John R. Kasich, Governor
Mary Taylor, Lt. Governor
Scott J. Nally, Director

11/26/2013

Certified Mail

No	TOXIC REVIEW
Yes	SYNTHETIC MINOR TO AVOID MAJOR NSR
No	CEMS
No	MACT/GACT
Yes	NSPS
No	NESHAPS
No	NETTING
No	MODELING SUBMITTED
No	SYNTHETIC MINOR TO AVOID TITLE V
Yes	FEDERALLY ENFORCABLE PTIO (FEPTIO)
No	SYNTHETIC MINOR TO AVOID MAJOR GHG

Shawn Pompelia
Priority Excavation Services, LLC
8517 Kimblewick Lane NE
Warren, OH 44484

RE: FINALAIR POLLUTION PERMIT-TO-INSTALL AND OPERATE
Facility ID: 0278062007
Permit Number: P0114985
Permit Type: Initial Installation
County: Trumbull

Dear Permit Holder:

Enclosed please find a final Ohio Environmental Protection Agency (EPA) Air Pollution Permit-to-Install and Operate (PTIO) which will allow you to install, modify, and/or operate the described emissions unit(s) in the manner indicated in the permit. Because this permit contains conditions and restrictions, please read it very carefully. In this letter you will find the information on the following topics:

- **How to appeal this permit**
- **How to save money, reduce pollution and reduce energy consumption**
- **How to give us feedback on your permitting experience**
- **How to get an electronic copy of your permit**

How to appeal this permit

The issuance of this PTIO is a final action of the Director 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, made payable to “Ohio Treasurer Josh Mandel," 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
77 South High Street, 17th Floor
Columbus, OH 43215

How to save money, reduce pollution and reduce energy consumption

The Ohio EPA is encouraging 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 Compliance Assistance and Pollution Prevention at (614) 644-3469. Additionally, all or a portion of the capital expenditures related to installing air pollution control equipment under this permit may be eligible for financing and State tax exemptions through the Ohio Air Quality Development Authority (OAQDA) under Ohio Revised Code Section 3706. For more information, see the OAQDA website: www.ohioairquality.org/clean_air

How to give us feedback on your permitting experience

Please complete a survey at www.epa.ohio.gov/survey.aspx and give us feedback on your permitting experience. We value your opinion.

How to get an electronic copy of your permit

This permit can be accessed electronically via the eBusiness Center: Air Services in Microsoft Word format or in Adobe PDF on the Division of Air Pollution Control (DAPC) Web page, www.epa.ohio.gov/dapc by clicking the "Search for Permits" link under the Permitting topic on the Programs tab.

If you have any questions, please contact Ohio EPA DAPC, Northeast District Office at (330)425-9171or the Office of Compliance Assistance and Pollution Prevention at (614) 644-3469.

Sincerely,

Michael W. Ahern

Michael W. Ahern, Manager
Permit Issuance and Data Management Section, DAPC

Cc: Ohio EPA-NEDO

FINAL

Division of Air Pollution Control
Permit-to-Install and Operate
for
Priority Excavation Services, LLC

Facility ID:	0278062007
Permit Number:	P0114985
Permit Type:	Initial Installation
Issued:	11/26/2013
Effective:	11/26/2013
Expiration:	11/26/2018

Division of Air Pollution Control
Permit-to-Install and Operate
for
Priority Excavation Services, LLC

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Authorization

Facility ID:	0278062007
Application Number(s):	A0048133
Permit Number:	P0114985
Permit Description:	Air curtain incinerator to burn wood waste, clean lumber, and yard waste. This unit is equipped with a Kubota V3 Series V3600-T-E3B CI RICE that powers a special fan to force air into the burn box.
Permit Type:	Initial Installation
Permit Fee:	$1,500.00
Issue Date:	11/26/2013
Effective Date:	11/26/2013
Expiration Date:	11/26/2018

Permit Evaluation Report (PER) Annual Date: July 1 - June 30, Due Aug 15

This document constitutes issuance to:

Priority Excavation Services, LLC
1001 Austintown Warren Rd.
Niles, OH 44446

of a Permit-to-Install and Operate for the emissions unit(s) identified on the following page.

Ohio Environmental Protection Agency (EPA) District Office or local air agency responsible for processing and administering your permit:

Ohio EPA DAPC, Northeast District Office
2110 East Aurora Road
Twinsburg, OH 44087
(330)425-9171

The above named entity is hereby granted this Permit-to-Install and Operate for the air contaminant source(s) (emissions unit(s))listed in this section 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 described emissions unit(s) will operate in compliance with applicable State and federal laws and regulations.

This permit is granted subject to the conditions attached hereto.

Ohio Environmental Protection Agency

Scott J. Nally
Director

Authorization (continued)

Permit Number: P0114985
Permit Description: Air curtain incinerator to burn wood waste, clean lumber, and yard waste. This unit is equipped with a Kubota V3 Series V3600-T-E3B CI RICE that powers a special fan to force air into the burn box.

Permits for the following Emissions Unit(s) or groups of Emissions Units are in this document as indicated below:

Emissions Unit ID:	**N001**
Company Equipment ID:	Air Burner model S-327
Superseded Permit Number:	
General Permit Category and Type:	Not Applicable

A. Standard Terms and Conditions

1. What does this permit-to-install and operate ("PTIO") allow me to do?

This permit allows you to install and operate the emissions unit(s) identified in this PTIO. You must install and operate the unit(s) in accordance with the application you submitted and all the terms and conditions contained in this PTIO, including emission limits and those terms that ensure compliance with the emission limits (for example, operating, recordkeeping and monitoring requirements).

