State of Ohio Environmental Protection Agency

RE: FINAL PERMIT TO INSTALL MODIFICATION **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: 08-04364
Fac ID: 0857710044
DATE: 7/11/2006

Martin Marietta Materials-Phillipsburg
Patrick Montgomery
4770 Duke Drive
Mason, OH 45040-0000

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

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

CC: **USEPA** **RAPCA**

STATE OF OHIO ENVIRONMENTAL PROTECTION AGENCY

Permit To Install **Issue Date: 7/11/2006**
Terms and Conditions **Effective Date: 7/11/2006**

FINAL ADMINISTRATIVE MODIFICATION OF PERMIT TO INSTALL 08-04364

Application Number:	08-04364
Facility ID:	0857710044
Permit Fee:	**$900**
Name of Facility:	Martin Marietta Materials-Phillipsburg
Person to Contact:	Patrick Montgomery
Address:	4770 Duke Drive Mason, OH 45040-0000

Location of proposed air contaminant source(s) [emissions unit(s)]:
9843 Dayton-Greenville Pike
Brookville, **Ohio**

Description of proposed emissions unit(s):
Administrative modification to address recent changes in plant.

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

Joseph P. Koncelik

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

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 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.

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
particulate emissions	16.07

Emissions Unit ID: **F001**

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 - (F001) - aggregate processing plant

Applicable Rules/Requirements	Applicable Emissions Limitations/Control Measures
OAC rule 3745-31-05(A)(3) **Modification** see section F.1.	The requirements of this rule also include compliance with the requirements of NSPS 40 CFR Part 60, Subpart 000. The visible PE of fugitive dust shall not exceed 20% opacity, as a 6-minute average from the crushers (not subject to NSPS). The visible PE of fugitive dust shall not exceed 10% opacity, as a 6-minute average from any unsaturated screens and transfer points (not subject to NSPS). The fugitive particulate emissions (PE) from this emissions unit shall not exceed 12.86 lbs/hr and 16.07 tons/yr.
NSPS 40 CFR Part 60, Subpart OOO	The visible PE of fugitive dust shall not exceed 15% opacity, as a 6-minute average from the crushers. The visible PE of fugitive dust shall not exceed 10% opacity, as a 6-minute average from any unsaturated screens and transfer points. There shall be no visible PE from all saturated equipment except crushers.

2. Additional Terms and Conditions

2.a The hourly emission limitation was established using the maximum throughputs 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 equipment identified under this emissions unit shall have a moisture content sufficient to minimize or eliminate visible emissions of fugitive dust from the crushers, screens, conveyors and transfer points, so that compliance with the opacity requirements specified above is continuously maintained. If the inherent moisture in the aggregate is not sufficient to comply with the opacity restrictions of this permit, the permittee shall apply water or other suitable dust suppressant, at appropriate locations in the production line.

B. Operational Restrictions

None

C. Monitoring and/or Recordkeeping Requirements

1. The permittee shall conduct annual visible emissions evaluations of this emissions unit. The visible emissions evaluations shall be performed at maximum production capacity and during dry weather conditions. Every effort shall also be made to conduct the visible emissions evaluations between May 1 and September 30 to represent a worst case operating scenario. The duration of the Method 9 observations shall be in accordance with the requirements of 40 CFR 60 Subpart OOO.

2. The permittee shall employ best available control measures for the material handling operation(s) 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(s) to ensure compliance:

material handling operation(s)	control measure(s)
all conveyors and transfer points	watering as needed

3. For each material handling operation that is not adequately enclosed, the above-identified control measure(s) 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(s) is (are) necessary to ensure compliance with the above-mentioned applicable requirements. Any required implementation of the control measure(s) shall continue during the operation of the material handling operation(s) until further observation confirms that use of the control measure(s) is unnecessary.

4. Implementation of the above-mentioned control measure(s) in accordance with the terms and conditions of this permit is appropriate and sufficient to satisfy the requirements of OAC rule 3745-31-05.

5. The permittee shall perform daily checks, when the emissions unit is in operation, and when the weather conditions allow, for any visible fugitive particulate emissions from the 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 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 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.

D. Reporting Requirements

1. The permittee shall report within 30 days, any change in the saturated or unsaturated nature of the material being processed in the screens and conveyors. The affected emissions unit is then subject to the provisions of the standard applicable to the type of material being processed.

