



State of Ohio Environmental Protection Agency

**RE: FINAL PERMIT TO INSTALL
MONTGOMERY COUNTY**

CERTIFIED MAIL

Street Address:

122 S. Front Street

Lazarus Gov. Center TELE: (614) 644-3020 FAX: (614) 644-2329

Mailing Address:

Lazarus Gov. Center
P.O. Box 1049

Application No: 08-04709

Fac ID: 0857042093

DATE: 8/9/2005

Franklin Iron and Metal Corp
Debra Edelman
P O Box 2038
Richmond, IN 473752038

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.

The Ohio EPA is urging companies to investigate pollution prevention and energy conservation. Not only will this reduce pollution and energy consumption, but it can also save you money. If you would like to learn ways you can save money while protecting the environment, please contact our Office of Pollution Prevention at (614) 644-3469.

You are hereby notified that this action by the Director is final and may be appealed to the Ohio Environmental Review Appeals Commission 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 within thirty (30) days after the notice of the Directors action. A copy of the appeal must be served on the Director of the Ohio Environmental Protection Agency within three (3) days of filing with the Commission. An appeal may be filed with the Environmental Review Appeals Commission at the following address:

Environmental Review Appeals Commission
309 South Fourth Street, Room 222
Columbus, Ohio 43215

Sincerely,

Michael W. Ahern, Manager
Permit Issuance and Data Management Section
Division of Air Pollution Control

CC: USEPA

RAPCA



**Permit To Install
Terms and Conditions**

**Issue Date: 8/9/2005
Effective Date: 8/9/2005**

FINAL PERMIT TO INSTALL 08-04709

Application Number: 08-04709
Facility ID: 0857042093
Permit Fee: **\$400**
Name of Facility: Franklin Iron and Metal Corp
Person to Contact: Debra Edelman
Address: P O Box 2038
Richmond, IN 473752038

Location of proposed air contaminant source(s) [emissions unit(s)]:
**2015 E First St
Dayton, Ohio**

Description of proposed emissions unit(s):
Storage piles and metal salvage operations.

The above named entity is hereby granted a Permit to Install for the above described emissions unit(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 emissions unit(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 emissions unit(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

Part I - GENERAL TERMS AND CONDITIONS

A. Permit to Install General Terms and Conditions

1. Compliance Requirements

The emissions unit(s) identified in this Permit to Install shall remain in full compliance with all applicable State laws and regulations and the terms and conditions of this permit.

2. Reporting Requirements

The permittee shall submit required reports in the following manner:

- a. Reports of any required monitoring and/or recordkeeping information shall be submitted to the appropriate Ohio EPA District Office or local air agency.
- b. Except as otherwise may be provided in the terms and conditions for a specific emissions unit, quarterly written reports of (a) any deviations (excursions) from emission limitations, operational restrictions, and control device operating parameter limitations that have been detected by the testing, monitoring, and recordkeeping requirements specified in this permit, (b) the probable cause of such deviations, and (c) any corrective actions or preventive measures which have been or will be taken, shall be submitted to the appropriate Ohio EPA District Office or local air agency. If no deviations occurred during a calendar quarter, the permittee shall submit a quarterly report, which states that no deviations occurred during that quarter. The reports shall be submitted quarterly, i.e., by January 31, April 30, July 31, and October 31 of each year and shall cover the previous calendar quarters. (These quarterly reports shall exclude deviations resulting from malfunctions reported in accordance with OAC rule 3745-15-06.)

3. Records Retention Requirements

Each record of any monitoring data, testing data, and support information required pursuant to this permit shall be retained for a period of five years from the date the record was created. Support information shall include, but not be limited to, all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by this permit. Such records may be maintained in computerized form.

4. Inspections and Information Requests

The Director of the Ohio EPA, or an authorized representative of the Director, may, subject to the safety requirements of the permittee and without undue delay, enter upon

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the premises of this source at any reasonable time for purposes of making inspections, conducting tests, examining records or reports pertaining to any emission of air contaminants, and determining compliance with any applicable State air pollution laws and regulations and the terms and conditions of this permit. The permittee shall furnish to the Director of the Ohio EPA, or an authorized representative of the Director, upon receipt of a written request and within a reasonable time, any information that may be requested to determine whether cause exists for modifying, reopening or revoking this permit or to determine compliance with this permit. Upon verbal or written request, the permittee shall also furnish to the Director of the Ohio EPA, or an authorized representative of the Director, copies of records required to be kept by this permit.

