



State of Ohio Environmental Protection Agency

P.O. Box 1049, 1800 WaterMark Dr.
Columbus, Ohio 43266-0149
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George V. Voinovich
Governor

Re: Permit to Install
Lawrence County
Application No: 07-258

CERTIFIED MAIL

December 4, 1991

MATTS ENTERPRISES
TOM HATFIELD
P.O. BOX 485
ASHLAND, KY 41105

Enclosed please find an Ohio EPA Permit to Install which will allow you to install the described source(s) in a manner indicated in the permit. Because this permit contains several conditions and restrictions I urge you to read it carefully.

You are hereby notified that this action by the Director is final and may be appealed to the Ohio Environmental Board of Review pursuant to Chapter 3745.04 of the Ohio Revised Code. The appeal must be in writing and set forth the action complained of and the grounds upon which the appeal is based. It must be filed with the Environmental Board of Review within thirty (30) days after notice of the Director's action. A copy of the appeal must be served on the Director of the Ohio Environmental Protection Agency and the Environmental Law Division of the Office of the Attorney General within three (3) days of filing with the Board. An appeal may be filed with the Environmental Board of Review at the following address:

Environmental Board of Review
236 East Town Street, Room 300
Columbus, Ohio 43215

Very truly yours,

Thomas G. Rigo, Manager
Field Operations & Permit Section
Division of Air Pollution Control

cc: US EPA
PORTSMOUTH AIR POLLUTION GROUP

Permit to Install Terms and Conditions

Application No. 07-258
APS Premise No. 0744000114
Permit Fee: \$1000.00

Name of Facility: MATTS ENTERPRISES

Person to Contact: TOM HATFIELD

Address: P.O. BOX 485
ASHLAND, KY 41105

Location of proposed source(s): 1914 FIRST ST
IRONTON, OHIO

Description of proposed source(s):
RAILCAR UNLOADING AND TRUCK LOADING OF BALED GARBAGE, AUTO F
LUFF, AND CONTAMINATED SOIL.

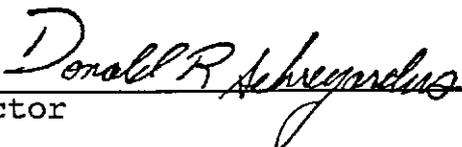
Date of Issuance: December 4, 1991

Effective Date: December 4, 1991

The above named entity is hereby granted a permit to install for the above described source(s) pursuant to Chapter 3745-31 of the Ohio Administrative Code. Issuance of this permit does not constitute expressed or implied approval or agreement that, if constructed or modified in accordance with the plans included in the application, the above described source(s) of environmental pollutants will operate in compliance with applicable State and Federal laws and regulations, and does not constitute expressed or implied assurance that if constructed or modified in accordance with those plans and specifications, the above described source(s) of pollutants will be granted the necessary permits to operate (air) or NPDES permits as applicable.

This permit is granted subject to the conditions attached hereto.

Ohio Environmental Protection Agency



Director

TERMINATION OF PERMIT TO INSTALL

Substantial construction for installation must take place within 18 months of the effective date of this permit. This deadline may be extended by up to 12 months, if application is made to the Director within a reasonable time before the termination date and the party shows good cause for any such extension.

NOTICE OF INSPECTION

The Director of the Ohio Environmental Protection Agency, or his authorized representatives, may enter upon the premises of the above-named applicant during construction and operation at any reasonable time for the purpose of making inspections, conducting tests, or to examine records or reports pertaining to the construction, modification or installation of the source(s) of environmental pollutants identified within this permit.

CONSTRUCTION OF NEW SOURCE(S)

The proposed source(s) shall be constructed in strict accordance with the plans and application submitted for this permit to the Director of the Ohio Environmental Protection Agency. There may be no deviation from the approved plans without the express, written approval of the Agency. Any deviations from the approved plans or the above conditions may lead to such sanctions and penalties as provided under Ohio law. Approval of these plans does not constitute an assurance that the proposed facilities will operate in compliance with all Ohio laws and regulations. Additional facilities shall be installed upon orders of the Ohio Environmental Protection Agency if the proposed sources are inadequate or cannot meet applicable standards.

