



State of Ohio Environmental Protection Agency

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

**CERTIFIED MAIL**

Street Address:

50 West Town Street, Suite 700

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

Mailing Address:

Lazarus Gov. Center  
P.O. Box 1049

**Application No: 08-03785**

**Fac ID: 0857700172**

**DATE: 8/21/2007**

Butler Asphalt Company  
David Poynter  
P.O. Box 248 7500 Johnson Station Rd.  
Vandalia, OH 45377-9620

Enclosed Please find a modification to the Ohio EPA Permit To Install referenced above which will modify the terms and conditions.

You are hereby notified that this action of the Director is final and may be appealed to the Environmental Review Appeals Commission pursuant to Section 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. The appeal must be filed with the Commission within thirty (30) days after notice of the Director's action. The appeal must be accompanied by a filing fee of \$70.00 which the Commission, in its discretion, may reduce if by affidavit you demonstrate that payment of the full amount of the fee would cause extreme hardship. Notice of the filing of the appeal shall be filed with the Director within three (3) days of filing with the Commission. Ohio EPA requests that a copy of the appeal be served upon the Ohio Attorney General's Office, Environmental Enforcement Section. 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, OH 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: 8/21/2007  
Effective Date: 8/21/2007

**FINAL ADMINISTRATIVE MODIFICATION OF PERMIT TO INSTALL 08-03785**

Application Number: 08-03785  
Facility ID: 0857700172  
Permit Fee: **\$0**  
Name of Facility: Butler Asphalt Company  
Person to Contact: David Poynter  
Address: P.O. Box 248 7500 Johnson Station Rd.  
Vandalia, OH 45377-9620

Location of proposed air contaminant source(s) [emissions unit(s)]:  
**7500 South Cassel Road**  
**Vandalia, Ohio**

Description of proposed emissions unit(s):  
**Administrative modification to lower PCB limit to 2ppm.**

The above named entity is hereby granted a modification to the permit to install described above pursuant to Chapter 3745-31 of the Ohio Administrative Code. Issuance of this modification 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 included in the application, the above described source(s) of pollutants will be granted the necessary operating permits.

This permit is granted subject to the conditions attached hereto.

Ohio Environmental Protection Agency

Chris Korleski  
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 (i.e., postmarked) quarterly 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

Pollutant

Tons Per Year

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particulate matter (fugitive)	5.16 (2.94)
volatile organic compound	8.05
nitrogen oxide	6.54
sulfur dioxide	1.15
carbon monoxide	27.2

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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.

	Operations, Property, and/or Equipment
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P901 - 275 TPH Portable drum mix asphalt plant with baghouse.	
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\*administrative modification

	aggregate storage bins, cold aggregate elevator, load-out and silo filling operations
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Applicable Rules/Requirements	OAC rule 3745-35-07(B) (Synthetic minor to avoid Title V)	OAC rule 3745-17-07(B)
OAC rule 3745-31-05(A)(3)		
		OAC rule 3745-17-08(B)
	NSPS 40 CFR Part 60, Subpart I	
	OAC rule 3745-17-07(A) and 3745-17-11(B)	OAC rule 3745-17-07(B) and OAC rule 3745-17-08(B)
	OAC rule 3745-18-06(E)(2)	
	OAC rule 3745-31-05(A)(3)	