2. Who is responsible for complying with this permit?

The person identified on the "Authorization" page, above, is responsible for complying with this permit until the permit is revoked, terminated, or transferred. "Person" means a person, firm, corporation, association, or partnership. The words "you," "your," or "permittee" refer to the "person" identified on the "Authorization" page above.

The permit applies only to the emissions unit(s) identified in the permit. If you install or modify any other equipment that requires an air permit, you must apply for an additional PTIO(s) for these sources.

3. What records must I keep under this permit?

You must keep all records required by this permit, including monitoring data, test results, strip-chart recordings, calibration data, maintenance records, and any other record required by this permit for five years from the date the record was created. You can keep these records electronically, provided they can be made available to Ohio EPA during an inspection at the facility. Failure to make requested records available to Ohio EPA upon request is a violation of this permit requirement.

4. What are my permit fees and when do I pay them?

There are two fees associated with permitted air contaminant sources in Ohio:

PTIO fee.This one-time fee is based on a fee schedule in accordance with Ohio Revised Code (ORC) section 3745.11, or based on a time and materials charge for permit application review and permit processing if required by the Director.

You will be sent an invoice for this fee after you receive this PTIO and payment is due within 30 days of the invoice date. You are required to pay the fee for this PTIO even if you do not install or modify your operations as authorized by this permit.

Annual emissions fee.Ohio EPA will assess a separate fee based on the total annual emissions from your facility. You self-report your emissions in accordance with Ohio Administrative Code (OAC) Chapter 3745-78. This fee assessed is based on a fee schedule in ORC section 3745.11 and funds Ohio EPA's permit compliance oversight activities. For facilities that are permitted as synthetic minor sources, the fee schedule is adjusted annually for inflation. Ohio EPA will notify you when it is time to report your emissions and to pay your annual emission fees.

5. When does my PTIO expire, and when do I need to submit my renewal application?

This permit expires on the date identified at the beginning of this permit document (see "Authorization" page above) and you must submit a renewal application to renew the permit. Ohio EPA will send a renewal notice to you approximately six months prior to the expiration date of this permit. However, it is

very important that you submit a complete renewal permit application (postmarked prior to expiration of this permit) even if you do not receive the renewal notice.

If a complete renewal application is submitted before the expiration date, Ohio EPA considers this a timely application for purposes of ORC section 119.06, and you are authorized to continue operating the emissions unit(s) covered by this permit beyond the expiration date of this permit until final action is taken by Ohio EPA on the renewal application.

6. What happens to this permit if my project is delayed or I do not install or modify my source?

This PTIO expires 18 months after the issue date identified on the "Authorization" page above unless otherwise specified if you have not (1) started constructing the new or modified emission sources identified in this permit, or (2) entered into a binding contract to undertake such construction. This deadline can be extended by up to 12 months, provided you apply to Ohio EPA for this extension within a reasonable time before the 18-month period has ended and you can show good cause for any such extension.

7. What reports must I submit under this permit?

An annual permit evaluation report (PER) is required in addition to any malfunction reporting required by OAC rule 3745-15-06 or other specific rule-based reporting requirement identified in this permit. Your PER due date is identified in the Authorization section of this permit.

8. If I am required to obtain a Title V operating permit in the future, what happens to the operating provisions and PER obligations under this permit?

If you are required to obtain a Title V permit under OAC Chapter 3745-77 in the future, the permit-to-operate portion of this permit will be superseded by the issued Title V permit. From the effective date of the Title V permit forward, this PTIO will effectively become a PTI (permit-to-install) in accordance with OAC rule 3745-31-02(B). The following terms and conditions of this permit will no longer be applicable after issuance of the Title V permit: Section B, Term 1.b) and Section C, for each emissions unit, Term a)(2).

The PER requirements in this permit remain effective until the date the Title V permit is issued and is effective, and cease to apply after the effective date of the Title V permit. The final PER obligation will cover operations up to the effective date of the Title V permit and must be submitted on or before the submission deadline identified in this permit on the last day prior to the effective date of the Title V permit.

9. What are my obligations when I perform scheduled maintenance on air pollution control equipment?

You must perform scheduled maintenance of air pollution control equipment in accordance with OAC rule 3745-15-06(A). If scheduled maintenance requires shutting down or bypassing any air pollution control equipment, you must also shut down the emissions unit(s) served by the air pollution control equipment during maintenance, unless the conditions of OAC rule 3745-15-06(A)(3) are met. Any emissions that exceed permitted amount(s) under this permit (unless specifically exempted by rule) must be reported as deviations in the annual permit evaluation report (PER), including nonexempt excess emissions that occur during approved scheduled maintenance.

10. Do I have to report malfunctions of emissions units or air pollution control equipment? If so, how must I report?

If you have a reportable malfunction of any emissions unit(s) or any associated air pollution control system, you must report this to the [DO/LAA] in accordance with OAC rule 3745-15-06(B). Malfunctions that must be reported are those that result in emissions that exceed permitted emission levels. It is your responsibility to evaluate control equipment breakdowns and operational upsets to determine if a reportable malfunction has occurred.

If you have a malfunction, but determine that it is not a reportable malfunction under OAC rule 3745-15-06(B), it is recommended that you maintain records associated with control equipment breakdown or process upsets. Although it is not a requirement of this permit, Ohio EPA recommends that you maintain records for non-reportable malfunctions.

11. Can Ohio EPA or my local air agency inspect the facility where the emission unit(s) is/are located?

Yes. Under Ohio law, the Director or his authorized representative may inspect the facility, conduct tests, examine records or reports to determine compliance with air pollution laws and regulations and the terms and conditions of this permit. You must provide, within a reasonable time, any information Ohio EPA requests either verbally or in writing.

