

**From:** [Air.Pollution Control](#)  
**To:** [APC Permitting](#)  
**Subject:** FW: Please upload to EM Resources LLC (43-0127 / 980655)  
**Date:** Thursday, August 18, 2022 4:16:09 PM  
**Attachments:** [image002.png](#)  
[image003.png](#)  
[Gorman Woodward Addendum 2 2022-08-18.pdf](#)

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**From:** Greg Forte <Greg.Forte@tn.gov>  
**Sent:** Thursday, August 18, 2022 2:58 PM  
**To:** Air.Pollution Control <Air.Pollution.Control@tn.gov>  
**Subject:** Please upload to EM Resources LLC (43-0127 / 980655)

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**From:** Mark Cummings <[mark.cummings@ecomaterial.com](mailto:mark.cummings@ecomaterial.com)>  
**Sent:** Thursday, August 18, 2022 2:41 PM  
**To:** Greg Forte <[Greg.Forte@tn.gov](mailto:Greg.Forte@tn.gov)>  
**Subject:** [EXTERNAL] RE: Emissions for Generator and Compressor

Greg,

Sorry it took me so long to get back to you. I've been on vacation this week.

Attached is the letter stating that we do not intend to operate the portable dust collectors more than twelve consecutive months.

However, should the engines remain for more than 12 months, they would still be considered "non-road engines" under 40 CFR 1068.30 which states the following:

*Nonroad engine* means:

- (1) Except as discussed in paragraph (2) of this definition, a [nonroad engine](#) is an internal combustion [engine](#) that meets any of the following criteria:
- (i) It is (or will be) used in or on a [piece of equipment](#) that is self-propelled or serves a dual purpose by both propelling itself and performing another function (such as garden tractors, off-highway mobile cranes and bulldozers).
  - (ii) It is (or will be) used in or on a [piece of equipment](#) that is intended to be propelled while performing its function (such as lawnmowers and string trimmers).
  - (iii) By itself or in or on a [piece of equipment](#), it is portable or transportable, meaning designed to be and capable of being carried or moved from one location to another. Indicia of transportability include, but are not limited to, wheels, skids, carrying handles, dolly, trailer, or platform.

Included in the letter is a statement that the emissions from the McEwen / Humphreys County engines were represented by the data from the specifications submitted on 8/16/2022 (Portable transloader engine reviews.pdf) . These specifications were initially for the Cumberland Transloading

site. The engines planned for McEwen would be the same engines with the same specifications.

Please let me know if you have any more questions.

Thanks again for your help.

Regards,

Mark Cummings

**Mark Cummings**

**Sr Environmental Manager**



P: (470) 599-3836

M: (470) 599-3836

[mark.cummings@ecomaterial.com](mailto:mark.cummings@ecomaterial.com)

219 Crazy Bear Ridge, 11860 Big Canoe, Jasper GA, 30143

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**From:** Greg Forte <[Greg.Forte@tn.gov](mailto:Greg.Forte@tn.gov)>

**Sent:** Wednesday, August 17, 2022 2:17 PM

**To:** Mark Cummings <[mark.cummings@ecomaterial.com](mailto:mark.cummings@ecomaterial.com)>

**Subject:** FW: Emissions for Generator and Compressor

**Caution:** This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Mark,

I left a voicemail for you earlier, but here are some questions that I have on EM Resources in McEwen / Humphreys County

Your 8-10-2022 email indicated that a letter "Attached is a letter requesting an addendum to the construction permit application submitted on August 8, 2022 for this facility stating that both mobile fly ash transloaders shall not operate for more than twelve consecutive months without being moved in order to maintain their classification as "nonroad engines."

I don't think that letter was attached. Can you please resubmit that letter, and also state that you are requesting that the four engines should be considered as "Nonroad Engines" under the provisions of 40 CFR 1068. There should also be a statement to the effect that these mobile units shall not operate for more than 12 consecutive months at one location on the premises of the permitted facility.

Is it correct that each of the trailers (each of which has a compressor and a generator gasoline engine

fastened to it) are moved on to a specific location and would remain at that site (geographical address) for less than a year. Typically, the trailer would not be moved to different locations on site, but would only be removed when it was being transferred to another location.

How would we know if somehow the engines remained at one location or address for more than 12 consecutive months?

Also, you indicated that the emissions from the McEwen / Humphreys County engines were represented by the data from the specifications submitted on 8/16/2022 (Portable transloader engine reviews.pdf) . Of course these were from the Cumberland Transloading site. Could you include a statement that these specifications were also valid for the new McEwen- Trace creek Road site to avoid any confusion?

Please call with any questions

Thanks

Greg Forte



**Greg Forte** | Environmental Protection Specialist 5

[Division of Air Pollution Control](#)

William R. Snodgrass Tennessee Tower

312 Rosa L. Parks Avenue, 15<sup>th</sup> Floor

Nashville, TN 37243

Office: 615-532-0548

[greg.forte@tn.gov](mailto:greg.forte@tn.gov)

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Via Electronic Mail

August 18, 2022

Mr. Greg Forte  
Environmental Protection Specialist 5  
Division of Air Pollution Control  
William R. Snodgrass Tennessee Tower  
312 Rosa L. Parks Avenue, 15<sup>th</sup> Floor  
Nashville, TN 37243

RE: Legal name: EM Resources LLC  
Site name: EM Resources - Gorman Woodyard Fly Ash Transloading  
Site address: 4997 Trace Creek Road, McEwen, TN 37101  
Addendum to Construction Permit Application Submitted on August 8, 2022

Dear Mr. Forte

As an addendum to the construction permit application submitted on August 8, 2022 for this facility, we would like to add the following statement:

We are requesting that the four engines be considered “Nonroad Engines” under the provisions of 40 CFR 1068. We do not intend to keep the mobile fly ash dust collectors onsite for more than twelve consecutive months. However, should the engines remain for more than 12 months, they would still be considered “non-road engines” under 40 CFR 1068.30 which states the following:

*Nonroad engine* means:

- (1) Except as discussed in paragraph (2) of this definition, a nonroad engine is an internal combustion engine that meets any of the following criteria:
- (i) It is (or will be) used in or on a piece of equipment that is self-propelled or serves a dual purpose by both propelling itself and performing another function (such as garden tractors, off-highway mobile cranes and bulldozers).
  - (ii) It is (or will be) used in or on a piece of equipment that is intended to be propelled while performing its function (such as lawnmowers and string trimmers).
  - (iii) By itself or in or on a piece of equipment, it is portable or transportable, meaning designed to be and capable of being carried or moved from one location to another. Indicia of transportability include, but are not limited to, wheels, skids, carrying handles, dolly, trailer, or platform.

Also, the McEwen / Humphreys County engines were represented by the data from the specifications submitted on 8/16/2022 (Portable transloader engine reviews.pdf). These specifications were initially for the Cumberland Transloading site. The engines planned for McEwen will be the same type of engines with the same specifications.

Please contact me at (470) 470-599-3836 or by email at [mark.cummings@ecomaterial.com](mailto:mark.cummings@ecomaterial.com) if you have any questions.

Sincerely,



Mark Cummings  
Sr. Environmental Manager