



State of Ohio Environmental Protection Agency

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

CERTIFIED MAIL

Street Address:

122 S. Front Street

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

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Lazarus Gov. Center
P.O. Box 1049

Application No: 13-03672

DATE: 11/28/2000

Clean Harbor Env Services Inc
Michael Petkovich
2900 Rockefeller Ave
Cleveland, OH 44115

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 by the Director is final and may be appealed to the Ohio Environmental Review Appeals Commission pursuant to Chapter 3745.04 of the Ohio Revised Code. The appeal must be in writing and set forth the action complained of and the grounds upon which the appeal is based. It must be filed within thirty (30) days after the notice of the Directors action. A copy of the appeal must be served on the Director of the Ohio Environmental Protection Agency within three (3) days of filing with the Commission. An appeal may be filed with the Environmental Review Appeals Commission at the following address:

Environmental Review Appeals Commission
236 East Town Street, Room 300
Columbus, Ohio 43215

Very truly yours,

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

CC: USEPA

CBAPC



**Permit To Install
Terms and Conditions**

**Issue Date: 11/28/2000
Effective Date: 11/28/2000**

FINAL ADMINISTRATIVE MODIFICATION OF PERMIT TO INSTALL 13-03672

Application Number: 13-03672
APS Premise Number: 1318006093
Permit Fee: **\$400**
Name of Facility: Clean Harbor Env Services Inc
Person to Contact: Michael Petkovich
Address: 2900 Rockefeller Ave
Cleveland, OH 44115

Location of proposed air contaminant source(s) [emissions unit(s)]:
**2900 Rockefeller Ave
Cleveland, Ohio**

Description of proposed emissions unit(s):
First modification to PTI issued 7/18/00. Requested by permittee.

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

Director

Part I - GENERAL TERMS AND CONDITIONS

A. Permit to Install General Terms and Conditions

1. Compliance Requirements

The emissions unit(s) identified in this Permit to Install shall remain in full compliance with all applicable State laws and regulations and the terms and conditions of this permit.

2. Reporting Requirements Related to Monitoring and Recordkeeping Requirements

The permittee shall submit required reports in the following manner:

- a. Reports of any required monitoring and/or recordkeeping information shall be submitted to the appropriate Ohio EPA District Office or local air agency.
- b. Except as otherwise may be provided in the terms and conditions for a specific emissions unit, quarterly written reports of (a) any deviations (excursions) from emission limitations, operational restrictions, and control device operating parameter limitations that have been detected by the testing, monitoring, and recordkeeping requirements specified in this permit, (b) the probable cause of such deviations, and (c) any corrective actions or preventive measures which have been or will be taken, shall be submitted to the appropriate Ohio EPA District Office or local air agency. If no deviations occurred during a calendar quarter, the permittee shall submit a quarterly report, which states that no deviations occurred during that quarter. The reports shall be submitted quarterly, i.e., by January 31, April 30, July 31, and October 31 of each year and shall cover the previous calendar quarters. (These quarterly reports shall exclude deviations resulting from malfunctions reported in accordance with OAC rule 3745-15-06.)

3. Records Retention Requirements

Each record of any monitoring data, testing data, and support information required pursuant to this permit shall be retained for a period of five years from the date the record was created. Support information shall include, but not be limited to, all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by this permit. Such records may be maintained in computerized form.

4. Inspections and Information Requests

The Director of the Ohio EPA, or an authorized representative of the Director, may, subject to the safety requirements of the permittee and without undue delay, enter upon the premises of this source at any reasonable time for purposes of making inspections, conducting tests, examining records or reports pertaining to any emission of air contaminants, and determining compliance with any applicable State air pollution laws and regulations and the terms and conditions of this permit. The permittee shall furnish to the Director of the Ohio EPA, or an authorized

representative of the Director, upon receipt of a written request and within a reasonable time, any information that may be requested to determine whether cause exists for modifying, reopening or revoking this permit or to determine compliance with this permit. Upon verbal or written request, the permittee shall also furnish to the Director of the Ohio EPA, or an authorized representative of the Director, copies of records required to be kept by this permit.

5. Scheduled Maintenance/Malfunction Reporting

Any scheduled maintenance of air pollution control equipment shall be performed in accordance with paragraph (A) of OAC rule 3745-15-06. The malfunction of any emissions units or any associated air pollution control system(s) shall be reported to the appropriate Ohio EPA District Office or local air agency in accordance with paragraph (B) of OAC rule 3745-15-06. Except as provided in that rule, any scheduled maintenance or malfunction necessitating the shutdown or bypassing of any air pollution control system(s) shall be accompanied by the shutdown of the emissions unit(s) that is (are) served by such control system(s).

