



State of Ohio Environmental Protection Agency

RE: FINAL PERMIT TO INSTALL CERTIFIED MAIL
MONTGOMERY COUNTY

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: 08-04226

DATE: 4/12/2001

Miller Bros Gravel Inc
Thomas Miller
7900 S Kessler-Frederick Rd
Tipp City, OH 45371-0000

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
236 East Town Street, Room 300
Columbus, Ohio 43215

Very truly yours,

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

CC: USEPA

RAPCA



Permit To Install

STATE OF OHIO ENVIRONMENTAL PROTECTION AGENCY

FINAL PERMIT TO INSTALL 08-04226

Application Number: 08-04226
APS Premise Number: 0857163208
Permit Fee: **\$2000**
Name of Facility: Miller Bros Gravel Inc
Person to Contact: Thomas Miller
Address: 7900 S Kessler-Frederick Rd
Tipp City, OH 45371-0000

Location of proposed air contaminant source(s) [emissions unit(s)]:
555 Old Springfield Rd
Union, Ohio

Description of proposed emissions unit(s):
secondary crusher.

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 Related to Monitoring and Recordkeeping 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 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)

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

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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 application must be made to the Director for the installation or modification of any other emissions unit(s).

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.

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 thirty (30) 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> |
|------------------|----------------------|
| particulates | 0.63 |

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> |
|---|--------------------------------------|--|
| F001 - 100 TPH Cone Gyratory Secondary Crusher | OAC rule 3745-31-05(A)(3) | 0.13 lb/hr and 0.55 TPY particulates The requirements of this rule also include compliance with the requirements of NSPS 40 CFR Part 60, Subpart OOO. |
| | NSPS 40 CFR Part 60, Subpart OOO | 15% opacity, as a 6-minute average See A.2.c |
| | OAC rule 3745-17-07(B) | See A.2.c |
| | OAC rule 3745-17-08 | |

2. Additional Terms and Conditions

- 2.a The hourly emission limitation was established 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 aggregate materials processed through the secondary crusher shall have a moisture content sufficient to minimize or eliminate visible emissions of fugitive dust from the crusher and transfer point(s), so that compliance with the opacity requirement(s) specified above is continuously maintained.
- 2.c This emissions unit is not located in an Appendix A area, as specified in OAC rule 3745-17-08, and as such it is not subject to RACM in OAC rule 3745-17-08(B) or the

visible emission limitation in OAC rule 3745-17-07(B).

B. Operational Restrictions

1. The maximum annual production rate for this facility shall not exceed 876,000 tons.

C. Monitoring and/or Recordkeeping Requirements

1. The permittee shall maintain monthly records of the total aggregate materials produced in this facility.
2. Upon completing the initial visible emission compliance test as specified in Section E.1., the permittee shall conduct visible emission evaluations at a minimum annually. The VE evaluations shall be performed during the period of May 1 through September 30. The duration of the Method 9 observations shall be 1 hour at a minimum (ten 6-minute averages).

D. Reporting Requirements

1. The permittee shall submit annual reports that identify any exceedances of the annual production rate limitation for the facility, as well as the corrective actions that were taken to achieve compliance. These reports shall be submitted by January 31 of each year.
2. The permittee shall notify the Director (the appropriate Ohio EPA District Office or local air agency) of any Method 9 evaluation that did not demonstrate compliance with the opacity requirement(s) specified above. The notification shall be in writing and shall include a copy of such record and shall be sent to the Director (the appropriate Ohio EPA DO or laa) within 30 days after the exceedance occurs.

E. Testing Requirements

1. Within 60 days of permit issuance, this facility shall conduct or have conducted, an opacity test for F001 in order to demonstrate compliance with the specified allowable opacity limitation. The opacity test shall be conducted in accordance with the test method specified in 40 CFR Part 60 Subpart OOO, [reference section 60.675].

Not later than 30 days prior to the proposed test date(s), this facility shall submit an Intent to Test notification to the Regional Air Pollution Control Agency (RAPCA). The Intent to Test notification shall describe in detail the proposed test methods and procedures, the source operating parameters, the time(s) and the date(s) of the test(s). Failure to submit such notification for review and approval prior to the test(s) may result in RAPCA's refusal to accept the results of the opacity test(s).

Personnel from RAPCA shall be permitted to witness the test(s). Personnel from this facility shall acquire data and information regarding the source operating parameters. Data reduction of opacity readings (to determine compliance with opacity limitations) shall be based upon 6-minute averages.

A comprehensive written report on the results of the opacity test(s) (including opacity levels and the source operating parameters) shall be submitted to RAPCA within 30 days following completion of the test(s).