If the construction of the proposed source(s) has already begun or has been completed prior to the date the Director of the Ohio Environmental Protection Agency approves the permit application and plans, the approval does not constitute expressed or implied assurance that the proposed facility has been constructed in accordance with the approved plans. The action of beginning and/or completing construction prior to obtaining the Director's approval constitutes a violation of Ohio Administrative Code (OAC) Rule 3745-31-02. Furthermore, issuance of the Permit to Install does not constitute an assurance that the proposed source will operate in compliance with all Ohio laws and regulations. Approval of the plans in any case is not to be construed as an approval of the facility as constructed and/or completed. Moreover, issuance of the Permit to Install is not to be construed as a waiver of any rights that the Ohio Environmental Protection Agency (or other persons) may have against the applicant for starting construction prior to the effective date of the permit. Additional facilities shall be installed upon orders of the Ohio Environmental Protection Agency if the proposed facilities prove to be inadequate or cannot meet applicable standards.

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PERMIT TO INSTALL FEE

In accordance with Ohio Revised Code 3745.11, the specified Permit to Install fee must be remitted within 15 days of the effective date of this permit to install.

PUBLIC DISCLOSURE

The facility is hereby notified that this permit, and all agency records concerning the operation of this permitted source, are subject to public disclosure in accordance with OAC Rule 3745-49-03.

APPLICABILITY

This Permit to Install is applicable only to the contaminant sources identified. Separate application must be made to the Director for the installation or modification of any other contaminant sources.

BEST AVAILABLE TECHNOLOGY

As specified in OAC Rule 3745-31-05, all new sources must employ Best Available Technology (BAT). Compliance with the terms and conditions of this permit will fulfill this requirement.

PERMIT TO OPERATE APPLICATION

A Permit to Operate application and a \$15 application fee must be submitted to the appropriate field office for each air contaminant source in this Permit to Install. In accordance with OAC Rule 3745-35-02, the application shall be made at least 90 days prior to start-up of the source.

AIR EMISSION SUMMARY

The air contaminant sources listed below comprise the Permit to Install for MATTS ENTERPRISES located in Lawrence County. The sources listed below shall not exceed the emission limits/control requirements contained in the table. This condition in no way limits the applicability of any other state or federal regulations. Additionally, this condition does not limit the applicability of additional special terms and conditions of this permit.

<u>Ohio EPA Source Number</u>	<u>Source Identification/Description</u>	<u>BAT Determination</u>	<u>Applicable Federal and OAC Rules</u>	<u>Permit Allowable Mass Emissions and/or Control & Usage Requirements</u>
F001	Railcar Unloading and Truck Loading Of Baled Garbage, Auto Fluff, and Contaminated Soil	Partially Enclosed Under-ground Dump Hopper and Conveyors, Water Sprays, and Telescopic Chute For Truck Loading Of Contaminated Soils. Water Sprays As Needed For Auto Fluff and Baled Garbage.	3745-31-05 3745-17-08	No Visible Emissions Of Fugitive Dust

SUMMARY

TOTAL PERMIT TO INSTALL ALLOWABLE EMISSIONS

<u>Pollutant</u>	<u>Tons/Year</u>
PM	2.3

CONSTRUCTION STATUS

The Portsmouth Air Pollution Group shall be notified in writing as to (a) the construction starting date, (b) the construction completion date, and (c) the date the facilities were placed into operation for the following sources: F001.

WASTE DISPOSAL

The owner/operator shall comply with any applicable state and federal requirements governing the storage, treatment, transport and disposal of any waste material generated by the operation of the sources.

MAINTENANCE OF EQUIPMENT

This source and its associated air pollution control system(s) shall be maintained regularly in accordance with good engineering practices and the recommendations of the respective manufacturers in order to minimize air contaminant emissions.