6. Permit Transfers

Any transferee of this permit shall assume the responsibilities of the prior permit holder. The appropriate Ohio EPA District Office or local air agency must be notified in writing of any transfer of this permit.

7. Air Pollution Nuisance

The air contaminants emitted by the emissions units covered by this permit shall not cause a public nuisance, in violation of OAC rule 3745-15-07.

8. Termination of Permit to Install

This Permit to Install shall terminate within eighteen months of the effective date of the Permit to Install if the owner or operator has not undertaken a continuing program of installation or modification or has not entered into a binding contractual obligation to undertake and complete within a reasonable time a continuing program of installation or modification. This deadline may be extended by up to 12 months if application is made to the Director within a reasonable time before the termination date and the party shows good cause for any such extension.

9. Construction of New Sources(s)

The proposed emissions unit(s) shall be constructed in strict accordance with the plans and application submitted for this permit to the Director of the Ohio Environmental Protection Agency. There may be no deviation from the approved plans without the express, written approval of the Agency. Any deviations from the approved plans or the above conditions may lead to such sanctions and penalties as provided under Ohio law. Approval of these plans does not constitute an assurance that the proposed facilities will operate in compliance with all Ohio laws and regulations. Additional facilities shall be installed upon orders of the Ohio

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Environmental Protection Agency if the proposed sources are inadequate 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 prove to be inadequate or cannot meet applicable standards.

10. Public Disclosure

The facility is hereby notified that this permit, and all agency records concerning the operation of this permitted source, are subject to public disclosure in accordance with OAC rule 3745-49-03.

11. Applicability

This Permit to Install is applicable only to the emissions unit(s) identified in the Permit to Install. Separate application must be made to the Director for the installation or modification of any other emissions unit(s).

12. Best Available Technology

As specified in OAC Rule 3745-31-05, all new sources must employ Best Available Technology (BAT). Compliance with the terms and conditions of this permit will fulfill this requirement.

13. Source Operation and Operating Permit Requirements After Completion of Construction

This facility is permitted to operate each source described by this Permit to Install for a period of up to one year from the date the source commenced operation. This permission to operate is granted only if the facility complies with all requirements contained in this permit and all applicable air pollution laws, regulations, and policies. Pursuant to OAC Chapter 3745-35, the permittee shall submit a complete operating permit application within thirty (30) days after

commencing operation of the emissions unit(s) covered by this permit.

14. Construction Compliance Certification

The applicant shall provide Ohio EPA with a written certification (see enclosed form) that the facility has been constructed in accordance with the Permit to Install application and the terms and conditions of the Permit to Install. The certification shall be provided to Ohio EPA upon completion of construction but prior to startup of the source.

15. Fees

The permittee shall pay fees to the Director of the Ohio EPA in accordance with ORC section 3745.11 and OAC Chapter 3745-78. The permittee shall pay all applicable Permit to Install fees within 30 days after the issuance of this Permit to Install.

B. Permit to Install Summary of Allowable Emissions

The following information summarizes the total allowable emissions, by pollutant, based on the individual allowable emissions of each air contaminant source identified in this permit.

**SUMMARY (for informational purposes only)
TOTAL PERMIT TO INSTALL ALLOWABLE EMISSIONS**

<u>Pollutant</u>	<u>Tons Per Year</u>
OC	5.09

PART II - SPECIAL TERMS AND CONDITIONS FOR SPECIFIC EMISSIONS UNIT(S)

A. Applicable Emissions Limitations and/or Control Requirements

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

<u>Operations, Property, and/or Equipment</u>	<u>Applicable Rules/Requirements</u>	<u>Applicable Emissions Limitations/Control Measures</u>
P007 - Portable Paint Can Crusher and Residual Paint Collection System. (The process weight rate is based on the maximum residual paint collection rate of 175 gallons per hour.)	OAC rule 3745-31-05(A)(3)	1.74 lbs/hr OC 27.9 lbs/day OC 5.09 TPY OC (see 2.a.)
	OAC rule 3745-21-07(G)(2)	The requirements of this rule are less stringent than the requirements of OAC 3745-31-05(A)(3)

2. Additional Terms and Conditions

- 2.a. This emissions limit is based on average paint collection rates recorded on a 365-rolling day average.

B. Operational Restrictions

1. During each day of operation, the permittee is restricted to processing paint cans that contain no more than 2,800 gallons of paint, as collected.
2. The maximum annual production rate for this emissions unit shall not exceed 1,022,000 gallons, based upon a rolling, 365 day summation of the gallons of residual paint collected.

