



State of Ohio Environmental Protection Agency

**RE: FINAL PERMIT TO INSTALL
BUTLER COUNTY**

CERTIFIED MAIL

Street Address:

122 S. Front Street

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

Mailing Address:

Lazarus Gov. Center
P.O. Box 1049

Application No: 14-05378

DATE: 10/30/2003

Shelly Materials - plant 42
Beth Mowrey
P.O. Box 266 8775 Blackbird Lane
Thornville, OH 45014-2325

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.

The Ohio EPA is urging 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 Pollution Prevention at (614) 644-3469.

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,

Michael W. Ahern, Supervisor
Field Operations and Permit Section
Division of Air Pollution Control

cc: USEPA

HCDES



**Permit To Install
Terms and Conditions**

**Issue Date: 10/30/2003
Effective Date: 10/30/2003**

FINAL PERMIT TO INSTALL 14-05378

Application Number: 14-05378
APS Premise Number: 1409000018
Permit Fee: **\$1000**
Name of Facility: Shelly Materials - plant 42
Person to Contact: Beth Mowrey
Address: P.O. Box 266 8775 Blackbird Lane
Thornville, OH 45014-2325

Location of proposed air contaminant source(s) [emissions unit(s)]:
**107 River Circle Drive
Fairfield, Ohio**

Description of proposed emissions unit(s):
Modification of a drum mix asphalt plant w/ fabric filter to decrease from 400 to 320 tph.

The above named entity is hereby granted a Permit to Install for the above described emissions unit(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 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

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 Environmental Protection Agency if the proposed sources cannot meet the requirements of this permit or cannot meet applicable standards.

If the construction of the proposed emissions unit(s) has already begun or has been completed prior to the date the Director of the Environmental Protection Agency approves the permit application and plans, the approval does not constitute expressed or implied assurance that the proposed facility has been constructed in accordance with the approved plans. The action of beginning and/or completing construction prior to obtaining the Director's approval constitutes a violation of OAC rule 3745-31-02. Furthermore, issuance of the Permit to Install does not constitute an assurance that the proposed source will operate in compliance with all Ohio laws and regulations. Approval of the plans in any case is not to be construed as an approval of the facility as constructed and/or completed. Moreover, issuance of the Permit to Install is not to be construed as a waiver of any rights that the Ohio Environmental Protection Agency (or other persons) may have against the applicant for starting construction prior to the effective date of the permit. Additional facilities shall be installed upon orders of the Ohio Environmental Protection Agency if the proposed facilities cannot meet the requirements of this permit or cannot meet applicable standards.

10. Public Disclosure

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

11. Applicability

This Permit to Install is applicable only to the emissions unit(s) identified in the Permit to Install. Separate 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 ninety (90) days after commencing operation of the emissions unit(s) covered by this permit.

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 Issued: 10/30/2003

Facility ID: 1409000018

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>
PM	14.9
PM ₁₀	11.35
CO	88.9
SO ₂	11.6
NO _x	11.0
OC	23.7
Lead	0.25

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>	Synthetic Minor to avoid PSD and the Emissions Offset Policy
P902 - Drum mix asphalt plant w/fabric filter including oil-fired dryer, hot aggregate elevator, and silos - modification	OAC rule 3745-31-05(A)(3)	40 CFR Part 60 Subpart I
	OAC rule 3745-31-05(D)	OAC rule 3745-17-07(A)

		<u>Applicable Emissions Limitations/Control Measures</u>
OAC rule 3745-17-07(B)	OAC rule 3745-21-08(B)	Fugitive emissions including loadout, elevators, storage bins, and silo filling are: 18.4 lbs PM/hr 16.6 lbs PM-10/hr
	OAC rule 3745-23-06(B)	
OAC rule 3745-17-08(B)		Stack emissions limits are: 10.35 lbs PM/hr 2.9 lbs PM-10/hr 141.4 lbs CO/hr 17.6 lbs NO _x /hr 18.6 lbs SO ₂ /hr 32.6 lbs OC/hr 0.3 lb Lead/hr See term A.2.b, A.2.e and A.2.f. The requirements of this rule also include compliance with the requirements of OAC rule 3745-17-07(B), OAC rule 3745-17-08(B), 40 CFR Part 60 Subpart I, OAC rule 3745-31-05(D), OAC rule 3745-21-08(B) and OAC rule 3745-23-06(B).
OAC rule 3745-17-11(B)		3.4 TPY* PM (stack) 11.5 TPY* PM (fugitive) 0.95 TPY* PM10 (stack) 10.4 TPY* PM10 (fugitive) 88.4 TPY* CO (stack) 0.5 TPY* CO (fugitive) 20.4 TPY* OC, (stack) 3.3 TPY* OC (fugitive)
OAC rule 3745-18-06(E)		11.0 TPY* NO _x

Shelly

PTI A

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11.6 TPY* SO2
0.25 TPY* Lead

See term B.3.