MALFUNCTION/ABATEMENT

In accordance with OAC Rule 3745-15-06, any malfunction of the source(s) or associated air pollution control system(s) shall be reported immediately to the Portsmouth Air Pollution Group, 728 Second Street, Portsmouth, Ohio 45662.

Except as provided by OAC Rule 3745-15-06(A)(3), scheduled maintenance of air pollution control equipment that requires the shutdown or bypassing of air pollution control system(s) must be accompanied by the shutdown of the associated air pollution sources.

AIR POLLUTION NUISANCES PROHIBITED

The air contaminant source(s) identified in this permit may not cause a public nuisance in violation of OAC Rule 3745-15-07.

ADDITIONAL SPECIAL TERMS AND CONDITIONS

1. This approval applies only to barge unloading and truck loading of petroleum hydrocarbon contaminated soil. Matts Enterprises shall accept only soils contaminated with virgin (non-recycled) petroleum products such as #2 fuel oil, #4 fuel oil, #6 fuel oil, gasoline and jet fuel. Matts Enterprises must obtain approval from Ohio EPA to receive any other type of contaminated soil not specifically identified above.
2. Contaminated soil should not contain any listed Hazardous Waste and shall not be hazardous by characteristic as defined by Ohio EPA or USEPA.
3. No soils containing any detectable levels of PCB's shall be received.
4. All contaminated soil shall be shipped from Matts Enterprises in tarped or enclosed trailers.
5. No odoriferous contaminated soils shall be accepted.
6. Contaminated soils shall not be accepted by Matts Enterprises if manifests do not accompany the load or if analysis of the load is missing or if analysis shows concentrations greater than the following limits:

Benzene	0.006 ppm (wt)
Toluene	4.0 ppm (wt)
Ethylbenzene	6.0 ppm (wt)
Xylene	28.0 ppm (wt)
Total Petroleum Hydrocarbon (TPH)	138.0 ppm (wt)
7. A soil sample from each cleanup site is to be taken and analyzed by an independent laboratory. The analysis shall include total volatile organic compound contamination (weight percent), any heavy metal, halogenated organic compound or hazardous waste concentrations above normal soil background levels.

Test methods for analyses are as follows:

<u>Contaminant</u>	<u>Analytical Method</u>
Benzene	SW846, method 8240
Toluene	SW846, method 8240
Ethylbenzene	SW846, method 8240
Xylene	SE846, method 8240
THP	method 418.1 from EPA-600/4-79-0207 for survey analysis SW846-9071 for final analysis

8. Matts Enterprises shall possess the laboratory analysis for each shipment of contaminated soil received. The analysis shall be performed in accordance with the above specified methods or other acceptable U.S. EPA procedures and shall be maintained on file for a period of two years and be readily available for inspection and review by Ohio EPA.
9. Matts Enterprises shall provide an impervious pad which drains to existing wastewater treatment facilities for the delivery area. Any contaminated soil remaining on-site must be covered by a suitable tarp or stored in building having at least 3 sides and a roof.
10. This facility shall have scales capable of weighing the amount of soil brought into the site on a daily basis. The records of these weights shall be maintained for a period of at least two years for review by Ohio EPA.
11. At no time, shall more than 12,500 tons of contaminated soil be present on-site.
12. On-site storage of baled garbage, auto fluff, and contaminated soil by Barge and Rail Terminals shall not be permitted. All soil received may remain on-site for a maximum of 2 weeks.
13. Fugitive dust from this facility shall be controlled by use of covers and wet suppression. Visible emissions from the handling of soil shall not exceed 10 percent opacity.

14. Records shall be maintained by Matts Enterprises indicating the following information:

Date soil is received
Tons of soil received
Analysis for each load for benzene, toluene, ethylene,
xylene and total petroleum hydrocarbons.

15. Matts Enterprises shall prepare and submit a quarterly report to Ohio EPA by the 15th day of the following month detailing the daily and monthly amount by weight of contaminated soil received and present on-site.