



State of Ohio Environmental Protection Agency

**RE: FINAL PERMIT TO INSTALL
HAMILTON 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: 14-05585

Fac ID: 1431350093

DATE: 10/21/2004

Cinergy Corp Miami Fort Station
John Funke
PO Box 960 139 East Fourth Street
Cincinnati, OH 45201-4034

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
309 South Fourth Street, Room 222
Columbus, Ohio 43215

Sincerely,

Michael W. Ahern, Manager
Permit Issuance and Data Management Section
Division of Air Pollution Control

cc: USEPA

HCDES



**Permit To Install
Terms and Conditions**

**Issue Date: 10/21/2004
Effective Date: 10/21/2004**

FINAL PERMIT TO INSTALL 14-05585

Application Number: 14-05585
Facility ID: 1431350093
Permit Fee: **\$2900**
Name of Facility: Cinergy Corp Miami Fort Station
Person to Contact: John Funke
Address: PO Box 960 139 East Fourth Street
Cincinnati, OH 45201-4034

Location of proposed air contaminant source(s) [emissions unit(s)]:

**Brower Road
North Bend, Ohio**

Description of proposed emissions unit(s):

Limestone, gypsum and inerts material handling systems.

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. State and Federally Enforceable Permit To Install General Terms and Conditions

1. Monitoring and Related Recordkeeping 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:
 - i. The date, place (as defined in the permit), and time of sampling or measurements.
 - ii. The date(s) analyses were performed.
 - iii. The company or entity that performed the analyses.
 - iv. The analytical techniques or methods used.
 - v. The results of such analyses.
 - vi. 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:
 - i. Reports of any required monitoring and/or recordkeeping of federally enforceable information shall be submitted to the appropriate Ohio EPA District Office or local air agency.
 - ii. 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 appropriate Ohio EPA District Office or local air agency. The written 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. See B.9 below if no deviations occurred during the quarter.

- iii. Written reports, which identify any deviations from the federally enforceable monitoring, recordkeeping, and reporting requirements contained in this permit shall be submitted to the appropriate Ohio EPA District Office or local air agency every six months, i.e., 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.
- iv. 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.

2. 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 appropriate Ohio EPA District Office or local air agency 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).

3. 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.

4. 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.

5. Severability Clause

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.

6. General Requirements

- a. The permittee must comply with all terms and conditions of this permit. 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 reissuance, or modification, or for denial of a permit renewal application.
- 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, reopened, 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, reopening 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.

7. 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.

8. Federal and State Enforceability

Only those terms and conditions designated in this permit as federally enforceable, that 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, the State, and citizens under the Act. All other terms and conditions of this permit shall not be federally enforceable and shall be enforceable under State law only.

9. Compliance Requirements

- a. 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:
 - i. 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.
 - ii. 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.
 - iii. Inspect at reasonable times any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under this permit.
 - iv. 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 appropriate Ohio EPA District Office or local air agency 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:
 - i. Dates for achieving the activities, milestones, or compliance required in any schedule of compliance, and dates when such activities, milestones, or compliance were achieved.
 - ii. 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.

10. Permit To Operate Application

- a. 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).
- b. 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 ninety (90) days after commencing operation of the source(s) covered by this permit.

11. 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.

12. 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.

B. State Only Enforceable 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

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 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 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 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. 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.

4. 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.

5. 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.

6. 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.

7. 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).

8. Construction Compliance Certification

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If applicable, the applicant shall provide Ohio EPA with a written certification (see enclosed form if applicable) 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.

9. Additional Reporting Requirements When There Are No Deviations of Federally Enforceable Emission Limitations, Operational Restrictions, or Control Device Operating Parameter Limitations (See Section A of This Permit)

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.

C. 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	18.85
PM10	11.20

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Issued: 10/21/2004

Emissions Unit ID: F007

Part II - FACILITY SPECIFIC TERMS AND CONDITIONS

A. State and Federally Enforceable Permit To Install Facility Specific Terms and Conditions

None

B. State Only Enforceable Permit To Install Facility Specific Terms and Conditions

None

Part III - SPECIAL TERMS AND CONDITIONS FOR SPECIFIC EMISSIONS UNIT(S)

A. State and Federally Enforceable Section

I. 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>
F007 - flue gas desulfurization (FGD) material handling system roadways paved roadways (see Section A.2.a)	OAC rule 3745-31-05(A)(3)
unpaved roadways (see Section A.2.b)	OAC rule 3745-31-05(C) Synthetic Minor to avoid PSD New Source Review
	OAC rule 3745-17-07(B)

	<u>Applicable Emissions Limitations/Control Measures</u>
OAC rule 3745-17-08(B)	No visible particulate emissions except for one minute during any 60-minute period.
OAC rule 3745-31-05(A)(3)	Best available control measures that are sufficient to minimize or eliminate visible emissions of fugitive dust (see Sections A.2.c, and A.2.e through A.2.i). The requirements of this rule also include compliance with the requirements of OAC rule 3745-31-05(C).
OAC rule 3745-31-05(C) Synthetic Minor to avoid PSD New Source Review	Particulate matter (PM) emissions from the paved roadways shall not exceed 7.16 tons per year. Emissions of particulate matter less than 10 microns in diameter (PM-10) from the paved roadways shall not exceed 1.98 tons per year. See Section A.I.2.j. The emission limitation specified by this rule is less stringent than the emission limitation established pursuant to OAC rule 3745-31-05(A)(3).
OAC rule 3745-17-07(B)	The emission limitation specified by this rule is less stringent than the emission limitation established pursuant to OAC rule 3745-31-05(A)(3).
OAC rule 3745-17-08(B)	No visible particulate emissions except for 3 minutes during any 60-minute period Best available control measures that are

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sufficient to minimize or eliminate visible emissions of fugitive dust (see Sections A.2.d through A.2.i).