12. What happens if one or more emissions units operated under this permit is/are shut down permanently?

Ohio EPA can terminate the permit terms associated with any permanently shut down emissions unit. “Shut down” means the emissions unit has been physically removed from service or has been altered in such a way that it can no longer operate without a subsequent "modification" or "installation" as defined in OAC Chapter 3745-31.

You should notify Ohio EPA of any emissions unit that is permanently shut down by submitting a certification that identifies the date on which the emissions unit was permanently shut down. The certification must be submitted by an authorized official from the facility. You cannot continue to operate an emission unit once the certification has been submitted to Ohio EPA by the authorized official.

You must comply with all recordkeeping and reporting for any permanently shut down emissions unit in accordance with the provisions of the permit, regulations or laws that were enforceable during the period of operation, such as the requirement to submit a PER, air fee emission report, or malfunction report. You must also keep all records relating to any permanently shutdown emissions unit, generated while the emissions unit was in operation, for at least five years from the date the record was generated.

Again, you cannot resume operation of any emissions unit certified by the authorized official as beingpermanently shut down without first applying for and obtaining a permit pursuantto OAC Chapter 3745-31.

13. Can I transfer this permit to a new owner or operator?

You can transfer this permit to a new owner or operator. If you transfer the permit, you must follow the procedures in OAC Chapter 3745-31, including notifying Ohio EPA or the local air agency of the change in ownership or operator. Any transferee of this permit must assume the responsibilities of the transferor permit holder.

14. Does compliance with this permit constitute compliance with OAC rule 3745-15-07, "air pollution nuisance"?

This permit and OAC rule 3745-15-07 prohibit operation of the air contaminant source(s) regulated under this permit in a manner that causes a nuisance. Ohio EPA can require additional controls or modification of the requirements of this permit through enforcement orders or judicial enforcement action if, upon investigation, Ohio EPA determines existing operations are causing a nuisance.

15. What happens if a portion of this permit is determined to be invalid?

If a portion of this permit is determined to be invalid, the remainder of the terms and conditions remain valid and enforceable. The exception is where the enforceability of terms and conditions are dependent on the term or condition that was declared invalid.

B. Facility-Wide Terms and Conditions

1. This permit document constitutes a permit-to-install issued in accordance with ORC 3704.03(F) and a permit-to-operate issued in accordance with ORC 3704.03(G).

   a) For the purpose of a permit-to-install document, the facility-wide terms and conditions identified below are federally enforceable with the exception of those listed below which are enforceable under state law only.

      (1) None.

   b) For the purpose of a permit-to-operate document, the facility-wide terms and conditions identified below are enforceable under state law only with the exception of those listed below which are federally enforceable.

      (1) None.

C. Emissions Unit Terms and Conditions

1. N001, Air Burner model S-327

Operations, Property and/or Equipment Description:

Air Burner or Air Curtain Destroyer for elimination of wood waste, clean lumber and yard waste. This unit is equip with a Kubota V3 Series V3600-T-E3B stationary CI RICE with a rated power of 63.0 kw that powers a special fan to force air into the burn box.

a) This permit document constitutes a permit-to-install issued in accordance with ORC 3704.03(F) and a permit-to-operate issued in accordance with ORC 3704.03(G).

(1) For the purpose of a permit-to-install document, the emissions unit terms and conditions identified below are federally enforceable with the exception of those listed below which are enforceable under state law only.

a. g)(2)

(2) For the purpose of a permit-to-operate document, the emissions unit terms and conditions identified below are enforceable under state law only with the exception of those listed below which are federally enforceable.

a. b)(1)d, b)(2)d, b)(2)j, c)(1), c)(2), c)(3), d)(1), d)(2), d)(5), e)(1), e)(2), f)(1)a, f)(1)b, f)(1)c and f)(2)

b) Applicable Emissions Limitations and/or Control Requirements

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

	Applicable Rules/Requirements	Applicable Emissions Limitations/Control Measures
a.	ORC 3704.03(T)	Particulate emissions (PE) from the air curtain incinerator (burned wood waste, clean lumber and yard waste) shall not exceed 20.8 tons per rolling, 12-month period. Particulate matter emissions with a diameter equal to or less than 10 microns (PM_{10}) from the air curtain incinerator (burned wood waste, clean lumber and yard waste) shall not exceed 20.8 tons per rolling, 12-month period.
b.	OAC rule 3745-31-05(A)(3), as effective 11/30/01	**<u>Emissions from the air curtain incinerator:</u>**

	Applicable Rules/Requirements	Applicable Emissions Limitations/Control Measures
		Sulfur dioxide (SO_2) emissions shall not exceed 3.10 lbs/hr and 2.9 tpy. Nitrogen oxides (NO_x) emissions shall not exceed 1.02 lbs/hr and 1.0 tpy. Volatile organic compound (VOC) emissions shall not exceed 10.63 lbs/hr and 10.0 tpy. **<u>Emissions from the diesel engine:</u>** NO_x emissions shall not exceed 0.54 lb/hr and 0.51 tpy. Carbon monoxide (CO) emissions shall not exceed 0.13 lb/hr and 0.12 tpy. SO_2 emissions shall not exceed 0.17 lb/hr and 0.16 tpy. VOC emissions shall not exceed 0.21 lb/hr and 0.20 tpy. PM_{10} emissions shall not exceed 0.02 lb/hr and 0.02 tpy. See b)(2)b.
c.	OAC rule 3745-31-05(A)(3)(b), as effective 12/01/06	See b)(2)c.
d.	OAC rule 3745-31-05(D) Synthetic Minor limitation established to avoid Prevention of Significant Deterioration (PSD)	CO emissions from the air curtain incinerator shall not exceed 248.5 tons per rolling, 12-month period.
e.	OAC rule 3745-17-08(B)	The emission limitation required by this applicable rule is less stringent than the emission limitation established pursuant to 40 CFR Part 60, Subpart EEEE.
f.	OAC rule 3745-17-07(B)	Not applicable at this time. If this emission unit fails to meet the definition of a non-road engine as defined in 40 CFR 1068.30, this rule will become applicable.