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Applicable Emissions Limitations/Control Measures	emissions from this emissions unit when burning #2 oil shall not exceed 27.2 tons/yr.	Visible particulate emissions from any fugitive source shall not exceed 20 percent opacity, as a 3-minute average.
The requirements of this rule also include compliance with the requirements of NSPS 40 CFR Part 60, Subpart I, and OAC 3745-35-07(B).	The ton/yr limitations are based upon a rolling 12-month summation.	The drop height of the front end loader bucket shall be minimized to the extent possible in order to minimize or eliminate visible emissions of fugitive dust from the elevator loading area.
The particulate emissions (PE) from this emissions unit when burning #2 fuel oil shall not exceed 5.16 tons/yr.	Particulate emissions from the stack shall not exceed 0.04 grain per dry standard cubic foot of exhaust gases.	The aggregate loaded into the storage bins shall have a moisture content sufficient to minimize or eliminate the visible emissions of fugitive dust from the elevator and the transfer point to the dryer.
The carbon monoxide (CO) emissions from this emissions unit when burning #2 fuel oil shall not exceed 43.6 lbs/hr.	Visible particulate emissions shall not exceed 20 percent opacity, as a 6-minute average, from the stack, except as provided by 40 CFR Part 60, Subpart I.	See A.2.c.
The volatile organic compound (VOC) emissions from this emissions unit when burning #2 fuel oil shall not exceed 12.9 lbs/hr and 8.05 tons/yr.	The emission limitations specified in these rules are less stringent than the emission limitations specified in 40 CFR Part 60, Subpart I.	
The nitrogen oxide (NO <sub>x</sub> ) emissions from this emissions unit when burning #2 fuel oil shall not exceed 10.5 lbs/hr and 6.54 tons/yr.	The emission limitation specified by this rule is less stringent than the emission limitation specified in OAC rule 3745-31-05(A)(3).	
The sulfur dioxide (SO <sub>2</sub> ) emissions from this emissions unit when burning #2 fuel oil shall not exceed 1.84 lbs/hr and 1.15 tons/yr.	The fugitive particulate emissions from silo filling and plant load out (hot end) shall not exceed 0.19 ton/yr.	
The carbon monoxide CO	The fugitive VOC emissions from silo filling and plant load out (hot end) shall not exceed 2.75 tons/yr.	

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- 2.a** The lbs/hr of CO, NO<sub>x</sub>, SO<sub>2</sub> and VOC emissions limitations were 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 these limits.
- 2.b** The particulate emission limitation specified above includes particulate matter (PM<sub>10</sub>) emissions that are less than 10 microns in diameter.
- 2.c** OAC rules 3745-17-07(B) and 3745-17-08(B) are applicable only when the emissions unit is located in an "Appendix A" area, as specified in OAC rule 3745-17-08.
- 2.d** All used oil burned in this emissions unit shall be "on-specification" (on-spec) oil and must meet the used oil fuel specifications contained in OAC 3745-279-11, which restricts the used oil to the following limitations:

Contaminant/Property	Allowable Specifications
arsenic	5 ppm, maximum
cadmium	2 ppm, maximum
chromium	10 ppm, maximum

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lead	100 ppm, maximum
total halogens	4,000 ppm maximum*
flash point	100°F, minimum

The used oil burned in this emissions unit shall contain less than the quantifiable levels of PCBs as defined in 40 CFR 761.3; and shall also not exceed the following mercury limitation nor fall below the following heating value:

PCB's	less than 2 ppm
heat content	135,000 Btu/gallon, minimum
mercury	1 ppm, maximum

\* Used oil containing more than 1,000 ppm total halogens is presumed to be a hazardous waste under the rebuttable presumption provided under paragraph (B)(1) of rule 3745-279-10 of the Administrative Code. The permittee may receive and burn used oil exceeding 1,000 ppm total halogens (but less than 4,000 ppm maximum) only if the permittee has demonstrated that the used oil does not contain any hazardous waste pursuant to OAC rule 3745-279-10(B).

The burning of used oil not meeting the above limitations is prohibited in this emissions unit. The management and burning of used oil is subject to the Standards for the Management of Used Oil, OAC Chapter 3745-279, and the permittee shall document and assure that used oils burned in this emissions unit meet all of the applicable requirements of this Chapter.

## **B. Operational Restrictions**

1. The maximum annual production rate for this emissions unit shall not exceed 343,750 tons, based upon a rolling 12-month summation. Since this is an existing source it has existing records and therefore does not need to be limited to first year monthly amounts of production.
2. The pressure drop across the baghouse shall be maintained within the range of 3-5 inches of water when the emissions unit is in operation.
3. The permittee may substitute reclaimed asphalt pavement (RAP) in the raw material feed mix in amounts not to exceed 50 percent of all aggregate materials.
4. The permittee shall burn only #2 fuel oil in this emissions unit.

