John R. Kasich, Governor
Mary Taylor, Lt. Governor
Craig W. Butler, Director

8/14/2014

Certified Mail

No	TOXIC REVIEW
No	PSD
Yes	SYNTHETIC MINOR TO AVOID MAJOR NSR
No	CEMS
No	MACT/GACT
Yes	NSPS
No	NESHAPS
No	NETTING
No	MAJOR NON-ATTAINMENT
No	MODELING SUBMITTED
No	MAJOR GHG
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
Facility ID: 0278062007
Permit Number: P0117300
Permit Type: Administrative Modification
County: Trumbull

Dear Permit Holder:

Enclosed please find a final Ohio Environmental Protection Agency (EPA)Air Pollution Permit-to-Install (PTI) which will allow you to install or modify the described emissions unit(s) in a manner indicated in the permit. Because this permit contains several conditions and restrictions, we urge you to read it carefully. 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 PTI 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)425-9171 or 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: U.S. EPA
Ohio EPA-NEDO; Pennsylvania; West Virginia; Canada

FINAL

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

Facility ID:	0278062007
Permit Number:	P0117300
Permit Type:	Administrative Modification
Issued:	8/14/2014
Effective:	8/14/2014

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

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Authorization

Facility ID:	0278062007
Facility Description:	
Application Number(s):	M0002892
Permit Number:	P0117300
Permit Description:	Administrative Modification to P0114985: A Portable 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. All t&cs remain the same with the exception of specifying the unit as portable.
Permit Type:	Administrative Modification
Permit Fee:	$625.00
Issue Date:	8/14/2014
Effective Date:	8/14/2014

This document constitutes issuance to:

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

of a Permit-to-Install 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 a Permit-to-Install for the 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 emissions unit(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 emissions unit(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

Craig W. Butler
Director

Authorization (continued)

Permit Number: P0117300
Permit Description: Administrative Modification to P0114985: A Portable 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. All t&cs remain the same with the exception of specifying the unit as portable.

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:	P0114985
General Permit Category and Type:	Not Applicable

A. Standard Terms and Conditions

1. Federally Enforceable Standard Terms and Conditions

a) All Standard Terms and Conditions are federally enforceable, with the exception of those listed below which are enforceable under State law only:

(1) Standard Term and Condition A.2.a), Severability Clause

(2) Standard Term and Condition A.3.c) through A. 3.e)General Requirements

(3) Standard Term and Condition A.6.c) and A. 6.d), Compliance Requirements

(4) Standard Term and Condition A.9., Reporting Requirements

(5) Standard Term and Condition A.10., Applicability

(6) Standard Term and Condition A.11.b) through A.11.e), Construction of New Source(s) and Authorization to Install

(7) Standard Term and Condition A.14., Public Disclosure

(8) Standard Term and Condition A.15., Additional Reporting Requirements When There Are No Deviations of Federally Enforceable Emission Limitations, Operational Restrictions, or Control Device Operating Parameter Limitations

(9) Standard Term and Condition A.16., Fees

(10) Standard Term and Condition A.17., Permit Transfers

2. Severability Clause

a) A determination that any term or condition of this permit is invalid shall not invalidate the force or effect of any other term or condition thereof, except to the extent that any other term or condition depends in whole or in part for its operation or implementation upon the term or condition declared invalid.

b) All terms and conditions designated in parts B and C of this permit are federally enforceable as a practical matter, if they are required under the Act, or any of its applicable requirements, including relevant provisions designed to limit the potential to emit of a source, are enforceable by the Administrator of the U.S. EPA and the State and by citizens (to the extent allowed by section 304 of the Act) under the Act. Terms and conditions in parts B and C of this permit shall not be federally enforceable and shall be enforceable under State law only, only if specifically identified in this permit as such.

3. General Requirements

a) Any noncompliance with the federally enforceable terms and conditions of this permit constitutes a violation of the Act, and is grounds for enforcement action or for permit revocation, revocation and re-issuance, or modification.

b) It shall not be a defense for the permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the federally enforceable terms and conditions of this permit.

c) This permit may be modified, revoked, or revoked and reissued, for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or revocation, or of a notification of planned changes or anticipated noncompliance does not stay any term and condition of this permit.

d) This permit does not convey any property rights of any sort, or any exclusive privilege.

e) 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 or revoking this permit or to determine compliance with this permit. Upon request, the permittee shall also furnish to the Director or an authorized representative of the Director, copies of records required to be kept by this permit. For information claimed to be confidential in the submittal to the Director, if the Administrator of the U.S. EPA requests such information, the permittee may furnish such records directly to the Administrator along with a claim of confidentiality.

4. Monitoring and Related Record Keeping and Reporting Requirements

a) Except as may otherwise be provided in the terms and conditions for a specific emissions unit, the permittee shall maintain records that include the following, where applicable, for any required monitoring under this permit:

(1) The date, place (as defined in the permit), and time of sampling or measurements.

(2) The date(s) analyses were performed.

(3) The company or entity that performed the analyses.

(4) The analytical techniques or methods used.

(5) The results of such analyses.

