



State of Ohio Environmental Protection Agency

Street Address:

Mailing Address:

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

Lazarus Gov.
Center

RE: **FINAL PERMIT TO INSTALL MODIFICATION** CERTIFIED MAIL
HAMILTON COUNTY
Application No: 14-03756

DATE: 1/18/2001

Valley Asphalt Corp
Dan Crago
11641 Mosteller Rd
Cincinnati, OH 452411520

Enclosed Please find a modification to the Ohio EPA Permit To Install referenced above which will modify the terms and conditions.

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

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

Very truly yours,

A handwritten signature in cursive script that reads "Thomas G. Rigo".

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

CC: USEPA

HCDES



**Permit To Install
Terms and Conditions**

**Issue Date: 1/18/2001
Effective Date: 1/18/2001**

FINAL ADMINISTRATIVE MODIFICATION OF PERMIT TO INSTALL 14-03756

Application Number: **14-03756**
APS Premise Number: **1431073386**
Permit Fee: **\$0**
Name of Facility: **Valley Asphalt Corp**
Person to Contact: **Dan Crago**
Address: **11641 Mosteller Rd
Cincinnati, OH 452411520**

Location of proposed air contaminant source(s) [emissions unit(s)]:
**612 W Mehring Way
Cincinnati, OHIO**

Description of modification:

Modification to PTI #14-03756 issued 1/31/96 to modify Air Emission Summary for Allowable Mass Emissions due to administrative error.

The above named entity is hereby granted a modification to the permit to install described above pursuant to Chapter 3745-31 of the Ohio Administrative Code. Issuance of this modification does not constitute expressed or implied approval or agreement that, if constructed or modified in accordance with the plans included in the application, the above described source(s) of environmental pollutants will operate in compliance with applicable State and Federal laws and regulations, and does not constitute expressed or implied assurance that if constructed or modified in accordance with those plans included in the application, the above described source(s) of pollutants will be granted the necessary operating permits.

This permit is granted subject to the conditions attached hereto.

Ohio Environmental Protection Agency

Director

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GENERAL PERMIT CONDITIONS

TERMINATION OF PERMIT TO INSTALL

Substantial construction for installation must take place within 18 months of the effective date of this permit. This deadline may be extended by up to 12 months if application is made to the Director within a reasonable time before the termination date and the party shows good cause for any such extension.

NOTICE OF INSPECTION

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

CONSTRUCTION OF NEW SOURCES

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

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

PERMIT TO INSTALL FEE

In accordance with Ohio Revised Code 3745.11, the specified Permit to Install fee must be remitted within 30 days of the effective date of this permit to install.

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PUBLIC DISCLOSURE

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

APPLICABILITY

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

BEST AVAILABLE TECHNOLOGY

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

PERMIT TO OPERATE APPLICATION AND OPERATION AFTER COMPLETION OF CONSTRUCTION

If 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 the proposed new or modified source(s) would be prohibited by the terms and conditions of an existing Title V permit, a Title V permit modification must be obtained before the operation of such new or modified source(s) pursuant to OAC rule 3745-77-04(D) and OAC rule 3745-77-08(C)(3)(d).

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

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AIR EMISSION SUMMARY

The air contaminant emissions units listed below comprise the Permit to Install for **Valley Asphalt Corp** located in **HAMILTON** County. The emissions units listed below shall not exceed the emission limits/control requirements contained in the table. This condition in no way limits the applicability of any other state or federal regulations. Additionally, this condition does not limit the applicability of additional special terms and conditions of this permit.

<u>Ohio EPA Source Number</u>	<u>Source Identification Description</u>	<u>BAT Determination</u>	<u>Applicable Federal & OAC Rules</u>	<u>Permit Allowable Mass Emissions and/or Control/Usage Requirements</u>
P901	300 tons/hour Portable conventional asphaltic concrete plant	Emissions from dryer controlled by mechanical cyclone and fabric filter (in series), production limits.	3745-31-05 3745-17-11 3745-17-07 3745-15-07 40 CFR Part 60 Subpart I	PM = 0.04 grain/dry standard cubic foot air 10.35 lbs/hr SO ₂ = 72.0 lbs/hr NO _x = 51.0 lbs/hr OC = 13.8 lbs/hr CO = 20.7 lbs/hr PM ₁₀ = 4.14 lbs/hr
F002	Aggregate Storage Piles	Maintain stored material in a moistened condition to minimize fugitive dust emissions.	3745-31-05 3745-17-07 3745-17-08 3745-15-07	PM = 4.86 lbs/hr PM ₁₀ = 1.78 lbs/hr

SUMMARY TOTAL PERMIT TO INSTALL ALLOWABLE EMISSIONS

Pollutant

Organic Compound
 PM
 SO₂

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	<u>Tons/Year</u>
NO _x	11.54
CO	13.25
PM ₁₀	60.0
	42.5
	17.25
	5.14

NSPS REQUIREMENTS

The following sources are subject to the applicable provisions of the New Source Performance Standards (NSPS) as promulgated by the United States Environmental Protection Agency, 40 CFR Part 60.