## **C. Monitoring and/or Recordkeeping Requirements**

1. The permittee shall maintain monthly records of the following information:

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- a. The total quantity of asphalt products produced each month;
  - b. The rolling, 12-month summation of the monthly production rates; and
  - c. The maximum percentage RAP used for any mix.
2. The permittee shall properly, operate, and maintain equipment to monitor the pressure drop across the baghouse when the emissions unit is in operation. The monitoring equipment shall be installed, calibrated, operated, and maintained in accordance with the manufacturer's recommendations, instructions, and operating manual(s). The permittee shall record the pressure drop across the baghouse on a daily basis.
  3. The permittee shall receive and maintain the chemical analyses from the supplier/marketer for each shipment of used oil burned in this emissions unit, which shall contain the following information:
    - a. the date the used oil was received at the facility;
    - b. the name, address, and U.S. EPA identification number (if applicable) of the generator, transporter, processor/re-finer, supplier, and/or marketer;
    - c. the results of the chemical analyses demonstrating that the used oil meets the standards in OAC 3745-279-11 and does not contain quantifiable levels of PCBs:
      - i. arsenic content, in ppm;
      - ii. the cadmium content, in ppm;
      - iii. the chromium content, in ppm;
      - iv. the lead content, in ppm;
      - v. total halogens, in ppm;
      - vi. the PCB content, in ppm; and
      - vii. the flash point
    - d. the analysis demonstrating that the used oil has a total halogen content below 1,000 ppm, or below 4,000 ppm with the demonstration for the rebuttal of the presumption that the oil is hazardous waste or has been mixed with hazardous waste, as described in OAC rule 3745-279-10(B); and
    - e. the results of the analyses demonstrating that the used oil meets the heating value and mercury limitation contained in this permit.

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Each analysis shall be kept in a readily accessible location for a period of not less than 5 years following the receipt of each shipment of used oil and shall be made available to the Ohio EPA Division of Hazardous Waste Management and/or the Division of Air Pollution Control (the appropriate Ohio EPA District Office or local air agency) upon

verbal or written request. Any authorized representative of the Ohio EPA may sample or require sampling of any used oil shipments received, stored, or burned by/at this facility for periodic detailed chemical analyses, through an independent laboratory.

4. The permittee shall perform daily checks, when the emissions unit is in operation and when the weather conditions allow, for any visible particulate emissions from the stack and for any visible fugitive particulate emissions from the rotary dryer, aggregate storage bins and cold aggregate elevator, load out and silo filling operations serving this emissions unit. The presence or absence of any visible emissions shall be noted in an operations log. If visible emissions are observed, the permittee shall also note the following in the operations log:
  - a. The location and color of the emissions;
  - b. Whether the emissions are representative of normal operations;
  - c. If the emissions are not representative of normal operations, the cause of the abnormal emissions;
  - d. The total duration of any visible emission incident; and
  - e. Any corrective actions taken to minimize or eliminate the abnormal visible emissions.

If visible emissions are present, a visible emission incident has occurred. The observer does not have to document the exact start and end times for the visible emission incident under item (d) above or continue the daily check until the incident has ended. The observer may indicate that the visible emission incident was continuous during the observation period (or, if known, continuous during the operation of the emissions unit). With respect to the documentation of corrective actions, the observer may indicate that no corrective actions were taken if the visible emissions were representative of normal operations, or specify the minor corrective actions that were taken to ensure that the emissions unit continued to operate under normal conditions, or specify the corrective actions that were taken to eliminate abnormal visible emissions.

5. The permittee may, upon receipt of written approval from the appropriate Ohio EPA District Office or local air agency, modify the above-mentioned frequencies for performing the visible emissions checks if operating experience indicates that less frequent visible emissions checks would be sufficient to ensure compliance with the above-mentioned applicable requirements.

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6. For each day during which the permittee burns a fuel other than #2 fuel oil, the permittee shall maintain a record of the type and quantity of fuel burned in the emissions unit.