(6) The operating conditions existing at the time of sampling or measurement.

b) 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.

c) Except as may otherwise be provided in the terms and conditions for a specific emissions unit, the permittee shall submit required reports in the following manner:

(1) Reports of any required monitoring and/or recordkeeping of federally enforceable information shall be submitted to the Ohio EPA DAPC, Northeast District Office.

(2) Quarterly written reports of (i) any deviations from federally enforceable emissionlimitations, operationalrestrictions, andcontroldeviceoperatingparameterlimitations, excluding deviations resulting from malfunctions reported in accordance with OAC rule 3745-15-06, that have been detected by the testing, monitoring and recordkeeping requirements specified in this permit, (ii) the probable cause of such deviations, and (iii) any corrective actions or preventive measures taken, shall be made to the Ohio EPA DAPC, Northeast District Office. The written reports shall be submitted (i.e., postmarked) quarterly, by January 31, April 30, July 31, and October 31 of each year and shall cover the previous calendar quarters. See A.15. below if no deviations occurred during the quarter.

(3) Written reports, which identify any deviations from the federally enforceable monitoring, recordkeeping, andreportingrequirements contained in this permit shall be submitted to the Ohio EPA DAPC, Northeast District Office every six months, by January 31 and July 31 of each year for the previous six calendar months. If no deviations occurred during a six-month period, the permittee shall submit a semi-annual report, which states that no deviations occurred during that period.

(4) This permit is for an emissions unit located at a Title V facility. Each written report shall be signed by a responsible official certifying that, based on information and belief formed after reasonable inquiry, the statements and information in the report are true, accurate, and complete.

d) The permittee shall report actual emissions pursuant to OAC Chapter 3745-78 for the purpose of collecting Air Pollution Control Fees.

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, i.e., upset, of any emissions units or any associated air pollution control system(s) shall be reported to theOhio EPA DAPC, Northeast District Officein accordance with paragraph (B) of OAC rule 3745-15-06. (The definition of an upset condition shall be the same as that used in OAC rule 3745-15-06(B)(1) for a malfunction.) The verbal and written reports shall be submitted pursuant to 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 emission unit(s) that is (are) served by such control system(s).

6. Compliance Requirements

a) All applications, notifications or reports required by terms and conditions in this permit to be submitted or "reported in writing" are to be submitted to Ohio EPA through the Ohio EPA's eBusiness Center: Air Services web service ("Air Services"). Ohio EPA will accept hard copy submittals on an as-needed basis if the permittee cannot submit the required documents through the Ohio EPA eBusiness Center. In the event of an alternative hard copy submission in lieu of the eBusiness Center, the post-marked date or the date the document is delivered in person will be recognized as the date submitted. Electronic submission of applications, notifications or reports required to be submitted to Ohio EPA fulfills the requirement to submit the required information to the Director, the appropriate Ohio EPA District Office or contracted

local air agency, and/or any other individual or organization specifically identified as an additional recipient identified in this permit unless otherwise specified. Consistent with OAC rule 3745-15-03, the electronic signature date shall constitute the date that the required application, notification or report is considered to be "submitted". Any document requiring signature may be represented by entry of the personal identification number (PIN) by responsible official as part of the electronic submission process or by the scanned attestation document signed by the Authorized Representative that is attached to the electronically submitted written report.

Any document (including reports) required to be submitted and required by a federally applicable requirement in this permit shall include a certification by a Responsible Official that, based on information and belief formed after reasonable inquiry, the statements in the document are true, accurate, and complete.

b) Upon presentation of credentials and other documents as may be required by law, the permittee shall allow the Director of the Ohio EPA or an authorized representative of the Director to:

(1) At reasonable times, enter upon the permittee's premises where a source is located or the emissions-related activity is conducted, or where records must be kept under the conditions of this permit.

(2) Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit, subject to the protection from disclosure to the public of confidential information consistent with ORC section 3704.08.

(3) Inspect at reasonable times any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under this permit.

(4) As authorized by the Act, sample or monitor at reasonable times substances or parameters for the purpose of assuring compliance with the permit and applicable requirements.

c) The permittee shall submit progress reports to the Ohio EPA DAPC, Northeast District Office concerning any schedule of compliance for meeting an applicable requirement. Progress reports shall be submitted semiannually or more frequently if specified in the applicable requirement or by the Director of the Ohio EPA. Progress reports shall contain the following:

(1) Dates for achieving the activities, milestones, or compliance required in any schedule of compliance, and dates when such activities, milestones, or compliance were achieved.

(2) An explanation of why any dates in any schedule of compliance were not or will not be met, and any preventive or corrective measures adopted.

7. Best Available Technology

As specified in OAC Rule 3745-31-05, new sources that must employ Best Available Technology (BAT) shall comply with the Applicable Emission Limitations/Control Measures identified as BAT for each subject emissions unit.

8. 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.

9. Reporting Requirements

The permittee shall submit required reports in the following manner:

a) Reports of any required monitoring and/or recordkeeping of state-only enforceable information shall be submitted to the Ohio EPA DAPC, Northeast District Office.