The requirements of this rule also include compliance with the requirements OAC rule 3745-31-05(C).

Particulate matter (PM) emissions from the unpaved roadways shall not exceed 0.70 ton per year.

Emissions of particulate matter less than 10 microns in diameter (PM-10) from the unpaved roadways shall not exceed 0.13 ton per year.

See Section A.I.2.j.

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).

2. Additional Terms and Conditions

- 2.a** The paved roadways that are covered by this permit and subject to the above-mentioned requirements are listed below:

paved roadways:

- B - Gypsum Storage Building
- C - Gypsum Emergency Stock-out Pile
- D - Dump Truck/Gypsum Station
- E - Dumpster Truck/Inerts Station

- 2.b** The unpaved roadways that are covered by this permit and subject to the above-mentioned requirements are listed below:

unpaved roadways:

- A - Limestone Storage Pile Areas

- 2.c** The permittee shall employ best available control measures on all paved roadways for the purpose of ensuring compliance with the above-mentioned applicable requirements. In accordance with the permittee's permit application, the permittee has committed to treat the paved roadways by water flushing at sufficient treatment frequencies to ensure compliance. Nothing in this paragraph shall prohibit the permittee from employing other control measures to ensure compliance.
- 2.d** The permittee shall employ best available control measures on all unpaved roadways for the purpose of ensuring compliance with the above-mentioned applicable requirements. In accordance with the permittee's permit application, the permittee has committed to treat the unpaved roadways with watering at sufficient treatment frequencies to ensure compliance. Nothing in this paragraph shall prohibit the permittee from employing other control measures to ensure compliance.
- 2.e** The needed frequencies of implementation of the control measures shall be determined by the permittee's inspections pursuant to the monitoring section of this permit. Implementation of the control measures shall not be necessary for a paved or unpaved roadway that is covered with snow and/or ice or if precipitation has occurred that is sufficient for that day to ensure compliance with the above-mentioned applicable requirements. Implementation of any control measure may be suspended if unsafe or hazardous driving conditions would be created by its use.
- 2.f** Any unpaved roadway, which during the term of this permit is paved or takes the characteristics of a paved surface due to the application of certain types of dust suppressants, may be controlled with the control measure(s) specified above for paved

Emissions Unit ID: F007

surfaces. Any unpaved roadway that takes the characteristics of a paved roadway due to the application of certain types of dust suppressants shall remain subject to the visible emission limitation for unpaved roadways. Any unpaved roadway that is paved shall be subject to the visible emission limitation for paved roadways.

- 2.g The permittee shall promptly remove, in such a manner as to minimize or prevent resuspension, earth and/or other material from paved streets onto which such material has been deposited by trucking or earth moving equipment or erosion by water or other means.
- 2.h Open-bodied vehicles transporting materials likely to become airborne shall have such materials covered at all times if the control measure is necessary for the materials being transported.
- 2.i Implementation of the above-mentioned control measures in accordance with the terms and conditions of this permit is appropriate and sufficient to satisfy the best available technology requirements of OAC rule 3745-31-05.
- 2.j The annual emissions limitations outlined are based upon the maximum production limitations established for emissions units F009 and F010.

II. Operational Restrictions

None

III. Monitoring and/or Recordkeeping Requirements

- 1. Except as otherwise provided in this section, the permittee shall perform inspections of the roadways in accordance with the following frequencies:

<u>paved roadways</u>	<u>minimum inspection frequency</u>
B - Gypsum Storage Building	weekly
C - Gypsum Emergency Stock-out Pile	weekly
D - Dump Truck/Gypsum Station	weekly
E - Dumpster Truck/Inerts Station	weekly

<u>unpaved roadways</u>	<u>minimum inspection frequency</u>
A - Limestone Storage Pile Areas	weekly

- 2. The purpose of the inspections is to determine the need for implementing the above-mentioned control measures. The inspections shall be performed during representative, normal traffic conditions. No inspection shall be necessary for a roadway that is covered with snow and/or ice or if precipitation has occurred that is sufficient for that day to ensure compliance with the above-mentioned applicable requirements. Any required inspection that is not performed due to

any of the above-identified events shall be performed as soon as such event(s) has (have) ended, except if the next required inspection is within one week.

