

## **7011.0913 HOT MIX ASPHALT PLANT MATERIALS, FUELS, AND ADDITIVES OPERATING REQUIREMENTS.**

Subpart 1. **Materials, fuels, and additives allowed.** Except as provided in subpart 3, the owner or operator of a hot mix asphalt plant is allowed to use only the materials, fuels, and additives designated in subpart 2 unless specifically disallowed in a part 70, state, or general permit.

### **Subp. 2. List of authorized materials, fuels, and additives.**

A. The designated materials are clay, silt, sand, gravel, and crushed stone produced from naturally occurring geologic formations, without additives; recycled asphalt pavement; portland cement concrete; recycled sediments from asphalt plant scrubber operations; fines from asphalt plant fabric filter operations; asphalt cement; and hydrated lime.

B. The designated fuels for combustion are natural gas, methane, butane, and propane; gasoline, kerosene, diesel fuel, jet fuel, and fuel oils (No. 1, No. 2, No. 3, No. 4, No. 5, No. 6); on-specification used oil as defined in part 7045.0020, subpart 60a, provided that total halogens shall not exceed 1,000 parts per million; and virgin oil that is discarded before use and that otherwise meets the requirements of this item for on-specification used oil.

C. The designated additives are silicone, organic soaps, and other substances of a similar nature added to the asphalt cement.

Subp. 3. **Procedure for approval of additional materials, fuels, and additives.** The owner or operator may use materials, fuels, or additives not listed in subpart 2, if:

A. the use is specifically allowed by a part 70, state, or general permit; or

B. for hot mix asphalt plants with a registration permit, the commissioner has provided written approval of the use prior to its incorporation into asphalt or use as a fuel.

Requests under item B must be received by the commissioner at least 60 days before the materials, fuels, or additives are used. The requests must be on a form provided by the commissioner. The owner or operator shall conduct performance testing under parts 7017.2001 to 7017.2060 to determine actual emission rates from the use of the material, fuel, or additive. The actual emission rates shall be used to determine actual emissions under part 7007.1130, subpart 3, for hot mix asphalt plants that hold option D registration permits. The commissioner shall deny these requests if the commissioner determines that use of the material would endanger human health or the environment or would subject the hot mix asphalt plant to different applicable requirements or different requirements under chapter 7007. The performance testing required by this subpart may be waived by the commissioner when the nonlisted material is substantially similar in composition to a listed material, or

when the material has already been the subject of performance tests at a similar hot mix asphalt plant.

Subp. 4. **Compliance.** The owner or operator must comply with the conditions on the use of the materials, fuels, and additives established in the part 70, state, or general permit if the use is authorized under subpart 3, item A. The owner or operator must comply with the conditions on the use of the materials, fuels, and additives set forth in the commissioner's written approval if the use is authorized under subpart 3, item B.

Subp. 5. **Records required.** The owner or operator shall keep records of the materials, fuels, and additives used and the amount used on a calendar year basis. The owner or operator shall maintain the records required under this subpart for a minimum of five years from the date the record was made.

**Statutory Authority:** *MS s 116.07*

**History:** *20 SR 2253(NO. 42); 28 SR 1482*

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