* The TPY emission limitations are based on a rolling, 12-month summation.

0.04 grain PM per dry standard cubic foot of exhaust gases.

The opacity limitation specified by this rule is less stringent than the opacity limitation established pursuant to OAC rule 3745-31-05 (A)(3).

The opacity emission limitation specified by this rule is less stringent than the opacity emission limitation established pursuant to OAC rule 3745-31-05 (A)(3).

Visible particulate emissions of fugitive dust shall not exceed 20 percent opacity, as a 3-minute average.

RACM-
Use of adequate enclosures and sufficient draft to minimize or eliminate visible emissions of fugitive dust from the hot aggregate elevator, storage silos, and weigh hopper.

The drop height of the front end

loader bucket shall be minimized to the extent possible in order to minimize or eliminate visible emissions of fugitive dust from the elevator loading area.

The aggregate loaded into the storage bins shall have a moisture content sufficient to eliminate the visible emissions of fugitive dust from the elevator and the transfer point to the dryer.

The emission limitation specified by this rule is less stringent than the emission limitation established pursuant to OAC rule 3745-31-05 (A)(3).

The emission limitation specified by this rule is less stringent than the emission limitation established pursuant to OAC rule 3745-31-05 (A)(3).

See term A.2.g.

See term A.2.g

2. Additional Terms and Conditions

- 2.a** Compliance with OAC rule 3745-31-05(A)(3) shall be demonstrated by the use of a settling chamber and fabric filter to control the particulate emissions from the dryer, an annual asphalt production limit, maintenance of the aggregate in a moist condition, visible emissions limitations and compliance with 40 CFR Part 60, Subpart I .
- 2.b** Visible particulate emissions from any stack associated with emissions unit P902 shall not exceed 10% opacity, as a six-minute average.
- 2.c** The application and enforcement of the provisions of the New Source Performance Standards (NSPS), as promulgated by the United States Environmental Protection Agency, 40 CFR Part 60, are delegated to the Ohio Environmental Protection Agency. The requirements of 40 CFR Part 60 are also federally enforceable.
- 2.d** The hourly emission limitations outlined in term A.1. are based upon the emissions unit's potential to emit. Therefore, no hourly records are required to demonstrate compliance with these limits.
- 2.e** All recycled, used oil burned in this emissions unit shall meet the following specifications:

<u>Contaminant/Property</u>	<u>Allowable Specifications</u>
arsenic	5 ppm, maximum
cadmium	2 ppm, maximum
chromium	10 ppm, maximum
lead	60 ppm, maximum
PCBs	10 ppm, maximum*
total halogens	4000 ppm, maximum
mercury	1 ppm, maximum
flash point	100°F, minimum
heat content	135,000 Btu/gallon, minimum
sulfur content	0.50 %

* If the permittee is burning used oil with any quantifiable level (2ppm) of PCBs, then the permittee is subject to the notification requirements of 40 CFR 279.62.

- 2.f** Used oil containing more than 1000 ppm total halogens is presumed to be a hazardous waste under the rebuttable presumption provided under 40 CFR Part 266.40(c) and OAC rule 3745-279. Therefore, the permittee may receive and burn used oil exceeding 1000

Emissions Unit ID: P902

ppm of total halogens (but less than 4000 ppm, maximum) only if the supplier ["marketer" in 40 Part CFR 266.43(a)] has demonstrated to the Ohio EPA's Division of Hazardous Waste Management that the used oil does not contain any hazardous waste.

- 2.g** The permittee has satisfied the "best available control techniques and operating practices" required pursuant to OAC rule 3745-21-08(B) and the "latest available control techniques and operating practices" required pursuant to OAC rule 3745-23-06(B) by committing to comply with the best available technology requirements established pursuant to OAC rule 3745-31-05(A)(3) in this permit to install.