3. The permittee may, upon receipt of written approval from the Hamilton County Department of Environmental Services, 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.
4. The permittee shall maintain records of the following information:
 - a. the date and reason any required inspection was not performed, including those inspections that were not performed due to snow and/or ice cover or precipitation;
 - b. the date of each inspection where it was determined by the permittee that it was necessary to implement the control measures;
 - c. the dates the control measures were implemented; and
 - d. on a calendar quarter basis, the total number of days the control measures were implemented and the total number of days where snow and/or ice cover or precipitation were sufficient to not require the control measures.

The information required in 4.d. shall be kept separately for (i) the paved roadways and (ii) the unpaved roadways, and shall be updated on a calendar quarter basis within 30 days after the end of each calendar quarter.

5. The permittee shall maintain monthly records of the following information for this emissions unit:
 - a. the actual or estimated monthly vehicle miles traveled; and
 - b. the total emissions, in tons, for PM/PM-10 for each month.

IV. Reporting Requirements

1. The permittee shall submit deviation reports that identify any of the following occurrences:
 - a. each day during which an inspection was not performed by the required frequency, excluding an inspection which was not performed due to an exemption for snow and/or ice cover or precipitation; and

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- b. each instance when a control measure, that was to be implemented as a result of an inspection, was not implemented.
2. The deviation reports shall be submitted in accordance with the reporting requirements of the General Terms and Conditions of this permit.
3. The permittee shall submit annual reports that specify the total PM/PM-10 emissions from this emissions unit for the calendar year. These reports shall be submitted by April 15 of each year. This reporting requirement may be satisfied by including and identifying the specific emission data for this emissions unit in the annual Fee Emission Report.

V. Testing Requirements

1. Compliance with the emission limitations in Section A.I of these terms and conditions shall be determined in accordance with the following methods:

Emission Limitation:

no visible particulate emissions except for one minute during any 60-minute period (paved roadways); and

no visible particulate emissions except for 3 minutes during any 60-minute period (unpaved roadways).

Applicable Compliance Method:

If required, compliance shall be determined in accordance with Test Method 22 as set forth in "Appendix on Test Methods" in 40 CFR, Part 60 ("Standards of Performance for New Stationary Sources"), as such Appendix existed on July 1, 2002, and the modifications listed in paragraphs (B)(4)(a) through (B)(4)(d) of OAC rule 3745-17-03.

2. Emissions Limitations:

Particulate matter (PM) emissions from the paved roadways shall not exceed 7.16 tons per year. Emissions of particulate matter less than 10 microns in diameter (PM-10) from the paved roadways shall not exceed 1.98 tons per year.

Particulate matter (PM) emissions from the unpaved roadways shall not exceed 0.70 ton per year. Emissions of particulate matter less than 10 microns in diameter (PM-10) from the unpaved roadways shall not exceed 0.13 ton per year.

Applicable Compliance Methods:

Compliance shall be determined using the following equations:

$$\text{tons PM/yr} = (A) \times (B) \times (1-C) \times 1 \text{ ton}/2000 \text{ lbs}$$

$$\text{ton PM-10/yr} = (A) \times (B) \times (1-C) \times 1 \text{ ton}/2000 \text{ lbs}$$

where,

A = PM or PM-10 emission factor, lb/VMT, calculated from AP-42, Sections 13.2.1 and 13.2.2 (December, 2003)

B = annual vehicle miles traveled (VMT)

C = control efficiency, for paved and unpaved, from operational parameters outlined in PTI application 14-05585, received June 22, 2004.

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Emissions Unit ID: F007

VI. Miscellaneous Requirements

None

B. State Only Enforceable Section

I. 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>	<u>Applicable Emissions Limitations/Control Measures</u>
F007 - FGD material handling system roadways		

2. Additional Terms and Conditions

2.a None

II. Operational Restrictions

None

III. Monitoring and/or Recordkeeping Requirements

None

IV. Reporting Requirements

None

V. Testing Requirements

None

VI. Miscellaneous Requirements

None

Part III - SPECIAL TERMS AND CONDITIONS FOR SPECIFIC EMISSIONS UNIT(S)

A. State and Federally Enforceable Section

I. 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>	<u>Applicable Emissions Limitations/Control Measures</u>
F008 - FGD material handling system storage piles - load-in and load-out of storage piles and wind erosion from storage piles (see term and condition A.2.a for identification of storage piles)	OAC rule 3745-31-05(A)(3)	No visible emissions except for one minute during any 60-minute period. Best available control measures that are sufficient to minimize or eliminate visible emissions of fugitive dust (see terms and conditions A.2.a through A.2.f). The requirements of this rule also include compliance with the requirements of OAC rule 3745-31-05(C).
	OAC rule 3745-17-07(B)(6)	The emission limitation specified by this rule is less stringent than the emission limitation established pursuant to OAC rule 3745-31-05(A)(3).
	OAC rule 3745-17-08(B)	The emission limitation specified by this rule is less stringent than the emission limitation established pursuant to OAC rule 3745-31-05(A)(3).
	OAC rule 3745-31-05(C) Synthetic Minor to avoid PSD New Source Review	Particulate matter (PM) emissions from the material handling system storage piles - load-in and load-out of storage piles and

wind erosion from storage piles shall not exceed 1.44 tons per year.