<u>Source Number</u>	<u>Source Description</u>	<u>NSPS Regulation (Subpart)</u>
P901	Portable Conventional Asphaltic Concrete Plant	I

The application and enforcement of these standards are delegated to the Ohio EPA. The requirements of 40 CFR Part 60 are also federally enforceable.

Pursuant to the NSPS, the source owner/operator is hereby advised of the requirement to report the following at the appropriate times:

- a. construction date (no later than 30 days after such date);
- b. anticipated start-up date (not more than 60 days or less than 30 days prior to such date);
- c. actual start-up date (within 15 days after such date); and
- d. date of performance testing (If required, at least 30 days prior to testing).

Reports are to be sent to:

Ohio Environmental Protection Agency
 DAPC - Air Quality Modeling and Planning
 P.O. Box 1049
 Columbus, OH 43216-1049

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and Hamilton County Dept. of Environmental Services
250 William Howard Taft Road
Cincinnati, Ohio 45219-2660

RECORD(S) RETENTION AND AVAILABILITY

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

REPORTING REQUIREMENTS

Unless otherwise specified, reports required by the Permit to Install need only be submitted to Hamilton County Dept. of Environmental Services, 250 William Howard Taft Road, Cincinnati, Ohio 45219-2660.

WASTE DISPOSAL

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

MAINTENANCE OF EQUIPMENT

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

MALFUNCTION/ABATEMENT

In accordance with OAC RULE 3745-15-06, any malfunction of the source(s) or associated air pollution control system(s) shall be reported immediately to the Hamilton County Dept. of Environmental Services, 250 William Howard Taft Road, Cincinnati, Ohio 45219-2660.

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

AIR POLLUTION NUISANCES PROHIBITED

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

NOTICE OF INTENT TO RELOCATE

Pursuant to OAC Rule 3745-31-03(A)(1)(n), the owner or operator of the portable or mobile source identified within this Permit to Install may relocate within the state of Ohio without first obtaining a Permit to Install providing the following criteria are met:

- a. the source is equipped with the Best Available Control Technology for such source;
- b. the source is operating pursuant to a currently effective Permit to Operate;
- c. the applicant has provided proper notice of intent to relocate the source to the Director within a minimum of 30 days prior to the scheduled relocation; and
- d. in the Director's judgement, the proposed site is acceptable under Rule 3745-15-07 of the Administrative Code.

In order for the Director to determine compliance with all of the above criteria, the owner or operator of the portable or mobile source must file a "Notice of Intent to Relocate" at least 30 days prior to relocation of the source with the Hamilton County Dept. of Environmental Services, 250 William Howard Taft Road, Cincinnati, Ohio 45219-2660. Upon receipt of the notice, the Director, or the Director's authorized representative, will evaluate the request in accordance with the above criteria.

Failure to submit said notification and to receive Ohio Environmental Protection Agency approval prior to relocation of the source may result in fines and civil penalties.

ADDITIONAL SPECIAL TERMS AND CONDITIONS

1. The terms and conditions of this Permit to Install supersede those listed in Permit to Install 14-1854 for sources P901 and F002.
2. Best Available Technology for the asphalt plant and storage piles is the following:
 - a. the use of a cyclone and fabric filter to control the particulate emissions from the dryer stack exhaust;
 - b. a production limit of 500,000 tons per year for the asphaltic concrete, based upon a rolling 12-month total;
 - c. aggregate conveyor belts shall be covered, and employ water sprayers to maintain aggregate in a moist condition; and,
 - d. maintaining the aggregate in storage piles in a moist condition.

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3. Visible emissions of particulate matter from any stack associated with this source shall not exceed 10% opacity, as a 6-minute average.
4. For the material storage piles, there shall be no visible particulate emissions except for a period of time not to exceed one minute during any sixty-minute observation period.
5. The annual total production of asphalt shall not exceed 500,000 tons per year. In order to insure federal enforceability for the first twelve months of operation, Valley Asphalt Corporation shall not exceed the following production levels:

<u>Month</u>	<u>Production</u>
1-6	250,000
1-7	291,667
1-8	333,334
1-9	375,000
1-10	416,667
1-11	458,334
1-12	500,000

After the first 12 months operation, compliance with the annual production limitation shall be based upon a rolling 12-month total.

6. Record keeping and Reporting Requirements

This facility shall maintain monthly records of the total amount of asphalt produced. After the first 12 calendar months of operation following the issuance of this permit, the facility shall also record the rolling 12-month production total for each month. These records and all supporting data shall be retained in the company's files for a period of not less than five years and shall be made available to the Director, or any authorized representative of the Director during normal business hours.

This facility shall submit quarterly reports indicating any exceedances of the above-mentioned production limits along with the cause of the exceedance and corrective action taken to prevent further exceedances. Also, for the first 12 calendar months of operation, the quarterly reports shall include the total amount of asphalt produced during each calendar month. For each calendar month after the first 12 calendar months of operation, the quarterly reports shall include the rolling 12-month asphalt production total. These quarterly reports shall be submitted by January 30, April 30, July 30, and October 30 of each year and shall cover the previous three calendar months.