B. Operational Restrictions

1. The pressure drop across the fabric filter shall be maintained within a range of 2 inches of water to 8 inches of water while the emissions unit is in operation.
2. The maximum hourly asphaltic concrete production rate from this plant shall not exceed 320 tons per hour.
3. The maximum annual asphaltic concrete production rate for this emissions unit shall not exceed 400,000 tons per year based upon a rolling, 12-month summation of the production rates.

The permittee shall comply with the rolling 12-month production limitation immediately upon startup under this permit based on past records of monthly production.

4. The permittee may not receive or burn any used oil which does not meet the specifications listed in this permit without first obtaining a permit to install that authorizes the burning of such used oil.
5. The permitted may not receive or burn any #2 fuel oil and/or used oil which has a sulfur content greater than 0.50 percent.
6. The use of recycled asphalt product (RAP) shall be limited to 50 percent for surface, base, and intermediate mixes.

C. Monitoring and/or Recordkeeping Requirements

1. The permittee shall properly install, operate, and maintain equipment to monitor the pressure drop across the fabric filter while the emissions unit is in operation. The monitoring equipment shall be installed, calibrated, operated and maintained in accordance with the manufacturer's recommendations, instructions and operating manual(s). The permittee shall record the pressure drop across the fabric filter on a daily basis.

2. The permittee shall receive a chemical analysis with each shipment of used oil from the supplier. The analysis shall identify the name and address of the supplier, the supplier's USEPA identification number, and the following information:
 - a. date of shipment or delivery,
 - b. quantity of used oil received (gallons),
 - c. the Btu value of the used oil (Btu/gallon),
 - d. the flash point of the used oil (°F),
 - e. the arsenic content (ppm),
 - f. the cadmium content (ppm),
 - g. the chromium content (ppm),
 - h. the lead content (ppm),
 - i. the PCB content (ppm),
 - j. the total halogen content (ppm),
 - k. the mercury content (ppm), and
 - l. the sulfur content (%).

Each analysis shall be kept in a readily accessible location for at least 5 years and shall be made available to the Director (the appropriate Ohio EPA District Office or local air agency) upon verbal or written request. The Director or any authorized representative of the Director may require or may conduct periodic, detailed chemical analyses through an independent laboratory of any used oil shipment received by this facility, of any used oil stored at this facility, or of any used oil sampled at the dryer.

3. The permittee shall maintain monthly records of the following information:
 - a. The asphaltic concrete production rate for each month.
 - b. The updated rolling, 12-month summation of the asphaltic concrete production rates.
4. For each shipment of #2 fuel oil received for burning in this emissions unit, the permittee shall maintain records of the total quantity of oil received and the permittees or oil supplier's analyses for sulfur content and heat content.
5. The permittee shall maintain daily records of the amount of RAP, in percent by weight, used in each surface, base, and intermediate mix.

D. Reporting Requirements

Emissions Unit ID: P902

1. The permittee shall submit pressure drop deviation (excursion) reports that identify all periods of time during which the pressure drop across the fabric filter did not comply with the allowable range specified in term B.1.
2. The permittee shall notify the USEPA and the Ohio EPA within 30 days if any of the used oil exceeds the used oil specifications found in OAC rule 3745-279-11 or term A.2.e. If the permittee is burning used oil which exceeds the specifications found in OAC rule 3745-279-11, the permittee is subject to that rule and must comply with all provisions of that rule.
3. The permittee shall submit deviation (excursion) reports that identify all exceedances of the rolling, 12-month production rate limitation in term B.3.
4. The permittee shall submit annual reports which specify the total PM, PM10, SO₂, NO_x, OC and CO emissions from this emissions unit for the previous calendar year. These reports shall be submitted by January 30 of each year.
5. The permittee shall submit deviation (excursion) reports that identify all exceedances of the sulfur content limits in Term B.5.
6. The deviation reports shall be submitted in accordance with the reporting requirements of the General Terms and Conditions of this permit.

E. Testing Requirements

1. Compliance with the PM, PM₁₀, CO, NO_x, OC, and SO₂ emissions limits on the Air Emissions Summary page of this permit shall be demonstrated by the record keeping in Term C.3 and the following:
 - a. The emission factors for NO_x and SO₂ are from Compilation of Air Pollution Emission Factors (AP-42), Tables 11.1-3 to 11.1-8, Fifth Edition. The emission factors for CO and OC are from the August 2002 stack test.
 - b. For PM and PM₁₀ from the exhaust stack, the results of the emission testing will be used to demonstrate compliance.
2. The fugitive emissions for unloading to storage bins and cold aggregate elevators are calculated using the Ohio EPA Reasonably Available Control Measures manual, Table 2.21-1 and a multiplier based on the fraction of total production for each feed material type.

