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: 08-04266

DATE: 4/19/2001

Shelly Materials Plant 41
Larry Shively
P.O. Box 266
Thornville, OH 430769790

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**

FINAL PERMIT TO INSTALL 08-04266

Application Number:	08-04266
APS Premise Number:	0857191343
Permit Fee:	**$100**
Name of Facility:	Shelly Materials Plant 41
Person to Contact:	Larry Shively
Address:	P.O. Box 266 Thornville, OH 430769790

Location of proposed air contaminant source(s) [emissions unit(s)]:
4710 West Carrollton-Soldiers Home Rd
West Carrollton, **Ohio**

Description of proposed emissions unit(s):
20,000 gal used oil storage tank.

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

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

Pollutant	Tons Per Year
VOC	< 0.01

Emissions Unit ID: **T003**

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.

Operations, Property, and/or Equipment	Applicable Rules/Requirements	Applicable Emissions Limitations/Control Measures
T003 - 20,000 gallon used oil storage tank	OAC rule 3745-31-05(A)(3)	< 0.01 TPY VOC
	OAC rule 3745-21-09(L)	See A.2.a. below
	40 CFR Part 60, Subpart Kb	See A.2.b. below

2. Additional Terms and Conditions

2.a In accordance with OAC rule 3745-21-09(L)(2), this storage tank is exempt from the requirements of OAC rule 3745-21-09(L)(1) because the tank has a capacity of less than 40,000 gallons.

2.b The permittee shall not place, store, or hold any volatile organic liquid with a maximum true vapor pressure greater than 2.176 pounds per square inch absolute (15.0 kPa).

B. Operational Restrictions

1. The maximum annual throughput for this emissions unit shall not exceed 500,000 gallons.

C. Monitoring and/or Recordkeeping Requirements

1. The permittee shall keep readily accessible records showing the dimension of the storage vessel and an analysis showing the capacity of the storage vessel for the life of the source.

2. The permittee shall perform annual inspections of the ivory paint finish of the storage tank and make repairs, when necessary, to maintain the ivory tank finish in good condition.

3. The permittee shall maintain records of the used oil throughput, in gallons.

D. Reporting Requirements

1. The permittee shall submit annual reports that identify any exceedances of the annual throughput limitation. These reports shall be submitted by January 31 of each year.

2. Pursuant to the NSPS, the source owner/operator is required to report the following milestones:

   a. construction date (no later than 30 days after such date);
   b. anticipated start-up date (not more than 60 days or less than 30 days prior to such date);
   c. actual start-up date (within 15 days after such date); and
   d. date of performance testing (If required, at least 30 days prior to testing).

   Reports are to be sent to:

   Ohio Environmental Protection Agency
   DAPC - Air Quality Modeling and Planning
   P.O. Box 1049
   Columbus, OH 43216-1049

   and **Regional Air Pollution Control Agency**
   451 West Third Street
   Dayton, OH 45422

E. Testing Requirements

1. Compliance with the emission limitation in section A.1. of these terms and conditions shall be determined in accordance with the following method:

   1.a. Emission Limitation:
   < 0.01 tons per year VOC

   Applicable Compliance Method:
   Compliance shall be demonstrated based upon the record keeping requirements specified in sections C.1. and C.3., and the formulas provided in AP-42 Chapter 7, Organic Liquid Storage Tanks, Section 7.1.3.1., Total Losses from Fixed Roof Tanks (9/1997) or the "Tanks Version 4.09" software program.

F. Miscellaneous Requirements

None

Emissions Unit ID: **T003**

NEW SOURCE REVIEW FORM B

PTI Number: 08-04266 Facility ID: 0857191343

FACILITY NAME Shelly Materials Plant 41

FACILITY DESCRIPTION 20,000 gal used oil storage tank. CITY/TWP West Carrollton

SIC CODE 2951 SCC CODE 4-04-003-14 EMISSIONS UNIT ID T003

EMISSIONS UNIT DESCRIPTION 20,000 gallon used oil storage tank

DATE INSTALLED upon permit issuance

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					
PM_{10}					
Sulfur Dioxide					
Organic Compounds			.00005		< 0.01
Nitrogen Oxides					
Carbon Monoxide					
Lead					
Other: Air Toxics					

APPLICABLE FEDERAL RULES:

NSPS? Subpart Kb NESHAP? PSD? OFFSET POLICY?