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1. The permittee shall submit quarterly deviation (excursion) reports to the Director (the appropriate District Office or local air agency) which identify all exceedances of the rolling, 12-month production rate limitation.
2. The permittee shall submit pressure drop quarterly deviation (excursion) reports that identify all periods of time during which the pressure drop across the baghouse did not comply with the allowable range specified above.
3. The permittee shall notify the U.S. EPA and the Ohio EPA Division of Hazardous Waste Management and the Division of Air Pollution Control (the appropriate Ohio EPA District Office or local air agency), in writing and within 30 days, of burning any used oil exceeding the limitations found in OAC rule 3745-279-11 and/or any incident or occurrence of non-compliance with any other applicable requirement of OAC Chapter 3745-279 and/or 40 CFR part 761; and shall also notify the Ohio EPA Division of Air Pollution Control, within the same amount of time, if any oil is/was burned which exceeds the mercury limitation of 1 ppm and/or is documented as having a heating value of less than 135,000 Btu/gallon.
4. The permittee shall submit annual reports of the production rate and the total PM, OC, NO<sub>x</sub>, SO<sub>2</sub> and CO emissions for this emissions units. These reports shall be submitted by April 15th of each year to the Director (District Office or Local Air Agency).
5. The permittee shall submit quarterly deviation (excursion) reports that (a) identify all days during which any abnormal visible particulate emissions were observed from the stack serving this emissions unit, (b) identify all days during which any abnormal visible fugitive particulate emissions were observed from the rotary dryer, aggregate storage bins and cold aggregate elevator, load out and silo filling operations serving this emissions unit, and (c) describe any corrective actions taken to minimize the abnormal visible particulate and/or abnormal visible fugitive particulate emissions.
6. The permittee shall submit quarterly deviation (excursion) reports to the Director (the appropriate District Office or local air agency) which identify all exceedances of the RAP limitation specified above.
7. The permittee shall submit quarterly deviation (excursion) reports to the Director (the appropriate District Office or local air agency) which identify each day when a fuel other than #2 fuel oil was burned in the emissions unit.

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8. These quarterly deviation (excursion) reports shall be submitted to the Director (appropriate District Office or local air agency) by January 31, April 30, July 31, and October 31 of each year and shall cover the previous calendar quarter. If no deviations occurred during the calendar quarter, the permittee shall submit a report which states that no deviations occurred during the calendar quarter.
9. The permittee shall submit annual reports of the production rate and the total PM, VOC, NO<sub>x</sub>, SO<sub>2</sub> and CO emissions for this emissions units. These reports shall be submitted by April 15 of each year. This reporting requirement may be satisfied by including and identifying the specific emission data from this emissions unit in the annual Fee Emission Report.

## **E. Testing Requirements**

1. Compliance Methods  
 Compliance with the emissions limitation(s) in section A.1 of these terms and conditions shall be determined in accordance with the following method(s):
  - a. Emission Limitation-  
 PE emissions when burning #2 oil shall not exceed 0.04 gr/dscf;  
 CO emissions when burning #2 fuel oil shall not exceed 43.6 lbs/hr;  
 NO<sub>x</sub> emissions when burning #2 fuel oil shall not exceed 10.5 lbs/hr;  
 SO<sub>2</sub> emissions when burning #2 fuel oil shall not exceed 1.84 lbs/hr;  
 VOC emissions when burning #2 fuel oil shall not exceed 12.9 lbs/hr.

### Applicable Compliance Method-

If required, compliance shall be based on conducting a stack test for this emissions unit in order to demonstrate compliance with the allowable mass emission rate for PM, CO, NO<sub>x</sub>, VOC and SO<sub>2</sub>.

The following test method(s) shall be employed to demonstrate compliance with the allowable emission rate(s) for:

PM, USEPA Reference Methods 1-5, of 40 CFR Part 60, Appendix A.

CO, USEPA Reference Methods 1-4 and 10 of 40 CFR Part 60, Appendix A.

NO<sub>x</sub>, USEPA Reference Methods 1-4 and 7 or 7 E of 40 CFR Part 60, Appendix A.

VOC, USEPA Reference Methods 1-4 and 18 and/or 25 of 40 CFR Part 60, Appendix A.

SO<sub>2</sub>, USEPA Reference Methods 1-4 and 6 or 6C of 40 CFR Part 60, Appendix

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A.