	Emissions Factor in lb PM/ton of production
unloading aggregate to bins	0.074
unloading RAP	0.02
RAP conveyor	0.1
cold aggregate conveyor	0.37
total =	0.564

The permittee shall calculate annual fugitive emissions by multiplying 0.564 lbs PM/ton of production by actual production quantities, in tons per year, and then dividing by 2000 lbs/ton to yield TPY PM.

3. Compliance with the used oil specifications in Term A.2.e shall be demonstrated by the chemical analysis which is submitted with each shipment from the supplier and as required by the recordkeeping in Term C.2 .
4. Compliance with the annual asphalt production limitations in Term B.3 shall be demonstrated by the record keeping in Term C.3.
5. Compliance with the visible emissions limitations in Terms A.1 and A.2 shall be demonstrated by Method 9, 40 CFR Part 60, Appendix A.
6. The permitted shall conduct, or have conducted, emission testing for this emissions unit in accordance with the following requirements:

Emissions Unit ID: P902

- a. The emission testing shall be conducted within six months after issuance of this permit.
- b. The emission testing shall be conducted to demonstrate compliance with the particulate, carbon monoxide, nitrogen oxide and volatile organic compound emission limits.
- c. The following test method(s) shall be employed to demonstrate compliance with the allowable mass emission rate(s): for particulate, Method 5 of 40 CFR Part 60, Appendix A, for organic compounds, Method 25 of 40 CFR Part 60, Appendix A- if applicable, for NOx, Method 7 of 40 CFR Part 60, Appendix A and for CO, Method 10 of 40 CFR Part 60, Appendix A. Alternative U.S. EPA approved test methods may be used with prior approval from the Hamilton County Department of Environmental Services.
- d. The test(s) shall be conducted while the emissions unit is operating at or near its maximum capacity, unless otherwise specified or approved by the Hamilton County Department of Environmental Services.

Not later than 30 days prior to the proposed test date(s), the permitted shall submit an "Intent to Test" notification to the appropriate Ohio EPA District Office or local air agency.

The "Intent to Test" notification shall describe in detail the proposed test methods and procedures, the emissions unit operating parameters, the time(s) and date(s) of the test(s), and the person(s) who will be conducting the test(s).

Failure to submit such notification for review and approval prior to the test(s) may result in the Ohio EPA District Office's or local air agency's refusal to accept the results of the emission test(s).

Personnel from the appropriate Ohio EPA District Office or local air agency shall be permitted to witness the test(s), examine the testing equipment, and acquire data and information necessary to ensure that the operation of the emissions unit and the testing procedures provide a valid characterization of the emissions from the emissions unit and/or the performance of the control equipment.

A comprehensive written report on the results of the emissions test(s) shall be signed by the person or persons responsible for the tests and submitted to the appropriate Ohio EPA District Office or local air agency within 30 days following completion of the test(s). The permitted may request additional time for the submittal of the written report, where warranted, with prior approval from the appropriate Ohio EPA District Office or local air agency.

7. Compliance with the fabric filter pressure drop limitation in Term B.1 shall be demonstrated by the record keeping in Term C.1.

8. Compliance with the sulfur content limitation in Term B.5 shall be demonstrated by the record keeping in Term C.4.

F. Miscellaneous Requirements

1. The terms and conditions listed in this permit to install shall supercede all the air pollution control requirements for this emission unit contained in permit to install 14-05066 as issued on May 29, 2001.
2. The following terms and conditions of this permit are federally enforceable: A., B.1- B.6, C.1- C.5., D.1 - D.6 and E.1 - E.8.
3. Modeling to demonstrate compliance with the Ohio EPA's "Air Toxic Policy" was not necessary because the emissions unit's maximum annual emissions for each toxic compound will be less than 1.0 ton. 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 permitted is hereby advised that changes in the composition for the materials, or use of new materials that would cause the emission of any pollutant that has a listed TLV to increase to above 1.0 tons per year may require the permitted to apply for and obtain a new permit to install.