	Applicable Rules/Requirements	Applicable Emissions Limitations/Control Measures
g.	OAC chapter 3745-19	See b)(2)g.
h.	40 CFR Part 60, Subpart EEEE	See b)(2)d and c)(3).
i.	40 CFR Part 63, Subpart ZZZZ 40 CFR Part 60, Subpart IIII	Not applicable at this time. See b)(2)h.

(2) Additional Terms and Conditions

a. Best Available Technology (BAT) requirements pursuant to ORC 3704.03(T) include the emission limitations specified in permit condition b)(1)a. and compliance with the terms and conditions of this permit.

b. The permittee has satisfied the Best Available Technology (BAT) requirements pursuant to OAC rule 3745-31-05(A)(3), as effective November 30, 2001, in this permit. On December 1, 2006, paragraph (A)(3) of OAC rule 3745-31-05 was revised to conform to ORC changes effective August 3, 2006 (S.B. 265 changes), such that BAT is no longer required by State regulation for NAAQS pollutant emissions less than ten tons per year. However, that rule revision has not yet been approved by U.S. EPA as a revision to Ohio's State Implementation Plan (SIP). Therefore, until the SIP revision occurs and the U.S. EPA approves the revision to OAC rule 3745-31-05, the requirement to satisfy BAT still exists as part of the federally–approved SIP for Ohio. Once U.S. EPA approves the December 1, 2006 version of OAC rule 3745-31-05, then these emission limits/control measures no longer apply.

c. This rule paragraph applies once U.S. EPA approves the December 1, 2006 version of OAC rule 3745-31-05 as part of the SIP.

The Best Available Technology (BAT) requirements under OAC rule 3745-31-05(A)(3) do not apply to the following emissions from this air contaminant source since the uncontrolled potential to emit is less than 10 tons/yr:

i. SO_2 and NO_x emissions from both the air curtain incinerator and diesel engine; and

ii. CO, VOC, and PM_{10} emissions from the diesel engine.

d. Within 60 days after the air curtain incinerator reaches the charge rate at which it will operate, but no later than 180 days after its initial startup, the permittee shall meet the following:

i. visible PE from the air curtain incinerator shall not exceed 10% opacity, as a 6-minute average; and

ii. visible PE from the air curtain incinerator shall not exceed 35% opacity, as a 6-minute average, during the startup period that is within the first 30 minutes of operation.

The limitations above apply at all times except during malfunctions.

e. The permittee shall use only clean oils (e.g., diesel fuel, No. 2 fuel oil, kerosene) to ignite waste.

f. The permittee shall burn only no. 2 diesel fuel oil in the diesel engine associated with this emissions unit.

g. This emissions unit shall be operated in compliance with the requirements of Ohio Administrative Code Chapter 3745-19, "Open Burning Standards". These rules include, but are not limited to, the following:

   i. The siting of the air curtain incinerator shall be at a point on the premises no less than one thousand feet from any inhabited building not located on said premises.

   ii. No materials may be charged to the burner less than thirty minutes after sunrise and shall be completed not less than sixty minutes prior to sunset. A log shall be maintained on site, and available upon request, that documents daily beginning and ending times of charging.

   iii. The air curtain burner shall be attended at all times while burning is occurring and until flames are no longer visible.

   iv. The air curtain shall be maintained until all material within the air curtain burner has been reduced to coals, and flames are no longer visible.

   v. At no time shall material be loaded into the air curtain burner such that the material extends into and above the air curtain, except for brief moments during loading.

h. The requirements of 40 CFR Part 63, Subpart ZZZZ (the National Emission Standards for Hazardous Air Pollutants for Stationary RICE) and 40 CFR Part 60, Subpart IIII (Standards of Performance for Stationary Compression Ignition ICE) do not apply to this emission unit as long as it meets the definition of a nonroad engine as defined by 40 CFR 1068.30. However, if this emissions unit remains at a location for more than 12 consecutive months, it will no longer meet the definition of a nonroad engine as defined in 40 CFR 1068.30 and instead will meet the definition of a stationary internal combustion engine as defined by 40 CFR Part 60, Subpart IIII, 60.4219. As such, if at any time this emission unit remains at a location for more than 12 consecutive months, the requirements of the above stated rules shall apply.

i. The permittee shall not locate this emissions unit in any area within the State of Ohio designated as nonattainment for CO.

j. In accordance with 40 CFR 60.2974, the permittee is required to apply for and obtain a Title V operating permit as specified in 40 CFR 60.2966 and 60.2967.

c) Operational Restrictions

(1) The maximum annual wood waste, clean lumber and yard waste to be burned in this emissions unit shall not exceed 18,900 tons, based upon a rolling, 12-month summation of wood waste, clean lumber and yard waste to be burned.

To ensure enforceability during the first 12 calendar months of operation, following the issuance of this permit, the permittee shall not exceed the maximum throughput levels specified in the following table:

Months(s)	Maximum Allowable Cumulative Wood Waste, Clean Lumber and Yard Waste to be Burned, in tons:
1	1,575
1-2	3,150
1-3	4,715
1-4	6,300
1-5	7,875
1-6	9,450
1-7	11,025
1-8	12,600
1-9	14,175
1-10	15,750
1-11	17,325
1-12	18,900

After the first 12 calendar months of operation or the first 12 calendar months following the issuance of this permit, compliance with the annual burning rate of wood waste, clean lumber and yard waste limitation shall be based upon a rolling, 12-month summation of the burning rates of wood waste, clean lumber and yard waste.