C. Monitoring and/or Recordkeeping Requirements

1. The permittee shall collect and record the following information each day for the process:
 - a. The total quantity of residual paint collected in gallons;

- b. The total hours of operation, in hours per day;
 - c. The daily average residual paint collection rate, in gallons per hour: a/b.
 - d. The total average OC emission rate, in lbs/hour;
 - e. The total OC emission rate, in lbs/day;
 - f. The total OC emission rate, in tons per year.
2. The maximum annual gallons of residual paint collected for this emissions unit shall not exceed 1,022,000, based upon a rolling, 365-day summation of the gallons of residual paint collected.

To ensure enforceability during the first 12 calendar months of operation, the permittee shall not exceed the production levels specified in the following table:

<u>Month</u>	<u>Maximum Allowable Cumulative Gallons of Residual Paint Collected</u>
1	85,167
1-2	170,333
1-3	255,500
1-4	340,667
1-5	425,834
1-6	511,000
1-7	596,167
1-8	681,334
1-9	766,500
1-10	851,667
1-11	936,834
1-12	1,022,000

After the first 12 calendar months of operation, compliance with the annual production rate limitation shall be based upon a rolling, 365-day summation of the production rates, calculated and recorded daily.

3. The permit to install for this emissions unit P007 was evaluated based on the actual materials (typically coatings and cleanup materials) and the design parameters of the emissions unit's exhaust system, as specified by the permittee in the permit to install application. The Ohio EPA's "Review of New Sources of Air Toxic Emissions" policy ("Air Toxic Policy") was applied for each pollutant emitted by this emissions unit using data from the permit to install application and the SCREEN 3.0 model (or other Ohio EPA approved model). The predicted 1-hour maximum ground-level concentration from the use of the SCREEN 3.0 model was compared to the

Emissions Unit ID: P007

Maximum Acceptable Ground-Level Concentration (MAGLC). The following summarizes the results of the modeling for the "worst case" pollutant(s):

Pollutant: Cyclohexanone

TLV (mg/m³): 96,298

Maximum Hourly Emission Rate (lbs/hr): 0.38

Predicted 1-Hour Maximum Ground-Level Concentration (ug/m³): 1,047

MAGLC (ug/m³): 2,292

Pollutant: Toluene

TLV (mg/m³): 188,400

Maximum Hourly Emission Rate (lbs/hr): 0.46

Predicted 1-Hour Maximum Ground-Level Concentration (ug/m³): 1,268

MAGLC (ug/m³): 4,485

- a. Physical changes to or changes in the method of operation of the emissions unit after its installation or modification could affect the parameters used to determine whether or not the "Air Toxic Policy" is satisfied. Consequently, prior to making a change that could impact such parameters, the permittee shall conduct an evaluation to determine that the "Air Toxic Policy" will still be satisfied. If, upon evaluation, the permittee determines that the "Air Toxic Policy" will not be satisfied, the permittee will not make the change. Changes that can affect the parameters used in applying the "Air Toxic Policy" include the following:
 - i. changes in the composition of the materials used (typically for coatings or cleanup materials), or the use of new materials, that would result in the emission of a compound with a lower Threshold Limit Value (TLV), as indicated in the most recent version of the handbook entitled "American Conference of Governmental Industrial Hygienists (ACGIH)," than the lowest TLV value previously modeled;
 - ii. changes in the composition of the materials, or use of new materials, that would result in an increase in emissions of any pollutant with a listed TLV that was proposed in the application and modeled; and,
 - iii. physical changes to the emissions unit or its exhaust parameters (e.g., increased/decreased exhaust flow, changes in stack height, changes in stack diameter, etc.).

If the permittee determines that the "Air Toxic Policy" will be satisfied for the above changes, the Ohio EPA will not consider the change(s) to be a "modification" under OAC rule 3745-31-01(VV)(1)(a)(ii), and a modification of the existing permit to install will not be required. If the change(s) is (are) defined as a modification under other provisions of the modification definition (other than (VV)(1)(a)(ii)), then the permittee shall obtain a final permit to install prior to the change.

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- b. The permittee shall collect, record, and retain the following information when it conducts evaluations to determine that the changed emissions unit will still satisfy the "Air Toxic Policy:"
 - i. a description of the parameters changed (composition of materials, new pollutants emitted, change in stack/exhaust parameters, etc.);
 - ii. documentation of its evaluation and determination that the changed emissions unit still satisfies the "Air Toxic Policy"; and,
 - iii. where computer modeling is performed, a copy of the resulting computer model runs that show the results of the application of the "Air Toxic Policy" for the change.

