



State of Ohio Environmental Protection Agency

P.O. Box 1049, 1800 WaterMark Dr.
Columbus, Ohio 43266-0149
(614) 644-3020
FAX (614) 644-2329

George V. Voinovich
Governor
Donald R. Schregardus
Director

Re: Permit to Install
Belmont County
Application No: 17-1040
NSPS

CERTIFIED MAIL

May 20, 1992

DAVID P. LASH, JR-LASH EXCAVATING & PAV
DAVID P. LASH, JR
BOX 296
COLERAIN, OH 43916

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
NORTH OHIO VALLEY AIR AUTHORITY





Permit to Install Terms and Conditions

Application No. 17-1040
APS Premise No. 1707000183
Permit Fee: \$1790.00

Name of Facility: DAVID P. LASH, JR-LASH EXCAVATING & PAV

Person to Contact: DAVID P. LASH, JR

Address: BOX 296
COLERAIN, OH 43916

Location of proposed source(s): 412 S FIRST ST
MARTINS FERRY, OHIO

Description of proposed source(s):
PORTABLE ASPHALT PLANT-ROADS-STORAGE PILES-ASPHALTIC CONCRET
E PRODUCTION-STORAGE TANKS.

Date of Issuance: May 20, 1992

Effective Date: May 20, 1992

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.

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 DAVID P. LASH, JR-LASH EXCAVATING & PAV located in Belmont 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	Paved and Unpaved Surfaces and Roads	Paving, Sweeping, Speed Reduction, Resurface With Aggregate, Water Truck Tarping	3745-31-05 3745-17-07 (B) 3745-17-08 (B) 3745-15-06 3745-15-07	Minimize and Eliminate Fugitive Dust .32 Ton/yr
F002	Aggregate Storage Pile	Damp/Wet Material Precautionary Practices	3745-31-05 3745-17-07 (B) 3745-17-08 (B) 3745-15-06 3745-15-07	Minimize and Eliminate Fugitive Dust .32 Ton/yr
P901	Dryer Drum Hot Mix - Cold Aggregate Delivery	Venturi Scrubber #2 Fuel Oil <.5% Sulfur, Damp/Wet Aggregate	3745-31-05 3745-17-07 (B) 3745-17-08 (B) 3745-17-11 3745-18-0 3745-15-06 3745-15-07 NSPS Subpart I	PM - 3.75 lb/hr and .04 GR/DSCF; <20% Opacity; SO ₂ - 5.17 lbs/hr NO ₂ - 3.54 lbs/hr VOC ^x - .04 lb/hr CO - .89 lb/hr
T001	Tank Diesel Fuel	Submerged Fill Pipe	3745-31-05	VOC <.01 TPY
T002	Tank AC 20	Submerged Fill Pipe	3745-31-05 NSPS Subpart Kb	VOC <.01 TPY

SUMMARY
 TOTAL PERMIT TO INSTALL ALLOWABLE EMISSIONS

<u>Pollutant</u>	<u>Tons/Year</u>
PM	6.89
SO ₂	6.2
NO ₂	4.25
VOC ^x	.056
CO	1.07

NSPS REQUIREMENTS

The following sources are subject to the applicable provisions of the New Source Performance Standards (NSPS) as promulgated by the United States Environmental Protection Agency, 40 CFR Part 60.

<u>Source No.</u>	<u>Source Description</u>	<u>NSPS Regulation (Subpart)</u>
P901	Asphalt Plant 100 ton/hr	I
T002	15,000 gal Storage Tank	Kb

The application and enforcement of these standards are delegated to the Ohio EPA. The requirements of 40 CFR Part 60 are also federally enforceable.

Pursuant to the NSPS, the source owner/operator is hereby advised of the requirement to report the following at the appropriate times:

1. Construction date (no later than 30 days after such date);
2. Anticipated start-up date (not more than 60 days or less than 30 days prior to such date);
3. Actual start-up date (within 15 days after such date); and
4. Date of performance testing (at least 30 days prior to testing).

