BUT WILL NOT AUTOMATICALLY RESULT IN THE REJECTION OF AN APPLICATION