Emissions of particulate matter less than 10 microns in diameter (PM-10) from the material handling system storage piles - load-in and load-out of storage piles and wind erosion from storage piles shall not exceed 0.72 ton per year.

See Section A.2.g.

2. Additional Terms and Conditions

2.a The storage piles that are covered by this permit and subject to the above-mentioned requirements are listed below:

- A - Limestone (active storage pile)
- B - Limestone (inactive storage pile)
- C - Gypsum (active storage pile)
- D - Gypsum (emergency stock-out pile)
- E - Inerts storage

2.b The permittee shall employ best available control measures on all load-in and load-out operations associated with the storage piles for the purpose of ensuring compliance with the above-mentioned applicable requirements. In accordance with the permittee's permit application, the permittee has committed to the use of telescopic chute, maintaining material moisture content, precautionary measures and partial enclosure in order to ensure compliance. Nothing in this paragraph shall prohibit the permittee from employing other control measures to ensure compliance.

2.c The above-mentioned control measure(s) shall be employed for each load-in and load-out operation of each storage pile if the permittee determines, as a result of the inspection conducted pursuant to the monitoring section of this permit, that the control measure(s) are necessary to ensure compliance with the above-mentioned applicable requirements. Any required implementation of the control measure(s) shall continue during any such operation

until further observation confirms that use of the measure(s) is unnecessary.

- 2.d The permittee shall employ best available control measures for wind erosion from the surfaces of all storage piles for the purpose of ensuring compliance with the above-mentioned applicable requirements. In accordance with the permittee’s permit application, the permittee has committed to maintaining the material moisture content, precautionary measures and partial enclosure in order to ensure compliance. Nothing in this paragraph shall prohibit the permittee from employing other control measures to ensure compliance.
- 2.e The above-mentioned control measure(s) shall be employed for wind erosion from each pile if the permittee determines, as a result of the inspection conducted pursuant to the monitoring section of this permit, that the control measure(s) are necessary to ensure compliance with the above-mentioned applicable requirements. Implementation of the control measure(s) shall not be necessary for a storage pile that is covered with snow and/or ice or if precipitation has occurred that is sufficient for that day to ensure compliance with the above-mentioned applicable requirements.
- 2.f Implementation of the above-mentioned control measures in accordance with the terms and conditions of this permit is appropriate and sufficient to satisfy the requirements of OAC rules 3745-17-08 and 3745-31-05.
- 2.g The annual emissions limitations outlined are based upon the maximum production limitations established for emissions units F009 and F010.

II. Operational Restrictions

None

III. Monitoring and/or Recordkeeping Requirements

- 1. Except as otherwise provided in this section, the permittee shall perform inspections of each load-in operation at each storage pile in accordance with the following frequencies:

<u>storage pile identification</u>	<u>minimum load-in inspection frequency</u>
A - Limestone (active storage pile)	weekly
B - Limestone (inactive storage pile)	weekly
C - Gypsum (active storage pile)	weekly

Emissions Unit ID: F008

D - Gypsum (emergency stock-out pile) weekly
 E - Inerts storage weekly

2. Except as otherwise provided in this section, the permittee shall perform inspections of each load-out operation at each storage pile in accordance with the following frequencies:

<u>storage pile identification</u>	<u>minimum load-out inspection frequency</u>
A - Limestone (active storage pile)	weekly
B - Limestone (inactive storage pile)	weekly
C - Gypsum (active storage pile)	weekly
D - Gypsum (emergency stock-out pile)	weekly
E - Inerts storage	weekly

3. Except as otherwise provided in this section, the permittee shall perform inspections of the wind erosion from pile surfaces associated with each storage pile in accordance with the following frequencies:

<u>storage pile identification</u>	<u>minimum wind erosion inspection frequency</u>
A - Limestone (active storage pile)	weekly
B - Limestone (inactive storage pile)	weekly
C - Gypsum (active storage pile)	weekly
D - Gypsum (emergency stock-out pile)	weekly
E - Inerts storage	weekly

4. No inspection shall be necessary for wind erosion from the surface of a storage pile when the pile is covered with snow and/or ice and for any storage pile activity if precipitation has occurred that is sufficient for that day to ensure compliance with the above-mentioned applicable requirements. Any required inspection that is not performed due to any of the above identified events shall be performed as soon as such event(s) has (have) ended, except if the next required inspection is within one week.
5. The purpose of the inspections is to determine the need for implementing the control measures specified in this permit for load-in and load-out of a storage pile, and wind erosion from the surface of a storage pile. The inspections shall be performed during representative, normal storage pile operating conditions.
6. The permittee may, upon receipt of written approval from the Hamilton County Department of Environmental Services, 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.

7. The permittee shall maintain records of the following information:
 - a. the date and reason any required inspection was not performed, including those inspections that were not performed due to snow and/or ice cover or precipitation;
 - b. the date of each inspection where it was determined by the permittee that it was necessary to implement the control measures;
 - c. the dates the control measures were implemented; and
 - d. on a calendar quarter basis, the total number of days the control measures were implemented and, for wind erosion from pile surfaces, the total number of days where snow and/or ice cover or precipitation were sufficient to not require the control measure(s).

The information required in 7.d. shall be kept separately for (i) the load-in operations, (ii) the load-out operations, and (iii) the pile surfaces (wind erosion), and shall be updated on a calendar quarter basis within 30 days after the end of each calendar quarter.

8. The permittee shall maintain monthly records of the total emissions, in tons, for PM/PM-10.

IV. Reporting Requirements

1. The permittee shall submit deviation reports that identify any of the following occurrences:
 - a. each day during which an inspection was not performed by the required frequency, excluding an inspection which was not performed due to an exemption for snow and/or ice cover or precipitation; and
 - b. each instance when a control measure, that was to be implemented as a result of an inspection, was not implemented.
2. The deviation reports shall be submitted in accordance with the reporting requirements of the General Terms and Conditions of this permit.
3. The permittee shall submit annual reports that specify the total PM/PM-10 emissions from this emissions unit for the calendar year. These reports shall be submitted by April 15 of each year. This reporting requirement may be satisfied by including and identifying the specific emission data for this emissions unit in the annual Fee Emission Report.

V. Testing Requirements

1. Compliance with the emissions limitations in Section A.I.1 of these terms and conditions shall be determined in accordance with the following methods:

Emissions Limitations:

Particulate matter (PM) emissions from the material handling system storage piles - load-in and load-out of storage piles and wind erosion from storage piles shall not exceed 1.44 tons per year.

Emissions of particulate matter less than 10 microns in diameter (PM-10) from the material handling system storage piles - load-in and load-out of storage piles and wind erosion from storage piles shall not exceed 0.72 ton per year.

Applicable compliance method:

Compliance shall be demonstrated by the emission factors, control efficiencies (if applicable) and the operational parameters as submitted in PTI application 14-05585, received June 22, 2004.

2. Emission Limitation:

no visible particulate emissions except for one minute during any 60-minute period (load-in, load-out and wind erosion).

Applicable Compliance Method:

If required, compliance shall be determined in accordance with Test Method 22 as set forth in "Appendix on Test Methods" in 40 CFR, Part 60 ("Standards of Performance for New Stationary Sources," as such Appendix existed on July 1, 2002, and the modifications listed in paragraphs (B)(4)(a) through (B)(4)(d) of OAC rule 3745-17-03.

VI. Miscellaneous Requirements

None

B. State Only Enforceable Section

I. 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>	<u>Applicable Emissions Limitations/Control Measures</u>
F008 - FGD material handling system storage piles		

2. Additional Terms and Conditions

- 2.a None

II. Operational Restrictions

None

III. Monitoring and/or Recordkeeping Requirements

None

IV. Reporting Requirements

None

V. Testing Requirements

None

VI. Miscellaneous Requirements

None

Part III - SPECIAL TERMS AND CONDITIONS FOR SPECIFIC EMISSIONS UNIT(S)

A. State and Federally Enforceable Section

I. 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>
F009 - FGD material handling, transfer and conveying - Limestone handling system	OAC rule 3745-31-05(A)(3) OAC rule 3745-17-07 (B) OAC rule 3745-17-08 (B)
	OAC rule 3745-31-05(C) Synthetic Minor to avoid Major Modification New Source Review

Applicable Emissions
Limitations/Control
Measures

Particulate matter (PM) emissions from the material handling system, transfer and conveying - limestone handling system shall not exceed 30.13 pounds per hour.

Emissions of particulate matter less than 10 microns in diameter (PM-10) from the material handling system, transfer and conveying - limestone handling system shall not exceed 22.89 pounds per hour.

See Sections A.I.2.a. through A.I.2.e.

The requirements of this rule also include compliance with the requirements of OAC rule 3745-17-07(B), OAC rule 3745-17-08(B), and OAC rule 3745-31-05(C).

Particulate matter (PM*) emissions from the material handling system, transfer and conveying - limestone handling system shall not exceed 9.02 tons per year.

Emissions of particulate

matter less than 10 microns in diameter (PM-10 *) from the material handling system, transfer and conveying - limestone handling system shall not exceed 8.03 tons per year.

* based upon a rolling, 12-month summation

See Section A.II.1

Visible emissions of fugitive dust shall not exceed 20% opacity, as a three-minute average, except as specified by rule.

Best available control measures that are sufficient to minimize or eliminate visible emissions of fugitive dust (see terms and conditions A.2.b through A.2.d)

2. Additional Terms and Conditions

- 2.a The material handling operation(s) that are covered by this permit and subject to the above-mentioned requirements are listed below:

Limestone handling system, from the barge unloading through the handling process to Units 7 and 8 Mill Product Tanks, exclusive of the storage piles, as described in the PTI 14-05585 application received on June 22, 2004.

- 2.b The permittee shall employ best available control measures for the above-identified material handling operation(s) for the purpose of ensuring compliance with the above-mentioned applicable requirements. In accordance with the permittee's permit application, the permittee has committed to perform the following control measure(s) to ensure compliance:

<u>material handling operation(s)</u>	<u>control measure(s)</u>
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limestone handling system	a combination of precautionary measures, water sprays, partial enclosure, telescopic chute, full enclosure and full enclosure with baghouse vented inside the building.
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Nothing in this paragraph shall prohibit the permittee from employing other control measures to ensure compliance.

- 2.c For each material handling operation that is not adequately enclosed, the above-identified 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 above-mentioned applicable requirements. Any required implementation of the control measure(s) shall continue during the operation of the material handling operation(s) until further observation confirms that use of the control measure(s) is unnecessary.
- 2.d Implementation of the above-mentioned control measure(s) in accordance with the terms and conditions of this permit is appropriate and sufficient to satisfy the requirements of OAC rules 3745-17-08 and 3745-31-05.
- 2.e The hourly emission limitations outlined in term A.I.1 for PM/PM10 are based on the emissions unit's Potential to Emit (PTE). Therefore, no hourly records are required to demonstrate compliance with these limits.

II. Operational Restrictions

- 1. The maximum annual throughput for this emissions unit shall not exceed 569,400 tons of limestone, based upon a rolling, 12-month summation of the throughput rates.

To ensure enforceability during the first 12 calendar months of operation following the issuance of this permit, the permittee shall not exceed the limestone throughput specified in the following table:

<u>Month(s)</u>	<u>Maximum Allowable Limestone Throughput, Tons</u>
1	56,940
1-2	113,880
1-3	170,820
1-4	227,760
1-5	284,700
1-6	341,640
1-7	398,850
1-8	455,520
1-9	512,460
1-10	569,400
1-11	569,400
1-12	569,400

After the first 12 calendar months of operation following the issuance of this permit, compliance with the annual throughput limitation shall be based upon a rolling, 12-month summation of the limestone throughput.

III. Monitoring and/or Recordkeeping Requirements

- 1. 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:

<u>material handling operation(s)</u>	<u>minimum inspection frequency</u>
Limestone handling system	weekly

- 2. The above-mentioned inspections shall be performed during representative, normal operating conditions.
- 3. The permittee may, upon receipt of written approval from the Hamilton County Department of Environmental Services, 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.

4. 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(s);
 - c. the dates the control measure(s) was (were) implemented; and
 - d. on a calendar quarter basis, the total number of days the control measure(s) was (were) implemented.

The information in 4.d. shall be updated on a calendar quarter basis within 30 days after the end of each calendar quarter.

5. The permittee shall maintain monthly records of the following information for this emissions unit in order to monitor compliance with the applicable material throughput restriction:
 - a. the material throughput for each month; and
 - b. beginning after the first 12 calendar months of operation following the issuance of this permit, the rolling, 12-month summation of the material throughput.

Also during the first 12 calendar months of operation following the issuance of this permit, the permittee shall record the cumulative material throughput for each calendar month.

6. The permittee shall maintain monthly records of the following information for this emissions unit in order to demonstrate compliance with the rolling, 12-month summation emission limitations:
 - a. the total emissions, in tons, for PM/PM-10 for each month; and
 - b. the updated rolling, 12-month summation emissions total, in tons, for PM/PM-10 (the total amount of emissions for the current month plus the total amount of emissions for the previous eleven calendar months).

IV. Reporting Requirements

1. The permittee shall submit deviation reports that identify any of 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.
2. The permittee shall submit deviation (excursion) reports which identify all exceedances of the following:
 - a. an identification of all exceedances of the rolling, 12-month material throughput restriction, and for the first 12 calendar months of operation following issuance of this permit, all exceedances of the maximum allowable cumulative throughput levels; and
 - b. an identification of all exceedances of the rolling, 12-month emission limitations for PM/PM-10.
3. The deviation reports shall be submitted in accordance with the reporting requirements of the General Terms and Conditions of this permit.
4. The permittee shall submit annual reports that specify the total PM/PM-10 emissions from this emissions unit for the calendar year. These reports shall be submitted by April 15 of each year. This reporting requirement may be satisfied by including and identifying the specific emission data for this emissions unit in the annual Fee Emission Report.

V. Testing Requirements

1. Compliance with the emission limitations in Sections A.I and II of these terms and conditions shall be determined in accordance with the following methods:
 - a. Emissions Limitations:

PM emissions from the material handling system, transfer and conveying - limestone handling system shall not exceed 30.13 pounds per hour.

Emissions of particulate matter less than 10 microns in diameter (PM-10) from the material handling system, transfer and conveying - limestone handling system shall not exceed 22.89 pounds per hour.

Particulate matter (PM*) emissions from the material handling system, transfer and conveying - limestone handling system shall not exceed 9.02 tons per year.

Emissions of particulate matter less than 10 microns in diameter (PM-10 *) from the

Emissions Unit ID: F009

material handling system, transfer and conveying - limestone handling system shall not exceed 8.03 tons per year.

Applicable Compliance Method:

The hourly emission limitations are based upon the emission unit's potential to emit and the emissions data found in PTI 14-05585 submitted June 22, 2004. Compliance with the annual limitations shall be demonstrated by the emission factors, control efficiencies (if applicable) and the operational parameters as submitted in PTI application 14-05585, received June 22, 2004 and the record keeping in Section A.III.6.

b. Emission Limitation:

Visible emissions of fugitive dust shall not exceed 20% opacity, as a three-minute average, except as specified by rule.

Applicable compliance method:

If required, compliance shall be determined in accordance with Test Method 9 as set forth in "Appendix on Test Methods" in 40 CFR, Part 60 ("Standards of Performance for New Stationary Sources"), as such Appendix existed on July 1, 2002, and the modifications listed in paragraphs (B)(4)(a) through (B)(4)(d) of OAC rule 3745-17-03.

2. Compliance with the operational limitation in Section A.II of these terms and conditions shall be determined in accordance with the following method:

Material throughput Restriction:

569,400 tons of limestone throughput, per rolling, 12-month period

Applicable Compliance Method:

Compliance with the rolling, 12-month material throughput restriction specified above shall be determined by the record keeping requirements specified in Section A.III.5.

VI. Miscellaneous Requirements

None

B. State Only Enforceable Section

I. 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>	<u>Applicable Emissions Limitations/Control Measures</u>
F009 - FGD material handling, transfer and conveying		

2. Additional Terms and Conditions

2.a None

II. Operational Restrictions

None

III. Monitoring and/or Recordkeeping Requirements

None

IV. Reporting Requirements

None

V. Testing Requirements

None

VI. Miscellaneous Requirements

None

Part III - SPECIAL TERMS AND CONDITIONS FOR SPECIFIC EMISSIONS UNIT(S)

A. State and Federally Enforceable Section

I. 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>
F010 - FGD material handling, transfer and conveying - Gypsum handling system	OAC rule 3745-31-05(A)(3)
	OAC rule 3745-17-07 (B)
	OAC rule 3745-17-08 (B)
	OAC rule 3745-31-05(C) Synthetic Minor to avoid Major Modification New Source Review

Applicable Emissions
Limitations/Control
Measures

Particulate matter (PM) emissions from the material handling system, transfer and conveying - gypsum handling system shall not exceed 0.41 pound per hour.

Emissions of particulate matter less than 10 microns in diameter (PM-10) from the material handling system, transfer and conveying - gypsum handling system shall not exceed 0.24 pound per hour.

See Sections A.I.2.a. through A.I.2.e.

The requirements of this rule also include compliance with the requirements of OAC rule 3745-17-07(B), OAC rule 3745-17-08(B), and OAC rule 3745-31-05(C).

Particulate matter (PM*) emissions from the material handling system, transfer and conveying - gypsum handling system shall not exceed 0.53 ton per year.

Emissions of particulate matter less than 10 microns in diameter (PM-10*) from

the material handling system, transfer and conveying - gypsum handling system shall not exceed 0.34 ton per year.

* based upon a rolling, 12-month summation

See Section A.II..

Visible emissions of fugitive dust shall not exceed 20% opacity, as a three-minute average, except as specified by rule.

Best available control measures that are sufficient to minimize or eliminate visible emissions of fugitive dust (see terms and conditions A.2.b through A.2.d)

2. Additional Terms and Conditions

- 2.a The material handling operation(s) that are covered by this permit and subject to the above-mentioned requirements are listed below:

Gypsum handling system, exclusive of the storage plies, as described in the PTI 14-05585 application received on June 22, 2004.

- 2.b The permittee shall employ best available control measures for the above-identified material handling operation(s) for the purpose of ensuring compliance with the above-mentioned applicable requirements. In accordance with the permittee's permit application, the permittee has committed to perform the following control measure(s) to ensure compliance:

<u>material handling operation(s)</u>	<u>control measure(s)</u>
gypsum handling system and full enclosure	a combination of partial enclosure, telescopic chute

Nothing in this paragraph shall prohibit the permittee from employing other control measures to ensure compliance.

- 2.c For each material handling operation that is not adequately enclosed, the above-identified 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 above-mentioned applicable requirements. Any required implementation of the control measure(s) shall continue during the operation of the material handling operation(s) until further observation confirms that use of the control measure(s) is unnecessary.
- 2.d Implementation of the above-mentioned control measure(s) in accordance with the terms and conditions of this permit is appropriate and sufficient to satisfy the requirements of OAC rules 3745-17-08 and 3745-31-05.
- 2.e The hourly emission limitations outlined in Section A.I.1 for PM/PM10 are based on the emissions unit's Potential to Emit (PTE). Therefore, no hourly records are required to demonstrate compliance with these limits.

II. Operational Restrictions

Emissions Unit ID: F010

1. The maximum annual throughput for this emissions unit shall not exceed 1,033,680 tons of gypsum, based upon a rolling, 12-month summation of the throughput rates.

To ensure enforceability during the first 12 calendar months of operation following the issuance of this permit, the permittee shall not exceed the gypsum throughput specified in the following table:

<u>Month(s)</u>	<u>Maximum Allowable Gypsum Throughput, Tons</u>
1	103,368
1-2	206,736
1-3	310,104
1-4	413,472
1-5	516,840
1-6	620,208
1-7	723,576
1-8	826,944
1-9	930,312
1-10	1,033,680
1-11	1,033,680
1-12	1,033,680

After the first 12 calendar months of operation following the issuance of this permit, compliance with the annual throughput limitation shall be based upon a rolling, 12-month summation of the gypsum throughput.

III. Monitoring and/or Recordkeeping Requirements

1. 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:

<u>material handling operation(s)</u>	<u>minimum inspection frequency</u>
Gypsum handling system	weekly

2. The above-mentioned inspections shall be performed during representative, normal operating conditions.
3. The permittee may, upon receipt of written approval from the Hamilton County Department of Environmental Services, 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.
4. 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(s);
- c. the dates the control measure(s) was (were) implemented; and
- d. on a calendar quarter basis, the total number of days the control measure(s) was (were) implemented.

The information in 4.d. shall be updated on a calendar quarter basis within 30 days after the end of each calendar quarter.

5. The permittee shall maintain monthly records of the following information for this emissions unit in order to monitor compliance with the applicable material throughput restriction:
 - a. the material throughput for each month; and
 - b. beginning after the first 12 calendar months of operation following the issuance of this permit, the rolling, 12-month summation of the material throughput.

Also during the first 12 calendar months of operation following the issuance of this permit, the permittee shall record the cumulative material throughput for each calendar month.

6. The permittee shall maintain monthly records of the following information for this emissions unit in order to demonstrate compliance with the rolling, 12-month summation emission limitations:
 - a. the total emissions, in tons, for PM/PM-10 for each month; and
 - b. the updated rolling, 12-month summation emissions total, in tons, for PM/PM-10 (the total amount of emissions for the current month plus the total amount of emissions for the previous eleven calendar months).

IV. Reporting Requirements

1. The permittee shall submit deviation reports that identify any of 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.
2. The permittee shall submit deviation (excursion) reports which identify all exceedances of the following:
 - a. an identification of all exceedances of the rolling, 12-month material throughput restriction, and for the first 12 calendar months of operation following issuance of this permit, all exceedances of the maximum allowable cumulative throughput levels; and
 - b. an identification of all exceedances of the rolling 12-month emission limitations for PM/PM-10.
3. The deviation reports shall be submitted in accordance with the reporting requirements of the General Terms and Conditions of this permit.
4. The permittee shall submit annual reports that specify the total PM/PM-10 emissions from this emissions unit for the calendar year. These reports shall be submitted by April 15 of each year. This reporting requirement may be satisfied by including and identifying the specific emission data for this emissions unit in the annual Fee Emission Report.

V. Testing Requirements

1. Compliance with the emission limitations in Sections A.I and II of these terms and conditions shall be determined in accordance with the following methods:
 - a. Emissions Limitations:

Particulate matter (PM) emissions from the material handling system, transfer and conveying - gypsum handling system shall not exceed 0.41 pound per hour.

Emissions of particulate matter less than 10 microns in diameter (PM-10) from the material handling system, transfer and conveying - gypsum handling system shall not exceed 0.24 pound per hour.

Cinergy Corp Miami Fort Station

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Facility ID: 1431350093

Emissions Unit ID: F010

Particulate matter (PM*) emissions from the material handling system, transfer and conveying - gypsum handling system shall not exceed 0.53 ton per year.

Emissions of particulate matter less than 10 microns in diameter (PM-10*) from the material handling system, transfer and conveying - gypsum handling system shall not exceed 0.34 ton per year.

Applicable Compliance Method:

The hourly emission limitations are based upon the emission unit's potential to emit and the emissions data found in PTI 14-05585 submitted June 22, 2004. Compliance with the annual limitations shall be demonstrated by the emission factors, control efficiencies (if applicable) and the operational parameters as submitted in PTI application 14-05585, received June 22, 2004 and the record keeping in term A.III.6.

b. Emission Limitation:

Visible emissions of fugitive dust shall not exceed 20% opacity, as a three-minute average, except as specified by rule.

Applicable compliance method:

If required, compliance shall be determined in accordance with Test Method 9 as set forth in "Appendix on Test Methods" in 40 CFR, Part 60 ("Standards of Performance for New Stationary Sources"), as such Appendix existed on July 1, 2002, and the modifications listed in paragraphs (B)(4)(a) through (B)(4)(d) of OAC rule 3745-17-03.

2. Compliance with the operational limitation in Section A.II of these terms and conditions shall be determined in accordance with the following methods:

Material throughput Restriction:

1,033,680 tons of gypsum throughput, per rolling 12-month period

Applicable Compliance Method:

Compliance with the rolling 12-month material throughput restriction specified above shall be determined by the record keeping requirements specified in Section A.III.5.

VI. Miscellaneous Requirements

None

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Issued: 10/21/2004

Emissions Unit ID: F010

B. State Only Enforceable Section

I. 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>	<u>Applicable Emissions Limitations/Control Measures</u>
F010 - FGD material handling, transfer and conveying		

2. Additional Terms and Conditions

2.a None

II. Operational Restrictions

None

III. Monitoring and/or Recordkeeping Requirements

None

IV. Reporting Requirements

None

V. Testing Requirements

None

VI. Miscellaneous Requirements

None