OhioEPA
State of Ohio Environmental Protection Agency

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George V. Voinovich
Governor

Donald R. Schregardus
Director

Re: Permit to Install
Scioto County
Application No: 07-313

CERTIFIED MAIL

December 30, 1992

NORFOLK & WESTERN RAILWAY CO
ELBERT BOLEN
1025 16TH ST
PORTSMOUTH, OH 45662

Enclosed please find an Ohio EPA Permit to Install which will allow you to install the described source(s) in a manner indicated in the permit. Because this permit contains several conditions and restrictions I urge you to read it carefully.

You are hereby notified that this action by the Director is final and may be appealed to the Ohio Environmental Board of Review 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 with the Environmental Board of Review within thirty (30) days after notice of the Director's 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 Board. An appeal may be filed with the Environmental Board of Review at the following address:

Environmental Board of Review
236 East Town Street, Room 300
Columbus, Ohio 43215

Very truly yours,

Thomas G. Rigo

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

cc: US EPA
PORTSMOUTH AIR POLLUTION GROUP

JAN 06 1993
PORTSMOUTH LOCAL
AIR AGENCY

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State of Ohio Environmental Protection Agency

Permit to Install
Terms and Conditions

Application No. 07-313
APS Premise No. 0773010154
Permit Fee: $200.00

Name of Facility: NORFOLK & WESTERN RAILWAY CO

Person to Contact: ELBERT BOLEN

Address: 1025 16TH ST
PORTSMOUTH, OH 45662

Location of proposed source(s): EAST END OF GALLIA ST
PORTSMOUTH, OHIO

Description of proposed source(s):
SPRAY PAINTING-OPEN AIR/OUTDOORS-OF RAILROAD EQUIPMENT.

Date of Issuance: December 30, 1992

Effective Date: December 30, 1992

The above named entity is hereby granted a permit to install for the above described source(s) pursuant to Chapter 3745-31 of the Ohio Administrative Code. Issuance of this permit does not constitute expressed or implied approval or agreement that, if constructed or modified in accordance with the plans included in the application, the above described 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 and specifications, the above described source(s) of pollutants will be granted the necessary permits to operate (air) or NPDES permits as applicable.

This permit is granted subject to the conditions attached hereto.

Ohio Environmental Protection Agency

Donald R Schregardus

Director

TERMINATION OF PERMIT TO INSTALL

Substantial construction for installation must take place within 18 months of the effective date of this permit. 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.

NOTICE OF INSPECTION

The Director of the Ohio Environmental Protection Agency, or his authorized representatives, may enter upon the premises of the above-named applicant during construction and operation at any reasonable time for the purpose of making inspections, conducting tests, or to examine records or reports pertaining to the construction, modification or installation of the source(s) of environmental pollutants identified within this permit.

CONSTRUCTION OF NEW SOURCE(S)

The proposed source(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 are inadequate or cannot meet applicable standards.

If the construction of the proposed source(s) has already begun or has been completed prior to the date the Director of the Ohio 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 Ohio Administrative Code (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.

PERMIT TO INSTALL FEE

In accordance with Ohio Revised Code 3745.11, the specified Permit to Install fee must be remitted within 15 days of the effective date of this permit to install.

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.

APPLICABILITY

This Permit to Install is applicable only to the contaminant sources identified. Separate application must be made to the Director for the installation or modification of any other contaminant sources.

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.

PERMIT TO OPERATE APPLICATION

A Permit to Operate application and a $15 application fee must be submitted to the appropriate field office for each air contaminant source in this Permit to Install. In accordance with OAC Rule 3745-35-02, the application shall be made at least 90 days prior to start-up of the source.

AIR EMISSION SUMMARY

The air contaminant sources listed below comprise the Permit to Install for NORFOLK & WESTERN RAILWAY CO located in Scioto County. The sources listed below shall not exceed the emission limits/control requirements contained in the table. This condition in no way limits the applicability of any other state or federal regulations. Additionally, this condition does not limit the applicability of additional special terms and conditions of this permit.