5. Scheduled Maintenance/Malfunction Reporting

Any scheduled maintenance of air pollution control equipment shall be performed in accordance with paragraph (A) of OAC rule 3745-15-06. The malfunction of any emissions units or any associated air pollution control system(s) shall be reported to the appropriate Ohio EPA District Office or local air agency in accordance with paragraph (B) of OAC rule 3745-15-06. Except as provided in that rule, any scheduled maintenance or malfunction necessitating the shutdown or bypassing of any air pollution control system(s) shall be accompanied by the shutdown of the emissions unit(s) that is (are) served by such control system(s).

6. Permit Transfers

Any transferee of this permit shall assume the responsibilities of the prior permit holder. The appropriate Ohio EPA District Office or local air agency must be notified in writing of any transfer of this permit.

7. Air Pollution Nuisance

The air contaminants emitted by the emissions units covered by this permit shall not cause a public nuisance, in violation of OAC rule 3745-15-07.

8. Termination of Permit to Install

This Permit to Install shall terminate within eighteen months of the effective date of the Permit to Install if the owner or operator has not undertaken a continuing program of installation or modification or has not entered into a binding contractual obligation to undertake and complete within a reasonable time a continuing program of installation or modification. 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.

9. Construction of New Sources(s)

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The proposed emissions unit(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 cannot meet the requirements of this permit or cannot meet applicable standards.

If the construction of the proposed emissions unit(s) has already begun or has been completed prior to the date the Director of the 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 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 cannot meet the requirements of this permit or cannot meet applicable standards.

10. 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.

11. Applicability

This Permit To Install is applicable only to the emissions unit(s) identified in the Permit To Install. Separate Permit To Install for the installation or modification of any other emissions unit(s) are required for any emissions unit for which a Permit To Install is required.

12. 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.

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13. Source Operation and Operating Permit Requirements After Completion of Construction

This facility is permitted to operate each source described by this Permit to Install for a period of up to one year from the date the source commenced operation. This permission to operate is granted only if the facility complies with all requirements contained in this permit and all applicable air pollution laws, regulations, and policies. Pursuant to OAC Chapter 3745-35, the permittee shall submit a complete operating permit application within ninety (90) days after commencing operation of the emissions unit(s) covered by this permit.

14. Construction Compliance Certification

The applicant shall provide Ohio EPA with a written certification (see enclosed form) that the facility has been constructed in accordance with the Permit to Install application and the terms and conditions of the Permit to Install. The certification shall be provided to Ohio EPA upon completion of construction but prior to startup of the source.

15. Fees

The permittee shall pay fees to the Director of the Ohio EPA in accordance with ORC section 3745.11 and OAC Chapter 3745-78. The permittee shall pay all applicable Permit to Install fees within 30 days after the issuance of this Permit to Install.

B. Permit to Install Summary of Allowable Emissions

The following information summarizes the total allowable emissions, by pollutant, based on the individual allowable emissions of each air contaminant source identified in this permit.

SUMMARY (for informational purposes only)
 TOTAL PERMIT TO INSTALL ALLOWABLE EMISSIONS

<u>Pollutant</u>	<u>Tons Per Year</u>
particulate emissions	13.05

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PART II - SPECIAL TERMS AND CONDITIONS FOR SPECIFIC EMISSIONS UNIT(S)

A. Applicable Emissions Limitations and/or Control Requirements

1. The specific operations(s), property, and/or equipment which constitute this emissions unit are listed in the following table along with the applicable rules and/or requirements and with the applicable emissions limitations and/or control measures. Emissions from this unit shall not exceed the listed limitations, and the listed control measures shall be specified in narrative form following the table.