D. Reporting Requirements

- 1. The permittee shall submit deviation (excursion) reports which identify all exceedances of the hourly emission limitation for OC. This written report shall be submitted to the Director (Cleveland Bureau of Air Pollution Control) within 30 days of the occurrence of the deviation.
- 2. The permittee shall submit deviation (excursion) reports that identify all exceedances of the daily and rolling, 365 day residual paint collection limitations and, for the first 12 calendar months of operation, all exceedances of the maximum allowable cumulative production levels. These reports are due by the date described in Part 1 - General Terms and Conditions of this permit under section (A)(1).

E. Testing Requirements

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

- 1. Emission Limitation- Organic Compounds
1.74 lbs/hr OC

Applicable Compliance Method -

Compliance shall be based on record keeping in section C.1 of these terms and conditions and the following equation:

AP-42, section 5.2, 5/95 Equation = L_L (lbs/1000 gallons) = $(12.46 * S * P * M) / T$

lbs/hr = L_L (9.97 lbs/1000 gallons)*gallons/day*day/hrs

Physical properties:

S = 1.45 saturation factor (1.45 for splash filling)
 P = 3.37 vapor pressure of material loaded at T (psia)
 M = 85.12 molecular weight of material loaded
 T = 520 temperature of material loaded (Rankins)

2. Emission Limitation- Organic Compounds
 27.9 lb/day OC

Applicable Compliance Method -

Compliance shall be based on record keeping in section C.1 of these terms and conditions and the following equation:

AP-42, section 5.2, 5/95 Equation = L_L (lbs/1000 gallons) = $(12.46 * S * P * M) / T$

$\text{lbs/hr} = L_L$ (9.97 lbs/1000 gallons)*gallons/day

Physical properties:

S = 1.45 saturation factor (1.45 for splash filling)
 P = 3.37 vapor pressure of material loaded at T (psia)
 M = 85.12 molecular weight of material loaded
 T = 520 temperature of material loaded (Rankins).

3. Emission Limitation- Organic Compounds
 5.09 tpy OC

Applicable Compliance Method -

Compliance shall be based on record keeping in section C.1 of these terms and conditions and the summation of daily emissions calculated from section E.2 of these terms and conditions.

F. Miscellaneous Requirements

1. Pursuant to Ohio Administrative Code (OAC) rule 3745-31-03(A)(1)(p)(i), the permittee of a portable or mobile emissions unit may relocate within the State of Ohio without first obtaining a PTI providing the following criteria are met:
- the portable emissions unit is equipped with the best available control technology for such portable emissions unit;

- b. the portable emissions unit is operating pursuant to a currently effective permit to permit to install, permit to operate or registration;
 - c. the applicant has provided proper notice of intent to relocate the portable emissions unit to the Cleveland Bureau of Air Pollution Control and the appropriate field office having jurisdiction over the new site within a minimum of thirty days prior to the scheduled relocation; and,
 - d. in the Cleveland Bureau of Air Pollution Control's and the appropriate field office's judgement, the proposed site is acceptable under the rule 3745-15-07 of the Administrative Code.
2. In the alternative, pursuant to OAC rule 3745-31-03(A)(1)(p)(ii), the permittee of a portable or mobile emissions unit may relocate within the State of Ohio without first obtaining a PTI providing the following criteria of OAC rule 3745-31-05(F) are met:
- a. the portable emissions unit permittee possesses an Ohio EPA PTI, PTO or registration status;
 - b. the portable emissions unit is equipped with best available technology;
 - c. the portable emission unit owner has identified the proposed site to Ohio EPA;
 - d. Ohio EPA has determined that the portable emissions unit, at the proposed site, will have an acceptable environmental impact;
 - e. a public notice, consistent with Chapter 3745-47 of the Administrative Code, is published in the county where the proposed site is located;
 - f. the owner of the proposed site has provided the portable emissions unit owner with approval or equivalent declaration that it is acceptable to the site owner to move the portable emissions unit to the proposed site; and,
 - g. the portable emissions unit owner has provided the Ohio EPA with fifteen days written notice of the relocation.

Any site approvals issued by the Ohio EPA, pursuant to F.7. above, shall be valid for no longer than three years and are subject to renewal.

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3. In order for the Cleveland Bureau of Air Pollution Control and the appropriate field office having jurisdiction over the new site to determine compliance with all of the above criteria, the owner or operator of the portable or mobile emissions unit must file a "Notice of Intent to Relocate", within the specified time frame (30 or 15 days) prior to the relocation of the emissions unit with the Cleveland Bureau of Air Pollution Control (1925 St. Clair Ave., Cleveland, OH 44114) and the appropriate office having jurisdiction over the new site. Upon receipt of the notice, the Cleveland Bureau of Air Pollution Control and/or the appropriate field office having jurisdiction over the new site, will evaluate the request in accordance with the above criteria.