2. The permittee shall submit written reports that identify all days during which any visible fugitive particulate emissions were observed that did not demonstrate compliance with the opacity requirements specified above from this emissions unit, and describe any corrective actions taken to minimize or eliminate the visible fugitive particulate emissions. These reports shall be submitted to the Director (the appropriate Ohio EPA District Office or local air agency) within 30 days after the exceedance occurs.

3. The permittee shall submit the following information for each piece of equipment that is replaced having the same function as the existing facility:

   a. for a crusher, grinding mill, bucket elevator, bagging operation, storage bin, enclosed truck or railcar loading station:

      i. the rated capacity in tons or tons per hour of the existing facility being replaced, and

      ii. the rated capacity in tons or tons per hour of the replacement equipment.

b. for a conveyor belt:

i. the width of the existing conveyor belt being replaced, and

ii. the width of the replacement conveyor belt.

c. for a screening operation:

i. the total surface area of the top screen of the existing screening operation being replaced, and

ii. the total surface area of the top screen of the replacement, screening operation.

d. The permittee shall submit the date of manufacture of each existing facility being replaced and the date of manufacture of the replacement equipment.

The notification shall be submitted 30 days (or as soon as practicable) before construction of the replacement equipment is commenced.

E. Testing Requirements

1. 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-
The fugitive particulate emissions (PE) from this emissions unit shall not exceed 12.86 lbs/hr.

Applicable Compliance Method-
Compliance shall be determined by summing the maximum hourly emission rates for the crushers, screens, conveying and the material handling equipment. (See i. through iii. below)

i. The maximum hourly emission rate for the crushing equipment was determined by multiplying the maximum hourly production rate of each crusher by the emission factor of 0.0012 lb PM/ton, as specified in USEPA reference document AP-42, Table 11.19.2-2 (08/04) and summing the emissions rates for the crushing equipment.

ii. The maximum hourly emission rate for the screens were determined by multiplying the maximum hourly production rate of each screen by the emission factor of 0.0022 lb PM/ton, as specified in USEPA reference document AP-42, Table 11.19.2-2 (08/04) and summing the emissions rates for the screens.

iii. The maximum hourly emission rate for the conveying and material handling equipment was determined by multiplying the maximum hourly production rates of each piece of material handling equipment by the emission factor of 0.00014 lb PM/ton, as specified in USEPA reference document AP-42, Table 11.19.2-2 (08/04), and summing the emission rates for each piece of equipment.

b. Emission Limitation-
The fugitive particulate emissions (PE) from this emissions unit shall not exceed 16.07 tons/yr.

Applicable Compliance Method-
Compliance shall be determined by summing the annual emission rates for the crushers, screens, conveying and material handling equipment. (See i. through iii. below)

i. The annual emission rate for the crushing equipment was determined by multiplying the annual throughput of each crusher, by the emission factor 0.0012 lb PM/ton, as specified in USEPA reference document AP-42, Table 11.19.2-2 (08/04), and dividing by 2,000 pounds per ton.

ii. The annual emission rate for the screens were determined by multiplying the annual throughput of each screen, by the emission factor 0.0022 lb PM/ton, as specified in USEPA reference document AP-42, Table 11.19.2-2 (08/04), and dividing by 2,000 pounds per ton.

iii. The annual emission rate for the conveying and material handling equipment was determined by multiplying the annual throughput of each material handling equipment, by the emission factor 0.00014 lb PM/ton, as specified in USEPA reference document AP-42, Table 11.19.2-2 (08/04), and dividing by 2,000 pounds per ton.

c. Emission Limitation-
The visible PE of fugitive dust shall not exceed 15% opacity, as a 6-minute average from the crushers.

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

d. Emission Limitation-
The visible PE of fugitive dust shall not exceed 20% opacity, as a 6-minute average from the crushers.

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

e. Emission Limitation-
The visible PE of fugitive dust shall not exceed 10% opacity, as a 6-minute average from any unsaturated screens and transfer points.

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. Emission Limitation-
There shall be no visible PE from all saturated equipment except crushers.

Applicable Compliance Method-
Compliance with the visible PE limitation listed 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

1. Terms in this permit supercede those identified in PTI 08-04364 issued 04/25/2002 and represents a 5.86 tons/yr decrease of fugitive particulate emissions.