Ohio EPA Source Number	Source Identification/ Description	BAT Determination	Applicable Federal and OAC Rules	Permit Allowable Mass Emissions and/ or Control & Usage Requirements
K001	Outdoor Spray Painting of Railroad Equipment	VOC Content of Paint Shall Not Exceed 4.6 lbs/gal, Excluding Water; Paint Usage Shall Not Exceed 10 Gallons Per Day and 300 Gallons Per Year	3745-31-05 3745-21-09	23.0 lbs/hr, 46 lbs/day and 0.69 TPY VOC

SUMMARY
TOTAL PERMIT TO INSTALL ALLOWABLE EMISSIONS

Pollutant	Tons/Year
VOC	0.69

CONSTRUCTION STATUS

The Portsmouth Air Pollution Control shall be notified in writing as to (a) the construction starting date, (b) the construction completion date, and (c) the date the facilities were placed into operation for the following sources: K001.

RECORD(S) RETENTION AND AVAILABILITY

All records required by this Permit to Install shall be retained on file for a period of not less than two years unless otherwise indicated by Ohio Environmental Protection Agency. All records shall be made available to the Director, or any authorized representative of the Director, for review during normal business hours.

REPORTING REQUIREMENTS

Unless otherwise specified, reports required by the Permit to Install need only be submitted to Portsmouth Air Pollution Group, 728 Second Street, Portsmouth, Ohio 45662.

WASTE DISPOSAL

The owner/operator shall comply with any applicable state and federal requirements governing the storage, treatment, transport and disposal of any waste material generated by the operation of the sources.

MAINTENANCE OF EQUIPMENT

This source and its associated air pollution control system(s) shall be maintained regularly in accordance with good engineering practices and the recommendations of the respective manufacturers in order to minimize air contaminant emissions.

MALFUNCTION/ABATEMENT

In accordance with OAC Rule 3745-15-06, any malfunction of the source(s) or associated air pollution control system(s) shall be reported immediately to the Portsmouth Air Pollution Group, 728 Second Street, Portsmouth, Ohio 45662.

Except as provided by OAC Rule 3745-15-06(A)(3), scheduled maintenance of air pollution control equipment that requires the shutdown or bypassing of air pollution control system(s) must be accompanied by the shutdown of the associated air pollution sources.

AIR POLLUTION NUISANCES PROHIBITED

The air contaminant source(s) identified in this permit may not cause a public nuisance in violation of OAC Rule 3745-15-07.

CONSTRUCTION COMPLIANCE CERTIFICATION

The applicant shall provide Ohio EPA with written certification (see enclosed form) that the facility has 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.

ADDITIONAL SPECIAL TERMS AND CONDITIONS

1. Norfolk & Western Railway Co. shall maintain monthly records which list the following information for each surface coating employed in Source K001:

   a. the company identification of the surface coating;
   b. the number of gallons employed;
   c. the VOC content, in pounds of VOC per gallon of coating;
   d. the VOC content, in pounds of VOC per gallon of coating, minus water;
   e. the water content, in percent by volume, and
   f. the nonvolatile (solids) content, in percent by volume.

   These monthly records, as well as any supporting coating analyses and computations, shall be retained in the company's files for a period of not less than two years and shall be made available to the Director or any authorized representative of the Director for review during normal business hours.

   Norfolk & Western Railway Co. shall submit semi-annual reports to the Ohio EPA field office which summarize the following information for each coating employed in this source during the previous six calendar months: company identification of the surface coating, the total number of gallons employed, the VOC content (in pounds VOC per gallon of coating, minus water), the water content and the non-volatile (solids) content. The reports shall be submitted by February 15 and August 15 of each year and shall cover the previous six calendar months (July through December and January through June, respectively).

2. The volatile organic compound content of the coatings employed for Source K001 shall be determined in accordance with test methods described in OAC Rule 3745-21-10(B).