2. Compliance with the emission limitations in this permit for emissions unit F001 shall be determined in accordance with the following method(s):
 - a. Emission Limitation-
0.13 lb/hr particulates

Applicable Compliance Method-
Compliance shall be determined by multiplying the maximum hourly production rate of 100 tons/hr by the emission factor of 0.001239 lb/ton (determined by multiplying the emission factor for PM-10 of 0.00059 lb/ton by 2.1), as specified in USEPA reference document AP-42, Table 11.19.2-2 (1/95).
 - b. Emission Limitation-
0.55 TPY particulates

Applicable Compliance Method-
Compliance shall be based upon the record keeping specified in section C.1., summing the 12 monthly production records for the calendar year, and then multiplying the sum by the emission factor of 0.001239 lb/ton (determined by multiplying the emission factor for PM-10 of 0.00059 lb/ton by 2.1), as specified in AP-42, Table 11.19.2-2 (1/95), and dividing by 2,000 pounds per ton.
 - c. Emission Limitation-
15% opacity, as a 6-minute average

Applicable Compliance Method-
Compliance shall be determined by visible emission evaluations performed using the methods and procedures specified in USEPA Reference Method 9 and 40 CFR 60.675 Subpart OOO.

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Facility ID: 0857163208

Emissions Unit ID: F001

F. Miscellaneous Requirements

None

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 - Material Handling - 2 conveyors between secondary and primary crusher | OAC rule 3745-31-05(A)(3) | 0.02 lb/hr and 0.08 TPY particulates The requirements of this rule also include compliance with the requirements of NSPS 40 CFR Part 60, Subpart OOO. |
| | NSPS 40 CFR Part 60, Subpart OOO | 10% opacity, from any transfer point, as a 6-minute average |
| | OAC rule 3745-17-07(B) | See A.2.c |
| | OAC rule 3745-17-08 | See A.2.c |

2. Additional Terms and Conditions

- 2.a The hourly emission limitation was established 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 aggregate materials processed through these conveyors shall have a moisture content sufficient to minimize or eliminate visible emissions of fugitive dust from the conveyors and transfer points, so that compliance with the opacity requirement(s) specified above is continuously maintained.

- 2.c** This emissions unit is not located in an Appendix A area, as specified in OAC rule 3745-17-08, and as such it is not subject to RACM in OAC rule 3745-17-08(B) or the visible emission limitation in OAC rule 3745-17-07(B).

B. Operational Restrictions

1. The maximum annual production rate for this facility shall not exceed 876,000 tons.

C. Monitoring and/or Recordkeeping Requirements

1. The permittee shall maintain monthly records of the total aggregate materials produced in this facility.

D. Reporting Requirements

1. The permittee shall submit annual reports that identify any exceedances of the annual production rate limitation for the facility, as well as the corrective actions that were taken to achieve compliance. These reports shall be submitted by January 31 of each year

E. Testing Requirements

1. During the period of May 1 through September 30, 2001, this facility shall conduct or have conducted, an opacity test for F002 in order to demonstrate compliance with the specified allowable opacity limitation. The opacity test shall be conducted in accordance with the test method specified in 40 CFR Part 60 Subpart OOO, [reference section 60.675].

Not later than 30 days prior to the proposed test date(s), this facility shall submit an Intent to Test notification to the Regional Air Pollution Control Agency (RAPCA). The Intent to Test notification shall describe in detail the proposed test methods and procedures, the source operating parameters, the time(s) and the date(s) of the test(s). Failure to submit such notification for review and approval prior to the test(s) may result in RAPCA's refusal to accept the results of the opacity test(s).

Personnel from RAPCA shall be permitted to witness the test(s). Personnel from this facility shall acquire data and information regarding the source operating parameters. Data reduction of opacity readings (to determine compliance with opacity limitations) shall be based upon 6-minute averages.

A comprehensive written report on the results of the opacity test(s) (including opacity levels and the source operating parameters) shall be submitted to RAPCA within 30 days following completion of the test(s).

2. Compliance with the emission limitations in this permit for emissions unit F002 shall be

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Issued

Facility ID: 0857163208

Emissions Unit ID: F002

determined in accordance with the following method(s):

- a. Emission Limitation-
0.02 lb/hr particulates

Applicable Compliance Method-

Compliance shall be determined by multiplying the maximum hourly production rates of each conveyor (100 TPH) by the emission factor of 1.008 E-4 lb/ton (determined by multiplying the emission factor for PM-10 of 4.8 E-5 lb/ton by 2.1), as specified in USEPA reference document AP-42 Table 11.19.2-2 (1/95), and summing the emission rates for both conveyors.

- b. **Emission Limitation-**
0.08 TPY particulates

Applicable Compliance Method-

Compliance shall be based upon the record keeping specified in section C.1., summing the 12 monthly production records for the calendar year, multiplying by 2 (for the two conveyors), and then multiplying the result by the emission factor of 1.008 E-4 lb/ton (determined by multiplying the emission factor for PM-10 of 4.8 E-5 lb/ton by 2.1), as specified in AP-42, Table 11.19.2-2 (1/95), and dividing by 2,000 pounds per ton.