<u>Operations, Property, and/or Equipment</u>	<u>Applicable Rules/Requirements</u>	<u>Applicable Emissions Limitations/Control Measures</u>
F002 - 30 TPH scrap metal shredder and separation system	OAC rule 3745-31-05(A)(3)	The fugitive particulate emissions (PE) from this emissions unit shall not exceed 6.65 tons per year.
		There shall be no visible PE except for one minute during any 60-minute period
	OAC rule 3745-17-07(B)	The emission limitation specified by this rule is less stringent than the emission limitation established pursuant to OAC rule 3745-31-05(A)(3).
	OAC rule 3745-17-08(B)	The application of best available control measures that are sufficient to minimize or eliminate visible PE of fugitive dust. (See Sections A.2.b through A.2.e)

2. Additional Terms and Conditions

2.a The annual emission limitation was established for PTI purposes to reflect the potential to emit for this emissions unit. Therefore, it is not necessary to develop record keeping and/or reporting requirements to ensure compliance with this limit.

2.b The material handling operations that are covered by this permit and subject to the above-mentioned requirements are listed below:

Shredder/Hammermill

Separation Conveyors

2.c The permittee shall employ best available control measures for the above identified material handling operations for the purpose of ensuring compliance with the above mentioned applicable requirements. In accordance with the permittee's permit application, the permittee has committed to perform the following control measure to ensure compliance:

Material Handling Operation

Control Measure

Shredder/Hammermill

system

Injection Water Nozzle Spray

Separation Conveyors

PEDCON 'Closed loop' System

Nothing in this paragraph shall prohibit the permittee from employing other control measures to ensure compliance.

2.d For each material handling operation that is not adequately enclosed, the above identified control measure shall be implemented if the permittee determines, as a result of the inspection conducted pursuant to the monitoring section of this permit, that the control measure is necessary to ensure compliance with the above mentioned applicable requirements. Any required implementation of the control measure shall continue during the operation of the material handling operation until further observation confirms that use of the control measure is unnecessary.

2.e Implementation of the above mentioned control measure in accordance with the terms and conditions of this permit is appropriate and sufficient to satisfy the

requirements of OAC rule 3745-31-05(A)(3).

B. Operational Restrictions

- 1. The permittee shall remove all mercury switches prior to processing.
- 2. The permittee shall drain/remove all combustible fluids prior to processing.

C. Monitoring and/or Recordkeeping Requirements

- 1. Except as otherwise provided in this section, for material handling operations that are not adequately enclosed, the permittee shall perform inspections of such operations in accordance with the following minimum frequencies:

<u>Material Handling Operation</u>	<u>Mimumum Inspection Frequency</u>
Shredder/Hammermill	Daily
Separation Conveyors	Daily

- 2. The above mentioned inspections shall be performed during representative, normal operating conditions.
- 3. The permittee may, upon receipt of written approval from the appropriate Ohio EPA District Office or local air agency, modify the above-mentioned inspection frequencies if operating experience indicates that less frequent inspections would be sufficient to ensure compliance with the above mentioned applicable requirements.
- 4. The permittee shall maintain records of the following information:
 - a. the date and reason any required inspection was not performed;
 - b. the date of each inspection where it was determined by the permittee that is was necessary to implement the control measure;
 - c. the dates the control measures were implemented; and
 - d. on a calendar quarter basis, the total number of days the control measures were implemented.

Emissions Unit ID: **F002**

The information in 4.d. shall be kept separately for each material handling operation identified above, and shall be updated on a calendar quarter basis within 30 days after the end of each calendar quarter.

D. Reporting Requirements

1. The permittee shall submit semiannual reports which (a) identify all days during which any abnormal visible fugitive particulate emissions were observed from this emissions unit and (b) describe any corrective actions taken to eliminate the abnormal visible fugitive particulate emissions. These reports shall be submitted to the Director of the Central District Office by January 31 and July 31 of each year and shall cover the previous 6-month period.