(2) The maximum annual operating hours of the diesel engine associated with this emissions unit shall not exceed 1,890 hours, based upon a rolling, 12-month summation of the operating hours.

To ensure enforceability during the first 12 calendar months of operation, following the issuance of this permit, the permittee shall not exceed the maximum throughput levels specified in the following table:

Months(s)	Maximum Allowable Cumulative Operating Hours of the Engine in hours:
1	158
1-2	315
1-3	472
1-4	630
1-5	788
1-6	945
1-7	1,103
1-8	1,260
1-9	1,418
1-10	1,575
1-11	1,733
1-12	1,890

After the first 12 calendar months of operation or the first 12 calendar months following the issuance of this permit, compliance with the annual operating hours limitation shall be based upon a rolling, 12-month summation of the operating hours.

(3) In accordance with 40 CFR 60.2970(b), the air curtain incinerator shall burn only 100 percent wood waste, 100 percent clean lumber, 100 percent yard waste and 100 percent mixture of only wood waste, clean lumber and/or yard waste as defined below:

a. *Clean lumber* means wood or wood products that have been cut or shaped and include wet, air-dried, and kiln-dried wood products. Clean lumber does not include wood products that have been painted, pigment-stained, or pressure-treated by compounds such as chromate copper arsenate, pentachlorophenol and creosote.

b. *Wood waste* means untreated wood and untreated wood products, including tree stumps (whole or chipped), trees, tree limbs (whole or chipped), bark, sawdust, chips, scraps, slabs, millings, and shavings. Wood waste does not include:

i. grass, grass clippings, bushes, shrubs, and clippings from bushes and shrubs from residential, commercial/retail, institutional, or industrial sources as part of maintaining yards or other private or public lands;

ii. construction, renovation, or demolition wastes; and

iii. clean lumber.

c. *Yard waste* means grass, grass clippings, bushes, shrubs and clippings from bushes and shrubs. Yard waste comes from residential, commercial/retail, institutional or industrial sources as part of maintaining yards or other private or public lands. Yard waste does not include:

i. construction, renovation, and demolition wastes; and

ii. clean lumber.

d) Monitoring and/or Recordkeeping Requirements

(1) The permittee shall maintain monthly records of the following information that are associated with the air curtain incinerator (burning of clean lumber, wood waste and yard waste):

a. the total clean lumber, wood waste and yard waste, in tons, that were burned for each month;

b. the rolling, 12-month summation of the CO emissions in tons;

c. beginning after the first 12 calendar months of operation or the first 12 calendar months following the issuance of this permit, the rolling, 12-month summation of the wood burning rates, in tons.

Also, during the first 12 calendar months of operation or the first 12 calendar months following the issuance of this permit, the permittee shall record the cumulative wood burning rate for each calendar month.

(2) The permittee shall maintain monthly records of the following information that are associated with the diesel engine:

a. the rolling, 12-month summation of the CO emissions; and

b. the total operating hours for this emissions unit.

(3) For each day during which the permittee burns a fuel other than diesel fuel as specified in b)(2)f, the permittee shall maintain a record of the type, quantity and documentation of the sulfur content of fuel burned in this emissions unit.

(4) The permittee shall maintain a monthly record of the location of this emission unit (a location is any single site at a building, structure, facility or installation). The location shall be recorded for all locations at the primary permitted site and all temporary locations off site.

(5) In accordance with 40 CFR 60.2973, the permittee shall comply with the following monitoring and record keeping requirements for the air curtain incinerator:

a. The permittee shall keep records of results of all initial and annual opacity tests in either paper copy or computer-readable format that can be printed upon request, unless the Administrator approves another format, for at least 5 years. The permittee shall keep each record on site for at least 2 years. The permittee may keep the records off site for the remaining 3 years.

b. The permittee shall make all records available for submittal to the Administrator or for an inspector's review.

e) Reporting Requirements

(1) The permittee shall submit quarterly deviation (excursion) reports that identify:

a. all exceedances of the rolling, 12-month burning rate limitation of clean wood waste;

b. for the first 12 calendar months of operation or the first 12 calendar months following the issuance of this permit, all exceedances of the maximum allowable cumulative burning rate levels;

c. all exceedances of the rolling, 12-month limitation on the hours of operation of the diesel engine for this emissions unit; and

d. for the first 12 calendar months of operation or the first 12 calendar months following the issuance of this permit, all exceedances of the maximum allowable cumulative hours of operation of the diesel engine.

(2) In accordance with 40 CFR 60.2973, the permittee shall comply with the following reporting requirements for the air curtain incinerator:

a. The permittee shall submit the results (each 6-minute average) of the initial opacity test no later than 60 days following the initial test.

b. The permittee shall submit annual opacity test results within 12 months following the previous report.

c. The permittee shall submit initial and annual opacity test reports as electronic or paper copy on or before the applicable submittal date.

d. The permittee shall keep a copy of the initial and annual reports on site for a period of 5 years. The permittee shall keep each report on site for at least 2 years. The permittee may keep the reports off site for the remaining 3 years.

f) Testing Requirements

(1) Compliance with the Emissions Limitations and/or Control Requirements specified in section b) of these terms and conditions shall be determined in accordance with the following methods:

a. Emission Limitation:

CO emissions from the air curtain incinerator shall not exceed 248.5 tons per rolling, 12-month period.

Applicable Compliance Method:

Compliance with the annual CO emission limitation shall be demonstrated by multiplying the CO emission factor of 26.3 lbs/ton by the annual wood waste burned (in tons) and dividing by 2,000 lbs/ton. The annual wood waste burned should be based upon the record keeping requirements specified in d)(1)a of this permit. Per the permit application, the emission factor was based on emissions performance tests carried out by USEPA according to the permittee.

b. Emission Limitation: (from air burner)

PE from the air curtain incinerator (burned wood waste, clean lumber and yard waste) shall not exceed 20.8 tons per rolling, 12-month period.