- c. **Emission Limitation-**
10% opacity, as a 6-minute average

Applicable Compliance Method-

Compliance shall be determined by visible emission evaluations performed using the methods and procedures specified in USEPA Reference Method 9 and 40 CFR 60.675 Subpart OOO.

F. Miscellaneous Requirements

None

NEW SOURCE REVIEW FORM B

PTI Number: 08-04226 Facility ID: 0857163208

FACILITY NAME Miller Bros Gravel Inc

FACILITY DESCRIPTION secondary crusher. CITY/TWP Union

Emissions Unit ID: **F002**

SIC CODE 1442 SCC CODE 3-05-020-03 EMISSIONS UNIT ID F001

EMISSIONS UNIT DESCRIPTION 100 TPH Cone Gyrotory Secondary Crusher

DATE INSTALLED 8/1/99

EMISSIONS: (Click on bubble help for Air Quality Descriptions)

| Pollutants | Air Quality Description | Actual Emissions Rate | | PTI Allowable | |
|--------------------|-------------------------|-----------------------|---------------|-----------------|---------------|
| | | Short Term Rate | Tons Per Year | Short Term Rate | Tons Per Year |
| Particulate Matter | lbs/hr | 0.13 | 0.55 | 0.13 | 0.55 |
| PM ₁₀ | | | | | |
| Sulfur Dioxide | | | | | |
| Organic Compounds | | | | | |
| Nitrogen Oxides | | | | | |
| Carbon Monoxide | | | | | |
| Lead | | | | | |
| Other: Air Toxics | | | | | |

APPLICABLE FEDERAL RULES:

NSPS? 40 CFR Part 60, NESHAP? PSD? OFFSET POLICY?

Subpart 000

WHAT IS THE BAT DETERMINATION, AND WHAT IS THE BASIS FOR THE DETERMINATION?

Enter Determination: Compliance with 40 CFR Part 60, Subpart 000 and the visible emission limitation.

IS THIS SOURCE SUBJECT TO THE AIR TOXICS POLICY? no

OPTIONAL: WHAT IS THE CAPITAL COST OF CONTROL EQUIPMENT? \$

TOXIC AIR CONTAMINANTS

Ohio EPA's air toxics policy applies to contaminants for which the American Conference of Governmental Industrial Hygienists (ACGIH) has a listed threshold limit value.

AIR TOXICS MODELING PERFORMED*? YES x NO

IDENTIFY THE AIR CONTAMINANTS:

1 NEW SOURCE REVIEW FORM B

PTI Number: 08-04226

Facility ID: 0857163208

FACILITY NAME Miller Bros Gravel Inc

FACILITY DESCRIPTION secondary crusher.

CITY/TWP Union

Emissions Unit ID: **F002**

SIC CODE 1442

SCC CODE 3-05-020-06

EMISSIONS UNIT ID F002

EMISSIONS UNIT DESCRIPTION Material Handling - 2 conveyors between secondary and primary crusher

DATE INSTALLED 8/1/99

EMISSIONS: (Click on bubble help for Air Quality Descriptions)

| Pollutants | Air Quality Description | Actual Emissions Rate | | PTI Allowable | |
|--------------------|-------------------------|-----------------------|---------------|-----------------|---------------|
| | | Short Term Rate | Tons Per Year | Short Term Rate | Tons Per Year |
| Particulate Matter | lbs/hr | 0.02 | 0.08 | 0.02 | 0.08 |
| PM ₁₀ | | | | | |
| Sulfur Dioxide | | | | | |
| Organic Compounds | | | | | |
| Nitrogen Oxides | | | | | |
| Carbon Monoxide | | | | | |
| Lead | | | | | |
| Other: Air Toxics | | | | | |

APPLICABLE FEDERAL RULES:

NSPS? 40 CFR Part 60,

NESHAP?

PSD?

OFFSET POLICY?

Subpart 000

WHAT IS THE BAT DETERMINATION, AND WHAT IS THE BASIS FOR THE DETERMINATION?

Enter Determination: Compliance with 40 CFR Part 60, Subpart 000 and the visible emission limitation

IS THIS SOURCE SUBJECT TO THE AIR TOXICS POLICY?

no

OPTIONAL: WHAT IS THE CAPITAL COST OF CONTROL EQUIPMENT?

\$

TOXIC AIR CONTAMINANTS

Ohio EPA's air toxics policy applies to contaminants for which the American Conference of Governmental Industrial Hygienists (ACGIH) has a listed threshold limit value.

AIR TOXICS MODELING PERFORMED*?

YES

x

NO

IDENTIFY THE AIR CONTAMINANTS: