



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

6/11/2015

Certified Mail

Eric Dombrowski
 DiGeronimo Aggregates LLC
 8900 Hemlock Rd
 Independence, OH 44131

RE: FINALAIR POLLUTION PERMIT-TO-INSTALL
 Facility ID: 1318270383
 Permit Number: P0118785
 Permit Type: Administrative Modification
 County: Cuyahoga

No	TOXIC REVIEW
No	PSD
No	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

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

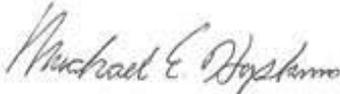
Please complete a survey at www.epa.ohio.gov/survey.aspx and give us feedback on your permitting experience. We value your opinion.

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 Cleveland Division of Air Quality at (216)664-2297 or the Office of Compliance Assistance and Pollution Prevention at (614) 644-3469.

Sincerely,



Michael E. Hopkins, P.E.
Assistant Chief, Permitting Section, DAPC

Cc: U.S. EPA
CDAQ; Pennsylvania; Canada



FINAL

**Division of Air Pollution Control
Permit-to-Install
for
DiGeronimo Aggregates LLC**

Facility ID:	1318270383
Permit Number:	P0118785
Permit Type:	Administrative Modification
Issued:	6/11/2015
Effective:	6/11/2015



Division of Air Pollution Control
Permit-to-Install
for
DiGeronimo Aggregates LLC

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Final Permit-to-Install
DiGeronimo Aggregates LLC
Permit Number: P0118785
Facility ID: 1318270383
Effective Date: 6/11/2015

Authorization

Facility ID: 1318270383
Facility Description: Mining and processing of raw shale to expanded shale -- Haydite.
Application Number(s): M0003348
Permit Number: P0118785
Permit Description: Administrative modification for emissions unit P012 to remove the requirements for the generator (the emissions unit has been converted to run on municipal power and no longer utilizes the generator for electricity).
Permit Type: Administrative Modification
Permit Fee: \$100.00
Issue Date: 6/11/2015
Effective Date: 6/11/2015

This document constitutes issuance to:

DiGeronimo Aggregates LLC
8900 Hemlock Road
Independence, OH 44131-0000

of a Permit-to-Install for the emissions unit(s) identified on the following page.

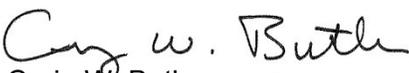
Ohio Environmental Protection Agency (EPA) District Office or local air agency responsible for processing and administering your permit:

Cleveland Division of Air Quality
2nd Floor
75 Erieview Plaza
Cleveland, OH 44114
(216)664-2297

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



Final Permit-to-Install
DiGeronimo Aggregates LLC
Permit Number: P0118785
Facility ID: 1318270383
Effective Date:6/11/2015

Authorization (continued)

Permit Number: P0118785

Permit Description: Administrative modification for emissions unit P012 to remove the requirements for the generator (the emissions unit has been converted to run on municipal power and no longer utilizes the generator for electricity).

Permits for the following Emissions Unit(s) or groups of Emissions Units are in this document as indicated below:

Emissions Unit ID:	P012
Company Equipment ID:	Shale Crushing, Conveying and Screening System
Superseded Permit Number:	13-04724
General Permit Category and Type:	Not Applicable



Final Permit-to-Install
DiGeronimo Aggregates LLC
Permit Number: P0118785
Facility ID: 1318270383
Effective Date:6/11/2015

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 Cleveland Division of Air Quality.

- (2) Quarterly written reports of (i) any deviations from federally enforceable emission limitations, operational restrictions, and control device operating parameter limitations, 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 Cleveland Division of Air Quality. 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, and reporting requirements contained in this permit shall be submitted to the Cleveland Division of Air Quality 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 the Cleveland Division of Air Quality in 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 Cleveland Division of Air Quality 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 Cleveland Division of Air Quality.
- 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 Cleveland Division of Air Quality. 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 obtained before 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 entered upon 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.



Final Permit-to-Install
DiGeronimo Aggregates LLC
Permit Number: P0118785
Facility ID: 1318270383
Effective Date:6/11/2015

B. Facility-Wide Terms and Conditions



Final Permit-to-Install
DiGeronimo Aggregates LLC
Permit Number: P0118785
Facility ID: 1318270383
Effective Date:6/11/2015

1. All the following facility-wide terms and conditions are federally enforceable with the exception of those listed below which are enforceable under state law only:
 - a) None.



Final Permit-to-Install
DiGeronimo Aggregates LLC
Permit Number: P0118785
Facility ID: 1318270383
Effective Date:6/11/2015

C. Emissions Unit Terms and Conditions

1. P012, Shale Crushing, Conveying and Screening System

Operations, Property and/or Equipment Description:

Shale crushing and screening system consisting of a 300 ton per hour mobile jaw crusher, two front end loaders, 21 conveyors, a 6 x 24 Deister screen with baghouse, a 150 ton per cone crusher, vibrating feeder to kiln, and a 300-ton per hour Grizzly feeder.

- a) The following emissions unit terms and conditions are federally enforceable with the exception of those listed below which are enforceable under state law only.
 - (1) b)(1)b. and b)(2)b.
- 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.	OAC rule 3745-31-05(A)(3) June 30, 2008	The requirements of this rule are equivalent to the emission limits established under OAC rule 3745-31-05(D). See b)(2)a. below.
b.	OAC rule 3745-31-05(A)(3)(a)(ii) June 30, 2008	The Best Available Technology (BAT) requirements under OAC rule 3745-31-05(A)(3) do not apply to the PM and PM ₁₀ emissions from this emissions unit since the potential to emit is less than 10 tons/year taking into account the federally enforceable restriction in b)(1)h. below. See b)(2)b. below.
c.	OAC rule 3745-17-07(A)(1)	The visible particulate emission limitation specified by this rule is less stringent than the visible particulate emission limitation established pursuant to 40 CFR Part 60, Subpart OOO below.

	Applicable Rules/Requirements	Applicable Emissions Limitations/Control Measures
d.	OAC rule 3745-17-07(B)(1)	The visible emission limitation specified by this rule is less stringent than the emission limitation established pursuant to 40 CFR Part 60, Subpart OOO below.
e.	OAC rule 3745-17-08(B)	See b)(2)c. through b)(2)e. below.
f.	OAC rule 3745-17-11(A)(2)	The particulate emission limitation specified by this rule is less stringent than the visible particulate emission limitation established pursuant to 40 CFR Part 60, Subpart OOO below.
g.	40 CFR Part 60, Subpart OOO	<p>Particulate emissions from the Diester screen baghouse stack serving this emissions unit shall not exceed 0.05 grams per dry standard cubic meter (g/dscm) (0.022 grains per dry standard cubic foot or g/dscf).</p> <p>Visible particulate emissions from the Diester screen baghouse stack shall not exceed 7% opacity, as a 6-minute average.</p> <p>Visible emissions of fugitive dust from points other than the crushers shall not exceed 10% opacity, as a six-minute average.</p> <p>Visible emissions of fugitive dust from the jaw crusher and the cone crusher (both of which have no capture system) shall not exceed 15% opacity, as a six-minute average.</p>
h.	OAC rule 3745-31-05(D) Synthetic Minor to avoid PSD and Nonattainment NSR	<p>2.23 tons/year* PM emissions (crushing)</p> <p>0.80 ton/year* PM₁₀ emissions (crushing)</p> <p>* Per rolling, 12-month period</p>

(2) Additional Terms and Conditions

- a. This Best Available Technology (BAT) emission limit applies until U.S. EPA approves Ohio Administrative Code (OAC) paragraph 3745-31-05(A)(3)(a)(ii) (the

less than 10 tons per year BAT exemption) into the Ohio State Implementation Plan (SIP).

- b. These requirements apply once U.S. EPA approves OAC paragraph 3745-31-05(A)(3)(a)(ii) (the less than 10 tons per year BAT exemption) as part of the Ohio SIP.

Permit to Install #P0118785 for this air contaminant source takes into account the following voluntary restrictions (including the use of any applicable air pollution control equipment) as proposed by the permittee for the purpose of avoiding Best Available Technology (BAT) requirements under OAC rule 3745-31-05(A)(3):

- i. totally enclosed hood and baghouse for the screen; and
- ii. water suppressant sprays at raw shale hopper.

BAT requirements under OAC rule 3745-31-05(A)(3) do not apply to the crusher emissions since the calculated annual emission rate for PM and PM₁₀ emissions is less than ten tons per year taking into account the permittee's request for voluntary restrictions to avoid BAT requirements.

- c. The permittee shall employ reasonably available control measures for the crushing operation for the purpose of ensuring compliance with the applicable requirements. In accordance with the permittee's permit application, the permittee has committed to employing water spray bars at the hopper charging point, after crushing operations, and at the end of each conveyor belt to ensure compliance. The permittee shall also minimize free fall distance of the processed material. Nothing in this paragraph shall prohibit the permittee from employing other control measures to ensure compliance.
- d. For each phase of the crushing operation that is not adequately enclosed, the control measure(s) shall be implemented if the permittee determines, as a result of the inspection conducted pursuant to the monitoring section of this permit, that the control measure(s) is (are) necessary to ensure compliance with the applicable requirements. Any required implementation of the control measure(s) shall continue during the operation of the crusher until further observation confirms that the use of the control measure(s) is (are) unnecessary.
- e. The loading, crushing, screening, conveying, and material handling operations of the shale processing plant that are covered by this permit and subject to the requirements of OAC rules 3745-17-07 and 3745-17-08 are listed below:

front end loader to hopper;
300-ton per hour Grizzly feeder;
300-ton per hour jaw crusher;
6 ft x 24 ft Deister screen with baghouse;
150-ton per hour cone crusher;
21 conveyors;
Weekends front end loader; and
Vibrating feeder to kiln

c) Operational Restrictions

- (1) This emissions unit is restricted to a maximum raw shale feed rate of 392,400 tons per rolling, 12-month period.

d) Monitoring and/or Recordkeeping Requirements

- (1) The permittee shall collect and record the following information each month for this emissions unit:
 - a. the monthly raw shale feed rate, in tons; and
 - b. the rolling, 12-month summation of the total raw shale feed rate for the emissions unit.

- (2) The permittee shall perform daily checks, when the emissions unit is in operation and when weather conditions allow, for any visible particulate emissions from the baghouse stack serving the 6' x 24' Deister screen. The presence or absence of any visible emissions from the baghouse stack shall be noted in an operations log. If visible emissions from the baghouse stack are observed, the permittee shall also note the following in the operations log:
 - a. the color of the emissions;
 - b. whether the emissions are representative of normal operations;
 - c. if the emissions are not representative of normal operations, the cause of the abnormal emissions;
 - d. the total duration of any visible emission incident; and
 - e. any corrective actions taken to minimize or eliminate the visible emissions.

- (3) Except as otherwise provided in this section, for material handling operations that are not adequately enclosed, the permittee shall perform inspections of such operations in accordance with the following minimum frequencies:

Crushing, screening, and material handling operations:	Minimum inspection frequency:
Conveyor belts	Daily, when in operation
Front end loader to grizzly feeder	Daily, when in operation
300-ton per hour jaw crusher	Daily, when in operation
Deister 6' x 24' screen	Daily, when in operation
150-ton per hour cone crusher	Daily, when in operation

- (4) The above-mentioned inspections shall be performed during representative, normal operating conditions.
- (5) The permittee may, upon receipt of written approval from the Cleveland Division of Air Quality (Cleveland DAQ), modify the above mentioned inspection frequencies if operating experience indicates that less frequent inspections would be sufficient to ensure compliance with the above mentioned applicable requirements.
- (6) The permittee shall maintain records of the following information:
 - a. the date and reason any required inspection was not performed;
 - b. the date of each inspection where it was determined by the permittee that it was necessary to implement the control measure;
 - c. the dates the control measure was implemented; and
 - d. on a calendar quarter basis, the total number of days the control measure was implemented.

The information in (6)d. shall be kept separately for each material handling operation identified above, and shall be updated on a calendar quarter basis within 30 days after the end of each calendar quarter.

e) Reporting Requirements

- (1) The permittee shall submit deviation (excursion) reports to the Cleveland Division of Air Quality (Cleveland DAQ) which identify all exceedances of the rolling, 12-month raw shale feed rate limitation. Each report shall be submitted within 30 days after the deviation occurs.
- (2) The permittee shall submit semiannual written reports that (a) identify all days during which any visible particulate emissions were observed from the baghouse stack serving the 6' x 24' Deister screen and (b) describe any corrective actions taken to eliminate the visible particulate emissions. These reports shall be submitted to the Cleveland DAQ by January 31 and July 31 of each year and shall cover the previous 6-month period.
- (3) The permittee shall submit quarterly deviation (excursion) reports to the Cleveland DAQ that identify the following occurrences:
 - a. each day during which an inspection was not performed by the required frequency; and
 - b. each instance when a control measure, that was to be performed as a result of an inspection, was not implemented.

The deviation reports shall be submitted in accordance with the reporting requirements of the General Terms and Conditions of this permit.

f) Testing Requirements

(1) Compliance with the Emissions Limitations and/or Control Requirements specified in b) of these terms and conditions shall be determined in accordance with the following methods:

a. Emission Limitations:

0.022 gr/dscf from the Deister screen baghouse stack

Applicable Compliance Method:

If required, compliance with this emission limit shall be determined by emission testing using Methods 1-5 of 40 CFR Part 60, Appendix A.

b. Emission Limitation:

Visible particulate emissions from the Deister screen baghouse stack shall not exceed 7% opacity, as a 6-minute average.

Applicable Compliance Method:

Compliance with the above visible emission limitation shall be determined through performance testing using Method 9 of 40 CFR, Part 60, Appendix A. This compliance method shall be used whenever a compliance determination is warranted.

c. Emission Limitation:

Visible emissions of fugitive dust from points other than the crushers shall not exceed 10% opacity, as a 6-minute average.

Applicable Compliance Method:

Compliance with the above visible emission limitation shall be determined through performance testing using Method 9 of 40 CFR, Part 60, Appendix A. See f)(2) below.

d. Emission Limitation:

Visible emissions of fugitive dust from the jaw and cone crushers shall not exceed 15% opacity, as a 6-minute average.

Applicable Compliance Method:

Compliance with the above visible emission limitation shall be determined through performance testing using Method 9 of 40 CFR, Part 60, Appendix A. See f)(2) below.

e. Emission Limitations:

2.23 tons/year of PM emissions from crushing operation per rolling, 12-month period.

0.80 tons/year of PM₁₀ emissions from crushing operation per rolling, 12-month period.

Applicable Compliance Method:

Compliance with the annual PM/PM₁₀ emission limitation shall be determined using the controlled emission factors for crushing and material handling operations in AP-42, Chapter 11.19.2 (Crushed Stone Processing), Fifth Edition, dated 1/1995. These emission factors are being used because wet suppression is applied at the primary jaw crusher located in the pit and the normally high moisture content of the raw shale. The watering controlled emission factors from AP-42, are:

Operation	PM (lb/ton)	PM ₁₀ (lb/ton)
primary crushing	0.0012	0.00054
conveyors	0.00014	0.000046
screening	0.0022	0.00074

The uncontrolled emission factor for hopper loading is 0.000016 lb/ton for PM₁₀. For hopper loading PM emissions, multiply the PM₁₀ emissions by a factor of 2.1. For hopper loading only multiply by (1 - 0.60) to account for the 60% watering emission control efficiency.

Compliance shall be determined by multiplying the emission factors identified above by the actual annual amount of material processed for each part of the process identified in term b)(2)e., divide by 2000 lbs/ton, and then sum total emissions.

- (2) Initial compliance testing as required by PTI 13-04724 and 40 CFR Part 40 Subpart OOO was completed in August of 2008. Future compliance demonstrations shall be completed according to the above testing requirements and active Title V permit.

g) Miscellaneous Requirements

- (1) The terms in this permit supersede those identified in PTI 13-03987 issued 3/13/2003 and PTI 13-04724 issued 6/12/2008.