Applicable Compliance Method:

Compliance with the annual PE emission limitation shall be demonstrated by multiplying the PE emission factor of 2.2 lbs of PE/ton by the amount of wood waste burned (in tons) and dividing by 2,000 lbs/ton. The annual wood waste burned should be based upon the record keeping requirements specified in d)(1)a of this permit. Per the permit application, the emission factor was based on emissions performance tests carried out by USEPA according to the permittee.

c. Emission Limitation: (from air burner)

PM_{10} emissions from the air curtain incinerator (burned wood waste, clean lumber and yard waste) shall not exceed 20.8 tons per rolling, 12-month period.

Applicable Compliance Method:

Compliance with the annual PM_{10} emission limitation shall be demonstrated by multiplying the PM_{10} emission factor of 2.2 lbs of PM_{10} /ton by the annual wood waste burned (in tons) and dividing by 2,000 lbs/ton. The annual wood waste burned should be based upon the record keeping requirements specified in d)(1)a of this permit. Per the permit application, the emission factor was based on emissions performance tests carried out by USEPA according to the permittee.

d. Emission Limitations:

SO_2 emissions from the air curtain incinerator shall not exceed 3.10 lbs/hr and 2.9 tpy.

Applicable Compliance Method:

Compliance with the hourly emission limitation shall be demonstrated by multiplying the maximum hourly process weight rate of 10 tons by the emission factor burning rate of 0.31 lb of SO_2 per ton. Per the permit application, the emission factor was based on emissions performance tests carried out by USEPA according to the permittee.

Compliance with the annual SO_2 emission limitation shall be demonstrated by multiplying the SO_2 emission factor of 0.31 lb/ton by the annual wood waste burned (in tons) and dividing by 2,000 lbs/ton. The annual wood waste burned should be based upon the record keeping requirements specified in d)(1)a of this permit. Per the permit application, the emission factor was based on emissions performance tests carried out by USEPA according to the permittee.

e. Emission Limitations:

NO_x emissions from the air curtain incinerator shall not exceed 1.02 lbs/hr and 1.0 tpy.

Applicable Compliance Method:

Compliance with the hourly emission limitation shall be demonstrated by multiplying the maximum hourly process weight rate of 10 tons by the emission factor burning rate of 0.10 lb of NO_x per ton. Per the permit application, the emission factor was based on emissions performance tests carried out by USEPA according to permittee. Per the permit application, the emission factor was based on emissions performance tests carried out by USEPA according to the permittee.

Compliance with the annual NO_x emission limitation shall be demonstrated by multiplying the NO_x emission factor of 0.10 lb/ton by the annual wood waste burned (in tons) and dividing by 2,000 lbs/ton. The annual wood waste burned should be based upon the record keeping requirements specified in d)(1)a of this permit.

f. Emission Limitations:

VOC emissions from the air curtain incinerator shall not exceed 10.63 lbs/hr and 10.0 tpy.

Applicable Compliance Method:

Compliance with the hourly emission limitation shall be demonstrated by multiplying the maximum hourly process weight rate of 10 tons by the emission factor burning rate of 1.06 lbs of VOCper ton. Per the permit application, the emission factor was based on emissions performance tests carried out by USEPA according to the permittee.

Compliance with the annual VOC emission limitation shall be demonstrated by multiplying the VOCemission factor of 1.06 lbs/ton by the annual wood waste

burned (in tons) and dividing by 2,000 lbs/ton. The annual wood waste burned should be based upon the record keeping requirements specified in d)(1)a of this permit.

g. Emission Limitation:

Visible PE from the air curtain incinerator shall not exceed 10% opacity, as a 6-minute average.

Applicable Compliance Method:

If required, compliance shall be demonstrated through visible emission observations performed in accordance with the methods and procedures specified in 40 CFR Part 60, Appendix A, Method 9 and OAC rule 3745-17-03(B)(3).

h. Emission Limitation:

Visible PE from the air curtain incinerator shall not exceed 35% opacity, as a 6-minute average, during the startup period that is within the first 30 minutes of operation.

Applicable Compliance Method:

If required, compliance shall be demonstrated through visible emission observations performed in accordance with the methods and procedures specified in 40 CFR Part 60, Appendix A, Method 9 and OAC rule 3745-17-03(B)(3).

i. Emission Limitations:

NO_x emissions from the diesel engine shall not exceed 0.54 lb/hr and 0.51 tpy.

Applicable Compliance Method:

Compliance with the hourly emission limitation shall be demonstrated by multiplying the emission factor of 2.89 lb of NO_x/hp-hr from USEPA Engine Certification Data by the maximum rated capacity of the diesel engine, 85 hp, and then dividing by 454 grams.

If required, compliance shall be demonstrated in accordance with the methods and procedures specified in 40 CFR Part 60, Appendix A, Methods 1 through 4 and 7. Alternative U.S. EPA-approved test methods may be used with prior approval from Ohio EPA, Northeast District Office.

The tpy emission limitation was developed by multiplying the short-term allowable NO_x emission limitation (0.54 lb/hr) by the restricted maximum annual hours of operation (1,890 hours), and then dividing by 2,000 lbs per ton. Therefore, if compliance is shown with the short-term allowable emission limitation, compliance is demonstrated with the annual emission limitation.

j. Emission Limitations:

CO emissions from the diesel engine shall not exceed 0.13 lb/hr and 0.12 tpy.

Applicable Compliance Method:

Compliance with the hourly emission limitation shall be demonstrated by multiplying the emission factor of 0.69 lb of CO/hp-hr from USEPA Engine Certification Data by the maximum rated capacity of the diesel engine, 85 hp, and then dividing by 454 grams.