The test shall be conducted while the emissions unit is operating at or near maximum capacity and burning only #2 oil for PM, CO, NO<sub>x</sub>, VOC, and SO<sub>2</sub> and employing RAP to verify VOC emissions, unless otherwise specified or approved by the Ohio EPA District Office or local air agency.

Not later than 60 days prior to the proposed test date(s), the permittee shall submit an "Intent to Test" notification. The "Intent to Test" notification shall describe in detail the proposed test methods and procedures, the emissions unit operating parameters, the time(s) and dates(s) of the test(s), and the person(s) who will be conducting the test(s). Failure to submit such notification for review and approval prior to the test(s) may result in the field office's refusal to accept the results of the emissions test(s).

Personnel from the Ohio EPA District Office or local air agency shall be permitted to witness the test(s), examine the testing equipment and acquire data and information regarding the emissions unit operating parameters.

A comprehensive written report on the results of the emissions test(s) shall be submitted 30 days following completion of the test(s). The permittee may request additional time for the submittal of the written report, where warranted, with prior approval from the appropriate Ohio EPA District Office or local air agency.

b. Emission Limitation -

Particulate emissions from the stack shall not exceed 5.16 tons/yr  
Applicable Compliance Method: Compliance with the annual emissions limitation shall be determined by multiplying the observed emission rate from the most recent emissions testing, in pounds of PE per ton of asphalt produced, by the actual rolling 12 month summation of asphalt produced (as derived from the records required by term and condition C.1 above), and dividing by 2000 lbs/ton.

c. Emissions Limitation-

CO emissions when burning #2 fuel oil shall not exceed 27.2 tons/yr, on a 12-month rolling basis.

Applicable Compliance Method: Compliance with the annual emissions limitation shall be determined by multiplying the observed emission rate from the most recent emissions testing, in pounds of CO per ton of asphalt produced, by the actual rolling 12 month summation of asphalt produced,

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in tons per rolling 12-month period (as derived from the records required by term and condition C.1 above), and dividing by 2000 lbs/ton.

- d. Emissions Limitation-  
NO<sub>x</sub> emissions when burning #2 oil shall not exceed 6.54 tons/yr  
Applicable Compliance Method: Compliance with the annual emissions limitation shall be determined by multiplying the observed emission rate from the most recent emissions testing, in pounds of NO<sub>x</sub> per ton of asphalt produced, by the actual rolling 12 month summation of asphalt produced (as derived from the records required by term and condition C.1 above), and dividing by 2000 lbs/ton.

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- e. SO<sub>2</sub> emissions when burning #2 oil shall not exceed 1.15 tons/yr  
Applicable Compliance Method: Compliance with the annual emissions limitation shall be determined by multiplying the observed emission rate from the most recent emissions testing, in pounds of SO<sub>2</sub> per ton of asphalt produced, by the actual rolling 12 month summation of asphalt produced (as derived from the records required by term and condition C.1 above), and dividing by 2000 lbs/ton.

- f. Emission Limitation -  
VOC emissions from this emissions unit when burning #2 fuel oil shall not exceed 8.05 tons/yr

Applicable Compliance Method: Compliance with the annual emissions limitation shall be determined by multiplying the observed emission rate from the most recent emissions testing, in pounds of VOC per ton of asphalt produced, by the actual rolling 12 month summation of asphalt produced (as derived from the records required by term and condition C.1 above), and dividing by 2000 lbs/ton.

- g. Emission Limitation -  
Fugitive particulate emissions shall not exceed 0.19 ton/yr

Applicable Compliance Method -  
Compliance with the annual fugitive particulate emissions shall be assumed based upon the following worst case calculations:

Fugitive particulate emissions from the hot end are calculated as follows

$$\begin{aligned} & \text{Silo filling (343,750 tons/yr of material/yr} \times 0.00058 \text{ lb PM/ton} \times \text{ton/2000 lbs)} + \\ & \text{Plant Load Out (343,750 tons/yr of asphalt produced/yr} \times 0.00052 \text{ lb PM/ton} \times \\ & \text{ton/2000 lbs)} \\ & = 0.19 \text{ ton/yr particulate} \end{aligned}$$

The emission factors in the above equations are derived from AP-42, Fifth Edition, Table 11.1-14 (3/04).