Reports are to be sent to:

Ohio Environmental Protection Agency
Permit Management Unit
P.O. Box 1049
Columbus, OH 43266-0149

and

North Ohio Valley Air Authority
814 Adams
Steubenville, Ohio 43952

PERFORMANCE TEST REQUIREMENTS

The permittee shall conduct, or have conducted, performance testing on the air contaminant source(s) in accordance with procedures approved by the Agency. Two copies of the written report shall be submitted and signed by the person responsible for the test, describing the test procedures followed and the results of such tests. The Director, or an Ohio EPA

representative, shall be allowed to witness the tests, examine testing equipment, and require the acquisition or submission of data and information necessary to assure that the source operation and testing procedures provide a valid characterization of the emissions from the source and/or the performance of the control equipment.

1. A completed Intent to Test form shall be submitted to the appropriate Ohio EPA District Office or Local Air Pollution Control Agency where the original permit application was filed. This notice shall be made 30 days in advance and shall specify the source operating parameters, the proposed test procedures, and the time, date, place and person(s) conducting such tests.
2. Two copies of the test results shall be submitted within 30 days after the completion of the performance test.
3. Tests shall be performed for the following sources and pollutants:

<u>Source</u>	<u>Pollutant(s)</u>
P901	Particulate Matter and Sulfur Dioxide if Firing Oil

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 North Ohio Valley Air Authority, 814 Adams, Steubenville, Ohio 43952.

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.

NINETY DAY OPERATING PERIOD

The facility will be permitted to operate during a 90-day period in accordance with OAC Rule 3745-35-02(C)(4)(b). The purpose of this period of operation is to fulfill the performance test conditions used in the determination of compliance with the provisions of this Permit to Install or other applicable Ohio EPA rules.

MISCELLANEOUS STORAGE TANKS

Unless otherwise indicated, BAT for any miscellaneous storage tanks identified within this permit consists of the use of submerged fill into the storage tanks. The submerged fill pipe(s) are to be installed within six (6) inches of the bottom of the storage tank.

NOTICE OF INTENT TO RELOCATE

Pursuant to OAC Rule 3745-31-03(A)(1)(n), the owner or operator of the portable or mobile source identified within this Permit to Install may relocate within the state of Ohio without first obtaining a Permit to Install providing the following criteria are met:

- a. The source is equipped with the Best Available Control Technology for such source; and
- b. The source is operating pursuant to a currently effective Permit to Operate; and
- c. The applicant has provided proper notice of intent to relocate the source to the Director within a minimum of 30 days prior to the scheduled relocation; and

- d. In the Director's judgement, the proposed site is acceptable under Rule 3745-15-07 of the Administrative Code.

In order for the Director to determine compliance with all of the above criteria, the owner or operator of the portable or mobile source must file a "Notice of Intent to Relocate" at least 30 days prior to relocation of the source with the North Ohio Valley Air Authority. Upon receipt of the notice, the Director, or the Director's authorized representative, will evaluate the request in accordance with the above criteria.

Failure to submit said notification and to receive Ohio Environmental Protection Agency approval prior to relocation of the source may result in fines and civil penalties.

NEW SOURCE PERFORMANCE STANDARD SUBPART Kb

The application and enforcement of the provisions of the New Source Performance Standards (NSPS), as promulgated by the United States Environmental Protection Agency, 40 CFR Part 60, are delegated to the Ohio Environmental Protection Agency. The requirements of 40 CFR Part 60 are also federally enforceable.

In accordance with 40 CFR 60.116b(a) and (b), the owner and operator of the following storage vessel(s) shall keep readily accessible records showing the dimension of each storage vessel and an analysis showing the capacity of each storage vessel for the life of each source.