WHAT IS THE BAT DETERMINATION, AND WHAT IS THE BASIS FOR THE DETERMINATION?
Enter Determination Compliance with specified allowable mass emission rates; throughput limitation; record keeping; reporting.

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 contaiminants 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: _____

Emissions Unit ID: **T003**

NEW SOURCE REVIEW FORM B

PTI Number: 08-04266 Facility ID: 0857191343

FACILITY NAME Shelly Materials Plant 41

FACILITY DESCRIPTION 20,000 gal used oil storage tank. CITY/TWP West Carrollton

Ohio EPA Permit to Install Information Form Please describe below any documentation which is being submitted with this recommendation (must be sent the same day). Electronic items should be submitted with the e-mail transmitting the PTI terms, and in software that CO can utilize. If mailing any hard copy, this section must be printed as a cover page. All items must be clearly labeled indicating the PTI name and number. Submit hard copy items to **Pam McGraner**, AQM&P, DAPC, Central Office, and electronic files to **airpti@epa.state.oh.us**

Please fill out the following. If the checkbox does not work, replace it with an 'X'	Electronic	**Additional information** File Name Convention (your PTI # plus this letter)	Hard Copy	None
Calculations (required)	☐	0000000**c**.wpd	☒	
Modeling form/results	☐	0000000**s**.wpd	☐	☐
PTI Application (complete or partial)*	☐	0000000**a**.wpd	☐	☐
BAT Study	☐	0000000**b.**wpd	☐	☐
Other/misc.	☐	0000000**t**.wpd	☐	☐

* Mandatory for netting, PSD, nonattainment NSR, 112(g), 21-07(G)(9)(g) and 21-09(U)(2)(f) - 2 complete copies.

Please complete (see comment bubble to the left for additional instructions):

NSR Discussion

Shelly Materials- Plant 41 is a Hot Mix Asphalt facility located in West Carrollton, Montgomery County. They have submitted a PTI application to install a 20,000 gallon vertical fixed roof storage tank for used oil (T003).

T003 is subject to NSPS Subpart Kb because the tank has a capacity greater than 10,566 gallons and will store volatile organic liquids. However, because the maximum true vapor pressure of the used oil is well below the 15.0 kPa threshold, T003 is exempt from all provisions of Subpart Kb except compliance with record keeping of the dimensions and capacity of the storage tank for the life of the source.

T003 is exempt from the requirements of OAC rule 3745-21-09(L)(1) as the tank capacity is less than 40,000 gallons.

TANKS Version 4.09 was used to determine annual VOC emissions, which are less than 1 lb/yr at a maximum annual throughput of 500,000 gallons. A PTI is still required, though, as a result of NSPS applicability. The permittee is limited to VOC emissions of < 0.01 TPY, and a used oil throughput of 500,000 gallons.

BAT was determined to be compliance with the specified allowable mass emission rates, the throughput limitation, record keeping, and exceedance reporting.

Please complete for these type permits (For PSD/NSR Permit, place mouse over this text):

☐ **Synthetic Minor Determination and/or** ☐ **Netting Determination**

Permit To Install ENTER PTI NUMBER HERE

A. Source Description

B. Facility Emissions and Attainment Status

C. Source Emissions

Emissions Unit ID: **T003**

NEW SOURCE REVIEW FORM B

PTI Number: 08-04266 Facility ID: 0857191343

FACILITY NAME Shelly Materials Plant 41

FACILITY DESCRIPTION 20,000 gal used oil storage tank. CITY/TWP West Carrollton

D. Conclusion

PLEASE PROVIDE ADDITIONAL NOTES OR COMMENTS AS NECESSARY:

NONE

Please complete:

SUMMARY (for informational purposes only)

TOTAL PERMIT TO INSTALL ALLOWABLE EMISSIONS

Pollutant	Tons Per Year
VOC	< 0.01

NEW SOURCE REVIEW FORM B

PTI Number: 08-04266 Facility ID: 0857191343

FACILITY NAME Shelly Materials Plant 41

FACILITY DESCRIPTION 20,000 gal used oil storage tank. CITY/TWP West Carrollton