E. Testing Requirements

1. Compliance with the specified emission limitations in Section A.1. of this permit shall be demonstrated in accordance with the following methods:

- a. Emission limitation:
6.65 tons fugitive PE/yr

Applicable Compliance Method:

The 6.65 tons fugitive PE/yr allowable limit was developed by totaling the following:

- i. Scrap metal shredder
 $(0.00257 \text{ lbs PM/ton company derived emission factor})(262,800 \text{ tons/yr maximum production})(\text{ton}/2000 \text{ lbs}) = 0.34 \text{ ton PE/yr}$
- ii. Conveyor Transfer (16) drop points
 $[(0.0030 \text{ lb PM/ton})(30 \text{ tons max/hr})(16 \text{ drop points})(8760 \text{ hrs/yr})(\text{ton}/2000 \text{ lbs}) = 6.31 \text{ tons PE/yr}$

*AP-42, Table 11.19.2-2. 08/04

- b. Emission Limitation:
There shall be no visible PE except for a period of time not to exceed one minute in any 60-minute observation period.

Applicable Compliance Method:

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Emissions Unit ID: **F002**

Compliance with the visible PE limitations for the scrap metal shredder and separation system identified above shall be determined in accordance with Test Method 22 as set forth in "Appendix on Test Methods" in 40 CFR, Part 60 ("Standards of Performance for New Stationary Sources").

F. Miscellaneous Requirements

none

PART II - SPECIAL TERMS AND CONDITIONS FOR SPECIFIC EMISSIONS UNIT(S)

A. Applicable Emissions Limitations and/or Control Requirements

- The specific operations(s), property, and/or equipment which constitute this emissions unit are listed in the following table along with the applicable rules and/or requirements and with the applicable emissions limitations and/or control measures. Emissions from this unit shall not exceed the listed limitations, and the listed control measures shall be specified in narrative form following the table.

<u>Operations, Property, and/or Equipment</u>	<u>Applicable Rules/Requirements</u>	<u>Applicable Emissions Limitations/Control Measures</u>
F003 - Storage piles, including load-in, load-out and wind erosion for facilities with a maximum production of 3,000,000 tons/year and a maximum storage pile surface area less than or equal to 6 acres	OAC rule 3745-31-05(A)(3)	3.1 tons/year of fugitive particulate matter of 10 microns or less (PM10)
	OAC rule 3745-17-07(B)	6.4 tons/year of fugitive particulate emissions (PE)
	OAC rule 3745-17-08(B)	no visible PE except for one minute during any 60-minute period
		Best available control measures that are sufficient to minimize or eliminate visible PE of fugitive dust (See Sections A.2.a through A.2.e)
		The emission limitation specified by this rule is less stringent than the emission limitation established pursuant to OAC rule 3745-31-05(A)(3).
		(See Sections A.2.a through

A.2.e)

2. Additional Terms and Conditions

- 2.a** The permittee shall employ best available control measures on all load-in and load-out operations associated with the storage piles for the purpose of ensuring compliance with the above-mentioned applicable requirements. In accordance with the permittee's application, the permittee has committed to maintain minimal drop heights for stackers and front-loaders, and chemical stabilization/dust suppressants and/or watering/sprinkling systems at sufficient treatment frequencies to ensure compliance.

The operator shall avoid dragging any front-end loader bucket along the ground. Nothing in this paragraph shall prohibit the permittee from employing other control measures to ensure compliance.

- 2.b** The above-mentioned control measure(s) shall be employed for each load-in and load-out operation of each storage pile if the permittee determines, as a result of the inspection conducted pursuant to the monitoring section of this permit, that the control measure(s) are necessary to ensure compliance with the above-mentioned applicable requirements. Any required implementation of the control measure(s) shall continue during any such operation until further observation confirms that use of the measure(s) is unnecessary.
- 2.c** The permittee shall employ best available control measures for wind erosion from the surfaces of all storage piles for the purpose of ensuring compliance with the above-mentioned applicable requirements. In accordance with the application, the permittee has committed to perform one or more of the following: (chemical stabilization, watering/sprinkling systems/hoses, covering the storage piles) to ensure compliance. Nothing in this paragraph shall prohibit the permittee from employing other control measures to ensure compliance.
- 2.d** The above-mentioned control measure(s) shall be employed for wind erosion from each pile if the permittee determines, as a result of the inspection conducted pursuant to the monitoring section of this permit, that the control measure(s) are necessary to ensure compliance with the above-mentioned applicable requirements. Implementation of the control measure(s) shall not be necessary for a storage pile that is covered with snow and/or ice or if precipitation has occurred that is sufficient for that day to ensure compliance with the above-mentioned applicable requirements.