- h. Emission Limitation -  
Fugitive VOC emissions shall not exceed 2.75 tons/yr.

Applicable Compliance Method -  
Compliance with the annual fugitive VOC emissions shall be assumed based

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upon the  
following worst case calculations:

Fugitive VOC emissions from the hot end are calculated as follows  
 Silo filling (343,750 tons/yr of material/yr x 0.012 lb VOC/ton x ton/2000 lbs) +  
 Plant Load Out (343,750 tons/yr of asphalt produced/yr x 0.004 lb VOC/ton x  
 ton/2000 lbs)  
 = 2.75 tons VOC

The emission factors in the above equations are derived from AP-42, Fifth Edition, Table 11.1-14 (3/04).

- i. Emissions Limitation-  
20 percent opacity as a 6-minute average, from the stack

Applicable Compliance Method-  
Compliance shall be determined through visible emission evaluations performed using the methods and procedures specified in Reference Method 9 of 40 CFR Part 60, Appendix A, and 40 CFR 60.675(c).

- j. Emission Limitation-  
20 percent opacity as a 3-minute average, from fugitives

Applicable Compliance Method-  
Compliance shall be determined through visible emission evaluations performed using the methods and procedures specified in Reference Method 9 of 40 CFR Part 60, Appendix A, and 40 CFR 60.675(c).

## **F. Miscellaneous Requirements**

1. All the Terms and Conditions of this permit are federally enforceable.
2. The permittee may relocate the portable source within the State of Ohio without first obtaining a permit to install (PTI) providing the appropriate exemption requirements have been met and following the approval of the director. The director may issue a "Notice of Site Approval" if the portable source meets the following criteria pursuant to OAC rule 3745-31-03(A)(1)(p)(i):
  - a. the portable source has been issued a permit to install (PTI) and the permittee continues to comply with any applicable best available technology (BAT)

determination and state and/or federal rules;

- b. the portable source is operating pursuant to a currently effective PTI and/or any applicable permit to operate (PTO) and continues to comply with the requirements of the permit;
- c. the permittee has provided a minimum of 30 days notice of the intent to relocate the portable source to the permitting authority (the Ohio EPA District Office or local air agency that has issued the effective current permit) prior to the scheduled relocation\*;
- d. the Ohio EPA district office or local air agency having jurisdiction over the new site has determined that the permitted emissions would not cause a nuisance in violation of OAC rule 3745-15-07; and the relocation of the portable source, along with any supporting permitted emissions (e.g. roadways or storage piles), would not result in the installation of a major stationary source or a modification of an existing major stationary source at the new site; and
- e. the director has issued a "Notice of Site Approval", stating that the proposed site is acceptable under OAC rule 3745-15-07 and the relocation will not result in the installation of a major stationary source or a modification of an existing major stationary source.

The portable source can be relocated upon receipt of the director's "Notice of Site Approval" for the site.

3. If the relocation of the portable source would result in the installation of a major source or the modification of a major source, as defined in OAC rule 3745-31-01, the permittee shall submit an application and obtain a PTI for the new location prior to moving the portable source.

When a portable source is located at a stationary source or at a site with multiple portable sources, the potential emissions of the portable source may be required to be added to that of the facility, in order to determine the potential to emit for Title V and PSD applicability. Relocation of any portable source that results in the creation of a major source, as defined in OAC rule 3745- 77-01, must also meet all applicable requirements under the Title V program contained in OAC rule 3745-77, which may include the requirement to apply for a Title V permit.

The "Notice of Intent to Relocate" shall be submitted to the Ohio EPA District Office or local air agency responsible for issuing the permits for the portable source. Upon receipt of the notice, the permitting office shall notify the appropriate Ohio EPA District Office or local air agency having jurisdiction over the new site. Failure to submit said notification or failure to receive Ohio EPA approval prior to relocation of the portable

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source may result in fines and civil penalties.