<u>source number(s):</u>	<u>tank size:</u>
T002	15,000 Gallons

ADDITIONAL SPECIAL TERMS AND CONDITIONS

Roadways and Parking Areas - F001

1. Unpaved Roadways

In accordance with the requirements of OAC Rules 3745-31-05 and 3745-17-08, David P. Lash, Jr-Lash Excavating & Paving shall maintain and employ a truck-mounted distributor spray and water truck with spray bar for the application of water to unpaved areas as often as needed in order to minimize and eliminate at all times fugitive dust. Unpaved roads shall be resurfaced with aggregate as needed in order to eliminate muddy areas. David P. Lash, Jr-Lash Excavating & Paving shall pave high traffic areas once the plant begins production, which includes each entrance and exit area and connecting roadways to the product elevator. David P. Lash, Jr-Lash Excavating & Paving shall employ the following good housekeeping practices:

- a. trucks shall be completely tarped when hauling material that will become airborne.
- b. spill of materials shall be promptly cleanup up; and
- c. vehicles shall avoid unpaved areas to the extent possible to avoid the carrying on of dirt and other materials onto paved surfaces to minimize and eliminate fugitive dust.

Material that is deposited on paved roads by vehicle traffic or earth moving equipment or erosion by water or other means shall be promptly removed in such a manner as to minimize or prevent resuspension.

2. Paved Roads and Parking Areas

In accordance with the requirements of OAC Rules 3745-31-05 and 3745-17-08, David P. Lash, Jr-Lash Excavating & Paving shall maintain and employ the paved roads and parking areas by sweeping with a broom in conjunction with water flushing and post and enforce a controlled average speed of 15 mph in order to minimize and eliminate fugitive dust at all times.

3. STORAGE PILES - F002

In accordance with the requirements of OAC Rules 3745-31-05 and 3745-17-08, David P. Lash, Jr-Lash Excavating & Paving shall load onto piles by minimizing drop height of aggregate that has sufficient moisture content to minimize and eliminate fugitive dust at all times. Dry dusty material shall be wetted prior to loading onto the pile.

In accordance with the requirements of OAC Rules 3745-31-05 and 3745-17-08, David P. Lash, Jr-Lash Excavating & Paving shall maintain the aggregate storage piles with sufficient moisture to minimize and eliminate fugitive dust due to wind erosion. Should the aggregate pile become dry and fugitive dust is observed, then sufficient moisture shall be added to minimize and eliminate fugitive dust.

In accordance with the requirements of OAC Rules 3745-31-05 and 3745-17-08, David P. Lash, Jr-Lash Excavating & Paving shall load out aggregate that has sufficient moisture to minimize and eliminate fugitive dust. Dry dusty aggregate shall be wetted prior to load out in order to minimize and eliminate fugitive dust.

In accordance with the requirements of OAC Rules 3745-31-05 and 3745-17-08, David P. Lash, Jr-Lash Excavating & Paving shall maintain and employ the water truck with a spray bar to apply water to the storage pile area in order to minimize and eliminate at all times fugitive dust generated by vehicles associated with storage pile activities.

4. Asphaltic Concrete Plant - P901

In accordance with the requirements of OAC Rules 3745-31-05 and 3745-17-08, David P. Lash, Jr-Lash Excavating & Paving shall maintain and employ all rotary dryer seals, covers, screw conveyor, bucket elevator and transfer points inbound from belt lines such that the pick-up points are vented to the fabric filter in a manner that will minimize and eliminate the visible emissions of fugitive dust at the points of capture at all times. David P. Lash, Jr-Lash Excavating & Paving shall minimize the drop height of the damp aggregate when loading the cold bins. Should dusty material cause fugitive dust, then David P. Lash, Jr-Lash Excavating & Paving shall apply sufficient moisture to the aggregate to minimize and eliminate fugitive dust.

In accordance with the requirements of OAC Rules 3745-31-05, David P. Lash, Jr-Lash Excavating & Paving shall fire the rotary dryer with #2 fuel oil or cleaner burning fuel.

5. This plant may use up to 10% recycled asphalt in the feed.
6. This facility is required to use #2 fuel oil with a sulfur content of .5 percent or less.