If required, compliance shall be demonstrated in accordance with the methods and procedures specified in 40 CFR Part 60, Appendix A, Methods 1 through 4 and 10. Alternative U.S. EPA-approved test methods may be used with prior approval from Ohio EPA, Northeast District Office.

The tpy emission limitation was developed by multiplying the short-term allowable CO emission limitation (0.13 lb/hr) by the restricted maximum annual hours of operation (1,890 hours), and then dividing by 2,000 lbs per ton. Therefore, if compliance is shown with the short-term allowable emission limitation, compliance is demonstrated with the annual emission limitation.

k. Emission Limitations:

SO_2 emissions from the diesel engine shall not exceed 0.17 lb/hr and 0.16 tpy.

Applicable Compliance Method:

Compliance with the hourly emission limitation shall be demonstrated by multiplying the emission factor of 0.00205 lb of SO_2/hp-hr from AP-42, Table 3.3-1 (10/96) by the maximum rated capacity of the diesel engine, 85 hp.

If required, compliance shall be demonstrated in accordance with the methods and procedures specified in 40 CFR Part 60, Appendix A, Methods 1 through 4 and 6. Alternative U.S. EPA-approved test methods may be used with prior approval from Ohio EPA, Northeast District Office.

The tpy emission limitation was developed by multiplying the short-term allowable SO_2 emission limitation (0.17 lb/hr) by the restricted maximum annual hours of operation (1,890 hours), and then dividing by 2,000 lbs per ton. Therefore, if compliance is shown with the short-term allowable emission limitation, compliance is demonstrated with the annual emission limitation.

l. Emission Limitations:

VOC emissions from the diesel engine shall not exceed 0.21 lb/hr and 0.20 tpy.

Applicable Compliance Method:

Compliance with the hourly emission limitation shall be demonstrated by multiplying the emission factor of 0.00247 lb of VOC/hp-hr from AP-42, Table 3.3-1 (10/96) by the maximum rated capacity of the diesel engine, 85 hp.

If required, compliance shall be demonstrated in accordance with the methods and procedures specified in 40 CFR Part 60, Appendix A, Methods 1 through 4 and 18, 25 or 25A, as appropriate. Alternative U.S. EPA-approved test methods may be used with prior approval from Ohio EPA, Northeast District Office.

The tpy emission limitation was developed by multiplying the short-term allowable VOC emission limitation (0.21 lb/hr) by the restricted maximum annual hours of operation (1,890 hours), and then dividing by 2,000 lbs per ton. Therefore, if compliance is shown with the short-term allowable emission limitation, compliance is demonstrated with the annual emission limitation.

m. Emission Limitations:

PM_{10} emissions from the diesel engine shall not exceed 0.02 lb/hr and 0.02 tpy.

Applicable Compliance Method:

Compliance with the hourly emission limitation shall be demonstrated by multiplying the emission factor of 0.12 lb of PM_{10}/hp-hr from USEPA Engine Certification Data by the maximum rated capacity of the diesel engine, 85 hp, and then dividing by 454 grams.

If required, compliance shall be demonstrated in accordance with the methods and procedures specified in 40 CFR Part 60, Appendix A, Methods 1 through 5. Alternative U.S. EPA-approved test methods may be used with prior approval from Ohio EPA, Northeast District Office.

The tpy emission limitation was developed by multiplying the short-term allowable PM_{10} emission limitation (0.02 lb/hr) by the restricted maximum annual hours of operation (1,890 hours), and then dividing by 2,000 lbs per ton. Therefore, if compliance is shown with the short-term allowable emission limitation, compliance is demonstrated with the annual emission limitation.

(2) In accordance with 40 CFR 60.2972, the permittee shall:

a. Use 40 CFR Part 60, Appendix A, Method 9 to determine compliance with the opacity limitation, as required in f)(1)g and f)(1)h.

b. Conduct an initial test for opacity as specified in 40 CFR 60.18.

c. After the initial test for opacity, conduct annual tests no more than 12 months following the date of the previous test.

d. If the air curtain incinerator has been out of operation for more than 12 months following the date of the previous test, then the permittee must conduct a test for opacity upon startup of the unit.

g) Miscellaneous Requirements

(1) In accordance with 40 CFR 60.2969, your incinerator or air curtain incinerator is excluded from the requirements of this subpart if it is used on a temporary basis to combust clean lumber, wood waste and/or yard waste from a disaster or emergency such as a tornado, hurricane, flood, ice storm, high winds or act of bioterrorism. To qualify for this exclusion, the incinerator or air curtain incinerator must be used to combust clean lumber, wood waste and/or yard waste in an area declared a State of Emergency by a local or State government, or the President, under the authority of the Stafford Act, has declared that an emergency or a major disaster exists in the area, and you must follow the requirements specified in paragraphs listed below:

a. If the incinerator or air curtain incinerator is used during a period that begins on the date the unit started operation and lasts 8 weeks or less within the boundaries of the same emergency or disaster declaration area, then it is excluded from the requirements of this subpart. You do not need to notify the Administrator of its use or meet the emission limitations or other requirements of this subpart.

b. If the incinerator or air curtain incinerator will be used during a period that begins on the date the unit started operation and lasts more than 8 weeks within the boundaries of the same emergency or disaster declaration area, you must notify the Administrator that the temporary-use incinerator or air curtain incinerator will be used for more than 8 weeks and request permission to continue to operate the unit as specified in paragraphs (b)(i) and (ii) of this section.

i. The notification must be submitted in writing by the date 8 weeks after you start operation of the temporary-use incinerator or air curtain incinerator within the boundaries of the current emergency or disaster declaration area.