- 2.e** Implementation of the above-mentioned control measures in accordance with the terms and conditions of this permit is appropriate and sufficient to satisfy the requirements of OAC rule 3745-31-05(A)(3).

B. Operational Restrictions

none

C. Monitoring and/or Recordkeeping Requirements

- 1. Except as otherwise provided in this section, the permittee shall perform inspections of each load-in operation at each storage pile in accordance with the following frequencies:

storage pile identification minimum load-in inspection frequency

all daily

- 2. Except as otherwise provided in this section, the permittee shall perform inspections of each load-out operation at each storage pile in accordance with the following frequencies:

storage pile identification minimum load-out inspection frequency

all daily

- 3. Except as otherwise provided in this section, the permittee shall perform inspections of the wind erosion from pile surfaces associated with each storage pile in accordance with the following frequencies:

storage pile identification minimum wind erosion inspection frequency

all daily

- 4. No inspection shall be necessary for wind erosion from the surface of a storage pile when the pile is covered with snow and/or ice and for any storage pile activity if precipitation has occurred that is sufficient for that day to ensure compliance with the above-mentioned applicable requirements. Any required inspection that is not performed due to any of the above identified events shall be performed as soon as such event(s) has (have) ended, except if the next required inspection is within one week.

- 5. The purpose of the inspections is to determine the need for implementing the control measures specified in this permit for load-in and load-out of a storage pile, and wind erosion from the surface of a storage pile. The inspections shall be performed during representative, normal storage pile operating conditions.

Emissions Unit ID: F003

6. The permittee shall maintain records of the following information:
 - a. the date and reason any required inspection was not performed, including those inspections that were not performed due to snow and/or ice cover or precipitation;
 - b. the date of each inspection where it was determined by the permittee that it was necessary to implement the control measures;
 - c. the dates the control measures were implemented; and
 - d. on a calendar quarter basis, the total number of days the control measures were implemented and, for wind erosion from pile surfaces, the total number of days where snow and/or ice cover or precipitation were sufficient to not require the control measure(s).

The information required in 6.d. shall be kept separately for (i) the load-in operations, (ii) the load-out operations, and (iii) the pile surfaces (wind erosion), and shall be updated on a calendar quarter basis within 30 days after the end of each calendar quarter.

D. Reporting Requirements

1. The permittee shall submit quarterly deviation reports that identify any of the following occurrences:
 - a. each day during which an inspection was not performed by the required frequency, excluding an inspection which was not performed due to an exemption for snow and/or ice cover or precipitation; and
 - b. each instance when a control measure, that was to be implemented as a result of an inspection, was not implemented.
2. The deviation reports shall be submitted in accordance with the reporting requirements of the General Terms and Conditions of this permit.

E. Testing Requirements

1. Compliance with the emission limitations in Section A.I. of the terms and conditions of this permit shall be determined in accordance with the following methods:

- a. Emissions Limitations:
3.1 tons/year of fugitive PM10
6.4 tons/year of fugitive PE

Applicable Compliance Method:

Compliance with fugitive PE limitations shall be determined by using the emission factor equations in Sections 13.2.4 and 13.2.5, in Compilation of Air Pollutant Emission Factors, AP-42, Fifth Edition, Volume 1 (revised 1/95), for load-in operations, load-out operations, and wind erosion. These emission limits in the General Permit were based on a maximum production of 3,000,000 tons per year, a maximum storage surface area less than or equal to 6 acres, and a 95 % overall control efficiency for PE and PM10.

- b. Emission Limitation:
There shall be no visible PE except for a period of time not to exceed one minute in any 60-minute observation period.

Applicable Compliance Method:

Compliance with the visible PE limitations for the storage piles identified above shall be determined in accordance with Test Method 22 as set forth in "Appendix on Test Methods" in 40 CFR, Part 60 ("Standards of Performance for New Stationary Sources").

F. Miscellaneous Requirements

None