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 state-only required 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 Ohio EPA DAPC, Northeast District Office. 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, 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.)

10. 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)not exempt from the requirement to obtain a Permit-to-Install.

11. Construction of New Sources(s) and Authorization to Install

a) This permit does not constitute an assurance that the proposed source will operate in compliance with all Ohio laws and regulations. This permit does not constitute expressed or implied assurance that the proposed facility has been constructed in accordance with the application and terms and conditions of this permit. 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 this permit does not constitute an assurance that the proposed source will operate in compliance with all Ohio laws and regulations. Issuance of this permit 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.

b) If applicable, authorization to install any new emissions unit included in this permit shall terminate within eighteen months of the effective date of the permit if the owner or operator has not undertaken a continuing program of installation or has not entered into a binding contractual obligation to undertake and complete within a reasonable time a continuing program of installation. 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 permittee shows good cause for any such extension.

c) The permittee may notify Ohio EPA of any emissions unit that is permanently shut down (i.e., 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) by submitting a certification from the authorized official that identifies the date on which the emissions unit was permanently shut down. Authorization to operate the affected emissions unit shall cease upon the date certified by the authorized official that the emissions unit was permanently shut down. At a minimum, notification of permanent shut down shall be made or confirmed by marking the affected emissions unit(s) as “permanently shut down” in “Air Services” along with the date the emissions unit(s) was permanently removed and/or disabled. Submitting the facility profile update electronically will constitute notifying the Director of the permanent shutdown of the affected emissions unit(s).

d) The provisions of this permit shall cease to be enforceable for each affected emissions unit after the date on which an emissions unit is permanently shut down (i.e., 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). All records relating to any permanently shutdown emissions unit, generated while the emissions unit was in operation, must be maintained in accordance with law. All reports required by this permit must be submitted for any period an affected emissions unit operated prior to permanent shut down. At a minimum, the permit requirements must be evaluated as part of the reporting requirements identified in this permit covering the last period the emissions unit operated.

Unless otherwise exempted,no emissions unit certified by the responsible official as being permanently shut down may resume operation without first applying for and obtaining a permit pursuant to OAC Chapter 3745-31 and OAC Chapter 3745-77 if the restarted operation is subject to one or more applicable requirements.

e) The permittee shall comply with any residual requirements related to this permit, such as the requirement to submit a deviation report, air fee emission report, or other any reporting required by this permit for the period the operating provisions of this permit were enforceable, or as required by regulation or law. All reports shall be submitted in a form and manner prescribed by the Director. All records relating to this permit must be maintained in accordance with law.

12. Permit-To-Operate Application

The permittee is required to apply for a Title V permit pursuant to OAC Chapter 3745-77. The permittee shall submit a complete Title V permit application or a complete Title V permit modification application within twelve (12) months after commencing operation of the emissions units covered by this permit. However, if operation of the proposed new or modified source(s) as authorized by this permit would be prohibited by the terms and conditions of an existing Title V permit, a Title V permit modification of such new or modified source(s) pursuant to OAC rule 3745-77-04(D) and OAC rule 3745-77-08(C)(3)(d)must be <u>obtained before</u>operating the source in a manner that would violate the existing Title V permit requirements.

13. Construction Compliance Certification

The applicant shall identify the following dates in the "Air Services" facility profile for each new emissions unit identified in this permit.

a) Completion of initial installation date shall be enteredupon completion of construction and prior to start-up.

b) Commence operation after installation or latest modification date shall be entered within 90 days after commencing operation of the applicable emissions unit.

14. 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.

15. Additional Reporting Requirements When There Are No Deviations of Federally Enforceable Emission Limitations, Operational Restrictions, or Control Device Operating Parameter Limitations

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 by January 31, April 30, July 31, and October 31 of each year and shall cover the previous calendar quarters.

16. 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 any permit-to-install. The permittee shall pay all applicable permit-to-operate fees within thirty days of the issuance of the invoice.

17. Permit Transfers

Any transferee of this permit shall assume the responsibilities of the prior permit holder. The new owner must update and submit the ownership information via the "Owner/Contact Change" functionality in "Air Services" once the transfer is legally completed.The change must be submitted through "Air Services" within thirty days of the ownership transfer date.

18. Risk Management Plans

If the permittee is required to develop and register a risk management plan pursuant to section 112(r) of the Clean Air Act, as amended, 42 U.S.C. 7401 et seq. ("Act"), the permittee shall comply with the requirement to register such a plan.

19. Title IV Provisions

If the permittee is subject to the requirements of 40 CFR Part 72 concerning acid rain, the permittee shall ensure that any affected emissions unit complies with those requirements. Emissions exceeding any allowances that are lawfully held under Title IV of the Act, or any regulations adopted thereunder, are prohibited.

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:

Administration modification to P0114985: a portable 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 diesel engine stationary CI RICE with a rated power of 63.0 kw that powers a special fan to force air into the burn box. This is a portable emissions unit that can be relocated.

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	**Emissions from the air curtain incinerator:**

	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.

k. The requirement of this Permit-to-Install supersedes the requirements of PTI No. P0114985 issued on November 26, 2013.

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.