ii. The notification must contain the date the incinerator or air curtain incinerator started operation within the boundaries of the current emergency or disaster declaration area, identification of the disaster or emergency for which the incinerator or air curtain incinerator is being used, a description of the types of materials being burned in the incinerator or air curtain incinerator, a brief description of the size and design of the unit (for example, an air curtain incinerator or a modular starved-air incinerator), the reasons the incinerator or air curtain incinerator must be operated for more than 8 weeks, and the amount of time for which you request permission to operate including the date you expect to cease operation of the unit.

c. If you submitted the notification containing the information in paragraph (b)(ii) by the date specified in paragraph (b)(i), you may continue to operate the incinerator or air curtain incinerator for another 8 weeks, which is a total of 16 weeks from the date the unit started operation within the boundaries of the current emergency or disaster declaration area. You do not have to meet the emission limitations or other requirements of this subpart during this period.

i. At the end of 16 weeks from the date the incinerator or air curtain incinerator started operation within the boundaries of the current emergency or disaster declaration area, you must cease operation of the unit or comply with all requirements of this subpart, unless the Administrator has approved in writing your request to continue operation.

ii. If the Administrator has approved in writing your request to continue operation, then you may continue to operate the incinerator or air curtain incinerator within the boundaries of the current emergency or disaster declaration area until the date specified in the approval, and you do not need to comply with any other requirements of this subpart during the approved time period.

(2) Modeling to demonstrate compliance with the “Toxic Air Contaminant Statute” in ORC 3704.03(F)(4)(b) was not necessary because the emissions unit’s maximum annual emissions for each toxic air contaminant, as defined in OAC rule 3745-114-01, will be less than 1.0 ton per year. OAC Chapter 3745-31 requires permittees to apply for and obtain a new or modified permit to install prior to making a "modification" as defined by OAC rule 3745-31-01. The permittee is hereby advised that changes in the composition of the materials, or use of new materials, that would cause the emissions of any toxic air contaminant to increase to above 1.0 ton per year may require the permittee to apply for and obtain a new PTI or PTIO.

(3) At the discretion and following the approval of the director, the permittee may relocate the portable source within the State of Ohio without first obtaining a permit to install and Operate (PTIO) providing the appropriate exemption requirements have been met. The director may issue a “Notice of Site Approval” for either of the following situations: the permittee notifies the director a minimum of 30 days prior to relocating pursuant to OAC rule 3745-31-03(A)(1)(p)(i); or the permittee identifies pre-disclosed location(s) that meet the criteria found in OAC rule 3745-31-05(H).

(4) Pursuant to OAC rules 3745-31-03(A)(1)(p)(i), 3745-31-03(A)(1)(p)(ii), and 3745-31-05(H), the following criteria must be met for all portable facilities seeking approval for relocation:

a. the portable source must possess an issued permit to install (PTI) or permit to install and operate (PTIO) and demonstrate continuing compliance with any applicable best available technology determination and state and/or federal air pollution rule or law; and

b. the portable source is operating pursuant to a currently effective PTI, PTIO and/or any applicable permit to operate (PTO) and demonstrates continuing compliance with the requirements of the permit(s).

(5) In order to relocate a portable source in accordance with OAC rule 3745-31-03(A)(1)(p)(i) (i.e. the 30-day option), the following additional criteria must be met:

a. the permittee has provided proper notice of intent to relocate the portable source to the permitting District Office/Local air agency a minimum of thirty days prior to the scheduled relocation;

b. the permitting District Office/Local air agency and the District Office/Local air agency having jurisdiction over the new site have determined that the emissions would not cause a nuisance in violation of OAC rule 3745-15-07, and that the relocation of the portable source 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

c. the director has issued a "Notice of Site Approval", stating that the proposed site is acceptable under OAC rule 3745-15-07, and that the relocation will not result in the installation or the modification of a major stationary source.

Using the 30-day option, the portable source may only be relocated upon receipt of the “Notice of Site Approval”.

(6) In order to relocate a portable source in accordance with OAC rules 3745-31-03(A)(1)(p)(ii) and 3745-31-05(H) (i.e. the 15-day option), the following additional criteria must be met:

a. the portable source owner has identified the proposed site(s) to the permitting District Office/Local air agency;

b. the owner of the proposed site(s) (if not the permittee) has provided the portable source owner with approval, or an equivalent declaration, that it is acceptable to move the portable source to the proposed site(s);

c. the permitting District Office/Local air agency and the District Office/Local air agency having jurisdiction over the new site have determined that the portable source will have an acceptable environmental impact at the proposed site(s);

d. a public notice, consistent with OAC Chapter 3745-47, has been published in the county where the proposed site(s) is/are located; and

e. thepermittee has provided the Ohio EPA with a minimum of a 15-day written notice of the relocation.

Using the 15-day option, the portable source may only be relocated upon receipt of the “Notice of Site Approval”, and following submittal of the 15-day written notice of the relocation. Any site approvals issued pursuant to OAC rule 3745-31- 05(H) shall be valid for no longer than 3 years and are subject to renewal. Also, pursuant to OAC rule 3745-31-07(D)(2), the director may modify the site approval to add or delete certain portable sources or add or delete certain terms and conditions as appropriate.

(7) Failure to submit said notification or failure to receive Ohio EPA approval prior to relocation of the portable source may result in fines and civil penalties.

(8) When a portable source is co-located at a stationary source, or is co-located with multiple portable sources, potential emissions from the portable source may be required to be combined for facility potential to emit calculations for Title V and PSD applicability. 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 (LLL) and (JJJ), the permittee shall submit an application and obtain a PTI for the new location prior to moving the portable source. 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 Chapter 3745-77, which may include the requirement to apply for a Title V permit.